

Ordinance No. 121359

Council Bill No. 114667

An ordinance relating to land use and zoning; amending Seattle Municipal Code Sections 23.41.012, 23.47.012, 23.48.010, 23.50.020, 23.50.026, 23.50.028, 23.54.015, 23.54.035, 23.84.032 and 23.86.006 to address the unique needs or features of biotech uses in South Lake Union, and to correct minor errors and omissions.

The City of Seattle
Council Bill/Ordinance

CF No. _____

Date Introduced:	SEP 2 - 2003	
Date 1st Referred:	SEP 2 - 2003	
Date 1st Referred:	DEC 1 - 2003	
Date 2nd Referred:		
Date of Final Passage:	12-8-03	
Date Presented to Mayor:	12-9-03	
Date Returned to City Clerk:	12/17/03	
Date Vetted by Mayor:		
Date Passed Over Veto:		
To: (committee)	Land Use Committee Finance, Budget, Business & Labor Committee	
To: (committee)	Finance, Budget, Business & Labor Committee	
Full Council Vote:	7-0	
Date Approved:	12/17/03	
Date Published:	35PP	
Date Veto Published:		
Veto Sustained:		

Do Pass as Amended
12-8-03 Pass.
(Excess)

This file is complete and ready for

Law Department

Law Dept. Review

Council Bill/Ordinance sponsored by:

Contingente

Do Pass as amended 6-D (TD, NL, PS, MP, TN, HW)

12803 Passed 7-0

(Excused: Computers Malware)

Committee:

Figure 2

Law Department

Law Dept. Review

OMP Review

City Clerk Review

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ORDINANCE 121359

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Sections 23.41.012, 23.47.012, 23.48.010, 23.50.020, 23.50.026, 23.50.028, 23.54.015, 23.54.035, 23.84.032 and 23.86.006 to address the unique needs or features of biotech uses in South Lake Union, and to correct minor errors and omissions.

WHEREAS, the City Council adopted Resolution 30610 affirming the City of Seattle's commitment to making the South Lake Union area the region's most competitive location for biotech research and manufacturing, clean energy, advanced energy technology research, manufacturing and distribution, other high-tech research and manufacturing, and other innovative entrepreneurial high-tech industries; and

WHEREAS, the City Council adopted Resolution 30542 emphasizing the City's commitment to regional economic strategies, including supporting the redevelopment of the South Lake Union area for the regional expansion of the bio-medical and bio-information sectors; and

WHEREAS, the City Council finds that this ordinance should be adopted consistent with the referenced resolutions and for the reasons contained in the Director's Report on the proposed Biotech Related Amendments, August 11, 2003; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection B of Section 23.41.012 of the Seattle Municipal Code, which
Section was last amended by Ordinance 120928, is amended as follows:

23.41.012 Development standard departures.

B. Departures may be granted from the following requirements:

1. Structure width and depth limits;
2. Setback requirements;
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. Rooftop coverage limits that apply within the South Lake Union Hub Urban

Village:

9. ((8-)) Screening and landscaping requirements;

10. ((9-)) Standards for the location and design of nonresidential uses in mixed use buildings;

11. ((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;



1 12. ~~((11-))~~ Building height within the Roosevelt Commercial Core (up to an
2 additional three (3) feet) for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt
3 Commercial Core);

4 13. ~~((12-))~~ Building height within the Ballard Municipal Center master plan area,
5 for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan
6 Area). The additional height may not exceed nine (9) feet, and may be granted only for
7 townhouses that front a mid-block pedestrian connection or a park identified in the Ballard
8 Municipal Center Master Plan;
9

10 14. ~~((13-))~~ Reduction in required parking for ground level retail uses that abut
11 established mid-block pedestrian connections through private property as identified in the
12 "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement must
13 be no less than the required parking for Pedestrian 1 designated
14 areas shown in Section 23.47.044 Chart E;
15

16 15. ~~((14-))~~ Downtown or Stadium Transition Overlay District street façade
17 requirements;
18

19 16. ~~((15-))~~ Downtown upper-level development standards;

20 17. ~~((16-))~~ Downtown coverage and floor size limits;

21 18. ~~((17-))~~ Downtown maximum wall dimensions;

22 19. ~~((18-))~~ Downtown street level use requirements;

23 20. ~~((19-))~~ Combined coverage of all rooftop features in downtown zones subject
24 to the limitations in Section 23.49.008 C2; and
25
26
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1 21. (~~(20.)~~) Certain conditions to allowance of additional height in DOC 1 and
2 DOC 2 zones pursuant to subsection 23.49.008 A 2, as follows:

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

5 b. Percentages of lot area that must be occupied by open space or by
6 structures no greater than thirty-five (35) or sixty-five (65) feet in height, under subsection
7 23.49.008 A2b(1).
8

9 22. (~~(21.)~~) Building height in Lowrise zones, and parking standards of Section
10 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in
11 Chapter 25.11;
12

13 23. (~~(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 required
15 view corridor or Green Street setback, provided such railings are determined to have a minimal
16 impact on views and meet the requirements of the Building Code; and
17

18 24. (~~(23.)~~) Minor communication utility height limits in downtown zones set
19 forth in SMC Section 23.57.013 B, and telecommunication facilities development standards set
20 forth in Section 23.57.016.
21

22 Section 2. Subsections A, D and H of Section 23.47.012 of the Seattle Municipal Code,
23 which Section was last amended by Ordinance 121051, is amended as follows:

24 **23.47.012 Structure height and floor area ratio.**

25 A. Maximum Height. The maximum structure height for commercial zones shall be
26 thirty (30) feet, forty (40) feet, sixty-five (65) feet, eighty-five (85) feet, one hundred twenty-five
27
28



(125) feet, or one hundred sixty (160) feet, as designated on the Official Land Use Map, Chapter 23.32(~~--In addition~~), except that:

1. Within the South Lake Union Hub Urban Village, the maximum structure height in commercial zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-five (85) feet and one-hundred and five (105) feet, respectively, provided that:

a. a minimum of two (2) floors in the structure have a floor to floor height of at least fourteen (14) feet; and

b. the additional height is used to accommodate mechanical equipment;
and

c. the additional height permitted does not allow more than six (6) floors in commercial zones with a sixty-five (65) foot height limit, or more than seven (7) floors in commercial zones with an eighty-five (85) foot height limit.

2. ((m)) Mixed use structures located in commercial zones with a thirty (30) foot or forty (40) foot height limit may exceed the height limit of the zone according to the provisions of Section 23.47.008.

D. Exemptions from FAR Calculations. The following areas shall be exempted from FAR calculations:

1. All gross floor area below grade;
2. All gross floor area used for accessory parking(~~(-)~~); and

3. Within the South Lake Union Hub Urban Village, gross floor area occupied by mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR calculations. The allowance is calculated on the gross floor area of the structure after all exempt space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.

H. Rooftop Features.

1. Smokestacks; chimneys; flagpoles; and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof as permitted by Section 23.47.012F or up to four (4) feet above the maximum height limit with unlimited rooftop coverage.

3. Solar Collectors.

a. In zones with height limits of thirty (30) or forty (40) feet, solar collectors may extend up to four (4) feet above the maximum height limit, with unlimited rooftop coverage.

b. In zones with height limits of sixty-five (65) feet or more, solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage.



1 4. The following rooftop features may extend up to fifteen (15) feet above the
2 maximum height limit, so long as the combined total coverage of all features listed in this
3 subsection does not exceed twenty (20) percent of the roof area or twenty-five (25) percent of the
4 roof area if the total includes stair or elevator penthouses or screened mechanical equipment:

- 5 a. Solar collectors;
6 b. Stair and elevator penthouses;
7 c. Mechanical equipment;
8 d. Play equipment and open-mesh fencing which encloses it, so long as
9 the fencing is at least fifteen (15) feet from the roof edge; and
10
11 e. Minor communication utilities and accessory communication devices,
12 except that height is regulated according to the provisions of Section 23.57.012.
13

14 5. Within the South Lake Union Hub Urban Village, at the applicant's option, the
15 combined total coverage of all features listed in subsection H4 may be increased to sixty-five
16 (65) percent of the roof area, provided that the following are satisfied:
17

- 18 a. All mechanical equipment is screened; and
19 b. No rooftop features are located closer than ten (10) feet to the roof
20 edge.

21 6. ((5-)) In order to protect solar access for property to the north, the applicant
22 shall either locate the rooftop features listed in this subsection at least ten (10) feet from the north
23 edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such
24 rooftop features would shade property to the north on January 21st at noon no more than would a
25 structure built to maximum permitted bulk:
26
27
28



- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Greenhouses;
- e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Section 23.57.012;
- f. Nonfirewall parapets;
- g. Play equipment.

7. ((6.)) Structures existing prior to May 10, 1986 may add new or replace existing mechanical equipment up to fifteen (15) feet above the roof elevation of the structure and shall comply with the noise standards of Section 23.47.018.

8. ((7.)) For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.012.

Section 3. Section 23.48.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

23.48.010 General structure height.

A. Maximum Height. Maximum structure height shall be fifty-five (55) feet, seventy-five (75) feet or one hundred twenty-five (125) feet as designated on the Official Land Use Map, Chapter 23.32((-)) , except as provided in subsection B of this Section.

B. The maximum structure height may be increased from seventy-five (75) feet to eighty-five (85) feet, provided that:



1 1. a minimum of two (2) floors in the structure have a floor to floor height of at
2 least fourteen (14) feet; and
3 2. the additional height is used to accommodate mechanical equipment; and
4 3. the additional height permitted does not allow more than seven (7) floors; and
5 4. the height limit provisions of 23.48.016 A1b, Standards applicable to specific
6 areas, are satisfied.
7

8 C. ~~((B.))~~ Pitched Roofs. The ridge of pitched roofs with a minimum slope of six to
9 twelve (6:12) may extend ten (10) feet above the height limit. The ridge of pitched roofs with a
10 minimum slope of four to twelve (4:12) may extend five (5) feet above the height limit (Exhibit
11 23.48.010 A). No portion of a shed roof shall be permitted to extend beyond the height limit
12 under this provision.
13

14 ~~((C.))~~ D. Rooftop Features.

15 1. Smokestacks; chimneys; flagpoles; and religious symbols for religious
16 institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height
17 Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.
18

19 2. Open railings, planters, skylights, clerestories, greenhouses, parapets and
20 firewalls may extend up to four (4) feet above the maximum height limit with unlimited rooftop
21 coverage.
22

23 3. Solar collectors may extend up to seven (7) feet above the maximum height
24 limit, with unlimited rooftop coverage.

25 4. The following rooftop features may extend up to fifteen (15) feet above the
26 maximum height limit, so long as the combined total coverage of all features listed in this
27
28



subsection D4 does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent of the roof area if the total includes stair or elevator penthouses or screened mechanical equipment:

- a. Solar collectors;
- b. Stair and elevator penthouses;
- c. Mechanical equipment;
- d. Atriums, greenhouses, and solariums;
- e. Play equipment and open-mesh fencing which encloses it, as long as the fencing is at least fifteen (15) feet from the roof edge; and
- f. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.012.

5. At the applicant's option, the combined total coverage of all features listed in subsection D4 above may be increased to sixty-five (65) percent of the roof area, provided that all of the following are satisfied:

- a. All mechanical equipment is screened; and
- b. No rooftop features are located closer than ten (10) feet to the roof edge.

~~((5-))~~ 6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection D5 at least ten (10) feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:



- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Atriums, greenhouses and solariums;
- e. Minor communication utilities and accessory communication devices

according to the provisions of Section 23.57.012;

- f. Nonfirewall parapets;
- g. Play equipment.

~~((6.))~~ 7. Screening. Rooftop mechanical equipment and elevator penthouses shall be screened with fencing, wall enclosures, or other structures.

~~((7.))~~ 8. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.012.

Section 4. Subsection A of Section 23.50.020 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

23.50.020 All Industrial zones -- Structure height exceptions and additional restrictions.

A. Rooftop Features. Where height limits are otherwise applicable to a structure, and except as provided in subsections C4, D4, E4 and F3 of Section 23.50.024, the following conditions ~~((shall))~~ apply to rooftop features:

1. Smokestacks; chimneys and flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.



2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend four (4) feet above the maximum height limit with unlimited rooftop coverage.

3. Solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen (15) feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent of the roof area if the total includes screened mechanical equipment:

- a. Solar collectors;
- b. Stair and elevator penthouses;
- c. Mechanical equipment; and
- d. Minor communication utilities and accessory communication devices,

except that height is regulated according to the provisions of Section 23.57.015.

5. Within the South Lake Union Hub Urban Village, at the applicant's option, the combined total coverage of all features listed in subsection A4 above may be increased to sixty-five (65) percent of the roof area, provided that all of the following are satisfied:

- a. All mechanical equipment is screened; and
- b. No rooftop features are located closer than ten (10) feet to the roof

edge.



1 Section 5. Section 23.50.026 of the Seattle Municipal Code, which Section was last
2 amended by Ordinance 120609, is amended to add new subsection D as follows:

3 **23.50.026 Structure height in IC zones.**

4 ***

5 D. Within the South Lake Union Hub Urban Village, the maximum structure height in IC
6 zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-
7 five (85) feet and one-hundred and five (105) feet, respectively, provided that:

8 1. a minimum of two (2) floors in the structure have a floor to floor height of at
9 least fourteen (14) feet; and

10 2. the additional height is used to accommodate mechanical equipment; and

11 3. the additional height permitted does not allow more than six (6) floors in IC
12 zones with a sixty-five (65) foot height limit, or more than seven (7) floors in IC zones with an
13 eighty-five (85) foot height limit.

14 Section 6. Subsection E of Section 23.50.028 of the Seattle Municipal Code, which
15 Section was last amended by Ordinance 119370, is amended as follows:

16 **23.50.028 Floor area ratio.**

17 ***

18 E. All Industrial Zones, Exemptions from FAR Calculations. The following areas shall
19 be exempt from FAR calculations:

20 1. All gross floor area below grade;

21 2. All gross floor area used for accessory parking;



3. All gross floor area ((uses)) used for mechanical equipment, stair and elevator penthouses and communication equipment and antennas located on the rooftop of structures;

4. All gross floor area used for covered rooftop recreational space of a building existing as of December 31, 1998, when complying with the provisions of Section 23.50.012

D((-)); and

5. Within the South Lake Union Hub Urban Village, gross floor area occupied by mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR calculations. The allowance is calculated on the gross floor area of the structure after all exempt space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.

Section 7. Chart A of Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by Ordinance 121196, is amended as follows:

Chart A for Section 23.54.015
PARKING

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
Adult family home	1 space for each dwelling unit
Adult motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats



1	Adult panoram	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
2		
3	Airport, land-based (waiting area)	1 space for each 100 square feet
4	Airport, water-based (waiting area)	1 space for each 100 square feet
5	Animal services	1 space for each 350 square feet
6	Animal husbandry (retail area only)	1 space for each 350 square feet
7	Aquaculture (retail area only)	1 space for each 350 square feet
8	Artist's studio/dwelling	1 space for each dwelling unit
9		
10	Assisted living facility ²	1 space for each 4 assisted living units plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space; plus loading berth requirements per Section 23.54.035
11		
12		
13	Automotive parts or accessory sales	1 space for each 350 square feet
14	Ball courts	1 space per court
15		
16	Bed and breakfast	1 space for each dwelling, plus 1 space for each 2 guest rooms or suites
17	Bowling alley	5 spaces for each lane
18		
19	Business support services	1 space for each 2,000 square feet
20	Business incubators	1 space for each 1,000 square feet
21	Carwash	1 space for each 2,000 square feet
22	Caretaker's quarters	1 space for each dwelling unit
23	Cargo terminal	1 space for each 2,000 square feet
24	Cemetery	None
25	Child care center ^{1,9}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20
26		
27		
28		



	children
Colleges	A number of spaces equal 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
Commercial laundries	1 space for each 2,000 square feet
Commercial moorage	1 space for each 140 lineal feet of moorage
Communication utilities	1 space for each 2,000 square feet
Community centers ^{1,2} and Community clubs ^{1,2}	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1,2,3}	1 space for each 555 square feet
Congregate residences	1 space for each 4 residents
Construction services	1 space for each 2,000 square feet.
Custom and craft work	1 space for each 1,000 square feet
Dance halls (dance floor and table area)	1 space for each 100 square feet
Drinking establishment	1 space for each 200 square feet
Dry storage of boats	1 space for each 2,000 square feet



1	Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 space for each 100 square feet
3	Floating homes	1 space for each dwelling unit
4	Food processing for human consumption	1 space for each 1,000 square feet
6	Gas station	1 space for each 2,000 square feet
7	General retail sales and services	1 space for each 350 square feet
8	Ground-floor businesses in multifamily zones	None, maximum of 10 spaces
10	Heavy commercial services	1 space for each 2,000 square feet
11	Heliports (waiting area)	1 space for each 100 square feet
12	High-impact uses	1 space for each 1,500 square feet or as determined by the Director
14	Horticultural uses (retail area only)	1 space for each 350 square feet
15	Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 space for each 6 beds
17	Hotels	1 space for each 4 sleeping rooms or suites
18	Institute for advanced study ¹	1 space for each 1,000 square feet of administrative offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
23	Institutes for advanced study in single-family zones (existing)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of actual conference rooms to be constructed, whichever



		is greater
1		
2	Kennel	1 space for each 2,000 square feet
3	Lecture and meeting hall	1 space for each 8 fixed seats or
4		1 space for each 100 square feet of spectator assembly area not containing fixed seats
5	Library ¹⁰	1 space for each 80 square feet of floor area of
6		all auditoria and public meeting rooms; plus 1
7		space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
8	Live-work unit	1 space for each unit; plus the number of spaces required for the nonresidential portion for live- work units greater than 2,500 square feet, based on the most similar nonresidential use
9		
10		
11	Major durables, sales, service, and rental	1 space for each 2,000 square feet
12		
13	Manufacturing, general	1 space for each 1,500 square feet
14	Manufacturing, heavy	1 space for each 1,500 square feet
15	Manufacturing, light	1 space for each 1,500 square feet
16	Marine service station	1 space for each 2,000 square feet
17	Medical services	1 space for each 350 square feet
18	Miniature golf	1 space for each 2 holes
19	Mini-warehouse	1 space for each 30 storage units
20	Mobile home park	1 space for each mobile home
21	Mortuary services	1 space for each 350 square feet
22	Motels	1 space for each sleeping room or suite
23	Motion picture studio	1 space for each 1,500 square feet
24	Motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not
25		
26		
27		
28		



Multifamily uses,⁴ except as
otherwise provided below¹³

containing fixed seats

Development sites containing 2—10 dwelling
units:

1.1 spaces for each dwelling unit

Development sites containing 11—30 dwelling
units:

1.15 spaces for each dwelling unit

Development sites containing 31—60 dwelling
units:

1.2 spaces for each dwelling unit

Development sites containing more than 60
dwelling units:

1.25 spaces for each dwelling unit

In addition, for all multifamily uses whose
average gross floor area per dwelling unit,
excluding decks and all portions of a structure
shared by multiple dwelling units, exceeds 500
square feet, an additional .0002 spaces per
square foot in excess of 500 shall be required up
to a maximum additional .15 spaces per dwelling
unit; and

When at least 50 percent of the dwelling units in
a multifamily use have 3 bedrooms, an additional
.25 spaces per bedroom for each unit with 3
bedrooms shall be required; and

Any multifamily use that contains a dwelling
unit with 4 or more bedrooms shall be required
to provide an additional .25 spaces per bedroom
for each unit with 4 or more bedrooms⁵

Multifamily uses containing
dwelling units with 2 or more
bedrooms, when within the area
impacted by the University of
Washington as shown on Map A
following this section, unless
another provision below allows
fewer parking spaces

1.5 spaces per unit with 2 or more bedrooms.
The requirement for units with 3 or more
bedrooms contained above shall also apply. All
other requirements for units with fewer than 2
bedrooms shall be as contained above⁵

Multifamily uses, when within the
Alki area as shown on Map B

1.5 spaces for each dwelling unit

1 following this section, unless
2 another provision below allows
fewer parking spaces

3 Multifamily uses, for development 1 space for each dwelling unit
4 sites that contain a total of 10 or
5 fewer dwelling units, all in ground-
related structures

6 Multifamily uses, when located in 0.33 space for each dwelling unit with 2 or fewer
7 Center City neighborhoods¹², for bedrooms, and 0.5 space for each dwelling unit
8 each dwelling unit rented to and with 3 or more bedrooms
9 occupied by a household with an
10 income at time of its initial
11 occupancy at or below 30 percent of
12 the median family income, adjusted
13 for household size, for the Seattle-
14 Bellevue-Everett Primary
Metropolitan Statistical Area, as
defined by the United States
Department of Housing and Urban
Development (HUD)¹⁴, for the life
of the building

15 Multifamily uses, when located in 0.5 space for each dwelling unit with 2 or fewer
16 Center City neighborhoods¹², for bedrooms, and 1 space for each dwelling unit
17 each dwelling unit rented to and with 3 or more bedrooms
18 occupied by a household with an
19 income at time of its initial
20 occupancy of between 30 and 50
21 percent of the median family
22 income, adjusted for household size,
for the Seattle-Bellevue-Everett
Primary Metropolitan Statistical
Area, as defined by HUD¹⁴, for the
life of the building

23 Multifamily uses, when located 0.33 space for each dwelling unit with 2 or fewer
24 outside of Center City bedrooms, and 1 space for each dwelling unit
25 neighborhoods¹², for each dwelling with 3 or more bedrooms
26 unit rented to and occupied by a
27 household with an income at time of
its initial occupancy at or below 30
percent of the median family

income, adjusted for household size,
for the Seattle-Bellevue-Everett
Primary Metropolitan Statistical
Area, as defined by HUD¹⁴, for the
life of the building

Multifamily uses, when located outside of Center City neighborhoods¹², for each dwelling unit with 2 or fewer bedrooms rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD¹⁴, for the life of the building

0.75 spaces for each dwelling unit

Multifamily uses occupied by low-income elderly households

1 space for each 6 dwelling units

Multifamily uses occupied by low-income disabled households

1 space for each 4 dwelling units

Multifamily uses occupied by low-income elderly/low-income disabled households

1 space for each 5 dwelling units

Multifamily uses, when within the Seattle Cascade Mixed zone or the Pike/Pine Overlay District

1 space for each dwelling unit

Multifamily uses, when within the Pike/Pine Overlay District, for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 60 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as

1 space for every 2 dwelling units



defined by HUD, at rent not exceeding 30 percent of 60 percent of median family income, adjusted for household size, for the life of the building

Multipurpose convenience store 1 space for each 350 square feet

Museum¹ 1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public

Nonhousehold sales and services, except sales, service and rental of office equipment 1 space for each 2,000 square feet

Nursing homes⁶ 1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds

Office, administrative 1 space for each 1,000 square feet

Office, customer service 1 space for each 350 square feet

Outdoor storage 1 space for each 2,000 square feet

Parks None

Participant sports and recreation, indoor or outdoor, unless otherwise specified 1 space for each 350 square feet

Passenger terminals (waiting area) 1 space for each 100 square feet

Performing arts theater 1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats

Personal transportation services 1 space for each 2,000 square feet

Playgrounds None



Power plants	1 space for each 2,000 square feet
Private club ¹	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
Railroad rights-of-way	None
Railroad switchyard with or without mechanized hump	1 space for each 2,000 square feet
Recreational marinas	1 space for each 75 lineal feet of moorage
Recycling center	1 space for each 2,000 square feet
Recycling collection station	None
Religious facility ¹	1 space for each 80 square feet of all auditoria and public assembly rooms
Research and development laboratory	1 space for each 1,000 square feet
<u>Research and development laboratory located within the South Lake Union Hub Urban Village</u>	<u>1 space for each 1,500 square feet</u>
Restaurant	1 space for each 200 square feet
Sale and rental of large boats	1 space for each 2,000 square feet
Sale and rental of motorized vehicles	1 space for each 2,000 square feet
Sale of boat parts and accessories	1 space for each 350 square feet
Sale of heating fuel	1 space for each 2,000 square feet
Sales, service and rental of commercial equipment	1 space for each 2,000 square feet
Sales, service and rental of office	1 space for each 350 square feet



equipment

Salvage yard

1 space for each 2,000 square feet

School, private elementary and secondary^{1,2}

1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member

School, public elementary and secondary^{1,2,7}

1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site

Sewage treatment plant

1 space for each 2,000 square feet

Single-family dwelling units

1 space for each dwelling unit

Skating rink (rink area)

1 space for each 100 square feet

Solid waste transfer station

1 space for each 2,000 square feet

Specialty food stores

1 space for each 350 square feet

Spectator sports facility¹¹

1 space for each 10 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats

Sport range

1 space for each 2 stations

Swimming pool (water area)

1 space for each 150 square feet

Transit vehicle base

1 space for each 2,000 square feet

Universities⁸

A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities

Utility service uses

1 space for each 2,000 square feet

Vehicle and vessel repair

1 space for each 2,000 square feet



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

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

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of width of bleachers shall be counted as one (1) fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one (1) space for each three hundred fifty (350) square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five (555) square feet.

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

⁴ Parking spaces required for multifamily uses may be provided as tandem spaces according to subsection B of Section 23.54.020.

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



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

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

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

15 ⁹ A child care facility, when co-located with an assisted living facility, may count the
16 passenger load/unload space required for the assisted living facility toward its required
17 passenger load/unload spaces.

18 ¹¹ Required parking for spectator sports facilities or exhibition halls must be available
19 when the facility or exhibition hall is in use. A facility shall be considered to be "in use"
20 during the period beginning three (3) hours before an event is scheduled to begin and
21 ending one (1) hour after a scheduled event is expected to end. For sports events of
22 variable or uncertain duration, the expected event length shall be the average length of
23 the events of the same type for which the most recent data are available, provided it is
24 within the past five (5) years. During an inaugural season, or for nonrecurring events,
25 the best available good faith estimate of event duration will be used. A facility will not
26 be deemed to be "in use" by virtue of the fact that administrative or maintenance
27 personnel are present. The Director may reduce the required parking for any event when
28 projected attendance for a spectator sports facility is certified to be fifty (50) percent or
29 less of the facility's seating capacity, to an amount not less than that required for the
30 certified projected attendance, at the rate of one (1) space for each ten (10) fixed seats of
31 certified projected attendance. An application for reduction and the certification shall be
32 submitted to the Director at least fifteen (15) days prior to the event. When the event is
33 one of a series of similar events, such certification may be submitted for the entire series
34 fifteen (15) days prior to the first event in the series. If the Director finds that a
35 certification of projected attendance of fifty (50) percent or less of the seating capacity is
36 based on satisfactory evidence such as past attendance at similar events or advance
37 ticket sales, the Director shall, within fifteen (15) days of such submittal, notify the
38 facility operator that a reduced parking requirement has been approved, with any
39 conditions deemed appropriate by the Director to ensure adequacy of parking if expected
40 attendance should change. The parking requirement reduction may be applied for only if



1 the goals of the facility's Transportation Management Plan are otherwise being met. The
2 Director may revoke or modify a parking requirement reduction approval during a
series, if projected attendance is exceeded.

3 ¹² For purposes of this section, Center City neighborhoods are the following urban
4 villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and
5 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

6 ¹³ These general requirements for multifamily uses are superseded to the extent that a
7 use, structure or development qualifies for either a greater or a lesser parking
8 requirement under any provision below. To the extent that more than one of the
9 provisions below applies to a multifamily use, the least of the applicable parking
requirements applies. The different parking requirements for certain multifamily uses
listed below shall not be construed to create separate uses for purposes of any
requirements related to establishing or changing a use under this title.

10 ¹⁴ Notice of Income Restrictions. Prior to issuance of any permit to establish, construct
11 or modify any use or structure, or to reduce any parking accessory to a multifamily use
12 or structure, if the applicant relies upon these reduced parking requirements, the
13 applicant shall record in the King County Office of Records and Elections a declaration
14 signed and acknowledged by the owner(s), in a form prescribed by the Director, which
15 shall identify the subject property by legal description, and shall acknowledge and
provide notice to any prospective purchasers that specific income limits are a condition
for maintaining the reduced parking requirement.

16 Section 8. Subsection B of Section 23.54.035 of the Seattle Municipal Code, which
17 Section was last amended by Ordinance 119238, is amended as follows:
18

19 **23.54.035 Loading berth requirements and space standards.**

20 ***
21

22 **B. Exception to Loading Requirements.**

23 1. For uses with less than sixteen thousand (16,000) square feet of gross floor
24 area which provide a loading space on a street or alley, the loading berth requirements may be
25 waived by the Director following a review by the Seattle Transportation Department, which finds
26 that the street or alley berth is adequate.
27
28



1 2. Within the South Lake Union Hub Urban Village and when multiple buildings
2 share a central loading facility, loading berth requirements may be waived or modified if the
3 Director finds, in consultation with the Seattle Transportation Department, the following:
4 a. all loading is proposed to occur on-site; or
5 b. loading that is proposed to occur in a public right-of-way can take place
6 without disrupting pedestrian circulation or vehicular traffic; and
7 c. once located at a central loading facility, goods can be distributed to
8 other buildings on-site without disrupting pedestrian circulation or vehicular traffic.

9 ***

10
11 Section 9. Section 23.84.032 of the Seattle Municipal Code, which Section was last
12 amended by Ordinance 120117, is amended as follows:

13 **23.84.032 Definitions -- R.**

14 ***

15
16 "Research and development laboratory" means a ((commercial)) use in which research
17 and experiments leading to the development of new products are conducted. This use may be
18 associated with an institutional, clinical or commercial use. Space designed for this use typically
19 includes features such as: floor to floor ceiling heights, generally fourteen (14) feet in height or
20 greater to accommodate mechanical equipment and laboratory benches plumbed for water
21 service.

22 ***

23
24 Section 10. Section 23.86.006 of the Seattle Municipal Code, which Section was last
25 amended by Ordinance 112971, is amended as follows:



23.86.006 Structure Height.

A. Height Measurement Technique in All Zones Except Downtown Zones and Within the South Lake Union Hub Urban Village.

1. The height shall be measured at the exterior walls of the structure.

Measurement shall be taken at each exterior wall from the existing or finished grade, whichever is lower, up to a plane essentially parallel to the existing or finished grade. For determining structure height, the exterior wall shall include a plane between supporting members and between the roof and the ground. The vertical distance between the existing grade, or finished grade, if lower, and the parallel plane above it shall not exceed the maximum height of the zone.

2. When finished grade is lower than existing grade, in order for an upper portion of an exterior wall to avoid being considered on the same vertical plane as a lower portion, it must be set back from the lower portion a distance equal to two (2) times the difference between existing and finished grade on the lower portion of the wall (Exhibit 23.86.006 A1).

3. Depressions such as window wells, stairwells for exits required by other codes, "barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in determining structure height when in combination they comprise less than fifty percent (50%) of the facade on which they are located. In such cases, the grade for height measurement purposes shall be a line between the grade on either side of the depression.

4. No part of the structure, other than those specifically exempted or excepted under the provisions of the zone, shall extend beyond the plane of the maximum height limit.

5. Underground portions of structures are not included in height calculations. The

height of structures shall be calculated from the point at which the sides meet the surface of the ground.

B. Within the South Lake Union Hub Urban Village, structure height shall be measured for all portions of the structure. All measurements shall be taken vertically from existing or finished grade, whichever is lower, to the highest point of the structure located directly above each point of measurement.

Existing or finished grade shall be established by drawing straight lines between the corresponding elevations at the perimeter of the structure. The straight lines will be existing or finished grade for the purpose of height measurement. When a contour line crosses a facade more than once, that contour line will be disregarded when establishing existing or finished grade.

((B.))C. Height Averaging for Single-family Zones. In a single family zone, the average elevation of the nearest single family structures on either side of a lot may be, at the applicant's option, used to establish the height limit of the principal structure on that lot, according to the following provisions:

1. Each structure used for averaging shall be on the same block front as the lot for which a height limit is being established. The structures used shall be the nearest single family structure on each side of the lot, and shall be within one hundred feet (100') of the side lot lines of the lot.

2. The height limit for the lot shall be established by averaging the elevations of the structures on either side in the following manner:



1 a. If the nearest structure on either side has a roof with at least a three-in-
2 twelve (3:12) pitch, the elevation to be used for averaging shall be the highest point of that
3 structure's roof minus five feet (5').

4 b. If the nearest structure on either side has a flat roof, or a roof with a
5 pitch of less than three-in-twelve (3:12), the elevation of the highest point of the structure's roof
6 shall be used for averaging.
7

8 c. Rooftop features which are otherwise exempt from height limitations,
9 Height Exceptions, Section 23.44.012 C, shall not be included in elevation calculations.
10

11 d. The two (2) elevations obtained from steps 2a and/or 2b shall be
12 averaged to derive the height limit for the lot. This height limit shall be the difference in
13 elevation between the midpoint of a line parallel to the front lot line at the required front setback
14 and the average elevation derived from 2a and/or 2b.

15 e. The height measurement technique used for the lot shall then be the
16 City's standard measurement technique, Section 23.86.006 A.
17

18 3. When there is no single-family structure within one hundred feet (100') on a
19 side of the lot, or when the nearest single family structure within one hundred feet (100') on a
20 side of the lot is not on the same block front, the elevation used for averaging on that side shall
21 be thirty feet (30') plus the elevation of the midpoint of the front lot line of the abutting vacant
22 lot.
23

24 4. When the lot is a corner lot, the height limit may be the highest elevation of the
25 nearest structure on the same block front, provided that the structure is within one hundred feet
26 (100') of the side lot line of the lot and that both front yards face the same street.
27
28



1 5. In no case shall the height limit established according to these height averaging
2 provisions be greater than forty feet (40').

3 6. Lots using height averaging to establish a height limit shall be eligible for the
4 pitched roof provisions of Section 23.44.012 B.

5 ~~((C.))~~D. Additional Height on Sloped Lots.

6
7 1. In certain zones, additional height shall be permitted on sloped lots at the rate
8 of one foot (1') for each six percent (6%) of slope. For the purpose of this provision, the slope
9 shall be measured from the exterior wall with the greatest average elevation at existing grade, to
10 the exterior wall with the lowest average elevation at existing grade. The slope shall be the
11 difference between the existing grade average elevations of the two (2) walls, expressed as a
12 percentage of the horizontal distance between the two (2) walls.
13

14 2. This additional height shall be permitted on any wall of the structure, provided
15 that on the uphill side(s) of the structure, the height of the wall(s) shall be no greater than the
16 height limit of the zone (Exhibit 23.86.006 A2).
17

18 3. Structures on sloped lots shall also be eligible for the pitched roof provisions
19 applicable in the zone.

20 ~~((D.))~~E. Height Measurement Techniques in Downtown Zones.

21 1. Determine the major street property line, which shall be the lot's longest street
22 property line. When the lot has two (2) or more street lot lines of equal length, the applicant shall
23 choose the major street property line.
24

25 2. Determine the slope of the lot along the entire length of the major street
26 property line.
27
28



3. The maximum height shall be measured as follows:

a. When the slope of the major street property line is less than or equal to seven and one-half percent (7-1/2%), the elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of the major street property line. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line as depicted in Exhibit 23.86.006 B.

b. When the slope of the major street property line exceeds seven and one-half percent (7-1/2%), the major street property line shall be divided into four (4) or fewer equal segments no longer than one hundred twenty feet (120') in length. The elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of each segment. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line, as depicted in Exhibit 23.86.006 C.

c. For lots with more than one (1) street frontage, where there is no street property line which is essentially parallel to the major street property line, when a measurement has been made for the portion of the block containing the major street property line, the next measurement shall be taken from the longest remaining street lot line.

1 4. No parts of the structure, other than those specifically exempted or excepted
2 under the provisions of the zone, shall extend beyond the elevation of maximum height.

3 5. Underground portions of structures are not included in height calculations. The
4 height of structures shall be calculated from the point at which the sides meet the surface of the
5 ground.
6

7
8 ((E.))E. Determining the Height of Existing Public School Structures. When the height of
9 the existing public school structure must be measured for purposes of determining the permitted
10 height or lot coverage of a public school structure, either one of the following options may be
11 used:
12

13 1. If all parts of the new roof are pitched at a rate of not less than three to twelve
14 (3:12), the ridge of the new roof may extend to the highest point of the existing roof. A shed roof
15 does not qualify for this option.
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2. If all parts of the new roof are not pitched at a rate of not less than three to twelve (3:12), then the elevation of the new construction may extend to the average height of the existing structure. The average height shall be determined by measuring the area of each portion of the building at each height and averaging those areas, as depicted in Exhibit 23.86.006 D.

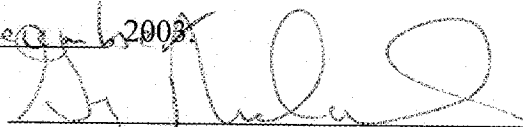
Section 11. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 12. 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.

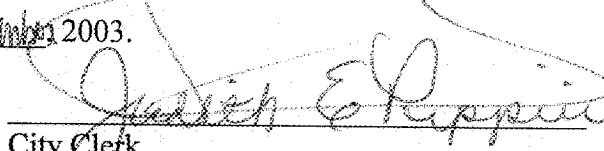
Passed by the City Council the 8th day of December 2003, and signed by me in open session in authentication of its passage this 8th day of December, 2003.


President _____ of the City Council

Approved by me this 10 day of December 2003.


Gregory J. Nickels, Mayor

Filed by me this 17th day of December 2003.


City Clerk

(Seal)



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 18, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Steinbrueck:

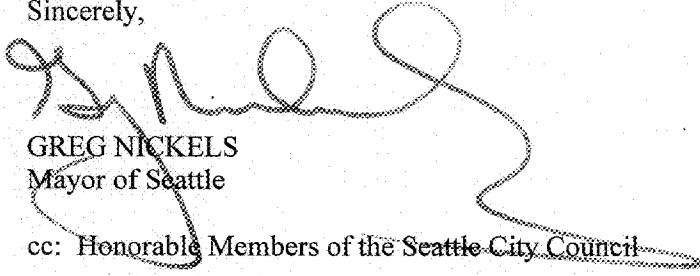
I am pleased to transmit the attached ordinance as part of my South Lake Union Action Agenda. The adoption of this ordinance will promote and attract biotechnology development in the South Lake Union neighborhood by amending the Land Use Code to accommodate the unique and emerging needs of biotech facilities. The ordinance will also address a range of issues that currently make it difficult for biotech to compete with other uses in South Lake Union. I am proposing these amendments to support this important and growing sector of our economy, and to strengthen South Lake Union as a mixed use area.

Since the early 1980's, biotech uses have been a growing presence in the neighborhood. Local enterprises such as the Fred Hutchinson Cancer Research Center and ZymoGenetics have already invested in the neighborhood and provide a foundation for a strong medical research and development hub. As a center city neighborhood, strategically located between Downtown and the University of Washington, South Lake Union is an ideal place for future biotech development. The proposed code amendments are one way that we can do our part to help ensure that the promise of biotech development is realized.

Please join me in supporting a number of City initiatives ranging from investing in transportation and other infrastructure to programmatic and regulatory reforms underway to help promote job creation in the biotech industry. I believe this is key to the future economic health of the city and the South Lake Union neighborhood.

Thank you for your consideration of this legislation. Should you have questions, please contact Mike Podowski at 386-1988.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, Seattle, WA 98104-8154

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Design, Construction and Land Use	Mike Podowski/386-1988	Casey Doyle/684-8075

Legislation Title:

An ordinance relating to land use and zoning; amending Seattle Municipal Code Sections 23.41.012, 23.47.012, 23.48.010, 23.50.020, 23.50.026, 23.50.028, 23.54.015, 23.54.035, 23.84.032 and 23.86.006 to address the unique needs or features of biotech uses in South Lake Union.

• **Summary of the Legislation:**

The proposed amendments to the Land Use Code address five issues:

1. Allow additional height and revise the method by which height is measured;
2. Revise density limits to acknowledge mechanical equipment and ventilation needs within buildings;
3. Modify and allow flexibility in locating rooftop mechanical equipment;
4. Modify the amount of parking required for research and development use; and
5. Revise the definition for research and development uses.

• **Background:**

As a center city urban village, strategically located between Downtown and the University of Washington, South Lake Union is acknowledged as an ideal place for biotech development. DCLU is proposing the code amendments in order to ensure that the promise of biotech development is realized.

 X This legislation does not have any financial implications.

Attachment 1: Director's Report and Recommendation

DIRECTOR'S REPORT AND RECOMMENDATION

Biotech Related Amendments

INTRODUCTION

South Lake Union (SLU) is a "Center City" neighborhood, one of the neighborhoods adjacent to downtown, that is also ideally situated between downtown and the University of Washington. Much attention has been paid to the neighborhood as a future center for the biotechnology or "biotech" industry. The Mayor's strategy for South Lake Union is for the area to become a hub for biotech use. A number of City initiatives ranging from investing in transportation and other infrastructure to programmatic and regulatory reforms are underway to help promote job creation in the biotech industry for the future economic health of the city and the South Lake Union neighborhood.

The South Lake Union area has historically been a light manufacturing and commercial area serving other commercial uses in the region, particularly downtown. The importance of biotech uses is recognized in the current neighborhood plan, South Lake Union 2014, adopted in 1997, as are other commercial and residential uses. This eclectic mix of uses is one of the main characteristics of the South Lake Union neighborhood. Since the early 1980's, biotech uses have been a growing presence in the neighborhood. Local enterprises such as the Fred Hutchinson Cancer Research Center and ZymoGenetics have established a strong presence in the neighborhood and provide a foundation for a strong medical research and development hub.

Industrial Commercial (IC) zoning was created in the mid-80s and applied in the South Lake Union area to attract research and development uses, in particular biotech and software development businesses. These uses are best located in areas where light manufacturing, research and development laboratories and office use can be co-located within one neighborhood or in the same building. IC zoning applies to much of the middle third of the South Lake Union Neighborhood. The zoning that makes up the remainder of the neighborhood, Commercial (C), Neighborhood Commercial (NC) and Seattle Cascade Mixed (SCM) zones, all allow biotech use in some capacity.

Over the past fifteen years several buildings have been converted or constructed for biotech research and development. Study of these buildings provides useful information about the proposed adjustments to the zoning in South Lake Union. These adjustments effectively would update the zoning, to meet the unique characteristics of modern biotech uses that have evolved since the zoning to encourage such use was first conceived.

This report reexamines how Seattle's zoning addresses biomedical uses and how zoning can help stimulate a neighborhood that is poised to flourish as a center for biomedical research and development. Further consideration is anticipated in future efforts to augment biomedical and other commercial development in the area with a vital mix of residential and support services in proximity to the enhanced infrastructure planned. This report concludes with proposed zoning amendments to implement the Mayor's vision for the South Lake Union neighborhood.



BACKGROUND

The topography of the South Lake Union neighborhood is a basin sloping to the lake from downtown. The land is highest around the perimeters of the neighborhood and lowest at the center of the neighborhood generally at Westlake and Terry Avenues and down to the shore of Lake Union. The boundaries of the neighborhood are roughly I-5 on the east, Denny Way on the south, Aurora Avenue on the west and the shoreline of Lake Union to the north. The neighborhood consists of a mixture of building types and uses. The diversity of uses ranges from residential to industrial and includes uses such as maritime, retail, artisan, biotechnical and social services. The neighborhood has served as a commercial and light industrial support area to the city since the 1880's. Over the last decade, South Lake Union's attractiveness as a location for high tech and biotech research and development uses has become more and more apparent. New development tends to be larger than existing uses in the neighborhood, lending a variation in the scale of development throughout the neighborhood as new development replaces existing older buildings.

Existing Zoning

A neighborhood's character generally reflects its historical evolution and the zoning is intended to indicate as much as is possible, the relative scale and intensity of activity that is both present and desired as the neighborhood continues to develop. Zoning in South Lake Union consists of Neighborhood Commercial 3 (NC3), Commercial 1 and 2 (C1 and 2), Industrial Commercial (IC) and Seattle Cascade Mixed (SCM) zones.

See the maps at the end of the report for the location of the zones and height limits.

Commercial Zones (NC3, C1 and C2). These areas generally provide locations for a range of development types including: single purpose commercial structures, multi-story mixed-use development with commercial uses along the street front and multi-story residential structures. The general characteristics of the three zone designations are described in more detail below:

- Neighborhood Commercial 3 (NC3) is a pedestrian-oriented shopping district serving the surrounding neighborhood and a larger community or citywide clientele. The area provides for comparison shopping with a wide range of retail goods and services. The area also provides offices and business support services that are compatible with the retail character of the area and may also include residences.
- Commercial 1 (C1) is an auto-oriented, primarily retail/service commercial area that serves surrounding neighborhoods and the larger community or citywide clientele. The area provides a wide range of commercial services, including retail, offices and business support services, and may also provide for residential uses at limited densities.
- Commercial 2 (C2) is an auto-oriented, primarily non-retail commercial area that provides a wide range of commercial activities serving a citywide function. These areas provide employment opportunities, business support services and



locations for light manufacturing and warehouse uses, and may also provide for residential uses at limited densities.

Height limits are applied independently of zoning in the South Lake Union neighborhood. This allows tailoring development intensity to the character of different areas. Height limits in the area range from 40 feet near Lake Union to 65 feet and 85 feet in the remainder of the neighborhood, rising to 125 feet by Denny Way. A number of different factors are considered when designating the height limit in a specific location, including:

- The character of the surrounding area: higher height districts are appropriate next to Downtown Seattle.
- Topographical conditions and views: height limits are intended to reinforce the natural topography of the area and are set to reduce the potential of view blockage.

Industrial Commercial Zone. The IC zone was created to promote development of businesses, particularly new technology oriented uses. These businesses incorporate a mix of industrial and commercial activities including manufacturing and research and development, while accommodating a wide range of other employment activities. The development standards are intended to create an environment that is attractive to business and recognizes the economic constraints that face new development.

Seattle Cascade Mixed Zone. The intent of the SCM zone is to encourage a mixed use neighborhood while encouraging residential development in mixed-use structures with an active pedestrian-oriented street front.

Applicable Comprehensive Plan Goals and Policies

Seattle's Comprehensive Plan outlines general goals and policies for various land use areas as well as guidelines for economic development. According to the plan, "Goals represent the results that the City hopes to realize over time, perhaps within the twenty-year life of the plan... Whether expressed in terms of numbers or only as directions for future change, goals are not guarantees or mandates." The plan also states, "Policies should be read as if preceded by the words 'it is the City's general policy to'..." The proposed Land Use Code amendments are consistent with the goals and policies of the City's Comprehensive Plan. A few of the applicable goals/policies are presented here:

Goals for Mixed-Use Commercial Areas:

- Provide for a diversity of uses that contribute to the city's total employment base and provide the services needed by the city's residents and businesses.
- Encourage business creation, expansion and vitality, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas.



- Provide locations for accommodating a wide range of character and function that serve the employment, service, retail and housing needs of Seattle's existing and future population.

Goals for Industrial Areas:

- Accommodate the expansion of existing businesses and stabilize existing industrial areas. Promote opportunities for new businesses that are supportive of the goals for industrial areas.
- Consider manufacturing uses, advanced technology industries and a wide range of industrial-related commercial functions, such as warehouse and distribution activities appropriate for industrial areas.

Goals for Economic Development:

- Seek ways to create a local business environment that promotes the establishment, retention, and expansion of high-technology industries in the city. Where possible, look for opportunities to link these businesses to existing research institutions, hospitals, educational institutions and other technology businesses.
- Pursue opportunities for growth and strategic development, where appropriate, in urban centers and hub urban villages, which are planned for the greatest concentrations of jobs and job growth outside of downtown.

South Lake Union Neighborhood Plan

The South Lake Union Neighborhood Plan was recognized by the City Council in 1997; a number of goals and policies were adopted into the Comprehensive Plan. Those goals and policies focused on three areas: neighborhood character, parks and open space, and transportation. The proposed code amendments help promote biotech use as one of the varied uses present in this mixed use neighborhood. The proposal is consistent with the goals and policies that apply in the neighborhood, which can be summarized by policy SLU-G1, which describes the neighborhood as "a mixed use neighborhood with an emphasis on small business and light industry."

Updated Growth Figures -- Housing and Job Growth

Employment growth in the South Lake Union neighborhood has been higher than the growth goals in the City's Comprehensive Plan and used by the South Lake Union neighborhood planners in preparing their neighborhood plan. Property owners and others have reported that the capacity of the existing zoning and the nature of the real estate market will likely lead to more growth in the neighborhood than currently acknowledged.

For planning purposes, the City contracted the services of a real estate market analyst to examine the likely growth that can be accommodated in the neighborhood and compare this to other forecasts, prepared separately by the City of Seattle and the Puget Sound Regional Council. The real estate consultant, Heartland, prepared an analysis that concluded that the neighborhood could reasonably accommodate growth that is closer to the capacity of the existing zoning than the other forecasts indicated. The Heartland forecast indicates that approximately 10,000 housing units and 20,000 jobs can be

accommodated in the neighborhood from now until 2020. From a real estate market perspective, this capacity is also thought to be a forecast of what is likely to occur in the long-term planning period.

Biotech Development

Of the overall growth forecast, biotech development is estimated to make up approximately 35 percent of the overall employment growth forecasted. The biotech share of the overall growth is approximately 8,000 biotech jobs, which translates into about 4 million square feet of building space.

Over the past ten years a number of buildings have been converted or constructed for biotechnology or "biotech" research and development use. Study of these buildings shows that adjustments to the zoning in South Lake Union are needed because of the unique needs or features of biotech uses. These features include tall floor to floor heights and specialized mechanical equipment.

Housing

Legislation accompanying this report addresses the zoning issues that pose problems or challenges for biotech development. The South Lake Union Neighborhood is characterized by a mix of uses, including residential use. The existing zoning, with the exception of the Industrial Commercial zone, allows residential use, although in some cases subject to special consideration in the form of an administrative conditional use review.

DCLU is interested in examining issues about how housing can continue to be a part of the mix in a mixed use, commercial neighborhood. South Lake Union is such a mixed use neighborhood with a strong commercial presence. To help fulfill jobs/housing balance goals, it will be important to encourage a variety of housing types, while adding to the housing supply, which is key to a successful strategy for urban centers and villages.

The following are examples of regulatory considerations, for future community discussion:

- Examine how residential use is permitted in commercial zones, for example, permitted outright vs. conditional use.
- Examine the appropriateness of development standards that only apply for residential use in mixed use and single purpose residential structures. This includes upper-level lot coverage limits.
- Review the Industrial Commercial (IC) zoned area, where residential use is currently not allowed.
- Examine height limit changes to help encourage housing development.
- Explore the use of incentive zoning provisions, such as transfer of development rights (TDR) and Bonus programs.

ANALYSIS

As a center city urban village, strategically located between Downtown and the University of Washington, South Lake Union is acknowledged as an ideal place for biotech development. In order to help ensure that the promise of biotech development is realized, DCLU is proposing amendments to the Land Use Code as follows:

1. Allow additional height and revise the method by which height is measured;
2. Revise density limits to acknowledge mechanical equipment and ventilation needs within buildings;
3. Modify and allow flexibility in locating rooftop mechanical equipment;
4. Modify the amount of parking required for research and development use; and
5. Revise the definition for research and development uses.

Maximum Building Height

A distinguishing feature of biotech use is research laboratories, which typically require floor to floor heights in excess of 14 feet to accommodate needed mechanical equipment and ventilation. Under current zoning, if 14 foot floor to floor height is designed for a biotech use, the development may not be able to achieve the same number of floors as, for example, an office building. This often results in a competitive disadvantage for buildings containing a biotech use when compared with buildings employing standard dimensions for office or other commercial uses.

Proposal: Allow up to 10 to 20 feet of additional height for biotech development, depending on the zone.

When existing height limits of 65 feet, 75 feet and 85 feet were created, development anticipated by these height limits, assumed largely office, retail and residential use. These uses typically require floor to floor heights of 11 to 13 feet.

Without additional height, biotech development will be constructed with less than optimal configurations. Existing height limits would require that mechanical equipment be incorporated in a manner that compromises the function of the equipment or the research and development activities conducted within the building.

The additional height proposed to be allowed would apply only in zones with a height limit of 65, 75 or 85 feet (see the map at the end of the report, which shows the mapped height limits). In the Cascade Neighborhood, where the Seattle Cascade Mixed/Residential (SCM/R) zone applies, the height limit is 55 feet for non-residential development and 75 feet for residential and mixed use development (requirements for mixed use development can be met in the same structure or, in some cases, in different structures). The proposal amendments would continue to emphasize residential use in the SCM/R zone, but would allow additional height for biotech development which could then reach 85 feet.

The following chart shows the number of floors possible under existing and proposed height limits, using the typical floor to floor heights for biotech and other uses:

Existing Height Limits	Use	Current Number of Floors x Floor to Floor Height*	Proposed Additional Height	Proposed Maximum Height Possible	Proposed Number of Floors x Floor to Floor Height
65'	Office, retail, residential	6 floors x 11' 5 floors x 13'	N.A.	65'	--
	Biotech	4 floors x 14' 4 floors x 16'	20 feet	85'	6 floors x 14' 5 floors x 16'
75'	Office, retail, residential	6 floors x 11' 5 floors x 13'	N.A.	75'	--
	Biotech	4 floors x 14' 4 floors x 16'	10 feet	85'	6 floors x 14' 5 floors x 16'
85'	Office, retail, residential	7 floors x 11' 6 floors x 13'	N.A.	85'	--
	Biotech	6 floors x 14' 5 floors x 16'	20 feet	105'	7 floors x 14' 6 floors x 16'

* These floor to floor heights include some "interstitial" space that contains utilities like plumbing and ventilation. Some or all floors may be slightly taller or shorter than the number reported.

Taller buildings will result from adoption of the proposal. The neighborhood's topography, sloping down from its perimeters toward the center of the neighborhood, and toward Lake Union, will help to lessen the impact of taller buildings on nearby development, within and surrounding the neighborhood. Further, approval of additional height would be conditioned upon meeting criteria intended to ensure that the height is necessary to accommodate a biotech use.

These conditions require that:

- at least two floors in the building must have a minimum floor to floor height of 14';
- the additional height is needed to accommodate mechanical equipment; and
- no more floors would be constructed than could be built with 11' floor to floor heights under the mapped height limit.

These conditions are expected to be sufficient to ensure that the provisions for additional height are limited to biotech and research and development use. Costs associated with developing such space are very high. This is due to construction type (concrete and steel), specialized mechanical equipment, and fire and life safety design features required by various codes.

Height Measurement

Generally, the current code height measurement technique requires that height be measured at each exterior wall, from existing or finished grade, whichever is lower, to a plane essentially parallel to the existing or finished grade. For example, in a NC3/65



zone the allowable building envelope for a structure would be a three dimensional representation of the ground, raised to an elevation of 65 feet

See Attachment A for Exhibits A through G at the end of this report.

These figures demonstrate the effects that unusual topographies have on allowable building envelopes. Exhibit A shows the effects of a large depression located in the middle of a development site; Exhibit B shows the effects that a similar depression might have if it were straddling a façade of a structure; and Exhibit C shows the effects of meandering topographic lines. In situations such as these, application of the current height measurement technique often results in unintended consequences and the loss of development potential on the site for no credible reason. This can be most easily understood by comparing the building envelopes shown in Exhibits A, B and C with Exhibit G (at the end of this report), which shows the allowable building envelope for an NC3 65 zone when a lot is predominantly flat.

Proposal: Apply a height measurement technique similar to that used downtown, using the street frontage of the property to determine building height, for sites in South Lake Union.

DCLU is proposing to amend the height measurement technique for the South Lake Union Urban Village. Exhibits D, E and F (at the end of this report) show the allowable building envelopes that would result if the new technique were adopted. The proposed technique straightens meandering contour lines and disregards depressions and mounds that undermine reasonable expectations for development. The resulting development from application of this measurement technique will not be significantly taller nor will it contain more floors than development using the current technique. In most cases, the result will be complete floors where only partial floors could be built before. Therefore, the new height measurement technique will help achieve development capacity already theoretically allowed by the current zoning.

FAR (Floor Area Ratio)

Allowed development density, achievable through FAR, or Floor Area Ratio, is a ratio that limits floor area as a proportion of lot area. Downtown, 3.5% of mechanical equipment is exempt from FAR calculations, but there is no such exemption from FAR calculations for mechanical equipment in Commercial and Industrial Zones where FAR limits apply. The exemption used Downtown was generally established for office and hotel uses in highrise development. Based on discussion with biotech industry representatives and their building designers, specialized mechanical equipment requirements for research laboratories consume anywhere from 8% to 15% of overall floor area.

Proposal: Exempt from the FAR calculations up to 15 percent of overall floor area for mechanical equipment for biotech development.

Frequently, equipment, delivery systems, electrical wiring and ventilation systems are contained within a structure, in addition to being placed on a roof. Current requirements for calculating floor area subject to FAR limits in the zones in South Lake Union do not recognize that an appreciable portion of the building interior is not usable floor area. One of the main purposes of FAR is to limit usable floor area in order to address the impacts associated with the density of development. Thus, exempting a reasonable amount of area dedicated to mechanical equipment, 15%, serves the intent of the FAR limits while preventing a situation in which development with special mechanical needs is unnecessarily penalized in terms of useable floor area.

During plan review, floor area containing mechanical equipment, up to a maximum of 15%, is proposed to be exempted from floor area calculations. Development standards governing the bulk and scale of development will remain as they are today, thereby ensuring that excluding floor area from FAR calculation will not result in larger or bulkier buildings. DCLU would maintain the authority to mitigate bulk and scale impacts through the environmental and design review processes, where applicable (e.g. design review is not applicable in the IC zone). In addition, the proposal only applies to development in zones where FAR is limited (C and NC zones with height limits of 85 feet or higher). Thus, this proposed amendment would apply to a relatively small number of projects.

Roof Top Enclosures and Screening

Higher mechanical system demands for biotech development results in the need to cover more of the area of the roof with equipment than current regulations allow. Biotech development equipment needs can be three times that of a typical office building. The current roof top coverage allowed for penthouses and equipment that are located above the height limit is 20%, with an increase to 25% if equipment is screened.

Proposal: Increase the allowable roof top coverage area if equipment is screened, and provide flexibility in the code so that screening and equipment setbacks may be adjusted depending upon factors such as the height of the building.

Rooftop equipment of varying sizes can be observed in Seattle as development has occurred according to different regulations allowing varying amounts of rooftop coverage. In addition, buildings, such as the Rosen Building in the South Lake Union area, are below the maximum height limit and limits on how much of the roof area can be covered by mechanical equipment do not apply. Therefore, allowing more coverage would not cause new development to be out of character with its surroundings. Therefore, the most important issues with respect to rooftop mechanical equipment are aesthetic: 1) creating a break in the building envelop so that the equipment penthouse does not add to the appearance of bulk of the total structure; and 2) design integration of the penthouse with the building.

The proposal addresses these issues by: limiting roof coverage to 65%; retaining the 15' maximum height limit for rooftop equipment; requiring ten foot setbacks from the edges of the roof; and requiring that the equipment be screened. In addition, for development subject to Design Review, design guidelines address integration of the various features of a building (such as rooftop equipment) along with other relevant design issues.

Parking

In establishing the minimum amount of parking that must be provided for a particular use, several factors are considered or weighed and balanced, including:

- demand for parking;
- on-street parking use and congestion;
- long term vs. short term characteristics of the parking demand;
- transportation goals and policies;
- the cost of providing parking (structured parking costs between \$20,000 and \$30,000 per space)

Perhaps the most significant factor in establishing a parking requirement is the nature of the use: when employees and customers/clients are in the building, length of stay and the number of people at any one time that occupy a building. The intent of parking requirements is to help ensure that new development provides sufficient parking to serve its needs without causing significant spill-over parking onto nearby streets. This is balanced against other transportation and land use goals and policies, such as preserving or creating an active pedestrian environment or limiting single occupant vehicle use.

Laboratory research and other activities typically associated with biotech development are currently required to provide parking in excess of the demand generated by biotech businesses. Biotech industry representatives report that the code requires more parking than is used by their employees. This trend is supported by data provided by a national source for parking demand research and by DCLU's examination of the nature of biotech development.

The parking requirement for research and development is one parking space for every 1,000 square feet of building area. This mirrors the requirement for administrative office use. When current requirements were established it was believed that research and development and administrative office uses would function in similar ways. Lowering the parking requirement for biotech development is supported by data from the Institute of Transportation Engineers Parking Generation manual (2nd edition), which reports a peak parking demand for research use that is roughly 63% of the peak parking demand rate for office.

In addition, biotech representatives report that: biotech companies and institutions generally have half the number of employees per square foot of building area than office use, due to the presence of substantial mechanical and laboratory equipment; and employees work in shifts, resulting in fewer people on the site at any one time. In recognition of these factors, DCLU proposes to reduce the current parking requirement



by 30% to one parking space for every 1,500 square feet of research and development laboratory use in South Lake Union.

Proposal:

Revise the amount of parking required for research and development laboratory use in South Lake Union from the current requirement of 1 space for each 1,000 square feet of floor area to one space for every 1,500 square feet.

Loading

Loading berth requirements exceed demand for these facilities as well. The Land Use Code currently requires that loading space be provided according to category of use. The code does not recognize the centralized loading facilities of campus style development such as the Fred Hutchinson Cancer Research Center. The proposed amendments would provide the Director of DCLU the discretion to permit a centralized loading facility, if the permit applicant can demonstrate that the facility can adequately and effectively serve the use. Criteria are proposed that provide guidance for the Director's decision. The criteria focus on ensuring that loading activities do not disrupt pedestrian and vehicle traffic on nearby rights-of-way. In addition, the Director would consult with the Director of the Department of Transportation in making the decision.

Proposal:

Revise the amount of loading berths required to recognize centralized facilities.

Land Use Code Definition of "Research and Development Laboratory" Use

The definition of research and development laboratory was intended to recognize the emerging business sector of research and development laboratories related to biotech and computer software endeavors. The Industrial Commercial (IC) zone was specifically created and applied in such areas as South Lake Union to attract research and development use, in particular, biotechnology businesses. IC allows for a wide range of uses from manufacturing to laboratory research to administrative office that typically make up such business endeavors.

The current Land Use Code definition of research and development does not address the nonprofit entities that are engaged in research and development activities. Currently only private sector, for-profit commercial entities are recognized. Further, the existing definition does not recognize that research and development use does not always lead to the production of tangible goods, such as pharmaceuticals. Intellectual property and advancements are often the products of biotech related research and development uses. The proposed changes to the definition are intended to further refine and clarify the definition of "Research and Development Laboratory."

This amendment is proposed to apply citywide. Though the proposal is not a change in how uses are regulated, there may be some concern with the change since the definition



would apply to non-biotech research and development uses as well, including computer software or internet related businesses. However, while some aspects of computer related businesses may be classified as research and development, in most instances the use is categorized as administrative office. Generally, classification of a use is determined by the configuration of space in a structure, the nature of the business and its services or products, and standard or similar definitions of like uses. As the biotech sector has evolved, a better understanding of its needs and characteristics has emerged, which not only allows the development of a more precise definition, and an opportunity to appropriately classify the use.

RECOMMENDATION

The attached ordinance is proposed to further the South Lake Union Neighborhood vision as a hub for the biotechnology industry. Further, the proposed Land Use Code amendments are consistent with the Comprehensive Plan's Land Use and Economic Development Policies encouraging new employment opportunities, a diverse employment base within the city, and active mixed use neighborhoods.

DCLU recommends approval of the proposed ordinance, which in summary achieves the following:

1. Maximum Building Height

- Allow up to 10 to 20 feet of additional height for biotech development in the South Lake Union Urban Village.
- Amend the height measurement technique for sites in the South Lake Union Urban Village.

2. FAR (Floor Area Ratio)

Allow up to a 15% exemption in FAR for mechanical equipment for biotech development in the South Lake Union Urban Village.

3. Roof Top Enclosures and Screening

Increase the allowable roof top coverage area to 65% if equipment is screened, and provide flexibility pursuant to Design Review so that screening and equipment setbacks may be adjusted, within the South Lake Union Urban Village.

4. Parking

Revise the amount of parking required for research and development laboratory from 1 space for each 1,000 square feet to 1 space for each 1,500 square feet of floor area within the South Lake Union Urban Village.

5. Land Use Code Definitions

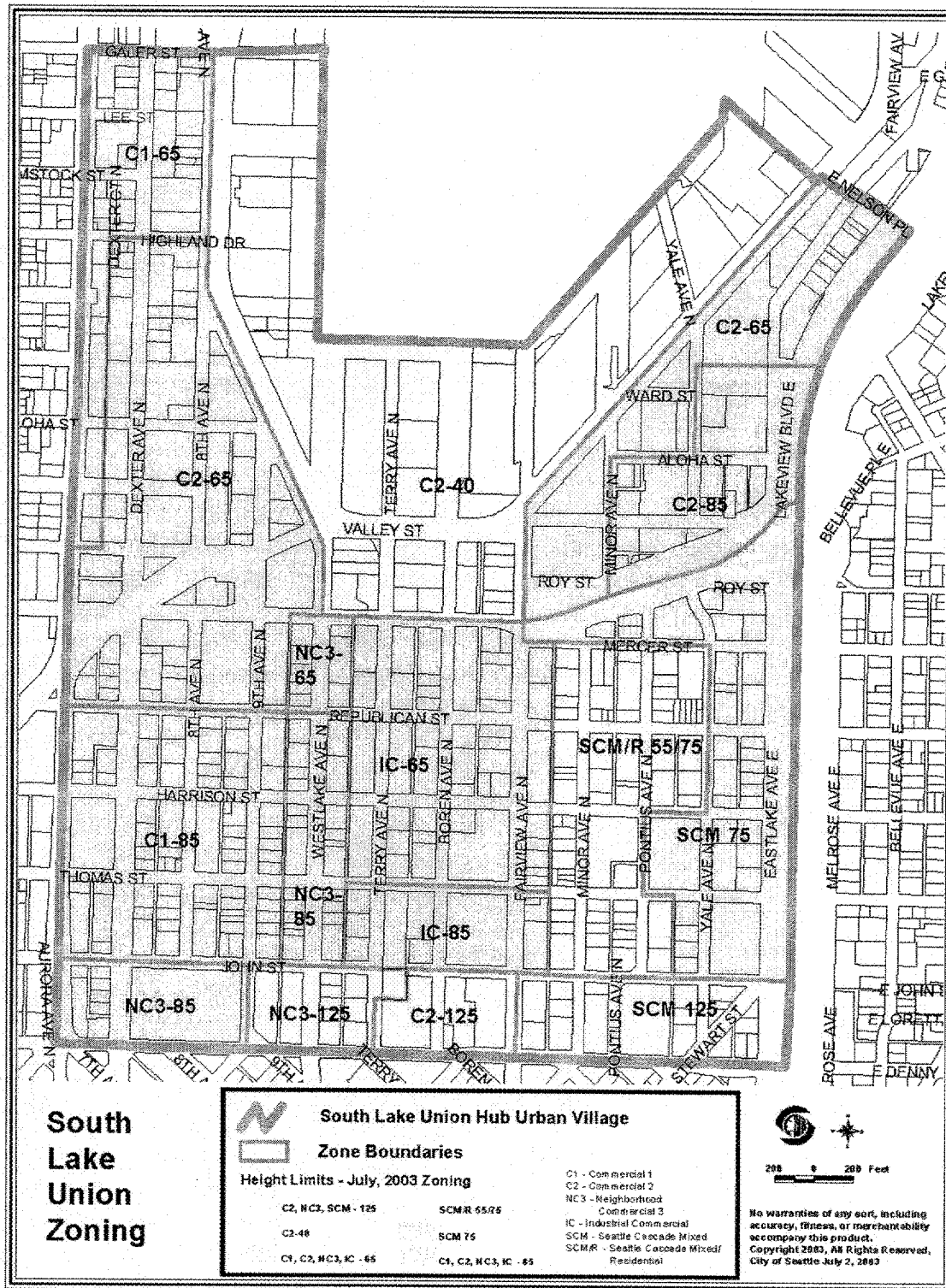
Clarify the definition of "research and development laboratory" for application citywide.

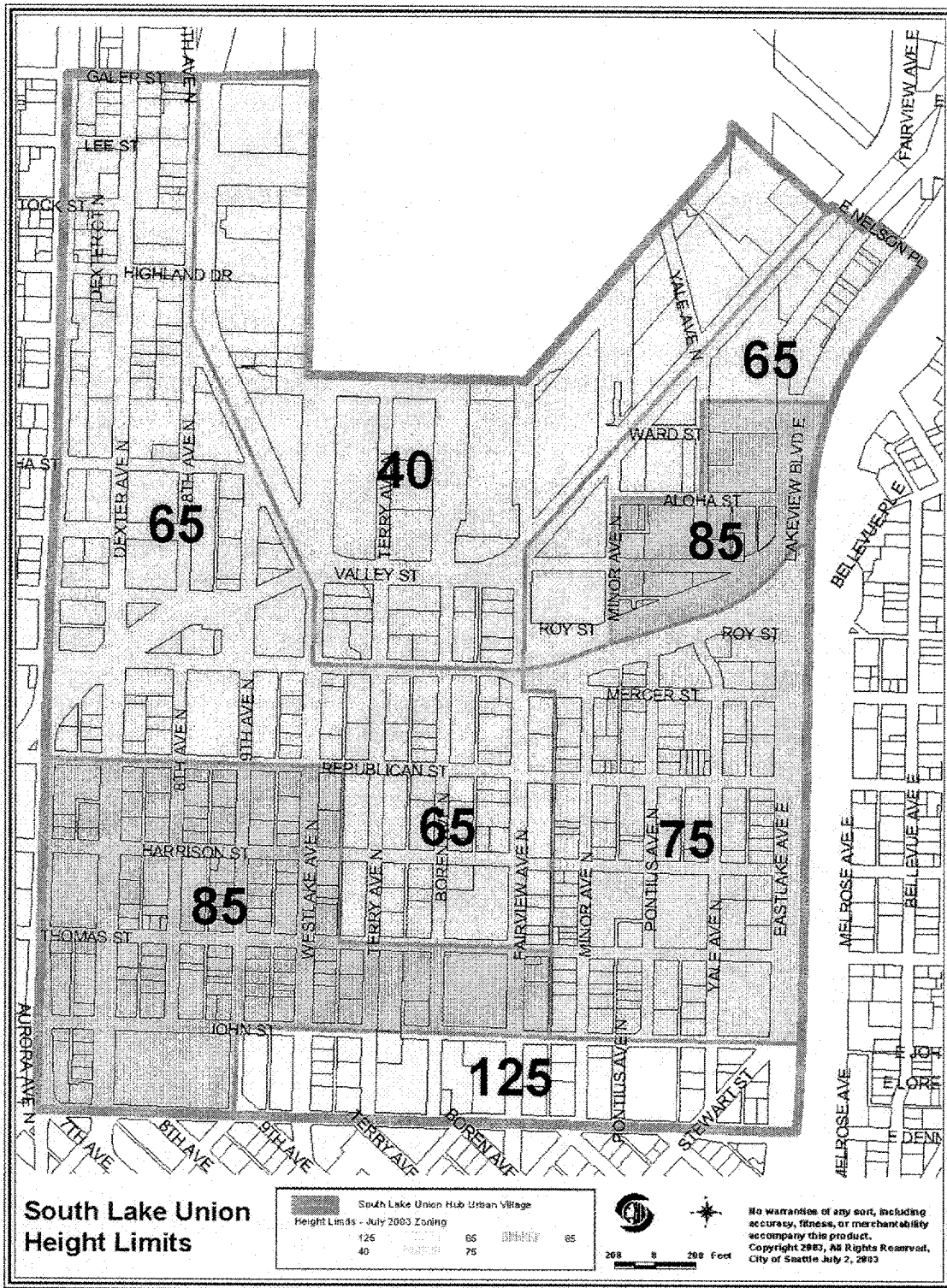
DCLU, in making recommendations, has considered recommendations or comments from any affected departments, other government agencies or citizens. Environmental



review was conducted and a Declaration of Non-significance (no environmental impact statement required) was issued. These materials are available upon request.







Attachment A: Illustrations of the Height Measurement Technique, Exhibits A through G.

Attachment A to the Director's Report Illustrations of the Height Measurement Technique

Exhibits A, B and C illustrate the application of the current measurement technique (used in commercial and industrial zones) to different sites.

Generally, the current code height measurement technique requires that height be measured at each exterior wall, from existing or finished grade, whichever is lower, to a plane essentially parallel to the existing or finished grade. For example, in a NC3/65 zone the allowable building envelope for a structure would be a three dimensional representation of the ground, raised to an elevation of 65 feet.

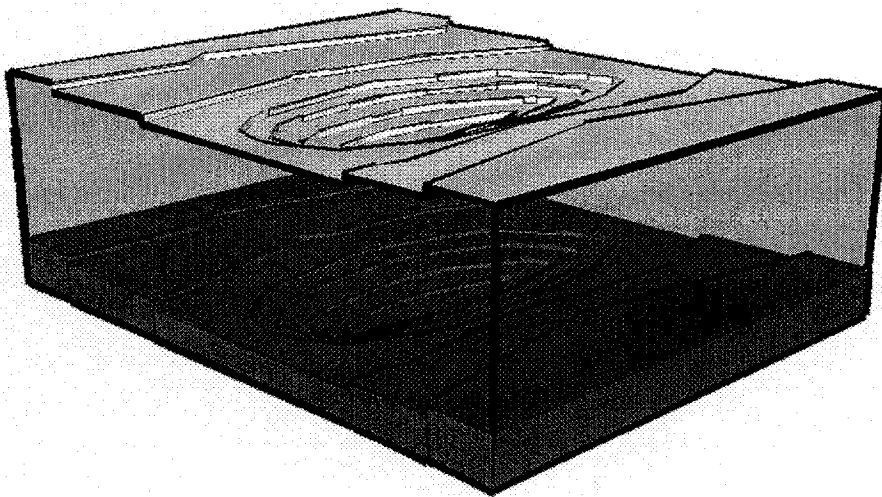


Exhibit A – an example of a site with a depression (topographic low-point) in the center of the site. The volume represents the allowable building envelope created by the measurement technique currently applied in South Lake Union.

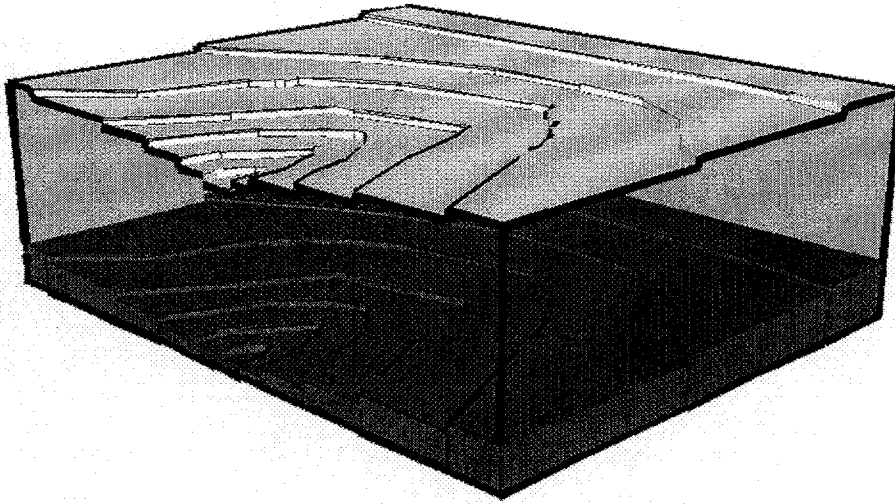


Exhibit B – an example of a site with a depression (topographic low-point) along one side of the site. The volume represents the allowable building envelope created by the measurement technique currently applied in South Lake Union.

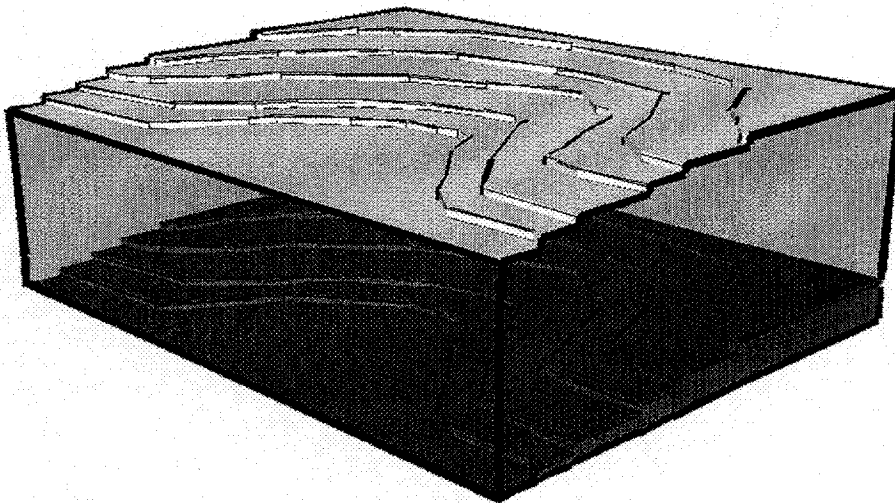


Exhibit C – an example of an irregular, sloping site. The volume represents the allowable building envelope created by the measurement technique currently applied in South Lake Union.

Exhibits D, E and F illustrate the application of the proposed measurement technique (to be used in commercial and industrial zones in South Lake Union) to different sites.

The proposed technique straightens meandering contour lines and disregards depressions and mounds that undermine reasonable expectations for development. The resulting development from application of this measurement technique will not be significantly taller nor will it contain more floors than development using the current technique. In most cases, the result will be complete floors where only partial floors could be built before.

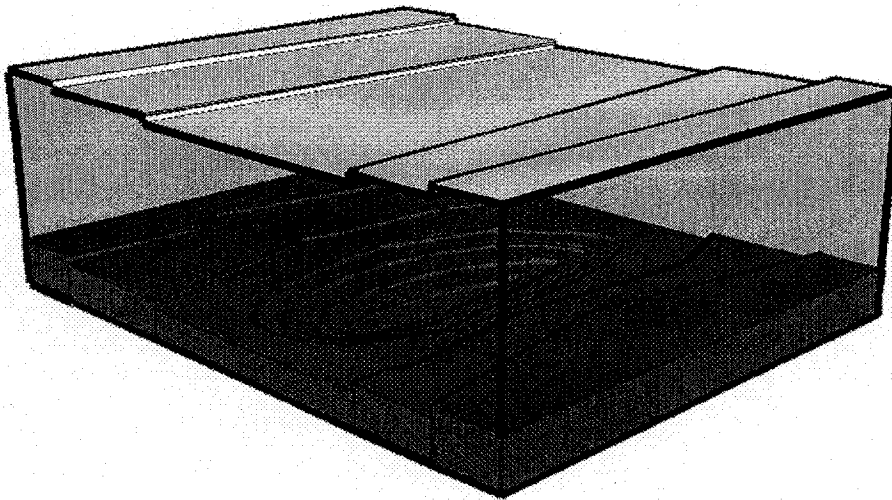


Exhibit D – an example of a site with a depression (topographic low-point) in the center of the site. The volume represents the allowable building envelope created by the proposed measurement technique for South Lake Union.

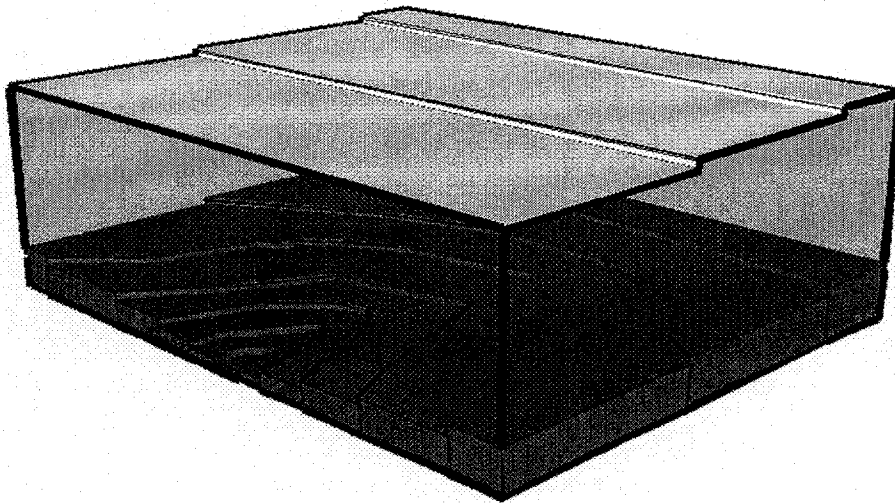


Exhibit E – an example of a site with a depression (topographic low-point) along one side of the site. The volume represents the allowable building envelope created by the proposed measurement technique for South Lake Union.

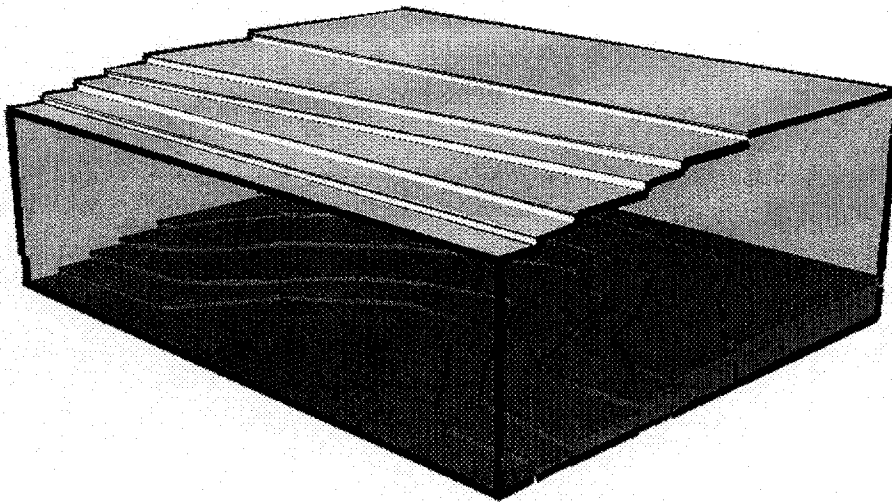


Exhibit F – an example of an irregular, sloping site. The volume represents the allowable building envelope created by the proposed measurement technique for South Lake Union.

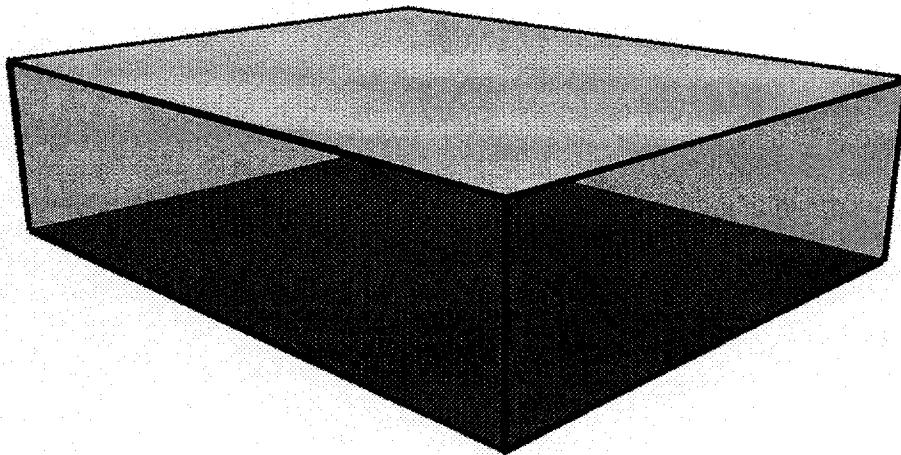


Exhibit G – an example of the allowable building envelope for an NC3-65' zone when the site is predominantly flat.

ORDINANCE _____

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Sections 23.41.012, 23.47.012, 23.48.010, 23.50.020, 23.50.026, 23.50.028, 23.54.015, 23.54.035, 23.84.032 and 23.86.006 to address the unique needs or features of biotech uses in South Lake Union, and to correct minor errors and omissions.

WHEREAS, the City Council adopted Resolution 30610 affirming the City of Seattle's commitment to making the South Lake Union area the region's most competitive location for biotech research and manufacturing, clean energy, advanced energy technology research, manufacturing and distribution, other high-tech research and manufacturing, and other innovative entrepreneurial high-tech industries; and

WHEREAS, the City Council adopted Resolution 30542 emphasizing the City's commitment to regional economic strategies, including supporting the redevelopment of the South Lake Union area for the regional expansion of the bio-medical and bio-information sectors; and

WHEREAS, the City Council finds that this ordinance should be adopted consistent with the referenced resolutions and for the reasons contained in the Director's Report on the proposed Biotech Related Amendments, August 11, 2003; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection B of Section 23.41.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

23.41.012 Development standard departures.

B. Departures may be granted from the following requirements:

1. Structure width and depth limits;
2. Setback requirements;
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. Rooftop coverage limits that apply within the South Lake Union Hub Urban

Village:

9. ~~((8-))~~ Screening and landscaping requirements;

10. ~~((9-))~~ Standards for the location and design of nonresidential uses in mixed use buildings;

11. ~~((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;

1 12. ~~((11.))~~ Building height within the Roosevelt Commercial Core (up to an
2 additional three (3) feet) for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt
3 Commercial Core);

4 13. ~~((12.))~~ Building height within the Ballard Municipal Center master plan area,
5 for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan
6 Area). The additional height may not exceed nine (9) feet, and may be granted only for
7 townhouses that front a mid-block pedestrian connection or a park identified in the Ballard
8 Municipal Center Master Plan;
9

10 14. ~~((13.))~~ Reduction in required parking for ground level retail uses that abut
11 established mid-block pedestrian connections through private property as identified in the
12 "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement must
13 be no less than the required parking for Pedestrian 1 designated
14 areas shown in Section 23.47.044 Chart E;
15

16 15. ~~((14.))~~ Downtown or Stadium Transition Overlay District street façade
17 requirements;
18

19 16. ~~((15.))~~ Downtown upper-level development standards;

20 17. ~~((16.))~~ Downtown coverage and floor size limits;

21 18. ~~((17.))~~ Downtown maximum wall dimensions;

22 19. ~~((18.))~~ Downtown street level use requirements;

23 20. ~~((19.))~~ Combined coverage of all rooftop features in downtown zones subject
24 to the limitations in Section 23.49.008 C2; and
25

26 21. ~~((20.))~~ Certain conditions to allowance of additional height in DOC 1 and
27 DOC 2 zones pursuant to subsection 23.49.008 A 2, as follows:
28

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) or sixty-five (65) feet in height, under subsection 23.49.008 A2b(1).

22. ~~((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;

23. ~~((22-))~~ Downtown view corridor and Downtown Green Street requirements to allow open railings on upper level 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; and

24. ~~((23-))~~ Minor communication utility height limits in downtown zones set forth in SMC Section 23.57.013 B, and telecommunication facilities development standards set forth in Section 23.57.016.

Section 2. Subsections A, D and H of Section 23.47.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 121051, is amended as follows:

23.47.012 Structure height and floor area ratio.

A. Maximum Height. The maximum structure height for commercial zones shall be thirty (30) feet, forty (40) feet, sixty-five (65) feet, eighty-five (85) feet, one hundred twenty-five (125) feet, or one hundred sixty (160) feet, as designated on the Official Land Use Map, Chapter 23.32(~~-In addition~~), except that:

1 1. Within the South Lake Union Hub Urban Village, the maximum structure
2 height in commercial zones with sixty-five (65) foot and eighty-five (85) foot height limits may
3 be increased to eighty-five (85) feet and one-hundred and five (105) feet, respectively, provided
4 that:

5 a. a minimum of two (2) floors in the structure have a floor to floor height
6 of at least fourteen (14) feet; and

7 b. the additional height is used to accommodate mechanical equipment;
8
9 and

10 c. the additional height permitted does not allow more than six (6) floors
11 in commercial zones with a sixty-five (65) foot height limit, or more than seven (7) floors in
12 commercial zones with an eighty-five (85) foot height limit.

13
14 2. ((m)) Mixed use structures located in commercial zones with a thirty (30) foot
15 or forty (40) foot height limit may exceed the height limit of the zone according to the provisions
16 of Section 23.47.008.

17 ***

18
19 D. Exemptions from FAR Calculations. The following areas shall be exempted from
20 FAR calculations:

- 21 1. All gross floor area below grade;
- 22 2. All gross floor area used for accessory parking((-)); and
- 23 3. Within the South Lake Union Hub Urban Village, gross floor area occupied by
24 mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR
25 calculations. The allowance is calculated on the gross floor area of the structure after all exempt
26

space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.

H. Rooftop Features.

1. Smokestacks; chimneys; flagpoles; and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof as permitted by Section 23.47.012F or up to four (4) feet above the maximum height limit with unlimited rooftop coverage.

3. Solar Collectors.

a. In zones with height limits of thirty (30) or forty (40) feet, solar collectors may extend up to four (4) feet above the maximum height limit, with unlimited rooftop coverage.

b. In zones with height limits of sixty-five (65) feet or more, solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen (15) feet above the maximum height limit, so long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area or twenty-five (25) percent of the roof area if the total includes stair or elevator penthouses or screened mechanical equipment:

- 1 a. Solar collectors;
- 2 b. Stair and elevator penthouses;
- 3 c. Mechanical equipment;
- 4 d. Play equipment and open-mesh fencing which encloses it, so long as
- 5 the fencing is at least fifteen (15) feet from the roof edge; and
- 6 e. Minor communication utilities and accessory communication devices,
- 7 except that height is regulated according to the provisions of Section 23.57.012.

8 5. Within the South Lake Union Hub Urban Village, at the applicant's option, the
9 combined total coverage of all features listed in subsection H4 may be increased to sixty-five
10 (65) percent of the roof area, provided that the following are satisfied:

- 11 a. All mechanical equipment is screened; and
- 12 b. No rooftop features are located closer than ten (10) feet to the roof
13 edge.

14 6. ((5-)) In order to protect solar access for property to the north, the applicant
15 shall either locate the rooftop features listed in this subsection at least ten (10) feet from the north
16 edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such
17 rooftop features would shade property to the north on January 21st at noon no more than would a
18 structure built to maximum permitted bulk:

- 19 a. Solar collectors;
- 20 b. Planters;
- 21 c. Clerestories;
- 22 d. Greenhouses;

e. Minor communication utilities and accessory communication devices,
permitted according to the provisions of Section 23.57.012;

f. Nonfirewall parapets;

g. Play equipment.

7. ((6-)) Structures existing prior to May 10, 1986 may add new or replace
existing mechanical equipment up to fifteen (15) feet above the roof elevation of the structure
and shall comply with the noise standards of Section 23.47.018.

8. ((7-)) For height limits and exceptions for communication utilities and
accessory communication devices, see Section 23.57.012.

Section 3. Section 23.48.010 of the Seattle Municipal Code, which Section was last
amended by Ordinance 120928, is amended as follows:

23.48.010 General structure height.

A. Maximum Height. Maximum structure height shall be fifty-five (55) feet, seventy-
five (75) feet or one hundred twenty-five (125) feet as designated on the Official Land Use Map,
Chapter 23.32((-)) , except as provided in subsection B of this Section.

B. The maximum structure height may be increased from seventy-five (75) feet to
eighty-five (85) feet, provided that:

1. a minimum of two (2) floors in the structure have a floor to floor height of at
least fourteen (14) feet; and

2. the additional height is used to accommodate mechanical equipment; and

3. the additional height permitted does not allow more than seven (7) floors; and

1 4. the height limit provisions of 23.48.016 A1b. Standards applicable to specific
2 areas, are satisfied.

3 C. ((B-)) Pitched Roofs. The ridge of pitched roofs with a minimum slope of six to
4 twelve (6:12) may extend ten (10) feet above the height limit. The ridge of pitched roofs with a
5 minimum slope of four to twelve (4:12) may extend five (5) feet above the height limit (Exhibit
6 23.48.010 A). No portion of a shed roof shall be permitted to extend beyond the height limit
7 under this provision.
8

9 ((C-))D. Rooftop Features.

10 1. Smokestacks; chimneys; flagpoles; and religious symbols for religious
11 institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport
12 Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot
13 line.
14

15 2. Open railings, planters, skylights, clerestories, greenhouses, parapets and
16 firewalls may extend up to four (4) feet above the maximum height limit with unlimited rooftop
17 coverage.
18

19 3. Solar collectors may extend up to seven (7) feet above the maximum height
20 limit, with unlimited rooftop coverage.

21 4. The following rooftop features may extend up to fifteen (15) feet above the
22 maximum height limit, so long as the combined total coverage of all features listed in this
23 subsection D4 does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent
24 of the roof area if the total includes stair or elevator penthouses or screened mechanical
25 equipment:
26

27 a. Solar collectors;

- b. Stair and elevator penthouses;
- c. Mechanical equipment;
- d. Atriums, greenhouses, and solariums;
- e. Play equipment and open-mesh fencing which encloses it, as long as the fencing is at least fifteen (15) feet from the roof edge; and
- f. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.012.

5. At the applicant's option, the combined total coverage of all features listed in subsection D4 above may be increased to sixty-five (65) percent of the roof area, provided that all of the following are satisfied:

- a. All mechanical equipment is screened; and
- b. No rooftop features are located closer than ten (10) feet to the roof edge.

~~((5-))~~ 6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection D5 at least ten (10) feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:

- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Atriums, greenhouses and solariums;

e. Minor communication utilities and accessory communication devices
according to the provisions of Section 23.57.012;

f. Nonfirewall parapets;

g. Play equipment.

~~((6-))~~ 7. Screening. Rooftop mechanical equipment and elevator penthouses shall
be screened with fencing, wall enclosures, or other structures.

~~((7-))~~ 8. For height limits and exceptions for communication utilities and
accessory communication devices, see Section 23.57.012.

Section 4. Subsection A of Section 23.50.020 of the Seattle Municipal Code, which
Section was last amended by Ordinance 120928, is amended as follows:

23.50.020 All Industrial zones -- Structure height exceptions and additional restrictions.

A. Rooftop Features. Where height limits are otherwise applicable to a structure, and
except as provided in subsections C4, D4, E4 and F3 of Section 23.50.024, the following
conditions ~~((shall))~~ apply to rooftop features:

1. Smokestacks; chimneys and flagpoles and religious symbols for religious
institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport
Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot
line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and
firewalls may extend four (4) feet above the maximum height limit with unlimited rooftop
coverage.

3. Solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen (15) feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent of the roof area if the total includes screened mechanical equipment:

- a. Solar collectors;
- b. Stair and elevator penthouses;
- c. Mechanical equipment; and
- d. Minor communication utilities and accessory communication devices,

except that height is regulated according to the provisions of Section 23.57.015.

5. Within the South Lake Union Hub Urban Village, at the applicant's option, the combined total coverage of all features listed in subsection A4 above may be increased to sixty-five (65) percent of the roof area, provided that all of the following are satisfied:

- a. All mechanical equipment is screened; and
- b. No rooftop features are located closer than ten (10) feet to the roof

edge.

Section 5. Section 23.50.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 120609, is amended to add new subsection D as follows:

23.50.026 Structure height in IC zones.

1 D. Within the South Lake Union Hub Urban Village, the maximum structure height in IC
2 zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-
3 five (85) feet and one-hundred and five (105) feet, respectively, provided that:

4 1. a minimum of two (2) floors in the structure have a floor to floor height of at
5 least fourteen (14) feet; and

6 2. the additional height is used to accommodate mechanical equipment; and

7 3. the additional height permitted does not allow more than six (6) floors in IC
8 zones with a sixty-five (65) foot height limit, or more than seven (7) floors in IC zones with an
9 eighty-five (85) foot height limit.

10
11 Section 6. Subsection E of Section 23.50.028 of the Seattle Municipal Code, which
12 Section was last amended by Ordinance 119370, is amended as follows:

13 **23.50.028 Floor area ratio.**

14
15 ***

16 E. All Industrial Zones, Exemptions from FAR Calculations. The following areas shall
17 be exempt from FAR calculations:

- 18 1. All gross floor area below grade;
- 19 2. All gross floor area used for accessory parking;
- 20 3. All gross floor area ~~((uses))~~ used for mechanical equipment, stair and elevator
21 penthouses and communication equipment and antennas located on the rooftop of structures;
- 22 4. All gross floor area used for covered rooftop recreational space of a building
23 existing as of December 31, 1998, when complying with the provisions of Section 23.50.012
24 D((-)); and
- 25
26
27
28

5. Within the South Lake Union Hub Urban Village, gross floor area occupied by mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR calculations. The allowance is calculated on the gross floor area of the structure after all exempt space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.

Section 7. Chart A of Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by Ordinance 121196, is amended as follows:

**Chart A for Section 23.54.015
PARKING**

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
Adult family home	1 space for each dwelling unit
Adult motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Adult panoram	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Airport, land-based (waiting area)	1 space for each 100 square feet
Airport, water-based (waiting area)	1 space for each 100 square feet
Animal services	1 space for each 350 square feet
Animal husbandry (retail area only)	1 space for each 350 square feet

1	Aquaculture (retail area only)	1 space for each 350 square feet
2	Artist's studio/dwelling	1 space for each dwelling unit
3	Assisted living facility ²	1 space for each 4 assisted living units plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space; plus loading berth requirements per Section 23.54.035
4		
5		
6	Automotive parts or accessory sales	1 space for each 350 square feet
7		
8	Ball courts	1 space per court
9	Bed and breakfast	1 space for each dwelling, plus 1 space for each 2 guest rooms or suites
10		
11	Bowling alley	5 spaces for each lane
12	Business support services	1 space for each 2,000 square feet
13	Business incubators	1 space for each 1,000 square feet
14	Carwash	1 space for each 2,000 square feet
15	Caretaker's quarters	1 space for each dwelling unit
16	Cargo terminal	1 space for each 2,000 square feet
17	Cemetery	None
18	Child care center ^{1,9}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
19		
20		
21	Colleges	A number of spaces equal 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
22		
23		
24		
25		
26		
27		
28		

Commercial laundries	1 space for each 2,000 square feet
Commercial moorage	1 space for each 140 lineal feet of moorage
Communication utilities	1 space for each 2,000 square feet
Community centers ^{1,2} and Community clubs ^{1,2}	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1,2,3}	1 space for each 555 square feet
Congregate residences	1 space for each 4 residents
Construction services	1 space for each 2,000 square feet.
Custom and craft work	1 space for each 1,000 square feet
Dance halls (dance floor and table area)	1 space for each 100 square feet
Drinking establishment	1 space for each 200 square feet
Dry storage of boats	1 space for each 2,000 square feet
Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 space for each 100 square feet
Floating homes	1 space for each dwelling unit
Food processing for human consumption	1 space for each 1,000 square feet
Gas station	1 space for each 2,000 square feet
General retail sales and services	1 space for each 350 square feet
Ground-floor businesses in	None, maximum of 10 spaces

multifamily zones

Heavy commercial services

1 space for each 2,000 square feet

Heliports (waiting area)

1 space for each 100 square feet

High-impact uses

1 space for each 1,500 square feet or as determined by the Director

Horticultural uses (retail area only)

1 space for each 350 square feet

Hospitals¹

1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 space for each 6 beds

Hotels

1 space for each 4 sleeping rooms or suites

Institute for advanced study¹

1 space for each 1,000 square feet of administrative offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats

Institutes for advanced study in single-family zones (existing)

3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater

Kennel

1 space for each 2,000 square feet

Lecture and meeting hall

1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats

Library¹⁰

1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms

Live-work unit

1 space for each unit; plus the number of spaces required for the nonresidential portion for live-

	work units greater than 2,500 square feet, based on the most similar nonresidential use
Major durables, sales, service, and rental	1 space for each 2,000 square feet
Manufacturing, general	1 space for each 1,500 square feet
Manufacturing, heavy	1 space for each 1,500 square feet
Manufacturing, light	1 space for each 1,500 square feet
Marine service station	1 space for each 2,000 square feet
Medical services	1 space for each 350 square feet
Miniature golf	1 space for each 2 holes
Mini-warehouse	1 space for each 30 storage units
Mobile home park	1 space for each mobile home
Mortuary services	1 space for each 350 square feet
Motels	1 space for each sleeping room or suite
Motion picture studio	1 space for each 1,500 square feet
Motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Multifamily uses, ⁴ except as otherwise provided below ¹³	<p>Development sites containing 2—10 dwelling units:</p> <p>1.1 spaces for each dwelling unit</p> <p>Development sites containing 11—30 dwelling units:</p> <p>1.15 spaces for each dwelling unit</p> <p>Development sites containing 31—60 dwelling units:</p> <p>1.2 spaces for each dwelling unit</p> <p>Development sites containing more than 60 dwelling units:</p> <p>1.25 spaces for each dwelling unit</p> <p>In addition, for all multifamily uses whose average gross floor area per dwelling unit,</p>

1 excluding decks and all portions of a structure
2 shared by multiple dwelling units, exceeds 500
3 square feet, an additional .0002 spaces per
4 square foot in excess of 500 shall be required up
5 to a maximum additional .15 spaces per dwelling
6 unit; and

7 When at least 50 percent of the dwelling units in
8 a multifamily use have 3 bedrooms, an
9 additional .25 spaces per bedroom for each unit
10 with 3 bedrooms shall be required; and

11 Any multifamily use that contains a dwelling
12 unit with 4 or more bedrooms shall be required
13 to provide an additional .25 spaces per bedroom
14 for each unit with 4 or more bedrooms⁵

15 Multifamily uses containing
16 dwelling units with 2 or more
17 bedrooms, when within the area
18 impacted by the University of
19 Washington as shown on Map A
20 following this section, unless
21 another provision below allows
22 fewer parking spaces

1.5 spaces per unit with 2 or more bedrooms.
The requirement for units with 3 or more
bedrooms contained above shall also apply. All
other requirements for units with fewer than 2
bedrooms shall be as contained above⁵

23 Multifamily uses, when within the
24 Alki area as shown on Map B
25 following this section, unless
26 another provision below allows
27 fewer parking spaces

1.5 spaces for each dwelling unit

28 Multifamily uses, for development
sites that contain a total of 10 or
fewer dwelling units, all in ground-
related structures

1 space for each dwelling unit

Multifamily uses, when located in
Center City neighborhoods¹², for
each dwelling unit rented to and
occupied by a household with an
income at time of its initial
occupancy at or below 30 percent of
the median family income, adjusted
for household size, for the Seattle-

0.33 space for each dwelling unit with 2 or fewer
bedrooms, and 0.5 space for each dwelling unit
with 3 or more bedrooms

1 Bellevue-Everett Primary
2 Metropolitan Statistical Area, as
3 defined by the United States
4 Department of Housing and Urban
5 Development (HUD)¹⁴, for the life
6 of the building

7 Multifamily uses, when located in
8 Center City neighborhoods¹², for
9 each dwelling unit rented to and
10 occupied by a household with an
11 income at time of its initial
12 occupancy of between 30 and 50
13 percent of the median family
14 income, adjusted for household size,
15 for the Seattle-Bellevue-Everett
16 Primary Metropolitan Statistical
17 Area, as defined by HUD¹⁴, for the
18 life of the building

19 Multifamily uses, when located
20 outside of Center City
21 neighborhoods¹², for each dwelling
22 unit rented to and occupied by a
23 household with an income at time of
24 its initial occupancy at or below 30
25 percent of the median family
26 income, adjusted for household size,
27 for the Seattle-Bellevue-Everett
28 Primary Metropolitan Statistical
Area, as defined by HUD¹⁴, for the
life of the building

Multifamily uses, when located
outside of Center City
neighborhoods¹², for each dwelling
unit with 2 or fewer bedrooms
rented to and occupied by a
household with an income at time of
its initial occupancy of between 30
and 50 percent of the median family
income, adjusted for household size,
for the Seattle-Bellevue-Everett
Primary Metropolitan Statistical
Area, as defined by HUD¹⁴, for the
life of the building

0.5 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

0.33 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

0.75 spaces for each dwelling unit

life of the building

Multifamily uses occupied by low-income elderly households 1 space for each 6 dwelling units

Multifamily uses occupied by low-income disabled households 1 space for each 4 dwelling units

Multifamily uses occupied by low-income elderly/low-income disabled households 1 space for each 5 dwelling units

Multifamily uses, when within the Seattle Cascade Mixed zone or the Pike/Pine Overlay District 1 space for each dwelling unit

Multifamily uses, when within the Pike/Pine Overlay District, for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 60 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD, at rent not exceeding 30 percent of 60 percent of median family income, adjusted for household size, for the life of the building 1 space for every 2 dwelling units

Multipurpose convenience store 1 space for each 350 square feet

Museum¹ 1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public

Nonhousehold sales and services, except sales, service and rental of office equipment 1 space for each 2,000 square feet

1	Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
2		
3	Office, administrative	1 space for each 1,000 square feet
4	Office, customer service	1 space for each 350 square feet
5	Outdoor storage	1 space for each 2,000 square feet
6	Parks	None
7		
8	Participant sports and recreation, indoor or outdoor, unless otherwise specified	1 space for each 350 square feet
9		
10	Passenger terminals (waiting area)	1 space for each 100 square feet
11	Performing arts theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
12		
13	Personal transportation services	1 space for each 2,000 square feet
14	Playgrounds	None
15	Power plants	1 space for each 2,000 square feet
16	Private club ¹	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
17		
18		
19		
20		
21	Railroad rights-of-way	None
22		
23	Railroad switchyard with or without mechanized hump	1 space for each 2,000 square feet
24	Recreational marinas	1 space for each 75 lineal feet of moorage
25	Recycling center	1 space for each 2,000 square feet
26	Recycling collection station	None
27		
28		

1	Religious facility ¹	1 space for each 80 square feet of all auditoria and public assembly rooms
2	Research and development	1 space for each 1,000 square feet
3	laboratory	
4	<u>Research and development</u>	<u>1 space for each 1,500 square feet</u>
5	<u>laboratory located within the South</u>	
6	<u>Lake Union Hub Urban Village</u>	
7	Restaurant	1 space for each 200 square feet
8	Sale and rental of large boats	1 space for each 2,000 square feet
9	Sale and rental of motorized vehicles	1 space for each 2,000 square feet
10	Sale of boat parts and accessories	1 space for each 350 square feet
11	Sale of heating fuel	1 space for each 2,000 square feet
12	Sales, service and rental of commercial equipment	1 space for each 2,000 square feet
13		
14	Sales, service and rental of office equipment	1 space for each 350 square feet
15	Salvage yard	1 space for each 2,000 square feet
16	School, private elementary and secondary ^{1,2}	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
17		
18	School, public elementary and secondary ^{1,2,7}	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site
19		
20		
21		
22	Sewage treatment plant	1 space for each 2,000 square feet
23	Single-family dwelling units	1 space for each dwelling unit
24	Skating rink (rink area)	1 space for each 100 square feet
25	Solid waste transfer station	1 space for each 2,000 square feet
26		
27		
28		

1	Specialty food stores	1 space for each 350 square feet
2	Spectator sports facility ¹¹	1 space for each 10 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
3		
4	Sport range	1 space for each 2 stations
5	Swimming pool (water area)	1 space for each 150 square feet
6	Transit vehicle base	1 space for each 2,000 square feet
7	Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
8		
9		
10		
11	Utility service uses	1 space for each 2,000 square feet
12	Vehicle and vessel repair	1 space for each 2,000 square feet
13	Vocational or fine arts school	1 space for each 2 faculty plus full-time employees; plus 1 space for each 5 students (based on the maximum number of students in attendance at any one time)
14		
15		
16	Warehouse	1 space for each 1,500 square feet
17	Wholesale showroom	1 space for each 1,500 square feet
18	Work-release centers	1 space for each 2 full-time staff members; plus 1 space for each 5 residents; plus 1 space for each vehicle operated in connection with the work-release center
19		
20		
21		

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

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered

1 auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the
2 gymnasium contains bleachers, the parking requirement for the entire gymnasium shall
3 be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of
4 width of bleachers shall be counted as one (1) fixed seat for the purposes of determining
5 parking requirements. If the gymnasium does not contain bleachers and is in a school,
6 there is no parking requirement for the gymnasium. If the gymnasium does not contain
7 bleachers and is in a community center, the parking requirement shall be one (1) space
8 for each three hundred fifty (350) square feet. If the gymnasium does not contain
9 bleachers and is in a community center owned and operated by the Department of Parks
10 and Recreation (DOPAR), the parking requirement shall be one (1) space for each five
11 hundred fifty-five (555) square feet.

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

15 ⁴ Parking spaces required for multifamily uses may be provided as tandem spaces
16 according to subsection B of Section 23.54.020.

17 ⁵ Bedroom—Any habitable room as defined by the Building Code that, in the
18 determination of the Director, is capable of being used as a bedroom.

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

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

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

⁹ A child care facility, when co-located with an assisted living facility, may count the
passenger load/unload space required for the assisted living facility toward its required
passenger load/unload spaces.

¹¹ Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three (3) hours before an event is scheduled to begin and ending one (1) hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five (5) years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be fifty (50) percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one (1) space for each ten (10) fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least fifteen (15) days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series fifteen (15) days prior to the first event in the series. If the Director finds that a certification of projected attendance of fifty (50) percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within fifteen (15) days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.

¹² For purposes of this section, Center City neighborhoods are the following urban villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

¹³ These general requirements for multifamily uses are superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement under any provision below. To the extent that more than one of the provisions below applies to a multifamily use, the least of the applicable parking requirements applies. The different parking requirements for certain multifamily uses listed below shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this title.

1 ¹⁴ Notice of Income Restrictions. Prior to issuance of any permit to establish, construct
2 or modify any use or structure, or to reduce any parking accessory to a multifamily use
3 or structure, if the applicant relies upon these reduced parking requirements, the
4 applicant shall record in the King County Office of Records and Elections a declaration
5 signed and acknowledged by the owner(s), in a form prescribed by the Director, which
6 shall identify the subject property by legal description, and shall acknowledge and
7 provide notice to any prospective purchasers that specific income limits are a condition
8 for maintaining the reduced parking requirement.

9 Section 8. Subsection B of Section 23.54.035 of the Seattle Municipal Code, which
10 Section was last amended by Ordinance 119238, is amended as follows:

11 **23.54.035 Loading berth requirements and space standards.**

12 ***

13 B. Exception to Loading Requirements.

14 1. For uses with less than sixteen thousand (16,000) square feet of gross floor
15 area which provide a loading space on a street or alley, the loading berth requirements may be
16 waived by the Director following a review by the Seattle Transportation Department, which finds
17 that the street or alley berth is adequate.

18 2. Within the South Lake Union Hub Urban Village and when multiple buildings
19 share a central loading facility, loading berth requirements may be waived or modified if the
20 Director finds, in consultation with the Seattle Transportation Department, the following:

- 21 a. all loading is proposed to occur on-site; or
22 b. loading that is proposed to occur in a public right-of-way can take place
23 without disrupting pedestrian circulation or vehicular traffic; and
24 c. once located at a central loading facility, goods can be distributed to
25 other buildings on-site without disrupting pedestrian circulation or vehicular traffic.
26
27
28

Section 9. Section 23.84.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 120117, is amended as follows:

23.84.032 Definitions -- R.

"Research and development laboratory" means a ~~((commercial))~~ use in which research and experiments leading to the development of new products or intellectual property are conducted. This use may be associated with an institutional, clinical or commercial use.

Section 10. Section 23.86.006 of the Seattle Municipal Code, which Section was last amended by Ordinance 112971, is amended as follows:

23.86.006 Structure Height.

A. Height Measurement Technique in All Zones Except Downtown Zones and Within the South Lake Union Hub Urban Village.

1. The height shall be measured at the exterior walls of the structure.
Measurement shall be taken at each exterior wall from the existing or finished grade, whichever is lower, up to a plane essentially parallel to the existing or finished grade. For determining structure height, the exterior wall shall include a plane between supporting members and between the roof and the ground. The vertical distance between the existing grade, or finished grade, if lower, and the parallel plane above it shall not exceed the maximum height of the zone.

2. When finished grade is lower than existing grade, in order for an upper portion of an exterior wall to avoid being considered on the same vertical plane as a lower portion, it

1 must be set back from the lower portion a distance equal to two (2) times the difference between
2 existing and finished grade on the lower portion of the wall (Exhibit 23.86.006 A1).

3 3. Depressions such as window wells, stairwells for exits required by other codes,
4 "barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in
5 determining structure height when in combination they comprise less than fifty percent (50%) of
6 the facade on which they are located. In such cases, the grade for height measurement purposes
7 shall be a line between the grade on either side of the depression.
8

9 4. No part of the structure, other than those specifically exempted or excepted
10 under the provisions of the zone, shall extend beyond the plane of the maximum height limit.

11 5. Underground portions of structures are not included in height calculations. The
12 height of structures shall be calculated from the point at which the sides meet the surface of the
13 ground.
14

15 B. Within the South Lake Union Hub Urban Village, structure height shall be
16 measured for all portions of the structure. All measurements shall be taken vertically from
17 existing or finished grade, whichever is lower, to the highest point of the structure located
18 directly above each point of measurement.

19 Existing or finished grade shall be established by drawing straight lines between
20 the corresponding elevations at the perimeter of the structure. The straight lines will be existing
21 or finished grade for the purpose of height measurement. When a contour line crosses a facade
22 more than once, that contour line will be disregarded when establishing existing or finished
23 grade.
24

25 ~~((B-))~~C. Height Averaging for Single-family Zones. In a single family zone, the average
26 elevation of the nearest single family structures on either side of a lot may be, at the applicant's
27
28

option, used to establish the height limit of the principal structure on that lot, according to the following provisions:

1. Each structure used for averaging shall be on the same block front as the lot for which a height limit is being established. The structures used shall be the nearest single family structure on each side of the lot, and shall be within one hundred feet (100') of the side lot lines of the lot.

2. The height limit for the lot shall be established by averaging the elevations of the structures on either side in the following manner:

a. If the nearest structure on either side has a roof with at least a three-in-twelve (3:12) pitch, the elevation to be used for averaging shall be the highest point of that structure's roof minus five feet (5').

b. If the nearest structure on either side has a flat roof, or a roof with a pitch of less than three-in-twelve (3:12), the elevation of the highest point of the structure's roof shall be used for averaging.

c. Rooftop features which are otherwise exempt from height limitations, Height Exceptions, Section 23.44.012 C, shall not be included in elevation calculations.

d. The two (2) elevations obtained from steps 2a and/or 2b shall be averaged to derive the height limit for the lot. This height limit shall be the difference in elevation between the midpoint of a line parallel to the front lot line at the required front setback and the average elevation derived from 2a and/or 2b.

e. The height measurement technique used for the lot shall then be the City's standard measurement technique, Section 23.86.006 A.

1 3. When there is no single-family structure within one hundred feet (100') on a
2 side of the lot, or when the nearest single family structure within one hundred feet (100') on a
3 side of the lot is not on the same block front, the elevation used for averaging on that side shall
4 be thirty feet (30') plus the elevation of the midpoint of the front lot line of the abutting vacant
5 lot.

6 4. When the lot is a corner lot, the height limit may be the highest elevation of the
7 nearest structure on the same block front, provided that the structure is within one hundred feet
8 (100') of the side lot line of the lot and that both front yards face the same street.

9 5. In no case shall the height limit established according to these height averaging
10 provisions be greater than forty feet (40').

11 6. Lots using height averaging to establish a height limit shall be eligible for the
12 pitched roof provisions of Section 23.44.012 B.

13 ~~((C-))~~ D. Additional Height on Sloped Lots.

14 1. In certain zones, additional height shall be permitted on sloped lots at the rate
15 of one foot (1') for each six percent (6%) of slope. For the purpose of this provision, the slope
16 shall be measured from the exterior wall with the greatest average elevation at existing grade, to
17 the exterior wall with the lowest average elevation at existing grade. The slope shall be the
18 difference between the existing grade average elevations of the two (2) walls, expressed as a
19 percentage of the horizontal distance between the two (2) walls.

20 2. This additional height shall be permitted on any wall of the structure, provided
21 that on the uphill side(s) of the structure, the height of the wall(s) shall be no greater than the
22 height limit of the zone (Exhibit 23.86.006 A2).

1 3. Structures on sloped lots shall also be eligible for the pitched roof provisions
2 applicable in the zone.

3 ~~((D-))~~E. Height Measurement Techniques in Downtown Zones.

4 1. Determine the major street property line, which shall be the lot's longest street
5 property line. When the lot has two (2) or more street lot lines of equal length, the applicant shall
6 choose the major street property line.

7 2. Determine the slope of the lot along the entire length of the major street
8 property line.

9 3. The maximum height shall be measured as follows:

10 a. When the slope of the major street property line is less than or equal to
11 seven and one-half percent (7-1/2%), the elevation of maximum height shall be determined by
12 adding the maximum permitted height to the existing grade elevation at the midpoint of the
13 major street property line. On a through lot, the elevation of maximum height shall apply only to
14 the half of the lot nearest the major street property line. On the other half of a through lot, the
15 elevation of maximum height shall be determined by the above method using the street lot line
16 opposite and parallel to the major street property line as depicted in Exhibit 23.86.006 B.

17 b. When the slope of the major street property line exceeds seven and
18 one-half percent (7-1/2%), the major street property line shall be divided into four (4) or fewer
19 equal segments no longer than one hundred twenty feet (120') in length. The elevation of
20 maximum height shall be determined by adding the maximum permitted height to the existing
21 grade elevation at the midpoint of each segment. On a through lot, the elevation of maximum
22 height shall apply only to the half of the lot nearest the major street property line. On the other
23 half of a through lot, the elevation of maximum height shall be determined by the above method
24
25
26
27
28

1 using the street lot line opposite and parallel to the major street property line, as depicted in
2 Exhibit 23.86.006 C.

3 c. For lots with more than one (1) street frontage, where there is no street
4 property line which is essentially parallel to the major street property line, when a measurement
5 has been made for the portion of the block containing the major street property line, the next
6 measurement shall be taken from the longest remaining street lot line.
7

8 4. No parts of the structure, other than those specifically exempted or excepted
9 under the provisions of the zone, shall extend beyond the elevation of maximum height.

10 5. Underground portions of structures are not included in height calculations. The
11 height of structures shall be calculated from the point at which the sides meet the surface of the
12 ground.
13

14
15 ~~((E-))~~ F. Determining the Height of Existing Public School Structures. When the height of
16 the existing public school structure must be measured for purposes of determining the permitted
17 height or lot coverage of a public school structure, either one of the following options may be
18 used:
19

20 1. If all parts of the new roof are pitched at a rate of not less than three to twelve
21 (3:12), the ridge of the new roof may extend to the highest point of the existing roof. A shed roof
22 does not qualify for this option.
23
24
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2. If all parts of the new roof are not pitched at a rate of not less than three to twelve (3:12), then the elevation of the new construction may extend to the average height of the existing structure. The average height shall be determined by measuring the area of each portion of the building at each height and averaging those areas, as depicted in Exhibit 23.86.006 D.

Section 11. 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 12. 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 ____, 2003, and signed by me in open session in authentication of its passage this ____ day of ____, 2003.

President ____ of the City Council

Approved by me this ____ day of ____, 2003.

Gregory J. Nickels, Mayor

Filed by me this ____ day of ____, 2003.

City Clerk

(Seal)

STATE OF WASHINGTON - KING COUNTY

--SS.

166705
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

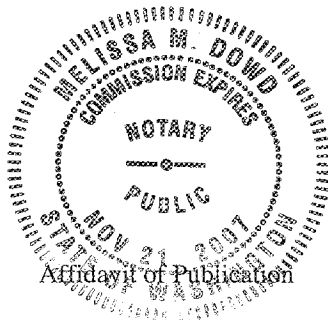
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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:ORD 121359

was published on

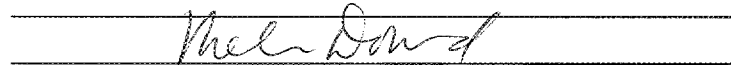
12/26/2003





Subscribed and sworn to before me on

12/26/2003



Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

03-7527, xxx-xx-2282,
ve. Center, WA 98629,
don Dec 22 (Ch. 7)

in, Naomi Lee Gwin,
xx-2348, 1506 N 1st
98626, Ref 03-52845,
Ch. 7)

rom, xxx-xx-1168, 3207
couver, WA 98660, Ref
Dec 22 (Ch. 7)

nes, 649 21st Ave,
98632-1801, Ref 03-
ec 22 (Ch. 7)

aid, xxx-xx-8605, 15415
tains, WA 98606, Ref 03-
ec 22 (Ch. 13)

orter, xxx-xx-5112, 1300
incoover, WA 98664, Ref
in Dec 22 (Ch. 13)

ney, Dannie Lou Raney,
xx-5470, 119 Lone Oak
WA 98632, Ref 03-52850,
(Ch. 7)

ison, xxx-xx-6840, PO
port, WA 98595, Ref 03-
ec 22 (Ch. 7)

ion, xxx-xx-0567, 8606
Tacoma, WA 98444, Ref
on Dec 22 (Ch. 7)

alka, xxx-xx-7350, 890
IE #19, Rock, WA 98611,
iled on Dec 22 (Ch. 7)

g and Cooling, Inc., PO
couver, WA 98668, Ref 03-
Dec 22 (Ch. 7)

Tami Lynne Woods, xxx-
x-3822, 14726 171st Ave
WA 98059, Ref 03-52855,
(Ch. 7)

id-Martinez, xxx-xx-1954,
ard St #A, Tacoma, WA
52856, filed on Dec 22

y, xxx-xx-5883, 412 118th
WA 98445, Ref 03-52857,
(Ch. 13)

Denice P Krueger, xxx-
x-3903, 4114 60th St Ct E,
98443, Ref 03-52858, filed
(Ch. 13)

mell, xxx-xx-2158, PO Box
uver, WA 98665, Ref 03-
Dec 22 (Ch. 7)

reprinter, xxx-xx-2063, 3503
Sumner, WA 98390, Ref
on Dec 23 (Ch. 7)

iams, xxx-xx-2792, 6501
Puyallup, WA 98373, Ref
on Dec 23 (Ch. 7)

more, xxx-xx-2783, 8511
Puyallup, WA 98375, Ref
on Dec 23 (Ch. 7)

ones, L C Jones, xxx-xx-
9516, 4301 Norpoint Wy NE
WA 98422, Ref 03-52863,
(Ch. 7)

idt, xxx-xx-7831, 2923 S
311, Puyallup, WA 98373,
filed on Dec 23 (Ch. 7)

enerson, xxx-xx-8231, 214
mwater, WA 98501, Ref 03-
Dec 23 (Ch. 7)

Year Case type Serial No. Check digit
82 2 12345 2
Case types we report are as follows: (2)
civil, (9) judgments.

CIVIL

Filed November 18

03-2-41117-5 MSC. Settlement Funding v
Wolfe, Elizabeth.

03-2-41118-3 MSC. Settlement Funding v
Hayek, Terri A.

03-2-41119-1 MSC. Horsman, Ronald v
Tamura, Libby.

03-2-41122-1 FOR. Canac Kitchens Us v
Ledcor Industries Inc. General Ins Co Bond
6087490/vm0003001869.

03-2-41123-0 COM. National Maintenance
Contractors Inc v Champs Karting.

Filed November 19

03-2-10193-1 MSC. Scott, John L v Peyton
Gaunt & Laura Linda Properties, Galbraith,
Colleen.

03-2-10194-0 COM. American General
Financial Services Inc v Brewer, Kevin W.

03-2-10201-6 TMV. Marzano, Frank v
Balsion, Todd.

03-2-38614-6 TMV. Wheelodon, Tara K v
Bradley, David; Bradley, Tricia.

03-2-38623-5 COM. Eggert, Kristoffer D v
Farmers Ins Co Of Washington.

03-2-38624-3 COM. Horizon Air Industries
Inc v Federal Ins Co, St Paul Fire & Marine
Ins Co.

03-2-40909-0 ALR. Davis, Kevin W v L & I.

03-2-40910-3 COL. L & I v Developers Surety
& Indemnity Co.

03-2-40911-1 COL. L & I v Ohio Casualty &
Co.

03-2-40912-0 COL. L & I v Gulf Ins Co.

03-2-40913-8 COL. State DOR v Gulf Ins Co.

03-2-40914-6 COL. State DOR v Gulf Ins Co.

03-2-40915-4 COL. Fairlane Credit v Saelee,
Suraphong.

03-2-40916-2 COM. Aitchison, Thomas W v
Finkelstein, Charles A; Finkelstein, Laurie
D.

03-2-40917-1 COM. Carpenters Health &
Security Trust Of Western Washington;
Carpenters Retirement Trust; Carpenters
Employers Vacation Trust; Carpenters
Employers Apprenticeship & Training Trust;
Pacific Northwest Regional Council Of
Carpenters v Old Republic Ins Co Bond Yk-
244038.

03-2-40918-9 COM. Sears Roebuck & Co v
Bailey, Everett.

03-2-40919-7 COM. Story Acoustics Inc v
Gregory Development Co; Travelers
Casualty & Surety Co Bond 103645391.

03-2-40920-1 PIN. Varnado, Rayford F v
Safeway Inc.

03-2-40921-9 MED. Koepnick, Norma J v
Heizer, Mark T; Janczakowski, Mark A;
Nazeri, Alireza Y; Nbn Investment, Nbn
Unique Properties.

03-2-40935-9 TMV. Nelson, Dale; Nelson,
Sharon A v Potter, Ann E; Vu, Lanh.

03-2-40938-3 COM. Gass, Christina L v

03-9-39039-4 GEN \$2,839, Hsc Real Estate
Inc v Spellman, Wendy.

03-9-39040-8 GEN \$1,731, Asset
Acceptance v Winston, Tracey.

03-9-39041-6 GEN \$7,451, Asset
Acceptance v Webb, Fay.

03-9-39042-4 GEN \$11,064, Bank Of
America v Erickson, Patricia.

03-9-39043-2 GEN \$13,748, Bank Of
America v Brusa, Todd M.

03-9-39044-1 GEN \$11,522, Bank Of
America v Pimm, Daniel T.

03-9-39045-9 GEN \$2,844, Bank Of America
v Falco, Alfonso J.

03-9-39046-7 GEN \$1,564, Capital One v
Washington, Lucia L.

03-9-39053-0 GEN \$13,779, Asset
Acceptance v Miller, Jeffrey.

03-9-39054-8 GEN \$1,591, Capital One v
Paxson, Travis.

03-9-39055-6 GEN \$4,412, Bank Of America
v Severtson, David M.

03-9-39056-4 GEN \$2,047, Asset
Acceptance v Siu, Edward Matat.

03-9-39057-2 GEN \$5,186, Bank Of America
v Wang, Yan.

03-9-39058-1 GEN \$2,171, Capital One v
Roberts, Jerry T Jr; Roberts, Patricia L.

03-9-39059-9 GEN \$7,813, Asset
Acceptance v Lekhakul, Naris.

03-9-39060-2 GEN \$10,319, Citibank South
Dakota v Sokolich, Susan E.

03-9-39063-7 TRJ \$1,370, United Collection
Service Inc v Arbogast, Stephanie.

03-9-39064-5 TRJ \$1,008, United Collection
Service Inc v Anderson-Parlington,
Lindsay.

03-9-39065-3 TRJ \$4,680, United Collection
Service Inc v Nguyen, Vo.

03-9-39067-0 TRJ \$12,482, United Collection
Service Inc v Roberts, Gary.

03-9-39068-8 TRJ \$2,485, United Collection
Service Inc v Curran, Rae; Curran, William.

Filed November 2

03-9-39310-5 CON \$790,000, King County;
Seven Hundred Investment Company v
Central Puget Sound Regional Transit
Authority.

Filed November 3

03-9-31883-9 GEN \$1,608, Elvins, Deborah
Anne; Stoei Rives Lip v Versuslaw Inc.

03-9-31886-3 GEN \$1,950, Redondo Assoc
Lic v Ruiz, Ariana; Valle, Hugo.

03-9-31887-1 TRJ \$8,439, Discover Financial
Services Inc v Lombardo, Marta P.

03-9-31908-9 TRJ \$6,419, Discover Financial
Services v Rodis, Gilma C.

03-9-31909-6 TRJ \$12,937, Discover
Financial Services v McKinlay, Brenda L;
McKinlay, Da. b.

03-9-31910-0 TRJ \$711, Merchants Credit
Corp v Fainga, Anau S; Fainga, William.

03-9-31911-8 TRJ \$780, Merchants Credit
Corp v Griffith, Bobbie J.

03-9-31912-6 TRJ \$9,353, Ford Motor Credit
Co v Phan, Huy, Phan, Yen.

03-9-31913-4 TAX \$4,403, State DOR v Car
Tec; Haider Enterprises Inc.

03-9-31914-2 TRJ \$9,057, Ford Motor Credit



PRE-BID SITE INSPECTION: No
site inspection will be held for this pro
ject. Bids received after 2:00 p.m.
Monday, January 5, 2004, after wh
inspections, January 7, 2004, after wh
Washington 98104 only up to 2:00 p.m.
th Avenue, PO Box 98687, Seat
office in the Key Tower, Suite 4112,
Department of Executive Administration
contracting services. Division of
elected for this project by the City of Sea
BID SUBMITTAL: Sealed bids will

ject Management and
struction Oversight
e New City of Seattle
Command Center
Is due by 2:00 p.m., Monday,
January 5, 2004

y of Seattle's Architecture
and Space Planning (AESP)
ects and Facilities Department
liciting proposals from qualified
ide project management and con-
ministration services for the \$36.8
00 square foot Command Center,
in South Downtown Seattle. The
ides replacement of one of the
d fire stations (Fire Station 10),
urm Center and Seattle Police
Emergency Operations Center.
ast track" nature of the overall
FFD-AESP Division is antici-
e of the of the Washington state's
lic Works procedure, commonly
neral Contractor/Construction
ACM) for construction of this
authorized in RCW 39.10.060,
must demonstrate familiarity
ress.

of the project is to create a well-
lity that provides the highest
of security, operational efficien-
ive self-sufficiency, as well as
upport for building users in bal-
urban context.

shall conform to all the current
ulatory codes including the
tional Building Code (IBC)
into effect July 2004 at the
nd shortly thereafter with-
the latest edition of the FFD
ards for Design, Construction,
(FSDCO) at www.seattle.gov/
ment/designstandards.htm.
e Fire Station Standards devel-
evy program. Additionally, the
ommand Center will conform to
eattle Sustainable Building
ulting project will meet at a
LEED™ Silver rating, with
wels encouraged but only with-
udget. Eligible firms shall have
D™ professional on their staff.

ion conference will be held for
ns at 2:30 p.m., Tuesday,
2003 in the Elliott Bay Room
or of the Alaska Building, 618
attle, WA 98104 to answer any
ultants may have about the
project management services
ot required.

erves the right to reject any
als and to waive any formal-
received, to accept or reject
items in the submittal, and
act in whole or in part if it is
ity's best interest.

Minority Business
City encourages the utiliza-
of minority-owned busi-
nesses in the project.