Ordinance No. 98608

AN ORDINANCE relating to land use and zoning, amending Sections 2.2, 3.05, 3.13, 3.16, 3.20, 3.27, 4.1, 10.1, 11.1, 12.1, 12.3, 22.3 and 23.2 of and adding new Sections 11A.1, 11A.2, 11A.3, 11A.4, 11A.5 and 11A.6 to the Zoning Ordinance (86300).

2-4-70 - pass

COMPTROLLER
FILE NUMBER 265376

Council Bill No. 90178

INTRODUCED: FEB 2 1970	BY: Planning
REFERRED: FEB 2 1970	TO: Planning
REFERRED:	
REFERRED:	
REPORTED: FEB 9 1970	SECOND READING: FEB 9 1970
THIRD READING: FEB 9 1970	SIGNED: FEB 9 1970
PRESENTED TO MAYOR: FEB 10 1970	APPROVED: FEB 11 1970
RETD. TO CITY CLERK: FEB 11 1970	PUBLISHED: FEB 14 1970
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

McG

Ord 98838 - further amends sections 4.1 + 22.2

Unanimous Vote
YES ____ NO ____

See Back Cover

ORD 99872 AMENDING SECTIONS 3.05, 14A.2, 14A.4, 14A.7, 15.2 & 15.3.-RE DRIVE-IN BUSINESS USES.

Ord 100542 - further amends sec. 3.13

GFC:ME
2-2-70

ORDINANCE 98608

AN ORDINANCE relating to land use and zoning, amending Sections 2.2, 3.05, 3.13, 3.16, 3.20, 3.27, 4.1, 10.1, 11.1, 12.1, 12.3, 22.3 and 23.2 of and adding new Sections 11A.1, 11A.2, 11A.3, 11A.4, 11A.5 and 11A.6 to the Zoning Ordinance (86300).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 2.2 of the Zoning Ordinance (86300), as last amended by Ordinance 96202, is further amended to read as follows:

Section 2.2 Purpose of Residential Zones

2.21. General

Eleven residential zone classifications permit a variety of housing and population densities without conflict. Protection is provided against hazards, objectionable influences, traffic, building congestion, and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in R zones.

2.22. Single Family Residence Zones

Three single family residence zone classifications are provided to promote and protect various densities and uniformity of development within each. A Residence Waterfront zone classification recognizes special waterfront needs.

The RS 9600 zone provides low density chiefly in outlying areas or where required by soil conditions or topography.

The RS 7200 zone provides medium density of development where indicated by desirability or feasibility.

The RS 5000 zone protects basic minimum density of development chiefly in mature areas.

The RW zone permits houseboats and group pleasure boat moorages when compatible with permitted residential uses.

2.23 Duplex Residence Zone

Two duplex zone classifications permit two-family dwellings and, under certain conditions, three-family structures protected from more concentrated residential uses and permitting a greater variety of institutional uses.

The RD 7200 Zone permits the use and development of two or three-family dwellings on larger lots in outlying areas of the City.

The RD 5000 Zone permits two and three-family dwellings in appropriate areas of the City where lots are smaller.

2.24 Multiple Family Residence Zones

Five multiple-family residence zone classifications permit apartment houses and other group living, together with certain appropriate nonresidential uses. Transportation, major shopping and employment centers influence location of the multiple family zones.

The RM 1600 Zone provides for residential development of greater density than permitted in duplex zones but less than that allowed in the Multiple Residence Low Density Zone.

The RM 800 Zone provides for low density multiple-family dwellings.

The RMH 350 Zone provides for high density elevator apartment houses generally near the City center and at major subcenters near transportation facilities and for certain intensive institutional uses requiring residential environment.

The RMV 200 Zone provides for high density tower apartment houses in areas where such buildings will result in a minimum

of interference with view, and certain compatible institutional uses, located with desirable relationship to the City center or subcenters and employment areas, having proximity to adequate transportation facilities and other amenity features.

The RMV 150 Zone provides for the highest density tower apartment houses in areas where such buildings will result in a minimum of interference with view, and certain compatible institutional uses, located in close proximity to the City center or other major sub-centers and employment areas, having proximity to adequate transportation facilities and other amenity features.

Section 2. That Section 3.05 of the Zoning Ordinance (86300), as last amended by Ordinance 98426, is further amended to read as follows:

Section 3.05 "D"

DAY NURSERY

An establishment which provides supplemental parental care and supervision to a group of children during the whole or any portion of the day.

DORMITORY TOWER COMPLEX

A boarding, lodging, or rooming house utilizing a tower structure, being a building designed for occupancy by students, faculty or staff employees of an accredited institution of higher learning and by members of the operating staff of said building, and having not more than twenty (20) percent of the gross floor area of the tower structure devoted to dwelling units.

DRIVE-IN BUSINESS

A business where a customer is permitted or encouraged,

either by the design of physical facilities or by service and/or packaging procedures, to carry on his business, in the offstreet parking area accessory to the business, while seated in his motor vehicle.

DWELLING, DUPLEX

A detached building containing two dwelling units.

DWELLING, MULTIPLE

A building or portion thereof containing three or more dwelling units.

DWELLING, MULTIPLE FOR LOW INCOME ELDERLY

A multiple dwelling in which at least ninety (90) per cent of the dwelling units are occupied by one or more persons sixty-two (62) or more years of age who have maximum annual incomes of four thousand dollars ($4,000) per person, or five thousand dollars ($5,000) per couple.

DWELLING, SINGLE FAMILY

A detached building containing one dwelling unit.

DWELLING UNIT

A room or suite of two or more rooms that is designed for and not occupied by more than one family doing its own cooking therein and having only one kitchen facility located within a building.

DWELLING, TOWNHOUSE

A dwelling unit attached to one or more other dwelling units, each dwelling unit occupying space from the ground to the roof and being attached to other dwelling units at the side or rear by common walls located on lot lines.

Section 3. That Section 3.13 of the Zoning Ordinance (86300) as last amended by Ordinance 97998, is further amended to read as follows:

Amended 100542

Section 3.13 "L"

LODGING HOUSE (See Boarding House)

LOT

A platted or unplatted parcel of land unoccupied, occupied or to be occupied by a principle use or building and accessory buildings, together with such yards and open spaces as are required by this ordinance and abutting by not less than twenty (20) feet upon a street sufficiently improved for automotive travel or having an exclusive, unobstructed permanent access easement serving not more than two (2) principal uses and jointly owned by the two (2) property owners served and at least twenty (20) feet wide and not exceeding one hundred fifty (150) feet in length to such street; Provided, that lots for townhouse dwellings may abut upon a street or unobstructed permanent access easement by not less than twelve (12) feet and said easement may be not less than fifteen (15) feet in width and may serve up to ten (10) townhouse dwellings.

LOT AREA

The total horizontal area within the lot lines of a lot.

LOT, CORNER

A lot situated at the intersection of two streets, or bounded on two or more adjacent sides by street lot lines, provided that the angle of intersection of such street lot lines does not exceed one hundred thirty-five (135) degrees. For the purposes of the provisions of this Ordinance applying to corner lots, no corner lot shall be considered wider than seventy-five (75) feet and the remainder of such lot shall be considered as an interior lot.

LOT COVERAGE

That portion of a lot occupied by the principal building and its accessory buildings, expressed as a percentage of the total lot area.

LOT DEPTH

The mean horizontal distance between the front and rear lot lines.

LOT, INTERIOR

A lot other than a corner lot.

LOT, KEY

The first lot to the rear of a reversed corner lot whether or not separated by an alley.

LOT LINES

The property lines bounding a lot.

LOT LINE, FRONT

In the case of an interior lot the lot line separating the lot from the street, and in the case of a corner lot, either street lot line provided the other is considered to be a side street lot line.

LOT LINE, REAR

A lot line which is opposite and most distant from the front lot line and, in the case of an irregular, triangular, or gore-shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

LOT LINE, SIDE

Any lot line not a front lot line or a rear lot line.

LOT LINE, SIDE STREET

A lot line abutting upon a street other than a front lot line.

LOT LINE, STREET

A lot line abutting upon a street.

LOT, THROUGH

A lot having frontage on two parallel or approximately parallel streets.

LOT, REVERSED CORNER

A corner lot, the side street lot line of which is substantially a continuation of the front lot line of the Lot to its rear.

LOT, WATERFRONT

A lot any portion of which is offshore of or abuts upon the line of higher regulated lake level of Lake Washington, Lake Union and connecting fresh waters, or the line of ordinary high tide, or the line or ordinary high water of non-navigable lakes.

LOT WIDTH

The mean horizontal distance between side lot lines measured at right angles to the lot depth.

Section 4. That Section 3.16 of the Zoning Ordinance (86300), as last amended by Ordinance 90722, is further amended to read as follows:

Section 3.16 "O"

OPEN SPACE

Any part of a lot unobstructed from the ground upward except as specified in Section 22.4 of this Ordinance.

OPEN SPACE, USABLE

An outdoor area of such location, size and shape as to provide space for outdoor recreational activity, landscape features, or pedestrian access.

OPEN SPACE, PRIVATE USABLE

Usable open space which is screened from public view by fences, walls or foliage so as to restrict view from without and intended to be utilized by the occupants of a related dwelling unit.

Section 5. That Section 3.20 of the Zoning Ordinance (86300), as last amended by Ordinance 96252, is further amended to read as follows:

Section 3.20 "S"

SCREENING

A continuous fence supplemented with landscape planting or a continuous wall, evergreen hedge or combination thereof, that would effectively screen the property which it encloses, is at least four (4) feet high and not more than six (6) feet high and is broken only for access drives and walks.

SIGN, ADVERTISING

A structure or portion thereof that is intended for advertising purposes or on which letters, figures, or pictorial matter are, or are intended to be, displayed for advertising purposes other than the name, occupation and/or nature of the enterprise conducted on the premises. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.

SIGN, BUSINESS

Any sign, structure, or device identifying the premises on which located or the occupant of said premises, or signs relating to goods or services manufactured, produced, or available on said premises.

SIGN, ILLUMINATED

Any sign, nameplate or bulletin board which is illuminated exclusively by non-flashing reflected light.

SIGN, SELF-ILLUMINATED

Any sign, nameplate or bulletinboard in which the letters, figures, or pictorial matter are outlined by neon, fluorescent, incandescent or other lighting device in which the artificial light is maintained stationary and constant in intensity and color at all times when lighted.

SORORITY (See Fraternity)

SPECIAL EXCEPTION

Any of the modifications to the regulations of this Ordinance specified in Section 26.23.

STABLE, PRIVATE

An accessory building for the keeping of horses, cows, or other similar domestic animals owned by the occupants of the premises and not kept for remuneration, hire or sale.

STABLE, PUBLIC (See Riding Academy)

STORY

That portion of a building, except a mezzanine, included between the surface of any floor and the surface of the floor next above, except that the highest story is that portion of the building included between the highest floor surface and the ceiling or roof above. The basement shall be counted as a story.

STREET

A public way thirty (30) feet or more in width permanently open to public use including an avenue, place, drive, boulevard, parkway, highway, and any similar way, except an alley.

STREET LEVEL FLOOR SPACE

That portion of a floor of a building located within forty (40) feet of the exterior building face, and whose elevation is no more than half of a story above or below the elevation of the nearest adjacent street sidewalk.

STRUCTURAL ALTERATIONS

Any change in the supporting members of a building, such as foundations, bearing walls or partitions, columns, beams or girders, or any structural change in the roof.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, but not including fences and walls less than six (6) feet in height.

STRUCTURE, TOWNHOUSE

A structure containing two or more townhouse dwellings.

SUPERINTENDENT

THE SUPERINTENDENT OF BUILDINGS OF THE CITY OF SEATTLE.

Section 6. That Section 3.27 of the Zoning Ordinance (86300), as last amended by Ordinance 96395, is further amended to read as follows:

Section 3.27 "Z"

ZONE

A portion of the City designated on the Official Zoning Map of the City of Seattle as one of twenty-one (21) categories listed and described in Section 4.1 of this Ordinance for the purpose of promoting the orderly and harmonious development of land compatible with the surrounding areas and the Comprehensive Land Use Plan.

ZONE, R.

Includes RS 9600, RS 7200, RS 5000, RW, RD 7200, RD 5000, RM 1600, RM 800, RMH 350, RMV 200 and RMV 150 Zones.

ZONE, RS

Includes RS 9600, RS 7200, RS 5000 Zones.

ZONE, RD

Includes RD 7200 and RD 5000 Zones.

ZONE, B

Includes BN, BI, BC, or BM Zones.

ZONE, C

Includes CM, CMT or CG Zones.

ZONE, I

Includes IG or IH Zones.

ZONE, MORE INTENSIVE

In the list of zones in Section 4.11 each zone shall be deemed to be more intensive than the zone preceding it.

ZONE, LESS INTENSIVE

In the list of zones in Section 4.11 each zone shall be deemed to be less intensive than the zone succeeding it.

Section 7. That Section 4.1 of the Zoning Ordinance (86300), as last amended by Ordinance 96395, is further amended to read as follows:

Section 4.1 Zones

4.11 Zone Classifications

(a) For the purpose of this Ordinance, the City of Seattle is hereby divided into twenty (20) zone classifications designated as follows:

Zones	Abbreviated Designator
Single Family Residence Low Density Zone	RS 9600
Single Family Residence Medium Density Zone	RS 7200
Single Family Residence High Density Zone	RS 5000
Residence Waterfront Zone	RW
Duplex Residence Medium Density Zone	RD 7200
Duplex Residence High Density Zone	RD 5000
Multiple Residence Low Density Zone	RM 800
Multiple Residence High Density Zone	RMH 350
Multiple Residence High Density Variable Height Zone	RMV 200
Multiple Residence Highest Density Variable Height Zone	RMV 150
Multiple Residence Lowest Density Zone	RM 1600

Neighborhood Business Zone	BN
Intermediate Business Zone	BI
Community Business Zone	BC
Metropolitan Business Zone	BM
Metropolitan Commercial Zone	CM
Metropolitan Commercial Zone Temporary	CMT
General Commercial Zone	CG
Manufacturing Zone	M
General Industrial Zone	IG
Heavy Industrial Zone	IH

4.12 Zoning Map

The above zone classifications and the boundaries of such zones are hereby established as shown on a series of sectional maps, marked Exhibit "A," all of which maps constitute the OFFICIAL ZONING MAP OF THE CITY OF SEATTLE, and which Official Map is by this reference made a part of this Ordinance. Such map and all amendments thereto shall be filed in the office of the City Clerk. Each copy of this Ordinance prepared by or under the direction of the City, shall include a reduced sectional facsimile of said Official Map.

4.13 Zone Boundaries

(a) Unless the location of zone boundary lines is established by dimensions shown on the Official Zoning Map, or by reference to established lines, points, or features, the zone boundary lines are the center lines of streets, public alleys, parkways, waterways, or railroad rights-of-way, or in the case of navigable water, the pierhead or outer harbor lines, or in the case of Lake Union, the "Seattle Construction Limit Line" as established by Ordinance 92887.

Where such pierhead, outer harbor lines or construction limit lines are not established, then the zone boundary lines shall be on the water side of the natural shore line and five hundred (500) feet, measured at right angles, from such shore line. If the exact location of a zone boundary line cannot be determined otherwise, then such location shall be determined by measuring to scale on the Official Zoning Map.

(b) Where a zone boundary line parallel or approximately parallel to a street divides a lot between two zones, with street frontage only in the less intensive zone, then the provisions of this Ordinance covering the less intensive zoned portion of such lot may be extended to the entire lot, provided that such extension shall not be so applied as to permit the extension of any use which would otherwise be prohibited in an M or I zone.

(c) Where a zone boundary line parallel or approximately parallel to a street divides a lot between two zones, with street frontage in the more intensive zone, then the provisions of this Ordinance covering the more intensive zoned portion of such lot may be extended to the entire lot, or for twenty-five (25) feet from such zone boundary line, whichever is the lesser distance.

(d) Where a zone boundary line at right angles or approximately at right angles to a street divides a lot which fronts on such street, then the provisions of this Ordinance covering the more intensive zoned portion of such lot may be extended to the entire lot, or for twenty-five (25) feet from such zone boundary line, whichever is the lesser distance.

Section 8. That Section 10.1 of the Zoning Ordinance (86300), as last amended by Ordinance 96539, is further amended to read as follows:

Section 10.1 Principal Uses Permitted Outright

10.11 The following uses:

(a) RS 7200 principal uses permitted outright as specified and regulated in Article 7 unless modified in this Article.

(b) Duplex dwellings

(c) Three family dwellings (triplexes) provided that the lot area is at least nine thousand (9000) square feet; or where lot area is at least seventy-two hundred (7200) square feet provided the existing grade of the lot slopes at a rate of at least one on four for a distance of sixty (60) feet from front to back or from side to side and said slope condition exists along the street for the full block or one-hundred twenty (120) feet or more and provided further that at least one dwelling unit is in a basement.

10.12 Uses permitted when all buildings are located twenty (20) feet or more from any other lot in an R Zone:

Public and private colleges and universities for academic instruction, including dormitories owned and operated in connection therewith and accessory thereto; scientific and technological seminar centers and institutes for advanced study and other institutes organized as nonprofit entities for the advancement of knowledge, including theoretical and light physical laboratory research incidental thereto

and customarily incidental accessory uses, but excluding the performance of heavy types of laboratory physical research.

Section 9. That Section 11.1 of the Zoning Ordinance (86300), as last amended by Ordinance 96539, is further amended to read as follows:

Section 11.1 Principal Uses Permitted Outright

11.11 The following uses:

(a) RD 7200 Principal Uses permitted outright as specified and regulated in Article 10, unless modified in this Article.

(b) Three-family dwellings (triplexes) provided that the lot area is at least six thousand five hundred (6500) square feet; or where lot area is at least five thousand (5000) square feet provided the existing grade of the lot slopes at a rate of at least one on four for a distance of sixty (60) feet from front to back or from side to side and said slope condition exists along the street for the full block or one hundred twenty (120) feet or more and provided further that at least one dwelling unit is in a basement.

(c) Townhouse structures, subject to the following conditions:

(1) A townhouse structure shall contain at least two (2) and not more than ten (10) townhouse dwellings.

(2) The minimum lot area shall be at least sixteen hundred (1600) square feet per townhouse dwelling and Section 22.31 shall not apply.

(3) Each townhouse dwelling shall have a rear and front

yard totaling forty-five (45) feet, provided that the average of such front and rear yards for one townhouse structure shall be no less than twenty (20) feet and twenty-five (25) feet respectively and the minimum front or rear yard of any townhouse dwelling shall be not less than ten (10) feet. If townhouse dwellings make up an entire block front, the front yard may be reduced to five (5) feet, provided, however, that the townhouse dwelling abutting a less intensive zone or development shall provide front and rear yards as otherwise required in the zone.

(4) The minimum side yard for an end townhouse dwelling of a townhouse structure shall be five (5) feet, except as modified in Section 22.4.

(5) Townhouse dwellings shall not occupy more than fifty-five (55) percent of the lot and Section 22.5 shall not apply.

(6) No townhouse dwelling shall exceed a height of thirty-five (35) feet and Section 22.2 shall not apply.

(7) At least ten (10) feet of open space shall be provided between townhouse structures except when the overlap is ten (10) feet or less and then the open space may be reduced to five (5) feet.

(8) A minimum of fifteen (15) percent of the lot must be private usable open space.

(9) In townhouse dwelling developments consisting of five (5) or more townhouse dwellings the required

lot area may be reduced up to fifteen (15) percent by providing an equivalent amount of continuous common open space, not including required parking area.

(10) Required parking with connecting permanent pedestrian access shall be located within two hundred (200) feet of the townhouse dwelling that it serves.

(11) Each proposal for townhouse dwellings shall be reviewed in its preliminary form and approved in writing as to design prior to issuance of a building or use permit by the Director of Planning after receiving advice and recommendations from the Commission. Any applicant feeling aggrieved by a decision of the Director of Planning may appeal such decision within fourteen (14) days to the Council, citing the reasons therefor. The Council shall consider such appeal with or without a public hearing, and render a decision within 60 days of the filing of such appeal. The proposal will be judged as to design on the following criteria:

(a) Efficient and harmonious grouping of structures and space encouraging individuality of separate townhouse dwellings within a unifying design concept.

(b) Efficient parking for occupants and guests with adequate space for maneuvering.

(c) Provision for short-term parking of service and delivery vehicles.

(d) Provision for common open space.

(e) Space for children's playspace with allowance for visual supervision.

(f) Access points from all townhouse dwellings to common space separated from moving vehicles.

(g) Separation of pedestrians, common open spaces, and children's play spaces from moving vehicles.

(h) Clear definition between the private domain of the townhouse dwelling and the surrounding public domain.

(i) Screening of private spaces, as appropriate; and the Director of Planning may authorize fences exceeding the height limits established in Section 22.42(c) where necessary to achieve privacy.

(j) Adequate light and air.

(k) Provision for emergency access of escape, fire, ambulance and service.

(l) Enclosed garbage storage and collection area.

(m) Provision of space for control and maintenance of public utilities.

(n) Preservation of natural vegetation and topography to the greatest extent possible.

(o) Undergrounding of utilities.

(p) Due consideration for the impact of the townhouse dwelling proposal on the vicinity or zone in which the property is located.

Section 10. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.1 to read as follows:

ARTICLE 11A. RM 1600 MULTIPLE RESIDENCE LOWEST DENSITY ZONE.

Section 11A.1. Principal Uses Permitted Outright.

11A.11. The following uses:

(a) RD 5000 principal uses permitted outright as specified and

regulated in Article 11, unless modified in this Article.

(b) Three-family dwellings (triplexes) and four-family dwellings (fourplexes) subject to the following conditions:

(1) Each dwelling unit shall have at least four hundred (400) square feet of usable open space not including parking or accessory areas, utility areas, or required side yards.

(2) Offstreet parking spaces may be located in required side and rear street yards notwithstanding Section 22.41(d), which shall be provided with screening along street margins.

(3) Driveway access to the parking area shall occupy no more than twenty-five (25) percent of the front yard width.

(4) The minimum lot area shall be one thousand six hundred (1600) sq. ft. per dwelling unit and Section 22.31 shall not apply.

Section 11. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.2 to read as follows:

Section 11A.2. Principal Conditional Uses.

11A.21. The principal conditional uses set forth in Section 6.21 when authorized by the Council in accordance with Article 28.

11A.22. Principal conditional uses which the Board may authorize in less intensive zones unless modified in this Article.

Section 12. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.3 to read as follows:

Section 11A.3. Accessory Uses Permitted Outright.

11A.31. The following uses:

(a) RD 5000 Accessory Uses permitted outright as specified and regulated in Article 11 unless modified in this Article.

Section 13. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.4 to read as follows:

Section 11A.4. Accessory Conditional Uses.

11A.41. Accessory uses customarily incidental to the principal conditional uses specified in Section 6.21 are permitted when authorized by the Council in accordance with Article 28.

11A.42. The following uses permitted when authorized by the Board in accordance with Article 26:

(a) Accessory uses customarily incidental to the principal conditional uses specified in Section 11A.22 except as modified in this Article.

(b) Accessory conditional uses as set forth in Section 6.42 except as modified in this Article.

(c) Access driveway or walk not more than twenty (20) feet in width to premises in an RM 800, RMH 350, B, C or M Zone provided such driveway or walk is contiguous to the boundary of such zone.

Section 14. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.5 to read as follows:

Section 11A.5. Bulk Regulations.

11A.51. Height of Buildings

No building shall exceed a height of thirty-five (35) feet except churches, schools or hospitals

or sanitariums, which shall not exceed a height of fifty (50) feet, except as modified in Section 22.2.

11A.52. Lot Area.

No lot area shall be less than five thousand (5000) square feet except as modified in Section 22.3.

11A.53. Required Yards.

Each lot shall have front, side and rear yards of not less than the depths and widths as follows, except as modified in Section 22.4:

Front Yard:	Twenty (20) feet
Side Yards:	Five (5) feet for the least side yard and ten (10) feet for the sum of both side yards.
Rear Yard:	Twenty-five (25) feet.

11A.54. Lot Coverage.

Buildings shall not occupy more than thirty-five (35) percent of a lot, except as modified in Section 22.5.

Section 15. That the Zoning Ordinance (86300) is amended by adding thereto a new Section 11A.6 to read as follows:

Section 11A.6. Prohibited Uses.

(a) Uses not permitted by this Ordinance in RM 1600 or less intensive zones are prohibited.

(b) Riding academies.

(c) Private Stables.

(d) Maintenance of domestic fowl.

Section 16. That Section 12.1 of the Zoning Ordinance (86300) as last amended by Ordinance 96539, is further amended to read as follows:

Section 12.11. Principal Uses Permitted Outright.

(a) RM 1600 principal uses permitted outright as specified and regulated in Article 11A, unless modified in this Article.

(b) Apartment houses.

(c) Boarding, lodging and rooming houses.

(d) Art school, not including dance or music.

(e) Children's resident home.

(f) Day Nurseries and nursery schools subject to the following requirements:

(1) Such uses shall be established and operated under standards established in accordance with State laws governing child welfare.

(2) No lot so used shall be less than ten thousand (10,000) square feet in area.

(3) Maximum capacity shall be forty (40) children.

(4) There shall be provided on the lot a fenced play area of seven hundred fifty (750) square feet plus seventy-five (75) square feet for each child over ten (10) in number. Such play area shall be no closer than fifteen (15) feet from any other lot in an R Zone and shall be surrounded by screening on each side not facing the principal building.

(g) Fraternity, sorority or group student house.

(h) Student Multiple Dwelling, subject to the following conditions and requirements:

(1) Building site shall be on or within one thousand (1000) feet of the campus of a college or university, or other recognized institution of higher learning.

(2) The building shall be owned and regulated by such institution of higher learning.

(3) Such structures shall be occupied only by families in which either the husband or wife is a student enrolled in said institution.

(4) Four hundred (400) square feet or more of lot area shall be provided for each dwelling unit in such structures.

12.12. Uses permitted when all buildings or active play areas are located fifteen (15) feet or more from any other lot in an R zone:

(a) Church.

(b) Group dwellings for members of religious orders.

(c) A community club.

(d) Children's Institutions, subject to the following requirements:

(1) Such use shall be operated by a public or non-profit charitable organization or established and operated under standards established in accordance with State laws governing child welfare.

(2) No lot so used shall be less than ten thousand (10,000) square feet in area, plus one thousand (1,000) square feet for each child over fifteen (15) in number.

(e) Homes for the Retired and Nursing or Convalescent Homes, subject to the following conditions:

(1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.

(2) No lot so used shall be less than ten thousand (10,000) square feet in area.

(3) All principal buildings shall be located fifteen (15) feet or more from any other lot in an R Zone.

(4) No more than twenty (20) persons shall be in residence at one time.

12.13 Uses permitted when all principal buildings are located thirty (30) feet or more from any other lot in an R zone:

(a) Hospitals or Sanitariums not predominantly for psychiatric care, contagious diseases, epileptics, spastics, or drug or liquor addicts, provided that no lot so used shall be less than twenty thousand (20,000) square feet in area.

(b) Homes for the Retired and Nursing or Convalescent Homes accommodating more than twenty (20) persons in residence at one time, subject to the following conditions:

(1) Such homes shall be established and operated under standards established in accordance with State laws governing such homes.

(2) No lot so used shall be less than twenty thousand (20,000) square feet in area.

Section 17. That Section 12.3 of the Zoning Ordinance (86300) is amended to read as follows:

Section 12.31. Accessory Uses Permitted Outright.

(a) RM 1600 Accessory uses permitted outright as specified and regulated in Article 11A, unless modified in this Article.

(b) Accessory uses customarily incidental to a principal use permitted outright in this Article except of a type prohibited in Section 12.6.

Section 18. That Section 22.3 of the Zoning Ordinance (86300), as last amended by Ordinance 90722, is further amended to read as follows:

Section 22.3. Lot Area Modifications.

22.31. In the case of a corner lot, or a lot a side lot line of which abuts upon a street, place, or alley, the width of the lot may be increased by one-half (1/2) the width of the abutting side street, place, or alley, for the purpose of computing the number of dwelling units permitted in a duplex or multiple dwelling, provided that no lot width used in such computation shall exceed seventy-five (75) feet and that no lot area used in such computation shall exceed by more than twenty-five (25) per cent the actual net area of such lot.

22.32. Lot Area exceptions for one or two lots of single ownership:

(a) In any zone, except an M or I Zone, a single family dwelling may be established on a lot which cannot satisfy the lot area requirements of the zone, or on each of two such lots when they have a common side lot line, provided that all other bulk regulations shall apply and provided further that the owner of such lot or lots does not own any adjoining vacant property, and that the ownership of such lot or lots was of public record or under bona fide contract of

purchase prior to the effective date of this ordinance. Said exception shall not apply to three (3) or more such lots which are contiguous, vacant lots fronting on the same street and are held under the same ownership on or after the effective date of this Ordinance.

(b) In an RD, RM 1600, RM 800, RMH 350, B, or C Zone, a duplex dwelling may be established on a lot having less than the required lot area, provided that yard and lot coverage regulations shall apply and provided further that the owner of such lot does not own any adjoining vacant property and that such lot was of public record or under bona fide contract of purchase prior to the effective date of this Ordinance.

Section 19. That Section 23.2 of the Zoning Ordinance (86300), as last amended by Ordinance 92059, is further amended to read as follows:

Section 23.2. General Provisions

23.21. Size and Access

(a) Each offstreet parking space shall have an area of not less than one hundred sixty (160) square feet exclusive of access drives or aisles, and shall be of usable shape and condition. There shall be adequate provision for ingress and egress from each parking space.

23.22. Location

(a) Offstreet parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

(1) For single family and duplex dwellings - on the same lot with the building they are required to serve. For townhouse dwellings - not more than two hundred (200) feet from the townhouse dwelling they are required to serve, with connecting permanent pedestrian access.

(2) For multiple dwellings - not more than four hundred fifty (450) feet from the building they are required to serve.

(3) For houseboats, hospitals, sanitariums, childrens institutions, homes for the retired, nursing and convalescent homes, dormitories, boarding, rooming and lodging houses, community clubs and club rooms, fraternity, sorority and group student houses, not more than six hundred (600) feet from the building they are required to serve.

(4) For uses other than those specified above - not over eight hundred (800) feet from the building they are required to serve.

(5) No parking space shall be located in a required front yard or in a required side yard abutting upon a street except as provided in Section 22.4.

(6) Any parking facility provided in a building and when not on the same lot with the principal use to which it is accessory shall be considered for bulk regulation purposes, a principal use on the lot on which located.

(7) When accessory parking space is to be provided on a parcel of land or a lot whether or not contiguous

with the parcel or lot which is or will be the site of a principal building, then evidence shall be provided that a covenant has been filed with the King County Auditor, said covenant providing that the area used or to be used for parking accessory to the principal building located elsewhere shall be diverted or converted to no other use as long as the principal building to which the parking is accessory shall continue to exist.

23.23. Units of Measurement.

(a) In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of width of such seating facilities should be counted as one seat for the purpose of determining requirements for offstreet parking facilities under this Ordinance.

(b) When a unit of measurement determining the number of required parking spaces results in the requirements of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one parking space.

23.24. Espansions, Enlargements, or Change in Principal Use.

(a) Whenever any structure is enlarged or expanded, then offstreet parking spaces shall be provided for said expansion or enlargement in accordance with the requirements of Section 23.3; however, no parking spaces need be provided in the case of an enlargement or expansion where the number of parking spaces required

required for such expansion or enlargement is less than ten (10) percent of the parking spaces specified in Section 23.3 for a similar structure.

(b) Whenever, on a lot, there is a change in principal use and when the offstreet parking requirement specified in Section 23.3 for the new principal use is greater than the offstreet parking requirement specified for the principal use to be replaced, then offstreet parking spaces shall be provided in the amount of the difference of such requirements.

23.25. Mixed Occupancies.

(a) In the case of two or more uses in the same building, the total requirements for offstreet parking facilities shall be the sum of the requirements for the several uses computed separately. Offstreet parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified in Section 23.28 for joint use.

23.26. Uses Not Specified.

(a) In the case of a use not specifically mentioned in Section 23.3, the requirements for offstreet parking facilities shall be determined by the Board. Such determination shall be based upon the requirements for the most comparable use specified in Section 23.3.

23.27. Cooperative Parking Facility.

Up to fifteen (15%) per cent reduction in the number of required parking spaces for four (4) or more separate uses; ten (10) percent for three (3) separate uses; and five (5) percent for two (2) separate uses may be authorized by the

Superintendent following approval of a plan which complies with the following conditions:

(a) The plan shall be for a collective parking facility serving two or more buildings or uses developed through voluntary cooperation or under any parking district which may hereafter be provided by law.

(b) Such collective parking facility shall occupy an area of no less than twenty thousand (20,000) square feet.

23.28. Joint Use.

The Board may authorize the joint use of parking facilities by the following uses or activities under the following conditions:

(a) Up to fifty (50%) per cent of the parking facilities required by this section for a theater, bowling alley, dance hall, bar or restaurant may be supplied by the offstreet parking facilities provided by certain other types of buildings or uses specified in Section 23.28(d).

(b) Up to fifty (50%) per cent of the offstreet parking facilities required by this section for any building or use specified under (d) below may be supplied by the parking facilities provided for uses specified in Section 23.28(e).

(c) Up to one hundred percent (100%) of the parking facilities required by this Section for a church or for an auditorium incidental to a public or private or graded school may be supplied by the offstreet parking facilities provided by uses specified in Section 23.28(d).

(d) For the purposes of this Section, the following uses are considered as day-time uses; banks, business offices,

retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and other similar primarily day-time uses when authorized by the Board.

(e) For the purposes of this Section, the following uses are considered as night-time or Sunday uses: auditoriums incidental to a public or private graded school, churches, bowling alleys, dance halls, theaters, bars or restaurants; and other similar primarily night-time uses when authorized by the Board.

(f) Conditions required for joint use:

(1) The building or use for which application is being made to utilize the offstreet parking facilities provided by another building or use, shall be located within eight hundred (800) feet of such parking facilities.

(2) The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of offstreet parking facilities is proposed.

(3) A properly drawn legal instrument, executed by the parties concerned for joint use of offstreet parking facilities, duly approved as to form and manner of execution by the Corporation Counsel shall be filed with the Superintendent. Joint use parking privilege shall continue in effect only so long as such an instrument, binding on all parties,

remains in force. If such instrument becomes legally ineffective, then parking shall be provided as otherwise required by Article 23.

23.29. Use of Paved Recreation Space for Parking.

The Board may authorize the use of space designed and primarily used for recreation purposes for a portion of the required parking space under the following conditions and others deemed appropriate:

(a) Such parking areas shall be subject to all locational and development provisions of this Article.

(b) Such portions of the recreation area to be used for parking shall be paved with a durable, dustless, surface.

(c) Such parking space may be credited only to space requirements of the principal use which it is intended to serve.

(To be used for all Ordinances except Emergency.)

Section 20. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 9 day of February, 1970,

and signed by me in open session in authentication of its passage this 9 day of February, 1970 Phyllis Lamphere

President Pro Tem of the City Council.

Approved by me this 11 day of February, 1970. Charles M. Carroll

Acting Mayor.

Filed by me this 11 day of February, 1970

Attest: O. G. Richardson

City Comptroller and City Clerk.

(SEAL)

Published FEB 14 1970

By J. F. Fenton

Deputy Clerk.

CSS 8.1.6

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THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING • SEATTLE, WASHINGTON 98104
AREA CODE 206 TELEPHONE 583-2304

A. L. NEWBOULD, CORPORATION COUNSEL

CITY PROSECUTORS
ROBERT M. ELIAS
JACK B. REGAN
ROBERT B. JOHNSON

CLAIM AGENT
V. L. PORTER

February 2, 1970

Re: C. F. 265376.

Planning Committee
City Council
Seattle

Honorable Members:

Transmitted herewith is a proposed ordinance amending various sections of the Zoning Ordinance and creating a new RM 1600 zone, as requested in C. F. 265376. Your attention is directed to the following sections in which the City Planning Commission's proposed draft was substantially modified for clarity and to lawfully achieve the purposes expressed in said C. F."

1. Section 4. Section 3.16 contains definitions of words starting with the letter "O." In addition to the new definition for "open space, private usable," we have inserted the definition of "open space, usable," in this section as found in Section 3.22 so as to provide a ready comparison between "open spce," "open space, usable" and "open space, private usable."

2. Section 9. Section 11.11(c)(3) provides that the townhouse dwelling abutting a less intensive development or zone must provide front and rear side yards as otherwise required in the zone. The addition of "zone" is necessary to protect potential as well as existing conventional residential improvements, in our opinion.

Section 11.11(c)(11) has been modified to provide that the design review and approval of townhouse dwelling proposals will be by the Director of Planning after receiving the advice and recommendations from the City Planning Commission, rather than review and approval by the City Planning Commission itself. Under City Charter Article XIV, the City Planning Commission is advisory only, and administrative functions may not lawfully be assigned to it, in our opinion. We have provided a sixty day limit for deciding appeals from the decisions of the Director of Planning to the City

Council, using an analogy to the time limit for Board of Adjustment appeals, and the criteria for design approval by the City Council are the same as those applied by the Director of Planning.

3. Section 10. Section 11A.11(b) authorizes triplex and fourplex dwellings in the RM 1600 zone. The provisions proposed by the City Planning Commission require screening of off-street parking spaces along street margins. However, Section 22.41(d) prohibits storage of automobiles, trailers, boats and similar equipment in any required yard abutting a street for more than three consecutive days. Accordingly, we have provided in said Section 11A.11(b) that "offstreet parking spaces may be located in required side and rear street yards notwithstanding Section 22.41(d) which shall be provided with screening along street margins."

4. Section 19. Section 23.22(a) deals with the required proximity of offstreet parking spaces to the building served. We have modified said section to insert the townhouse dwelling requirement of Section 11.11(c)(11), to place such requirement in context with the parking location requirements for other uses.

Yours very truly,

A. L. NEWBOULD
Corporation Counsel

By Gordon F. Crandall

GORDON F. CRANDALL
Assistant

GFC:ME
Enc.

CSS 20.14

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported and Adopted
FEB 9 1970

Your Committee on PLANNING

to which was referred C. B. No. 90178

relating to land use and zoning, amending Sections 2.2, 3.05, 3.13, 3.16, 3.20, 3.27, 4.1, 10.1, 11.1, 12.1, 12.3, 22.3 and 23.2 of and adding new Sections 11A.1, 11A.2, 11A.3, 11A.4, 11A.5 and 11A.6 to the Zoning Ordinance (86300);

RECOMMENDS THAT THE SAME DO PASS.

Chairman

Phyllis Lamphere Chairman

Committee

Committee

WCH:ew 2/4/70
C. F. No. 265376

authorized representative ... 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

ORDINANCE NO. 98608

was published on February 14, 1970

M E Brown

Subscribed and sworn to before me on

February 14, 1970

Notary Public for the State of Washington, residing in Seattle.

(Note: RCW 42.28.060 states—"It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal——")

2.24 Multiple Family Residence ZONES

Five multiple-family residence ZONE classifications permit apartment houses and other group living, together with certain appropriate nonresidential USES. Transportation, major shopping and employment centers influence location of the multiple family ZONES.

The RM 1600 ZONE provides for residential development of greater density than permitted in duplex zones but less than that allowed in the Multiple Residence Low Density Zone.

The RM 800 ZONE provides for low density multiple-family DWELLINGS.

The RMH 350 ZONE provides for high density elevator APARTMENT HOUSES generally near the City center and at major subcenters near transportation facilities and for certain intensive institutional USES requiring residential environment.

The RMV 200 ZONE provides for high density tower APART-

ALLEY.

LOT LINES

The property lines bounding a LOT.

LOT LINE, FRONT

In the case of an INTERIOR LOT the LOT LINE separating the LOT from the STREET, and in the case of a CORNER LOT, either STREET LOT LINE provided the other is considered to be a SIDE STREET LOT LINE.

LOT LINE, REAR

A LOT LINE which is opposite and most distant from the FRONT LOT LINE and, in the case of an irregular, triangular, or gore-shaped LOT, a LINE ten (10) feet in length within the LOT, parallel to and at the maximum distance from the FRONT LOT LINE.

LOT LINE, SIDE

Any LOT LINE not a FRONT LOT LINE or a REAR LOT LINE.

LOT LINE, SIDE STREET

Single Family Residence Low Density ZONE...
Single Family Residence Medium Density ZONE
Single Family Residence High Density ZONE...
Residence Waterfront ZONE
Duplex Residence Medium Density ZONE
Duplex Residence High Density ZONE
Multiple Residence Low Density ZONE
Multiple Residence High Density ZONE
Multiple Residence High Density Variable Height ZONE
Multiple Residence Highest Density Variable Height ZONE
Multiple Residence Lowest Density ZONE
Neighborhood Business ZONE
Intermediate Business ZONE
Community Business ZONE
Metropolitan Business ZONE
Metropolitan Commercial ZONE
Metropolitan Commercial ZONE Temporary
General Commercial ZONE
Manufacturing ZONE
General Industrial ZONE
Heavy Industrial ZONE

4.12 Zoning Map

The above ZONE classifications and the boundaries of such ZONES are hereby established as shown on a series of sectional maps, marked Exhibit "A," all of which maps constitute the OFFICIAL ZONING MAP OF THE CITY OF SEATTLE, and which Official Map is by this reference

S. E.
C. O.
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