

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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, 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:

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, and cottage housing developments ~~((in all zones in which these uses are permitted))~~, and existing apartment structures built prior to

Comment [AMc1]: "and" added because "developments" applies to "townhouse" and "rowhouse" as well as "cottage housing."

1 January 1, 2013, but ~~((not))~~ no individual apartment units, ~~((and for single family dwelling units~~
2 ~~in LR zones,))~~ in all zones in which these uses are permitted, or any combination of the above
3 types of residential development(;) as permitted in the applicable zones.

4 * * *

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6 amended by Ordinance 123809, is repealed:

7 ~~((23.24.046 – Multiple single family dwelling units on a single family lot~~

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

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

13 ~~1. Each existing single family dwelling unit was legally established by permit or~~
14 ~~is eligible to be established as a nonconforming development in accordance with Section~~
15 ~~23.42.102, Establishing noneonforming status;~~

16 ~~2. Each existing single family dwelling unit was constructed prior to February~~
17 ~~20, 1982;~~

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

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

23 ~~a. Providing parking accessory to an existing single family dwelling unit~~
24 ~~is undesirable or impractical because of the location of an environmentally critical area, existing~~

Comment [AMc2]: Previous version would have changed "not" to "no." Retaining "not" is proposed, consistent with Section 23.22.062.

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1 ~~drainage patterns, natural features such as significant trees, or access to a resulting or adjacent~~
2 ~~lot; or~~

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

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

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

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

17 ~~b. No resulting lot shall be smaller than one thousand eight hundred~~
18 ~~(1,800) square feet.~~

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

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

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

3 **23.34.086 Pedestrian designation (suffix P), function and locational criteria**~~((s))~~

4 * * *

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

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

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

14 **23.44.010 Lot requirements**

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

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

22 Submerged lands shall not be counted in calculating the area of lots for the purpose of
23 these minimum lot area requirements, or the exceptions to minimum lot area requirements
24 provided in this ~~((section))~~Section 23.44.010. A parcel that does not meet the minimum lot area
25 requirements or exceptions of this Section 23.44.010, and that is in common ownership with an
26

Comment [AMc3]: Typo: One digit omitted in earlier version

1 abutting lot when the abutting lot is the subject of any permit application, shall be included as a
2 part of the abutting lot for purposes of the permit application.

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

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

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

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

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

1 the property that is the subject of the application may be disregarded when the application
2 indicates the structures or portions of structures will be demolished. In cases where this
3 exception is applied for the purpose of a lot boundary adjustment, the calculation shall be based
4 on the existing lots as they are configured before the adjustment.

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

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

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

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

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

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

9 ~~((5))~~7) New lots created pursuant to subsection
10 23.44.010.B.1.a(~~((2))~~) or subsection 23.44.010.B.1.b shall comply with the following standards:

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

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

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

1 this exception as a result of demolishing a house, houses or portions of houses in existence on or
2 after February 1, 2013.

3 c. The lot area deficit is the result of a dedication or sale of a portion of
4 the lot to the City or state for street or highway purposes, payment was received for only that
5 portion of the lot, and the lot area remaining is at least ~~((50 percent of the minimum required))~~
6 2,500 square feet.

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

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

19 ~~((1))~~ 1) ~~The lot has not been held in common ownership with any~~
20 ~~contiguous lot after January 17, 1987, or~~

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

1 subsequent additions, or that are in effect at the time of redevelopment of the lot (Exhibit B for
2 23.44.010), or

3 3) The lot is or has been held in common ownership with a
4 contiguous lot after January 17, 1987 and is not developed with all or part of a principal
5 structure, but only if no portion of the lot is required to meet the least restrictive of lot area, lot
6 coverage, setback or yard requirements that were in effect for a principal structure on the
7 contiguous lot at the time of the construction of the principal structure, at the time of its
8 subsequent additions, or that are in effect at the time of the development of the lot (Exhibit B for
9 23.44.010). If any portion of the lot to be developed has been used to meet the parking
10 requirement in effect for a principal structure on a contiguous lot, such parking requirement must
11 continue to be met on the lot to be developed or alternative parking that meets the requirements
12 of this Land Use Code must be provided for the contiguous lot.

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

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

23 2) If two contiguous lots have been held in common ownership at
24 any time after January 18, 1987, and a principal structure extends onto or over both lots, neither
25 lot qualifies for the exception. If the principal structure does not extend onto or over both lots,

1 but both lots were required to meet ~~yard or lot coverage~~ development standards other than
2 parking requirements in effect at the time the structure was built or expanded, neither lot
3 qualifies for the exception unless the vacant lot is not needed to meet ~~current yard or lot~~
4 coverage development standards other than parking requirements. If the combined property
5 fronts on multiple streets, the orientation of the principal structure shall not be considered when
6 determining if it could have been built to the same configuration without using the vacant lot or
7 lots as part of the principal structure's building site.

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

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

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

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

Comment [AMc4]: Earlier version said "yard or lot coverage standards in effect...." As a result of this ordinance, a structure on a larger lot may qualify for greater height than one on a smaller lot, so it is possible that a vacant lot could be used as a part of the site of a house to qualify for higher height, then the owner could seek to separately develop the vacant lot, leaving a taller house on the remainder than would otherwise be allowed on that property alone. By referring to "development standards" more generally, rather than "yard or lot coverage standards," this practice would be precluded. Language excluding parking requirements is added, as parking requirements are addressed separately in subsection 5 below.

1 23.44.034, or a development approved as an environmentally critical areas conditional use
2 pursuant to Section 25.09.260.

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

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

14 2. Limitations((-))

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

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

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

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

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

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

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

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

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

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

4 ~~D.))~~C. Maximum ~~((Lot Coverage))~~lot coverage. The maximum lot coverage permitted
5 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 ((Size)) size	Maximum ((Lot Coverage)) lot coverage
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.

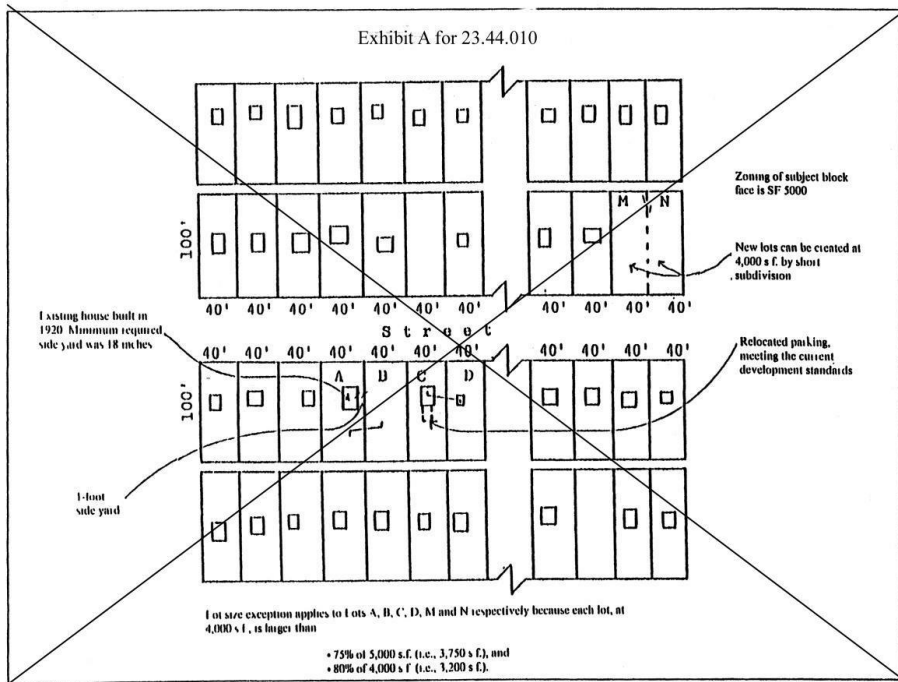
2. Special ~~((Structures and Portions of Structures))~~structures and portions of structures. The following structures and portions of structures are not counted in lot coverage calculations:

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;

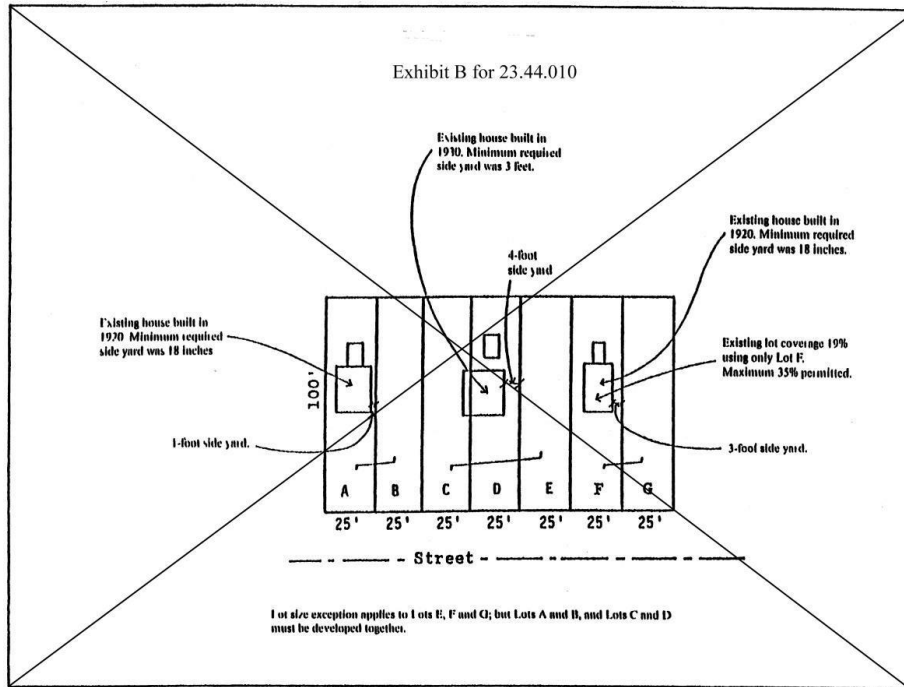
c. Decks. Decks or parts of a deck that are 36 inches or less above existing grade;

- 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.



((Exhibit A for 23.44.010))

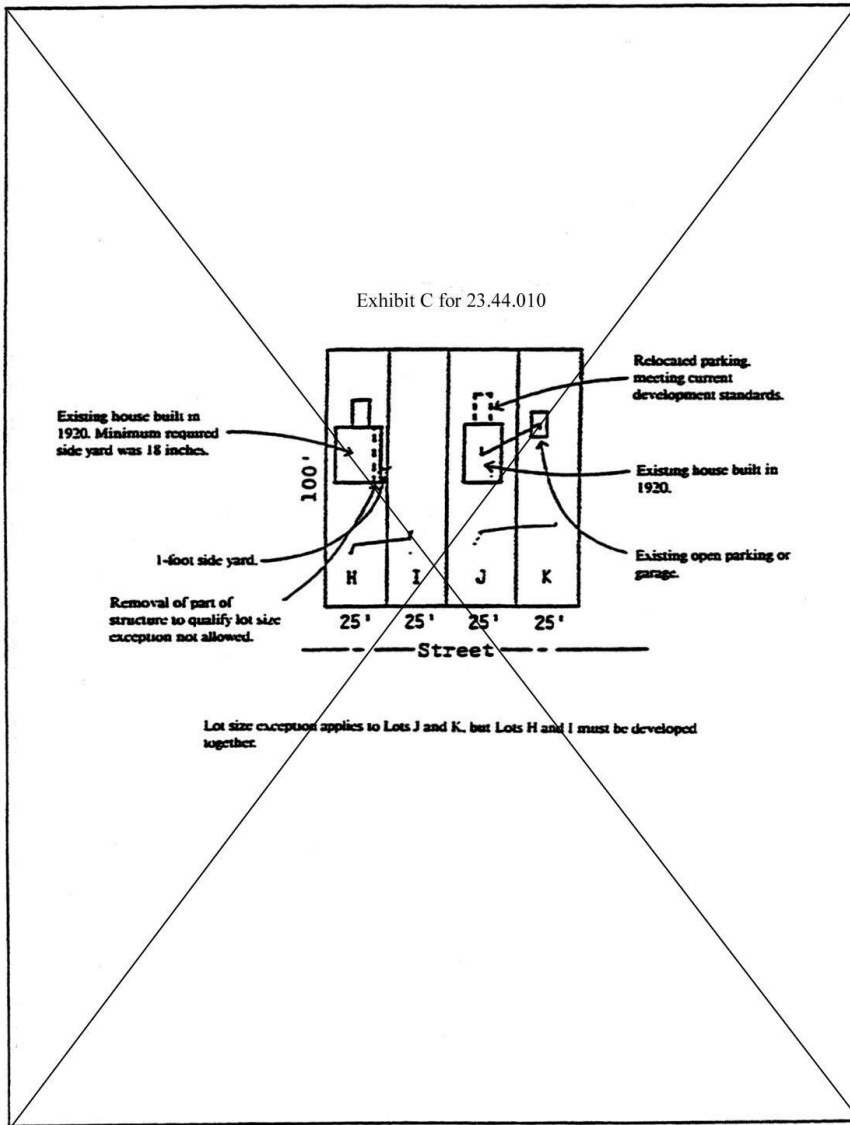
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((Exhibit B for 23.44.010))

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((Exhibit C for 23.44.010))

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 ((S))subsectionSection 23.44.041.B, and except as~~
8 provided in ~~((subsection))~~subsections 23.44.012.A.2 and ~~((A.3))~~23.44.012.A.3, the maximum
9 permitted 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
17 ~~((22))~~18 feet~~(-)~~ unless the structure's height is further restricted by other code provisions,
18 provided that structure height up to 22 feet is permitted for a principal structure with habitable
19 floor area on no more than two partially- or fully-above-ground floors, and top-of-floor-to top-
20 of-floor height is at least 10 feet at the level of the main entry.

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

Comment [AMc5]: The height limits in this section are generally intended for residential structures in the principal building area on a lot. They are not meant to override standards provided for structures in yards, detached accessory dwelling units, institutional structures, or limits on structures in the Airport Height District. This understanding applies not only to structures subject to the general height limit of subsection 1, but also the special height limits in subsections 2 and 3 for houses on narrower or smaller lots, so this proposed change would put this statement at the beginning rather than placing limiting language in each of subsections 1, 2 and 3.

Comment [AMc6]: Previous version retained this language, but changed "Section" to "subsection."

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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 ~~((faces))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"**

* * *

"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.

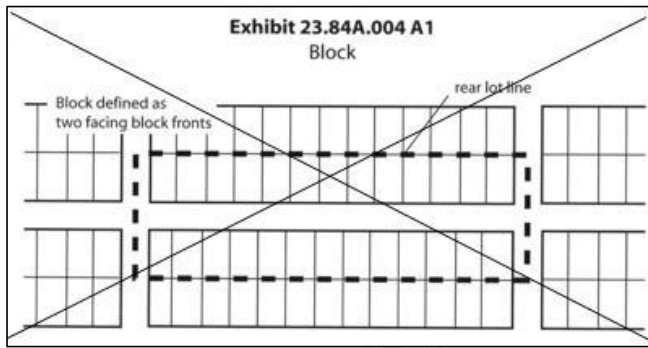
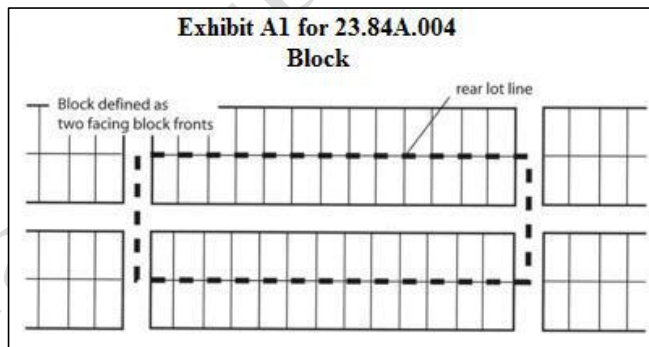


Exhibit A1 for 23.84A.004

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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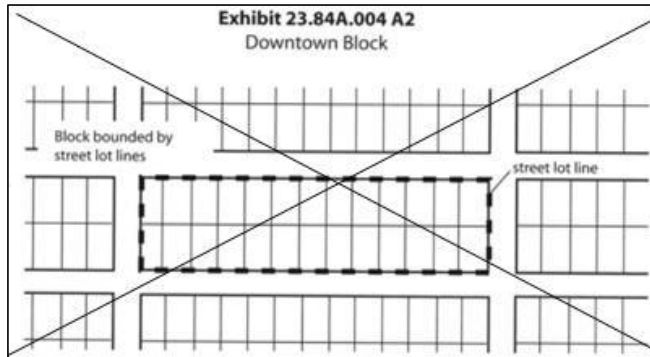
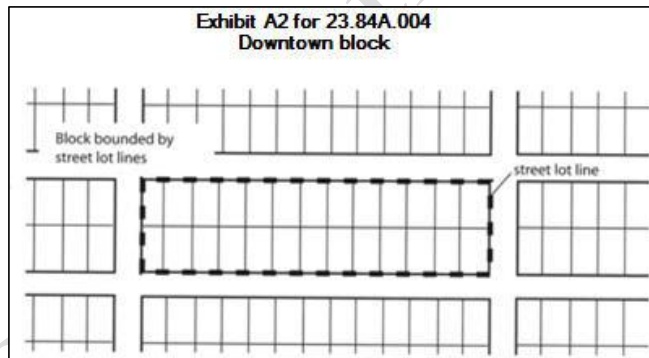


Exhibit A2 for 23.84A.004

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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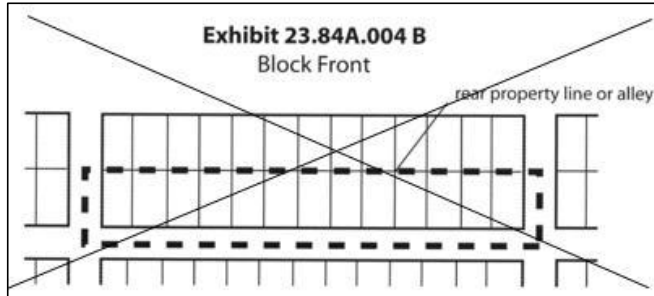
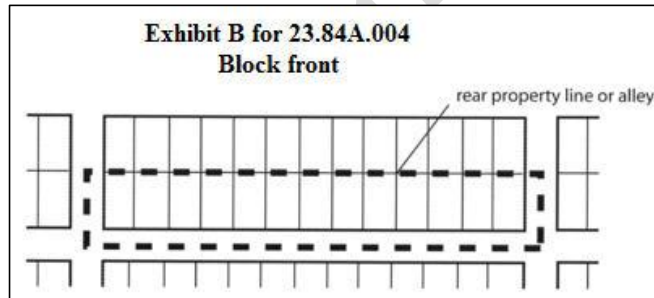


Exhibit B for 23.84A.004
Block front



* * *

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

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

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

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

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

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

20 * * *

21 "Lot line, front" means, in the case of ~~((an interior))~~ a lot with frontage on a single street,
22 the lot line separating the lot from the street, and in the case of a ~~((corner))~~ lot with frontage on
23 more than one street other than a through lot, the lot line separating the lot from any abutting
24 street, provided the other lot line(s) that abut streets are considered to be side street lot line(s). In
25 the case of a through lot, the lot lines separating the lot from the streets that are parallel or within

1 15 degrees of parallel to each other are both front lines. For new development on a lot with no
2 street frontage, the front lot line shall be the lot line designated by the project applicant in
3 accordance with Section 23.86.010. If the area of the front yard based on a front lot line
4 determined according to this definition is less than 20 percent of the total lot area and is less than
5 1,000 square feet in area, the Director may designate a different lot line as the front lot line in
6 order to provide structural setbacks, building separations and open space that are more consistent
7 with those of other lots that are within 100 feet of the property.

8 * * *

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

11 **23.84A.046 "Y"**

12 * * *

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

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

24 * * *

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

3 **23.86.010 Yards**

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

12 * * *

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

Andy McKim
DPD SF Small Lot Amendment ORD
~~December 11, 2013~~
May 1, 2014
Version #1213

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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)

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