

ORDINANCE No.

111568

COUNCIL BILL No.

104137

AN ORDINANCE relating to land use and zoning, amending Title 23 in the Seattle Municipal Code by adding a new Chapter 23.70 to establish the Greenbelt Overlay District; amending Sections 23.24.28, 23.76.06, 23.76.14, 23.84.14, and 23.90.14; and repealing Chapter 23.68.

*Per 20 amended
2-22-84*

COMPTROLLER FILE No.

292527

Introduced: FEB 14 1984	By: Williams
Referred: FEB 14 1984	City Directors
Referred:	To:
Referred:	To:
Reported: FEB 27 1984	Second Reading: FEB 27 1984
Third Reading: FEB 27 1984	Signed: FEB 27 1984
Presented to Mayor: FEB 28 1984	Approved: MAR 1 1984
Returned to City Clerk: MAR 1 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

REC'D OMB FEB 28 1984

CO. Department

W. Department

The City of

Honorable President:

Your Committee on

City of

to which was referred the within Co
report that we have considered the

Per 20 amended

Department

Committee

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on

City Operations

was referred the within Council Bill No.

104137

we have considered the same and respectfully recommend that the same:

Be Passed as Amended

Francis Williams

Committee Chair

ORD. 111568 - AMENDMENTS & RE TO ...

Ord. 111896 -Provides for the establishemtnt of greenbelt in Blks 1 & 2, McCoy's Add. to Columbia; accepts a deed from Eldin & Arline Cole for Lot 28, Blk 1, auth acquisition of other properties from the Local Impvt. Guaranty Fund, etc.

ORDINANCE NO. 111568

AN ORDINANCE relating to land use and zoning, amending Title 23 in the Seattle Municipal Code by adding a new Chapter 23.70 to establish the Greenbelt Overlay District; amending Sections 23.24.28, 23.76.06, 23.76.14, 23.84.14, and 23.90.14; and repealing Chapter 23.68.

WHEREAS, the Seattle Planning Commission in 1954 issued a report entitled "Planning for Recreation" which identified the desirability of setting aside urban greenbelts as buffer strips between residential and industrial areas and to protect slide prone areas from development; and

WHEREAS, the 1957 Seattle Comprehensive Plan included and adopted greenbelts as a part of the Comprehensive Plan; and

WHEREAS, Seattle voters approved appropriating more than \$900,000 of 1968 Forward Thrust Park Bonds for acquisition of greenbelts, which funds have been expended and committed pursuant to a greenbelt acquisition plan and there are no further acquisitions of greenbelt areas contemplated under that plan or otherwise; and

WHEREAS, in 1973 the Seattle City Council adopted the Seattle 2000 Commission goals and objectives as amended which provided in Goal "E" that greenbelts should be part of an "integrated arrangement of open space throughout the City"; and

WHEREAS, in 1977, the City Council adopted the Urban Greenbelt Plan (Resolution 25670), designating certain areas of the City as greenbelt, incorporating the Urban Greenbelt Plan as part of the City's Comprehensive Plan, and calling for limited acquisition of properties and for regulation through amendments to the Zoning Code in order to implement the Plan; and

WHEREAS, in 1978, the City Council adopted Resolution 25785, calling for the replacement of the City's Comprehensive Plan with a new Land Use Policy Plan, known as Seattle's Land Use Policies, and designating the Open Space element as the fifth of six sections to be developed and adopted; and

WHEREAS, Resolution 25785 called for completion of development and consideration of all sections of the Land Use Policies by September, 1980; and

WHEREAS, Council adoption of the first element, the Single Family Policies, did not occur until May, 1979, and the second element, the Multifamily Policies, was not adopted until July, 1981; and

1 WHEREAS, the City Council in the fall of 1979 approved
2 revising the 1979-80 Comprehensive Land Use Plan element
3 of the Policy Planning Agenda with the effect that the
4 development of Open Space policies would not be initiated
5 in 1980-81 but would be preceded by the development of
6 the Downtown policies; and

7 WHEREAS, since the adoption of the Urban Greenbelt Plan in
8 1977 landslides and development have caused the destruction
9 of landscape and vegetation in greenbelt areas; and

10 WHEREAS, The City Council Community and Governmental Relations
11 Committee held a public hearing on April 27, 1983 at which
12 testimony supported Council Bill 103619 which proposed to
13 establish standards, on an emergency temporary basis, for
14 development within the greenbelts; and

15 WHEREAS, The City Council passed Council Bill 103619 (Ordinance
16 No. 111098) on May 2d, 1983 which established standards
17 for development of property within the greenbelts and
18 which was to be in effect for eight months while the
19 permanent Greenbelt Overlay District Zoning regulations
20 were being developed by the City Council; and

21 WHEREAS, the City Council on December 19, 1983 passed Council
22 Council Bill 104060 which extended the expiration date of
23 the interim greenbelt regulations to April 1, 1984; and

24 WHEREAS, the City still intends to prepare a comprehensive
25 policy review of greenbelts and other related issues in
26 the Public Lands/Open Space element of the Land Use
27 Policies; and

28 WHEREAS, the land designated in the 1977 Urban Greenbelt Plan
is approximately 900 acres and posting of notice on
all properties was deemed impracticable, the City Council
provided notice to the public of the proposed Greenbelt
Overlay District zoning regulations and map amendments
by publishing notice in the Land Use Information Service
and the Daily Journal of Commerce in June and September
of 1983; mailed notice and information about the proposal
to all known property owners of greenbelt properties in
June and September of 1983; and mailed notice of all
Community and Governmental Relations Committee meetings
to a mailing list of over three hundred interested
individuals; and

WHEREAS, in addition, before making the Mayor's recommendation
for a Greenbelt Overlay, the Executive held six public
meetings and provided public notice on two occasions in
newspapers of community and city-wide circulation, and
by mailing to all community groups, greenbelt interest
groups and all people who had expressed an interest in
the Land Use Policy project (over 3000 people); and

1 WHEREAS, the City Council held two public hearings on the
2 proposed Greenbelt Overlay District zoning regulations
3 on July 14 and October 18, 1983, and members of the City
4 Council's Community and Governmental Relations Committee
5 visited many of the properties proposed to be included
6 in the Overlay District, including properties about which
7 any question had been raised as to whether or not they
8 should continue to be included in the greenbelts; and
9

10 WHEREAS, the Community and Governmental Relations Committee
11 considered the proposed permanent Greenbelt Overlay
12 District zoning regulations and maps at approximately
13 fifteen public meetings; and
14

15 WHEREAS, it is the intent of the City Council in enacting
16 the Greenbelt Overlay District zoning regulations to
17 advance and to implement the previously adopted goals
18 and policies of the City referred to above relating to
19 the greenbelts; and
20

21 WHEREAS, it is the intent of the City Council that the
22 Greenbelt Overlay District zoning regulations shall be
23 administered and interpreted in a manner which will carry
24 out the following primary purpose and goals of the
25 regulations:

- 26 1. Provide or encourage permanent buffers between
27 incompatible land uses and mitigate the effects of
28 noise and air pollution;
- 29 2. Limit development of environmentally sensitive areas
30 or areas unsuitable for building because of
31 earthslide hazard, flood hazard, drainage problems
32 or impracticability of service by public utilities
33 or facilities;
- 34 3. Maintain belts of natural landscape and habitat for
35 wildlife within Seattle;
- 36 4. Promote and maintain the visual identity of separate
37 and distinct districts by relieving the monotony of
38 continuous urban development; and
- 39 5. Permit reasonable development of private property
40 within greenbelt areas in a manner consistent with
41 the City's goals and policies for greenbelts while
42 retaining an optimum amount of property in an
43 undisturbed or restored natural state.

44 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

45 Section 1. There is added to Title 23 of the Seattle
46 Municipal Code, the Land Use Code of The City of Seattle
47 (Ordinances 110381 and 110570, as amended) a new Chapter 23.70,
48

1 entitled "Greenbelt Overlay District", which shall apply to
2 all land identified as such on a series of maps as shown in
3 Exhibit "GB", attached and incorporated herein, and which
4 shall be shown on the Official Land Use Map, Exhibit "A" to
5 read as follows:

6 23.70.10 PURPOSE

7 The purpose of this Chapter is to implement the Urban
8 Greenbelt Plan, Resolution 25670, by regulating development
9 of the City's urban greenbelts in order to:

- 10 A. Provide or encourage permanent buffers between
11 incompatible land uses and mitigate the effects
12 of noise and air pollution;
- 13 B. Limit development of environmentally sensitive
14 areas or areas unsuitable for building because of
15 earthslide hazard, flood hazard, drainage problems
16 or impracticability of service by public utilities
17 or facilities;
- 18 C. Maintain belts of natural landscape and habitat
19 for wildlife within Seattle;
- 20 D. Promote and maintain the visual identity of separate
21 and distinct districts by relieving the monotony of
22 continuous urban development; and
- 23 E. Permit reasonable development of property within
24 greenbelt areas in a manner consistent with the
25 City's goals and policies for greenbelts while
26 retaining an optimum amount of property in an
27 undisturbed or restored natural state.
28

1 23.70.20 ESTABLISHMENT OF GREENBELT OVERLAY DISTRICT

2 There is established, pursuant to Chapter 23.56 of the
3 Seattle Municipal Code, the Greenbelt Overlay District as
4 shown on Exhibit "A" of the Official Land Use Map of The City
5 of Seattle.

6 23.70.30 APPLICATION OF REGULATIONS

7 All property located within the Greenbelt Overlay
8 District shall be subject to both the requirements of its
9 zone classification and to the requirements imposed for the
10 Greenbelt Overlay District. In any case where the provisions
11 of the Greenbelt Overlay District conflict with the provisions
12 of the underlying zone, the Greenbelt Overlay District shall
13 apply.

14 23.70.40 GREENBELT OVERLAY DISTRICT STANDARDS

15 All property within the Greenbelt Overlay District shall
16 be retained in its natural state. No trees may be cut,
17 pruned, topped or otherwise damaged, destroyed or removed,
18 and no grading or filling shall be permitted, except as
19 follows:

20 A. Selective cutting, pruning or topping of trees
21 permitted by the Park Horticulturalist pursuant
22 to standards promulgated under Chapter 3.02,
23 Administrative Code. Such cutting, pruning or
24 topping shall not be permitted where it would
25 cause significant harm to the visual continuity
26 or wildlife habitat value of the greenbelt, and
27 may be permitted only if necessary to:

- 28 1. enhance either the wildlife habitat or the
value of the remaining vegetation; or

2. provide slope stabilization to prevent damage to property; or
 3. clear areas when required by the Fire Department; or
 4. preserve views from the subject lot or any lot abutting the subject lot.
- B. Clearing of a temporary swath as minimal in area as possible, with subsequent restoration, permitted by the Director when necessary for the construction of sewer lines, utilities, or in order to obtain environmental or soils information requested by the Director.
- C. Removal of standing and fallen dead trees and limbs if the Park Horticulturalist finds that they create a significant threat of injury to persons or to property.
- D. Selective cutting, pruning or topping of any tree of three-inch caliper or less, measured three feet above ground, whose trunk is within twenty feet of a dwelling unit that was legally established and in existence prior to June 1, 1983.
- E. Cutting, pruning, topping, or clearing reasonably necessary to alter or add to a dwelling unit that was legally established and in existence prior to June 1, 1983, without designating a greenbelt preserve or restored greenbelt preserve, if such alterations or additions do not increase the lot coverage of that structure by more than ten percent of the total lot area. The lot coverage restrictions of the underlying zone shall continue to apply.

1 F. Clearing, developing, subdividing, or short sub-
2 dividing for lots after a greenbelt preserve and
3 restored greenbelt preserve have been designated
4 as provided in Sections 23.70.50 and 23.70.60.

5 23.70.50 GREENBELT PRESERVE DEVELOPMENT STANDARDS

6 Each lot which is proposed for development, subdivision,
7 or short subdivision which is either completely or partially
8 within the Greenbelt Overlay District shall provide a green-
9 belt preserve; except that a dwelling unit that was legally
10 established and in existence prior to June 1, 1983 may be
11 altered or added to without designating a greenbelt preserve
12 if such alteration or addition does not increase the lot
13 coverage of that structure by more than ten percent of the
14 total lot area. The lot coverage restrictions of the
15 underlying zone shall continue to apply. A site consisting of
16 more than one lot, separated by only a street or alley, may
17 be considered as a lot for purposes of this section.

18 The greenbelt preserve shall be provided so as to preserve
19 the visual continuity, habitat value, slope stability and
20 buffering characteristics of the greenbelt by preserving
21 areas in their natural state, with as little disturbance
22 as possible to the topography or vegetation.

23 A. DESIGNATION OF GREENBELT PRESERVE

24 1. Recording

25 The boundaries of the greenbelt preserve shall
26 be designated and shall be recorded with the
27 King County Department of Records and Elections.

28 2. Location of Greenbelt Preserve.

The greenbelt preserve shall be located on each
lot so that to the greatest extent possible
subsections a, b, and either or both c and d

1 are satisfied. Additionally, for any lot within
2 a Manufacturing (M), General Industrial (IG),
3 or Heavy Industrial (IH) underlying zone, the
4 designated greenbelt preserve shall be located
5 so that subsection e is also satisfied. For
6 lots partially within the Greenbelt Overlay
7 District, the greenbelt preserve may extend
8 beyond that portion of the lot within the
9 Greenbelt Overlay District.

- 10 a. The greenbelt preserve shall abut any
11 publicly owned park or greenbelt area
12 (excluding improved streets), or other
13 privately owned greenbelt area.
- 14 b. The greenbelt preserve shall be located
15 to maximize the preservation and visual
16 continuity of the surrounding greenbelt
17 within which the property is located.
- 18 c. The greenbelt preserve shall be located
19 to preserve the largest possible number
20 of significant trees or stands of trees
21 on the site.
- 22 d. The greenbelt preserve shall be located
23 to include steep slopes and to retain
24 vegetation which may stabilize them.
- 25 e. The greenbelt preserve shall be located
26 to abut and buffer any adjoining residentially
27 zoned property, or any adjoining street
28 right-of-way which abuts residentially
zoned property.

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3. Area of Greenbelt Preserve

- a. Lots completely within the Greenbelt Overlay District, except where the underlying zone is Manufacturing (M), General Industrial (IG) or Heavy Industrial (IH), shall provide a greenbelt preserve that comprises not less than thirty percent of the lot area for lots of three thousand square feet or less. The greenbelt preserve area shall be increased by one percent for each one hundred square feet of lot area over three thousand square feet, to not less than fifty percent of the lot area for all lots of five thousand square feet or more.
- b. Lots completely within the Greenbelt Overlay District which are also within a Manufacturing (M), General Industrial (IG) or Heavy Industrial (IH) underlying zone shall provide a greenbelt preserve that comprises not less than forty percent of the lot area.
- c. Lots partially within the Greenbelt Overlay District shall provide a greenbelt preserve area as provided in subsections a or b. The greenbelt preserve area shall be calculated upon only that portion of the lot which is within the Greenbelt Overlay District.

1 d. Yards and setbacks as required by the
2 underlying zone may be located within the
3 greenbelt preserve.

4 4. Contiguity

5 The greenbelt preserve shall be one contiguous
6 area, except that one paved driveway with a
7 maximum width of ten feet, or greater if
8 required by City Ordinance, may be located
9 through the greenbelt preserve and shall not
10 be considered as breaking the contiguity require-
11 ment. Such access shall not count as greenbelt
12 preserve area and may be in addition to other
13 access.

14 5. Minimum Dimensions

15 The horizontal dimension of the greenbelt
16 preserve shall be not less than ten feet.

17 6. Gross Floor Area Calculations

18 For lots within underlying Manufacturing (M),
19 General Industrial (IG), or Heavy Industrial
20 (IH) zones, the area of property designated
21 greenbelt preserve may be used to calculate
22 the allowable gross floor area of the underlying
23 zone.

24 B. DEVELOPMENT WITHIN GREENBELT PRESERVE

25 1. Natural State

26 No tree within the greenbelt preserve shall
27 be cut, cleared, topped or otherwise damaged,
28 destroyed or removed, and no grading or filling
shall be permitted, except that the provisions

1 of subsections 23.70.40 A(1)-(4), B, and C shall
2 also apply for purposes of this section.

3 2. Structures

4 Structures shall not be permitted in the green-
5 belt preserve, with the following exceptions:
6 fences; freestanding walls; stairs; access
7 bridges; barrier-free access; and cornices,
8 eaves, and gutters extending not more than
9 eighteen inches.

10 C. GREENBELT PRESERVE SPECIAL EXCEPTION

11 The Director may permit an exception from the
12 location and contiguity requirements of sub-
13 sections A(2) and A(4) for greenbelt preserve,
14 using the special exception process of Section
15 23.76, Master Use Permit. In order to approve
16 such an exception, the Director must evaluate
17 the entire proposal and find that the proposed
18 exception would enhance or preserve the visual
19 continuity of the greenbelt, or would preserve
20 an environmental feature such as a stream,
21 watercourse, or significant tree(s) in a
22 manner which is better than would a development
23 which follows the development standards of
24 subsection A(2), or subsection A(4). All
25 exceptions must conform to the intent of the
26 Urban Greenbelt Plan, Resolution 25670. No
27 reduction in the greenbelt preserve area is
28 allowed under this subsection.

23.70.60 RESTORED GREENBELT PRESERVE DEVELOPMENT STANDARDS

In addition to the greenbelt preserve requirements of Section 23.70.50, each lot which is proposed for development, subdivision, or short subdivision which is either completely or partially within the Greenbelt Overlay District shall provide a restored greenbelt preserve; except that a dwelling unit that was legally established and in existence prior to June 1, 1983 may be altered or added to without designating a restored greenbelt preserve if such alteration or addition does not increase the lot coverage of that structure by more than ten percent of the total lot area. The lot coverage restrictions of the underlying zone shall continue to apply. A site consisting of more than one lot, separated by only a street or alley, may be considered as one lot for purposes of this section. The restored greenbelt preserve is intended to preserve the visual continuity and habitat value of the greenbelt.

A. RECORDING

The restored greenbelt preserve shall be designated and shall be recorded with the King County Department of Records and Elections.

B. AREA OF RESTORED GREENBELT PRESERVE

1. In lots within underlying single family residential zones, the restored greenbelt preserve shall comprise not less than twenty percent of the lot area (or twenty percent of that portion of the lot within the Greenbelt Overlay District).

2. In lots within all other underlying zones, the restored greenbelt preserve shall comprise not less than ten percent of the lot area (or ten percent of that portion of the lot within the Greenbelt Overlay District.)
3. The restored greenbelt preserve may be reduced in area by providing a commensurate increase in the greenbelt preserve.
4. Yards and setbacks as required by the underlying zone may be located within the restored greenbelt preserve.

C. DEVELOPMENT WITHIN RESTORED GREENBELT PRESERVE

The restored greenbelt preserve may be temporarily disrupted during construction for development, but shall be replanted according to the following standards:

1. Vegetation. The restored greenbelt preserve shall be replanted and landscaped with plantings emphasizing native vegetation so as to recreate or enhance the habitat value and visual continuity of the greenbelt, pursuant to standards promulgated under Chapter 3.02, the Administrative Code, and administered by the Director. Such standards shall be developed by the Director upon consideration of the recommendations of the Park Horticulturist the City Arborist, and the review of a committee of the City Council.

1 2. Structures. Structures are not permitted
2 within the restored greenbelt preserve unless
3 below finished grade, except that entrances,
4 heating, ventilating, and air conditioning
5 systems, fences, and freestanding walls shall
6 be permitted.

7 3. Grade. Finished grade within the restored
8 greenbelt preserve shall have topographic
9 contours which create a natural appearance,
10 and shall be fully landscaped in accordance
11 with subsection 1.

12 D. RESTORED GREENBELT PRESERVE SPECIAL EXCEPTION FOR
13 LOTS WITHIN UNDERLYING SINGLE-FAMILY RESIDENTIAL
14 ZONES.

15 The Director may permit a reduction in the required
16 restored greenbelt preserve to a minimum of ten
17 percent of the lot area, using the special exception
18 process of Section 23.76, Master Use Permit. In
19 order to approve such an exception, the Director
20 must find that the topography or location of access
21 to the site creates unusual difficulties in siting
22 structures, driveways or parking areas, and that
23 the development as proposed is sited to preserve
24 the maximum visual continuity of the greenbelt.

25 23.70.70 SPECIAL EXCEPTION FOR AREA - GREENBELT PRESERVE
26 AND RESTORED GREENBELT PRESERVE

27 If the Director finds that the site proposed for
28 development presents difficulties for access,
29 siting or design because of topography, soil
30 conditions, slope instability, location of access
31 to the site, or a similar physical characteristic

1 of the land which cannot be overcome by the
2 application of the location and contiguity special
3 exception of 23.70.50C, and further finds that
4 the application of all the requirements under the
5 Land Use Code and other City requirements would
6 result in a building footprint of less than
7 twenty-five percent of the lot area, the Director
8 may permit an exception to the location, contiguity
9 and area requirements for greenbelt preserve and
10 restored greenbelt preserve in order to allow a
11 building footprint of up to twenty-five percent of
12 the lot area, using the special exception process
13 of Section 23.76, Master Use Permit. In order to
14 approve such an exception, the Director must
15 evaluate the entire proposal and shall employ the
16 following criteria:

- 17 a. the proposal meets the intent of the
18 Urban Greenbelt Plan, Resolution 25670;
19 and
- 20 b. the proposed greenbelt preserve adequately
21 protects trees and sloped areas; and
- 22 c. surface parking is minimized; and
- 23 d. the drainage control system satisfies the
24 provisions of the grading and drainage
25 provisions of Sections 22.800-806; and
- 26 e. grading and filling activity is minimized;
27 and
- 28 f. roads and driveway access are minimized,
to the extent that it is consistent with
both City requirements and with the goal
of minimizing grading and filling.

1 In applying the foregoing criteria to the
2 proposal, the Director shall have the authority
3 to require changes in the proposed project
4 design, such as relocation of proposed structures,
5 roadways and parking areas. The area require-
6 ments of Section 23.70.50A(3) for greenbelt
7 preserve shall not in any event be reduced by
8 more than ten percent of the lot area under
9 this special exception.

23.70.80 OPEN SPACE REQUIREMENTS FOR LOTS LOCATED
IN RESIDENTIAL, MULTI-FAMILY ZONES.

10 A lot proposed for development within the Greenbelt Overlay
11 District and located in an underlying multi-family residential
12 zone shall provide open space as required by the underlying
13 zone, except as follows:

- 14 A. For lots completely within the Greenbelt Overlay
15 District, the area of open space otherwise required
16 by the underlying zone is reduced by one-half. The
17 open space shall not be located within the greenbelt
18 preserve or the restored greenbelt preserve.
- 19 B. For lots partially within the Greenbelt Overlay
20 District, the area of open space otherwise required
21 by the underlying zone is reduced by one-half for
22 that portion of the lot within the District. For
23 the portion of the lot outside the Greenbelt Overlay
24 District, the required open space shall continue
25 to be the area required by the underlying zone.
The open space shall not be located within the
greenbelt preserve or the restored greenbelt preserve.
- 26 C. For lots located in a multi-family residential
27 Lowrise 2 underlying zone, the provisions of
28 Section 23.45.44A(2)(b), which allows required open

1 space for apartments to be provided above ground
2 in the form of decks, balconies and roof gardens,
3 shall also apply.

4 23.70.90 AREA AND LOT COVERAGE REQUIREMENTS FOR PROPERTY
5 LOCATED IN SINGLE-FAMILY RESIDENTIAL ZONES

6 Each lot proposed for development within the Greenbelt
7 Overlay District and located in any underlying single-family
8 residential zone shall comply with the following lot area
9 and lot coverage requirements:

10 A. Minimum Lot Area. The minimum lot area shall be
11 nine thousand six hundred (9,600) square feet,
12 and the lot area exception of Section 23.44.10(B)
13 shall not apply, except as follows:

- 14 1. If the lot area deficit was the result of
15 a dedication or sale of a portion of the
16 lot to the City for greenbelt preservation
17 and the lot area remaining is at least four
18 thousand eight hundred (4,800) square feet;
- 19 2. If the lot was established as a separate
20 building site in the public records of the
21 County or City prior to June 1, 1983 by deed,
22 contract of sale, mortgage, property tax
23 segregation, platting or building permit.

24 B. Maximum Lot Coverage. The lot coverage for principal
25 and accessory structures shall not exceed thirty-five
26 percent of the lot area, and the lot coverage
27 exceptions of Section 23.44.10 (D) shall not apply.

28 23.70.100 GREENBELT CLUSTERING FOR PROPERTY LOCATED
IN SINGLE-FAMILY RESIDENTIAL ZONES.

A. Development pursuant to the requirements of the
Greenbelt Overlay District for multi-family residential
Lowrise 1 may be permitted in a single-family zone, subject
to the following standards:

1 (1) Lots less than nine thousand six hundred (9,600)
2 square feet in area shall be limited to a
3 maximum density of one dwelling unit per platted
4 lot;

5 (2) Lots nine thousand six hundred (9,600) square
6 feet or greater in area shall be limited to
7 a maximum density of 1.2 dwelling units per
8 nine thousand six hundred (9,600) square feet,
9 except that for each five percent of lot area
10 provided as greenbelt preserve in excess of
11 that required by Section 23.70.50(A)(3), the
12 number of units permitted by this subsection
13 may be increased by an additional .1 dwelling
14 unit per nine thousand six hundred (9,600)
15 square feet of total lot area.

16 B. The provisions of Section 23.44.24 Planned Residential
17 Development shall not apply in the Greenbelt Overlay District.

18 23.70.110 VIOLATIONS - CORRECTIVE ACTIONS REQUIRED

19 In the event of violations of the standards or require-
20 ments of this chapter, the required corrective action shall
21 include, but is not limited to, mitigating measures such as
22 restoration of the area and replacement of damaged or destroyed
23 trees.

24 23.70.120 VESTING OF LAND USE PERMITS

25 The special transition rules contained in Section 23.04.10D
26 shall be inapplicable to this chapter. The provisions of the
27 Greenbelt Overlay District regulations shall apply to all
28 property within the District unless a land use approval has
been issued by the Director prior to the effective date of
this chapter as provided in Section 23.76.40, Vesting of Land
Use Approvals.

typographical
error corrected
per Gordon
Crandall 3-13-84

Section 2. Subsection H of Section 23.34.28(H) is amended
to read as follows:

23.³4.28 General Rezone Criteria

In evaluating requests for a zoning change, the following
factors shall be considered:

H. Greenbelt Plan

((If the area is included in the Greenbelt Plan
as adopted by Resolution 25670, the purpose and
boundaries of the Greenbelt Plan shall be
considered.)) If any portion of the area is
within the Greenbelt Overlay District the intent
of the Urban Greenbelt Plan as adopted by
Resolution 25670 to preserve Greenbelts shall
be given special consideration when evaluating
any rezone application to a zoning designation
allowing a more intensive use. Specific issues
to be considered include but are not limited to
the preservation or enhancement of: wildlife
habitat, trees, buffering characteristics, slope
stabilization effects, and the visual continuity
of the greenbelt.

Section 3. Section 23.84.14 is amended to add new
subsections to read as follows:

Greenbelt

((Greenbelts are areas either publicly or privately
owned which the Council has designated in the Urban
Greenbelt Plan, Resolution 25670, to be left
primarily in their natural state. These areas are
intended to provide or encourage permanent buffers

1 between incompatible land uses, prevent development
2 of environmentally sensitive areas and maintain areas
3 of natural habitat for wildlife. An area located
4 within and without the Greenbelt Overlay District
5 which is required by easement, dedication or the
6 application of the Greenbelt Overlay District
7 provisions to be left primarily in its natural state.

8 Greenbelt Overlay District

9 Land so designated and shown on the Land Use Map
10 entitled Exhibit "A".

11 Greenbelt Preserve

12 Land in the Greenbelt Overlay District so designated
13 prior to any development, subdivision, or short
14 subdivision of a lot or lots and required to be left
15 in its natural state.

16 Greenbelt Preserve, Restored

17 Land in the Greenbelt Overlay District so designated
18 prior to any development, subdivision, or short
19 subdivision of a lot or lots which is allowed to be
20 temporarily disrupted during construction but which
21 is subsequently replanted and restored with plantings
22 emphasizing native vegetation and is then required to
23 be left in that state.

24 Section 4. Section 23.76.06 is amended to add a new
25 subsection "H" to read as follows:

26 23.76.06 Master Use Permit Required

27 A Master Use Permit is required for each of the
28 following Department approvals:

1 H. Establishments of greenbelt preserves and restored
2 greenbelt preserves.

3 Section 5. Subsection E of Section 23.76.14 is amended
4 to read as follows:

5 23.76.14 Notice of Application

6 E. No notice of application is required for a temporary
7 three week use or for the following Master Use
8 Permit approvals if they are determined to be
9 exempt from SEPA.

- 10 1. Establishment or change of use permitted
11 outright.
- 12 2. Curb cuts; landscaping associated with
13 development proposals; additional on-street
14 parking; street and alley improvements.
- 15 3. Lot boundary adjustments.
- 16 4. Establishment of greenbelt preserves and
17 restored greenbelt preserves.

18 Section 6. Section 23.90.24 is amended to add a new
19 subsection B and to renumber the present subsection B as
20 subsection C, to read as follows:

21 23.90.24 CIVIL PENALTY

22 ***

23 B. In addition to the penalties imposed by subsection A,
24 the penalty for violations of the Greenbelt Overlay
25 District standards and requirements shall be a fine
26 not to exceed One Thousand Dollars per occurrence.

27 ((B-))C. The penalty imposed by this Section shall be collected
28 by civil action brought in the name of the City and
commenced in the Municipal Court. The Director shall
notify the City Attorney in writing of the name of

1 any person subject to the penalty and the amount of
2 the penalty and the City Attorney shall, with the
3 assistance of the Director, take appropriate action
4 to collect the penalty.

5 The violator may show as full or partial mitigation
6 of liability:

- 7 1. That the violation giving rise to the action was
8 caused by the willful act, or neglect, or abuse
9 of another; or
- 10 2. That correction of the violation was commenced
11 promptly upon receipt of notice thereof, but
12 that full compliance within the time specified
13 was prevented by inability to obtain necessary
14 materials or labor, inability to gain access to
15 the subject structure, or other condition or
16 circumstance beyond the control of the defendant.

17 Section 7. Chapter 23.68 of Title 23 establishing the
18 Interim Greenbelt Overlay District, is repealed subject to
19 the automatic revival provisions of Section 8.

20 Section 8. SEVERABILITY AND REVIVAL

21 The Greenbelt Overlay District regulations are
22 declared to be severable. If any section, subsection,
23 paragraph, clause or other portion or any part adopted by
24 reference is for any reason held to be invalid or unconstitu-
25 tional by any court of competent jurisdiction, such
26 invalidity or unconstitutionality shall not affect the
27 validity or constitutionality of the remaining portions
28 of the Greenbelt Overlay District. If any section, subsec-
tion, paragraph, clause or any portion is adjudged invalid

1 or unconstitutional as applied to a particular property, use,
2 building, or other structure, the application of such portion
3 of the Greenbelt Overlay District to other property, use or
4 structure shall not be affected.

5 In the event that all or substantially all of these
6 regulations are for any reason adjudged invalid or unconsti-
7 tutional, the affected property within the Greenbelt Overlay
8 District shall then be regulated by the Interim Greenbelt
9 Overlay District regulations of Ch. 23.68 (Ordinance No.
10 111098), without further action by the City Council, and
11 such regulations shall remain in effect for a period of
12 six months following final adjudication of invalidity.

13 Section 9. This City-initiated text and map amendment to
14 the Land Use Code implementing the policies of Resolution
15 25670 is not a "defined phase" in the enactment of the Land
16 Use Code as that term is used in Section 23.34.18(B), as the
17 Greenbelt Plan was adopted prior to the identification of
18 such phases. Notwithstanding such distinction, this
19 ordinance contains new provisions of city-wide application
20 and the Council itself should conduct the public hearing on
21 the amendment and it should be considered in the same manner
22 as are defined phases. Accordingly, the notice and hearing
23 requirements of Section 23.34.18(B) shall be applicable and
24 the requirements of Section 23.34.18(A) are hereby superseded
25 for purposes of this ordinance.
26
27
28

(To be used for all Ordinances except Emergency.)

Section ¹⁰ This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 27th day of February, 1984,
and signed by me in open session in authentication of its passage this 27th day of
February, 1984.

[Signature]
President of the City Council.

Approved by me this 1st day of March, 1984.

[Signature]
Mayor.

Filed by me this 1st day of March, 1984.

Attest: *[Signature]*
City Comptroller and City Clerk.

(SEAL)

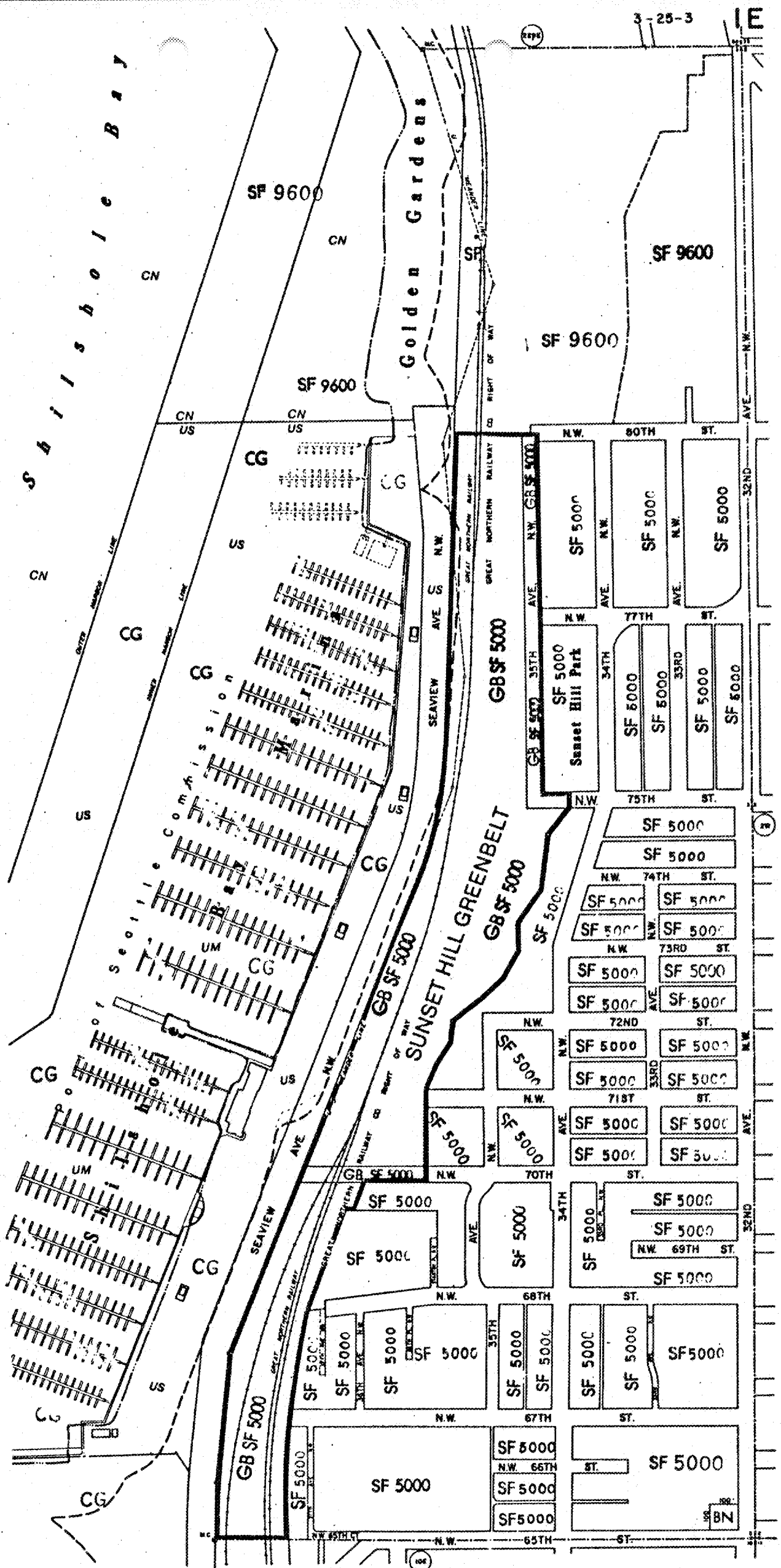
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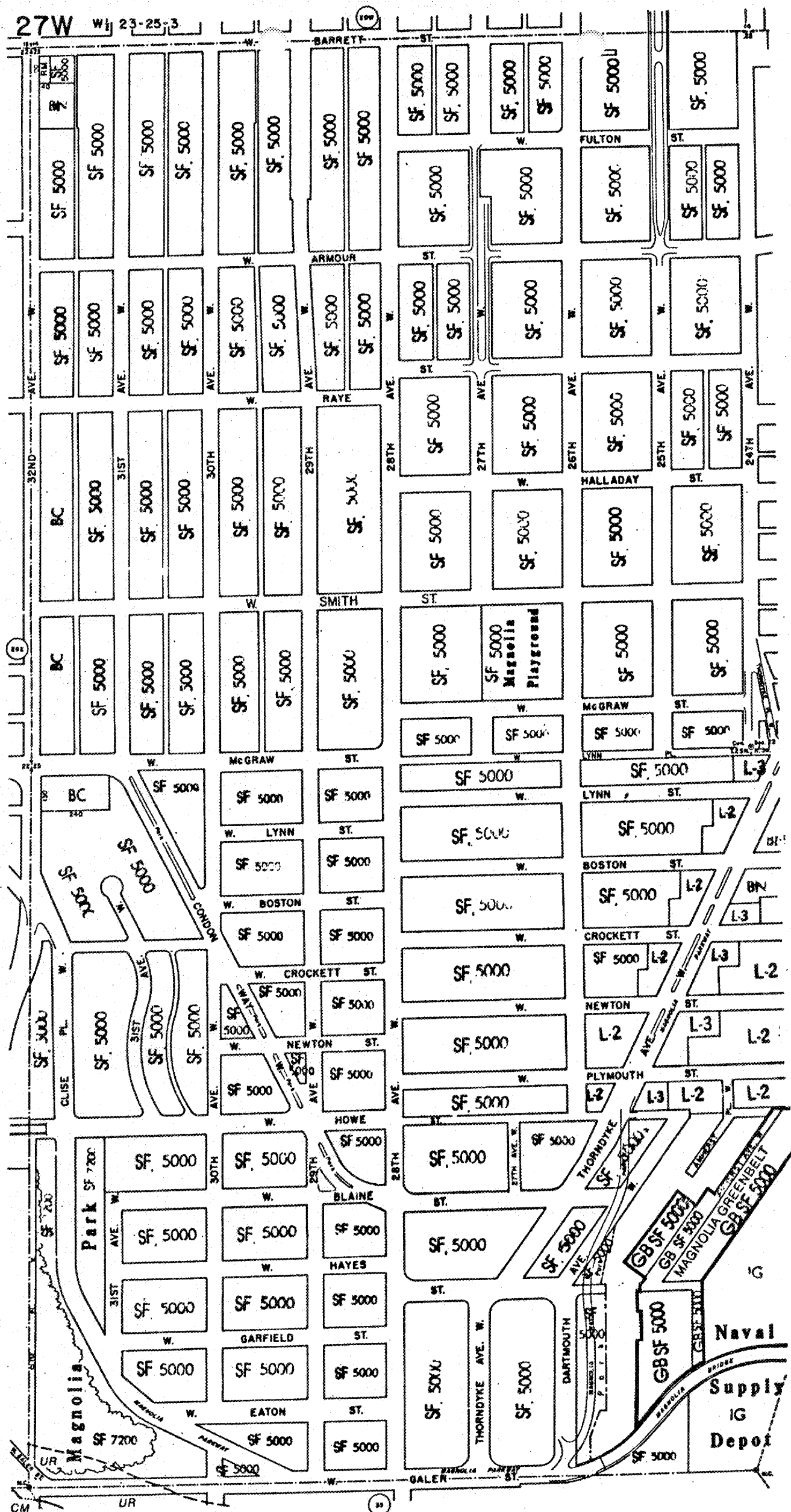
By *[Signature]*
Deputy Clerk.

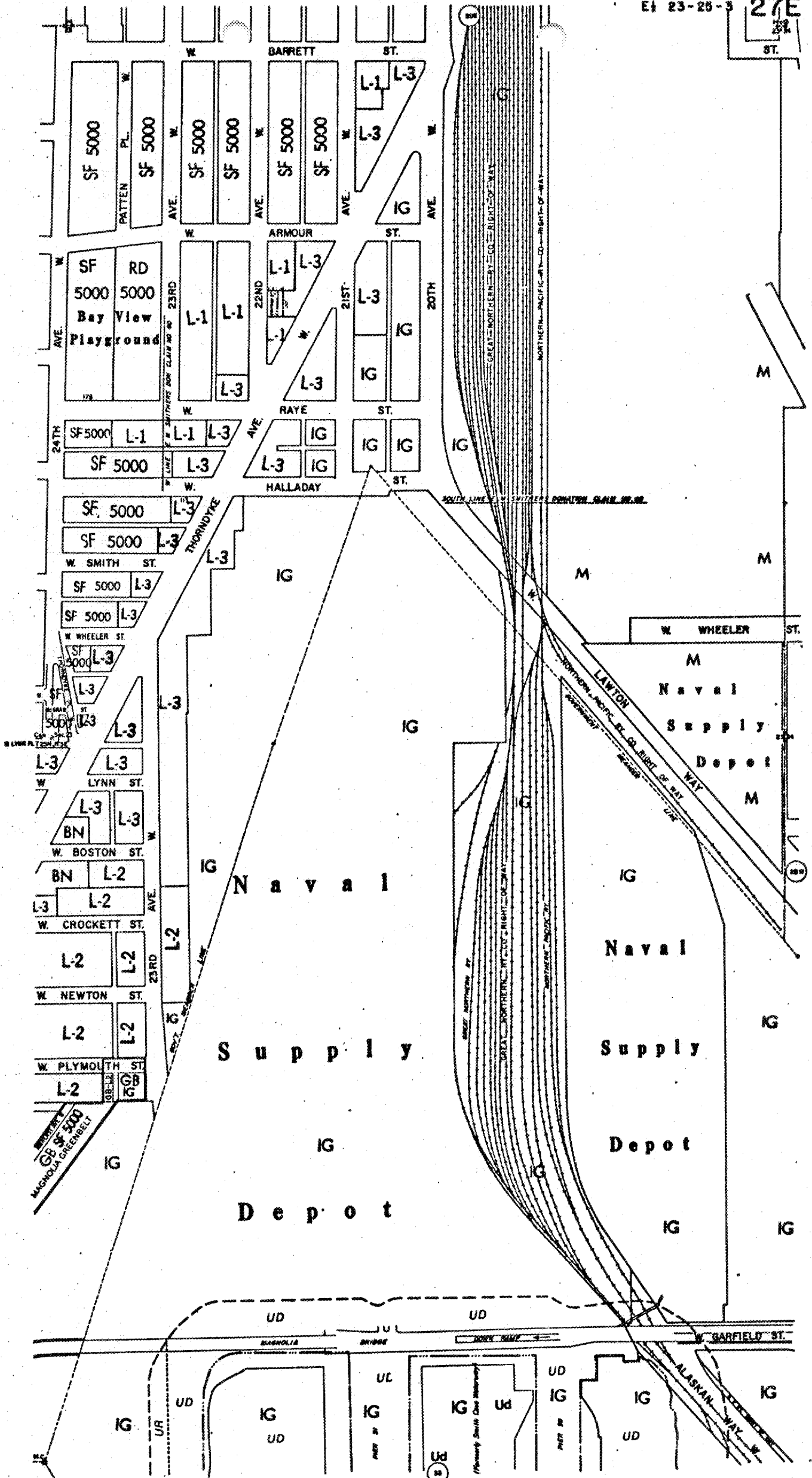
CITY OF SEATTLE GREENBELT ORDINANCE NO. III568,9

CHAPTER 23.70 eff. date: Mar. 31, 1984

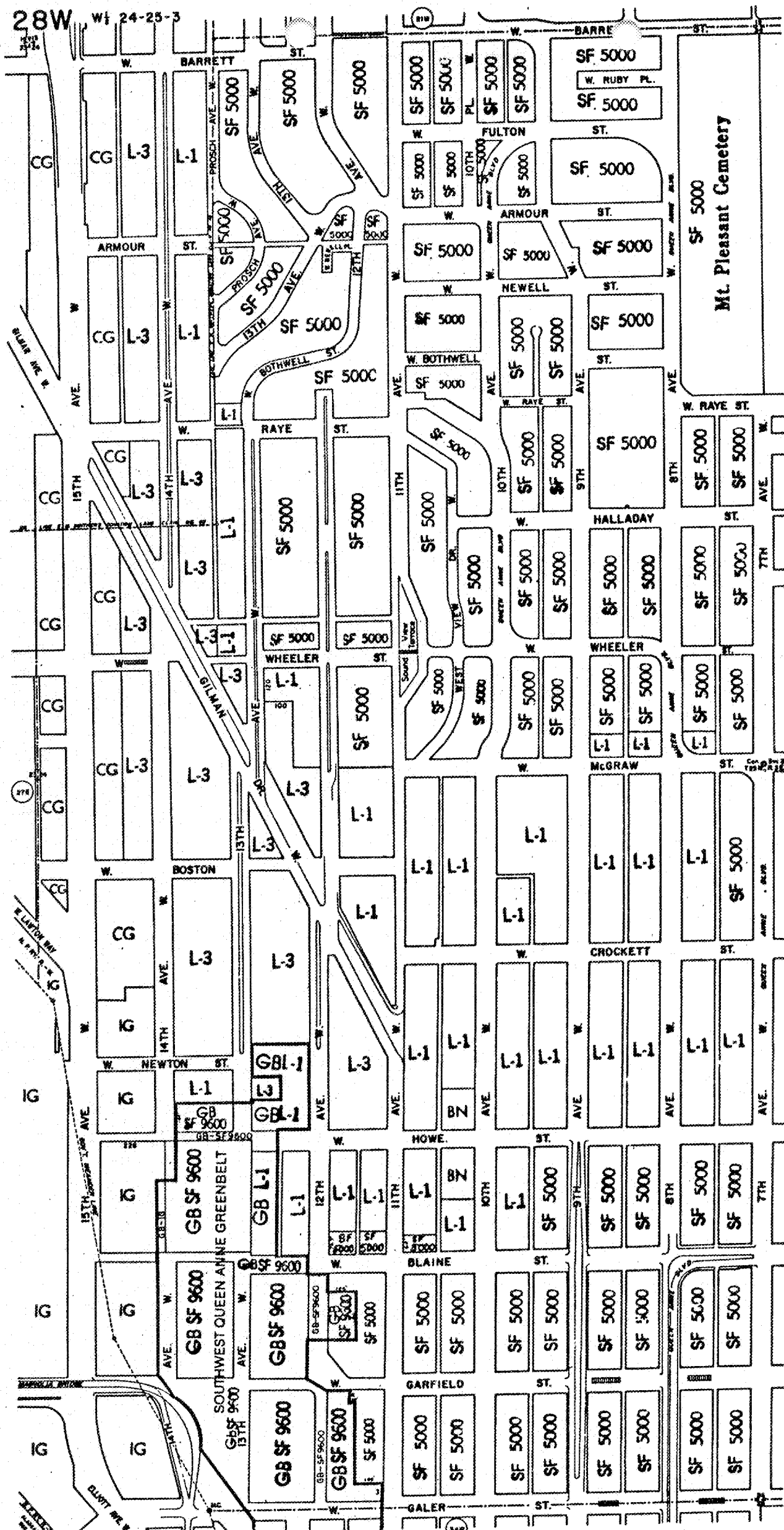
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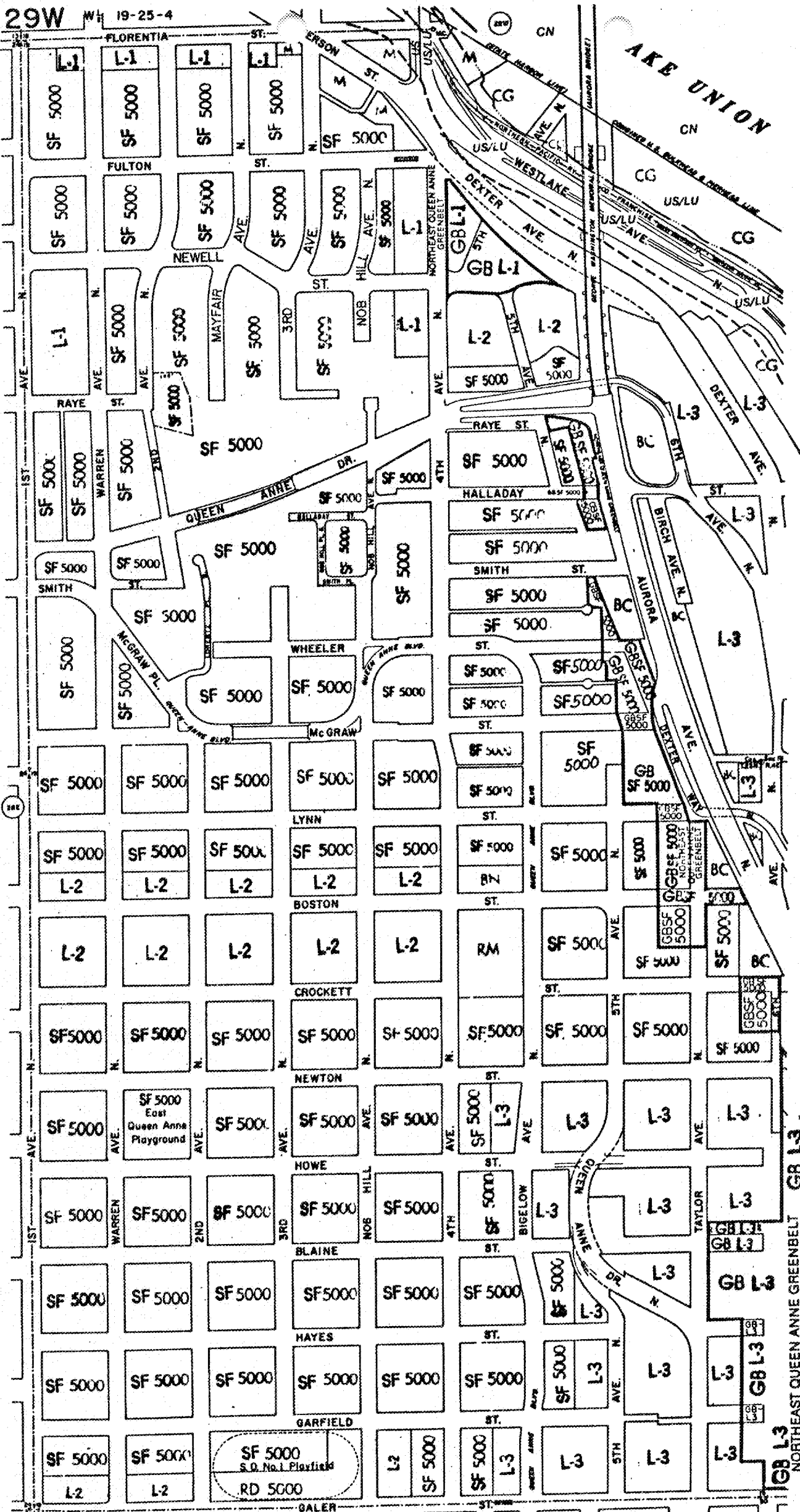


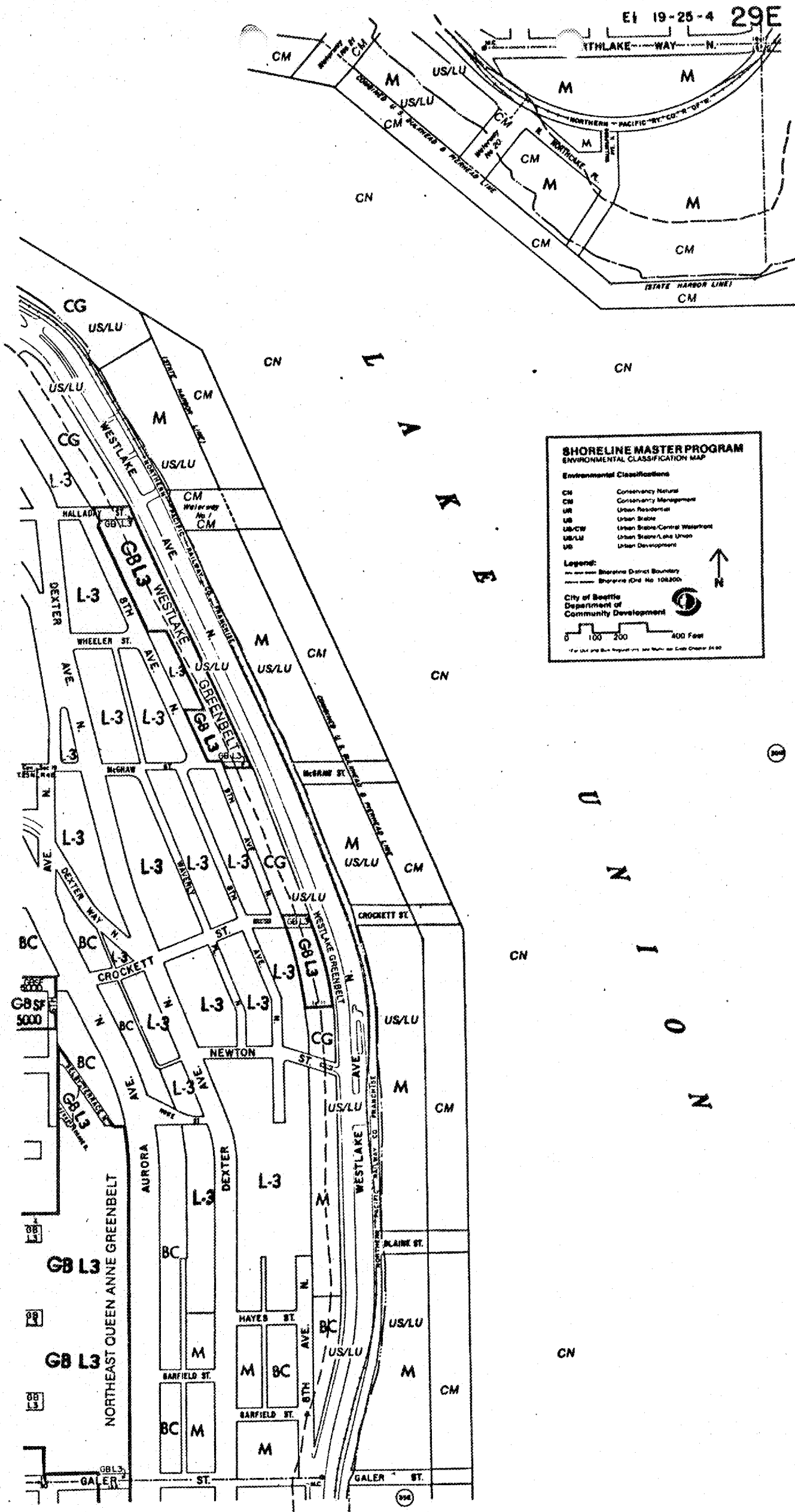




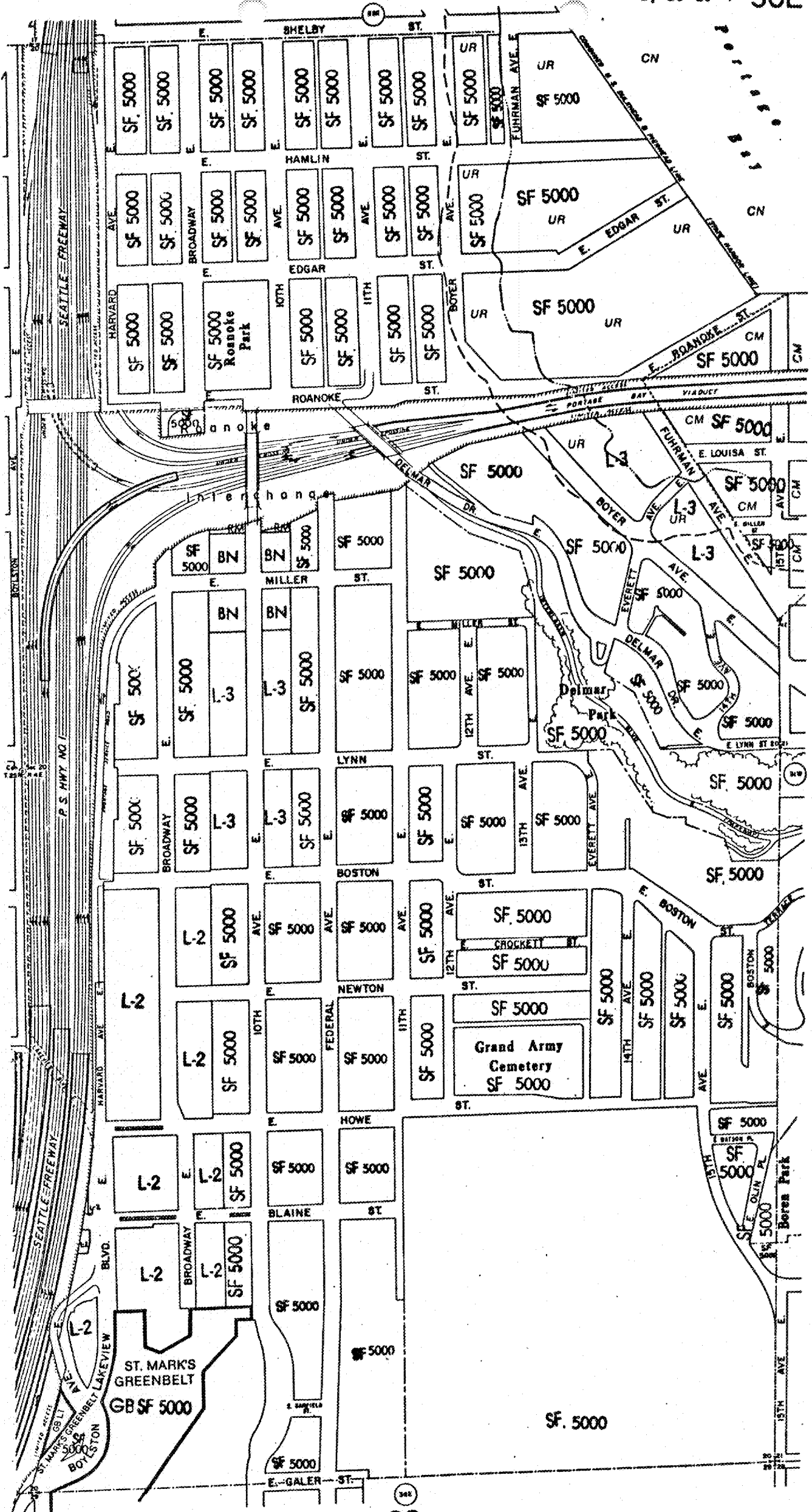
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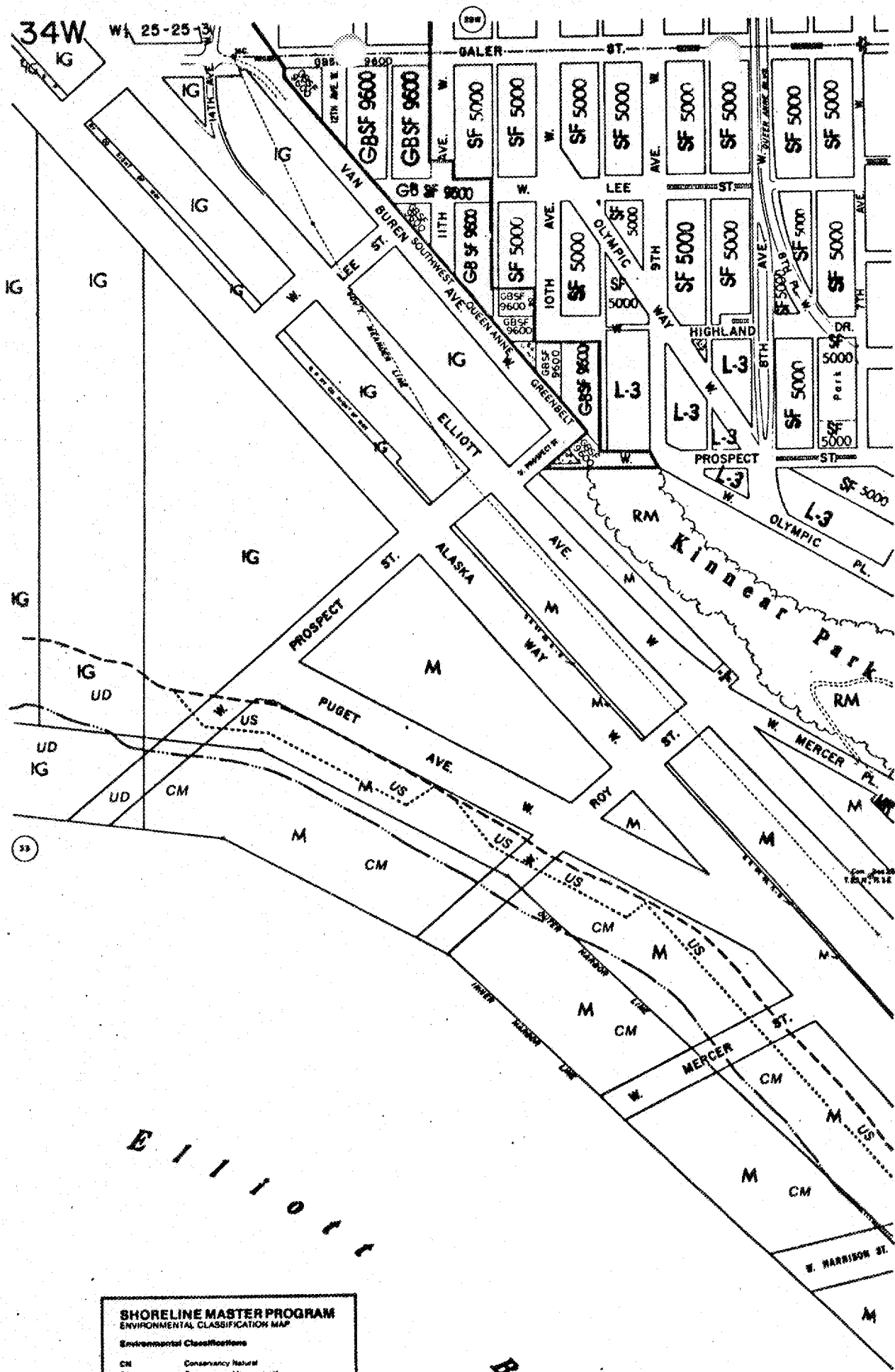




Industrial/Commercial/Residential/Community Development/Conservation/Urban Development/Urban Suburban/Urban Residential/Conservancy Management/Conservancy Natural



Information for this map was obtained from the City of Seattle, Department of Planning and Development, and the City of Seattle, Department of Public Works.



SHORELINE MASTER PROGRAM
ENVIRONMENTAL CLASSIFICATION MAP

Environmental Classifications

CM	Conservancy Natural
CM	Conservancy Management
UR	Urban Residential
US	Urban Stable
US/ST	Urban Stable/Conservancy Waterfront
US/US	Urban Stable/Lake Union
UD	Urban Development

Legend:

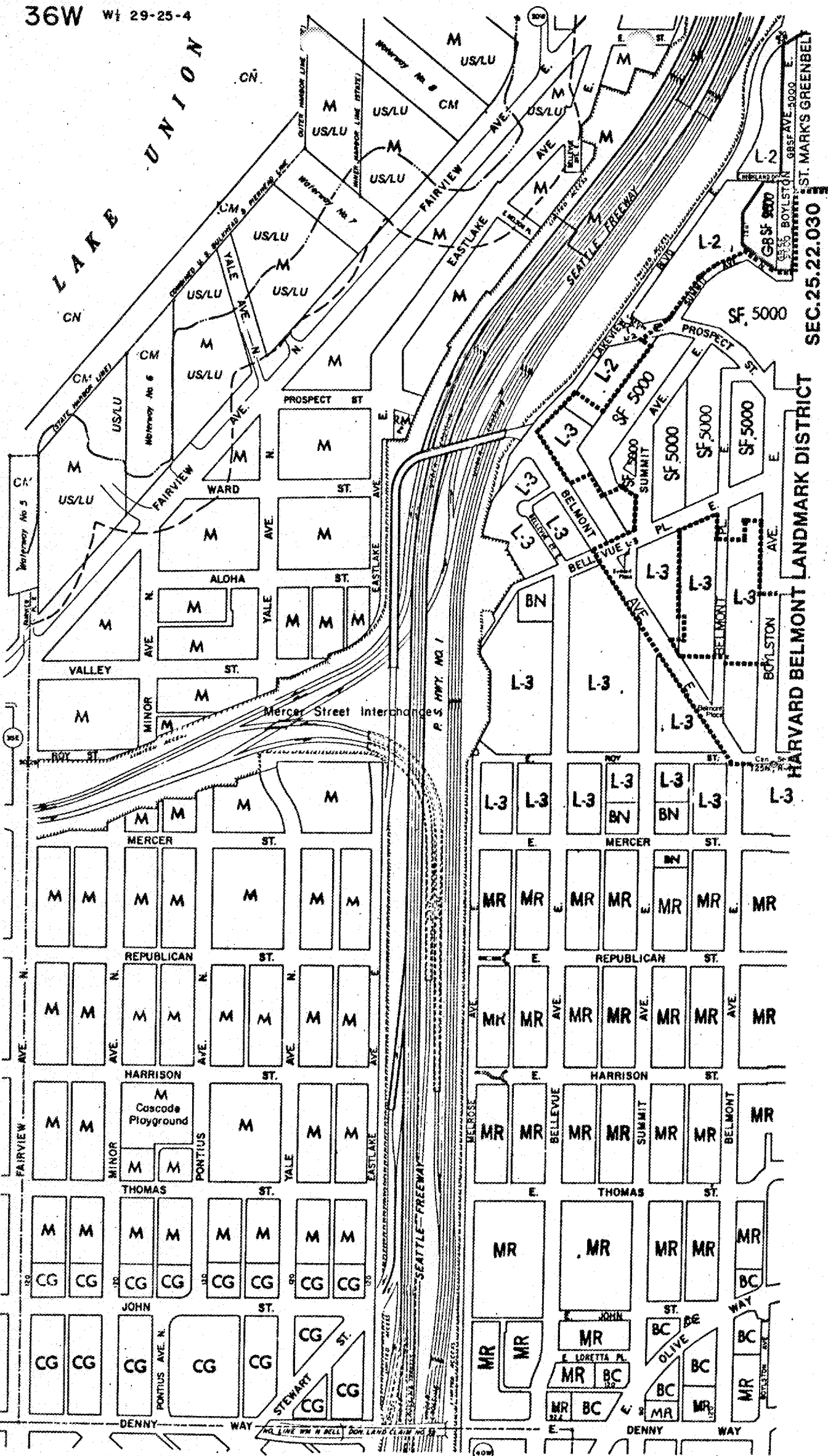
----- Shoreline District Boundary
----- Shoreline (Ord. No. 108200)

City of Seattle
Department of
Community Development

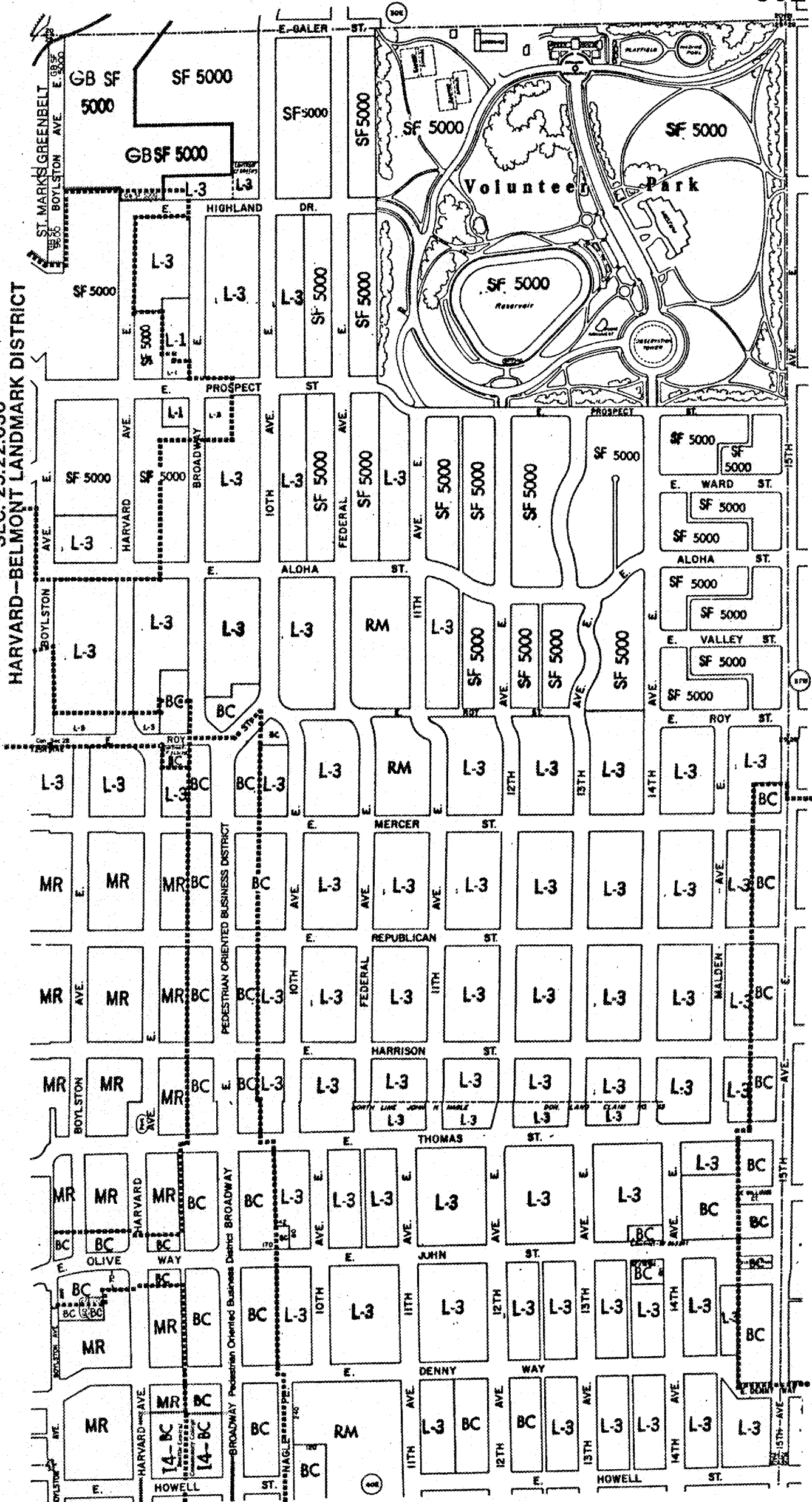
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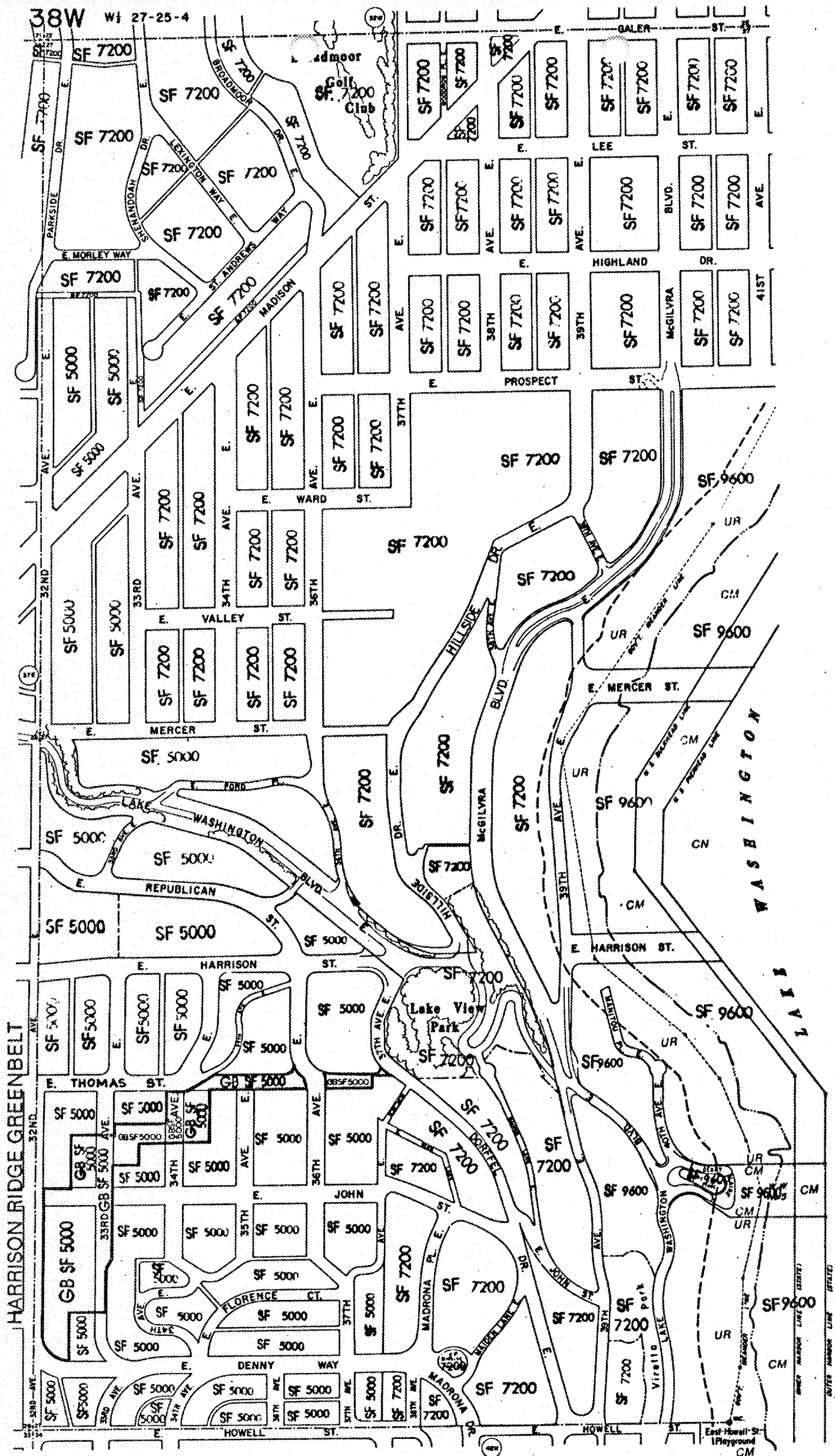
The Use and Bulk Regulations are Municipal Code Chapter 24.00





SEC. 25.22.030
HARVARD-BELMONT LANDMARK DISTRICT





HARRISON RIDGE GREENBELT

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SHORELINE MASTER PROGRAM
ENVIRONMENTAL CLASSIFICATION MAP

Environmental Classifications

CN	Conservancy Natural
CM	Conservancy Management
UR	Urban Residential
US	Urban Stable
US/CW	Urban Stable/Central Waterfront
US/LU	Urban Stable/Lake Union
UD	Urban Development

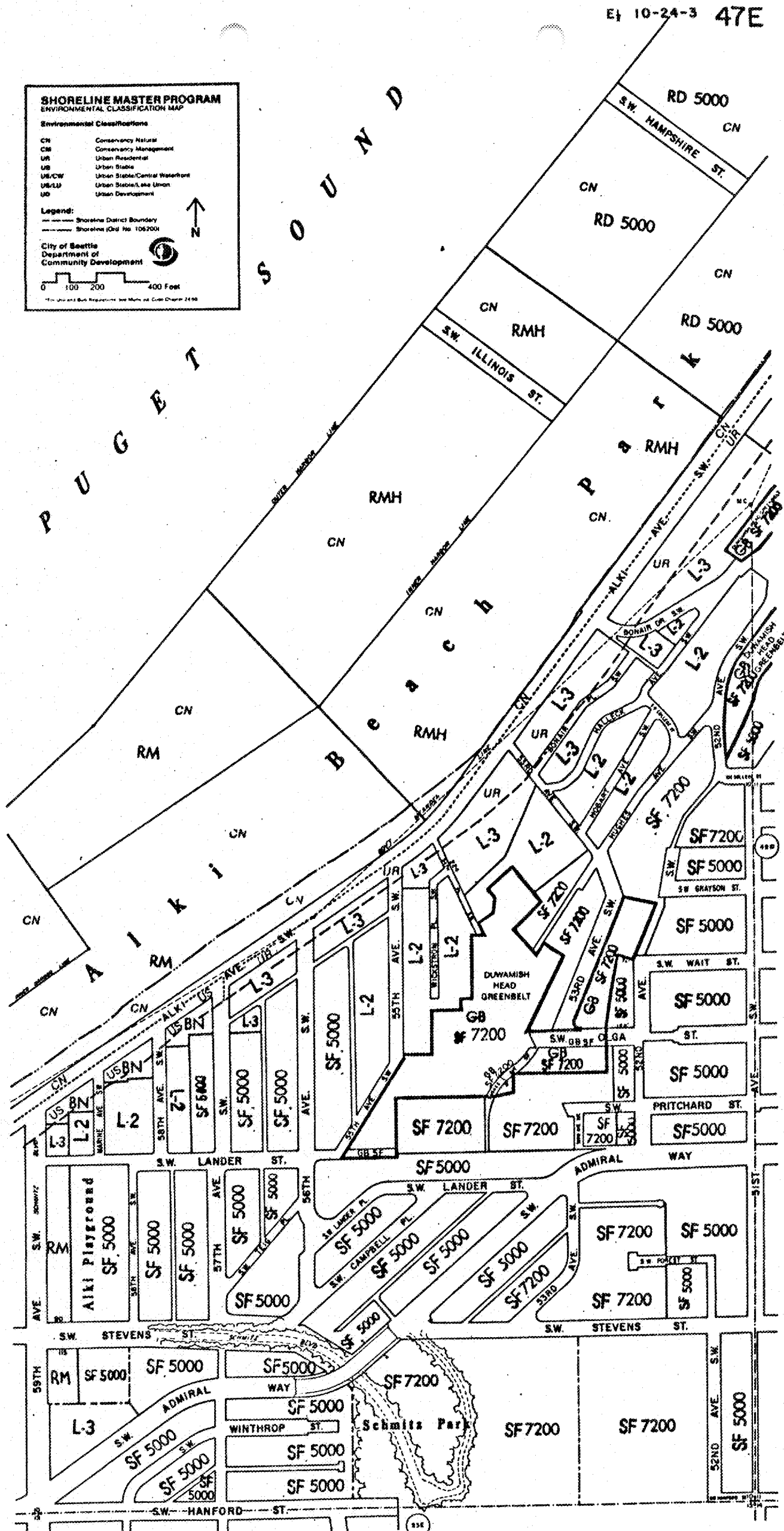
Legend:

- Shoreline District Boundary
- Shoreline (Ord. No. 106200)

City of Seattle
Department of
Community Development

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*For Use and Bulk Regulations, see Map of Code Chapter 22.90

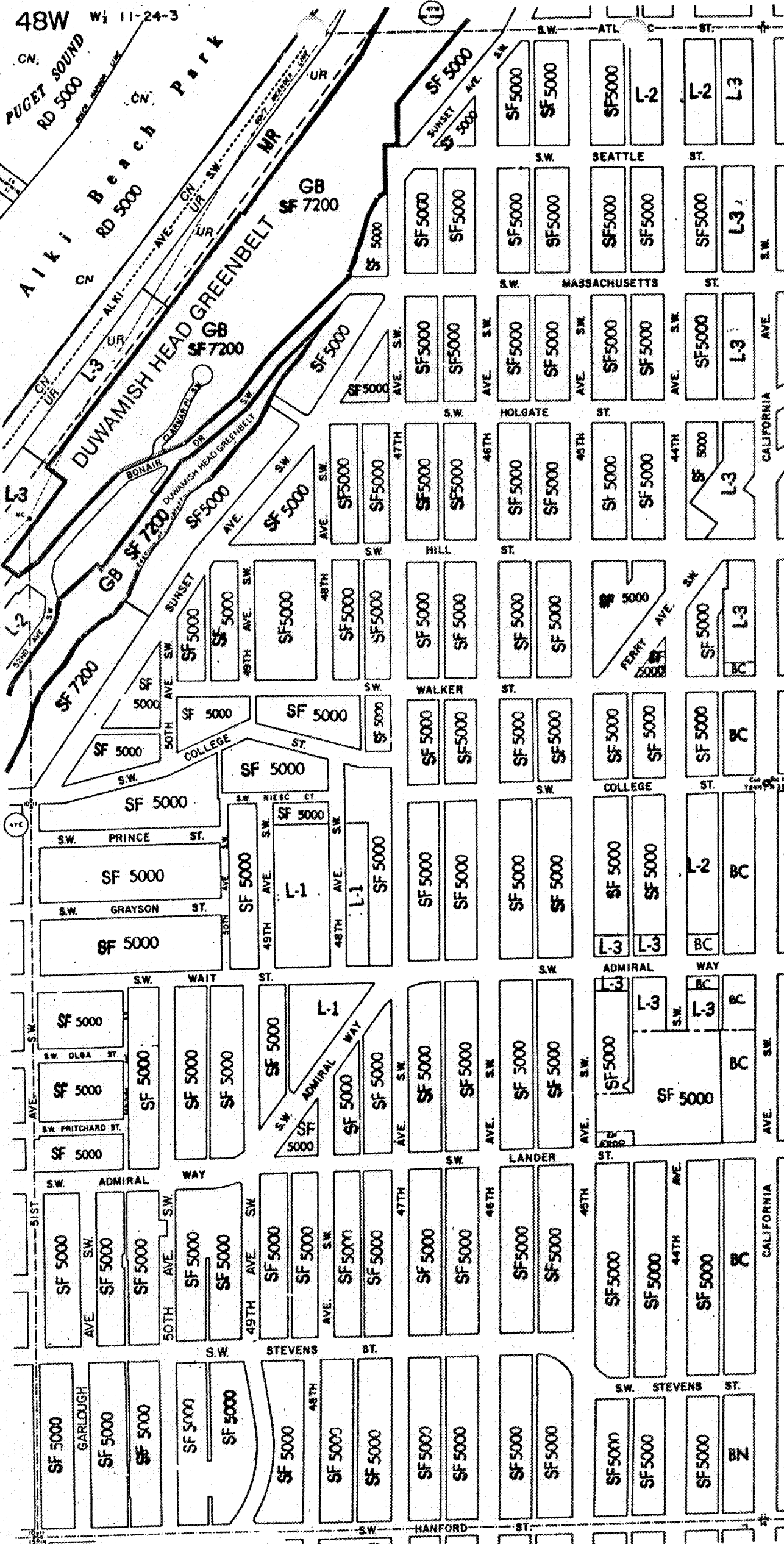


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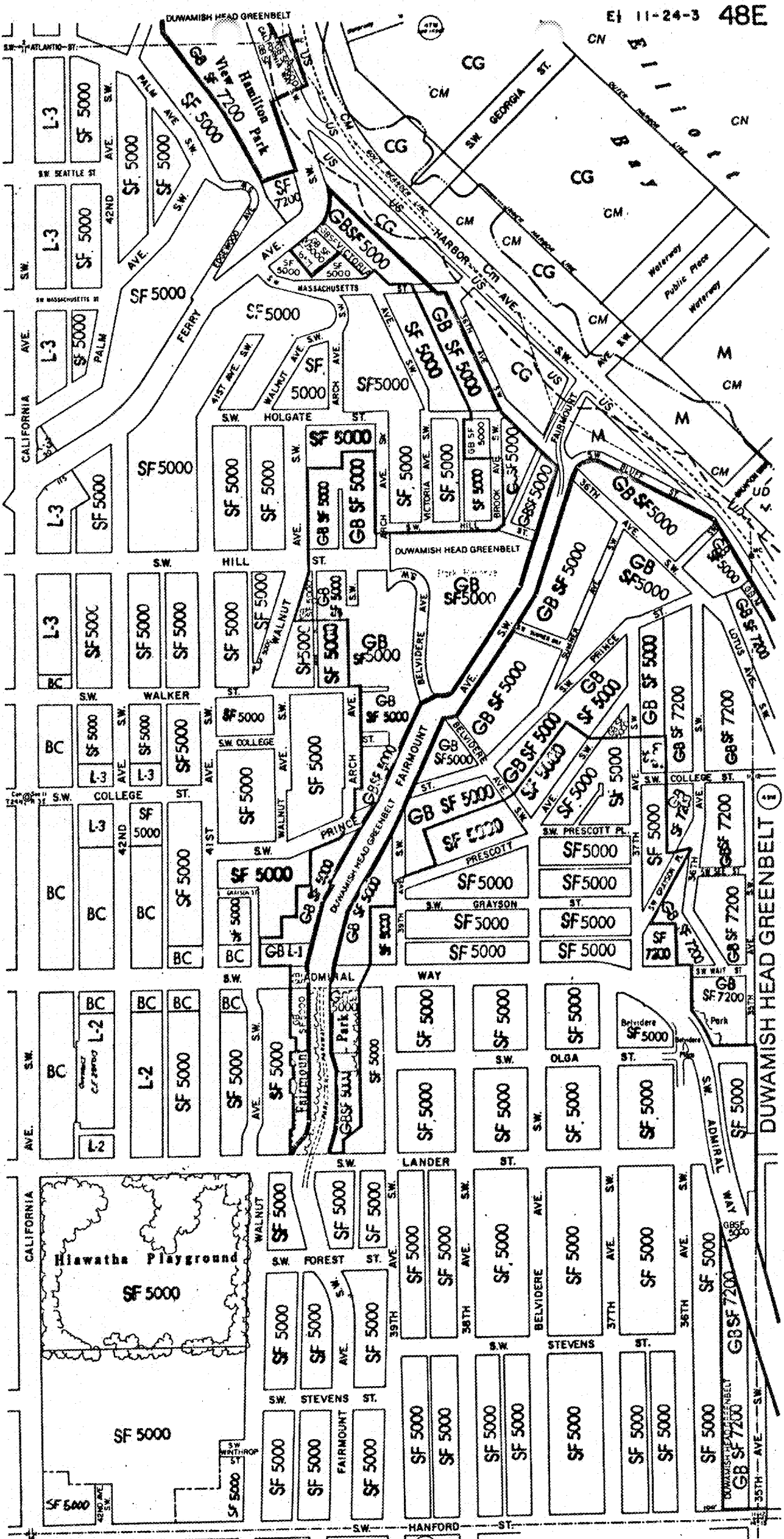
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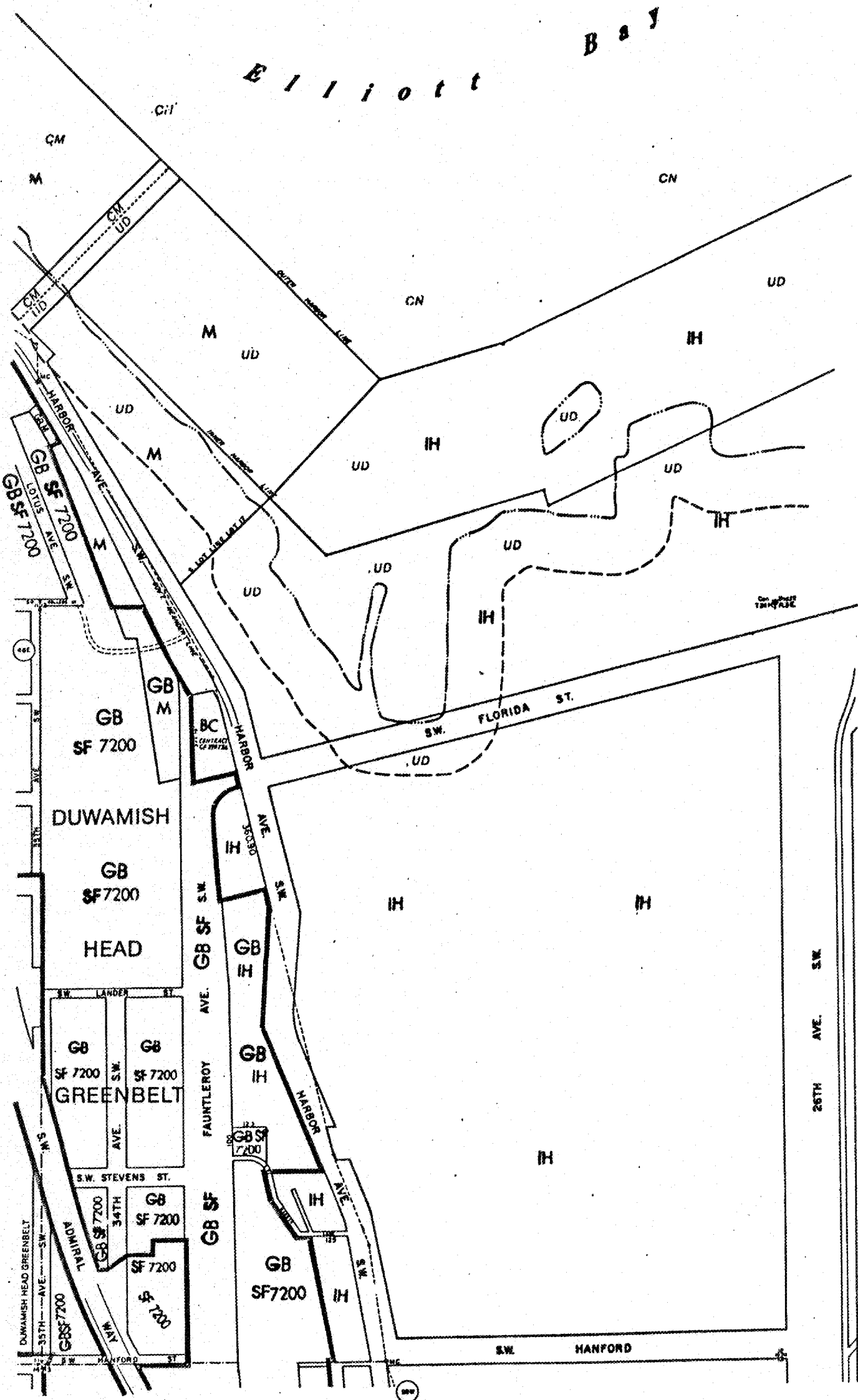


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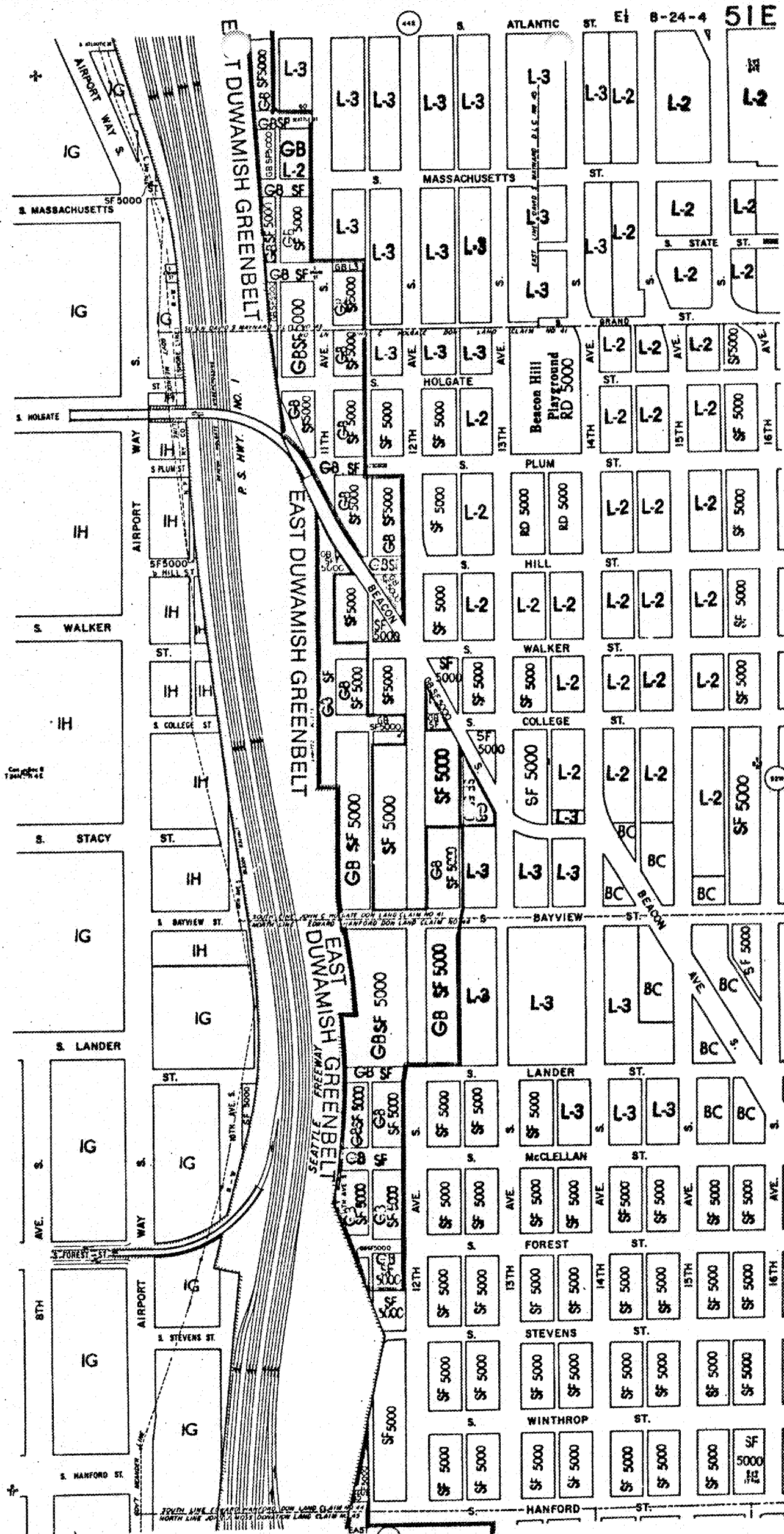
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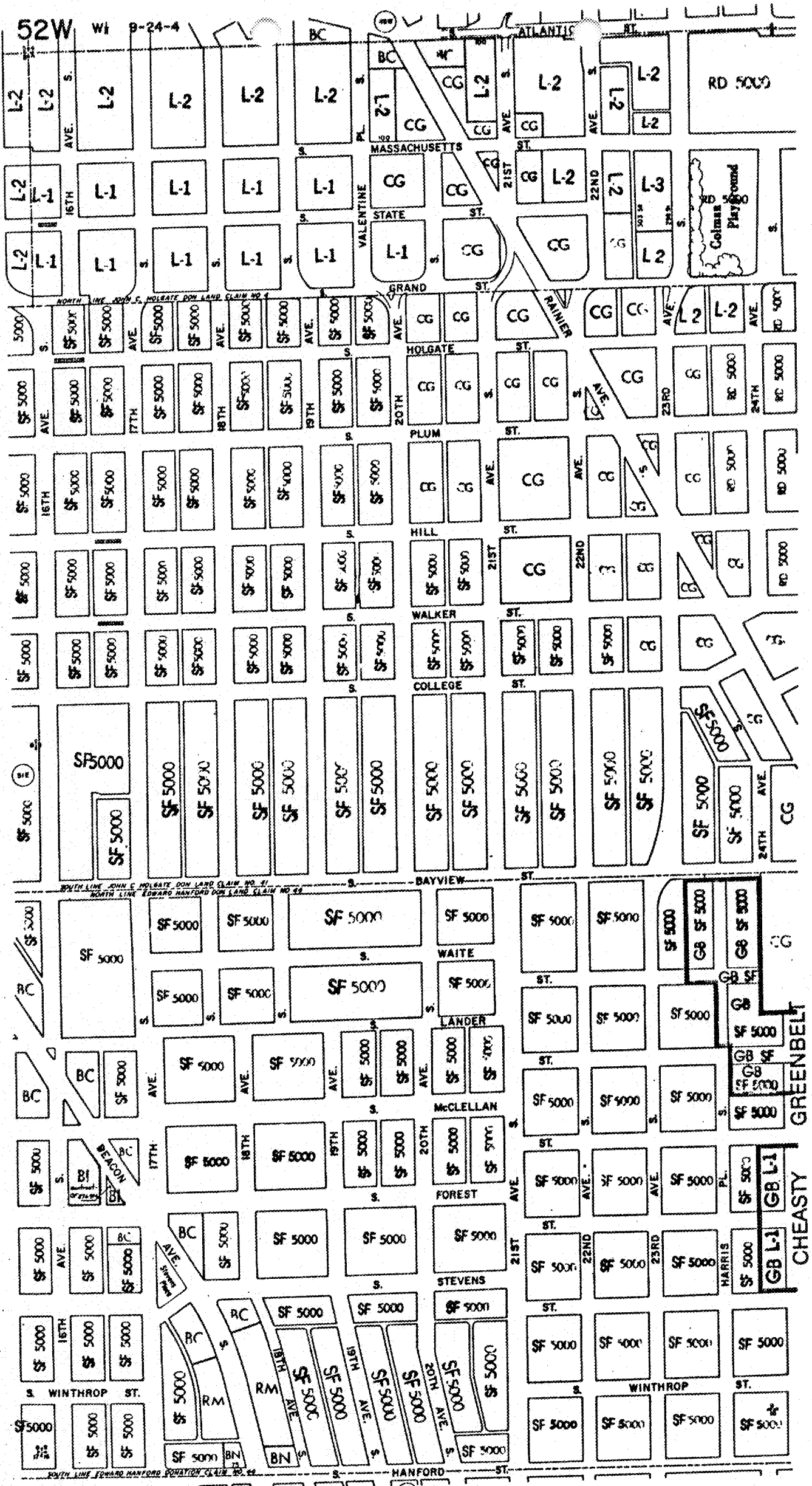




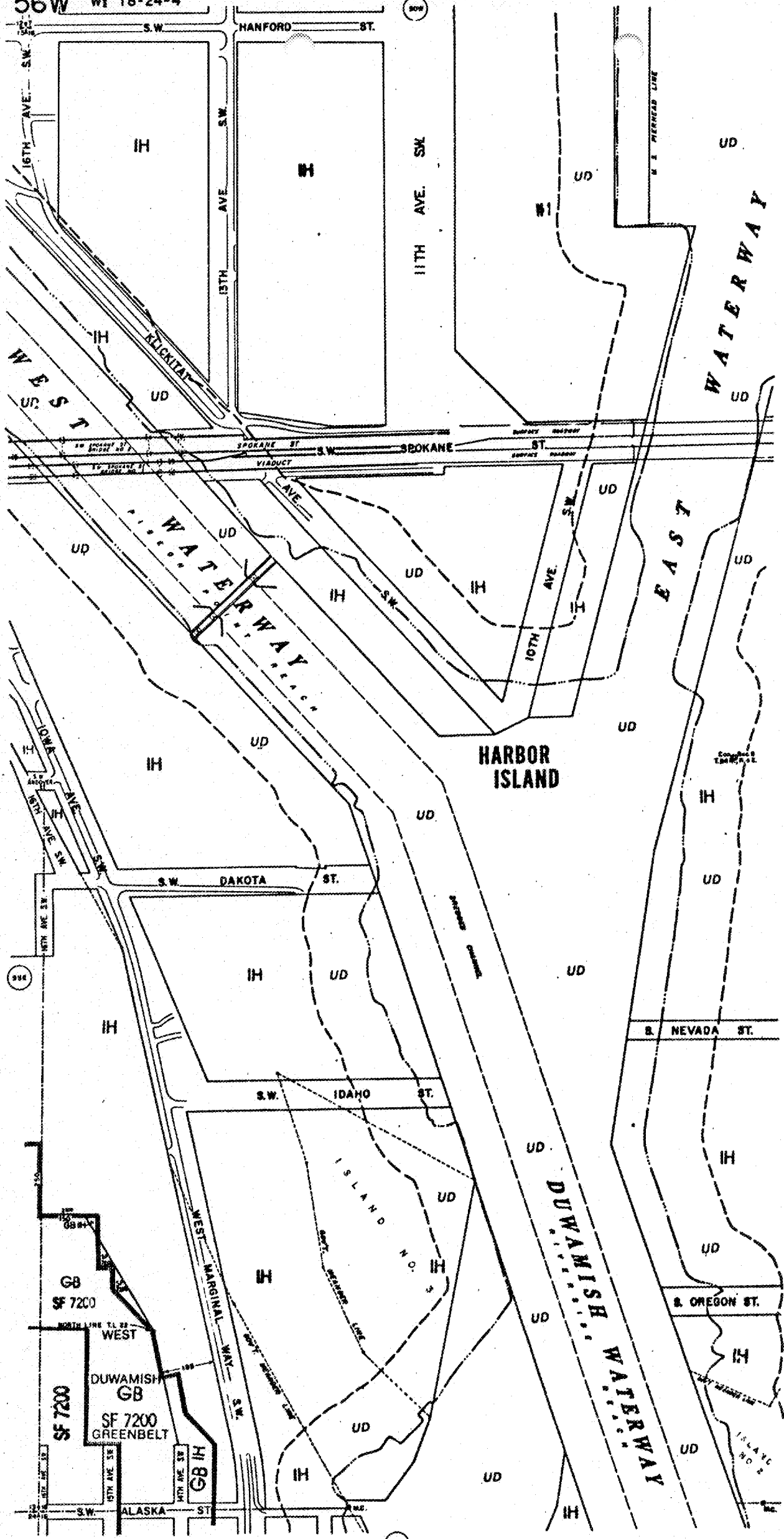
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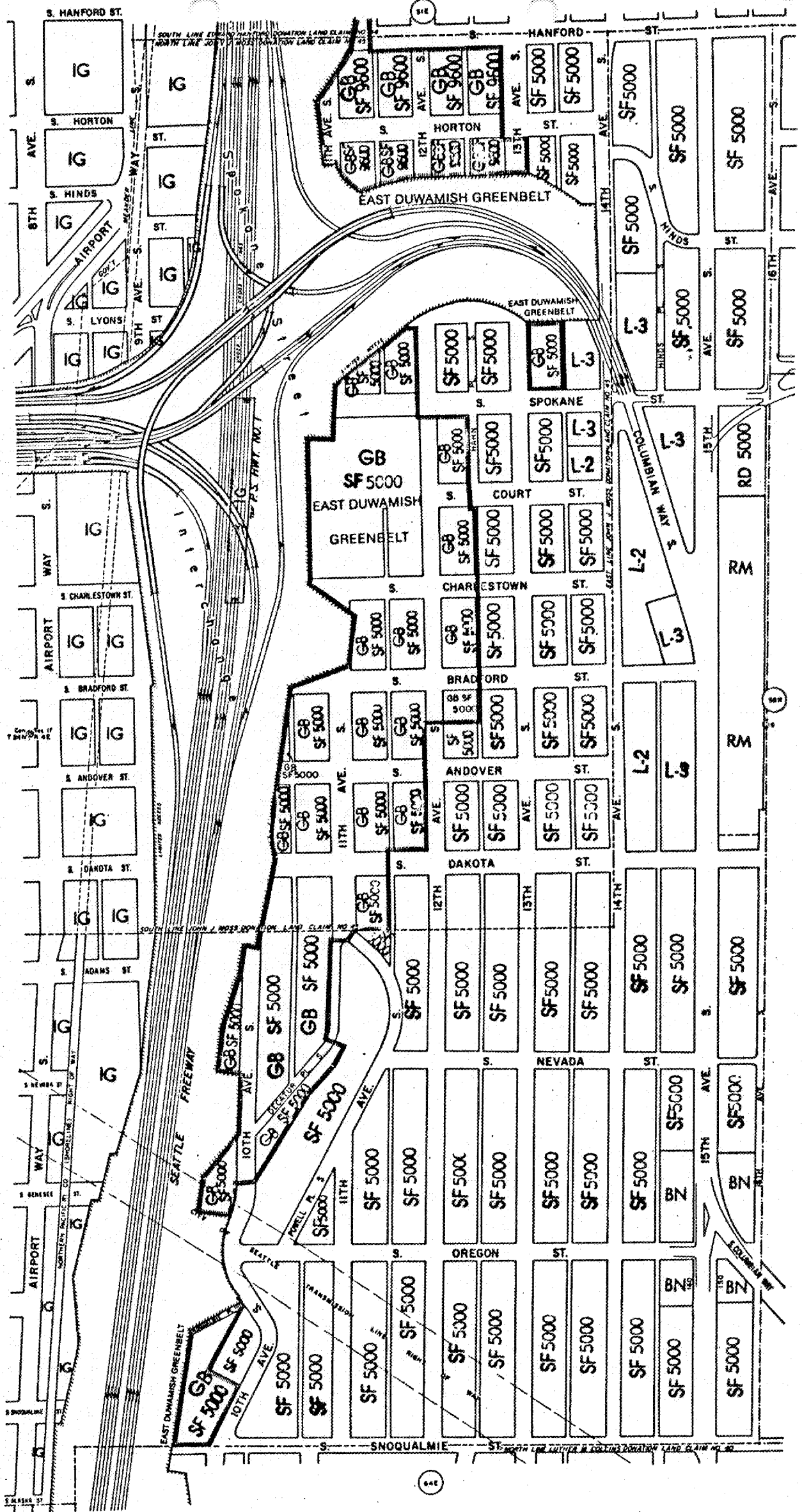




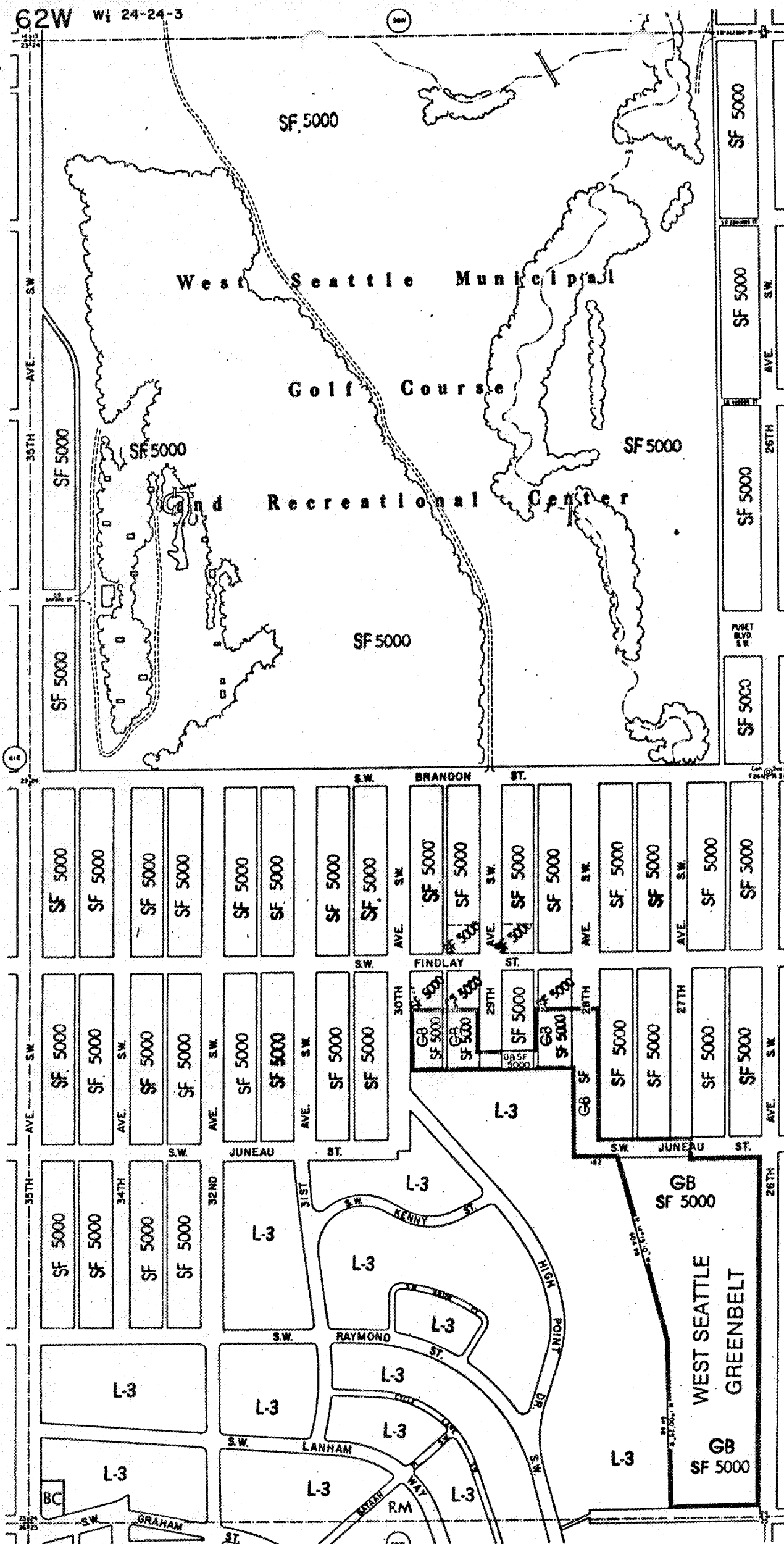


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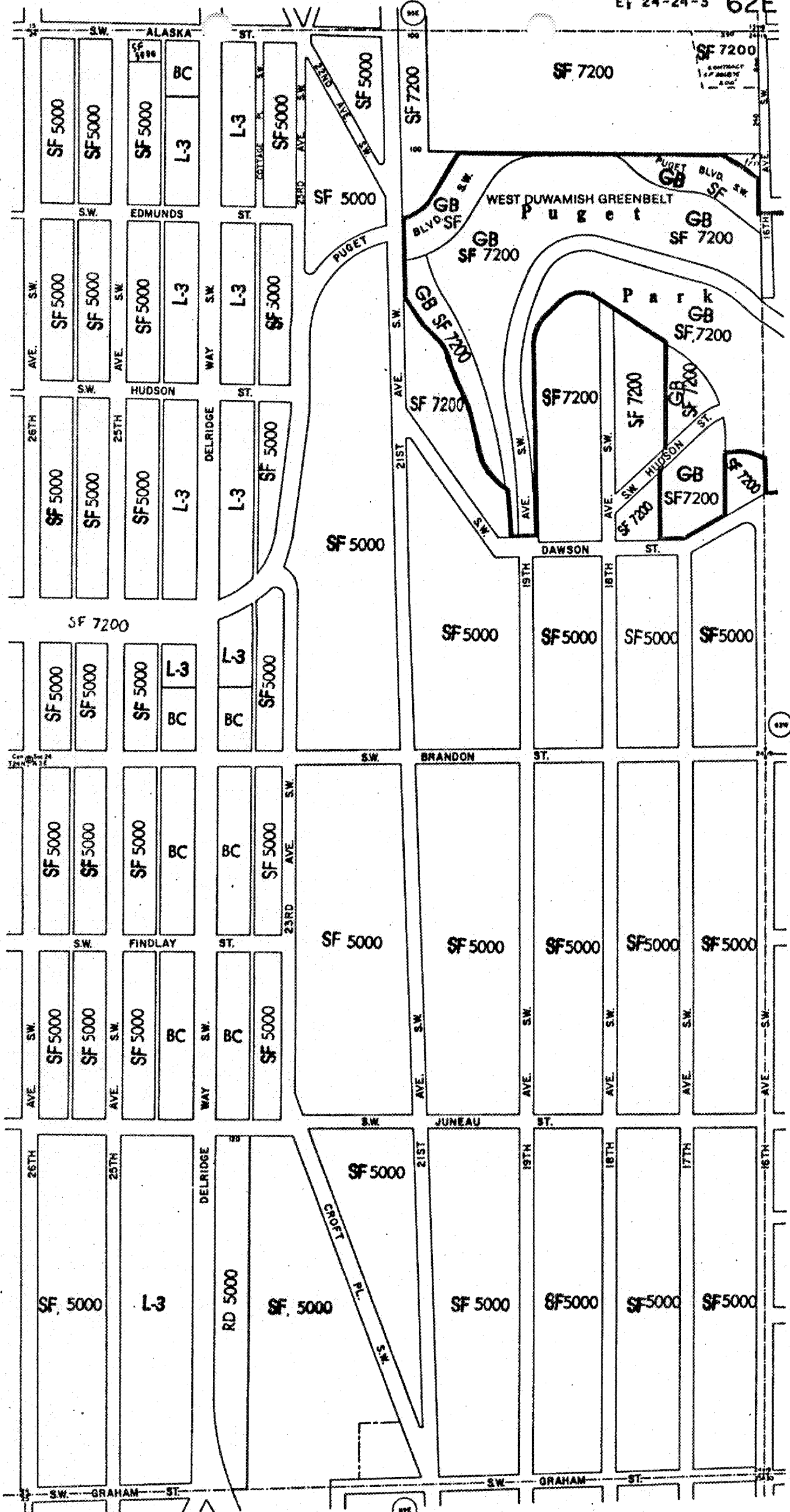
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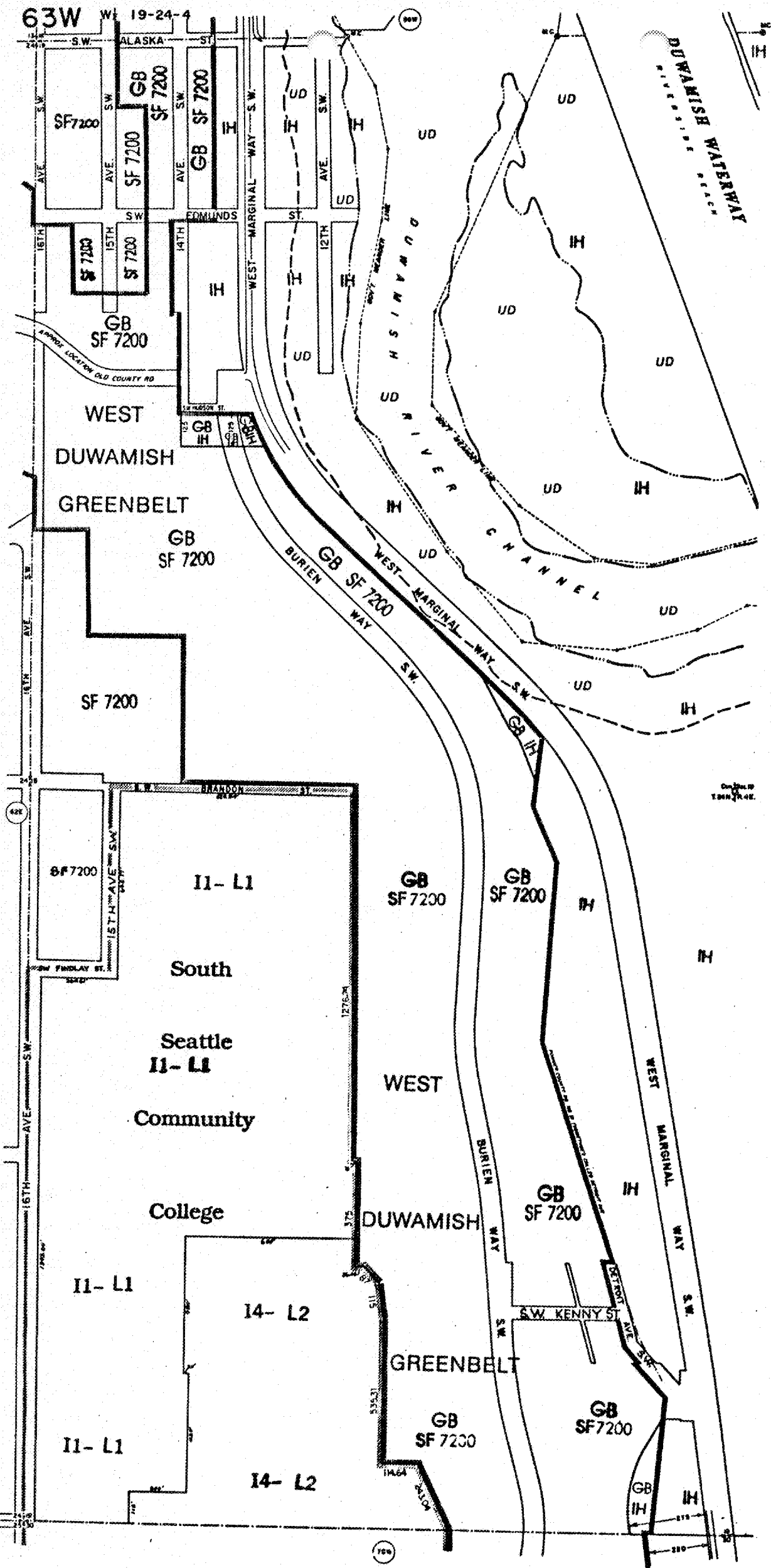


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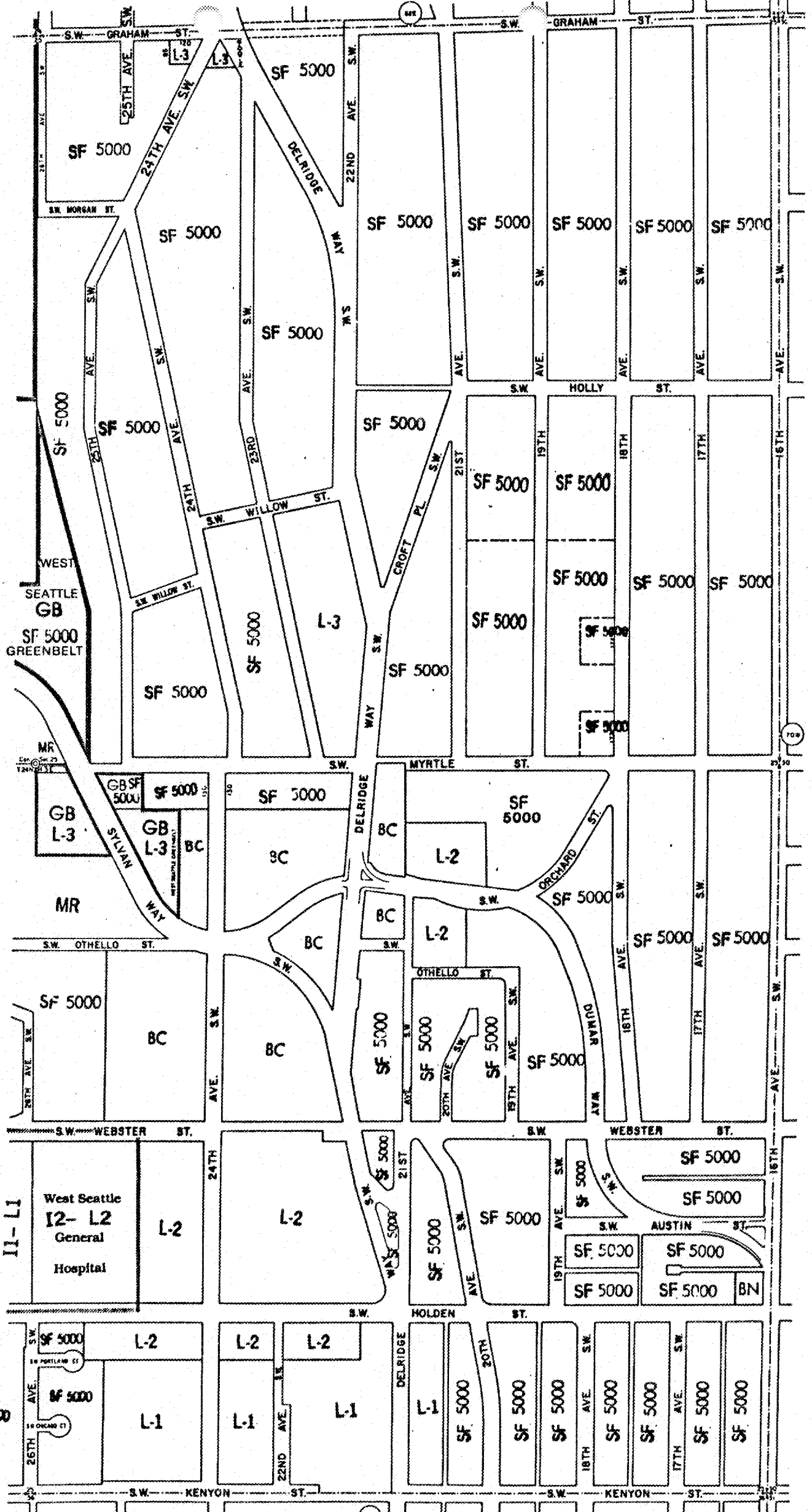


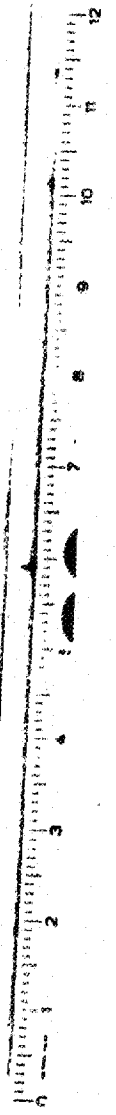
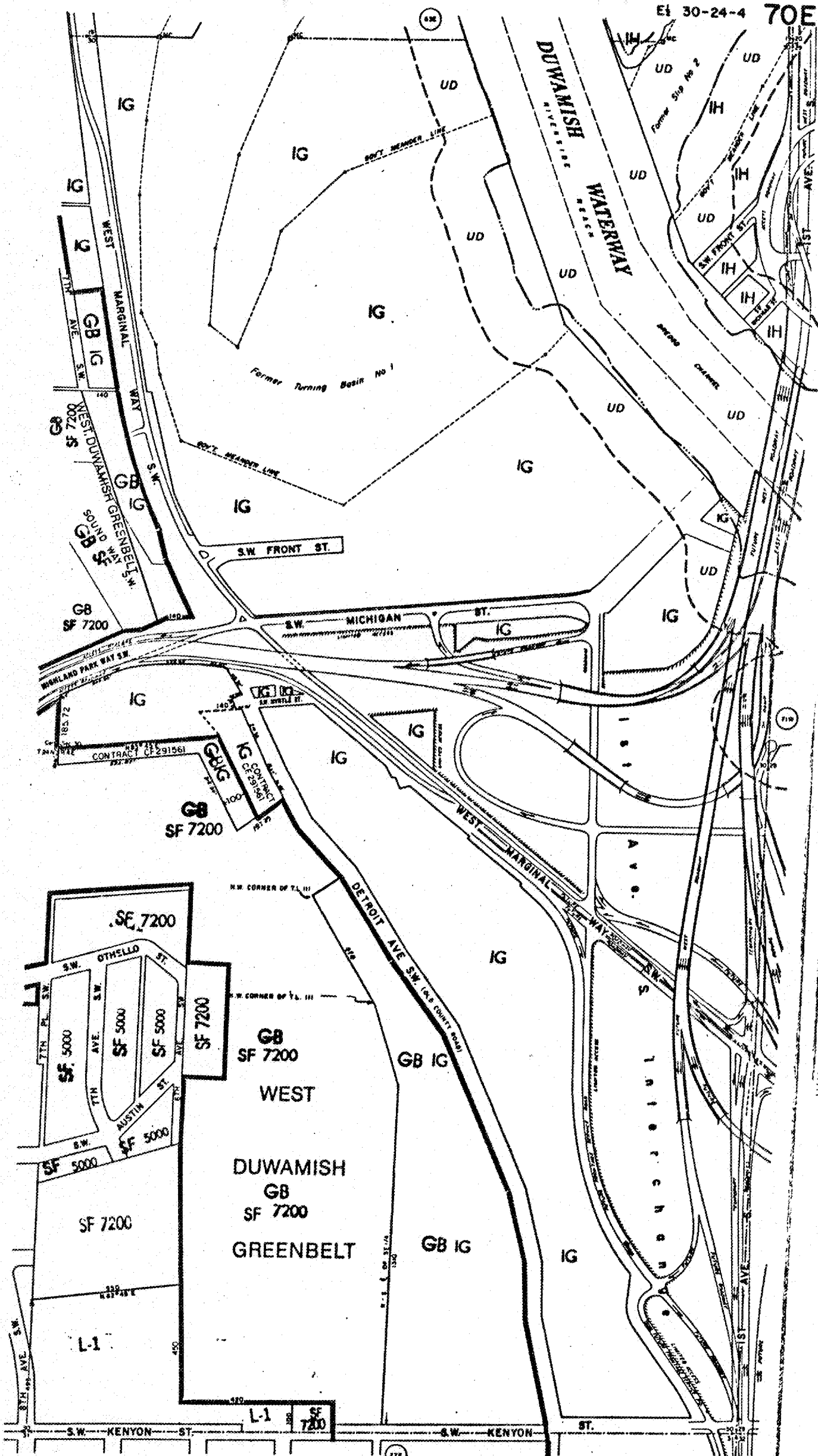
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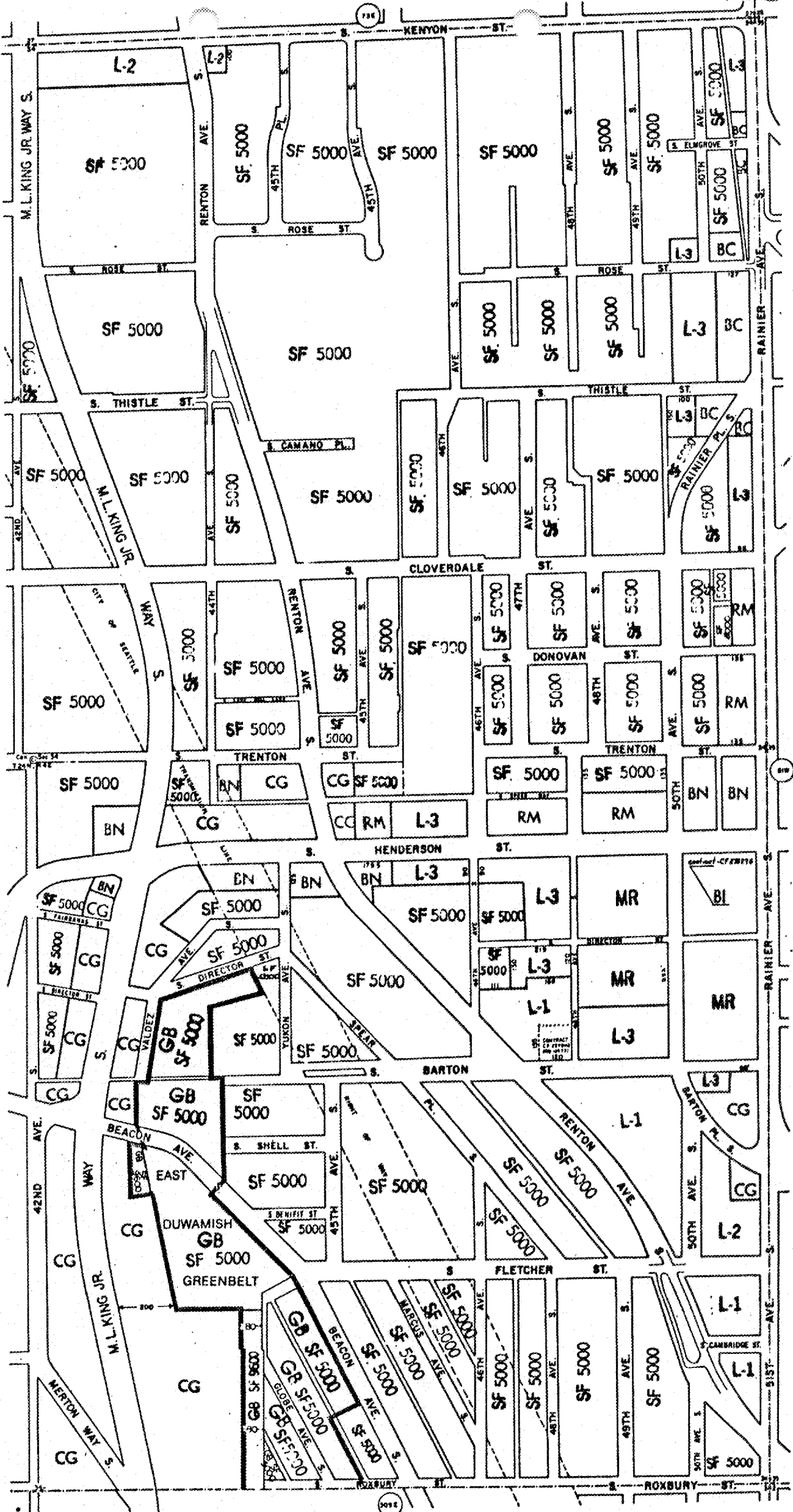


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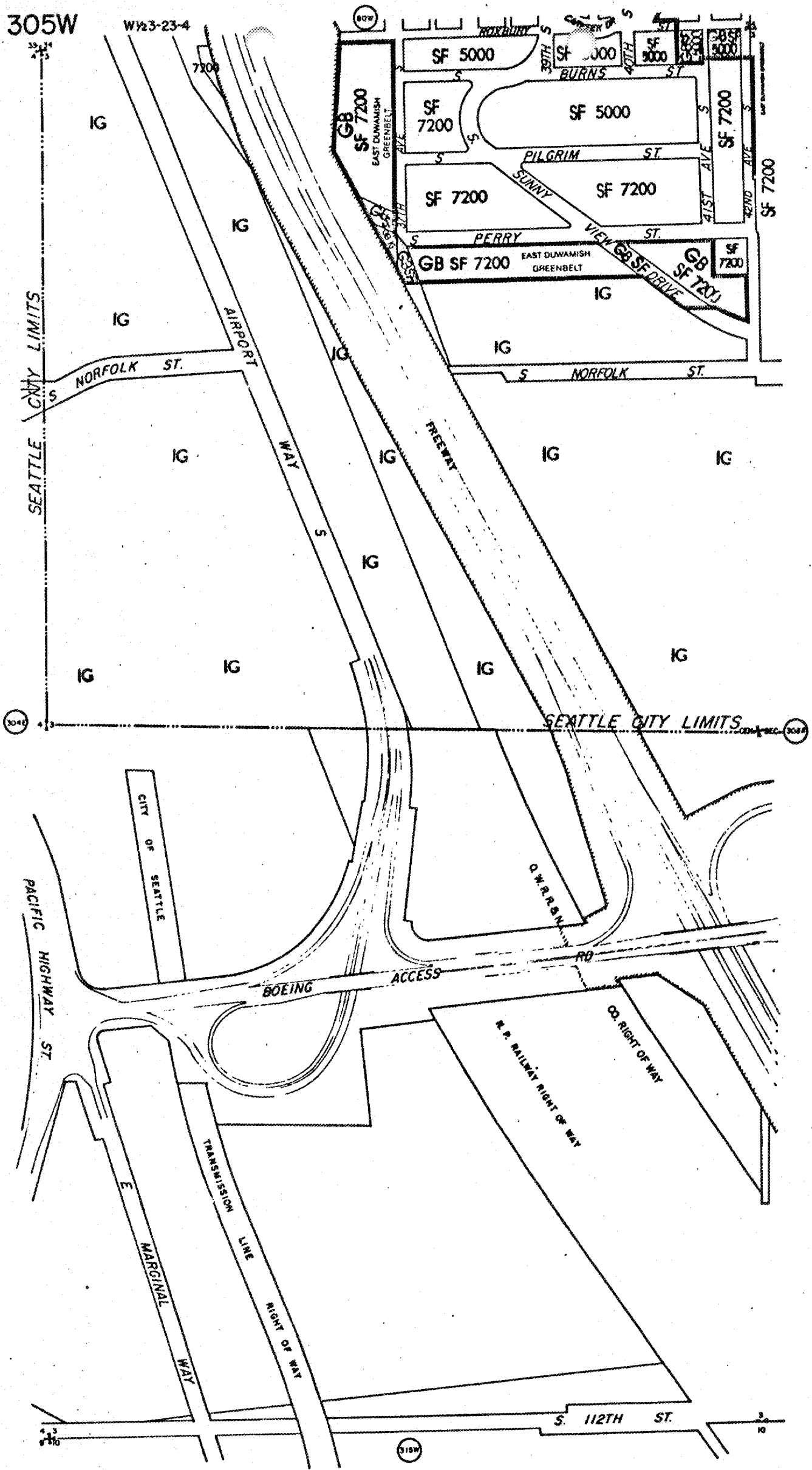






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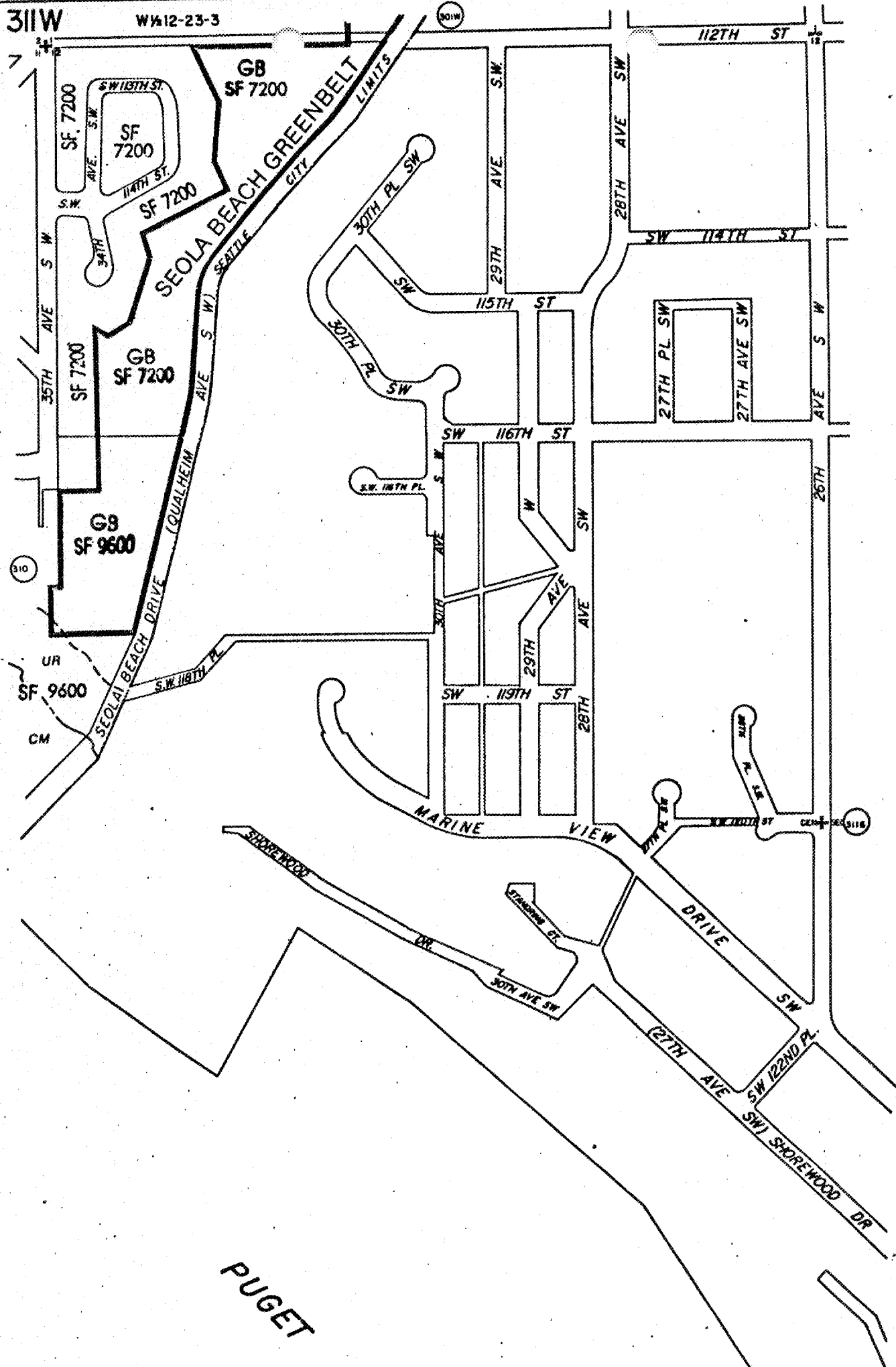
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SEOLA BEACH
GREENBELT

198

Age Group	1970 (%)	1980 (%)	1990 (%)
15-24	~15	~25	~35
25-34	~45	~45	~45
35-44	~45	~45	~45
45-54	~45	~45	~45
55-64	~45	~45	~45
65+	~10	~10	~10



SHORELINE MASTER PROGRAM
ENVIRONMENTAL CLASSIFICATION MAP

Environmental Classifications

GB	Conservancy Natural
CM	Conservancy Management
UR	Urban Residential
UR	Urban Stable
UR/CM	Urban Stable/Conservancy Management
UR/LU	Urban Stable/Low Urban
UD	Urban Development

Legend:

- Shoreline District Boundary
- Shoreline (Ord. No. 108200)

City of Seattle
Department of
Community Development

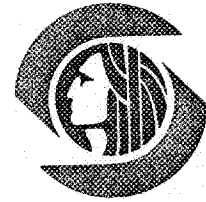
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*For Use and Bulk Regulations, see Municipal Code Chapter 24.00

Seattle City Council

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FEB 7 1984



February 7, 1984

Douglas N. Jewett
CITY ATTORNEY

Jeanette Williams
President of Council
625-2453

George E. Benson
Chair
Transportation Committee
625-2441

Virginia Galle
Chair
City Operations and
Utilities Committee
625-2445

Michael Hildt
Chair
Energy Committee
625-2443

Paul Kraabel
Chair
Land Use Committee
625-2447

Norman B. Rice
Chair
Finance Committee
625-2436

Jack N. Richards
Chair
Public Safety and
Health Committee
625-2438

Dolores Sibonga
Chair
Parks and Community
Resources Committee
625-2451

Sam Smith
Chair
Housing and Community
Services Committee
625-2455

Honorable Douglas N. Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Community and Governmental Relations Committee of the City Council on January 31, 1984 voted to request your office to prepare for introduction and referral to the City Council two ordinances relating to land use and zoning.

Please prepare an ordinance which would amend the official land use map of the City to rezone certain properties located within greenbelt areas. The second ordinance which the Committee requests you to prepare would add a new chapter to the Seattle Municipal Code to establish a greenbelt overlay district.

For your convenience, I am enclosing copies of draft ordinances previously prepared by your office at the direction of the Committee during its consideration of the Mayor's recommendation for the greenbelt overlay district found in Comptroller File No. 292527.

Enclosed is a copy of an introductory or "whereas" section and an intent statement which the Committee requests be included into the greenbelt overlay district ordinance. Also enclosed are revisions to section 23.70.10 requested by the Committee.

If you have any questions with regard to this request, please feel free to contact my office.

Sincerely,

Jeanette Williams
J.W.

Jeanette Williams
Seattle City Council

JW/TR:ksr

Enclosures

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

February 8, 1984

Honorable Jeanette Williams
Seattle City Council

Re: Proposed Greenbelt Overlay District Ordinance

Honorable Councilmember:

Pursuant to your request the Law Department has prepared two ordinances relating to the above referenced matter. The Law Department has made some minor changes to the introductory section submitted for inclusion at the request of the Community and Governmental Relations Committee. These changes are of a house-cleaning type and were made primarily for clarification purposes, without changing the basic overall intent of the Committee.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By 

MICHAEL P. MONROE
Assistant City Attorney

MPM:pl

Enclosures

1 WHEREAS, the City Council held two public hearings on the
2 proposed Greenbelt Overlay District zoning regulations
3 on July 14 and October 18, 1983, and members of the City
4 Council's Community and Governmental Relations Committee
5 visited many of the properties proposed to be included
6 in the Overlay District, including properties about which
7 any question had been raised as to whether or not it
8 should continue to be included in the greenbelts; and
9

10 WHEREAS, the Community and Governmental Relations Committee
11 considered the proposed permanent Greenbelt Overlay
12 District zoning regulations and maps at approximately
13 fifteen public meetings; and
14

15 WHEREAS, it is the intent of the City Council in enacting
16 the Greenbelt Overlay District zoning regulations to
17 advance and to implement the previously adopted goals
18 and policies of the City referred to above relating to
19 the greenbelts; and
20

21 WHEREAS, it is the intent of the City Council that the
22 Greenbelt Overlay District zoning regulations shall be
23 administered and interpreted in a manner which will carry
24 out the following primary purpose and goals of the
25 regulations:

- 26 1. Provide or encourage permanent buffers between
27 incompatible land uses and mitigate the effects of
28 noise and air pollution;
2. Limit development of environmentally sensitive areas
or areas unsuitable for building because of
earthslide hazard, flood hazard, drainage problems
or impracticability of service by public utilities
or facilities;
3. Maintain belts of natural landscape and habitat for
wildlife within Seattle;
4. Promote and maintain the visual identity of separate
and distinct districts by relieving the monotony of
continuous urban development; and
5. Permit reasonable development of private property
within greenbelt areas in a manner consistent with
the City's goals and policies for greenbelts while
retaining an optimum amount of property in an
undisturbed or restored natural state.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 23 of the Seattle
Municipal Code, the Land Use Code of The City of Seattle
(Ordinances 110381 and 110570, as amended) a new Chapter 23.70,

1 WHEREAS, the City Council in the fall of 1979 approved
2 revising the 1979-80 Comprehensive Land Use Plan element
3 of the Policy Planning Agenda with the effect that the
4 development of Open Space policies would not be initiated
5 in 1980-81 but would be preceded by the development of
6 the Downtown policies; and

7 WHEREAS, since the adoption of the Urban Greenbelt Plan in
8 1977 landslides and development have caused the destruction
9 of landscape and vegetation in greenbelt areas; and

10 WHEREAS, The City Council Community and Governmental Relations
11 Committee held a public hearing on April 27, 1983 at which
12 testimony supported Council Bill 103619 which proposed to
13 establish standards, on an emergency temporary basis, for
14 development within the greenbelts; and

15 WHEREAS, The City Council passed Council Bill 103619 (Ordinance
16 No. 111098) on May 2d, 1983 which established standards
17 for development of property within the greenbelts and
18 which was to be in effect for eight months while the
19 permanent Greenbelt Overlay District Zoning regulations
20 were being developed by the City Council; and

21 WHEREAS, the City Council on December 19, 1983 passed Council
22 Council Bill 104060 which extended the expiration date of
23 the interim greenbelt regulations to April 1, 1984; and

24 WHEREAS, the City still intends to prepare a comprehensive
25 policy review of greenbelts and other related issues in
26 the Public Lands/Open Space element of the Land Use
27 Policies; and

28 WHEREAS, the land designated in the 1977 Urban Greenbelt Plan
is approximately 900 acres and posting of notice on
all properties was deemed impracticable, the City Council
provided notice to the public of the proposed Greenbelt
Overlay District zoning regulations and map amendments
by publishing notice in the Land Use Information Service
and the Daily Journal of Commerce in June and September
of 1983; and the Daily Journal of Commerce in June and
September of 1983; mailed notice and information about the
proposal to all known property owners of greenbelt
properties in June and September of 1983; and mailed
notice of all Community and Governmental Relations
Committee meetings to a mailing list of over three hundred
interested individuals; and

WHEREAS, in addition, before making the Mayor's recommendation
for a Greenbelt Overlay, the Executive held six public
meetings and provided public notice on two occasions in
newspapers of community and city-wide circulation, and
by mailing to all community groups, greenbelt interest
groups and all people who had expressed an interest in
the Land Use Policy project (over 3000 people); and

1 23.70.60 RESTORED GREENBELT PRESERVE DEVELOPMENT STANDARDS

2 In addition to the greenbelt preserve requirements of
3 Section 23.70.50, each lot within an underlying residential
4 zone which is proposed for development, subdivision, or
5 short subdivision which is either completely or partially
6 within the Greenbelt Overlay District shall provide a
7 restored greenbelt preserve; except that a dwelling unit that
8 was legally established and in existence prior to June 1, 1983
9 may be altered or added to without designating a restored
10 greenbelt preserve if such alteration or addition does not
11 increase the lot coverage of that structure by more than ten
12 percent of the total lot area. The lot coverage restrictions
13 of the underlying zone shall continue to apply. A site
14 consisting of more than one lot, separated by only a street
15 or alley, may be considered as one lot for purposes of this
16 section. The restored greenbelt preserve is intended to
preserve the visual continuity and habitat value of the
greenbelt.

17 A. RECORDING

18 The restored greenbelt preserve shall be designated
19 and shall be recorded with the King County Department
20 of Records and Elections.

21 B. AREA OF RESTORED GREENBELT PRESERVE

- 22 1. In lots within underlying single family
23 residential zones, the restored greenbelt
24 preserve shall comprise not less than twenty
25 percent of the lot area (or twenty percent
26 of that portion of the lot within the Greenbelt
27 Overlay District).

1 space for apartments to be provided above ground
2 in the form of decks, balconies and roof gardens,
3 shall also apply.

4 23.70.90 AREA AND LOT COVERAGE REQUIREMENTS FOR PROPERTY
5 LOCATED IN SINGLE-FAMILY RESIDENTIAL ZONES

6 Each lot proposed for development within the Greenbelt
7 Overlay District and located in any underlying single-family
8 residential zone shall comply with the following lot area
9 and lot coverage requirements:

10 A. Minimum Lot Area. The minimum lot area shall be
11 nine thousand six hundred (9,600) square feet,
12 and the lot area exception of Section 23.44.10(B)
13 shall not apply, except as follows:

- 14 1. If the lot area deficit was the result of
15 a dedication or sale of a portion of the
16 lot to the City for greenbelt preservation
17 and the lot area remaining is at least four
18 thousand eight hundred (4,800) square feet;
- 19 2. If the lot was established as a separate
20 building site in the public records of the
21 County or City prior to June 1, 1983 by deed,
22 contract of sale, mortgage, property tax
23 segregation, platting or building permit.

24 B. Maximum Lot Coverage. The lot coverage for principal
25 and accessory structures shall not exceed thirty-five
26 percent of the lot area, and the lot coverage
27 exceptions of Section 23.44.10 (D) shall not apply.

28 23.70.100 GREENBELT CLUSTERING FOR PROPERTY LOCATED
IN SINGLE-FAMILY RESIDENTIAL ZONES.

Development pursuant to the requirements of the Greenbelt
Overlay District for multi-family residential Lowrise 1 may
be permitted in a single-family zone, subject to the following
standards:

1 (a) Lots less than nine thousand six hundred (9,600)
2 square feet in area shall be limited to a
3 maximum density of one dwelling unit per platted
4 lot;

5 (b) Lots nine thousand six hundred (9,600) square
6 feet or greater in area shall be limited to
7 a maximum density of 1.2 dwelling units per
8 nine thousand six hundred (9,600) square feet,
9 except that for each five percent of lot area
10 provided as greenbelt preserve in excess of
11 that required by Section 23.70.50(A)(3), the
12 number of units permitted by this subsection
13 may be increased by an additional .1 dwelling
14 unit per nine thousand six hundred (9,600)
15 square feet of total lot area.

16 23.70.110 VIOLATIONS - CORRECTIVE ACTIONS REQUIRED

17 In the event of violations of the standards or require-
18 ments of this chapter, the required corrective action shall
19 include, but is not limited to, mitigating measures such as
20 restoration of the area and replacement of damaged or destroyed
21 trees.

22 23.70.120 VESTING OF LAND USE PERMITS

23 The special transition rules contained in Section 23.04.10D
24 shall be inapplicable to this chapter. The provisions of the
25 Greenbelt Overlay District regulations shall apply to all
26 property within the District unless a land use approval has
27 been issued by the Director prior to the effective date of
28 this chapter as provided in Section 23.76.40, Vesting of Land
Use Approvals.

AN ORDINANCE relating to land use and zoning, amending Title 23 in the Seattle Municipal Code by adding a new Chapter 23.70 to establish the Greenbelt Overlay District; amending Sections 23.24.28, 23.76.05, 23.76.14, 23.84.14, and 23.90.14; and repealing Chapter 23.68.

WHEREAS, the Seattle Planning Commission in 1954 issued a report entitled "Planning for Recreation" which identified the desirability of setting aside urban greenbelts as buffer strips between residential and industrial areas and to protect slide prone areas from development; and

WHEREAS, the 1957 Seattle Comprehensive Plan included and adopted greenbelts as a part of the Comprehensive Plan; and

WHEREAS, Seattle voters approved appropriating more than \$900,000 of 1968 Thrust Park Bonds for acquisition of greenbelts, which funds have been expended and committed pursuant to a greenbelt acquisition plan and there are no further acquisitions of greenbelt areas contemplated under that plan or otherwise; and

WHEREAS, in 1973 the Seattle City Council adopted the Seattle 2000 Commission goals and objectives as amended which provided in Goal "E" that greenbelts should be part of an "integrated arrangement of open space throughout the City"; and

WHEREAS, in 1977, the City Council adopted the Urban Greenbelt Plan (Resolution 25670), designating certain areas of the City as greenbelt, incorporating the Urban Greenbelt Plan as part of the City's Comprehensive Plan, and calling for limited acquisition of properties and for regulation through amendments to the zoning Code in order to implement the Plan; and

WHEREAS, in 1978, the City Council adopted Resolution 25785, calling for the replacement of the City's Comprehensive Plan with a new Land Use Policy Plan, known as Seattle's Land Use Policies, and designating the Open Space element as the fifth of six sections to be developed and adopted; and

WHEREAS, Resolution 25785 called for completion of development and consideration of all sections of the Land Use Policies by September, 1980; and

WHEREAS, Council adoption of the first element, the Single Family Policies, did not occur until May, 1979, and the second element, the Multifamily Policies, was not adopted until July, 1981; and

WHEREAS, the City Council in the fall of 1979 approved revising the 1979-80 Comprehensive Land Use Plan element of the Policy Planning Agenda with the effect that the development of Open Space policies would not be initiated in 1980-81 but would be preceded by the development of the Downtown policies; and

WHEREAS, since the adoption of the Urban Greenbelt Plan in 1977 landslides and development have caused the destruction of landscape and vegetation in greenbelt areas; and

WHEREAS, The City Council Community and Governmental Relations Committee held a public hearing on April 27, 1983 at which testimony supported Council Bill 103619 which proposed to establish standards, on an emergency temporary basis, for development within the greenbelts; and

WHEREAS, The City Council passed Council Bill 103619 (Ordinance No. 111038) on May 24, 1983 which established standards for development of property within the greenbelts and which was to be in effect for eight months while the permanent Greenbelt Overlay District zoning regulations were being developed by the City Council; and

WHEREAS, the City Council on December 19, 1983 passed Council Bill 104663 which extended the expiration date of the interim greenbelt regulations to April 1, 1984; and

WHEREAS, the City still intends to prepare a comprehensive policy review of greenbelts and other related issues in the Public Lands/Open Space element of the Land Use Policies; and

WHEREAS, the land designated in the 1977 Urban Greenbelt Plan is approximately 900 acres and posting of notice on all properties was deemed impracticable, the City Council provided notice to the public of the proposed Greenbelt Overlay District zoning regulations and map amendments by publishing notice in the Land Use Information Service and the Daily Journal of Commerce in June and September of 1983; mailed notice and information about the proposal to all known property owners of greenbelt properties in June and September of 1983; and mailed notice of all Community and Governmental Relations Committee meetings to a mailing list of over three hundred interested individuals; and

WHEREAS, in addition, before making the Mayor's recommendation for a Greenbelt Overlay, the Executive held six public meetings and provided public notice on two occasions in newspapers of community and city-wide circulation, and by mailing to all community groups, greenbelt interest groups and all people who had expressed an interest in the Land Use Policy project (over 3000 people); and

WHEREAS, the City Council held two public hearings on the proposed Greenbelt Overlay District zoning regulations on July 14 and October 18, 1983, and members of the City Council's Community and Governmental Relations Committee visited many of the properties proposed to be included in the Overlay District, including properties about which any question had been raised as to whether or not they should continue to be included in the greenbelts; and

WHEREAS, the Community and Governmental Relations Committee considered the proposed permanent Greenbelt Overlay District zoning regulations and maps at approximately fifteen public meetings; and

WHEREAS, it is the intent of the City Council in enacting the Greenbelt Overlay District zoning regulations to advance and to implement the previously adopted goals and policies of the City referred to above relating to the greenbelts; and

WHEREAS, it is the intent of the City Council that the Greenbelt Overlay District zoning regulations shall be administered and interpreted in a manner which will carry out the following primary purpose and goals of the regulations:

1. Provide or encourage permanent buffers between incompatible land uses and mitigate the effects of noise and air pollution;
2. Limit development of environmentally sensitive areas or areas unsuitable for building because of earthslide hazard, flood hazard, drainage problems or impracticability of service by public utilities or facilities;
3. Maintain belts of natural landscape and habitat for wildlife within Seattle;

4. Promote and maintain the visual identity of separate and distinct districts by relieving the monotony of continuous urban development; and

5. Permit reasonable development of private property within greenbelt areas in a manner consistent with the City's goals and policies for greenbelts while retaining an optimum amount of property in an undisturbed or restored natural state.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 23 of the Seattle Municipal Code, the Land Use Code of The City of Seattle (Ordinances 110381 and 110570, as amended) a new Chapter 23.70, entitled "Greenbelt Overlay District", which shall apply to all land identified as such on a series of maps as shown in Exhibit "GB", attached and incorporated herein, and which shall be shown on the Official Land Use Map, Exhibit "A" to read as follows:

23.70.10 PURPOSE

The purpose of this Chapter is to implement the Urban Greenbelt Plan, Resolution 25670, by regulating development of the City's urban greenbelts in order to:

- A. Provide or encourage permanent buffers between incompatible land uses and mitigate the effects of noise and air pollution;
- B. Limit development of environmentally sensitive areas or areas unsuitable for building because of earthslide hazard, flood hazard, drainage problems or impracticability of service by public utilities or facilities;
- C. Maintain belts of natural landscape and habitat for wildlife within Seattle;
- D. Promote and maintain the visual identity of separate and distinct districts by relieving the monotony of continuous urban development; and
- E. Permit reasonable development of property within greenbelt areas in a manner consistent with the City's goals and policies for greenbelts while retaining an optimum amount of property in an undisturbed or restored natural state.

23.70.20 ESTABLISHMENT OF GREENBELT OVERLAY DISTRICT

There is established, pursuant to Chapter 23.14 of the Seattle Municipal Code, the Greenbelt Overlay District as shown on Exhibit "A" of the Official Land Use Map of The City of Seattle.

23.70.30 APPLICATION OF REGULATIONS

All property located within the Greenbelt Overlay District shall be subject to both the requirements of its zone classification and to the requirements imposed for the Greenbelt Overlay District. In any case where the provisions of the Greenbelt Overlay District conflict with the provisions of the underlying zone, the Greenbelt Overlay District shall apply.

23.70.40 GREENBELT OVERLAY DISTRICT STANDARDS

All property within the Greenbelt Overlay District shall be retained in its natural state. No trees may be cut, pruned, topped or otherwise damaged, destroyed or removed, and no grading or filling shall be permitted, except as follows:

- A. Selective cutting, pruning or topping of trees permitted by the Park Horticulturalist pursuant to standards promulgated under Chapter 3.02, Administrative Code. Such cutting, pruning or topping shall not be permitted where it would cause significant harm to the visual continuity or wildlife habitat value of the greenbelt, and may be permitted only if necessary to:
 1. enhance either the wildlife habitat or the value of the remaining vegetation; or
 2. provide slope stabilization to prevent damage to property; or
 3. clear areas when required by the Fire Department; or
 4. preserve views from the subject lot or any lot abutting the subject lot.
- B. Clearing of a temporary swath as minimal in area as possible, with subsequent restoration, permitted by the Director when necessary for construction of sewer lines, utilities, or in order to obtain environmental or public information.

2

C. Removal of standing and fallen dead trees and limbs if the Park Horticulturalist finds that they create a significant threat of injury to persons or to property.

D. Selective cutting, pruning or topping of any tree of three-inch caliper or less, measured three feet above ground, whose trunk is within twenty feet of a dwelling unit that was legally established and in existence prior to June 1, 1983.

E. Cutting, pruning, topping, or clearing reasonably necessary to alter or add to a dwelling unit that was legally established and in existence prior to June 1, 1983, without designating a greenbelt preserve or restored greenbelt preserve, if such alterations or additions do not increase the lot coverage of that structure by more than ten percent of the total lot area. The lot coverage restrictions of the underlying zone shall continue to apply.

F. Clearing, developing, subdividing, or short subdividing for lots after a greenbelt preserve and restored greenbelt preserve have been designated as provided in Sections 23.70.50 and 23.70.60.

23.70.50 GREENBELT PRESERVE DEVELOPMENT STANDARDS

Each lot which is proposed for development, subdivision, or short subdivision which is either completely or partially within the Greenbelt Overlay District shall provide a greenbelt preserve; except that a dwelling unit that was legally established and in existence prior to June 1, 1983 may be altered or added to without designating a greenbelt preserve if such alteration or addition does not increase the lot coverage of that structure by more than ten percent of the total lot area. The lot coverage restrictions of the underlying zone shall continue to apply. A site consisting of more than one lot, separated by only a street or alley, may be considered as a lot for purposes of this section.

The greenbelt preserve shall be provided so as to preserve the visual continuity, habitat value, slope stability and buffering characteristics of the greenbelt by preserving areas in their natural state, with as little disturbance as possible to the topography or vegetation.

A. DESIGNATION OF GREENBELT PRESERVE

1. Recording

The boundaries of the greenbelt preserve shall

be designated and shall be recorded with the King County Department of Records and Elections.

2. Location of Greenbelt Preserve.

The greenbelt preserve shall be located on each lot so that to the greatest extent possible subsections a, b, and either or both c and d are satisfied. Additionally, for any lot within a Manufacturing (M), General Industrial (IG), or Heavy Industrial (IH) underlying zone, the designated greenbelt preserve shall be located so that subsection e is also satisfied. For lots partially within the Greenbelt Overlay District, the greenbelt preserve may extend beyond that portion of the lot within the Greenbelt Overlay District.

a. The greenbelt preserve shall abut any publicly owned park or greenbelt area (excluding improved streets), or other privately owned greenbelt area.

b. The greenbelt preserve shall be located to maximize the preservation and visual continuity of the surrounding greenbelt within which the property is located.

c. The greenbelt preserve shall be located to preserve the largest possible number of significant trees or stands of trees on the site.

d. The greenbelt preserve shall be located to include steep slopes and to retain vegetation which may stabilize them.

e. The greenbelt preserve shall be located to abut and buffer any adjoining residentially zoned property, or any adjoining street

right-of-way which abuts residentially zoned property.

3. Area of Greenbelt Preserve

a. Lots completely within the Greenbelt Overlay District, except where the underlying zone is Manufacturing (M), General Industrial (IG) or Heavy Industrial (IH), shall provide a greenbelt preserve that comprises not less than thirty percent of the lot area for lots of three thousand square feet or less. The greenbelt preserve area shall be increased by one percent for each one hundred square feet of lot area over three thousand square feet, to not less than fifty percent of the lot area for all lots of five thousand square feet or more.

b. Lots completely within the Greenbelt Overlay District which are also within a Manufacturing (M), General Industrial (IG) or Heavy Industrial (IH) underlying zone shall provide a greenbelt preserve that comprises not less than forty percent of the lot area.

c. Lots partially within the Greenbelt Overlay District shall provide a greenbelt preserve area as provided in subsections a or b. The greenbelt preserve area shall be calculated upon only that portion of the lot which is within the Greenbelt Overlay District.

d. Yards and setbacks as required by the underlying zone may be located within the greenbelt preserve.

4. Contiguity

The greenbelt preserve shall be one contiguous area, except that one paved driveway with a maximum width of ten feet, or greater if required by City Ordinance, may be located through the greenbelt preserve and shall not be considered as breaking the contiguity requirement. Such access shall not count as greenbelt preserve area and may be in addition to other access.

5. Minimum Dimensions

The horizontal dimension of the greenbelt preserve shall be not less than ten feet.

6. Gross Floor Area Calculations

For lots within underlying Manufacturing (M), General Industrial (IG), or Heavy Industrial (IH) zones, the area of property designated greenbelt preserve may be used to calculate the allowable gross floor area of the underlying zone.

8. DEVELOPMENT WITHIN GREENBELT PRESERVE

1. Natural State

No tree within the greenbelt preserve shall be cut, cleared, topped or otherwise damaged, destroyed or removed, and no grading or filling shall be permitted, except that the provisions of subsections 23.70.40 A(1)-(4), B, and C shall also apply for purposes of this section.

2. Structures

Structures shall not be permitted in the greenbelt preserve, with the following exceptions: fences; freestanding walls; stairs; access bridges; barrier-free access; and cornices, eaves, and gutters extending not more than eighteen inches.

C. GREENBELT PRESERVE SPECIAL EXCEPTION

The Director may permit an exception from the location and contiguity requirements of subsections A(2) and A(4) for greenbelt preserve, using the special exception process of Section 23.76, Master Use Permit. In order to approve

such an exception, the Director must evaluate the entire proposal and find that the proposed exception would enhance or preserve the visual continuity of the greenbelt, or would preserve an environmental feature such as a stream, watercourse, or significant tree(s) in a manner which is better than would a development which follows the development standards of

subsection A(2), or subsection A(4). All exceptions must conform to the intent of the Urban Greenbelt Plan, Resolution 25670. No reduction in the greenbelt preserve area is allowed under this subsection.

23.70.60 RESTORED GREENBELT PRESERVE DEVELOPMENT STANDARDS

In addition to the greenbelt preserve requirements of Section 23.70.50, each lot which is proposed for development, subdivision, or short subdivision which is either completely or partially within the Greenbelt Overlay District shall provide a restored greenbelt preserve; except that a dwelling unit that was legally established and in existence prior to June 1, 1983 may be altered or added to without designating a restored greenbelt preserve if such alteration or addition does not increase the lot coverage of that structure by more than ten percent of the total lot area. The lot coverage restrictions of the underlying zone shall continue to apply. A site consisting of more than one lot, separated by only a street or alley, may be considered as one lot for purposes of this section. The restored greenbelt preserve is intended to preserve the visual continuity and habitat value of the greenbelt.

A. RECORDING

The restored greenbelt preserve shall be designated and shall be recorded with the King County Department of Records and Elections.

B. AREA OF RESTORED GREENBELT PRESERVE

1. In lots within underlying single family residential zones, the restored greenbelt preserve shall comprise not less than twenty percent of the lot area (or twenty percent of that portion of the lot within the Greenbelt Overlay District).
2. In lots within all other underlying zones, the restored greenbelt preserve shall comprise not less than ten percent of the lot area (or ten percent of that portion of the lot within the Greenbelt Overlay District.)
3. The restored greenbelt preserve may be reduced in area by providing a commensurate increase in the greenbelt preserve.
4. Yards and setbacks as required by the underlying zone may be located within the restored greenbelt preserve.

C. DEVELOPMENT WITHIN RESTORED GREENBELT PRESERVE

The restored greenbelt preserve may be temporarily disrupted during construction for development, but shall be replanted according to the following standards:

1. Vegetation. The restored greenbelt preserve shall be replanted and landscaped with plantings emphasizing native vegetation so as to recreate or enhance the habitat value and visual continuity of the greenbelt, pursuant to standards promulgated under Chapter 3.02, the Administrative Code, and administered by the Director. Such standards shall be developed by the Director upon consideration of the recommendations of the Park Horticulturist, the City Arborist, and the review of a committee of the City Council.
2. Structures. Structures are not permitted within the restored greenbelt preserve unless below finished grade, except that entrances, heating, ventilating, and air conditioning systems, fences, and freestanding walls shall be permitted.

3. Grade. Finished grade within the restored greenbelt preserve shall have topographic contours which create a natural appearance, and shall be fully landscaped in accordance with subsection 1.

D. RESTORED GREENBELT PRESERVE SPECIAL EXCEPTION FOR LOTS WITHIN UNDERLYING SINGLE-FAMILY RESIDENTIAL ZONES.

The Director may permit a reduction in the required restored greenbelt preserve to a minimum of ten percent of the lot area, using the special exception process of Section 23.76, Master Use Permit. In order to approve such an exception, the Director must find that the topography or location of access to the site creates unusual difficulties in siting structures, driveways or parking areas, and that the development as proposed is sited to preserve the maximum visual continuity of the greenbelt.

70.70 SPECIAL EXCEPTION FOR AREA - GREENBELT PRESERVE AND RESTORED GREENBELT PRESERVE

If the Director finds that the site proposed for development presents difficulties for access, siting or design because of topography, soil conditions, slope instability, location of access to the site, or a similar physical characteristic of the land which cannot be overcome by the application of the location and contiguity special exception of 23.70.50C, and further finds that the application of all the requirements under the Land Use Code and other City requirements would result in a building footprint of less than twenty-five percent of the lot area, the Director may permit an exception to the location, contiguity and area requirements for greenbelt preserve and restored greenbelt preserve in order to allow a building footprint of up to twenty-five percent of the lot area, using the special exception process of Section 23.76, Master Use Permit. In order to approve such an exception, the Director must evaluate the entire proposal and shall employ the following criteria:

- a. the proposal meets the intent of the Urban Greenbelt Plan, Resolution 25670; and
- b. the proposed greenbelt preserve adequately protects trees and sloped areas; and
- c. surface parking is minimized; and
- d. the drainage control system satisfies the provisions of the grading and drainage

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ORDINANCE NO. 11564 - (Continued from Page 13)

provisions of Sections 23.808-208; and

- e. grading and filling activity is minimized; and
 - f. roads and driveway access are minimized, to the extent that it is consistent with both City requirements and with the goal of minimizing grading and filling.
- In applying the foregoing criteria to the proposal, the Director shall have the authority to require changes in the proposed project design, such as relocation of proposed structures, roadways and parking areas. The area requirements of Section 23.70.50A(3) for greenbelt preserve shall not in any event be reduced by more than 20 percent of the lot area under this special exception.

23.70.50 OPEN SPACE REQUIREMENTS FOR LOTS LOCATED IN RESIDENTIAL, MULTI-FAMILY ZONES.

A lot proposed for development within the Greenbelt Overlay District and located in an underlying multi-family residential zone shall provide open space as required by the underlying zone, except as follows:

- A. For lots completely within the Greenbelt Overlay District, the area of open space otherwise required by the underlying zone is reduced by one-half. The open space shall not be located within the greenbelt preserve or the restored greenbelt preserve.

D. For lots partially within the Greenbelt Overlay District, the area of open space otherwise required by the underlying zone is reduced by one-half for that portion of the lot within the District. For the portion of the lot outside the Greenbelt Overlay District, the required open space shall continue to be the area required by the underlying zone. The open space shall not be located within the greenbelt preserve or the restored greenbelt preserve.

C. For lots located in a multi-family residential Lowrise 2 underlying zone, the provisions of Section 23.45.44A(2)(b), which allows required open space for apartments to be provided above ground in the form of decks, balconies and roof gardens, shall also apply.

23.70.90 AREA AND LOT COVERAGE REQUIREMENTS FOR PROPERTY LOCATED IN SINGLE-FAMILY RESIDENTIAL ZONES

Each lot proposed for development within the Greenbelt Overlay District and located in any underlying single-family residential zone shall comply with the following lot area and lot coverage requirements:

A. Minimum Lot Area. The minimum lot area shall be nine thousand six hundred (9,600) square feet, and the lot area exception of Section 23.44.10(B) shall not apply, except as follows:

1. If the lot area deficit was the result of a dedication or sale of a portion of the lot to the City for greenbelt preservation and the lot area remaining is at least four thousand eight hundred (4,800) square feet;
2. If the lot was established as a separate building site in the public records of the County or City prior to June 1, 1983 by deed, contract of sale, mortgage, property tax segregation, platting or building permit.

B. Maximum Lot Coverage. The lot coverage for principal and accessory structures shall not exceed thirty-five percent of the lot area, and the lot coverage exceptions of Section 23.44.10 (D) shall not apply.

23.70.100 GREENBELT CLUSTERING FOR PROPERTY LOCATED IN SINGLE-FAMILY RESIDENTIAL ZONES.

A. Development pursuant to the requirements of the Greenbelt Overlay District for multi-family residential Lowrise 1 may be permitted in a single-family zone, subject to the following standards:

- (1) Lots less than nine thousand six hundred (9,600) square feet in area shall be limited to a maximum density of one dwelling unit per platted lot;
- (2) Lots nine thousand six hundred (9,600) square feet or greater in area shall be limited to a maximum density of 1.2 dwelling units per nine thousand six hundred (9,600) square feet, except that for each five percent of lot area provided as greenbelt preserve in excess of that required by Section 23.70.50(A)(3), the number of units permitted by this subsection may be increased by an additional .1 dwelling unit per nine thousand six hundred (9,600) square feet of total lot area.

B. The provisions of Section 23.44.24 Planned Residential Development shall not apply in the Greenbelt Overlay District.

23.70.110 VIOLATIONS - CORRECTIVE ACTIONS REQUIRED

In the event of violations of the standards or requirements of this chapter, the required corrective action shall include, but is not limited to, mitigating measures such as restoration of the area and replacement of damaged or destroyed trees.

23.70.120 VESTING OF LAND USE PERMITS

The special transition rules contained in Section 23.04.10N shall be inapplicable to this chapter. The provisions of the Greenbelt Overlay District regulations shall apply to all property within the District unless a land use approval has been issued by the Director prior to the effective date of this chapter as provided in Section 23.76.40, Vesting of Land Use Approvals.

Section 2. Subsection E of Section 23.34.28(B) is amended to read as follows:

23.34.28 General Rezoning Criteria

In evaluating requests for a zoning change, the following factors shall be considered:

H. Greenbelt Plan

((If the area is included in the Greenbelt Plan as adopted by Resolution 25670, the purpose and boundaries of the Greenbelt Plan shall be considered:)) If any portion of the area is within the Greenbelt Overlay District the intent of the Urban Greenbelt Plan as adopted by Resolution 25670 to preserve Greenbelts shall be given special consideration when evaluating any rezoning application to a zoning designation allowing a more intensive use. Specific issues to be considered include but are not limited to the preservation or enhancement of: wildlife habitat, trees, buffering characteristics, slope stabilization effects, and the visual continuity of the greenbelt.

Section 3. Section 23.84.14 is amended to add new subsections to read as follows:

Greenbelt

((Greenbelts are areas either publicly or privately owned which the Council has designated in the Urban Greenbelt Plan, Resolution 25670, to be left primarily in their natural state. These areas are intended to provide or encourage permanent buffers between incompatible land uses, prevent development of environmentally sensitive areas and maintain areas of natural habitat for wildlife. An area located within and without the Greenbelt Overlay District which is required by easement, dedication or the application of the Greenbelt Overlay District provisions to be left primarily in its natural state.

Greenbelt Overlay District

Land so designated and shown on the Land Use Map entitled Exhibit "A".

Greenbelt Preserve

Land in the Greenbelt Overlay District so designated prior to any development, subdivision, or short subdivision of a lot or lots and required to be left in its natural state.

Greenbelt Preserve, Restored

Land in the Greenbelt Overlay District so designated prior to any development, subdivision, or short subdivision of a lot or lots which is allowed to be temporarily disrupted during construction but which is subsequently replanted and restored with plantings emphasizing native vegetation and is then required to be left in that state.

Section 4. Section 23.76.06 is amended to add a new subsection "B" to read as follows:

23.76.06 Master Use Permit Required

A Master Use Permit is required for each of the following Department approvals:

B. Establishments of greenbelt preserves and restored greenbelt preserves.

Section 5. Subsection E of Section 23.76.14 is amended to read as follows:

23.76.14 Notice of Application

E. No notice of application is required for a temporary three week use or for the following Master Use Permit approvals if they are determined to be exempt from SEPA.

1. Establishment or change of use permitted outright.
2. Curbs, cuts, landscaping associated with development proposals; additional on-street parking; street and alley improvements.
3. Lot boundary adjustments.

4. Establishment of greenbelt reserves and restored greenbelt property.

Section 6. Section 23.40.34 is amended to add a new subsection B and to renumber the present subsection B as subsection C, to read as follows:

23.40.24 CIVIL PENALTY

B. In addition to the penalties imposed by subsection A, the penalty for violations of the Greenbelt Overlay District standards and requirements shall be a fine not to exceed One Thousand Dollars per occurrence.

((B+))C. The penalty imposed by this Section shall be collected by civil action brought in the name of the City and commenced in the Municipal Court. The Director shall notify the City Attorney in writing of the name of any person subject to the penalty and the amount of the penalty and the City Attorney shall, with the assistance of the Director, take appropriate action to collect the penalty.

The violator may show as full or partial mitigation of liability:

1. That the violation giving rise to the action was caused by the willful act, or neglect, or abuse of another; or
2. That correction of the violation was commenced promptly upon receipt of notice thereof, but that full compliance within the time specified was prevented by inability to obtain necessary materials or labor, inability to gain access to the subject structure, or other condition or circumstance beyond the control of the defendant.

Section 7. Chapter 23.68 of Title 23 establishing the Interim Greenbelt Overlay District, is repealed subject to the automatic revival provisions of Section 8.

Section 8. SEVERABILITY AND REVIVAL

The Greenbelt Overlay District regulations are declared to be severable. If any section, subsection, paragraph, clause or other portion or any part adopted by reference is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Greenbelt Overlay District. If any section, subsection, paragraph, clause or any portion is adjudged invalid or unconstitutional as applied to a particular property, use, building, or other structure, the application of such portion of the Greenbelt Overlay District to other property, use or structure shall not be affected.

In the event that all or substantially all of these regulations are for any reason adjudged invalid or unconstitutional, the affected property within the Greenbelt Overlay District shall then be regulated by the Interim Greenbelt Overlay District regulations of Ch. 23.68 (Ordinance No. 111098), without further action by the City Council, and

such regulations shall remain in effect for a period of six months following final adjudication of invalidity.

Section 9. This City-initiated text and map amendment to the Land Use Code implementing the policies of Resolution 25678 is not a "defined phase" in the enactment of the Land Use Code as that term is used in Section 23.34.18(B), as the Greenbelt Plan was adopted prior to the identification of such phases. Notwithstanding such distinction, this ordinance contains new provisions of city-wide application and the Council itself should conduct the public hearing on the amendment and it should be considered in the same manner as are defined phases. Accordingly, the notice and hearing requirements of Section 23.34.18(B) shall be applicable and the requirements of Section 23.34.18(A) are hereby superseded for purposes of this ordinance.

Section 10. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council this 27th day of February, 1981, and signed by me in open session in authentication of its passage this 27th day of February, 1981.

Approved by me this 1st day of March, 1981.

Filed by me this 1st day of March, 1981.

(SEAL)

Attest: *Jim Hill*
City Comptroller and City Clerk

By: *Theresa Dunbar*
Deputy Clerk

Publication ordered by: *Jim Hill*, Comptroller and City Clerk
Date of official publication in Daily Journal of Commerce, Seattle, March 2, 1981. (C-508)

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a _____
Ordinance No. 111568

was published on March 2, 1984

V. Rain
Subscribed and sworn to before me on
March 2, 1984

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

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Isauro Williams

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

City Operations

PRESIDENT'S SIGNATURE