

Ordinance No. ~~118052~~ 124475

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: *[Signature]*

Council Bill No. 118052

AN ORDINANCE related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

Related Legislation File: CF 313652

Date Introduced and Referred: <u>3/10/14</u>	To: (committee): <u>Planning, Land Use, and Sustainability</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>5/19/14</u>	Date Presented to Mayor: <u>5/20/14</u>
Date Signed by Mayor: <u>5/29/14</u>	Date Returned to City Clerk: <u>5/29/14</u>
Published by Title Only <u>X</u>	Date Vetoed by Mayor:
Published in Full Text	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:

## Committee Action:

Date	Recommendation	Vote
<u>5/16/14</u>	<u>Pass Approve as amended</u>	<u>(4-0) MOB, TB, NL, SC</u>

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

## Full Council Action:

Date	Decision	Vote
<u>5/19/14</u>	<u>Passed as amended</u>	<u>9-0</u>

*Law Department*

**CITY OF SEATTLE**  
**ORDINANCE** 124475  
**COUNCIL BILL** 118052

AN ORDINANCE related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

WHEREAS, in the course of considering permanent regulations for development on undersized-single family zoned lots, the Council received compelling testimony about the surprise to neighbors occasioned by development on undersized lots; and

WHEREAS, it is the Council's intent to consider alternative or additional notice requirements for actions, such as lot boundary adjustment applications, to allow near neighbors to apprise themselves of likely future development; NOW THEREFORE,

**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 Council Bill 117952, is amended as follows:

**23.22.062 Unit lot subdivisions**

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for single-family dwelling units, townhouse, rowhouse, and cottage housing developments (~~((in all zones in which these uses are permitted))~~), and existing apartment structures built prior to January 1, 2013, but not individual (~~((apartments))~~)apartment units, (~~((and for single family dwelling units in LR zones;))~~) in all zones in which these uses are permitted, 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 Council Bill 117952, is amended as follows:



1 **23.24.045 Unit lot subdivisions**

2 A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of  
3 land for single-family dwelling units, townhouse, rowhouse, and cottage housing developments  
4 ~~((in all zones in which these uses are permitted)), and existing apartment structures built prior to~~  
5 ~~January 1, 2013, but not individual apartment units, ((and for single family dwelling units in LR~~  
6 ~~zones,))in all zones in which these uses are permitted, or any combination of the above types of~~  
7 residential development((;)) as permitted in the applicable zones.

8 \* \* \*

9 Section 3. Section 23.24.046 of the Seattle Municipal Code, which Section was last  
10 amended by Ordinance 123809, is repealed:

11 ~~((23.24.046—Multiple single family dwelling units on a single family lot~~

12 ~~A. The provisions of this Section 23.24.046 apply exclusively to the short subdivision of~~  
13 ~~a lot in a single family zone containing more than one existing single family dwelling unit.~~

14 ~~B. A lot in a single family zone containing more than one (1) existing single family~~  
15 ~~dwelling unit may be divided in accordance with this chapter as long as each of the following~~  
16 ~~conditions is satisfied:~~

17 ~~1. Each existing single family dwelling unit was legally established by permit or~~  
18 ~~is eligible to be established as a nonconforming development in accordance with Section~~  
19 ~~23.42.102, Establishing nonconforming status;~~

20 ~~2. Each existing single family dwelling unit was constructed prior to February~~  
21 ~~20, 1982;~~

22 ~~3. Each resulting lot has one (1), but no more than one (1), existing single family~~  
23 ~~dwelling unit;~~



1                   4. ~~Parking is provided in accordance with Section 23.44.016, Parking location~~  
2 ~~and access, unless the Director determines that at least one (1) of the following conditions is~~  
3 ~~present:~~

4                   a. ~~Providing parking accessory to an existing single family dwelling unit~~  
5 ~~is undesirable or impractical because of the location of an environmentally critical area, existing~~  
6 ~~drainage patterns, natural features such as significant trees, or access to a resulting or adjacent~~  
7 ~~lot; or~~

8                   b. ~~The short subdivision cannot be configured to provide parking in~~  
9 ~~compliance with Section 23.44.016;~~

10 ~~If the Director determines that at least one (1) of the foregoing conditions is present, the Director~~  
11 ~~may waive or modify the parking requirements of Section 23.44.016 as long as the short~~  
12 ~~subdivision does not reduce the number of off-street parking spaces existing prior to the short~~  
13 ~~subdivision. In connection with such waiver or modification, the Director may require access and~~  
14 ~~parking easements as conditions of approval of the short subdivision; and~~

15                   5. ~~Each resulting lot conforms to all other development standards of the zone~~  
16 ~~unless the Director determines that the short subdivision cannot be approved if such standards~~  
17 ~~are strictly applied and modification or waiver of some or all of such standards would further the~~  
18 ~~public interest. If the Director makes such determination, then the Director may waive or modify~~  
19 ~~development standards, provided that:~~

20                   a. ~~Each existing single family dwelling unit shall be set back at least three~~  
21 ~~(3) feet from each common lot line in the short subdivision; and~~

22                   b. ~~No resulting lot shall be smaller than one thousand eight hundred~~  
23 ~~(1,800) square feet.~~



~~C. Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section 23.42.112.~~

~~D. Short subdivision of a lot under this Section 23.24.046 is exempt from the requirements of subsection 23.24.040.A.9, unless a lot is created that does not have an existing single family dwelling unit.)~~

Section 4. Subsection B of Section 23.34.086 of the Seattle Municipal code, which Section was last amended by Ordinance 122311, is amended as follows:

**23.34.086 Pedestrian designation (suffix P), function and locational criteria((τ))**

\* \* \*

B. Locational ~~((Criteria))~~criteria. Pedestrian-designated zones are most appropriate on land that is generally characterized by the following conditions:

1. Pedestrian district surrounded by residential areas ~~((and/or))~~or major activity centers; or a commercial node in an urban center or urban village;

2. NC zoned areas on both sides of an arterial, or NC zoned block ~~((faees))~~fronts across an arterial from a park, major institution, or other activity center; and

3. Excellent access for pedestrians, transit, and bicyclists.

Section 5. Subsections A, B, C, D and E of Section 23.44.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 123978, are amended as follows:

**23.44.010 Lot requirements**

A. Minimum ~~((Lot Area))~~lot area. The minimum lot area shall be as provided in Table A for 23.44.010:

<b>Table A for 23.44.010</b>	
<b>Minimum lot area</b>	
<b><del>((S.F.))</del>SF <del>((Zone))</del>zone</b>	<b>Minimum <del>((Lot Area Required))</del>lot area required</b>
<del>((S.F.))</del> SF 9600	9,600 square feet (sq. ft.)



1	<del>((S.F.))</del> SF 7200	7,200 sq. ft.
2	<del>((S.F.))</del> SF 5000	5,000 sq. ft.

3 Submerged lands shall not be counted in calculating the area of lots for the purpose of  
4 these minimum lot area requirements, or the exceptions to minimum lot area requirements  
5 provided in this ~~((section))~~Section 23.44.010. A parcel that does not meet the minimum lot area  
6 requirements or exceptions of this Section 23.44.010, and that is in common ownership with an  
7 abutting lot when the abutting lot is the subject of any permit application, shall be included as a  
8 part of the abutting lot for purposes of the permit application.

9 B. Exceptions to ~~((Minimum Lot Area Requirements))~~minimum lot area requirements.  
10 The following exceptions to minimum lot area requirements are allowed, ~~((subject to the~~  
11 ~~development standards for undersized lots in subsection 23.44.010.C, except as limited~~  
12 ~~under))~~subject to the requirements in subsection 23.44.010.B.2, and further subject to the  
13 requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square feet in area:

14 1. A lot that does not satisfy the minimum lot area requirements of its zone may  
15 be developed or redeveloped ~~((separately))~~under one of the following circumstances:

16 a. "The Seventy-Five/Eighty Rule." The Seventy-Five Eighty Rule  
17 exception may be applied to allow separate development of lots already in existence in their  
18 current configuration, or new lots resulting from a full subdivision, short subdivision or lot  
19 boundary adjustment. In order to qualify for this exception, the lot must have an area at least 75  
20 percent of the minimum required for the zone and also at least 80 percent of the mean area of the  
21 lots within the same block front, subject to the following provisions:

22 1) ~~((If the lot was established as a separate building site in the~~  
23 ~~public records of the county or City prior to July 24, 1957, by deed, contract of sale, mortgage,~~  
24 ~~property tax segregation, platting or building permit and has an area of at least 75 percent of the~~  
25 ~~minimum required lot area and at least 80 percent of the mean lot area of the lots on the same~~



1 ~~block face and within the same zone in which the lot is located (Exhibit A for 23.44.010), or))~~To  
2 be counted as a separate lot for the purposes of calculating the mean area of the lots on a block  
3 front, a lot must be entirely within a single-family zone, and must be currently developed as a  
4 separate building site or else currently qualify for separate development based on facts in  
5 existence as of the date a building permit, full or short subdivision, or lot boundary adjustment  
6 application is filed with the Department. The existence of structures or portions of structures on  
7 the property that is the subject of the application may be disregarded when the application  
8 indicates the structures or portions of structures will be demolished. In cases where this  
9 exception is applied for the purpose of a lot boundary adjustment, the calculation shall be based  
10 on the existing lots as they are configured before the adjustment.

11 2) ((If the lot is or was created by subdivision, short subdivision or  
12 lot boundary adjustment, is at least 75 percent of the minimum required lot area, and is at least  
13 80 percent of the mean lot area of the lots on the same block face within which the lot will be  
14 located and within the same zone (Exhibit A for 23.44.010)))To be counted as a separate lot for  
15 the purposes of calculating the mean area of the lots on a block front, a lot must have at least 10  
16 feet of frontage on the street the calculation is applied to.

17 3) Lots developed with institutional uses, parks, or nonconforming  
18 nonresidential uses may be excluded from the calculation. There must, however, be at least one  
19 lot on the block front used for the calculation other than the property that is the subject of the  
20 platting, lot boundary adjustment, or building permit application that this exception is being  
21 applied to.

22 4) If property is to be subdivided or its lot lines are modified by a  
23 lot boundary adjustment that increases the number of lots that qualify for separate development,  
24 the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall  
25 be excluded from the block front mean area calculation.





1 portion of the lot, and the lot area remaining is at least ~~((50 percent of the minimum required))~~  
2 2,500 square feet.

3 c. The lot would qualify as a legal building site under subsection  
4 23.44.010.B but for a reduction in the lot area due to court-ordered adverse possession, and the  
5 amount by which the lot was so reduced was less than 10 percent of the former area of the lot.  
6 This exception does not apply to lots reduced to less than ~~((50 percent of the minimum area~~  
7 ~~required under subsection 23.44.010.A))~~2,500 square feet.

8 d. "The Historic Lot Exception." The historic lot exception may be  
9 applied to allow separate development of lots already in existence if ((The))the lot has an area  
10 ((at least 50 percent of the minimum required under section 23.44.010.A))of at least 2,500 square  
11 feet, and was established as a separate building site in the public records of the county or City  
12 prior to July 24, 1957, by deed, ((contract of sale, mortgage,))platting, or building permit. ((and  
13 falls into one of the following categories))The qualifying lot shall be subject to the following  
14 provisions:

15 ~~((1) The lot has not been held in common ownership with any~~  
16 ~~contiguous lot after January 17, 1987, or~~

17 ~~2) The lot is or has been held in common ownership with a~~  
18 ~~contiguous lot after January 17, 1987 and is or has been developed with a principal structure that~~  
19 ~~is wholly within the lot's boundaries, but only if no portion of any contiguous lot is required to~~  
20 ~~meet the least restrictive of lot area, lot coverage, setback or yard requirements that were in~~  
21 ~~effect at the time of the original construction of the principal structure, at the time of its~~  
22 ~~subsequent additions, or that are in effect at the time of redevelopment of the lot (Exhibit B for~~  
23 ~~23.44.010), or~~

24 ~~3) The lot is or has been held in common ownership with a~~  
25 ~~contiguous lot after January 17, 1987 and is not developed with all or part of a principal~~  
26



1 structure, but only if no portion of the lot is required to meet the least restrictive of lot area, lot  
2 coverage, setback or yard requirements that were in effect for a principal structure on the  
3 contiguous lot at the time of the construction of the principal structure, at the time of its  
4 subsequent additions, or that are in effect at the time of the development of the lot (Exhibit B for  
5 23.44.010). If any portion of the lot to be developed has been used to meet the parking  
6 requirement in effect for a principal structure on a contiguous lot, such parking requirement must  
7 continue to be met on the lot to be developed or alternative parking that meets the requirements  
8 of this Land Use Code must be provided for the contiguous lot.

9 4) For purposes of subsection 23.44.010.B.1.d, removal of all or  
10 any part of a principal structure or destruction by fire or act of nature on or after January 18,  
11 1987, does not qualify the lot for this minimum lot area exception (Exhibit C for 23.44.010)  
12 except that minor features containing no interior floor area including but not limited to eaves and  
13 unenclosed decks extending onto an adjacent property do not serve to tie the properties together  
14 for purposes of this exception, and these features may be removed to allow separate development  
15 of the lots if they otherwise qualify; or))

16 1) A lot is considered to have been established as a separate  
17 building site by deed if the lot was held under separate ownership from all abutting lots for at  
18 least one year after the date the recorded deed transferred ownership.

19 2) If two contiguous lots have been held in common ownership at  
20 any time after January 18, 1987, and a principal structure extends onto or over both lots, neither  
21 lot qualifies for the exception. If the principal structure does not extend onto or over both lots,  
22 but both lots were required to meet development standards other than parking requirements in  
23 effect at the time the structure was built or expanded, neither lot qualifies for the exception  
24 unless the vacant lot is not needed to meet development standards other than parking  
25 requirements. If the combined property fronts on multiple streets, the orientation of the principal



1 structure shall not be considered when determining if it could have been built to the same  
2 configuration without using the vacant lot or lots as part of the principal structure's building site.

3 3) Lots that do not otherwise qualify for this exception cannot  
4 qualify as a result of all or part of a principal structure being removed or destroyed by fire or act  
5 of nature that occurred on or after January 18, 1987. Lots may, however, qualify as a result of  
6 removing from the principal structure minor features that do not contain enclosed interior space,  
7 including but not limited to eaves and unenclosed decks.

8 4) If parking for an existing principal structure on one lot has been  
9 provided on an abutting lot and parking is required under Chapter 23.54 the required parking for  
10 the existing house shall be relocated onto the same lot as the existing principal structure in order  
11 for either lot to qualify for the exception.

12 e. The lot is within a ~~((Clustered Housing Planned~~  
13 ~~Development))~~clustered housing planned development pursuant to Section 23.44.024, a  
14 ~~((Planned Residential Development))~~planned residential development pursuant to Section  
15 23.44.034, or a development approved as an environmentally critical areas conditional use  
16 pursuant to Section 25.09.260.

17 ~~((f. The lot is or was created by short subdivision of a lot containing more~~  
18 ~~than one existing single family dwelling unit pursuant to Section 23.24.046.))~~

19 f. If a lot qualifies for an exception to the lot area requirement under  
20 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or  
21 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that  
22 also qualify for separate development may be adjusted through the lot boundary adjustment  
23 process if the adjustment maintains the existing lot areas, increases the area of a qualifying  
24 substandard lot without reducing another lot below the minimum permitted lot area, or causes the  
25 areas of the lots to become more equal provided the number of parcels qualifying for separate



1 development is not increased. Lots resulting from a lot boundary adjustment that do not meet the  
2 minimum lot area requirement must qualify for an exception to that requirement.

3 g. If a lot qualifies for an exception to the lot area requirement under  
4 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or  
5 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that  
6 also qualify for separate development may be adjusted through the lot boundary adjustment  
7 process if the adjustment maintains the existing lot areas, increases the area of a qualifying  
8 substandard lot without reducing another lot below the minimum permitted lot area, or causes the  
9 areas of the lots to become more equal provided the number of parcels qualifying for separate  
10 development is not increased. Lots resulting from a lot boundary adjustment that do not meet the  
11 minimum lot area requirement must qualify for an exception to that requirement.

12 2. Limitations((-))

13 a. Development may occur on a substandard lot containing a riparian  
14 corridor, a shoreline habitat and shoreline habitat buffer, a wetland and wetland buffer, or a steep  
15 slope and steep slope buffer pursuant to the provisions of Chapter 25.09, Regulations for  
16 ~~((Environmentally Critical Areas))~~environmentally critical areas, if the following conditions  
17 apply:

18 1) The substandard lot is not held in common ownership with an  
19 ~~((adjacent))~~abutting lot or lots at any time after October 31, 1992, or

20 2) The substandard lot is held in common ownership with an  
21 ~~((adjacent))~~abutting lot or lots, or has been held in common ownership at any time after October  
22 31, 1992, if proposed and future development will not intrude into the environmentally critical  
23 area or buffer.

24 b. Lots on totally submerged lands do not qualify for any minimum lot  
25 area exceptions.



1           3. Special exception review for lots less than 3,200 square feet in area. A special  
2 exception Type II review as provided for in Section 23.76.004 is required for separate  
3 development of any lot with an area less than 3,200 square feet that qualifies for any lot area  
4 exception in subsection 23.44.010.B.1. The special exception application shall be subject to the  
5 following provisions:

6           a. The depth of any structure on the lot shall not exceed two times the  
7 width of the lot. If a side yard easement is provided according to subsection 23.44.014.D.3, the  
8 portion of the easement within 5 feet of the structure on the lot qualifying under this provision  
9 may be treated as a part of that lot solely for the purpose of determining the lot width for  
10 purposes of complying with this subsection 23.44.010.B.2.c.

11           b. Windows in a proposed principal structure facing an existing abutting  
12 lot that is developed with a house shall be placed in manner that takes into consideration the  
13 interior privacy in abutting houses, provided that this provision shall not prohibit placing a  
14 window in any room of the proposed house.

15           c. In approving a special exception review, additional conditions may be  
16 imposed that address window placement to address interior privacy of existing abutting houses.

17           ~~((C. Development of any principal structure on lots that meet the conditions outlined in~~  
18 ~~subsection 23.44.010.B.1.d but have a total area less than 3,750 square feet shall comply with the~~  
19 ~~height standards of Section 23.44.012.A.3.~~

20           ~~D.))~~C. Maximum ((Lot Coverage))lot coverage. The maximum lot coverage permitted  
21 for principal and accessory structures is as ((follows))provided in Table B for 23.44.010:



**Table B for 23.44.010**  
**Maximum lot coverage**

<b>Lot ((Size))size</b>	<b>Maximum ((Lot Coverage))lot coverage</b>
Less than 5,000 square feet (sq. ft.)	1,000 sq. ft. ((+))plus 15((%)) <u>percent</u> of lot area
5,000 sq. ft. or more	35((%)) <u>percent</u> of lot area

For purposes of computing maximum lot coverage, only those portions of a lot that measure at least 10 feet in ~~((any direction))~~ all directions shall be included in lot coverage calculations, except for portions of a lot that are used for access or that are granted a waiver under subsections 23.22.100.D, 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.

~~((E))~~ D. Lot ((Coverage Exceptions))coverage exceptions((:-))

1. Lots ~~((Abutting Alleys))~~ 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 ~~((½))~~ one-half of the width of the abutting alley or alleys.

b. The total lot area for any lot may not be increased by the provisions of this ~~((section))~~ Section 23.44.010 by more than 10 percent.

2. Special ~~((Structures and Portions of Structures))~~ structures and portions of structures. The following structures and portions of structures are not counted in lot coverage calculations:

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

b. Barrier-free ~~((Access))~~ access. Ramps or other access for the disabled or elderly that comply with Washington State Building Code, Chapter 11;

c. Decks. Decks or parts of a deck that are 36 inches or less above existing grade;



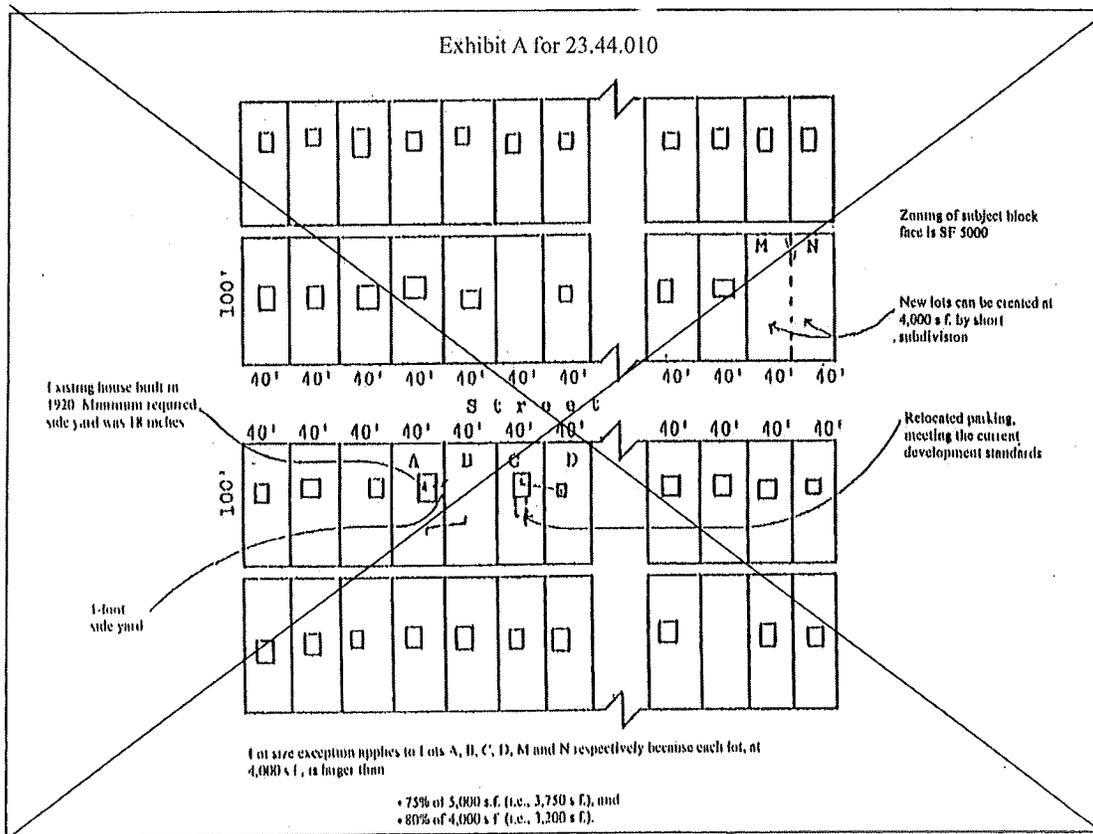
1 d. Freestanding (~~Structures and Bulkheads~~) structures and bulkheads.

2 Fences, freestanding walls, bulkheads, signs and other similar structures;

3 e. Underground (~~Structures~~) structures. An underground structure, or  
4 underground portion of a structure;

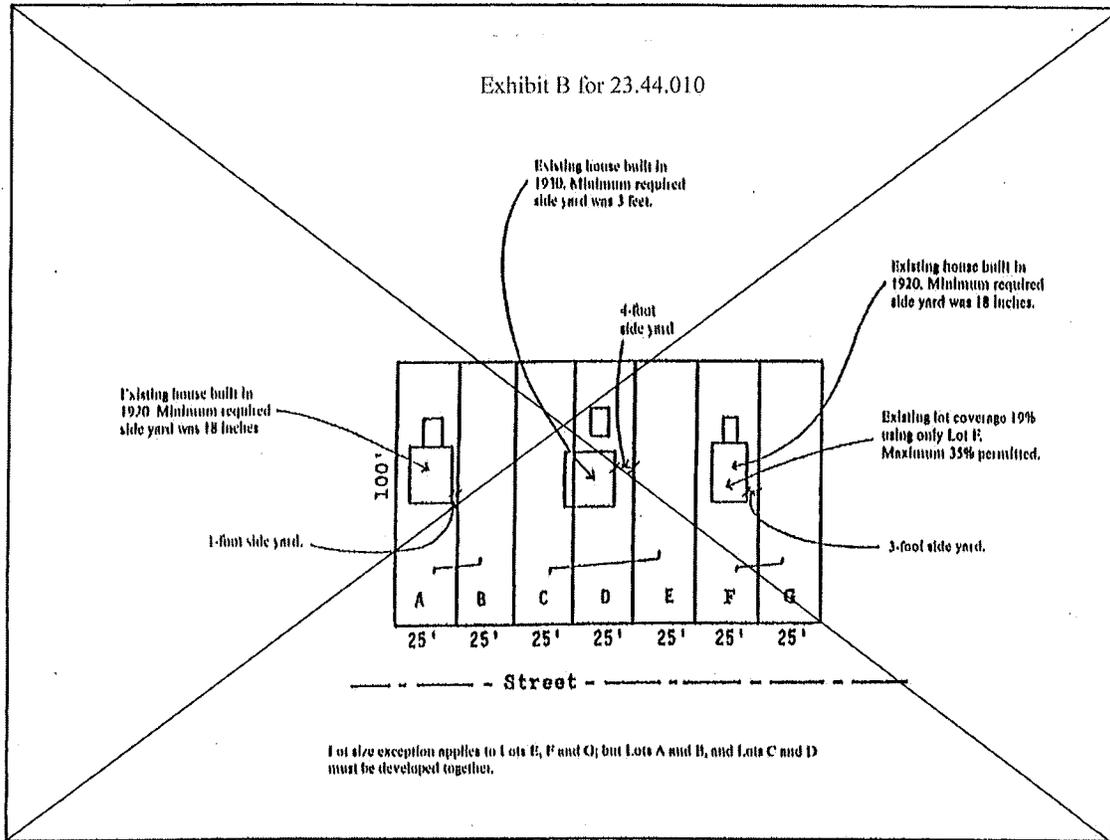
5 f. Eaves and (~~Gutters~~) gutters. The first 36 inches of eaves and gutters  
6 that project from principal and accessory structures;

7 g. Solar collectors and swimming pools. Solar collectors that comply with  
8 Section 23.44.046 and swimming pools that comply with Section 23.44.044.



24 ((Exhibit A for 23.44.010))



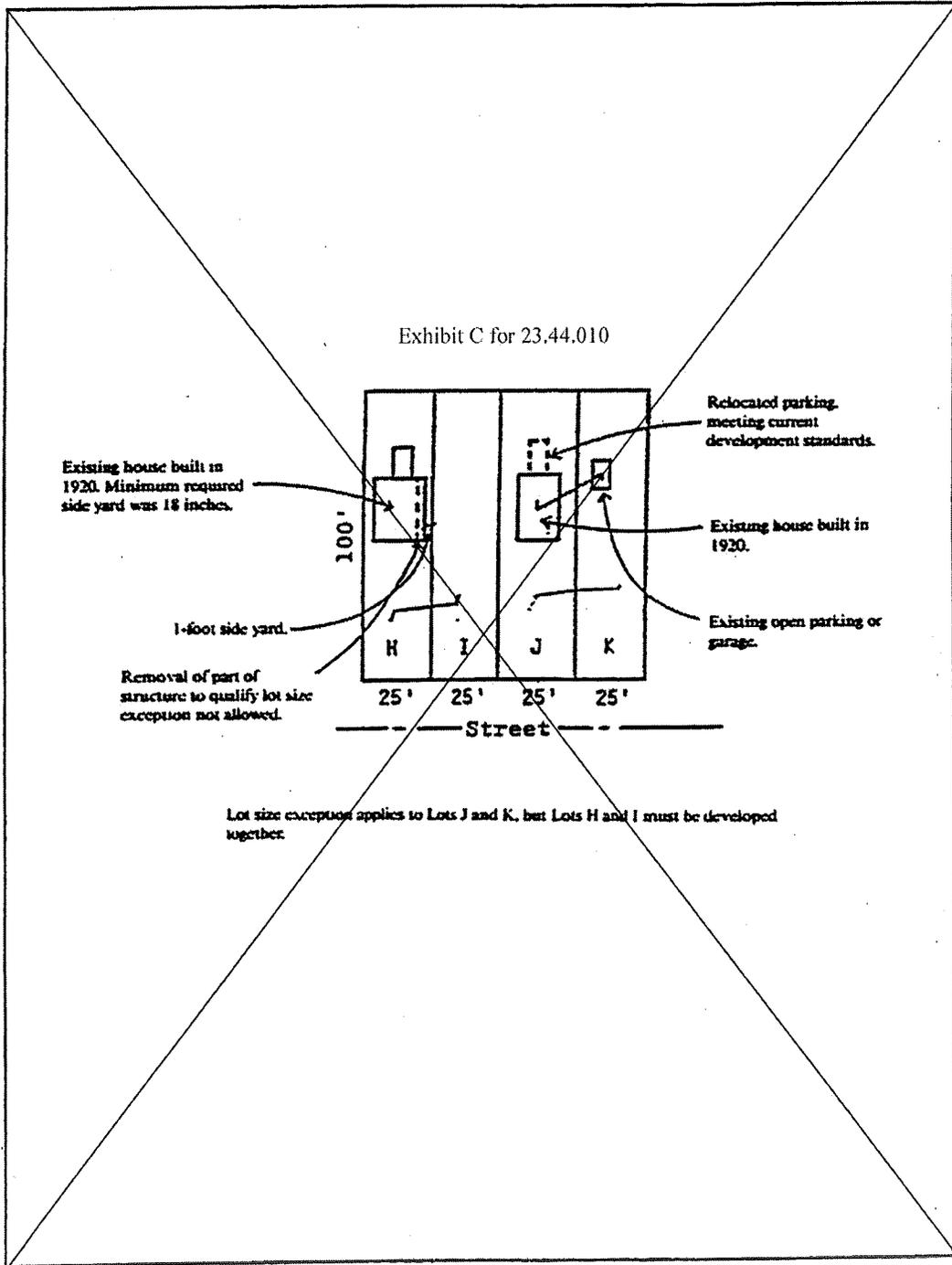


((Exhibit B for 23.44.010))

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((Exhibit C for 23.44.010))



1 Section 6. Subsections A and B of Section 23.44.012 of the Seattle Municipal Code,  
2 which Section was last amended by Ordinance 123978, are amended as follows:

3 **23.44.012 Height ~~((Limits))~~limits**

4 A. Maximum ~~((Height Established))~~height established~~((;))~~ The provisions of this  
5 Section 23.42.012 apply, except as provided elsewhere in the Land Use Code for specific types  
6 of structures or structures in particular locations.

7 1. Except ~~((as permitted in Section 23.44.041.B, and))~~ as provided in  
8 ~~((subsection))~~subsections 23.44.012.A.2 and ~~((A.3))~~23.44.012.A.3, the maximum permitted  
9 height for any structure not located in a required yard is 30 feet.

10 2. The maximum permitted height for any structure on a lot 30 feet or less in  
11 width is 25 feet.

12 3. For a lot or unit lot of any width, if the area of the largest rectangle or other  
13 quadrilateral that can be drawn within the lot lines of the lot or unit lot ~~((The maximum~~  
14 permitted height for any structure on a lot of any width that))is less than ~~((3,750))~~3,200 square  
15 feet ~~((that qualifies for separate development according to the provisions in section~~  
16 ~~23.44.010.B.1.d))~~the maximum permitted height for any structure on that lot ~~((is))~~shall be ~~((22))~~  
17 18 feet~~((;))~~ ~~((unless the structure's height is further restricted by other code provisions))~~.

18 Additional height shall be allowed, subject to the limit that would otherwise apply under  
19 subsections 23.44.012.A.1 and 23.44.012.A.2, provided that the elevation at the top of the  
20 exterior walls of the structure, exclusive of pitched roofs, does not exceed the average of the  
21 elevations at the tops of the walls of single-family residences on abutting lots within the same  
22 zone. The limit of this subsection 23.44.012.A.3 shall not apply to additions to single-family  
23 residences existing as of February 1, 2013 that do not exceed the greater of 1,000 square feet of  
24 new gross floor area or the amount of gross floor area on any one floor of the existing house.





1 b. For lots with large street frontage in relationship to their size, the  
2 proposed institution reflect design and architectural features associated with adjacent  
3 residentially-zoned block ((faees))fronts in order to provide continuity of the block front and to  
4 integrate the proposed structures with residential structures and uses in the immediate area.

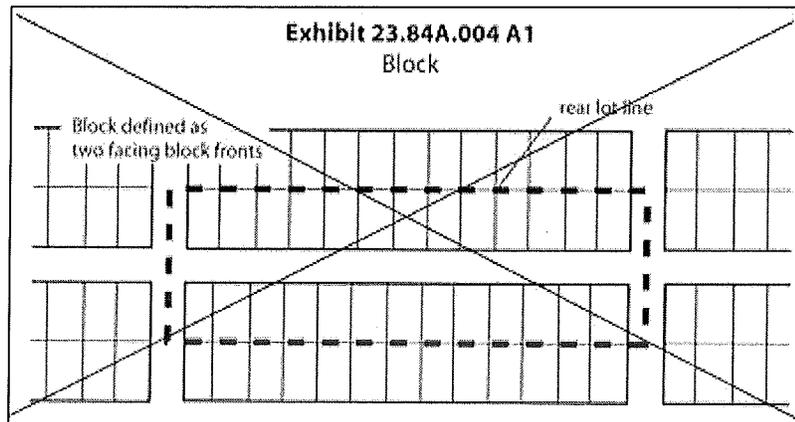
5 \* \* \*

6 Section 8. Section 23.84A.004 of the Seattle Municipal Code, which Section was last  
7 amended by Ordinance 122935, is amended as follows:

8 **23.84A.004 "B"**

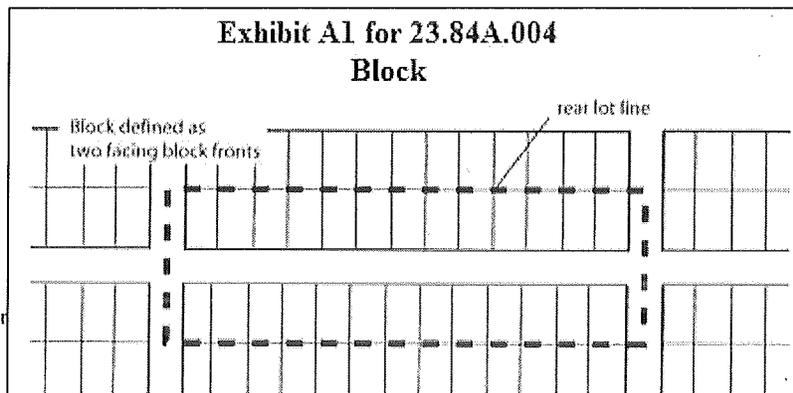
9 \* \* \*

10 "Block." In areas outside downtown zones, a block consists of two (((2)))facing block  
11 fronts bounded on two (((2)))sides by alleys or rear lot lines and on two (((2)))sides by the  
12 centerline of platted streets, with no other intersecting streets intervening, as depicted in Exhibit  
13 (((23.84A.004 A1))A1 for 23.84A.004.

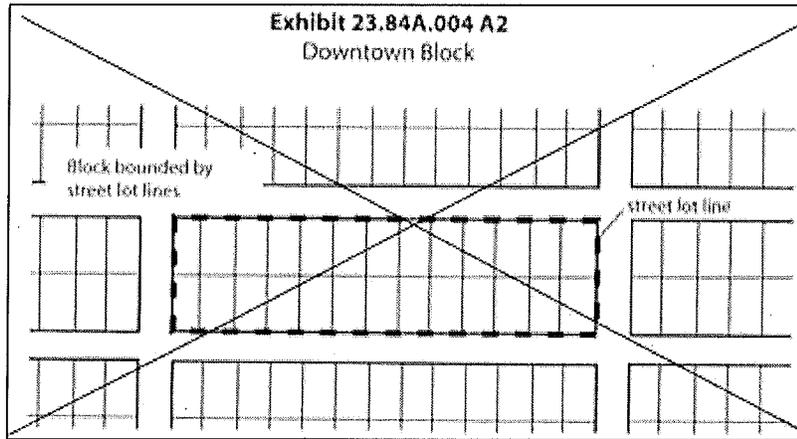


21 **Exhibit A1 for 23.84A.004**

22 **Block**

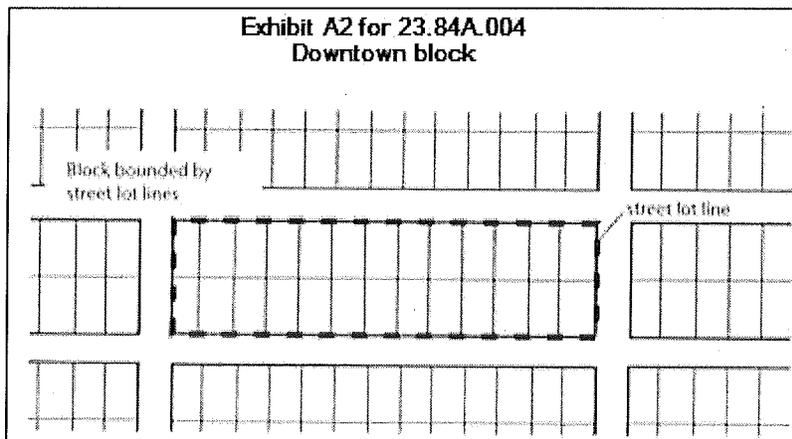


1 In downtown zones, a block consists of the area bounded by street lot lines, Exhibit  
2 ~~((23.84A.004 A2))~~ A2 for 23.84A.004.



13  
14 **Exhibit A2 for 23.84A.004**

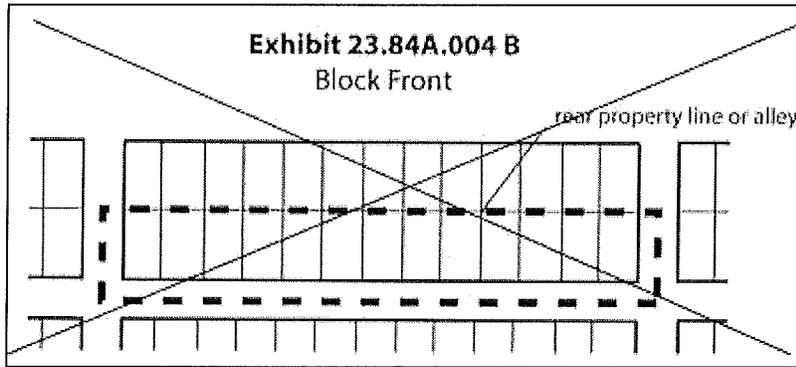
15 **Downtown block**



24 "Block face." See "Block front."  
25  
26  
27  
28

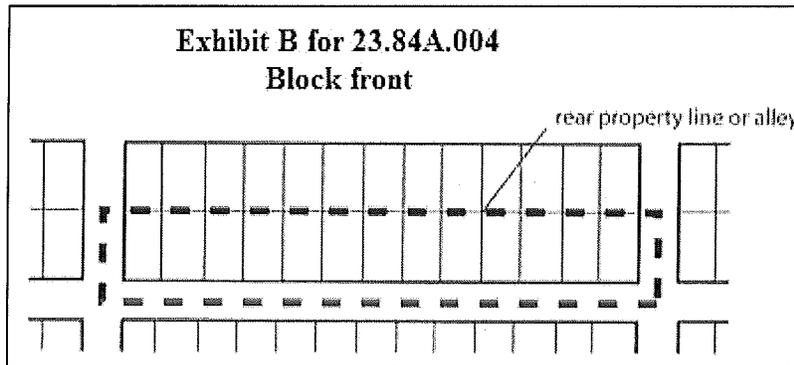


1 "Block front" means the land area along one ~~((1))~~ side of a street bound on three  
2 ~~((3))~~ sides by the centerline of platted streets and on the fourth side by an alley or rear lot lines  
3 ~~((Exhibit 23.84A.004 B))~~ (Exhibit B for 23.84A.004).



14 **Exhibit B for 23.84A.004**

15 **Block front**



23 \* \* \*

24 Section 9. Section 23.84A.024 of the Seattle Municipal Code, which Section was last  
25 amended by Ordinance 123913, is amended as follows:  
26



1 **23.84A.024 "L"**

2 \* \* \*

3 "Lot" means, except for the purposes of a TDR sending lot for Landmark TDR or  
4 housing TDR, a sending lot for South Downtown Historic TDR or South Downtown Historic  
5 TDP, and a sending lot for open space TDR, ~~((one or more platted or unplatted parcels))~~ a parcel  
6 of land that qualifies for separate development or has been separately developed. A lot is the  
7 unit that the development standards of each zone are typically applied to. A lot shall  
8 ~~((abutting))~~ abut upon and be accessible from a private or public street sufficiently improved for  
9 vehicle travel or ~~((abutting))~~ abut upon and be accessible from an exclusive, unobstructed  
10 permanent access easement. A lot may not be divided by a street or alley (Exhibit A for  
11 23.84A.024).

12 1. For purposes of a TDR sending lot for Landmark TDR, "lot" means the parcel  
13 described in the ordinance approving controls for the sending lot.

14 2. For purposes of a sending lot for housing TDR, "lot" means the smallest parcel  
15 or combination of contiguous parcels, as described in the County real property records at any  
16 time after January 4, 1993, that contain the structure or structures that make the TDR eligible for  
17 transfer.

18 3. For purposes of a sending lot for South Downtown Historic TDR or South  
19 Downtown Historic TDP, "lot" means the smallest parcel or combination of contiguous parcels,  
20 as described in the County real property records at any time after March 31, 2011, that contain  
21 the contributing structure or structures that make the TDR or TDP eligible for transfer.

22 4. For purposes of a sending lot for open space TDR, the definition of lot in  
23 Section 23.49.017 applies.

24 \* \* \*



1 "Lot line, front" means, in the case of ~~((an interior))~~ a lot with frontage on a single street,  
2 the lot line separating the lot from the street, and in the case of a ~~((corner))~~ lot with frontage on  
3 more than one street other than a through lot, the lot line separating the lot from any abutting  
4 street, provided the other lot line(s) that abut streets are considered to be side street lot line(s). In  
5 the case of a through lot, the lot lines separating the lot from the streets that are parallel or within  
6 15 degrees of parallel to each other are both front lines. For new development on a lot with no  
7 street frontage, the front lot line shall be the lot line designated by the project applicant in  
8 accordance with Section 23.86.010. If the area of the front yard based on a front lot line  
9 determined according to this definition is less than 20 percent of the total lot area and is less than  
10 1,000 square feet in area, the Director may designate a different lot line as the front lot line in  
11 order to provide structural setbacks, building separations and open space that are more consistent  
12 with those of other lots that are within 100 feet of the property.

13 \* \* \*

14 Section 10. Section 23.84A.046 of the Seattle Municipal Code, which Section was last  
15 amended by Ordinance 122311, is amended as follows:

16 **23.84A.046 "Y"**

17 \* \* \*

18 "Yard, front" means an area from the ground upward between the side lot lines of a lot,  
19 extending from the front lot line to a line on the lot parallel to the front lot line, the horizontal  
20 depth of which is specified for each zone. The front yard includes all portions of the lot that are  
21 within the specified distance from the street along which the front lot line extends, even if  
22 separated from the street by an intervening lot. In the case of an irregularly-shaped lot, the front  
23 yard shall be a portion of the property as determined according to subsection 23.86.010.B.

24 "Yard, rear" means an area from the ground upward between the side lot lines of a lot,  
25 extending from the rear lot line to a line on the lot parallel to the rear lot line, the horizontal  
26



1 depth of which is specified for each zone. In the case of an irregularly-shaped lot, the rear yard  
2 shall be a portion of the property adjacent to the rear lot line as determined according to  
3 subsection 23.86.010.C.

4 \* \* \*

5 Section 11. Section 23.86.010 of the Seattle Municipal Code, which Section was last  
6 amended by Ordinance 123046, is amended as follows:

7 **23.86.010 Yards**

8 A. Measuring ~~((Required Yards))~~required yards. Required yard dimensions shall be  
9 horizontal distances, measured perpendicular to the appropriate lot lines ~~((Exhibit 23.86.010~~  
10 ~~A))~~(Exhibit A for 23.86.010). For lots with no street frontage, the applicant may designate the  
11 front lot line, provided that under the resulting orientation, the area of the front yard is at least 20  
12 percent of the area of the lot or 1,000 square feet whichever is less. If a lot with frontage on  
13 more than one street is developed with an existing principal structure, the orientation of the lot  
14 for the purpose of current yard requirements shall be the orientation under which the existing  
15 structure is most conforming to current yard standards.

16 \* \* \*

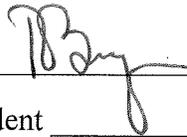
17 Section 12. This ordinance shall take effect and be in force 30 days after its approval by  
18 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
19 shall take effect as provided by Seattle Municipal Code Section 1.04.020.



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Passed by the City Council the 19<sup>th</sup> day of May, 2014, and  
signed by me in open session in authentication of its passage this

19<sup>th</sup> day of May, 2014.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this 29 day of May, 2014.

  
\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this 29<sup>th</sup> day of May, 2014.

  
\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Planning and Development	Andy McKim/4-8737	Melissa Lawrie/4-5805

**Legislation Title:** An ordinance related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

**Summary of the Legislation:** The proposal would amend certain standards relating to establishment or development of small lots in single-family zones.

An absolute minimum lot area requirement of 2,500 square feet would apply to most lots qualifying under the lot area exceptions provided in the code. The exception provided for historic lots of record prior to 1957 would be tightened to eliminate consideration of tax records and historic mortgages. Multiple vacant lots with areas less than 3,200 square feet on average would have to be consolidated rather than qualifying for separate development. Another lot area exception, the "75/80 Rule" would be modified and clarified to better achieve its intent, in particular creating more consistency in treatment of properties with frontage on more than one block front. A limited new exception, the "100 Percent Rule" would allow certain undersized lots to be created or separately developed if their area is no smaller than the mean area of the other lots on the same block front that are separately developed or qualify for separate development. Standards for adjustment of boundaries between undersized lots are also modified and clarified. This is currently addressed in several Director's Rules, a few of which have been superseded by a court ruling.

Development of lots under 3,200 square feet in area in any single-family zone would require a Type II approval, allowing public notice and the imposition of conditions to better ensure that new construction is compatible with its surroundings.

Development on lots less than 3,200 square feet in area (counting only the largest rectangle or quadrilateral within the lot lines) would be subject to lower height limits than generally apply in the zone. A base height of 18 feet would be allowed, or a base height of 22 feet if the structure has no more than two floors and a ten-foot floor-to-floor height on the ground floor. Up to five additional feet is allowed for pitched roofs.

A special provision (Section 23.24.046) allowing short subdivision where there are two existing houses would be repealed, and the code would be clarified to reflect that the unit lot subdivision and unit lot short subdivision processes are available to allow separate ownership of such houses.



Modification of definitions and measurement provisions relating to yards and lots is proposed, to clarify and to limit the practice of configuring lot lines to minimize required front yards in cases where lots lack street frontage.

**Background:** Since 2012 the City has been increasingly hearing strong reactions from residents about out-of-scale developments occurring on small lots in single-family zones. Some have expressed a concern that the lot area exceptions provided in the Land Use Code have been applied in ways that have led to unintended results, and that this is happening without notice to the neighbors, or any opportunity for administrative challenge. In September 2012 the City adopted interim standards for small lot development in Single Family zones (Ord. 123978) on an emergency basis. In September 2013 these standards were extended for another six months. The interim standards included some limits on the application of the lot area exception provided for historic lots of record prior to 1957, and also new, lower height limits for undersized lots that continued to qualify for separate development. During the period these interim measures have been in place, DPD has studied the issues, solicited public feedback and developed the current proposal.

Please check one of the following:

**This legislation does not have any financial implications.**

**This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
No.
- b) **What is the financial cost of not implementing the legislation?**  
None.
- c) **Does this legislation affect any departments besides the originating department?**  
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
No alternatives have been identified.
- e) **Is a public hearing required for this legislation?**  
Yes. The City Council must hold a public hearing.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle***



***Times required for this legislation?***

Yes. Publication of notice of the Council public hearing will be made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin. Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation, and publication of notice of the environmental determination was made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin on June 27, 2013 when similar legislation was first proposed.

**g) Does this legislation affect a piece of property?**

No specific piece of property is identified. Small lots that may qualify for separate development, or that previously qualified and may no longer qualify under this legislation, are found in single-family zones throughout the city.

**h) Other Issues:** None.

**List attachments to the fiscal note below:** None.



**City of Seattle**  
Edward B. Murray  
Mayor

February 25, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that would amend Land Use Code provisions for minimum lot area exceptions and development standards for structures built on small lots in single-family zones.

In 2012, in response to concerns that the existing standards were resulting in houses that were out of scale with the surrounding neighborhood, the City Council adopted emergency interim measures (Ordinance 123978). The measures limit the application of lot area exceptions and impose strict height limits on new houses built on very small lots that qualify for development. The adoption of these interim measures allowed time for the Department of Planning and Development (DPD) to obtain public input and develop comprehensive measures.

As a desirable place to live, Seattle will continue to be a growing city that must find positive ways to manage the growth that we are experiencing. The Land Use Code should help to promote new construction that fits in our neighborhoods.

The proposal balances the needs of new residents with those who currently call Seattle's neighborhoods home by limiting the circumstances under which lots can be considered separate buildable sites and applying new standards for building on small lots.

Thank you for your consideration of this legislation. Should you have questions, please contact Andy McKim at 684-8738.

Sincerely,

Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Office of the Mayor  
Seattle City Hall, 7<sup>th</sup> Floor  
600 Fourth Avenue  
PO Box 94749  
Seattle, Washington 98124-4749

Tel (206) 684-4000  
Fax: (206) 684-5360  
Hearing Impaired use the Washington Relay Service (7-1-1)  
[www.seattle.gov/mayor](http://www.seattle.gov/mayor)



CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL 118052

AN ORDINANCE related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

**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 Council Bill 117952, is amended as follows:

**23.22.062 Unit lot subdivisions**

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for single-family dwelling units, townhouse, rowhouse, cottage housing developments (~~in all zones in which these uses are permitted~~), and existing apartment structures built prior to January 1, 2013, but not individual (~~apartments~~) apartment units, (~~and for single-family dwelling units in LR zones~~), in all zones in which these uses are permitted, or any combination of the above types of residential development(~~s~~) 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 Council Bill 117952, is amended as follows:

**23.24.045 Unit lot subdivisions**

A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for single-family dwelling units, townhouse, rowhouse, cottage housing developments (~~in all zones in which these uses are permitted~~), and existing apartment structures built prior to January 1, 2013, but (~~not~~) no individual apartment units, (~~and for single-family dwelling units~~

THIS VERSION IS NOT ADOPTED



1 ~~in LR zones,))~~ in all zones in which these uses are permitted, or any combination of the above  
2 types of residential development((;)) as permitted in the applicable zones.

3 \* \* \*

4 Section 3. Section 23.24.046 of the Seattle Municipal Code, which Section was last  
5 amended by Ordinance 123809, is repealed:

6 ~~((23.24.046 – Multiple single-family dwelling units on a single-family lot~~

7 A. ~~The provisions of this Section 23.24.046 apply exclusively to the short subdivision of~~  
8 ~~a lot in a single-family zone containing more than one existing single-family dwelling unit.~~

9 B. ~~A lot in a single-family zone containing more than one (1) existing single-family~~  
10 ~~dwelling unit may be divided in accordance with this chapter as long as each of the following~~  
11 ~~conditions is satisfied:~~

12 1. ~~Each existing single-family dwelling unit was legally established by permit or~~  
13 ~~is eligible to be established as a nonconforming development in accordance with Section~~  
14 ~~23.42.102, Establishing nonconforming status;~~

15 2. ~~Each existing single-family dwelling unit was constructed prior to February~~  
16 ~~20, 1982;~~

17 3. ~~Each resulting lot has one (1), but no more than one (1), existing single-family~~  
18 ~~dwelling unit;~~

19 4. ~~Parking is provided in accordance with Section 23.44.016, Parking location~~  
20 ~~and access, unless the Director determines that at least one (1) of the following conditions is~~  
21 ~~present:~~

22 a. ~~Providing parking accessory to an existing single-family dwelling unit~~  
23 ~~is undesirable or impractical because of the location of an environmentally critical area, existing~~  
24 ~~drainage patterns, natural features such as significant trees, or access to a resulting or adjacent~~  
25 ~~lot; or~~

1                   b. ~~The short subdivision cannot be configured to provide parking in~~  
2 ~~compliance with Section 23.44.016;~~

3 ~~If the Director determines that at least one (1) of the foregoing conditions is present, the Director~~  
4 ~~may waive or modify the parking requirements of Section 23.44.016 as long as the short~~  
5 ~~subdivision does not reduce the number of off-street parking spaces existing prior to the short~~  
6 ~~subdivision. In connection with such waiver or modification, the Director may require access and~~  
7 ~~parking easements as conditions of approval of the short subdivision; and~~

8                   5. ~~Each resulting lot conforms to all other development standards of the zone~~  
9 ~~unless the Director determines that the short subdivision cannot be approved if such standards~~  
10 ~~are strictly applied and modification or waiver of some or all of such standards would further the~~  
11 ~~public interest. If the Director makes such determination, then the Director may waive or modify~~  
12 ~~development standards, provided that:~~

13                   a. ~~Each existing single family dwelling unit shall be set back at least three~~  
14 ~~(3) feet from each common lot line in the short subdivision; and~~

15                   b. ~~No resulting lot shall be smaller than one thousand eight hundred~~  
16 ~~(1,800) square feet.~~

17                   C. ~~Structures on lots for which the Director has waived or modified development~~  
18 ~~standards according to subsection B of this section will be treated as nonconforming and be~~  
19 ~~subject to Section 23.42.112.~~

20                   D. ~~Short subdivision of a lot under this Section 23.24.046 is exempt from the~~  
21 ~~requirements of subsection 23.24.040.A.9, unless a lot is created that does not have an existing~~  
22 ~~single family dwelling unit.))~~

23                   Section 4. Subsection B of Section 23.34.086 of the Seattle Municipal code, which  
24 Section was last amended by Ordinance 122311, is amended as follows:

25 **23.34.086 Pedestrian designation (suffix P), function and locational criteria((=))**



\* \* \*

B. Locational ~~((Criteria))~~criteria. Pedestrian-designated zones are most appropriate on land that is generally characterized by the following conditions:

1. Pedestrian district surrounded by residential areas ~~((and/or))~~or major activity centers; or a commercial node in an urban center or urban village;
2. NC zoned areas on both sides of an arterial, or NC zoned block ~~((faees))~~fronts across an arterial from a park, major institution, or other activity center; and
3. Excellent access for pedestrians, transit, and bicyclists.

Section 5. Subsections A, B, C, D and E of Section 23.44.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 123978, are amended as follows:

**23.44.010 Lot requirements**

A. Minimum ~~((Lot Area))~~lot area. The minimum lot area shall be as provided in Table A for 23.4.010:

<u>Table A for 23.44.010</u>	
<u>Minimum lot area</u>	
<u><del>((S.F.))</del>SF <del>((Zone))</del>zone</u>	<u>Minimum <del>((Lot Area Required))</del>lot area required</u>
<u><del>((S.F.))</del>SF 9600</u>	9,600 <u>square feet (sq. ft.)</u>
<u><del>((S.F.))</del>SF 7200</u>	7,200 sq. ft.
<u><del>((S.F.))</del>SF 5000</u>	5,000 sq. ft.

Submerged lands shall not be counted in calculating the area of lots for the purpose of these minimum lot area requirements, or the exceptions to minimum lot area requirements provided in this ~~((section))~~Section 23.44.010. A parcel that does not meet the minimum lot area requirements or exceptions of this Section 23.44.010, and that is in common ownership with an abutting lot when the abutting lot is the subject of any permit application, shall be included as a part of the abutting lot for purposes of the permit application.

THIS VERSION IS NOT ADOPTED



1 B. Exceptions to ~~((Minimum Lot Area Requirements))~~minimum lot area requirements.

2 The following exceptions to minimum lot area requirements are allowed, ~~((subject to the~~  
3 ~~development standards for undersized lots in subsection 23.44.010.C, except as limited~~  
4 ~~under))~~subject to the requirements in subsection 23.44.010.B.2, and further subject to the  
5 requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square feet in area:

6 1. A lot that does not satisfy the minimum lot area requirements of its zone may  
7 be developed or redeveloped ~~((separately))~~under one of the following circumstances:

8 a. "The Seventy-Five/Eighty Rule." The Seventy-Five Eighty Rule  
9 exception may be applied to allow separate development of lots already in existence in their  
10 current configuration, or new lots resulting from a full subdivision, short subdivision or lot  
11 boundary adjustment. In order to qualify for this exception, the lot must have an area at least 75  
12 percent of the minimum required for the zone and also at least 80 percent of the mean area of the  
13 lots within the same block front, subject to the following provisions:

14 1) ~~((If the lot was established as a separate building site in the~~  
15 ~~public records of the county or City prior to July 24, 1957, by deed, contract of sale, mortgage,~~  
16 ~~property tax segregation, platting or building permit and has an area of at least 75 percent of the~~  
17 ~~minimum required lot area and at least 80 percent of the mean lot area of the lots on the same~~  
18 ~~block face and within the same zone in which the lot is located (Exhibit A for 23.44.010), or))~~To  
19 be counted as a separate lot for the purposes of calculating the mean area of the lots on a block  
20 front, a lot must be entirely within a single-family zone, and must be currently developed as a  
21 separate building site or else currently qualify for separate development based on facts in  
22 existence as of the date a building permit, full or short subdivision, or lot boundary adjustment  
23 application is filed with the Department. The existence of structures or portions of structures on  
24 the property that is the subject of the application may be disregarded when the application  
25 indicates the structures or portions of structures will be demolished. In cases where this

THIS VERSION IS NOT ADOPTED



1 exception is applied for the purpose of a lot boundary adjustment, the calculation shall be based  
2 on the existing lots as they are configured before the adjustment.

3 2) ~~((If the lot is or was created by subdivision, short subdivision or~~  
4 ~~lot boundary adjustment, is at least 75 percent of the minimum required lot area, and is at least~~  
5 ~~80 percent of the mean lot area of the lots on the same block face within which the lot will be~~  
6 ~~located and within the same zone (Exhibit A for 23.44.010)))~~To be counted as a separate lot for  
7 the purposes of calculating the mean area of the lots on a block front, a lot must have at least 10  
8 feet of frontage on the street the calculation is applied to.

9 3) Lots developed with institutional uses, parks, or nonconforming  
10 nonresidential uses may be excluded from the calculation. There must, however, be at least one  
11 lot on the block front used for the calculation other than the property that is the subject of the  
12 platting, lot boundary adjustment, or building permit application that this exception is being  
13 applied to.

14 4) If property is to be subdivided or its lot lines are modified by a  
15 lot boundary adjustment that increases the number of lots that qualify for separate development,  
16 the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall  
17 be excluded from the block front mean area calculation.

18 ~~((3))~~5) For purposes of this subsection 23.44.010.B.1.a, if the  
19 platting pattern is irregular, the Director will determine which lots are included within a block  
20 ~~((face))~~front.

21 ~~((4) A determination whether a lot qualifies for this exception~~  
22 ~~shall be made on the basis of facts in existence as of the date of application for a short plat or~~  
23 ~~building permit for that lot.))~~

24 6) If an existing or proposed lot has frontage on more than one  
25 street, the lot may qualify for this exception based on the calculation being applied to any street



1 on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets  
2 but does not have 30 feet of frontage on any street, the exception may be applied based on the  
3 calculation along the street on which the lot has the most frontage, provided the lot has at least  
4 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but  
5 equal frontage on multiple streets, the rule may be applied based on the calculation along any  
6 one of the streets, provided the lot has at least 10 feet of frontage on that street.

7 ((5))7 New lots created pursuant to subsection  
8 23.44.010.B.1.a((2)) or subsection 23.44.010.B.1.b shall comply with the following standards:

9 a) ((for))For a lot that is subdivided or short platted, the  
10 configuration requirements of subsections 23.22.100.C.3 and 23.24.040.A.9 or with the  
11 modification provisions of subsections 23.22.100.D and 23.24.040.B, as applicable; or

12 b) ((for))For an existing lot that is reconfigured under the  
13 provisions of Chapter 23.28, the configuration requirements of subsection 23.28.030.A.3 or with  
14 the ((or))modification provisions of subsection 23.28.030.A.4.

15 b. "The 100 Percent Rule." The 100 Percent Rule exception may be  
16 applied to allow separate development of lots already in existence in their current configuration,  
17 or new lots resulting from a full subdivision, short subdivision, or lot boundary adjustment. To  
18 qualify for this exception, a lot must have an area no less than the mean area of the lots within  
19 the same block front, subject to the same provisions provided for under the Seventy-Five Eighty  
20 Rule in subsections 23.44.010.B.1.a.1 through 23.44.010.B.1.a.7. The number of lots that newly  
21 qualify for separate development as a result of applying this exception shall not exceed the  
22 number of existing lots on the block front that provide the basis for the mean lot area calculation.  
23 Along any one block front, no more than two lots may qualify for separate development under  
24 this exception as a result of demolishing a house, houses or portions of houses in existence on or  
25 after February 1, 2013.

1                   c. The lot area deficit is the result of a dedication or sale of a portion of  
2 the lot to the City or state for street or highway purposes, payment was received for only that  
3 portion of the lot, and the lot area remaining is at least ~~((50 percent of the minimum required))~~  
4 2,500 square feet.

5                   ~~((e))~~d. The lot would qualify as a legal building site under subsection  
6 23.44.010.B but for a reduction in the lot area due to court-ordered adverse possession, and the  
7 amount by which the lot was so reduced was less than 10 percent of the former area of the lot.  
8 This exception does not apply to lots reduced to less than ~~((50 percent of the minimum area  
9 required under subsection 23.44.010.A))~~2,500 square feet.

10                   ~~((d))~~e. "The Historic Lot Exception." The historic lot exception may be  
11 applied to allow separate development of lots already in existence if ((The))the lot has an area  
12 ((at least 50 percent of the minimum required under section 23.44.010.A))of at least 2,500 square  
13 feet, and was established as a separate building site in the public records of the county or City  
14 prior to July 24, 1957, by deed, ((contract of sale, mortgage,))platting, or building permit. ((and  
15 falls into one of the following categories))The qualifying lot shall be subject to the following  
16 provisions:

17                                   ~~((1))~~ The lot has not been held in common ownership with any  
18 contiguous lot after January 17, 1987, or

19                                   ~~2)~~ The lot is or has been held in common ownership with a  
20 contiguous lot after January 17, 1987 and is or has been developed with a principal structure that  
21 is wholly within the lot's boundaries, but only if no portion of any contiguous lot is required to  
22 meet the least restrictive of lot area, lot coverage, setback or yard requirements that were in  
23 effect at the time of the original construction of the principal structure, at the time of its  
24 subsequent additions, or that are in effect at the time of redevelopment of the lot (Exhibit B for  
25 23.44.010), or



1 needed to meet current yard or lot-coverage standards. If the combined property fronts on  
2 multiple streets, the orientation of the principal structure shall not be considered when  
3 determining if it could have been built to the same configuration without using the vacant lot or  
4 lots as part of the principal structure's building site.

5 3) Lots that do not otherwise qualify for this exception cannot  
6 qualify as a result of all or part of a principal structure being removed or destroyed by fire or act  
7 of nature that occurred on or after January 18, 1987. Lots may, however, qualify as a result of  
8 removing from the principal structure minor features that do not contain enclosed interior space,  
9 including but not limited to eaves and unenclosed decks.

10 4) If two or more abutting lots with a mean area less than 3,200  
11 square feet were under common ownership and all of the lots were undeveloped with a principal  
12 structure as of February 1, 2013, and a building permit application was not submitted for  
13 separate development of any of the lots prior to February 1, 2013, no more than one of the lots  
14 may qualify for the lot area exception in this subsection 23.44.010.B.1.e.

15 5) If parking for an existing principal structure on one lot has been  
16 provided on an abutting lot and parking is required under Chapter 23.54 the required parking for  
17 the existing house shall be relocated onto the same lot as the existing principal structure in order  
18 for either lot to qualify for the exception.

19 ~~((e))~~f. The lot is within a ~~((Clustered Housing Planned~~  
20 ~~Development))~~clustered housing planned development pursuant to Section 23.44.024, a  
21 ~~((Planned Residential Development))~~planned residential development pursuant to Section  
22 23.44.034, or a development approved as an environmentally critical areas conditional use  
23 pursuant to Section 25.09.260.

24 ~~((f. The lot is or was created by short subdivision of a lot containing more~~  
25 ~~than one existing single family dwelling unit pursuant to Section 23.24.046.))~~

1                                    g. If a lot qualifies for an exception to the lot area requirement under  
2 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or  
3 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that  
4 also qualify for separate development may be adjusted through the lot boundary adjustment  
5 process if the adjustment maintains the existing lot areas, increases the area of a qualifying  
6 substandard lot without reducing another lot below the minimum permitted lot area, or causes the  
7 areas of the lots to become more equal provided the number of parcels qualifying for separate  
8 development is not increased. Lots resulting from a lot boundary adjustment that do not meet the  
9 minimum lot area requirement must qualify for an exception to that requirement.

10                                    2. Limitations((-))

11                                    a. Development may occur on a substandard lot containing a riparian  
12 corridor, a shoreline habitat and shoreline habitat buffer, a wetland and wetland buffer, or a steep  
13 slope and steep slope buffer pursuant to the provisions of Chapter 25.09, Regulations for  
14 ~~((Environmentally Critical Areas))~~ environmentally critical areas, if the following conditions  
15 apply:

16                                    1) The substandard lot is not held in common ownership with an  
17 ~~((adjacent))~~ abutting lot or lots at any time after October 31, 1992, or

18                                    2) The substandard lot is held in common ownership with an  
19 ~~((adjacent))~~ abutting lot or lots, or has been held in common ownership at any time after October  
20 31, 1992, if proposed and future development will not intrude into the environmentally critical  
21 area or buffer.

22                                    b. Lots on totally submerged lands do not qualify for any minimum lot  
23 area exceptions.

24                                    3. Special exception review for lots less than 3,200 square feet in area. A special  
25 exception Type II review as provided for in Section 23.76.004 is required for separate  
26

THIS VERSION IS NOT ADOPTED



1 development of any lot with an area less than 3,200 square feet that qualifies for any lot area  
2 exception in subsection 23.44.010.B.1. The special exception application shall be subject to the  
3 following provisions:

4 a. The depth of any structure on the lot shall not exceed two times the  
5 width of the lot. If a side yard easement is provided according to subsection 23.44.014.D.3, the  
6 portion of the easement within 5 feet of the structure on the lot qualifying under this provision  
7 may be treated as a part of that lot solely for the purpose of determining the lot width for  
8 purposes of complying with this subsection 23.44.010.B.2.c.

9 b. If a side of a proposed principal structure is more than 25 feet in length  
10 and faces one or more abutting lots that are developed with a house, the sides of the proposed  
11 principal structure that face the existing houses shall be modulated to visually break up the side.

12 c. Windows in a proposed principal structure facing an existing abutting  
13 lot that is developed with a house shall be placed in manner that takes into consideration the  
14 interior privacy in abutting houses, provided that this provision shall not prohibit placing a  
15 window in any room of the proposed house.

16 d. In approving a special exception review, additional conditions may be  
17 imposed that address modulation to address the character of facades of the proposed principal  
18 structure that face existing abutting houses, and window placement to address interior privacy of  
19 existing abutting houses.

20 ~~((C. Development of any principal structure on lots that meet the conditions outlined in~~  
21 ~~subsection 23.44.010.B.1.d but have a total area less than 3,750 square feet shall comply with the~~  
22 ~~height standards of Section 23.44.012.A.3.~~

23 ~~D.))C.~~ Maximum ~~((Lot Coverage))~~lot coverage. The maximum lot coverage permitted  
24 for principal and accessory structures is as ~~((follows))~~provided in Table B for 23.44.010:

**Table B for 23.44.010**  
**Maximum lot coverage**

Lot <del>((Size))</del> size	Maximum <del>((Lot Coverage))</del> lot coverage
Less than 5,000 square feet (sq. ft.)	1,000 sq. ft. <del>((+))</del> plus 15 <del>((%))</del> percent of lot area
5,000 sq. ft. or more	35 <del>((%))</del> percent of lot area

For purposes of computing maximum lot coverage, only those portions of a lot that measure at least 10 feet in ~~((any direction))~~all directions shall be included in lot coverage calculations, except for portions of a lot that are used for access or that are granted a waiver under subsections 23.22.100.D, 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.

~~((E))~~D. Lot ~~((Coverage Exceptions))~~coverage exceptions~~((:-))~~

1. Lots ~~((Abutting Alleys))~~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 ~~((1/2))~~one-half of the width of the abutting alley or alleys.

b. The total lot area for any lot may not be increased by the provisions of this ~~((section))~~Section 23.44.010 by more than 10 percent.

2. Special ~~((Structures and Portions of Structures))~~structures and portions of structures. The following structures and portions of structures are not counted in lot coverage calculations:

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

b. Barrier-free ~~((Access))~~access. Ramps or other access for the disabled or elderly that comply with Washington State Building Code, Chapter 11;

c. Decks. Decks or parts of a deck that are 36 inches or less above existing grade;

THIS VERSION IS NOT ADOPTED



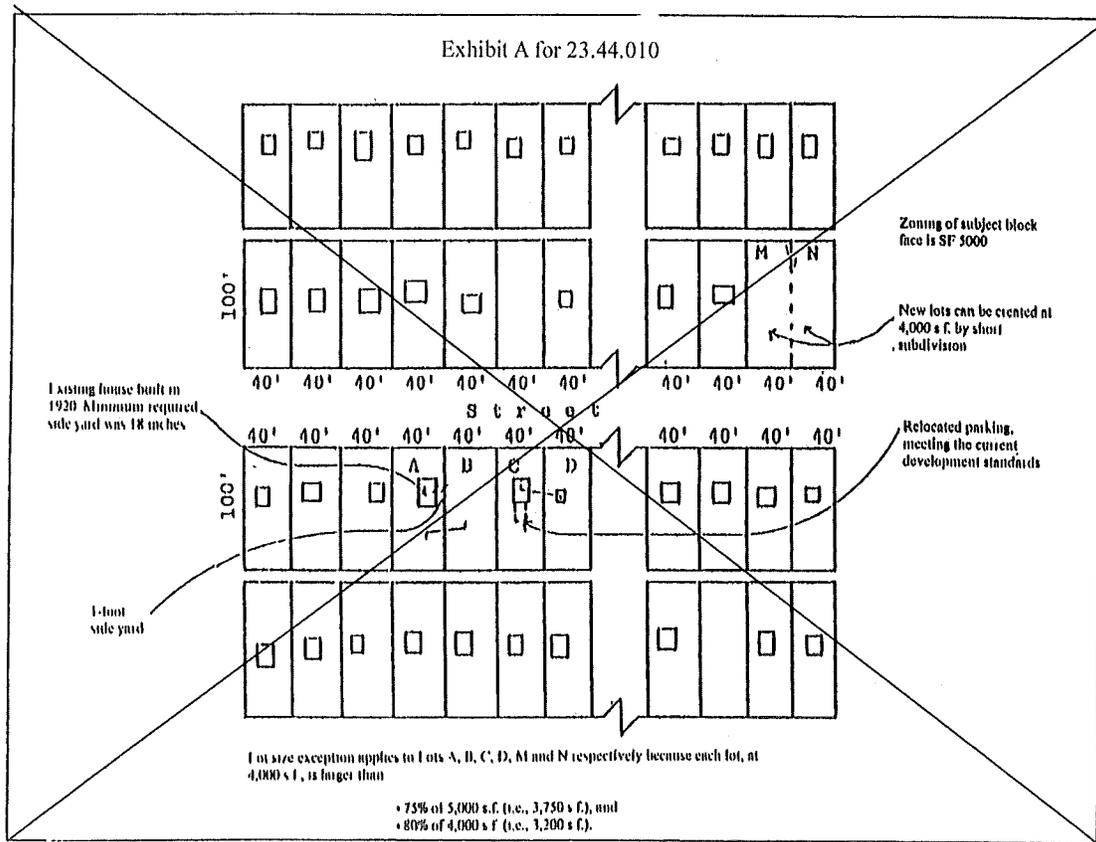
1 d. ~~Freestanding ((Structures and Bulkheads))~~ structures and bulkheads.

2 Fences, freestanding walls, bulkheads, signs and other similar structures;

3 e. ~~Underground ((Structures))~~ structures. An underground structure, or  
4 underground portion of a structure;

5 f. ~~Eaves and ((Gutters))~~ gutters. The first 36 inches of eaves and gutters  
6 that project from principal and accessory structures;

7 g. Solar collectors and swimming pools. Solar collectors that comply with  
8 Section 23.44.046 and swimming pools that comply with Section 23.44.044.

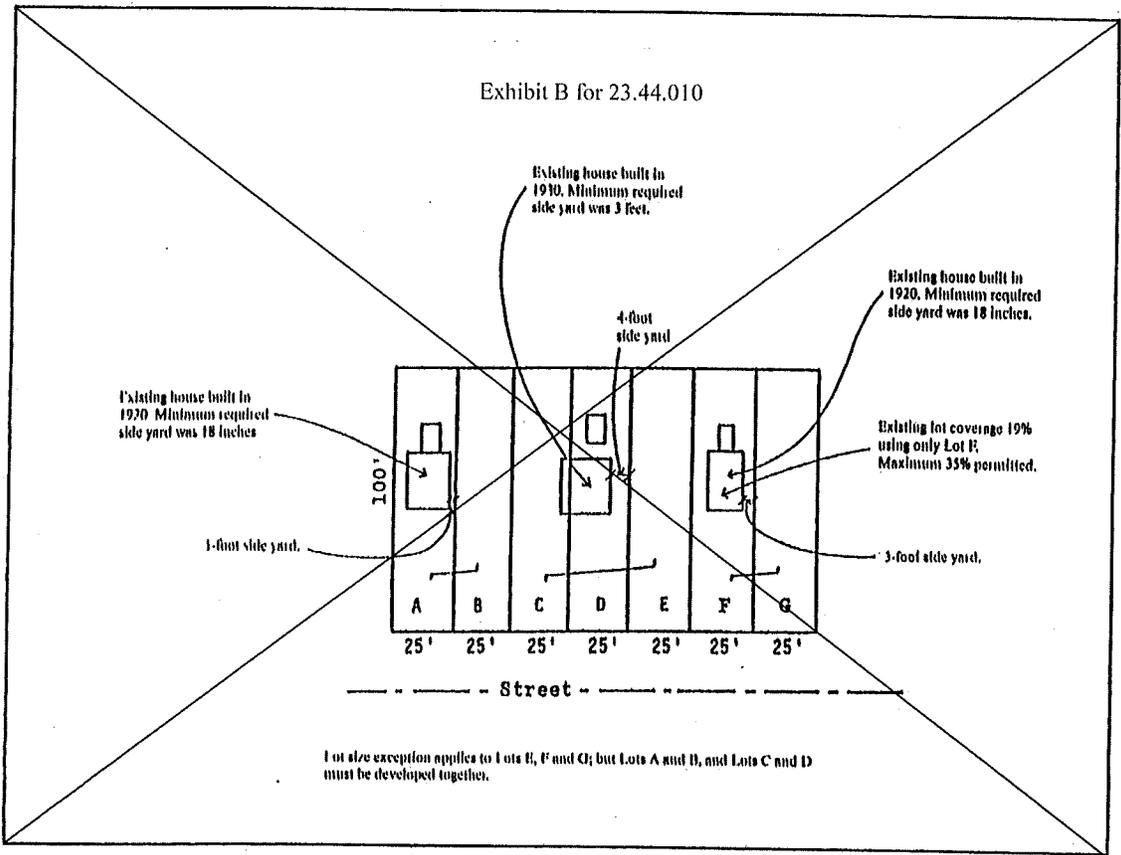


24 ((Exhibit A for 23.44.010))

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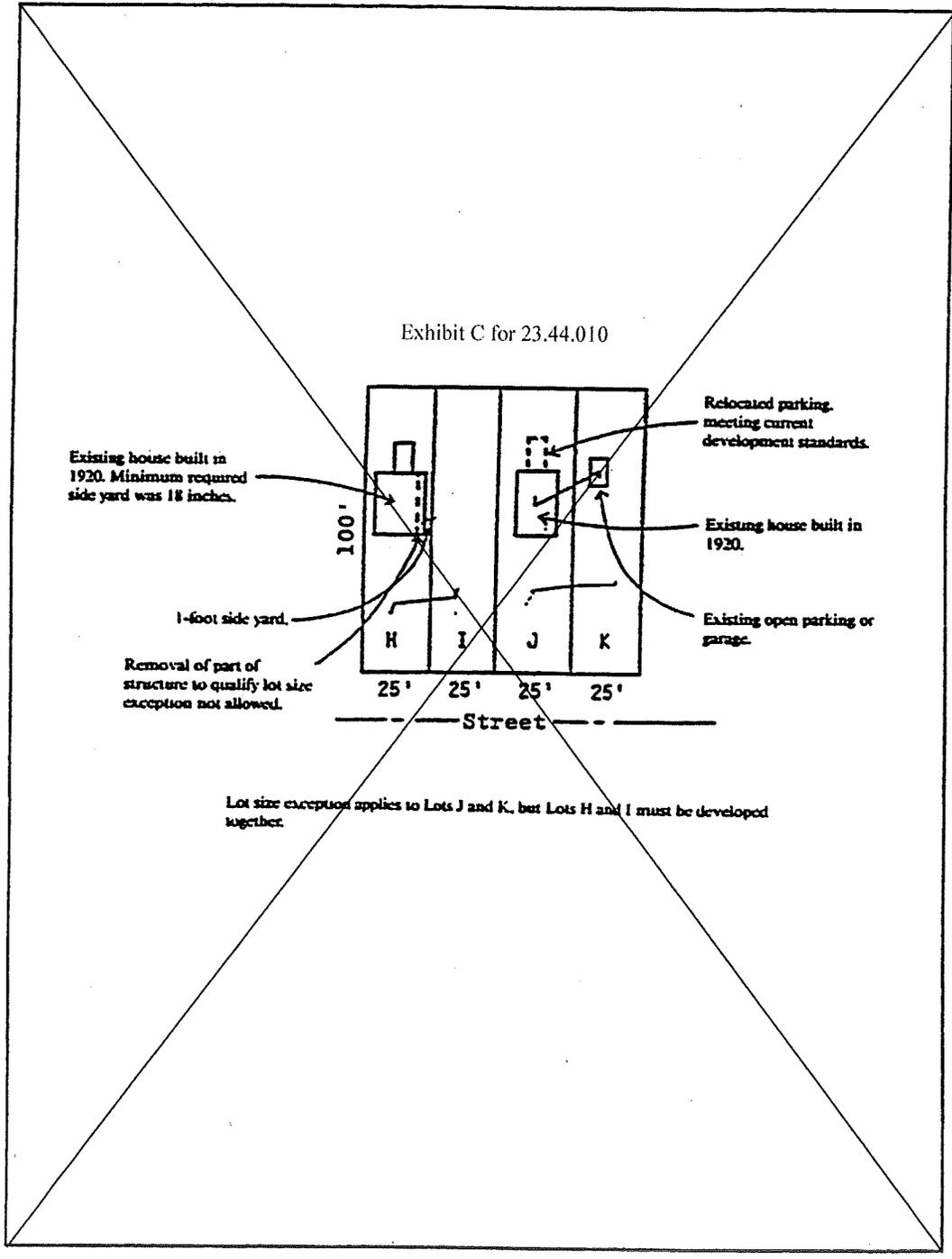


((Exhibit B for 23.44.010))

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((Exhibit C for 23.44.010))

THIS VERSION IS NOT ADOPTED



1 Section 6. Subsections A and B of Section 23.44.012 of the Seattle Municipal Code,  
2 which Section was last amended by Ordinance 123978, are amended as follows:

3 **23.44.012 Height (~~(Limits)~~)limits**

4 A. Maximum (~~(Height Established)~~)height established(~~(:)~~)

5 1. Except as permitted in (~~(S)~~)subsection 23.44.041.B, and except as provided in  
6 (~~(subsection)~~)subsections 23.44.012.A.2 and (~~(A.3)~~)23.44.012.A.3, the maximum permitted  
7 height for any structure not located in a required yard is 30 feet.

8 2. The maximum permitted height for any structure on a lot 30 feet or less in  
9 width is 25 feet.

10 3. For a lot or unit lot of any width, if the area of the largest rectangle or other  
11 quadrilateral that can be drawn within the lot lines of the lot or unit lot (~~(The maximum~~  
12 permitted height for any structure on a lot of any width that))is less than (~~(3,750)~~)3,200 square  
13 feet (~~(that qualifies for separate development according to the provisions in section~~  
14 23.44.010.B.1.d))the maximum permitted height for any structure on that lot (~~(is)~~)shall be  
15 (~~(22)~~)18 feet(~~(:)~~) unless the structure's height is further restricted by other code provisions,  
16 provided that structure height up to 22 feet is permitted for a principal structure with habitable  
17 floor area on no more than two partially- or fully-above-ground floors, and top-of-floor-to top-  
18 of-floor height is at least 10 feet at the level of the main entry.

19 4. The method of determining structure height and lot width is detailed in  
20 Chapter 23.86, Measurements.

21 B. Pitched (~~(Roofs)~~)roofs. The ridge of a pitched roof on a principal structure may  
22 extend up to (~~(five (5))~~)5 feet above the maximum height limit, as determined under subsection  
23 23.44.012.A above. All parts of the roof above the height limit must be pitched at a rate of not  
24 less than 4:12 (Exhibit A for 23.44.012). No portion of a shed roof, except on a dormer, shall be  
25 permitted to extend beyond the maximum height limit, as determined under subsection  
26  
27  
28

1 23.44.012.A above. Roof forms including but not limited to barreled and domed roofs may be  
2 allowed under this subsection 23.44.012.B if the Director determines that the roof form remains  
3 within the massing of a pitched roof form such as a gable or gambrel roof that would otherwise  
4 be allowed by this subsection 23.44.012.B (Exhibit B for 23.44.012).

5 \* \* \*

6 Section 7. Subsection K of Section 23.44.022 of the Seattle Municipal Code, which  
7 Section was last amended by Ordinance 123649, is amended as follows:

8 **23.44.022 Institutions**

9 \* \* \*

10 K. Bulk and ~~((Siting))~~siting((-))

11 1. Lot ~~((Area))~~area. If the proposed site is more than one ~~((1))~~acre in size, the  
12 Director may require the following and similar development standards:

13 a. For lots with unusual configuration or uneven boundaries, the proposed  
14 principal structures be located so that changes in potential and existing development patterns on  
15 the block or blocks within which the institution is located are kept to a minimum;

16 b. For lots with large street frontage in relationship to their size, the  
17 proposed institution reflect design and architectural features associated with adjacent  
18 residentially-zoned block ~~((faes))~~fronts in order to provide continuity of the block front and to  
19 integrate the proposed structures with residential structures and uses in the immediate area.

20 \* \* \*

21 Section 8. Section 23.84A.004 of the Seattle Municipal Code, which Section was last  
22 amended by Ordinance 122935, is amended as follows:

23 **23.84A.004 "B"**

24 \* \* \*

THIS VERSION IS NOT ADOPTED



1 "Block." In areas outside downtown zones, a block consists of two ((2)) facing block  
2 fronts bounded on two ((2)) sides by alleys or rear lot lines and on two ((2)) sides by the  
3 centerline of platted streets, with no other intersecting streets intervening, as depicted in Exhibit  
4 ((23.84A.004 A1))A1 for 23.84A.004.

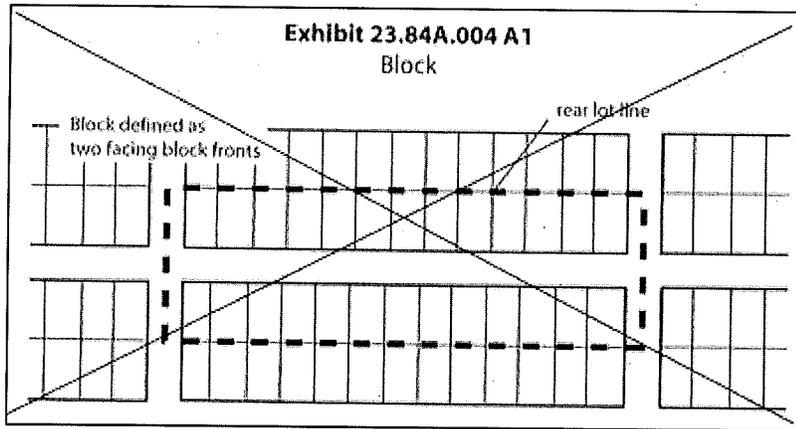
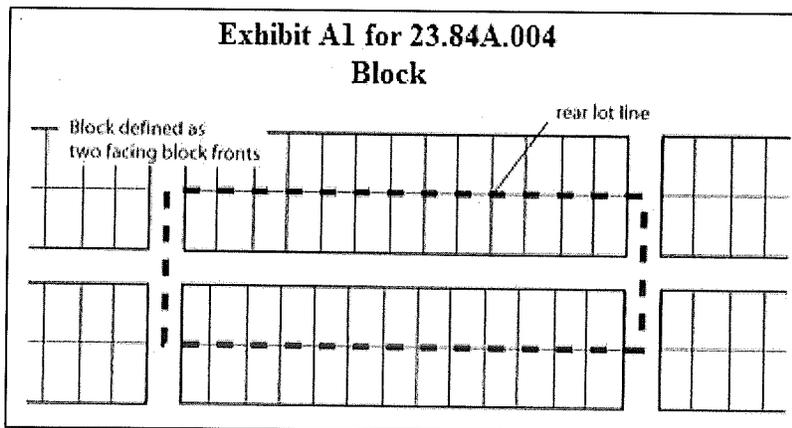


Exhibit A1 for 23.84A.004

Block



21 In downtown zones, a block consists of the area bounded by street lot lines, Exhibit  
22 ((23.84A.004 A2))A2 for 23.84A.004.

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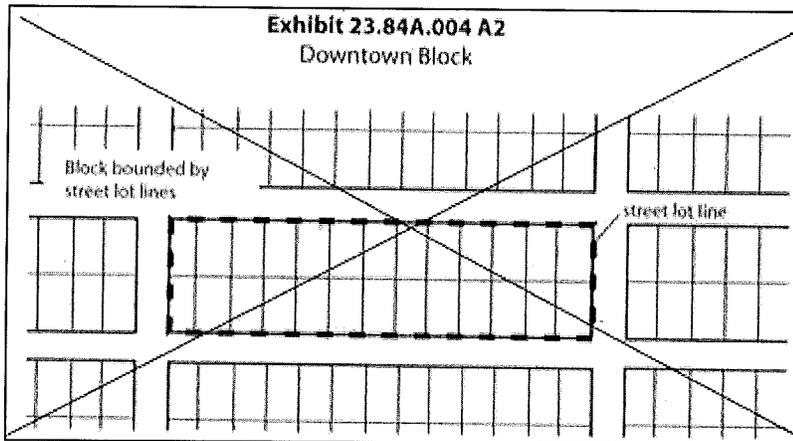
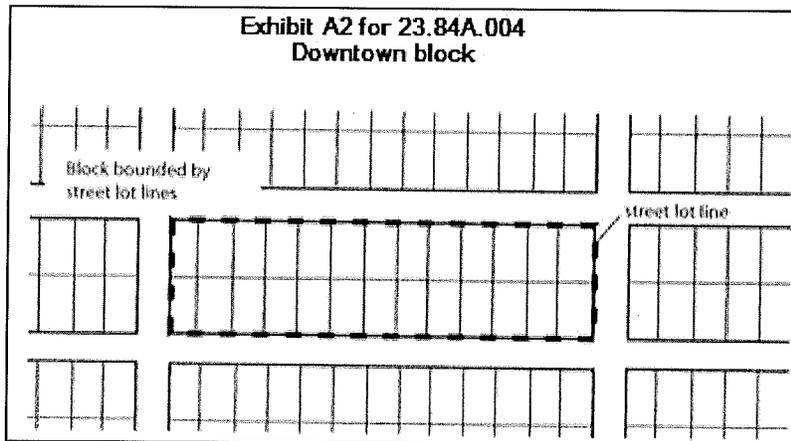


Exhibit A2 for 23.84A.004

Downtown block



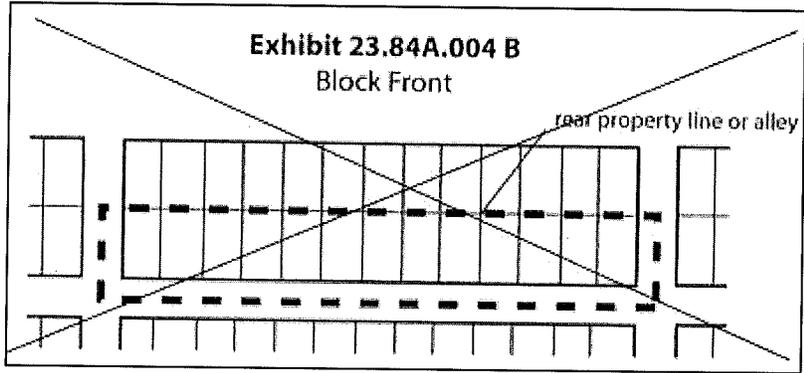
"Block face." See "Block front."

"Block front" means the land area along one ((1))side of a street bound on three ((3))sides by the centerline of platted streets and on the fourth side by an alley or rear lot lines ((Exhibit 23.84A.004 B))(Exhibit B for 23.84A.004).

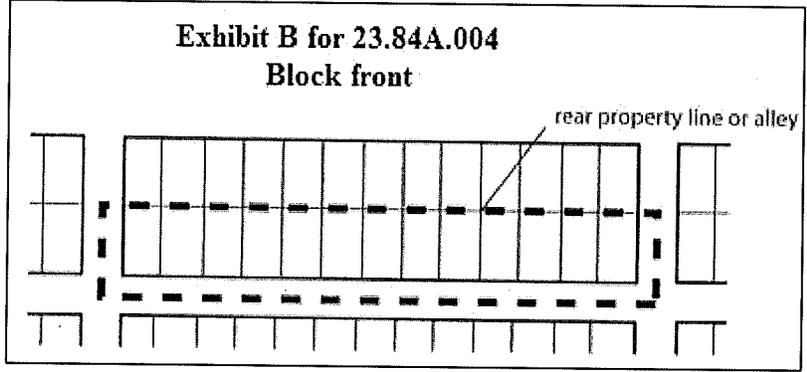
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**Exhibit B for 23.84A.004**  
**Block front**



\* \* \*

Section 9. Section 23.84A.024 of the Seattle Municipal Code, which Section was last amended by Ordinance 123913, is amended as follows:

**23.84A.024 "L"**

\* \* \*

"Lot" means, except for the purposes of a TDR sending lot for Landmark TDR or housing TDR, a sending lot for South Downtown Historic TDR or South Downtown Historic TDP, and a sending lot for open space TDR, ~~((one or more platted or unplatted parcels))~~ a parcel of land that qualifies for separate development or has been separately developed. A lot is the unit that the development standards of each zone are typically applied to. A lot shall ~~((abutting))~~ abut upon and be accessible from a private or public street sufficiently improved for

**THIS VERSION IS NOT ADOPTED**



1 vehicle travel or (~~abutting~~)abut upon and be accessible from an exclusive, unobstructed  
2 permanent access easement. A lot may not be divided by a street or alley (Exhibit A for  
3 23.84A.024).

4 1. For purposes of a TDR sending lot for Landmark TDR, "lot" means the parcel  
5 described in the ordinance approving controls for the sending lot.

6 2. For purposes of a sending lot for housing TDR, "lot" means the smallest parcel  
7 or combination of contiguous parcels, as described in the County real property records at any  
8 time after January 4, 1993, that contain the structure or structures that make the TDR eligible for  
9 transfer.

10 3. For purposes of a sending lot for South Downtown Historic TDR or South  
11 Downtown Historic TDP, "lot" means the smallest parcel or combination of contiguous parcels,  
12 as described in the County real property records at any time after March 31, 2011, that contain  
13 the contributing structure or structures that make the TDR or TDP eligible for transfer.

14 4. For purposes of a sending lot for open space TDR, the definition of lot in  
15 Section 23.49.017 applies.

16 \* \* \*

17 "Lot line, front" means, in the case of (~~an interior~~)a lot with frontage on a single street,  
18 the lot line separating the lot from the street, and in the case of a (~~corner~~)lot with frontage on  
19 more than one street other than a through lot, the lot line separating the lot from any abutting  
20 street, provided the other lot line(s) that abut streets are considered to be side street lot line(s). In  
21 the case of a through lot, the lot lines separating the lot from the streets that are parallel or within  
22 15 degrees of parallel to each other are both front lines. For new development on a lot with no  
23 street frontage, the front lot line shall be the lot line designated by the project applicant in  
24 accordance with Section 23.86.010. If the area of the front yard based on a front lot line  
25 determined according to this definition is less than 20 percent of the total lot area and is less than  
26



1 1,000 square feet in area, the Director may designate a different lot line as the front lot line in  
2 order to provide structural setbacks, building separations and open space that are more consistent  
3 with those of other lots that are within 100 feet of the property.

4 \* \* \*

5 Section 10. Section 23.84A.046 of the Seattle Municipal Code, which Section was last  
6 amended by Ordinance 122311, is amended as follows:

7 **23.84A.046 "Y"**

8 \* \* \*

9 "Yard, front" means an area from the ground upward between the side lot lines of a lot,  
10 extending from the front lot line to a line on the lot parallel to the front lot line, the horizontal  
11 depth of which is specified for each zone. The front yard includes all portions of the lot that are  
12 within the specified distance from the street along which the front lot line extends, even if  
13 separated from the street by an intervening lot. In the case of an irregularly-shaped lot, the front  
14 yard shall be a portion of the property as determined according to subsection 23.86.010.B.

15 "Yard, rear" means an area from the ground upward between the side lot lines of a lot,  
16 extending from the rear lot line to a line on the lot parallel to the rear lot line, the horizontal  
17 depth of which is specified for each zone. In the case of an irregularly-shaped lot, the rear yard  
18 shall be a portion of the property adjacent to the rear lot line as determined according to  
19 subsection 23.86.010.C.

20 \* \* \*

21 Section 11. Section 23.86.010 of the Seattle Municipal Code, which Section was last  
22 amended by Ordinance 123046, is amended as follows:

23 **23.86.010 Yards**

24 A. Measuring ~~((Required Yards))~~ required yards. Required yard dimensions shall be  
25 horizontal distances, measured perpendicular to the appropriate lot lines ~~((Exhibit 23.86.010~~

THIS VERSION IS NOT ADOPTED



1 A)))(Exhibit A for 23.86.010). For lots with no street frontage, the applicant may designate the  
2 front lot line, provided that under the resulting orientation, the area of the front yard is at least 20  
3 percent of the area of the lot or 1,000 square feet whichever is less. If a lot with frontage on  
4 more than one street is developed with an existing principal structure, the orientation of the lot  
5 for the purpose of current yard requirements shall be the orientation under which the existing  
6 structure is most conforming to current yard standards.

7 \* \* \*

8 Section 12. This ordinance shall take effect and be in force 30 days after its approval by  
9 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
10 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

THIS VERSION IS NOT ADOPTED



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Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2014, and  
signed by me in open session in authentication of its passage this  
\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

THIS VERSION IS NOT ADOPTED



CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL 118052

AN ORDINANCE related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

WHEREAS, in the course of considering permanent regulations for development on undersized-single family zoned lots, the Council received compelling testimony about the surprise to neighbors occasioned by development on undersized lots; and

WHEREAS, it is the Council's intent to consider alternative or additional notice requirements for actions, such as lot boundary adjustment applications, to allow near neighbors to apprise themselves of likely future development; NOW THEREFORE,

**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 Council Bill 117952, is amended as follows:

**23.22.062 Unit lot subdivisions**

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for single-family dwelling units, townhouse, rowhouse, and cottage housing developments ((in all zones in which these uses are permitted)), and existing apartment structures built prior to January 1, 2013, but not individual ((apartments))apartment units, ((and for single-family dwelling units in LR zones;)) in all zones in which these uses are permitted, 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 Council Bill 117952, is amended as follows:

THIS VERSION IS NOT ADOPTED

1 **23.24.045 Unit lot subdivisions**

2 A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of  
3 land for single-family dwelling units, townhouse, rowhouse, and cottage housing developments  
4 (~~in all zones in which these uses are permitted~~), and existing apartment structures built prior to  
5 January 1, 2013, but not individual apartment units, (~~and for single-family dwelling units in LR~~  
6 ~~zones~~), in all zones in which these uses are permitted, or any combination of the above types of  
7 residential development(,) as permitted in the applicable zones.

8 \* \* \*

9 Section 3. Section 23.24.046 of the Seattle Municipal Code, which Section was last  
10 amended by Ordinance 123809, is repealed:

11 ~~(23.24.046 – Multiple single-family dwelling units on a single-family lot~~

12 A. ~~The provisions of this Section 23.24.046 apply exclusively to the short subdivision of~~  
13 ~~a lot in a single-family zone containing more than one existing single-family dwelling unit.~~

14 B. ~~A lot in a single-family zone containing more than one (1) existing single-family~~  
15 ~~dwelling unit may be divided in accordance with this chapter as long as each of the following~~  
16 ~~conditions is satisfied:~~

17 ~~1. Each existing single-family dwelling unit was legally established by permit or~~  
18 ~~is eligible to be established as a nonconforming development in accordance with Section~~  
19 ~~23.42.102, Establishing nonconforming status;~~

20 ~~2. Each existing single-family dwelling unit was constructed prior to February~~  
21 ~~20, 1982;~~

22 ~~3. Each resulting lot has one (1), but no more than one (1), existing single-family~~  
23 ~~dwelling unit;~~

1                   4. ~~Parking is provided in accordance with Section 23.44.016, Parking location~~  
2 ~~and access, unless the Director determines that at least one (1) of the following conditions is~~  
3 ~~present:~~

4                   a. ~~Providing parking accessory to an existing single family dwelling unit~~  
5 ~~is undesirable or impractical because of the location of an environmentally critical area, existing~~  
6 ~~drainage patterns, natural features such as significant trees, or access to a resulting or adjacent~~  
7 ~~lot; or~~

8                   b. ~~The short subdivision cannot be configured to provide parking in~~  
9 ~~compliance with Section 23.44.016;~~

10 ~~If the Director determines that at least one (1) of the foregoing conditions is present, the Director~~  
11 ~~may waive or modify the parking requirements of Section 23.44.016 as long as the short~~  
12 ~~subdivision does not reduce the number of off-street parking spaces existing prior to the short~~  
13 ~~subdivision. In connection with such waiver or modification, the Director may require access and~~  
14 ~~parking easements as conditions of approval of the short subdivision; and~~

15                   5. ~~Each resulting lot conforms to all other development standards of the zone~~  
16 ~~unless the Director determines that the short subdivision cannot be approved if such standards~~  
17 ~~are strictly applied and modification or waiver of some or all of such standards would further the~~  
18 ~~public interest. If the Director makes such determination, then the Director may waive or modify~~  
19 ~~development standards, provided that:~~

20                   a. ~~Each existing single family dwelling unit shall be set back at least three~~  
21 ~~(3) feet from each common lot line in the short subdivision; and~~

22                   b. ~~No resulting lot shall be smaller than one thousand eight hundred~~  
23 ~~(1,800) square feet.~~

THIS VERSION IS NOT RECORDED

1 C. Structures on lots for which the Director has waived or modified development  
 2 standards according to subsection B of this section will be treated as nonconforming and be  
 3 subject to Section 23.42.112.

4 D. Short subdivision of a lot under this Section 23.24.046 is exempt from the  
 5 requirements of subsection 23.24.040.A.9, unless a lot is created that does not have an existing  
 6 single family dwelling unit.)

7 Section 4. Subsection B of Section 23.34.086 of the Seattle Municipal code, which  
 8 Section was last amended by Ordinance 122311, is amended as follows:

9 **23.34.086 Pedestrian designation (suffix P), function and locational criteria((=))**

10 \* \* \*

11 B. Locational ((Criteria))criteria. Pedestrian-designated zones are most appropriate on  
 12 land that is generally characterized by the following conditions:

13 1. Pedestrian district surrounded by residential areas ((and/or))or major activity  
 14 centers; or a commercial node in an urban center or urban village;

15 2. NC zoned areas on both sides of an arterial, or NC zoned block ((faees))fronts  
 16 across an arterial from a park, major institution, or other activity center; and

17 3. Excellent access for pedestrians, transit, and bicyclists.

18 Section 5. Subsections A, B, C, D and E of Section 23.44.010 of the Seattle Municipal  
 19 Code, which Section was last amended by Ordinance 123978, are amended as follows:

20 **23.44.010 Lot requirements**

21 A. Minimum ((Lot Area))lot area. The minimum lot area shall be as provided in Table A  
 22 for 23.44.010:

<b>Table A for 23.44.010</b>	
<b>Minimum lot area</b>	
<b>((S.F.))SF ((Zone))zone</b>	<b>Minimum ((Lot Area Required))lot area required</b>
((S.F.))SF 9600	9,600 square feet (sq. ft.)

THIS VERSION IS NOT ADOPTED

1	<del>((S.F.))SF 7200</del>	7,200 sq. ft.
2	<del>((S.F.))SF 5000</del>	5,000 sq. ft.

3 Submerged lands shall not be counted in calculating the area of lots for the purpose of  
4 these minimum lot area requirements, or the exceptions to minimum lot area requirements  
5 provided in this ~~((section))~~Section 23.44.010. A parcel that does not meet the minimum lot area  
6 requirements or exceptions of this Section 23.44.010, and that is in common ownership with an  
7 abutting lot when the abutting lot is the subject of any permit application, shall be included as a  
8 part of the abutting lot for purposes of the permit application.

9 B. Exceptions to ~~((Minimum Lot Area Requirements))~~minimum lot area requirements.  
10 The following exceptions to minimum lot area requirements are allowed, ~~((subject to the~~  
11 ~~development standards for undersized lots in subsection 23.44.010.C, except as limited~~  
12 ~~under))~~subject to the requirements in subsection 23.44.010.B.2, and further subject to the  
13 requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square feet in area:

14 1. A lot that does not satisfy the minimum lot area requirements of its zone may  
15 be developed or redeveloped ~~((separately))~~under one of the following circumstances:

16 a. "The Seventy-Five/Eighty Rule." The Seventy-Five Eighty Rule  
17 exception may be applied to allow separate development of lots already in existence in their  
18 current configuration, or new lots resulting from a full subdivision, short subdivision or lot  
19 boundary adjustment. In order to qualify for this exception, the lot must have an area at least 75  
20 percent of the minimum required for the zone and also at least 80 percent of the mean area of the  
21 lots within the same block front, subject to the following provisions:

22 1) ~~((If the lot was established as a separate building site in the~~  
23 ~~public records of the county or City prior to July 24, 1957, by deed, contract of sale, mortgage,~~  
24 ~~property tax segregation, platting or building permit and has an area of at least 75 percent of the~~  
25 ~~minimum required lot area and at least 80 percent of the mean lot area of the lots on the same~~  
26

THIS VERSION IS NOT ADOPTED

1 ~~block face and within the same zone in which the lot is located (Exhibit A for 23.44.010), or))~~ To  
2 be counted as a separate lot for the purposes of calculating the mean area of the lots on a block  
3 front, a lot must be entirely within a single-family zone, and must be currently developed as a  
4 separate building site or else currently qualify for separate development based on facts in  
5 existence as of the date a building permit, full or short subdivision, or lot boundary adjustment  
6 application is filed with the Department. The existence of structures or portions of structures on  
7 the property that is the subject of the application may be disregarded when the application  
8 indicates the structures or portions of structures will be demolished. In cases where this  
9 exception is applied for the purpose of a lot boundary adjustment, the calculation shall be based  
10 on the existing lots as they are configured before the adjustment.

11 ~~2) ((If the lot is or was created by subdivision, short subdivision or~~  
12 ~~lot boundary adjustment, is at least 75 percent of the minimum required lot area, and is at least~~  
13 ~~80 percent of the mean lot area of the lots on the same block face within which the lot will be~~  
14 ~~located and within the same zone (Exhibit A for 23.44.010)))~~ To be counted as a separate lot for  
15 the purposes of calculating the mean area of the lots on a block front, a lot must have at least 10  
16 feet of frontage on the street the calculation is applied to.

17 3) Lots developed with institutional uses, parks, or nonconforming  
18 nonresidential uses may be excluded from the calculation. There must, however, be at least one  
19 lot on the block front used for the calculation other than the property that is the subject of the  
20 platting, lot boundary adjustment, or building permit application that this exception is being  
21 applied to.

22 4) If property is to be subdivided or its lot lines are modified by a  
23 lot boundary adjustment that increases the number of lots that qualify for separate development,  
24 the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall  
25 be excluded from the block front mean area calculation.

1                                    ~~((3))~~5) For purposes of this subsection 23.44.010.B.1.a, if the  
2 platting pattern is irregular, the Director will determine which lots are included within a block  
3 ~~((face))~~front.

4                                    ~~((4) A determination whether a lot qualifies for this exception~~  
5 ~~shall be made on the basis of facts in existence as of the date of application for a short plat or~~  
6 ~~building permit for that lot.))~~

7                                    6) If an existing or proposed lot has frontage on more than one  
8 street, the lot may qualify for this exception based on the calculation being applied to any street  
9 on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets  
10 but does not have 30 feet of frontage on any street, the exception may be applied based on the  
11 calculation along the street on which the lot has the most frontage, provided the lot has at least  
12 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but  
13 equal frontage on multiple streets, the rule may be applied based on the calculation along any  
14 one of the streets, provided the lot has at least 10 feet of frontage on that street.

15                                    ~~((5))~~7) New lots created pursuant to subsection  
16 23.44.010.B.1.a~~((2))~~ or subsection 23.44.010.B.1.b shall comply with the following standards:

17                                    a) ~~((for))~~For a lot that is subdivided or short platted, the  
18 configuration requirements of subsections 23.22.100.C.3 and 23.24.040.A.9 or with the  
19 modification provisions of subsections 23.22.100.D and 23.24.040.B, as applicable; or

20                                    b) ~~((for))~~For an existing lot that is reconfigured under the  
21 provisions of Chapter 23.28, the configuration requirements of subsection 23.28.030.A.3 or with  
22 the ~~((or))~~modification provisions of subsection 23.28.030.A.4.

23                                    b. “The 100 Percent Rule.” The 100 Percent Rule exception may be  
24 applied to allow separate development of lots already in existence in their current configuration,  
25 or new lots resulting from a full subdivision, short subdivision, or lot boundary adjustment. To

1 qualify for this exception, a lot must have an area no less than the mean area of the lots within  
2 the same block front, subject to the same provisions provided for under the Seventy-Five Eighty  
3 Rule in subsections 23.44.010.B.1.a.1 through 23.44.010.B.1.a.7. The number of lots that newly  
4 qualify for separate development as a result of applying this exception shall not exceed the  
5 number of existing lots on the block front that provide the basis for the mean lot area calculation.  
6 Any lot that qualifies for separate development as a result of applying this exception shall be at  
7 least 2,500 square feet in area. Along any one block front, no more than two lots may qualify for  
8 separate development under this exception as a result of demolishing a house, houses or portions  
9 of houses in existence on or after February 1, 2013.

10 c. The lot area deficit is the result of a dedication or sale of a portion of  
11 the lot to the City or state for street or highway purposes, payment was received for only that  
12 portion of the lot, and the lot area remaining is at least ~~((50 percent of the minimum required))~~  
13 2,500 square feet.

14 ~~((e))~~d. The lot would qualify as a legal building site under subsection  
15 23.44.010.B but for a reduction in the lot area due to court-ordered adverse possession, and the  
16 amount by which the lot was so reduced was less than 10 percent of the former area of the lot.  
17 This exception does not apply to lots reduced to less than ~~((50 percent of the minimum area~~  
18 ~~required under subsection 23.44.010.A))~~2,500 square feet.

19 ~~((d))~~e. "The Historic Lot Exception." The historic lot exception may be  
20 applied to allow separate development of lots already in existence if ~~((The))~~the lot has an area  
21 ~~((at least 50 percent of the minimum required under section 23.44.010.A))~~of at least 2,500 square  
22 feet, and was established as a separate building site in the public records of the county or City  
23 prior to July 24, 1957, by deed, ~~((contract of sale, mortgage,))~~plating, or building permit. ~~((and~~  
24 falls into one of the following categories))The qualifying lot shall be subject to the following  
25 provisions:



1 for purposes of this exception, and these features may be removed to allow separate development  
2 of the lots if they otherwise qualify; or))

3 1) A lot is considered to have been established as a separate  
4 building site by deed if the lot was held under separate ownership from all abutting lots for at  
5 least one year after the date the recorded deed transferred ownership.

6 2) If two contiguous lots have been held in common ownership at  
7 any time after January 18, 1987, and a principal structure extends onto or over both lots, neither  
8 lot qualifies for the exception. If the principal structure does not extend onto or over both lots,  
9 but both lots were required to meet development standards other than parking requirements in  
10 effect at the time the structure was built or expanded, neither lot qualifies for the exception  
11 unless the vacant lot is not needed to meet development standards other than parking  
12 requirements. If the combined property fronts on multiple streets, the orientation of the principal  
13 structure shall not be considered when determining if it could have been built to the same  
14 configuration without using the vacant lot or lots as part of the principal structure's building site.

15 3) Lots that do not otherwise qualify for this exception cannot  
16 qualify as a result of all or part of a principal structure being removed or destroyed by fire or act  
17 of nature that occurred on or after January 18, 1987. Lots may, however, qualify as a result of  
18 removing from the principal structure minor features that do not contain enclosed interior space,  
19 including but not limited to eaves and unenclosed decks.

20 4) If parking for an existing principal structure on one lot has been  
21 provided on an abutting lot and parking is required under Chapter 23.54 the required parking for  
22 the existing house shall be relocated onto the same lot as the existing principal structure in order  
23 for either lot to qualify for the exception.

24 ((e))f. The lot is within a ((Clustered Housing Planned  
25 Development))clustered housing planned development pursuant to Section 23.44.024, a

1 ~~((Planned Residential Development))~~planned residential development pursuant to Section  
2 23.44.034, or a development approved as an environmentally critical areas conditional use  
3 pursuant to Section 25.09.260.

4 ~~((f. The lot is or was created by short subdivision of a lot containing more  
5 than one existing single family dwelling unit pursuant to Section 23.24.046.))~~

6 g. If a lot qualifies for an exception to the lot area requirement under  
7 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or  
8 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that  
9 also qualify for separate development may be adjusted through the lot boundary adjustment  
10 process if the adjustment maintains the existing lot areas, increases the area of a qualifying  
11 substandard lot without reducing another lot below the minimum permitted lot area, or causes the  
12 areas of the lots to become more equal provided the number of parcels qualifying for separate  
13 development is not increased. Lots resulting from a lot boundary adjustment that do not meet the  
14 minimum lot area requirement must qualify for an exception to that requirement.

15 2. Limitations~~((:))~~

16 a. Development may occur on a substandard lot containing a riparian  
17 corridor, a shoreline habitat and shoreline habitat buffer, a wetland and wetland buffer, or a steep  
18 slope and steep slope buffer pursuant to the provisions of Chapter 25.09, Regulations for  
19 ~~((Environmentally Critical Areas))~~environmentally critical areas, if the following conditions  
20 apply:

21 1) The substandard lot is not held in common ownership with an  
22 ~~((adjacent))~~abutting lot or lots at any time after October 31, 1992, or

23 2) The substandard lot is held in common ownership with an  
24 ~~((adjacent))~~abutting lot or lots, or has been held in common ownership at any time after October  
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1 31, 1992, if proposed and future development will not intrude into the environmentally critical  
2 area or buffer.

3 b. Lots on totally submerged lands do not qualify for any minimum lot  
4 area exceptions.

5 3. Special exception review for lots less than 3,200 square feet in area. A special  
6 exception Type II review as provided for in Section 23.76.004 is required for separate  
7 development of any lot with an area less than 3,200 square feet that qualifies for any lot area  
8 exception in subsection 23.44.010.B.1. The special exception application shall be subject to the  
9 following provisions:

10 a. The depth of any structure on the lot shall not exceed two times the  
11 width of the lot. If a side yard easement is provided according to subsection 23.44.014.D.3, the  
12 portion of the easement within 5 feet of the structure on the lot qualifying under this provision  
13 may be treated as a part of that lot solely for the purpose of determining the lot width for  
14 purposes of complying with this subsection 23.44.010.B.2.c.

15 b. Windows in a proposed principal structure facing an existing abutting  
16 lot that is developed with a house shall be placed in manner that takes into consideration the  
17 interior privacy in abutting houses, provided that this provision shall not prohibit placing a  
18 window in any room of the proposed house.

19 c. In approving a special exception review, additional conditions may be  
20 imposed that address window placement to address interior privacy of existing abutting houses.

21 ~~((C. Development of any principal structure on lots that meet the conditions outlined in~~  
22 ~~subsection 23.44.010.B.1.d but have a total area less than 3,750 square feet shall comply with the~~  
23 ~~height standards of Section 23.44.012.A.3.~~

24 ~~D.))C. Maximum ((Lot Coverage))lot coverage. The maximum lot coverage permitted  
25 for principal and accessory structures is as ((follows))provided in Table B for 23.44.010:~~

**Table B for 23.44.010**  
**Maximum lot coverage**

<u>Lot ((Size))size</u>	<u>Maximum ((Lot Coverage))lot coverage</u>
Less than 5,000 square feet (sq. ft.)	1,000 sq. ft. ((+))plus 15((%)) percent of lot area
5,000 sq. ft. or more	35((%)) percent of lot area

For purposes of computing maximum lot coverage, only those portions of a lot that measure at least 10 feet in ~~((any direction))~~ all directions shall be included in lot coverage calculations, except for portions of a lot that are used for access or that are granted a waiver under subsections 23.22.100.D, 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.

~~((E))~~ D. Lot ((Coverage Exceptions))coverage exceptions((-))

1. Lots ~~((Abutting Alleys))~~ 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 ~~((1/2))~~ one-half of the width of the abutting alley or alleys.

b. The total lot area for any lot may not be increased by the provisions of this ~~((section))~~ Section 23.44.010 by more than 10 percent.

2. Special ~~((Structures and Portions of Structures))~~ structures and portions of structures. The following structures and portions of structures are not counted in lot coverage calculations:

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

b. Barrier-free ~~((Access))~~ access. Ramps or other access for the disabled or elderly that comply with Washington State Building Code, Chapter 11;

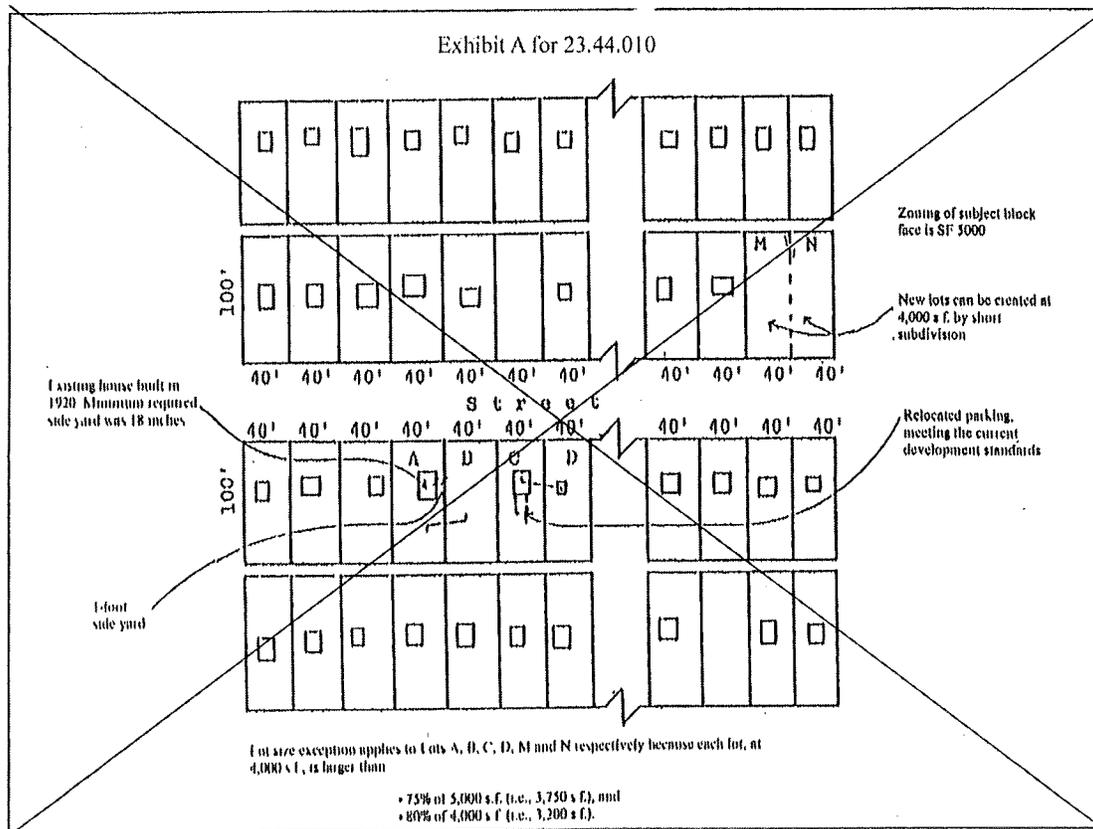
c. Decks. Decks or parts of a deck that are 36 inches or less above existing grade;

1 d. Freestanding ((Structures and Bulkheads))structures and bulkheads.  
 2 Fences, freestanding walls, bulkheads, signs and other similar structures;

3 e. Underground ((Structures))structures. An underground structure, or  
 4 underground portion of a structure;

5 f. Eaves and ((Gutters))gutters. The first 36 inches of eaves and gutters  
 6 that project from principal and accessory structures;

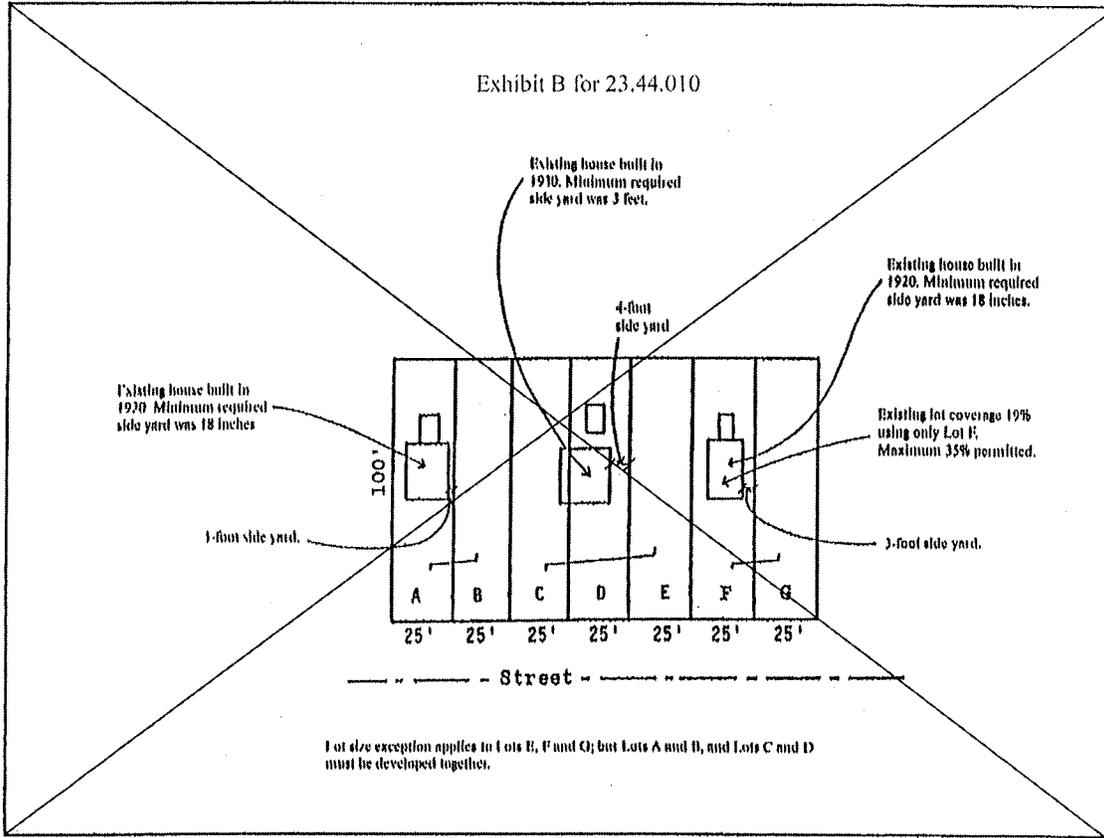
7 g. Solar collectors and swimming pools. Solar collectors that comply with  
 8 Section 23.44.046 and swimming pools that comply with Section 23.44.044.



24 ((Exhibit A for 23.44.010))

THIS VERSION IS NOT ADOPTED

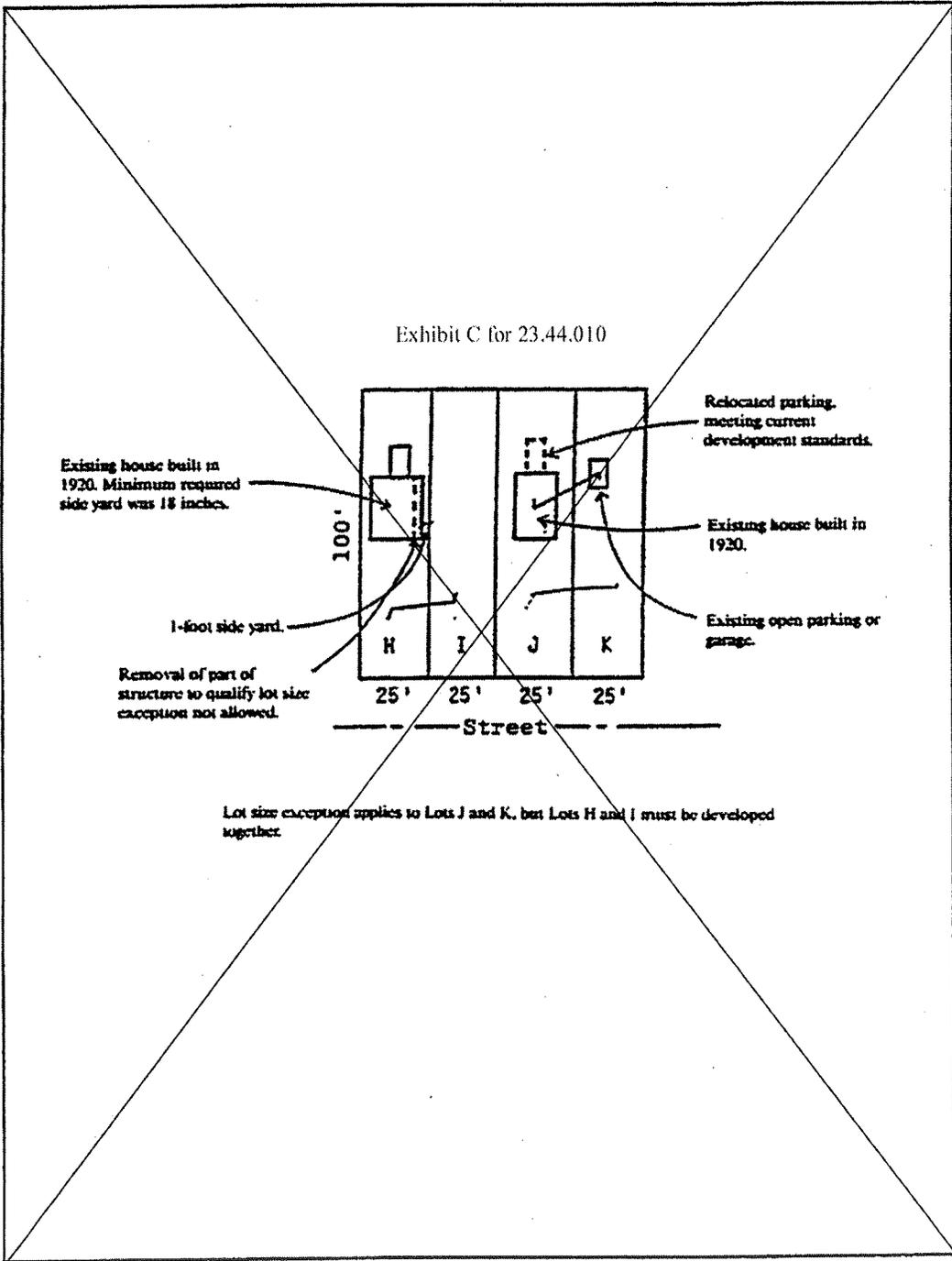
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((Exhibit B for 23.44.010))

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((Exhibit C for 23.44.010))

THE OFFICIAL RECORD OF THE CITY OF SAN FRANCISCO

1 Section 6. Subsections A and B of Section 23.44.012 of the Seattle Municipal Code,  
2 which Section was last amended by Ordinance 123978, are amended as follows:

3 **23.44.012 Height (~~Limits~~)limits**

4 A. Maximum (~~Height Established~~)height established(~~(-)~~) The provisions of this  
5 Section 23.42.012 apply, except as provided elsewhere in the Land Use Code for specific types  
6 of structures or structures in particular locations.

7 1. Except (~~as permitted in Section 23.44.041.B, and~~) as provided in  
8 (~~subsection~~)subsections 23.44.012.A.2 and (A.3)23.44.012.A.3, the maximum permitted  
9 height for any structure not located in a required yard is 30 feet.

10 2. The maximum permitted height for any structure on a lot 30 feet or less in  
11 width is 25 feet.

12 3. For a lot or unit lot of any width, if the area of the largest rectangle or other  
13 quadrilateral that can be drawn within the lot lines of the lot or unit lot (~~The maximum~~  
14 ~~permitted height for any structure on a lot of any width that~~)is less than (3,750)3,200 square  
15 feet (~~that qualifies for separate development according to the provisions in section~~  
16 ~~23.44.010.B.1.d~~)the maximum permitted height for any structure on that lot (~~is~~)shall be 22  
17 feet(~~(-)~~) (~~unless the structure's height is further restricted by other code provisions~~). The limit  
18 of this subsection 23.44.012.A.3 shall not apply to additions to single-family residences existing  
19 as of February 1, 2013 that do not exceed the greater of 1,000 square feet of new gross floor area  
20 or the amount of gross floor area on any one floor of the existing house.

21 4. The method of determining structure height and lot width is detailed in  
22 Chapter 23.86, Measurements.

23 B. Pitched (~~Roofs~~)roofs. The ridge of a pitched roof on a principal structure may  
24 extend up to (~~five~~(~~5~~))5 feet above the maximum height limit, as determined under subsection  
25 23.44.012.A above. All parts of the roof above the height limit must be pitched at a rate of not  
26

1 less than 4:12 (Exhibit A for 23.44.012). No portion of a shed roof, except on a dormer, shall be  
2 permitted to extend beyond the maximum height limit, as determined under subsection  
3 23.44.012.A above. Roof forms including but not limited to barreled and domed roofs may be  
4 allowed under this subsection 23.44.012.B if the Director determines that the roof form remains  
5 within the massing of a pitched roof form such as a gable or gambrel roof that would otherwise  
6 be allowed by this subsection 23.44.012.B (Exhibit B for 23.44.012).

7 \* \* \*

8 Section 7. Subsection K of Section 23.44.022 of the Seattle Municipal Code, which  
9 Section was last amended by Ordinance 123649, is amended as follows:

10 **23.44.022 Institutions**

11 \* \* \*

12 K. Bulk and ~~((Siting))~~siting~~((:-))~~

13 1. Lot ~~((Area))~~area. If the proposed site is more than one ~~((+))~~acre in size, the  
14 Director may require the following and similar development standards:

15 a. For lots with unusual configuration or uneven boundaries, the proposed  
16 principal structures be located so that changes in potential and existing development patterns on  
17 the block or blocks within which the institution is located are kept to a minimum;

18 b. For lots with large street frontage in relationship to their size, the  
19 proposed institution reflect design and architectural features associated with adjacent  
20 residentially-zoned block ~~((faees))~~fronts in order to provide continuity of the block front and to  
21 integrate the proposed structures with residential structures and uses in the immediate area.

22 \* \* \*

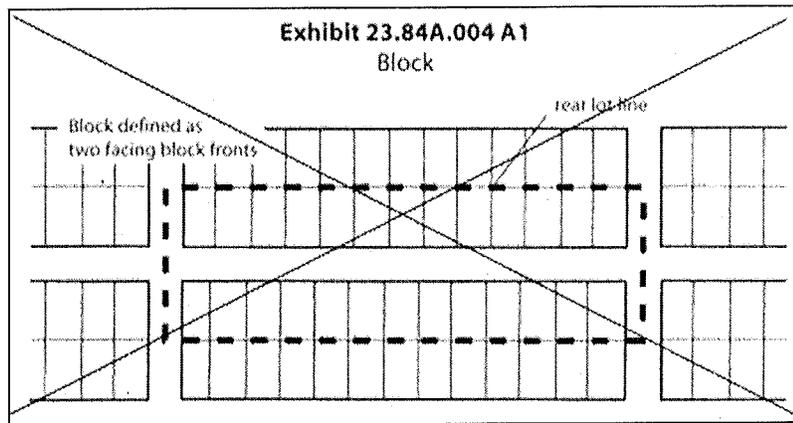
23 Section 8. Section 23.84A.004 of the Seattle Municipal Code, which Section was last  
24 amended by Ordinance 122935, is amended as follows:

25 **23.84A.004 "B"**

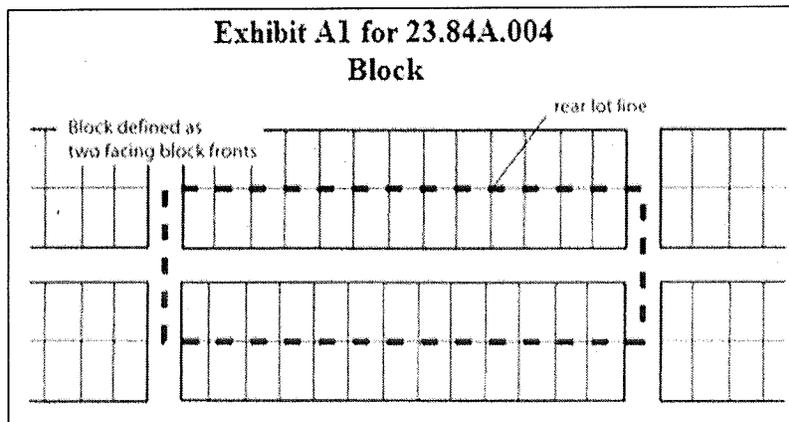
THIS VERSION IS NOT ADOPTED

\*\*\*

"Block." In areas outside downtown zones, a block consists of two facing block fronts bounded on two sides by alleys or rear lot lines and on two sides by the centerline of platted streets, with no other intersecting streets intervening, as depicted in Exhibit A1 for 23.84A.004.



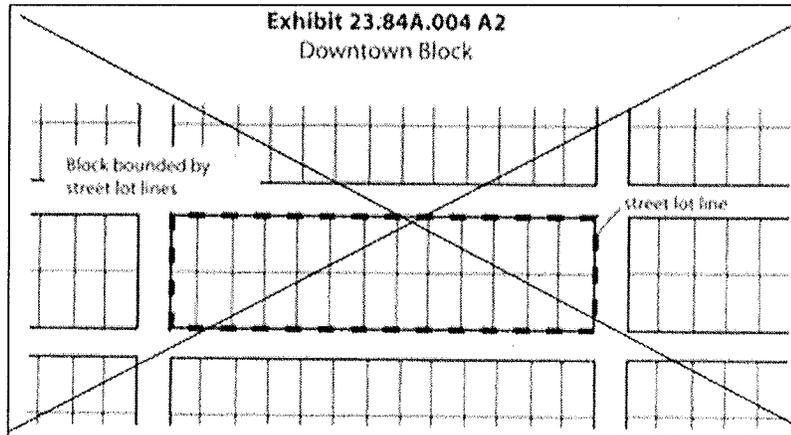
**Exhibit A1 for 23.84A.004**  
**Block**



In downtown zones, a block consists of the area bounded by street lot lines, Exhibit A2 for 23.84A.004.

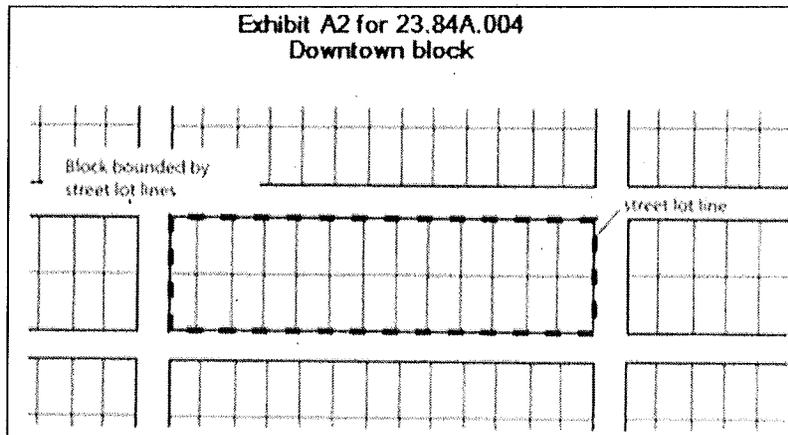
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**Exhibit A2 for 23.84A.004**

**Downtown block**



"Block face." See "Block front."

"Block front" means the land area along one ((1))side of a street bound on three ((3))sides by the centerline of platted streets and on the fourth side by an alley or rear lot lines ((Exhibit 23.84A.004 B))(Exhibit B for 23.84A.004).

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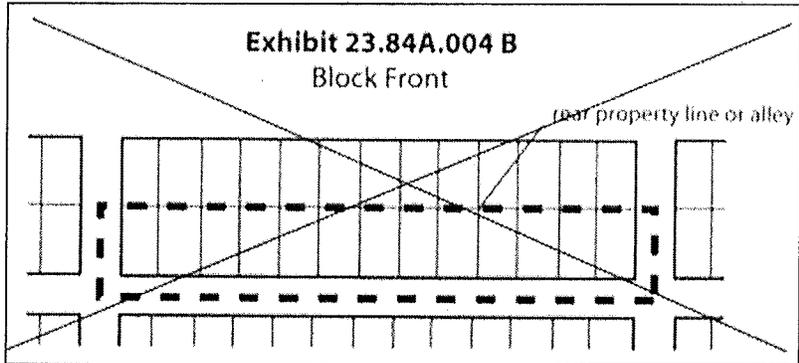
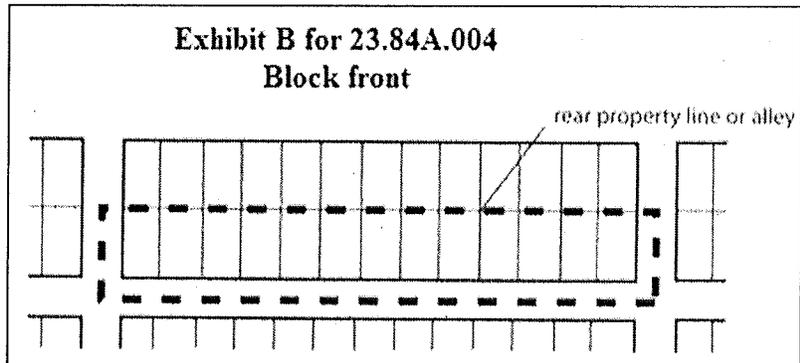


Exhibit B for 23.84A.004  
Block front



\*\*\*

Section 9. Section 23.84A.024 of the Seattle Municipal Code, which Section was last amended by Ordinance 123913, is amended as follows:

**23.84A.024 "L"**

\*\*\*

"Lot" means, except for the purposes of a TDR sending lot for Landmark TDR or housing TDR, a sending lot for South Downtown Historic TDR or South Downtown Historic TDP, and a sending lot for open space TDR, ((one or more platted or unplatted parcels)) a parcel

THIS VERSION IS NOT ADORDED

1 of land that qualifies for separate development or has been separately developed. A lot is the  
2 unit that the development standards of each zone are typically applied to. A lot shall  
3 ~~((abutting))~~abut upon and be accessible from a private or public street sufficiently improved for  
4 vehicle travel or ~~((abutting))~~abut upon and be accessible from an exclusive, unobstructed  
5 permanent access easement. A lot may not be divided by a street or alley (Exhibit A for  
6 23.84A.024).

7 1. For purposes of a TDR sending lot for Landmark TDR, "lot" means the parcel  
8 described in the ordinance approving controls for the sending lot.

9 2. For purposes of a sending lot for housing TDR, "lot" means the smallest parcel  
10 or combination of contiguous parcels, as described in the County real property records at any  
11 time after January 4, 1993, that contain the structure or structures that make the TDR eligible for  
12 transfer.

13 3. For purposes of a sending lot for South Downtown Historic TDR or South  
14 Downtown Historic TDP, "lot" means the smallest parcel or combination of contiguous parcels,  
15 as described in the County real property records at any time after March 31, 2011, that contain  
16 the contributing structure or structures that make the TDR or TDP eligible for transfer.

17 4. For purposes of a sending lot for open space TDR, the definition of lot in  
18 Section 23.49.017 applies.

19 \* \* \*

20 "Lot line, front" means, in the case of ~~((an interior))~~a lot with frontage on a single street,  
21 the lot line separating the lot from the street, and in the case of a ~~((corner))~~lot with frontage on  
22 more than one street other than a through lot, the lot line separating the lot from any abutting  
23 street, provided the other lot line(s) that abut streets are considered to be side street lot line(s). In  
24 the case of a through lot, the lot lines separating the lot from the streets that are parallel or within  
25 15 degrees of parallel to each other are both front lines. For new development on a lot with no  
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1 street frontage, the front lot line shall be the lot line designated by the project applicant in  
2 accordance with Section 23.86.010. If the area of the front yard based on a front lot line  
3 determined according to this definition is less than 20 percent of the total lot area and is less than  
4 1,000 square feet in area, the Director may designate a different lot line as the front lot line in  
5 order to provide structural setbacks, building separations and open space that are more consistent  
6 with those of other lots that are within 100 feet of the property.

7 \* \* \*

8 Section 10. Section 23.84A.046 of the Seattle Municipal Code, which Section was last  
9 amended by Ordinance 122311, is amended as follows:

10 **23.84A.046 "Y"**

11 \* \* \*

12 "Yard, front" means an area from the ground upward between the side lot lines of a lot,  
13 extending from the front lot line to a line on the lot parallel to the front lot line, the horizontal  
14 depth of which is specified for each zone. The front yard includes all portions of the lot that are  
15 within the specified distance from the street along which the front lot line extends, even if  
16 separated from the street by an intervening lot. In the case of an irregularly-shaped lot, the front  
17 yard shall be a portion of the property as determined according to subsection 23.86.010.B.

18 "Yard, rear" means an area from the ground upward between the side lot lines of a lot,  
19 extending from the rear lot line to a line on the lot parallel to the rear lot line, the horizontal  
20 depth of which is specified for each zone. In the case of an irregularly-shaped lot, the rear yard  
21 shall be a portion of the property adjacent to the rear lot line as determined according to  
22 subsection 23.86.010.C.

23 \* \* \*

24 Section 11. Section 23.86.010 of the Seattle Municipal Code, which Section was last  
25 amended by Ordinance 123046, is amended as follows:

1 **23.86.010 Yards**

2 A. Measuring (~~((Required Yards))~~)required yards. Required yard dimensions shall be  
3 horizontal distances, measured perpendicular to the appropriate lot lines (~~((Exhibit 23.86.010~~  
4 ~~A))~~)(Exhibit A for 23.86.010). For lots with no street frontage, the applicant may designate the  
5 front lot line, provided that under the resulting orientation, the area of the front yard is at least 20  
6 percent of the area of the lot or 1,000 square feet whichever is less. If a lot with frontage on  
7 more than one street is developed with an existing principal structure, the orientation of the lot  
8 for the purpose of current yard requirements shall be the orientation under which the existing  
9 structure is most conforming to current yard standards.

10 \* \* \*

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

THIS VERSION IS NOT ADOPTED

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Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2014, and  
signed by me in open session in authentication of its passage this  
\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

THIS VERSION IS NOT VALID

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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312457

No.

CITY OF SEATTLE, CLERKS OFFICE

**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 12<sup>th</sup> 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:124475-81 TITLE ONLY

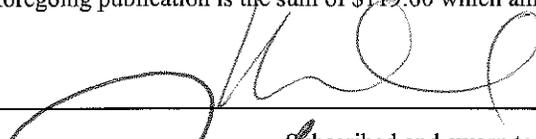
was published on

06/19/14

The amount of the fee charged for the foregoing publication is the sum of \$119.60 which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on  
06/19/2014   
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

The full text of the following legislation, passed by the City Council on May 19, 2014, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

#### ORDINANCE NO. 124475

AN ORDINANCE related to land use and zoning; repealing Section 23.24.046 and amending Sections 23.22.062, 23.24.045, 23.34.086, 23.44.010, 23.44.012, 23.44.022, 23.84A.004, 23.84A.024, 23.84A.046, and 23.86.010 of the Seattle Municipal Code to adopt permanent development regulations to promote compatible buildings on undersized single-family-zoned lots.

#### ORDINANCE NO. 124476

AN ORDINANCE relating to City owned property under the jurisdiction of the Office of Housing, located in Ladd's First Addition to South Seattle, lying east of and immediately adjacent to Airport Way South; transferring jurisdiction of portions of Lots 9-16, Block 7 and portions of Lots 7-12, Block 10 to the Department of Finance and Administrative Services; transferring jurisdiction of portions of Lots 6-10, Block 11, to the Seattle Department of Transportation for street purposes; and laying off, opening, widening, extending, and establishing a portion of Airport Way South.

#### ORDINANCE NO. 124477

AN ORDINANCE relating to the East Marginal Way Grade Separation Project; authorizing the Director of the Department of Transportation, on behalf of the City of Seattle, to execute a Memorandum of Agreement with the Port of Seattle regarding the design, permitting, construction, financing, transfer, use, and related aspects of the project.

#### ORDINANCE NO. 124478

AN ORDINANCE relating to the Seattle Streetcar; authorizing execution of an amended and restated interlocal agreement with King County for operation and maintenance of the Seattle Streetcar system; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124479

AN ORDINANCE authorizing, in 2014, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Seattle Police Department, Seattle Fire Department, Human Services Department, Department of Parks and Recreation, Department of Planning and Development, and Seattle City Light to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

#### ORDINANCE NO. 124480

AN ORDINANCE relating to City employment; authorizing the execution of a collective bargaining agreement between the City of Seattle and the International Brotherhood of Electrical Workers, Local 77 to be effective January 23, 2013 through January 22, 2017; providing payment therefor; and ratifying and confirming prior acts.

#### ORDINANCE NO. 124481

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, June 19, 2014.

6/19(312457)