

DIRECTOR'S REPORT AND RECOMMENDATION

2009 Omnibus Ordinance

Introduction

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

23.22.062, 23.24.045 Subdivisions, Short plats - Unit lot subdivisions

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

23.34.010 Rezone criteria – designation of single-family zones

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

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

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

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

23.40.020 Compliance with Regulations Required-Exceptions - Variances

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

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

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

23.41.006 Early Project Implementation – Design Review Districts map

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

23.42.030 General Use Provisions – Access to Uses

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

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

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

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

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

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

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

23.44.006.C – Single Family – Principal Uses Permitted Outright

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

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

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

23.44.012 – Single Family – Height Limits

The proposed amendments would make minor grammatical changes for clarity.

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

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

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

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

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

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

2. A new subsection 23.44.014.D.2.b will be added containing a provision formerly located in 23.44.014.D.6.a which was inadvertently deleted by Ordinance 122823. This provision allows detached accessory structures that comply with the requirements of Section 23.44.040 to be located in a rear yard.

3. A provision allowing garages in side yards within 35 feet of the centerline of an alley or within 25 feet of any rear lot line which is not an alley lot line without an agreement is being removed as it is also stated in 23.44.016.D.3.a and does not need to be repeated in 23.44.014.

4. Existing subsection 23.44.014.D.3 allows "certain additions" to a principal structure to extend into a required yard, subject to limits, if the principal structure already legally extends into the required yard. The current section does not allow common structural features such as chimneys, roof eaves, cornices or columns to project from these permitted additions into required yards, even though these features on other principal structures may project 18 inches into required yards. The proposed amendment would allow roof eaves, gutters and chimneys on permitted additions to nonconforming single family structures to extend up to 18 inches from the principal structure into a required yard, but no closer than 2 feet to a side lot line.

5. In subsection 23.44.014.D.4, an incorrect reference to D.3.a-c has been changed to D.4.a-c.

6. Under subsection 23.44.014.D.7, garages attached to a principal structure, as well as covered, unenclosed decks or roofs over patios, are currently allowed to project into a required rear yard. The proposed amendment would specifically require attached private garages and covered, unenclosed decks or roofs over patios to be located no closer to any side lot line than the applicable side yard standard for the principal structure along that side. The current Code has no limit for how far attached garages and covered, unenclosed decks or roofs over patios may project into side yards. The proposal would also restore a provision, inadvertently deleted by amendments in Ordinance 122823, to limit the height of the roof over unenclosed decks and patios to 12 feet.

7. A new subsection 23.44.014.E is proposed that will contain development standards for accessory structures in required yards that were formerly located in Section 23.44.040 and 23.44.014.D.7 but were inadvertently deleted by Ordinance 122823. This new subsection will also include a new provision clarifying that terraced garages on lots with uphill yards abutting streets are exempted from the requirement that they be located 5 feet away from the principal structure. This amendment will prevent the terraced garage provision from forcing an

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

23.44.016 Single Family, Parking Location and Access

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

1. Under current subsection 23.44.016.B.2, access to off-street parking must be taken from an alley unless there is no alley, or if certain exceptions apply. For example, if a lot abuts an alley that is not improved to the alley improvement standards of subsection 23.53.030.C, the current code allows access to off-street parking from a street. The proposed amendment to Section 23.44.016.B.2.a, clarifies that access to off-street parking must be taken from an existing alley, even if the alley is unimproved to the standards of subsection 23.53.030.C, if the alley is in common usage either as access to parking on the lot or to parking on adjacent lots in the same block. But the other exceptions to alley access listed in subsections 23.44.016.B.2.b through B.2.f. could still apply. The general intent is to require access to parking from an alley whenever feasible and to avoid access from both street and alley whenever possible.
2. The proposed amendment to Section 23.44.016.C.4 adds a cross reference to Section 23.44.016.G to clarify that the screening and landscaping requirements of Section 23.44.016.G apply to accessory parking for floating homes when the parking is located on a lot other than that containing the floating home. This requirement is already set forth in Section 23.44.016.G, but the cross-reference ensures the reader of Section 23.44.016.C.4 is directed to the landscaping requirements.
3. The proposed amendment to Section 23.44.016.C.5 would clarify the development standards applicable to parking for a single family structure existing on June 11, 1982, if the parking is located on a different lot than the single family structure. The proposed amendment to Section 23.44.016.C.5 clarifies that the screening and landscaping requirements of Section 23.44.016.G apply to all such offsite accessory parking, not just to parking in a garage.
4. The term "parking" would be expanded to "parking and garages" for subsection 23.44.016.D, to clarify that they relate to garages as well as parking.
5. The proposed amendments to subsection 23.44.016.D.3 would clarify the existing language to make it more legible. This subsection contains provisions for permitted locations for parking in required side yards.
6. The proposed amendments in Subsection 23.44.016.D.4 would restore the provision that was inadvertently omitted by Ordinance 122823 that limits how close to an alley detached garages with vehicular access facing the alley (not all garages) may be located. Similar proposed amendments in 23.44.016.D.5 would restore the same provisions for attached garages.

7. The proposed change to Subsection 23.44.016.D.7 would clarify that vehicles are allowed to park on access to parking in a required yard that leads to a required parking space, but the parking is to be an open parking space and not a garage or carport.

8. The proposed changes to Subsection 23.44.016.D.10 would clarify that when parking is allowed in required yards of lots with downhill yards abutting streets, the parking may be open or in an attached or detached garage. A number of minor grammatical corrections are also proposed to be added.

9. In subsection 23.44.016.D.11, language from a section deleted by Ordinance 122823 would be added to restore the provision that parking in one front yard of through lots can include a garage structure.

10. A sentence is proposed to be added at the end of Section 23.44.016.E.3 to state that the minimum five-foot separation requirement between a detached accessory garage and a principal structure does not apply to terraced garages.

11. The proposed new subsection E.4 would clarify that roof eaves and gutters of either an attached or detached private garage may extend up to 18 inches from the garage, which is the same standard as for a single family residence. It would also provide that the roof eave and gutter projections are excluded from the size and lot coverage limitations in subsection 23.44.016.E.1. Further, the section would clarify that all portions of a detached garage, including projecting roof eaves and gutters, must be separated by at least five feet from all portions of a principal structure, including the eaves and gutters of the principal structure. The proposed new provision in E.5 would clarify that use of a roof over a garage in a rear yard as a balcony or a deck is prohibited, except for the roof of a terraced garage?]

12. Several minor cross-referencing and typographical errors in subsections D.3, D.6, D.8, D.9, D.12, and E.3 would be corrected.

23.44.017 Single Family – Development Standards for Public Schools

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

23.44.018.F Single Family – Conditional Uses – General Provisions

For development with a conditional use permit, barrier free access would be allowed to be constructed in a single family zone without requiring administrative conditional use approval.

23.44.022 Single Family - Institutions

Subsection 23.44.022.L is being updated to correct some outdated and now incorrect cross references. Also, the word “serious” would be deleted before “safety hazards” in subsection L.1.c.ii, so that the Director has clear authority to modify the parking loading standards if there is any safety hazard.

23.44.051 Single Family - Bed and Breakfasts;

23.45.160 Multifamily – Bed and Breakfasts

These amendments would correct references to clarify that the Department of Executive Administration is responsible for issuing business licenses.

23.44.060.C Single Family – Uses Accessory to Parks and Playgrounds;

23.44.006.D Single Family – Principal Uses Permitted Outright

The proposed amendments would relocate development standards for setbacks and screening of certain accessory uses in a park from Section 23.44.006, the section listing permitted uses in Single-Family zones, to Section 23.44.060, which is the section providing development standards for parks. The development standards will all be placed in one section and the Code would specify that garages and service or storage areas must be located 100 feet or more from any other lot in a residential zone and obscured from view from each such lot.

23.45.008 Multifamily – Density - Lowrise Zones; 23.45.016.A Multifamily – Open Space Quantity Requirements – Lowrise Zones

The amendments would clarify that one new dwelling unit may be added within an existing multifamily structure regardless of density restrictions and regardless of the open space requirements in Section 23.45.016. The original intent would remain, which is to allow additional low-cost units to be added to existing multifamily structures, provided no exterior changes are made. In order to permit this to occur, an exception is needed for open space requirements as well as density limits.

23.45.016 Multifamily – Open Space Requirements, Relationship to Grade – Lowrise Zones

Subsection 23.45.016.C is proposed to be amended to clarify that single family structures and townhouses are not subject to the requirement that required open space must be within 10 feet of vertical distance from the dwelling unit it serves. Subsection 23.45.016.C is also proposed to be amended to clarify requirements for the location of open space for multifamily units on sloping sites, if grading is done to create useable open space. The grade of the ground level open space may be no higher than 18 inches above the existing grade (i.e., the grade on the property prior to any new construction, except for minor adjustments to the surface contours in preparation for construction). Further, the proposed amendments would clarify that no open space is required for a unit added to an existing multifamily structure pursuant to Section 23.45.008.F.

23.46.004.D Residential-Commercial – Uses; 23.46.012 Location of commercial uses

In Residential-Commercial zones, a commercial use is allowed only in a building that also contains at least one dwelling unit.

23.46.012 Residential-Commercial – Location of commercial uses

The proposed amendments to Section 23.46.012 would clarify that an existing structure containing only a commercial use without a dwelling unit or live-work unit may change from one commercial use listed in Section 23.46.004.B to another commercial use on that same list without requiring an administrative conditional use approval to change a nonconforming use to

another use not otherwise permitted in the zone. A change to a use not on the list in Section 23.46.004.B would require an administrative conditional use approval.

23.47A.002 Commercial – Scope of provisions

23.47A.002.C is proposed to be amended to remove language referring to rules for requirements for setbacks from property lines to provide clearance for the Seattle City Light Overhead Power Distribution system located in the street right-of-way. The other requirements in this subsection are all references to other chapters of the land use code, so that this reference to regulations outside the land use code is out of place.

23.47A.004.H, 23.49.030, 23.50.012.E – Commercial, Downtown, Industrial – Adult Cabarets

The proposed amendments would clarify that the code required dispersion analysis for adult cabaret sites would be conducted on the earlier of the date of submission of a complete building permit application or the date of issuance of a MUP decision. For purposes of analyzing the established uses on other sites from which a proposed adult cabaret must disperse, including other established adult cabarets, the proposed amendments would require the uses on the other sites to be established by permit or otherwise recognized as legally established. For example, in some cases a use may be recognized as established prior to annexation into the City of Seattle, by reference to King County Assessor's records, without issuance of any City of Seattle permits.

23.47A.005 – Commercial – Street-level Uses – Residential Uses at Street Level

Current Section 23.47A.005.C provides that residential uses are permitted anywhere in a structure in NC1, NC2, NC3, and C1 zones, except that residential uses are limited to no more than 20 percent of the street-level street-facing façade in pedestrian-designated zones, as well as in the Bitter Lake Hub Urban Village and the Lake City Hub Urban Village. The proposed amendment would update and restore a provision that was inadvertently omitted in Ordinance 122311. The amendment would allow residential uses to occupy 100 percent of the street-level street-facing façade in a structure if the structure is: 1) developed and owned by the Seattle Housing Authority (SHA); 2) located on a lot in a NC1 or NC3 zone and the lot was owned by the SHA as of January 1, 2009, 3) is not located in a zone with a height limit of 85 feet or higher; 4) is not located in a pedestrian-designated zone, and 5) does not face a designated principal pedestrian street.

23.47A.018 – Commercial – Noise Standards

Certain noisy activities in a C1 or C2 zone must be located within an enclosed structure when on a lot within 50 feet of a residential zone. The proposed amendment would allow a structure that has doors further than 50 feet from the residential zone and facing away from the residential zone, to remain open.

23.47A.020.B2 – Commercial – Odor Standards

Amendments to the regulations for commercial zones in Ordinance No. 122311 created a new Chapter in the Land Use Code, 23.47A. The amendments changed the definitions of some uses in the commercial zones and added some new use classifications, including classifications for

“heavy commercial sales and service” uses. The current language in Section 23.47A.020.B.2 exempts certain processes from regulation as “major odor sources” when part of a commercial use other than food processing. The proposed amendment would clarify that the processes listed in 23.47A.020.B.2 are to be regulated as major odor sources not only when part of a food processing use but also when part of a “heavy commercial” use.

23.49.014 Downtown Zoning – Transfer of Development Rights

The amendment would correct an incorrect cross reference and clarify the method of calculating the amount of floor area that may be transferred from an eligible open space TDR site. The intent of the formula was that if there were a building on the ineligible part of the lot that was using some of the base floor area ratio (FAR) attributable to the open space portion, then the eligibility rule in 23.49.017.C should not apply to allow more floor area to be transferred than would be the case without it, but if the ineligible part is using no more than its share of the base FAR, the full amount unused on the lot should be transferable (so one does not simply subtract all used FAR on the lot from the base FAR times the eligible portion).

23.49.017 Downtown Zoning – Open Space TDR Site eligibility

The proposed changes would delete a reference in subsection 23.49.017.D to “Section 23.49.039,” which is a code section that does not exist, and changes an incorrect reference in subsection 23.49.017.H.2.b to open space TDR sites in subsection 23.49.017.G to subsection 23.49.017.D.

Sections 23.49.046, 23.49.096, 23.49.148, and 23.49.324 Downtown Zoning – Various Sections

The amendments would correct cross references to 23.49.008.C.4 to 23.49.008.D.1.c.

23.50.022, Exhibit A – Industrial – General Industrial 1 and 2 – Structure Height

Exhibit 23.50.022.A incorrectly references Section 23.50.030.B in the text adjacent to the drawing. The reference would be changed to Section 23.50.022.B.

23.50.051 Industrial – Additional floor area in certain Industrial Commercial zoned areas in the South Lake Union Urban Center

Ordinance 122611 added a new Section 23.50.051 to the Industrial zone regulations of the Land Use Code allowing additional floor area for projects in certain Industrial Commercial (IC) zones in the South Lake Union Urban Center. When that ordinance was adopted, the City Council intended to apply a base floor area ratio (FAR) of 4.5 to such projects. Subsection A of Section 23.50.051 and subsection A of Section 23.50.052 both contain 4.5 as the base FAR, but Sections 23.50.051.N and O currently list 5.0 as the base FAR. The proposed amendment changes the base FAR requirement in 23.50.051.N and O to 4.5 as stated elsewhere in the Code.

23.53.015 Requirements for Streets, Alleys, and Easements – Improvement requirements for existing streets in residential and commercial zones

Exhibit 23.53.015 A, showing arterial streets, is proposed to be removed from the Land Use Code and new cross-references added to the arterial street map in Seattle Municipal Code Section

11.18.010. The proposed amendments to subsections D.2.a and D.2.b.1.i would clarify that proposed developments containing more than two but fewer than ten residential units in SF, RSL, LDT and L1 zones and up to 6 residential units in other zones, and proposed short plats where no more than two additional lots are proposed, are eligible for reduced street improvement requirements under this section.

23.53.020 Requirements for Streets, Alleys, and Easements – Improvement requirements for existing streets in industrial zones

23.53.030 Requirements for Streets, Alleys, and Easements – Alley improvements in all zones

The proposed changes in Sections 23.53.020 and 23.53.030 would delete the references to Exhibit 23.53.015 A, showing arterial streets, which is proposed to be removed from the Land Use Code, and add new cross-references to the arterial street map in Seattle Municipal Code Section 11.18.010.

Chapter 23.55 Signs; 23.69.021 Signs in Major Institution Overlay Districts

Several sections of the sign regulations for specific zones, as well as the sign regulations for Major Institutions in Section 23.69.021, currently allow “properly displayed” state and national flags as a type of permitted sign. The proposed amendments would delete the term “properly displayed” wherever that phrase is used, as the City has no authority to determine whether a flag is “properly” displayed. The current Code also allows “public” elementary and secondary schools in specific zones to have signs. The proposed amendments would eliminate the term “public” from the regulations wherever that term appears, to clarify that the sign standards for schools apply to both public and private schools.

23.71.016.A Northgate Overlay District – Parking and Access

When Council adopted Ordinance No. 122273 to allow pet daycare centers in commercial and other zones throughout the city, an amendment to 23.71.016.A was inadvertently omitted. This proposed amendment would apply a parking requirement for pet daycares within the Northgate Overlay District that is consistent with that in the rest of the city.

23.74.004 Stadium Transition Area Overlay District – Stadium Transition Area Overlay District Established

This amendment would correct an error on Exhibit A of Section 23.74.004. The map incorrectly shows some areas as zoned IG2 U/85 when they should be shown as zoned IC, according to the Official Land Use Map. The zoning was changed in 2000 by Seattle City Ordinance No. 119970, but the map in the Land Use Code was never changed in accordance with Ordinance No. 119970. A reference to the Kingdome is also removed and references to Safeco Field and Qwest Field added instead.

23.74.010 Maximum Size of Nonresidential Use

This amendment would correct an error on Exhibit A of Section 23.74.010. The map incorrectly shows some areas IG2 U/85 when they should be IC, according to the Official Land Use Map. The zoning was changed in 2000 by Seattle City Ordinance No. 119970, but the map in the Land

Use Code was never changed in accordance with Ordinance No. 119970. A reference to the Kingdome is also removed and references to Safeco Field and Qwest Field added instead.

23.76.004 Land Use Decision Framework

A proposed amendment would make the determination of whether an amendment to a Property Use and Development Agreement is major or minor a "Type I" land use decision, from which no administrative appeal is available. A second amendment would remove "monorail transit facilities" from the list of appealable "Type II" land use decisions, as the reference is no longer relevant.

23.76.024.D.2 Procedures for Master Use Permits and Council Land Use Decisions - Hearing Examiner Open Record Hearing and Decision for Subdivisions

This amendment would correct an error; the correct length of time for a Determination of Non-Significance (DNS) comment period is 14 days rather than 15 days as indicated in the current Code.

23.76.058 and 23.76.060 Procedures for Master Use Permits and Council Land Use Decisions – Rules for specific decisions and expiration of land use approvals – extensions

The proposed amendments clarify that the DPD Director's decision on whether a Property Use and Development Agreement (PUDA) amendment is major or minor is a "Type I" Master Use Permit (MUP) decision, and make the deadline for applying for an extension of a "Type IV" land use action 120 days before the action would otherwise expire, instead of 30 days. For requests to extend a City Council Type IV land use approval, the proposed amendments also provide notice to the parties of record in the original City Council Type IV approval proceeding and to those who received notice of the Hearing Examiner recommendation concerning the original Type IV application.

23.84A.006 Definitions "C" – Communication Devices and Utilities (and Related Terms) – Communication Device, Accessory

This amendment would clarify that antennas and other equipment associated with "minor communication utilities" (personal wireless facilities or cellular antenna facilities) are not "accessory communication devices," which are typically permitted outright in all zones.

23.84A.024 Definitions "L" – Landmark Structure, Parent Lot, Unit Lot

The definition of "landmark structure" is proposed to be added to Chapter 23.84.A, as it was unintentionally omitted from the Code. Also, the definitions of "parent lot" and "unit lot" are modified to cross reference the subdivision and short subdivision requirements for unit lots in Sections 23.22.062 and 23.24.045, which will now contain references to the specific types of residential development eligible for unit lot subdivisions.

23.84A.036 Definitions "S" – Street, arterial

The proposed changes would delete the reference to Exhibit 23.53.015 A in the definition of "street, arterial," since Exhibit 23.53.015 A is proposed to be removed from the Code, and

substitute a cross-reference to the Arterial Street Map in Seattle Municipal Code Section 11.18.010.

23.84A.038 Definitions “T” – Transportation facility

This amendment would correct an error in numbering subsections under the “Transportation facility” definitions and delete outdated references to the monorail.

23.86.010 Measurements – Yards

Subsection 23.44.022.L is being updated to correct an outdated and now incorrect cross reference.

Ordinance Section 65

Section 65 of the proposed Ordinance authorizes the Code Reviser (the company that publishes the Land Use Code) to amend all Sections of the Land Use Code that contain the word “chart” by changing the word “chart” to “table” as appropriate over time.

