

ORDINANCES

Ordinance No. 123046

Council Bill No. 116551

An ordinance relating to land use and zoning; amending Sections 23.22.062, 23.24.045, 23.34.010, 23.34.018, 23.40.020, 23.41.006, 23.42.112, 23.43.008, 23.43.010, 23.43.012, 23.44.006, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.018, 23.44.022, 23.44.051, 23.44.060, 23.45.008, 23.45.016, 23.45.160, 23.46.004, 23.46.012, 23.47A.002, 23.47A.004, 23.47A.005, 23.47A.018, 23.47A.020, 23.49.014, 23.49.017, 23.49.030, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.012, 23.50.022, 23.50.051, 23.53.015, 23.53.020, 23.53.030, 23.55.020, 23.55.022, 23.55.028, 23.55.030, 23.55.034, 23.69.021, 23.71.016, 23.74.004, 23.74.010, 23.76.004, 23.76.024, 23.76.058, 23.76.060, 23.84A.006, 23.84A.024, 23.84A.036, 23.84A.038, and 23.86.010 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments; adding a new Section 23.42.030; repealing Section 23.40.050; and authorizing the Code Reviser to amend all references in Title 23 of the Seattle Municipal Code to "chart."

Related Legislation File:

Date Introduced and Referred: <u>6-8-09</u>	To: (committee): <u>Planning, Land Use and Neighborhoods</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>7-27-09</u>	Date Presented to Mayor: <u>7-27-09</u>
Date Signed by Mayor: <u>7-28-09</u>	Date Returned to City Clerk: <u>7-30-09</u>
Published by Title Only <u>130</u>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: [Signature]

Committee Action:

Date	Recommendation	Vote
<u>7/22/09</u>	<u>APPROVE AS AMENDED</u>	<u>2-0 SC/TB</u>

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

Full Council Action:

Date	Decision	Vote
<u>7-27-09</u>	<u>Passed</u>	<u>9-0</u>

Law Department

ORDINANCE 123046

1 AN ORDINANCE relating to land use and zoning; amending Sections 23.22.062, 23.24.045,
2 23.34.010, 23.34.018, 23.40.020, 23.41.006, 23.42.112, 23.43.008, 23.43.010, 23.43.012,
3 23.44.006, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.018, 23.44.022,
4 23.44.051, 23.44.060, 23.45.008, 23.45.016, 23.45.160, 23.46.004, 23.46.012,
5 23.47A.002, 23.47A.004, 23.47A.005, 23.47A.018, 23.47A.020, 23.49.014, 23.49.017,
6 23.49.030, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.012, 23.50.022, 23.50.051,
7 23.53.015, 23.53.020, 23.53.030, 23.55.020, 23.55.022, 23.55.028, 23.55.030, 23.55.034,
8 23.69.021, 23.71.016, 23.74.004, 23.74.010, 23.76.004, 23.76.024, 23.76.058, 23.76.060,
9 23.84A.006, 23.84A.024, 23.84A.036, 23.84A.038, and 23.86.010 of the Seattle
Municipal Code, to correct typographical errors, correct section references, clarify
regulations, and make minor amendments; adding a new Section 23.42.030; repealing
Section 23.40.050; and authorizing the Code Reviser to amend all references in Title 23
of the Seattle Municipal Code to "chart."

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

11 Section 1. Subsection A of Section 23.22.062 of the Seattle Municipal Code, which
12 section was last amended by Ordinance 122190, is amended as follows:

13 **23.22.062 Unit lot subdivisions((=))**

14 A. The provisions of this section apply exclusively to the unit subdivision of land for
15 townhouses, cottage housing developments, ~~((residential))~~ and cluster development~~((s,))~~ for
16 housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-
17 family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any
18 combination of the above types of residential development, as permitted in the applicable zones.
19
20

21 * * *

22 Section 2. Subsection A of Section 23.24.045 of the Seattle Municipal Code, which
23 section was last amended by Ordinance 122190, is amended as follows:

24 **23.24.045 Unit lot subdivisions((=))**

1 A. The provisions of this section apply exclusively to the unit subdivision of land for
2 townhouses, cottage housing developments, ~~((residential))~~ and cluster development~~((s))~~ for
3 housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-
4 family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any
5 combination of the above types of residential development, as permitted in the applicable zones.

6 * * *

7
8 Section 3. Section 23.34.010 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 122575, is amended as follows:

10 **23.34.010 Designation of single-family zones~~((r))~~**

11 A. Except as provided in subsections B or C of ~~((this s))~~ Section 23.34.010, single-
12 family zoned areas may be rezoned to zones more intense than ~~((s))~~ Single-family 5000 only if
13 the City Council determines that the area does not meet the criteria for single-family designation.
14

15 B. Areas zoned single-family or RSL that meet the criteria for single-family zoning
16 contained in subsection B of Section 23.34.011 and that are located within the adopted
17 boundaries of an urban village may be rezoned to zones more intense than ~~((s))~~ Single-family
18 5000 when all of the following conditions are met:

19 1. A neighborhood plan has designated the area as appropriate for the zone
20 designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix when applicable;
21

22 2. The rezone is:

23 a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem
24 (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage
25
26
27
28

1 (RSL/TC), Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1), ~~((e#))~~ Lowrise 1/Residential-
2 Commercial (L1/RC), or

3 b. Within the areas identified on Map P-1 of the adopted North Beacon
4 Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone
5 with a 30~~((!))~~ foot or 40~~((!))~~foot height limit~~((:))~~, or

6 c. Within the residential urban village west of Martin Luther King Junior
7 Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a Lowrise
8 Duplex/Triplex (LDT), Lowrise 1 (L1) or Lowrise 2 (L2) zone.

9
10 C. Areas zoned single-family within the Northgate Overlay District, established pursuant
11 to Chapter 23.71, that consist of one or more lots and meet the criteria for single-family zoning
12 contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone to a
13 neighborhood commercial zone if the rezone is limited to blocks (defined for the purpose of this
14 subsection C as areas bounded by street lot lines) in which more than 80 ~~((%)~~) percent of that
15 block is already designated as a neighborhood commercial zone.
16

17 Section 4. Section 23.34.018 of the Seattle Municipal Code, which section was last
18 amended by Ordinance 118794, is amended as follows:

19 **23.34.018 Lowrise 2 (L2) zone, function and locational criteria~~((:))~~**

20 * * *

21
22 B. Locational Criteria. Lowrise 2 zone designation is most appropriate in areas generally
23 characterized by the following:

24 1. Development Characteristics of the Areas.
25
26
27
28

1 a. Areas that feature a mix of single-family structures and small to
2 medium multifamily structures generally occupying one ~~((1))~~ or two ~~((2))~~ lots, with heights
3 generally less than ~~((thirty-))~~30~~((9))~~ feet;

4 b. Areas suitable for multifamily development ~~((where))~~ if topographic
5 conditions and the presence of views make it desirable to limit height and building bulk to retain
6 views from within the zone;

7 c. Areas occupied by a substantial amount of multifamily development
8 ~~((where))~~ if factors such as narrow streets, on-street parking congestion, local traffic congestion,
9 lack of alleys, and irregular street patterns restrict local access and circulation and make an
10 intermediate intensity of development desirable.
11

12 2. Relationship to the Surrounding Areas.

13 a. Properties that are well-suited to multifamily development, but where
14 adjacent single-family areas make a transitional scale of development desirable. It is desirable
15 that there be a well-defined edge such as an arterial, open space, change in block pattern,
16 topographic change or other significant feature providing physical separation from the single-
17 family area. However, this is not a necessary condition ~~((where))~~ if existing moderate scale
18 multifamily structures have already established the scale relationship with abutting single-family
19 areas;
20
21

22 b. Properties that are definable pockets within a more intensive area,
23 ~~((where))~~ if it is desirable to preserve a smaller scale character and mix of densities;
24
25
26
27
28

1 c. Properties in areas otherwise suitable for higher density multifamily
2 development but where it is desirable to limit building height and bulk to protect views from
3 uphill areas or from public open spaces and scenic routes;

4 d. Properties where vehicular access to the area does not require travel on
5 "residential access streets" in less intensive residential zones.

6 C. Areas zoned single family that meet the locational criteria for single-family
7 designation may be rezoned to L2 only if the provisions of subsection 23.34.010.B are met.

8
9 Section 5. Subsection A of Section 23.40.020 of the Seattle Municipal Code, which
10 section was last amended by Ordinance 120691, is amended as follows:

11 **23.40.020 Variances((~~r~~))**

12 A. Variances may be sought from the provisions of Subtitle ~~((IV, Parts))~~ III, Divisions 2
13 and 3 of this Land Use Code, ~~((as applicable,))~~ except for the establishment of a use ~~((which))~~
14 that is otherwise not permitted in the zone in which it is proposed, for a structure ~~((maximum))~~
15 height in excess of that ~~((which is))~~ shown on the Official Land Use Map, from the provisions of
16 Section 23.55.014.A, or from the provisions of Chapter 23.52. Applications for prohibited
17 variances shall not be accepted for filing.
18

19 * * *

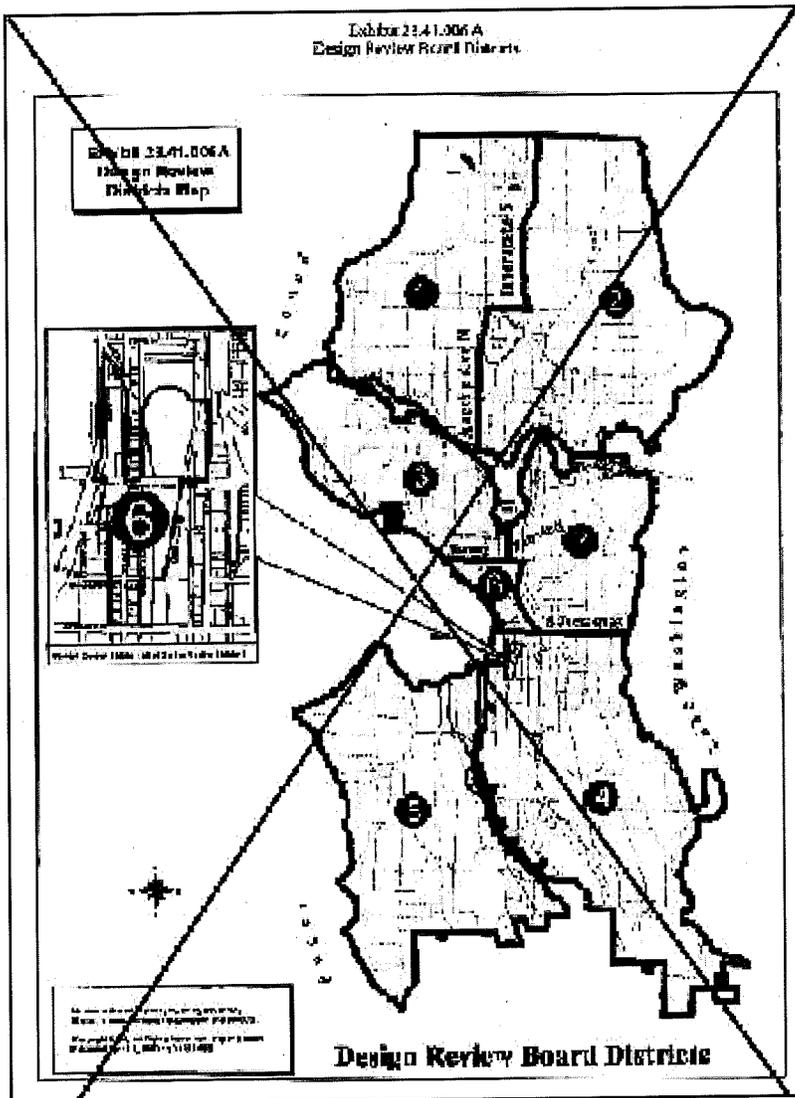
20
21 Section 6. Section 23.40.050, relating to the Demonstration program for innovative
22 housing design, which section was last amended by Ordinance 122311 of the Seattle Municipal
23 Code, is repealed.

24 Section 7. Section 23.41.006 of the Seattle Municipal Code, which section was last
25 amended by Ordinance 119972, is amended as follows:
26

23.41.006 Design Review Districts Map((7))

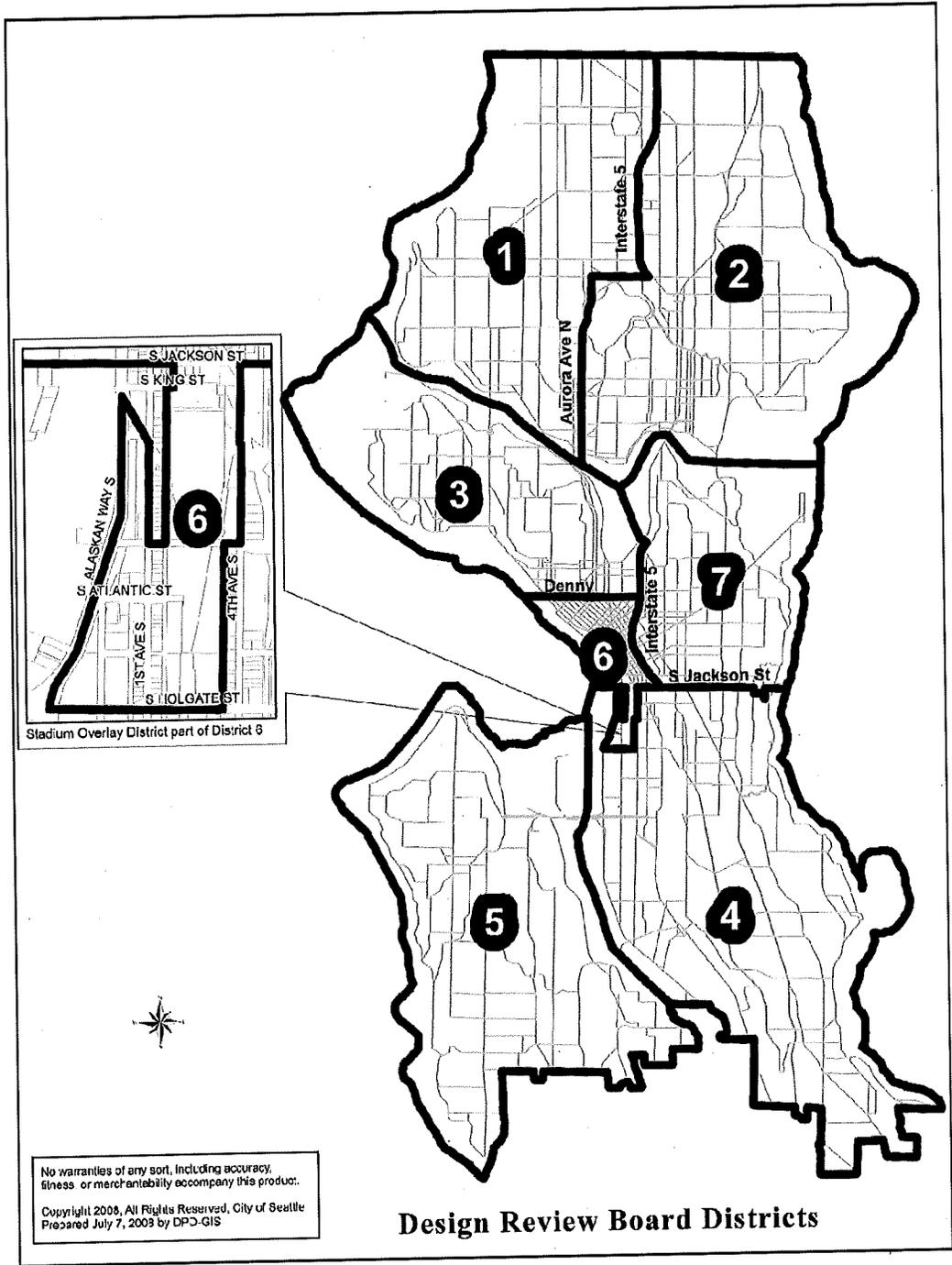
For the purposes of design review, the City shall be divided into seven ((7)) districts, as depicted on the Design Review Districts Map, Map A for ((Exhibit))23.41.006((A)).

Section 8. Exhibit 23.41.006 A of the Seattle Municipal Code, which section was last amended by Ordinance 119972, is amended by replacing Exhibit 23.41.006 A with a new map, as follows:



Map A for 23.41.006
Design Review Board Districts

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



1 Section 9. A new section, Section 23.42.030, is added to the Seattle Municipal Code as
2 follows:

3 **23.42.030 Access to Uses**

4 Vehicular and pedestrian access may be provided to a use in one zone across property in
5 a different zone, but only if the use to which access is being provided is permitted, either outright
6 or as a conditional use, in the zone across which access is to be provided.

7 Section 10. Subsection A of Section 23.42.112 of the Seattle Municipal Code, which
8 section was last amended by Ordinance 121762, is amended as follows:

9
10 **23.42.112 Nonconformity to Development Standards((s))**

11 A. A structure nonconforming to development standards may be maintained, renovated,
12 repaired or structurally altered but ~~((shall be prohibited from))~~ may not be expand((ing))ed or
13 extend((ing))ed in any manner that increases the extent of nonconformity or creates additional
14 nonconformity, except:

15
16 1. Any portion ((Portions)) of a principal structure((s)) in a Single Family
17 zone((s)) that is((are)) nonconforming to front and/or rear yard requirements may be increased in
18 height by up to ((five-))5((t)) feet, but not to exceed the height limit of the zone, and only to the
19 extent necessary to achieve minimum ceiling height in an existing basement or ((attie)) another
20 floor within the principal structure to conform to the City's regulations for habitable rooms or to
21 accommodate a pitched roof on the principal structure. If the height of a principal structure is
22 being raised to increase ceiling height in a basement or another floor, existing porches or steps
23 may extend into a required yard to the extent necessary to meet Building Code standards, but in
24 no case shall they be located closer than 3 feet to any lot line.
25
26

2. As otherwise required by law;
3. As necessary to improve access for the elderly or disabled; or
4. As specifically permitted for nonconforming uses and nonconforming

structures elsewhere in this Code.

* * *

Section 11. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which
Section was amended by Ordinance 122823, is amended as follows:

23.43.008 Development standards for one dwelling unit per lot((:))

* * *

D. Yards and Setbacks.

1. Front and Rear Yards.

- a. The sum of the front yard plus the rear yard shall be a minimum of
((~~thirty~~))30((:)) feet.
- b. In no case shall either yard have a depth of less than ((~~ten~~))10((:)) feet.
- c. If recommended in a neighborhood plan adopted or amended by the
City Council after January 1, 1995, an ordinance designating an area as RSL may require front
and/or rear yard setbacks greater than ((~~ten~~))10((:)) feet, provided that the requirement of
subsection 23.43.008.D.1.a ((~~of this section~~)) shall not be increased or decreased, and the
requirement of subsection 23.43.008.D.1.b ((~~of this section~~)) shall not be reduced.

2. Side Setbacks. The required minimum side setback is ((~~shall be five~~))5((:))
feet. The side setback may be averaged. No portion of the side setback shall be less than ((~~three~~
))3((:)) feet, except as follows:

1 a. Street side setbacks shall be a minimum of ~~((five-))~~5(~~(+)~~) feet.

2 b. If an easement is provided along a side lot line of the abutting lot
3 sufficient to leave a ~~((ten-))~~10(~~(+)~~) foot separation between the two ~~((2))~~ principal structures of
4 the two ~~((2))~~ lots, the required side yard may be reduced from the requirement of subsection
5 23.43.008.D.2 ~~((above))~~. The easement shall be recorded with the King County Department of
6 Records and Elections. The easement shall provide access for normal maintenance activities to
7 the principal structure on the lot with less than the required side setback. No principal structure
8 shall be located in the easement area, except that the eaves of a principal structure may project a
9 maximum of ~~((eighteen-))~~18(~~(+)~~) inches into the easement area. No portion of any structure,
10 including eaves, shall cross the property line.

11
12 3. Exceptions from Standard Yard and Setback Requirements. For all
13 developments except cluster developments, only structures that comply with the following may
14 project into a required yard or setback:

15
16 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
17 uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are
18 no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line,
19 no wider than 6 feet, and project no more than 6 feet into a required front or rear yard. The
20 heights of porches and steps are to be calculated separately.

21
22 b. Certain Features of a Structure.

23 1) External architectural features with no living area such as
24 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard
25 or setback;

1 4. Total Combined Yards. The total of the front yard, rear yard (if any), and the
2 interior separation ~~((shall))~~ is required to be a minimum of ~~((thirty-five-))~~35(~~(9))~~ feet.

3 5. Modification of Front and Rear Yards. If recommended in a neighborhood plan
4 adopted or amended by the City Council after January 1, 1995, an ordinance designating an area
5 as RSL may require front and/or rear yard setbacks greater than ~~((ten-))~~10(~~(9))~~ feet (except for
6 rear yards where platted and developed alleys exist), subject to the provisions of subsections
7 23.43.010.C.1, C.2, C.3, and C.4 ~~((of this section))~~, and provided that the required total
8 combined yards ~~((shall))~~ does not exceed ~~((thirty-five-))~~35(~~(9))~~ feet.

9 6. Side Setbacks. The required minimum side setback is ~~((shall be five-))~~5(~~(9))~~
10 feet. The side setback may be averaged. No portion of the side setback shall be less than ~~((three~~
11 ~~(9))~~3(~~(9))~~ feet, except as follows:

12 a. Street side setbacks ~~((shall))~~ is required to be a minimum of ~~((five~~
13 ~~(9))~~5(~~(9))~~ feet.

14 b. If an easement is provided along a side lot line of the abutting lot
15 sufficient to leave a ~~((ten-))~~10(~~(9))~~ foot separation between the two ~~((2))~~ principal structures of
16 the two ~~((2))~~ lots, the required side setback may be reduced from the requirement of Section
17 ~~((23.43.008 D2))~~23.43.010.C.6. The easement shall be recorded with the King County
18 Department of Records and Elections. The easement shall provide access for normal
19 maintenance activities on the principal structure on the lot with less than the required side
20 setback. No principal structure shall be located in the easement area, except that eaves of a
21 principal structure may project a maximum of ~~((eighteen-))~~18(~~(9))~~ inches into the easement area.
22 No portion of any structure, including eaves shall cross the property line.

7. Exceptions from Standard Yard, Setback and Interior Separation

1
2 Requirements. For all developments, only structures that comply with the following may project
3 into a required yard, setback or interior separation:

4 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
5 uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are
6 no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line,
7 no wider than 6 feet, and project no more than 6 feet into a required front or rear yard, and no
8 more than 3 feet into the interior separation between residential structures. The heights of
9 porches and steps are to be calculated separately.

10
11 b. Certain Features of a Structure.

12 1) External architectural features with no living area such as
13 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard,
14 setback or interior separation between residential structures;

15
16 2) Bay windows that are no wider than 8 feet in width and project no
17 more than 2 feet into a required front or rear yard or street side setback;

18 3) Other external architectural features that include interior space
19 such as garden windows, and project no more than 18 inches into a required yard, setback, or
20 interior separation between residential structures starting a minimum of 30 inches above the
21 height of a finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

22
23 4) The combined area of features that project into a required yard,
24 setback or interior separation between residential structures pursuant to subsection 23.43.010.

1 C.7.b may comprise no more than 30 percent of the area of the façade on which the features are
2 located.

3 * * *

4 Section 13. Subsection E of Section 23.43.012 of the Seattle Municipal Code, which
5 Section was adopted by Ordinance 117430, is amended as follows:

6 **23.43.012 Cottage Housing Developments (CHDs)**~~(())~~

7 * * *

8 E. Yards and Setbacks.

9
10 1. Front ~~((Yards))~~ Setback. The minimum front ~~((yard))~~ setback for cottage
11 housing developments ~~((shall be))~~ is an average of ~~((ten-))~~10~~(())~~ feet, and at no point shall it be
12 less than ~~((five-))~~5~~(())~~ feet.

13 2. Rear Yards. The ~~((minimum))~~ rear yard for a cottage housing development
14 shall be ~~((ten-))~~10~~(())~~ feet.

15 3. Side Yards. The ~~((minimum required))~~ side yard for a cottage housing
16 development shall be ~~((five-))~~5~~(())~~ feet. ~~((When))~~ If there is a principal entrance along a side
17 facade, the side yard shall be no less than ~~((ten-))~~10~~(())~~ feet along that side for the length of the
18 pedestrian route. This ~~((ten-))~~10~~(())~~ foot side yard ~~((shall apply))~~ requirement applies only to a
19 height of ~~((eight-))~~8~~(())~~ feet above the access route.

20 4. Interior Separation ~~((for Cottage Housing Developments))~~. ~~((There shall be~~
21 a)) A minimum separation of ~~((six-))~~6~~(())~~ feet is required between principal structures. Facades
22 of principal structures facing facades of accessory structures shall be separated by a minimum of
23
24
25
26
27
28

1 ((~~three~~)3(~~0~~)) feet. ((~~When~~)) If there is a principal entrance on an interior facade of either or
2 both of the facing facades, the minimum separation shall be ((~~ten~~)10(~~0~~)) feet.

3 5. Exceptions from Standard Yard, Setback and Interior Separation Requirements.

4 For all developments, only structures that comply with the following may project into a required
5 yard, setback or interior separation:

6 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
7 uncovered, unenclosed steps that project into a required front setback, a side or a rear yard, if the
8 porch or steps are no higher than 4 feet on average above existing grade, no closer than 3 feet to
9 any side lot line, no wider than 6 feet, and project no more than 6 feet into a required front
10 setback or rear yard. The heights of porches and steps are to be calculated separately. If an
11 interior separation of 10 feet is required pursuant to subsection 23.43.012.E.4, uncovered,
12 unenclosed steps no higher than 4 feet on average above existing grade may project up to 3 feet
13 into the interior separation. If an interior separation of 6 feet or less is required, porches and
14 steps may not project into the interior separation.

15 b. Certain Features of a Structure.

16 1) External architectural features with no living area such as
17 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard
18 or into a required interior separation between structures;

19 2) Bay windows that are no wider than 8 feet and project no more
20 than 2 feet into a required front setback or rear yard;

21 3) Other external architectural features that include interior space
22 such as garden windows, and project no more than 18 inches into a required front setback or rear
23

1 yard, starting a minimum of 30 inches above the height of a finished floor, and with maximum
2 dimensions of 6 feet in height and 8 feet in width;

3 4) The combined area of features that project into a required yard or
4 interior separation pursuant to subsection 23.43.012.E.5.b may comprise no more than 30 percent
5 of the area of the façade on which the features are located.

6 Section 14. Subsection C of Section 23.44.006 of the Seattle Municipal Code, which
7 section was last amended by Ordinance 122311, is amended as follows:

8 **23.44.006 Principal uses permitted outright((:))**

9 * * *

10 C. Parks and open space; ~~((, including customary buildings and activities, provided that~~
11 ~~garages and service or storage areas accessory to parks are located one hundred (100) feet or~~
12 ~~more from any other lot in a residential zone and are obscured from view from each such lot.))~~

13 * * *

14 Section 15. Subsection D of Section 23.44.010 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 122823, is amended as follows:

16 **23.44.010 Lot requirements((:))**

17 * * *

18 D. Lot Coverage Exceptions.

19 1. Lots Abutting Alleys. For purposes of computing the lot coverage only:

20 a. The area of a lot with an alley or alleys abutting any lot line may be
21 increased by ~~((one-half ()))~~ 1/2(()) of the width of the abutting alley or alleys.

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

23.44.012 Height limits((=))

A. Maximum Height Established.

1. Except as permitted in Section 23.44.041_B, and except as provided in subsection((s)) 23.44.012.A.2((below)), the maximum permitted height for any structure not located in a required yard((s shall not exceed thirty(-)) is 30((+)) feet.

2. The maximum permitted height for any structure on a lot((s thirty(-)) 30((+)) feet or less in width ((shall not exceed)) is ((twenty five(-))25((+)) feet.

3. The method of determining structure height and lot width ((are))is detailed in Chapter 23.86, Measurements.

* * *

Section 17. Section 23.44.014 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.014 Yards((=))

Yards are required for every lot in a single-family residential zone. A yard (~~which~~) that is larger than the minimum size may be provided.

* * *

C. Side yards. The side yard shall be ((five(-)) 5((+)) feet except as follows:

1. In the case of a reversed corner lot, the key lot of which is in a single-family zone, the width of the side yard on the street side of the reversed corner lot shall be not less than ((ten(-)) 10((+)) feet.

1 2. ~~((When))~~ If the side yard of a lot borders on an alley, a single-family structure
2 may be located in the required side yard, provided that no portion of the structure may cross the
3 side lot line.

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

6 1. Garages. Garages may be located in a required yard~~((s))~~ subject to the
7 standards of Section 23.44.016.
8

9 2. Certain Accessory Structures in Side and Rear Yards.

10 a. Any accessory structure that complies with the requirements of Section
11 23.44.040 may be constructed in a side yard ~~((which))~~ that abuts the rear or side yard of another
12 lot, or in that portion of the rear yard of a reversed corner lot within ~~((five-))~~5~~((+))~~ feet of the key
13 lot and not abutting the front yard of the key lot, upon recording with the King County
14 Department of Records and Elections an agreement to this effect between the owners of record
15 of the abutting properties. ~~((Garages may be located in that portion of a side yard which is either~~
16 ~~within thirty five (35) feet of the centerline of an alley or within twenty five (25) feet of any rear~~
17 ~~lot line which is not an alley lot line, without providing an agreement as provided in Section~~
18 23.44.016.))

19 b. Any detached accessory structure that complies with the requirements
20 of Section 23.44.040 may be located in a rear yard, provided that on a reversed corner lot, no
21 accessory structure shall be located in that portion of the required rear yard that abuts the
22 required front yard of the adjoining key lot, nor shall the accessory structure be located closer
23
24
25
26
27
28

1 than 5 feet from the key lot's side lot line unless the provisions of subsections 23.44.014.D.2.a or
2 23.44.016.D.9 apply.

3 3. A single-family structure may extend into one ~~((1))~~ side yard if an easement
4 is provided along the side or rear lot line of the abutting lot, sufficient to leave a ~~((ten-))~~10~~(())~~
5 foot separation between that structure and any principal ~~((or accessory))~~ structure~~((s))~~ on the
6 abutting lot. The 10 foot separation shall be measured from the wall of the principal structure
7 that is proposed to extend into a side yard to the wall of the principal structure on the abutting
8 lot.

9
10 a. No structure or portion of a structure may be built on either lot within
11 the 10 foot separation, except as provided in this section.

12 b. Accessory structures and ~~((F))~~features of and projections from principal
13 structures, such as porches, eaves, and chimneys ~~((shall be))~~ are permitted in the ~~((ten-))~~10~~(())~~
14 foot separation area if allowed by subsection 23.44.014.D. ~~((as if the property line were five (5)~~
15 feet from the wall of the house on the dominant lot, provided that no)) For purposes of
16 calculating the distance a structure or feature may project into the 10 foot separation, assume the
17 property line is 5 feet from the wall of the principal structure proposed to extend into a side yard
18 and consider the 5 feet between the wall and the assumed property line to be the required side
19 yard.

20
21 c. No portion of ~~((either principal))~~ any structure, including ~~((eaves))~~any
22 projection, shall cross the ~~((actual))~~ property line.
23
24
25
26
27
28

1 d. The easement shall be recorded with the King County Department of
2 Records and Elections. The easement shall provide access for normal maintenance activities to
3 the principal structure on the lot with less than the required 5 foot side yard.

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

12 a. Side Yard. ~~((When))~~ If the addition is a side wall, the existing wall line
13 may be continued by the addition except that in no case shall the addition be closer than ~~((three~~
14 ~~))~~3~~((+))~~ feet to the side lot line;

15 b. Rear Yard. ~~((When))~~ If the addition is a rear wall, the existing wall line
16 may be continued by the addition except that in no case shall the addition be closer than ~~((twenty~~
17 ~~))~~20~~((+))~~ feet to the rear lot line or centerline of an alley abutting the rear lot line;

18 c. Front Yard. ~~((When))~~ If the addition is a front wall, the existing wall
19 line may be continued by the addition except that in no case shall the addition be closer than
20 ~~((fifteen-))~~15~~((+))~~ feet to the front lot line;

21 d. ~~((When))~~ If the nonconforming wall of the single-family structure is not
22 parallel or is otherwise irregular, relative to the lot line, then the Director shall determine the
23

1 limit of the wall extension, except that the wall extension shall not be located closer than
2 specified in subsections 23.44.014.D((3)).4.a, b, and ((-)) c ((above)).

3 e. Roof eaves, gutters, and chimneys on such additions may extend an
4 additional 18 inches into a required yard, but in no case shall such features be closer than 2 feet
5 to the side lot line.

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

11 6. ~~((Special))~~ Certain Features of a Structure. ~~((Special))~~ Unless otherwise
12 provided elsewhere in this chapter, certain features of a structure may extend into required yards
13 ((subject to the following standards)) only if they comply with the following ~~((, unless permitted~~
14 ~~elsewhere in this chapter))~~:

15 a. External architectural details with no living area, such as chimneys,
16 eaves, cornices and columns, may project no more than ~~((eighteen-))18(())~~ inches into any
17 required yard;

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

20 c. Other projections ~~((which))~~ that include interior space, such as garden
21 windows, may extend no more than ~~((eighteen-))18(())~~ inches into any required yard, starting a
22

1 minimum of ~~((thirty-))~~30(~~(t))~~) inches above finished floor, and with maximum dimensions of
2 ~~((six-))~~6(~~(t))~~) feet ~~((tall))~~ in height and ~~((eight-))~~8(~~(t))~~) feet ~~((wide))~~ in width;

3 d. The combined area of features permitted by ~~((#))~~ subsections
4 23.44.014.D.6.b and c ~~((above))~~ may comprise no more than ~~((thirty-))~~30(~~(t))~~) percent of the area
5 of the facade.

6 7. Covered Unenclosed Decks(~~(s))~~) and Roofs Over Patios(~~(s) and Other Accessory~~
7 ~~Structures in Rear Yards~~)).~~((a.))~~ Covered, unenclosed decks and roofs over patios, if attached to
8 a principal structure, may extend into the required rear yard, but shall not be within ~~((twelve~~
9 ~~(t))~~12(~~(t))~~) feet of the centerline of any alley, ~~((#))~~ or within ~~((twelve-))~~12(~~(t))~~) feet of any rear lot
10 line ~~((which))~~ that is not an alley lot line, or closer to any side lot line in the required rear yard
11 than the side yard requirement of the principal structure along that side, ~~((#))~~ or closer than ~~((five~~
12 ~~(t))~~5(~~(t))~~) feet to any accessory structure. The height of the roof over unenclosed decks and patios
13 shall not exceed 12 feet. The roof over such decks or patios shall not be used as a deck.

14 15
16 8. Access Bridges. Uncovered, unenclosed pedestrian bridges 5 feet or less in
17 width and of any height(~~(s))~~) necessary for access ~~((and five (5) feet or less in width))~~, are
18 permitted in required yards, except that in side yards an access bridge must be at least ~~((three~~
19 ~~(t))~~3(~~(t))~~) feet from any side lot line.

20 21 9. Barrier-free Access. Access facilities for the disabled and elderly ~~((meeting))~~
22 that comply with Washington State Building Code, Chapter 11 are permitted in any required
23 yard(~~(s))~~).

24 10. Freestanding Structures and Bulkheads.

1 a. Fences, freestanding walls, bulkheads, signs and similar structures (~~six~~
2 ~~)6(0)~~) feet or less in height above existing or finished grade, whichever is lower, may be
3 erected in any required yard. The (~~six~~~~)6(0)~~) foot height may be averaged along sloping grade
4 for each (~~six~~~~)6(0)~~) foot long segment of the fence, but in no case may any portion of the fence
5 exceed (~~eight~~~~)8(0)~~) feet. Architectural features may be added to the top of the fence or
6 freestanding wall above the (~~six~~~~)6(0)~~) foot height (~~when~~)if the features comply with the
7 following (~~provisions are met~~): horizontal architectural feature(s), no more than (~~ten~~~~)10(0)~~)
8 inches high, and separated by a minimum of (~~six~~~~)6(0)~~) inches of open area, measured
9 vertically from the top of the fence, (~~may be~~)are permitted (~~when~~)if the overall height of all
10 parts of the structure, including post caps, (~~are~~)is no more than (~~eight~~~~)8(0)~~) feet (~~high~~);
11 (~~a~~)Averaging the (~~eight~~~~)8(0)~~) foot height is not permitted. Structural supports for the
12 horizontal architectural feature(s) may be spaced no closer than (~~three~~~~)3(0)~~) feet on center.
13

14
15 b. The Director may allow variation from the development standards listed
16 in subsection 23.44.014.D.10.a (~~above~~), according to the following:

17 (~~(f)~~1) No part of the structure may exceed (~~eight~~~~)8(0)~~) feet;

18 and

19 (~~(f)~~2) Any portion of the structure above (~~six~~~~)6(0)~~) feet shall
20 be predominately open, such that there is free circulation of light and air.
21

22 c. Bulkheads and retaining walls used to raise grade may be placed in any
23 required yard when limited to (~~six~~~~)6(0)~~) feet in height, measured above existing grade. A
24 guardrail no higher than (~~forty two~~~~)42(0)~~) inches may be placed on top of a bulkhead or
25 retaining wall existing as of (~~the date of the ordinance codified in this section~~)February 20,
26

1 1982. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined
2 height is limited to ~~((nine and one half (9 1/2)))~~ 9 1/2 feet.

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

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

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

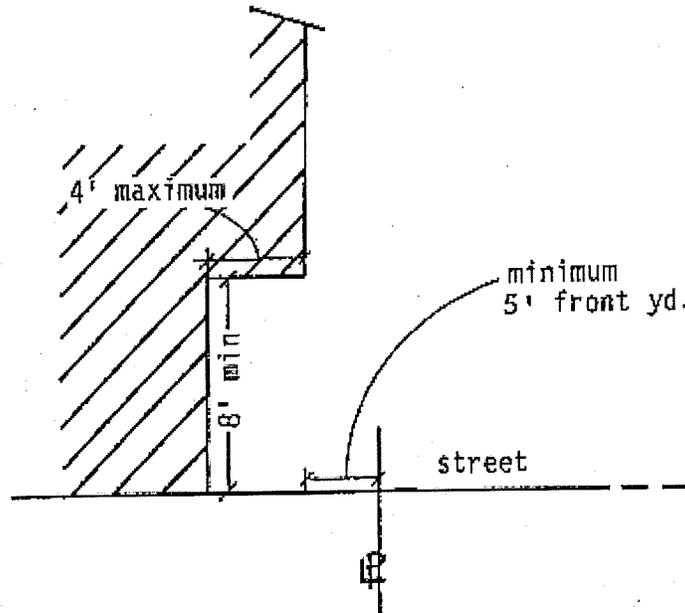
14 12. Heat Pumps. Heat pumps and similar mechanical equipment, not including
15 incinerators, ~~((may be))~~ are permitted in required yards if they comply with the requirements of
16 ~~((the Noise Control Ordinance,))~~ Chapter 25.08, Noise Control~~((are not violated))~~. Any heat
17 pump or similar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

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

20 14. Front Yard Projections for Structures on Lots ~~((Thirty (30)))~~ 30 Feet or Less
21 in Width. For a structure on a lot ~~((which))~~ that is ~~((thirty (30)))~~ 30 feet or less in width, portions
22 of the front facade ~~((which))~~ that begin ~~((eight (8)))~~ 8 feet or more above finished grade may

1 project up to ~~((four-))4((+))~~ feet into the required front yard, provided that no portion of the
2 facade, including eaves and gutters, shall be closer than ~~((five-))5((+))~~ feet to the front lot line
3 (Exhibit B for 23.44.014 ~~((B))~~)).
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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



**((Exhibit 23.44.014B)) Front yard projections permitted for
Exhibit B for 23.44.014 structures on lots thirty feet or less in
width.**

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

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

a. In any required yard, an arbor may be erected with no more than a ~~((forty (40) (40))~~ 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves, to

1 a maximum height of ~~((eight-))8(())~~ feet. Both the sides and the roof of the arbor ~~((must))~~ shall
2 be at least ~~((fifty-))50(())~~ percent open, or ~~(())~~ if latticework is used, there ~~((must))~~ shall be a
3 minimum opening of ~~((two-))2(())~~ inches between crosspieces.

4 b. In each required yard abutting a street, an arbor over a private
5 pedestrian walkway with no more than a ~~((thirty-))30(())~~ square foot footprint, measured on the
6 horizontal roof plane and inclusive of eaves, may be erected to a maximum height of ~~((eight
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28~~ ~~(())~~ feet. The sides of the arbor shall be at least ~~((fifty-))50(())~~ percent open, or if
latticework is used, there ~~((must))~~ shall be a minimum opening of ~~((two-))2(())~~ inches between
crosspieces.

E. Additional Standards for Structures if Allowed in Required Yards. Structures in
required yards shall comply with the following:

1. Accessory structures, attached garages and portions of a principal structure
shall not exceed a maximum combined coverage of 40 percent of the required rear yard. In the
case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of
the alley.

2. Any accessory structure located in a required yard shall be separated from its
principal structure by a minimum of 5 feet. This requirement does not apply to terraced garages
that comply with Section 23.44.016.D.9.b.

3. Except for detached accessory dwelling units in subsection 23.44.041.B, any
accessory structure located in a required yard shall not exceed 12 feet in height or 1,000 square
feet in area.

1 Section 18. Section 23.44.016 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122823, is amended as follows:

3 **23.44.016 Parking and Garages((=))**

4 A. Parking Quantity. Off-street parking is required pursuant to Section 23.54.015.

5 B. Access to Parking.

6 1. Vehicular access to parking from an improved street, alley or easement is
7 required ~~((when))~~if parking is required pursuant to Section 23.54.015.

8 2. Access to parking is permitted through a required yard abutting a street only if
9 the Director determines that one ~~((+))~~ of the following conditions exists:
10

11 a. There is no alley improved to the standards of Section 23.53.030.C, and
12 there is no unimproved alley in common usage that currently provides access to parking on the
13 lot or to parking on adjacent lots in the same block; or

14 b. Existing topography does not permit alley access; or

15 c. A portion of the alley abuts a nonresidential zone; or

16 d. The alley is used for loading or unloading by an existing nonresidential
17 use; or
18

19 e. Due to the relationship of the alley to the street system, use of the alley
20 for parking access would create a significant safety hazard; or

21 f. Parking access must be from the street in order to provide access to a
22 parking space~~((s))~~ that ~~((meet))~~ complies with the Washington State Building Code, Chapter
23

24 11.

25 C. Location of Parking.
26
27
28

1 1. Parking shall be located on the same lot as the principal use, except as
2 otherwise provided in this subsection.

3 2. Parking on planting strips is prohibited.

4 3. No more than three (~~((3))~~) vehicles may be parked outdoors on any lot.

5 4. Parking accessory to a floating home may be located on another lot if within
6 ~~((six hundred (-)600((-)))~~ feet of the lot on which the floating home is located. The accessory
7 parking shall be screened and landscaped according to subsection 23.44.016.G.
8

9 5. Parking accessory to a single-family structure existing on June 11, 1982 may be
10 established on another lot if all the following conditions are met:

11 a. There is no vehicular access to permissible parking areas on the lot.

12 b. Any garage constructed is for no more than two ~~two_ ((2))~~ axle_s or two
13 ~~((2))~~ up ~~((-))~~to ~~((-))~~ four_ ~~((4))~~ wheeled vehicles.
14

15 c. ~~((Any garage is located and))~~ Parking is screened or landscaped ~~((per~~
16 ~~Section 23.44.016-G if applicable,))~~ as required by the Director₁ who shall consider development
17 patterns of the block or nearby blocks.

18 d. The lot providing the parking is within the same block or across the
19 alley from the principal use lot.
20

21 e. The accessory parking shall be tied to the lot of the principal use by a
22 covenant or other document recorded with the King County Department of Records and
23 Elections.

24 D. Parking and Garages in Required Yards.
25
26
27
28

1 1. Parking and garages shall not be located in the required front yard except as
2 provided in subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.

3 2. Parking and garages shall not be located in a required side yard abutting a street
4 or the first ~~((ten-))10((+))~~ feet of a required rear yard abutting a street except as provided in
5 subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.

6 3. Parking and g((G))arages shall not be located in a required side yard
7 that((which)) abuts the rear or side yard of another lot((;)) or in that portion of the rear yard of a
8 reversed corner lot within ~~((five-))5((+))~~ feet of the key lot's side lot line~~((and not abutting the~~
9 ~~front yard of the key lot))~~ unless:

10 a. The garage is located entirely in that portion of a side yard that is either
11 within 35 feet of the centerline of an alley or within 25 feet of any rear lot line that is not an alley
12 lot line; or

13 b. A((a))n agreement between the owners of record of the abutting
14 properties, authorizing the garage in that location, is executed and recorded, pursuant to
15 ((S))subsection 23.44.014.D.2.a ((, provided, that no such agreement is required if the garage is
16 located entirely in that portion of a side yard which is either within thirty five (35) feet of the
17 centerline of an alley or within twenty five (25) feet of any rear lot line which is not an alley lot
18 line)).

19 4. Detached g((G))arages with vehicular access facing((from)) an alley shall not
20 be located within ~~((twelve-))12((+))~~ feet of the centerline of the alley except as provided in
21 subsections 23.44.016.D.9, D.10, D.11 and D.12.

22 5. Attached garages shall not be located within ~~((twelve-))12((+))~~ feet of the
23 centerline of any alley, nor within ~~((twelve-))12((+))~~ feet of any rear lot line that((which)) is not
24 an alley lot line, except as provided in subsections 23.44.016.D.9, D.10, D.11 and D.12.

1 6. On a reversed corner lot, no garage shall be located in that portion of the
2 required rear yard ~~((which))~~ that abuts the required front yard of the adjoining key lot unless the
3 provisions of ~~((S))~~ subsection 23.44.016.D.9~~((b))~~ apply.

4 7. ~~((Where))~~ If access to required parking ~~((spaces))~~ passes through a required
5 yard, automobiles, motorcycles and similar vehicles may be parked on the open access located in
6 a required yard.

7 8. Trailers, boats, recreational vehicles and similar equipment shall not be parked
8 in required front and side yards or the first ~~((ten-))~~ 10~~((-))~~ feet of a rear yard measured from the
9 rear lot line.

10 9. Lots With Uphill Yards Abutting Streets. Parking for one ~~((1))~~ two~~((-2))~~
11 ~~((axle))~~ or one ~~((1))~~ up~~((-))~~ to~~((-))~~ four~~((-4))~~ wheeled vehicle may be established in a required
12 yard abutting a street according to subsection 23.44.016.D.9.a or b ~~((below))~~ only if access to
13 parking is permitted through that yard pursuant to subsection ~~((A of this section))~~ 23.44.016.B.

14 a. Open Parking Space.

15 ~~((i-))~~ 1) The existing grade of the lot slopes upward from the street
16 lot line an average of at least ~~((six-))~~ 6~~((-))~~ feet above sidewalk grade at a line that is ~~((ten~~
17 ~~((-))~~ 10~~((-))~~ feet from the street lot line; and

18 ~~((ii-))~~ 2) The parking area shall be at least an average of ~~((six~~
19 ~~((-))~~ 6~~((-))~~ feet below the existing grade prior to excavation and/or construction at a line that is ~~((ten~~
20 ~~((-))~~ 10~~((-))~~ feet from the street lot line; and

21 ~~((iii-))~~ 3) The parking space shall be no wider than ~~((ten-))~~ 10~~((-))~~
22 feet for one ~~((1))~~ parking space at the parking surface and no wider than ~~((twenty-))~~ 20~~((-))~~ feet
23 for two ~~((2))~~ parking spaces if ~~((when))~~ permitted as provided in subsection 23.44.016.D.12.

24 b. Terraced Garage.

1 b. For front yard parking, the lot has a vertical drop of at least ~~((twenty~~
2 ~~(~~)~~)20(~~(~~)~~))~~ feet in the first ~~((sixty(~~)~~)60(~~(~~)~~))~~ feet, ~~((as))~~ measured along a line from the midpoint of
3 the front lot line to the midpoint of the rear lot line;~~~~

4 c. Parking is~~((shall))~~ not ~~((be))~~ permitted in ~~((downhill))~~ required side
5 yards abutting a street~~((s))~~;

6 d. Parking in a~~((downhill))~~ rear yard~~((s))~~ ~~((shall be in~~
7 ~~accordance))~~ complies with ~~((S))~~ subsections 23.44.016.~~((subsections))~~ D.2, D.5 and D.6;

8 e. Access to parking is permitted through the required yard abutting the
9 street by subsection 23.44.016.B~~((of this section))~~; and

10 f. A driveway access bridge is~~((may be))~~ permitted in the~~((any))~~ required
11 ~~((downhill))~~ yard abutting the street if~~((where))~~ necessary for access to parking. The access
12 bridge shall be no wider than ~~((twelve(~~)~~)12(~~(~~)~~))~~ feet for access to one ~~((1))~~ parking space or
13 ~~((eighteen(~~)~~)18(~~(~~)~~))~~ feet for access to two ~~((2))~~ or more parking spaces. The driveway access
14 bridge may not be located closer than ~~((five(~~)~~)5(~~(~~)~~))~~ feet to an adjacent property line and shall
15 not be included in lot coverage calculations.~~~~~~

16 11. Through Lots. On through lots less than ~~((one hundred twenty five(~~)~~)125(~~(~~)~~))~~
17 feet in depth, parking, either open or enclosed in an attached or detached garage, for one ~~((1))~~
18 two~~((2))~~ axle or one ~~((1))~~ up ~~((-))~~ to ~~((-))~~ four~~((4))~~ wheeled vehicle may be located in one
19 ~~((1))~~ of the required front yards. The front yard in which the parking may be located shall be
20 determined by the Director based on the location of other garages or parking areas on the block.
21 If no pattern of parking location can be determined, the Director shall determine in which yard
22 the parking shall be located based on the prevailing character and setback patterns of the block.~~

23 12. Lots With Uphill Yards Abutting Streets or Downhill or Through Lot Front
24 Yards Fronting on Streets That Prohibit Parking. Parking for two ~~((2))~~ two~~((2))~~ axle or two
25 ~~((2))~~ up ~~((-))~~ to ~~((-))~~ four~~((4))~~ wheeled vehicles may be located in uphill yards abutting streets

1 or downhill or through lot front yards as provided in subsections 23.44.016.D.9, D.10 or D.11 if,
2 in consultation with Seattle Department of Transportation, it is found that uninterrupted parking
3 for ~~((twenty-four (24)))~~ hours is prohibited on at least one ~~((1))~~ side of the street within
4 ~~((two hundred (200)))~~ feet of the lot line over which access is proposed. The Director may
5 authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary for
6 access.

7 E. Standards for Garages ~~((when Permitted))~~ if Allowed in Required Yards. Garages that
8 are either detached structures or portions of a principal structure for the primary purpose of
9 enclosing a two ~~((2))~~-axle or four ~~((4))~~-wheeled vehicle may be permitted in required yards
10 according to the following conditions:

11 1. Maximum Coverage and Size.

12 a. Garages, together with any other accessory structures and other portions
13 of the principal structure, are limited to a maximum combined coverage of ~~((forty (40)))~~
14 percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage
15 shall be calculated from the centerline of the alley.

17 b. Garages located in side or rear yards shall not exceed ~~((one thousand~~
18 ~~((1,000)))~~ square feet in area.

19 c. In front yards, the area of garages ~~((shall be))~~ is limited to ~~((three~~
20 ~~((hundred (300)))~~ square feet with ~~((fourteen (14)))~~ foot maximum width ~~((where))~~ if one
21 ~~((1))~~ space is ~~((allowed))~~ provided, and ~~((six hundred (600)))~~ square feet with ~~((twenty-four~~
22 ~~((24)))~~ foot maximum width ~~((where))~~ if two ~~((2))~~ spaces are ~~((allowed))~~ provided. Access
23 driveway bridges permitted under Section 23.44.016.D.10.f shall not be included in this
24 calculation.
25
26

2. Height Limits.

1 a. Garages ~~((shall be))~~ are limited to ~~((twelve-))12(())~~ feet in height ~~((as))~~
2 measured on the facade containing the entrance for the vehicle.

3
4 b. The ridge of a pitched roof on a garage located in a required yard may
5 extend up to ~~((three-))3(())~~ feet above the ~~((twelve-))12(())~~ foot height limit. All parts of the
6 roof above the height limit shall be pitched at a rate of not less than four to twelve (4:12). No
7 portion of a shed roof ~~((shall be))~~ is permitted to extend beyond the ~~((twelve-))12(())~~ foot
8 height limit under this provision.

9
10 c. Open rails around balconies or decks located on the roofs of garages
11 may exceed the ~~((twelve-))12(())~~ foot height limit by a maximum of ~~((three-))3(())~~ feet. The
12 roof over a garage shall not be used as a balcony or deck in rear yards.

13
14 3. Separations.~~((a-))~~ Any garage located in a required yard shall be
15 separated from its principal structure by a minimum of ~~((five-))5(())~~ feet. This requirement
16 does not apply to terraced garages that comply with Section 23.44.016.D.9.b.

17 4. Roof eaves and gutters of a garage located in a required yard may extend a
18 maximum of 18 inches from the exterior wall of the garage. Such roof eaves and gutters are
19 excluded from the maximum coverage and size limits of subsection 23.44.016.E.1 and the
20 separation requirements of subsection 23.44.016.E.3, except that all portions of a detached
21 garage, including projecting eaves and gutters, shall be separated by at least 5 feet from all
22 portions of a principal structure, including any eaves and gutters of the principal structure.

23
24 5. Except for terraced garages that comply with Section 23.44.016.D.9.b, the roof
25 over a garage in a rear yard shall not be used as a balcony or deck.
26

* * *

1
2 Section 19. Subsection C of Section 23.44.017 of the Seattle Municipal Code, which
3 section was last amended by Ordinance 122823, is amended as follows:

4 **23.44.017 Development standards for public schools(~~(?)~~)**

5 * * *

6 C. Setbacks.

7 1. General Requirements.

8 a. No setbacks are~~((shall be))~~ required for new public school construction
9 or for additions to existing public school structures for that portion of the site across a street or an
10 alley or abutting a lot in a nonresidential zone. If~~((When))~~ any portion of the site is across a
11 street or an alley from or abuts a lot in a residential zone, setbacks are~~((shall be))~~ required for
12 areas facing or abutting residential zones, as provided in subsections 23.44.017.C.2 through
13 23.44.017.C.5 below. Setbacks for sites across a street or alley from or abutting lots in
14 Residential-Commercial (RC) zones shall be based upon the residential zone classification of the
15 RC lot.
16

17 b. The minimum setback requirement may be averaged along the structure
18 facade with absolute minimums for areas abutting lots in residential zones as provided in
19 subsections 23.44.017.C.2.b, C.3.b and C.4.b.
20

21 c. Trash disposals, ~~((openable))~~ operable windows in a gymnasium, main
22 entrances, play equipment, kitchen ventilators or other similar items shall be located at least
23 ~~((thirty-))30((?))~~ feet from any single-family zoned lot and ~~((twenty-))20((?))~~ feet from any
24 multi-family zoned lot.
25
26

1 d. The exceptions of subsections 23.44.014~~((D4,))~~ D₅, D₆, D₇, D₈, D₉,
2 D₁₀, D₁₁ and D₁₂ ~~((of Section 23.44.014 shall))~~ apply.

3 * * *

4 Section 20. Subsection F of Section 23.44.018 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 119239, is amended as follows:

6 **23.44.018 General provisions**~~((:))~~

7 * * *

8 F. Minor structural work ~~((which))~~ that does not increase usable floor area or seating
9 capacity and that does not exceed the development standards applicable to the use shall not be
10 considered an expansion, unless the work would exceed the height limit of the zone for uses
11 permitted outright. Such work includes but is not limited to roof repair or replacement and
12 construction of uncovered decks and porches, facilities for barrier-free access, bay windows,
13 dormers, and eaves.
14

15
16 Section 21. Subsection L of Section 23.44.022 of the Seattle Municipal Code, which
17 section was last amended by Ordinance 122823, is amended as follows:

18 **23.44.022 Institutions**~~((:))~~

19 * * *

20
21 L. Parking and Loading Berth Requirements.

22 1. Quantity and Location of Off-street Parking.

23 a. Use of transportation modes such as public transit, vanpools, carpools
24 and bicycles to reduce the use of single-occupancy vehicles is~~((shall be))~~ encouraged.
25
26
27
28

1 b. Parking and loading ~~is~~~~(shall be)~~ required as provided in Section
2 23.54.015.

3 c. The Director may modify the parking and loading requirements of
4 Section 23.54.015(~~(Required parking,)~~) and the requirements of Section 23.44.016(~~(Parking~~
5 ~~location and access,)~~) on a case-by-case basis using the information contained in the
6 transportation plan prepared pursuant to subsection 23.44.022.M(~~(of this section)~~). The
7 modification shall be based on adopted City policies and shall:
8

9 ~~(i.)~~ 1) Provide a demonstrable public benefit such as, but not
10 limited to, reduction of traffic on residential streets, preservation of residential structures, and
11 reduction of noise, odor, light and glare; and

12 ~~(ii.)~~ 2) Not cause undue traffic through residential streets nor
13 create a (~~serious~~) safety hazard.

14 2. Parking Design. Parking access and parking shall be designed as provided in
15 Design Standards for Access and Off-street Parking, Chapter 23.54.

16 3. Loading Berths. The quantity and design of loading berths shall be as provided
17 in Design Standards for Access and Off-street Parking, Chapter 23.54.

18 * * *

19 Section 22. Subsection A of Section 23.44.051 of the Seattle Municipal Code, which
20 section was last amended by Ordinance 122208, is amended as follows:

21 **23.44.051 Bed and breakfasts**~~(i.)~~

22 A bed and breakfast use is permitted if it meets the following standards:

23 A. General Provisions.
24
25
26
27
28

1. The bed and breakfast use must have a business license issued by the

Department of ~~((Finance))~~ Executive Administration;

* * *

Section 23. Subsection C of Section 23.44.060 of the Seattle Municipal Code, which section was last amended by Ordinance 110669, is amended as follows:

23.44.060 Uses accessory to parks and playgrounds~~((r))~~

* * *

C. Storage structures and areas and other structures and activities customarily associated with parks and playgrounds are subject to the following development standards in addition to the general development standards for accessory uses:

1. Any active play area shall be located ~~((thirty-))~~30~~((r))~~ feet or more from any lot in a single-family zone.

2. Garages and service or storage areas shall be ~~((screened from view from abutting lots in residential zones))~~ located 100 feet or more from any other lot in a residential zone and obscured from view from each such lot.

Section 24. Subsection F of Section 23.45.008 of the Seattle Municipal Code, which section was last amended by Ordinance 122235, is amended as follows:

23.45.008 Density - Lowrise zones~~((r))~~

* * *

F. Adding Units to Existing Structures in Multifamily zones.

1. In all multifamily zones, one additional dwelling unit may be added to an existing multifamily structure regardless of the density restrictions in subsections 23.45.008.A,

1 .B, ~~(and)~~, C, and .D above, and regardless of the open space requirements in Section 23.45.016.

2 ~~((This provision shall only apply when))~~ An additional unit is allowed only if the proposed
3 additional unit is to be located entirely within an existing structure.

4 2. For the purposes of this subsection, "existing structures" ~~((shall be))~~ are those
5 structures or portions of structures that were established under permit, or for which a permit has
6 been granted and the permit has not expired as of October 31, 2001.

7 Section 25. Subsections A and C of Section 23.45.016 of the Seattle Municipal Code,
8 which section was last amended by Ordinance 120928, is amended as follows:

9 **23.45.016 Open Space requirements – Lowrise zones**~~((?))~~

10 **A. Quantity of Open Space.**

11 1. Lowrise Duplex/Triplex Zones.

12 a. Single-family Structures. A minimum of ~~((six hundred))~~600~~((?))~~
13 square feet of landscaped area shall be provided, except for cottage housing developments.

14 b. Cottage Housing Developments. A minimum of ~~((four hundred~~
15 ~~))~~400~~((?))~~ square feet per unit of landscaped area is required. This quantity shall be allotted as
16 follows:

17 ~~((1))~~1 A minimum of ~~((two hundred))~~200~~((?))~~ square feet per unit
18 shall be private usable open space; and

19 ~~((2))~~2 A minimum of ~~((one hundred fifty))~~150~~((?))~~ square feet
20 per unit shall be provided as common open space.
21
22
23
24
25
26
27
28

c. Additional Dwelling Unit Added to Existing Structure Pursuant to

1 Section 23.45.008.F. No open space is required for an additional dwelling unit added to an
2 existing multifamily structure pursuant to Section 23.45.008.F.

3
4 ~~((e-))~~d. Structures with Two Dwelling Units. At least one ~~((1))~~ unit shall
5 have direct access to a minimum of ~~((four hundred-))~~400~~(())~~ square feet of private, usable open
6 space. The second unit shall also have direct access to ~~((four hundred-))~~400~~(())~~ square feet of
7 private, usable open space; or ~~((six hundred-))~~600~~(())~~ square feet of common open space shall
8 be provided on the lot.
9

10 ~~((d-))~~e. Structures with Three Dwelling Units. At least two ~~((2))~~ units
11 shall have direct access to a minimum of ~~((four hundred-))~~400~~(())~~ square feet of private, usable
12 open space per unit. The third unit shall have direct access to ~~((four hundred-))~~400~~(())~~ square
13 feet of private, usable open space; or ~~((six hundred-))~~600~~(())~~ square feet of common open space
14 shall be provided on the lot.
15

16 2. Lowrise 1 Zones.

17 a. Ground-related Housing.

18 ~~((f))~~1) An average of ~~((three hundred-))~~300~~(())~~ square feet per
19 unit of private, usable open space, at ground level and directly accessible to each unit~~((, shall~~
20 ~~be))~~ is required, except for cottage housing developments and for an additional unit added to an
21 existing multifamily structure pursuant to Section 23.45.008.F. No unit shall have less than ~~((two~~
22 ~~hundred-))~~200~~(())~~ square feet of private, usable open space, except for an additional unit added
23 to an existing multifamily structure pursuant to Section 23.45.008.F, for which no open space is
24 required. ~~((When a new unit that is not a ground-related unit is added to an existing structure,~~
25
26
27
28

1 ~~common open space at ground level shall be provided for the new unit. As long as the average~~
2 ~~per unit amount of open space is maintained at three hundred (300) square feet on the lot, a~~
3 ~~minimum of two hundred (200) square feet of common open space at ground level shall be~~
4 ~~provided for the unit but it does not have to be directly accessible to the unit.)~~

5 ((f))2 On lots with slopes of ((twenty (20))) percent or more,
6 decks of the same size as the required ground-level open space may be built over the sloping
7 ground-level open space. In order to qualify for this provision, ((such)) the decks shall not cover
8 the open space of another unit, nor be above the living space of any unit. Decks may project into
9 setbacks in accordance with subsection F of Section 23.45.014.

10
11 b. Apartments. An average of ((three hundred (300))) square feet per
12 unit of common open space, with a minimum of ((two hundred (200))) square feet, shall be
13 provided at ground level, but it does not have to be directly accessible to the unit, except that no
14 open space is required for an additional dwelling unit added to an existing multifamily structure
15 pursuant to Section 23.45.008.F. Except for an additional dwelling unit added to an existing
16 multifamily structure pursuant to Section 23.45.008.F, if an additional unit that is not a ground-
17 related unit is added to an existing structure, common open space at ground level shall be
18 provided for the additional unit. As long as the average per unit amount of open space is
19 maintained at 300 square feet on the lot, a minimum of 200 square feet of common open space at
20 ground level shall be provided for the unit but it does not have to be directly accessible to the
21 unit.

1 c. Cottage Housing Developments. A minimum of ~~((three hundred~~
2 ~~(~~))~~300(~~(~~)~~))~~ square feet per unit of landscaped area is required. This quantity shall be allotted as
3 follows:~~

4 ~~((~~(~~)~~)~~1) A minimum of ~~((one hundred fifty ~~(~~)~~)~~150(~~(~~)~~))~~ square feet
5 per unit shall be private, usable open space; and~~~~

6 ~~((~~(~~)~~)~~2) A minimum of ~~((one hundred fifty ~~(~~)~~)~~150(~~(~~)~~))~~ square feet
7 per unit shall be provided as common open space.
8~~~~

9 3. Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

10 a. Ground-Related Housing.

11 ~~((~~(~~)~~)~~1) In Lowrise 2 and Lowrise 3 zones an average of ~~((three~~
12 ~~hundred ~~(~~)~~)~~300(~~(~~)~~))~~ square feet per unit of private, usable open space, at ground level and directly
13 accessible to each unit, ~~((shall be))~~ is required, except that no open space is required for an
14 additional dwelling unit added to an existing multifamily structure pursuant to Section
15 23.45.008.F except as allowed by Section 23.45.008.F, n(~~(~~N~~)~~)o unit shall have less than ~~((two~~
16 ~~hundred ~~(~~)~~)~~200(~~(~~)~~))~~ square feet of private, usable open space.
17~~~~~~

18 ~~((~~(~~)~~)~~2) In Lowrise 4 zones a minimum of ~~((fifteen ~~(~~)~~)~~15(~~(~~)~~))~~ percent
19 of lot area, plus ~~((two hundred ~~(~~)~~)~~200(~~(~~)~~))~~ square feet per unit of private usable open space, at
20 ground level and directly accessible to each unit, ~~((shall be))~~ is required, except that no open
21 space is required for an additional dwelling unit added to an existing multifamily structure
22 pursuant to Section 23.45.008.F.
23~~~~~~

24 ~~((~~(~~)~~)~~3) On lots with slopes of ~~((twenty ~~(~~)~~)~~20(~~(~~)~~))~~ percent or more,
25 decks of the same size as the required ground-level open space may be built over the sloping
26~~~~

1 ground-level open space. In order to qualify for this provision, ~~((such))~~ the decks shall not cover
2 the open space of another unit, nor be above the living space of any unit. Decks may project into
3 setbacks in accordance with subsection F of Section 23.45.014.

4 b. Apartments.

5 ~~((f))1~~ Lowrise 2 Zones. A minimum of ~~((thirty-f))~~30(~~(f))~~ percent
6 of the lot area shall be provided as usable open space at ground level, except that no open space
7 is required for an additional dwelling unit added to an existing multifamily structure pursuant to
8 Section 23.45.008.F.

10 ~~((f))2~~ Lowrise 3 and Lowrise 4 Zones.

11 i. A minimum of ~~((twenty-five-f))~~25(~~(f))~~ percent of the lot
12 area shall be provided as usable open space at ground level, except as provided in subsection
13 23.45.016.A.3.b.~~((f))2(f)).ii~~ and except that no open space is required for an additional dwelling
14 unit added to an existing multifamily structure pursuant to Section 23.45.008.F.

16 ii. A maximum of ~~((one-third-f))~~1/3(~~(f))~~ of the required
17 open space may be provided above ground in the form of balconies, decks, individual unit decks
18 on roofs or common roof gardens if the total amount of required open space is increased to
19 ~~((thirty-f))~~30(~~(f))~~ percent of lot area.

21 * * *

22 C. Open Space Relationship to Grade.

23 1. The elevation of open space for ground-related housing must be within ~~((ten~~
24 ~~(f))10(f))~~ vertical feet of the elevation of the dwelling unit it serves. The ~~((ten-f))~~10(~~(f))~~ feet
25 ~~((shall be))~~ is measured between the finished floor level of the principal living areas of a dwelling
26

1 unit and the grade of at least ~~((fifty-))~~50(~~(%)~~) percent of the required open space. Direct access to
2 the open space shall be from at least one ~~((+))~~ habitable room of at least ~~((eighty-))~~80(~~(%)~~)
3 square feet of the principal living areas of the unit. Principal living areas ~~((shall))~~ do not include
4 foyers, entrance areas, closets or storage rooms, hallways, bathrooms or similar rooms alone or
5 in combination. This subsection 23.45.016.C.1 does not apply to townhouses or single-family
6 structures.

7
8 2. The grade of the ground level open space ~~((can either be))~~ shall be no higher
9 than 18 inches above the existing grade ~~((or within eighteen (18) inches of existing grade))~~. The
10 portion of the open space ~~((which))~~ that is within ~~((ten-))~~10(~~(%)~~) vertical feet of the unit shall
11 include the point where the access to the open space from the unit occurs.

12 3. The elevation of private usable open space for Lowrise Duplex/Triplex
13 structures must be within ~~((four-))~~4(~~(%)~~) feet of the elevation of the dwelling unit it serves. The
14 ~~((four-))~~4(~~(%)~~) feet ~~((shall be))~~ is measured between the finished floor level of the dwelling unit
15 and the grade of at least ~~((fifty-))~~50(~~(%)~~) percent of the required open space. The grade of the
16 ground level open space ~~((can either be))~~ shall be no higher than 18 inches above the existing
17 grade ~~((or within eighteen (18) inches of existing grade))~~. The maximum difference in elevation
18 at the point of access shall be ~~((four-))~~4(~~(%)~~) feet.

19
20
21 * * *

22 Section 26. Subsection A of Section 23.45.160 of the Seattle Municipal Code, which
23 section was last amended by Ordinance 122208, is amended as follows:

24 **23.45.160 Bed and breakfasts(~~(-)~~)**

1 A bed and breakfast use may be operated in a dwelling unit that is at least five ~~((5))~~
2 years old by a resident of the dwelling unit under the following conditions:

3 A. The bed and breakfast use must have a business license issued by the Department of
4 ~~((Finance))~~ Executive Administration.

5 * * *

6 Section 27. Subsection D of Section 23.46.004 of the Seattle Municipal Code, which
7 section was last amended by Ordinance 122311, is amended as follows:

8 **23.46.004 Uses~~((r))~~**

9 * * *

10 D. Permitted commercial uses ~~((shall be))~~ are allowed only in structures containing at
11 least one ~~((1))~~ dwelling unit ~~((, which may be a))~~ or live-work unit, according to the
12 development standards of Section 23.46.012~~((, Location of commercial uses)).~~

13 * * *

14 Section 28. Subsection A of Section 23.46.012 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 121196, is amended as follows:

16 **23.46.012 Location of commercial uses~~((r))~~**

17 A. Commercial uses ~~((shall be))~~ are permitted only on or below the ground floor of a
18 structure that contains at least one ~~((1))~~ dwelling unit ~~((, which may be a))~~ or live-work unit,
19 except as provided in the Northgate Overlay District, Chapter 23.71, and except that if there is an
20 existing established commercial use in a structure that does not contain a dwelling unit or live-
21 work unit, the existing established commercial use may be converted to another permitted
22

1 commercial use without providing a dwelling unit or live-work unit in the structure and without
2 obtaining an administrative conditional use.

3 * * *

4 Section 29. Subsection C of Section 23.47A.002 of the Seattle Municipal Code, which
5 section was adopted by Ordinance 122311, is amended as follows:

6 **23.47A.002 Scope of provisions((:))**

7 * * *

8 C. Other regulations, ((such as, and)) including but not limited to, ((requirements for
9 setbacks from property lines to provide clearance for the Seattle City Light Overhead Power
10 Distribution System located in the street right of way (Washington Administrative Code 296 24
11 960 and 296 155 428, National Electric Safety Code 2002, Rules 236 and 237, and Seattle City
12 Light Guideline D2-3);)) requirements for streets, alleys and easements (Chapter 23.53);
13 standards for parking quantity, access and design (Chapter 23.54); signs (Chapter 23.55); and
14 methods for measurements (Chapter 23.86) may apply to development proposals.
15 Communication utilities and accessory communication devices, except as exempted in Section
16 23.57.002, are subject to the regulations in this chapter and additional regulations in Chapter
17 23.57, Communications Regulations.

18
19
20
21 Section 30. Subsection H of Section 23.47A.004 of the Seattle Municipal Code, which
22 section was last amended by Ordinance 122935, is amended as follows:

23 **23.47A.004 Permitted and prohibited uses**

24 * * *

25 H. Adult Cabarets.
26
27
28

1 1. Residential uses are generally permitted anywhere in a structure in NC1, NC2,
2 NC3, and C1 zones, except as provided in subsections 23.47A.005.C.2 and 23.47A.005.C. 3.

3 2. Residential uses may not occupy, in the aggregate, more than 20 percent of
4 the street-level street-facing facades in the following circumstances or locations:

5 a. In a pedestrian-designated zone, facing a designated principal
6 pedestrian street;

7 b. Within the Bitter Lake Village Hub Urban Village; or

8 c. Within the Lake City Hub Urban Village, except as provided in
9 subsection 23.47A.005.C.4.

10 3. Residential uses may not exceed, in the aggregate, 20 percent of the street-
11 level street-facing facades when facing an arterial or within a zone that has a height limit of 85
12 feet or higher, except that there is no limit on residential uses in the following circumstances or
13 locations:

14 a. Within a very low-income housing project existing as of May 1, 2006,
15 or within a very low-income housing project replacing a very low-income housing project
16 existing as of May 1, 2006 on the same site.

17 b. The residential use is an assisted living facility or nursing home and
18 private living units are not located at street level.

19 c. Within the Station Area Overlay District, in which case the provisions
20 of Chapter 23.61 apply.

21 d. Within the International Special Review District east of the Interstate 5
22 Freeway, in which case the provisions of Section 23.66.330 apply.

4. Residential uses may occupy 100 percent of the street-level street-facing facade

in a structure if the structure:

a. Is developed and owned by the Seattle Housing Authority;

b. Is located on a lot zoned NC1 or NC3 that was owned by the Seattle

Housing Authority as of January 1, 2009;

c. Is not located in a pedestrian-designated zone or a zone that has a
height limit of 85 feet or higher; and

d. Does not face a designated principal pedestrian street.

~~((4.))~~ 5. Additions to, or on-site accessory structures for, existing single-family structures are permitted outright.

~~((5.))~~ 6. Where residential uses at street level are limited to 20 percent of the street-level street-facing facade, such limits do not apply to residential structures separated from the street lot line by an existing structure meeting the standards of this section and Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

* * *

Section 32. Subsection A of Section 23.47A.018 of the Seattle Municipal Code, which section was adopted by Ordinance 122311, is amended as follows:

23.47A.018 Noise standards~~((:))~~

A. In an NC1, NC2 or NC3 zone, all manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure. In a C1 or C2 zone, location within an enclosed structure is required only when the ~~((let))~~ structure is located within ~~((fifty-))~~ 50~~((:))~~ feet of a residential zone, except when required as a condition for

1 permitting a major noise generator according to subsection 23.47A.018.B. Doors on such a
2 structure that are further than 50 feet from the residential zone and that face away from the
3 residential zone may remain open.

4 * * *

5 Section 33. Subsection B of Section 23.47A.020 of the Seattle Municipal Code, which
6 section was adopted by Ordinance 122311, is amended as follows:

7 **23.47A.020 Odor Standards((-))**

8 * * *

9 B. Major Odor Sources.

10 1. Uses that employ the following odor-emitting processes or activities are
11 considered major odor sources:

- 12
- 13 a. Lithographic, rotogravure or flexographic printing;
 - 14 b. Film burning;
 - 15 c. Fiberglassing;
 - 16 d. Selling of gasoline and/or storage of gasoline in tanks larger than ~~((two~~
17 ~~hundred sixty (-))260((-))~~ gallons;
 - 18 e. Handling of heated tars and asphalts;
 - 19 f. Incinerating (commercial);
 - 20 g. Tire buffing;
 - 21 h. Metal plating;
 - 22 i. Vapor degreasing;
 - 23 j. Wire reclamation;
 - 24
 - 25
 - 26

1 k. Use of boilers (greater than 106 British Thermal Units per hour, ((~~ten~~
2 ~~thousand~~(-))10,000(0)) pounds steam per hour, or ((~~thirty~~(-))30(0)) boiler horsepower);

3 l. Animal food processing;

4 m. Other similar processes or activities.

5 2. Uses that employ the following processes are considered major odor sources,
6 except when the entire activity is conducted as part of a commercial use other than food
7 processing or heavy commercial services:

8 a. Cooking of grains;

9 b. Smoking of food or food products;

10 c. Fish or fishmeal processing;

11 d. Coffee or nut roasting;

12 e. Deep fat frying;

13 f. Dry cleaning((;

14 g. ~~Other similar processes or activities~~)).

15 * * *

16 Section 34. Subsection B of Section 23.49.014 of the Seattle Municipal Code, which
17 section was last amended by Ordinance 122611, is amended as follows:

18 **23.49.014 Transfer of development rights (TDR)((-))**

19 * * *

20 B. Standards for sending lots.

21 1. a. The maximum amount of floor area that may be transferred, except as
22 open space TDR, Landmark TDR, or Landmark housing TDR, from an eligible sending lot,

1 except a sending lot in the PSM or IDM zones, is the amount by which the product of the eligible
2 lot area times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds the
3 sum of any chargeable gross floor area existing or, if a DMC housing TDR site, to be developed
4 on the sending lot, plus any TDR previously transferred from the sending lot.

5 b. The maximum amount of floor area that may be transferred from an
6 eligible open space TDR site is the amount by which the product of the eligible lot area times the
7 base FAR of the sending lot, as provided in Section 23.49.011, exceeds the sum of ((f))a) any
8 existing chargeable gross floor area that is built on or over the (~~eligible lot area on the~~) portion
9 of the sending lot that is not made ineligible by Section 23.49.017.C, plus ((f))b) the amount, if
10 any, by which the total of any other chargeable floor area on the sending lot exceeds the product
11 of the base FAR of the sending lot, as provided in Section 23.49.011, multiplied by the
12 difference between the total lot area and the eligible lot area, plus ((f))c) any TDR previously
13 transferred from the sending lot.

14 c. The maximum amount of floor area that may be transferred from an
15 eligible Landmark housing TDR site is the amount by which the product of the eligible lot area
16 times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds TDR
17 previously transferred from the sending lot, if any.

18 d. The maximum amount of floor area that may be transferred from an
19 eligible Landmark TDR site, when the chargeable floor area of the landmark structure is less than
20 or equal to the base FAR permitted in the zone, is equivalent to the base FAR of the sending lot,
21 minus any TDR that have been previously transferred. For landmark structures having chargeable
22 floor area greater than the base FAR of the zone, the amount of floor area that may be transferred
23
24
25
26
27
28

1 is limited to an amount equivalent to the base FAR of the sending lot minus the sum of (i) any
2 chargeable floor area of the landmark structure exceeding the base FAR and (ii) any TDR that
3 have been previously transferred.

4 e. For purposes of this subsection 23.49.014.B.1, the eligible lot area is the
5 total area of the sending lot, reduced by the excess, if any, of the total of accessory surface
6 parking over ~~((one-quarter (1/4)))~~ of the total area of the footprints of all structures on the
7 sending lot; and for an open space TDR site, further reduced by the area of any portion of the lot
8 ineligible under Section 23.49.01~~((6))~~7.C.

9
10 2. ~~((When))~~If the sending lot is located in the PSM or IDM zone, the gross floor
11 area that may be transferred is ~~((six (6)))~~ 6 FAR, minus the sum of any existing chargeable gross
12 floor area and any floor area in residential use on the sending lot, and further reduced by any
13 TDR previously transferred from the sending lot.

14
15 3. ~~((When))~~If TDR are transferred from a sending lot in a zone with a base FAR
16 limit, the amount of chargeable gross floor area that may then be built on the sending lot ~~((shall~~
17 ~~be))~~is equal to the area of the lot multiplied by the applicable base FAR limit set in Section
18 23.49.011, minus the total of:

19 a. The existing chargeable floor area on the lot; plus

20 b. The amount of gross floor area transferred from the lot.

21
22 4. ~~((When))~~If TDR are sent from a sending lot in a PSM zone, the combined
23 maximum chargeable floor area and residential floor area that may then be established on the
24 sending lot ~~((shall be))~~is equal to the total gross floor area that could have been built on the
25
26
27
28

1 sending lot consistent with applicable development standards as determined by the Director had

2 no TDR been transferred, less the sum of:

3 a. The existing chargeable floor area on the lot; plus

4 b. The amount of gross floor area that was transferred from the lot.

5 5. Gross floor area allowed above base FAR under any bonus provisions of this
6 title or the former Title 24, or allowed under any exceptions or waivers of development
7 standards, may not be transferred. TDR may be transferred from a lot that contains chargeable
8 floor area exceeding the base FAR only if the TDR are from an eligible Landmark site,
9 consistent with subsection 23.49.014.B.1.c above, or to the extent, if any, that:

10 a. TDR were previously transferred to such lot in compliance with the
11 Land Use Code provisions and applicable rules then in effect;

12 b. Those TDR, together with the base FAR under Section 23.49.011,
13 exceed the chargeable floor area on the lot and any additional chargeable floor area for which
14 any permit has been issued or for which any permit application is pending; and

15 c. The excess amount of TDR previously transferred to such lot would
16 have been eligible for transfer from the original sending lot under the provisions ((of this
17 s))Section 23.49.014 at the time of their original transfer from that lot.

18 6. Landmark structures on sending lots from which Landmark TDR or Landmark
19 housing TDR are transferred shall be restored and maintained as required by the Landmarks
20 Preservation Board.

21 7. Housing on lots from which housing TDR are transferred shall be rehabilitated
22 to the extent required to provide decent, sanitary and habitable conditions, in compliance with
23

1 D. Basic requirements. In order to qualify as a sending lot for open space TDR, the
2 sending lot must include open space that satisfies the basic requirements of this subsection,
3 unless an exception is granted by the Director pursuant to ~~((Section 23.49.039) subsection H of~~
4 ~~this s))~~ subsection 23.49.017.H. A sending lot for open space TDR must:

5 1. Include a minimum area as follows:

6 a. Contiguous open space with a minimum area of ~~((fifteen thousand~~
7 ~~))~~15,000~~((+))~~ square feet; or

8 b. A network of adjacent open spaces, which may be separated by a street
9 right-of-way, that are physically and visually connected with a minimum area of ~~((thirty~~
10 ~~thousand -))~~30,000~~((+))~~ square feet;

11 2. Be directly accessible from the sidewalk or another public open space,
12 including access for persons with disabilities;

13 3. Be at ground level, except that in order to provide level open spaces on steep
14 lots, some separation of multiple levels may be allowed, provided they are physically and
15 visually connected;

16 4. Not have more than ~~((twenty -))~~20~~((+))~~ percent of the lot area occupied by any
17 above grade structures; and

18 5. Be located a minimum of ~~((one quarter -))~~1/4~~((+))~~ of a mile from the closest lot
19 approved by the Director as a separate open space TDR site.

20 * * *

21 H. Special exception for Open Space TDR sites. The Director may authorize an exception
22 to the requirements for open space TDR sites in subsection ~~((D of this Section))~~ 23.49.017.D, as
23

1 a special exception pursuant to Chapter 23.76, Procedures for Master Use Permit and Council
2 Land Use Decisions.

3 1. The provisions of this subsection 23.49.017.H will be used by the Director in
4 determining whether to grant, grant with conditions or deny a special exception. The Director
5 may grant exceptions only to the extent such exceptions further the provisions of this subsection
6 23.49.017.H.

7 2. In order for the Director to grant, or grant with conditions, an exception to the
8 requirements for open space TDR sites, the following must be satisfied:

9 a. The exception allows the design of the open space to take advantage of
10 unusual site characteristics or conditions in the surrounding area, such as views and relationship
11 to surroundings; and

12 b. The applicant demonstrates that the exceptions would result in an
13 open((-) space that better meets the intent of the provisions for open space TDR sites in
14 subsection 23.49.017.((G))D ((of this Section)).

15 Section 36. Section 23.49.030, which section was adopted by Ordinance 122411, is
16 amended as follows:

17 **23.49.030 Adult Cabarets((=))**

18 A. Any lot line of property containing any proposed new or expanding adult cabaret must
19 be ((eight hundred (-))800((+)) feet or more from any lot line of property ((containing any))on
20 which any of the following uses has been established by permit or otherwise recognized as a
21 legally established use: community center; child care center; school, elementary or secondary; or
22 public parks and open space use.
23
24
25
26

1 B. Any lot line of property containing any proposed new or expanding adult cabaret must
2 be ~~((six hundred (600)))~~ feet or more from any lot line of property ~~((containing))~~ for which a
3 permit has been issued for any other adult cabaret, and must be ~~((six hundred (600)))~~ feet or
4 more from any lot line of property ~~((containing))~~ for which a permit has been issued for any
5 adult panoram or adult motion picture theater.

6 C. The analysis required by subsections 23.49.030.A and B shall be based on the facts
7 that exist on the earlier of:

8
9 1) the date a complete application is made for a building permit for an adult
10 cabaret for the property proposed to contain the new or expanding adult cabaret, or

11 2) the date of publication of notice of the Director's decision on the Master Use
12 Permit application to establish or expand an adult cabaret use, if the decision can be appealed to
13 the Hearing Examiner, or the date of the Director's decision if no Hearing Examiner appeal is
14 available.

15
16
17 Section 37. Subsection E of Section 23.49.046 of the Seattle Municipal Code, which
18 section was last amended by Ordinance 122054, is amended as follows:

19 **23.49.046 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed**
20 **Commercial conditional uses and Council decisions((:))**

21
22 * * *

23
24 E. Rooftop features listed in subsection ~~((C4 of Section))~~ 23.49.008.D.1.c more than
25 ~~((fifty (50)))~~ feet above the roof of the structure on which they are located may be authorized

1 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
2 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
3 23.49.008(~~(, Structure height)~~).

4 * * *

5 Section 38. Subsection F of Section 23.49.096 of the Seattle Municipal Code, which
6 section was last amended by Ordinance 122054, is amended as follows:

7 * * *

8
9 **23.49.096 Downtown Retail Core, conditional uses and Council decisions(~~(,)~~)**

10 * * *

11 F. Rooftop features listed in subsection (~~(C4 of Section)~~) 23.49.008.D.1.c more than
12 (~~(fifty (50))~~)50(~~(3)~~) feet above the roof of the structure on which they are located may be authorized
13 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
14 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
15 23.49.008(~~(, Structure height)~~).

16 * * *

17
18 Section 39. Subsection E of Section 23.49.148 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 122054, is amended as follows:

20
21 **23.49.148 Downtown Mixed Residential, conditional uses and Council decisions(~~(,)~~)**

22 * * *

23 E. Rooftop features listed in subsection (~~(C4 of Section)~~) 23.49.008.D.1.c more than
24 (~~(fifty (50))~~)50(~~(3)~~) feet above the roof of the structure on which they are located may be authorized
25 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
26

1 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
2 23.49.008(~~(, Structure height)~~).

3 * * *

4 Section 40. Subsection E of Section 23.49.324 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 122054, is amended as follows:

6 **23.49.324 Downtown Harborfront 2, conditional uses(~~(,)~~)**

7 * * *

8 E. Rooftop features listed in subsection (~~(C4ef Section)~~) 23.49.008,D.1.c more than
9 ~~((fifty-))50(~~(,)~~)~~ feet above the roof of the structure on which they are located may be authorized
10 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
11 Master Use Permits and Council Land Use Decisions, according to the criteria of Section

12 23.49.008(~~(, Structure height)~~).

13 * * *

14 Section 41. Subsection E of Section 23.50.012 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 122411, is amended as follows:

16 **23.50.012 Permitted and prohibited uses(~~(,)~~)**

17 * * *

18 E. Adult Cabarets.

19 1. Any lot line of property containing any proposed new or expanding adult
20 cabaret must be ~~((eight hundred-))800(~~(,)~~)~~ feet or more from any lot line of property
21 ~~((containing any))~~ on which any of the following uses has been established by permit or otherwise

1 recognized as legally established: community center; child care center; school, elementary or
2 secondary; or public parks and open space use.

3 2. Any lot line of property containing any proposed new or expanding adult
4 cabaret must be ~~((six hundred (600)))~~ 600((?)) feet or more from any lot line of property ~~((containing))~~
5 for which a permit has been issued for any other adult cabaret .

6 3. The analysis required by subsections 23.50.012.E.1 and E.2 shall be based on
7 the facts that exist on the earlier of:

8 a) the date a complete application is made for a building permit for an
9 adult cabaret for the property proposed to contain the new or expanding adult cabaret, or
10

11 b) the date of publication of notice of the Director's decision on the
12 Master Use Permit application to establish or expand an adult cabaret use, if the decision can be
13 appealed to the Hearing Examiner, or the date of the Director's decision if no Hearing Examiner
14 appeal is available.

15
16 Section 42. Subsection B of Section 23.50.022 and Exhibit 23.50.022A of the Seattle
17 Municipal Code, which section was last amended by Ordinance 122311, is amended and the
18 Exhibit 23.50.022A replaced with a new Exhibit A, as follows:

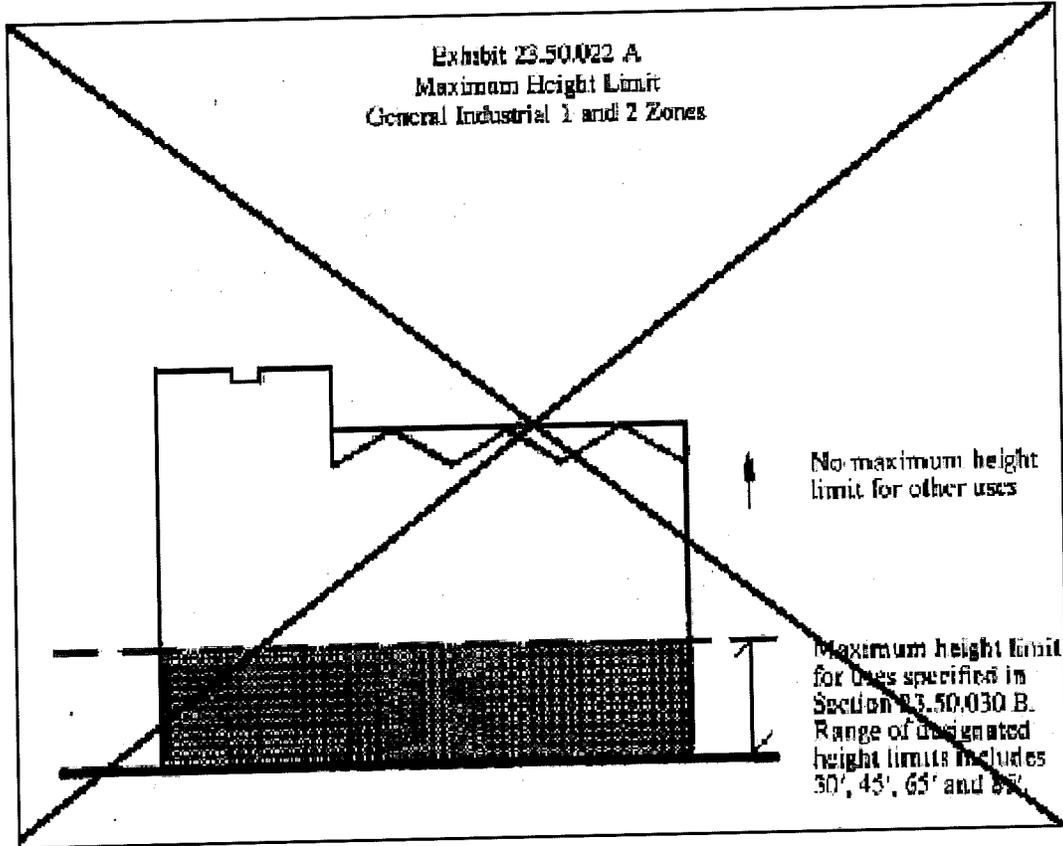
19 **23.50.022 General Industrial 1 and 2 – Structure height~~((?))~~**

20 * * *

21
22 B. Except for the provisions of Section 23.50.020 and of ~~((subsection C below))~~
23 subsection 23.50.022.C, the maximum structure height for any portion of a structure that
24 contains commercial uses other than spectator sports facilities and food processing and craft
25 work uses, whether they are principal or accessory, ~~((shall be thirty (30)))~~ is 30 feet, ~~((forty-five~~
26

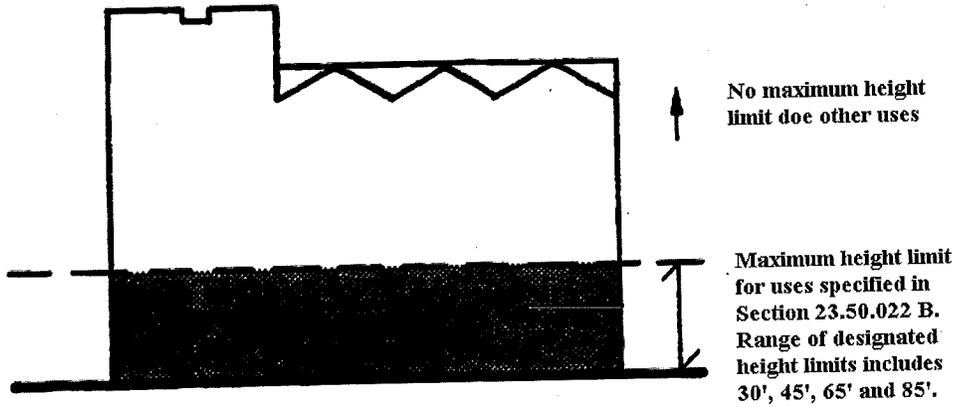
1 (~~45~~) 45 feet, (~~sixty-five (65)~~) 65 feet, or (~~eighty-five (85)~~) 85 feet, as designated on the
2 Official Land Use Map, Chapter 23.32. (also see (~~Exhibit~~) Exhibit A for 23.50.022 (~~(A)~~))

3 * * *



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

**Exhibit A for 23.50.022
Maximum Height Limit
General Industrial 1 and 2 Zones**



1 Section 43. Subsections L, N and O of Section 23.50.051 of the Seattle Municipal Code,
2 which section was adopted by Ordinance 122611, are amended as follows:

3 **23.50.051 Additional floor area in certain IC-zoned areas in the South Lake Union Urban**
4 **Center((:))**

5 * * *

6 L. Energy Management Plan. The Master Use Permit application shall include an energy
7 management plan, approved by the ((Director)) Superintendent of Seattle City Light, containing
8 specific energy conservation or alternative energy generation methods or on-site electrical
9 systems that together can ensure that the existing electrical system can accommodate the
10 projected loads from the project. The Director, after consulting with the ((Director))
11 Superintendent of Seattle City Light, may condition the approval of the Master Use Permit on the
12 implementation of the energy management plan.
13

14 * * *

15
16 N. Bonus floor area and TDR. A minimum of ((seventy-five(75))) percent of floor
17 area above ((five(5))) 4.5 FAR may be gained only through bonuses under Section 23.50.052.
18 The remaining ((twenty-five(25))) percent may be gained either through TDR consistent with
19 Section 23.50.053 or bonuses under Section 23.50.052, provided that the condition in
20 ((S))subsection 23.50.051.N is satisfied if applicable. The Master Use Permit application to
21 establish any floor area above ((five(5))) 4.5 FAR under this section shall include a calculation
22 of the amount of floor area and shall identify the manner in which the conditions to added floor
23 area will be satisfied.
24

1 O. Landmark TDR. If Landmark TDR is available, not less than ~~((five-))~~5~~((%))~~ percent
2 of floor area on a lot above ~~((five-5))~~ 4.5 FAR shall be gained through the transfer of Landmark
3 TDR. Landmark TDR shall be considered "available" if, at the time of the Master Use Permit
4 application to gain the additional floor area, the City of Seattle is offering Landmark TDR
5 eligible for use on the lot for sale at a price per square foot no greater than the total bonus
6 contribution under Section 23.50.052 for a project using the cash option for both housing and
7 childcare facilities. An applicant may satisfy the condition in this section by purchase~~((s))~~ of
8 Landmark TDR from private parties, by transfer of Landmark TDR from an eligible sending lot
9 owned by the applicant, by purchase of Landmark TDR from the City, or by any combination of
10 the foregoing.
11

12 Section 44. Subsections A, B and D of Section 23.53.015 of the Seattle Municipal Code,
13 which sections were last amended by Ordinance 122615, is amended as follows:
14

15 **23.53.015 Improvement requirements for existing streets in residential and commercial**
16 **zones~~((r))~~**

17 A. General Requirements.

18 1. ~~((When))~~If new lots are proposed to be created, or if any type of development
19 is proposed in residential or commercial zones, existing streets abutting the lot(s) are required to
20 be improved in accordance with this ~~((section))~~ Section 23.53.015 and Section 23.53.006,
21 Pedestrian access and circulation. One ~~((4))~~ or more of the following types of improvements
22 may be required under this ~~((section))~~ Section 23.53.015:
23

24 a. Pavement;

25 b. Curb installation;

- c. Drainage;
- d. Grading to future right-of-way grade;
- e. Design of structures to accommodate future right-of-way grade;
- f. No-protest agreements; and
- g. Planting of street trees and other landscaping.

A setback from the property line, or dedication of right-of-way, may be required to accommodate the improvements.

2. ~~((Subsection D of this section))~~ Subsection 23.53.015.D contains exceptions from the standard requirements for street improvements, including exceptions for streets that already have curbs, projects that are smaller than a certain size, and for special circumstances, such as location in an environmentally critical area or buffer.

3. Off-site improvements, such as provision of drainage systems or fire access roads, shall be required pursuant to the authority of this Code or other ordinances to mitigate the impacts of development.

4. Detailed requirements for street improvements are located in the Right-of-Way Improvements Manual.

5. The regulations in this section are not intended to preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate adverse environmental impacts.

6. Minimum Right-of-Way Widths.

1 a. Arterials. The minimum right-of-way widths for arterials designated
2 on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section 11.18.010, ~~((shall be))~~ are as specified
3 in the Right-of-Way Improvements Manual.

4 b. Nonarterial~~((s))~~ streets.

5 ~~((f))~~1) The minimum right-of-way width for an existing street that
6 is not an arterial designated on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section
7 11.18.010, ~~((shall be))~~ is as shown on ~~((Chart))~~ Table A for ~~((Section))~~ 23.53.015.
8

9 ~~((Chart))~~ Table A
10 for ~~((Section))~~ 23.53.015
11 Minimum Right-of-Way Widths
12 for Existing Nonarterial Streets

	Zone Category	Required Right-of-Way Width
13 1.	SF, LDT, L1, L2 and NC1 zones; and NC2 zones with a maximum height limit of ((forty feet ())) 40' (()) or less	40 feet
14 2.	L3, L4, MR, HR, NC2 zones with height limits of more than ((forty feet ())) 40' (()) , NC3, C1, C2 and SCM zones	52 feet

15 ~~((f))~~2) ~~((When))~~ If a block is split into more than one ~~((1))~~ zone,
16 the zone category with the most frontage shall determine the minimum width on ~~((the~~
17 ~~chart))~~ Table A for 23.53.015. If the zone categories have equal frontage, the one with the wider
18 requirement shall be used to determine the minimum right-of-way width.
19

20 B. Improvements to Arterial~~((s))~~ Streets. Except as provided in ~~((subsection D of this~~
21 ~~section))~~ Subsection 23.53.015.D, arterials shall be improved according to the following
22 requirements:
23
24
25
26
27
28

1 1. ~~((When))~~ If a street is designated as an arterial on ~~((Exhibit 23.53.015-A))~~ the
2 Arterial street map, Section 11.18.010, a paved roadway with a curb and pedestrian access and
3 circulation as required by Section 23.53.006, drainage facilities, and any landscaping required by
4 the zone in which the lot is located shall be provided in the portion of the street right-of-way
5 abutting the lot, as specified in the Right-of-Way Improvements Manual.

6 2. If necessary to accommodate the right-of-way and roadway widths specified
7 in the Right-of-Way Improvements Manual, dedication of right-of-way is required.
8

9 * * *

10 D. Exceptions.

11 1. Streets With Existing Curbs.

12 a. Streets With Right-of-Way Greater Than or Equal to the Minimum
13 Right-of-Way Width. ~~((When))~~ If a street with existing curbs abuts a lot and the existing right-
14 of-way is greater than or equal to the minimum width established in subsection 23.53.015.A.6
15 ~~((of this section))~~, but the roadway width is less than the minimum established in the Right-of-
16 Way Improvements Manual, the following requirements shall be met:
17

18 ((f))1) All structures on the lot shall be designed and built to
19 accommodate the grade of the future street improvements.
20

21 ((f))2) A no-protest agreement to future street improvements is
22 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King
23 County Department of Records and Elections.

24 ((f))3) Pedestrian access and circulation is required as specified in
25 Section 23.53.006.
26

b. Streets With Less than the Minimum Right-of-Way Width. ~~((When))~~ If

1 a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum
2 width established in subsection 23.53.015.A.6 ~~((of this section))~~, the following requirements
3 shall be met:
4

5 ~~((f))~~1) Setback Requirement. A setback equal to half the difference
6 between the current right-of-way width and the minimum right-of-way width established in
7 subsection 23.53.015.A.6 ~~((of this section))~~ is required; provided, however, that if a setback has
8 been provided under this provision, other lots on the block shall provide the same setback. In all
9 residential zones except Highrise zones, an additional ~~((three-))~~3~~((+))~~ foot setback ~~((shall))~~is also
10 ~~((be))~~ required. The area of the setback may be used to meet any development standard, except
11 that required parking may not be located in the setback. Underground structures that would not
12 prevent the future widening and improvement of the right-of-way may be permitted in the
13 required setback by the Director after consulting with the Director of Transportation.
14

15 ~~((f))~~2) Grading Requirement. ~~((When))~~If a setback is required, all
16 structures on the lot shall be designed and built to accommodate the grade of the future street, as
17 specified in the Right-of-Way Improvements Manual.
18

19 ~~((f))~~3) No-protest Agreement Requirement. A no-protest
20 agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The
21 agreement shall be recorded with the King County Department of Records and Elections.
22

23 ~~((f))~~4) Pedestrian access and circulation is required as specified in
24 Section 23.53.006.
25

26 2. Projects With Reduced Improvement Requirements.
27
28

1 a. One ~~((1))~~ or Two ~~((2))~~ Dwelling Units. ~~((When))~~ If no more than
2 ~~((one (1) or))~~ two ~~((2))~~ new dwelling units are proposed to be constructed, or no more than
3 ~~((one (1) or))~~ two ~~((2))~~ new Single Family zoned lots are proposed to be created, the following
4 requirements shall be met:

5 ~~((f))~~1) If there is no existing hard-surfaced roadway, a crushed-
6 rock roadway at least ~~((sixteen (f)))~~ 16 ~~((f))~~ feet in width ~~((shall be))~~ is required, as specified in the
7 Right-of-Way Improvements Manual.

8 ~~((f))~~2) All structures on the lot(s) shall be designed and built to
9 accommodate the grade of the future street improvements.

10 ~~((f))~~3) A no-protest agreement to future street improvements
11 ~~((shall be))~~ is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded
12 with the King County Department of Records and Elections.

13 ~~((f))~~4) Pedestrian access and circulation is required as specified in
14 Section 23.53.006.

15 b. Other Projects With Reduced Requirements. The types of projects listed
16 in this subsection 23.53.015.D.2.b are exempt from right-of-way dedication requirements and are
17 subject to the street improvement requirements of this subsection:

18 ~~((f))~~1) Types of Projects.

19 i. Proposed developments that contain more than two but
20 fewer than ten ~~((10))~~ units in SF, RSL, LDT and L1 zones, ~~((and))~~ or fewer than six ~~((6))~~
21 residential units in all other zones, or proposed short plats in which no more than two additional
22 lots are proposed to be created;

1 ii. The following uses ~~((when))~~if they are smaller than
2 ~~((seven hundred fifty (500)))~~750(500) square feet of gross floor area: major and minor vehicle repair
3 uses, and multipurpose retail sales;

4 iii. Non~~((-))~~residential structures that have less than ~~((four
5 thousand (4,000)))~~4,000(4,000) square feet of gross floor area and that do not contain uses listed in
6 subsection 23.53.015.D.2.b.~~((1(1)))~~.ii that are larger than ~~((seven hundred fifty (500)))~~750(500)
7 square feet;
8

9 iv. Structures containing a mix of residential uses and either
10 nonresidential uses or live-work units, if there are fewer than ten ~~((10))~~ units in SF, RSL, LDT
11 and L1 zones, or fewer than six ~~((6))~~ residential units in all other zones, and the square footage
12 of nonresidential use is less than specified in subsections 23.53.015.D.2.b.~~((1(1)))~~.ii and
13 D.2.b.~~((1(1)))~~.iii;
14

15 v. Remodeling and use changes within existing structures;

16 vi. Additions to existing structures that are exempt from
17 environmental review; and

18 vii. Expansions of surface parking, outdoor storage,
19 outdoor sales or outdoor display of rental equipment of less than ~~((twenty (20)))~~20(20) percent of
20 the parking, storage, sales or display area or number of parking spaces.
21

22 ~~((2))~~ Paving Requirement. For the types of projects listed in
23 subsection 23.53.015.D.2.b. ~~((1(1)))~~, the streets abutting the lot shall have a hard-surfaced
24 roadway at least ~~((eighteen (18)))~~18(18) feet wide. If there is not an ~~((eighteen (18)))~~18(18) foot wide
25 hard-surfaced roadway, the roadway shall be paved to a width of at least ~~((twenty (20)))~~20(20) feet
26
27
28

1 from the lot to the nearest hard-surfaced street meeting this requirement, or ~~((one hundred~~
2 ~~))100((+))~~ feet, whichever is less. Streets that form a dead end at the property to be developed
3 shall be improved with a cul-de-sac or other vehicular turnaround as specified in the Right-of-
4 Way Improvements Manual. The Director, after consulting with the Director of Transportation,
5 shall determine whether the street has the potential for being extended or whether it forms a dead
6 end because of topography and/or the layout of the street system.

7
8 ~~((+))3~~ Other Requirements. The requirements of subsection
9 23.53.015.D.1.b shall also be met.

10 3. Exceptions from Required Street Improvements. The Director, in consultation
11 with the Director of Transportation, may waive or modify the requirements for paving and
12 drainage, dedication, setbacks, grading, no-protest agreements, landscaping, and curb installation
13 ~~((when))~~if one ~~((+))~~ or more of the following conditions are met. The waiver or modification
14 shall provide the minimum relief necessary to accommodate site conditions while maximizing
15 access and circulation.

16
17 a. Location in an environmentally critical area or buffer, disruption of
18 existing drainage patterns, or removal of natural features such as significant trees or other
19 valuable and character-defining mature vegetation makes widening and/or improving the right-
20 of-way impractical or undesirable.

21
22 b. The existence of a bridge, viaduct or structure such as a substantial
23 retaining wall in proximity to the project site makes widening and/or improving the right-of-way
24 impractical or undesirable.

1 c. Widening the right-of-way and/or improving the street would adversely
2 affect the character of the street, as it is defined in an adopted neighborhood plan or adopted City
3 plan for green streets, boulevards, or other special rights-of-way, or would otherwise conflict
4 with the stated goals of such a plan.

5 d. Widening and/or improving the right-of-way would preclude vehicular
6 access to an existing lot.

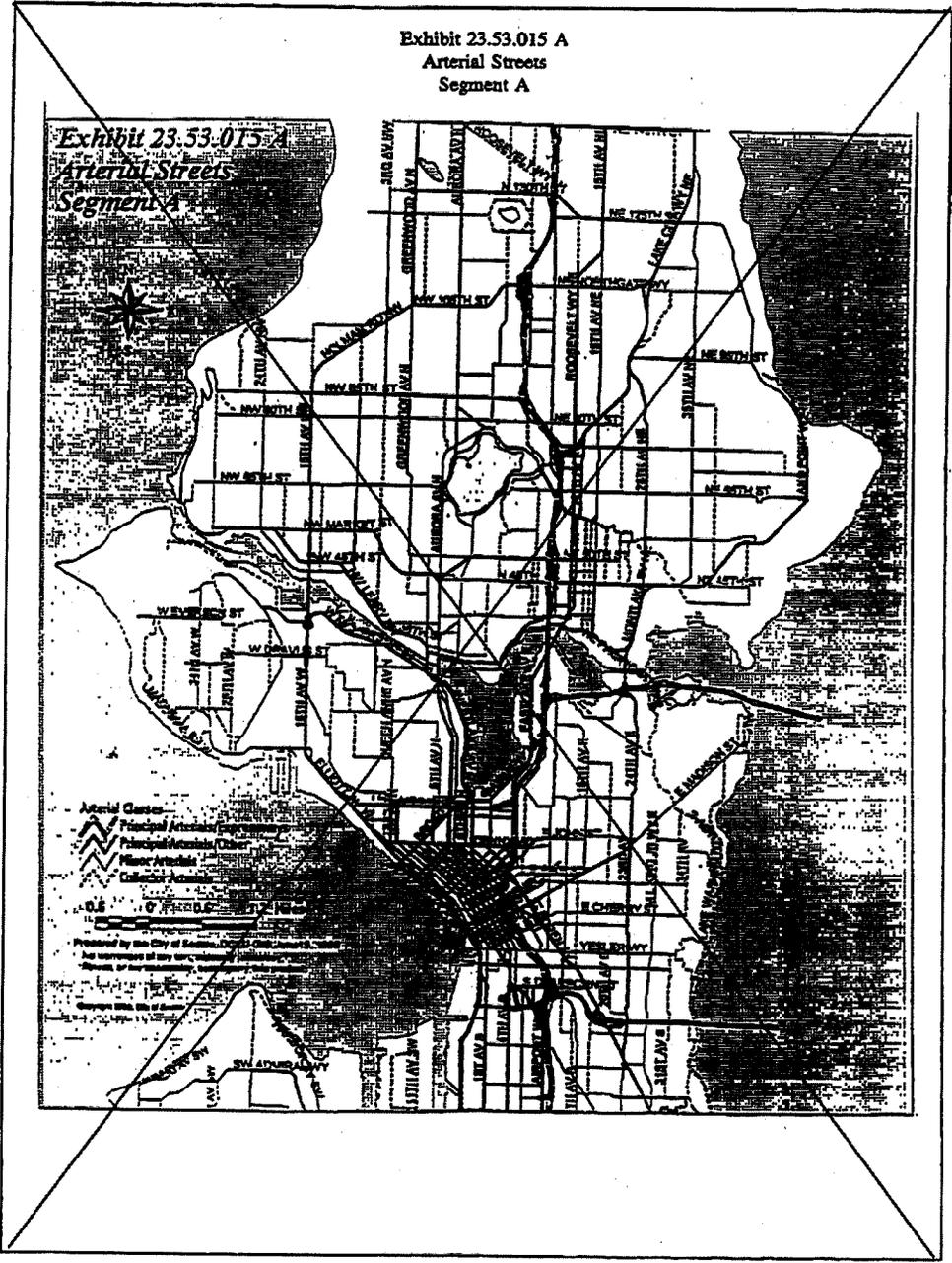
7 e. Widening and/or improving the right-of-way would make building on a
8 lot infeasible by reducing it to dimensions where development standards cannot reasonably be
9 met.
10

11 f. One ~~((+))~~ or more substantial principal structures on the same side of
12 the block as the proposed project are located in the area needed for future expansion of the right-
13 of-way and the structure(s)' condition and size make future widening of the remainder of the
14 right-of-way unlikely.

15 g. Widening and/or improving the right-of-way is impractical because
16 topography would preclude the use of the street for vehicular access to the lot, for example due
17 to an inability to meet the required ~~((twenty-))~~20~~((+))~~ percent maximum driveway slope.
18

19 h. Widening and/or improving the right-of-way is not necessary because it
20 is adequate for current and potential vehicular traffic, for example, due to the limited number of
21 lots served by the development or because the development on the street is at zoned capacity.
22
23
24
25
26
27
28

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



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



Section 45. Subsections A and B of Section 23.53.020 of the Seattle Municipal Code, which sections were last amended by Ordinance 122615, is amended as follows:

23.53.020 Improvement requirements for existing streets in industrial zones((=))

A. General Requirements.

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

1. ~~((When))~~ If new lots are created or any type of development is proposed in an industrial zone, existing streets abutting the lot(s) are required to be improved in accordance with this ~~((section))~~ Section 23.53.020 and Section 23.53.006, Pedestrian access and circulation. One ~~((1))~~ or more of the following types of improvements may be required by this section:

- a. Pavement;
- b. Curb installation;
- c. Drainage;
- d. Grading to future right-of-way grade;
- e. Design of structures to accommodate future right-of-way grade;
- f. No-protest agreements; and
- g. Planting of street trees and other landscaping.

A setback from the property line, or dedication of right-of-way, may be required to accommodate the improvements.

2. Subsection 23.53.020.E ~~((of this section))~~ contains exceptions from the standard requirements for street improvements, including exceptions for streets that already have curbs, projects that are smaller than a certain size, and for special circumstances, such as location in an environmentally critical area.

3. Off-site improvements such as provision of drainage systems or fire access roads, shall be required pursuant to the authority of this Code or other ordinances to mitigate the impacts of development.

1 4. Detailed requirements for street improvements are located in the Right-of-
2 Way Improvements Manual.

3 5. The regulations in this ((s))Section 23.53.020 are not intended to preclude the
4 use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate
5 adverse environmental impacts.

6 6. Minimum Right-of-way Widths.

7 a. Arterials. The minimum right-of-way widths for arterials designated
8 on ((~~Exhibit 23.53.015 A~~)) the Arterial street map, Section 11.18.010, ((shall be)) are as specified
9 in the Right-of-Way Improvements Manual.

10 b. Non-arterials.

11 ((f))1 The minimum right-of-way width for an existing street that
12 is not an arterial designated on ((~~Exhibit 23.53.015 A~~)) the Arterial street map, Section
13 11.18.010, ((shall be)) is as shown on ((~~Chart~~)) Table A for ((Section)) 23.53.020.

14
15
16 ((~~Chart~~)) **Table A**
17 for ((~~Section~~)) **23.53.020**
18 **Minimum Right-of-way Widths**
19 **for Existing Nonarterial Streets**

Zone Category	Right-of-Way Widths
1. IB, IC	52 feet
2. IG1, IG2	56 feet

20
21 ((f))2 ((~~When~~)) If a block is split into more than one ((~~+~~)) zone,
22 the zone category with the most frontage shall determine the minimum width on ((~~the~~
23 ~~chart~~)) Table A for 23.53.020. If the zone categories have equal frontage, the one with the wider
24 requirement shall be used to determine the minimum right-of-way width.
25
26
27
28

1 B. Improvements on Designated Streets in All Industrial Zones. In all industrial zones,
2 except as provided in subsection 23.53.020.E (~~(of this section)~~), (~~(when)~~) if a lot abuts a street
3 designated on the Industrial Streets Landscaping Maps, Exhibits 23.50.016 A and 23.50.016 B,
4 the following on-site improvements shall be provided:

5 1. Dedication Requirement. (~~(When)~~) If the street right-of-way is less than the
6 minimum width established in subsection 23.53.020.A.6 (~~(of this section)~~), dedication of
7 additional right-of-way equal to half the difference between the current right-of-way and the
8 minimum right-of-way width established in subsection 23.53.020.A.6 (~~(of this section)~~) is
9 required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the
10 block (~~(shall)~~) are not (~~(be)~~) required to dedicate more than that amount of right-of-way.

11
12 2. Improvement Requirements. A paved roadway with a concrete curb,
13 pedestrian access and circulation as required by (~~(s)~~) Section 23.53.006 and drainage facilities
14 shall be provided in the portion of the street right-of-way abutting the lot, as specified in the
15 Right-of-Way Improvements Manual.

16
17 3. Street Trees.

18 a. Street trees shall be provided along designated street frontages. Street
19 trees shall be provided in the planting strip as specified in City Tree Planting Standards.

20
21 b. Exceptions to Street Tree Requirements.

22 (~~(f)~~)1 Street trees required by subsection 23.53.020.B.3.a may be
23 located on the lot at least (~~(two-(2))~~) 2 feet from the street lot line instead of in the planting strip
24 (~~(when)~~) if:

1 i. Existing trees and/or landscaping on the lot provide
2 improvements substantially equivalent to those required in this ~~((section))~~ Section 23.53.020;

3 ii. It is not feasible to plant street trees according to City
4 standards. A ~~((five (5)))~~ 5 foot deep landscaped setback area ~~((shall be))~~ is required along the
5 street property lines, and trees shall be planted there. If an on-site landscaped area is already
6 required, the trees shall be planted there if they cannot be placed in the planting strip.

7 * * *

8
9 Section 46. Subsection E of Section 23.53.030 of the Seattle Municipal Code, which
10 section was last amended by Ordinance 122311, is amended as follows:

11 **23.53.030 Alley improvements in all zones~~(())~~**

12 * * *

13 E. Existing Alleys That Meet the Minimum Width. Except as provided in subsection
14 23.53.030.G ~~((of this section))~~ and except for one ~~((1))~~ and two ~~((2))~~ dwelling unit
15 developments that abut an alley that is not improved but is in common usage, ~~((when))~~ if an
16 existing alley meets the minimum right-of-way width established in subsection 23.53.030.D ~~((of~~
17 ~~this section))~~, the following requirements shall be met:

18
19 1. ~~((When))~~ If the alley is used for access to parking spaces, open storage, or
20 loading berths on a lot, the following improvements shall be provided:

21 a. For the following types of projects, the entire width of the portion of
22 the alley abutting the lot, and the portion of the alley between the lot and a connecting street,
23 shall be improved to at least the equivalent of a crushed rock surface, according to the Right-of-
24 Way Improvements Manual. The applicant may choose the street to which the improvements
25
26

1 will be installed. If the alley does not extend from street to street, and the connecting street is an
2 arterial designated on (~~Exhibit 23.53.015-A~~) the Arterial street map, Section 11.18.010, either
3 the remainder of the alley shall be improved so that it is passable to a passenger vehicle, or a
4 turnaround shall be provided. The turnaround may be provided by easement.

5 ((f))1 Residential structures with fewer than ten (~~(10)~~) units;

6 ((f))2 The following uses (~~when~~)if they are smaller than
7 (~~seven hundred fifty (750)~~) 750 square feet of gross floor area: major and minor vehicle repair
8 uses, and multipurpose retail sales;

9
10 ((f))3 Nonresidential structures or structures with one (~~(1)~~) or
11 more live-work units that: (a) have less than (~~four thousand (4,000)~~) 4,000 square feet of gross
12 floor area; and (b) do not contain uses listed in subsection 23.53.030.E.1.a. (~~(f))2~~ that are
13 larger than (~~seven hundred fifty (750)~~) 750 square feet;

14
15 ((f))4 Structures containing a mix of residential and either
16 nonresidential uses or live-work units, if the residential use is less than ten (~~(10)~~) units, and the
17 total square footage of nonresidential uses and live-work units is less than specified in
18 subsections 23.53.030.E.1.a. (~~(f))2~~ and E.1.a. (~~(f))3~~);

19 ((f))5 Remodeling and use changes within existing structures;

20 ((f))6 Additions to existing structures that are exempt from
21 environmental review; and

22
23 ((f))7 Expansions of a surface parking area or open storage area
24 of less than (~~twenty (20) percent~~) 20 percent of the parking area, (~~(%)~~) storage area or number
25 of parking spaces.
26

b. For projects not listed in subsection 23.53.030.E.1.a,

1 the entire width of the portion of the alley abutting the lot, and the portion of the alley between
2 the lot and a connecting street, shall be paved. The applicant may choose the street to which the
3 pavement will be installed. If the alley does not extend from street to street, and the connecting
4 street is an arterial designated on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section
5 11.18.010, either the remainder of the alley shall be improved so that it is passable to a passenger
6 vehicle, or a turnaround shall be provided. The turnaround may be provided by easement.
7

8
9 2. ~~((When))~~ If the alley is not used for access, if the alley is not fully improved,
10 all structures shall be designed to accommodate the grade of the future alley improvements, and
11 a no-protest agreement to future alley improvements shall be required, as authorized by RCW
12 Chapter 35.43. The agreement shall be recorded with the King County Department of Records
13 and Elections.
14

15 * * *

16 Section 47. Subsection D of Section 23.55.020 of the Seattle Municipal Code, which
17 section was last amended by Ordinance 121429, is amended as follows:

18 **23.55.020 Signs in single-family zones**~~((-))~~

19 * * *

20
21 D. The following signs ~~((shall be))~~ are permitted in all single-family zones:

22 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
23 occupant of a dwelling unit, not exceeding ~~((sixty-four (-)))~~ 64((+)) square inches in area;
24
25
26
27
28

1 2. Memorial signs or tables, and the name of buildings and dates of building
2 erection (~~when~~) if cut into a masonry surface or constructed of bronze or other noncombustible
3 materials;

4 3. Signs for public facilities indicating danger and/or providing service or safety
5 information;

6 4. (~~Properly displayed national~~) National, state and institutional flags;

7 5. For any (~~permitted~~) nonresidential use allowed in the zone except for
8 (~~public~~) elementary or (~~public~~) secondary schools, one (~~(1)~~) electric or nonilluminated
9 double-faced identifying wall or ground sign not to exceed (~~(fifteen-)~~)15(~~(0)~~) square feet of area
10 per sign face on each street frontage;

11 6. On-premises directional signs not exceeding (~~(eight-)~~)8(~~(0)~~) square feet in area.
12 One (~~(1)~~) such sign (~~(shall be)~~) is permitted for each entrance or exit to a surface parking area
13 or parking garage;

14 7. For (~~public~~) elementary or (~~public~~) secondary schools, one (~~(1)~~) electric or
15 nonilluminated double-faced identifying sign, not to exceed (~~(thirty-)~~)30(~~(0)~~) square feet of area
16 per sign face on each street frontage, provided that the signs shall be located and landscaped so
17 that light and glare impacts on surrounding properties are reduced, and so that any illumination is
18 controlled by a timer set to turn off by 10 p.m.

19 * * *

20 Section 48. Subsection D of Section 23.55.022 of the Seattle Municipal Code, which
21 section was last amended by Ordinance 121429, is amended as follows:

22 **23.55.022 Signs in multi(~~-~~)family zones(~~(-)~~)**

* * *

1 D. The following signs ~~((shall be))~~ are permitted in all multifamily zones:

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

4 2. Memorial signs or tablets, and the names of buildings and dates of building
5 erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible
6 materials;

7 3. Signs for public facilities indicating danger and/or providing service or safety
8 information;

9 4. ~~((Properly displayed national))~~ National, state and institutional flags;

10 5. One ~~((1))~~ electric, externally illuminated or nonilluminated sign bearing the
11 name of a home occupation not exceeding ~~((sixty-four (64)))~~ 64 square inches in area;

12 6. One ~~((1))~~ nonilluminated wall or ground identification sign for multifamily
13 structures on each street or alley frontage in addition to signs permitted by subsection
14 23.55.022.D.2. For structures of ~~((sixteen (16)))~~ 16 units or less, the maximum area of each sign
15 face ~~((shall be))~~ is ~~((sixteen (16)))~~ 16 square feet. One ~~((1))~~ square foot of sign area ~~((shall be))~~
16 is permitted for each additional unit over ~~((sixteen (16)))~~ 16, to a maximum area of ~~((fifty (50)))~~ 50
17 square feet per sign face;

18 7. For institutions other than ~~((public))~~ elementary and ~~((public))~~ secondary
19 schools, one ~~((1))~~ electric or nonilluminated double-faced identifying wall or ground sign on
20 each street frontage, not to exceed ~~((twenty-four (24)))~~ 24 square feet of area per sign face;

1 8. One ~~((1))~~ electric, externally illuminated or nonilluminated sign bearing the
2 name of a bed and breakfast, not exceeding ~~((sixty-four ()))~~64~~(())~~ square inches in area~~((:))~~;

3 9. For ~~((public))~~ elementary or ~~((public))~~ secondary schools, one ~~((1))~~ electric or
4 nonilluminated double-faced identifying sign, not to exceed ~~((thirty ()))~~30~~(())~~ square feet of area
5 per sign face on each street frontage, provided that the signs shall be located and landscaped so
6 that light and glare impacts on surrounding properties are reduced, and that any illumination is
7 controlled by a timer set to turn off by 10 p.m.

8 * * *

9
10 Section 49. Subsection D of Section 23.55.028 of the Seattle Municipal Code, which
11 section was last amended by Ordinance 121196, is amended as follows:

12 **23.55.028 Signs in NC1 and NC2 zones~~((:))~~**

13 * * *

14
15 D. On-premises Signs.

16 1. The following signs ~~((shall be))~~ are permitted in addition to the signs permitted
17 by subsections 23.55.028.D.2, D.3 and D.4:

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

21
22 b. Memorial signs or tablets, and the names of buildings and dates of
23 building erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other
24 noncombustible materials;

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

3 d. ~~((Properly displayed national))~~ National, state and institutional flags;

4 e. One ~~((1))~~ under-marquee sign ~~((which))~~ that does not exceed ~~((ten~~
5 ~~))~~10~~(())~~ square feet in area;

6 f. One ~~((1))~~ electric, externally illuminated or nonilluminated sign
7 bearing the name of a home occupation, not exceeding ~~((sixty-four))~~64~~(())~~ square inches in
8 area.
9

10 2. Number and Type of ~~((Permitted))~~ Signs Allowed for Business Establishments.

11 a. Each business establishment may have one ~~((1))~~ ground, roof,
12 projecting or combination sign (Type A sign) for each ~~((three hundred))~~300~~(())~~ lineal feet, or
13 portion thereof, of frontage on public rights-of-way, except alleys.

14 b. In addition to the signs permitted by subsection 23.55.028.D.2.a, each
15 business establishment may have one ~~((1))~~ wall, awning, canopy, marquee, or under-marquee
16 sign (Type B sign) for each ~~((thirty))~~30~~(())~~ lineal feet, or portion thereof, of frontage on public
17 rights-of-way, except alleys.
18

19 c. In addition to the signs permitted by subsections 23.55.028.D.2.a and
20 D.2.b, each multiple business center and drive-in business may have one ~~((1))~~ pole sign for
21 each ~~((three hundred))~~300~~(())~~ lineal feet, or portion thereof, of frontage on public rights-of-
22 way, except alleys. Such pole signs may be for a drive-in business or for an individual business
23 establishment located in a multiple business center, or may identify a multiple business center.
24
25
26

1 d. Individual businesses ~~((which))~~ that are not drive-in businesses and
2 ~~((which))~~ that are not located in a multiple business center may have one ~~((1))~~ pole sign in lieu
3 of another Type A sign permitted by Section 23.55.028.D.2.a for each ~~((three hundred ()))~~ 300~~(())~~
4 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

5 3. Maximum Area of Signs for Nonresidential Uses and Live-work Units. The
6 maximum area of all signs for each business establishment permitted in subsection
7 23.55.028.~~((d))~~ D.2 ~~((shall be))~~ is ~~((one hundred eighty five ()))~~ 185~~(())~~ square feet, and the
8 maximum area of any one ~~((1))~~ Type A sign ~~((shall be))~~ is ~~((seventy two ()))~~ 72~~(())~~ square feet,
9 provided that the maximum area of pole signs for gas stations ~~((which))~~ that identify the price of
10 motor fuel being offered by numerals of equal size ~~((shall be))~~ is ~~((ninety six ()))~~ 96~~(())~~ square
11 feet.
12

13 4. Identification Signs for Multifamily Structures.

14 a. One ~~((1))~~ identification sign bearing the name of a multifamily
15 structure ~~((shall be))~~ is permitted on each street or alley frontage of a residential use in addition
16 to the signs permitted by subsection 23.55.028.D.1.
17

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

20 c. For structures of ~~((twenty four ()))~~ 24~~(())~~ units or less, the maximum
21 area of each sign face ~~((shall be))~~ is ~~((twenty four ()))~~ 24~~(())~~ square feet. One ~~((1))~~ square foot
22 of sign area ~~((shall be))~~ is permitted for each additional unit over ~~((twenty four ()))~~ 24~~(())~~, to a
23 maximum of ~~((fifty ()))~~ 50~~(())~~ square feet per sign face.
24

25 5. Sign Height.

1 a. The maximum height for any portion of a pole, projecting or
2 combination sign ~~((shall be))~~ is ~~((twenty-five ()))~~ 25~~(())~~ feet.

3 b. The maximum height for any portion of a wall or under-marquee sign
4 ~~((shall be))~~ is ~~((twenty ()))~~ 20~~(())~~ feet or the height of the cornice of the structure to which the
5 sign is attached, whichever is greater.

6 c. Marquee signs may not exceed a height of ~~((thirty ()))~~ 30~~(())~~ inches
7 above the top of the marquee, and total vertical dimension shall not exceed ~~((five ()))~~ 5~~(())~~ feet.

8 d. No portion of a roof sign shall exceed a height of ~~((twenty-five
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28~~)25~~(())~~ feet above grade.

* * *

Section 50. Subsection D of Section 23.55.030 of the Seattle Municipal Code, which
section was last amended by Ordinance 123020, is amended as follows:

E. On-premises Signs.

1. The following signs ~~((shall be))~~ are permitted in addition to the signs permitted
by subsections 23.55.030.E.2 and 23.55.030.E.3:

a. Electric, externally illuminated or nonilluminated signs bearing the
name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

b. Memorial signs or tablets, and the names of buildings and dates of
building erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other
noncombustible materials;

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

1 d. ~~((Properly displayed national))~~ National, state and institutional flags;

2 e. One under-marquee sign ~~((which))~~ that does not exceed 10 square feet

3 in area;

4 f. One electric, externally illuminated or nonilluminated sign bearing the

5 name of a home occupation, not to exceed 64 square inches in area.

6 2. Number and Type of ~~((Permitted))~~ Signs Allowed for Business Establishments.

7 a. Each business establishment may have one ground, roof, projecting or
8 combination sign (Type A sign) for each 300 lineal feet, or portion thereof, of frontage on public
9 rights-of-way, except alleys.

10 b. In addition to the signs permitted by subsection 23.55.030.E.2.a ~~((of this~~
11 section)), each business establishment may have one wall, awning, canopy, marquee or under-
12 marquee sign (Type B sign) for each 30 lineal feet, or portion thereof, of frontage on public
13 rights-of-way, except alleys.

14 c. In addition to the signs permitted by subsections 23.55.030.E.2.a and
15 23.55.030.E.2.b ~~((of this section))~~, each multiple business center and drive-in business may have
16 one pole sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way,
17 except alleys. Such pole signs may be for a drive-in business or for an individual business
18 establishment located in a multiple business center, or may identify a multiple business center.

19 d. Individual businesses ~~((which))~~ that are not drive-in businesses and
20 ~~((which))~~ that are not located in multiple business centers may have one pole sign in lieu of
21 another Type A sign permitted by subsection 23.55.030.E.2.a for each 300 lineal feet, or portion
22 thereof, of frontage on public rights-of-way, except alleys.

1 e. ~~((Where))~~ If the principal use or activity on the lot is outdoor retail
2 sales, banners and strings of pennants maintained in good condition ~~((shall be))~~ are permitted in
3 addition to the signs permitted by subsections 23.55.030.E.2.a, 23.55.030.E.2.b and
4 23.55.030.E.2.c.

5 3. Maximum Area.

6 a. NC3 Zones and the SM zone.

7 ~~((f))~~1) The maximum area of each face of a pole, ground, roof,
8 projecting or combination sign~~((s))~~ ~~((shall be))~~ is 72 square feet plus 2 square feet for each foot
9 of frontage over 36 feet on public rights-of-way, except alleys, to a maximum area of 300 square
10 feet, provided that:
11

12 i. The maximum area for signs for multiple business
13 centers, and signs for business establishments located within 100 feet of a state route right-of-
14 way ~~((which))~~ that is not designated in Section 23.55.042 as a landscaped or scenic view section,
15 ~~((shall be))~~ is 600 square feet; and
16

17 ii. The maximum area for pole signs for gas stations
18 ~~((which))~~ that identify the price of motor fuel being offered by numerals of equal size ~~((shall be))~~
19 is 96 square feet.
20

21 ~~((f))~~2) There ~~((shall be))~~ is no maximum area limit for wall,
22 awning, canopy, marquee or under-marquee signs.

23 b. C1 and C2 Zones. There ~~((shall be))~~ is no maximum area limit~~((s))~~ for
24 on-premises signs for business establishments in C1 and C2 zones.

25 4. Identification Signs for Multifamily Structures.
26
27
28

1 a. One identification sign (~~shall be~~) is permitted on each street or alley
2 frontage of a multi((-))family structure.

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

5 c. The maximum area of each sign (~~shall be~~) is 72 square feet.

6 5. Sign Height.

7 a. The maximum height for any portion of a projecting or combination
8 sign (~~shall be~~) is 65 feet above existing grade, or the maximum height limit of the zone,
9 whichever is less.

10 b. The maximum height limit for any portion of a pole sign (~~shall be~~) is
11 30 feet; except for pole signs for multiple business centers and for business establishments
12 located within 100 feet of a state route right-of-way (~~which~~) that is not designated in Section
13 23.55.042 as a landscaped or scenic view section, for which (~~shall have~~) a maximum height of
14 40 feet is permitted.

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

18 d. No portion of a roof sign shall:

19 ((f))1 Extend beyond the height limit of the zone;

20 ((f))2 Exceed a height above the roof in excess of the height of the

21 structure on which the sign is located; or
22
23
24
25
26
27
28

1 ((f)3) Exceed a height of 30 feet above the roof, measured from a
2 point on the roof line directly below the sign or from the nearest adjacent parapet.

3 * * *

4 Section 50. Subsection E of Section 23.55.030 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 123020, is amended as follows:

6 **23.55.030 Signs in NC3, C1, C2 and SM zones((=))**

7 * * *

8
9 E. On-premises Signs.

10 1. The following signs (~~shall be~~) are permitted in addition to the signs permitted
11 by subsections 23.55.030.E.2 and 23.55.030.E.3:

12 a. Electric, externally illuminated or nonilluminated signs bearing the
13 name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

14 b. Memorial signs or tablets, and the names of buildings and dates of
15 building erection (~~when~~) if cut into a masonry surface or constructed of bronze or other
16 noncombustible materials;

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

19 d. (~~Properly displayed national~~) National, state and institutional flags;

20 e. One under-marquee sign (~~which~~) that does not exceed 10 square feet
21 in area;

22 f. One electric, externally illuminated or nonilluminated sign bearing the
23 name of a home occupation, not to exceed 64 square inches in area.
24
25
26

2. Number and Type of ~~((Permitted))~~ Signs Allowed for Business Establishments.

1 a. Each business establishment may have one ground, roof, projecting or
2 combination sign (Type A sign) for each 300 lineal feet, or portion thereof, of frontage on public
3 rights-of-way, except alleys.

4
5 b. In addition to the signs permitted by subsection 23.55.030.E.2.a ~~((of this~~
6 ~~section))~~, each business establishment may have one wall, awning, canopy, marquee or under-
7 marquee sign (Type B sign) for each 30 lineal feet, or portion thereof, of frontage on public
8 rights-of-way, except alleys.

9
10 c. In addition to the signs permitted by subsections 23.55.030.E.2.a and
11 23.55.030.E.2.b ~~((of this section))~~, each multiple business center and drive-in business may have
12 one pole sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way,
13 except alleys. Such pole signs may be for a drive-in business or for an individual business
14 establishment located in a multiple business center, or may identify a multiple business center.

15
16 d. Individual businesses ~~((which))~~ that are not drive-in businesses and
17 ~~((which))~~ that are not located in multiple business centers may have one pole sign in lieu of
18 another Type A sign permitted by subsection 23.55.030.E.2.a for each 300 lineal feet, or portion
19 thereof, of frontage on public rights-of-way, except alleys.

20
21 e. ~~((Where))~~ If the principal use or activity on the lot is outdoor retail
22 sales, banners and strings of pennants maintained in good condition ~~((shall be))~~ are permitted in
23 addition to the signs permitted by subsections 23.55.030.E.2.a, 23.55.030.E.2.b and
24 23.55.030.E.2.c.

25
26 3. Maximum Area.

a. NC3 Zones and the SM zone.

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

((f))1 The maximum area of each face of a pole, ground, roof, projecting or combination sign((s)) ~~((shall be))~~ is 72 square feet plus 2 square feet for each foot of frontage over 36 feet on public rights-of-way, except alleys, to a maximum area of 300 square feet, provided that:

i. The maximum area for signs for multiple business centers, and signs for business establishments located within 100 feet of a state route right-of-way ~~((which))~~ that is not designated in Section 23.55.042 as a landscaped or scenic view section, ~~((shall be))~~ is 600 square feet; and

ii. The maximum area for pole signs for gas stations ~~((which))~~ that identify the price of motor fuel being offered by numerals of equal size ~~((shall be))~~ is 96 square feet.

((f))2 There ~~((shall be))~~ is no maximum area limit for wall, awning, canopy, marquee or under-marquee signs.

b. C1 and C2 Zones. There ~~((shall be))~~ is no maximum area limit((s)) for on-premises signs for business establishments in C1 and C2 zones.

4. Identification Signs for Multifamily Structures.

a. One identification sign ~~((shall be))~~ is permitted on each street or alley frontage of a multi((-))family structure.

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

c. The maximum area of each sign ~~((shall be))~~ is 72 square feet.

5. Sign Height.

1 a. The maximum height for any portion of a projecting or combination
2 sign ~~((shall be))~~ is 65 feet above existing grade, or the maximum height limit of the zone,
3 whichever is less.

4
5 b. The maximum height limit for any portion of a pole sign ~~((shall be))~~ is
6 30 feet; except for pole signs for multiple business centers and for business establishments
7 located within 100 feet of a state route right-of-way ~~((which))~~ that is not designated in Section
8 23.55.042 as a landscaped or scenic view section, for which ~~((shall have))~~ a maximum height of
9 40 feet is permitted.

10
11 c. The maximum height for any portion of a wall, marquee, under-
12 marquee or canopy sign ~~((shall be))~~ is 20 feet or the height of the cornice of the structure to
13 which the sign is attached, whichever is greater.

14 d. No portion of a roof sign shall:

15
16 ~~((f))~~1) Extend beyond the height limit of the zone;

17 ~~((f))~~2) Exceed a height above the roof in excess of the height of the
18 structure on which the sign is located; or

19 ~~((f))~~3) Exceed a height of 30 feet above the roof, measured from a
20 point on the roof line directly below the sign or from the nearest adjacent parapet.

21
22 * * *

23 Section 51. Subsection B of Section 23.55.034 of the Seattle Municipal Code, which
24 section was last amended by Ordinance 120466, is amended as follows:

25 **23.55.034 Signs in downtown zones**~~((:))~~
26

* * *

1 B. The following signs (~~shall be~~) are permitted in all downtown zones regulated by this
2 section:
3

4 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
5 occupant of a dwelling unit, not exceeding (~~sixty-four (64)~~) 64(9) square inches in area;

6 2. Memorial signs or tablets, and the names of buildings and dates of building
7 erection (~~when~~) if cut into a masonry surface or constructed of bronze or other noncombustible
8 materials;
9

10 3. Signs for public facilities indicating danger and/or providing service or safety
11 information;

12 4. (~~Properly displayed national~~) National, state and institutional flags.

13 * * *

14 Section 52. Subsection B of Section 23.69.021 of the Seattle Municipal Code, which
15 section was last amended by Ordinance 120466, is amended as follows:
16

17 **23.69.021 Signs in Major Institution Overlay Districts(~~(7)~~)**

18 * * *

19 B. The following signs (~~shall be~~) are permitted in all Major Institution overlay districts,
20 regardless of the facing zone:
21

22 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
23 occupant of a dwelling unit, not exceeding (~~sixty-four (64)~~) 64(9) square inches in area;
24

2. Memorial signs or tablets, and the names of buildings and dates of building erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible materials;

3. Signs for public facilities indicating danger and/or providing service or safety information;

4. ~~((Properly displayed national))~~ National, state and institutional flags.

* * *

Section 53. Subsection A of Section 23.71.016 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.71.016 Parking and access~~((r))~~

A. Required Parking.

1. Off-street parking requirements are prescribed in Chapter 23.54, except as modified by this chapter. Minimum and maximum parking requirements for specified uses in the Northgate Overlay District are identified in Table A for 23.71.016 ~~((A))~~.

Table <u>A</u> for 23.71.016 ((A))			
Minimum and Maximum Parking Requirements			
	LONG TERM		SHORT TERM
	Minimum	Maximum	Minimum
Office	0.9/1000	2.6/1000	0.2/1000
General sales and service (Customer service office)*	1.0/1000	2.4/1000	1.6/1000
General sales and service (other and Major durables Retail sales)*	0.93/1000	2.4/1000	2.0/1000
Motion picture	N/A	N/A	Min: 1/8 seats

theaters		Max: 1/4 seats
*Except that the minimum requirements for pet daycare centers is pursuant to Table A for Section 23.54.015.		

2. Parking waivers ((as)) provided under Section 23.54.015.D apply in the Northgate Overlay District, except that no waiver of parking may be granted to medical service uses.

3. Parking may exceed the maximums ((when)) if provided in a structure (($\frac{7}{5}$)) pursuant to a joint use parking agreement with the Metro Transit Center, if the spaces are needed only to meet evening and weekend demand or as overflow on less than ten percent (((10%))) of the weekdays in a year, and will otherwise be available for daytime use by the general public.

4. Short-term parking for motion picture theaters may be increased by ((ten)) 10 percent (((10%))) beyond the maximum requirement, if these additional spaces are not provided as surface parking, will not adversely impact pedestrian circulation and will reduce the potential for overflow parking impacts on surrounding streets.

* * *

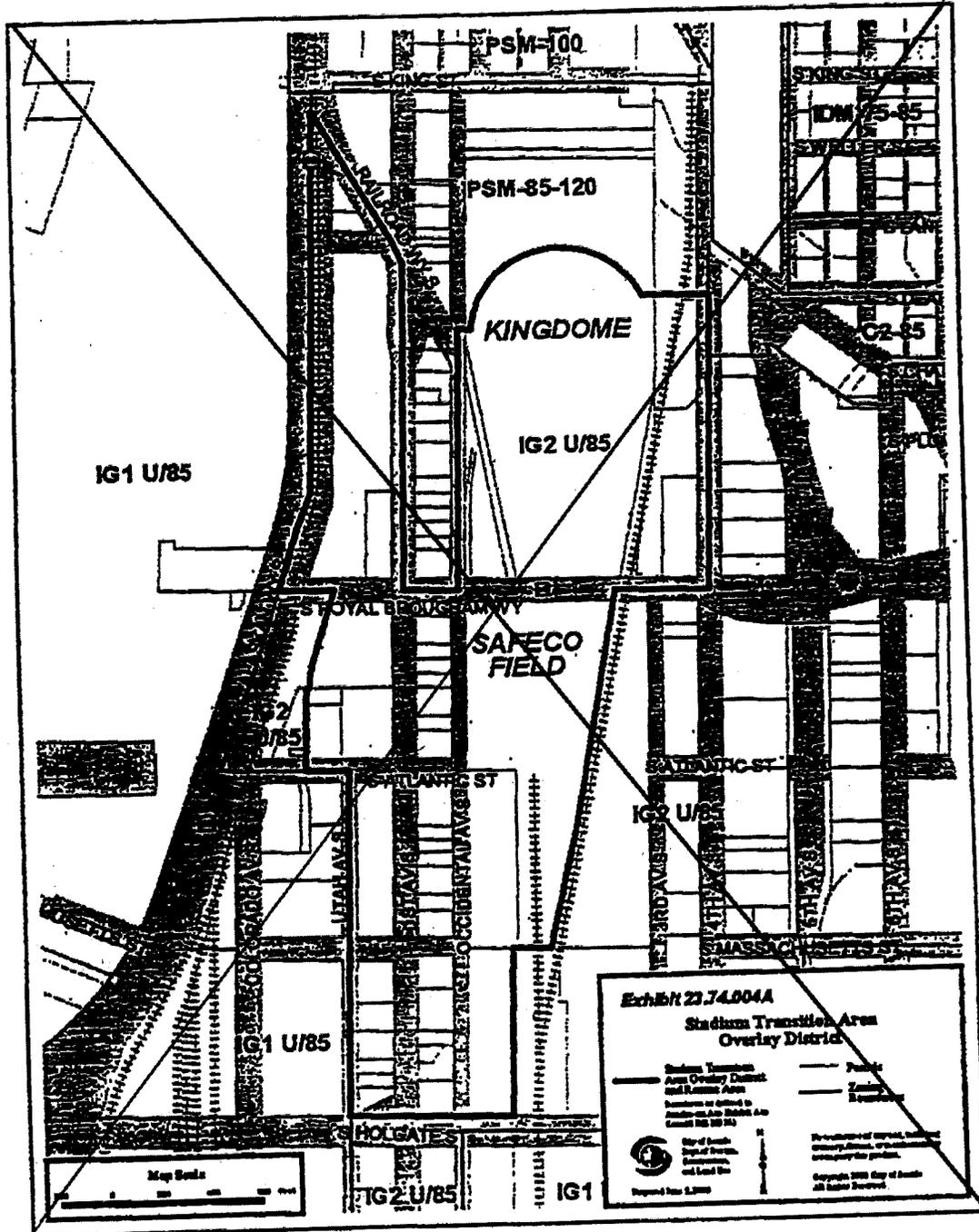
Section 54. Section 23.74.004 and Exhibit 23.74.004 A of the Seattle Municipal Code, which section was adopted by Ordinance 119972, is amended and Exhibit 23.74.004 A replaced with a new Map A for Section 23.74.004, as follows:

23.74.004 Stadium Transition Area Overlay District established(($\frac{7}{5}$))

There is established pursuant to Chapter 23.59 of the Seattle Municipal Code, the Stadium Transition Area Overlay District((, and the Official Land Use Map, Chapter 23.32, is hereby amended to show such District, as depicted on Exhibit 23.74.004 A)) as shown on Map A of 23.74.004.

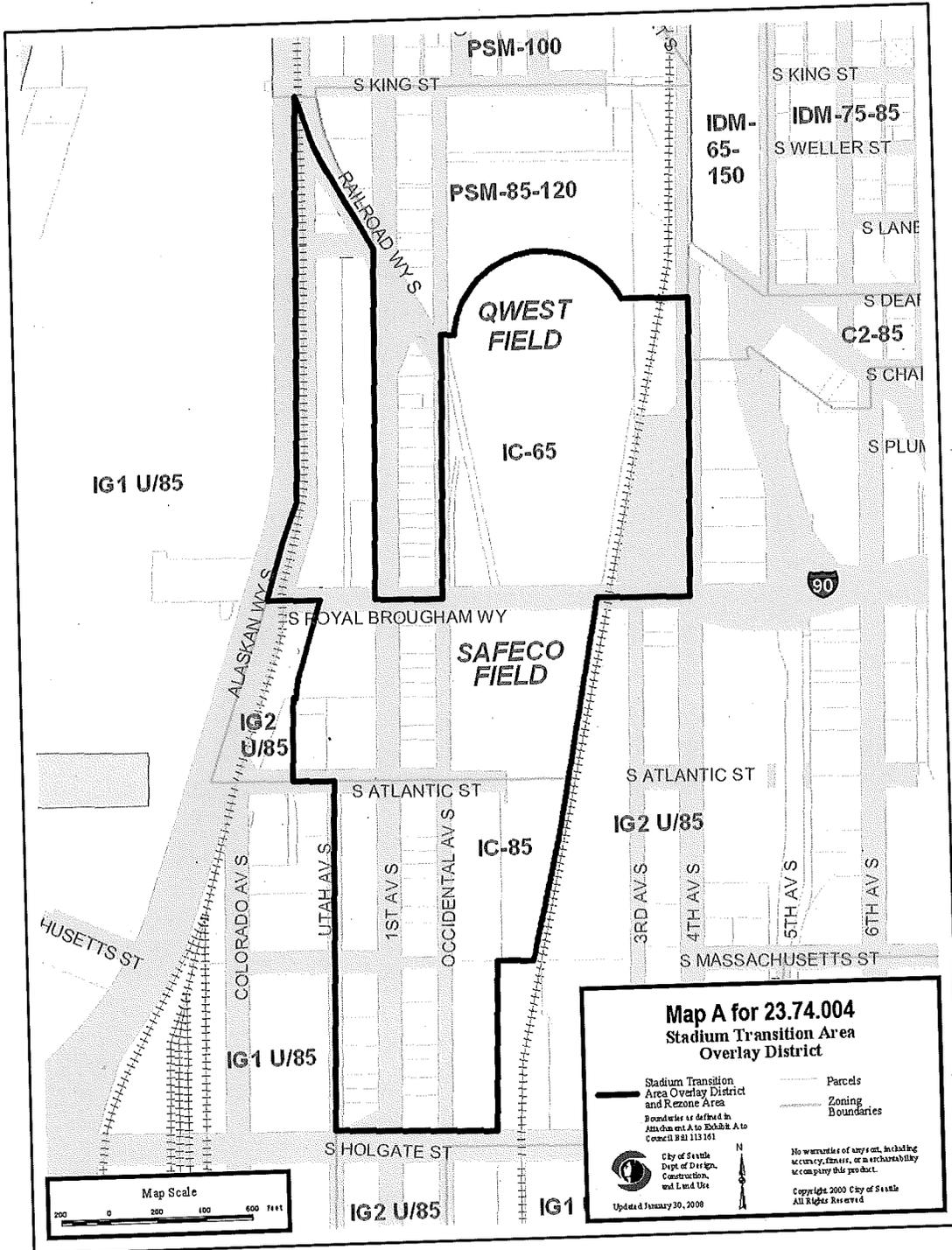
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

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



Map A for 23.74.004
Stadium Transition Area Overlay District

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



1 Section 55. Subsection B of Section 23.74.010 and Exhibit 23.74.010 A of the Seattle
2 Municipal Code, which section was last amended by Ordinance 122935, is amended and Exhibit
3 23.74.010 A is replaced with a new Map A for Section 23.74.010, as follows:

4 **23.74.010 Development standards((-))**

5 * * *

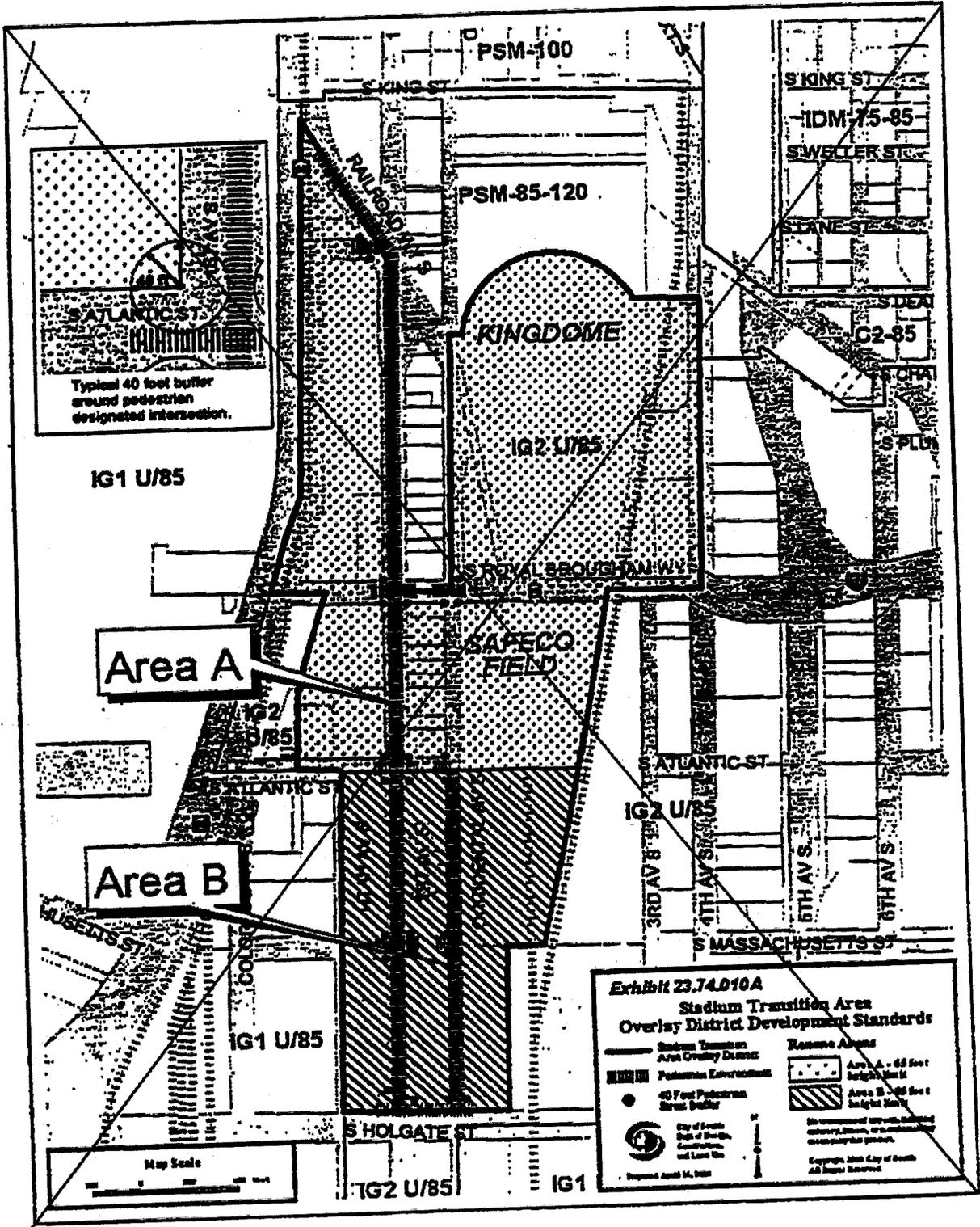
6 B. For the areas marked on ((~~Exhibit~~)) Map A for 23.74.010 ((A)), the following
7 development standards and provisions apply to all uses and structures except for spectator sports
8 facilities:
9

10 1. Floor Area Ratio (FAR). The maximum FAR for all uses is 3.0. FAR limits of
11 the underlying zone do not apply, but limits in Section 27.50.027, A, 1 on gross floor area of
12 certain uses, including limits based on lot area, do apply.

13 2. Exemptions. The first ((~~seventy five thousand (75,000))~~) 75,000 square feet of
14 street-level general sales and service, medical services, animal shelters or kennels, automotive
15 sales and services, marine sales and services, eating and drinking establishments, or lodging uses
16 on any lot are exempt from the maximum FAR limit. Exemptions in Section 23.50.028, E also
17 apply.
18

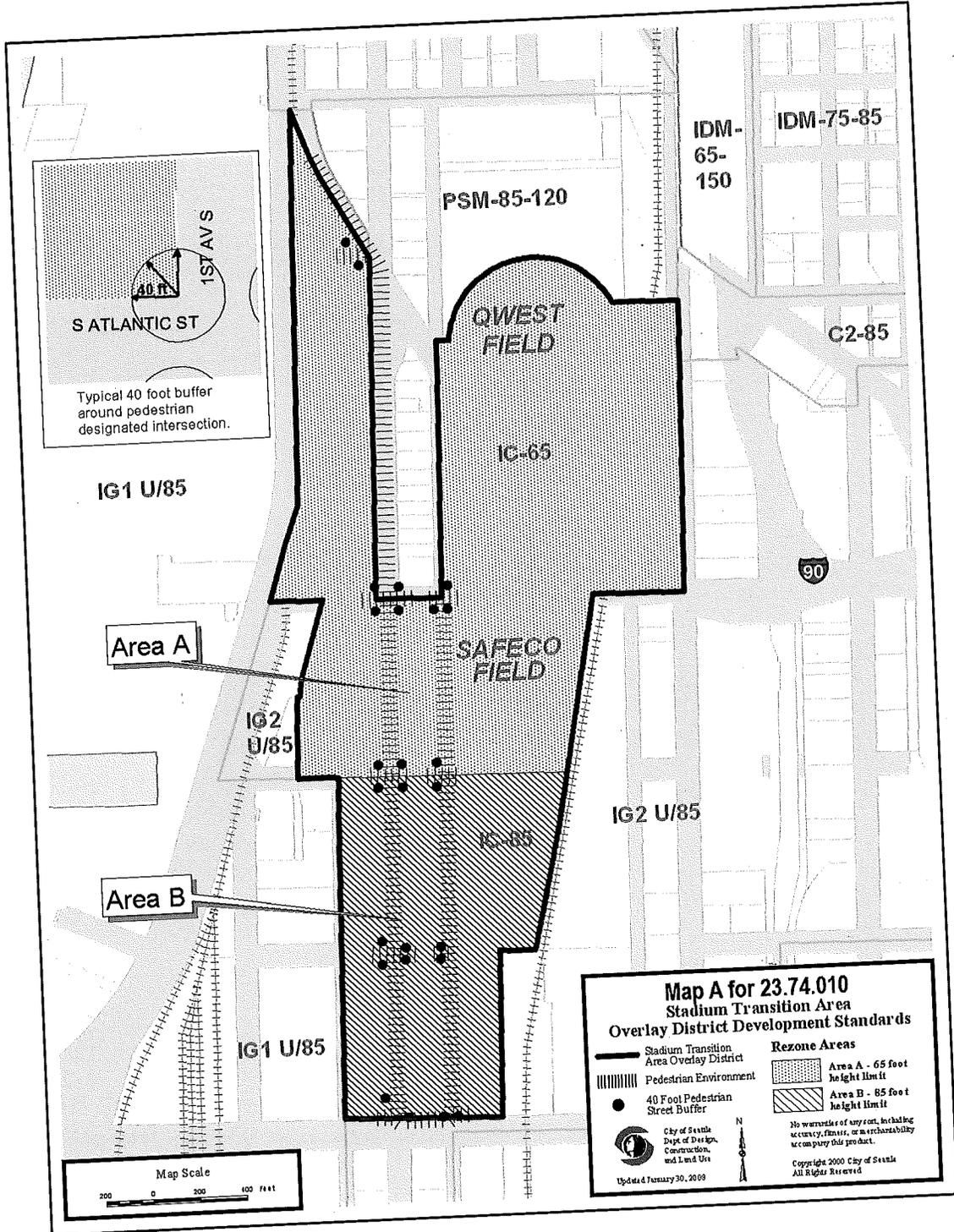
19 * * *

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



Map A for 23.74.010
Stadium Transition Area Overlay District Development Standards

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



Section 56. Exhibit 23.76.004 A Land Use Decision Framework, which section was last amended by Ordinance 122816, is amended as follows:

23.76.004 Land use decision framework.

~~((Exhibit))~~ **Table A for 23.76.004((A))**
LAND USE DECISION FRAMEWORK

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Compliance with development standards • Uses permitted outright • Temporary uses, four weeks or less • Intermittent uses • Certain street uses • Lot boundary adjustments • Modifications of features bonused under Title 24 • Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation 	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations • Variances • Administrative conditional uses • Shoreline decisions (*appealable to Shorelines Hearings Board along with all related environmental appeals) • Short subdivisions • Special ((e))Exceptions • Design review • Light rail transit facilities 	<ul style="list-style-type: none"> • Subdivisions (preliminary plats)

**((Exhibit)) Table A for 23.76.004((A))
 LAND USE DECISION FRAMEWORK**

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Temporary uses for relocation of police and fire stations • Exemptions from right-of-way improvement requirements • Special accommodation • Reasonable accommodation • Minor amendment to a Major Phased Development Permit • Determination of public benefit for combined lot FAR • <u>Determination of whether an amendment to a Property Use and Development Agreement is major or minor</u> • Other Type 1 decisions that are identified as such in the Land Use Code 	<ul style="list-style-type: none"> • ((Monorail transit facilities)) • The following environmental determinations: <ol style="list-style-type: none"> 1. Determination of nonsignificance (EIS not required) 2. Determination of final EIS adequacy 3. Determination of significance based solely on historic and cultural preservation 4. A decision by the Director to approve, condition or deny a project based on SEPA Policies 5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required) • Major Phased Development 	

**((Exhibit)) Table A for 23.76.004((A))
 LAND USE DECISION FRAMEWORK**

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
	<ul style="list-style-type: none"> • Downtown Planned Community Developments 	

COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial – subject to Hearing Examiner recommendation)	TYPE V (Legislative)
<ul style="list-style-type: none"> • Amendments to the Official Land Use Map (rezones), except area-wide amendments, and adjustments pursuant to Section 23.69.023 • Public project approvals • Major Institution master plans, including major amendments and renewal of a master plan's development plan component • Major amendments to Property Use and Development agreements • Council conditional uses 	<ul style="list-style-type: none"> • Land Use Code text amendments • Area-wide amendments to the Official Land Use Map • Concept approval for City facilities • Major Institution designations • Waiver or modification of development standards for City facilities • Planned Action Ordinance

1 Section 57. Subsection D of Section 23.76.024 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 121477, is amended as follows:

3 **23.76.024 Hearing Examiner open record hearing and decision for subdivisions(~~(-)~~)**

4 * * *

5 D. Request for Further Consideration and Appeal. Any person significantly interested in
6 or affected by the proposed subdivision may request further consideration of the Director's
7 recommendation and may appeal the Director's procedural environmental determination and
8 other Type II decisions. Such request for further consideration or appeal:
9

10 1. Shall be in writing, shall clearly state specific objections to the
11 recommendation or environmental determination, and shall state the relief sought;

12 2. Shall be submitted to the Hearing Examiner by ~~((five-))5((:00))~~ p.m. of the
13 fourteenth calendar day following publication of notice of the Director's report, provided that
14 when a ~~((fifteen-15))~~ 14 -day DNS comment period is required pursuant to ~~((SMC))~~ Chapter
15 25.05, appeals may be filed until ~~((five-))5((:00))~~ p.m. of the twenty-first calendar day
16 following publication of notice of the decision. ~~((When))~~ If the last day of the appeal period so
17 computed is a Saturday, Sunday or federal or City holiday, the period ~~((shall run))~~ runs until
18 ~~((five-))5((:00))~~ p.m. the next business day. The request or appeal shall be accompanied by
19 payment of any filing fee set forth in ~~((SMC))~~ Section 3.02.125, Hearing Examiner filing fees,
20 and in form and content shall conform with the rules of the Hearing Examiner.
21

22 * * *

23
24 Section 58. Subsection B of Section 23.76.058 of the Seattle Municipal Code, which
25 section was last amended by Ordinance 122497, is amended as follows:
26

23.76.058 Rules for specific decisions((=))

* * *

B. Contract Rezones.

1. ~~((When))~~ If a property use and development agreement is required as a condition to an amendment of the Official Land Use Map, the amendment shall not take effect until the later of:

~~((1))~~ a. the effective date of the ordinance approving the map amendment and accepting the property use and development agreement, as specified in the ordinance or pursuant to Section 1.04.020, or

~~((2))~~ b. the recording in the King County Recorder's Office of the agreement executed by the legal and beneficial owners. The agreement shall be recorded in the real property records of King County and filed with the City Clerk within ~~((thirty-))~~30~~((-))~~ days after adoption of the ordinance approving the map amendment and accepting the agreement.

2. Amendment of Property Use and Development Agreements. Property use and development agreements recorded as a condition to a map amendment may be amended by agreement between the owner and the City, provided that any such amendment shall be approved by the Council.

a. A request to amend shall be submitted to the Department of Planning and Development and filed with the City Clerk. Notice of a request to amend and an opportunity to comment shall be provided in accordance with the notice requirements of Section 23.76.012.B.~~((1))~~1~~((-))~~ or B.~~((2))~~2~~((-))~~, and B.~~((3))~~3~~((-))~~, and notice and opportunity to comment shall also be provided to the parties of record in the original rezone decision and to those persons

1 who were provided written notice of the Hearing Examiner's recommendation in the original
2 rezone decision.

3 b. The Director shall determine whether the requested amendment is major
4 or minor. This determination is a Type I decision.

5 ((f))1 Minor amendments. A minor amendment is one that is
6 within the spirit and general purpose of the prior decision of the Council, is generally consistent
7 with the uses and development standards approved in the prior decision of the Council, would
8 not result in significant adverse impacts that were not anticipated in the prior decision of the
9 Council, and does not request any additional waivers or changes in the waivers of bulk or off-
10 street parking and loading requirements other than those approved in the prior decision of the
11 Council. If the Director determines that a proposed amendment is minor, the Director shall
12 transmit to Council the request to amend, the Director's determination that the request is minor,
13 any comments received by the Director on the proposed amendment, the Director's
14 environmental determination, and the Director's recommendation on the amendment. A request
15 to amend that is minor and that complies with the rezone criteria of Chapter 23.34 may be
16 approved by the Council by ordinance after receiving any additional advice that it deems
17 necessary.
18
19
20

21 ((f))2 Major Amendments. Requests that are not minor are major.
22 The Council shall not approve a major amendment to a property use and development agreement
23 until the Council has received a recommendation from the Hearing Examiner after a public
24 hearing held as provided for rezones in Section 23.76.052(~~(, Hearing Examiner open record~~
25 ~~predecision hearing and recommendation)~~).
26
27
28

* * *

1 Section 59. Subsection D of Section 23.76.060 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122497, is amended as follows:

3
4 **23.76.060 Expiration of land use approvals – Extensions(~~(-)~~)**

5 * * *

6 D. Extensions. The Council may extend the time limits on Type IV land use approvals for
7 no more than two (~~((2))~~) years, upon an applicant's request for an extension filed with the City
8 Clerk at least (~~((thirty (30)))~~)120 days before the approval's expiration. The Council may request a
9 recommendation on the extension request from the Director, but the Hearing Examiner hearing
10 and recommendation requirements of Section 23.76.052 do not apply. Notice (~~((for))~~)of requests
11 for extensions of Type IV land use decisions and an opportunity to comment shall be provided
12 pursuant to Sections 23.76.012, B₂(~~((1))~~)1(~~((1))~~) or B₂(~~((2))~~)2(~~((2))~~), and B₂(~~((3))~~)3(~~((3))~~), and notice and an
13 opportunity to comment shall also be provided to the parties of record in the Council's original
14 Type IV land use proceeding and to those persons who were provided written notice of the
15 Hearing Examiner's recommendation on the original Type IV application.

16
17
18 1. The Council may not extend the time limits for a Type IV land use approval for
19 a project that is not in conformance with applicable regulations, including land use and
20 environmentally critical areas regulations, in effect at the time an extension is sought.

21
22 2. In deciding whether to grant a request for an extension, the Council shall
23 consider:

24 a. The reason or basis for the request for the extension and whether it is
25 reasonable under the circumstances;

b. Whether changed circumstances in the area support an extension;

c. Whether additional time is reasonably necessary to comply with a

condition of approval adopted by the Council that is required to be fulfilled prior to expiration of the land use approval.

Section 60. Section 23.84A.006 of the Seattle Municipal Code, which section was last amended by Ordinance 122411, is amended as follows:

23.84A.006 "C((:))"

* * *

Communication Devices and Utilities (and Related Terms).

1. "Antenna, dish" means a round parabolic device for the reception and/or transmission of radiofrequency communication signals. A dish antenna may serve either as a major or minor communication utility or may be an accessory communication device. A dish antenna may be either

a.((:)) a satellite earth station antenna, which receives signals from and/or transmits signals to satellites, or

b.((:)) a point-to-consecutive-point antenna, which receive signals from terrestrial sources. Also called "Satellite dish antenna."

2. "Antenna, whip" means an omnidirectional antenna, cylindrical in shape, ((four))4((:)) inches or less in diameter and ((twelve-))12((:)) feet or less in length.

3. "Candelabra mounting" means a single spreader that supports more than two ((2)) antennas.

1 4. "Communication device, accessory" means a device by which radiofrequency
2 communication signals are transmitted and/or received, such as but not limited to whip, horn and
3 dish antennas, and that is accessory to the principal use on the site. Antennas and other
4 equipment associated with major and minor communication utilities are not accessory
5 communication devices.

6 5. "Communication device, receive-only" means a radio frequency device with
7 the ability to receive signals, but not to transmit them.
8

9 6. "Communication utility, major" means a use in which the means for
10 radiofrequency transfer of information are provided by facilities with significant impacts beyond
11 their immediate area. These utilities include, but are not limited to, FM and AM radio and UHF
12 and VHF television transmission towers. A major communication utility use does not include
13 communication equipment accessory to residential uses; nor does it include the studios of
14 broadcasting companies, such as radio or television stations, which shall be considered
15 administrative offices even if there is point-to-point transmission to a broadcast tower.
16

17 7. "Communication utility, minor" means a use in which the means for
18 radiofrequency transfer of information are provided but do not have significant impacts beyond
19 the immediate area. These utilities are smaller in size than major communication utilities and
20 include two ~~((2))~~ way, land-mobile, personal wireless services and cellular communications
21 facilities; cable TV facilities; point-to-point microwave antennas; FM translators; and FM
22 boosters with under ten ~~((10))~~ watts transmitting power. A minor communication utility does
23 not include wire, cables, or communication equipment accessory to residential uses; nor does it
24 include the studios of broadcasting companies, such as radio or television stations, which shall be
25
26
27
28

1 considered administrative offices even if there is point-to-point transmission to a broadcast
2 tower.

3 8. "Communication utility, physical expansion of major or minor" means any
4 increase in footprint and/or envelope of transmission towers. Physical expansion does not
5 include an increase in height of the tower resulting from repair, reconstruction, replacement or
6 modification to the antenna that would result in lower radio frequency radiation exposure
7 readings at ground level or in greater public safety, as long as the height above mean sea level
8 does not increase by more than ten ~~((10))~~ percent and in any event does not exceed ~~((one~~
9 ~~thousand one hundred (1,100))~~ feet above mean sea level. Replacement of existing antennas
10 or addition of new antennas is not considered physical expansion, unless such replacement or
11 addition increases the envelope of the transmission tower by such means as utilizing a candelabra
12 mounting. Replacement or expansion of an equipment building is not considered physical
13 expansion.
14

15
16 9. "Reception window obstruction" means a physical barrier that would block the
17 signal between an orbiting satellite and a land-based antenna.

18 10. "Telecommunication facility, shared-use" means a telecommunication facility
19 used by two ~~((2))~~ or more television stations or five ~~((5))~~ or more FM stations.
20

21 11. "Telecommunication facility, single-occupant" means a telecommunication
22 facility used only by one ~~((1))~~ television station or by one ~~((1))~~ television station and one
23 ~~((1))~~ to four ~~((4))~~ FM stations.
24
25
26
27
28

1 12. "Transmission tower" means a tower or monopole on which communication
2 devices are placed. Transmission towers may serve either as a major or minor communication
3 facility.

4 13. "Wireless service, fixed" means the transmission of commercial non-
5 broadcast communication signals via wireless technology to and/or from a fixed customer
6 location. Fixed wireless service does not include AM radio, FM radio, amateur ("HAM") radio,
7 Citizen's Band (CB) radio, and Digital Audio Radio Service (DARS) signals.

8 14. "Wireless service, personal" means a commercial use offering cellular mobile
9 services, unlicensed wireless services and common carrier wireless exchange access services.
10

11 * * *

12 Section 61. Section 23.84A.024 of the Seattle Municipal Code, which section was
13 adopted by Ordinance 122311, is amended by adding an additional subsection to such section, to
14 be codified in alphabetical order, and amending existing subsections, as follows:
15

16 **23.84A.024 "L(())"**

17 * * *

18 "Landmark structure" means a structure designated as a landmark pursuant to the
19 Landmark Preservation Ordinance, Chapter 25.12.
20

21 * * *

22 "Lot, parent" means the initial lot from which unit lots are subdivided under Section
23 23.22.062 or Section 23.24.045.

24 * * *

1 "Lot, unit" means one of the individual (~~(lots)~~) divisions created from the subdivision of
2 a parent lot pursuant to Section 23.22.062 or Section 23.24.045. A unit lot is not a lot.

3 * * *

4 Section 62. Section 23.84A.036 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 122935, is amended as follows:

6 **23.84A.036 "S(~~-~~)"**

7 * * *

8 "Street, arterial" means every street, or portion thereof, designated as an arterial on
9
10 (~~(Exhibit 23.53.015 A)~~) the Arterial street map, Section 11.18.010.

11 1. (~~"Collector arterial" means a street or portion thereof designated as such on Exhibit~~
12 ~~23.53.015 A.~~

13 2.) "Minor arterial" means a street or portion thereof designated as such (~~(on Exhibit~~
14 ~~23.53.015 A or)~~) on Map 1B for Chapter 23.49(~~(, or both)~~).

15
16 (~~(3-)~~) 2. "Principal arterial" or "major arterial" means a street or portion thereof
17 designated as such on (~~(Exhibit 23.53.015 A or)~~) on Map 1B for Chapter 23.49(~~(, or both)~~).

18 * * *

19 Section 63. Section 23.84A.038 of the Seattle Municipal Code, which section was last
20 amended by Ordinance 122935, is amended as follows:

21 **23.84A.038 "T(~~-~~)"**

22 * * *

1 "Transportation facility" means a use that supports or provides a means of transporting
2 people and/or goods from one location to another. Transportation facilities include but are not
3 limited to the following:

4 1. "Cargo terminal" means a transportation facility in which quantities of goods or
5 container cargo are, without undergoing any manufacturing processes, transferred to carriers or
6 stored outdoors in order to transfer them to other locations. Cargo terminals may include
7 accessory warehouses, railroad yards, storage yards, and offices.
8

9 2. "Parking and moorage" means the short term or long term storage of
10 automotive vehicles or vessels or both when not in use. Parking and moorage uses include but
11 are not limited to:

12 a. "Boat moorage" means a use, in which a system of piers, buoys or floats
13 is used to provide moorage for vessels except barges, for sale or rent usually on a monthly or
14 yearly basis. Minor vessel repair, haul out, dry boat storage, and other services are also often
15 provided. Boat moorage includes, but is not limited to:

16 ((f))1 "Commercial moorage" means a boat moorage primarily
17 intended for commercial vessels except barges.
18

19 ((f))2 "Recreational marina" means a boat moorage primarily
20 intended for pleasure craft. (See also, "Boat moorage, public".)
21

22 b. "Dry boat storage" means a use in which space on a lot on dry land, or
23 inside a building over water or on dry land, is rented or sold to the public or to members of a
24 yacht or boating club for the purpose of storing boats. Sometimes referred to as "dry storage."
25

1 c. "Parking, principal use" means a use in which an open area or garage is
2 provided for the parking of vehicles by the public, and is not reserved or required to
3 accommodate occupants, clients, customers or employees of a particular establishment or
4 premises. Principal use parking includes but is not limited to the following uses:

5 ((c))1 "Park and pool lot" means a principal use parking use,
6 operated or approved by a public ridesharing agency, where commuters park private vehicles and
7 join together in carpools or vanpools for the ride to work and back, or board public transit at a
8 stop located outside of the park and pool lot.
9

10 ((c))2 "Park and ride lot" means a principal use parking use where
11 commuters park private vehicles and either join together in carpools or vanpools, or board public
12 transit at a stop located in the park and ride lot.
13

14 d. "Towing services" means a parking and moorage use in which more
15 than two ((c)) tow trucks are employed in the hauling of motorized vehicles, and where
16 vehicles may be impounded, stored or sold, but not disassembled or junked.

17 3. "Passenger terminal" means a transportation facility where passengers embark
18 on or disembark from carriers such as ferries, trains, buses or planes that provide transportation
19 to passengers for hire by land, sea or air. Passenger terminals typically include some or all of the
20 following: ticket counters, waiting areas, management offices, baggage handling facilities,
21 restroom facilities, shops and restaurants. A passenger terminal use on the waterfront may
22 include moorage for cruise ships and/or vessels engaged in transporting passengers for hire.
23 Activities commonly found aboard such vessels, whether moored or under way, that are
24 incidental to the transport of passengers shall be considered part of the passenger terminal use
25
26
27
28

1 and shall not be treated as separate uses. Metro street bus stops, monorail transit stations, and
2 light rail transit stations are not included in this definition. Also excluded is the use of sites
3 where passengers occasionally embark on or disembark from transportation in a manner that is
4 incidental to a different established principal use of the site.

5 4. "Rail transit facility" means a transportation facility used for public transit by
6 rail. Rail transit facilities include but are not limited to the following:

7 a. "Light rail transit facility" means a structure, rail track, equipment,
8 maintenance base or other improvement of a light rail transit system, including but not limited to
9 ventilation structures, traction power substations, light rail transit stations and related passenger
10 amenities, bus layover and intermodal passenger transfer facilities, and transit station access
11 facilities.
12

13 b. "Light rail transit station" means a light rail transit facility whether at
14 grade, above grade or below grade that provides pedestrian access to light rail transit vehicles
15 and facilitates transfer from light rail to other modes of transportation. A light rail transit station
16 may include mechanical devices such as elevators and escalators to move passengers and may
17 also include such passenger amenities as informational signage, seating, weather protection,
18 fountains, artwork or concessions.
19

20 c. "Light rail transit system" means a public rail transit line that operates at
21 grade level, above grade level, or in a tunnel and that provides high-capacity, regional transit
22 service, owned or operated by a regional transit authority authorized under Chapter 81.112
23 RCW. A light rail transit system may be designed to share a street right-of-way although it may
24
25
26

1 also use a separate right-of-way. Commuter rail, and low capacity, or excursion rail transit
2 service, such as the Waterfront Streetcar (~~or Seattle Monorail~~), are not included.

3 ~~((d. "Monorail guideway" means the beams, with their foundations and all
4 supporting columns and structures, including incidental elements for access and safety, along
5 which a city transportation authority monorail train runs.~~

6 ~~e. "Monorail transit facility" means a structure, guideway, equipment, or
7 other improvement of a monorail transit system, including but not limited to monorail transit
8 stations and related passenger amenities, power substations, maintenance and/or operations
9 centers.~~

10 ~~f. "Monorail transit station" means a monorail transit facility, whether at
11 grade or above grade, that provides pedestrian access to monorail transit trains and facilitates
12 transfer from monorail to other modes of transportation. A monorail transit station may include
13 mechanical devices such as elevators and escalators to move passengers, and may also include
14 such passenger amenities as informational signage, seating, weather protection, fountains,
15 artwork or concessions.~~

16 ~~g. "Monorail transit system" means a transportation system that uses train
17 cars running on a guideway, along with related facilities, owned or operated by a city
18 transportation authority)).~~

19 ~~((6))5. "Transportation facility, air" means one of the following transportation
20 facilities:~~

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

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

3 c. "Heliport" means a transportation facility in which an area on a roof or
4 on the ground is used for the takeoff and landing of helicopters or other steep- gradient aircraft,
5 and one ((1)) or more of the following services are provided: cargo facilities, maintenance and
6 overhaul, fueling service, tie-down space, ((hangers)) and other accessory buildings and open
7 spaces.
8

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

13 ((7))6. "Vehicle storage and maintenance" means a use in which facilities for
14 vehicle storage and maintenance are provided. Vehicle storage and maintenance uses include but
15 are not limited to:

16 a. "Bus base" means a transportation facility in which a fleet of buses is
17 stored, maintained, and repaired.
18

19 b. "Railroad switchyard" means a vehicle storage and maintenance use in
20 which:
21

22 ((1))1 Rail cars and engines are serviced and repaired; and

23 ((2))2 Rail cars and engines are transferred between tracks and

24 coupled to provide a new train configuration.
25
26
27
28

1 c. "Railroad switchyard with a mechanized hump" means a railroad
2 switchyard that includes a mechanized classification system operating over an incline.

3 d. "Streetcar maintenance base" means a transportation facility in which a
4 fleet of streetcars is stored, maintained, and repaired.

5 e. "Transportation services, personal" means a vehicle storage and
6 maintenance use in which either emergency transportation to hospitals, or general transportation
7 by car, van, or limousine for a fee is provided. Such uses generally include dispatching offices
8 and facilities for vehicle storage and maintenance.
9

10 * * *

11 Section 64. Subsection B of Section 23.86.010 of the Seattle Municipal Code, which
12 section was last amended by Ordinance 118414, is amended as follows:

13 **23.86.010 Yards((-))**

14 * * *

15
16 B. Front Yards.

17 1. Determining Front Yard Requirements. Front yard requirements are presented
18 in the development standards for each zone. Where the minimum required front yard is to be
19 determined by averaging the setbacks of structures on either side of a lot, the following
20 provisions (~~shall~~) apply:
21

22 a. The required depth of the front yard shall be the average of the distance
23 between single-family structures and front lot lines of the nearest single-family structures on
24 each side of the lot (Exhibit B for 23.86.010((B))). (~~When~~)If the front facade of the single-
25
26
27
28

1 family structure is not parallel to the front lot line, the shortest distance from the front lot line to
2 the structure shall be used for averaging purposes (Exhibit C for 23.86.010(~~(C)~~)).

3 b. The yards used for front yard averaging shall be on the same block front
4 as the lot, and shall be the front yards of the nearest single-family structures within (~~one~~
5 ~~hundred~~)100(~~(+)~~) feet of the side lot lines of the lot.

6 c. For averaging purposes, front yard depth shall be measured from the
7 front lot lines to the wall nearest to the street or, where there is no wall, the plane between
8 supports, which comprises (~~(twenty~~)20(~~(+)~~) percent or more of the width of the front facade of
9 the single-family structure. Enclosed porches shall be considered part of the single-family
10 structure for measurement purposes. Attached garages or carports permitted in front yards under
11 (~~(either Sections 23.44.014 D7 or)~~) 23.44.016(~~(C)~~)D, decks, uncovered porches, eaves, attached
12 solar collectors, and other similar parts of the structure shall not be considered part of the
13 structure for measurement purposes.
14

15
16 d. (~~(When)~~)If there is a dedication of street right-of-way to bring the street
17 abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging
18 purposes the amount of the dedication shall be subtracted from the front yard depth of the
19 structures on either side.

20
21 e. (~~(When)~~)If the first single-family structure within (~~one hundred~~
22 ~~(+)~~100(~~(+)~~) feet of a side lot line of the lot is not on the same block front, or does not provide its
23 front yard on the same street, or (~~(when)~~)if there is no single-family structure within (~~one~~
24 ~~hundred~~)100(~~(+)~~) feet of the side lot line, the yard depth used for averaging purposes on that
25 side shall be (~~(twenty~~)20(~~(+)~~) feet (Exhibits D and E for 23.86.010 (~~(D and 23.86.010 E)~~)).
26

1 f. ~~((When))~~ If the front yard of the first single-family structure within ~~((one~~
2 ~~hundred-~~(~~)100(~~)~~)~~ feet of the side lot line of the lot exceeds ~~((twenty-~~(~~)20(~~)~~)~~ feet, the yard
3 depth used for averaging purposes on that side shall be ~~((twenty-~~(~~)20(~~)~~)~~ feet (Exhibit F for
4 23.86.010(~~F~~)).

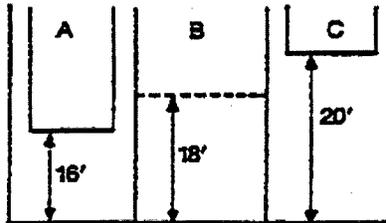
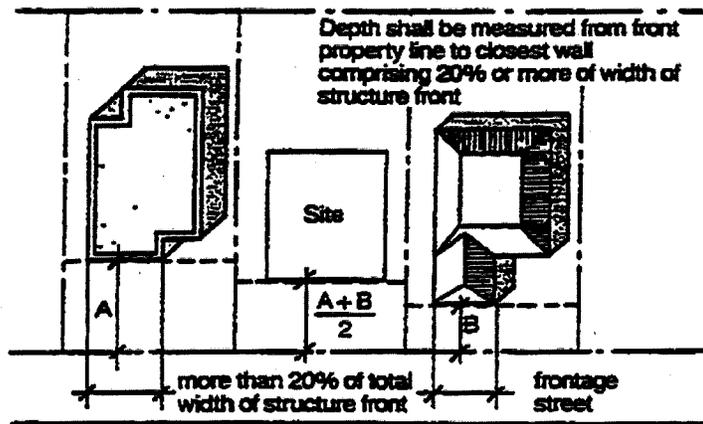
5 g. In cases where the street is very steep or winding, the Director shall
6 determine which adjacent single-family structures should be used for averaging purposes.

7
8 2. Sloped Lots in Single-family Zones. For a lot in a single-family zone, reduction
9 of the required front yard is permitted at a rate of ~~((one-~~(~~)1(~~)~~)~~ foot for every percent of slope in
10 excess of ~~((thirty-five-~~(~~)35(~~)~~)~~ percent. For the purpose of this provision the slope shall be
11 measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall
12 determine the line along which slope is calculated.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

((Exhibit 23.86.010-B)) Exhibit B for 23.86.010

Determination of Front Yard Setback

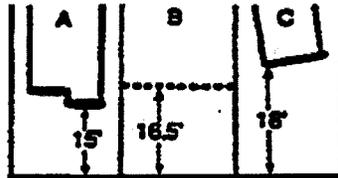


Required minimum front setback for Lot B determined as follows:

1. Front setback, Lot A = 16'.
2. Front setback, Lot C = 20'.
3. Average front setback = 18'.
4. Required minimum front setback for Lot B = 18'.

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

~~((Exhibit 23.86.010-C))~~ Exhibit C for 23.86.010
**Calculating Minimum Required Front Yard
Unusual Front Walls**



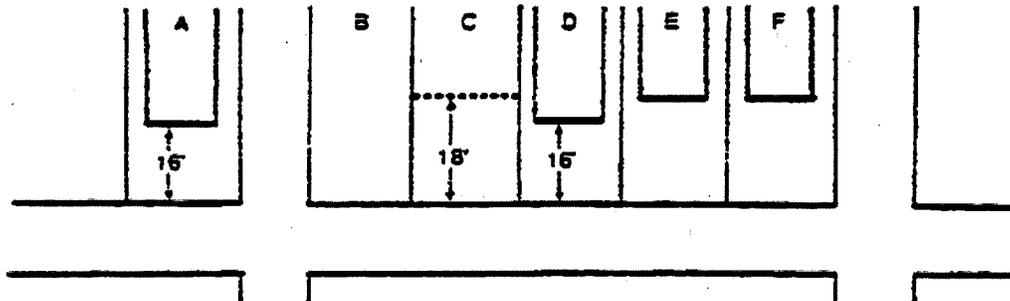
Minimum required front yard for Lot B:

- 1. Front yard, Lot A = 15'.**
- 2. Front yard, Lot C = 18'.**
- 3. Average front yard = 16.5'.**
- 4. Required minimum front yard for lot B = 16.5'**

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

((Exhibit 23.86.010 D)) Exhibit D for 23.86.010

1. Front yard, Lot D = 16'.
2. Lot B unimproved.
3. Lot A not on same block front.
4. Use 20' for averaging purposes on west side.
5. Minimum required front yard,
Lot C = $(20 + 16)/2 = 18'$.

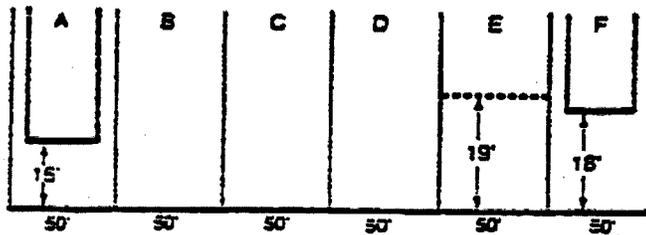


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

((Exhibit 23.86.010-E)) Exhibit E for 23.86.010

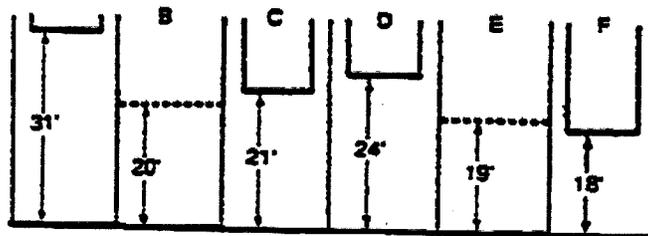
Minimum Required Front Yards, Adjoining Lots Unimproved

1. Front yard, Lot F = 18'.
2. Lots B, C, D unimproved.
3. Use 20' for averaging purposes on west side.
4. Minimum required front yard,
Lot E = $(20 + 18)/2 = 19'$.



((Exhibit 23.86.010-F)) Exhibit F for 23.86.010

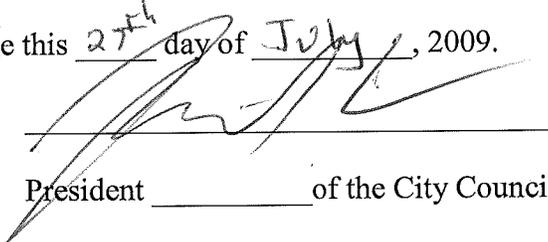
1. Minimum required front yard,
Lot B = $(20 + 20)/2 = 20'$.
2. Minimum required front yard,
Lot E = $(20 + 18)/2 = 19'$.



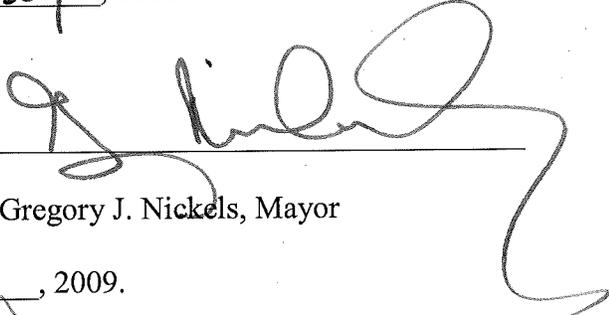
1
2 Section 65. The Code Reviser is authorized to amend all sections of Title 23 of the
3 Seattle Municipal Code that contain the word "chart" by changing the word "chart" to "table"
4 and is directed to do so over time as the Code Reviser deems appropriate.

5 Section 66. This ordinance shall take effect and be in force thirty (30) days from and
6 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
7 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

8
9 Passed by the City Council the 27th day of July, 2009, and signed by me in
10 open session in authentication of its passage this 27th day of July, 2009.

11
12 
13 President _____ of the City Council

14
15 Approved by me this 28th day of July, 2009.

16
17 
18 Gregory J. Nickels, Mayor

19
20 Filed by me this 30th day of July, 2009.

21
22 
23 City Clerk Foster

24 (Seal)

25 t

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Department of Planning & Development	Bill Mills/ 684-8738	Karen Grove/684-5805

Legislation Title:

An ordinance relating to land use and zoning; amending Sections 23.22.062, 23.24.045, 23.34.010, 23.34.018, 23.40.020, 23.41.006, 23.42.112, 23.43.008, 23.43.010, 23.43.012, 23.44.006, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.018, 23.44.022, 23.44.051, 23.44.060, 23.45.008, 23.45.016, 23.45.160, 23.46.004, 23.46.012, 23.47A.002, 23.47A.004, 23.47A.005, 23.47A.018, 23.47A.020, 23.49.014, 23.49.017, 23.49.030, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.012, 23.50.022, 23.50.051, 23.53.015, 23.53.020, 23.53.030, 23.55.020, 23.55.022, 23.55.028, 23.55.030, 23.55.034, 23.69.021, 23.71.016, 23.74.004, 23.74.010, 23.76.004, 23.76.024, 23.76.058, 23.76.060, 23.84A.006, 23.84A.024, 23.84A.036, 23.84A.038, and 23.86.010 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments; adding a new Section 23.42.030; repealing Section 23.40.050; and authorizing the Code Reviser to amend all references in Title 23 of the Seattle Municipal Code to "chart."

Summary of the Legislation:

Ongoing maintenance of the Land Use Code periodically requires amendments that are relatively small scale and have limited scope and impact. Such amendments include correcting typographical errors and incorrect section references, as well as clarifying existing code provisions. The proposed "omnibus" amendments accomplish the following:

- Updating and clarification of certain maps and exhibits in the Code;
- Clarification of exceptions to yard and setback standards in the Residential Small Lot (RSL) zones;
- Clarification and correction of single-family and multifamily development regulations, particularly with respect to yards and parking;
- Updating format and style in accordance with current standards of Code construction.

Background:

Periodic updating of the Land Use Code is an important part of the regulatory process. Clarifying development regulations is necessary from time to time to correct errors and omissions when they are discovered, and to ensure that the City's policy intent is clear and achievable. Adoption of these Land Use Code amendments will help to facilitate easier understanding and improved administration and application of the Land Use Code. The last omnibus ordinance of Code amendments was adopted in 2004. A more detailed summary of the proposed amendments is included in the attached Director's Report.

X This legislation does not have any financial implications.



DIRECTOR'S REPORT AND RECOMMENDATION

2009 Omnibus Ordinance

Introduction

The Department of Planning and Development (DPD) is responsible for routine maintenance of the Land Use Code. The proposed amendments are called "omnibus" amendments because DPD packages a collection of amendments that are small scale, with what is believed to be a limited scope of impact. Such amendments include correcting typographical errors and incorrect section references, as well as clarifying or correcting existing code language. Following is a section-by-section description of the proposed amendments. Where the only changes are minor grammatical corrections to existing language or corrections of typographical errors, the descriptions are limited or omitted.

23.22.062, 23.24.045 Subdivisions, Short plats - Unit lot subdivisions

The definitions of "parent lot" and "unit lot" in Section 23.84.024 specify that unit lots are created exclusively for certain types of listed residential development in certain zones, including townhouses, cottage housing, clustered housing, and single-family residences in Lowrise zones, or any appropriate combination. When the new chapter for Land Use Code definitions, 23.84A, was added to the Code in 2006, the new definitions for "parent lot" and "unit lot" in 23.84A.024 omitted the references to the types of residential development eligible for unit lot subdivisions. The proposed changes to 23.22.062 and 23.24.045 restore references in the Code to specific types of residential development eligible for unit lot subdivisions, but place these references in the Code sections regulating subdivisions and short subdivisions. This is a better placement, as the language is more appropriate for a development regulation instead of a definition. A cross reference to Sections 23.22.062 and 23.24.045 is proposed to be placed in the definitions of "parent lot" and "unit lot" in Section 23.84A.024 to make clear that these definitions apply to certain specific types of residential development. The amendments make no substantive change to what has been common practice and interpretation.

23.34.010 Rezone criteria – designation of single-family zones

The proposed amendment would allow a single-family zoned residential area to be rezoned to Lowrise Duplex/Triplex, Lowrise 1, or Lowrise 2 if the area is within the Rainier Beach Urban Village west of Martin Luther King Junior Way South. The proposed amendment is consistent with and supported by the Rainier Beach Neighborhood Plan, but was not added to the Land Use Code at the time it was added to the Comprehensive Plan. See Rainier Beach Land Use Policy RB-P4 in the Seattle Comprehensive Plan.

23.34.018 Rezone criteria – Lowrise 2 (L2) zone, function and locational criteria

The proposed amendment would add a new subsection C to cross-reference to subsection 23.34.010.B, noting that single family-zoned areas meeting the locational criteria for single

family designation may be rezoned to L-2 only if allowed by Section 23.34.010.B, discussed above.

23.40.020 Compliance with Regulations Required—Exceptions - Variances

The proposed amendment corrects an error in a subtitle reference number in subsection A.

23.40.050 Compliance with Regulations Required—Exceptions, Demonstration Program for Innovative Housing Design

The Demonstration Program for Innovative Housing Design was established in 1998 and it has expired. This amendment would remove it from the Land Use Code. The reason for doing this is to prevent confusion, as people continue to inquire at DPD about the program.

23.41.006 Early Project Implementation – Design Review Districts map

A change is proposed to the boundary between Design Review District 3 (Queen Anne) and Design Review District 7 (Capitol Hill). The current eastern boundary is at Fairview Avenue North, between Lake Union on the north end and Denny Way on the south end. The eastern boundary would be shifted east to Interstate 5, from Denny Way on the south end to East Nelson Place on the north end. The proposed boundary will align the map boundaries with the boundaries already adopted in the *South Lake Union Design Guidelines* and with the adopted Urban Village boundary. An additional change to the small inset map would move the border of the southern portion of District 6, covering the Stadium Area Overlay District, to South Jackson Street and create a single contiguous District 6 consistent with the zoning designations of the neighborhood.

23.42.030 General Use Provisions – Access to Uses

This new provision would codify Department practice not to allow access to a use to pass over property in a different zone if that use itself is not allowed in that zone. This issue arises in landlocked parcels and split-zoned lots. Access to a use is seen as an inherent part of the use. The nature and the volume of traffic associated with differing uses can vary significantly, and providing access through a zone to uses not allowed in that zone can result in impacts that were not anticipated or consistent with what was intended for the zone. Of particular concern are commercial vehicles, such as trucks, passing through residentially zoned lots.

23.42.112.A.1 – General Use Provisions - Nonconformity to Development Standards

The intent of the existing Code section was to allow some modification of a single-family structure that does not conform to the front and rear yard requirements in single-family zones, in order to provide the minimum code-required ceiling height in an existing basement or other existing floor. The amendment would limit this exception to principal structures.

When the existing provision is used to raise the “headroom” height of a basement, the height of the main floor is inevitably raised as well. Since the main entry of many single-family homes is on the main floor, the height of an existing entry porch will usually need to be raised if the height of the main floor is raised. Raising porch height may result in the porch and steps to the porch encroaching further into a required yard if the same rise and run of stairs is maintained. This

amendment would also allow an existing porch and steps to be relocated into all required yards, but only as needed to meet the Building Code. In no case may the porch or steps be closer than three feet to any lot line.

23.43.008.D, 23.43.010.C, 23.43.012.E – Residential Small Lot – Development Standards for One Dwelling Unit per Lot, Tandem Housing and Cottage Housing - Yards and Setbacks

Unlike Single Family and Multifamily zones, the Residential Small Lot (RSL) zone development standards do not include provisions allowing minor projections from structures or architectural features such as eaves, gutters, and bay windows to extend into required yards and setbacks. The proposed amendments would apply the same or similar provisions for minor projections and features used for single-family homes in single family and multifamily zones to development in the Residential Small Lot Zone.

23.44.006.C – Single Family – Principal Uses Permitted Outright

This amendment would relocate development standards for setbacks and screening of certain uses in a park from Section 23.44.006 (relating to permitted uses) to Section 23.44.060 (development standards for parks). The amendment would place the development standards all in one place in single family zones.

23.44.010.D – Single Family - Lot Requirements – Lot Coverage Exceptions

The proposed amendment clarifies that bulkheads and signs are exempt from lot coverage standards. The proposal applies the same exceptions currently set forth for multifamily development in Section 23.45.010.C.

23.44.012 – Single Family – Height Limits

The proposed amendments would make minor grammatical changes for clarity.

23.44.014.D & E Single Family – Yards – Exceptions and Standards for Accessory Structures

Subsection D of 23.44.014 contains a number of exceptions to the basic development standards for front, rear, and side yards set forth in subsections A, B and C. Several clarifications of the exceptions are proposed as follows:

1. The existing exception for a side yard easement in subsection 23.44.014.D.2 allows a house to be located closer to a side lot line than the required five-foot side yard, if the neighbor on the abutting lot agrees to grant an easement allowing additional yard space on the neighbor's property to ensure that there will still be the same ten-foot separation between the neighbor's existing house and any house on the adjacent lot.

The proposed amendment clarifies that the ten-foot separation required by the side yard easement exception is to be measured from the wall of the principal structure that is proposed to extend into the side yard to the wall of the existing principal structure on the abutting lot. For both properties, accessory structures and certain features of and projections from principal structures



would be permitted in the ten-foot separation area just as allowed elsewhere in subsection 23.44.014.D as exceptions to yard standards for regular five-foot side yards.

To calculate the distance a structure may project into the ten-foot separation, the Code clarifies that a property line between the abutting properties is assumed to be five feet from the wall of the principal structure proposed to extend into a side yard, except that no projection over the actual property line would be allowed.

2. A new subsection 23.44.014.D.2.b will be added containing a provision formerly located in 23.44.014.D.6.a which was inadvertently deleted by Ordinance 122823. This provision allows detached accessory structures that comply with the requirements of Section 23.44.040 to be located in a rear yard.
3. A provision allowing garages in side yards within 35 feet of the centerline of an alley or within 25 feet of any rear lot line which is not an alley lot line without an agreement is being removed as it is also stated in 23.44.016.D.3.a and does not need to be repeated in 23.44.014.
4. Existing subsection 23.44.014.D.3 allows "certain additions" to a principal structure to extend into a required yard, subject to limits, if the principal structure already legally extends into the required yard. The current section does not allow common structural features such as chimneys, roof eaves, cornices or columns to project from these permitted additions into required yards, even though these features on other principal structures may project 18 inches into required yards. The proposed amendment would allow roof eaves, gutters and chimneys on permitted additions to nonconforming single family structures to extend up to 18 inches from the principal structure into a required yard, but no closer than 2 feet to a side lot line.
5. In subsection 23.44.014.D.4, an incorrect reference to D.3.a-c has been changed to D.4.a-c.
6. Under subsection 23.44.014.D.7, garages attached to a principal structure, as well as covered, unenclosed decks or roofs over patios, are currently allowed to project into a required rear yard. The proposed amendment would specifically require attached private garages and covered, unenclosed decks or roofs over patios to be located no closer to any side lot line than the applicable side yard standard for the principal structure along that side. The current Code has no limit for how far attached garages and covered, unenclosed decks or roofs over patios may project into side yards. The proposal would also restore a provision, inadvertently deleted by amendments in Ordinance 122823, to limit the height of the roof over unenclosed decks and patios to 12 feet.
7. A new subsection 23.44.014.E is proposed that will contain development standards for accessory structures in required yards that were formerly located in Section 23.44.040 and 23.44.014.D.7 but were inadvertently deleted by Ordinance 122823. This new subsection will also include a new provision clarifying that terraced garages on lots with uphill yards abutting streets are exempted from the requirement that they be located 5 feet away from the principal structure. This amendment will prevent the terraced garage provision from forcing an

abnormally large front yard requirement. For example, a 20 foot long garage plus a 5 foot separation results in a minimum 25 foot setback, which can be problematic on a sloped lot.

23.44.016 Single Family, Parking Location and Access

Several changes to parking location and access standards for Single-Family zones are proposed, as follows:

1. Under current subsection 23.44.016.B.2, access to off-street parking must be taken from an alley unless there is no alley, or if certain exceptions apply. For example, if a lot abuts an alley that is not improved to the alley improvement standards of subsection 23.53.030.C, the current code allows access to off-street parking from a street. The proposed amendment to Section 23.44.016.B.2.a, clarifies that access to off-street parking must be taken from an existing alley, even if the alley is unimproved to the standards of subsection 23.53.030.C, if the alley is in common usage either as access to parking on the lot or to parking on adjacent lots in the same block. But the other exceptions to alley access listed in subsections 23.44.016.B.2.b through B.2.f. could still apply. The general intent is to require access to parking from an alley whenever feasible and to avoid access from both street and alley whenever possible.

2. The proposed amendment to Section 23.44.016.C.4 adds a cross reference to Section 23.44.016.G to clarify that the screening and landscaping requirements of Section 23.44.016.G apply to accessory parking for floating homes when the parking is located on a lot other than that containing the floating home. This requirement is already set forth in Section 23.44.016.G, but the cross-reference ensures the reader of Section 23.44.016.C.4 is directed to the landscaping requirements.

3. The proposed amendment to Section 23.44.016.C.5 would clarify the development standards applicable to parking for a single family structure existing on June 11, 1982, if the parking is located on a different lot than the single family structure. The proposed amendment to Section 23.44.016.C.5 clarifies that the screening and landscaping requirements of Section 23.44.016.G apply to all such offsite accessory parking, not just to parking in a garage.

4. The term "parking" would be expanded to "parking and garages" for subsection 23.44.016.D, to clarify that they relate to garages as well as parking.

5. The proposed amendments to subsection 23.44.016.D.3 would clarify the existing language to make it more legible. This subsection contains provisions for permitted locations for parking in required side yards.

6. The proposed amendments in Subsection 23.44.016.D.4 would restore the provision that was inadvertently omitted by Ordinance 122823 that limits how close to an alley detached garages with vehicular access facing the alley (not all garages) may be located. Similar proposed amendments in 23.44.016.D.5 would restore the same provisions for attached garages.

-
7. The proposed change to Subsection 23.44.016.D.7 would clarify that vehicles are allowed to park on access to parking in a required yard that leads to a required parking space, but the parking is to be an open parking space and not a garage or carport.
8. The proposed changes to Subsection 23.44.016.D.10 would clarify that when parking is allowed in required yards of lots with downhill yards abutting streets, the parking may be open or in an attached or detached garage. A number of minor grammatical corrections are also proposed to be added.
9. In subsection 23.44.016.D.11, language from a section deleted by Ordinance 122823 would be added to restore the provision that parking in one front yard of through lots can include a garage structure.
10. A sentence is proposed to be added at the end of Section 23.44.016.E.3 to state that the minimum five-foot separation requirement between a detached accessory garage and a principal structure does not apply to terraced garages.
11. The proposed new subsection E.4 would clarify that roof eaves and gutters of either an attached or detached private garage may extend up to 18 inches from the garage, which is the same standard as for a single family residence. It would also provide that the roof eave and gutter projections are excluded from the size and lot coverage limitations in subsection 23.44.016.E.1. Further, the section would clarify that all portions of a detached garage, including projecting roof eaves and gutters, must be separated by at least five feet from all portions of a principal structure, including the eaves and gutters of the principal structure. The proposed new provision in E.5 would clarify that use of a roof over a garage in a rear yard as a balcony or a deck is prohibited, except for the roof of a terraced garage?]
12. Several minor cross-referencing and typographical errors in subsections D.3, D.6, D.8, D.9, D.12, and E.3 would be corrected.

23.44.017 Single Family – Development Standards for Public Schools

Subsection 23.44.017.C is being updated to correct some outdated and now incorrect cross references.

23.44.018.F Single Family – Conditional Uses – General Provisions

For development with a conditional use permit, barrier free access would be allowed to be constructed in a single family zone without requiring administrative conditional use approval.

23.44.022 Single Family - Institutions

Subsection 23.44.022.L is being updated to correct some outdated and now incorrect cross references. Also, the word “serious” would be deleted before “safety hazards” in subsection L.1.c.ii, so that the Director has clear authority to modify the parking loading standards if there is any safety hazard.

23.44.051 Single Family - Bed and Breakfasts;

23.45.160 Multifamily – Bed and Breakfasts

These amendments would correct references to clarify that the Department of Executive Administration is responsible for issuing business licenses.

23.44.060.C Single Family – Uses Accessory to Parks and Playgrounds;

23.44.006.D Single Family – Principal Uses Permitted Outright

The proposed amendments would relocate development standards for setbacks and screening of certain accessory uses in a park from Section 23.44.006, the section listing permitted uses in Single-Family zones, to Section 23.44.060, which is the section providing development standards for parks. The development standards will all be placed in one section and the Code would specify that garages and service or storage areas must be located 100 feet or more from any other lot in a residential zone and obscured from view from each such lot.

23.45.008 Multifamily – Density - Lowrise Zones; 23.45.016.A Multifamily – Open Space Quantity Requirements – Lowrise Zones

The amendments would clarify that one new dwelling unit may be added within an existing multifamily structure regardless of density restrictions and regardless of the open space requirements in Section 23.45.016. The original intent would remain, which is to allow additional low-cost units to be added to existing multifamily structures, provided no exterior changes are made. In order to permit this to occur, an exception is needed for open space requirements as well as density limits.

23.45.016 Multifamily – Open Space Requirements, Relationship to Grade – Lowrise Zones

Subsection 23.45.016.C is proposed to be amended to clarify that single family structures and townhouses are not subject to the requirement that required open space must be within 10 feet of vertical distance from the dwelling unit it serves. Subsection 23.45.016.C is also proposed to be amended to clarify requirements for the location of open space for multifamily units on sloping sites, if grading is done to create useable open space. The grade of the ground level open space may be no higher than 18 inches above the existing grade (i.e., the grade on the property prior to any new construction, except for minor adjustments to the surface contours in preparation for construction). Further, the proposed amendments would clarify that no open space is required for a unit added to an existing multifamily structure pursuant to Section 23.45.008.F.

23.46.004.D Residential-Commercial – Uses; 23.46.012 Location of commercial uses

In Residential-Commercial zones, a commercial use is allowed only in a building that also contains at least one dwelling unit.

23.46.012 Residential-Commercial – Location of commercial uses

The proposed amendments to Section 23.46.012 would clarify that an existing structure containing only a commercial use without a dwelling unit or live-work unit may change from one commercial use listed in Section 23.46.004.B to another commercial use on that same list without requiring an administrative conditional use approval to change a nonconforming use to

another use not otherwise permitted in the zone. A change to a use not on the list in Section 23.46.004.B would require an administrative conditional use approval.

23.47A.002 Commercial – Scope of provisions

23.47A.002.C is proposed to be amended to remove language referring to rules for requirements for setbacks from property lines to provide clearance for the Seattle City Light Overhead Power Distribution system located in the street right-of-way. The other requirements in this subsection are all references to other chapters of the land use code, so that this reference to regulations outside the land use code is out of place.

23.47A.004.H, 23.49.030, 23.50.012.E – Commercial, Downtown, Industrial – Adult Cabarets

The proposed amendments would clarify that the code required dispersion analysis for adult cabaret sites would be conducted on the earlier of the date of submission of a complete building permit application or the date of issuance of a MUP decision. For purposes of analyzing the established uses on other sites from which a proposed adult cabaret must disperse, including other established adult cabarets, the proposed amendments would require the uses on the other sites to be established by permit or otherwise recognized as legally established. For example, in some cases a use may be recognized as established prior to annexation into the City of Seattle, by reference to King County Assessor's records, without issuance of any City of Seattle permits.

23.47A.005 – Commercial – Street-level Uses – Residential Uses at Street Level

Current Section 23.47A.005.C provides that residential uses are permitted anywhere in a structure in NC1, NC2, NC3, and C1 zones, except that residential uses are limited to no more than 20 percent of the street-level street-facing façade in pedestrian-designated zones, as well as in the Bitter Lake Hub Urban Village and the Lake City Hub Urban Village. The proposed amendment would update and restore a provision that was inadvertently omitted in Ordinance 122311. The amendment would allow residential uses to occupy 100 percent of the street-level street-facing façade in a structure if the structure is: 1) developed and owned by the Seattle Housing Authority (SHA); 2) located on a lot in a NC1 or NC3 zone and the lot was owned by the SHA as of January 1, 2009, 3) is not located in a zone with a height limit of 85 feet or higher; 4) is not located in a pedestrian-designated zone, and 5) does not face a designated principal pedestrian street.

23.47A.018 – Commercial – Noise Standards

Certain noisy activities in a C1 or C2 zone must be located within an enclosed structure when on a lot within 50 feet of a residential zone. The proposed amendment would allow a structure that has doors further than 50 feet from the residential zone and facing away from the residential zone, to remain open.

23.47A.020.B2 – Commercial – Odor Standards

Amendments to the regulations for commercial zones in Ordinance No. 122311 created a new Chapter in the Land Use Code, 23.47A. The amendments changed the definitions of some uses in the commercial zones and added some new use classifications, including classifications for

“heavy commercial sales and service” uses. The current language in Section 23.47A.020.B.2 exempts certain processes from regulation as “major odor sources” when part of a commercial use other than food processing. The proposed amendment would clarify that the processes listed in 23.47A.020.B.2 are to be regulated as major odor sources not only when part of a food processing use but also when part of a “heavy commercial” use.

23.49.014 Downtown Zoning – Transfer of Development Rights

The amendment would correct an incorrect cross reference and clarify the method of calculating the amount of floor area that may be transferred from an eligible open space TDR site. The intent of the formula was that if there were a building on the ineligible part of the lot that was using some of the base floor area ratio (FAR) attributable to the open space portion, then the eligibility rule in 23.49.017.C should not apply to allow more floor area to be transferred than would be the case without it, but if the ineligible part is using no more than its share of the base FAR, the full amount unused on the lot should be transferable (so one does not simply subtract all used FAR on the lot from the base FAR times the eligible portion.

23.49.017 Downtown Zoning – Open Space TDR Site eligibility

The proposed changes would delete a reference in subsection 23.49.017.D to “Section 23.49.039,” which is a code section that does not exist, and changes an incorrect reference in subsection 23.49.017.H.2.b to open space TDR sites in subsection 23.49.017.G to subsection 23.49.017.D.

Sections 23.49.046, 23.49.096, 23.49.148, and 23.49.324 Downtown Zoning – Various Sections

The amendments would correct cross references to 23.49.008.C.4 to 23.49.008.D.1.c.

23.50.022, Exhibit A – Industrial – General Industrial 1 and 2 – Structure Height

Exhibit 23.50.022.A incorrectly references Section 23.50.030.B in the text adjacent to the drawing. The reference would be changed to Section 23.50.022.B.

23.50.051 Industrial – Additional floor area in certain Industrial Commercial zoned areas in the South Lake Union Urban Center

Ordinance 122611 added a new Section 23.50.051 to the Industrial zone regulations of the Land Use Code allowing additional floor area for projects in certain Industrial Commercial (IC) zones in the South Lake Union Urban Center. When that ordinance was adopted, the City Council intended to apply a base floor area ratio (FAR) of 4.5 to such projects. Subsection A of Section 23.50.051 and subsection A of Section 23.50.052 both contain 4.5 as the base FAR, but Sections 23.50.051.N and O currently list 5.0 as the base FAR. The proposed amendment changes the base FAR requirement in 23.50.051.N and O to 4.5 as stated elsewhere in the Code.

23.53.015 Requirements for Streets, Alleys, and Easements – Improvement requirements for existing streets in residential and commercial zones

Exhibit 23.53.015 A, showing arterial streets, is proposed to be removed from the Land Use Code and new cross-references added to the arterial street map in Seattle Municipal Code Section

11.18.010. The proposed amendments to subsections D.2.a and D.2.b.1.i would clarify that proposed developments containing more than two but fewer than ten residential units in SF, RSL, LDT and L1 zones and up to 6 residential units in other zones, and proposed short plats where no more than two additional lots are proposed, are eligible for reduced street improvement requirements under this section.

23.53.020 Requirements for Streets, Alleys, and Easements – Improvement requirements for existing streets in industrial zones

23.53.030 Requirements for Streets, Alleys, and Easements – Alley improvements in all zones

The proposed changes in Sections 23.53.020 and 23.53.030 would delete the references to Exhibit 23.53.015 A, showing arterial streets, which is proposed to be removed from the Land Use Code, and add new cross-references to the arterial street map in Seattle Municipal Code Section 11.18.010.

Chapter 23.55 Signs; 23.69.021 Signs in Major Institution Overlay Districts

Several sections of the sign regulations for specific zones, as well as the sign regulations for Major Institutions in Section 23.69.021, currently allow “properly displayed” state and national flags as a type of permitted sign. The proposed amendments would delete the term “properly displayed” wherever that phrase is used, as the City has no authority to determine whether a flag is “properly” displayed. The current Code also allows “public” elementary and secondary schools in specific zones to have signs. The proposed amendments would eliminate the term “public” from the regulations wherever that term appears, to clarify that the sign standards for schools apply to both public and private schools.

23.71.016.A Northgate Overlay District – Parking and Access

When Council adopted Ordinance No. 122273 to allow pet daycare centers in commercial and other zones throughout the city, an amendment to 23.71.016.A was inadvertently omitted. This proposed amendment would apply a parking requirement for pet daycares within the Northgate Overlay District that is consistent with that in the rest of the city.

23.74.004 Stadium Transition Area Overlay District – Stadium Transition Area Overlay District Established

This amendment would correct an error on Exhibit A of Section 23.74.004. The map incorrectly shows some areas as zoned IG2 U/85 when they should be shown as zoned IC, according to the Official Land Use Map. The zoning was changed in 2000 by Seattle City Ordinance No. 119970, but the map in the Land Use Code was never changed in accordance with Ordinance No. 119970. A reference to the Kingdome is also removed and references to Safeco Field and Qwest Field added instead.

23.74.010 Maximum Size of Nonresidential Use

This amendment would correct an error on Exhibit A of Section 23.74.010. The map incorrectly shows some areas IG2 U/85 when they should be IC, according to the Official Land Use Map. The zoning was changed in 2000 by Seattle City Ordinance No. 119970, but the map in the Land

Use Code was never changed in accordance with Ordinance No. 119970. A reference to the Kingdome is also removed and references to Safeco Field and Qwest Field added instead.

23.76.004 Land Use Decision Framework

A proposed amendment would make the determination of whether an amendment to a Property Use and Development Agreement is major or minor a “Type I” land use decision, from which no administrative appeal is available. A second amendment would remove “monorail transit facilities” from the list of appealable “Type II” land use decisions, as the reference is no longer relevant.

23.76.024.D.2 Procedures for Master Use Permits and Council Land Use Decisions - Hearing Examiner Open Record Hearing and Decision for Subdivisions

This amendment would correct an error; the correct length of time for a Determination of Non-Significance (DNS) comment period is 14 days rather than 15 days as indicated in the current Code.

23.76.058 and 23.76.060 Procedures for Master Use Permits and Council Land Use Decisions – Rules for specific decisions and expiration of land use approvals – extensions

The proposed amendments clarify that the DPD Director’s decision on whether a Property Use and Development Agreement (PUDA) amendment is major or minor is a “Type I” Master Use Permit (MUP) decision, and make the deadline for applying for an extension of a “Type IV” land use action 120 days before the action would otherwise expire, instead of 30 days. For requests to extend a City Council Type IV land use approval, the proposed amendments also provide notice to the parties of record in the original City Council Type IV approval proceeding and to those who received notice of the Hearing Examiner recommendation concerning the original Type IV application.

23.84A.006 Definitions “C” – Communication Devices and Utilities (and Related Terms) – Communication Device, Accessory

This amendment would clarify that antennas and other equipment associated with “minor communication utilities” (personal wireless facilities or cellular antenna facilities) are not “accessory communication devices,” which are typically permitted outright in all zones.

23.84A.024 Definitions “L” – Landmark Structure, Parent Lot, Unit Lot

The definition of “landmark structure” is proposed to be added to Chapter 23.84.A, as it was unintentionally omitted from the Code. Also, the definitions of “parent lot” and unit lot” are modified to cross reference the subdivision and short subdivision requirements for unit lots in Sections 23.22.062 and 23.24.045, which will now contain references to the specific types of residential development eligible for unit lot subdivisions.

23.84A.036 Definitions “S” – Street, arterial

The proposed changes would delete the reference to Exhibit 23.53.015 A in the definition of “street, arterial,” since Exhibit 23.53.015 A is proposed to be removed from the Code, and

substitute a cross-reference to the Arterial Street Map in Seattle Municipal Code Section 11.18.010.

23.84A.038 Definitions “T” – Transportation facility

This amendment would correct an error in numbering subsections under the “Transportation facility” definitions and delete outdated references to the monorail.

23.86.010 Measurements – Yards

Subsection 23.44.022.L is being updated to correct an outdated and now incorrect cross reference.

Ordinance Section 65

Section 65 of the proposed Ordinance authorizes the Code Reviser (the company that publishes the Land Use Code) to amend all Sections of the Land Use Code that contain the word “chart” by changing the word “chart” to “table” as appropriate over time.



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 26, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill containing amendments to the Land Use Code that clarify code provisions and correct errors and omissions that have come to light. Normal maintenance of the Land Use Code requires amendments from time to time that are generally limited in scope. Such amendments, which include correcting typographical errors and incorrect section references, as well as clarifying existing code language, are typically packaged into a single ordinance.

Adoption of these Land Use Code amendments will help to facilitate easier understanding and improved administration and application of the Land Use Code in this increasingly challenging development environment. Thank you for your consideration of this legislation. Should you have questions, please contact Bill Mills in the Department of Planning and Development at 684-8738.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a circular stamp that partially overlaps the signature.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

ORDINANCE

AN ORDINANCE relating to land use and zoning; amending Sections 23.22.062, 23.24.045, 23.34.010, 23.34.018, 23.40.020, 23.41.006, 23.42.112, 23.43.008, 23.43.010, 23.43.012, 23.44.006, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.018, 23.44.022, 23.44.051, 23.44.060, 23.45.008, 23.45.016, 23.45.160, 23.46.004, 23.46.012, 23.47A.002, 23.47A.004, 23.47A.005, 23.47A.018, 23.47A.020, 23.49.014, 23.49.017, 23.49.030, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.012, 23.50.022, 23.50.051, 23.53.015, 23.53.020, 23.53.030, 23.55.020, 23.55.022, 23.55.028, 23.55.030, 23.55.034, 23.69.021, 23.71.016, 23.74.004, 23.74.010, 23.76.004, 23.76.024, 23.76.058, 23.76.060, 23.84A.006, 23.84A.024, 23.84A.036, 23.84A.038, and 23.86.010 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments; adding a new Section 23.42.030; repealing Section 23.40.050; and authorizing the Code Reviser to amend all references in Title 23 of the Seattle Municipal Code to “chart.”

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.22.062 of the Seattle Municipal Code, which section was last amended by Ordinance 122190, is amended as follows:

23.22.062 Unit lot subdivisions((:))

A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, ~~((residential))~~ and cluster development~~((s;))~~ for housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.

* * *

Section 2. Subsection A of Section 23.24.045 of the Seattle Municipal Code, which section was last amended by Ordinance 122190, is amended as follows:

23.24.045 Unit lot subdivisions((:))



1 A. The provisions of this section apply exclusively to the unit subdivision of land for
2 townhouses, cottage housing developments, ~~((residential))~~ and cluster development((s)) for
3 housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-
4 family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any
5 combination of the above types of residential development, as permitted in the applicable zones.

6 * * *

7
8 Section 3. Section 23.34.010 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 122575, is amended as follows:

10 **23.34.010 Designation of single-family zones~~(s)~~**

11 A. Except as provided in subsections B or C of ~~((this-s))~~ Section 23.34.010, single-family
12 zoned areas may be rezoned to zones more intense than ~~((s))~~ Single-family 5000 only if the City
13 Council determines that the area does not meet the criteria for single-family designation.
14

15 B. Areas zoned single-family or RSL that meet the criteria for single-family zoning
16 contained in subsection B of Section 23.34.011 and that are located within the adopted
17 boundaries of an urban village may be rezoned to zones more intense than ~~((s))~~ Single-family
18 5000 when all of the following conditions are met:
19

20 1. A neighborhood plan has designated the area as appropriate for the zone
21 designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix when applicable;
22

23 2. The rezone is:

24 a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem
25 (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage
26

1 (RSL/TC), Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1), ((~~or~~)) Lowrise 1/Residential-
2 Commercial (L1/RC), or

3 b. Within the areas identified on Map P-1 of the adopted North Beacon
4 Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone
5 with a 30(~~')~~ foot or 40(~~')~~ foot height limit(~~')~~, or

6 c. Within the residential urban village west of Martin Luther King Junior
7 Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a Lowrise
8 Duplex/Triplex (LDT), Lowrise 1 (L1) or Lowrise 2 (L2) zone.

9 C. Areas zoned single-family within the Northgate Overlay District, established pursuant
10 to Chapter 23.71, that consist of one or more lots and meet the criteria for single-family zoning
11 contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone to a
12 neighborhood commercial zone if the rezone is limited to blocks (defined for the purpose of this
13 subsection C as areas bounded by street lot lines) in which more than 80 (~~%~~) percent of that
14 block is already designated as a neighborhood commercial zone.
15
16

17 Section 4. Section 23.34.018 of the Seattle Municipal Code, which section was last
18 amended by Ordinance 118794, is amended as follows:

19 **23.34.018 Lowrise 2 (L2) zone, function and locational criteria(~~')~~)**

20 * * *

21 B. Locational Criteria. Lowrise 2 zone designation is most appropriate in areas generally
22 characterized by the following:
23

24 1. Development Characteristics of the Areas.
25
26



1 a. Areas that feature a mix of single-family structures and small to medium
2 multifamily structures generally occupying one ~~((1))~~ or two ~~((2))~~ lots, with heights generally
3 less than ~~((thirty-0))30((0))~~ feet;

4 b. Areas suitable for multifamily development ~~((where))~~ if topographic
5 conditions and the presence of views make it desirable to limit height and building bulk to retain
6 views from within the zone;

7 c. Areas occupied by a substantial amount of multifamily development
8 ~~((where))~~ if factors such as narrow streets, on-street parking congestion, local traffic congestion,
9 lack of alleys, and irregular street patterns restrict local access and circulation and make an
10 intermediate intensity of development desirable.

11
12
13 2. Relationship to the Surrounding Areas.

14 a. Properties that are well-suited to multifamily development, but where
15 adjacent single-family areas make a transitional scale of development desirable. It is desirable
16 that there be a well-defined edge such as an arterial, open space, change in block pattern,
17 topographic change or other significant feature providing physical separation from the single-
18 family area. However, this is not a necessary condition ~~((where))~~ if existing moderate scale
19 multifamily structures have already established the scale relationship with abutting single-family
20 areas;

21
22 b. Properties that are definable pockets within a more intensive area,
23 ~~((where))~~ if it is desirable to preserve a smaller scale character and mix of densities;
24
25
26
27
28



1 c. Properties in areas otherwise suitable for higher density multifamily
2 development but where it is desirable to limit building height and bulk to protect views from
3 uphill areas or from public open spaces and scenic routes;

4 d. Properties where vehicular access to the area does not require travel on
5 "residential access streets" in less intensive residential zones.

6 C. Areas zoned single family that meet the locational criteria for single-family
7 designation may be rezoned to L2 only if the provisions of subsection 23.34.010.B are met.

8 Section 5. Subsection A of Section 23.40.020 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 120691, is amended as follows:

10 **23.40.020 Variances((:))**

11 A. Variances may be sought from the provisions of Subtitle ~~((IV, Parts))~~ III, Divisions 2
12 and 3 of this Land Use Code, ~~((as applicable,))~~ except for the establishment of a use ~~((which))~~
13 that is otherwise not permitted in the zone in which it is proposed, for a structure ~~((maximum))~~
14 height in excess of that ~~((which is))~~ shown on the Official Land Use Map, from the provisions of
15 Section 23.55.014.A, or from the provisions of Chapter 23.52. Applications for prohibited
16 variances shall not be accepted for filing.
17
18
19

20 * * *

21 Section 6. Section 23.40.050, relating to the Demonstration program for innovative
22 housing design, which section was last amended by Ordinance 122311 of the Seattle Municipal
23 Code, is repealed.
24
25
26



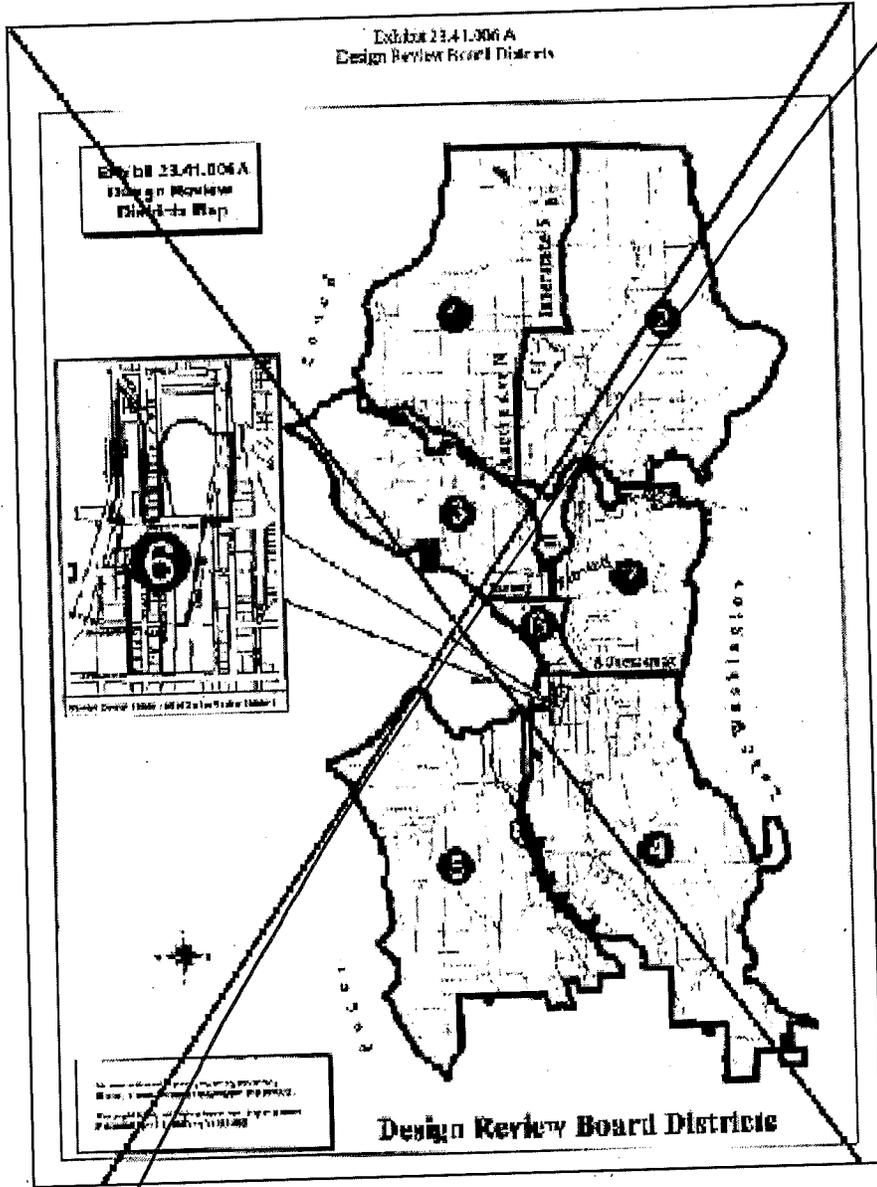
1 Section 7. Section 23.41.006 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 119972, is amended as follows:

3 **23.41.006 Design Review Districts Map((τ))**

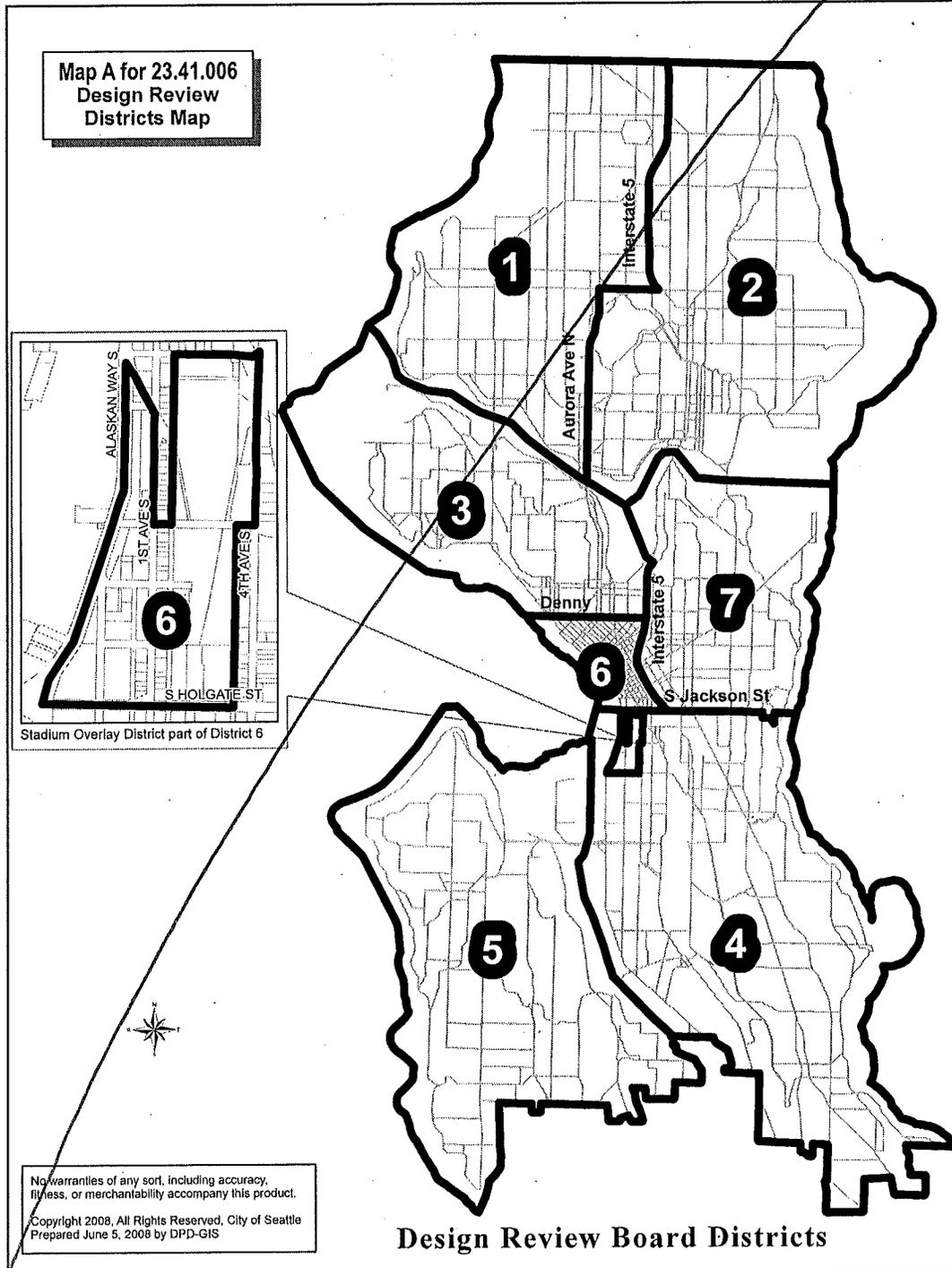
4 For the purposes of design review, the City shall be divided into seven ((7)) districts, as
5 depicted on the Design Review Districts Map, Map A for ((Exhibit))23.41.006((A)).

6
7 Section 8. Exhibit 23.41.006 A of the Seattle Municipal Code, which section was last
8 amended by Ordinance 119972, is amended by replacing Exhibit 23.41.006 A with a new map,
9 as follows:
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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



Map A for 23.41.006
Design Review Board Districts



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



1 Section 9. A new section, Section 23.42.030, is added to the Seattle Municipal Code as

2 follows:

3 **23.42.030 Access to Uses**

4 Vehicular and pedestrian access may be provided to a use in one zone across property in a
5 different zone, but only if the use to which access is being provided is permitted, either outright
6 or as a conditional use, in the zone across which access is to be provided.
7

8 Section 10. Subsection A of Section 23.42.112 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 121762, is amended as follows:

10 **23.42.112 Nonconformity to Development Standards((r))**

11 A. A structure nonconforming to development standards may be maintained, renovated,
12 repaired or structurally altered but ~~((shall be prohibited from))~~ may not be expand((ing))ed or
13 extend((ing))ed in any manner that increases the extent of nonconformity or creates additional
14 nonconformity, except:
15

16 1. Any portion ~~((Portions))~~ of a principal structure((s)) in a Single Family
17 zone((s)) that is((are)) nonconforming to front and/or rear yard requirements may be increased in
18 height by up to ~~((five-))~~ 5((r)) feet, but not to exceed the height limit of the zone, and only to the
19 extent necessary to achieve minimum ceiling height in an existing basement or ~~((attie))~~ another
20 floor within the principal structure to conform to the City's regulations for habitable rooms or to
21 accommodate a pitched roof on the principal structure. If the height of a principal structure is
22 being raised to increase ceiling height in a basement or another floor, existing porches or steps
23
24
25
26
27
28



1 may extend into a required yard to the extent necessary to meet Building Code standards, but in
2 no case shall they be located closer than 3 feet to any lot line.

- 3 2. As otherwise required by law;
4 3. As necessary to improve access for the elderly or disabled; or
5 4. As specifically permitted for nonconforming uses and nonconforming

6 structures elsewhere in this Code.
7

8 * * *

9 Section 11. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which
10 Section was amended by Ordinance 122823, is amended as follows:

11 **23.43.008 Development standards for one dwelling unit per lot((~~o~~))**
12

13 * * *

14 D. Yards and Setbacks.

15 1. Front and Rear Yards.

- 16 a. The sum of the front yard plus the rear yard shall be a minimum of
17 ~~((thirty-))~~30(~~(o)~~) feet.
18 b. In no case shall either yard have a depth of less than ~~((ten-))~~10(~~(o)~~) feet.
19 c. If recommended in a neighborhood plan adopted or amended by the City
20 Council after January 1, 1995, an ordinance designating an area as RSL may require front and/or
21 rear yard setbacks greater than ~~((ten-))~~10(~~(o)~~) feet, provided that the requirement of subsection
22 23.43.008.D.1.a ~~((of this section))~~ shall not be increased or decreased, and the requirement of
23 subsection 23.43.008.D.1.b ~~((of this section))~~ shall not be reduced.
24
25
26
27
28

1 2. Side Setbacks. The required minimum side setback ~~is ((shall be five (5)))~~
2 feet. The side setback may be averaged. No portion of the side setback shall be less than ~~((three~~
3 ~~(3)))~~ feet, except as follows:

4 a. Street side setbacks shall be a minimum of ~~((five (5)))~~ feet.

5 b. If an easement is provided along a side lot line of the abutting lot
6 sufficient to leave a ~~((ten (10)))~~ foot separation between the two ~~((2))~~ principal structures of
7 the two ~~((2))~~ lots, the required side yard may be reduced from the requirement of subsection
8 23.43.008.D.2 ~~((above))~~. The easement shall be recorded with the King County Department of
9 Records and Elections. The easement shall provide access for normal maintenance activities to
10 the principal structure on the lot with less than the required side setback. No principal structure
11 shall be located in the easement area, except that the eaves of a principal structure may project a
12 maximum of ~~((eighteen (18)))~~ inches into the easement area. No portion of any structure,
13 including eaves, shall cross the property line.

14 3. Exceptions from Standard Yard and Setback Requirements. For all
15 developments except cluster developments, only structures that comply with the following may
16 project into a required yard or setback:

17 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
18 uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are
19 no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line,
20 no wider than 6 feet, and project no more than 6 feet into a required front or rear yard. The
21 heights of porches and steps are to be calculated separately.



b. Certain Features of a Structure.

1
2 1) External architectural features with no living area such as
3 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard
4 or setback;

5 2) Bay windows that are no wider than 8 feet and project no more
6 than 2 feet into a required front or rear yard or street side setback;

7 3) Other external architectural features that include interior space
8 such as garden windows, and project no more than 18 inches into a required yard or setback,
9 starting a minimum of 30 inches above the height of a finished floor, and with maximum
10 dimensions of 6 feet in height and 8 feet in width;

11 4) The combined area of features that project into a required yard
12 or setback pursuant to subsection 23.43.008.D.3.b may comprise no more than 30 percent of the
13 area of the façade on which the features are located.

14 * * *

15
16
17 Section 12. Subsection C of Section 23.43.010 of the Seattle Municipal Code, which
18 Section was adopted by Ordinance 117430, is amended as follows:

19 **23.43.010 Tandem housing((,))**

20 * * *

21
22 C. Yards and Setbacks.

23
24 1. Front Yard. The front yard ((shall)) is required to be a minimum of ((ten
25 ((10((10))) feet.

1 2. Interior Separation between Tandem Houses. The interior separation between
2 the residential structures ~~((shall))~~ is required to be a minimum of ~~((ten-))10(())~~ feet.

3 3. Rear Yard. Where no platted alley exists, the rear yard for a lot containing
4 tandem houses shall be a minimum of ~~((ten-))10(())~~ feet. Where a platted developed alley
5 exists, this rear yard requirement ~~((shall))~~ does not apply.

6 4. Total Combined Yards. The total of the front yard, rear yard (if any), and the
7 interior separation ~~((shall))~~ is required to be a minimum of ~~((thirty-five-))35(())~~ feet.

8 5. Modification of Front and Rear Yards. If recommended in a neighborhood plan
9 adopted or amended by the City Council after January 1, 1995, an ordinance designating an area
10 as RSL may require front and/or rear yard setbacks greater than ~~((ten-))10(())~~ feet (except for
11 rear yards where platted and developed alleys exist), subject to the provisions of subsections
12 23.43.010.C.1, C.2, C.3, and C.4 ~~((of this section))~~, and provided that the required total
13 combined yards ~~((shall))~~ does not exceed ~~((thirty-five-))35(())~~ feet.

14 6. Side Setbacks. The required minimum side setback is ~~((shall be five-))5(())~~
15 feet. The side setback may be averaged. No portion of the side setback shall be less than ~~((three~~
16 ~~(())3(())~~) feet, except as follows:

17 a. Street side setbacks ~~((shall))~~ is required to be a minimum of ~~((five~~
18 ~~(())5(())~~) feet.

19 b. If an easement is provided along a side lot line of the abutting lot
20 sufficient to leave a ~~((ten-))10(())~~ foot separation between the two ~~((2))~~ principal structures of
21 the two ~~((2))~~ lots, the required side setback may be reduced from the requirement of Section
22
23
24
25
26

1 ((23.43.008 D2))23.43.010.C.6. The easement shall be recorded with the King County
2 Department of Records and Elections. The easement shall provide access for normal maintenance
3 activities on the principal structure on the lot with less than the required side setback. No
4 principal structure shall be located in the easement area, except that eaves of a principal structure
5 may project a maximum of ~~((eighteen (18)))~~ 18(()) inches into the easement area. No portion of any
6 structure, including eaves shall cross the property line.
7

8 7. Exceptions from Standard Yard, Setback and Interior Separation

9 Requirements. For all developments, only structures that comply with the following may project
10 into a required yard, setback or interior separation:

11 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
12 uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are
13 no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line,
14 no wider than 6 feet, and project no more than 6 feet into a required front or rear yard, and no
15 more than 3 feet into the interior separation between residential structures. The heights of
16 porches and steps are to be calculated separately.

17 b. Certain Features of a Structure.

18 1) External architectural features with no living area such as
19 chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard,
20 setback or interior separation between residential structures;
21

22 2) Bay windows that are no wider than 8 feet in width and project no
23 more than 2 feet into a required front or rear yard or street side setback;
24

1 facade, the side yard shall be no less than ~~((ten-))10(())~~ feet along that side for the length of the
2 pedestrian route. This ~~((ten-))10(())~~ foot side yard ~~((shall apply))~~ requirement applies only to a
3 height of ~~((eight-))8(())~~ feet above the access route.

4 4. Interior Separation ~~((for Cottage Housing Developments))~~. ~~((There shall be~~

5 a)) A minimum separation of ~~((six-))6(())~~ feet is required between principal structures. Facades
6 of principal structures facing facades of accessory structures shall be separated by a minimum of
7 ~~((three-))3(())~~ feet. ~~((When))~~ If there is a principal entrance on an interior facade of either or
8 both of the facing facades, the minimum separation shall be ~~((ten-))10(())~~ feet.

9
10 5. Exceptions from Standard Yard, Setback and Interior Separation Requirements.

11 For all developments, only structures that comply with the following may project into a required
12 yard, setback or interior separation:

13 a. Uncovered Porches or Steps. Uncovered, unenclosed porches or
14 uncovered, unenclosed steps that project into a required front setback, a side or a rear yard, if the
15 porch or steps are no higher than 4 feet on average above existing grade, no closer than 3 feet to
16 any side lot line, no wider than 6 feet, and project no more than 6 feet into a required front
17 setback or rear yard. The heights of porches and steps are to be calculated separately. If an
18 interior separation of 10 feet is required pursuant to subsection 23.43.012.E.4, uncovered,
19 unenclosed steps no higher than 4 feet on average above existing grade may project up to 3 feet
20 into the interior separation. If an interior separation of 6 feet or less is required, porches and
21 steps may not project into the interior separation.

22 b. Certain Features of a Structure.



1 Section 15. Subsection D of Section 23.44.010 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122823, is amended as follows:

3 **23.44.010 Lot requirements**~~(-)~~

4 * * *

5 D. Lot Coverage Exceptions.

6 1. Lots Abutting Alleys. For purposes of computing the lot coverage only:

7 a. The area of a lot with an alley or alleys abutting any lot line may be
8 increased by ~~((one-half(-))1/2((-))~~ of the width of the abutting alley or alleys.

9 b. The total lot area for any lot may not be increased by the provisions of
10 this section by more than ~~((ten))10 percent~~ ~~((+10%))~~.

11 2. Special Structures and Portions of Structures. The following structures and
12 portions of structures ~~((shall))~~ are not ~~((be))~~ counted in lot coverage calculations:

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

15 b. Barrier-free Access. Ramps or other access for the disabled or elderly
16 that comply with ~~((meeting))~~ Washington State Building Code, Chapter 11;

17 c. Decks. Decks or parts of a deck ~~((which))~~ that are ~~((thirty-six (-))36((-))~~
18 inches or less above ~~((the))~~ existing grade;

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

1 e. Underground Structures. An underground structure, or underground
2 portion of a structure (~~(, may occupy any part of the entire lot)~~);

3 f. Eaves and Gutters. The first ~~((thirty-six ()))~~36~~(())~~ inches of eaves and
4 gutters that project ~~((projecting))~~ from principal and accessory structures ~~((, except that eaves~~
5 ~~associated with the roof of an arbor shall be included in lot coverage calculations))~~;

6 g. Solar collectors ~~((meeting the provisions of))~~ that comply with Section
7 23.44.046 and swimming pools ~~((meeting the provisions of))~~ that comply with Section
8 23.44.044.
9

10 Section 16. Subsection A of Section 23.44.012 of the Seattle Municipal Code, which
11 section was last amended by Ordinance 122823, is amended as follows:

12 **23.44.012 Height limits~~((r))~~**

13 **A. Maximum Height Established.**

14 1. Except as permitted in Section 23.44.041, B, and except as provided in
15 subsection~~((s))~~ 23.44.012, A, 2~~((below))~~, the maximum permitted height for any structure not
16 located in a required yard ~~((s shall not exceed thirty ()))~~ is 30~~(())~~ feet.
17

18 2. The maximum permitted height for any structure on a lot ~~((s thirty ()))~~30~~(())~~ feet
19 or less in width ~~((shall not exceed))~~ is ~~((twenty-five ()))~~25~~(())~~ feet.
20

21 3. The method of determining structure height and lot width ~~((are))~~ is detailed in
22 Chapter 23.86, Measurements.
23

24 * * *

1 Section 17. Section 23.44.014 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122823, is amended as follows:

3 **23.44.014 Yards**~~((r))~~

4 Yards are required for every lot in a single-family residential zone. A yard ~~(which)~~ that
5 is larger than the minimum size may be provided.

6 * * *

7
8 C. Side yards. The side yard shall be ~~((five-))5((r))~~ feet except as follows:

9 1. In the case of a reversed corner lot, the key lot of which is in a single-family
10 zone, the width of the side yard on the street side of the reversed corner lot shall be not less than
11 ~~((ten-))10((r))~~ feet.

12 2. ~~((When))~~ If the side yard of a lot borders on an alley, a single-family structure
13 may be located in the required side yard, provided that no portion of the structure may cross the
14 side lot line.

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

18 1. Garages. Garages may be located in a required yard~~((s))~~ subject to the standards
19 of Section 23.44.016.

20 2. Certain Accessory Structures in Side and Rear Yards.

21 a. Any accessory structure that complies with the requirements of Section
22 23.44.040 may be constructed in a side yard ~~((which))~~ that abuts the rear or side yard of another
23 lot, or ~~in~~ that portion of the rear yard of a reversed corner lot within ~~((five-))5((r))~~ feet of the key
24
25
26
27
28



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

8 b. Any detached accessory structure that complies with the requirements of
9 Section 23.44.040 may be located in a rear yard, provided that on a reversed corner lot, no
10 accessory structure shall be located in that portion of the required rear yard that abuts the
11 required front yard of the adjoining key lot, nor shall the accessory structure be located closer
12 than 5 feet from the key lot's side lot line unless the provisions of subsections 23.44.014.D.2.a or
13 23.44.016.D.9 apply.
14

15 3. A single-family structure may extend into one ((+)) side yard if an easement is
16 provided along the side or rear lot line of the abutting lot, sufficient to leave a ((ten-))10((+)) foot
17 separation between that structure and any principal ((or accessory)) structure((s)) on the abutting
18 lot. The 10 foot separation shall be measured from the wall of the principal structure that is
19 proposed to extend into a side yard to the wall of the principal structure on the abutting lot.
20

21 a. No structure or portion of a structure may be built on either lot within
22 the 10 foot separation, except as provided in this section.
23

24 b. Accessory structures and ((F))features of and projections from principal
25 structures, such as porches, eaves, and chimneys ((shall be)) are permitted in the ((ten-))10((+))
26

1 foot separation area if allowed by subsection 23.44.014.D.((as if the property line were five (5)
2 feet from the wall of the house on the dominant lot, provided that no)) For purposes of
3 calculating the distance a structure or feature may project into the 10 foot separation, assume the
4 property line is 5 feet from the wall of the principal structure proposed to extend into a side yard
5 and consider the 5 feet between the wall and the assumed property line to be the required side
6 yard.

7
8 c. No portion of ((either principal)) any structure, including ((eaves))any
9 projection, shall cross the ((actual)) property line.

10 d. The easement shall be recorded with the King County Department of
11 Records and Elections. The easement shall provide access for normal maintenance activities to
12 the principal structure on the lot with less than the required 5 foot side yard.

13
14 4. Certain Additions. Certain additions may extend into a required yard ((when))
15 if the existing single-family structure is already nonconforming with respect to that yard. The
16 presently nonconforming portion must be at least ((sixty (60))) percent of the total width of
17 the respective façade of the structure prior to the addition. The line formed by the existing
18 nonconforming wall of the structure ((shall be)) is the limit to which any additions may be built,
19 except as described below. ((They)) Additions may extend up to the height limit and may include
20 basement additions. New additions to the nonconforming wall or walls shall comply with the
21 following requirements (Exhibit A for 23.44.014 ((A))):
22
23
24
25
26
27
28

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

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

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

10 d. ~~((When))~~ If the nonconforming wall of the single-family structure is not
11 parallel or is otherwise irregular, relative to the lot line, then the Director shall determine the
12 limit of the wall extension, except that the wall extension shall not be located closer than
13 specified in subsections 23.44.014.D((3)).4.a, b, and ((-)) c ((above)).

14 e. Roof eaves, gutters, and chimneys on such additions may extend an
15 additional 18 inches into a required yard, but in no case shall such features be closer than 2 feet
16 to the side lot line.

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



6. ~~((Special))~~ Certain Features of a Structure. ~~((Special))~~ Unless otherwise

1 provided elsewhere in this chapter, certain features of a structure may extend into required yards
2 ~~((subject to the following standards))~~ only if they comply with the following ~~((, unless permitted~~
3 ~~elsewhere in this chapter))~~:

4
5 a. External architectural details with no living area, such as chimneys,
6 eaves, cornices and columns, may project no more than ~~((eighteen-))~~18~~(())~~ inches into any
7 required yard;

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

11
12 c. Other projections ~~((which))~~ that include interior space, such as garden
13 windows, may extend no more than ~~((eighteen-))~~18~~(())~~ inches into any required yard, starting a
14 minimum of ~~((thirty-))~~30~~(())~~ inches above finished floor, and with maximum dimensions of
15 ~~((six-))~~6~~(())~~ feet ~~((tall))~~ in height and ~~((eight-))~~8~~(())~~ feet ~~((wide))~~ in width;

16
17 d. The combined area of features permitted by ~~((in))~~ subsections
18 23.44.014.D.6.b and c ~~((above))~~ may comprise no more than ~~((thirty-))~~30~~(())~~ percent of the area
19 of the facade.

20
21 7. Covered Unenclosed Decks ~~((;))~~ and Roofs Over Patios ~~((, and Other Accessory~~
22 ~~Structures in Rear Yards))~~. ~~((a.))~~ Covered, unenclosed decks and roofs over patios, if attached to a
23 principal structure, may extend into the required rear yard, but shall not be within ~~((twelve~~
24 ~~))~~12~~(())~~ feet of the centerline of any alley, ~~((n))~~ or within ~~((twelve-))~~12~~(())~~ feet of any rear lot
25 line ~~((which))~~ that is not an alley lot line, or closer to any side lot line in the required rear yard

1 than the side yard requirement of the principal structure along that side, ((n)) or closer than ((five
2)5(0)) feet to any accessory structure. The height of the roof over unenclosed decks and patios

3 shall not exceed 12 feet. The roof over such decks or patios shall not be used as a deck.

4 8. Access Bridges. Uncovered, unenclosed pedestrian bridges 5 feet or less in
5 width and of any height((;)) necessary for access ((and five (5) feet or less in width)), are
6 permitted in required yards, except that in side yards an access bridge must be at least ((three
7)3(0)) feet from any side lot line.

9 9. Barrier-free Access. Access facilities for the disabled and elderly ~~((meeting))~~
10 that comply with Washington State Building Code, Chapter 11 are permitted in any required
11 yard((s)).

12 10. Freestanding Structures and Bulkheads.

13 a. Fences, freestanding walls, bulkheads, signs and similar structures ~~((six~~
14 ~~)6(0))~~ feet or less in height above existing or finished grade, whichever is lower, may be
15 erected in any required yard. The ~~((six-)6(0))~~ foot height may be averaged along sloping grade
16 for each ~~((six-)6(0))~~ foot long segment of the fence, but in no case may any portion of the fence
17 exceed ~~((eight-)8(0))~~ feet. Architectural features may be added to the top of the fence or
18 freestanding wall above the ~~((six-)6(0))~~ foot height ~~((when))~~ if the features comply with the
19 following ((provisions are met)): horizontal architectural feature(s), no more than ~~((ten-)10(0))~~
20 inches high, and separated by a minimum of ~~((six-)6(0))~~ inches of open area, measured
21 vertically from the top of the fence, ~~((may be))~~ are permitted ~~((when))~~ if the overall height of all
22 parts of the structure, including post caps, ~~((are))~~ is no more than ~~((eight-)8(0))~~ feet ~~((high;)).~~



1 ((a)) Averaging the (~~eight~~)8(~~()~~) foot height is not permitted. Structural supports for the
2 horizontal architectural feature(s) may be spaced no closer than (~~three~~)3(~~()~~) feet on center.

3 b. The Director may allow variation from the development standards listed
4 in subsection 23.44.014.D.10.a (~~above~~), according to the following:

5 (~~()~~)1 No part of the structure may exceed (~~eight~~)8(~~()~~) feet; and

6 (~~()~~)2 Any portion of the structure above (~~six~~)6(~~()~~) feet shall
7 be predominately open, such that there is free circulation of light and air.

8 c. Bulkheads and retaining walls used to raise grade may be placed in any
9 required yard when limited to (~~six~~)6(~~()~~) feet in height, measured above existing grade. A
10 guardrail no higher than (~~forty two~~)42(~~()~~) inches may be placed on top of a bulkhead or
11 retaining wall existing as of (~~the date of the ordinance codified in this section~~) February 20,
12 1982. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined
13 height is limited to (~~nine and one half~~)9 ½(~~()~~) feet.

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



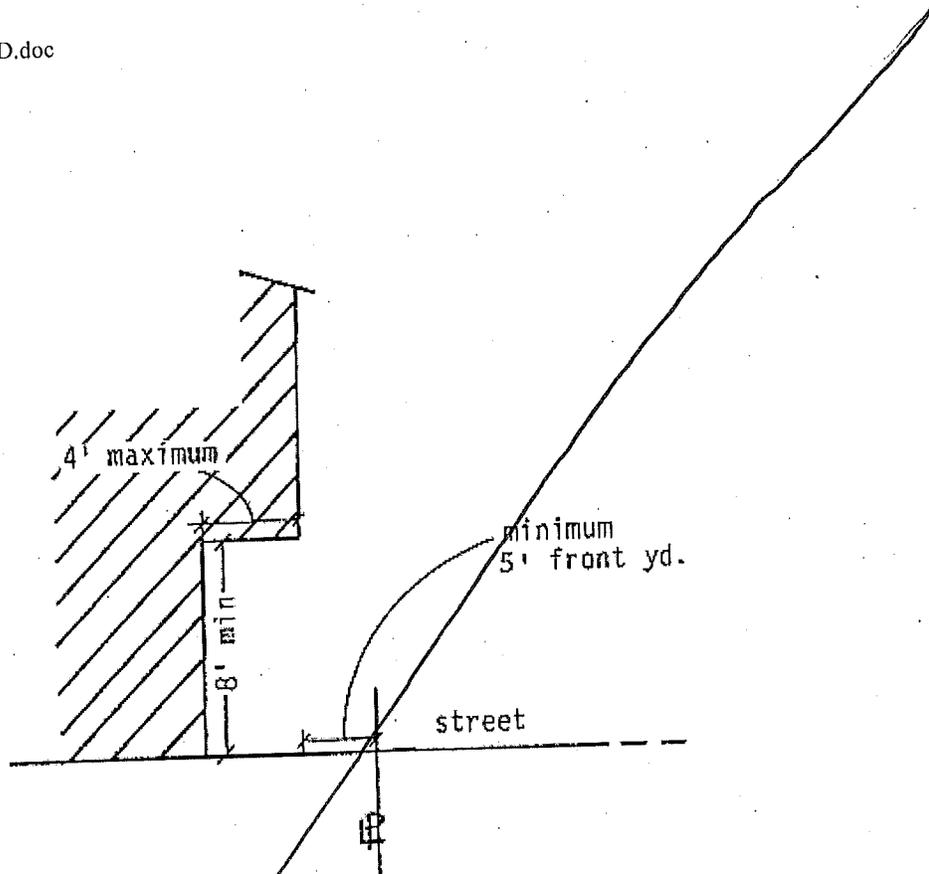
1 e. ~~((When))~~ If located in ~~((the))~~ shoreline setbacks or in view corridors in
2 the Shoreline District as regulated in Chapter 23.60, ~~((these))~~ structures shall not obscure views
3 protected by Chapter 23.60, and the Director shall determine the permitted height.

4 11. Decks in Yards. Decks no ~~((greater))~~ higher than ~~((eighteen-))~~18~~((-))~~ inches
5 above existing or finished grade, whichever is lower, may extend into required yards.

6 12. Heat Pumps. Heat pumps and similar mechanical equipment, not including
7 incinerators, ~~((may be))~~ are permitted in required yards if they comply with the requirements of
8 ~~((the Noise Control Ordinance,))~~ Chapter 25.08, Noise Control~~((are not violated))~~. Any heat
9 pump or similar equipment shall not be located within ~~((three-))~~3~~((-))~~ feet of any lot line.

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

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



**((Exhibit 23.44.014B)) Front yard projections permitted for
Exhibit B for 23.44.014 structures on lots thirty feet or less in
width.**

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

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

a. In any required yard, an arbor may be erected with no more than a ~~((forty ()))~~ 40(()) square foot footprint, measured on a horizontal roof plane inclusive of eaves, to



1 a maximum height of ~~((eight-))8((+))~~ feet. Both the sides and the roof of the arbor ~~((must))~~ shall
2 be at least ~~((fifty-))50((+))~~ percent open, or ~~((;))~~ if latticework is used, there ~~((must))~~ shall be a
3 minimum opening of ~~((two-))2((+))~~ inches between crosspieces.

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

9
10 E. Additional Standards for Structures if Allowed in Required Yards. Structures in
11 required yards shall comply with the following:

12 1. Accessory structures, attached garages and portions of a principal structure
13 shall not exceed a maximum combined coverage of 40 percent of the required rear yard. In the
14 case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of
15 the alley.

16
17 2. Any accessory structure located in a required yard shall be separated from its
18 principal structure by a minimum of 5 feet. This requirement does not apply to terraced garages
19 that comply with Section 23.44.016.D.9.b.

20
21 3. Except for detached accessory dwelling units in subsection 23.44.041.B, any
22 accessory structure located in a required yard shall not exceed 12 feet in height or 1,000 square
23 feet in area.



1 Section 18. Section 23.44.016 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122823, is amended as follows:

3 **23.44.016 Parking and Garages((:))**

4 A. Parking Quantity. Off-street parking is required pursuant to Section 23.54.015.

5 B. Access to Parking.

6 1. Vehicular access to parking from an improved street, alley or easement is
7 required ~~((when))~~if parking is required pursuant to Section 23.54.015.

8 2. Access to parking is permitted through a required yard abutting a street only if
9 the Director determines that one ~~((1))~~ of the following conditions exists:

10 a. There is no alley improved to the standards of Section 23.53.030, C, and
11 there is no unimproved alley in common usage that currently provides access to parking on the
12 lot or to parking on adjacent lots in the same block; or

13 b. Existing topography does not permit alley access; or

14 c. A portion of the alley abuts a nonresidential zone; or

15 d. The alley is used for loading or unloading by an existing nonresidential
16 use; or

17 e. Due to the relationship of the alley to the street system, use of the alley
18 for parking access would create a significant safety hazard; or

19 f. Parking access must be from the street in order to provide access to a
20 parking space~~((s))~~ that ~~((meet))~~ complies with the Washington State Building Code, Chapter

21 11.
22
23
24
25
26
27
28



C. Location of Parking.

1
2 1. Parking shall be located on the same lot as the principal use, except as
3 otherwise provided in this subsection.

4 2. Parking on planting strips is prohibited.

5 3. No more than three ~~((3))~~ vehicles may be parked outdoors on any lot.

6 4. Parking accessory to a floating home may be located on another lot if within
7 ~~((six hundred (600)))~~ feet of the lot on which the floating home is located. The accessory
8 parking shall be screened and landscaped according to subsection 23.44.016.G.

9
10 5. Parking accessory to a single-family structure existing on June 11, 1982 may be
11 established on another lot if all the following conditions are met:

12 a. There is no vehicular access to permissible parking areas on the lot.

13 b. Any garage constructed is for no more than two ~~two- ((2))~~ axle, or two
14 ~~((2))~~ up ~~((-))~~to ~~((-))~~ four- ~~((4))~~ wheeled vehicles.

15 c. ~~((Any garage is located and))~~ Parking is screened or landscaped ~~((per~~
16 ~~Section 23.44.016-G if applicable,))~~ as required by the Director, who shall consider development
17 patterns of the block or nearby blocks.

18 d. The lot providing the parking is within the same block or across the
19 alley from the principal use lot.

20 e. The accessory parking shall be tied to the lot of the principal use by a
21 covenant or other document recorded with the King County Department of Records and
22 Elections.
23
24
25
26



D. Parking and Garages in Required Yards.

1
2 1. Parking and garages shall not be located in the required front yard except as
3 provided in subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.

4 2. Parking and garages shall not be located in a required side yard abutting a street
5 or the first ~~((ten-))10(())~~ feet of a required rear yard abutting a street except as provided in
6 subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.

7 3. Parking and g((G))arages shall not be located in a required side yard
8 that((which)) abuts the rear or side yard of another lot ~~(())~~ or in that portion of the rear yard of a
9 reversed corner lot within ~~((five-))5(())~~ feet of the key lot's side lot line ~~((and not abutting the
10 front yard of the key lot))~~ unless:

11 a. The garage is located entirely in that portion of a side yard that is either
12 within 35 feet of the centerline of an alley or within 25 feet of any rear lot line that is not an alley
13 lot line; or

14 b. A((a))n agreement between the owners of record of the abutting
15 properties, authorizing the garage in that location, is executed and recorded, pursuant to
16 ((S))subsection 23.44.014.D.2.a ((, provided, that no such agreement is required if the garage is
17 located entirely in that portion of a side yard which is either within thirty-five (35) feet of the
18 centerline of an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot
19 line)).

20 4. Detached g((G))arages with vehicular access facing((from)) an alley shall not
21 be located within ~~((twelve-))12(())~~ feet of the centerline of the alley except as provided in
22 subsections 23.44.016.D.9, D.10, D.11 and D.12.

23 5. Attached garages shall not be located within ~~((twelve-))12(())~~ feet of the
24 centerline of any alley, nor within ~~((twelve-))12(())~~ feet of any rear lot line that((which)) is not
25 an alley lot line, except as provided in subsections 23.44.016.D.9, D.10, D.11 and D.12.



1 6. On a reversed corner lot, no garage shall be located in that portion of the
2 required rear yard ~~((which))~~ that abuts the required front yard of the adjoining key lot unless the
3 provisions of ~~((S))~~ subsection 23.44.016.D.9~~((b))~~ apply.

4 7. ~~((Where))~~ If access to required parking ~~((spaces))~~ passes through a required
5 yard, automobiles, motorcycles and similar vehicles may be parked on the open access located in
6 a required yard.

7 8. Trailers, boats, recreational vehicles and similar equipment shall not be parked
8 in required front and side yards or the first ~~((ten-))~~10~~((-))~~ feet of a rear yard measured from the
9 rear lot line.

10 9. Lots With Uphill Yards Abutting Streets. Parking for one ~~((+))~~ two ~~((-))~~
11 ~~((+))~~ axle or one ~~((+))~~ up ~~((-))~~ to ~~((-))~~ four ~~((-))~~ wheeled vehicle may be established in a required
12 yard abutting a street according to subsection 23.44.016.D.9.a or b ~~((below))~~ only if access to
13 parking is permitted through that yard pursuant to subsection ~~((A of this section))~~ 23.44.016.B.

14 a. Open Parking Space.

15 ~~((i.))~~ 1) The existing grade of the lot slopes upward from the street
16 lot line an average of at least ~~((six-))~~6~~((-))~~ feet above sidewalk grade at a line that is ~~((ten-))~~
17 ~~((-))~~10~~((-))~~ feet from the street lot line; and

18 ~~((ii.))~~ 2) The parking area shall be at least an average of ~~((six-))~~
19 ~~((-))~~6~~((-))~~ feet below the existing grade prior to excavation and/or construction at a line that is ~~((ten-))~~
20 ~~((-))~~10~~((-))~~ feet from the street lot line; and

21 ~~((iii.))~~ 3) The parking space shall be no wider than ~~((ten-))~~10~~((-))~~
22 feet for one ~~((+))~~ parking space at the parking surface and no wider than ~~((twenty-))~~20~~((-))~~ feet
23 for two ~~((+))~~ parking spaces if ~~((when))~~ permitted as provided in subsection 23.44.016.D.12.

24 b. Terraced Garage.

1 b. For front yard parking, the lot has a vertical drop of at least ~~((twenty~~
2 ~~())~~20~~())~~ feet in the first ~~((sixty-)~~60~~())~~ feet, ~~((as))~~ measured along a line from the midpoint of
3 the front lot line to the midpoint of the rear lot line;

4 c. Parking ~~is~~~~((shall))~~ not ~~((be))~~ permitted in ~~((downhill))~~ required side
5 yards abutting a street~~((s))~~;

6 d. Parking in a~~((downhill))~~ rear yard~~((s))~~ ~~((shall be in~~
7 ~~accordance))~~ complies with ~~((S))~~ subsections 23.44.016.~~((, subsections))~~ D.2, D.5 and D.6;

8 e. Access to parking is permitted through the required yard abutting the
9 street by subsection 23.44.016.B~~((of this section))~~; and

10 f. A driveway access bridge ~~is~~~~((may be))~~ permitted in ~~the~~~~((any-))~~ required
11 ~~((downhill-))~~ yard abutting the street if~~((where))~~ necessary for access to parking. The access
12 bridge shall be no wider than ~~((twelve-)~~12~~())~~ feet for access to one ~~((1))~~ parking space or
13 ~~((eighteen-)~~18~~())~~ feet for access to two ~~((2))~~ or more parking spaces. The driveway access
14 bridge may not be located closer than ~~((five-)~~5~~())~~ feet to an adjacent property line and shall
15 not be included in lot coverage calculations.

16 11. Through Lots. On through lots less than ~~((one hundred twenty five-)~~125~~())~~
17 feet in depth, parking, either open or enclosed in an attached or detached garage, for one ~~((1))~~
18 two-~~((-2-))~~ axle or one ~~((1))~~ up ~~((-))~~ to ~~((-))~~ four-~~((-4-))~~ wheeled vehicle may be located in one
19 ~~((1))~~ of the required front yards. The front yard in which the parking may be located shall be
20 determined by the Director based on the location of other garages or parking areas on the block.
21 If no pattern of parking location can be determined, the Director shall determine in which yard
22 the parking shall be located based on the prevailing character and setback patterns of the block.

23 12. Lots With Uphill Yards Abutting Streets or Downhill or Through Lot Front
24 Yards Fronting on Streets That Prohibit Parking. Parking for two ~~((2))~~ two-~~((-2-))~~ axle or two
25 ~~((2))~~ up ~~((-))~~ to ~~((-))~~ four-~~((-4-))~~ wheeled vehicles may be located in uphill yards abutting streets



1 or downhill or through lot front yards as provided in subsections 23.44.016.D.9, D.10 or D.11 if,
2 in consultation with Seattle Department of Transportation, it is found that uninterrupted parking
3 for ~~((twenty-four (24)))~~ hours is prohibited on at least one ~~((1))~~ side of the street within
4 ~~((two hundred (200)))~~ feet of the lot line over which access is proposed. The Director may
5 authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary for
6 access.

7 E. Standards for Garages ~~((when Permitted))~~ if Allowed in Required Yards. Garages that
8 are either detached structures or portions of a principal structure for the primary purpose of
9 enclosing a two ~~((2))~~-axle or four ~~((4))~~-wheeled vehicle may be permitted in required yards
10 according to the following conditions:

11 1. Maximum Coverage and Size.

12 a. Garages, together with any other accessory structures and other portions
13 of the principal structure, are limited to a maximum combined coverage of ~~((forty (40)))~~
14 percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage
15 shall be calculated from the centerline of the alley.
16

17 b. Garages located in side or rear yards shall not exceed ~~((one thousand~~
18 ~~((1,000)))~~ square feet in area.
19

20 c. In front yards, the area of garages ~~((shall be))~~ is limited to ~~((three~~
21 ~~((300)))~~ square feet with ~~((fourteen (14)))~~ foot maximum width ~~((where))~~ if one
22 ~~((1))~~ space is ~~((allowed))~~ provided, and ~~((six hundred (600)))~~ square feet with ~~((twenty-four~~
23 ~~((24)))~~ foot maximum width ~~((where))~~ if two ~~((2))~~ spaces are ~~((allowed))~~ provided. Access
24
25
26
27
28

1 driveway bridges permitted under Section 23.44.016.D.10.f shall not be included in this
2 calculation.

3 2. Height Limits.

4 a. Garages ~~((shall be))~~ are limited to ~~((twelve-))12((+))~~ feet in height ~~((as))~~
5 measured on the facade containing the entrance for the vehicle.

6 b. The ridge of a pitched roof on a garage located in a required yard may
7 extend up to ~~((three-))3((+))~~ feet above the ~~((twelve-))12((+))~~ foot height limit. All parts of the
8 roof above the height limit shall be pitched at a rate of not less than four to twelve (4:12). No
9 portion of a shed roof ~~((shall be))~~ is permitted to extend beyond the ~~((twelve-))12((+))~~ foot height
10 limit under this provision.

11 c. Open rails around balconies or decks located on the roofs of garages
12 may exceed the ~~((twelve-))12((+))~~ foot height limit by a maximum of ~~((three-))3((+))~~ feet. The
13 roof over a garage shall not be used as a balcony or deck in rear yards.

14 3. Separations.~~((a.))~~ Any garage located in a required yard shall be
15 separated from its principal structure by a minimum of ~~((five-))5((+))~~ feet. This requirement
16 does not apply to terraced garages that comply with Section 23.44.016.D.9.b.

17 4. Roof eaves and gutters of a garage located in a required yard may extend a
18 maximum of 18 inches from the exterior wall of the garage. Such roof eaves and gutters are
19 excluded from the maximum coverage and size limits of subsection 23.44.016.E.1 and the
20 separation requirements of subsection 23.44.016.E.3, except that all portions of a detached
21



1 garage, including projecting eaves and gutters, shall be separated by at least 5 feet from all
2 portions of a principal structure, including any eaves and gutters of the principal structure.

3 5. Except for terraced garages that comply with Section 23.44.016.D.9.b, the roof
4 over a garage in a rear yard shall not be used as a balcony or deck.

5 * * *

6
7 Section 19. Subsection C of Section 23.44.017 of the Seattle Municipal Code, which
8 section was last amended by Ordinance 122823, is amended as follows:

9 **23.44.017 Development standards for public schools((+))**

10 * * *

11 C. Setbacks.

12 1. General Requirements.

13 a. No setbacks ~~are~~((shall be)) required for new public school construction
14 or for additions to existing public school structures for that portion of the site across a street or an
15 alley or abutting a lot in a nonresidential zone. ~~If~~((When)) any portion of the site is across a
16 street or an alley from or abuts a lot in a residential zone, setbacks ~~are~~((shall be)) required for
17 areas facing or abutting residential zones, as provided in subsections 23.44.017.C.2 through
18 23.44.017.C.5 below. Setbacks for sites across a street or alley from or abutting lots in
19 Residential-Commercial (RC) zones shall be based upon the residential zone classification of the
20 RC lot.
21
22
23
24
25
26

1 Section 21. Subsection L of Section 23.44.022 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122823, is amended as follows:

3 **23.44.022 Institutions((,-))**

4 ***

5 L. Parking and Loading Berth Requirements.

6 1. Quantity and Location of Off-street Parking.

7 a. Use of transportation modes such as public transit, vanpools, carpools
8 and bicycles to reduce the use of single-occupancy vehicles ~~is~~((shall be)) encouraged.

9 b. Parking and loading ~~is~~((shall be)) required as provided in Section
10 23.54.015.

11 c. The Director may modify the parking and loading requirements of
12 Section 23.54.015(~~(,- Required parking,)~~) and the requirements of Section 23.44.016(~~(,- Parking~~
13 ~~location and access,)~~) on a case-by-case basis using the information contained in the
14 transportation plan prepared pursuant to subsection 23.44.022.M(~~(-of this section)~~). The
15 modification shall be based on adopted City policies and shall:

16 ((+)) 1) Provide a demonstrable public benefit such as, but not
17 limited to, reduction of traffic on residential streets, preservation of residential structures, and
18 reduction of noise, odor, light and glare; and

19 ((+)) 2) Not cause undue traffic through residential streets nor
20 create a ~~((serious))~~ safety hazard.

2. Parking Design. Parking access and parking shall be designed as provided in

Design Standards for Access and Off-street Parking, Chapter 23.54.

3. Loading Berths. The quantity and design of loading berths shall be as provided

in Design Standards for Access and Off-street Parking, Chapter 23.54.

* * *

Section 22. Subsection A of Section 23.44.051 of the Seattle Municipal Code, which section was last amended by Ordinance 122208, is amended as follows:

23.44.051 Bed and breakfasts((☞))

A bed and breakfast use is permitted if it meets the following standards:

A. General Provisions.

1. The bed and breakfast use must have a business license issued by the Department of ((Finance)) Executive Administration;

* * *

Section 23. Subsection C of Section 23.44.060 of the Seattle Municipal Code, which section was last amended by Ordinance 110669, is amended as follows:

23.44.060 Uses accessory to parks and playgrounds((☞))

* * *

C. Storage structures and areas and other structures and activities customarily associated with parks and playgrounds are subject to the following development standards in addition to the general development standards for accessory uses:



1 A. Quantity of Open Space.

2 1. Lowrise Duplex/Triplex Zones.

3 a. Single-family Structures. A minimum of ~~((six hundred-))~~600~~(())~~ square
4 feet of landscaped area shall be provided, except for cottage housing developments.

5 b. Cottage Housing Developments. A minimum of ~~((four hundred
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28~~)400~~(())~~ square feet per unit of landscaped area is required. This quantity shall be allotted as follows:

~~(())~~1) A minimum of ~~((two hundred-))~~200~~(())~~ square feet per unit shall be private usable open space; and

~~(())~~2) A minimum of ~~((one hundred fifty-))~~150~~(())~~ square feet per unit shall be provided as common open space.

c. Additional Dwelling Unit Added to Existing Structure Pursuant to Section 23.45.008.F. No open space is required for an additional dwelling unit added to an existing multifamily structure pursuant to Section 23.45.008.F.

~~((e.))~~d. Structures with Two Dwelling Units. At least one ~~((1))~~ unit shall have direct access to a minimum of ~~((four hundred-))~~400~~(())~~ square feet of private, usable open space. The second unit shall also have direct access to ~~((four hundred-))~~400~~(())~~ square feet of private, usable open space; or ~~((six hundred-))~~600~~(())~~ square feet of common open space shall be provided on the lot.

~~((e.))~~e. Structures with Three Dwelling Units. At least two ~~((2))~~ units shall have direct access to a minimum of ~~((four hundred-))~~400~~(())~~ square feet of private, usable



1 open space per unit. The third unit shall have direct access to ~~((four hundred (400)))~~ square
2 feet of private, usable open space; or ~~((six hundred (600)))~~ square feet of common open space
3 shall be provided on the lot.

4 2. Lowrise 1 Zones.

5 a. Ground-related Housing.

6 ~~((1))~~ An average of ~~((three hundred (300)))~~ square feet per
7 unit of private, usable open space, at ground level and directly accessible to each unit ~~((, shall be))~~
8 is required, except for cottage housing developments and for an additional unit added to an
9 existing multifamily structure pursuant to Section 23.45.008.F. No unit shall have less than ~~((two~~
10 ~~hundred (200)))~~ square feet of private, usable open space, except for an additional unit added
11 to an existing multifamily structure pursuant to Section 23.45.008.F, for which no open space is
12 required. ~~((When a new unit that is not a ground-related unit is added to an existing structure,~~
13 ~~common open space at ground level shall be provided for the new unit. As long as the average~~
14 ~~per unit amount of open space is maintained at three hundred (300) square feet on the lot, a~~
15 ~~minimum of two hundred (200) square feet of common open space at ground level shall be~~
16 ~~provided for the unit but it does not have to be directly accessible to the unit.))~~

17 ~~((2))~~ On lots with slopes of ~~((twenty (20)))~~ percent or more,
18 decks of the same size as the required ground-level open space may be built over the sloping
19 ground-level open space. In order to qualify for this provision, ~~((such))~~ the decks shall not cover
20 the open space of another unit, nor be above the living space of any unit. Decks may project into
21 setbacks in accordance with subsection F of Section 23.45.014.
22
23
24
25
26



~~((e))2~~ Lowrise 3 and Lowrise 4 Zones.

1
2 i. A minimum of ~~((twenty-five (e)))~~25((e)) percent of the lot
3 area shall be provided as usable open space at ground level, except as provided in subsection
4 23.45.016.A.3.b.~~((e))2((e)).ii~~ and except that no open space is required for an additional dwelling
5 unit added to an existing multifamily structure pursuant to Section 23.45.008.F.

6
7 ii. A maximum of ~~((one-third (e)))~~1/3((e)) of the required
8 open space may be provided above ground in the form of balconies, decks, individual unit decks
9 on roofs or common roof gardens if the total amount of required open space is increased to
10 ~~((thirty (e)))~~30((e)) percent of lot area.

11 * * *

12
13 C. Open Space Relationship to Grade.

14 1. The elevation of open space for ground-related housing must be within ~~((ten~~
15 ~~(e)))~~10((e)) vertical feet of the elevation of the dwelling unit it serves. The ~~((ten (e)))~~10((e)) feet
16 ~~((shall be))~~is measured between the finished floor level of the principal living areas of a dwelling
17 unit and the grade of at least ~~((fifty (e)))~~50((e)) percent of the required open space. Direct access to
18 the open space shall be from at least one ~~((1))~~ habitable room of at least ~~((eighty (e)))~~80((e))
19 square feet of the principal living areas of the unit. Principal living areas ~~((shall))~~ do not include
20 foyers, entrance areas, closets or storage rooms, hallways, bathrooms or similar rooms alone or in
21 combination. This subsection 23.45.016.C.1 does not apply to townhouses or single-family
22 structures.



1 Section 27. Subsection D of Section 23.46.004 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122311, is amended as follows:

3 **23.46.004 Uses((;))**

4 * * *

5 D. Permitted commercial uses ((shall be)) are allowed only in structures containing at
6 least one (((1))) dwelling unit ((, which may be a)) or live-work unit, according to the
7 development standards of Section 23.46.012((, Location of commercial uses)).
8

9 * * *

10 Section 28. Subsection A of Section 23.46.012 of the Seattle Municipal Code, which
11 section was last amended by Ordinance 121196, is amended as follows:

12 **23.46.012 Location of commercial uses((;))**

13 A. Commercial uses ((shall be)) are permitted only on or below the ground floor of a
14 structure that contains at least one (((1))) dwelling unit ((, which may be a)) or live-work unit,
15 except as provided in the Northgate Overlay District, Chapter 23.71, and except that if there is an
16 existing established commercial use in a structure that does not contain a dwelling unit or live-
17 work unit, the existing established commercial use may be converted to another permitted
18 commercial use without providing a dwelling unit or live-work unit in the structure and without
19 obtaining an administrative conditional use.
20
21

22 * * *

23 Section 29. Subsection C of Section 23.47A.002 of the Seattle Municipal Code, which
24 section was adopted by Ordinance 122311, is amended as follows:
25
26



1 **23.47A.002 Scope of provisions((~~τ~~))**

2 * * *

3 C. Other regulations, ((such as, and)) including but not limited to, ((requirements for
4 setbacks from property lines to provide clearance for the Seattle City Light Overhead Power
5 Distribution System located in the street right of way (Washington Administrative Code 296-24-
6 960 and 296-155-428, National Electric Safety Code 2002, Rules 236 and 237, and Seattle City
7 Light Guideline D2-3);)) requirements for streets, alleys and easements (Chapter 23.53);
8 standards for parking quantity, access and design (Chapter 23.54); signs (Chapter 23.55); and
9 methods for measurements (Chapter 23.86) may apply to development proposals.
10 Communication utilities and accessory communication devices, except as exempted in Section
11 23.57.002, are subject to the regulations in this chapter and additional regulations in Chapter
12 23.57, Communications Regulations.

13
14
15 Section 30. Subsection H of Section 23.47A.004 of the Seattle Municipal Code, which
16 section was last amended by Ordinance 122935, is amended as follows:

17
18 **23.47A.004 Permitted and prohibited uses**

19 * * *

20 H. Adult Cabarets.

21 1. Any lot line of property containing any proposed new or expanding adult
22 cabaret must be ((eight hundred (800)) feet or more from any lot line of property ((containing
23 any)) on which any of the following uses has been established by permit or otherwise recognized
24



1 as a legally established use: community center; child care center; school, elementary or
2 secondary; or public parks and open space use.

3 2. Any lot line of property containing any proposed new or expanding adult
4 cabaret must be ~~((six hundred (600)))~~ 600 feet or more from any lot line of property ~~((containing))~~
5 for which a permit has been issued for any other adult cabaret.

6 3. The dispersion analysis required by subsections 23.47A.004.H.1 and 2 shall be
7 based on the facts that exist on the earlier of: a) the date a complete application for a building
8 permit for an adult cabaret for the property proposed to contain the new or expanding adult
9 cabaret is made, or b) the date of issuance of a decision on a Master Use Permit application to
10 establish or expand an adult cabaret use on the property proposed to contain the new or
11 expanding adult cabaret.

12
13
14 * * *

15 Section 31. Subsection C of Section 23.47A.005 of the Seattle Municipal Code, which
16 section was last amended by Ordinance 122935, is amended as follows:

17
18 **23.47A.005 Street-level uses**

19 * * *

20 C. Residential uses at street level.

21 1. Residential uses are generally permitted anywhere in a structure in NC1, NC2,
22 NC3, and C1 zones, except as provided in subsections 23.47A.005.C.2 and 23.47A.005.C. 3.

23 2. Residential uses may not occupy, in the aggregate, more than 20 percent of the
24 street-level street-facing facades in the following circumstances or locations:
25

1 a. In a pedestrian-designated zone, facing a designated principal
2 pedestrian street;

3 b. Within the Bitter Lake Village Hub Urban Village; or

4 c. Within the Lake City Hub Urban Village, except as provided in
5 subsection 23.47A.005.C.4.

6
7 3. Residential uses may not exceed, in the aggregate, 20 percent of the street-
8 level street-facing facades when facing an arterial or within a zone that has a height limit of 85
9 feet or higher, except that there is no limit on residential uses in the following circumstances or
10 locations:

11 a. Within a very low-income housing project existing as of May 1, 2006,
12 or within a very low-income housing project replacing a very low-income housing project
13 existing as of May 1, 2006 on the same site.

14 b. The residential use is an assisted living facility or nursing home and
15 private living units are not located at street level.

16 c. Within the Station Area Overlay District, in which case the provisions
17 of Chapter 23.61 apply.

18 d. Within the International Special Review District east of the Interstate 5
19 Freeway, in which case the provisions of Section 23.66.330 apply.

20
21 4. Residential uses may occupy 100 percent of the street-level street-facing facade
22 in a structure if the structure:

23
24 a. Is developed and owned by the Seattle Housing Authority;
25
26

b. Is located on a lot zoned NC1 or NC3 that was owned by the Seattle

Housing Authority as of January 1, 2009;

c. Is not located in a pedestrian-designated zone or a zone that has a height limit of 85 feet or higher; and

d. Does not face a designated principal pedestrian street.

~~((4.))~~ 5. Additions to, or on-site accessory structures for, existing single-family structures are permitted outright.

~~((5.))~~ 6. Where residential uses at street level are limited to 20 percent of the street-level street-facing facade, such limits do not apply to residential structures separated from the street lot line by an existing structure meeting the standards of this section and Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

* * *

Section 32. Subsection A of Section 23.47A.018 of the Seattle Municipal Code, which section was adopted by Ordinance 122311, is amended as follows:

23.47A.018 Noise standards~~((r))~~

A. In an NC1, NC2 or NC3 zone, all manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure. In a C1 or C2 zone, location within an enclosed structure is required only when the ~~((lot))~~ structure is located within ~~((fifty-))~~ 50~~((r))~~ feet of a residential zone, except when required as a condition for permitting a major noise generator according to subsection 23.47A.018.B. Doors on such a

1 structure that are further than 50 feet from the residential zone and that face away from the
2 residential zone may remain open.

3 * * *

4 Section 33. Subsection B of Section 23.47A.020 of the Seattle Municipal Code, which
5 section was adopted by Ordinance 122311, is amended as follows:

6 **23.47A.020 Odor Standards((+))**

7 * * *

8 B. Major Odor Sources.

9 1. Uses that employ the following odor-emitting processes or activities are
10 considered major odor sources:

- 11
- 12 a. Lithographic, rotogravure or flexographic printing;
 - 13 b. Film burning;
 - 14 c. Fiberglassing;
 - 15 d. Selling of gasoline and/or storage of gasoline in tanks larger than ~~((two~~
16 ~~hundred sixty ((+))260((+))~~ gallons;
 - 17
 - 18 e. Handling of heated tars and asphalts;
 - 19
 - 20 f. Incinerating (commercial);
 - 21
 - 22 g. Tire buffing;
 - 23
 - 24 h. Metal plating;
 - 25
 - 26 i. Vapor degreasing;
 - 27
 - 28 j. Wire reclamation;

1 k. Use of boilers (greater than 106 British Thermal Units per hour, ((ten
2 thousand ~~()~~)10,000(~~()~~) pounds steam per hour, or ((~~thirty ~~()~~)30(~~()~~)) boiler horsepower);~~

3 l. Animal food processing;

4 m. Other similar processes or activities.

5 2. Uses that employ the following processes are considered major odor sources,
6 except when the entire activity is conducted as part of a commercial use other than food
7 processing or heavy commercial services:
8

9 a. Cooking of grains;

10 b. Smoking of food or food products;

11 c. Fish or fishmeal processing;

12 d. Coffee or nut roasting;

13 e. Deep fat frying;

14 f. Dry cleaning.((;))

15 ((g. Other similar processes or activities.))

16 * * *

17
18 Section 34. Subsection B of Section 23.49.014 of the Seattle Municipal Code, which
19 section was last amended by Ordinance 122611, is amended as follows:

20 **23.49.014 Transfer of development rights (TDR)((~~()~~))**

21 * * *

22
23 B. Standards for sending lots.
24
25
26

1 1. a. The maximum amount of floor area that may be transferred, except as
2 open space TDR, Landmark TDR, or Landmark housing TDR, from an eligible sending lot,
3 except a sending lot in the PSM or IDM zones, is the amount by which the product of the eligible
4 lot area times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds the
5 sum of any chargeable gross floor area existing or, if a DMC housing TDR site, to be developed
6 on the sending lot, plus any TDR previously transferred from the sending lot.

7
8 b. The maximum amount of floor area that may be transferred from an
9 eligible open space TDR site is the amount by which the product of the eligible lot area times the
10 base FAR of the sending lot, as provided in Section 23.49.011, exceeds the sum of ((f))a) any
11 existing chargeable gross floor area that is built on or over the ((eligible lot area on the)) portion
12 of the sending lot that is not made ineligible by Section 23.49.017.C, plus ((f))b) the amount, if
13 any, by which the total of any other chargeable floor area on the sending lot exceeds the product
14 of the base FAR of the sending lot, as provided in Section 23.49.011, multiplied by the difference
15 between the total lot area and the eligible lot area, plus ((f))c) any TDR previously transferred
16 from the sending lot.

17
18 c. The maximum amount of floor area that may be transferred from an
19 eligible Landmark housing TDR site is the amount by which the product of the eligible lot area
20 times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds TDR
21 previously transferred from the sending lot, if any.

22
23 d. The maximum amount of floor area that may be transferred from an
24 eligible Landmark TDR site, when the chargeable floor area of the landmark structure is less than
25



1 or equal to the base FAR permitted in the zone, is equivalent to the base FAR of the sending lot,
2 minus any TDR that have been previously transferred. For landmark structures having chargeable
3 floor area greater than the base FAR of the zone, the amount of floor area that may be transferred
4 is limited to an amount equivalent to the base FAR of the sending lot minus the sum of (i) any
5 chargeable floor area of the landmark structure exceeding the base FAR and (ii) any TDR that
6 have been previously transferred.
7

8 e. For purposes of this subsection 23.49.014.B.1, the eligible lot area is the
9 total area of the sending lot, reduced by the excess, if any, of the total of accessory surface
10 parking over ~~((one-quarter-))~~ $1/4$ ~~(())~~ of the total area of the footprints of all structures on the
11 sending lot; and for an open space TDR site, further reduced by the area of any portion of the lot
12 ineligible under Section 23.49.01 ~~((6))~~ 7.C.
13

14 2. ~~((When))~~ If the sending lot is located in the PSM or IDM zone, the gross floor
15 area that may be transferred is ~~((six-6))~~ 6 FAR, minus the sum of any existing chargeable gross
16 floor area and any floor area in residential use on the sending lot, and further reduced by any
17 TDR previously transferred from the sending lot.
18

19 3. ~~((When))~~ If TDR are transferred from a sending lot in a zone with a base FAR
20 limit, the amount of chargeable gross floor area that may then be built on the sending lot ~~((shall~~
21 ~~be))~~ is equal to the area of the lot multiplied by the applicable base FAR limit set in Section
22 23.49.011, minus the total of:
23

- 24 a. The existing chargeable floor area on the lot; plus
25 b. The amount of gross floor area transferred from the lot.
26

1 4. ~~((When))~~ If TDR are sent from a sending lot in a PSM zone, the combined
2 maximum chargeable floor area and residential floor area that may then be established on the
3 sending lot ~~((shall be))~~ is equal to the total gross floor area that could have been built on the
4 sending lot consistent with applicable development standards as determined by the Director had
5 no TDR been transferred, less the sum of:

- 6 a. The existing chargeable floor area on the lot; plus
7
8 b. The amount of gross floor area that was transferred from the lot.

9 5. Gross floor area allowed above base FAR under any bonus provisions of this
10 title or the former Title 24, or allowed under any exceptions or waivers of development
11 standards, may not be transferred. TDR may be transferred from a lot that contains chargeable
12 floor area exceeding the base FAR only if the TDR are from an eligible Landmark site, consistent
13 with subsection 23.49.014.B.1.c above, or to the extent, if any, that:

14 a. TDR were previously transferred to such lot in compliance with the
15 Land Use Code provisions and applicable rules then in effect;

16 b. Those TDR, together with the base FAR under Section 23.49.011,
17 exceed the chargeable floor area on the lot and any additional chargeable floor area for which any
18 permit has been issued or for which any permit application is pending; and
19

20 c. The excess amount of TDR previously transferred to such lot would
21 have been eligible for transfer from the original sending lot under the provisions ~~((of this
22 s))~~ Section 23.49.014 at the time of their original transfer from that lot.
23
24

1 6. Landmark structures on sending lots from which Landmark TDR or Landmark
2 housing TDR are transferred shall be restored and maintained as required by the Landmarks
3 Preservation Board.

4 7. Housing on lots from which housing TDR are transferred shall be rehabilitated
5 to the extent required to provide decent, sanitary and habitable conditions, in compliance with
6 applicable codes, and so as to have an estimated minimum useful life of at least ~~((fifty-0))~~50((0))
7 years from the time of the TDR transfer, as approved by the Director of the Office of Housing.

8 Landmark buildings on lots from which Landmark housing TDR are transferred shall be
9 rehabilitated to the extent required to provide decent, sanitary and habitable housing, in
10 compliance with applicable codes, and so as to have an estimated minimum useful life of at least
11 ~~((fifty-0))~~50((0)) years from the time of the TDR transfer, as approved by the Director of the
12 Office of Housing and the Landmarks Preservation Board. If housing TDR or Landmark housing
13 TDR are proposed to be transferred prior to the completion of work necessary to satisfy this
14 subsection 23.49.014.B.7, the Director of the Office of Housing may require, as a condition to
15 such transfer, that security be deposited with the City to ensure the completion of such work.
16
17

18 8. The housing units on a lot from which housing TDR, Landmark housing TDR,
19 or DMC housing TDR are transferred, and that are committed to low-income housing use as a
20 condition to eligibility of the lot as a TDR sending lot, shall be generally comparable in their
21 average size and quality of construction to other housing units in the same structure, in the
22 judgment of the Housing Director, after completion of any rehabilitation or construction
23 undertaken in order to qualify as a TDR sending lot.
24
25

1 Section 35. Subsections D and H of Section 23.49.017 of the Seattle Municipal Code,
2 which section was adopted by Ordinance 122054, are amended as follows:

3
4 **23.49.017 Open space TDR Site Eligibility((:))**

5 ***

6 D. Basic requirements. In order to qualify as a sending lot for open space TDR, the
7 sending lot must include open space that satisfies the basic requirements of this subsection,
8 unless an exception is granted by the Director pursuant to ~~((Section 23.49.039) subsection H of~~
9 ~~this s))~~ subsection 23.49.017.H. A sending lot for open space TDR must:

10
11 1. Include a minimum area as follows:

12 a. Contiguous open space with a minimum area of ~~((fifteen thousand~~
13 ~~))15,000((:))~~ square feet; or

14 b. A network of adjacent open spaces, which may be separated by a street
15 right-of-way, that are physically and visually connected with a minimum area of ~~((thirty thousand~~
16 ~~))30,000((:))~~ square feet;

17
18 2. Be directly accessible from the sidewalk or another public open space,
19 including access for persons with disabilities;

20
21 3. Be at ground level, except that in order to provide level open spaces on steep
22 lots, some separation of multiple levels may be allowed, provided they are physically and
23 visually connected;



1 4. Not have more than ~~((twenty-))~~20(~~(0))~~ percent of the lot area occupied by any
2 above grade structures; and

3 5. Be located a minimum of ~~((one-quarter-))~~1/4(~~(0))~~ of a mile from the closest lot
4 approved by the Director as a separate open space TDR site.

5 * * *

6
7 H. Special exception for Open Space TDR sites. The Director may authorize an exception
8 to the requirements for open space TDR sites in subsection ~~((D of this Section))~~ 23.49.017.D, as
9 a special exception pursuant to Chapter 23.76, Procedures for Master Use Permit and Council
10 Land Use Decisions.

11 1. The provisions of this subsection 23.49.017.H will be used by the Director in
12 determining whether to grant, grant with conditions or deny a special exception. The Director
13 may grant exceptions only to the extent such exceptions further the provisions of this subsection
14 23.49.017.H.

15
16 2. In order for the Director to grant, or grant with conditions, an exception to the
17 requirements for open space TDR sites, the following must be satisfied:

18 a. The exception allows the design of the open space to take advantage of
19 unusual site characteristics or conditions in the surrounding area, such as views and relationship
20 to surroundings; and

21
22 b. The applicant demonstrates that the exceptions would result in an
23 open~~((--))~~ space that better meets the intent of the provisions for open space TDR sites in
24 subsection 23.49.017.~~((G))~~D ~~((of this Section))~~.



1 Section 36. Section 23.49.030, which section was adopted by Ordinance 122411, is
2 amended as follows:

3 **23.49.030 Adult Cabarets((:))**

4 A. Any lot line of property containing any proposed new or expanding adult cabaret must
5 be ~~((eight hundred (800)))~~ 800((:)) feet or more from any lot line of property ~~((containing any))~~ on
6 which any of the following uses has been established by permit or otherwise recognized as a
7 legally established use: community center; child care center; school, elementary or secondary; or
8 public parks and open space use.

9
10 B. Any lot line of property containing any proposed new or expanding adult cabaret must
11 be ~~((six hundred (600)))~~ 600((:)) feet or more from any lot line of property ~~((containing))~~ for which a
12 permit has been issued for any other adult cabaret, and must be ((six hundred (600))) feet or
13 more from any lot line of property ((containing)) for which a permit has been issued for any adult
14 panoram or adult motion picture theater .

15
16 C. The analysis required by subsections 23.49.030.A and B shall be based on the facts
17 that exist on the earlier of: 1) the date a complete application is made for a building permit for an
18 adult cabaret for the property proposed to contain the new or expanding adult cabaret, or 2) the
19 date of issuance of a decision on a Master Use Permit application to establish or expand an adult
20 cabaret use on the property proposed to contain the new or expanding adult cabaret.

21
22 Section 37. Subsection E of Section 23.49.046 of the Seattle Municipal Code, which
23 section was last amended by Ordinance 122054, is amended as follows:
24
25
26
27
28

1 **23.49.046 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed**

2 **Commercial conditional uses and Council decisions((7))**

3 * * *

4
5 E. Rooftop features listed in subsection ((C4 of Section)) 23.49.008.D.1.c more than
6 ((fifty (0))50((0))) feet above the roof of the structure on which they are located may be authorized
7 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
8 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
9 23.49.008((- Structure height)).
10

11 * * *

12 Section 38. Subsection F of Section 23.49.096 of the Seattle Municipal Code, which
13 section was last amended by Ordinance 122054, is amended as follows:

14 * * *

15
16 **23.49.096 Downtown Retail Core, conditional uses and Council decisions((7))**

17 * * *

18 F. Rooftop features listed in subsection ((C4 of Section)) 23.49.008.D.1.c more than
19 ((fifty (0))50((0))) feet above the roof of the structure on which they are located may be authorized
20 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
21 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
22 23.49.008((- Structure height)).
23

24 * * *



1 Section 39. Subsection E of Section 23.49.148 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122054, is amended as follows:

3 **23.49.148 Downtown Mixed Residential, conditional uses and Council decisions((=))**

4 * * *

5 E. Rooftop features listed in subsection ((C4 of Section)) 23.49.008.D.1.c more than
6 ((fifty(=))50(=)) feet above the roof of the structure on which they are located may be authorized
7 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
8 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
9 23.49.008((=, Structure height)).
10

11 * * *

12
13 Section 40. Subsection E of Section 23.49.324 of the Seattle Municipal Code, which
14 section was last amended by Ordinance 122054, is amended as follows:

15 **23.49.324 Downtown Harborfront 2, conditional uses((=))**

16 * * *

17
18 E. Rooftop features listed in subsection ((C4 of Section)) 23.49.008.D.1.c more than
19 ((fifty(=))50(=)) feet above the roof of the structure on which they are located may be authorized
20 by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for
21 Master Use Permits and Council Land Use Decisions, according to the criteria of Section
22 23.49.008((=, Structure height)).
23

24 * * *



1 Section 41. Subsection E of Section 23.50.012 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 122411, is amended as follows:

3 **23.50.012 Permitted and prohibited uses((r))**

4 * * *

5 E. Adult Cabarets.

6
7 1. Any lot line of property containing any proposed new or expanding adult
8 cabaret must be ~~((eight hundred (800)))~~ 800((r)) feet or more from any lot line of property ~~((containing~~
9 ~~any))~~ on which any of the following uses has been established by permit or otherwise recognized
10 as legally established: community center; child care center; school, elementary or secondary; or
11 public parks and open space use.

12
13 2. Any lot line of property containing any proposed new or expanding adult
14 cabaret must be ~~((six hundred (600)))~~ 600((r)) feet or more from any lot line of property ~~((containing))~~
15 for which a permit has been issued for any other adult cabaret .

16
17 3. The analysis required by subsections 23.50.012.E.1 and E.2 shall be based on
18 the facts that exist on the earlier of:

19 a. the date a complete application is made for a building permit for an
20 adult cabaret for the property proposed to contain the new or expanding adult cabaret, or

21 b. the date of issuance of a decision on a Master Use Permit application to
22 establish or expand an adult cabaret use on the property proposed to contain the new or
23 expanding adult cabaret.
24

1 Section 42. Subsection B of Section 23.50.022 and Exhibit 23.50.022A of the Seattle
2 Municipal Code, which section was last amended by Ordinance 122311, is amended and the
3 Exhibit 23.50.022A replaced with a new Exhibit A, as follows:

4 **23.50.022 General Industrial 1 and 2 – Structure height((~~○~~))**

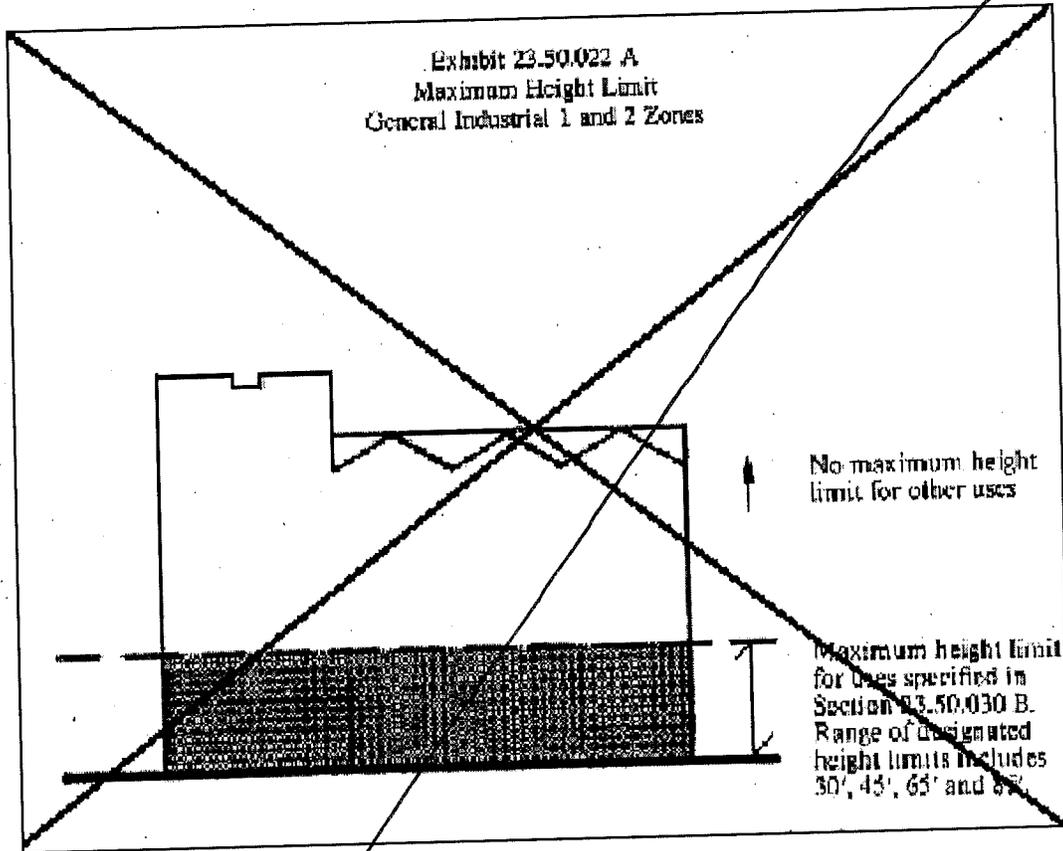
5 * * *

6 B. Except for the provisions of Section 23.50.020 and of ~~((subsection C below))~~
7 subsection 23.50.022.C, the maximum structure height for any portion of a structure that contains
8 commercial uses other than spectator sports facilities and food processing and craft work uses,
9 whether they are principal or accessory, ~~((shall be thirty (30)))~~ is 30 feet, ~~((forty five (45)))~~ 45
10 feet, ~~((sixty five (65)))~~ 65 feet, or ~~((eighty five (85)))~~ 85 feet, as designated on the Official Land
11 Use Map, Chapter 23.32. (also see ~~((Exhibit))~~ Exhibit A for 23.50.022 ((A)))
12

13 * * *

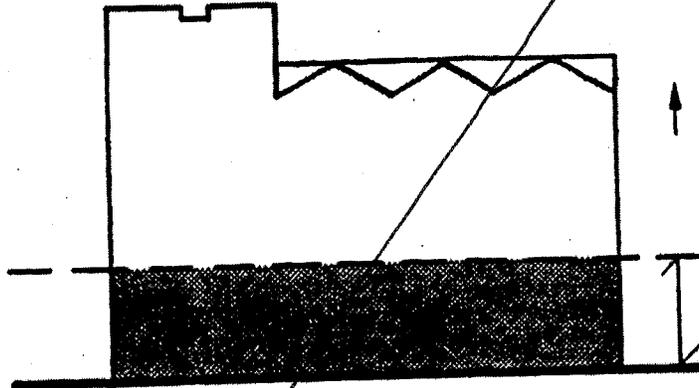


- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28



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

**Exhibit A for 23.50.022
Maximum Height Limit
General Industrial 1 and 2 Zones**



No maximum height
limit doe other uses

Maximum height limit
for uses specified in
Section 23.50.022 B.
Range of designated
height limits includes
30', 45', 65' and 85'.

1 Section 43. Subsections L, N and O of Section 23.50.051 of the Seattle Municipal Code,
2 which section was adopted by Ordinance 122611, are amended as follows:

3 **23.50.051 Additional floor area in certain IC-zoned areas in the South Lake Union Urban**
4 **Center((7))**

5 * * *

6
7 L. Energy Management Plan. The Master Use Permit application shall include an energy
8 management plan, approved by the ((Director)) Superintendent of Seattle City Light, containing
9 specific energy conservation or alternative energy generation methods or on-site electrical
10 systems that together can ensure that the existing electrical system can accommodate the
11 projected loads from the project. The Director, after consulting with the ((Director))
12 Superintendent of Seattle City Light, may condition the approval of the Master Use Permit on the
13 implementation of the energy management plan.
14

15 * * *

16 N. Bonus floor area and TDR. A minimum of ((seventy-five(75)))75((7)) percent of floor
17 area above ((five(5)))4.5 FAR may be gained only through bonuses under Section 23.50.052.
18 The remaining ((twenty-five(25)))25((7)) percent may be gained either through TDR consistent with
19 Section 23.50.053 or bonuses under Section 23.50.052, provided that the condition in
20 ((S))subsection 23.50.051.N is satisfied if applicable. The Master Use Permit application to
21 establish any floor area above ((five(5)))4.5 FAR under this section shall include a calculation
22 of the amount of floor area and shall identify the manner in which the conditions to added floor
23 area will be satisfied.
24
25
26



1 O. Landmark TDR. If Landmark TDR is available, not less than ~~((five-))~~5~~(())~~ percent of
2 floor area on a lot above ~~((five-))~~4.5 FAR shall be gained through the transfer of Landmark
3 TDR. Landmark TDR shall be considered "available" if, at the time of the Master Use Permit
4 application to gain the additional floor area, the City of Seattle is offering Landmark TDR
5 eligible for use on the lot for sale at a price per square foot no greater than the total bonus
6 contribution under Section 23.50.052 for a project using the cash option for both housing and
7 childcare facilities. An applicant may satisfy the condition in this section by purchase~~((s))~~ of
8 Landmark TDR from private parties, by transfer of Landmark TDR from an eligible sending lot
9 owned by the applicant, by purchase of Landmark TDR from the City, or by any combination of
10 the foregoing.
11

12
13 Section 44. Subsections A, B and D of Section 23.53.015 of the Seattle Municipal Code,
14 which sections were last amended by Ordinance 122615, is amended as follows:

15 **23.53.015 Improvement requirements for existing streets in residential and commercial**
16 **zones~~((r))~~**
17

18 A. General Requirements.

19 1. ~~((When))~~If new lots are proposed to be created, or if any type of development
20 is proposed in residential or commercial zones, existing streets abutting the lot(s) are required to
21 be improved in accordance with this ~~((section))~~ Section 23.53.015 and Section 23.53.006,
22 Pedestrian access and circulation. One ~~((+))~~ or more of the following types of improvements
23 may be required under this ~~((section))~~ Section 23.53.015:
24

25 a. Pavement;

- b. Curb installation;
- c. Drainage;
- d. Grading to future right-of-way grade;
- e. Design of structures to accommodate future right-of-way grade;
- f. No-protest agreements; and
- g. Planting of street trees and other landscaping.

A setback from the property line, or dedication of right-of-way, may be required to accommodate the improvements.

2. ~~((Subsection D of this section))~~ Subsection 23.53.015.D contains exceptions from the standard requirements for street improvements, including exceptions for streets that already have curbs, projects that are smaller than a certain size, and for special circumstances, such as location in an environmentally critical area or buffer.

3. Off-site improvements, such as provision of drainage systems or fire access roads, shall be required pursuant to the authority of this Code or other ordinances to mitigate the impacts of development.

4. Detailed requirements for street improvements are located in the Right-of-Way Improvements Manual.

5. The regulations in this section are not intended to preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate adverse environmental impacts.

6. Minimum Right-of-Way Widths.



1 a. Arterials. The minimum right-of-way widths for arterials designated on
2 ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section 11.18.010, ~~((shall be))~~ are as specified in
3 the Right-of-Way Improvements Manual.

4 b. Nonarterial~~((s))~~ streets.

5 ~~((c))1~~ The minimum right-of-way width for an existing street that
6 is not an arterial designated on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section
7 11.18.010, ~~((shall be))~~ is as shown on ~~((Chart))~~ Table A for ~~((Section))~~ 23.53.015.

8
9 ~~((Chart))~~ Table A
10 for ~~((Section))~~ 23.53.015
11 Minimum Right-of-Way Widths
12 for Existing Nonarterial Streets

	Zone Category	Required Right-of-Way Width
14	1. SF, LDT, L1, L2 and NC1 zones; and NC2 zones with a maximum height limit of ((forty feet)) 40' ((or)) or less	40 feet
15	2. L3, L4, MR, HR, NC2 zones with height limits of more than ((forty feet)) 40' ((or)) , NC3, C1, C2 and SCM zones	52 feet

16
17
18 ~~((c))2~~ ~~((When))~~ If a block is split into more than one ~~((1))~~ zone,
19 the zone category with the most frontage shall determine the minimum width on ~~((the~~
20 ~~chart))~~ Table A for 23.53.015. If the zone categories have equal frontage, the one with the wider
21 requirement shall be used to determine the minimum right-of-way width.

22
23 B. Improvements to Arterial~~((s))~~ Streets. Except as provided in ~~((subsection D of this~~
24 ~~section))~~ Subsection 23.53.015.D, arterials shall be improved according to the following
25 requirements:
26



1 1. ~~((When))~~ If a street is designated as an arterial on ~~((Exhibit 23.53.015-A))~~ the
2 Arterial street map, Section 11.18.010, a paved roadway with a curb and pedestrian access and
3 circulation as required by Section 23.53.006, drainage facilities, and any landscaping required by
4 the zone in which the lot is located shall be provided in the portion of the street right-of-way
5 abutting the lot, as specified in the Right-of-Way Improvements Manual.

6
7 2. If necessary to accommodate the right-of-way and roadway widths specified in
8 the Right-of-Way Improvements Manual, dedication of right-of-way is required.

9 * * *

10 D. Exceptions.

11 1. Streets With Existing Curbs.

12
13 a. Streets With Right-of-Way Greater Than or Equal to the Minimum
14 Right-of-Way Width. ~~((When))~~ If a street with existing curbs abuts a lot and the existing right-of-
15 way is greater than or equal to the minimum width established in subsection 23.53.015.A.6 ~~((of~~
16 ~~this section))~~, but the roadway width is less than the minimum established in the Right-of-Way
17 Improvements Manual, the following requirements shall be met:

18
19 ~~((1))~~ 1) All structures on the lot shall be designed and built to
20 accommodate the grade of the future street improvements.

21
22 ~~((2))~~ 2) A no-protest agreement to future street improvements is
23 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King
24 County Department of Records and Elections.

1 ((f))3 Pedestrian access and circulation is required as specified in

2 Section 23.53.006.

3 b. Streets With Less than the Minimum Right-of-Way Width. ((When)) If
4 a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum
5 width established in subsection 23.53.015.A.6 ((of this section)), the following requirements
6 shall be met:

7
8 ((f))1 Setback Requirement. A setback equal to half the difference
9 between the current right-of-way width and the minimum right-of-way width established in
10 subsection 23.53.015.A.6 ((of this section)) is required; provided, however, that if a setback has
11 been provided under this provision, other lots on the block shall provide the same setback. In all
12 residential zones except Highrise zones, an additional ((three-))3((f)) foot setback ((shall))is also
13 ((be)) required. The area of the setback may be used to meet any development standard, except
14 that required parking may not be located in the setback. Underground structures that would not
15 prevent the future widening and improvement of the right-of-way may be permitted in the
16 required setback by the Director after consulting with the Director of Transportation.
17

18
19 ((f))2 Grading Requirement. ((When))If a setback is required, all
20 structures on the lot shall be designed and built to accommodate the grade of the future street, as
21 specified in the Right-of-Way Improvements Manual.
22

23 ((f))3 No-protest Agreement Requirement. A no-protest agreement
24 to future street improvements is required, as authorized by RCW Chapter 35.43. The agreement
25 shall be recorded with the King County Department of Records and Elections.
26

1 ((f))4 Pedestrian access and circulation is required as specified in

2 Section 23.53.006.

3 2. Projects With Reduced Improvement Requirements.

4 a. One ((f)) or Two ((f)) Dwelling Units ~~((When))~~ If no more than
5 ~~((one (1) or))~~ two ((f)) new dwelling units are proposed to be constructed, or no more than
6 ~~((one (1) or))~~ two ((f)) new Single Family zoned lots are proposed to be created, the following
7 requirements shall be met:
8

9 ((f))1) If there is no existing hard-surfaced roadway, a crushed-rock
10 roadway at least ~~((sixteen (16)))~~ 16((f)) feet in width ~~((shall be))~~ is required, as specified in the
11 Right-of-Way Improvements Manual.

12 ((f))2) All structures on the lot(s) shall be designed and built to
13 accommodate the grade of the future street improvements.

14 ((f))3) A no-protest agreement to future street improvements ~~((shall~~
15 ~~be))~~ is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the
16 King County Department of Records and Elections.

17 ((f))4) Pedestrian access and circulation is required as specified in
18 Section 23.53.006.

19 b. Other Projects With Reduced Requirements. The types of projects listed
20 in this subsection 23.53.015.D.2.b are exempt from right-of-way dedication requirements and are
21 subject to the street improvement requirements of this subsection:
22

23 ((f))1) Types of Projects.
24
25
26
27
28

1 i. Proposed developments that contain more than two but
2 fewer than ten ~~((10))~~ units in SF, RSL, LDT and L1 zones, ~~((and))~~ or fewer than six ~~((6))~~
3 residential units in all other zones, or proposed short plats in which no more than two additional
4 lots are proposed to be created;

5 ii. The following uses ~~((when))~~ if they are smaller than
6 ~~((seven hundred fifty ~~()~~))~~ 750 ~~(())~~ square feet of gross floor area: major and minor vehicle repair
7 uses, and multipurpose retail sales;

8 iii. Non~~(())~~ residential structures that have less than ~~((four~~
9 ~~thousand ~~()~~))~~ 4,000 ~~(())~~ square feet of gross floor area and that do not contain uses listed in
10 subsection 23.53.015.D.2.b.~~(())~~1 ~~(())~~.ii that are larger than ~~((seven hundred fifty ~~()~~))~~ 750 ~~(())~~
11 square feet;

12 iv. Structures containing a mix of residential uses and either
13 nonresidential uses or live-work units, if there are fewer than ten ~~((10))~~ units in SF, RSL, LDT
14 and L1 zones, or fewer than six ~~((6))~~ residential units in all other zones, and the square footage
15 of nonresidential use is less than specified in subsections 23.53.015.D.2.b.~~(())~~1 ~~(())~~.ii and
16 D.2.b.~~(())~~1 ~~(())~~.iii;

17 v. Remodeling and use changes within existing structures;

18 vi. Additions to existing structures that are exempt from
19 environmental review; and
20
21
22
23



1 a. Location in an environmentally critical area or buffer, disruption of
2 existing drainage patterns, or removal of natural features such as significant trees or other
3 valuable and character-defining mature vegetation makes widening and/or improving the right-
4 of-way impractical or undesirable.

5 b. The existence of a bridge, viaduct or structure such as a substantial
6 retaining wall in proximity to the project site makes widening and/or improving the right-of-way
7 impractical or undesirable.
8

9 c. Widening the right-of-way and/or improving the street would adversely
10 affect the character of the street, as it is defined in an adopted neighborhood plan or adopted City
11 plan for green streets, boulevards, or other special rights-of-way, or would otherwise conflict
12 with the stated goals of such a plan.
13

14 d. Widening and/or improving the right-of-way would preclude vehicular
15 access to an existing lot.
16

17 e. Widening and/or improving the right-of-way would make building on a
18 lot infeasible by reducing it to dimensions where development standards cannot reasonably be
19 met.
20

21 f. One ((H)) or more substantial principal structures on the same side of
22 the block as the proposed project are located in the area needed for future expansion of the right-
23 of-way and the structure(s)' condition and size make future widening of the remainder of the
24 right-of-way unlikely.
25
26
27
28

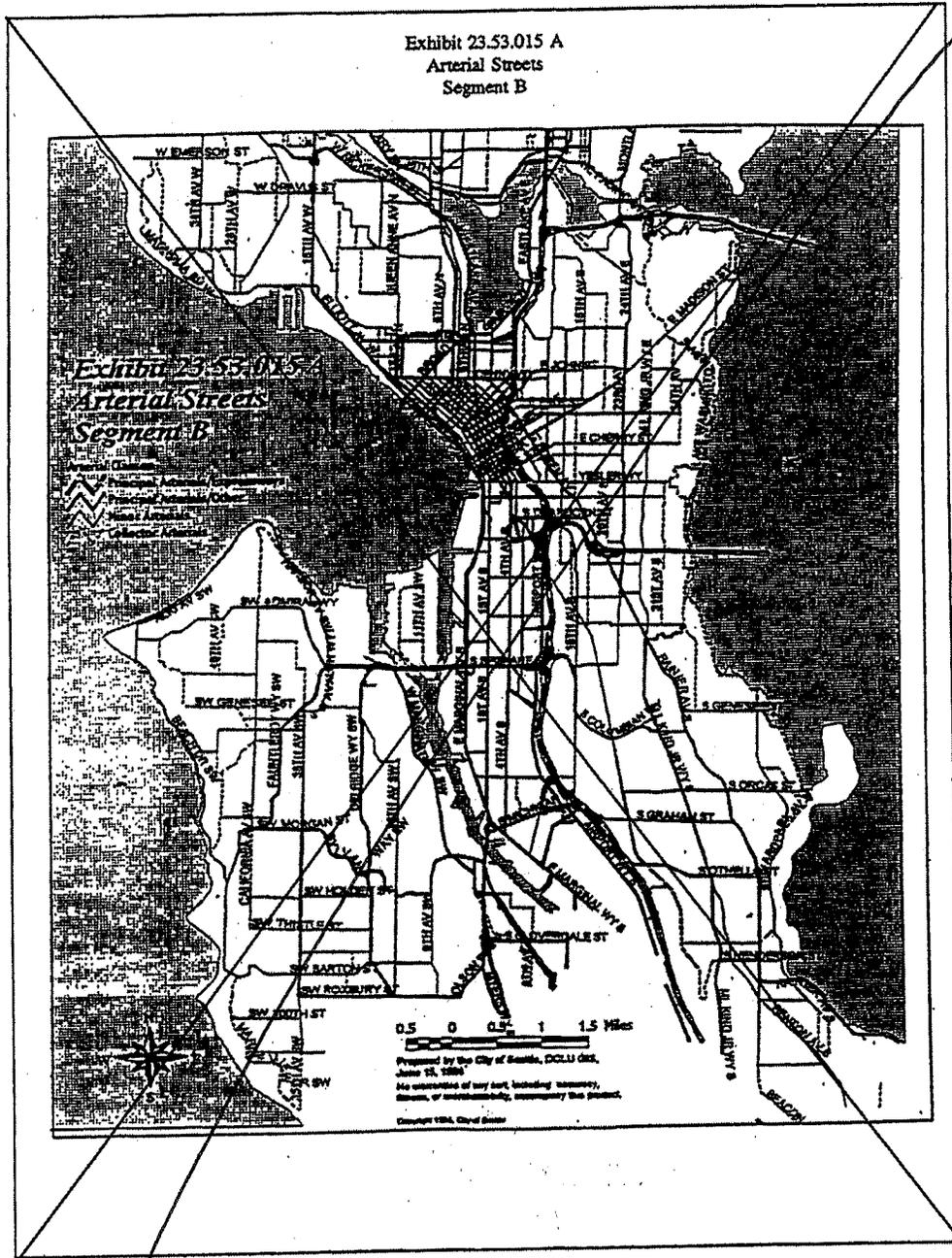
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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



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

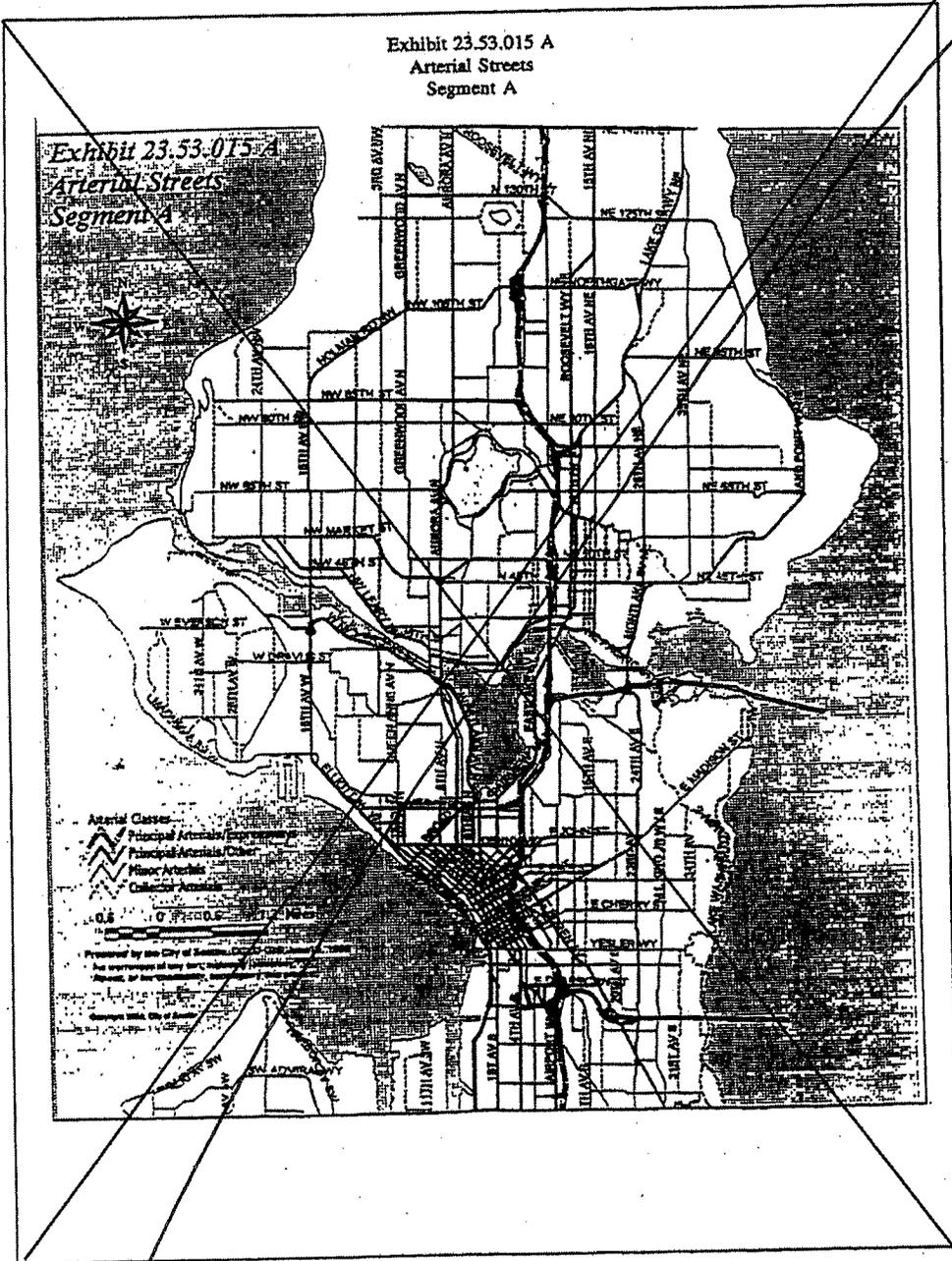


Section 45. Subsections A and B of Section 23.53.020 of the Seattle Municipal Code, which sections were last amended by Ordinance 122615, is amended as follows:

23.53.020 Improvement requirements for existing streets in industrial zones((-))



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



1 4. Detailed requirements for street improvements are located in the Right-of-
2 Way Improvements Manual.

3 5. The regulations in this ((s)) Section 23.53.020 are not intended to preclude the
4 use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate
5 adverse environmental impacts.

6 6. Minimum Right-of-way Widths.

7 a. Arterials. The minimum right-of-way widths for arterials designated on
8 ((Exhibit 23.53.015-A)) the Arterial street map, Section 11.18.010, ((shall be)) are as specified in
9 the Right-of-Way Improvements Manual.

10 b. Non-arterials.

11 ((f))1) The minimum right-of-way width for an existing street that
12 is not an arterial designated on ((Exhibit 23.53.015-A)) the Arterial street map, Section
13 11.18.010, ((shall be)) is as shown on ((Chart)) Table A for ((Section)) 23.53.020.

14 **((Chart)) Table A**
15 **for ((Section)) 23.53.020**
16 **Minimum Right-of-way Widths**
17 **for Existing Nonarterial Streets**

Zone Category	Right-of-Way Widths
1. IB, IC	52 feet
2. IG1, IG2	56 feet

18 ((f))2) ((When)) If a block is split into more than one ((1)) zone,
19 the zone category with the most frontage shall determine the minimum width on ((the



1 ~~chart~~) Table A for 23.53.020. If the zone categories have equal frontage, the one with the wider
2 requirement shall be used to determine the minimum right-of-way width.

3 B. Improvements on Designated Streets in All Industrial Zones. In all industrial zones,
4 except as provided in subsection 23.53.020.E ~~((of this section))~~, ~~((when))~~ if a lot abuts a street
5 designated on the Industrial Streets Landscaping Maps, Exhibits 23.50.016 A and 23.50.016 B,
6 the following on-site improvements shall be provided:

7
8 1. Dedication Requirement. ~~((When))~~ If the street right-of-way is less than the
9 minimum width established in subsection 23.53.020.A.6 ~~((of this section))~~, dedication of
10 additional right-of-way equal to half the difference between the current right-of-way and the
11 minimum right-of-way width established in subsection 23.53.020.A.6 ~~((of this section))~~ is
12 required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the
13 block ~~((shall))~~ are not ~~((be))~~ required to dedicate more than that amount of right-of-way.

14
15 2. Improvement Requirements. A paved roadway with a concrete curb,
16 pedestrian access and circulation as required by ~~((s))~~ Section 23.53.006 and drainage facilities
17 shall be provided in the portion of the street right-of-way abutting the lot, as specified in the
18 Right-of-Way Improvements Manual.

19 3. Street Trees.

20
21 a. Street trees shall be provided along designated street frontages. Street
22 trees shall be provided in the planting strip as specified in City Tree Planting Standards.

23
24 b. Exceptions to Street Tree Requirements.

1 a. For the following types of projects, the entire width of the portion of
2 the alley abutting the lot, and the portion of the alley between the lot and a connecting street,
3 shall be improved to at least the equivalent of a crushed rock surface, according to the Right-of-
4 Way Improvements Manual. The applicant may choose the street to which the improvements will
5 be installed. If the alley does not extend from street to street, and the connecting street is an
6 arterial designated on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section 11.18.010, either
7 the remainder of the alley shall be improved so that it is passable to a passenger vehicle, or a
8 turnaround shall be provided. The turnaround may be provided by easement.

9
10 ((f))1 Residential structures with fewer than ten ~~((10))~~ units;
11
12 ((f))2 The following uses ~~((when))~~ if they are smaller than ~~((seven
13 hundred fifty (750)))~~ 750 square feet of gross floor area: major and minor vehicle repair uses, and
14 multipurpose retail sales;

15 ((f))3 Nonresidential structures or structures with one ~~((1))~~ or
16 more live-work units that: (a) have less than ~~((four thousand))~~ 4,000 ~~(())~~ square feet of gross
17 floor area; and (b) do not contain uses listed in subsection 23.53.030.E.1.a. ~~((f))2~~ ~~((f))~~ that are
18 larger than ~~((seven hundred fifty))~~ 750 ~~((f))~~ square feet;

19
20 ((f))4 Structures containing a mix of residential and either
21 nonresidential uses or live-work units, if the residential use is less than ten ~~((10))~~ units, and the
22 total square footage of nonresidential uses and live-work units is less than specified in
23 subsections 23.53.030.E.1.a ~~((f))2~~ ~~((f))~~ and E.1.a ~~((f))3~~ ~~((f))~~;

24
25 ((f))5 Remodeling and use changes within existing structures;



1 ((6)) Additions to existing structures that are exempt from
2 environmental review; and

3 ((7)) Expansions of a surface parking area or open storage area
4 of less than ~~((twenty (20) percent))~~ 20 percent of the parking area, ((or)) storage area or number
5 of parking spaces.

6
7 b. For projects not listed in subsection 23.53.030.E.1.a,
8 the entire width of the portion of the alley abutting the lot, and the portion of the alley between
9 the lot and a connecting street, shall be paved. The applicant may choose the street to which the
10 pavement will be installed. If the alley does not extend from street to street, and the connecting
11 street is an arterial designated on ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section
12 11.18.010, either the remainder of the alley shall be improved so that it is passable to a passenger
13 vehicle, or a turnaround shall be provided. The turnaround may be provided by easement.
14

15 2. ~~((When))~~ If the alley is not used for access, if the alley is not fully improved,
16 all structures shall be designed to accommodate the grade of the future alley improvements, and a
17 no-protest agreement to future alley improvements shall be required, as authorized by RCW
18 Chapter 35.43. The agreement shall be recorded with the King County Department of Records
19 and Elections.
20

21 * * *

22 Section 47. Subsection D of Section 23.55.020 of the Seattle Municipal Code, which
23 section was last amended by Ordinance 121429, is amended as follows:
24

25 **23.55.020 Signs in single-family zones((r))**
26
27
28

* * *

1
2 D. The following signs ~~((shall be))~~ are permitted in all single-family zones:

3 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
4 occupant of a dwelling unit, not exceeding ~~((sixty-four (64)))~~ 64((?)) square inches in area;

5 2. Memorial signs or tables, and the name of buildings and dates of building
6 erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible
7 materials;

8 3. Signs for public facilities indicating danger and/or providing service or safety
9 information;

10 4. ~~((Properly displayed national))~~ National, state and institutional flags;

11 5. For any ~~((permitted))~~ nonresidential use allowed in the zone except for
12 ~~((public))~~ elementary or ~~((public))~~ secondary schools, one ~~((1))~~ electric or nonilluminated
13 double-faced identifying wall or ground sign not to exceed ~~((fifteen (15)))~~ 15((?)) square feet of area
14 per sign face on each street frontage;

15 6. On-premises directional signs not exceeding ~~((eight (8)))~~ 8((?)) square feet in area.
16 One ~~((1))~~ such sign ~~((shall be))~~ is permitted for each entrance or exit to a surface parking area
17 or parking garage;

18 7. For ~~((public))~~ elementary or ~~((public))~~ secondary schools, one ~~((1))~~ electric or
19 nonilluminated double-faced identifying sign, not to exceed ~~((thirty (30)))~~ 30((?)) square feet of area
20 per sign face on each street frontage, provided that the signs shall be located and landscaped so
21

1 that light and glare impacts on surrounding properties are reduced, and so that any illumination is
2 controlled by a timer set to turn off by 10 p.m.

3 * * *

4 Section 48. Subsection D of Section 23.55.022 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 121429, is amended as follows:

6 **23.55.022 Signs in multi~~(l)~~family zones~~(r)~~**

7 * * *

8 D. The following signs ~~((shall be))~~ are permitted in all multifamily zones:

9 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
10 occupant of a dwelling unit, not exceeding ~~((sixty-four (l)))~~64~~(r)~~ square inches in area;

11 2. Memorial signs or tablets, and the names of buildings and dates of building
12 erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible
13 materials;

14 3. Signs for public facilities indicating danger and/or providing service or safety
15 information;

16 4. ~~((Properly displayed national))~~ National, state and institutional flags;

17 5. One ~~((l))~~ electric, externally illuminated or nonilluminated sign bearing the
18 name of a home occupation not exceeding ~~((sixty-four (l)))~~64~~(r)~~ square inches in area;

19 6. One ~~((l))~~ nonilluminated wall or ground identification sign for multifamily
20 structures on each street or alley frontage in addition to signs permitted by subsection

21 23.55.022.D.2. For structures of ~~((sixteen (l)))~~16~~(r)~~ units or less, the maximum area of each sign

1 face ~~((shall be))~~ is ~~((sixteen-))~~16~~(())~~ square feet. One ~~((1))~~ square foot of sign area ~~((shall be))~~
2 is permitted for each additional unit over ~~((sixteen))~~16, to a maximum area of ~~((fifty-))~~50~~(())~~
3 square feet per sign face;

4 7. For institutions other than ~~((public))~~ elementary and ~~((public))~~ secondary
5 schools, one ~~((1))~~ electric or nonilluminated double-faced identifying wall or ground sign on
6 each street frontage, not to exceed ~~((twenty-four-))~~24~~(())~~ square feet of area per sign face;

7 8. One ~~((1))~~ electric, externally illuminated or nonilluminated sign bearing the
8 name of a bed and breakfast, not exceeding ~~((sixty-four-))~~64~~(())~~ square inches in area~~(())~~;

9 9. For ~~((public))~~ elementary or ~~((public))~~ secondary schools, one ~~((1))~~ electric or
10 nonilluminated double-faced identifying sign, not to exceed ~~((thirty-))~~30~~(())~~ square feet of area
11 per sign face on each street frontage, provided that the signs shall be located and landscaped so
12 that light and glare impacts on surrounding properties are reduced, and that any illumination is
13 controlled by a timer set to turn off by 10 p.m.

14 * * *

15 Section 49. Subsection D of Section 23.55.028 of the Seattle Municipal Code, which
16 section was last amended by Ordinance 121196, is amended as follows:

17 **23.55.028 Signs in NC1 and NC2 zones~~(())~~**

18 * * *

19 D. On-premises Signs.

20 1. The following signs ~~((shall be))~~ are permitted in addition to the signs permitted
21 by subsections 23.55.028.D.2, D.3 and D.4:

1 a. Electric, externally illuminated or nonilluminated signs bearing the
2 name of the occupant of a dwelling unit, not exceeding ~~((sixty-four (64)))~~ 64((9)) square inches in
3 area;

4 b. Memorial signs or tablets, and the names of buildings and dates of
5 building erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other
6 noncombustible materials;

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

9 d. ~~((Properly displayed national))~~ National, state and institutional flags;

10 e. One ~~((1))~~ under-marquee sign ~~((which))~~ that does not exceed ~~((ten~~
11 ~~))~~ 10((9)) square feet in area;

12 f. One ~~((1))~~ electric, externally illuminated or nonilluminated sign
13 bearing the name of a home occupation, not exceeding ~~((sixty-four (64)))~~ 64((9)) square inches in
14 area.

15
16
17
18 2. Number and Type of ~~((Permitted))~~ Signs Allowed for Business Establishments.

19 a. Each business establishment may have one ~~((1))~~ ground, roof,
20 projecting or combination sign (Type A sign) for each ~~((three hundred (300)))~~ 300((9)) lineal feet, or
21 portion thereof, of frontage on public rights-of-way, except alleys.

22 b. In addition to the signs permitted by subsection 23.55.028.D.2.a, each
23 business establishment may have one ~~((1))~~ wall, awning, canopy, marquee, or under-marquee
24



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

3 c. In addition to the signs permitted by subsections 23.55.028.D.2.a and
4 D.2.b, each multiple business center and drive-in business may have one ~~((+))~~ pole sign for
5 each ~~((three hundred-))~~300((+)) lineal feet, or portion thereof, of frontage on public rights-of-
6 way, except alleys. Such pole signs may be for a drive-in business or for an individual business
7 establishment located in a multiple business center, or may identify a multiple business center.
8

9 d. Individual businesses ~~((which))~~ that are not drive-in businesses and
10 ~~((which))~~ that are not located in a multiple business center may have one ~~((+))~~ pole sign in lieu
11 of another Type A sign permitted by Section 23.55.028.D.2.a for each ~~((three hundred-))~~300((+))
12 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.
13

14 3. Maximum Area of Signs for Nonresidential Uses and Live-work Units. The
15 maximum area of all signs for each business establishment permitted in subsection
16 23.55.028.((d))D.2 ~~((shall be))~~ is ~~((one hundred eighty five-))~~185((+)) square feet, and the
17 maximum area of any one ~~((+))~~ Type A sign ~~((shall be))~~ is ~~((seventy two-))~~72((+)) square feet,
18 provided that the maximum area of pole signs for gas stations ~~((which))~~ that identify the price of
19 motor fuel being offered by numerals of equal size ~~((shall be))~~ is ~~((ninety six-))~~96((+)) square
20 feet.
21

22 4. Identification Signs for Multifamily Structures.
23
24
25
26
27
28

1 a. One ~~((1))~~ identification sign bearing the name of a multifamily
2 structure ~~((shall be))~~ is permitted on each street or alley frontage of a residential use in addition
3 to the signs permitted by subsection 23.55.028.D.1.

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

6 c. For structures of ~~((twenty-four ()))~~24~~(())~~ units or less, the maximum area
7 of each sign face ~~((shall be))~~ is ~~((twenty-four ()))~~24~~(())~~ square feet. One ~~((1))~~ square foot of sign
8 area ~~((shall be))~~ is permitted for each additional unit over ~~((twenty-four ()))~~24~~(())~~, to a maximum
9 of ~~((fifty ()))~~50~~(())~~ square feet per sign face.

11 5. Sign Height.

12 a. The maximum height for any portion of a pole, projecting or
13 combination sign ~~((shall be))~~ is ~~((twenty-five ()))~~25~~(())~~ feet.

14 b. The maximum height for any portion of a wall or under-marquee sign
15 ~~((shall be))~~ is ~~((twenty ()))~~20~~(())~~ feet or the height of the cornice of the structure to which the sign
16 is attached, whichever is greater.

17 c. Marquee signs may not exceed a height of ~~((thirty ()))~~30~~(())~~ inches
18 above the top of the marquee, and total vertical dimension shall not exceed ~~((five ()))~~5~~(())~~ feet.

19 d. No portion of a roof sign shall exceed a height of ~~((twenty-five ()))~~25~~(())~~
20 feet above grade.

21 * * *

1 Section 50. Subsection D of Section 23.55.030 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 121782, is amended as follows:

3 **23.55.030 Signs in NC3, C1, C2 and SM zones((τ))**

4 * * *

5 D. On-premises Signs.

6 1. The following signs ((shall be)) are permitted in addition to the signs permitted
7 by subsections 23.55.030.D.2 and D.3 ((of this section)):

8 a. Electric, externally illuminated or nonilluminated signs bearing the
9 name of the occupant of a dwelling unit, not exceeding ((sixty-four (τ))64((τ)) square inches in
10 area;
11

12 b. Memorial signs or tablets, and the names of buildings and dates of
13 building erection ((when)) if cut into a masonry surface or constructed of bronze or other
14 noncombustible materials;
15

16 c. Signs for public facilities indicating danger and/or providing service or
17 safety information;
18

19 d. ((Properly displayed national)) National, state and institutional flags;

20 e. One ((τ)) under-marquee sign ((which)) that does not exceed ((ten
21 (τ))10((τ)) square feet in area;

22 f. One ((τ)) electric, externally illuminated or nonilluminated sign
23 bearing the name of a home occupation, not to exceed ((sixty-four (τ))64((τ)) square inches in
24 area.
25

2. Number and Type of ~~((Permitted))~~ Signs Allowed for Business Establishments.

a. Each business establishment may have one ~~((4))~~ ground, roof, projecting or combination sign (Type A sign) for each ~~((three hundred-))300(())~~ lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection 23.55.030.D.2.a ~~((of this section))~~, each business establishment may have one ~~((4))~~ wall, awning, canopy, marquee or under-marquee sign (Type B sign) for each ~~((thirty-))30(())~~ lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. In addition to the signs permitted by subsections 23.55.030.D.2.a and D.2.b ~~((of this section))~~, each multiple business center and drive-in business may have one ~~((4))~~ pole sign for each ~~((three hundred-))300(())~~ lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys. Such pole signs may be for a drive-in business or for an individual business establishment located in a multiple business center, or may identify a multiple business center.

d. Individual businesses ~~((which))~~ that are not drive-in businesses and ~~((which))~~ that are not located in multiple business centers may have one ~~((4))~~ pole sign in lieu of another Type A sign permitted by subsection 23.55.030.D.2.a ~~((of this section))~~ for each ~~((three hundred-))300(())~~ lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

e. ~~((Where))~~ If the principal use or activity on the lot is outdoor retail sales, banners and strings of pennants maintained in good condition ~~((shall be))~~ are permitted in

1 addition to the signs permitted by subsections 23.55.030.D.2.a, D.2.b and D.2.c ~~((of this~~
2 ~~section))~~.

3 3. Maximum Area.

4 a. NC3 Zones and the SM zone.

5 ~~((1))~~ The maximum area of each face of a pole, ground, roof,
6 projecting or combination sign ~~((s))~~ ~~((shall be))~~ is ~~((seventy-two))~~ 72 ~~(())~~ square feet plus ~~((two~~
7 ~~)~~ 2 ~~(())~~ square feet for each foot of frontage over ~~((thirty-six))~~ 36 ~~(())~~ feet on public rights-of-
8 way, except alleys, to a maximum area of ~~((three hundred))~~ 300 ~~(())~~ square feet, provided that:

9
10 i. The maximum area for signs for multiple business
11 centers, and signs for business establishments located within ~~((one hundred))~~ 100 ~~(())~~ feet of a
12 state route right-of-way ~~((which))~~ that is not designated in Section 23.55.042 as a landscaped or
13 scenic view section, ~~((shall be))~~ is ~~((six hundred))~~ 600 ~~(())~~ square feet; and

14
15 ii. The maximum area for pole signs for gas stations
16 ~~((which))~~ that identify the price of motor fuel being offered by numerals of equal size ~~((shall be))~~
17 is ~~((ninety-six))~~ 96 ~~(())~~ square feet.

18
19 ~~((2))~~ There ~~((shall be))~~ is no maximum area limit for wall,
20 awning, canopy, marquee or under-marquee signs.

21 b. C1 and C2 Zones. There ~~((shall be))~~ is no maximum area limit ~~((s))~~ for
22 on-premises signs for business establishments in C1 and C2 zones.

23
24 4. Identification Signs for Multifamily Structures.



1 a. One ~~((1))~~ identification sign ~~((shall be))~~ is permitted on each street or
2 alley frontage of a multi~~((-))~~family structure.

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

5 c. The maximum area of each sign ~~((shall be))~~ is ~~((seventy-two-))~~72~~((-))~~
6 square feet.
7

8 5. Sign Height.

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

12 b. The maximum height limit for any portion of a pole sign ~~((shall be))~~ is
13 ~~((thirty-))~~30~~((-))~~ feet; except for pole signs for multiple business centers and for business
14 establishments located within ~~((one-hundred-))~~100~~((-))~~ feet of a state route right-of-way
15 ~~((which))~~ that is not designated in Section 23.55.042 as a landscaped or scenic view section, for
16 which ~~((shall have))~~ a maximum height of ~~((forty-))~~40~~((-))~~ feet is permitted.
17

18 c. The maximum height for any portion of a wall, marquee, under-marquee
19 or canopy sign ~~((shall be))~~ is ~~((twenty-))~~20~~((-))~~ feet or the height of the cornice of the structure to
20 which the sign is attached, whichever is greater.
21

22 d. No portion of a roof sign shall:

23 ~~((-))~~1 Extend beyond the height limit of the zone;
24
25
26
27
28

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

3 ((f))3 Exceed a height of ~~((thirty-))~~30((f)) feet above the roof,
4 measured from a point on the roof line directly below the sign or from the nearest adjacent
5 parapet.

6 * * *

7
8 Section 51. Subsection B of Section 23.55.034 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 120466, is amended as follows:

10 **23.55.034 Signs in downtown zones**~~((f))~~

11 * * *

12
13 B. The following signs ~~((shall be))~~ are permitted in all downtown zones regulated by this
14 section:

15 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
16 occupant of a dwelling unit, not exceeding ~~((sixty-four-))~~64((f)) square inches in area;

17 2. Memorial signs or tablets, and the names of buildings and dates of building
18 erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible
19 materials;

20 3. Signs for public facilities indicating danger and/or providing service or safety
21 information;

22 4. ~~((Properly displayed national))~~ National, state and institutional flags.

23 * * *

1 Section 52. Subsection B of Section 23.69.021 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 120466, is amended as follows:

3 **23.69.021 Signs in Major Institution Overlay Districts((~~7~~))**

4 * * *

5 B. The following signs ~~((shall be))~~ are permitted in all Major Institution overlay districts,
6 regardless of the facing zone:

7
8 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
9 occupant of a dwelling unit, not exceeding ~~((sixty-four (64)))~~ 64(~~(64))~~ square inches in area;

10 2. Memorial signs or tablets, and the names of buildings and dates of building
11 erection ~~((when))~~ if cut into a masonry surface or constructed of bronze or other noncombustible
12 materials;

13
14 3. Signs for public facilities indicating danger and/or providing service or safety
15 information;

16 4. ~~((Properly displayed national))~~ National, state and institutional flags.

17 * * *

18
19 Section 53. Subsection A of Section 23.71.016 of the Seattle Municipal Code, which
20 section was last amended by Ordinance 122311, is amended as follows:

21 **23.71.016 Parking and access((~~7~~))**

22 A. Required Parking.
23
24
25
26
27
28

1 1. Off-street parking requirements are prescribed in Chapter 23.54, except as
2 modified by this chapter. Minimum and maximum parking requirements for specified uses in the
3 Northgate Overlay District are identified in Table A for 23.71.016 ((A)).

4

5 **Table A for 23.71.016 ((A))**

6 **Minimum and Maximum Parking Requirements**

	LONG TERM		SHORT TERM
	Minimum	Maximum	Minimum
Office	0.9/1000	2.6/1000	0.2/1000
General sales and service (Customer service office)*	1.0/1000	2.4/1000	1.6/1000
General sales and service (other and Major durables Retail sales)*	0.93/1000	2.4/1000	2.0/1000
Motion picture theaters	N/A	N/A	Min: 1/8 seats Max: 1/4 seats

13 *Except that the minimum requirements for per daycare centers is pursuant to Table A for
14 Section 23.54.015.

15

16 2. Parking waivers ((as)) provided under Section 23.54.015.D apply in the
17 Northgate Overlay District, except that no waiver of parking may be granted to medical service
18 uses.

19 3. Parking may exceed the maximums ((when)) if provided in a structure ((;))
20 pursuant to a joint use parking agreement with the Metro Transit Center, if the spaces are needed
21 only to meet evening and weekend demand or as overflow on less than ten percent (((10%))) of
22 the weekdays in a year, and will otherwise be available for daytime use by the general public.

23 4. Short-term parking for motion picture theaters may be increased by ((ten)) 10
24 percent (((10%))) beyond the maximum requirement, if these additional spaces are not provided
25
26



1 as surface parking, will not adversely impact pedestrian circulation and will reduce the potential
2 for overflow parking impacts on surrounding streets.

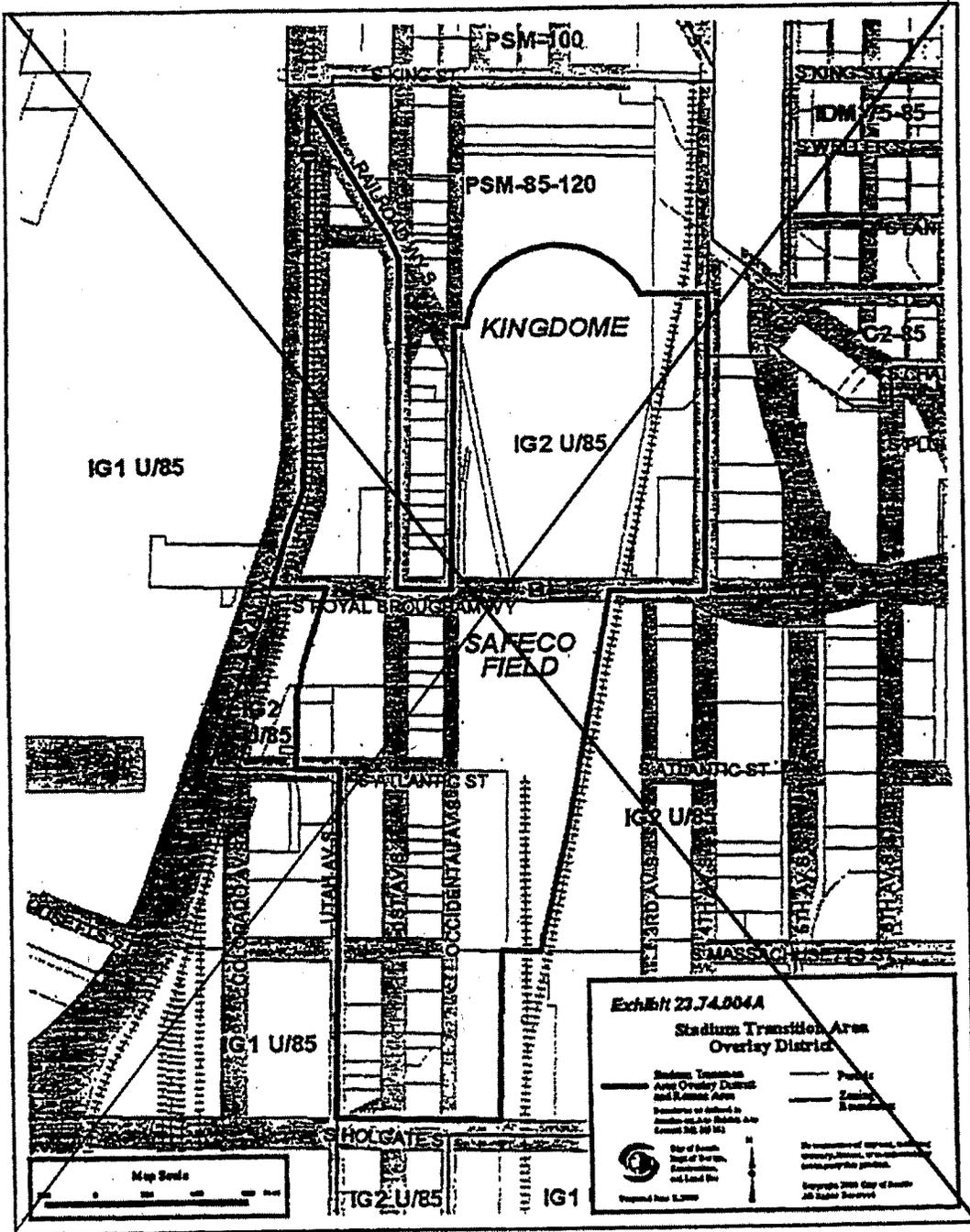
3 * * *

4 Section 54. Section 23.74.004 and Exhibit 23.74.004 A of the Seattle Municipal Code,
5 which section was adopted by Ordinance 119972, is amended and Exhibit 23.74.004 A replaced
6 with a new Map A for Section 23.74.004, as follows:

7
8 **23.74.004 Stadium Transition Area Overlay District established((τ))**

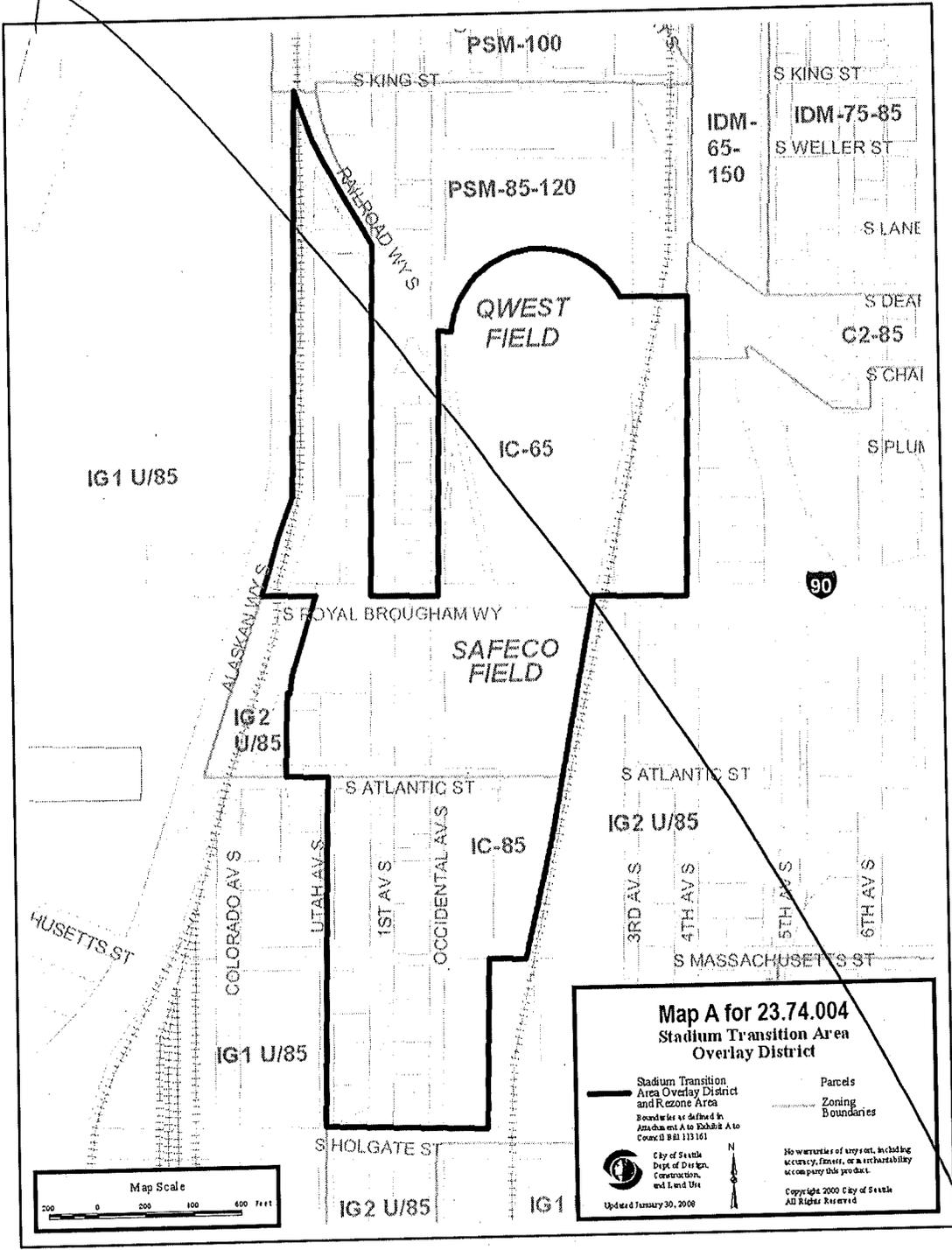
9 There is established pursuant to Chapter 23.59 of the Seattle Municipal Code, the
10 Stadium Transition Area Overlay District((, and the Official Land Use Map, Chapter 23.32, is
11 hereby amended to show such District, as depicted on Exhibit 23.74.004 A)) as shown on Map A
12 of 23.74.004.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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



Map A for 23.74.004
Stadium Transition Area Overlay District

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



1 Section 55. Subsection B of Section 23.74.010 and Exhibit 23.74.010 A of the Seattle
2 Municipal Code, which section was last amended by Ordinance 122935, is amended and Exhibit
3 23.74.010 A is replaced with a new Map A for Section 23.74.010, as follows:

4 **23.74.010 Development standards((=))**

5 * * *

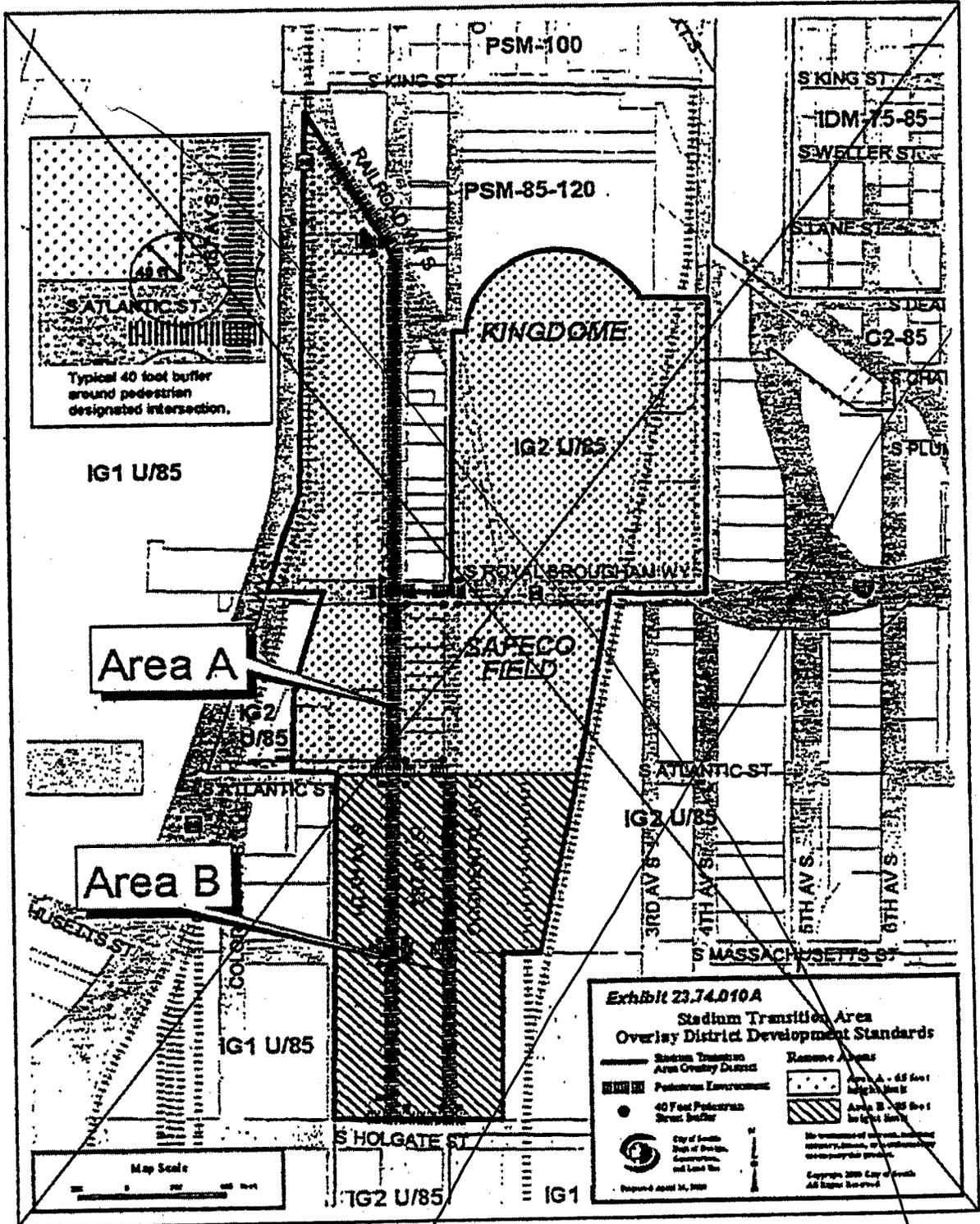
6
7 B. For the areas marked on ((Exhibit)) Map A for 23.74.010 ((A)); the following
8 development standards and provisions apply to all uses and structures except for spectator sports
9 facilities:

10 1. Floor Area Ratio (FAR). The maximum FAR for all uses is 3.0. FAR limits of
11 the underlying zone do not apply, but limits in Section 27.50.027_A_1 on gross floor area of
12 certain uses, including limits based on lot area, do apply.

13
14 2. Exemptions. The first ((seventy five thousand (75,000))) 75,000 square feet of
15 street-level general sales and service, medical services, animal shelters or kennels, automotive
16 sales and services, marine sales and services, eating and drinking establishments, or lodging uses
17 on any lot are exempt from the maximum FAR limit. Exemptions in Section 23.50.028_E also
18 apply.
19

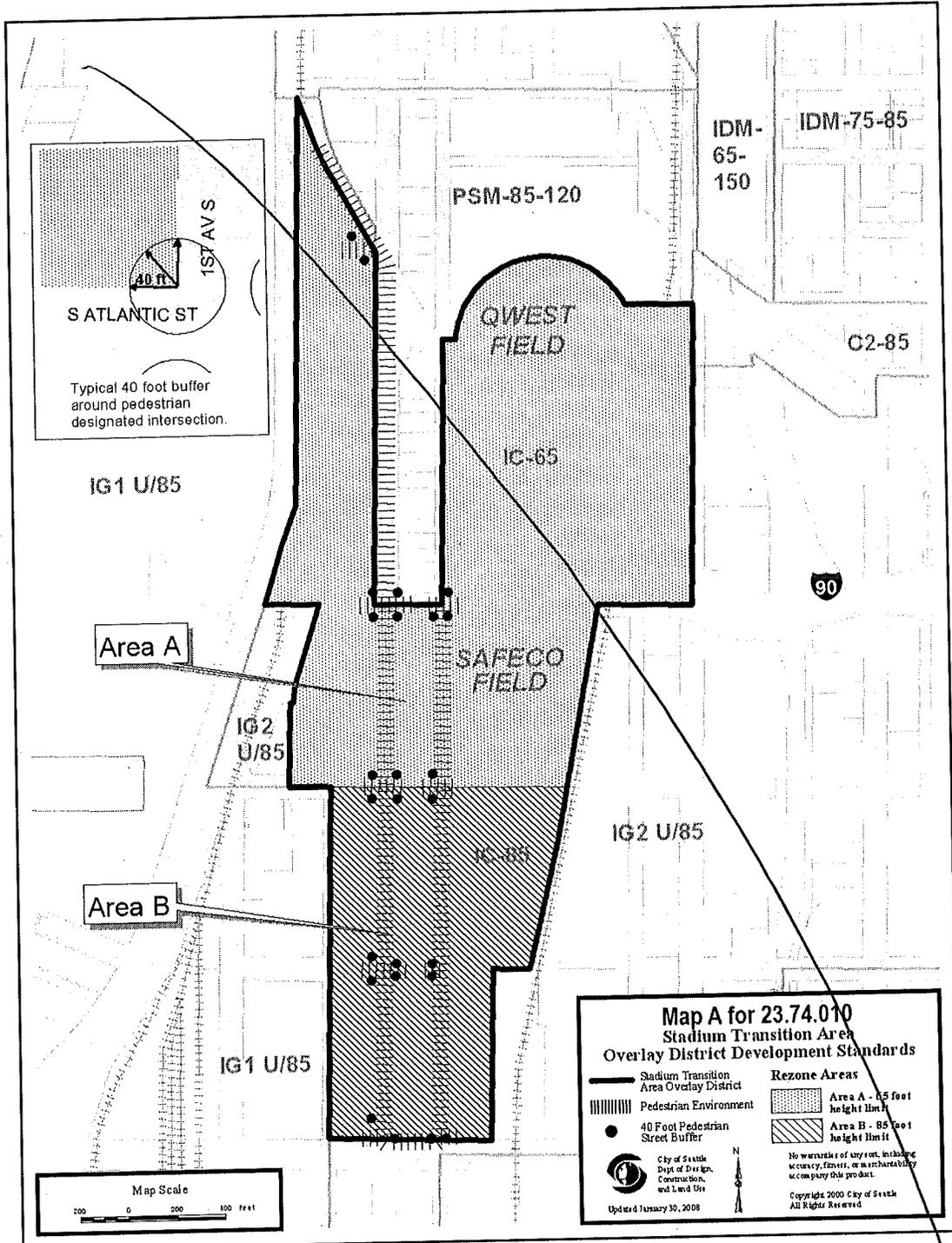
20 * * *

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



Map A for 23.74.010
Stadium Transition Area Overlay District Development Standards

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



Section 56. Exhibit 23.76.004 A Land Use Decision Framework, which section was last amended by Ordinance 122816, is amended as follows:

23.76.004 Land use decision framework.

**((Exhibit)) Table A for 23.76.004((A))
 LAND USE DECISION FRAMEWORK**

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Compliance with development standards • Uses permitted outright • Temporary uses, four weeks or less • Intermittent uses • Certain street uses • Lot boundary adjustments • Modifications of features bonused under Title 24 • Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural 	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations • Variances • Administrative conditional uses • Shoreline decisions (*appealable to Shorelines Hearings Board along with all related environmental appeals) • Short subdivisions • Special ((e))Exceptions • Design review 	<ul style="list-style-type: none"> • Subdivisions (preliminary plats)



~~((Exhibit))~~ Table A for 23.76.004((A))
LAND USE DECISION FRAMEWORK

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<p>preservation</p> <ul style="list-style-type: none"> • Temporary uses for relocation of police and fire stations • Exemptions from right-of-way improvement requirements • Special accommodation • Reasonable accommodation • Minor amendment to a Major Phased Development Permit • Determination of public benefit for combined lot FAR • <u>Determination of whether an amendment to a Property Use and Development Agreement is major or minor</u> • Other Type 1 decisions that 	<ul style="list-style-type: none"> • Light rail transit facilities • ((Monorail transit facilities)) • The following environmental determinations: <ol style="list-style-type: none"> 1. Determination of nonsignificance (EIS not required) 2. Determination of final EIS adequacy 3. Determination of significance based solely on historic and cultural preservation 4. A decision by the Director to approve, condition or deny a project based on SEPA Policies 5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS 	



~~((Exhibit))~~ **Table A for 23.76.004(A)**
LAND USE DECISION FRAMEWORK

**DIRECTOR'S AND HEARING EXAMINER'S
 DECISIONS REQUIRING MASTER USE PERMITS**

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
are identified as such in the Land Use Code	required) <ul style="list-style-type: none"> • Major Phased Development • Downtown Planned Community Developments 	

COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial – subject to Hearing Examiner recommendation)	TYPE V (Legislative)
<ul style="list-style-type: none"> • Amendments to the Official Land Use Map (rezones), except area-wide amendments, and adjustments pursuant to Section 23.69.023 • Public project approvals • Major Institution master plans, including major amendments and renewal of a master plan's development plan component • Major amendments to Property Use and Development agreements • Council conditional uses 	<ul style="list-style-type: none"> • Land Use Code text amendments • Area-wide amendments to the Official Land Use Map • Concept approval for City facilities • Major Institution designations • Waiver or modification of development standards for City facilities • Planned Action Ordinance



COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial – subject to Hearing Examiner recommendation)	TYPE V (Legislative)

Section 57. Subsection D of Section 23.76.024 of the Seattle Municipal Code, which section was last amended by Ordinance 121477, is amended as follows:

23.76.024 Hearing Examiner open record hearing and decision for subdivisions((:))

* * *

D. Request for Further Consideration and Appeal. Any person significantly interested in or affected by the proposed subdivision may request further consideration of the Director's recommendation and may appeal the Director's procedural environmental determination and other Type II decisions. Such request for further consideration or appeal:

1. Shall be in writing, shall clearly state specific objections to the recommendation or environmental determination, and shall state the relief sought;

2. Shall be submitted to the Hearing Examiner by ~~((five-))5((:00))~~ p.m. of the fourteenth calendar day following publication of notice of the Director's report, provided that when a ~~((fifteen-15))~~ 14 -day DNS comment period is required pursuant to ~~((SMC))~~ Chapter 25.05, appeals may be filed until ~~((five-))5((:00))~~ p.m. of the twenty-first calendar day following publication of notice of the decision. ~~((When))~~ If the last day of the appeal period so computed is a Saturday, Sunday or federal or City holiday, the period ~~((shall run))~~ runs until



1 ((five-))5((:00)) p.m. the next business day. The request or appeal shall be accompanied by
2 payment of any filing fee set forth in ((SMC)) Section 3.02.125, Hearing Examiner filing fees,
3 and in form and content shall conform with the rules of the Hearing Examiner.

4 * * *

5 Section 58. Subsection B of Section 23.76.058 of the Seattle Municipal Code, which
6 section was last amended by Ordinance 122497, is amended as follows:

7 **23.76.058 Rules for specific decisions((:))**

8 * * *

9 B. Contract Rezones.

10 1. ((When)) If a property use and development agreement is required as a
11 condition to an amendment of the Official Land Use Map, the amendment shall not take effect
12 until the later of:

13 ((1)) a. the effective date of the ordinance approving the map amendment
14 and accepting the property use and development agreement, as specified in the ordinance or
15 pursuant to Section 1.04.020, or

16 ((2)) b. the recording in the King County Recorder's Office of the
17 agreement executed by the legal and beneficial owners. The agreement shall be recorded in the
18 real property records of King County and filed with the City Clerk within ((thirty-))30((:)) days
19 after adoption of the ordinance approving the map amendment and accepting the agreement.

20 2. Amendment of Property Use and Development Agreements. Property use and
21 development agreements recorded as a condition to a map amendment may be amended by
22
23
24
25
26
27
28



1 agreement between the owner and the City, provided that any such amendment shall be approved
2 by the Council.

3 a. A request to amend shall be submitted to the Department of Planning
4 and Development and filed with the City Clerk. Notice of a request to amend and an opportunity
5 to comment shall be provided in accordance with the notice requirements of Section
6 23.76.012.B.((f))1((g)) or B.((f))2((g)), and B.((f))3((g)), and notice and opportunity to comment
7 shall also be provided to the parties of record in the original rezone decision and to those persons
8 who were provided written notice of the Hearing Examiner's recommendation in the original
9 rezone decision.
10

11 b. The Director shall determine whether the requested amendment is major
12 or minor. This determination is a Type I decision.

13 ((f))1 Minor amendments. A minor amendment is one that is
14 within the spirit and general purpose of the prior decision of the Council, is generally consistent
15 with the uses and development standards approved in the prior decision of the Council, would
16 not result in significant adverse impacts that were not anticipated in the prior decision of the
17 Council, and does not request any additional waivers or changes in the waivers of bulk or off-
18 street parking and loading requirements other than those approved in the prior decision of the
19 Council. If the Director determines that a proposed amendment is minor, the Director shall
20 transmit to Council the request to amend, the Director's determination that the request is minor,
21 any comments received by the Director on the proposed amendment, the Director's
22 environmental determination, and the Director's recommendation on the amendment. A request
23
24
25
26
27
28

1 to amend that is minor and that complies with the rezone criteria of Chapter 23.34 may be
2 approved by the Council by ordinance after receiving any additional advice that it deems
3 necessary.

4 ~~((f))2~~ Major Amendments. Requests that are not minor are major.
5 The Council shall not approve a major amendment to a property use and development agreement
6 until the Council has received a recommendation from the Hearing Examiner after a public
7 hearing held as provided for rezones in Section 23.76.052 ~~((, Hearing Examiner open record
8 predecision hearing and recommendation))~~.

9
10 * * *

11 Section 59. Subsection D of Section 23.76.060 of the Seattle Municipal Code, which
12 section was last amended by Ordinance 122497, is amended as follows:

13
14 **23.76.060 Expiration of land use approvals – Extensions** ~~((:))~~

15 * * *

16 D. Extensions. The Council may extend the time limits on Type IV land use approvals for
17 no more than two ~~((2))~~ years, upon an applicant's request for an extension filed with the City
18 Clerk at least ~~((thirty (30)))~~ 120 days before the approval's expiration. The Council may request a
19 recommendation on the extension request from the Director, but the Hearing Examiner hearing
20 and recommendation requirements of Section 23.76.052 do not apply. Notice ~~((for))~~ of requests
21 for extensions of Type IV land use decisions and an opportunity to comment shall be provided
22 pursuant to Sections 23.76.012.B. ~~((f))1((h))~~ or B. ~~((f))2((h))~~, and B. ~~((f))3((h))~~, and notice and an
23 opportunity to comment shall also be provided to the parties of record in the Council's original
24
25
26
27
28

1 Type IV land use proceeding and to those persons who were provided written notice of the
2 Hearing Examiner's recommendation on the original Type IV application.

3 1. The Council may not extend the time limits for a Type IV land use approval for
4 a project that is not in conformance with applicable regulations, including land use and
5 environmentally critical areas regulations, in effect at the time an extension is sought.

6 2. In deciding whether to grant a request for an extension, the Council shall
7 consider:

8 a. The reason or basis for the request for the extension and whether it is
9 reasonable under the circumstances;

10 b. Whether changed circumstances in the area support an extension;

11 c. Whether additional time is reasonably necessary to comply with a
12 condition of approval adopted by the Council that is required to be fulfilled prior to expiration of
13 the land use approval.

14 Section 60. Section 23.84A.006 of the Seattle Municipal Code, which section was last
15 amended by Ordinance 122411, is amended as follows:

16 **23.84A.006 "C((-))"**

17 * * *

18 **Communication Devices and Utilities (and Related Terms).**

19 1. "Antenna, dish" means a round parabolic device for the reception and/or
20 transmission of radiofrequency communication signals. A dish antenna may serve either as a
21
22
23
24
25
26
27
28



1 major or minor communication utility or may be an accessory communication device. A dish
2 antenna may be either

3 a. ~~()~~ a satellite earth station antenna, which receives signals from and/or
4 transmits signals to satellites, or

5 b. ~~()~~ a point-to-consecutive-point antenna, which receive signals from
6 terrestrial sources. Also called "Satellite dish antenna."

7
8 2. "Antenna, whip" means an omnidirectional antenna, cylindrical in shape, ~~(four~~
9 ~~)~~4~~()~~ inches or less in diameter and ~~((twelve -))~~12~~()~~ feet or less in length.

10 3. "Candelabra mounting" means a single spreader that supports more than two
11 ~~((2))~~ antennas.

12 4. "Communication device, accessory" means a device by which radiofrequency
13 communication signals are transmitted and/or received, such as but not limited to whip, horn and
14 dish antennas, and that is accessory to the principal use on the site. Antennas and other
15 equipment associated with major and minor communication utilities are not accessory
16 communication devices.

17
18 5. "Communication device, receive-only" means a radio frequency device with the
19 ability to receive signals, but not to transmit them.

20
21 6. "Communication utility, major" means a use in which the means for
22 radiofrequency transfer of information are provided by facilities with significant impacts beyond
23 their immediate area. These utilities include, but are not limited to, FM and AM radio and UHF
24 and VHF television transmission towers. A major communication utility use does not include
25
26
27
28

1 communication equipment accessory to residential uses; nor does it include the studios of
2 broadcasting companies, such as radio or television stations, which shall be considered
3 administrative offices even if there is point-to-point transmission to a broadcast tower.

4 7. "Communication utility, minor" means a use in which the means for
5 radiofrequency transfer of information are provided but do not have significant impacts beyond
6 the immediate area. These utilities are smaller in size than major communication utilities and
7 include two ~~((2))~~ way, land-mobile, personal wireless services and cellular communications
8 facilities; cable TV facilities; point-to-point microwave antennas; FM translators; and FM
9 boosters with under ten ~~((10))~~ watts transmitting power. A minor communication utility does
10 not include wire, cables, or communication equipment accessory to residential uses; nor does it
11 include the studios of broadcasting companies, such as radio or television stations, which shall be
12 considered administrative offices even if there is point-to-point transmission to a broadcast
13 tower.
14
15

16 8. "Communication utility, physical expansion of major or minor" means any
17 increase in footprint and/or envelope of transmission towers. Physical expansion does not include
18 an increase in height of the tower resulting from repair, reconstruction, replacement or
19 modification to the antenna that would result in lower radio frequency radiation exposure
20 readings at ground level or in greater public safety, as long as the height above mean sea level
21 does not increase by more than ten ~~((10))~~ percent and in any event does not exceed ~~((one
22 thousand one hundred))~~ 1,100 ~~(())~~ feet above mean sea level. Replacement of existing antennas
23 or addition of new antennas is not considered physical expansion, unless such replacement or
24
25
26
27
28

1 addition increases the envelope of the transmission tower by such means as utilizing a candelabra
2 mounting. Replacement or expansion of an equipment building is not considered physical
3 expansion.

4 9. "Reception window obstruction" means a physical barrier that would block the
5 signal between an orbiting satellite and a land-based antenna.

6 10. "Telecommunication facility, shared-use" means a telecommunication facility
7 used by two ((2)) or more television stations or five ((5)) or more FM stations.

8 11. "Telecommunication facility, single-occupant" means a telecommunication
9 facility used only by one ((1)) television station or by one ((1)) television station and one
10 ((1)) to four ((4)) FM stations.

11 12. "Transmission tower" means a tower or monopole on which communication
12 devices are placed. Transmission towers may serve either as a major or minor communication
13 facility.

14 13. "Wireless service, fixed" means the transmission of commercial non-broadcast
15 communication signals via wireless technology to and/or from a fixed customer location. Fixed
16 wireless service does not include AM radio, FM radio, amateur ("HAM") radio, Citizen's Band
17 (CB) radio, and Digital Audio Radio Service (DARS) signals.

18 14. "Wireless service, personal" means a commercial use offering cellular mobile
19 services, unlicensed wireless services and common carrier wireless exchange access services.

20 * * *

1 Section 61. Section 23.84A.024 of the Seattle Municipal Code, which section was
2 adopted by Ordinance 122311, is amended by adding an additional subsection, to
3 be codified in alphabetical order, and amending existing subsections, as follows:

4 **23.84A.024 “L((:))”**

5 * * *

6
7 “Landmark structure” means a structure designated as a landmark pursuant to the
8 Landmark Preservation Ordinance, Chapter 25.12.

9 * * *

10 “Lot, parent” means the initial lot from which unit lots are subdivided under Section
11 23.22.062 or Section 23.24.045.

12 * * *

13
14 “Lot, unit” means one of the individual ~~((lots))~~ divisions created from the subdivision of a
15 parent lot pursuant to Section 23.22.062 or Section 23.24.045. A unit lot is not a lot.

16 * * *

17
18 Section 62. Section 23.84A.036 of the Seattle Municipal Code, which section was last
19 amended by Ordinance 122935, is amended as follows:

20 **23.84A.036 “S((:))”**

21 * * *

22
23 “Street, arterial” means every street, or portion thereof, designated as an arterial on
24 ~~((Exhibit 23.53.015 A))~~ the Arterial street map, Section 11.18.010.

1 1. (~~"Collector arterial" means a street or portion thereof designated as such on Exhibit~~

2 ~~23.53.015 A.~~

3 ~~2.)) "Minor arterial" means a street or portion thereof designated as such ((on Exhibit~~

4 ~~23.53.015 A or)) on Map 1B for Chapter 23.49((, or both)).~~

5 ~~((3.)) 2. "Principal arterial" or "major arterial" means a street or portion thereof~~

6 ~~designated as such on ((Exhibit 23.53.015 A or)) on Map 1B for Chapter 23.49((, or both)).~~

7 * * *

8
9 Section 63. Section 23.84A.038 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 122935, is amended as follows:

11 **23.84A.038 "T((,))"**

12 * * *

13
14 "Transportation facility" means a use that supports or provides a means of transporting
15 people and/or goods from one location to another. Transportation facilities include but are not
16 limited to the following:

17
18 1. "Cargo terminal" means a transportation facility in which quantities of goods or
19 container cargo are, without undergoing any manufacturing processes, transferred to carriers or
20 stored outdoors in order to transfer them to other locations. Cargo terminals may include
21 accessory warehouses, railroad yards, storage yards, and offices.

22
23 2. "Parking and moorage" means the short term or long term storage of
24 automotive vehicles or vessels or both when not in use. Parking and moorage uses include but
25 are not limited to:

1 a. "Boat moorage" means a use, in which a system of piers, buoys or floats
2 is used to provide moorage for vessels except barges, for sale or rent usually on a monthly or
3 yearly basis. Minor vessel repair, haul out, dry boat storage, and other services are also often
4 provided. Boat moorage includes, but is not limited to:

5 ((f))1 "Commercial moorage" means a boat moorage primarily
6 intended for commercial vessels except barges.
7

8 ((f))2 "Recreational marina" means a boat moorage primarily
9 intended for pleasure craft. (See also, "Boat moorage, public".)
10

11 b. "Dry boat storage" means a use in which space on a lot on dry land, or
12 inside a building over water or on dry land, is rented or sold to the public or to members of a
13 yacht or boating club for the purpose of storing boats. Sometimes referred to as "dry storage."

14 c. "Parking, principal use" means a use in which an open area or garage is
15 provided for the parking of vehicles by the public, and is not reserved or required to
16 accommodate occupants, clients, customers or employees of a particular establishment or
17 premises. Principal use parking includes but is not limited to the following uses:
18

19 ((f))1 "Park and pool lot" means a principal use parking use,
20 operated or approved by a public ridesharing agency, where commuters park private vehicles and
21 join together in carpools or vanpools for the ride to work and back, or board public transit at a
22 stop located outside of the park and pool lot.
23
24
25
26
27
28

1 ((f))2 "Park and ride lot" means a principal use parking use where
2 commuters park private vehicles and either join together in carpools or vanpools, or board public
3 transit at a stop located in the park and ride lot.

4 d. "Towing services" means a parking and moorage use in which more
5 than two ((2)) tow trucks are employed in the hauling of motorized vehicles, and where
6 vehicles may be impounded, stored or sold, but not disassembled or junked.
7

8 3. "Passenger terminal" means a transportation facility where passengers embark
9 on or disembark from carriers such as ferries, trains, buses or planes that provide transportation
10 to passengers for hire by land, sea or air. Passenger terminals typically include some or all of the
11 following: ticket counters, waiting areas, management offices, baggage handling facilities,
12 restroom facilities, shops and restaurants. A passenger terminal use on the waterfront may
13 include moorage for cruise ships and/or vessels engaged in transporting passengers for hire.
14 Activities commonly found aboard such vessels, whether moored or under way, that are
15 incidental to the transport of passengers shall be considered part of the passenger terminal use
16 and shall not be treated as separate uses. Metro street bus stops, monorail transit stations, and
17 light rail transit stations are not included in this definition. Also excluded is the use of sites
18 where passengers occasionally embark on or disembark from transportation in a manner that is
19 incidental to a different established principal use of the site.
20
21

22 4. "Rail transit facility" means a transportation facility used for public transit by
23 rail. Rail transit facilities include but are not limited to the following:
24
25
26
27
28

1 a. "Light rail transit facility" means a structure, rail track, equipment,
2 maintenance base or other improvement of a light rail transit system, including but not limited to
3 ventilation structures, traction power substations, light rail transit stations and related passenger
4 amenities, bus layover and intermodal passenger transfer facilities, and transit station access
5 facilities.

6 b. "Light rail transit station" means a light rail transit facility whether at
7 grade, above grade or below grade that provides pedestrian access to light rail transit vehicles and
8 facilitates transfer from light rail to other modes of transportation. A light rail transit station may
9 include mechanical devices such as elevators and escalators to move passengers and may also
10 include such passenger amenities as informational signage, seating, weather protection,
11 fountains, artwork or concessions.

12 c. "Light rail transit system" means a public rail transit line that operates at
13 grade level, above grade level, or in a tunnel and that provides high-capacity, regional transit
14 service, owned or operated by a regional transit authority authorized under Chapter 81.112 RCW.
15 A light rail transit system may be designed to share a street right-of-way although it may also use
16 a separate right-of-way. Commuter rail, and low capacity, or excursion rail transit service, such
17 as the Waterfront Streetcar ((or Seattle Monorail)), are not included.

18 ~~((d. "Monorail guideway" means the beams, with their foundations and all
19 supporting columns and structures, including incidental elements for access and safety, along
20 which a city transportation authority monorail train runs.~~

1 and one ((4)) or more of the following services are provided: cargo facilities, maintenance and
2 overhaul, fueling service, tie-down space, ((hangers)) and other accessory buildings and open
3 spaces.

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

8 ((7))6. "Vehicle storage and maintenance" means a use in which facilities for
9 vehicle storage and maintenance are provided. Vehicle storage and maintenance uses include but
10 are not limited to:

11 a. "Bus base" means a transportation facility in which a fleet of buses is
12 stored, maintained, and repaired.

13 b. "Railroad switchyard" means a vehicle storage and maintenance use in
14 which:

15 ((+))1 Rail cars and engines are serviced and repaired; and

16 ((-))2 Rail cars and engines are transferred between tracks and
17 coupled to provide a new train configuration.

18 c. "Railroad switchyard with a mechanized hump" means a railroad
19 switchyard that includes a mechanized classification system operating over an incline.

20 d. "Streetcar maintenance base" means a transportation facility in which a
21 fleet of streetcars is stored, maintained, and repaired.
22
23
24
25
26
27
28

1 e. "Transportation services, personal" means a vehicle storage and
2 maintenance use in which either emergency transportation to hospitals, or general transportation
3 by car, van, or limousine for a fee is provided. Such uses generally include dispatching offices
4 and facilities for vehicle storage and maintenance.

5 * * *

6
7 Section 64. Subsection B of Section 23.86.010 of the Seattle Municipal Code, which
8 section was last amended by Ordinance 118414, is amended as follows:

9 **23.86.010 Yards((=))**

10 * * *

11 **B. Front Yards.**

12
13 1. Determining Front Yard Requirements. Front yard requirements are presented
14 in the development standards for each zone. Where the minimum required front yard is to be
15 determined by averaging the setbacks of structures on either side of a lot, the following
16 provisions ((shall)) apply:

17
18 a. The required depth of the front yard shall be the average of the distance
19 between single-family structures and front lot lines of the nearest single-family structures on each
20 side of the lot (Exhibit B for 23.86.010((B))). (~~When~~)If the front facade of the single-family
21 structure is not parallel to the front lot line, the shortest distance from the front lot line to the
22 structure shall be used for averaging purposes (Exhibit C for 23.86.010((C))).
23
24
25
26
27
28

1 f. ~~((When))~~ If the front yard of the first single-family structure within ~~((one~~
2 ~~hundred () 100 ())~~ feet of the side lot line of the lot exceeds ~~((twenty () 20 ())~~ feet, the yard
3 depth used for averaging purposes on that side shall be ~~((twenty () 20 ())~~ feet (Exhibit F for
4 23.86.010(~~F~~)).

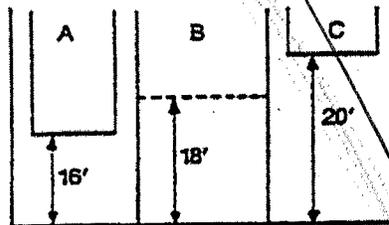
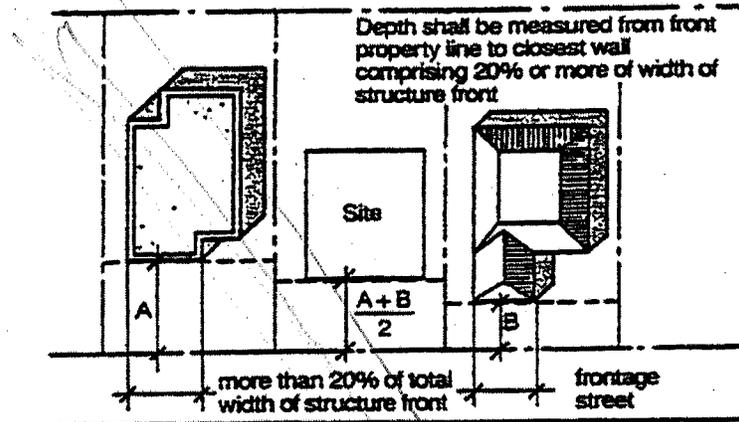
5 g. In cases where the street is very steep or winding, the Director shall
6 determine which adjacent single-family structures should be used for averaging purposes.
7

8 2. Sloped Lots in Single-family Zones. For a lot in a single-family zone, reduction
9 of the required front yard is permitted at a rate of ~~((one () 1 ())~~ foot for every percent of slope in
10 excess of ~~((thirty five () 35 ())~~ percent. For the purpose of this provision the slope shall be
11 measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall
12 determine the line along which slope is calculated.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

((Exhibit 23.86.010-B)) Exhibit B for 23.86.010

Determination of Front Yard Setback

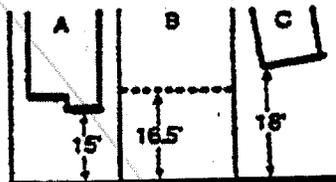


Required minimum front setback for Lot B determined as follows:

1. Front setback, Lot A = 16'.
2. Front setback, Lot C = 20'.
3. Average front setback = 18'.
4. Required minimum front setback for Lot B = 18'.

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

~~(Exhibit 23.86.010 C)~~ Exhibit C for 23.86.010
Calculating Minimum Required Front Yard
Unusual Front Walls



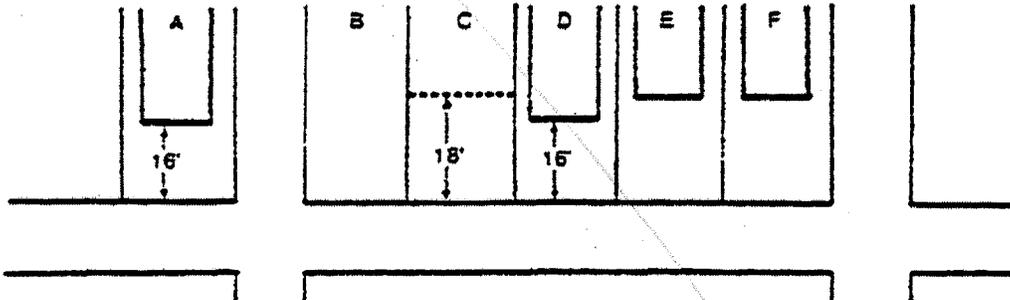
Minimum required front yard for Lot B:

1. Front yard, Lot A = 15'.
2. Front yard, Lot C = 18'.
3. Average front yard = 16.5'.
4. Required minimum front yard for lot B = 16.5'

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

~~((Exhibit 23.86.010 D)) Exhibit D for 23.86.010~~

1. Front yard, Lot D = 16'.
2. Lot B unimproved.
3. Lot A not on same block front.
4. Use 20' for averaging purposes on west side.
5. Minimum required front yard,
Lot C = $(20 + 16)/2 = 18'$.

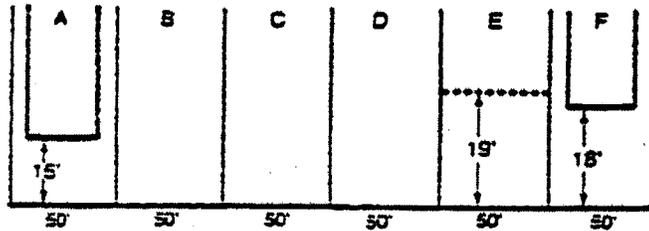


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~((Exhibit 23.86.010 E)) Exhibit E for 23.86.010~~

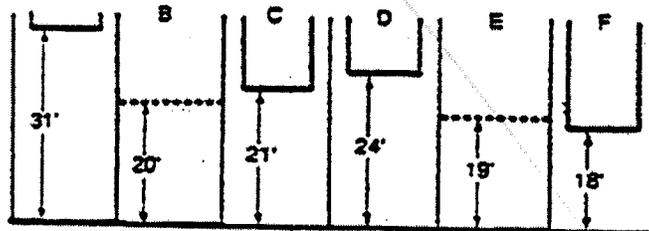
~~Minimum Required Front Yards, Adjoining Lots Unimproved~~

- ~~1. Front yard, Lot F = 18'.~~
- ~~2. Lots B, C, D unimproved.~~
- ~~3. Use 20' for averaging purposes on west side.~~
- ~~4. Minimum required front yard,
Lot E = $(20 + 18)/2 = 19'$.~~



~~((Exhibit 23.86.010 F)) Exhibit F for 23.86.010~~

- ~~1. Minimum required front yard,
Lot B = $(20 + 20)/2 = 20'$.~~
- ~~2. Minimum required front yard,
Lot E = $(20 + 18)/2 = 19'$.~~



* * *

1
2 Section 65. The Code Reviser is authorized to amend all sections of Title 23 of the
3 Seattle Municipal Code that contain the word “chart” by changing the word “chart” to “table”
4 and is directed to do so over time as the Code Reviser deems appropriate.

5 Section 66. This ordinance shall take effect and be in force thirty (30) days from and
6 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
7 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

8 Passed by the City Council the ____ day of _____, 2009, and signed by me in open
9 session in authentication of its passage this ____ day of _____, 2009.
10

11 _____
12
13 President _____ of the City Council

14
15 Approved by me this ____ day of _____, 2009.

16
17 _____
18
19 Gregory J. Nickels, Mayor

20
21 Filed by me this ____ day of _____, 2009.

22
23 _____
24
25 City Clerk

26 (Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

243067
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

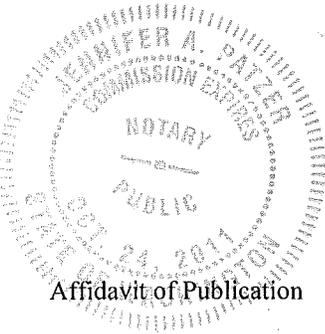
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123046 ORDINANCE

was published on

08/10/09

The amount of the fee charged for the foregoing publication is the sum of \$15,938.56, which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

08/10/09

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

SEATTLE CITY NOTICES

Ordinance 123046

AN ORDINANCE relating to land use and zoning; amending Sections 23.22.062, 23.24.045, 23.34.010, 23.34.018, 23.40.020, 23.41.006, 23.42.112, 23.43.008, 23.43.010, 23.43.012, 23.44.006, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.018, 23.44.022, 23.44.051, 23.44.060, 23.45.008, 23.45.016, 23.45.160, 23.46.004, 23.46.012, 23.47A.002, 23.47A.004, 23.47A.005, 23.47A.018, 23.47A.020, 23.49.014, 23.49.017, 23.49.030, 23.49.046, 23.49.096, 23.49.148, 23.49.324, 23.50.012, 23.50.022, 23.50.051, 23.53.015, 23.53.020, 23.53.030, 23.55.020, 23.55.022, 23.55.028, 23.55.030, 23.55.034, 23.69.021, 23.71.016, 23.74.004, 23.74.010, 23.76.004, 23.76.024, 23.76.058, 23.76.060, 23.84A.006, 23.84A.024, 23.84A.036, 23.84A.038, and 23.86.010 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments; adding a new Section 23.42.030; repealing Section 23.40.050; and authorizing the Code Reviser to amend all references in Title 23 of the Seattle Municipal Code to "chart."

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.22.062 of the Seattle Municipal Code, which section was last amended by Ordinance 122190, is amended as follows:

23.22.062 Unit lot subdivisions((s))

A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, ~~((residential))~~ and cluster development~~((s))~~ for housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.

Section 2. Subsection A of Section 23.24.045 of the Seattle Municipal Code, which section was last amended by Ordinance 122190, is amended as follows:

23.24.045 Unit lot subdivisions((s))

A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, ~~((residential))~~ and cluster development~~((s))~~ for housing, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in ~~((zones where such uses are permitted))~~ Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.

Section 3. Section 23.34.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122575, is amended as follows:

23.34.010 Designation of single-family zones((s))

A. Except as provided in subsections B or C of ~~((this s))~~ Section 23.34.010, single-family zoned areas may be rezoned to zones more intense than ~~((s))~~ Single-family 5000 only if the City Council determines that the area does not meet the criteria for single-family designation.

B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and ~~that~~ are located within the adopted boundaries of an urban village may be rezoned to zones more intense than ~~((s))~~ Single-family 5000 when all of the following conditions are met:

1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix when applicable;

2. The rezone is:

c. Properties in areas otherwise suitable for higher density multifamily development but where it is desirable to limit building height and bulk to protect views from uphill areas or from public open spaces and scenic routes;

d. Properties where vehicular access to the area does not require travel on "residential access streets" in less intensive residential zones.

C. Areas zoned single family that meet the locational criteria for single-family designation may be rezoned to L2 only if the provisions of subsection 23.34.010.B are met.

Section 5. Subsection A of Section 23.40.020 of the Seattle Municipal Code, which section was last amended by Ordinance 120691, is amended as follows:

23.40.020 Variances((s))

A. Variances may be sought from the provisions of Subtitle ~~((IV, Parts))~~ III, Divisions 2 and 3 of this Land Use Code, ~~((as applicable,))~~ except for the establishment of a use ~~((which))~~ that is otherwise not permitted in the zone in which it is proposed, for a structure ~~((maximum))~~ height in excess of ~~that~~~~((which is))~~ shown on the Official Land Use Map, from the provisions of Section 23.55.014.A, or from the provisions of Chapter 23.52. Applications for prohibited variances shall not be accepted for filing.

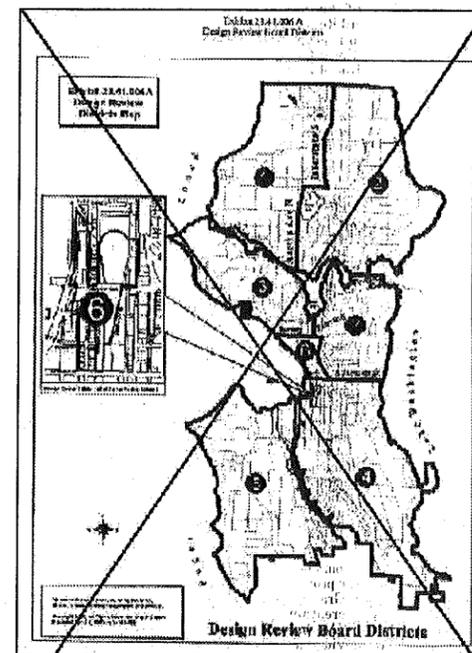
Section 6. Section 23.40.050, relating to the Demonstration program for innovative housing design, which section was last amended by Ordinance 122311 of the Seattle Municipal Code, is repealed.

Section 7. Section 23.41.006 of the Seattle Municipal Code, which section was last amended by Ordinance 119972, is amended as follows:

23.41.006 Design Review Districts Map((s))

For the purposes of design review, the City shall be divided into seven ~~((7))~~ districts, as depicted on the Design Review Districts Map, Map A for ~~((Exhibit))~~ 23.41.006(A).

Section 8. Exhibit 23.41.006 A of the Seattle Municipal Code, which section was last amended by Ordinance 119972, is amended by replacing Exhibit 23.41.006 A with a new map, as follows:



2. As otherwise required by law;

3. As necessary to improve access for the elderly or disabled; or

4. As specifically permitted for nonconforming uses and nonconforming structures elsewhere in this Code.

Section 11. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which Section was amended by Ordinance 122823, is amended as follows:

23.43.008 Development standards for one dwelling unit per lot((s))

D. Yards and Setbacks.

1. Front and Rear Yards.

a. The sum of the front yard plus the rear yard shall be a minimum of ~~((thirty))~~30((s)) feet.

b. In no case shall either yard have a depth of less than ~~((ten))~~10((s)) feet.

c. If recommended in a neighborhood plan adopted or amended by the City Council after January 1, 1995, an ordinance designating an area as RSL may require front and/or rear yard setbacks greater than ~~((ten))~~10((s)) feet, provided that the requirement of subsection 23.43.008.D.1.a ~~((of this section))~~ shall not be increased or decreased, and the requirement of subsection 23.43.008.D.1.b ~~((of this section))~~ shall not be reduced.

2. Side Setbacks. The required minimum side setback is ~~((shall be five))~~5((s))

feet. The side setback may be averaged. No portion of the side setback shall be less than ~~((three))~~3((s)) feet, except as follows:

a. Street side setbacks shall be a minimum of ~~((five))~~5((s)) feet.

b. If an easement is provided along a side lot line of the abutting lot sufficient to leave a ~~((ten))~~10((s)) foot separation between the two ~~((2))~~ principal structures of the two ~~((2))~~ lots, the required side yard may be reduced from the requirement of subsection 23.43.008.D.2 ~~((above))~~. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access for normal maintenance activities to the principal structure on the lot with less than the required side setback. No principal structure shall be located in the easement area, except that the eaves of a principal structure may project a maximum of ~~((eighteen))~~18((s)) inches into the easement area. No portion of any structure, including eaves, shall cross the property line.

3. Exceptions from Standard Yard and Setback Requirements. For all developments except cluster developments, only structures that comply with the following may project into a required yard or setback:

a. Uncovered Porches or Steps. Uncovered, unenclosed porches or uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line, no wider than 6 feet, and project no more than 6 feet into a required front or rear yard. The heights of porches and steps are to be calculated separately.

b. Certain Features of a Structure.

1) External architectural features with no living area such as chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard or setback;

a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage (RSL/TC), Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1), ~~((or))~~ Lowrise 1/Residential-Commercial (L1/RC), or

b. Within the areas identified on Map P-1 of the adopted North Beacon Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone with a 30~~(%)~~ foot or 40~~(%)~~ foot height limit~~(s)~~, or

c. Within the residential urban village west of Martin Luther King Junior Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1) or Lowrise 2 (L2) zone.

C. Areas zoned single-family within the Northgate Overlay District, established pursuant to Chapter 23.71, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone to a neighborhood commercial zone if the rezone is limited to blocks (defined for the purpose of this subsection C as areas bounded by street lot lines) in which more than 80 ~~(%)~~ percent of that block is already designated as a neighborhood commercial zone.

Section 4. Section 23.34.018 of the Seattle Municipal Code, which section was last amended by Ordinance 118794, is amended as follows:

23.34.018 Lowrise 2 (L2) zone, function and locational criteria~~(s)~~

* * *

B. Locational Criteria. Lowrise 2 zone designation is most appropriate in areas generally characterized by the following:

1. Development Characteristics of the Areas.

a. Areas that feature a mix of single-family structures and small to medium multifamily structures generally occupying one ~~((+))~~ or two ~~((2))~~ lots, with heights generally less than ~~((thirty-))~~30~~(ft))~~ feet;

b. Areas suitable for multifamily development ~~((where))~~ if topographic conditions and the presence of views make it desirable to limit height and building bulk to retain views from within the zone;

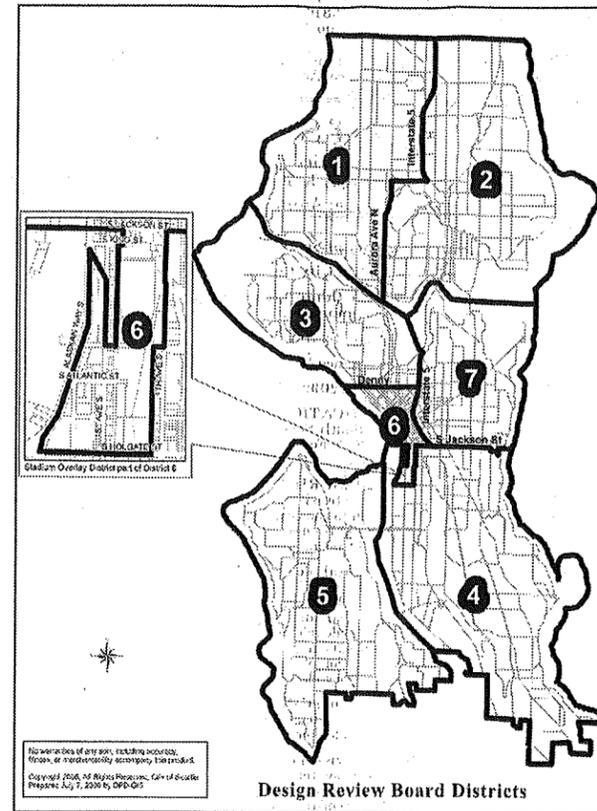
c. Areas occupied by a substantial amount of multifamily development ~~((where))~~ if factors such as narrow streets, on-street parking congestion, local traffic congestion, lack of alleys, and irregular street patterns restrict local access and circulation and make an intermediate intensity of development desirable.

2. Relationship to the Surrounding Areas.

a. Properties that are well-suited to multifamily development, but where adjacent single-family areas make a transitional scale of development desirable. It is desirable that there be a well-defined edge such as an arterial, open space, change in block pattern, topographic change or other significant feature providing physical separation from the single-family area. However, this is not a necessary condition ~~((where))~~ if existing moderate scale multifamily structures have already established the scale relationship with abutting single-family areas;

b. Properties that are definable pockets within a more intensive area, ~~((where))~~ if it is desirable to preserve a smaller scale character and mix of densities;

Map A for 23.41.006
Design Review Board Districts



Section 9. A new section, Section 23.42.030, is added to the Seattle Municipal Code as follows:

23.42.030 Access to Uses

Vehicular and pedestrian access may be provided to a use in one zone across property in a different zone, but only if the use to which access is being provided is permitted, either outright or as a conditional use, in the zone across which access is to be provided.

Section 10. Subsection A of Section 23.42.112 of the Seattle Municipal Code, which section was last amended by Ordinance 121762, is amended as follows:

23.42.112 Nonconformity to Development Standards~~(s)~~

A. A structure nonconforming to development standards may be maintained, renovated, repaired or structurally altered but ~~((shall be prohibited from))~~ may not be expand~~((ing))~~ed or extend~~((ing))~~ed in any manner that increases the extent of nonconformity or creates additional nonconformity, except:

1. Any portion ~~((Portions))~~ of a principal structure~~(s)~~ in a Single Family zone~~(s)~~ that ~~is~~~~((are))~~ nonconforming to front and/or rear yard requirements may be increased in height by up to ~~((five-))~~5~~(ft))~~ feet, but not to exceed the height limit of the zone, and only to the extent necessary to achieve minimum ceiling height in an existing basement or ~~((attic))~~ another floor within the principal structure to conform to the City's regulations for habitable rooms or to accommodate a pitched roof on the principal structure. If the height of a principal structure is being raised to increase ceiling height in a basement or another floor, existing porches or steps may extend into a required yard to the extent necessary to meet Building Code standards, but in no case shall they be located closer than 3 feet to any lot line.

or setbacks:
2) Bay windows that are no wider than 8 feet and project no more than 2 feet into a required front or rear yard or street side setback;

3) Other external architectural features that include interior space such as garden windows, and project no more than 18 inches into a required yard or setback, starting a minimum of 30 inches above the height of a finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

4) The combined area of features that project into a required yard or setback pursuant to subsection 23.43.008.D.3.b may comprise no more than 30 percent of the area of the façade on which the features are located.

* * *

Section 12. Subsection C of Section 23.43.010 of the Seattle Municipal Code, which Section was adopted by Ordinance 117430, is amended as follows:

23.43.010 Tandem housing~~(s)~~

* * *

C. Yards and Setbacks.

1. Front Yard. The front yard ~~((shall))~~ is required to be a minimum of ~~((ten-))~~10~~(ft))~~ feet.

2. Interior Separation between Tandem Houses. The interior separation between the residential structures ~~((shall))~~ is required to be a minimum of ~~((ten-))~~10~~(ft))~~ feet.

3. Rear Yard. Where no platted alley exists, the rear yard for a lot containing tandem houses shall be a minimum of ~~((ten-))~~10~~(ft))~~ feet. Where a platted developed alley exists, this rear yard requirement ~~((shall))~~ does not apply.

4. Total Combined Yards. The total of the front yard, rear yard (if any), and the interior separation ~~((shall))~~ is required to be a minimum of ~~((thirty-five-))~~35~~(ft))~~ feet.

5. Modification of Front and Rear Yards. If recommended in a neighborhood plan adopted or amended by the City Council after January 1, 1995, an ordinance designating an area as RSL may require front and/or rear yard setbacks greater than ~~((ten-))~~10~~(ft))~~ feet (except for rear yards where platted and developed alleys exist), subject to the provisions of subsections 23.43.010.C.1, C.2, C.3, and C.4 ~~((of this section))~~, and provided that the required total combined yards ~~((shall))~~ does not exceed ~~((thirty-five-))~~35~~(ft))~~ feet.

6. Side Setbacks. The required minimum side setback is ~~((shall be five-))~~5~~(ft))~~ feet. The side setback may be averaged. No portion of the side setback shall be less than ~~((three-))~~3~~(ft))~~ feet, except as follows:

a. Street side setbacks ~~((shall))~~ is required to be a minimum of ~~((five-))~~5~~(ft))~~ feet.

b. If an easement is provided along a side lot line of the abutting lot sufficient to leave a ~~((ten-))~~10~~(ft))~~ foot separation between the two ~~((2))~~ principal structures of the two ~~((2))~~ lots, the required side setback may be reduced from the requirement of Section ~~((23.43.008-D2))~~23.43.010.C.6. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access for normal maintenance activities on the principal structure on the lot with less than the required side setback. No principal structure shall be located in the easement area, except that eaves of a principal structure may project a maximum of ~~((eighteen-))~~18~~(inches))~~ inches into the easement area. No portion of any structure, including eaves shall cross the property line.

7. Exceptions from Standard Yard, Setback and Interior Separation

Requirements. For all developments, only structures that comply with the following may project into a required yard, setback or interior separation:

a. Uncovered Porches or Steps. Uncovered, unenclosed porches or uncovered, unenclosed steps that project into a required yard or setback, if the porch or steps are no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line, no wider than 6 feet, and project no more than 6 feet into a required front or rear yard, and no more than 3 feet into the interior separation between residential structures. The heights of porches and steps are to be calculated separately.

b. Certain Features of a Structure.

1) External architectural features with no living area such as chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard, setback or interior separation between residential structures;

2) Bay windows that are no wider than 8 feet in width and project no more than 2 feet into a required front or rear yard or street side setback;

3) Other external architectural features that include interior space such as garden windows, and project no more than 18 inches into a required yard, setback, or interior separation between residential structures starting a minimum of 30 inches above the height of a finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

4) The combined area of features that project into a required yard, setback or interior separation between residential structures pursuant to subsection 23.43.010, C.7.b may comprise no more than 30 percent of the area of the façade on which the features are located.

Section 13. Subsection E of Section 23.43.012 of the Seattle Municipal Code, which Section was adopted by Ordinance 117430, is amended as follows:

23.43.012 Cottage Housing Developments (CHDs)(c)

E. Yards and Setbacks.

1. Front (Yards) Setback. The minimum front (yard) setback for cottage housing developments (shall be) is an average of ((ten-))10((3)) feet, and at no point shall it be less than ((five-))5((3)) feet.

2. Rear Yards. The ((minimum)) rear yard for a cottage housing development shall be ((ten-))10((3)) feet.

3. Side Yards. The ((minimum required)) side yard for a cottage housing development shall be ((five-))5((3)) feet. ((When)) If there is a principal entrance along a side facade, the side yard shall be no less than ((ten-))10((3)) feet along that side for the length of the pedestrian route. This ((ten-))10((3)) foot side yard ((shall apply)) requirement applies only to a height of ((eight-))8((3)) feet above the access route.

4. Interior Separation ((for Cottage Housing Developments)). ((There shall be a)) A minimum separation of ((six-))6((3)) feet is required between principal structures. Facades of principal structures facing facades of accessory structures shall be separated by a minimum of ((three-))3((3)) feet. ((When)) If there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be ((ten-))10((3)) feet.

b. The total lot area for any lot may not be increased by the provisions of this section by more than ((ten))10 percent ((40%)).

2. Special Structures and Portions of Structures. The following structures and portions of structures ((shall)) are not ((be)) counted in lot coverage calculations:

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

b. Barrier-free Access. Ramps or other access for the disabled or elderly that comply with ((meeting)) Washington State Building Code, Chapter 11;

c. Decks. Decks or parts of a deck ((which)) that are ((thirty-six-))36((3)) inches or less above ((the)) existing grade;

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

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

f. Eaves and Gutters. The first ((thirty-six-))36((3)) inches of eaves and gutters that project ((projecting)) from principal and accessory structures ((except that eaves associated with the roof of an arbor shall be included in lot coverage calculations));

g. Solar collectors ((meeting the provisions of)) that comply with Section 23.44.046 and swimming pools ((meeting the provisions of)) that comply with Section 23.44.044.

Section 16. Subsection A of Section 23.44.012 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.012 Height limits(c)

A. Maximum Height Established.

1. Except as permitted in Section 23.44.041.B, and except as provided in subsection((s)) 23.44.012.A.2((below)), the maximum permitted height for any structure not located in a required yard((s shall not exceed thirty-)) is 30((3)) feet.

2. The maximum permitted height for any structure on a lot((s thirty-))30((3)) feet or less in width ((shall not exceed)) is ((twenty-five-))25((3)) feet.

3. The method of determining structure height and lot width ((are)) is detailed in Chapter 23.86, Measurements.

Section 17. Section 23.44.014 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.014 Yards(c)

Yards are required for every lot in a single-family residential zone. A yard (which) that is larger than the minimum size may be provided.

C. Side yards. The side yard shall be ((five-))5((3)) feet except as follows:

1. In the case of a reversed corner lot, the key lot of which is in a single-family zone, the width of the side yard on the street side of the reversed corner lot shall be not less than ((ten-))10((3)) feet.

2. ((When)) If the side yard of a lot borders on an alley, a single-family structure may be located in the required side yard, provided that no portion of the structure may cross the

d. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access for normal maintenance activities to the principal structure on the lot with less than the required 5 foot side yard.

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

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

b. Rear Yard. ((When)) If the addition is a rear wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than ((twenty-))20((3)) feet to the rear lot line or centerline of an alley abutting the rear lot line;

c. Front Yard. ((When)) If the addition is a front wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than ((fifteen-))15((3)) feet to the front lot line;

d. ((When)) If the nonconforming wall of the single-family structure is not parallel or is otherwise irregular, relative to the lot line, then the Director shall determine the limit of the wall extension, except that the wall extension shall not be located closer than specified in subsections 23.44.014.D((3)).4.a, b, and ((-)) c ((above)).

e. Roof eaves, gutters, and chimneys on such additions may extend an additional 18 inches into a required yard, but in no case shall such features be closer than 2 feet to the side lot line.

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

6. ((Special)) Certain Features of a Structure. ((Special)) Unless otherwise provided elsewhere in this chapter, certain features of a structure may extend into required yards ((subject to the following standards)) only if they comply with the following ((unless permitted elsewhere in this chapter)):

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

b. Bay windows ((shall be)) are limited to ((eight-))8((3)) feet in width and may project no more than ((two-))2((3)) feet into a required front, rear, and street side yard;

c. Other projections ((which)) that include interior space, such as garden windows, may extend no more than ((eighteen-))18((3)) inches into any required yard, starting a minimum of ((thirty-))30((3)) inches above finished floor, and with maximum dimensions of

5. Exceptions from Standard Yard, Setback and Interior Separation Requirements.

For all developments, only structures that comply with the following may project into a required yard, setback or interior separation:

a. Uncovered Porches or Steps. Uncovered, unenclosed porches or uncovered, unenclosed steps that project into a required front setback, a side or a rear yard, if the porch or steps are no higher than 4 feet on average above existing grade, no closer than 3 feet to any side lot line, no wider than 6 feet, and project no more than 6 feet into a required front setback or rear yard. The heights of porches and steps are to be calculated separately. If an interior separation of 10 feet is required pursuant to subsection 23.43.012.E.4, uncovered, unenclosed steps no higher than 4 feet on average above existing grade may project up to 3 feet into the interior separation. If an interior separation of 6 feet or less is required, porches and steps may not project into the interior separation.

b. Certain Features of a Structure.

1) External architectural features with no living area such as chimneys, eaves, cornices and columns, that project no more than 18 inches into a required yard or into a required interior separation between structures;

2) Bay windows that are no wider than 8 feet and project no more than 2 feet into a required front setback or rear yard;

3) Other external architectural features that include interior space such as garden windows, and project no more than 18 inches into a required front setback or rear yard, starting a minimum of 30 inches above the height of a finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

4) The combined area of features that project into a required yard or interior separation pursuant to subsection 23.43.012.E.5.b may comprise no more than 30 percent of the area of the façade on which the features are located.

Section 14. Subsection C of Section 23.44.006 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.44.006 Principal uses permitted outright(=)

C. Parks and open space; (~~including customary buildings and activities, provided that garages and service or storage areas accessory to parks are located one hundred (100) feet or more from any other lot in a residential zone and are obscured from view from each such lot.~~)

Section 15. Subsection D of Section 23.44.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.010 Lot requirements(=)

D. Lot Coverage Exceptions.

i. Lots Abutting Alleys. For purposes of computing the lot coverage only:

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

side lot line.

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

1. Garages. Garages may be located in a required yard~~(s)~~ subject to the standards of Section 23.44.016.

2. Certain Accessory Structures in Side and Rear Yards.

a. Any accessory structure that complies with the requirements of Section 23.44.040 may be constructed in a side yard ((which)) that abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed corner lot within ((five-))5((=)) feet of the key lot and not abutting the front yard of the key lot, upon recording with the King County Department of Records and Elections an agreement to this effect between the owners of record of the abutting properties. ((Garages may be located in that portion of a side yard which is either within thirty-five (35) feet of the centerline of an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot line, without providing an agreement as provided in Section 23.44.016.))

b. Any detached accessory structure that complies with the requirements of Section 23.44.040 may be located in a rear yard, provided that on a reversed corner lot, no accessory structure shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot, nor shall the accessory structure be located closer than 5 feet from the key lot's side lot line unless the provisions of subsections 23.44.014.D.2.a or 23.44.016.D.9 apply.

3. A single-family structure may extend into one ((=)) side yard if an easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a ((ten-))10((=)) foot separation between that structure and any principal ((or-accessory)) structure~~(s)~~ on the abutting lot. The 10 foot separation shall be measured from the wall of the principal structure that is proposed to extend into a side yard to the wall of the principal structure on the abutting lot.

a. No structure or portion of a structure may be built on either lot within the 10 foot separation, except as provided in this section.

b. Accessory structures and ~~((F))~~features of and projections from principal structures, such as porches, eaves, and chimneys ~~((shall be))~~ are permitted in the ((ten-))10((=)) foot separation area if allowed by subsection 23.44.014.D. ((as if the property line were five (5) feet from the wall of the house on the dominant lot, provided that no)) For purposes of calculating the distance a structure or feature may project into the 10 foot separation, assume the property line is 5 feet from the wall of the principal structure proposed to extend into a side yard and consider the 5 feet between the wall and the assumed property line to be the required side yard.

c. No portion of ~~((either principal))~~ any structure, including ~~((eaves))~~any projection, shall cross the ((actual)) property line.

((six-))6((=)) feet ((tall)) in height and ((eight-))8((=)) feet ((wide)) in width;

d. The combined area of features permitted by ((=)) subsections 23.44.014.D.6,b and c ((above)) may comprise no more than ((thirty-))30((=)) percent of the area of the facade.

7. Covered Unenclosed Decks(=) and Roofs Over Patios(~~=~~ and Other Accessory Structures in Rear Yards). ((a=)) Covered, unenclosed decks and roofs over patios, if attached to a principal structure, may extend into the required rear yard, but shall not be within ((twelve-))12((=)) feet of the centerline of any alley, ((=)) or within ((twelve-))12((=)) feet of any rear lot line ((which)) that is not an alley lot line, or closer to any side lot line in the required rear yard than the side yard requirement of the principal structure along that side, ((=)) or closer than ((five-))5((=)) feet to any accessory structure. The height of the roof over unenclosed decks and patios shall not exceed 12 feet. The roof over such decks or patios shall not be used as a deck.

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

9. Barrier-free Access. Access facilities for the disabled and elderly ((meeting)) that comply with Washington State Building Code, Chapter 11 are permitted in any required yard~~(s)~~.

10. Freestanding Structures and Bulkheads.

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

b. The Director may allow variation from the development standards listed in subsection 23.44.014.D.10.a ((above)), according to the following:

((=))1 No part of the structure may exceed ((eight-))8((=)) feet;

and

((=))2 Any portion of the structure above ((six-))6((=)) feet shall be predominately open, such that there is free circulation of light and air.

c. Bulkheads and retaining walls used to raise grade may be placed in any required yard when limited to ((six-))6((=)) feet in height, measured above existing grade. A guardrail no higher than ((forty-two-))42((=)) inches may be placed on top of a bulkhead or retaining wall existing as of ((the date of the ordinance codified in this section))February 20,

1982. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined height is limited to ~~((nine and one-half (9 1/2)))~~ 9 1/2 feet.

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

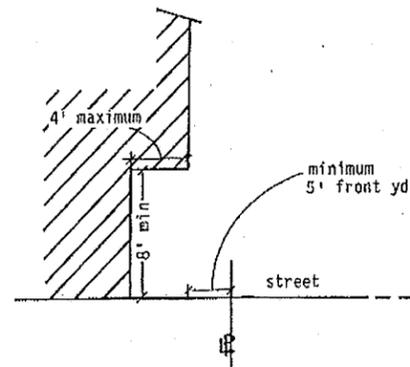
e. ~~((When))~~ If located in ~~((the))~~ shoreline setbacks or in view corridors in the Shoreline District as regulated in Chapter 23.60, ~~((these))~~ structures shall not obscure views protected by Chapter 23.60, and the Director shall determine the permitted height.

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

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

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

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



(Exhibit 23.44.014B) Front yard projections permitted for Exhibit B for 23.44.014 structures on lots thirty feet or less in width.

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

1. Parking shall be located on the same lot as the principal use, except as otherwise provided in this subsection.
2. Parking on planting strips is prohibited.
3. No more than three ~~((3))~~ vehicles may be parked outdoors on any lot.
4. Parking accessory to a floating home may be located on another lot if within ~~((six-hundred (600)))~~ 600 feet of the lot on which the floating home is located. The accessory parking shall be screened and landscaped according to subsection 23.44.016.G.

5. Parking accessory to a single-family structure existing on June 11, 1982 may be established on another lot if all the following conditions are met:
 - a. There is no vehicular access to permissible parking areas on the lot.
 - b. Any garage constructed is for no more than two ~~two~~ ~~((2))~~ axle, or two ~~((2))~~ up ~~((-))~~ to ~~((-))~~ four ~~((4))~~ wheeled vehicles.
 - c. ~~((Any garage is located and))~~ Parking is screened or landscaped ~~((per Section 23.44.016-G if applicable,))~~ as required by the Director, who shall consider development patterns of the block or nearby blocks.

- d. The lot providing the parking is within the same block or across the alley from the principal use lot.
- e. The accessory parking shall be tied to the lot of the principal use by a covenant or other document recorded with the King County Department of Records and Elections.

D. Parking and Garages in Required Yards.

1. Parking and garages shall not be located in the required front yard except as provided in subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.
2. Parking and garages shall not be located in a required side yard abutting a street or the first ~~((ten (10)))~~ 10 feet of a required rear yard abutting a street except as provided in subsections 23.44.016.D.7, D.9, D.10, D.11 and D.12.

3. Parking and g(G)arages shall not be located in a required side yard that((which)) abuts the rear or side yard of another lot((s)) or in that portion of the rear yard of a reversed corner lot within ~~((five (5)))~~ 5 feet of the key lot's side lot line ~~((and not abutting the front yard of the key lot))~~ unless:

- a. The garage is located entirely in that portion of a side yard that is either within 35 feet of the centerline of an alley or within 25 feet of any rear lot line that is not an alley lot line; or
- b. A((a))n agreement between the owners of record of the abutting properties, authorizing the garage in that location, is executed and recorded, pursuant to ((S)) subsection 23.44.014.D.2.a ((, provided, that no such agreement is required if the garage is located entirely in that portion of a side yard which is either within thirty-five (35) feet of the centerline of an alley or within twenty-five (25) feet of any rear lot line which is not an alley lot line)).

4. Detached g((G))arages with vehicular access facing((from)) an alley shall not be located within ~~((twelve (12)))~~ 12 feet of the centerline of the alley except as provided in subsections 23.44.016.D.9, D.10, D.11 and D.12.

5. Attached garages shall not be located within ~~((twelve (12)))~~ 12 feet of the centerline of any alley, nor within ~~((twelve (12)))~~ 12 feet of any rear lot line that((which)) is not an alley lot line, except as provided in subsections 23.44.016.D.9, D.10, D.11 and D.12.

~~accordance))~~ complies with ~~((S))~~ subsections 23.44.016. ~~((subsections))~~ D.2, D.5 and D.6;

e. Access to parking is permitted through the required yard abutting the street by subsection 23.44.016.B ~~((of this section))~~; and

f. A driveway access bridge ~~is((may be))~~ permitted in ~~the((any-))~~ required ~~((downhill))~~ yard abutting the street if((where)) necessary for access to parking. The access bridge shall be no wider than ~~((twelve (12)))~~ 12 feet for access to one ~~((4))~~ parking space or ~~((eighteen (18)))~~ 18 feet for access to two ~~((2))~~ or more parking spaces. The driveway access bridge may not be located closer than ~~((five (5)))~~ 5 feet to an adjacent property line and shall not be included in lot coverage calculations.

11. Through Lots. On through lots less than ~~((one-hundred-twenty-five (125)))~~ 125 feet in depth, parking, either open or enclosed in an attached or detached garage, for one ~~((4))~~ two ~~((2))~~ axle or one ~~((4))~~ up ~~((-))~~ to ~~((-))~~ four ~~((4))~~ wheeled vehicle may be located in one ~~((4))~~ of the required front yards. The front yard in which the parking may be located shall be determined by the Director based on the location of other garages or parking areas on the block. If no pattern of parking location can be determined, the Director shall determine in which yard the parking shall be located based on the prevailing character and setback patterns of the block.

12. Lots With Uphill Yards Abutting Streets or Downhill or Through Lot Front Yards Fronting on Streets That Prohibit Parking. Parking for two ~~((2))~~ two ~~((2))~~ axle or two ~~((2))~~ up ~~((-))~~ to ~~((-))~~ four ~~((4))~~ wheeled vehicles may be located in uphill yards abutting streets or downhill or through lot front yards as provided in subsections 23.44.016.D.9, D.10 or D.11 if, in consultation with Seattle Department of Transportation, it is found that uninterrupted parking for ~~((twenty-four (24)))~~ 24 hours is prohibited on at least one ~~((4))~~ side of the street within ~~((two-hundred (200)))~~ 200 feet of the lot line over which access is proposed. The Director may authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary for access.

E. Standards for Garages ~~((when Permitted))~~ if Allowed in Required Yards. Garages that are either detached structures or portions of a principal structure for the primary purpose of enclosing a two ~~((2))~~ axle or four ~~((4))~~ wheeled vehicle may be permitted in required yards according to the following conditions:

1. Maximum Coverage and Size.

a. Garages, together with any other accessory structures and other portions of the principal structure, are limited to a maximum combined coverage of ~~((forty (40)))~~ 40 percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of the alley.

b. Garages located in side or rear yards shall not exceed ~~((one-thousand (1,000)))~~ 1,000 square feet in area.

c. In front yards, the area of garages ~~((shall be))~~ is limited to ~~((three hundred (300)))~~ 300 square feet with ~~((fourteen (14)))~~ 14 foot maximum width ~~((where))~~ if one ~~((4))~~ space is ~~((allowed))~~ provided, and ~~((six-hundred (600)))~~ 600 square feet with ~~((twenty-four (24)))~~ 24 foot maximum width ~~((where))~~ if two ~~((2))~~ spaces are ~~((allowed))~~ provided. Access driveway bridges permitted under Section 23.44.016.D.10.f shall not be included in this calculation.

2. Height Limits.

a. Garages ~~((shall be))~~ are limited to ~~((twelve (12)))~~ 12 feet in height ~~((as))~~ measured on the facade containing the entrance for the vehicle.

b. The ridge of a pitched roof on a garage located in a required yard may

minimum opening of ~~(two-)~~2(~~0~~) inches between crosspieces.

b. In each required yard abutting a street, an arbor over a private pedestrian walkway with no more than a ~~(thirty-)~~30(~~0~~) square foot footprint, measured on the horizontal roof plane and inclusive of eaves, may be erected to a maximum height of ~~(eight-)~~8(~~0~~) feet. The sides of the arbor shall be at least ~~(fifty-)~~50(~~0~~) percent open, or if latticework is used, there ~~(must)~~shall be a minimum opening of ~~(two-)~~2(~~0~~) inches between crosspieces.

E. Additional Standards for Structures if Allowed in Required Yards. Structures in required yards shall comply with the following:

1. Accessory structures, attached garages and portions of a principal structure shall not exceed a maximum combined coverage of 40 percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of the alley.

2. Any accessory structure located in a required yard shall be separated from its principal structure by a minimum of 5 feet. This requirement does not apply to terraced garages that comply with Section 23.44.016.D.9.b.

3. Except for detached accessory dwelling units in subsection 23.44.041.B, any accessory structure located in a required yard shall not exceed 12 feet in height or 1,000 square feet in area.

Section 18. Section 23.44.016 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.016 Parking and Garages(~~0~~)

A. Parking Quantity. Off-street parking is required pursuant to Section 23.54.015.

B. Access to Parking.

1. Vehicular access to parking from an improved street, alley or easement is required ~~(when)~~if parking is required pursuant to Section 23.54.015.

2. Access to parking is permitted through a required yard abutting a street only if the Director determines that one ~~(of)~~ of the following conditions exists:

a. There is no alley improved to the standards of Section 23.53.030.C, and there is no unimproved alley in common usage that currently provides access to parking on the lot or to parking on adjacent lots in the same block; or

b. Existing topography does not permit alley access; or

c. A portion of the alley abuts a nonresidential zone; or

d. The alley is used for loading or unloading by an existing nonresidential use; or

e. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard; or

f. Parking access must be from the street in order to provide access to a parking space~~(s)~~ that ~~(meet)~~complies with the Washington State Building Code, Chapter

11.

C. Location of Parking.

8. Trailers, boats, recreational vehicles and similar equipment shall not be parked in required front and side yards or the first ~~(ten-)~~10(~~0~~) feet of a rear yard measured from the rear lot line.

9. Lots With Uphill Yards Abutting Streets. Parking for one ~~(of)~~ two-~~(2)~~ axle or one ~~(of)~~ up-~~(-)~~to-~~(-)~~four-~~(-4)~~ wheeled vehicle may be established in a required yard abutting a street according to subsection 23.44.016.D.9.a or b ~~(below)~~ only if access to parking is permitted through that yard pursuant to subsection ~~(A of this section)~~ 23.44.016.B.

a. Open Parking Space.

~~(i-)~~ 1) The existing grade of the lot slopes upward from the street lot line an average of at least ~~(six-)~~6(~~0~~) feet above sidewalk grade at a line that is ~~(ten-)~~10(~~0~~) feet from the street lot line; and

~~(ii-)~~ 2) The parking area shall be at least an average of ~~(six-)~~6(~~0~~) feet below the existing grade prior to excavation and/or construction at a line that is ~~(ten-)~~10(~~0~~) feet from the street lot line; and

~~(iii-)~~ 3) The parking space shall be no wider than ~~(ten-)~~10(~~0~~) feet for one ~~(of)~~ parking space at the parking surface and no wider than ~~(twenty-)~~20(~~0~~) feet for two ~~(of)~~ parking spaces ~~if~~~~(when)~~ permitted as provided in subsection 23.44.016.D.12.

b. Terraced Garage.

~~(i-)~~ 1) The height of a terraced garage ~~(shall be)~~is limited to no more than ~~(two-)~~2(~~0~~) feet above existing or finished grade, whichever is lower, for the portions of the garage that are ~~(ten-)~~10(~~0~~) feet or more from the street lot line. The ridge of a pitched roof on a terraced garage may extend up to ~~(three-)~~3(~~0~~) feet above this ~~(two-)~~2(~~0~~) foot height limit. All parts of the roof above the ~~(two-)~~2(~~0~~) foot height limit shall be pitched at a rate of ~~(4)~~ not less than four to twelve (4:12). No portion of a shed roof shall be permitted to extend beyond the ~~(two-)~~2(~~0~~) foot height limit of this provision. Portions of a terraced garage that are less than ~~(ten-)~~10(~~0~~) feet from the street lot line shall comply with the height standards in Section 23.44.016.E.2;

~~(ii-)~~ 2) The width of a terraced garage structure ~~(width may)~~shall not exceed ~~(fourteen-)~~14(~~0~~) feet for one ~~(of)~~ two-~~(2)~~ axle or one ~~(of)~~ up-~~(-)~~to-~~(-)~~four-~~(-4)~~ wheeled vehicle, or ~~(twenty-four-)~~24(~~0~~) feet ~~(when)~~if permitted to have two ~~(of)~~ two-~~(2)~~ axle or two ~~(of)~~ up-~~(-)~~to-~~(-)~~four-~~(-4)~~ wheeled vehicles as provided in subsection 23.44.016.D.12;

~~(iii-)~~ 3) All above ground portions of the terraced garage shall be included in lot coverage; and

~~(iv-)~~ 4) The roof of the terraced garage may be used as a deck and shall be considered to be a part of the garage structure even if it is a separate structure on top of the garage.

10. Lots With Downhill Yards Abutting Streets. Parking, either open or enclosed in an attached or detached garage, for one ~~(of)~~ two-~~(2)~~ axle or one ~~(of)~~ up-~~(-)~~to-~~(-)~~four-~~(-4)~~ wheeled vehicle may be located in a required yard abutting a street ~~(when)~~if the following conditions are met:

a. The existing grade slopes downward from the street lot line

~~(which)~~that the parking faces;

b. For front yard parking, the lot has a vertical drop of at least ~~(twenty-)~~20(~~0~~) feet in the first ~~(sixty-)~~60(~~0~~) feet, ~~(as)~~ measured along a line from the midpoint of the front lot line to the midpoint of the rear lot line;

c. Parking ~~is~~~~(shall)~~ not ~~(be)~~ permitted in ~~(downhill)~~required side yards abutting a street~~(s)~~;

d. Parking in a ~~(downhill)~~ rear yard~~(s)~~ ~~(shall be in)~~

roof over a garage shall not be used as a balcony or deck in rear yards.

3. Separations.~~(#)~~ Any garage located in a required yard shall be separated from its principal structure by a minimum of ~~(five-)~~5(~~0~~) feet. This requirement does not apply to terraced garages that comply with Section 23.44.016.D.9.b.

4. Roof eaves and gutters of a garage located in a required yard may extend a maximum of 18 inches from the exterior wall of the garage. Such roof eaves and gutters are excluded from the maximum coverage and size limits of subsection 23.44.016.E.1 and the separation requirements of subsection 23.44.016.E.3, except that all portions of a detached garage, including projecting eaves and gutters, shall be separated by at least 5 feet from all portions of a principal structure, including any eaves and gutters of the principal structure.

5. Except for terraced garages that comply with Section 23.44.016.D.9.b, the roof over a garage in a rear yard shall not be used as a balcony or deck.

Section 19. Subsection C of Section 23.44.017 of the Seattle Municipal Code, which section was last amended by Ordinance 122823, is amended as follows:

23.44.017 Development standards for public schools(~~0~~)

C. Setbacks.

1. General Requirements.

a. No setbacks ~~are~~~~(shall be)~~ required for new public school construction or for additions to existing public school structures for that portion of the site across a street or an alley or abutting a lot in a nonresidential zone. ~~if~~~~(When)~~ any portion of the site is across a street or an alley from or abuts a lot in a residential zone, setbacks ~~are~~~~(shall be)~~ required for areas facing or abutting residential zones, as provided in subsections 23.44.017.C.2 through 23.44.017.C.5 below. Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC) zones shall be based upon the residential zone classification of the RC lot.

b. The minimum setback requirement may be averaged along the structure facade with absolute minimums for areas abutting lots in residential zones as provided in subsections 23.44.017.C.2.b, C.3.b and C.4.b.

c. Trash disposals, ~~(openable)~~ operable windows in a gymnasium, main entrances, play equipment, kitchen ventilators or other similar items shall be located at least ~~(thirty-)~~30(~~0~~) feet from any single-family zoned lot and ~~(twenty-)~~20(~~0~~) feet from any multi-family zoned lot.

d. The exceptions of subsections 23.44.014~~(D4-)~~ D.5, D.6, D.7, D.8, D.9, D.10, D.11 and D.12 ~~(of Section 23.44.014 shall)~~apply.

Section 20. Subsection F of Section 23.44.018 of the Seattle Municipal Code, which section was last amended by Ordinance 119239, is amended as follows:

23.44.018 General provisions(~~0~~)

- b. The residential use is an assisted living facility or nursing home and private living units are not located at street level.
- c. Within the Station Area Overlay District, in which case the provisions of Chapter 23.61 apply.
- d. Within the International Special Review District east of the Interstate 5 Freeway, in which case the provisions of Section 23.66.330 apply.

4. Residential uses may occupy 100 percent of the street-level street-facing facade in a structure if the structure:

- a. Is developed and owned by the Seattle Housing Authority;
- b. Is located on a lot zoned NC1 or NC3 that was owned by the Seattle Housing Authority as of January 1, 2009;
- c. Is not located in a pedestrian-designated zone or a zone that has a height limit of 85 feet or higher; and
- d. Does not face a designated principal pedestrian street.

~~(4-)~~ 5. Additions to, or on-site accessory structures for, existing single-family structures are permitted outright.

~~(5-)~~ 6. Where residential uses at street level are limited to 20 percent of the street-level street-facing facade, such limits do not apply to residential structures separated from the street lot line by an existing structure meeting the standards of this section and Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

Section 32. Subsection A of Section 23.47A.018 of the Seattle Municipal Code, which section was adopted by Ordinance 122311, is amended as follows:

23.47A.018 Noise standards(=)

A. In an NC1, NC2 or NC3 zone, all manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure. In a C1 or C2 zone, location within an enclosed structure is required only when the ~~(let)~~ structure is located within ~~(fifty-)~~ 50(=) feet of a residential zone, except when required as a condition for permitting a major noise generator according to subsection 23.47A.018.B. Doors on such a structure that are further than 50 feet from the residential zone and that face away from the residential zone may remain open.

Section 33. Subsection B of Section 23.47A.020 of the Seattle Municipal Code, which section was adopted by Ordinance 122311, is amended as follows:

23.47A.020 Odor Standards(=)

B. Major Odor Sources.

- 1. Uses that employ the following odor-emitting processes or activities are considered major odor sources:
 - a. Lithographic, rotogravure or flexographic printing;
 - b. Film burning;
 - c. Fiberglassing;
 - d. Selling of gasoline and/or storage of gasoline in tanks larger than ~~(two)~~

d. The maximum amount of floor area that may be transferred from an eligible Landmark TDR site, when the chargeable floor area of the landmark structure is less than or equal to the base FAR permitted in the zone, is equivalent to the base FAR of the sending lot, minus any TDR that have been previously transferred. For landmark structures having chargeable floor area greater than the base FAR of the zone, the amount of floor area that may be transferred is limited to an amount equivalent to the base FAR of the sending lot minus the sum of (i) any chargeable floor area of the landmark structure exceeding the base FAR and (ii) any TDR that have been previously transferred.

e. For purposes of this subsection 23.49.014.B.1, the eligible lot area is the total area of the sending lot, reduced by the excess, if any, of the total of accessory surface parking over ~~(one-quarter-)~~ 1/4(=) of the total area of the footprints of all structures on the sending lot; and for an open space TDR site, further reduced by the area of any portion of the lot ineligible under Section 23.49.01~~(6)~~ 7.C.

2. ~~(When)~~ If the sending lot is located in the PSM or IDM zone, the gross floor area that may be transferred is ~~(six-)~~ 6(=) FAR, minus the sum of any existing chargeable gross floor area and any floor area in residential use on the sending lot, and further reduced by any TDR previously transferred from the sending lot.

3. ~~(When)~~ If TDR are transferred from a sending lot in a zone with a base FAR limit, the amount of chargeable gross floor area that may then be built on the sending lot ~~(shall be)~~ is equal to the area of the lot multiplied by the applicable base FAR limit set in Section 23.49.011, minus the total of:

- a. The existing chargeable floor area on the lot; plus
- b. The amount of gross floor area transferred from the lot.

4. ~~(When)~~ If TDR are sent from a sending lot in a PSM zone, the combined maximum chargeable floor area and residential floor area that may then be established on the sending lot ~~(shall be)~~ is equal to the total gross floor area that could have been built on the sending lot consistent with applicable development standards as determined by the Director had no TDR been transferred, less the sum of:

- a. The existing chargeable floor area on the lot; plus
- b. The amount of gross floor area that was transferred from the lot.

5. Gross floor area allowed above base FAR under any bonus provisions of this title or the former Title 24, or allowed under any exceptions or waivers of development standards, may not be transferred. TDR may be transferred from a lot that contains chargeable floor area exceeding the base FAR only if the TDR are from an eligible Landmark site, consistent with subsection 23.49.014.B.1.c above, or to the extent, if any, that:

- a. TDR were previously transferred to such lot in compliance with the Land Use Code provisions and applicable rules then in effect;
- b. Those TDR, together with the base FAR under Section 23.49.011, exceed the chargeable floor area on the lot and any additional chargeable floor area for which any permit has been issued or for which any permit application is pending; and
- c. The excess amount of TDR previously transferred to such lot would have been eligible for transfer from the original sending lot under the provisions ~~(of this)~~

~~(e))~~ Section 23.49.014 at the time of their original transfer from that lot.

6. Landmark structures on sending lots from which Landmark TDR or Landmark

H. Special exception for Open Space TDR sites. The Director may authorize an exception to the requirements for open space TDR sites in subsection ~~(D of this Section))~~ 23.49.017.D, as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permit and Council Land Use Decisions.

1. The provisions of this subsection 23.49.017.H will be used by the Director in determining whether to grant, grant with conditions or deny a special exception. The Director may grant exceptions only to the extent such exceptions further the provisions of this subsection 23.49.017.H.

2. In order for the Director to grant, or grant with conditions, an exception to the requirements for open space TDR sites, the following must be satisfied:

a. The exception allows the design of the open space to take advantage of unusual site characteristics or conditions in the surrounding area, such as views and relationship to surroundings; and

b. The applicant demonstrates that the exceptions would result in an open~~(-)~~ space that better meets the intent of the provisions for open space TDR sites in subsection 23.49.017.(G)D ~~(of this Section))~~.

Section 36. Section 23.49.030, which section was adopted by Ordinance 122411, is amended as follows:

23.49.030 Adult Cabarets(=)

A. Any lot line of property containing any proposed new or expanding adult cabaret must be ~~(eight-hundred-)~~ 800(=) feet or more from any lot line of property ~~(containing any)~~ on which any of the following uses has been established by permit or otherwise recognized as a legally established use: community center; child care center; school, elementary or secondary; or public parks and open space use.

B. Any lot line of property containing any proposed new or expanding adult cabaret must be ~~(six-hundred-)~~ 600(=) feet or more from any lot line of property ~~(containing)~~ for which a permit has been issued for any other adult cabaret, and must be ~~(six-hundred-)~~ 600(=) feet or more from any lot line of property ~~(containing)~~ for which a permit has been issued for any adult panoram or adult motion picture theater.

C. The analysis required by subsections 23.49.030.A and B shall be based on the facts that exist on the earlier of:

- 1) the date a complete application is made for a building permit for an adult cabaret for the property proposed to contain the new or expanding adult cabaret, or
- 2) the date of publication of notice of the Director's decision on the Master Use Permit application to establish or expand an adult cabaret use, if the decision can be appealed to the Hearing Examiner, or the date of the Director's decision if no Hearing Examiner appeal is available.

Section 37. Subsection B of Section 23.49.046 of the Seattle Municipal Code, which section was last amended by Ordinance 122054, is amended as follows:

23.49.046 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed Commercial conditional uses and Council decisions(=)

- e. Handling of heated tars and asphalts;
- f. Incinerating (commercial);
- g. Tire buffing;
- h. Metal plating;
- i. Vapor degreasing;
- j. Wire reclamation;
- k. Use of boilers (greater than 106 British Thermal Units per hour, (~~ten thousand~~)10,000(~~0~~)) pounds steam per hour, or (~~thirty~~)30(~~0~~) boiler horsepower);
- l. Animal food processing;
- m. Other similar processes or activities.

2. Uses that employ the following processes are considered major odor sources, except when the entire activity is conducted as part of a commercial use other than food processing or heavy commercial services:

- a. Cooking of grains;
- b. Smoking of food or food products;
- c. Fish or fishmeal processing;
- d. Coffee or nut roasting;
- e. Deep fat frying;
- f. Dry cleaning(~~g. Other similar processes or activities~~).

Section 34. Subsection B of Section 23.49.014 of the Seattle Municipal Code, which section was last amended by Ordinance 122611, is amended as follows:

23.49.014 Transfer of development rights (TDR)(~~0~~)

B. Standards for sending lots.

1. a. The maximum amount of floor area that may be transferred, except as open space TDR, Landmark TDR, or Landmark housing TDR, from an eligible sending lot, except a sending lot in the PSM or IDM zones, is the amount by which the product of the eligible lot area times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds the sum of any chargeable gross floor area existing or, if a DMC housing TDR site, to be developed on the sending lot, plus any TDR previously transferred from the sending lot.

b. The maximum amount of floor area that may be transferred from an eligible open space TDR site is the amount by which the product of the eligible lot area times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds the sum of (~~(f)~~a) any existing chargeable gross floor area that is built on or over the (~~eligible lot area on the~~) portion of the sending lot that is not made ineligible by Section 23.49.017.C, plus (~~(f)~~b) the amount, if any, by which the total of any other chargeable floor area on the sending lot exceeds the product of the base FAR of the sending lot, as provided in Section 23.49.011, multiplied by the difference between the total lot area and the eligible lot area, plus (~~(f)~~c) any TDR previously transferred from the sending lot.

c. The maximum amount of floor area that may be transferred from an eligible Landmark housing TDR site is the amount by which the product of the eligible lot area times the base FAR of the sending lot, as provided in Section 23.49.011, exceeds TDR previously transferred from the sending lot, if any.

housing TDR are transferred shall be restored and maintained as required by the Landmarks Preservation Board.

7. Housing on lots from which housing TDR are transferred shall be rehabilitated to the extent required to provide decent, sanitary and habitable conditions, in compliance with applicable codes, and so as to have an estimated minimum useful life of at least (~~(fifty)~~)50(~~0~~) years from the time of the TDR transfer, as approved by the Director of the Office of Housing. Landmark buildings on lots from which Landmark housing TDR are transferred shall be rehabilitated to the extent required to provide decent, sanitary and habitable housing, in compliance with applicable codes, and so as to have an estimated minimum useful life of at least (~~(fifty)~~)50(~~0~~) years from the time of the TDR transfer, as approved by the Director of the Office of Housing and the Landmarks Preservation Board. If housing TDR or Landmark housing TDR are proposed to be transferred prior to the completion of work necessary to satisfy this subsection 23.49.014.B.7, the Director of the Office of Housing may require, as a condition to such transfer, that security be deposited with the City to ensure the completion of such work.

8. The housing units on a lot from which housing TDR, Landmark housing TDR, or DMC housing TDR are transferred, and that are committed to low-income housing use as a condition to eligibility of the lot as a TDR sending lot, shall be generally comparable in their average size and quality of construction to other housing units in the same structure, in the judgment of the Housing Director, after completion of any rehabilitation or construction undertaken in order to qualify as a TDR sending lot.

Section 35. Subsections D and H of Section 23.49.017 of the Seattle Municipal Code, which section was adopted by Ordinance 122054, are amended as follows:

23.49.017 Open space TDR Site Eligibility(~~0~~)

D. Basic requirements. In order to qualify as a sending lot for open space TDR, the sending lot must include open space that satisfies the basic requirements of this subsection, unless an exception is granted by the Director pursuant to (~~(Section 23.49.039) subsection H of this~~) subsection 23.49.017.H. A sending lot for open space TDR must:

1. Include a minimum area as follows:
 - a. Contiguous open space with a minimum area of (~~(fifteen thousand~~)15,000(~~0~~) square feet; or
 - b. A network of adjacent open spaces, which may be separated by a street right-of-way, that are physically and visually connected with a minimum area of (~~(thirty thousand)~~)30,000(~~0~~) square feet;
2. Be directly accessible from the sidewalk or another public open space, including access for persons with disabilities;
3. Be at ground level, except that in order to provide level open spaces on steep lots, some separation of multiple levels may be allowed, provided they are physically and visually connected;
4. Not have more than (~~(twenty)~~)20(~~0~~) percent of the lot area occupied by any above grade structures; and
5. Be located a minimum of (~~(one quarter)~~)1/4(~~0~~) of a mile from the closest lot approved by the Director as a separate open space TDR site.

~~E. Rooftop features listed in subsection ((E4 of Section)) 23.49.008.D.1.c more than ((fifty))50(~~0~~) feet above the roof of the structure on which they are located may be authorized by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, according to the criteria of Section 23.49.008(~~(-Structure height)~~).~~

Section 38. Subsection F of Section 23.49.096 of the Seattle Municipal Code, which section was last amended by Ordinance 122054, is amended as follows:

23.49.096 Downtown Retail Core, conditional uses and Council decisions(~~0~~)

F. Rooftop features listed in subsection (~~(E4 of Section))~~ 23.49.008.D.1.c more than (~~(fifty))50(~~0~~) feet above the roof of the structure on which they are located may be authorized by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, according to the criteria of Section 23.49.008(~~(-Structure height)~~).~~

Section 39. Subsection E of Section 23.49.148 of the Seattle Municipal Code, which section was last amended by Ordinance 122054, is amended as follows:

23.49.148 Downtown Mixed Residential, conditional uses and Council decisions(~~0~~)

E. Rooftop features listed in subsection (~~(E4 of Section))~~ 23.49.008.D.1.c more than (~~(fifty))50(~~0~~) feet above the roof of the structure on which they are located may be authorized by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, according to the criteria of Section 23.49.008(~~(-Structure height)~~).~~

Section 40. Subsection E of Section 23.49.324 of the Seattle Municipal Code, which section was last amended by Ordinance 122054, is amended as follows:

23.49.324 Downtown Harborfront 2, conditional uses(~~0~~)

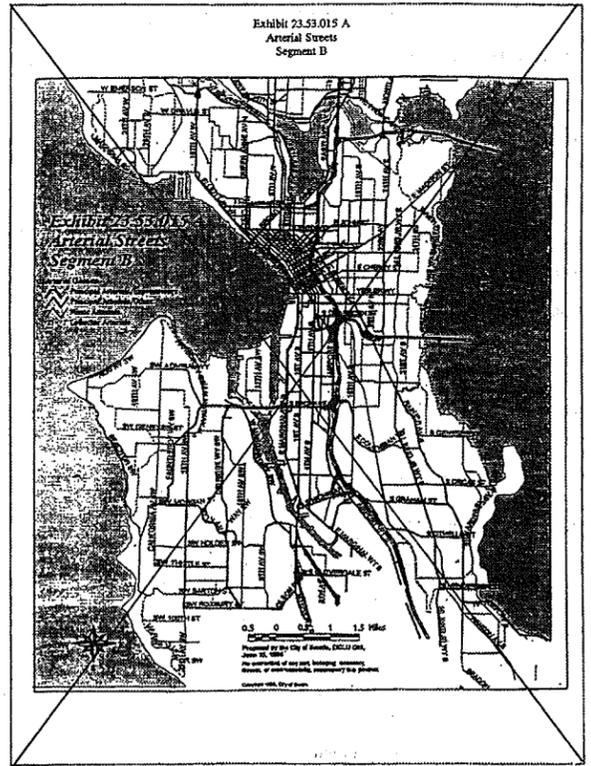
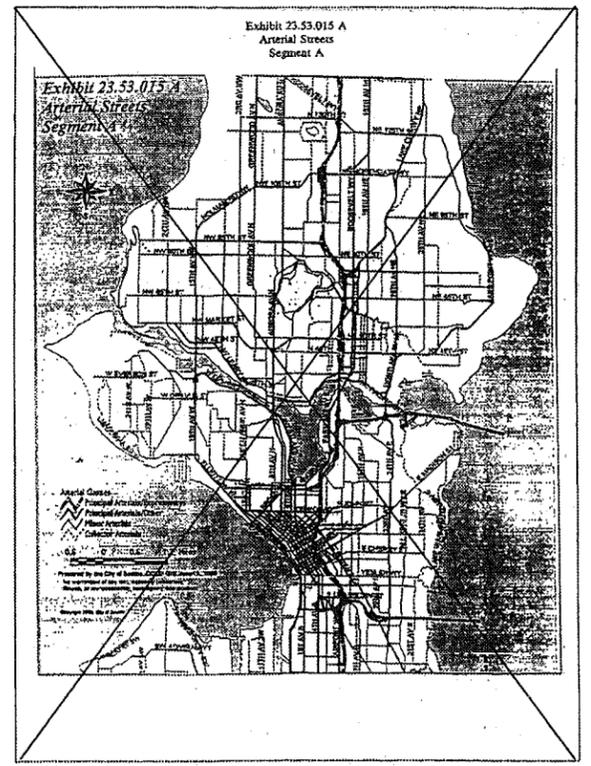
E. Rooftop features listed in subsection (~~(E4 of Section))~~ 23.49.008.D.1.c more than (~~(fifty))50(~~0~~) feet above the roof of the structure on which they are located may be authorized by the Director as an administrative conditional use pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, according to the criteria of Section 23.49.008(~~(-Structure height)~~).~~

Section 41. Subsection E of Section 23.50.012 of the Seattle Municipal Code, which section was last amended by Ordinance 122411, is amended as follows:

23.50.012 Permitted and prohibited uses(~~0~~)

E. Adult Cabarets.

1. Any lot line of property containing any proposed new or expanding adult cabaret must be (~~(eight hundred)~~)800(~~0~~) feet or more from any lot line of property (~~((containing any))~~on which any of the following uses has been established by permit or otherwise



Section 45. Subsections A and B of Section 23.53.020 of the Seattle Municipal Code, which sections were last amended by Ordinance 122615, is amended as follows:

23.53.020 Improvement requirements for existing streets in industrial zones((r))

A. General Requirements.

1. ((When))If new lots are created or any type of development is proposed in an industrial zone, existing streets abutting the lot(s) are required to be improved in accordance with this ((section)) Section 23.53.020 and Section 23.53.006, Pedestrian access and circulation. One

minimum width established in subsection 23.53.020.A.6 ((of this section)), dedication of additional right-of-way equal to half the difference between the current right-of-way and the minimum right-of-way width established in subsection 23.53.020.A.6 ((of this section)) is required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the block ((shall))are not ((be)) required to dedicate more than that amount of right-of-way.

2. Improvement Requirements. A paved roadway with a concrete curb, pedestrian access and circulation as required by ((s))Section 23.53.006 and drainage facilities shall be provided in the portion of the street right-of-way abutting the lot, as specified in the Right-of-Way Improvements Manual.

3. Street Trees.

a. Street trees shall be provided along designated street frontages. Street trees shall be provided in the planting strip as specified in City Tree Planting Standards.

b. Exceptions to Street Tree Requirements.

((c))1) Street trees required by subsection 23.53.020.B.3.a may be located on the lot at least ((two-(2))) 2 feet from the street lot line instead of in the planting strip ((when))If:

- i. Existing trees and/or landscaping on the lot provide improvements substantially equivalent to those required in this ((section)) Section 23.53.020;
ii. It is not feasible to plant street trees according to City standards. A ((five-(5))) 5 foot deep landscaped setback area ((shall-be))is required along the street property lines, and trees shall be planted there. If an on-site landscaped area is already required, the trees shall be planted there if they cannot be placed in the planting strip.

Section 46. Subsection E of Section 23.53.030 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.53.030 Alley improvements in all zones((r))

E. Existing Alleys That Meet the Minimum Width. Except as provided in subsection 23.53.030.G ((of this section)) and except for one ((+)) and two ((2)) dwelling unit developments that abut an alley that is not improved but is in common usage, ((when))If an existing alley meets the minimum right-of-way width established in subsection 23.53.030.D ((of this section)), the following requirements shall be met:

1. ((When))If the alley is used for access to parking spaces, open storage, or loading berths on a lot, the following improvements shall be provided:

a. For the following types of projects, the entire width of the portion of the alley abutting the lot, and the portion of the alley between the lot and a connecting street, shall be improved to at least the equivalent of a crushed rock surface, according to the Right-of-Way Improvements Manual. The applicant may choose the street to which the improvements will be installed. If the alley does not extend from street to street, and the connecting street is an arterial designated on ((Exhibit 23.53.015 A)) the Arterial street map, Section 11.18.010, either the remainder of the alley shall be improved so that it is passable to a passenger vehicle, or a turnaround shall be provided. The turnaround may be provided by easement.

((c))1) Residential structures with fewer than ten ((+)) units;

((c))2) The following uses ((when))if they are smaller than

all structures shall be designed to accommodate the grade of the future alley improvements, and a no-protest agreement to future alley improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Department of Records and Elections.

Section 47. Subsection D of Section 23.55.020 of the Seattle Municipal Code, which section was last amended by Ordinance 121429, is amended as follows:

23.55.020 Signs in single-family zones((r))

D. The following signs ((shall-be)) are permitted in all single-family zones:

- 1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding ((sixty-four-(64)))64((+)) square inches in area;
2. Memorial signs or tables, and the name of buildings and dates of building erection ((when))If cut into a masonry surface or constructed of bronze or other noncombustible materials;
3. Signs for public facilities indicating danger and/or providing service or safety information;
4. ((Properly displayed-national)) National, state and institutional flags;
5. For any ((permitted)) nonresidential use allowed in the zone except for ((public)) elementary or ((public)) secondary schools, one ((+)) electric or nonilluminated double-faced identifying wall or ground sign not to exceed ((fifteen-(15)))15((+)) square feet of area per sign face on each street frontage;
6. On-premises directional signs not exceeding ((eight-(8)))8((+)) square feet in area. One ((+)) such sign ((shall-be)) is permitted for each entrance or exit to a surface parking area or parking garage;
7. For ((public)) elementary or ((public)) secondary schools, one ((+)) electric or nonilluminated double-faced identifying sign, not to exceed ((thirty-(30)))30((+)) square feet of area per sign face on each street frontage, provided that the signs shall be located and landscaped so that light and glare impacts on surrounding properties are reduced, and so that any illumination is controlled by a timer set to turn off by 10 p.m.

Section 48. Subsection D of Section 23.55.022 of the Seattle Municipal Code, which section was last amended by Ordinance 121429, is amended as follows:

23.55.022 Signs in multi((-))family zones((r))

D. The following signs ((shall-be)) are permitted in all multifamily zones:

- 1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding ((sixty-four-(64)))64((+)) square inches in area;
2. Memorial signs or tablets, and the names of buildings and dates of building erection ((when)) If cut into a masonry surface or constructed of bronze or other noncombustible materials;
3. Signs for public facilities indicating danger and/or providing service or safety information;
4. ((Properly displayed-national)) National, state and institutional flags;
5. One ((+)) electric, externally illuminated or nonilluminated sign bearing the

- c. Drainage;
- d. Grading to future right-of-way grade;
- e. Design of structures to accommodate future right-of-way grade;
- f. No-protest agreements; and
- g. Planting of street trees and other landscaping.

A setback from the property line, or dedication of right-of-way, may be required to accommodate the improvements.

2. Subsection 23.53.020.E (of this section) contains exceptions from the standard requirements for street improvements, including exceptions for streets that already have curbs, projects that are smaller than a certain size, and for special circumstances, such as location in an environmentally critical area.

3. Off-site improvements such as provision of drainage systems or fire access roads, shall be required pursuant to the authority of this Code or other ordinances to mitigate the impacts of development.

4. Detailed requirements for street improvements are located in the Right-of-Way Improvements Manual.

5. The regulations in this (a) Section 23.53.020 are not intended to preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate adverse environmental impacts.

6. Minimum Right-of-way Widths.

a. Arterials. The minimum right-of-way widths for arterials designated on (Exhibit 23.53.015-A) the Arterial street map, Section 11.18.010, (shall be) are as specified in the Right-of-Way Improvements Manual.

b. Non-arterials.

((f)1) The minimum right-of-way width for an existing street that is not an arterial designated on (Exhibit 23.53.015-A) the Arterial street map, Section 11.18.010, (shall be) is as shown on (Chart) Table A for (Section) 23.53.020.

((Chart) Table A
for (Section) 23.53.020
Minimum Right-of-way Widths
for Existing Nonarterial Streets

Zone Category	Right-of-Way Widths
1. IB, IC	52 feet
2. IG1, IG2	56 feet

((f)2) ((When)) If a block is split into more than one ((+)) zone, the zone category with the most frontage shall determine the minimum width on ((the chart)) Table A for 23.53.020. If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum right-of-way width.

B. Improvements on Designated Streets in All Industrial Zones. In all industrial zones, except as provided in subsection 23.53.020.E (of this section), ((when)) if a lot abuts a street designated on the Industrial Streets Landscaping Maps, Exhibits 23.50.016 A and 23.50.016 B, the following on-site improvements shall be provided:

1. Dedication Requirement. ((When)) If the street right-of-way is less than the

more live-work units that: (a) have less than ((four thousand)) 4,000((+)) square feet of gross floor area; and (b) do not contain uses listed in subsection 23.53.030.E, 1.a, ((f)2((+))) that are larger than ((seven hundred fifty)) 750((+)) square feet;

((f)4) Structures containing a mix of residential and either nonresidential uses or live-work units, if the residential use is less than ten ((+)) units, and the total square footage of nonresidential uses and live-work units is less than specified in subsections 23.53.030.E, 1.a, ((f)2((+))) and E, 1.a, ((f)3((+)));

((f)5) Remodeling and use changes within existing structures;

((f)6) Additions to existing structures that are exempt from environmental review; and

((f)7) Expansions of a surface parking area or open storage area of less than ((twenty (20) percent)) 20 percent of the parking area, ((or)) storage area or number of parking spaces.

b. For projects not listed in subsection 23.53.030.E, 1.a, the entire width of the portion of the alley abutting the lot, and the portion of the alley between the lot and a connecting street, shall be paved. The applicant may choose the street to which the pavement will be installed. If the alley does not extend from street to street, and the connecting street is an arterial designated on ((Exhibit 23.53.015-A)) the Arterial street map, Section 11.18.010, either the remainder of the alley shall be improved so that it is passable to a passenger vehicle, or a turnaround shall be provided. The turnaround may be provided by easement.

2. ((When)) If the alley is not used for access, if the alley is not fully improved, all structures shall be designed to accommodate the grade of the future alley improvements, and a no-protest agreement to future alley improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Department of Records and Elections.

Section 47. Subsection D of Section 23.55.020 of the Seattle Municipal Code, which section was last amended by Ordinance 121429, is amended as follows:
23.55.020 Signs in single-family zones((+))

D. The following signs ((shall be)) are permitted in all single-family zones:

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

b. For projects not listed in subsection 23.53.030.E, 1.a, the entire width of the portion of the alley abutting the lot, and the portion of the alley between the lot and a connecting street, shall be paved. The applicant may choose the street to which the pavement will be installed. If the alley does not extend from street to street, and the connecting street is an arterial designated on ((Exhibit 23.53.015-A)) the Arterial street map, Section 11.18.010, either the remainder of the alley shall be improved so that it is passable to a passenger vehicle, or a turnaround shall be provided. The turnaround may be provided by easement.

2. ((When)) If the alley is not used for access, if the alley is not fully improved,

structures on each street or alley frontage in addition to signs permitted by subsection 23.55.022.D, 2. For structures of ((sixteen)) 16((+)) units or less, the maximum area of each sign face ((shall be)) is ((sixteen)) 16((+)) square feet. One ((+)) square foot of sign area ((shall be)) is permitted for each additional unit over ((sixteen)) 16, to a maximum area of ((fifty)) 50((+)) square feet per sign face;

7. For institutions other than ((public)) elementary and ((public)) secondary schools, one ((+)) electric or nonilluminated double-faced identifying wall or ground sign on each street frontage, not to exceed ((twenty-four)) 24((+)) square feet of area per sign face;

8. One ((+)) electric, externally illuminated or nonilluminated sign bearing the name of a bed and breakfast, not exceeding ((sixty-four)) 64((+)) square inches in area((+));

9. For ((public)) elementary or ((public)) secondary schools, one ((+)) electric or nonilluminated double-faced identifying sign, not to exceed ((thirty)) 30((+)) square feet of area per sign face on each street frontage, provided that the signs shall be located and landscaped so that light and glare impacts on surrounding properties are reduced, and that any illumination is controlled by a timer set to turn off by 10 p.m.

Section 49. Subsection D of Section 23.55.028 of the Seattle Municipal Code, which section was last amended by Ordinance 121196, is amended as follows:

23.55.028 Signs in NC1 and NC2 zones((+))

D. On-premises Signs.

1. The following signs ((shall be)) are permitted in addition to the signs permitted by subsections 23.55.028.D, 2, D, 3 and D, 4:

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

b. Memorial signs or tablets, and the names of buildings and dates of building erection ((when)) if cut into a masonry surface or constructed of bronze or other noncombustible materials;

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

d. ((Property displayed national)) National, state and institutional flags;

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

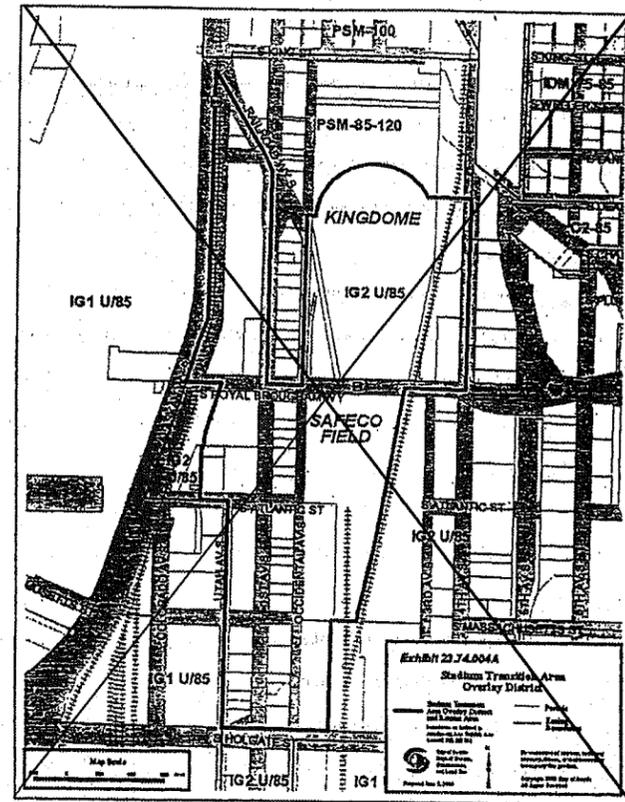
f. One ((+)) electric, externally illuminated or nonilluminated sign bearing the name of a home occupation, not exceeding ((sixty-four)) 64((+)) square inches in area.

2. Number and Type of ((Permitted)) Signs Allowed for Business Establishments.

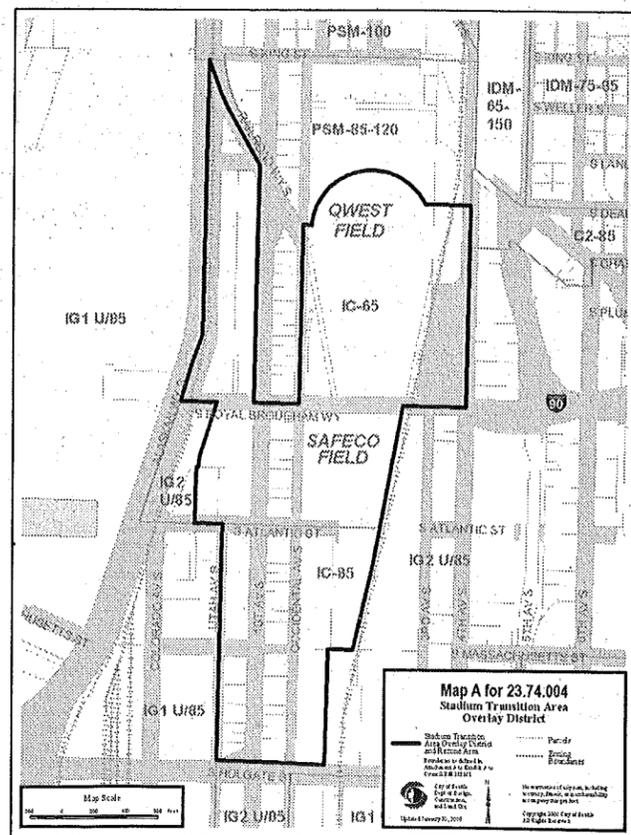
a. Each business establishment may have one ((+)) ground, roof, projecting or combination sign (Type A sign) for each ((three hundred)) 300((+)) lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection 23.55.028.D, 2.a, each

hereby amended to show such District, as depicted on Exhibit 23.74.004 A)) as shown on Map A of 23.74.004.

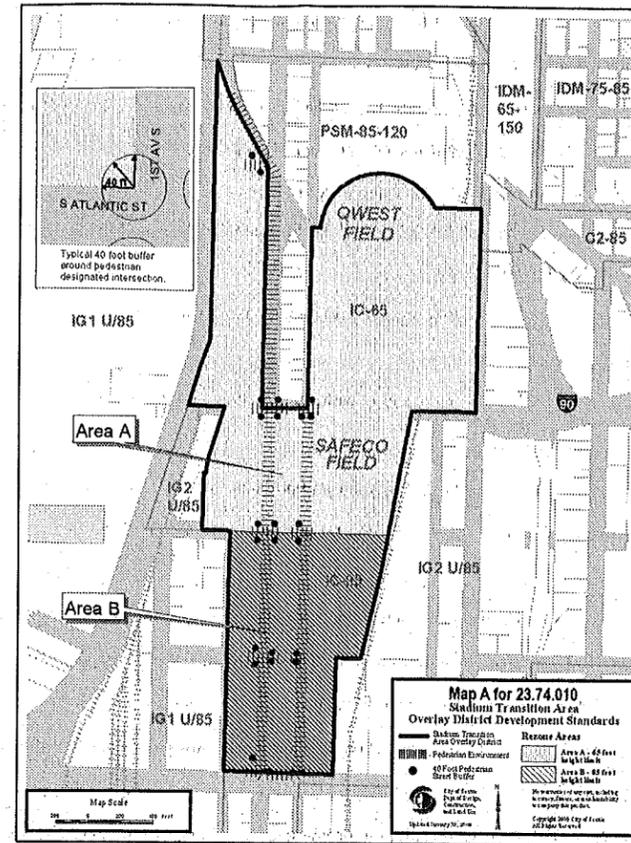


Map A for 23.74.004 Stadium Transition Area Overlay District



Section 55. Subsection B of Section 23.74.010 and Exhibit 23.74.010 A of the Seattle

Map A for 23.74.010 Stadium Transition Area Overlay District Development Standards



Section 56. Exhibit 23.76.004 A Land Use Decision Framework, which section was last amended by Ordinance 122816, is amended as follows:
23.76.004 Land use decision framework.

**(Exhibit) Table A for 23.76.004(A)
LAND USE DECISION FRAMEWORK**

DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS		
TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Compliance with development standards • Uses permitted outright • Temporary uses, four weeks or less • Intermittent uses • Certain street uses • Lot boundary adjustments • Modifications of features bonused under Title 24 • Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation 	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations • Variances • Administrative conditional uses • Shoreline decisions (*appealable to Shorelines Hearings Board along with all related environmental appeals) • Short subdivisions • Special ((e))Exceptions • Design review • Light rail transit facilities 	<ul style="list-style-type: none"> • Subdivisions (preliminary plats)

Section 57. Subsection D of Section 23.76.024 of the Seattle Municipal Code, which section was last amended by Ordinance 121477, is amended as follows:

23.76.024 Hearing Examiner open record hearing and decision for subdivisions((,))

D. Request for Further Consideration and Appeal. Any person significantly interested in or affected by the proposed subdivision may request further consideration of the Director's recommendation and may appeal the Director's procedural environmental determination and other Type II decisions. Such request for further consideration or appeal:

1. Shall be in writing, shall clearly state specific objections to the recommendation or environmental determination, and shall state the relief sought;
2. Shall be submitted to the Hearing Examiner by ((five-))5((:00)) p.m. of the fourteenth calendar day following publication of notice of the Director's report, provided that when a ((fifteen-))15) 14 -day DNS comment period is required pursuant to ((SMC)) Chapter 25.05, appeals may be filed until ((five-))5((:00)) p.m. of the twenty-first calendar day following publication of notice of the decision. ((When)) If the last day of the appeal period so computed is a Saturday, Sunday or federal or City holiday, the period ((shall run)) runs until ((five-))5((:00)) p.m. the next business day. The request or appeal shall be accompanied by payment of any filing fee set forth in ((SMC)) Section 3.02.125, Hearing Examiner filing fees, and in form and content shall conform with the rules of the Hearing Examiner.

Section 58. Subsection B of Section 23.76.058 of the Seattle Municipal Code, which section was last amended by Ordinance 122497, is amended as follows:

23.76.058 Rules for specific decisions((,))

B. Contract Rezones.

1. ((When)) If a property use and development agreement is required as a condition to an amendment of the Official Land Use Map, the amendment shall not take effect until the later of:

((1)) a. the effective date of the ordinance approving the map amendment and accepting the property use and development agreement, as specified in the ordinance or pursuant to Section 1.04.020, or

((2)) b. the recording in the King County Recorder's Office of the agreement executed by the legal and beneficial owners. The agreement shall be recorded in the real property records of King County and filed with the City Clerk within ((thirty-))30((:)) days after adoption of the ordinance approving the map amendment and accepting the agreement.

2. Amendment of Property Use and Development Agreements. Property use and development agreements recorded as a condition to a map amendment may be amended by agreement between the owner and the City, provided that any such amendment shall be approved by the Council.

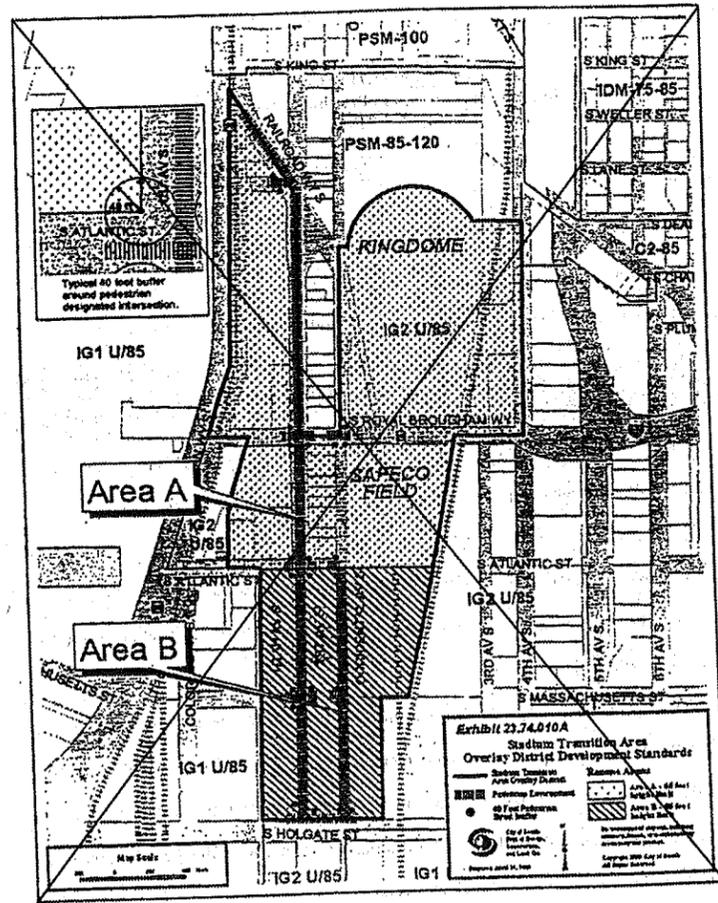
a. A request to amend shall be submitted to the Department of Planning and Development and filed with the City Clerk. Notice of a request to amend and an opportunity to comment shall be provided in accordance with the notice requirements of Section 23.76.012.B.((1))1((:)) or B.((2))2((:)), and B.((3))3((:)), and notice and opportunity to comment shall also be provided to the parties of record in the original rezone decision and to those persons

Municipal Code, which section was last amended by Ordinance 122935, is amended and Exhibit 23.74.010 A is replaced with a new Map A for Section 23.74.010, as follows:

23.74.010 Development standards((c))

B. For the areas marked on ((Exhibit)) Map A for 23.74.010 ((A)), the following development standards and provisions apply to all uses and structures except for spectator sports facilities:

1. Floor Area Ratio (FAR). The maximum FAR for all uses is 3.0. FAR limits of the underlying zone do not apply, but limits in Section 27.50.027, A, 1 on gross floor area of certain uses, including limits based on lot area, do apply.
2. Exemptions. The first ((seventy-five thousand (75,000))) 75,000 square feet of street-level general sales and service, medical services, animal shelters or kennels, automotive sales and services, marine sales and services, eating and drinking establishments, or lodging uses on any lot are exempt from the maximum FAR limit. Exemptions in Section 23.50.028, E also apply.



LAND USE DECISION FRAMEWORK

DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
<ul style="list-style-type: none"> • Temporary uses for relocation of police and fire stations • Exemptions from right-of-way improvement requirements • Special accommodation • Reasonable accommodation • Minor amendment to a Major Phased Development Permit • Determination of public benefit for combined lot FAR • Determination of whether an amendment to a Property Use and Development Agreement is major or minor • Other Type I decisions that are identified as such in the Land Use Code 	<ul style="list-style-type: none"> • ((Major transit facilities)) • The following environmental determinations: <ol style="list-style-type: none"> 1. Determination of nonsignificance (EIS not required) 2. Determination of final EIS adequacy 3. Determination of significance based solely on historic and cultural preservation 4. A decision by the Director to approve, condition or deny a project based on SBPA Policies 5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required) • Major Phased Development 	

**((Exhibit)) Table A for 23.76.004((A))
LAND USE DECISION FRAMEWORK**

DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
	<ul style="list-style-type: none"> • Downtown Planned Community Developments 	

COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial = subject to Hearing Examiner recommendation)	TYPE V (Legislative)
<ul style="list-style-type: none"> • Amendments to the Official Land Use Map (rezones), except area-wide amendments, and adjustments pursuant to Section 23.69.023 • Public project approvals • Major Institution master plans, including major amendments and renewal of a master plan's development plan component • Major amendments to Property Use and Development agreements • Council conditional uses 	<ul style="list-style-type: none"> • Land Use Code text amendments • Area-wide amendments to the Official Land Use Map • Concept approval for City facilities • Major Institution designations • Waiver or modification of development standards for City facilities • Planned Action Ordinance

who were provided written notice of the Hearing Examiner's recommendation in the original rezone decision.

b. The Director shall determine whether the requested amendment is major or minor. This determination is a Type I decision.

((c))1 Minor amendments. A minor amendment is one that is within the spirit and general purpose of the prior decision of the Council, is generally consistent with the uses and development standards approved in the prior decision of the Council, would not result in significant adverse impacts that were not anticipated in the prior decision of the Council, and does not request any additional waivers or changes in the waivers of bulk or off-street parking and loading requirements other than those approved in the prior decision of the Council. If the Director determines that a proposed amendment is minor, the Director shall transmit to Council the request to amend, the Director's determination that the request is minor, any comments received by the Director on the proposed amendment, the Director's environmental determination, and the Director's recommendation on the amendment. A request to amend that is minor and that complies with the rezone criteria of Chapter 23.34 may be approved by the Council by ordinance after receiving any additional advice that it deems necessary.

((c))2 Major Amendments. Requests that are not minor are major. The Council shall not approve a major amendment to a property use and development agreement until the Council has received a recommendation from the Hearing Examiner after a public hearing held as provided for rezones in Section 23.76.052((Hearing Examiner open record predecision hearing and recommendation)).

Section 59. Subsection D of Section 23.76.060 of the Seattle Municipal Code, which section was last amended by Ordinance 122497, is amended as follows:

23.76.060 Expiration of land use approvals – Extensions((c))

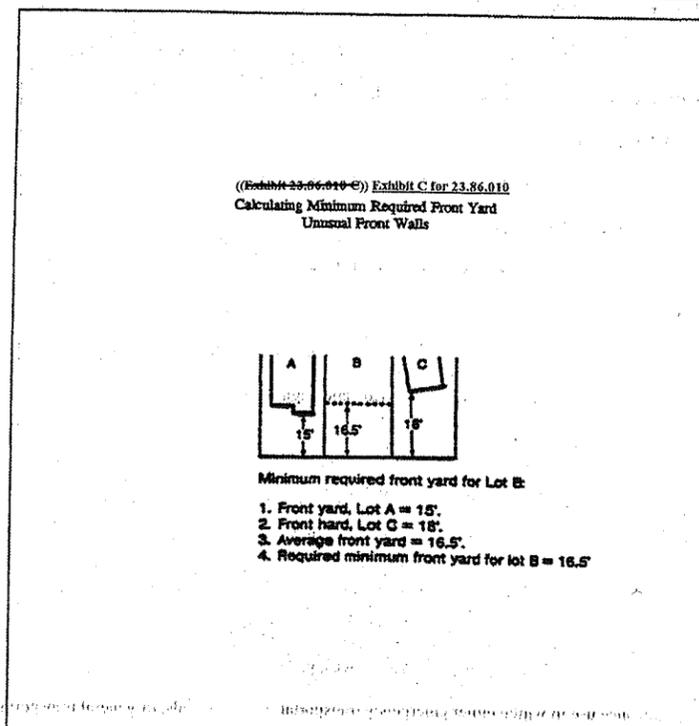
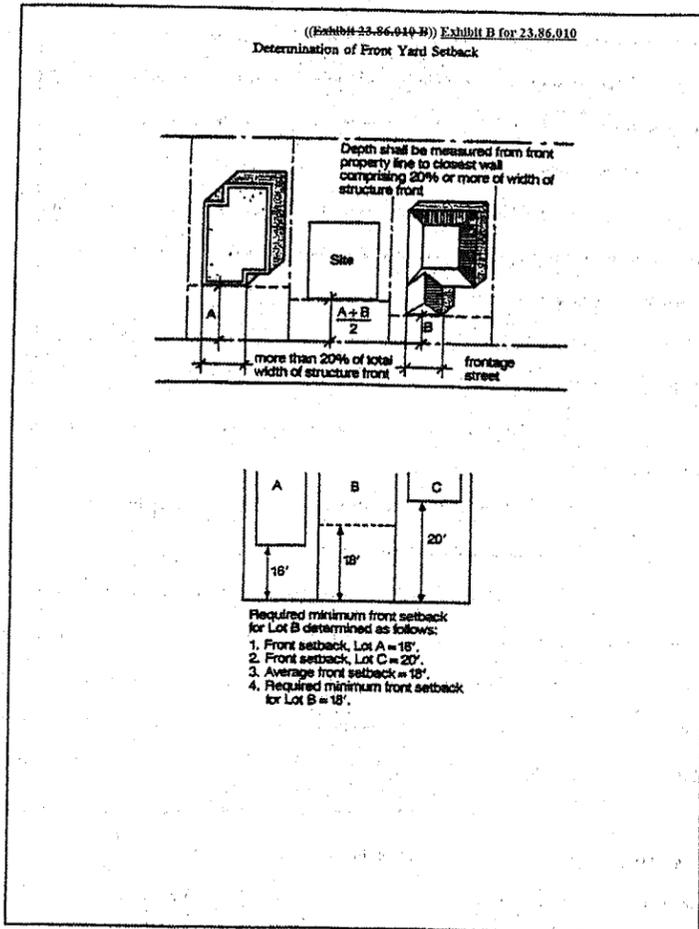
D. Extensions. The Council may extend the time limits on Type IV land use approvals for no more than two ((2)) years, upon an applicant's request for an extension filed with the City Clerk at least ((thirty (30))) 120 days before the approval's expiration. The Council may request a recommendation on the extension request from the Director, but the Hearing Examiner hearing and recommendation requirements of Section 23.76.052 do not apply. Notice ((for)) of requests for extensions of Type IV land use decisions and an opportunity to comment shall be provided pursuant to Sections 23.76.012, B, ((c))1((b)) or B, ((c))2((b)), and B, ((c))3((b)), and notice and an opportunity to comment shall also be provided to the parties of record in the Council's original Type IV land use proceeding and to those persons who were provided written notice of the Hearing Examiner's recommendation on the original Type IV application.

1. The Council may not extend the time limits for a Type IV land use approval for a project that is not in conformance with applicable regulations, including land use and environmentally critical areas regulations, in effect at the time an extension is sought.

2. In deciding whether to grant a request for an extension, the Council shall consider:

a. The reason or basis for the request for the extension and whether it is reasonable under the circumstances;

of the required front yard is permitted at a rate of ((one-))1((3)) foot for every percent of slope in excess of ((thirty-five-))35((3)) percent. For the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall determine the line along which slope is calculated.



Section 65. The Code Reviser is authorized to amend all sections of Title 23 of the Seattle Municipal Code that contain the word "chart" by changing the word "chart" to "table" and is directed to do so over time as the Code Reviser deems appropriate.

Section 66. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 27th day of July, 2009, and signed by me in open session in authentication of its passage this 27th day of July, 2009.

RICHARD CONLIN,
President of the City Council.

Approved by me this 28th day of July, 2009.

GREGORY J. NICKELS,
Mayor.

Filed by me this 30th day of July, 2009.

City Clerk.

Date of first publication in the Seattle Daily Journal of Commerce, August 10, 2009.
8/10(243067)

BANKRUPTCY NOTICES

USING THIS SECTION

This section lists bankruptcies filed in the U.S. Bankruptcy court offices in Seattle and Tacoma, published daily. The records are sorted by the office in which they were filed. This section allows readers to research the financial history of potential clients and customers and monitor the general financial health of the local economy.

The name of the filer is in bold, followed by the social security number or business tax I.D. number and contact address. The records conclude with the filing date, filing number and the type of bankruptcy (Chapter 7, 11, or 13).

A database of bankruptcy listings from 1994 is available to online subscribers on the DJC <0x2019>s Web site. Visit <http://www.djc.com>.

- FILED IN SEATTLE**
- Roxanne Louise Bese**, xxx-xx-1872; 12537 SE 277th Place, Kent, WA 98030, Ref 09-17916, filed on Aug 6. (Ch. 13)
- Desirae S Shabazz-Travis**, xxx-xx-3736; PO Box 5823, Kent, WA 98064, Ref 09-17917, filed on Aug 6. (Ch. 13)
- Amanda Elizabeth Henry**, xxx-xx-1121; 31730 5th Avenue S, Federal Way, WA 98003, Ref 09-17918, filed on Aug 6. (Ch. 13)
- Ronald James Tillinghast, Tammy Elizabeth Tillinghast**, xxx-xx-7928, xxx-xx-8310; 20821 262nd Ave SE, Maple Valley, WA 98038, Ref 09-17919, filed on Aug 6. (Ch. 13)
- Nathan Bradford**, xxx-xx-3512; 12235 306th Ct SE, Auburn, WA 98092, Ref 09-17920, filed on Aug 6. (Ch. 13)
- Elizabeth Irene Michaelson, Tyler Scott Michaelson**, xxx-xx-7340, xxx-xx-8391; 1448 Madrona Pt Dr, Bremerton, WA 98312, Ref 09-17944, filed on Aug 6. (Ch. 13)
- Cristian Popescu**, xxx-xx-4932; 15621 64th Avenue NE, Kenmore, WA 98028, Ref 09-17945, filed on Aug 6. (Ch. 13)
- Jay Lorin Lamb**, xxx-xx-8852; PO Box 163, Olalla, WA 98359, Ref 09-17946, filed on Aug 6. (Ch. 13)
- Jami Lynn Harrison, Peter Christopher Harrison**, xxx-xx-4257, xxx-xx-6804; 4209 Springland Lane, Bellingham, WA 98226, Ref 09-17947, filed on Aug 6. (Ch. 13)
- Christine Natalie Goldwire**, xxx-xx-8604; 4740 Delridge Way SW Upper Unit, Seattle, WA 98106, Ref 09-17948, filed on Aug 6. (Ch. 13)
- Christopher J Reed, Monique M. Reed**, xxx-xx-5359, xxx-xx-9856; 4242 South 137th Place, Tukwila, WA 98168, Ref 09-17949, filed on Aug 6. (Ch. 7)
- David Edward Conn**, xxx-xx-4505; 492 Sprague Valley Dr, Maple Falls, WA 98266, Ref 09-17950, filed on Aug 6. (Ch. 7)
- Clark Egan**, xxx-xx-2391; 405 31 Ave East, Seattle, WA 98112, Ref 09-17951, filed on Aug 6. (Ch. 13)
- Mark Allen Neal, Nina Marie Neal**, xxx-xx-5610, xxx-xx-9593; 6947 Coal Creek Pkwy #3200, Newcastle, WA 98059, Ref 09-17952, filed on Aug 6. (Ch. 7)
- Ronald P Hartzler**, xxx-xx-6282; 502 8th St NE #20, Auburn, WA 98002, Ref 09-17953, filed on Aug 6. (Ch. 7)
- Andrea Jill Grinton, John William Grinton**, xxx-xx-3436, xxx-xx-7975; 31099 W. Main Street, Sedro Woolley, WA 98284, Ref 09-17954, filed on Aug 6. (Ch. 13)
- Rupinder K Paez, Rommel B Paez**, xxx-xx-1782, xxx-xx-4061; PO Box 2574.

- Roman Vladimirovich Kruglov, Nataliya Aleksandrovna Kruglov**, xxx-xx-6159, xxx-xx-7246; 5809 Circle Bluff Dr, Arlington, WA 98223, Ref 09-17978, filed on Aug 6. (Ch. 7)
- Malgorzata Wierzbicki**, xxx-xx-6581; 21507 42nd Ave. S, #E-5, SeaTac, WA 98198, Ref 09-17979, filed on Aug 6. (Ch. 7)
- Keelan Gene Shrake**, xxx-xx-3646; 14295 SE Rupert Dr, Portland, OR 98267, Ref 09-17986, filed on Aug 6. (Ch. 7)

- FILED IN TACOMA**
- Troy Jeffery Palomo**, xxx-xx-4214; 861 S 92nd Street, Tacoma, WA 98444, Ref 09-45718, filed on Aug 6. (Ch. 13)
- Johnnie Lee Frazier**, xxx-xx-9327; 1312 S I St, Tacoma, WA 98405, Ref 09-45719, filed on Aug 6. (Ch. 13)
- Karen Suzanne Braach**, xxx-xx-6673; 317 68th Avenue E, Tacoma, WA 98424, Ref 09-45720, filed on Aug 6. (Ch. 13)
- Mahamadou Cisse**, xxx-xx-8847; 5423 S Pine Street, Tacoma, WA 98409, Ref 09-45721, filed on Aug 6. (Ch. 13)
- Marvin E Showalter, Jr., Carol A Showalter**, xxx-xx-6560, xxx-xx-7823; 6714 NE 98th Ave, Vancouver, WA 98662, Ref 09-45722, filed on Aug 6. (Ch. 7)
- David Steven Henisa**, xxx-xx-6330; 835 S 80th Street, Tacoma, WA 98408, Ref 09-45723, filed on Aug 6. (Ch. 7)
- James Patrick Quackenbush, Melanie Lynn Quackenbush**, xxx-xx-1487, xxx-xx-3622; 19215 SE 34th Street #106-238, Camas, WA 98607, Ref 09-45724, filed on Aug 6. (Ch. 7)
- Steven Gerald Renner**, xxx-xx-8761; 11715 NW 33rd Avenue, Vancouver, WA 98685, Ref 09-45725, filed on Aug 6. (Ch. 13)
- Steve Philip Baker, Rebecca Renea Baker**, xxx-xx-1836, xxx-xx-2812; 3103 E Main Ave M10, Puyallup, WA 98372, Ref 09-45726, filed on Aug 6. (Ch. 7)
- John R Cozzi, Andrea L Cozzi**, xxx-xx-6315, xxx-xx-6905; PO Box 873297, Vancouver, WA 98687, Ref 09-45727, filed on Aug 6. (Ch. 7)
- Fonda Marie Wehring, Richard Ray Wehring**, xxx-xx-1001, xxx-xx-6587; 817 NW 20th Ave., Camas, WA 98607, Ref 09-45728, filed on Aug 6. (Ch. 7)
- Ronald Anthony Walsh, Jr.**, xxx-xx-9197; 4501 East 5th St. #11, Vancouver, WA 98661, Ref 09-45729, filed on Aug 6. (Ch. 7)
- Gary Eugene Pennington**, xxx-xx-5323; 9517 205th Ave. E., Bonney Lake, WA 98391, Ref 09-45730, filed on Aug 6. (Ch. 7)
- Natalya Plotnikov, Aleksandr B. Plotnikov**, xxx-xx-4727, xxx-xx-6554; 17420 114th Street East, Bonney Lake, WA 98391, Ref 09-45731, filed on Aug 6. (Ch. 13)
- Ramon L Maldonado, Alejandra Maldonado**, xxx-xx-1606, xxx-xx-6095; 6211 SE 61st Loop, Olympia, WA 98513, Ref 09-45732, filed on Aug 6. (Ch. 7)
- Melissa Ann Lohn**, xxx-xx-1148; 601 SE 121st Ave #53, Vancouver, WA 98683, Ref 09-45733, filed on Aug 6. (Ch. 13)
- Casey Jay Stidham, Kendra Kay Stidham**, xxx-xx-3142, xxx-xx-7777; P.O. Box 966, Napavine, WA 98565, Ref 09-45734, filed on Aug 6. (Ch. 7)
- Karen J Mueller**, xxx-xx-9993; 3301 Valentine Lane Apt B204, Port Orchard, WA 98366, Ref 09-45735, filed on Aug 6. (Ch. 13)
- Robert V Staples**, xxx-xx-0691; 3301 Valentine Lane Apt B204, Port Orchard, WA 98366, Ref 09-45736, filed on Aug 6. (Ch. 13)

TRUSTEE SALE FILINGS

USING THIS SECTION

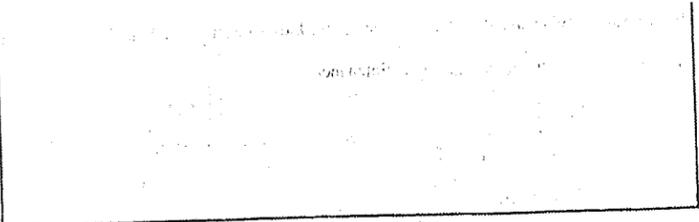
This section is a great resource for people looking for a good deal on a property and provides excellent business leads for mortgage companies and real estate attorneys.

The name of the property owner is listed in bold, followed by a contact address. 'Address' indicates the address of the disputed property. Financial information includes the assessed value of the property, the principal amount on the mortgage and how far back in arrears the mortgage owner is.

Each record concludes with the names of the beneficiary (loan holder), the trustee (the attorney handling the foreclosure), the auditor's filing number, Tax ID number and Deed of Trust number. When applicable, the trustee's internal trustee sales number is also included.

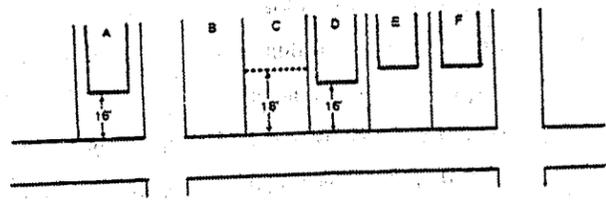
A database of trustee sales dating from 1992 is available to online subscribers on the DJC's Web site. Visit <http://www.djc.com>.

- KING COUNTY**
- Martina Debarajas**; 800 S 105th St, Seattle, WA 98168
- Prop. Info:** GLENDALE COUNTRY ESTATES 2789000120; 800 S 105th St ; Seattle WA, 98168, 2 bedrooms, 1 bath, built in 1945.
- Financial Info:** Assessed: \$248,000, Principal: \$185,915, Arrears: \$12,884, Lot size 8,900, Total living area 900.
- Filing Info:** Auditor: 20090624002467, Tax# 2789000120, DOT# 20060717001631.
- Beneficiary:** Mortgage Electronic Registration Systems.
- Trustee:** BAC Home Loans Servicing 800-281-8219 T/S# 200969540.
- Sale:** September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.
- Moises Osuna**; 3210 M St SE, Auburn, WA 98002
- Prop. Info:** SPORTSMANS PARADISE ESTATES NO. 01 7924600190; 3210 M St SE, Auburn WA, 98002, 3 bedrooms, 2 baths, built in 1963.
- Financial Info:** Assessed: \$273,000, Principal: \$249,223, Arrears: \$13,564, Lot size 8,734, Total living area 1,100.
- Filing Info:** Auditor: 20090624002332, Tax# 7924600190, DOT# 20061020001279.
- Beneficiary:** Mortgage Electronic Registration Systems.
- Trustee:** Northwest Trustee Services 425-586-1900 T/S# 742721219.
- Sale:** September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.
- Andy Chiu**; 8452 Island Dr S, Seattle, WA 98118
- Prop. Info:** PRITCHARD ISLAND ADD 6896300101; 8452 Island Dr S; Seattle WA, 98118, 3 bedrooms, 3 baths, built in 1926.
- Financial Info:** Assessed: \$1,040,000, Principal: \$999,950, Arrears: \$48,526, Lot size 7,140, Total living area 1,620.
- Filing Info:** Auditor: 20090624002484, Tax# 6896300101, DOT# 20060512002572.
- Beneficiary:** Mortgage Electronic Registration Systems.
- Trustee:** BAC Home Loans Servicing 800-281-8219 T/S# 200968648.
- Sale:** September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.
- Oleg Tsekinovsky**; 10277 NE 129th Ln, Kirkland WA 98034



((Exhibit 23.86.010)) Exhibit D for 23.86.010

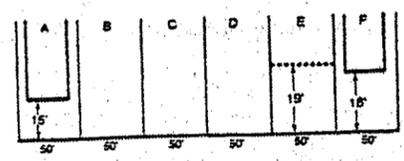
1. Front yard, Lot D = 16'.
2. Lot B unimproved.
3. Lot A not on same block front.
4. Use 20' for averaging purposes on west side.
5. Minimum required front yard.
Lot C = $(20 + 16) / 2 = 18'$.



((Exhibit 23.86.010-E)) Exhibit E for 23.86.010

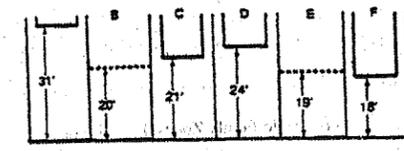
Minimum Required Front Yards, Adjoining Lots Unimproved

1. Front yard, Lot F = 18'.
2. Lots B, C, D unimproved.
3. Use 20' for averaging purposes on west side.
4. Minimum required front yard.
Lot E = $(20 + 18) / 2 = 19'$.



((Exhibit 23.86.010-F)) Exhibit F for 23.86.010

1. Minimum required front yard.
Lot B = $(20 + 20) / 2 = 20'$.
2. Minimum required front yard.
Lot E = $(20 + 18) / 2 = 19'$.



Frederick M Francis, Vicki A Perry, xxx-xx-0813, xxx-xx-9320; 18815 - 111th Place SE, Snohomish, WA 98290, Ref 09-17921, filed on Aug 6. (Ch. 13)

Pablo M Arranz, xxx-xx-2615; 2157 North 193rd Street, Shoreline, WA 98133, Ref 09-17922, filed on Aug 6. (Ch. 13)

Anna Marie Leake, xxx-xx-5366; 416 SW 116th Place, Seattle, WA 98146, Ref 09-17923, filed on Aug 6. (Ch. 13)

Steven I. Bjarnson, xxx-xx-5501; 17010 Dayton Avenue North, Shoreline, WA 98133, Ref 09-17924, filed on Aug 6. (Ch. 13)

Synthia N Sandahl, xxx-xx-9528; 12722 S. E. 312th Street Apt. #D-208, Auburn, WA 98092, Ref 09-17925, filed on Aug 6. (Ch. 13)

John Valley Matthew, xxx-xx-4578; 1229 Memorial Hwy, #1, Mount Vernon, WA 98273, Ref 09-17926, filed on Aug 6. (Ch. 7)

Zillehuma Shakir, Shakir Aftab, xxx-xx-3158, xxx-xx-3159; 23606 105th Pl SE, Kent, WA 98031-3354, Ref 09-17927, filed on Aug 6. (Ch. 7)

Marsha Kay McMahon-Jones, Tommy Andrew Jones, xxx-xx-4606, xxx-xx-8087; 6603 Ripley Lane N, Renton, WA 98056, Ref 09-17928, filed on Aug 6. (Ch. 7)

Patricia Ann White, Rodney Kirk White, xxx-xx-2448, xxx-xx-4133; 17732 Butler Rd, Snohomish, WA 98290, Ref 09-17929, filed on Aug 6. (Ch. 7)

Adele Louise Piotrowski, xxx-xx-5806; 8516 137th Ave NE, Redmond, WA 98052, Ref 09-17930, filed on Aug 6. (Ch. 13)

Donna K Alexander, xxx-xx-0876; 5805 226th Pl. SW, Mountlake Terrace, WA 98043, Ref 09-17931, filed on Aug 6. (Ch. 13)

Beverly Marie Warren, xxx-xx-7227; 233 5th Ave S #425, Kent, WA 98032, Ref 09-17932, filed on Aug 6. (Ch. 7)

Juanita Coleman, Clarence Coleman, xxx-xx-1630, xxx-xx-8026; 13534 SE 163rd St, Renton, WA 98058-6962, Ref 09-17933, filed on Aug 6. (Ch. 13)

Robert John Douglas, xxx-xx-4289; P.O. Box 407, Burlington, WA 98233, Ref 09-17934, filed on Aug 6. (Ch. 13)

Justin Robert Kroeger, xxx-xx-3371; 2213 256th St NW, Stanwood, WA 98292, Ref 09-17935, filed on Aug 6. (Ch. 7)

Tom Quach, xxx-xx-5201; 3207 Beacon Avenue S., Seattle, WA 98144, Ref 09-17936, filed on Aug 6. (Ch. 7)

Nona M Samath, Tuan H Samath, xxx-xx-1661, xxx-xx-6260; 15745 Midvale Avenue N., Shoreline, WA 98133, Ref 09-17937, filed on Aug 6. (Ch. 7)

Margarett W Barton, xxx-xx-4126; 155 Fasola Road, Sequim, WA 98382, Ref 09-17938, filed on Aug 6. (Ch. 13)

Madison Washington Son, xxx-xx-4477; 10245 1st Avenue SW, Seattle, WA 98146, Ref 09-17939, filed on Aug 6. (Ch. 7)

Diane M Gornowich, xxx-xx-7357; 806 Jefferson Avenue NE, Renton, WA 98056, Ref 09-17940, filed on Aug 6. (Ch. 7)

Diane L Holman, Danny N Holman, xxx-xx-4844, xxx-xx-7187; 26125 180th Avenue SE, Covington, WA 98042, Ref 09-17941, filed on Aug 6. (Ch. 7)

Diem Huong Thi Nguyen, Huu Thanh Danh Nguyen, xxx-xx-5850, xxx-xx-8332; 1010 Hoquiam Avenue NE, Renton, WA 98059, Ref 09-17942, filed on Aug 6. (Ch. 7)

Terra Marie Garza Johnson, Bruce Robert Johnson, Jr, xxx-xx-6942, xxx-xx-7066; 6585 NE Maple St, Suquamish, WA 98392, Ref 09-17943, filed on Aug 6. (Ch. 7)

Blaine, WA 98231, Ref 09-17955, filed on Aug 6. (Ch. 7)

Susana R Rivera, xxx-xx-1125; PO Box 3424, Federal Way, WA 98063, Ref 09-17956, filed on Aug 6. (Ch. 7)

Mathew Alan Cogan, Dawn Marie Cogan, xxx-xx-3419, xxx-xx-5687; 3225 226th Pl SW, Brier, WA 98036, Ref 09-17957, filed on Aug 6. (Ch. 7)

Ramil Bakhshiyev, Marina Bakhshiyev, xxx-xx-0540, xxx-xx-3494; 13440 NE 83rd Street, Redmond, WA 98052, Ref 09-17958, filed on Aug 6. (Ch. 7)

William Richard Roberts, xxx-xx-8405; 19682 NE Redmond Rd, Redmond, WA 98053, Ref 09-17959, filed on Aug 6. (Ch. 7)

Donnie Glover, Adriana Glover, xxx-xx-0794, xxx-xx-8538; 2615 88th Dr NE, Lake Stevens, WA 98258, Ref 09-17960, filed on Aug 6. (Ch. 7)

Gwendolyn D Thomas, Jonathan Thomas, xxx-xx-1929, xxx-xx-7480; 1130 Evergreen Way Apt E219, Everett, WA 98204, Ref 09-17961, filed on Aug 6. (Ch. 13)

Jeffrey A Kleinberger, xxx-xx-9332; 4412 249th Terrace SE, Issaquah, WA 98027, Ref 09-17962, filed on Aug 6. (Ch. 7)

Rebecca Lynn Thomas, Jerome Bernard Thomas, Jr, xxx-xx-0363, xxx-xx-4891; 26614 SE 168th St, Issaquah, WA 98027, Ref 09-17963, filed on Aug 6. (Ch. 7)

Brad D Gisvold, Sr, xxx-xx-4154; 5904 227th St SW, Mountlake Terrace, WA 98043, Ref 09-17964, filed on Aug 6. (Ch. 13)

David Joseph Ubaldi, xxx-xx-5184; c/o DWT 777 108th Ave NE Suite 2300, Bellevue, WA 98004, Ref 09-17965, filed on Aug 6. (Ch. 7)

Gino Shane Larsen-Giacalone, Pushpa Nancee Larsen-Giacalone, xxx-xx-5503, xxx-xx-7184; 10051 California Avenue SW, Seattle, WA 98146, Ref 09-17966, filed on Aug 6. (Ch. 13)

Richard Dean Morgenthaler, xxx-xx-9321; 1937 Wildflower Way, Bellingham, WA 98229, Ref 09-17967, filed on Aug 6. (Ch. 13)

Marcellus B Sumner, xxx-xx-1896; PO Box 272, Seattle, WA 98122, Ref 09-17968, filed on Aug 6. (Ch. 7)

Ivica Jakovljevic, Branka Jakovljevic, xxx-xx-9416, xxx-xx-9507; 10240 NE 12th St #D302, Bellevue, WA 98004, Ref 09-17969, filed on Aug 6. (Ch. 7)

Sun Mo Yi, Jung S Yi, xxx-xx-0231, xxx-xx-2849; 24811 SE 38th St, Issaquah, WA 98029, Ref 09-17970, filed on Aug 6. (Ch. 7)

Modesta Lynn Urbano, xxx-xx-5636; P.O. Box 29801, Bellingham, WA 98228, Ref 09-17971, filed on Aug 6. (Ch. 13)

Michael Thaddeus Santos-Boyd, xxx-xx-6856; 3901 S. 271st Pl, Kent, WA 98032, Ref 09-17972, filed on Aug 6. (Ch. 13)

Bernadette Jean Stevens, Christopher Wayne Stevens, xxx-xx-5581, xxx-xx-8864; 2200 Thorndyke Ave W #102, Seattle, WA 98199, Ref 09-17973, filed on Aug 6. (Ch. 7)

Philip Neiser Osborn, xxx-xx-7964; 21 92nd Ave NE, Bellevue, WA 98004, Ref 09-17974, filed on Aug 6. (Ch. 13)

Paul Louis Greising, Geri Nicoletta Greising, xxx-xx-6425, xxx-xx-8215; 3119 NE 20th St, Renton, WA 98056, Ref 09-17975, filed on Aug 6. (Ch. 13)

Jane Michiko Husmillo, Robert Ramos Husmillo, xxx-xx-0769, xxx-xx-3962; 3246 13th Ave W, Seattle, WA 98119, Ref 09-17976, filed on Aug 6. (Ch. 13)

Anna Gurieva, Stepan Guriev, xxx-xx-1767, xxx-xx-2007; 802 45th St. NE Bldg 14 #101, Auburn, WA 98002, Ref 09-17977, filed on Aug 6. (Ch. 13)

Mark Klemele, Linda H Klemele, xxx-xx-1564, xxx-xx-6672; 9809 NE 63rd St, Vancouver, WA 98662, Ref 09-45737, filed on Aug 6. (Ch. 13)

Jacqueline JoAnn Baty, xxx-xx-4483; 13914 NE 45th Street, Vancouver, WA 98682, Ref 09-45738, filed on Aug 6. (Ch. 7)

Thomas Oliver Petty, Deborah Sue Petty, xxx-xx-1709, xxx-xx-4108; 976 Davis Lake Rd., Morton, WA 98356, Ref 09-45739, filed on Aug 6. (Ch. 13)

Marshall W. Byrd, xxx-xx-0012; 1549 Big Hanaford Rd., Centralia, WA 98531, Ref 09-45740, filed on Aug 6. (Ch. 7)

John Paul Jones, Kori Jo Estelle Jones, xxx-xx-3914, xxx-xx-5677; 491 Windflower Drive, Woodland, WA 98674, Ref 09-45741, filed on Aug 6. (Ch. 7)

Paul F Bryant, April D. Bryant, xxx-xx-7128, xxx-xx-9992; 7103 36th St W, University Place, WA 98466, Ref 09-45742, filed on Aug 6. (Ch. 7)

Tony Marcell Thompson, xxx-xx-6594; 18101 72nd Ave E, Puyallup, WA 98375, Ref 09-45743, filed on Aug 6. (Ch. 7)

Azure Dee Calder, Kelly L Weseman, xxx-xx-8742, xxx-xx-9789; 3298 F Place, Washougal, WA 98671, Ref 09-45744, filed on Aug 6. (Ch. 7)

Dawndi Michelle White, xxx-xx-8818; 1194 Hwy 12 #28, Montesano, WA 98563, Ref 09-45745, filed on Aug 6. (Ch. 7)

Brianna Rae Kazee, xxx-xx-3972; 1172 SW 22nd St., Chehalis, WA 98532, Ref 09-45746, filed on Aug 6. (Ch. 7)

Sally Jane Battershell, xxx-xx-2835; 750 NE Birch Street, Camas, WA 98607, Ref 09-45747, filed on Aug 6. (Ch. 7)

Shawn Don Etheredge, Leslie Margaret Etheredge, xxx-xx-0120, xxx-xx-0746; PO Box 824, Wauna, WA 98395, Ref 09-45748, filed on Aug 6. (Ch. 7)

Laurie Bridget Prewitt, xxx-xx-8548; 31404 Webster Rd. E, Eatonville, WA 98328, Ref 09-45749, filed on Aug 6. (Ch. 7)

Benjamin L Porter, Melody J Porter, xxx-xx-2871, xxx-xx-4787; PO Box 62, Pe Ell, WA 98572, Ref 09-45750, filed on Aug 6. (Ch. 7)

Richard G Most, xxx-xx-1635; 1111 E Main, Puyallup, WA 98372, Ref 09-45751, filed on Aug 6. (Ch. 7)

Linda L Blakley, xxx-xx-6406; PO Box 544, Morton, WA 98356, Ref 09-45752, filed on Aug 6. (Ch. 7)

Charlotte Dee Lee, Donald Richard Lee, Jr, xxx-xx-2883, xxx-xx-8823; PO Box 1456, Graham, WA 98338, Ref 09-45753, filed on Aug 6. (Ch. 7)

Dixie L Tanner, xxx-xx-1984; 4639 17 Lane N.E., Olympia, WA 98516, Ref 09-45754, filed on Aug 6. (Ch. 13)

Prop. Info: L30, SPRINGBROOK SQUARE DIV 1; 10277 NE 129th Ln; Kirkland WA, 98034, 2 bedrooms, 3 baths, built in 1984.

Financial Info: Assessed: \$288,000, Principal: \$248,309, Arrears: \$8,277, Lot size 1,352, Total living area 1,160.

Filing Info: Auditor: 20090623001479, Tax# 7941100300, DOT# 20060825002506.

Beneficiary: Wells Fargo Bank.

Trustee: Northwest Trustee Services 425-586-1900 T/S# 702303646.

Sale: September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.

Lamoreaux, Robert B Leib, III; 24720 SE 31st Pl, Sammamish, WA 98075

Prop. Info: L20, SUNNY HILLS ESTATES; 24720 SE 31st Pl; Sammamish WA, 98075, 4 bedrooms, 3 baths, built in 1968.

Financial Info: Assessed: \$375,000, Principal: \$334,750, Arrears: \$15,369, Lot size 32,410, Total living area 1,320.

Filing Info: Auditor: 20090623001478, Tax# 8099800200, DOT# 20061215000534.

Beneficiary: BAC Home Loans Servicing.

Trustee: Northwest Trustee Services 425-586-1900 T/S# 702125612.

Sale: September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.

Note: According to property tax records, owners are Scott & Janet Lamoreaux.

Sang H Cho; 728 S 313th St, Federal Way, WA 98003

Prop. Info: MIRROR LAKE EAST 5559600030; 728 S 313th St; Federal Way WA, 98003, 3 bedrooms, 3 baths, built in 1988.

Financial Info: Assessed: \$286,000, Principal: \$239,872, Arrears: \$11,180, Lot size 7,701, Total living area 1,320.

Filing Info: Auditor: 20090623001542, Tax# 5559600030, DOT# 20060501000730.

Beneficiary: Mortgage Electronic Registration Systems.

Trustee: Northwest Trustee Services 425-586-1900 T/S# 726126624.

Sale: September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.

David Boger; 31611 4th Ave S, Federal Way, WA 98003

Prop. Info: HILLSIDE HEIGHTS 3375300250; 31611 4th Ave S; Federal Way WA, 98003, 3 bedrooms, 3 baths, built in 1985.

Financial Info: Assessed: \$298,000, Principal: \$269,804, Arrears: \$18,919, Lot size 7,700, Total living area 1,490.

Filing Info: Auditor: 20090623001553, Tax# 3375300250, DOT# 206101600634.

Beneficiary: Mortgage Electronic Registration Systems.

Trustee: Northwest Trustee Services 425-586-1900 T/S# 726126598.

Sale: September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.

Timothy Choo; 10833 SE 172nd St #7C, Renton, WA 98055

Prop. Info: KELSEY COURT PH 01 3809000270; 10833 SE 172nd St #7C; Renton WA, 98055, 2 bedrooms, 2 baths, built in 1984.

Financial Info: Assessed: \$165,000, Principal: \$135,861, Lot size 90,604, Total living area 968.

Filing Info: Auditor: 20090623001555, Tax# 3809000270, DOT# 20061229001554.

Beneficiary: Mortgage Electronic Registration Systems.

Trustee: Northwest Trustee Services 425-586-1900 T/S# 726126570.

Sale: September 25th, 10 am, 3535 Factoria Blvd SE, Bellevue.

Julie A Koske; 24720 234th Way SE, Maple Valley, WA 98038

Prop. Info: BELMONT WOODS DIV NO. 02 0705710300; 24720 234th Way SE;

PlanCenter.com

Who says lowering bids can't be easy?

Submit your plans and specs to PlanCenter.com to reach the widest market of qualified contractors in the Pacific Northwest!

Contact Aaron Schab at plans@dj.com or 206-622-8272 for more information.