

Ordinance No. 121476

Council Bill No. 114866

The City of Seattle
Council Bill/Ordinance

An ordinance relating to land use and zoning; amending Seattle Municipal Code Sections 23.24.046, 23.24.050, 23.34.009, 23.41.010, 23.44.010, 23.44.012, 23.44.014, 23.47.009, 23.48.032, 23.49.064, 23.50.012, 23.50.029, 23.50.032, 23.54.015, 23.54.030, 23.73.008, 23.76.006, 23.76.010, 23.76.011, 23.76.012, 23.76.040, 23.76.050, 23.84.032, 23.86.006, 23.86.008, and 23.88.020, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

CF No. _____

5-12-04 Pass
5-17-04 Pass

Date Introduced:	APR 12 2004	
Date 1st Referred:	APR 12 2004	
To: (committee)	Urban Development & Planning	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>5-12-04</u>	<u>7-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>5-18-04</u>	<u>5/25/04</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
<u>5/25/04</u>	<u>5/25/04</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

Council Bill/Ordinance sponsored by:

[Handwritten signature]

Councilmember

Committee Action:

(6)

5-12-04 Pass As Amended PS, TR

5-17-04 Passed 7-0 (Excused Compton, Conlin)

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

Committee:

[Handwritten signature]
(initial/date)

Law Department

[Handwritten notes: Forward with attached, attached to Council Note, S, Seattle, full copy loaded, full copy, full of]

Law Dept. Review

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City Clerk
Review

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Indexed

ORDINANCE 121476

1
2 AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code
3 Sections 23.24.046, 23.24.050, 23.34.009, 23.41.010, 23.44.010, 23.44.012,
4 23.44.014, 23.47.009, 23.48.032, 23.49.064, 23.50.012, 23.50.029, 23.50.032,
5 23.54.015, 23.54.030, 23.73.008, 23.76.006, 23.76.010, 23.76.011, 23.76.012,
6 23.76.040, 23.76.050, 23.84.032, 23.86.006, 23.86.008, and 23.88.020, to correct
7 typographical errors, correct section references, clarify regulations, and make minor
8 amendments.

9 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

10 Section 1. Subsection D of Section 23.24.046 of the Seattle Municipal Code, which
11 subsection was established by Ordinance 121163, is repealed.

12 Section 2. Subsection A of Section 23.24.050 of the Seattle Municipal Code, which
13 Section was last amended by Ordinance 120609, is amended as follows:

14 **23.24.050 Director's decision.**

15 A. If the Director determines that the ~~((requirements))~~provisions of this
16 ~~((section))~~Chapter are ~~((met))~~satisfied, or may be ~~((met))~~satisfied upon compliance with
17 specified conditions, the Director shall inform the applicant in writing of the decision to
18 approve the application and the conditions of the approval, if any, and may return the
19 proposed short plat to the applicant for modification or correction. When the Director has
20 determined that: (1) the short plat contains the certificates, dedication instruments and
21 statements of approval required by state law and this chapter, (2) the short plat and all legal
22 descriptions are technically correct, and (3) review procedures pursuant to Chapter 23.76
23 have been concluded, the short plat shall be filed for record with the King County Director
24 of Records and Elections. Except for purposes of appeal, no short plat or short subdivision
25 granted approval by the Director shall be deemed to have final approval until filed.
26

27 * * *



1 Section 3. The preamble of Section 23.34.009 of the Seattle Municipal Code,
2 which Section was last amended by Ordinance 117430, is amended as follows:

3 **23.34.009 Height limits of the proposed rezone.**

4 Where a decision to designate height limits in ((Neighborhood
5 ~~Commercial~~))commercial or ((Industrial))industrial zones is independent of the designation
6 of a specific zone, in addition to the general rezone criteria of Section 23.34.008, the
7 following shall apply:
8

9 A. Function of the Zone. Height limits shall be consistent with the type and scale
10 of development intended for each zone classification. The demand for permitted goods and
11 services and the potential for displacement of preferred uses shall be considered.
12

13 * * *

14 Section 4. Subsection B of Section 23.41.010 of the Seattle Municipal Code, which
15 Section was last amended by Ordinance 121305, is amended as follows:

16 **23.41.010 Design review guidelines.**

17 * * *

18
19 B. The following Neighborhood design guidelines are approved:

- 20 1. "University Community Design Guidelines, 2000;"
- 21 2. "Pike/Pine Urban Center Village Design Guidelines, 2000;"
- 22 3. "Roosevelt Urban Village Design Guidelines, 2000;"
- 23 4. "Ballard Municipal Center Master Plan Area Design Guidelines,
24 2000;"
- 25 5. "West Seattle Junction Urban Village Design Guidelines, 2001;"
- 26 6. "Green Lake Neighborhood Design Guidelines, 2001;" and

- 1 7. "Admiral Residential Urban Village Design Guidelines, 2002;" and
- 2 8. "South Lake Union Urban Village Design Guidelines, 2003((-);)" and
- 3 9. "Northgate Urban Center and Overlay District Design Guidelines, 2003."
- 4

5 Section 5. Subsection D of Section 23.44.010 of the Seattle Municipal Code, which
6 Section was last amended by Ordinance 119239, is amended as follows:

7 **23.44.010 Lot requirements.**

8 * * *

9
10 D. Lot Coverage Exceptions.

11 1. Lots Abutting Alleys and Corner Lots. For purposes of computing the lot
12 coverage only:

13 a. The area of a corner lot where a side lot line abuts upon a street
14 may be increased by one-half (1/2) the width of the abutting side street.

15 b. The area of a lot with alley or alleys abutting any lot line may be
16 increased by one-half (1/2) the width of the abutting alley or alleys.

17 c. The total lot area for any lot may not be increased by the
18 provisions of this section by more than twenty-five (25) percent.

19
20 2. Special Structures and Portions of Structures. The following structures
21 and portions of structures shall not be counted in lot coverage calculations:

22 a. Access Bridges. Uncovered, unenclosed pedestrian bridges of any
23 height necessary for access and five (5) feet or less in width;

24 b. Barrier-free Access. Ramps or other access for the disabled or
25 elderly meeting Washington State Building Code, Chapter 11;
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1 c. Decks. Decks or parts of a deck which are eighteen (18) inches or
2 less above the existing grade;

3 d. Freestanding Structures and Bulkheads. Fences, arbors and
4 freestanding walls except ((~~arbors,~~))bulkheads, signs and other similar structures;

5 e. Underground Structures. An underground structure, or
6 underground portion of a structure, may occupy any part of the entire lot;

7 f. Eaves and Gutters. The first eighteen (18) inches of eaves and
8 gutters projecting from principal and accessory structures, except that eaves associated with
9 the roof of an arbor shall be included in lot coverage calculations;

10 g. Solar collectors meeting the provisions of Section 23.44.046 and
11 swimming pools meeting the provisions of Section 23.44.044.

12 Section 6. Subsection A of Section 23.44.012 of the Seattle Municipal Code, which
13 Section was last amended by Ordinance 120928, is amended as follows:

14 **23.44.012 Height limits.**

15 **A. Base Height Established.**

16 1. Except as provided in subsection A2, the base permitted height for any
17 structure not located in required yards, except as permitted in Section 23.44.014 D3, shall
18 not exceed the greater of the following:

19 a. Thirty (30) feet;

20 b. The average height of the two (2) single-family structures which
21 the subject structure abuts if one (1) or both of the abutting structures exceed thirty (30)
22 feet.



1 2. The base permitted height for any structure on lots thirty (30) feet or less
2 in width shall not exceed the greater of the following:

3 a. Twenty-five (25) feet;

4 b. The average height of the two (2) single-family structures on
5 abutting lots, but not to exceed thirty (30) feet.
6

7 3. Expansions, extensions or replacements to any structure on lots
8 established pursuant to 23.24.046, Multiple single-family dwelling units on a single-family
9 lot, on lots thirty (30) feet or less in width are subject to the following:

10 a. The base permitted height shall not exceed twenty-five (25) feet,

11 and

12 b. The averaging provisions of subsection 2b, above, do not apply.

13 4. The methods of determining structure height, height averages,
14 and lot width are detailed in Chapter 23.86, Measurements.
15

16 * * *

17 Section 7. Subsection D of Section 23.44.014 of the Seattle Municipal Code, which
18 Section was last amended by Ordinance 120410, is amended as follows:
19

20 **23.44.014 Yards.**

21 ***

22 D. Exceptions from Standard Yard Requirements. No structure shall be placed in a
23 required yard except pursuant to the following subsections:
24

25 1. Certain Accessory Structures. Any accessory structure may be
26 constructed in a side yard which abuts the rear or side yard of another lot, or in that portion
27 of the rear yard of a reversed corner lot within five (5) feet of the key lot and not abutting
28



1 the front yard of the key lot, upon recording with the King County Department of Records
2 and Elections an agreement to this effect between the owners of record of the abutting
3 properties. Any accessory structure which is a private garage may be located in that portion
4 of a side yard which is either within thirty-five (35) feet of the centerline of an alley or
5 within twenty-five (25) feet of any rear lot line which is not an alley lot line, without
6 providing an agreement as provided in Section 23.44.016.
7

8 2. A single-family structure may extend into one (1) side yard if an
9 easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a
10 ten (10) foot separation between that structure and any principal or accessory structures on
11 the abutting lot. Features and projections such as porches, eaves, and chimneys shall be
12 permitted in the ten (10) foot separation area as if the property line were five (5) feet from
13 the wall of the house on the dominant lot, provided that no portion of either principal
14 structure including eaves shall cross the actual property line. The easement shall be
15 recorded with the King County Department of Records and Elections. The easement shall
16 provide access for normal maintenance activities to the principal structure on the lot with
17 less than the required side yard.
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20 3. Certain Additions. Certain additions may extend into a required yard
21 when the existing single-family structure is already nonconforming with respect to that
22 yard. The presently nonconforming portion must be at least sixty (60) percent of the total
23 width of the respective facade of the structure prior to the addition. The line formed by the
24 nonconforming wall of the structure shall be the limit to which any additions may be built,
25 except as described below. They may extend up to the height limit and may include
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1 basement additions. New additions to the nonconforming wall or walls shall comply with
2 the following requirements (Exhibit 23.44.014 A):

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

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

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

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

16 4. Uncovered Porches or Steps. Uncovered, unenclosed porches or steps
17 may project into any required yard, provided that they are no higher than four (4) feet on
18 average above existing grade, no closer than three (3) feet to any side lot line, no wider
19 than six (6) feet and project no more than six (6) feet into required front or rear yards. The
20 height of porches and steps are to be calculated separately from each other.

21 5. Special Features of a Structure. Special features of a structure may
22 extend into required yards subject to the following standards only, unless permitted
23 elsewhere in this chapter:
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1 a. External architectural details with no living area, such as
2 chimneys, eaves, cornices and columns, may project no more than eighteen (18) inches into
3 any required yard;

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

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

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

12 6. Private Garages, Covered Unenclosed Decks or Roofs Over Patios in
13 Rear Yards.

14 a. Any attached private garages or covered, unenclosed decks or
15 roofs over patios are portions of principal structures. They may extend into the required
16 rear yard, but shall not be within twelve (12) feet of the centerline of any alley, nor within
17 twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5)
18 feet to any accessory structure. The height of private garages shall meet the provisions of
19 Section 23.44.016 D2 and the height of the roof over unenclosed decks and patios may not
20 exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used as
21 a deck. Any detached private garage meeting the requirements of Section 23.44.016,
22 Parking location and access, or detached permitted accessory structure meeting the
23 requirements of Section 23.44.040, General provisions, may be located in a rear yard. If a
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1 private garage has its vehicular access facing the alley, the private garage shall not be
2 within twelve (12) feet of the centerline of the alley.

3 b. Garages meeting the standards of Section 23.44.016 and other
4 accessory structures meeting the standards of Section 23.44.040, shall be permitted in
5 required rear yards, subject to a maximum combined coverage of forty (40) percent of the
6 required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be
7 calculated from the centerline of the alley.
8

9 7. Private Garages in Front Yards of Through Lots. On through lots less
10 than one hundred twenty-five (125) feet in depth, either an accessory garage structure or a
11 portion of the principal structure containing a garage shall be permitted to locate in one (1)
12 of the front yards. Private garages, either as accessory structures or as a portion of the
13 principal structure, shall be limited as set forth in Section 23.44.016. The front yard in
14 which the garage may be located shall be determined by the Director based on the location
15 of other accessory garages on the block. If no pattern of garage location can be determined,
16 the Director shall determine in which yard the accessory garage shall be located based on
17 the prevailing character and setback patterns of the block.
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20 8. Access Bridges. Uncovered, unenclosed pedestrian bridges of any height,
21 necessary for access and five (5) feet or less in width, are permitted in required yards
22 except that in side yards an access bridge must be at least three (3) feet from any side lot
23 line.
24

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

27 10. Freestanding Structures and Bulkheads.
28

1 a. Fences, freestanding walls, signs and similar structures six (6)
2 feet or less in height above existing or finished grade, whichever is lower, may be erected
3 in any required yard. The six (6) foot height may be averaged along sloping grade for each
4 six (6) foot long segment of the fence, but in no case may any portion of the fence exceed
5 eight (8) feet. Architectural features may be added to the top of the fence or freestanding
6 wall above the six (6) foot height when the following provisions are met: horizontal
7 architectural feature(s), no more than ten (10) inches high, and separated by a minimum of
8 six (6) inches of open area, measured vertically from the top of the fence, may be permitted
9 when the overall height of all parts of the structure, including post caps, are no more than
10 eight (8) feet high; averaging the eight (8) foot height is not permitted. Structural supports
11 for the horizontal architectural feature(s) may be spaced no closer than three (3) feet on
12 center.
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15 b. The Director may allow variation from the development standards
16 listed in subsection D10a above, according to the following:

- 17 (1) No part of the structure may exceed eight (8) feet; and
18 (2) Any portion of the structure above six (6) feet shall be
19 predominately open, such that there is free circulation of light and air.
20

21 c. Bulkheads and retaining walls used to raise grade may be placed
22 in any required yard when limited to six (6) feet in height, measured above existing grade.
23 A guardrail no higher than forty-two (42) inches may be placed on top of a bulkhead or
24 retaining wall existing as of the date of the ordinance codified in this section. If a fence is
25 placed on top of a new bulkhead or retaining wall, the maximum combined height is
26 limited to nine and one-half (9-1/2) feet.
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1 d. Bulkheads and retaining walls used to protect a cut into existing
2 grade may not exceed the minimum height necessary to support the cut or six (6) feet,
3 whichever is greater. When the bulkhead is measured from the low side and it exceeds six
4 (6) feet, an open guardrail of no more than forty-two (42) inches meeting Building Code
5 requirements may be placed on top of the bulkhead or retaining wall. A fence must be set
6 back a minimum of three (3) feet from such a bulkhead or retaining wall.
7

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

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

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

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

21 14. Front Yard Projections for Structures on Lots Thirty (30) Feet or Less in
22 Width. For a structure on a lot which is thirty (30) feet or less in width, portions of the front
23 facade which begin eight (8) feet or more above finished grade may project up to four (4)
24 feet into the required front yard, provided that no portion of the facade, including eaves and
25 gutters, shall be closer than five (5) feet to the front line (Exhibit 23.44.014 B).
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1 15. Front and rear yards may be reduced by twenty-five (25) percent, but no
2 more than five (5) feet, if the site contains a required environmentally critical area buffer or
3 other area of the property which can not be disturbed pursuant to subsection A of Section
4 25.09.280 of SMC Chapter 25.09, Regulations for Environmentally Critical Areas.
5

6 16. Arbors. Arbors may be permitted in required yards under the following
7 conditions:

8 a. In any required yard, an arbor may be erected with no more than a
9 forty (40) square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a
10 maximum height of eight (8) feet. Both the sides and the roof of the arbor must be at least
11 fifty (50) percent open, or, if latticework is used, there must be a minimum opening of two
12 (2) inches between crosspieces.
13

14 b. In each required yard abutting a street, an arbor over a private
15 pedestrian walkway with no more than a thirty (30) square foot footprint, measured on the
16 horizontal roof plane and inclusive of eaves, may be erected to a maximum height of eight
17 (8) feet. The sides of the arbor shall be at least fifty (50) percent open, or if latticework is
18 used, there must be a minimum opening of two (2) inches between crosspieces.
19

20 ***

21 Section 8. Subsection B of Section 23.47.009 of the Seattle Municipal Code, which
22 Section was last amended by Ordinance 120452, is amended as follows:
23

24 **23.47.009 Density limits for residential uses**

25 ***

26 B. Density limits shall not apply to single-purpose residential structures within the
27 Station Area Overlay District pursuant to Chapter 23.61, or along selected streets in the
28



1 Pike/Pine Overlay District, pursuant to Chapter 23.73, and for Seattle Housing Authority
2 structures permitted pursuant to Section 23.47.0004 E1((e))g. Where the Station Area
3 Overlay District and the Pike/Pine Overlay District overlap, the provisions of the Pike/Pine
4 Overlay District shall prevail.

5 ***

6
7 Section 9. Section 23.48.032 of the Seattle Municipal Code, which Section was last
8 amended by Ordinance 120611, is amended as follows:

9 **23.48.032 Required parking and loading.**

10 A. Each use shall provide a minimum number of off-street parking spaces
11 according to the requirements of Section 23.54.015, Required parking, except as modified
12 by this section.

13
14 ~~((B. Residential uses shall be required to provide one (1) off-street parking space~~
15 ~~per unit, except for low-income elderly/low-income disabled multifamily structures where~~
16 ~~the number of off-street parking spaces will be determined according to the requirements of~~
17 ~~Section 23.54.015 Required parking.))~~

18
19 ~~((C.))~~ B. Loading berth requirements shall be provided pursuant to Section
20 23.54.035, Loading berth requirements and space standards.

21 ~~((D.))~~ C. Where access to a loading berth is from the alley, and truck loading is
22 parallel to the alley, a setback of twelve (12) feet shall be required for the loading berth,
23 measured from the centerline of the alley (Exhibit 23.47.014 E -- in Chapter 23.47). This
24 setback shall be maintained up to a height of sixteen (16) feet.

25
26 ~~((E.))~~ D. Reduction in the Amount of Parking Required. Reductions to required
27 parking shall be permitted according to the provisions of Section 23.54.020, Parking
28



1 quantity exceptions. Further reductions or exceptions are permitted for street-level uses in
2 structures on Class I Pedestrian Streets as follows:

3 1. In a new structure where a minimum of seven thousand five hundred
4 (7,500) square feet of customer service office use, personal and household retail sales and
5 service use or entertainment use, except motion picture theaters, is provided, parking may
6 be waived for the first seven thousand five hundred (7,500) square feet of the structure in
7 such use.

8 2. No parking shall be required for the first one hundred fifty (150) seats in
9 a motion picture theater.

10 3. No parking shall be required for any gross floor area in human service or
11 child care use.

12 4. No additional parking shall be required when an existing structure is
13 expanded by up to two thousand five hundred (2,500) square feet, provided that this
14 exemption may be applied only once to any individual structure.

15 ~~(F-)~~ E. Payment in Lieu. In lieu of providing all or a portion of the required
16 parking, a development may make a payment to the Cascade Parking Fund if the Director
17 determines that the payment will contribute to the purchase and/or development of an
18 identified public parking garage that is consistent with City policy and priorities, that the
19 parking will mitigate the impacts of the project; and that construction of the public parking
20 garage (if applicable) is assured. The payment and use thereof shall be consistent with
21 RCW 82.02.020.
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1 1. An in-lieu-of payment shall equal the assessed value of the land at the
2 project site which would otherwise have been required to provide parking plus the
3 estimated cost to develop such parking on the project site.

4 2. Funds received in-lieu-of providing parking shall be applied to
5 acquisition or development of a new public parking garage(s) in the SCM, within eight
6 hundred (800) feet of the contributing site(s), except that when a contributor(s) agrees with
7 the City that a new parking garage, available to the public, within the SCM zone more than
8 eight hundred (800) feet from the project site(s) would be an appropriate mitigation to the
9 project's impacts, the in-lieu-of payment(s) from those projects may be used for that
10 garage.
11

12 3. Limitations. Parking stalls within a shared parking garage(s), satisfying
13 the requirements of this section for any project, shall not be used to satisfy the parking
14 requirement for any other project.
15

16 Section 10. Subsection A of Section 23.49.064 of the Seattle Municipal Code,
17 which Section was last amended by Ordinance 120443, is amended as follows:
18

19 **23.49.064 Downtown Office Core 2, principal and accessory parking.**

20 A. Principal Use Parking.

21 1. Principal use parking garages for long-term parking in areas shown on
22 Map 1J may be permitted as conditional uses, pursuant to Section 23.49.066. Principal use
23 parking garages for long-term parking shall be prohibited in other locations.
24

25 2. Principal use parking garages for short-term parking may be permitted as
26 conditional uses pursuant to Section 23.49.066.
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1	4. Automotive retail sales and service	P	P	P	P	P
2	5. Marine retail sales and service	P	P	P	P	P
3	6. Eating and drinking establishment	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
4	(a. Fast food restaurants over 750 square feet	CU	CU	CU	P	P
5	b. Fast food restaurants under 750 square feet	P	P	P	P	P
6	e. Restaurants with or without cocktail lounges	P	P	P	P	P
8	d. Tavern	P	P	P	P	P
9	e. Brewpub	P	P	P	P	P))
10	7. Lodging	CU	CU	CU	X	X
11	8. Mortuary service	P	P	P	X	X
12	9. Existing cemeteries	P	P	P	P	P
13	10. New cemeteries	X	X	X	X	X
14	B. Principal use parking, surface area or garage	P	P	P	X	X
15	C. Nonhousehold sales and services	P	P	P	P	P
16	D. Office	P	P	P	P	P
17	E. Entertainment					
18	1. Places of public assembly					
19	a. Performing arts theater	P	P	P	X	X
20	b. Spectator sports facility	P	P	P	X ⁶	X ⁶
21	c. Lecture and meeting halls	P	P	P	P	P
22	d. Motion picture theater	P	P	P	X	X
23	e. Motion picture theater, adult	X	X	X	X	X
24	f. Adult panorams	X	X	X	X	X
25	2 Participant sports and recreation					
26	a. Indoor	P	P	P	X	P
27	b. Outdoor	P	P	P	X	P
28	F. Wholesale Showroom	P	P	P	P	P
29	G. Mini-warehouse	P	P	P	X	P

1	H. Warehouse	P	P	P	P	P
2	I. Outdoor storage	P	P	P	P	P
3	J. Transportation Facilities					
4	1. Personal transportation services	P	P	P	P	P
5	2. Passenger terminal	P	P	P	P	P
	3. Cargo terminal	P	P	P	P	P
6	4. Transit vehicle base	CU	CU	CU	CU	CU
	5. Helistop	CCU	CCU	CCU	CCU	CCU
7	6. Heliport	X	CCU	CCU	CCU	CCU
	7. Airport, land-based	X	CCU	CCU	CCU	CCU
8	8. Airport, water-based	X	CCU	CCU	CCU	CCU
	9. Railroad switchyard	P	P	P	P	P
9	10. Railroad switch yard with mechanized hump	X	X	CU	CU	CU
10						
11	K. Food processing and craft work	P	P	P	P	P
12	L. Research and development laboratory	P	P	P	P	P
13						
14	IV. Salvage and Recycling					
15	A. Recycling collection station	P	P	P	P	P
16	B. Recycling center	P	P	P	P	P
17	C. Salvage yard	X	X	P	P	P
18	V. Utilities.					
19	A. Utility services use	P	P	P	P	P
20	B. Major communication utility ⁷	CU	CU	CU	CU	CU
21	C. Minor communication utility ⁷	P	P	P	P	P
22						
23	D. Solid waste transfer station	X	CU	CU	CU	CU
24						
25	E. Power plant	X	CCU	P	P	P
26	F. Sewage treatment plant	X	CCU	CCU	CCU	CCU
27	G. Solid waste incineration facility	X	CCU	CCU	CCU	CCU
28						

1	H. Solid waste landfills	X	X	X	X	X
2	VI. Institutions.					
3	A. Institute for advanced study	P	P	P	X	X
4	B. Private clubs	EB	EB	EB	X	X
5	C. Child care center	P	P	P	P	P
6	D. Museum	EB	EB	EB	X ⁸	X ⁸
7	E. School, elementary or secondary	EB	EB	EB	X	X
8	F. College	EB	EB	EB	X ⁹	X ⁹
9	G. Community center	EB	EB	EB	P	P
10	H. Community club	EB	EB	EB	X	P
11	I. Vocational or fine arts school	P	P	P	P	P
12	J. Hospital	EB	EB	CU ¹⁰	P	P
13	K. Religious facility	EB	EB	EB	EB	EB
14	L. University	EB	EB	EB	X ⁹	X ⁹
15	M. Major institutions, subject to the provisions of Chapter 23.69	EB	EB	EB	EB	EB
16	VII. Public Facilities.					
17	A. Jails	X	X	X	X	X
18	B. Work-release centers	X	X	X	X	X
19	C. Secure Community Transition Facility	X	X	X	X	X
20	D. Other public facilities	CCU	CCU	CCU	CCU	CCU
21	VIII. Park and Pool/Ride Lots.					
22	A. Park and pool lots	P ¹¹	P ¹¹	P ¹¹	CU	CU
23	B. Park and ride lots	CU	CU	CU	CU	CU
24	IX. Residential.					
25						
26						
27						
28						

1	A. Single-family dwelling units	X	X	X	X	X
2						
3	B. Multi-family structures	X	X	X	X	X
4	C. Congregate residences	X	X	X	X	X
5	D. Adult family homes	X	X	X	X	X
6	E. Floating homes	X	X	X	X	X
7	F. Mobile home park	X	X	X	X	X
8	G. Nursing homes	X	X	X	X	X
9	H. Artist's studio/dwelling	EB/CU	EB/CU	EB/CU	EB/CU	EB/CU
10	I. Caretaker's quarters	P	P	P	P	P
11	J. Assisted living facility	X	X	X	X	X
12	K. Residential use except artist's studio/dwelling and caretaker's quarters in a landmark structure or landmark district	CU	CU	CU	CU	CU
13						
14						
15	X. Live-work units	X	X	X	X	X
16	XI. Open Space.					
17	A. Parks	P	P	P	P	P
18	B. Playgrounds	P	P	P	P	P
19	XII. Agricultural Uses					
20	A. Animal husbandry	X	X	X	X	X
21	B. Horticultural use	X	X	X	X	X
22	C. Aquaculture	P	P	P	P	P

P = Permitted
 X = Prohibited
 CU = Administrative conditional use
 CCU = Council conditional use
 EB = Permitted only in a building existing on October 5, 1987.



1
2 Section 12. Section 23.50.029 of the Seattle Municipal Code, which Section was
3 last amended by Ordinance 115326, is amended as follows:

4 **23.50.029 General Industrial 1 and 2—Setback requirements.**
5

6 A setback may be required in order to meet the provisions of Section ((23.53.015,
7 ~~Improvement requirements for existing streets in residential and commercial~~
8 ~~zones))23.53.020, Improvement requirements for existing streets in industrial zones, and
9 Section 23.53.030, Alley improvements in all zones.~~

10 Section 13. Section 23.50.032 of the Seattle Municipal Code, which Section was
11 last amended by Ordinance 115326, is amended as follows:

12 **23.50.032 Industrial Commercial—Setback requirements.**
13

14 A. Setbacks From Residential Zones.

15 1. A setback shall be required on lots which abut the intersection of a side
16 and front lot line of a residentially zoned lot. The required setback shall be a triangular
17 area. Two (2) sides of the triangle shall extend fifteen (15) feet from the intersection of the
18 street property line and the property line abutting the residentially zoned lot. The third side
19 shall connect these two (2) sides with a diagonal line across the lot. (See Exhibits
20 23.50.032 A and 23.50.032 B).
21

22 2. A setback shall be required along any lot line which abuts a side or rear
23 lot line of a residentially zoned lot, or which is across an alley from a residentially zoned
24 lot as follows:
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26 a. Zero (0) feet for portions of structures twelve (12) feet in height
27 or lower; and
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**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
Aquaculture (retail area only)	1 space for each 350 square feet
Artist's studio/dwelling	1 space for each dwelling unit
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
Automotive parts or accessory sales	1 space for each 350 square feet
Ball courts	1 space per court
Bed and breakfast	1 space for each dwelling, plus 1 space for each



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	2 guest rooms or suites
Bowling alley	5 spaces for each lane
Business support services	1 space for each 2,000 square feet
Business incubators	1 space for each 1,000 square feet
Carwash	1 space for each 2,000 square feet
Caretaker's quarters	1 space for each dwelling unit
Cargo terminal	1 space for each 2,000 square feet
Cemetery	None
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
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



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	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 multifamily zones	None, maximum of 10 spaces
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



1	Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 space for each 6 beds
2		
3	Hotels	1 space for each 4 sleeping rooms or suites
4	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
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7		
8	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
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14	Kennel	1 space for each 2,000 square feet
15	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
16		
17	Library ¹⁰	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
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19		
20	<u>Live-work unit up to 2,500 square feet</u>	<u>1 space for each unit</u>
21		
22	<u>Live-work unit greater than 2,500 square feet</u>	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)) <u>commercial or manufacturing activity conducted in the unit, based on the most similar nonresidential use and subject to Section 23.54.015 E</u>
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27	Major durables, sales, service, and	1 space for each 2,000 square feet
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rental	
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: 1.1 spaces for each dwelling unit</p> <p>Development sites containing 11—30 dwelling units: 1.15 spaces for each dwelling unit</p> <p>Development sites containing 31—60 dwelling units: 1.2 spaces for each dwelling unit</p> <p>Development sites containing more than 60 dwelling units: 1.25 spaces for each dwelling unit</p> <p>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</p>



	<p>to a maximum additional .15 spaces per dwelling unit; and</p> <p>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</p> <p>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</p>
<p>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</p>	<p>1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above.⁵</p>
<p>Multifamily uses, when within the Alki area as shown on Map B following this section, unless another provision below allows fewer parking spaces</p>	<p>1.5 spaces for each dwelling unit</p>
<p>Multifamily uses, for development sites that contain a total of 10 or fewer dwelling units, all in ground-related structures</p>	<p>1 space for each dwelling unit</p>
<p>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-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</p>	<p>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</p>
<p>Multifamily uses, when located in</p>	<p>0.5 space for each dwelling unit with 2 or fewer</p>



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<p>Center City neighborhoods¹², for each dwelling unit 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</p>	<p>bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</p>
<p>Multifamily uses, when located outside of 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-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD¹⁴, for the life of the building</p>	<p>0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</p>
<p>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</p>	<p>0.75 spaces for each dwelling unit</p>
<p>Multifamily uses occupied by low-income elderly households</p>	<p>1 space for each 6 dwelling units</p>
<p>Multifamily uses occupied by low-income disabled households</p>	<p>1 space for each 4 dwelling units</p>



1	Multifamily uses occupied by low-income elderly/low-income disabled households	1 space for each 5 dwelling units
2		
3	Multifamily uses, when within the Seattle Cascade Mixed zone, or the Pike/Pine Overlay District	1 space for each dwelling unit
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6	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
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15	Multipurpose convenience store	1 space for each 350 square feet
16	Museum ¹	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
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21	Nonhousehold sales and services, except sales, service and rental of office equipment	1 space for each 2,000 square feet
22		
23	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
24		
25	Office, administrative	1 space for each 1,000 square feet
26	Office, customer service	1 space for each 350 square feet
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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



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Research and development laboratory located within the South Lake Union Hub Urban Village	1 space for each 1,500 square feet
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 equipment	1 space for each 350 square feet
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 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



1	Sport range	1 space for each 2 stations
2	Swimming pool (water area)	1 space for each 150 square feet
3	Transit vehicle base	1 space for each 2,000 square feet
4	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
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8	Utility service uses	1 space for each 2,000 square feet
9	Vehicle and vessel repair	1 space for each 2,000 square feet
10	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)
11		
12		
13	Warehouse	1 space for each 1,500 square feet
14	Wholesale showroom	1 space for each 1,500 square feet

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



1 hundred fifty-five (555) square feet.

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

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

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

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

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

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

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

20 ¹⁰ When a library is permitted in single-family zones as a conditional use, the Director
21 may modify the parking requirements pursuant to Section 23.44.022; when a library is
22 permitted in multifamily zones as a conditional use, the Director may modify the
23 parking requirements pursuant to Section 23.45.122; and when a library is permitted in
24 commercial zones, the Director may modify the parking requirements pursuant to
25 Section 23.44.022 L.



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

17 ¹² For purposes of this section, Center City neighborhoods are the following urban
18 villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and
19 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

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

1 **23.73.008 Uses.**

2 * * *

3 C. Single-purpose Residential Structures.

4 1. Single-purpose residential structures are permitted outright where
5 commercial use is not required by subsection B, above, or as provided for in Section
6 23.47.023 B.

7
8 2. A density of one (1) unit per four hundred (400) square feet of lot area is
9 permitted except that density shall be unlimited in areas where single-purpose residential is
10 permitted outright as per Section 23.73.008 C1, subject to the following:

11 a. Single-~~((spouse))~~purpose residential structures are located in NC
12 zones with a height limit of sixty-five (65) feet or more; and

13
14 b. At least forty (40) percent of all units are rented to households at
15 rents not exceeding thirty (30) percent of sixty (60) percent of the median income for the
16 Seattle-Everett Standard Metropolitan Statistical Area, as defined by the United States
17 Department of Housing and Urban Development (HUD).

18
19 c. Applicants shall demonstrate compliance with these income
20 criteria for the life of the building.

21 Section 17. Subsection C of Section 23.76.006 of the Seattle Municipal Code,
22 which Section was last amended by 121362, is amended as follows:

23 **23.76.006 Master Use Permits required.**

24 * * *

25
26 C. The following are Type II decisions:
27
28



1 1. The following procedural environmental decisions for Master Use
2 Permits and for building, demolition, grading and other construction permits are subject to
3 appeal to the Hearing Examiner and are not subject to further appeal to the City Council
4 (supplemental procedures for environmental review are established in SMC Chapter 25.05,
5 Environmental Policies and Procedures):
6

7 a. Determination of Nonsignificance (DNSs), including mitigated
8 DNSs;
9

10 b. Determination that a final environmental impact statement (EIS)
11 is adequate; and
12

13 c. Determination of Significance based solely on historic and
14 cultural preservation.
15

16 2. The following decisions, including any integrated decisions to approve,
17 condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner
18 (except shoreline decisions and related environmental determinations which are appealable
19 to the Shorelines Hearings Board):
20

21 a. Establishment or change of use for temporary uses more than four
22 (4) weeks not otherwise permitted in the zone or not meeting development standards,
23 including the establishment of temporary uses and facilities to construct a light rail transit
24 system for so long as is necessary to construct the system as provided in Section 23.42.040
25 E, and excepting temporary relocation of police and fire stations for twelve (12) months or
26 less;
27
28

- 1 b. Short subdivisions;
- 2
- 3 c. Variances; provided that, variances sought as part of a Type IV
- 4 decision may be granted by the Council pursuant to Section 23.76.036;
- 5
- 6 d. Special exceptions; provided that, special exceptions sought as
- 7 part of a Type IV decision may be granted by the Council pursuant to Section 23.76.036;
- 8
- 9 e. Design review;
- 10
- 11 f. Administrative conditional uses; provided that, administrative
- 12 conditional uses sought as part of a Type IV decision may be approved by the Council
- 13 pursuant to Section 23.76.036;
- 14
- 15 g. The following shoreline decisions (supplemental procedures for
- 16 shoreline decisions are established in Chapter 23.60):
- 17 (1) Shoreline substantial development permits,
- 18 (2) Shoreline variances,
- 19 (3) Shoreline conditional uses;
- 20
- 21 h. Major Phased Development;
- 22
- 23 i. Determination of project consistency with a planned action
- 24 ordinance and EIS;(~~and~~)
- 25
- 26
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1 the Director's Rule on Application Submittal Guidelines, unless the Director indicates in
2 writing that specific information is not necessary for a particular application:

3 1. Property information including, but not limited to, address, legal
4 description, Assessor's Parcel number, and project description;

5 2. A signed statement of financial responsibility from the applicant
6 acknowledging financial responsibility for all applicable permit fees. If the application is
7 made, in whole or in part, on behalf of the property's owner, lessee, and/or contract
8 purchaser, then the statement of financial responsibility must also include a signed
9 statement of the owner, lessee, and/or contract purchaser acknowledging financial
10 responsibility for all applicable permit fees;
11

12 3. Scale drawings with all dimensions shown that include, but are not
13 limited to, the following information:

14 a. Existing site conditions showing adjacent streets (by name),
15 alleys or other adjacent public property, existing street uses, such as street trees and
16 sidewalk displays, buildings and structures, open space and landscape, access driveways
17 and parking areas,
18

19 b. Elevations and sections of the proposed new features,

20 c. Floor plans showing the proposed new features,

21 d. Drainage plan,

22 e. Landscape plan,

23 f. Right-of-way information showing any work proposed in the
24 public right-of-way,
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1 g. Identification on the site plan of all easements, deed restrictions,
2 or other encumbrances restricting the use of the property, if applicable,

3 h. Parking layout and vehicular access,

4 i. Vicinity map,

5 j. Topographic map, and

6 k. Open space plan;

7
8 4. A statement whether the site includes or is adjacent to a nominated or
9 designated City of Seattle landmark, or has been listed as eligible for landmark status by
10 the state or federal governments, or is within a City of Seattle landmark or special review
11 district. If the site includes a nominated or designated City of Seattle landmark, or is
12 within a City of Seattle landmark or special review district, then the applicant must provide
13 a copy of any application for any required certificate of approval that has been filed with
14 the Department of Neighborhoods. If the site does not include a landmark and is not within
15 a landmark or special review district, then the applicant must provide the following
16 information:
17

18 a. Date the buildings on the site were constructed,

19 b. Name of the architect(s) or builder(s), and

20 c. For any building fifty (50) or more years old, clear exterior photos
21 of all elevations of the building;
22

23 5. For all transmitting antennas, the applicant shall submit a signed copy of
24 the Applicant's Statement of Federal Communications Commission (FCC) Compliance. If
25 the transmitting antenna requires Seattle-King County Public Health Department review,
26
27
28

1 the applicant must also submit a letter from the Public Health Department certifying that
2 the facility does not exceed radio frequency radiation levels allowed by the FCC;

3 ~~((6. Confirmation that any required notification sign has been installed
4 according to the Director's specifications;))~~

5 ~~((7.))~~6. Information including technical reports, drawings, models or text,
7 necessary to evaluate the development proposal, project site and potential environmental

8 ~~((affects))~~effects related to the following:

- 9 a. Soils and geology,
- 10 b. Grading,
- 11 c. Drainage,
- 12 d. Construction impacts,
- 13 e. Air quality,
- 14 f. Water quality,
- 15 g. Water discharge,
- 16 h. View impairment,
- 17 i. Energy consumption,
- 18 j. Animal habitat impacts,
- 19 k. Plant ecology, botany and vegetation,
- 20 l. Noise,
- 21 m. Release and disposal of toxic and hazardous materials,
- 22 n. Soil contamination,
- 23 o. Dredging,
- 24 p. Land use,
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- q. Housing,
- r. Light and glare,
- s. Shadow,
- t. Aesthetics,
- u. Use and demand on recreation facilities,
- v. Vehicular traffic and circulation,
- w. Parking,
- x. Pedestrian circulation,
- y. Circulation and movement of goods,
- z. Traffic hazard,
- aa. Demand on public service and utilities, and
- bb. Identification of all development departures requested through
the design review process.

Section 19. Section 23.76.011 of the Seattle Municipal Code, which Section was last amended by Ordinance 118980, is amended as follows:

23.76.011 Notice of early design guidance process.

For design review projects the Director shall provide notice of the required early design guidance process ((by ~~General Mailed Release~~)in the Land Use Information Bulletin). In addition, the Director shall provide mailed notice, and the applicant shall post one (1) land use sign visible to the public at each street frontage abutting the site except, when there is no street frontage or the site abuts an unimproved street, the Director shall require either more than one (1) sign and/or an alternative posting location so that notice is



1 clearly visible to the public. If an early design guidance public meeting is required, the
2 time, date, location and purpose of the meeting shall be included with the mailed notice.
3 The land use sign may be removed by the applicant the day after the public meeting(~~or~~
4 ~~after the Director distributes design guidelines priorities as part of the early design~~
5 ~~guidance process~~)).
6

7 Section 20. Subsection B of Section 23.76.012 of the Seattle Municipal Code,
8 which Section was last amended by Ordinance 119096, is amended as follows:

9 **23.76.012 Notice of application.**

10 ***

11 B. Types of Notice Required.

12 1. For projects subject to environmental review, or design review, except
13 administrative design review, ~~((the applicant shall post))~~ the department shall direct the
14 installation of an environmental review sign on the site, unless an exemption or alternative
15 posting as set forth in this subsection is applicable. The environmental review sign shall be
16 located so as to be clearly visible from the adjacent street or sidewalk, and shall be
17 removed ((by the applicant within fourteen (14) days))at the direction of the department
18 after final City action on the application has been completed.
19
20

21 a. In the case of submerged land, the environmental review sign
22 shall be posted on adjacent dry land, if any, owned or controlled by the applicant. If there
23 is no adjacent dry land owned or controlled by the applicant, notice shall be provided
24 according to subsection B1c.
25
26
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1 b. Projects limited to interior remodeling, or which are subject to
2 environmental review only because of location over water or location in an
3 environmentally critical area, are exempt from the environmental review sign requirement.

4 c. When use of an environmental review sign is neither feasible nor
5 practicable to assure that notice is clearly visible to the public, the Director shall post ten
6 (10) placards within three hundred (300) feet of the site and at the closest street
7 intersections when one (1) or more of the following conditions exist:
8

9 (1) The project site is over five (5) acres;

10 (2) The applicant is not the property owner, and the property
11 owner does not consent to the proposal;
12

13 (3) The site is subject to physical characteristics such as
14 steep slopes or is located such that the environmental review sign would not be highly
15 visible to neighboring residents and property owners or interested citizens.
16

17 d. The Director may require both an environmental review sign and
18 the alternative posting measures described in subsection B1c, or may require that more than
19 one (1) environmental review sign be posted, when necessary to assure that notice is clearly
20 visible to the public.

21 2. For projects that (~~which~~) are categorically exempt from environmental
22 review, (~~the applicant~~) the department shall post one (1) land use sign visible to the public
23 at each street frontage abutting the site except, when there is no street frontage or the site
24 abuts an unimproved street, the Director (~~shall require either~~) may post more than one (1)
25 sign and/or an alternative posting location so that notice is clearly visible to the public. The
26
27
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1 land use sign may be removed by the applicant within fourteen (14) days after final action
2 on the application has been completed.

3 3. For all projects requiring notice of application, the Director shall provide
4 notice ~~((by General Mailed Release))~~ in the Land Use Information Bulletin. For projects
5 subject to the environmental review, ~~((and land use sign requirements))~~ notice in the
6 ~~((General Mailed Release))~~ Land Use Information Bulletin shall be published after
7 installation of the environmental review sign ~~((certification is received by the department~~
8 ~~that the environmental review and land use signs have been installed and posted))~~.

9
10 4. In addition, for variances, administrative conditional uses, temporary
11 uses for more than four (4) weeks, shoreline variances, shoreline conditional uses, short
12 plats, early design guidance process, School Use Advisory Committee (SUAC) formation
13 and school development standard departure, the Director shall provide mailed notice.

14
15 5. Mailed notice of application for a project subject to design review or
16 administrative design review shall be provided to all persons establishing themselves as
17 parties of record by attending an early design guidance public meeting for the project or by
18 corresponding with the Department about the proposed project before the date of
19 publication.
20

21 6. Additional notice for subdivisions shall include mailed notice and
22 publication in at least one (1) community newspaper in the area affected by the subdivision.
23

24 ***

25 Section 21. Subsection D of Section 23.76.040 of the Seattle Municipal Code,
26 which Section was last amended by Ordinance 118012, is amended as follows:

27 **23.76.040 Applications for Council land use decisions.**
28

1
2 D. All applications shall contain the submittal information required by the
3 applicable sections of this Title 23, Land Use Code; SMC Title 15, Street and Sidewalk
4 Use; SMC Chapter 25.05, SEPA Policies and Procedures; SMC Chapter 25.09, Regulations
5 for Environmentally Critical Areas; SMC Chapter 25.12, Landmark Preservation; SMC
6 Chapter 25.16, Ballard Avenue Landmark District; SMC Chapter 25.20, Columbia City
7 Landmark District; SMC Chapter 25.22, Harvard-Belmont Landmark District; SMC
8 Chapter 25.24, Pike Place Market Historical District; and other codes as determined
9 applicable by the Director. The following information shall also be required as further
10 specified in the Director's Rule on Application Submittal Guidelines, unless the Director
11 indicates in writing that specific information is not necessary for a particular application:
12

13
14 1. Property information including, but not limited to, address, legal
15 description, Assessor's Parcel number, and project description;

16 2. Evidence of ownership or authorization from the property owner for
17 Council Conditional Uses and Downtown Planned Community Developments;

18 3. A signed statement of financial responsibility from the applicant
19 acknowledging financial responsibility for all applicable permit fees. If the application is
20 made, in whole or in part, on behalf of the property's owner, lessee, and/or contract
21 purchaser, then the statement of financial responsibility must also include a signed
22 statement of the owner, lessee, and/or contract purchaser acknowledging financial
23 responsibility for all applicable permit fees;
24

25 4. Scale drawings with all dimensions shown that include, but are not
26 limited to, the following information:
27
28



1 a. Existing site conditions showing adjacent streets (by name),
2 alleys or other adjacent public property, existing street uses, such as street trees and
3 sidewalk displays, buildings and structures, open space and landscape, access driveways
4 and parking areas,

5 b. Elevations and sections of the proposed new features,

6 c. Floor plans showing the proposed new features,

7 d. Drainage plan,

8 e. Landscape plan,

9 f. Right-of-way information showing any work proposed in the
10 public right-of-way,
11

12 g. Identification on the site plan of all easements, deed restrictions,
13 or other encumbrances restricting the use of the property, if applicable,
14

15 h. Parking layout and vehicular access,

16 i. Vicinity map,

17 j. Topographic map, and
18

19 k. Open space plan;

20 5. A statement whether the site includes or is adjacent to a nominated or
21 designated City of Seattle landmark, or has been listed as eligible for landmark status by
22 the state or federal governments, or is within a City of Seattle landmark or special review
23 district. If the site includes a nominated or designated City of Seattle landmark, or is
24 within a City of Seattle landmark or special review district, then the applicant must provide
25 a copy of any application for any required certificate of approval that has been filed with
26 the Department of Neighborhoods. If the site does not include a landmark and is not within
27
28

1 a landmark or special review district, then the applicant must provide the following
2 information:

- 3 a. Date the buildings on the site were constructed,
- 4 b. Name of the architect(s) or builder(s), and
- 5 c. For any building fifty (50) or more years old, clear exterior photos

6 of all elevations of the building;

7 ~~((6. Confirmation that any required notification sign has been installed
8 according to the Director's specifications;))~~

9 ~~((7.))~~ 6. Information, including technical reports, drawings, models or text,
10 necessary to evaluate the development proposal, project site and potential environmental
11 ~~((affects))~~ effects related to the following:

- 12 a. Soils and geology,
- 13 b. Grading,
- 14 c. Drainage,
- 15 d. Construction impacts,
- 16 e. Air quality,
- 17 f. Water quality,
- 18 g. Water discharge,
- 19 h. View impairment,
- 20 i. Energy consumption,
- 21 j. Animal habitat impacts,
- 22 k. Plant ecology, botany and vegetation,
- 23 l. Noise,
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- 1 m. Release and disposal of toxic and hazardous materials,
- 2 n. Soil contamination,
- 3 o. Dredging,
- 4 p. Land use,
- 5 q. Housing,
- 6 r. Light and glare,
- 7 s. Shadow,
- 8 t. Aesthetics,
- 9 u. Use and demand on recreation facilities,
- 10 v. Vehicular traffic and circulation,
- 11 w. Parking,
- 12 x. Pedestrian circulation,
- 13 y. Circulation and movement of goods,
- 14 z. Traffic hazard, and
- 15 aa. Demand on public service and utilities.

16 ***

17 Section 22. Subsection A of Section 23.76.050 of the Seattle Municipal Code,
18 which Section was last amended by 120691, is amended as follows:

19 **23.76.050 Report of the Director.**

20 A. The Director shall prepare a written report on applications for Type IV and V
21 decisions, except Land Use Code text amendments, and any associated Type II ((Master
22 Use Permits))decision listed in Section 23.76.006 C2(~~provided that in the case of a text~~
23 ~~amendment sponsored by a member of the City Council, the Director shall prepare a~~
24
25
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1 ~~written report only if such report is requested by a member of the City Council)).~~ The
2 report shall include:

- 3 1. The written recommendations or comments of any affected City
4 departments and other governmental agencies having an interest in the application;
- 5 2. Responses to written comments submitted by interested citizens;
- 6 3. An evaluation of the proposal based on the standards and criteria for the
7 approval sought and consistency with applicable City policies;
- 8 4. All environmental documentation, including any checklist, EIS or DNS;
- 9 5. The Director's recommendation to approve, approve with conditions, or
10 deny a proposal.

11
12
13 B. The Director shall prepare a written report for Land Use Code text amendments
14 sponsored by the City Council only if such a report is requested by a member of the City
15 Council, and shall include:

- 16
17 1. An evaluation of the proposal based on the standards and criteria for the
18 approval sought and consistency with applicable City policies, and
- 19
20 2. The Director's recommendation to approve, approve with conditions, or
21 deny a proposal.

22
23 ~~((B))~~C. A DNS or the Director's determination that an EIS is adequate shall be
24 subject to appeal pursuant to the procedures in subsection C of Section 23.76.022.

25
26 ~~((C))~~D. For Type IV Decisions, the Director's report shall be submitted to the
27 Hearing Examiner and made available for public inspection at least twenty-one (21) days



1 prior to the Hearing Examiner's open record predecision public hearing described in
2 Section 23.76.052.

3
4 ((D))E. For Type V decisions, the Director's report shall be submitted to the
5 Council and shall be available to the public at least fifteen (15) days before the Council
6 hearing described in Section 23.76.062.

7 Section 23. Section 23.84.032 of the Seattle Municipal Code, which Section was
8 last amended by Ordinance 121145, is amended as follows:

9
10 **23.84.032 Definitions "R."**

11 "Restaurant" means an establishment in which food and/or beverage preparation
12 and service is provided for individual consumption either on- or off-premise. A restaurant
13 may feature the service of alcoholic beverages accessory to the service of food.

14 ***

15
16 Section 24. A new subsection F is added to Section 23.86.006 of the Seattle
17 Municipal Code, which Section was last amended by Ordinance 112971, to read as
18 follows:

19 **23.86.006 Structure height.**

20 ***

21
22 F. Height Measurement Technique for Structures Located Partially Within the
23 Shoreline District. When any portion of the structure falls within the Shoreline District,
24 structure height for the entire structure shall be measured according to Section 23.60.952,
25 Height.

26 ***



1 Section 25. Subsection C of Section 23.86.008 of the Seattle Municipal Code,
2 which Section was last amended by Ordinance 117263, is amended as follows:

3 **23.86.008 Lot coverage, width and depth.**

4 ***

5 C. Lot Width in Single-family Zones:

6
7 1. When a lot is essentially rectangular, the lot width shall be the mean
8 horizontal distance between side lot lines measured at right angles to lot depth (Exhibit
9 23.86.008 B).

10 2. In the case of a lot with more than one (1) rear lot line (Exhibits
11 23.86.008 C and 23.86.008 D), the lot width shall be measured according to the following:

12 a. If the distance between the rear lot lines is fifty (50) percent or
13 ~~((more))~~less of the lot depth, the lot width shall be measured parallel to the front lot line
14 and shall be the greatest distance between the side lot lines (Exhibit 23.86.008 C); or

15 b. If the distance between the rear lot lines is ~~((less))~~greater than
16 fifty (50) percent of the lot depth, the lot width shall be ~~((measured-))~~determined by
17 measuring average lot width according to Exhibit 23.86.008 D.
18

19
20 3. For irregular lots not meeting the conditions of subsections C1 or C2, the
21 Director shall determine the measurement of lot width.

22 Section 26. Exhibits C and D of Subsection C of Section 23.86.008 of the Seattle
23 Municipal Code adopted by Ordinance 117263 are repealed, and new Exhibits C and D are
24 adopted to read as follows:

25
26 **23.86.008 Lot coverage, width and depth.**

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Exhibit 23.86.008 C

Lots With More Than One Rear Lot Line,
And Where The Distance Between The Rear
Lot Line Is Less Than 50% Of Lot Depth

Where $A + B$ is less than 50% of D , the lot width shall be W .

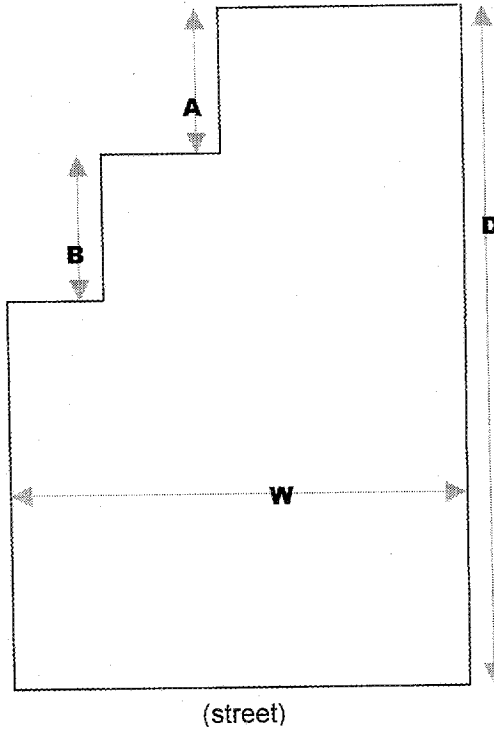
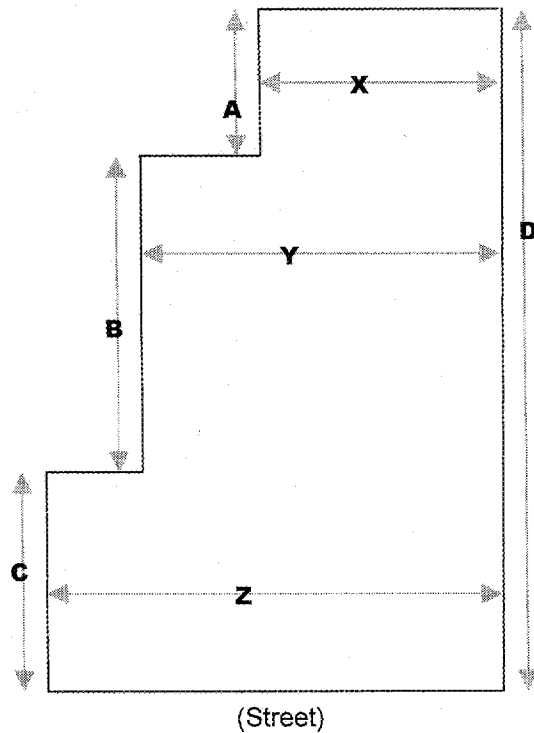


Exhibit 23.86.008 D

Lots with More Than One Rear Lot Line, And Where
The Distance Between the Rear Lot Line
Is Greater than 50% Of Lot Depth

Where $A + B$ is greater than 50% of D :

Width of lot shall be:
$$\frac{(A \times X) + (B \times Y) + (C \times Z)}{D}$$



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2 Section 27. Subsection A of Section 23.88.020 of the Seattle Municipal Code,
3 which Section was last amended by Ordinance 118181, is amended as follows:

4 **23.88.020 Land use interpretations.**

5
6 A. Interpretations Generally. A decision by the Director as to the meaning,
7 application or intent of any development regulation in Title 23, Land Use Code, or in
8 Chapter 25.09, Regulations for Environmentally Critical Areas, as it relates to a specific
9 property is known as an "interpretation." An interpretation may be requested in writing by
10 any person or may be initiated by the Director. Procedural provisions and statements of
11 policy shall not be subject to the interpretation process. A decision by the Director that an
12 issue is not subject to an interpretation request shall be final and not subject to
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1 administrative appeal. A request for an interpretation and a subsequent appeal to the
2 Hearing Examiner, when available, are administrative remedies that must be exhausted
3 before judicial review of a decision subject to interpretation may be sought.
4

5 * * *

6 Section 28. The provisions of this ordinance are declared to be separate and
7 severable. The invalidity of any particular provisions shall not affect the validity of any
8 other provision.
9

10 Section 29. This ordinance shall take effect and be in force thirty (30) days from
11 and after its approval by the Mayor, but if not approved and returned by the Mayor within
12 ten (10) days after presentation, it shall take effect as provided by Municipal Code Section
13 1.04.020.

14 Passed by the City Council the 17th day of May, 2004, and signed by me
15 in open session in authentication of its passage this 17th day of May, 2004.

16
17
18 Jan Drago
President _____ of the City Council

19 Approved by me this 25 day of May, 2004.

20
21 Gregory J. Nickels
Gregory J. Nickels, Mayor

22 Filed by me this 25 day of May, 2004.

23
24 acting City Clerk
City Clerk

25 (Seal)
26
27
28





City of Seattle

Gregory Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

MEMORANDUM

DATE: May 10, 2004
TO: Councilmember Peter Steinbrueck, Chair
Urban Development and Planning Committee
FROM: Mike Podowski, City Planning
RE: Proposed amendment to Council Bill 114866

Council Bill 114866 is a collection of amendments to the Land Use Code correcting errors and references, clarifying regulations and making minor amendments. DPD is requesting an amendment to CB 114866 to correct a clerical error. The text in the bill identifies a proposed amendment to clarify existing regulations related to the amount of parking required for live-work units. The text does not show added text (by underlining) or deleted text (by strike-through).

The proposed amendment to the bill would substitute text for lines 20 thru 25 on page 26 as shown below:

As currently shown in the bill:

Live-work unit up to 2,500 square feet	1 space for each unit
Live-work unit greater than 2,500 square feet	1 space for each unit; plus the number of spaces required for the commercial or manufacturing activity conducted in the unit, based on the most similar nonresidential use and subject to Section 23.54.015 E

As amended:

<u>Live-work unit up to 2,500 square feet</u>	<u>1 space for each unit</u>
<u>Live-work unit greater than 2,500 square feet</u>	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)) <u>commercial or manufacturing activity conducted in the unit</u> , based on the most similar nonresidential use <u>and subject to Section 23.54.015 E</u>

I appreciate your time in considering this amendment. I will be available to answer any questions you may have.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

March 8, 2004

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

The Seattle Land Use Code is used extensively by policy makers, developers, and planners. Issues are frequently raised in the Land Use Code that are not significant enough to merit independent legislation to resolve. Examples include grammatical errors, incorrect references, and unclear provisions. In order to ensure that the Code is an effective and legible document, it is necessary to submit periodic "clean-up" legislation in the form of an omnibus bill that features a range of minor amendments throughout many sections of the Code. The attached is one of two omnibus bills proposed this year that make minor corrections to the Land Use Code. A companion omnibus bill updates references to various agencies.

Successful resolution of the issues identified in the bill and described in the director's report will make the Land Use Code an easier document to use. Thank you for your consideration of this legislation. Should you have questions, please contact Susan McLain at 684-0432.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Greg Nickels', written over the typed name and title.

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:
Department of Planning and Development	Susan McLain, 684-0432	Barbara Gangwer, 615-0768

Legislation Title:

An ordinance relating to land use and zoning; amending Seattle Municipal Code Sections 23.24.046, 23.24.050, 23.34.009, 23.41.010, 23.44.010, 23.44.012, 23.44.014, 23.47.009, 23.48.032, 23.49.064, 23.50.012, 23.50.029, 23.50.032, 23.54.015, 23.54.030, 23.73.008, 23.76.006, 23.76.010, 23.76.011, 23.76.012, 23.76.040, 23.76.050, 23.84.032, 23.86.006, 23.86.008, and 23.88.020, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

• **Summary of the Legislation:**

The "omnibus" bill corrects errors and omissions and clarifies provisions in the Land Use Code.

Background:

The bill addresses different sections of the Land Use Code relating to regulations of use and development standards consistent with the single subject rule of Washington State's constitution. The periodic effort represents the Department of Planning and Development's ongoing commitment to maintenance of the Code for which DPD is responsible for developing and administering.

- *Please check one of the following:*

This legislation does not have any financial implications.

Attachment 1: Director's Report and Recommendation





City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

DIRECTOR'S REPORT AND RECOMMENDATION

Land Use Code Omnibus Legislation

Introduction

The Department of Planning and Development (DPD) is proposing a bill to correct errors and omissions and clarify provisions in the Land Use Code (Chapter 23 of the Seattle Municipal Code). This periodic effort represents part of our ongoing commitment to maintenance of the Code for which DPD is responsible for developing and administering. The bill addresses different sections of the Code related to regulations of use and development standards consistent with the single subject rule of Washington State's constitution.

Proposal

This report presents a listing and brief explanation of the proposed amendments to the Land Use Code. It is organized so that it follows the order of the amendments as they appear in the legislation. The following is a section-by-section description of the proposed amendments:

Sections 1 and 6

23.24.046 Multiple single-family units on a single-family lot.

23.44.012 Height limits.

This amendment would relocate height regulations for expansions and additions to houses on lots created by the "two houses/one lot" provisions of 23.24.046. The amendment merely moves height related regulations to one section called "height limits," containing all height provisions for the Single Family Chapter.

Section 2

23.24.050 Director's Decision on Short Plats.

This amendment corrects a reference to criteria for approval of short plat applications by more clearly describing the discretionary nature of the Director's decision. This amendment does not alter the substance of the provision.

Section 3

23.34.009 Height Limits of the Proposed Rezone.

This amendment corrects a reference to "Neighborhood Commercial" that should more clearly reference all commercially-zoned property in the city (e.g. Commercial plus Neighborhood Commercial) as originally intended.

Attachment 1 to Fiscal Note



Section 4

23.41.010 Design review guidelines.

The amendment inserts a reference to the South Lake Union Design Guidelines that was inadvertently deleted through a previous ordinance.

Section 5

23.44.010 Lot Requirements in Single Family Zones.

The amendment exempts arbors from lot coverage calculations on single family lots consistent with the exemption that is applied to other, similar, freestanding structures.

Section 7

23.44.014 Yards in Single Family Zones.

The amendment explains the existing practice for compliance with development standards for maximum permitted height for unenclosed porches and stairs. The amendment specifies that heights for unenclosed porches and stairs in required yards must be calculated separately from each other, and is proposed in order to add clarity for reviewers and applicants.

Section 8

23.47.009 Density Limits for Residential Uses.

The amendment corrects an incorrect reference.

Section 9

23.48.032 Required Parking and Loading.

Section 23.48.032 was inadvertently omitted from the ordinance that allowed reduced parking requirements for housing serving low-income residents expressed elsewhere in the Code. The amendment allows parking requirements for residential use in the Seattle Cascade Mixed (SCM) zone to be modified to reflect the lower car ownership rates of low-income occupants.

Section 10

23.49.064 Downtown Office Core 2, principal and accessory parking.

The amendment corrects an erroneous map reference.

Section 11

23.50.012 Industrial Uses, Chart A

The amendment deletes categories of eating and drinking establishments that were eliminated through ordinance number 121145. This particular reference was inadvertently omitted from that ordinance.

Section 12

23.50.029 General Industrial 1 and 2—Setback Requirements.

The amendment corrects an incorrect reference to requirements for street improvements.

Section 13

23.50.032 Industrial Commercial—Setback Requirements.

The amendment corrects erroneous subsection lettering.

Section 14

23.54.015 Chart A Parking

The amendment deletes categories of eating and drinking establishments that were eliminated in a previous ordinance 121145. This particular reference was inadvertently omitted from that ordinance. Another amendment to the chart provides language clarifying that live-work units, which are to be treated as a nonresidential use, are eligible for the 2,500 square foot per structure parking waiver for nonresidential uses under Section 23.54.015 E.

Section 15

23.54.030 Parking space standards

The amendment adds language clarifying that tandem parking spaces may contribute toward a structure's parking requirement using a formula that is consistent with other sections of the Land Use Code.

Section 16

23.73.008 Uses in the Pike/Pine Overlay District.

The amendment corrects a typographical error.

Section 17

23.76.006 Master Use Permits required.

The amendment re-inserts language that had been inadvertently deleted through a previous ordinance.



Sections 18-22

23.76.010 Application for Master Use Permits

23.76.011 Notice of early design guidance process

23.76.012 Notice of application

23.76.040 Applications for Council land use decisions

23.76.050 Report of the Director

The amendments update provisions related to public notification in order to use consistent terms and conform to current practice and to other published information such as Client Assistance Memos. The provisions also remove an erroneous reference to "Master Use Permit," replacing the term with the more-general "decision." The amendment also corrects language that identifies the responsible party (the Department) for posting notice boards associated with a director's decision, in conformance with existing practice.

Section 23

23.84.032 Definitions "R"

This amendment provides clarity that an establishment considered to be a "restaurant" may serve alcohol accessory to the service of food. It does not alter the substance of the definition.

Section 24

23.86.006 Structure Heights.

This amendment identifies the specific section of the Land Use Code that guides height measurement for structures partially within the Shoreline district.

Section 25

23.86.008 Lot Coverage, Width and Depth within the Measurements Chapter.

This amendment corrects width calculations for lots with more than one rear lot line.

Section 26

23.86.008 Lot Coverage, Width and Depth within the Measurements Chapter.

This amendment replaces exhibits with simpler, more accurate graphics.

Susan McLain/ CSM
Land Use Code Omnibus Legislation Report
February 2, 2004
Version #2

Section 27

23.88.020 Land Use Interpretations.

This amendment adds language specifying that administrative appeal is not available for all interpretation decisions. This is consistent with previous statements within the section, and it serves to clarify a sentence that appeared to contradict previous provisions.

Recommendation

The Director recommends approval of the proposed legislation to achieve consistency with adopted policy, clarity and ease of navigation of the Land Use Code.



ORDINANCE _____

1
2 AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code
3 Sections 23.24.046, 23.24.050, 23.34.009, 23.41.010, 23.44.010, 23.44.012,
4 23.44.014, 23.47.009, 23.48.032, 23.49.064, 23.50.012, 23.50.029, 23.50.032,
5 23.54.015, 23.54.030, 23.73.008, 23.76.006, 23.76.010, 23.76.011, 23.76.012,
6 23.76.040, 23.76.050, 23.84.032, 23.86.006, 23.86.008, and 23.88.020, to correct
7 typographical errors, correct section references, clarify regulations, and make minor
8 amendments.

9 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

10 Section 1. Subsection D of Section 23.24.046 of the Seattle Municipal Code, which
11 subsection was established by Ordinance 121163, is repealed.

12 Section 2. Subsection A of Section 23.24.050 of the Seattle Municipal Code, which
13 Section was last amended by Ordinance 120609, is amended as follows:

14 **23.24.050 Director's decision.**

15 A. If the Director determines that the ~~((requirements))~~provisions of this
16 ~~((section))~~Chapter are ~~((met))~~satisfied, or may be ~~((met))~~satisfied upon compliance with
17 specified conditions, the Director shall inform the applicant in writing of the decision to
18 approve the application and the conditions of the approval, if any, and may return the
19 proposed short plat to the applicant for modification or correction. When the Director has
20 determined that: (1) the short plat contains the certificates, dedication instruments and
21 statements of approval required by state law and this chapter, (2) the short plat and all legal
22 descriptions are technically correct, and (3) review procedures pursuant to Chapter 23.76
23 have been concluded, the short plat shall be filed for record with the King County Director
24 of Records and Elections. Except for purposes of appeal, no short plat or short subdivision
25 granted approval by the Director shall be deemed to have final approval until filed.

26 * * *



1 Section 3. The preamble of Section 23.34.009 of the Seattle Municipal Code,
2 which Section was last amended by Ordinance 117430, is amended as follows:

3 **23.34.009 Height limits of the proposed rezone.**

4 Where a decision to designate height limits in ~~((Neighborhood~~
5 ~~Commercial))commercial~~ or ~~((Industrial))industrial~~ zones is independent of the designation
6 of a specific zone, in addition to the general rezone criteria of Section 23.34.008, the
7 following shall apply:
8

9 A. Function of the Zone. Height limits shall be consistent with the type and scale
10 of development intended for each zone classification. The demand for permitted goods and
11 services and the potential for displacement of preferred uses shall be considered.
12

13 * * *

14 Section 4. Subsection B of Section 23.41.010 of the Seattle Municipal Code, which
15 Section was last amended by Ordinance 121305, is amended as follows:

16 **23.41.010 Design review guidelines.**

17 * * *

18 B. The following Neighborhood design guidelines are approved:

- 19
- 20 1. "University Community Design Guidelines, 2000;"
 - 21 2. "Pike/Pine Urban Center Village Design Guidelines, 2000;"
 - 22 3. "Roosevelt Urban Village Design Guidelines, 2000;"
 - 23 4. "Ballard Municipal Center Master Plan Area Design Guidelines,
 - 24 2000;"
 - 25 5. "West Seattle Junction Urban Village Design Guidelines, 2001;"
 - 26 6. "Green Lake Neighborhood Design Guidelines, 2001;" and
- 27
28



- 1 7. "Admiral Residential Urban Village Design Guidelines, 2002;"and
- 2 8. "South Lake Union Urban Village Design Guidelines, 2003((-):)" and
- 3 9. "Northgate Urban Center and Overlay District Design Guidelines, 2003."

4
5 Section 5. Subsection D of Section 23.44.010 of the Seattle Municipal Code, which
6 Section was last amended by Ordinance 119239, is amended as follows:

7 **23.44.010 Lot requirements.**

8 * * *

9
10 D. Lot Coverage Exceptions.

11 1. Lots Abutting Alleys and Corner Lots. For purposes of computing the lot
12 coverage only:

13 a. The area of a corner lot where a side lot line abuts upon a street
14 may be increased by one-half (1/2) the width of the abutting side street.

15 b. The area of a lot with alley or alleys abutting any lot line may be
16 increased by one-half (1/2) the width of the abutting alley or alleys.

17 c. The total lot area for any lot may not be increased by the
18 provisions of this section by more than twenty-five (25) percent.

19
20 2. Special Structures and Portions of Structures. The following structures
21 and portions of structures shall not be counted in lot coverage calculations:

22 a. Access Bridges. Uncovered, unenclosed pedestrian bridges of any
23 height necessary for access and five (5) feet or less in width;

24 b. Barrier-free Access. Ramps or other access for the disabled or
25 elderly meeting Washington State Building Code, Chapter 11;

1 c. Decks. Decks or parts of a deck which are eighteen (18) inches or
2 less above the existing grade;

3 d. Freestanding Structures and Bulkheads. Fences, arbors and
4 freestanding walls except ((arbors,))bulkheads, signs and other similar structures;

5 e. Underground Structures. An underground structure, or
6 underground portion of a structure, may occupy any part of the entire lot;

7 f. Eaves and Gutters. The first eighteen (18) inches of eaves and
8 gutters projecting from principal and accessory structures, except that eaves associated with
9 the roof of an arbor shall be included in lot coverage calculations;

10 g. Solar collectors meeting the provisions of Section 23.44.046 and
11 swimming pools meeting the provisions of Section 23.44.044.

12
13
14 Section 6. Subsection A of Section 23.44.012 of the Seattle Municipal Code, which
15 Section was last amended by Ordinance 120928, is amended as follows:

16 **23.44.012 Height limits.**

17 A. Base Height Established.

18
19 1. Except as provided in subsection A2, the base permitted height for any
20 structure not located in required yards, except as permitted in Section 23.44.014 D3, shall
21 not exceed the greater of the following:

22 a. Thirty (30) feet;

23 b. The average height of the two (2) single-family structures which
24 the subject structure abuts if one (1) or both of the abutting structures exceed thirty (30)
25 feet.
26



1 the front yard of the key lot, upon recording with the King County Department of Records
2 and Elections an agreement to this effect between the owners of record of the abutting
3 properties. Any accessory structure which is a private garage may be located in that portion
4 of a side yard which is either within thirty-five (35) feet of the centerline of an alley or
5 within twenty-five (25) feet of any rear lot line which is not an alley lot line, without
6 providing an agreement as provided in Section 23.44.016.
7

8 2. A single-family structure may extend into one (1) side yard if an
9 easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a
10 ten (10) foot separation between that structure and any principal or accessory structures on
11 the abutting lot. Features and projections such as porches, eaves, and chimneys shall be
12 permitted in the ten (10) foot separation area as if the property line were five (5) feet from
13 the wall of the house on the dominant lot, provided that no portion of either principal
14 structure including eaves shall cross the actual property line. The easement shall be
15 recorded with the King County Department of Records and Elections. The easement shall
16 provide access for normal maintenance activities to the principal structure on the lot with
17 less than the required side yard.
18
19

20 3. Certain Additions. Certain additions may extend into a required yard
21 when the existing single-family structure is already nonconforming with respect to that
22 yard. The presently nonconforming portion must be at least sixty (60) percent of the total
23 width of the respective facade of the structure prior to the addition. The line formed by the
24 nonconforming wall of the structure shall be the limit to which any additions may be built,
25 except as described below. They may extend up to the height limit and may include
26
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1 basement additions. New additions to the nonconforming wall or walls shall comply with
2 the following requirements (Exhibit 23.44.014 A):

3 a. Side Yard. When the addition is a side wall, the existing wall line
4 may be continued by the addition except that in no case shall the addition be closer than
5 three (3) feet to the side lot line;
6

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

10 c. Front Yard. When the addition is a front wall, the existing wall
11 line may be continued by the addition except that in no case shall the addition be closer
12 than fifteen (15) feet to the front lot line;
13

14 d. When the nonconforming wall of the single-family structure is
15 not parallel or is otherwise irregular, relative to the lot line, then the Director shall
16 determine the limit of the wall extension, except that the wall extension shall not be located
17 closer than specified in subsections D3a -- c above.
18

19 4. Uncovered Porches or Steps. Uncovered, unenclosed porches or steps
20 may project into any required yard, provided that they are no higher than four (4) feet on
21 average above existing grade, no closer than three (3) feet to any side lot line, no wider
22 than six (6) feet and project no more than six (6) feet into required front or rear yards. The
23 height of porches and steps are to be calculated separately from each other.
24

25 5. Special Features of a Structure. Special features of a structure may
26 extend into required yards subject to the following standards only, unless permitted
27 elsewhere in this chapter:
28



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

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

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

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

12 6. Private Garages, Covered Unenclosed Decks or Roofs Over Patios in
13 Rear Yards.

14 a. Any attached private garages or covered, unenclosed decks or
15 roofs over patios are portions of principal structures. They may extend into the required
16 rear yard, but shall not be within twelve (12) feet of the centerline of any alley, nor within
17 twelve (12) feet of any rear lot line which is not an alley lot line, nor closer than five (5)
18 feet to any accessory structure. The height of private garages shall meet the provisions of
19 Section 23.44.016 D2 and the height of the roof over unenclosed decks and patios may not
20 exceed twelve (12) feet. The roof over these decks, patios and garages shall not be used as
21 a deck. Any detached private garage meeting the requirements of Section 23.44.016,
22 Parking location and access, or detached permitted accessory structure meeting the
23 requirements of Section 23.44.040, General provisions, may be located in a rear yard. If a
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1 private garage has its vehicular access facing the alley, the private garage shall not be
2 within twelve (12) feet of the centerline of the alley.

3 b. Garages meeting the standards of Section 23.44.016 and other
4 accessory structures meeting the standards of Section 23.44.040, shall be permitted in
5 required rear yards, subject to a maximum combined coverage of forty (40) percent of the
6 required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be
7 calculated from the centerline of the alley.
8

9 7. Private Garages in Front Yards of Through Lots. On through lots less
10 than one hundred twenty-five (125) feet in depth, either an accessory garage structure or a
11 portion of the principal structure containing a garage shall be permitted to locate in one (1)
12 of the front yards. Private garages, either as accessory structures or as a portion of the
13 principal structure, shall be limited as set forth in Section 23.44.016. The front yard in
14 which the garage may be located shall be determined by the Director based on the location
15 of other accessory garages on the block. If no pattern of garage location can be determined,
16 the Director shall determine in which yard the accessory garage shall be located based on
17 the prevailing character and setback patterns of the block.
18

19 8. Access Bridges. Uncovered, unenclosed pedestrian bridges of any height,
20 necessary for access and five (5) feet or less in width, are permitted in required yards
21 except that in side yards an access bridge must be at least three (3) feet from any side lot
22 line.
23

24 9. Barrier-free Access. Access facilities for the disabled and elderly meeting
25 Washington State Building Code, Chapter 11 are permitted in any required yards.
26

27 10. Freestanding Structures and Bulkheads.
28



1 a. Fences, freestanding walls, signs and similar structures six (6)
2 feet or less in height above existing or finished grade, whichever is lower, may be erected
3 in any required yard. The six (6) foot height may be averaged along sloping grade for each
4 six (6) foot long segment of the fence, but in no case may any portion of the fence exceed
5 eight (8) feet. Architectural features may be added to the top of the fence or freestanding
6 wall above the six (6) foot height when the following provisions are met: horizontal
7 architectural feature(s), no more than ten (10) inches high, and separated by a minimum of
8 six (6) inches of open area, measured vertically from the top of the fence, may be permitted
9 when the overall height of all parts of the structure, including post caps, are no more than
10 eight (8) feet high; averaging the eight (8) foot height is not permitted. Structural supports
11 for the horizontal architectural feature(s) may be spaced no closer than three (3) feet on
12 center.
13
14

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

- 17 (1) No part of the structure may exceed eight (8) feet; and
18 (2) Any portion of the structure above six (6) feet shall be
19 predominately open, such that there is free circulation of light and air.
20

21 c. Bulkheads and retaining walls used to raise grade may be placed
22 in any required yard when limited to six (6) feet in height, measured above existing grade.
23 A guardrail no higher than forty-two (42) inches may be placed on top of a bulkhead or
24 retaining wall existing as of the date of the ordinance codified in this section. If a fence is
25 placed on top of a new bulkhead or retaining wall, the maximum combined height is
26 limited to nine and one-half (9-1/2) feet.
27
28

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

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

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

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

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

21 14. Front Yard Projections for Structures on Lots Thirty (30) Feet or Less in
22 Width. For a structure on a lot which is thirty (30) feet or less in width, portions of the front
23 facade which begin eight (8) feet or more above finished grade may project up to four (4)
24 feet into the required front yard, provided that no portion of the facade, including eaves and
25 gutters, shall be closer than five (5) feet to the front line (Exhibit 23.44.014 B).
26
27
28

1 Pike/Pine Overlay District, pursuant to Chapter 23.73, and for Seattle Housing Authority
2 structures permitted pursuant to Section 23.47.0004 E1((e))g. Where the Station Area
3 Overlay District and the Pike/Pine Overlay District overlap, the provisions of the Pike/Pine
4 Overlay District shall prevail.

5 ***

6
7 Section 9. Section 23.48.032 of the Seattle Municipal Code, which Section was last
8 amended by Ordinance 120611, is amended as follows:

9 **23.48.032 Required parking and loading.**

10 A. Each use shall provide a minimum number of off-street parking spaces
11 according to the requirements of Section 23.54.015, Required parking, except as modified
12 by this section.

13
14 ~~((B. Residential uses shall be required to provide one (1) off-street parking space~~
15 ~~per unit, except for low income elderly/low income disabled multifamily structures where~~
16 ~~the number of off-street parking spaces will be determined according to the requirements of~~
17 ~~Section 23.54.015 Required parking.))~~

18
19 ~~((C.))~~ B. Loading berth requirements shall be provided pursuant to Section
20 23.54.035, Loading berth requirements and space standards.

21 ~~((D.))~~ C. Where access to a loading berth is from the alley, and truck loading is
22 parallel to the alley, a setback of twelve (12) feet shall be required for the loading berth,
23 measured from the centerline of the alley (Exhibit 23.47.014 E -- in Chapter 23.47). This
24 setback shall be maintained up to a height of sixteen (16) feet.

25
26 ~~((E.))~~ D. Reduction in the Amount of Parking Required. Reductions to required
27 parking shall be permitted according to the provisions of Section 23.54.020, Parking
28

1 quantity exceptions. Further reductions or exceptions are permitted for street-level uses in
2 structures on Class I Pedestrian Streets as follows:

3 1. In a new structure where a minimum of seven thousand five hundred
4 (7,500) square feet of customer service office use, personal and household retail sales and
5 service use or entertainment use, except motion picture theaters, is provided, parking may
6 be waived for the first seven thousand five hundred (7,500) square feet of the structure in
7 such use.

8
9 2. No parking shall be required for the first one hundred fifty (150) seats in
10 a motion picture theater.

11 3. No parking shall be required for any gross floor area in human service or
12 child care use.

13
14 4. No additional parking shall be required when an existing structure is
15 expanded by up to two thousand five hundred (2,500) square feet, provided that this
16 exemption may be applied only once to any individual structure.

17 ((F-)) E. Payment in Lieu. In lieu of providing all or a portion of the required
18 parking, a development may make a payment to the Cascade Parking Fund if the Director
19 determines that the payment will contribute to the purchase and/or development of an
20 identified public parking garage that is consistent with City policy and priorities, that the
21 parking will mitigate the impacts of the project; and that construction of the public parking
22 garage (if applicable) is assured. The payment and use thereof shall be consistent with
23 RCW 82.02.020.
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1 1. An in-lieu-of payment shall equal the assessed value of the land at the
2 project site which would otherwise have been required to provide parking plus the
3 estimated cost to develop such parking on the project site.

4 2. Funds received in-lieu-of providing parking shall be applied to
5 acquisition or development of a new public parking garage(s) in the SCM, within eight
6 hundred (800) feet of the contributing site(s), except that when a contributor(s) agrees with
7 the City that a new parking garage, available to the public, within the SCM zone more than
8 eight hundred (800) feet from the project site(s) would be an appropriate mitigation to the
9 project's impacts, the in-lieu-of payment(s) from those projects may be used for that
10 garage.
11

12 3. Limitations. Parking stalls within a shared parking garage(s), satisfying
13 the requirements of this section for any project, shall not be used to satisfy the parking
14 requirement for any other project.
15

16 Section 10. Subsection A of Section 23.49.064 of the Seattle Municipal Code,
17 which Section was last amended by Ordinance 120443, is amended as follows:
18

19 **23.49.064 Downtown Office Core 2, principal and accessory parking.**

20 A. Principal Use Parking.

21 1. Principal use parking garages for long-term parking in areas shown on
22 Map 1J may be permitted as conditional uses, pursuant to Section 23.49.066. Principal use
23 parking garages for long-term parking shall be prohibited in other locations.
24

25 2. Principal use parking garages for short-term parking may be permitted as
26 conditional uses pursuant to Section 23.49.066.
27
28

1	4. Automotive retail sales and service	P	P	P	P	P
2	5. Marine retail sales and service	P	P	P	P	P
3	6. Eating and drinking establishment	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
4	((a. Fast food restaurants over 750 square feet	CU	CU	CU	P	P
5	b. Fast food restaurants under 750 square feet	P	P	P	P	P
6	c. Restaurants with or without cocktail lounges	P	P	P	P	P
7	d. Tavern	P	P	P	P	P
8	e. Brewpub	P	P	P	P	P))
9	7. Lodging	CU	CU	CU	X	X
10	8. Mortuary service	P	P	P	X	X
11	9. Existing cemeteries	P	P	P	P	P
11	10. New cemeteries	X	X	X	X	X
12	B. Principal use parking, surface area or garage	P	P	P	X	X
13	C. Nonhousehold sales and services	P	P	P	P	P
14	D. Office	P	P	P	P	P
15	E. Entertainment					
16	1. Places of public assembly					
17	a. Performing arts theater	P	P	P	X	X
18	b. Spectator sports facility	P	P	P	X ⁶	X ⁶
19	c. Lecture and meeting halls	P	P	P	P	P
20	d. Motion picture theater	P	P	P	X	X
21	e. Motion picture theater, adult	X	X	X	X	X
22	f. Adult panorams	X	X	X	X	X
23	2. Participant sports and recreation					
24	a. Indoor	P	P	P	X	P
25	b. Outdoor	P	P	P	X	P
26	F. Wholesale Showroom	P	P	P	P	P
27	G. Mini-warehouse	P	P	P	X	P



1	H. Warehouse	P	P	P	P	P
2	I. Outdoor storage	P	P	P	P	P
3	J. Transportation Facilities					
4	1. Personal transportation services	P	P	P	P	P
5	2. Passenger terminal	P	P	P	P	P
6	3. Cargo terminal	P	P	P	P	P
7	4. Transit vehicle base	CU	CU	CU	CU	CU
8	5. Helistop	CCU	CCU	CCU	CCU	CCU
9	6. Heliport	X	CCU	CCU	CCU	CCU
10	7. Airport, land-based	X	CCU	CCU	CCU	CCU
11	8. Airport, water-based	X	CCU	CCU	CCU	CCU
12	9. Railroad switchyard	P	P	P	P	P
13	10. Railroad switch yard with mechanized hump	X	X	CU	CU	CU
14	K. Food processing and craft work	P	P	P	P	P
15	L. Research and development laboratory	P	P	P	P	P
16	IV. Salvage and Recycling					
17	A. Recycling collection station	P	P	P	P	P
18	B. Recycling center	P	P	P	P	P
19	C. Salvage yard	X	X	P	P	P
20	V. Utilities.					
21	A. Utility services use	P	P	P	P	P
22	B. Major communication utility ⁷	CU	CU	CU	CU	CU
23	C. Minor communication utility ⁷	P	P	P	P	P
24	D. Solid waste transfer station	X	CU	CU	CU	CU
25	E. Power plant	X	CCU	P	P	P
26	F. Sewage treatment plant	X	CCU	CCU	CCU	CCU
27	G. Solid waste incineration facility	X	CCU	CCU	CCU	CCU

1	H. Solid waste landfills	X	X	X	X	X
2	VI. Institutions.					
3	A. Institute for advanced study	P	P	P	X	X
4	B. Private clubs	EB	EB	EB	X	X
5	C. Child care center	P	P	P	P	P
6	D. Museum	EB	EB	EB	X ⁸	X ⁸
7	E. School, elementary or secondary	EB	EB	EB	X	X
8	F. College	EB	EB	EB	X ⁹	X ⁹
9	G. Community center	EB	EB	EB	P	P
10	H. Community club	EB	EB	EB	X	P
11	I. Vocational or fine arts school	P	P	P	P	P
12	J. Hospital	EB	EB	CU ¹⁰	P	P
13	K. Religious facility	EB	EB	EB	EB	EB
14	L. University	EB	EB	EB	X ⁹	X ⁹
15	M. Major institutions, subject to the provisions of Chapter 23.69	EB	EB	EB	EB	EB
16	VII. Public Facilities.					
17	A. Jails	X	X	X	X	X
18	B. Work-release centers	X	X	X	X	X
19	C. Secure Community Transition Facility	X	X	X	X	X
20	D. Other public facilities	CCU	CCU	CCU	CCU	CCU
21	VIII. Park and Pool/Ride Lots.					
22	A. Park and pool lots	P ¹¹	P ¹¹	P ¹¹	CU	CU
23	B. Park and ride lots	CU	CU	CU	CU	CU
24	IX. Residential.					



1	A. Single-family dwelling units	X	X	X	X	X
2						
3	B. Multi-family structures	X	X	X	X	X
4	C. Congregate residences	X	X	X	X	X
5	D. Adult family homes	X	X	X	X	X
6	E. Floating homes	X	X	X	X	X
7	F. Mobile home park	X	X	X	X	X
8	G. Nursing homes	X	X	X	X	X
9	H. Artist's studio/dwelling	EB/CU	EB/CU	EB/CU	EB/CU	EB/CU
10	I. Caretaker's quarters	P	P	P	P	P
11	J. Assisted living facility	X	X	X	X	X
12	K. Residential use except artist's studio/dwelling and caretaker's quarters in a landmark structure or landmark district	CU	CU	CU	CU	CU
13						
14						
15	X. Live-work units	X	X	X	X	X
16	XI. Open Space.					
17	A. Parks	P	P	P	P	P
18	B. Playgrounds	P	P	P	P	P
19	XII. Agricultural Uses					
20	A. Animal husbandry	X	X	X	X	X
21	B. Horticultural use	X	X	X	X	X
22	C. Aquaculture	P	P	P	P	P
23	P = Permitted					
24	X = Prohibited					
25	CU = Administrative conditional use					
26	CCU = Council conditional use					
27	EB = Permitted only in a building existing on October 5, 1987.					



1
2 Section 12. Section 23.50.029 of the Seattle Municipal Code, which Section was
3 last amended by Ordinance 115326, is amended as follows:

4 **23.50.029 General Industrial 1 and 2—Setback requirements.**

5 A setback may be required in order to meet the provisions of Section ((23.53.015,
6 ~~Improvement requirements for existing streets in residential and commercial~~
7 ~~zones))23.53.020. Improvement requirements for existing streets in industrial zones, and
8 Section 23.53.030, Alley improvements in all zones.~~

9
10 Section 13. Section 23.50.032 of the Seattle Municipal Code, which Section was
11 last amended by Ordinance 115326, is amended as follows:

12 **23.50.032 Industrial Commercial—Setback requirements.**

13 **A. Setbacks From Residential Zones.**

14
15 1. A setback shall be required on lots which abut the intersection of a side
16 and front lot line of a residentially zoned lot. The required setback shall be a triangular
17 area. Two (2) sides of the triangle shall extend fifteen (15) feet from the intersection of the
18 street property line and the property line abutting the residentially zoned lot. The third side
19 shall connect these two (2) sides with a diagonal line across the lot. (See Exhibits
20 23.50.032 A and 23.50.032 B).

21
22 2. A setback shall be required along any lot line which abuts a side or rear
23 lot line of a residentially zoned lot, or which is across an alley from a residentially zoned
24 lot as follows:

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26 a. Zero (0) feet for portions of structures twelve (12) feet in height
27 or lower; and



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b. Ten (10) feet for portions of structures above twelve (12) feet in height to a maximum of sixty-five (65) feet; and

c. For portions of structures above sixty-five (65) feet in height, an additional one (1) foot of setback shall be required for every ten (10) feet in excess of sixty-five (65) feet, (see Exhibit 23.50.032 B).

3. Half (1/2) of an alley width may be counted as part of the required setback.

~~(D)~~B. No entrance, window or other opening shall be permitted closer than five (5) feet to a residentially zoned lot.

~~(E)~~C. A five (5) foot setback shall be required from all street property lines where street trees are required and it is not feasible to plant them in accordance with City standards. The setback shall be landscaped according to Section 23.50.038, Screening and landscaping standards.

~~(F)~~D. A setback may be required in order to meet the provisions of Section 23.53.015, Improvement requirements for existing streets in residential and commercial zones, and Section 23.53.030, Alley improvements in all zones.

Section 14. Chart A of Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by Ordinance 121359, is amended as follows:

23.54.015 Required parking.

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**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
Aquaculture (retail area only)	1 space for each 350 square feet
Artist's studio/dwelling	1 space for each dwelling unit
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
Automotive parts or accessory sales	1 space for each 350 square feet
Ball courts	1 space per court
Bed and breakfast	1 space for each dwelling, plus 1 space for each



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	2 guest rooms or suites
Bowling alley	5 spaces for each lane
Business support services	1 space for each 2,000 square feet
Business incubators	1 space for each 1,000 square feet
Carwash	1 space for each 2,000 square feet
Caretaker's quarters	1 space for each dwelling unit
Cargo terminal	1 space for each 2,000 square feet
Cemetery	None
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
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



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	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 multifamily zones	None, maximum of 10 spaces
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



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Hospitals ¹	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 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
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
Library ¹⁰	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 up to 2,500 square feet	1 space for each unit
Live-work unit greater than 2,500 square feet	1 space for each unit; plus the number of spaces required for the commercial or manufacturing activity conducted in the unit, based on the most similar nonresidential use and subject to Section 23.54.015 E
Major durables, sales, service, and rental	1 space for each 2,000 square feet



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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: 1.1 spaces for each dwelling unit</p> <p>Development sites containing 11—30 dwelling units: 1.15 spaces for each dwelling unit</p> <p>Development sites containing 31—60 dwelling units: 1.2 spaces for each dwelling unit</p> <p>Development sites containing more than 60 dwelling units: 1.25 spaces for each dwelling unit</p> <p>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</p>



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	<p>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</p> <p>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</p>
<p>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</p>	<p>1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above.⁵</p>
<p>Multifamily uses, when within the Alki area as shown on Map B following this section, unless another provision below allows fewer parking spaces</p>	<p>1.5 spaces for each dwelling unit</p>
<p>Multifamily uses, for development sites that contain a total of 10 or fewer dwelling units, all in ground-related structures</p>	<p>1 space for each dwelling unit</p>
<p>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-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</p>	<p>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</p>
<p>Multifamily uses, when located in Center City neighborhoods¹², for each dwelling unit rented to and</p>	<p>0.5 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</p>



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<p>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</p>	
<p>Multifamily uses, when located outside of 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-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by HUD¹⁴, for the life of the building</p>	<p>0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms</p>
<p>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</p>	<p>0.75 spaces for each dwelling unit</p>
<p>Multifamily uses occupied by low-income elderly households</p>	<p>1 space for each 6 dwelling units</p>
<p>Multifamily uses occupied by low-income disabled households</p>	<p>1 space for each 4 dwelling units</p>



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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
Museum ¹	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 homes ⁶	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



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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



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Research and development laboratory located within the South Lake Union Hub Urban Village	1 space for each 1,500 square feet
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 equipment	1 space for each 350 square feet
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 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



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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
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
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

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



1 hundred fifty-five (555) square feet.

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

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

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

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

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

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

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

20 ¹⁰ When a library is permitted in single-family zones as a conditional use, the Director
21 may modify the parking requirements pursuant to Section 23.44.022; when a library is
22 permitted in multifamily zones as a conditional use, the Director may modify the
23 parking requirements pursuant to Section 23.45.122; and when a library is permitted in
24 commercial zones, the Director may modify the parking requirements pursuant to
25 Section 23.44.022 I.

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

17 ¹² For purposes of this section, Center City neighborhoods are the following urban
18 villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and
19 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

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



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¹⁴ Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily use or structure, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Office of Records and Elections a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which 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.

* * *

Section 15. Subsection C of Section 23.54.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 120691, is amended as follows:

23.54.030 Parking space standards.

C. Backing Distances and Moving Other Vehicles.

1. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except ~~((for))~~ in the case of multiple spaces provided for a single-family dwelling((s-)) or an accessory dwelling unit associated with a single-family dwelling, or in the case of tandem parking authorized under Section 23.54.020 B.

2. Except for lots with fewer than three (3) parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than fifty (50) feet.

* * *

Section 16. Subsection C of Section 23.73.008 of the Seattle Municipal Code, which Section was last amended by Ordinance 120004, is amended as follows:



1 **23.73.008 Uses.**

2 * * *

3 C. Single-purpose Residential Structures.

4 1. Single-purpose residential structures are permitted outright where
5 commercial use is not required by subsection B, above, or as provided for in Section
6 23.47.023 B.
7

8 2. A density of one (1) unit per four hundred (400) square feet of lot area is
9 permitted except that density shall be unlimited in areas where single-purpose residential is
10 permitted outright as per Section 23.73.008 C1, subject to the following:

11 a. Single-~~((spouse))~~purpose residential structures are located in NC
12 zones with a height limit of sixty-five (65) feet or more; and

13 b. At least forty (40) percent of all units are rented to households at
14 rents not exceeding thirty (30) percent of sixty (60) percent of the median income for the
15 Seattle-Everett Standard Metropolitan Statistical Area, as defined by the United States
16 Department of Housing and Urban Development (HUD).
17

18 c. Applicants shall demonstrate compliance with these income
19 criteria for the life of the building.
20

21 Section 17. Subsection C of Section 23.76.006 of the Seattle Municipal Code,
22 which Section was last amended by 121362, is amended as follows:

23 **23.76.006 Master Use Permits required.**

24 * * *

25
26 C. The following are Type II decisions:
27
28



1 1. The following procedural environmental decisions for Master Use
2 Permits and for building, demolition, grading and other construction permits are subject to
3 appeal to the Hearing Examiner and are not subject to further appeal to the City Council
4 (supplemental procedures for environmental review are established in SMC Chapter 25.05,
5 Environmental Policies and Procedures):
6

7 a. Determination of Nonsignificance (DNSs), including mitigated
8 DNSs;

9
10 b. Determination that a final environmental impact statement (EIS)
11 is adequate; and

12
13 c. Determination of Significance based solely on historic and
14 cultural preservation.

15
16 2. The following decisions, including any integrated decisions to approve,
17 condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner
18 (except shoreline decisions and related environmental determinations which are appealable
19 to the Shorelines Hearings Board):

20
21 a. Establishment or change of use for temporary uses more than four
22 (4) weeks not otherwise permitted in the zone or not meeting development standards,
23 including the establishment of temporary uses and facilities to construct a light rail transit
24 system for so long as is necessary to construct the system as provided in Section 23.42.040
25 E, and excepting temporary relocation of police and fire stations for twelve (12) months or
26 less;
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b. Short subdivisions;

c. Variances; provided that, variances sought as part of a Type IV decision may be granted by the Council pursuant to Section 23.76.036;

d. Special exceptions; provided that, special exceptions sought as part of a Type IV decision may be granted by the Council pursuant to Section 23.76.036;

e. Design review;

f. Administrative conditional uses; provided that, administrative conditional uses sought as part of a Type IV decision may be approved by the Council pursuant to Section 23.76.036;

g. The following shoreline decisions (supplemental procedures for shoreline decisions are established in Chapter 23.60):

(1) Shoreline substantial development permits,

(2) Shoreline variances,

(3) Shoreline conditional uses;

h. Major Phased Development;

i. Determination of project consistency with a planned action ordinance and EIS;((and))



1 j. Establishment of light rail transit facilities necessary to operate
2 and maintain a light rail transit system, in accordance with the provisions of Section
3 23.80.004((.)); and
4

5 k. Establishment of monorail transit facilities necessary to operate
6 and maintain a monorail transit system, in accordance with the provisions of Section
7 23.80.004 and Section 15.54.020.
8

9 ***

10 Section 18. Subsection D of Section 23.76.010 of the Seattle Municipal Code,
11 which Section was last amended by 120857, is amended as follows:

12 **23.76.010 Applications for Master Use Permits.**

13 ***

14 D. All applications shall contain the submittal information required by the
15 applicable sections of this Title 23, Land Use Code; SMC Title 15, Street and Sidewalk
16 Use; SMC Chapter 25.05, SEPA Policies and Procedures; SMC Chapter 25.09, Regulations
17 for Environmentally Critical Areas; SMC Chapter 25.12, Landmarks Preservation; SMC
18 Chapter 25.16, Ballard Avenue Landmark District; SMC Chapter 25.20, Columbia City
19 Landmark District; SMC Chapter 25.22, Harvard-Belmont Landmark District; SMC
20 Chapter 25.24, Pike Place Market Historical District; and other codes as determined
21 applicable by the Director. All shoreline substantial development, conditional use or
22 variance applications shall also include applicable submittal information as specified in
23 WAC 173-27-180. The following information shall also be required as further specified in
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1 the Director's Rule on Application Submittal Guidelines, unless the Director indicates in
2 writing that specific information is not necessary for a particular application:

3 1. Property information including, but not limited to, address, legal
4 description, Assessor's Parcel number, and project description;

5 2. A signed statement of financial responsibility from the applicant
6 acknowledging financial responsibility for all applicable permit fees. If the application is
7 made, in whole or in part, on behalf of the property's owner, lessee, and/or contract
8 purchaser, then the statement of financial responsibility must also include a signed
9 statement of the owner, lessee, and/or contract purchaser acknowledging financial
10 responsibility for all applicable permit fees;
11

12 3. Scale drawings with all dimensions shown that include, but are not
13 limited to, the following information:

14 a. Existing site conditions showing adjacent streets (by name),
15 alleys or other adjacent public property, existing street uses, such as street trees and
16 sidewalk displays, buildings and structures, open space and landscape, access driveways
17 and parking areas,
18

19 b. Elevations and sections of the proposed new features,

20 c. Floor plans showing the proposed new features,

21 d. Drainage plan,

22 e. Landscape plan,

23 f. Right-of-way information showing any work proposed in the
24 public right-of-way,
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1 g. Identification on the site plan of all easements, deed restrictions,
2 or other encumbrances restricting the use of the property, if applicable,

3 h. Parking layout and vehicular access,

4 i. Vicinity map,

5 j. Topographic map, and
6

7 k. Open space plan;

8 4. A statement whether the site includes or is adjacent to a nominated or
9 designated City of Seattle landmark, or has been listed as eligible for landmark status by
10 the state or federal governments, or is within a City of Seattle landmark or special review
11 district. If the site includes a nominated or designated City of Seattle landmark, or is
12 within a City of Seattle landmark or special review district, then the applicant must provide
13 a copy of any application for any required certificate of approval that has been filed with
14 the Department of Neighborhoods. If the site does not include a landmark and is not within
15 a landmark or special review district, then the applicant must provide the following
16 information:
17

18 a. Date the buildings on the site were constructed,

19 b. Name of the architect(s) or builder(s), and
20

21 c. For any building fifty (50) or more years old, clear exterior photos
22 of all elevations of the building;
23

24 5. For all transmitting antennas, the applicant shall submit a signed copy of
25 the Applicant's Statement of Federal Communications Commission (FCC) Compliance. If
26 the transmitting antenna requires Seattle-King County Public Health Department review,
27
28



1 the applicant must also submit a letter from the Public Health Department certifying that
2 the facility does not exceed radio frequency radiation levels allowed by the FCC;

3 ~~((6. Confirmation that any required notification sign has been installed~~
4 ~~according to the Director's specifications;))~~

5 ~~((7.))~~6. Information including technical reports, drawings, models or text,
6 necessary to evaluate the development proposal, project site and potential environmental
7

8 ~~((affects))~~effects related to the following:

- 9 a. Soils and geology,
- 10 b. Grading,
- 11 c. Drainage,
- 12 d. Construction impacts,
- 13 e. Air quality,
- 14 f. Water quality,
- 15 g. Water discharge,
- 16 h. View impairment,
- 17 i. Energy consumption,
- 18 j. Animal habitat impacts,
- 19 k. Plant ecology, botany and vegetation,
- 20 l. Noise,
- 21 m. Release and disposal of toxic and hazardous materials,
- 22 n. Soil contamination,
- 23 o. Dredging,
- 24 p. Land use,
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- 1 q. Housing,
- 2 r. Light and glare,
- 3 s. Shadow,
- 4 t. Aesthetics,
- 5 u. Use and demand on recreation facilities,
- 6 v. Vehicular traffic and circulation,
- 7 w. Parking,
- 8 x. Pedestrian circulation,
- 9 y. Circulation and movement of goods,
- 10 z. Traffic hazard,
- 11 aa. Demand on public service and utilities, and
- 12 bb. Identification of all development departures requested through
- 13 the design review process.

14 ***

15 Section 19. Section 23.76.011 of the Seattle Municipal Code, which Section was
16 last amended by Ordinance 118980, is amended as follows:

17 **23.76.011 Notice of early design guidance process.**

18 For design review projects the Director shall provide notice of the required early
19 design guidance process ((by ~~General Mailed Release~~))in the Land Use Information
20 Bulletin. In addition, the Director shall provide mailed notice, and the applicant shall post
21 one (1) land use sign visible to the public at each street frontage abutting the site except,
22 when there is no street frontage or the site abuts an unimproved street, the Director shall
23 require either more than one (1) sign and/or an alternative posting location so that notice is
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1 clearly visible to the public. If an early design guidance public meeting is required, the
2 time, date, location and purpose of the meeting shall be included with the mailed notice.

3 The land use sign may be removed by the applicant the day after the public meeting(~~or~~
4 ~~after the Director distributes design guidelines priorities as part of the early design~~
5 ~~guidance process~~)).

6
7 Section 20. Subsection B of Section 23.76.012 of the Seattle Municipal Code,
8 which Section was last amended by Ordinance 119096, is amended as follows:

9 **23.76.012 Notice of application.**

10 ***

11 B. Types of Notice Required.

12
13 1. For projects subject to environmental review, or design review, except
14 administrative design review, ~~((the applicant shall post))~~ the department shall direct the
15 installation of an environmental review sign on the site, unless an exemption or alternative
16 posting as set forth in this subsection is applicable. The environmental review sign shall be
17 located so as to be clearly visible from the adjacent street or sidewalk, and shall be
18 removed ((by the applicant within fourteen (14) days))at the direction of the department
19 after final City action on the application has been completed.

20
21 a. In the case of submerged land, the environmental review sign
22 shall be posted on adjacent dry land, if any, owned or controlled by the applicant. If there
23 is no adjacent dry land owned or controlled by the applicant, notice shall be provided
24 according to subsection B1c.
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1 b. Projects limited to interior remodeling, or which are subject to
2 environmental review only because of location over water or location in an
3 environmentally critical area, are exempt from the environmental review sign requirement.

4 c. When use of an environmental review sign is neither feasible nor
5 practicable to assure that notice is clearly visible to the public, the Director shall post ten
6 (10) placards within three hundred (300) feet of the site and at the closest street
7 intersections when one (1) or more of the following conditions exist:
8

9 (1) The project site is over five (5) acres;

10 (2) The applicant is not the property owner, and the property
11 owner does not consent to the proposal;

12 (3) The site is subject to physical characteristics such as
13 steep slopes or is located such that the environmental review sign would not be highly
14 visible to neighboring residents and property owners or interested citizens.
15

16 d. The Director may require both an environmental review sign and
17 the alternative posting measures described in subsection B1c, or may require that more than
18 one (1) environmental review sign be posted, when necessary to assure that notice is clearly
19 visible to the public.
20

21 2. For projects ~~that~~ ~~(which)~~ are categorically exempt from environmental
22 review, ~~((the applicant))~~ the department shall post one (1) land use sign visible to the public
23 at each street frontage ~~abutting~~ the site except, when there is no street frontage or the site
24 abuts an unimproved street, the Director ~~((shall require either))~~ may post more than one (1)
25 sign and/or an alternative posting location so that notice is clearly visible to the public. The
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1 land use sign may be removed by the applicant within fourteen (14) days after final action
2 on the application has been completed.

3 3. For all projects requiring notice of application, the Director shall provide
4 notice ~~((by General Mailed Release))~~ in the Land Use Information Bulletin. For projects
5 subject to the environmental review, ~~((and land use sign requirements))~~ notice in the
6 ~~((General Mailed Release))~~ Land Use Information Bulletin shall be published after
7 ~~installation of the environmental review sign((certification is received by the department~~
8 ~~that the environmental review and land use signs have been installed and posted))~~.

10 4. In addition, for variances, administrative conditional uses, temporary
11 uses for more than four (4) weeks, shoreline variances, shoreline conditional uses, short
12 plats, early design guidance process, School Use Advisory Committee (SUAC) formation
13 and school development standard departure, the Director shall provide mailed notice.

15 5. Mailed notice of application for a project subject to design review or
16 administrative design review shall be provided to all persons establishing themselves as
17 parties of record by attending an early design guidance public meeting for the project or by
18 corresponding with the Department about the proposed project before the date of
19 publication.

21 6. Additional notice for subdivisions shall include mailed notice and
22 publication in at least one (1) community newspaper in the area affected by the subdivision.

23 ***

25 Section 21. Subsection D of Section 23.76.040 of the Seattle Municipal Code,
26 which Section was last amended by Ordinance 118012, is amended as follows:

27 **23.76.040 Applications for Council land use decisions.**



1
2 D. All applications shall contain the submittal information required by the
3 applicable sections of this Title 23, Land Use Code; SMC Title 15, Street and Sidewalk
4 Use; SMC Chapter 25.05, SEPA Policies and Procedures; SMC Chapter 25.09, Regulations
5 for Environmentally Critical Areas; SMC Chapter 25.12, Landmark Preservation; SMC
6 Chapter 25.16, Ballard Avenue Landmark District; SMC Chapter 25.20, Columbia City
7 Landmark District; SMC Chapter 25.22, Harvard-Belmont Landmark District; SMC
8 Chapter 25.24, Pike Place Market Historical District; and other codes as determined
9 applicable by the Director. The following information shall also be required as further
10 specified in the Director's Rule on Application Submittal Guidelines, unless the Director
11 indicates in writing that specific information is not necessary for a particular application:
12
13

- 14 1. Property information including, but not limited to, address, legal
15 description, Assessor's Parcel number, and project description;
- 16 2. Evidence of ownership or authorization from the property owner for
17 Council Conditional Uses and Downtown Planned Community Developments;
18
- 19 3. A signed statement of financial responsibility from the applicant
20 acknowledging financial responsibility for all applicable permit fees. If the application is
21 made, in whole or in part, on behalf of the property's owner, lessee, and/or contract
22 purchaser, then the statement of financial responsibility must also include a signed
23 statement of the owner, lessee, and/or contract purchaser acknowledging financial
24 responsibility for all applicable permit fees;
25
- 26 4. Scale drawings with all dimensions shown that include, but are not
27 limited to, the following information:
28

- 1 a. Existing site conditions showing adjacent streets (by name),
2 alleys or other adjacent public property, existing street uses, such as street trees and
3 sidewalk displays, buildings and structures, open space and landscape, access driveways
4 and parking areas,
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6 b. Elevations and sections of the proposed new features,
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8 c. Floor plans showing the proposed new features,
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10 d. Drainage plan,
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12 e. Landscape plan,
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14 f. Right-of-way information showing any work proposed in the
15 public right-of-way,
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17 g. Identification on the site plan of all easements, deed restrictions,
18 or other encumbrances restricting the use of the property, if applicable,
19
20 h. Parking layout and vehicular access,
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22 i. Vicinity map,
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24 j. Topographic map, and
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26 k. Open space plan;
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28 5. A statement whether the site includes or is adjacent to a nominated or
designated City of Seattle landmark, or has been listed as eligible for landmark status by
the state or federal governments, or is within a City of Seattle landmark or special review
district. If the site includes a nominated or designated City of Seattle landmark, or is
within a City of Seattle landmark or special review district, then the applicant must provide
a copy of any application for any required certificate of approval that has been filed with
the Department of Neighborhoods. If the site does not include a landmark and is not within

1 a landmark or special review district, then the applicant must provide the following
2 information:

- 3 a. Date the buildings on the site were constructed,
4 b. Name of the architect(s) or builder(s), and
5 c. For any building fifty (50) or more years old, clear exterior photos

6 of all elevations of the building;

7 ~~((6. Confirmation that any required notification sign has been installed
8 according to the Director's specifications;))~~

9 ~~((7.))~~6. Information, including technical reports, drawings, models or text,
10 necessary to evaluate the development proposal, project site and potential environmental
11 ~~((affects))~~effects related to the following:

- 12 a. Soils and geology,
13 b. Grading,
14 c. Drainage,
15 d. Construction impacts,
16 e. Air quality,
17 f. Water quality,
18 g. Water discharge,
19 h. View impairment,
20 i. Energy consumption,
21 j. Animal habitat impacts,
22 k. Plant ecology, botany and vegetation,
23 l. Noise,
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- m. Release and disposal of toxic and hazardous materials,
- n. Soil contamination,
- o. Dredging,
- p. Land use,
- q. Housing,
- r. Light and glare,
- s. Shadow,
- t. Aesthetics,
- u. Use and demand on recreation facilities,
- v. Vehicular traffic and circulation,
- w. Parking,
- x. Pedestrian circulation,
- y. Circulation and movement of goods,
- z. Traffic hazard, and
- aa. Demand on public service and utilities.

Section 22. Subsection A of Section 23.76.050 of the Seattle Municipal Code, which Section was last amended by 120691, is amended as follows:

23.76.050 Report of the Director.

A. The Director shall prepare a written report on applications for Type IV and V decisions, except Land Use Code text amendments, and any associated Type II ((~~Master Use Permits~~))decision listed in Section 23.76.006 C2(~~, provided that in the case of a text amendment sponsored by a member of the City Council, the Director shall prepare a~~



1 ~~written report only if such report is requested by a member of the City Council)). The~~
2 ~~report shall include:~~

- 3 1. The written recommendations or comments of any affected City
4 departments and other governmental agencies having an interest in the application;
- 5 2. Responses to written comments submitted by interested citizens;
- 6 3. An evaluation of the proposal based on the standards and criteria for the
7 approval sought and consistency with applicable City policies;
- 8 4. All environmental documentation, including any checklist, EIS or DNS;
- 9 5. The Director's recommendation to approve, approve with conditions, or
10 deny a proposal.

11
12
13 B. The Director shall prepare a written report for Land Use Code text amendments
14 sponsored by the City Council only if such a report is requested by a member of the City
15 Council, and shall include:

- 16
17 1. An evaluation of the proposal based on the standards and criteria for the
18 approval sought and consistency with applicable City policies, and
- 19
20 2. The Director's recommendation to approve, approve with conditions, or
21 deny a proposal.

22
23 ~~((B))~~C. A DNS or the Director's determination that an EIS is adequate shall be
24 subject to appeal pursuant to the procedures in subsection C of Section 23.76.022.

25
26 ~~((C))~~D. For Type IV Decisions, the Director's report shall be submitted to the
27 Hearing Examiner and made available for public inspection at least twenty-one (21) days
28

1 prior to the Hearing Examiner's open record predecision public hearing described in
2 Section 23.76.052.

3
4 ((D))E. For Type V decisions, the Director's report shall be submitted to the
5 Council and shall be available to the public at least fifteen (15) days before the Council
6 hearing described in Section 23.76.062.

7 Section 23. Section 23.84.032 of the Seattle Municipal Code, which Section was
8 last amended by Ordinance 121145, is amended as follows:

9
10 **23.84.032 Definitions "R."**

11 "Restaurant" means an establishment in which food and/or beverage preparation
12 and service is provided for individual consumption either on- or off-premise. A restaurant
13 may feature the service of alcoholic beverages accessory to the service of food.

14 ***

15
16 Section 24. A new subsection F is added to Section 23.86.006 of the Seattle
17 Municipal Code, which Section was last amended by Ordinance 112971, to read as
18 follows:

19 **23.86.006 Structure height.**

20 ***

21
22 F. Height Measurement Technique for Structures Located Partially Within the
23 Shoreline District. When any portion of the structure falls within the Shoreline District,
24 structure height for the entire structure shall be measured according to Section 23.60.952,
25 Height.

26 ***



1 Section 25. Subsection C of Section 23.86.008 of the Seattle Municipal Code,
2 which Section was last amended by Ordinance 117263, is amended as follows:

3 **23.86.008 Lot coverage, width and depth.**

4 ***

5
6 C. Lot Width in Single-family Zones:

7 1. When a lot is essentially rectangular, the lot width shall be the mean
8 horizontal distance between side lot lines measured at right angles to lot depth (Exhibit
9 23.86.008 B).

10 2. In the case of a lot with more than one (1) rear lot line (Exhibits
11 23.86.008 C and 23.86.008 D), the lot width shall be measured according to the following:

12 a. If the distance between the rear lot lines is fifty (50) percent or
13 ~~((more))~~ less of the lot depth, the lot width shall be measured parallel to the front lot line
14 and shall be the greatest distance between the side lot lines (Exhibit 23.86.008 C); or

15 b. If the distance between the rear lot lines is ~~((less))~~ greater than
16 fifty (50) percent of the lot depth, the lot width shall be ~~((measured-))~~ determined by
17 measuring average lot width according to Exhibit 23.86.008 D.
18

19
20 3. For irregular lots not meeting the conditions of subsections C1 or C2, the
21 Director shall determine the measurement of lot width.

22 Section 26. Exhibits C and D of Subsection C of Section 23.86.008 of the Seattle
23 Municipal Code adopted by Ordinance 117263 are repealed, and new Exhibits C and D are
24 adopted to read as follows.

25
26 **23.86.008 Lot coverage, width and depth.**

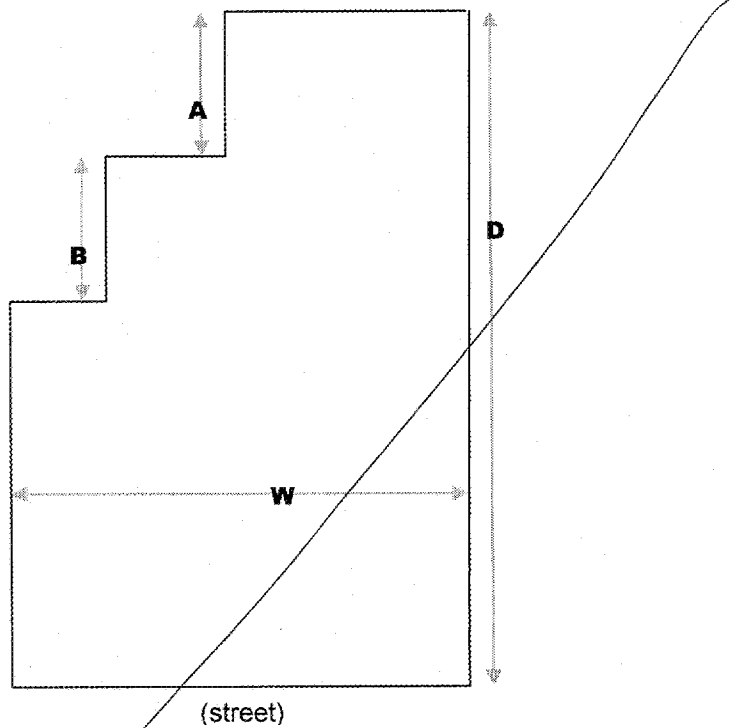


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Exhibit 23.86.008 C

Lots With More Than One Rear Lot Line,
And Where The Distance Between The Rear
Lot Line Is Less Than 50% Of Lot Depth

Where $A + B$ is less than 50% of D , the lot width shall be W .



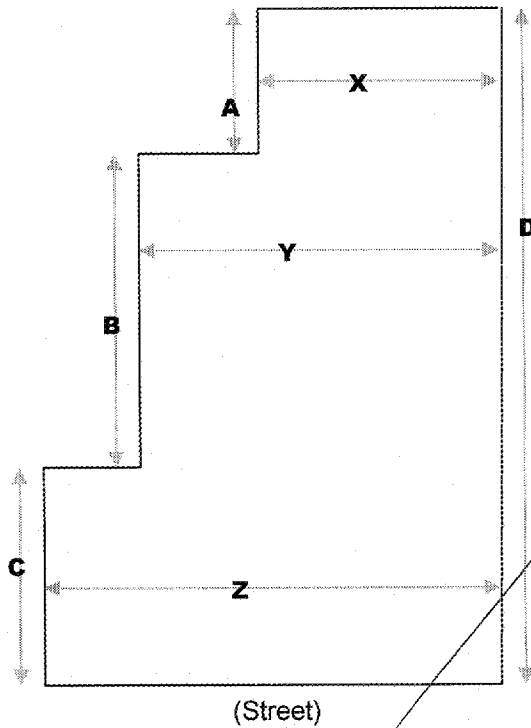
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Exhibit 23.86.008 D

Lots with More Than One Rear Lot Line, And Where
The Distance Between the Rear Lot Line
Is Greater than 50% Of Lot Depth

Where A + B is greater than 50% of D:

$$\text{Width of lot shall be: } \frac{(A \times X) + (B \times Y) + (C \times Z)}{D}$$



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Section 27. Subsection A of Section 23.88.020 of the Seattle Municipal Code,
which Section was last amended by Ordinance 118181, is amended as follows:

23.88.020 Land use interpretations.

A. Interpretations Generally. A decision by the Director as to the meaning,
application or intent of any development regulation in Title 23, Land Use Code, or in
Chapter 25.09, Regulations for Environmentally Critical Areas, as it relates to a specific
property is known as an "interpretation." An interpretation may be requested in writing by
any person or may be initiated by the Director. Procedural provisions and statements of
policy shall not be subject to the interpretation process. A decision by the Director that an
issue is not subject to an interpretation request shall be final and not subject to



1 administrative appeal. A request for an interpretation and a subsequent appeal to the
2 Hearing Examiner, when available, are administrative remedies that must be exhausted
3 before judicial review of a decision subject to interpretation may be sought.
4

5 * * *

6 Section 28. The provisions of this ordinance are declared to be separate and
7 severable. The invalidity of any particular provisions shall not affect the validity of any
8 other provision.
9

10 Section 29. This ordinance shall take effect and be in force thirty (30) days from
11 and after its approval by the Mayor, but if not approved and returned by the Mayor within
12 ten (10) days after presentation, it shall take effect as provided by Municipal Code Section
13 1.04.020.

14 Passed by the City Council the ____ day of _____, 2004, and signed by me
15 in open session in authentication of its passage this ____ day of _____, 2004.
16

17
18 _____
19 President _____ of the City Council

20 Approved by me this ____ day of _____, 2004.

21 _____
22 Gregory J. Nickels, Mayor

23 Filed by me this ____ day of _____, 2004.

24 _____
25 City Clerk

26 (Seal)
27
28



Ordinance 121476

1 sheets *oversized*
Publication

for 35 mm filming

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STATE OF WASHINGTON – KING COUNTY

--SS.

172738
CITY OF SEATTLE, CLERKS 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:121476 ORD IN FULL

was published on

5/28/2004

Richard

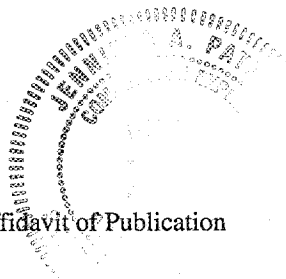
Subscribed and sworn to before me on

5/28/2004

[Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



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