ORDINANCE 123495 – reading aid (12-29-10)

(This document is a reading aid; see the Seattle City Clerk’s website for Ordinance 123495, which has legal effect.)

AN ORDINANCE related to land use and zoning, amending various chapters of Title 23 of the Seattle Municipal Code (SMC); adding new sections to Chapter 23.45 and recodifying other sections in that chapter; repealing Sections 23.34.016, 23.34.022, 23.45.002, 23.45.004, 23.45.006, 23.45.009, 23.45.010, 23.45.011, 23.45.012, 23.45.014, 23.45.015, 23.45.016, 23.45.017, 23.45.018, 23.45.064, 23.45.066, 23.47A.029, 23.48.031, 23.86.020, and all the exhibits in these Sections; adding Section 23.54.040; amending provisions in SMC Title 25 regarding environmental policies, critical areas, and tree protection; establishing new classifications and standards for lowrise multifamily development; revising lowrise zoning designations and locational criteria for multifamily zones; amending the Official Land Use Map to rezone all property currently in a Lowrise or Lowrise Duplex/Triplex zone to one of three new Lowrise zones; providing for the effect of expiration of any prior decision rezoning property from a Lowrise zone; providing for the extension of contract rezone conditions for property previously zoned to a Lowrise zone; eliminating multifamily parking requirements in urban villages with frequent transit service; changing the mechanism for permitting parking off-site; changing methods for measuring structure height in most zones; establishing standards for solid waste storage areas in most zones; and establishing a new streamlined design review process, all in order to allow a greater variety of housing types in Lowrise multifamily zones, to improve development regulations in multifamily and other zones, to encourage design excellence, to implement Comprehensive Plan policies, and to protect and promote the health, safety, and welfare of the general public.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1.

A. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended as follows:

1. All areas designated on Attachment B as Lowrise Duplex/Triplex (LDT) are rezoned to Lowrise 1 (LR1).

2. All areas designated on Attachment B as Lowrise 1 (L1) that are located outside of urban centers, urban villages, and station area overlay districts are rezoned to LR1.
3. All areas designated on Attachment B as Lowrise 1 (L1) that are located within urban centers, urban villages, and station area overlay districts are rezoned to Lowrise 2 (LR2).

4. All areas designated on Attachment B as Lowrise 2 (L2) are rezoned to LR2.

5. All areas designated on Attachment B as Lowrise 3 (L3) and Lowrise 4 (L4) are rezoned to Lowrise 3 (LR3).

B. Attachment B to this ordinance, which is incorporated by this reference, shows the areas being rezoned as described in this Section.

C. Except for the LDT, L1, L2, L3 and L4 classifications, all other designations and classifications of the property rezoned by this Section remain in effect.

D. This ordinance is not intended to release or modify either the terms of any agreement previously made in connection with the rezoning of any property, or any conditions or restrictions included in any rezone decision or ordinance, except as expressly provided in subsection E of this Section. As to each lot being rezoned in this ordinance from a zoning designation previously established by a map amendment conditioned upon a recorded agreement, all conditions and restrictions stated in the applicable prior rezone decision, ordinance or agreement, whether or not referring to a specific zoning designation or rezone action, continue as conditions and restrictions under the zoning designation established by this ordinance. Such rezones include, but are not limited to, those authorized by the following ordinances: Ordinance 122206 (Clerk File (CF) 307285); Ordinance 111985 (CF 292534); Ordinance 98717 (CF 293916); Ordinance 121960 (CF 306618); Ordinance 120561; Ordinance 111705 (CF 291852); Ordinance 111222 (CF 292030); Ordinances 113699, 113704, 113706 and 113707 (CF 294977); Ordinance 116912 (CF 298562); Ordinance 121795 (306768); Ordinance 121323 (CF 305399);
Ordinance 121164 and 121404 (CF 305400); Ordinance 122098 (CF 307452); Ordinance 122304 (CF 307580); Ordinance 115664 (CF 298162); Ordinance 116501 (CF 298303); Ordinance 117580 (CF 299930); Ordinance 118518 (CF 301537); Ordinance 122184 (CF 307757); Ordinance 115760 (CF 298192); Ordinance 117214 (CF 299299); and Ordinance 122185 (CF 307093). The City Council finds that the restrictions in each such agreement are necessary in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezones effected by this ordinance.

E. Any property previously rezoned from LDT, L1, L2, L3, or L4 pursuant to an ordinance under which the rezone could expire or the zoning could otherwise revert to the previous designation under specified conditions shall, upon any expiration or other event by which the zoning would revert to such classification but for the effect of this ordinance, automatically become rezoned to the LR1, LR2 or LR3 classification that would have applied under subsection A of this Section if the property had been shown on Attachment B as having that prior zoning classification.

Section 2. Subsections A and B of Section 23.22.062 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended as follows:

23.22.062 Unit lot subdivisions

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for townhouse, rowhouse, and cottage housing developments, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in
Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.

B. Except for any site for which a permit has been issued pursuant to Sections 23.44.041 or 23.45.545 for a detached accessory dwelling unit, lots developed or proposed to be developed with uses described in subsection 23.22.062.A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private usable open space or private amenity area for each dwelling unit shall be provided on the same unit lot as the dwelling unit it serves.

***

Section 3. Subsections A and B of Section 23.24.045 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended as follows:

**23.24.045 Unit lot subdivisions**

A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.

B. Except for any lot for which a permit has been issued pursuant to Sections 23.44.041 or 23.45.545 for a detached accessory dwelling unit, lots developed or proposed to be developed with uses described in subsection 23.24.045.A above may be subdivided into individual unit lots.
The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space or private amenity area for each dwelling unit shall be provided on the same unit lot as the dwelling unit it serves.

* * *

Section 4. Subsection A of Section 23.30.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.30.010 Classifications for the purpose of this subtitle

All land within the City shall be classified as being within one zoning designation.

A. General zoning designations. The zoning classification of land shall include one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC" the classification shall include both "RC" and one additional multifamily zone designation in this subsection 23.30.010.A.

<table>
<thead>
<tr>
<th>Zones</th>
<th>Abbreviated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential, Single-family 9,600</td>
<td>SF 9600</td>
</tr>
<tr>
<td>Residential, Single-family 7,200</td>
<td>SF 7200</td>
</tr>
<tr>
<td>Residential, Single-family 5,000</td>
<td>SF 5000</td>
</tr>
<tr>
<td>Residential Small Lot</td>
<td>RSL</td>
</tr>
<tr>
<td>Residential, Multifamily, Lowrise 1</td>
<td>LR1</td>
</tr>
<tr>
<td>Residential, Multifamily, Lowrise 2</td>
<td>LR2</td>
</tr>
<tr>
<td>Residential, Multifamily, Lowrise 3</td>
<td>LR3</td>
</tr>
<tr>
<td>Residential, Multifamily, Midrise</td>
<td>MR</td>
</tr>
<tr>
<td>Zones</td>
<td>Abbreviated</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Residential, Multifamily, Highrise</td>
<td>HR</td>
</tr>
<tr>
<td>Residential-Commercial</td>
<td>RC</td>
</tr>
<tr>
<td>Neighborhood Commercial 1</td>
<td>NC1</td>
</tr>
<tr>
<td>Neighborhood Commercial 2</td>
<td>NC2</td>
</tr>
<tr>
<td>Neighborhood Commercial 3</td>
<td>NC3</td>
</tr>
<tr>
<td>Seattle Mixed</td>
<td>SM</td>
</tr>
<tr>
<td>Commercial 1</td>
<td>C1</td>
</tr>
<tr>
<td>Commercial 2</td>
<td>C2</td>
</tr>
<tr>
<td>Downtown Office Core 1</td>
<td>DOC1</td>
</tr>
<tr>
<td>Downtown Office Core 2</td>
<td>DOC2</td>
</tr>
<tr>
<td>Downtown Retail Core</td>
<td>DRC</td>
</tr>
<tr>
<td>Downtown Mixed Commercial</td>
<td>DMC</td>
</tr>
<tr>
<td>Downtown Mixed Residential</td>
<td>DMR</td>
</tr>
<tr>
<td>Pioneer Square Mixed</td>
<td>PSM</td>
</tr>
<tr>
<td>International District Mixed</td>
<td>IDM</td>
</tr>
<tr>
<td>International District Residential</td>
<td>IDR</td>
</tr>
<tr>
<td>Downtown Harborfront 1</td>
<td>DH1</td>
</tr>
<tr>
<td>Downtown Harborfront 2</td>
<td>DH2</td>
</tr>
<tr>
<td>Pike Market Mixed</td>
<td>PMM</td>
</tr>
<tr>
<td>General Industrial 1</td>
<td>IG1</td>
</tr>
<tr>
<td>General Industrial 2</td>
<td>IG2</td>
</tr>
<tr>
<td>Industrial Buffer</td>
<td>IB</td>
</tr>
<tr>
<td>Industrial Commercial</td>
<td>IC</td>
</tr>
</tbody>
</table>

***

Section 5. Subsection B of Section 23.34.010, which section was last amended by Ordinance 123046, is amended as follows:

Section 23.34.010 Designation of single-family zones

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

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

2. The rezone is:
   
   a. To a Residential Small Lot (RSL), Residential Small Lot-Tandem (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage (RSL/TC), Lowrise 1 (LR1), Lowrise 1/Residential-Commercial (LR1/RC), or
   
   b. Within the areas identified on Map P-1 of the adopted North Beacon Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NC1 zone or NC2 zone with a 30 foot or 40 foot height limit, or
   
   c. Within the residential urban village west of Martin Luther King Junior Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a Lowrise 1 (LR1) or Lowrise 2 (LR2) zone.

***

Section 6. Section 23.34.013 of the Seattle Municipal Code, which section was last amended by Ordinance 117430, is amended as follows:

23.34.013 Designation of multifamily zones
An area zoned single-family that meets the criteria of Section 23.34.011 for single-family designation may not be rezoned to multifamily except as otherwise provided in Section 23.34.010.B.

Section 7. Section 23.34.014 of the Seattle Municipal Code, which section was last amended by Ordinance 117430, is amended as follows:

**23.34.014 Lowrise 1 (LR1) zone, function and locational criteria**

A. Function. The function of the LR1 zone is to provide opportunities for low-density multifamily housing, primarily rowhouse and townhouse developments, through infill development that is compatible with single-family dwelling units, or through the conversion of existing single-family dwelling units to duplexes or triplexes.

B. Locational Criteria. The LR1 zone is most appropriate in areas generally characterized by the following conditions:

1. The area is similar in character to single-family zones;

2. The area is either:
   a. located outside of an urban center, urban village, or Station Area Overlay District;
   b. a limited area within an urban center, urban village, or Station Area Overlay District that would provide opportunities for a diversity of housing types within these denser environments; or
   c. located on a collector or minor arterial;

3. The area is characterized by a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as rowhouse and
townhouse developments, and single-family dwelling units that have been converted to
multifamily residential use or are well-suited to conversion;

4. The area is characterized by local access and circulation that can accommodate
low density multifamily development oriented to the ground level and the street, and/or by
narrow roadways, lack of alleys, and/or irregular street patterns that make local access and
circulation less suitable for higher density multifamily development;

5. The area would provide a gradual transition between single-family zoned areas
and multifamily or neighborhood commercial zoned areas; and

6. The area is supported by existing or projected facilities and services used by
residents, including retail sales and services, parks, and community centers.

Section 8. Section 23.34.016 of the Seattle Municipal Code, relating to the function and
locational criteria for Lowrise 1 zones, which section was last amended by Ordinance 119242,
and as shown in Attachment A to this ordinance, is repealed. Section 9. Section 23.34.018 of the
Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as
follows:

23.34.018 Lowrise 2 (LR2) zone, function and locational criteria

A. Functions. The dual functions of the LR2 zone are to:

1. Provide opportunities for a variety of multifamily housing types in existing
multifamily neighborhoods and along arterials that have a mix of small scale residential
structures; and
2. Accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale and density.

B. Locational Criteria. The LR2 zone is most appropriate in areas generally characterized by the following conditions:

1. The area is either:
   a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or
   b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:
      1) small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones;
      2) the area would provide a gradual transition between SF or LR1 zones and more intensive multifamily or neighborhood commercial zones; and

2. The area is characterized by local access and circulation conditions that accommodate low density multifamily development;

3. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones; and
4. The area is well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.

Section 10. Section 23.34.020 of the Seattle Municipal Code, which section was last amended by Ordinance 121700, is amended as follows:

23.34.020 Lowrise 3 (LR3) zone, function and locational criteria

A. Functions. The dual functions of the LR3 zone are to:

1. provide opportunities for a variety of multifamily housing types in existing multifamily neighborhoods, and along arterials that have a mix of small to moderate scale residential structures; and

2. accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of moderate scale and density.

B. Locational Criteria.

The LR3 zone is most appropriate in areas generally characterized by the following conditions:

1. The area is either:

   a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of moderate scale and density, except in the following urban villages: the Wallingford Residential Urban Village, the Eastlake Residential Urban Village, the Upper Queen Anne Residential Urban
Village, the Morgan Junction Residential Urban Village, the Lake City Hub Urban Village, the Bitter Lake Village Hub Urban Village, and the Admiral Residential Urban Village; or

b. located in an existing multifamily neighborhood in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and characterized by a mix of structures of low and moderate scale;

2. The area is near neighborhood commercial zones with comparable height and scale;

3. The area would provide a transition in scale between LR1 and/or LR2 zones and more intensive multifamily and/or commercial zones;

4. The area has street widths that are sufficient for two-way traffic and parking along at least one curb;

5. The area is well served by public transit;

6. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones;

7. The area well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities. C. The LR3 zone is also appropriate in areas located in the Delridge High Point Neighborhood Revitalization Area, as shown in Map A for 23.34.020, provided that the LR3 zone designation would facilitate a mixed-income housing development initiated by the Seattle Housing Authority or other public agency; a property use and
development agreement is executed subject to the provisions of Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.
Map A for 23.34.020: Delridge High Point Revitalization Area—North and South Halves
D. Except as provided in this subsection 23.34.020.D, properties designated as environmentally critical may not be rezoned to an LR3 designation, and may remain LR3 only in areas predominantly developed to the intensity of the LR3 zone. The preceding sentence does not apply if the environmentally critical area either:

1. was created by human activity, or

2. is a designated peat settlement, liquefaction, seismic or volcanic hazard area, or flood prone area, or abandoned landfill.

Section 11. Section 23.34.022 of the Seattle Municipal Code, relating to the function and locational criteria for the Lowrise 4 zone, which section was last amended by Ordinance 121700, and as shown in Attachment A to this ordinance, is repealed.

Section 12. Subsections A and B of Section 23.41.004 of the Seattle Municipal Code, which section was last amended by Ordinance 123206, is amended as follows:

Section 23.41.004 Applicability

A. Design review required.

1. Design review is required for any new multifamily, commercial, or industrial development proposal that exceeds one of the following thresholds in Table A for 23.41.004:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Lowrise (LR3)</td>
<td>8 dwelling units</td>
</tr>
<tr>
<td>b. Midrise (MR)</td>
<td>20 dwelling units</td>
</tr>
<tr>
<td>c. Highrise (HR)</td>
<td>20 dwelling units</td>
</tr>
<tr>
<td>d. Neighborhood Commercial (NC1, 2, 3)</td>
<td>4 dwelling units or 4,000 square feet of nonresidential gross floor area</td>
</tr>
<tr>
<td>e. Commercial (C1, C2)</td>
<td>Four dwelling units or 12,000 square feet of nonresidential gross floor area, located on a lot in an urban center or urban</td>
</tr>
</tbody>
</table>
### Table A for 23.41.004: Thresholds for Design Review

<table>
<thead>
<tr>
<th>Use</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>village(^1), or on a lot that abuts or is across a street or alley from</td>
</tr>
<tr>
<td></td>
<td>a lot zoned single-family, or on a lot located in the area bounded by:</td>
</tr>
<tr>
<td></td>
<td>NE 95(^{th}) St., NE 145(^{th}) St., 15(^{th}) Ave. NE, and Lake</td>
</tr>
<tr>
<td></td>
<td>Washington</td>
</tr>
<tr>
<td>f.</td>
<td>Seattle Mixed (SM)</td>
</tr>
<tr>
<td></td>
<td>20 units or 12,000 square feet of nonresidential gross floor area</td>
</tr>
<tr>
<td>g.</td>
<td>Industrial Commercial (IC) zone within all designated urban villages and</td>
</tr>
<tr>
<td></td>
<td>centers.</td>
</tr>
<tr>
<td></td>
<td>12,000 square feet of nonresidential gross floor area</td>
</tr>
</tbody>
</table>

Footnote to Table A for 23.41.004

\(^1\)Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

2. Design review is required for all new Major Institution development proposals that exceed thresholds in the zones listed in this subsection 23.41.004.A, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Design review is required for all new development proposals located in the following Downtown zones that equal or exceed any of the following thresholds:

### DOC 1, DOC 2 or DMC Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential</td>
<td>50,000 square feet of gross floor area</td>
</tr>
<tr>
<td>Residential</td>
<td>20 dwelling units</td>
</tr>
</tbody>
</table>

### DRC, DMR, DH1 or DH2 Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential</td>
<td>20,000 square feet of gross floor area</td>
</tr>
<tr>
<td>Residential</td>
<td>20 dwelling units</td>
</tr>
</tbody>
</table>
4. Design review is required for all new development proposals exceeding 120 feet in width on any single street frontage in the Stadium Transition Area Overlay District as shown in Map A for 23.41.006.

5. Streamlined administrative design review to protect trees. As provided in Sections 25.11.070 and 25.11.080, streamlined administrative design review pursuant to Section 23.41.018 is required for new multifamily and commercial development proposals in Lowrise, Midrise, and commercial zones if an exceptional tree, as defined in Section 25.11.020, is located on the lot and is not proposed to be preserved, if design review would not otherwise be required by this subsection 23.41.004.A.

6. New multifamily or commercial development proposals in the zones listed in this subsection 23.41.004.A, that are subject to SEPA solely as a result of the provisions of Section 25.05.908, Environmentally Critical Areas, are exempt from design review except as set forth in subsection A.5 of this section 23.41.004.

7. Design review pursuant to Section 23.41.014 is required for projects that are eligible for design review under any provision of this section 23.41.004 and that are participating in the Living Building Pilot Program authorized by Section 23.40.060.

8. Streamlined administrative design review (SDR) pursuant to Section 23.41.018 is required for all new townhouse developments that include at least three townhouse units, if design review is not otherwise required by this subsection 23.41.004.A.

B. Design Review -- Optional

1. Design review is optional to any applicant for new multifamily, commercial or Major Institution development proposals not otherwise subject to this Chapter 23.41, in the
Stadium Transition Area Overlay District, and in all multifamily, commercial, and downtown zones.

2. Administrative design review is optional for any applicant for new multifamily or commercial development proposals in the Stadium Transition Area Overlay District, and in multifamily, commercial, and downtown zones, according to the process described in Section 23.41.016.

3. Streamlined administrative design review is an option for:
   a. applicants for multifamily residential uses in LR zones for which design review is not otherwise required by subsection 23.41.004.A; and
   b. applicants for new multifamily and commercial development proposals in Lowrise, Midrise, and Commercial zones to protect a tree over 2 feet in diameter measured 4.5 feet above the ground, if design review would not otherwise be required by subsection 23.41.004.A.5.

***

Section 13. A new Section 23.41.018 is added to the Seattle Municipal Code as follows:

Section 23.41.018 Streamlined administrative design review (SDR) process

A. A presubmittal conference is required for all projects subject to this Section 23.41.018 unless waived by the Director, pursuant to Section 23.76.008.

B. Following a presubmittal conference, a proponent may apply to begin the SDR guidance process.

   1. The application for SDR guidance shall include the following:
a. An initial site analysis addressing site opportunities and constraints, adjacent buildings, and the zoning of the site and adjacent properties;

b. A drawing of existing site conditions, indicating topography of the site and location of structures and prominent landscape elements on the site (including but not limited to all trees 6 inches or greater in diameter measured 4.5 feet above the ground, with species indicated) if any;

c. A preliminary site plan including structures, open spaces, vehicular and pedestrian access, and landscaping;

d. A brief description of how the proposal meets the intent of the applicable citywide and neighborhood design review guidelines; and

e. One or more color renderings adequate to depict the overall massing of structures and the design concept.

2. Notice of application for SDR Guidance shall be provided pursuant to Chapter 23.76.

3. The purpose of SDR Guidance is to receive comments from the public, identify concerns about the site and design concept, identify applicable citywide and neighborhood design guidelines of highest priority to the site, explore conceptual design and siting alternatives, and identify and document proposed development standard adjustments, which may be approved as a Type I decision pursuant to Section 23.41.018.D, or departures, which may be approved as a Type II decision pursuant to Section 23.41.016. The intent of SDR Guidance is not to reduce the general development capacity of the lot.
4. As a result of the SDR Guidance process, the Director shall prepare a report that identifies those guidelines of highest priority and applicability, documents any design changes needed to achieve consistency with the design guidelines, and identifies any desired development standard adjustments and/or departures.

5. The Director shall distribute a copy of the report to the applicant, place it on file in the Department, and provide access to the report on the Department website.

C. Application for Type I or Type II Master Use Permit.

1. After issuance of the SDR Guidance report, the proponent may apply for a Type I or Type II Master Use Permit.

2. The Master Use Permit application shall include a brief explanation of how the proposal addresses the SDR guidance report, in addition to standard Master Use Permit submittal information required by Section 23.76.010. Adjustments to certain development standards pursuant to subsection 23.41.018.D may be approved as a Type I decision. If the need for development standard departures, authorized under Section 23.41.012 and beyond the adjustments allowed under subsection 23.41.018.D, is identified, the applicant may either revise the application to eliminate the need for the further departures, and proceed under this Section 23.41.018, or else apply for a Type II Master Use Permit for administrative design review pursuant to Section 23.41.016.

3. Notice of application for a permit for a project subject to SDR shall be provided according to Chapter 23.76.

D. SDR decision.
1. The Director shall consider public comments on the proposed project, and the Director’s decision shall be based on the extent to which the application meets applicable design guidelines and responds to the SDR guidance report.

2. The Director’s decision pursuant to the SDR process shall not reduce the number of units allowed per square foot of lot area when such a density limit is set in Table A for Section 23.45.512.

3. The Director may allow the adjustments listed in subsection 23.41.018.D.4, if the adjustments are consistent with the SDR design guidance report and the adjustments would result in a development that:
   a. better meets the intent of the adopted design guidelines and/or
   b. provides a better response to environmental and/or site conditions, including but not limited to topography, the location of trees, or adjacent uses and structures.

4. If the criteria listed in subsection 23.41.018.D.3 are met, the Director may allow adjustments to the following development standards to the extent listed for each standard:
   a. Setbacks and separation requirements may be reduced by a maximum of 50 percent;
   b. Amenity areas may be reduced by a maximum of 10 percent;
   c. Landscaping and screening may be reduced by a maximum of 25 percent;
   d. Structure width, structure depth, and façade length limits may be reduced by a maximum of 10 percent; and
   e. Screening of parking may be reduced by a maximum of 25 percent.
5. Limitations on adjustments through the SDR process established in this subsection 23.41.018.D do not limit adjustments expressly permitted by other provisions of this Title 23 or other titles of the Seattle Municipal Code.

Section 14. Subsection C of Section 23.42.106 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.42.106 Expansion of nonconforming uses

* * *

C. In multifamily zones, except in Lowrise 1 (LR1) zones, dwelling units may be added to a structure containing one or more nonconforming uses, even if in a structure nonconforming to development standards; provided that limitations on density shall apply. The structure may be expanded or extended, provided that the expansion or extension shall be for residential use, shall conform to the development standards of the zone, and shall not cause an already nonconforming structure to become more nonconforming to development standards.

* * *

Section 15. Subsection C of Section 23.42.108 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.42.108 Change from nonconforming use to conforming use

* * *

C. In multifamily zones, a nonconforming nonresidential use may be converted to residential use even though all development standards are not met, if:

1. any applicable limits on density are met;
2. any nonconformity with respect to parking is not increased as a result of the conversion; and

3. in LR1 zones the total number of dwelling units in an apartment is limited to three.

***

Section 16. Subsection A of Section 23.42.110 of the Seattle Municipal Code, which section was last amended by Ordinance 120293, is amended as follows:

23.42.110 Change from one nonconforming use to another nonconforming use

A nonconforming use may be converted by an administrative conditional use authorization to another use not otherwise permitted in the zone subject to the following limitations and conditions.

A. In single-family and residential small lot zones, a nonconforming multifamily residential use may not be converted to any nonresidential use not otherwise permitted in the zone.

***

Section 17. Section 23.42.114 of the Seattle Municipal Code, which section was last amended by Ordinance 120293, is amended as follows:

23.42.114 Multifamily structures nonconforming to development standards

The following provisions apply to multifamily structures nonconforming to development standards.

A. A multifamily structure nonconforming to development standards in a Lowrise 1 (LR1) zone may be expanded or extended if the expansion or extension conforms to the
development standards of the zone and does not cause an already nonconforming structure to become more nonconforming to development standards.

B. Additional residential units may be added to a multifamily structure nonconforming to development standards if the addition conforms to the development standards of the zone and does not cause an already nonconforming structure to become more nonconforming to development standards.

Section 18. Subsection A of Section 23.42.122 of the Seattle Municipal Code, which section was last amended by Ordinance 120293, is amended as follows:

23.42.122 Height nonconformity

A. Single-family and multifamily zones.

1. In single-family zones, a structure nonconforming as to height may be expanded or extended to add eaves, dormers and/or clerestories to an existing pitched roof if the additions are constructed below the highest point of the roof. An existing pitched roof that is above the height limit may not be converted into a flat roof, nor shall the slope of the roof be reduced to less than a 6:12 pitch.

2. In multifamily zones, a structure nonconforming as to height may be expanded or extended to add eaves, dormers and/or clerestories to an existing pitched roof if the additions are constructed below the highest point of the roof, pursuant to Section 23.45.514. An existing pitched roof that is above the height limit may not be converted into a flat roof, nor shall the slope of the roof be reduced to less than a 6:12 pitch.

***
Section 19. Subsection D of Section 23.43.008 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

**Section 23.43.008 Development standards for one dwelling unit per lot**

* * *

**D. Yards and setbacks.**

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

2. Side setbacks. The required minimum side setback is 5 feet. The side setback may be averaged. No portion of the side setback shall be less than 3 feet, except as follows:
   a. Street side setbacks shall be a minimum of 5 feet.
   b. If an easement is provided along a side lot line of the abutting lot sufficient to leave a 10 foot separation between the two principal structures of the two lots, the required side setback may be reduced from the requirement of subsection 23.43.008.D.2. The easement shall be recorded with the King County Department of Records and Elections. The easement shall provide access for normal maintenance activities to the principal structure on the
lot with less than the required side setback. No principal structure shall be located in the
easement area, except that the eaves of a principal structure may project a maximum of 18 inches
into the easement area. No portion of any structure, including eaves, shall cross the property line.

3. The following parts of structures may project into a required yard or setback,
provided that the applicable restrictions in subsections 23.43.008.D.3 and D.4 are met:

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

   b. Certain features of a structure.

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

      2) Bay windows that are no wider than 8 feet and project no more
than 2 feet into a required front or rear yard or street side setback.

      3) Other external architectural features that include interior space
such as garden windows, and project no more than 18 inches into a required yard or setback,
starting a minimum of 30 inches above the height of a finished floor, and with maximum
dimensions of 6 feet in height and 8 feet in width.
4. Limit on features on a façade. The combined area of features that project into a required yard or setback pursuant to subsection 23.43.008.D.3.b may not exceed 30 percent of the area of the facade on which the features are located.

* * *

Section 20. Subsection B of Section 23.44.034 of the Seattle Municipal Code, which section was last amended by Ordinance 199239, is amended as follows:

23.44.034 Planned residential development (PRD)

* * *

B. Type of housing permitted.

1. Only single-family dwelling units shall be permitted within 100 feet of a PRD's lot line which abuts or is directly across the street from a single-family zoned lot, except as provided in this subsection 23.44.034.B.

2. Single-family dwelling units, cottage housing developments, rowhouse developments, and townhouse developments are permitted if within 100 feet of a lot line of a PRD that does not abut and is not across a street from a single-family zoned lot, or that is separated from the single-family zoned lot by physical barriers, such as bodies of water, ravines, greenbelts, freeways, expressways and other major traffic arterials or topographic breaks that provide substantial separation from the surrounding single-family neighborhood.

3. Single-family dwelling units, cottage housing developments, rowhouse developments, and townhouse developments are permitted when more than 100 feet from a PRD's lot line.
4. Cottage housing developments, rowhouse developments, and townhouse developments shall meet the development standards for structures in Lowrise 1 zones, unless otherwise specified in this Chapter 23.44.

* * *

Section 21. Section 23.45.002 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, and the subchapter and parts headings in the table of contents for Chapter 23.45 of the Seattle Municipal Code, both of which were last amended by Ordinance 123209, as shown in Attachment A to this ordinance, are repealed.

Section 22. Section 23.45.502 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

**23.45.502 Scope of provisions**

This Chapter 23.45 establishes regulations for the following zones:

- Lowrise 1 (LR1);
- Lowrise 2 (LR2);
- Lowrise 3 (LR3);
- Midrise (MR) (references to Midrise zones include the Midrise/85 (MR/85) zone unless otherwise noted); and
- Highrise (HR).

Section 23. Section 23.45.004 of the Seattle Municipal Code, providing a cross-reference to the section about permitted and prohibited uses in multifamily zones, which section was last amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.
Section 24. Subsections A, B, and C of Section 23.45.504 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, are amended as follows:

23.45.504 Permitted and prohibited uses

A. All uses are permitted outright, prohibited or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

| Table A for 23.45.504: Permitted and Prohibited Uses |
|---------------------------------|---------------------------------|
| Uses                            | Permitted and Prohibited Uses by Zone |
| A. Residential use              | LR1, LR2, and LR3               |
| B. Institutions                 | MR and HR                       |
| C. Uses in existing or former public schools |
| C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly and similar uses in existing or former public schools. | Permitted pursuant to procedures established in Chapter 23.78 | Permitted pursuant to procedures established in Chapter 23.78 |
| C.2. Other non-school uses in existing or former public schools | P | P |
| D. Park and pool and park and ride lots | X/CU² | X/CU² |
| E. Parks and playgrounds including customary uses | P | P |
| F. Ground floor commercial uses | RC | P⁴ |
| G. Medical Service Uses other than permitted ground | P/X⁴ | P/CU/X⁴ |
Table A for 23.45.504: Permitted and Prohibited Uses

<table>
<thead>
<tr>
<th>floor commercial uses</th>
<th>permitted</th>
<th>prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>H. Uses not otherwise permitted in landmark structures</td>
<td>CU</td>
<td>CU</td>
</tr>
<tr>
<td>I. Cemeteries</td>
<td>P/X^4</td>
<td>P/X^4</td>
</tr>
<tr>
<td>J. Community Gardens</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>K. All other uses</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Footnotes to Table A for 23.45.504

1. Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.

2. Prohibited in Station Area Overlay Districts; otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506.

3. Subject to subsection 23.45.504.E.

4. Subject to subsection 23.45.504.G and 23.45.506.F.

5. Subject to subsection 23.45.504.F.

P = Permitted outright  
CU = Permitted as an Administrative Conditional Use  
RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46  
X = Prohibited

C. Accessory uses. The following accessory uses are permitted in all multifamily zones, subject to the standards in Section 23.45.545, if applicable:

1. Private garages and carports;

2. Private, permanent swimming pools, hot tubs and other similar uses;

3. Solar collectors, including solar greenhouses;

4. Open wet moorage accessory to residential structures;

5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;

6. Bed and breakfasts in a dwelling unit that is at least five years old;

7. Recycling collection stations;

8. Urban farms with planting area not more than 4,000 square feet. Urban farms with greater than 4,000 square feet of planting area may be allowed as an administrative
conditional use to any use permitted outright or as a conditional use. The Director may grant, condition or deny a conditional use permit in accordance with subsection 23.42.051.B; and

9. Accessory dwelling units.

***

Section 25. Section 23.45.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, and as shown in Attachment A to this ordinance, is repealed.

Section 26. Subsections C and F of Section 23.45.506 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

Section 23.45.506 Administrative conditional uses

***

C. Institutions other than public schools not meeting the development standards of 23.45.570, Institutions, and Major Institution uses as provided in Chapter 23.69, may be permitted subject to the following:

1. Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

2. Dispersion Criteria. An institution that does not meet the dispersion criteria of Section 23.45.570 may be permitted by the Director upon determination that it would not substantially worsen parking shortages, traffic safety hazards, and noise in the surrounding residential area.
3. Noise. The Director may condition the permit in order to mitigate potential noise problems. Measures the Director may require for this purpose include, but are not limited to the following: landscaping, sound barriers, fences, berms, adjustments to yards or the location of refuse storage areas, location of parking areas and access, structural design modifications, and regulating hours of use.

4. Transportation Plan. A transportation plan is required for proposed new institutions and for those institutions proposing to expand larger than 4,000 square feet of floor area and/or required to provide 20 or more new parking spaces. The Director may condition a permit to mitigate potential traffic and parking impacts pursuant to a Transportation Management Plan or Program as described in directors rules governing such plans or programs. The Director will determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution.

* * *

F. In addition to medical service uses permitted as ground floor commercial uses pursuant to subsection 23.45.504.E, medical service uses occupying over 4,000 square feet may be permitted in Highrise zones as administrative conditional uses on lots that are at least 25,000 square feet in size, have not been in residential use since January 1, 1989, and are located on a block that abuts a Neighborhood Commercial zone on at least two entire sides of the block (defined for the purpose of this subsection 23.45.506.F as an area bounded by street lot lines).

1. In order to approve a medical service use, the Director must determine that the medical service use is an expansion of an existing medical service business establishment in the immediate vicinity that is not a major institution.
2. Design review is required.

3. The development standards in Sections 23.45.510, 23.45.514, 23.45.516, 23.45.518, 23.45.520, and 23.45.536 do not apply to the portion of the structure occupied by medical service uses, except as specified in this subsection 23.45.506.F. Portions of the structure occupied by medical service uses shall meet the following development standards:
   a. The maximum height for the portions of structures containing medical office uses is 108 feet, except that the provisions for green roofs and rooftop features in Section 23.45.514 apply.
   b. The average of the gross floor area of stories in medical service use above 45 feet in height shall not exceed 60 percent of the area of the lot.

4. Setbacks
   a. Setbacks shall be required as shown on Table A for 23.45.506.

<table>
<thead>
<tr>
<th>Elevation of Facade or Portion of Facade from Existing Grade</th>
<th>Setback on Street Frontages</th>
<th>Setback on Alley Frontages</th>
<th>Setback on shared lot lines</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 or less</td>
<td>7 average, 5 minimum</td>
<td>0</td>
<td>7 average, 5 minimum</td>
</tr>
<tr>
<td>More than 45 up to 108</td>
<td>10 average, 7 minimum</td>
<td>10</td>
<td>15 average, 10 minimum</td>
</tr>
</tbody>
</table>

   b. If the ground floor of a street facade is in use as a child care center, community center, or commercial use permitted on the ground floor by Section 23.45.504, no setback is required for the portion of the street facade that is 45 feet in height or less.
3. If a lot abutting the lot is developed to the side lot line, portions of the proposed development that are 45 feet in height or less may be joined to the abutting structure.

d. Projections into required setbacks, and structures in required setbacks, are permitted pursuant to Section 23.45.518.

5. A minimum of 25 percent of the lot area shall be provided as landscaped open space at ground level. Except as provided in this subsection 23.45.506.F.5, no horizontal dimension for required open space shall be less than 10 feet, nor shall any required open space area be less than 225 square feet. The following additional areas may be included in the calculation of required ground level open space:

   a. Area in the public right-of-way of a neighborhood green street designated in Section 23.45.516 abutting the lot that is improved according to a plan approved by the Director, in consultation with the Director of the Seattle Department of Transportation; except that the Director may waive the requirement that the neighborhood green street abut the lot and allow the improvements to be made to a neighborhood green street located in the general vicinity of the project, if such an improvement is determined to be beneficial to the occupants of the project; and

   b. Landscaped area in the public right-of-way that abuts the required open space on the lot, when the landscaping contributes to achievement of the Green Factor score required in subsection 23.45.506.F.6. below.

6. The landscaping and screening requirements of Section 23.45.524 apply, except that the required Green Factor score is 0.3 or greater, pursuant to Section 23.86.019.

7. Parking shall be required as provided in Chapter 23.54.
8. The Director shall determine the location of access to parking. In order to promote pedestrian safety and comfort, access via an alley is preferred. Where street access is deemed appropriate, due to safety hazards, topography, or other special conditions of the lot, the number of curb cuts and the width of curb cuts, driveways, and garage openings shall be minimized.

9. No surface area parking shall be provided, and no parking shall be located at or above grade, unless it is separated from all street lot lines by another use.

10. The preferred access to loading berths shall be from an alley if the lot abuts an alley. Loading berths shall be located so that access to any residential parking is not blocked.

11. The Director shall determine the location of passenger load zones, based on safety considerations, minimizing conflicts with automobile and pedestrian traffic, reducing impacts on any nearby residential uses, and the efficient operation of the medical service use.

12. Identifying signs shall be permitted according to Chapter 23.55, Signs.

13. For mixed use structures containing both medical service uses and residential uses, the portion of the structure in residential use shall meet the requirements of the HR zone, except as modified by the following:

   a. The maximum width and floor size limits in Section 23.45.520 apply to any portion of the structure in residential use above 45 feet in height.

   b. Amenity areas shall be provided according to the provisions of Section 23.45.522. Open space required at ground level pursuant to subsection 23.45.506.F.5 may be counted as amenity area if it meets the applicable development standards of Section 23.45.522.
c. No landscaped open space is required in addition to the open space required in subsection 23.45.506.F.5.

***

Section 27. Section 23.45.508 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended as follows:

**23.45.508 General provisions**

A. Except for structures related to an urban farm, a structure occupied by a permitted use other than a residential use may be partially or wholly converted to a residential use even if the structure does not conform to the development standards for residential uses in multifamily zones.

B. Off street parking shall be provided pursuant to Section 23.54.015.

C. Expansions of nonconforming converted structures and conversions of structures occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

D. Methods for measurements are provided in Chapter 23.86. Requirements for streets, alleys and easements are provided in Chapter 23.53. Standards for parking and access and design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.

E. Assisted living facilities, congregate housing, and nursing homes shall meet the development standards for apartments unless otherwise specified.

F. Single-family dwelling units. In Lowrise zones, single-family dwelling units shall meet the development standards for townhouse developments, except that Section 23.45.529,
Design standards, does not apply. In MR and HR zones, single-family dwelling units shall meet the development standards of the zone.

G. Proposed uses in all multifamily zones are subject to the transportation concurrency level-of-service standards prescribed in Chapter 23.52.

H. Lots with no street frontage. For purposes of structure width, depth, and setbacks, multifamily zoned lots that have no street frontage are subject to the following:

1. For lots that have only one alley lot line, the alley lot line shall be treated as a front lot line.

2. For lots that have more than one alley lot line, the Director shall determine which alley lot line shall be treated as the front lot line.

3. For lots that have no alley lot lines, the applicant may choose the front lot line provided that the selected front lot line length is at least 50 percent of the width of the lot.

I. All use provisions and development standards applicable to MR zones, except maximum height, also apply in the MR/85 zone.

J. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is not entitled to a permit for any use or development on a lot in a Lowrise zone that would be inconsistent with any term, condition, or restriction contained either in any recorded agreement that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1, L2, L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to LDT, L1, L2, L3, or L4 conditioned on a recorded agreement prior to the effective date of the ordinance introduced as Council Bill 117014.
Section 28. Nine sections of the Seattle Municipal Code, Section 23.45.009 Structure Height, which section was last amended by Ordinance 123209; Section 23.45.010 Lot Coverage Limits, which section was last amended by Ordinance 118794; Section 23.45.011 Structure width and depth, which section was last amended by Ordinance 114888; 23.45.012 Modulation, which section was last amended by Ordinance 120117; Section 23.45.014 Setbacks, which section was last amended by Ordinance 123209; Section 23.45.015 Screening and Landscaping, which section was last amended by Ordinance 121477; Section 23.45.016 Open Space Requirements, which section was last amended by Ordinance 123046; Section 23.45.017 Light and Glare, which section was last amended by Ordinance 115043; and Section 23.45.018, Parking and Access, which section was last amended by Ordinance 120611; all for Lowrise zones, as shown in Attachment A to this ordinance, are repealed.

Section 29. Section 23.45.510 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.45.510 Floor area ratio (FAR) limits

A. General provisions.

1. All gross floor area not exempt under subsection 23.45.510.E counts toward the maximum gross floor area allowed under the floor area ratio (FAR) limits.

2. The applicable FAR limit applies to the total non-exempt gross floor area of all structures on the lot.

3. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone, and the floor area on the portion of the lot with the lower FAR limit may not exceed the amount that would be permitted if it were a separate lot.
B. FAR limits in LR zones

Floor area ratio limits apply in LR zones as shown in Table A for 23.45.510.

Table A for 23.45.510: Floor Area Ratios in Lowrise Zones

<table>
<thead>
<tr>
<th>Zone</th>
<th>Location</th>
<th>Category of Residential Use (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Outside or Inside Urban Centers, Urban Villages, and the Station Area Overlay District</td>
<td>Cottage Housing Developments and Single-Family Dwelling Units</td>
</tr>
<tr>
<td>LR1</td>
<td>Either outside or inside</td>
<td>1.1</td>
</tr>
<tr>
<td>LR2</td>
<td>Either outside or inside</td>
<td>1.1</td>
</tr>
<tr>
<td>LR3</td>
<td>Outside</td>
<td>1.1</td>
</tr>
<tr>
<td></td>
<td>Inside</td>
<td>1.1</td>
</tr>
</tbody>
</table>

Footnotes for A for 23.45.510:
(1) If more than one type of residential use is provided on a lot, the FAR limit for each residential use is the higher FAR limit for each residential use in this Table A for 23.45.510 only if the conditions in subsection 23.45.510.C are satisfied for all residential uses on the lot.
(2) The higher FAR limit applies if the project meets the standards of subsection 23.45.510.C.
(3) On lots that abut a street with frequent transit service, the higher FAR limit is 1.6.

C. In LR zones, in order to qualify for the higher FAR limit shown in Table A for 23.45.510, the following standards shall be met:

1. Applicants shall make a commitment that the structure will meet green building performance standards by earning a Leadership in Energy and Environmental Design (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King and Snohomish Counties, except that an applicant who is applying for funding from the
Washington State Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing, may elect to meet green building performance standards by meeting the Washington Evergreen Sustainable Development Standards (ESDS). The standards referred to in this subsection 23.45.510.C.1 are those identified in Section 23.45.526, and that section shall apply as if the application were for new development gaining extra residential floor area.

2. For all categories of residential use, if the lot abuts an alley and the alley is used for access, improvements to the alley shall be required as provided in subsections 23.53.030.E and F, except that the alley shall be paved rather than improved with crushed rock, even for lots containing fewer than ten dwelling units.

3. Parking location if parking is provided.
   a. For rowhouse and townhouse developments, parking shall be located in an enclosed area that is below grade or that projects a maximum of 4 feet above finished grade, or in a parking area or structure at the rear of the lot.
   b. For apartments, parking may either:
      1) be located in an enclosed area that is below grade or that projects a maximum of 4 feet above finished grade; or
      2) on lots located outside of Urban Centers, Urban Villages, and the Station Area Overlay District, be located off an alley at the rear of the lot, provided that all surface parking is limited to a single row of spaces along the alley and access to each surface parking space is taken directly from the alley.

4. Access to parking if parking is provided.
a. Access to required barrier-free parking spaces may be from either a street or an alley. Subsections 23.45.510.C.4.b, c, and d do not apply to required barrier-free parking spaces.

b. If the lot abuts an alley, access to parking shall be from the alley, unless one or more of the conditions in subsection 23.45.536.C.2 are met.

c. If access cannot be provided from an alley, access shall be from a street if the following conditions are met:

1) on corner lots, the driveway shall abut and run parallel to the rear lot line of the lot or a side lot line that is not a street lot line.

2) on a non-corner lot, there is no more than one driveway per 160 feet of street frontage.

d. If access to parking does not meet one of the standards in this subsection 23.45.510.C.4, or if an exception is granted that allows parking access from both an alley and a street pursuant to subsection 23.45.536.C, the lower FAR limit on Table A for 23.45.510 applies.

D. FAR limits in MR and HR zones.

1. FAR limits apply to all structures and lots in Midrise and Highrise zones as shown in Table B for 23.45.510.
Table B for 23.45.510: Floor Area Ratios in MR and HR zones

<table>
<thead>
<tr>
<th></th>
<th>MR</th>
<th>HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base FAR</td>
<td>3.2</td>
<td>8 on lots 15,000 square feet or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td>in size; 7 on lots larger than 15,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>square feet</td>
</tr>
<tr>
<td>Maximum FAR, allowed</td>
<td>4.25</td>
<td>13 for structures 240 feet or less</td>
</tr>
<tr>
<td>pursuant to Chapter 23.58A</td>
<td></td>
<td>in height; 14 for structures over 240</td>
</tr>
<tr>
<td>and Section 23.45.516</td>
<td></td>
<td>feet</td>
</tr>
</tbody>
</table>

E. The following floor area is exempt from FAR limits:

1. All underground stories.

2. The floor area contained in a landmark structure subject to controls and incentives imposed by a designating ordinance, if the owner of the landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A.

3. Structures built prior to January 1, 1982 as single-family dwelling units that will remain in residential use, provided that:
   a. no new principal structure is located between that structure and a street lot line, and
   b. the exemption is limited to the gross square footage in the structure as of January 1, 1982.

4. For apartments in LR zones that qualify for the higher FAR limit shown in Table A for 23.45.510, and for all multifamily structures in MR and HR zones, portions of a
story that extend no more than 4 feet above existing or finished grade, whichever is lower. See Exhibit A for 23.45.510.

**Exhibit A for 23.45.510: Area Exempt from FAR**

5. For townhouse developments and apartments that qualify for the higher FAR limit shown in Table A for 23.45.510, floor area within a structure or portion of a structure that is partially above grade and has no additional stories above, if the following conditions are met:

   a. The average height of the exterior walls enclosing the floor area does not exceed 4 feet, measured from existing or finished grade, whichever is lower;

   b. The roof area above the exempt floor area is predominantly flat, is used as amenity area, and meets the standards for amenity area at ground level in Section 23.45.522;

   c. At least 25 percent of the perimeter of the amenity area on the roof above the floor area is not enclosed by the walls of the structure; and
d. The amenity area is no more than 4 feet above the grade at a point where pedestrian access is provided to the lot.


7. As an allowance for mechanical equipment, in any structure more than 85 feet in height, 3.5 percent of the gross floor area that is not exempt under this subsection 23.45.510.E.

8. In HR zones, ground floor commercial uses meeting the requirements of Section 23.45.532, if the street level of the structure containing the commercial uses has a minimum floor to floor height of 13 feet and a minimum depth of 15 feet.

F. If TDP is transferred from a lot pursuant to Section 23.58A.018, the amount of non-exempt floor area that may be permitted is the applicable base FAR, plus any net amount of TDP previously transferred to the lot, minus the sum of the existing non-exempt floor area on the lot and the amount of TDP transferred.

Section 30. Sections 23.45.008 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is recodified and amended as follows:

23.45.512 Density limits—Lowrise zones

A. There shall be a minimum lot area per dwelling unit in LR zones for cottage housing developments, townhouse developments, and apartments, as shown on Table A for 23.45.512, except as provided in subsections B, C, D, E, and G of this Section 23.45.512

<table>
<thead>
<tr>
<th>Zone</th>
<th>Units allowed per square foot of lot area by category of residential use</th>
</tr>
</thead>
</table>

Table A for 23.45.512: Density Limits in Lowrise Zones
### B. Density exception for certain types of low-income multifamily residential uses.

1. The exception in this subsection 23.45.512.B applies to low-income disabled multifamily residential uses, low-income elderly multifamily residential uses, and low-income elderly/low-income disabled multifamily residential uses, operated by a public agency or a private nonprofit corporation, if they do not qualify for the higher FAR limit shown in Table A for 23.45.510.

2. The uses listed in subsection 23.45.512.B.1 shall have a maximum density of one dwelling unit per 400 square feet of lot area if a majority of the dwelling units are designed for and dedicated to tenancies of at least three months, and the dwelling units remain in low-income disabled multifamily residential use, low-income elderly multifamily residential use, or low-income elderly/low-income disabled multifamily residential use for the life of the structure.

---

<table>
<thead>
<tr>
<th>Cottage Housing Development(1) and Single-family Dwelling Unit</th>
<th>Rowhouse Development</th>
<th>Townhouse Development(2)</th>
<th>Apartment(3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR1 1/1,600</td>
<td>No limit</td>
<td>1/2,200 or 1/1,600</td>
<td>1/2,000 Duplexes and Triplexes only</td>
</tr>
<tr>
<td>LR2 1/1,600</td>
<td>No limit</td>
<td>1/1,600 or No limit</td>
<td>1/1,200 or No limit</td>
</tr>
<tr>
<td>LR3 1/1,600</td>
<td>No limit</td>
<td>1/1,600 or No limit</td>
<td>1/800 or No limit</td>
</tr>
</tbody>
</table>

Footnotes for Table A for 23.45.512

(1) See Section 23.45.531 for specific regulations about cottage housing developments.

(2) For townhouse developments that meet the standards of subsection 23.45.510.C, the higher density shown is permitted in LR1 zones, and there is no density limit in LR2 and LR3 zones.

(3) For apartments that meet the standards of subsection 23.45.510.C, there is no density limit in LR2 and LR3 zones.
C. Carriage houses, nursing homes, congregate housing, assisted living facilities, and accessory dwelling units that meet the standards of Section 23.45.545, are exempt from the density limit set in Table A for 23.45.512.

D. In LR1 zones no apartment shall contain more than three dwelling units, except as permitted in subsections 23.45.512.E and G.

E. Dwelling unit(s) located in structures built prior to January 1, 1982 as single-family dwelling units that will remain in residential use are exempt from density limits and the provisions of subsection 23.45.512.D.

F. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

G. Adding Units to Existing Structures.

1. One additional dwelling unit may be added to an existing residential use regardless of the density restrictions in subsections 23.45.512.A, B, C, and D above. An additional unit is allowed only if the proposed additional unit is to be located entirely within an existing structure, and no additional floor area is proposed to be added to the existing structure.

2. For the purposes of this subsection 23.45.512.G "existing residential uses" are those residential uses that were established under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired on October 31, 2001.

Section 31. Section 23.45.514 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended as follows:

23.45.514 Structure height
A. Subject to the additions and exceptions allowed as set forth in this Section 23.45.514, the height limits for principal structures permitted in Lowrise zones are as shown on Table A for 23.45.514.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>LR1</th>
<th>LR2</th>
<th>LR3 outside Urban Centers, Urban Villages, and Station Area Overlay Districts</th>
<th>LR3 in Urban Centers, Urban Villages, and Station Area Overlay Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cottage Housing Developments</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Rowhouse and Townhouse Developments</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Apartments</td>
<td>30</td>
<td>30</td>
<td>30(^1)</td>
<td>40(^2)</td>
</tr>
</tbody>
</table>

Footnotes for Table A for 23.45.514:
\(^1\)On lots located in the Delridge High Point Revitalization Area shown in Map A for Section 23.34.020 that were rezoned to Lowrise 4 subject to a property use and development agreement that was signed by a public agency, the height limit for apartments is 40 feet.
\(^2\)The height limit is 30 feet on the portions of lots that are within 50 feet of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family zoned lot by a street.

B. The base and maximum height limits for principal structures permitted in Midrise and Highrise zones are as shown in Table B for 23.45.514, subject to the additions and exceptions allowed as set forth in this Section 23.45.514.

<table>
<thead>
<tr>
<th></th>
<th>MR</th>
<th>MR/85</th>
<th>HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base height limit</td>
<td>60</td>
<td>85</td>
<td>160</td>
</tr>
<tr>
<td>Maximum height limit if extra residential floor area is gained under Chapter 23.58A and Section 23.45.516</td>
<td>75</td>
<td>85</td>
<td>240 or 300</td>
</tr>
</tbody>
</table>
C. The maximum height for accessory structures that are located in required setbacks or separations is 12 feet, except as follows:

1. Garages and carports are limited to 12 feet in height as measured on the façade containing the vehicle entrance. Open rails may extend an additional 3 feet above the roof of the garage or carport if any portion of the roof is within 4 feet of existing grade.

2. The height limit is 20 feet for an accessory structure that contains an accessory dwelling unit for a rowhouse or townhouse unit. The height limit for an accessory dwelling unit that is accessory to a single-family dwelling unit shall be set according to Section 23.44.041.

3. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer to any lot line than 50 percent of their height above existing grade.

D. Exceptions for pitched roofs in LR zones that are not shed or butterfly roofs. Pitched roofs that are not shed or butterfly roofs may extend above the height limits set in Table A for 23.45.514 subject to the following limits, provided that all parts of the roofs above the height limit have a minimum slope of 6:12, except as provided in subsection 23.45.514.D.5:

1. For cottage housing developments in all LR zones, the ridge of pitched roofs on principal structures may extend up to 7 feet above the height limit.

2. In LR1 and LR2 zones, for structures subject to a 30 foot height limit, the ridge of pitched roofs on principal structures may extend up to 5 feet above the height limit if the height exception in subsection 23.45.514.F is not used.
3. In LR3 zones, for structures subject to a 30 foot height limit, the ridge of pitched roofs on principal structures may either:
   a. extend up to 10 feet above the height limit, if the height exception provided in 23.45.514.F is not used, and the number of full stories above grade is limited to three; or
   b. extend up to 5 feet above the height limit, if the height exception provided in 23.45.514.F is used.

4. In LR3 zones, for structures subject to a 40 foot height limit, the ridge of pitched roofs on principal structures may extend up to 5 feet above the height limit provided that the height exception in subsection 23.45.514.F is not used.

5. Portions of curved roof forms, such as barrel and domed roofs, may have a lesser slope than 6:12, if the Director determines that the massing of the roof form is comparable to a pitched roof form such as a gable or gambrel roof that would have a minimum slope of 6:12.

E. Shed and butterfly roofs in LR zones.

1. In LR zones, the high side(s) of a shed or butterfly roof may extend 3 feet above the height limits set in Table A for 23.45.514, provided that the low side(s) of the shed or butterfly roof are no higher than the height limit (see Exhibit A for 23.45.514).

2. The roof line of a shed or butterfly roof may be extended in order to accommodate eaves and gutters, provided that the highest point of the roof extension is no more than 4 feet above the height limit.
F. For apartments in LR2 zones, and for all residential uses in LR3 zones, the applicable height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure that includes a story that is partially below-grade, provided that:

1. This height exception does not apply to portions of lots that are within 50 feet of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family zoned lot by a street;

2. The number of stories above the partially below-grade story is limited to three stories for residential uses with a 30 foot height limit and to four stories for residential uses with a 40 foot height limit;
3. On the street-facing façade(s) of the structure, the story above the partially below-grade story is at least 18 inches above the elevation of the street, except that this requirement may be waived to accommodate units accessible to the disabled or elderly, consistent with the Seattle Residential Code, Section R322, or the Seattle Building Code, Chapter 11; and

4. The average height of the exterior facades of the portion of the story that is partially below-grade does not exceed 4 feet, measured from existing or finished grade, whichever is less.

G. In MR zones, the base height limit is increased by 5 feet if the number of stories in the structure that are more than 4 feet above existing or finished grade, whichever is lower, does not exceed six, and one or more of the following conditions is met:

1. The FAR exemption provided in Section 23.45.510.E.4 is used;

2. All stories in the structure, except stories used only for parking, have floor to ceiling heights of 9 feet or more; or

3. The lot is split between a MR zone and an NC zone, and the base structure height allowed on the NC-zoned portion is 65 feet or more.

H. Roofs enclosed by a parapet. Roof surfaces that are completely surrounded by a parapet may exceed the applicable height limit to allow for a slope, provided that the height of the highest elevation of the roof surface does not exceed 75 percent of the parapet height, and provided that the lowest elevation of the roof surface is no higher than the applicable height limit. See Exhibit B for 23.45.514.
I. Green roofs. For any structure with a green roof that meets standards promulgated by the Director and that covers at least 50 percent of the surface of the roof, up to 2 feet of additional height above the maximum height otherwise allowed for the roof is allowed to accommodate structural requirements, roofing membranes, and soil. See Exhibit C for 23.45.514.
Exhibit C for 23.45.514: Green Roof Height Allowance

J. Rooftop features.

1. Flagpoles and religious symbols for religious institutions that are located on a roof are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer to any lot line than 50 percent of their height above the roof portion where attached.

2. Open railings, planters, skylights, clerestories, greenhouses not dedicated to food production, parapets and firewalls on the roofs of principal structures may extend 4 feet above the maximum height limit set in subsections A, B, E, and F of this Section 23.45.514.

3. Projections on pitched roofs that result in additional interior space, such as dormers, may extend to the height of the ridge of a pitched roof that is permitted to exceed the applicable height limit pursuant to subsection 23.45.514.D, if all of the following conditions are satisfied:
a. the total area of the projections is limited to 30 percent of the area of
each roof plane measured from the plan view perspective;

b. the projections are limited to 10 feet in width; and

c. each projection is separated by at least 3 feet from any other projection
(see Exhibit D for 23.45.514).

**Exhibit D for 23.45.514: Permitted Projections on Pitched Roofs**

4. In LR zones, the following rooftop features may extend 10 feet above the
height limit set in subsections 23.45.514.A and F, if the combined total coverage of all features
does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes
screened mechanical equipment:
a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

b. Mechanical equipment;

c. Play equipment and open-mesh fencing that encloses it, if the fencing is at least 5 feet from the roof edge;

d. Chimneys;

e. Wind-driven power generators; and

f. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.

5. In MR and HR zones, the following rooftop features may extend 15 feet above the applicable height limit set in subsections 23.45.514.B, and F, if the combined total coverage of all features does not exceed 20 percent of the roof area, or 25 percent of the roof area if the total includes screened mechanical equipment:

a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

b. Mechanical equipment;

c. Play equipment and open-mesh fencing that encloses it, if the fencing is at least 5 feet from the roof edge;

d. Chimneys;

e. Sun and wind screens;

f. Penthouse pavilions for the common use of residents;

g. Greenhouses and solariums, in each case that meet minimum energy standards administered by the Director;

h. Wind-driven power generators; and
i. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.

6. Subject to the roof coverage limits in subsections 23.45.514.J.4 and 5, elevator penthouses may extend above the applicable height limit up to 16 feet. If additional height is needed to accommodate energy-efficient elevators in HR zones, elevator penthouses may extend the minimum amount necessary to accommodate energy-efficient elevators, up to 25 feet above the applicable height limit. Energy-efficient elevators are defined by Director’s Rule. Stair penthouses may be the same height as an elevator penthouse if the elevator and stairs are co-located within a common penthouse structure.

7. For height exceptions for solar collectors, see Section 23.45.545.

8. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection 23.45.514.J at least 10 feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:
   a. Solar collectors;
   b. Planters;
   c. Clerestories;
   d. Greenhouses and solariums that meet minimum energy standards administered by the Director;
   e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Section 23.57.011;
f. Play equipment;

g. Sun and wind screens;

h. Penthouse pavilions for the common use of residents.

9. For height limits and exceptions for communication utilities and devices, see Section 23.57.011.

10. Greenhouses that are dedicated to food production are permitted to extend 15 feet above the applicable height limit, as long as the combined total coverage of all features gaining additional height listed in this subsection 23.45.514.J does not exceed 50 percent of the roof area, and the greenhouse meets the requirements of subsection 23.45.514.J.8.

11. Additional height in HR zones. A structure may exceed the applicable height limit in the HR zone as follows:

   a. If the applicable height limit is 240 feet, the height of the structure may be increased by 30 feet if the area bounded by the facades of the portion of the structure above 240 feet is no greater than 6,500 square feet, or if the area bounded by the facades at an elevation that is halfway between 240 feet and the height of the structure is no greater than 50 percent of the area bounded by the facades at a height of 240 feet.

   b. If the applicable height limit is 300 feet, the height of a structure may be increased (1) by 30 feet if the area bounded by the facades of the portion of the structure above 300 feet is no greater than 6,500 square feet, or (2) by 45 feet if the area bounded by the facades at an elevation that is halfway between 300 feet and the height of the structure is no greater than 50 percent of the area bounded by the facades at a height of 300 feet.
c. In all cases the area bounded by the facades extending above the height limit may be occupied only by those uses or features otherwise permitted in this Section 23.45.514 as an exception above the height limit, although any limits on the height or coverage of those uses or features totally screened by the facades extending above the applicable height limit shall not apply. Height exceptions permitted for screening of rooftop features under other provisions of this subsection 23.45.514.J are not permitted above the height gained by a structure under this subsection 23.45.514.J.11.

Section 32. Subsection C of Section 23.45.516 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

**23.45.516 Additional height and extra residential floor area in Midrise and Highrise zones**

***

C. Highrise zones.

1. Extra Residential Floor Area. In HR zones extra residential floor area may be gained in accordance with Chapter 23.58A subject to the conditions and limits in this Section 23.45.516. Up to all extra residential floor area may be gained through the affordable housing incentive program provisions in Section 23.58A.014. Up to 40 percent of extra residential floor area may be gained by one or any combination of:

   a. transfer of development potential;

   b. providing neighborhood open space or a payment in lieu thereof; and/or

   c. providing a neighborhood green street setback if allowed pursuant to subsection 23.45.516.F, all in accordance with this Section 23.45.516 and Chapter 23.58A.

2. Structure height.
a. Structures 240 feet or less in height. The applicable height limit in an HR zone under subsection 23.45.514.B is 240 feet if the applicant satisfies the conditions for extra floor area but not all of the conditions in subsection C.2.b of this Section 23.45.516 are met.

b. Structures over 240 feet. The applicable height limit in an HR zone under subsection 23.45.514.B is 300 feet if the applicant satisfies the conditions for extra floor area and the following additional conditions are met:

1) For any structure above a height of 85 feet, the average residential gross floor area per story above a height of 45 feet does not exceed 9,500 square feet; and

2) No parking is located at or above grade, unless it is separated from all street lot lines by another use; and

3) At least 25 percent of the lot area at grade is one or more landscaped areas, each with a minimum horizontal dimension of 10 feet, or at least 20 percent of the lot area at grade is landscaped, common amenity area meeting the standards of Section 23.45.522.

***

Section 33. Section 23.45.518 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

23.45.518 Setbacks and Separations

A. LR zones. Required setbacks for the LR zones are shown in Table A for 23.45.518.
<table>
<thead>
<tr>
<th>All LR Zones</th>
<th>Category of Residential Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setback</strong></td>
<td><strong>Cottage Housing Developments and Single-Family Dwelling Units</strong></td>
</tr>
<tr>
<td>Front</td>
<td>7 average; 5 minimum</td>
</tr>
<tr>
<td>Rear</td>
<td>0 with Alley; 7 if no Alley</td>
</tr>
<tr>
<td>Side Setback for Facades 40 feet or less in length&lt;sup&gt;1&lt;/sup&gt;</td>
<td>5</td>
</tr>
<tr>
<td>Side Setback for Facades greater than 40 feet in length&lt;sup&gt;1&lt;/sup&gt;</td>
<td>5 minimum</td>
</tr>
</tbody>
</table>

Footnote to Table A for 23.45.518

<sup>1</sup>Portions of structures that qualify for the FAR exemption in subsection 23.45.510.E.5 are not considered part of the façade length for the purposes of determining the side setback requirement.

B. MR zones. Minimum setbacks for the MR zone are shown in Table B for 23.45.518.
Table B for 23.45.518: MR Setbacks

<table>
<thead>
<tr>
<th>Setback Location</th>
<th>Required Setback Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front and side</td>
<td>7 foot average setback; 5 foot minimum setback</td>
</tr>
<tr>
<td>setback from</td>
<td>No setback is required if a courtyard abuts the street (see Exhibit A for 23.45.518) and the courtyard has:</td>
</tr>
<tr>
<td>street lot lines</td>
<td>• a minimum width equal to 30 percent of the width of the abutting street frontage or 20 feet, whichever is greater; and</td>
</tr>
<tr>
<td></td>
<td>• a minimum depth of 20 feet measured from the abutting street lot line.</td>
</tr>
<tr>
<td>Rear setback</td>
<td>15 feet from a rear lot line that does not abut an alley; or 10 feet from a rear lot line abutting an alley.</td>
</tr>
<tr>
<td>Side setback from</td>
<td>For portions of a structure:</td>
</tr>
<tr>
<td>interior lot line</td>
<td>• 42 feet or less in height: 7 foot average setback; 5 foot minimum setback.</td>
</tr>
<tr>
<td></td>
<td>• Above 42 feet in height: 10 foot average setback; 7 foot minimum setback.</td>
</tr>
</tbody>
</table>

Exhibit A for 23.45.518: MR Courtyard Example
C. HR zones. Minimum setbacks for HR zones are shown in Table C for 23.45.518.

<table>
<thead>
<tr>
<th>Table C for 23.45.518: HR Setbacks (see also Exhibit B for 23.45.518)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks for structures 85 feet in height or less</strong></td>
</tr>
<tr>
<td>Structures 85 feet in height or less are subject to the setback provisions of the MR zone in subsection 23.45.518.A.</td>
</tr>
<tr>
<td><strong>Setbacks for structures greater than 85 feet in height</strong></td>
</tr>
<tr>
<td><strong>Lot line abutting a street</strong></td>
</tr>
<tr>
<td>For portions of a structure:</td>
</tr>
<tr>
<td>• 45 feet or less in height: 7 foot average setback; 5 foot minimum setback, except that no setback is required for frontages occupied by street level uses or dwelling units with a direct entry from the street;</td>
</tr>
<tr>
<td>• Greater than 45 feet in height: 10 foot minimum setback</td>
</tr>
<tr>
<td><strong>Lot line abutting an alley</strong></td>
</tr>
<tr>
<td>Rear lot line abuts an alley:</td>
</tr>
<tr>
<td>For portions of a structure:</td>
</tr>
<tr>
<td>• 45 feet or less in height: no setback required;</td>
</tr>
<tr>
<td>• Greater than 45 feet in height: 10 foot minimum setback.</td>
</tr>
<tr>
<td><strong>Lot line that abuts neither a street nor an alley</strong></td>
</tr>
<tr>
<td>For portions of a structure:</td>
</tr>
<tr>
<td>• 45 feet or less in height: 7 foot average setback; 5 foot minimum setback, except that no setback is required for portions abutting an existing structure built to the abutting lot line;</td>
</tr>
<tr>
<td>• Greater than 45 feet in height: 20 foot minimum setback.</td>
</tr>
</tbody>
</table>

Exhibit B for 23.45.518: HR Setbacks
D. Through lots. In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot.

E. Other requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements.

F. Separations between multiple structures.

1. In LR and MR zones, the minimum required separation between principal structures at any two points on different interior facades is 10 feet, except for cottage housing developments, and principal structures separated by a driveway or parking aisle.

2. In LR and MR zones, if principal structures are separated by a driveway or parking aisle, the minimum required separation between the principal structures is 2 feet greater than the required width of the driveway or parking aisle, provided that the separation is not required to be any greater than 24 feet. If principal structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

3. Cottage housing developments in LR and MR zones:
   a. The minimum required separation between principal structures at any two points on different interior facades is 6 feet, unless there is a principal entrance on an interior facade, in which case the minimum separation required from that façade is 10 feet.
   b. Facades of principal structures shall be separated from facades of accessory structures by a minimum of 3 feet.
4. HR zones. Where two or more structures or portions of a structure above 85 feet in height are located on one lot, the minimum horizontal separation between interior facades in each height range is as provided in Table D for 23.45.518.

<table>
<thead>
<tr>
<th>Height Range</th>
<th>Minimum separation required between interior facades</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 45 feet</td>
<td>No minimum</td>
</tr>
<tr>
<td>Above 45 feet up to 160 feet</td>
<td>30 feet</td>
</tr>
<tr>
<td>Above 160 feet</td>
<td>40 feet</td>
</tr>
</tbody>
</table>

G. Front and rear setbacks and all separations on lots containing certain environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and 25.09.300.

H. Projections permitted in all required setbacks and separations.

1. Cornices, eaves, gutters, roofs and other forms of weather protection may project into required setbacks and separations a maximum of 4 feet if they are no closer than 3 feet to any lot line.

2. Garden windows and other features that do not provide floor area may project a maximum of 18 inches into required setbacks and separations if they are:
   a. a minimum of 30 inches above the finished floor;
   b. no more than 6 feet in height and 8 feet wide; and
   c. combined with bay windows and other features with floor area, make up no more than 30 percent of the area of the façade.

3. Bay windows and other features that provide floor area may project a maximum of 2 feet into required setbacks and separations if they are:
a. no closer than 5 feet to any lot line;

b. no more than 10 feet in width; and

c. combined with garden windows and other features included in subsection 23.45.518.H.2, make up no more than 30 percent of the area of the façade.

4. Unenclosed decks up to 18 inches above existing or finished grade, whichever is lower, may project into required setbacks or separations to the lot line.

5. Unenclosed porches or steps.

a. If setbacks are required pursuant to subsection A of this Section 23.45.518, unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower, may extend to within 4 feet of a street lot line, except that portions of entry stairs or stoops not more than 2.5 feet in height from existing or finished grade whichever is lower, excluding guard rails or hand rails, may extend to a street lot line. See Exhibit C for 23.45.518.

b. Permitted porches may be covered, provided that no portions of the cover-structure, including any supports, are closer than 3 feet to any lot line.
Exhibit C for 23.45.518: Setbacks for Unenclosed Porches

6. Fireplaces and chimneys may project up to 18 inches into required setbacks or separations.

I. Unenclosed decks and balconies may project a maximum of 4 feet into required setbacks if each one is:

1. no closer than 5 feet to any lot line;

2. no more than 20 feet wide; and

3. separated from other decks and balconies on the same façade of the structure by a distance equal to at least one-half the width of the projection.

J. Structures in required setbacks or separations.

1. Detached garages, carports or other accessory structures may be located in required separations and required rear or side setbacks, subject to the following requirements:

   a. Any accessory structure located between a principal structure and a side lot line shall provide the setback required for the principal structure;
b. Any portion of an accessory structure located more than 25 feet from a rear lot line shall meet the side setback requirement for a principal structure;

c. Accessory structures shall be set back at least 7 feet from any lot line that abuts a street; and

d. Accessory structures shall be separated by at least 3 feet from all principal structures, including the eaves, gutters, and other projecting features of the principal structure.

2. Ramps or other devices necessary for access for the disabled and elderly that meet the Seattle Residential Code, Section R322 or Seattle Building Code, Chapter 11-Accessibility, are permitted in any required setback or separation.

3. Uncovered, unenclosed pedestrian bridges, necessary for access and 5 feet or less in width, are permitted in any required setback or separation.

4. Underground structures are permitted in any required setback or separation.

5. Solar collectors may be permitted in required setbacks or separations, pursuant to the provisions of Section 23.45.545.

6. Freestanding structures, signs and similar structures 6 feet or less in height above existing or finished grade whichever is lower, may be erected in each required setback or separation, provided that signs meet the provisions of Chapter 23.55, Signs.

7. Fences.

a. Fences no greater than 6 feet in height are permitted in any required setback or separation, except that fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height.
Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined height is limited to 9.5 feet.

b. Up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is permitted, if the architectural features are predominately open.

c. Fence height may be averaged along sloping grades for each 6 foot long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height when the height permitted by subsection 23.45.518.J.7.a is 6 feet, or 6 feet in height when the height permitted by subsection 23.45.518.J.7.a is 4 feet.

8. Bulkheads and retaining walls.

a. Bulkheads and retaining walls used to raise grade may be placed in each required setback if they are limited to 6 feet in height, measured above existing grade. A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of January 3, 1997.

b. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet measured from the finished grade on the low side, whichever is greater. If the bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or retaining wall. Any fence shall be set back a minimum of 3 feet from such a bulkhead or retaining wall.
9. Arbors may be permitted in required setbacks or separation under the following conditions:

   a. In each required setback or separation, an arbor may be erected with no more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of 8 feet. At least 50 percent of both the sides and the roof of the arbor shall be open, or, if latticework is used, there shall be a minimum opening of 2 inches between crosspieces.

   b. In each required setback abutting a street, an arbor over a private pedestrian walkway with no more than a 30 square foot footprint, measured on the horizontal roof plane and inclusive of eaves, may be erected to a maximum height of 8 feet. At least 50 percent of the sides of the arbor shall open, or, if latticework is used, there shall be a minimum opening of 2 inches between crosspieces.

K. In all multifamily zones, certain additions to a single-family dwelling unit may extend into a required side setback if the structure is already nonconforming with respect to that setback, and if the presently nonconforming section is at least 60 percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, which may extend up to the height limit and may include basement additions (Exhibit D for 23.45.518), provided that additions shall be at least 3 feet from the side lot line.

Exhibit D for 23.45.518: Permitted Additions Into Required Setbacks for Existing Single-Family Dwelling Units
Section 34. Section 23.45.522 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

**23.45.522 Amenity area**

A. Amount of amenity area required for rowhouse and townhouse developments and apartments in LR zones.

1. The required amount of amenity area for rowhouse and townhouse developments and apartments in LR zones is equal to 25 percent of the lot area.

2. A minimum of 50 percent of the required amenity area shall be provided at ground level, except that amenity area provided on the roof of a structure that meets the provisions of subsection 23.45.510.E.5 may be counted as amenity area provided at ground level.

3. For rowhouse and townhouse developments, amenity area required at ground level may be provided as either private or common space.
4. For apartments, amenity area required at ground level shall be provided as common space.

B. Amenity area requirements for cottage housing developments in all multifamily zones.

1. A minimum of 300 square feet of amenity area is required for each cottage.

2. A minimum of 150 square feet of amenity area is required for each carriage house.

3. The required quantity shall be allocated as follows:
   a. Half of the amenity area required for each cottage, and all of the amenity area required for each carriage house, shall be provided as common amenity area; and
   b. Half of the amenity area required for each cottage shall be provided as private amenity area for that unit.

4. The required common amenity area may be divided into no more than two separate areas, and shall:
   a. have cottages or carriage houses abutting on at least two sides;
   b. be in a location central to the cottage housing development; and
   c. have no horizontal dimension of less than 10 feet.

5. Carriage houses shall have stairs that provide access to the common amenity area.

C. Amount of amenity area required in MR and HR zones.

The required amount of amenity area in MR and HR zones is equal to 5 percent of the total gross floor area of a structure in residential use, except that cottage housing developments shall meet the standards in subsection B of this Section 23.45.522.
D. General requirements.

Required amenity areas shall meet the following conditions:

1. All units shall have access to a common or private amenity area.

2. Enclosed amenity area.
   a. In LR zones, an amenity area shall not be enclosed within a structure.
   b. In MR and HR zones, except for cottage housing, no more than 50 percent of the amenity area may be enclosed, and this enclosed area shall be provided as common amenity area.

3. Projections into amenity areas. Structural projections that do not provide floor area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least 8 feet above finished grade.

4. Private amenity area.
   a. There is no minimum dimension for private amenity areas, except that if a private amenity area abuts a side lot line that is not a side street lot line, the minimum horizontal dimension measured from the side lot line is 10 feet.
   b. An unenclosed porch that is a minimum of 60 square feet in size, and that faces a street or a common amenity area, may be counted as part of the private amenity area for the rowhouse, townhouse, or cottage to which it is attached.

5. Common amenity area for rowhouse and townhouse developments and apartments shall meet the following conditions:
   a. No common amenity area shall be less than 250 square feet in area, and common amenity areas shall have a minimum horizontal dimension of 10 feet.
b. Common amenity area shall be improved as follows:

1) At least 50 percent of common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes and/or trees.

2) Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features shall be provided.

c. The common amenity area required at ground level for apartments shall be accessible to all apartment units.

5. Parking areas, vehicular access easements, and driveways do not qualify as amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41.

6. Swimming pools, spas, and hot tubs may be counted toward meeting the amenity area requirement.

7. Rooftop areas excluded because they are near minor communication utilities and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not qualify as amenity areas.

E. No amenity area is required for a dwelling unit added to a single-family dwelling unit existing as of January 1, 1982, or to a multifamily residential use existing as of October 10, 2001.

Section 35. Subsection A of 23.45.524 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:
23.45.524  Landscaping standards

A. Landscaping requirements.

1. Standards. All landscaping provided to meet requirements under this Section 23.45.524 shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, number of plants, spacing of plants, depth and quality of soil, use of drought-tolerant plants, and access to light and air for plants.

2. Green Factor requirement.

   a. Landscaping that achieves a Green Factor score of 0.6 or greater, determined as set forth in Section 23.86.019, is required for any lot with development containing more than one dwelling unit in Lowrise zones. Vegetated walls may not count towards more than 25 percent of a lot’s Green Factor score.

   b. Landscaping that achieves a Green Factor score of 0.5 or greater, determined as set forth in Section 23.86.019, is required for any lot with development containing more than one dwelling unit in Midrise and Highrise zones.

B. Street tree requirements.

1. Street trees are required if any type of development is proposed, except as provided in subsection 23.45.524.B.2 and B.3 below and Section 23.53.015. Existing street trees shall be retained unless the Director of Transportation approves their removal. The Director, in consultation with the Director of the Department of Transportation, shall determine the number, type, and placement of additional street trees to be provided, based on the following considerations:
a. public safety;

b. presence, type, and condition of existing street trees;

c. space in the planting strip;

d. size of trees to be planted;

e. spacing required between trees in order to encourage healthy growth;

f. location of utilities; and

g. approved access to the street, buildings, and lot.

2. Exceptions to street tree requirements.

a. If a lot borders an unopened street, the Director may reduce or waive the street tree requirement along that street if, after consultation with the Director of Transportation, the Director determines that the street is unlikely to be opened or improved.

b. Street trees are not required as a condition to any of the following:

1) changing a use;

2) expanding a structure by 1,000 square feet or less;

3) expanding surface parking by less than 10 percent in area or in number of spaces; or

4) establishing a temporary or intermittent use pursuant to Section 23.42.040.

c. If an existing structure is proposed to be expanded by more than 1,000 square feet, one street tree is required for each 500 square feet over the first 1,000 square feet, up to the maximum number of required trees.
3. If it is not feasible to plant street trees in an abutting planting strip, a 5 foot setback shall be planted with street trees along the street lot line, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Department of Transportation. If, according to the Director of the Department of Transportation, a 5 foot setback or landscaped planting strip is not feasible, the Director may reduce or waive this requirement.

Section 36. Subsection A of Section 23.45.526 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

**23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards**

A. Applicants for all new development gaining extra residential floor area pursuant to this Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510, except additions and alterations, shall make a commitment that the structure will meet green building performance standards by earning a Leadership in Energy and Environmental Design (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King and Snohomish Counties, except that an applicant who is applying for funding from the Washington State Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing, as defined in subsection 23.45.526.D, may elect to meet green building performance standards by meeting the Washington Evergreen Sustainable Development Standards (ESDS).

* * *

Section 37. A new Section 23.45.527 is added to the Seattle Municipal Code as follows:

**23.45.527 Structure width and façade length limits in LR zones**
A. Structure width in LR zones may not exceed the width indicated on Table A for 23.45.527.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Width in feet by Category of Residential Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cottage Housing and Rowhouse Developments</td>
</tr>
<tr>
<td>LR1</td>
<td>No limit</td>
</tr>
<tr>
<td>LR2</td>
<td>No limit</td>
</tr>
<tr>
<td>LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts</td>
<td>No limit</td>
</tr>
<tr>
<td>LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts</td>
<td>No limit</td>
</tr>
</tbody>
</table>

B. Maximum façade length in Lowrise zones.

1. The maximum combined length of all portions of façades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line shall not exceed 65 percent of the length of that lot line, except as specified in subsection 23.45.527.B.2.

2. For a rowhouse development on a lot that abuts the side lot line of a lot in a single-family zone, the maximum combined length of all portions of facades within 15 feet of the abutting side lot line is 40 feet.

Section 38. Section 23.45.528 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:
23.45.528 Structure width and depth limits for lots in Midrise zones greater than 9,000 square feet in size

The width and depth limits of this Section 23.45.528 apply to lots in MR zones that are greater than 9,000 square feet in lot area.

A. The width of principal structures shall not exceed 150 feet.

B. Structure depth.

   1. The depth of principal structures shall not exceed 75 percent of the depth of the lot, except as provided in subsection 23.45.528.B.2.

   2. Exceptions to structure depth limit. To allow for front setback averaging and courtyards as provided in Section 23.45.518, structure depth may exceed the limit set in subsection 23.45.528.B.1 if the total lot coverage resulting from the increased structure depth does not exceed the lot coverage that would have otherwise been allowed without use of the courtyard or front setback averaging provisions.

Section 39. A new section 23.45.529 of the Seattle Municipal Code is added as follows:

23.45.529 Design standards

A. Intent. The intent of the design standards in this Section 23.45.529 is to:

   1. Enhance street-facing facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street;

   2. Foster a sense of community by integrating new pedestrian-oriented multifamily development with the neighborhood street environment and promoting designs that allow easy surveillance of the street by area residents;
3. Promote livability in multifamily areas by providing a sense of openness and access to light and air; and

4. Encourage the compatibility of a variety of housing types with the scale and character of neighborhoods where new multifamily development occurs.

B. Application of provisions. The provisions of this Section 23.45.529 apply to all residential uses that do not undergo any type of design review pursuant to Chapter 23.41, except single-family dwelling units.

C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.

**Exhibit A for 23.45.529: Measurement of Street-facing Facades**

1. Façade openings.
a. At least 20 percent of the area of each street-facing façade shall consist of windows and/or doors.

b. Only transparent windows count toward the requirement for façade openings in this subsection 23.45.529.C.1. Windows composed of glass blocks or opaque glass, garage doors, and doors to utility and service areas, do not count.

2. Façade articulation.

a. If a street-facing façade or portion of a street-facing façade is not vertical, the Director shall determine whether the façade is substantially vertical and required to comply with this subsection 23.45.529.C.

b. If the street-facing façade of a structure exceeds 750 square feet in area, division of the façade into separate facade planes is required (see Exhibit B for 23.45.529).

c. In order to be considered a separate façade plane for the purposes of this subsection 23.45.529.C.2, a portion of the street-facing façade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting façade planes by a minimum depth of 18 inches.

d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows and doors on all street-facing facades.

Exhibit B for 23.45.529: Street-facing Facades
e. The Director may allow exceptions to the façade articulation requirements in this subsection 23.45.529.C.2, if the Director determines that the street-facing façade will meet the intent of subsection 23.45.529.A.1, and the intent of subsections 23.45.529.D.2, E.3, and F.4 for cottage housing developments, rowhouse developments, and townhouse developments, respectively, through one or more of the following street-facing façade treatments:

1) Variations in building materials and/or color, or both, that reflect the stacking of stories or reinforce the articulation of the façade;

2) Incorporation of architectural features that add interest and dimension to the façade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or balconies;
3) Special landscaping elements provided to meet Green Factor requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls covering a minimum of 25 percent of the façade surface;

4) Special fenestration treatment, including an increase in the percentage of windows and doors to at least 25 percent of the street-facing façade(s).

D. Design standards for cottage housing developments.

1. Pedestrian entry. Each cottage with a street-facing façade that is located within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the use of covered stoops, porches, or other architectural entry features. For cottages on corner lots that have more than one street-facing façade within 10 feet of the street lot line, a visually prominent pedestrian entry is required on only one of the street-facing facades. Access to these entrances may be through a required private amenity area that abuts the street.

2. Architectural expression. Cottage housing developments shall include architectural details that reduce the visual scale of the units. Each cottage shall employ one or more of the following design techniques to reduce visual scale of the units:

   a. Attached covered porch
   
   b. Roofline features such as dormers or clerestories
   
   c. Bay windows
   
   d. Variation in siding texture and materials
   
   e. Other appropriate architectural techniques demonstrated by the applicant to reduce the visual scale of cottages.

E. Design standards for rowhouse developments.
1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent through the use of covered stoops, porches, or other architectural entry features. For rowhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.

2. Front setback. Design elements to provide a transition between the street and the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in the front setback.

3. Architectural expression. The street-facing façade of a rowhouse unit shall provide architectural detail or composition to visually identify each individual rowhouse unit as seen from the street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features such as dormers or clerestories, or roofline variation may be used to visually identify individual rowhouse units.

F. Design Standards for townhouse developments.

1. Building orientation. Townhouse developments shall maximize the orientation of individual units to the street by complying with one of the following conditions:

   a. At least 50 percent of the townhouse units shall be located so that there is no intervening principal structure between the unit and the street, unless the intervening principal structure was established under permit as of October 31, 2001, or was granted a permit on October 31, 2001 and the permit has not expired; or
b. All townhouse units shall have direct access to a common amenity area meeting the requirements of Section 23.45.522 that either abuts the street or is visible and accessible from the street by a clear pedestrian pathway.

2. A clear pedestrian pathway from the street to the entrance of each townhouse unit shall be provided. The pedestrian pathway may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color, texture, or similar technique. Signage identifying townhouse unit addresses and the directions to the unit entrance(s) from the street shall be provided.

3. Each townhouse unit, with a street-facing façade shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent feature through the use of covered stoops, porches, or other architectural entry features. For townhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.

4. Architectural expression. Architectural detail or composition shall be provided to visually identify each individual townhouse unit, as seen from the public street. Design elements such as trim or molding, modulation, massing, color and material variation or other similar features may be used to achieve visual identification of individual units. Rooftop features such as dormers or clerestories, or roofline variation may be used to visually identify individual townhouse units.

G. Building entry orientation standards for apartments.

1. For each apartment structure, a principal shared pedestrian entrance is required that faces either a street or a common amenity area, such as a landscaped courtyard, that
abuts and has direct access to the street. Additional pedestrian entrances to individual units are permitted.

2. If more than one apartment structure is located on a lot, each apartment structure separated from the street by another principal structure shall have a principal entrance that is accessible from a common amenity area with access to the street.

3. The shared entrance of each apartment structure shall have a pedestrian entry that is designed to be visually prominent, through the use of covered stoops, overhead weather protection, a recessed entry, or other architectural entry features.

Section 40. Section 23.45.005 of the Seattle Municipal Code, Development standards for single-family structures, which section was last amended by Ordinance 123210, as shown in Appendix A to this ordinance, is repealed.

Section 41. A new Section 23.45.531 is added to the Seattle Municipal Code as follows:

23.45.531 Development standards for cottage housing developments and carriage house structures

A. Size limit for dwelling units.

1. The maximum gross floor area of each cottage in a cottage housing development is 950 square feet.

2. The maximum gross floor area of a carriage house is 600 square feet.

B. Size limit for garages. The maximum gross floor area for a shared garage structure in a cottage housing development is 1,200 square feet, and the garage shall contain no more than four parking spaces.
C. Carriage house structures. A carriage house structure is permitted in a cottage housing development subject to the following standards:

1. The maximum number of dwelling units permitted in carriage house structures is one-third of the total number of units in the cottage housing development on the lot.

2. The maximum gross floor area of the ground floor of a carriage house structure is 1,200 square feet.

D. Existing single-family dwelling units in a cottage housing development. Existing single-family dwelling units that are non-conforming with respect to the standards for a cottage housing development are permitted to remain, provided that the extent of the nonconformity shall not be increased.

Section 42. Section 23.45.534 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.45.534 Light and glare standards

A. Exterior lighting shall be shielded and directed away from adjacent properties.

B. Interior lighting in parking garages shall be shielded to minimize nighttime glare on adjacent properties.

C. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two vehicles shall be screened from abutting properties by a fence or wall between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm at least 5 feet in height. If the elevation of the lot line is different from the finished elevation of the driveway or parking surface, the difference in elevation may be measured as a portion of the required height of the screen so long as the screen itself is a minimum of 3 feet in height. The Director may
waive the requirement for the screening if it is not needed due to changes in topography, agreements to maintain an existing fence, or the nature and location of adjacent uses.

Section 43. Section 23.45.536 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

**23.45.536 Parking location, access, and screening**

A. Off-street parking spaces are required to the extent provided in Chapter 23.54, Quantity and design standards for access and off-street parking.

B. Location of parking.

1. If parking is required, it shall be located on the same lot as the use requiring the parking, except as otherwise provided in this subsection 23.45.536.B.

2. Except as otherwise provided in this subsection 23.45.536.B, surface parking may be located anywhere on a lot except:

   a. between a principal structure and a street lot line;

   b. in the required front setback or side street side setback; and

   c. within 7 feet of any street lot line.

3. Parking in a structure. Parking may be located in a structure or under a structure, provided that no portion of a garage that is higher than 4 feet above existing or finished grade, whichever is lower, shall be closer to a street lot line than any part of the first floor of the structure in which it is located;
4. On a through lot, parking may be located between the structure and one front lot line. The front setback in which the parking may be located will be determined by the Director based on the prevailing character and setback patterns of the block.

5. On waterfront lots in the Shoreline District, parking may be located between the structure and the front lot line, if necessary to prevent blockage of view corridors or to keep parking away from the edge of the water, as required by Chapter 23.60, Shoreline District.

6. Parking accessory to a residential use may be located on a lot within 800 feet of the lot where the residential use that requires the parking is located, provided that:
   
   a. the lot is not located in a single-family zone; and
   
   b. the requirements of Section 23.54.025 are met.

C. Access to parking.

1. Alley access required. Except as otherwise expressly required or permitted in subsections C or D of this Section 23.45.536, access to parking shall be from the alley if the lot abuts an alley and one of the conditions in this subsection 23.45.536.C.1 is met.

   a. The alley is improved to the standards of subsection 23.53.030.C;
   
   b. The development gains additional FAR pursuant to Section 23.45.510.C; or
   
   c. The Director determines that alley access is feasible and desirable to mitigate parking access impacts, improve public safety, and/or maintain on-street parking capacity.

2. Street access required. Access to parking shall be from the street if:

   a. The lot does not abut an alley.
b. The lot abuts an alley, and the Director determines that the alley should not be used for access, for one or more of the following reasons:

1) Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard; or

2) Topography makes alley access infeasible.

3) The alley is on the uphill side of a steeply sloping lot, and the following conditions are met:

   i. access from the street is to common parking garage in or under the structure, located a maximum of 4 feet above grade.

   ii. the siting of development results in an increased Green Factor score, larger ground-level amenity areas, and/or reduced surface parking area than if alley access is used.

3. On corner lots, if street access is permitted pursuant to subsection 23.45.536.C.2, the applicant may determine the street from which access is taken, unless the Director determines that the use of the street chosen by the applicant would create a significant safety hazard.

4. On steeply sloping lots, the Director may permit the use of both an alley and a street for access, provided that the following conditions are met:

   a. access from the street is to common parking garage in or under the structure, that is underground or extends no more than 4 feet above grade.
b. the siting of development results in an increased Green Factor score, larger ground-level amenity areas, and/or reduced surface parking area than if alley access alone is used.

c. In LR zones, if the project uses both the alley and street for access to parking other than required barrier-free parking spaces, the project does not qualify for the higher FAR limit in Section 23.45.510.B.

5. Access to required barrier-free parking spaces that meet the standards in the Seattle Residential Code, Section R322, or the Seattle Building Code, Chapter 11, may be from either the street or alley, or both.

6. If the alley is used for access, the alley shall be improved according to the standards in subsections 23.53.030.E and F, except that if a development gains additional FAR pursuant to subsection 23.45.510.C, the alley shall be paved rather than improved with crushed rock, even for lots containing fewer than ten units.

7. If the lot does not abut an improved alley or street, access may be permitted from an easement that meets the provisions of Chapter 23.53, Requirements for Streets, Alleys, and Easements.

D. Screening of parking. 1. Parking shall be screened from direct street view by the street facing facade of a structure, by garage doors, or by a fence or wall.

2. Screening by a fence or wall. If screening is provided by a fence or wall, the fence or wall shall not be located within any required sight triangle, and shall meet the following conditions:
a. the fence or wall shall be at least 3 feet tall measured from the elevation of the curb, or from the elevation of the street if no curb is present. If the elevation of the ground at the base of the fence or wall is higher than the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the fence or wall is a minimum of 3 feet in height. If located in a setback, the fence or wall shall meet the requirements subsection 23.45.518.J.7.

b. the fence or wall shall be set back at least 3 feet from the lot line.

3. Screening by garage doors. If parking is provided in a garage in or attached to a principal structure, and garage door(s) face a street, the following standards apply:

   a. Garage doors may be no more 75 square feet in area;
   b. Garage doors facing the street shall be set back at least 15 feet from the street lot line, and shall be no closer to the street lot line than the street-facing façade of the structure.

Section 44. Section 23.45.545 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

Section 23.45.545 Standards for certain accessory uses

** * **

C. Solar collectors.

1. Solar collectors that meet minimum written energy conservation standards administered by the Director are permitted in required setbacks, subject to the following:

   a. Detached solar collectors are permitted in required rear setbacks, no closer than 5 feet to any other principal or accessory structure.
b. Detached solar collectors are permitted in required side setbacks, no
closer than 5 feet to any other principal or accessory structure, and no closer than 3 feet to the
side lot line.

2. Sunshades that provide shade for solar collectors that meet minimum written
energy conservation standards administered by the Director may project into southern front or
rear setbacks. Those that begin at 8 feet or more above finished grade may be no closer than 3
feet from the lot line. Sunshades that are between finished grade and 8 feet above finished grade
may be no closer than 5 feet to the lot line.

3. Solar collectors on roofs. Solar collectors that meet minimum written energy
conservation standards administered by the Director and that are located on a roof are permitted
as follows:

   a. In Lowrise zones up to 4 feet above the maximum height limit or 4 feet
   above the height of elevator penthouse(s); and

   b. In MR and HR zones up to 10 feet above the maximum height limit or
   10 feet above the height of elevator penthouse(s).

   c. If the solar collectors would cause an existing structure to become
   nonconforming, or increase an existing nonconformity, the Director may permit the solar
   collectors as a special exception pursuant to Chapter 23.76. Such solar collectors may be
   permitted even if the structure exceeds the height limits established in this subsection
   23.45.545.C.3, when the following conditions are met:

       a. There is no feasible alternative solution to placing the collector(s) on the
       roof; and
b. Such collector(s) are located so as to minimize view blockage from surrounding properties and the shading of property to the north, while still providing adequate solar access for the solar collectors.

***

I. In Lowrise zones, lots that include rowhouse and townhouse units may include accessory dwelling units as follows:

1. No more than one accessory dwelling unit shall be located on a lot.

2. The principal structure on the lot shall include one and only one dwelling unit other than the accessory dwelling unit, which other dwelling unit is referred to in this subsection 23.45.545.I as the “principal unit”.

3. The owner of the lot shall comply with the owner occupancy requirements of subsection 23.44.041.C.

4. Maximum gross floor area:

   a. The maximum gross floor area of an accessory dwelling unit is 650 square feet;

   b. The gross floor area of the accessory dwelling unit may not exceed 40 percent of the total gross floor area in residential use on the lot, exclusive of garages, storage sheds, and other nonhabitable spaces.

5. An accessory dwelling unit shall be located completely within the same structure as the principal unit or in an accessory structure located between the rowhouse or townhouse unit and the rear lot line.
6. The entrance to an accessory dwelling unit provided within the same structure as the principal unit shall be provided through one of the following configurations:
   a. Through the primary entry to the principal unit; or
   b. Through a secondary entry on a different façade than the primary entry to the principal unit; or
   c. Through a secondary entry on the same façade as the primary entry to the principal unit that is smaller and less visually prominent than the entry to the principal unit, and does not have a prominent stoop, porch, portico or other entry feature.

7. Exterior stairs. Exterior stairs providing access to an accessory dwelling unit may not exceed 4 feet in height, except for exterior stairs providing access to an accessory dwelling unit located above a garage.

8. Parking. Parking is not required for an accessory dwelling unit.

J. An accessory dwelling unit within an established single-family dwelling unit or on the lot of an established single-family dwelling unit shall be considered an accessory use to the single-family dwelling unit, shall meet the standards listed for accessory dwelling units in Section 23.44.041, and shall not be considered a separate dwelling unit for any development standard purposes in multifamily zones.

Section 45. Subsections A, B, C, D, F, and J of Section 23.45.570 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

23.45.570 Institutions

   A. General Provisions.
1. The establishment of new institutions, such as religious facilities, community centers, private schools, and child care centers in multifamily zones is permitted pursuant to Section 23.45.504.

2. Public schools are permitted as regulated in Chapter 23.51B.

3. If the expansion of an existing institution meets all development standards of this Section 23.45.570, it is permitted outright. Expansions not meeting development standards may be permitted as administrative conditional uses subject to the requirements of Section 23.45.506. Structural work that does not increase usable floor area or seating capacity and does not exceed the height limit is not considered expansion. Such work includes but is not limited to roof repair or replacement, and construction of uncovered decks and porches, bay windows, dormers, and eaves. The establishment of a child care center in a legally established institution devoted to the care or instruction of children that does not require expansion of the existing structure or violate any condition of approval of the existing institutional use is not considered an expansion of the use.

4. The provisions of this Chapter 23.45 apply to Major Institution uses as provided in Chapter 23.69, Major Institution Overlay District.

B. Institutions located in LR zones shall meet the development standards of this Section 23.45.570. Institutions located in MR and HR zones shall meet the development standards of the zone, and shall also meet the standards for parking, dispersion, and odors in subsections G, J, and H of this Section 23.45.570.

C. Height limits in Lowrise zones.
1. The height limit for institutions shall be the height limit for apartments in the applicable zone, except as provided in this subsection 23.45.570.C.

2. In 3 LR1 and LR2 zones, for gymnasiums, auditoriums, and wood shops that are accessory to an institution, the maximum permitted height is 35 feet if all portions of the structure above the height limit of the zone are set back at least 20 feet from all lot lines. Pitched roofs on the auditorium, gymnasium or wood shop with a slope of not less than 4:12 may extend 10 feet above the 35-foot height limit. No portion of a shed roof on a gymnasium, auditorium or wood shop is permitted to extend beyond 35 feet.

3. In LR3 zones, pitched roofs on an auditorium, gymnasium, or wood shop with a slope of not less than 4:12 may extend 10 feet above the height limit, except that no portion of a shed roof is permitted to extend beyond the height limit.

D. Structure width in Lowrise zones.

1. The maximum permitted width for structures in institutional use in Lowrise zones is as shown in Table A for 23.45.570.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Width Without Green Factor</th>
<th>Maximum Width With Green Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowrise 1</td>
<td>45 feet</td>
<td>75 feet</td>
</tr>
<tr>
<td>Lowrise 2</td>
<td>45 feet</td>
<td>90 feet</td>
</tr>
<tr>
<td>Lowrise 3</td>
<td>60 feet</td>
<td>150 feet</td>
</tr>
</tbody>
</table>

2. In order to achieve the maximum width permitted in each zone, institutional structures are required to reduce the appearance of bulk by providing landscaping that achieves a Green Factor score of .5 or greater, pursuant to the standards set forth in Section 23.86.019.
F. Setback Requirements in Lowrise zones.

1. Front Setback. The minimum depth of the required front setback is determined by the average of the setbacks of structures on adjoining lots, but is not required to exceed 20 feet. The setback shall not be reduced below an average of 10 feet, and no portion of the structure may be closer than 5 feet to a front lot line.

2. Rear Setback. The minimum rear setback is 10 feet.


   a. The minimum side setback is 10 feet from a side lot line that abuts any other residentially zoned lot. A 5 foot setback are required in all other cases, except that the minimum side street side setback is 10 feet.

   b. When the depth of a structure exceeds 65 feet, an additional setback is required for that portion of the structure in excess of 65 feet. This additional setback may be averaged along the entire length of the wall. The side setback requirement for portions of walls subject to this provision shall be provided as shown in Table C for 23.45.570.

<table>
<thead>
<tr>
<th>Structure Depth in feet</th>
<th>Side Setback Requirement in feet</th>
<th>Up to 20 in height</th>
<th>Greater than 20 up to 40 in height</th>
<th>Greater than 40 up to 60 in height</th>
<th>Greater than 60 up to 80 in height</th>
<th>Greater than 80 in height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 70</td>
<td>12</td>
<td>14</td>
<td>16</td>
<td>18</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Greater than 70, up to 80</td>
<td>13</td>
<td>15</td>
<td>17</td>
<td>19</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>Greater than 80, up to 90</td>
<td>14</td>
<td>16</td>
<td>18</td>
<td>20</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>Greater than 90, up to 100</td>
<td>15</td>
<td>17</td>
<td>19</td>
<td>21</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td></td>
</tr>
<tr>
<td>Greater than 100</td>
<td>16</td>
<td>18</td>
<td>20</td>
<td>22</td>
<td>24</td>
<td></td>
</tr>
</tbody>
</table>

4. Setbacks for Specific Items. The following shall be located at least 20 feet from any abutting residentially zoned lot:

a. Emergency entrances;

b. Main entrance door of the institutional structure;

c. Outdoor play equipment and game courts;

d. Operable window of gymnasium, assembly hall or sanctuary;

e. Garbage and trash disposal mechanism;

f. Kitchen ventilation;

g. Air-conditioning or heating mechanism;

h. Similar mechanisms and features causing noise and/or odors as determined by the Director.

5. Accessory structures and projections from principal structures are allowed in required setbacks on lots developed with institutional uses to the same extent that those accessory structures or projections would be allowed for apartments in the zone, except that no accessory structures other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to a side lot line abutting another lot in a residential zone.

***
J. Dispersion. The lot line of any new or expanding institution other than child care centers locating in legally established institutions shall be located 600 feet or more from any lot line of any other institution in a residential zone with the following exceptions:

1. An institution may expand even though it is within 600 feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.

2. A proposed institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of dispersion is achieved due to the presence of physical elements such as bodies of water, large open spaces or topographical breaks or other elements such as arterials, freeways or nonresidential uses, that provide substantial separation from other institutions.

Section 46. Section 23.45.574 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.45.574 Assisted living facilities

A. Assisted living facilities are subject to the development standards for apartments for the zone in which they are located except that density limits and amenity area requirements do not apply to assisted living facilities.

B. Other requirements.

1. Facility kitchen. An on-site kitchen that serves the entire assisted living facility is required.

2. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to
wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

   a. The total amount of communal area shall, at a minimum, equal 5 percent of the total floor area in assisted living units, or 25 percent of lot area, whichever is less. In calculating the total floor area in assisted living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

   b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

   c. A minimum of 400 square feet of the required communal area shall be provided outdoors, with no dimension less than 10 feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to Section 23.41.012.A.

Section 47. Subsection B of Section 23.46.002 of the Seattle Municipal Code, which section was last amended by Ordinance 118414, is amended as follows:

Section 23.46.002 Scope of provisions

    * * *

   B. All RC zones are assigned a residential zone classification on the Official Land Use Map. The development standards of the designated residential zone apply to all uses in the RC zone except commercial uses. The development standards of the designated residential zone shall apply to all structures in the RC zone, except that parking quantity is required as provided in
Chapter 23.54. Commercial uses are subject to the FAR limits for apartments in Section 23.45.510.

***

Section 48. Subsection C of Section 23.47A.002 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

23.47A.002 Scope of provisions

***

C. Other regulations, including but not limited to, requirements for streets, alleys and easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54); standards for solid waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter 23.86) may apply to development proposals. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this chapter and additional regulations in Chapter 23.57, Communications Regulations.

Section 49. Section 23.47A.024 of the Seattle Municipal Code, which section was enacted by Ordinance 122311, is amended as follows:

23.47A.024 Amenity area

A. Amenity areas are required in an amount equal to 5 percent of the total gross floor area in residential use, except as otherwise specifically provided in this Chapter 23.47A. Gross floor area, for the purposes of this subsection, excludes areas used for mechanical equipment and accessory parking.

B. Required amenity areas shall meet the following standards, as applicable:
1. All residents shall have access to at least one common or private amenity area;

2. Amenity areas shall not be enclosed;

3. Parking areas, vehicular access easements, and driveways do not count as amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41;

4. Common amenity areas shall have a minimum horizontal dimension of 10 feet, and no common amenity area shall be less than 250 square feet in size;

5. Private balconies and decks shall have a minimum area of 60 square feet, and no horizontal dimension shall be less than 6 feet.

6. Rooftop areas excluded because they are near minor communication utilities and accessory communication devices, pursuant to Section 23.57.012.C.1.d, do not qualify as amenity areas.

Section 50. Subsection A of Section 23.47A.027 of the Seattle Municipal Code, which section was last amended by Ordinance 122935, is amended as follows:

**23.47A.027 Landmark Districts and designated landmark structures**

A. The Director, in consultation with the Director of the Department of Neighborhoods, may waive or allow departures from standards for street level development, amenity areas, setbacks, floor area ratio limits, and screening and landscaping for designated landmark structures or for development within a Landmark District pursuant to Seattle Municipal Code, Title 25 or within a Special Review District pursuant to Seattle Municipal Code, Chapter 23.66.

***
Section 51. Section 23.47A.029 relating to storage of solid waste materials in commercial zones, and Section 23.48.031 relating to storage of solid waste materials in Seattle Mixed zones, which sections of the Seattle Municipal Code were last amended by Ordinance 122311 and Ordinance 121782 respectively, as shown in Attachment A to this ordinance, are repealed.

Section 52. Subsection A of Section 23.47A.035 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.47A.035 Assisted living facilities development standards

A. Assisted living facilities are subject to the development standards of the zone in which they are located except that the amenity area requirements of Section 23.47A.024 do not apply.

***

Section 53. Subsection B of Section 23.48.002, which section was last amended by Ordinance 122835, is amended as follows:

Section 23.48.002 Scope of provisions

***

B. Other regulations, such as requirements for streets, alleys and easements (Chapter 23.53); standards for parking quantity, access and design (Chapter 23.54); standards for solid waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter 23.86) may apply to development proposals. Communication utilities and accessory communication devices except as exempted in Section 23.57.002 are subject to the regulations in this chapter and additional regulations in Chapter 23.57.

***
Section 54. Section 23.48.020 of the Seattle Municipal Code, which section was last amended by Ordinance 121782, is amended to read as follows:

**23.48.020 Amenity area**

A. Quantity of amenity area. All new structures containing more than 20 dwelling units shall provide amenity area on the lot in an amount equivalent to 5 percent of the total gross floor area in residential use.

B. Standards for amenity area.

1. The amenity area shall be available to all residents and may be provided at or above ground level.

2. A maximum of 50 percent of the amenity area may be enclosed. Examples of enclosed amenity area include atriums, greenhouses and solariums.

3. The minimum horizontal dimension for residential amenity area is 15 feet, and no required amenity area shall be less than 225 square feet in size.

5. The exterior portion of required amenity area shall be landscaped and shall provide solar access and seating according to standards promulgated by the Director.

6. Parking areas, vehicular access easements, and driveways do not qualify as amenity area, except that a woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41.

Section 55. Subsection D of Section 23.49.025 of the Seattle Municipal Code, which section was last amended by Ordinance 122504, is amended to read as follows:
23.49.025 Odor, noise, light/glare, and solid waste recyclable materials storage space standards

* * *

D. The standards of Section 23.54.040 for solid waste and recyclable materials storage space shall be met.

Section 56. Subsection H of Section 23.50.051 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended as follows:

23.50.051 Additional floor area in certain IC-zoned areas in the South Lake Union Urban Center

* * *

H. Solid waste and recycling. Each structure satisfies the solid waste and recyclable materials storage space requirements of Section 23.54.040.

* * *

Section 57. Section 23.51A.004 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.51A.004 Public facilities in multifamily zones

A. Except as provided in subsection D of this Section 23.51A.004, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under the applicable zoning are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use.
B. The following uses in public facilities are permitted outright in all multifamily zones if the development standards for institutions in Section 23.45.570, other than dispersion requirements, are met:

1. Police precinct stations;
2. Fire stations;
3. Public boat moorages;
4. Utility service uses; and
5. Other uses similar to any of the uses listed in this subsection 23.51A.004.B.

C. Unless specifically prohibited in subsection D of this Section 23.51A.004, new public facilities not specifically listed in subsection A or B of this Section 23.51A.004, or that are listed in subsection A or B of this Section 23.51A.004 but do not meet applicable development standards or administrative conditional use criteria, may be permitted by the City Council according to the provisions of Chapter 23.76, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions. In making the decision, the Council may waive or grant departures from development standards or administrative conditional use criteria for public facilities, if the following criteria are satisfied:

1. The location of the public facility addresses public service needs, and any waiver or departure from development standards or administrative conditional use criteria is necessitated by those public service delivery needs; and
2. The impact of the public facility on surrounding properties has been addressed in the design, siting, landscaping and screening of the facility.

D. The following public facilities are prohibited in all multifamily zones:
1. Jails;

2. Work-release centers;

3. Bus bases;

4. Park and ride lots;

5. Sewage treatment plants;

6. Animal control shelters; and

7. Post office distribution centers.

E. Expansion of uses in public facilities.

1. Major expansion. Major expansion of public facilities that are permitted by subsection C of this Section 23.51A.004 may be approved by the City Council, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as a Type V land use decisions, subject to the criteria of subsections C.1 and C.2 of this Section 23.51A.004. A major expansion of a public facility occurs if an expansion would not meet development standards or, except for expansion of the Washington State Convention and Trade Center, the area of the expansion would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is greater. A major expansion of the Washington State Convention and Trade Center is one that is 12,000 square feet or more in size. For the purposes of this subsection 23.51A.004.E.1, "area of the use" includes gross floor area and outdoor area devoted actively to that use, excluding parking.

2. Minor expansion. An expansion of a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities that are permitted by subsections A, B, or C of this Section 23.51A.004 are permitted outright.
F. Essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

G. Uses in existing or former public schools:

1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly and similar uses are permitted in existing or former public schools.

2. Other non-school uses are permitted in existing or former public schools pursuant to procedures established in Chapter 23.78, Establishment of Criteria for Joint Use or Reuse of Schools.

Section 58. Subsection E of Section 23.51B.002 of the Seattle Municipal Code, which section was enacted by Ordinance 123209, is amended as follows:

23.51B.002 Public schools in residential zones

***

E. Setbacks.

1. General Requirements.

a. No setbacks are required for new public school construction or for additions to existing public school structures for that portion of the site across a street or an alley from, or abutting a lot in a nonresidential zone. If any portion of the site is across a street or an alley from or abuts a lot in a residential zone, setbacks are required for areas facing or abutting residential zones, as provided in subsections E.2 through E.5 of this Section 23.51B.002.
Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC) zones are based upon the residential zone classification of the RC lot.

b. The minimum setback requirement may be averaged along the structure facade with absolute minimums for areas abutting lots in residential zones as provided in subsections E.2.b, E.3.b, and E.4.b of this Section 23.51B.002.

c. Trash disposals, operable windows in a gymnasium, main entrances, play equipment, kitchen ventilators or other similar items shall be located at least 30 feet from any single-family zoned lot and 20 feet from any multi-family zoned lot.

d. The exceptions of subsections 23.44.014.D.5, D.6, D.7, D.8, D.9, D.10, D.11, and D.12 apply.

2. New public school construction on new public school sites.

a. New public school construction on new public school sites across a street or alley from lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the facing residential zone, as shown in Table A for 23.51B.002:

<table>
<thead>
<tr>
<th>Height</th>
<th>SF/LR1</th>
<th>LR2/LR3</th>
<th>MR</th>
<th>HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>20' or less</td>
<td>15</td>
<td>10</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Greater than 20 up to 35</td>
<td>15</td>
<td>10</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Greater than 35 up to 50</td>
<td>20</td>
<td>15</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Greater than 50</td>
<td>35</td>
<td>20</td>
<td>10</td>
<td>0</td>
</tr>
</tbody>
</table>
b. New public school construction on new public school sites abutting lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table B for 23.51B.002:

<table>
<thead>
<tr>
<th>Minimum Setbacks Abutting the Following Zones (in feet):</th>
<th>Height</th>
<th>SF/LR1</th>
<th>LR2/LR3</th>
<th>MR</th>
<th>HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average (minimum)</td>
<td>20 or less</td>
<td>20 (10)</td>
<td>15(10)</td>
<td>10(5)</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 20 up to 35</td>
<td>25 (10)</td>
<td>15(10)</td>
<td>10(5')</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 35 up to 50</td>
<td>25(10)</td>
<td>20(10)</td>
<td>10(5)</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 50</td>
<td>30(15)</td>
<td>25(10)</td>
<td>15(5)</td>
<td>0</td>
</tr>
</tbody>
</table>

3. New public school construction on existing public school sites.

a. New public school construction on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the facing residential zone as shown in Table C for 23.51B.002, whichever is less:

<table>
<thead>
<tr>
<th>Minimum Setbacks If Across a Street or Alley from the Following Zones (in feet):</th>
<th>Façade Height</th>
<th>SF/LR1</th>
<th>LR2/LR3</th>
<th>MR</th>
<th>HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average</td>
<td>20 or less</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 20 up to 35</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 35 up to 50</td>
<td>15</td>
<td>10</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Greater than 50</td>
<td>20</td>
<td>15</td>
<td>10</td>
<td>0</td>
</tr>
</tbody>
</table>
b. New public school construction on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table D for 23.51B.002, whichever is less:

<table>
<thead>
<tr>
<th>Table D for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Abutting a Residential Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Façade Height</strong></td>
</tr>
<tr>
<td>Average (minimum)</td>
</tr>
<tr>
<td>20 or less</td>
</tr>
<tr>
<td>Greater than 20 up to 35</td>
</tr>
<tr>
<td>Greater than 35 up to 50</td>
</tr>
<tr>
<td>Greater than 50</td>
</tr>
</tbody>
</table>

4. Additions to Existing Public School Structures on Existing Public School Sites.

a. Additions to existing public school structures on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the facing residential zone as shown in Table E for 23.51B.002, whichever is less:

<table>
<thead>
<tr>
<th>Table E for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Located Across a Street or Alley</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Façade Height</strong></td>
</tr>
<tr>
<td>Average</td>
</tr>
<tr>
<td>20 or less</td>
</tr>
<tr>
<td>Greater than 20 up to 35</td>
</tr>
<tr>
<td>Greater than 35 up to 50</td>
</tr>
</tbody>
</table>
b. Additions to public schools on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone as shown in Table F for 23.51B.002, whichever is less:

<table>
<thead>
<tr>
<th>Minimum Setbacks by Abutting Zone (in feet):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Façade Height</strong></td>
</tr>
<tr>
<td>-------------------</td>
</tr>
<tr>
<td>Average (minimum)</td>
</tr>
<tr>
<td>Greater than 20 up to 35</td>
</tr>
<tr>
<td>Greater than 35 up to 50</td>
</tr>
<tr>
<td>Greater than 50</td>
</tr>
</tbody>
</table>

5. Departures from setback requirements may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 as follows:

a. The minimum average setback may be reduced to 10 feet and the minimum setback to 5 feet for structures or portions of structures across a street or alley from lots in residential zones.

b. The minimum average setback may be reduced to 15 feet and the minimum setback to 5 feet for structures or portions of structures abutting lots in residential zones.

c. The limits in subsections E.5.a and E.5.b of this Section 23.51B.002 may be waived by the Director if a waiver would contribute to reduced demolition of residential structures.
Section 59. Subsection D of Section 23.53.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123104, is amended as follows:

23.53.006 Pedestrian access and circulation

D. Outside Urban Centers and Urban Villages. Outside of Urban Centers and Urban Villages, sidewalks are required on an existing street in any of the following circumstances, except as provided in subsection 23.53.006.F:

1. In any zone with a pedestrian designation, sidewalks are required whenever new lots are created through the platting process, including full and short subdivisions and unit lot subdivisions, and whenever development is proposed.

2. On streets designated on the Industrial Streets Landscaping Maps, Exhibits 23.50.016.A and 23.50.016.B, sidewalks are required whenever new lots are created through the platting process, including full and short subdivisions and unit lot subdivisions, and whenever development is proposed. Sidewalks are required only for the portion of the lot that abuts the designated street.

3. On arterials, except in IG1 and IG2 zones and on lots in IB zones that are not directly across the street from or abutting a lot in a residential or commercial zone, sidewalks are required whenever new lots are created through the platting process, including full and short subdivisions and unit lot subdivisions, and whenever development is proposed. Sidewalks are required only for the portion of the lot that abuts the arterial.
4. In SF and LR1 zones, sidewalks are required whenever ten or more lots are created through the platting process, including full and short subdivisions and unit lot subdivisions, or whenever ten or more dwelling units are developed.

5. Outside of SF and LR1 zones, except in IG1 and IG2 zones and on lots in IB zones that are not directly across the street from or abutting lot in a residential or commercial zone, sidewalks are required whenever six or more lots are created through the platting process, including full and short subdivisions and unit lot subdivisions, or whenever six or more dwelling units are developed.

6. In all zones, except IG1 and IG2 zones and on lots in IB zones that are not directly across the street from or abutting lot in a residential or commercial zone, sidewalks are required whenever the following nonresidential uses are developed:

   a. 750 square feet or more of gross floor area of major and minor vehicle repair uses and multipurpose retail sales; or

   b. 4,000 square feet or more of nonresidential uses not listed in subsection 23.53.006.D.6.a.

   * * *

Section 60. Subsection B of Section 23.53.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122205, is amended as follows:

23.53.010 Improvement requirements for new streets in all zones

   * * *

   B. Required right-of-way widths for new streets.
1. Arterial and downtown streets. New streets located in downtown zones, and
new arterials, shall be designed according to the Right-of-Way Improvements Manual.

2. Nonarterials not in downtown zones.

   a. The required right-of-way widths for new nonarterial streets not located in
downtown zones shall be as shown on Table A for Section 23.53.010:

<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Required Right-of-Way Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SF, LR1, NC1</td>
<td>50 feet</td>
</tr>
<tr>
<td>2. LR2, LR3, NC2</td>
<td>56 feet</td>
</tr>
<tr>
<td>3. MR, HR, NC3, C1, C2, SCM, IB, IC</td>
<td>60 feet</td>
</tr>
<tr>
<td>4. IG1, IG2</td>
<td>66 feet</td>
</tr>
</tbody>
</table>

   b. If a block is split into more than one zone, the required right-of-way
width is determined based on the requirement in Table A for Section 23.53.010 for the zone
category with the most frontage. If the zone categories have equal frontage, the one with the
wider requirement shall be used to determine the minimum right-of-way width.

3. Exceptions to required right-of-way widths. The Director, after consulting with
the Director of Transportation, may reduce the required right-of-way width for a new street if its
location in an environmentally critical area or buffer, disruption of existing drainage patterns, or
the presence of natural features such as significant trees makes the required right-of-way width
impractical or undesirable.

Section 61. Subsections A and D of Section 23.53.015, which section was last amended
by Ordinance 123046, are amended as follows:

23.53.015 Improvement requirements for existing streets in residential and commercial zones
A. General requirements.

1. If new lots are proposed to be created, or if any type of development is proposed in residential or commercial zones, existing streets abutting the lot(s) are required to be improved in accordance with this Section 23.53.015 and Section 23.53.006, Pedestrian access and circulation. A setback from the lot line, or dedication of right-of-way, may be required to accommodate the improvements. One or more of the following types of improvements may be required under this Section 23.53.015:

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

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

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

5. The regulations in this Section 23.53.015 are not intended to preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate adverse environmental impacts.


   a. Arterials. The minimum right-of-way widths for arterials designated on the Arterial street map, Section 11.18.010, are as specified in the Right-of-Way Improvements Manual.

   b. Nonarterial streets.

      1) The minimum right-of-way width for an existing street that is not an arterial designated on the Arterial street map, Section 11.18.010, is as shown on Table A for 23.53.015.

<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Required Right-of-Way Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SF, LR1, LR2 and NC1 zones; and NC2 zones with a maximum height limit of 40 feet or less</td>
<td>40 feet</td>
</tr>
<tr>
<td>2. LR3, MR, HR, NC2 zones with height limits of more than 40 feet, NC3, C1, C2 and SM zones</td>
<td>52 feet</td>
</tr>
</tbody>
</table>

2) If a block is split into more than one zone, the required right-of-way width shall be determined based on the requirements in Table A for 23.53.015 for the zone
category with the most frontage. If the zone categories have equal frontage, the minimum right-of-way width is 52 feet.

***

D. Exceptions.

1. Streets with existing curbs

   a. Streets with right-of-way greater than or equal to the minimum right-of-way width. If a street with existing curbs abuts a lot and the existing right-of-way is greater than or equal to the minimum width established in subsection 23.53.015.A.6, but the roadway width is less than the minimum established in the Right-of-Way Improvements Manual, the following requirements shall be met:

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

      2) A no-protest agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Recorder.

      3) Pedestrian access and circulation is required as specified in 23.53.006.

   b. Streets with less than the minimum right-of-way width. If a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum width established in subsection 23.53.015.A.6, the following requirements shall be met:

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

2) Grading requirement. If a setback is required, all structures on the lot shall be designed and built to accommodate the grade of the future street, as specified in the Right-of-Way Improvements Manual.

3) No-protest agreement requirement. A no-protest agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Recorder.

4) Pedestrian access and circulation is required as specified in Section 23.53.006.

2. Projects with reduced improvement requirements.

a. One or two dwelling units. If no more than two new dwelling units are proposed to be constructed, or no more than two new single-family zoned lots are proposed to be created, the following requirements shall be met:

1) If there is no existing hard-surfaced roadway, a crushed-rock roadway at least 16 feet in width is required, as specified in the Right-of-Way Improvements Manual.
2) All structures on the lot(s) shall be designed and built to accommodate the grade of the future street improvements.

3) A no-protest agreement to future street improvements is required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Recorder.

4) Pedestrian access and circulation is required as specified in by Section 23.53.006.

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

1) Types of projects.

   i. Proposed developments that contain more than two but fewer than ten units in SF, RSL, and LR1 zones, or fewer than six residential units in all other zones, or proposed short plats in which no more than two additional lots are proposed to be created;

   ii. The following uses if they are smaller than 750 square feet of gross floor area: major and minor vehicle repair uses, and multipurpose retail sales;

   iii. Nonresidential structures that have less than 4,000 square feet of gross floor area and that do not contain uses listed in subsection 23.53.015.D.2.b.1).ii that are larger than 750 square feet;

   iv. Structures containing a mix of residential uses and either nonresidential uses or live-work units, if there are fewer than ten units in SF, RSL, and LR1
zones, or fewer than six residential units in all other zones, and the square footage of
nonresidential use is less than specified in subsections 23.53.015.D.2.b.1).ii and D.2.b.1).iii;
v. Remodeling and use changes within existing structures;
vi. Additions to existing structures that are exempt from
environmental review; and
vii. Expansions of surface parking, outdoor storage,
outdoor sales or outdoor display of rental equipment of less than 20 percent of the parking,
storage, sales or display area or number of parking spaces.

2) Paving requirement. For the types of projects listed in
subsection 23.53.015.D.2.b.1), the streets abutting the lot shall have a hard-surfaced roadway at
least 18 feet wide. If there is not an 18 foot wide hard-surfaced roadway, the roadway shall be
paved to a width of at least 20 feet from the lot to the nearest hard-surfaced street meeting this
requirement, or 100 feet, whichever is less. Streets that form a dead end at the property to be
developed shall be improved with a cul-de-sac or other vehicular turnaround as specified in the
Right-of-Way Improvements Manual. As a Type 1 decision, the Director, after consulting with
the Director of Transportation, shall determine whether the street has the potential for being
extended or whether it forms a dead end because of topography and/or the layout of the street
system.

3) Other requirements. The requirements of subsection
23.53.015.D.1.b shall also be met.

3. Exceptions from required street improvements. As a Type 1 decision, the
Director, in consultation with the Director of Transportation, may waive or modify the
requirements for paving and drainage, dedication, setbacks, grading, no-protest agreements, landscaping, and curb installation if one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing access and circulation.

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

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

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

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

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

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

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

h. Widening and/or improving the right-of-way is not necessary because it is adequate for current and potential vehicular traffic, for example, due to the limited number of lots served by the development or because the development on the street is at zoned capacity.

Section 62. Subsection A of Section 23.53.025 of the Seattle Municipal Code, which section was last amended by Ordinance 122205, is amended as follows:

**23.53.025 Access easement standards**

When access by easement has been approved by the Director, the easement shall meet the following standards. Surfacing of easements, pedestrian walkways required within easements, and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements Manual.

A. Vehicle access easements serving one or two single-family dwelling units or one multifamily residential use with a maximum of two units shall meet the following standards:

1. Easement width shall be a minimum of 10 feet, or 12 feet if required by the Fire Chief due to distance of the structure from the easement.

2. No maximum easement length shall be set. If easement length is more than 150 feet, a vehicle turnaround shall be provided.
3. Curbcut width from the easement to the street shall be the minimum necessary for safety and access.

***

Section 63. Subsections A, B, C, and D of Section 23.53.030 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended as follows:

23.53.030 Alley improvements in all zones

A. General requirements.

1. The regulations in this Section 23.53.030 are not intended to preclude the use of Chapter 25.05 of the Seattle Municipal Code, the Seattle SEPA Ordinance, to mitigate adverse environmental impacts.

2. Subsection 23.53.030.G contains exceptions from the standards requirements for alley improvements, including exceptions for projects that are smaller than a certain size and for special circumstances, such as location in an environmentally critical area.

3. Detailed requirements for alley improvements are located in the Right-of-Way Improvements Manual, which is adopted by joint rule of the Director and the Director of Transportation.

B. New Alleys.

1. New alleys created through the platting process shall meet the requirements of Subtitle III of this title, Platting Requirements.

2. The required right-of-way widths for new alleys shall be as shown on Table A for Section 23.53.030.

| Table A for Section 23.53.030: | 125 |
3. If an alley abuts lots in more than one zone category, the minimum alley width shall be determined based on the requirements in Table A for Section 23.53.030 for the zone category with the most frontage excluding Zone Category 1. If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum alley width.

C. Definition of improved alley. In certain zones, alley access is required if the alley is improved. For the purpose of determining if access is required, the alley will be considered improved if it meets the standards of this subsection 23.53.030.C.

1. Right-of-way width

   a. The minimum width for an alley to be considered to be improved shall be as shown on Table B for Section 23.53.030.

<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Right-of-Way Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SF, LR1, LR2, LR3, NC1</td>
<td>10 feet</td>
</tr>
<tr>
<td>2. MR, HR, NC2</td>
<td>12 feet</td>
</tr>
<tr>
<td>3. NC3, C1, C2 and SM</td>
<td>16 feet</td>
</tr>
</tbody>
</table>
b. If an alley abuts lots in more than one zone category, the minimum alley width shall be determined based on the requirements in Table B for the zone category with the most frontage excluding Zone Category 1. If Zone Categories 2 and 3 have equal frontage, the minimum alley width shall be 16 feet.

2. Paving. To be considered improved, the alley shall be paved.

D. Minimum widths established.

1. The minimum required width for an existing alley right-of-way shall be as shown on Table C for Section 23.53.030.

<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Right-of-Way Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SF and LR1</td>
<td>No minimum width</td>
</tr>
<tr>
<td>2. LR2, NC1</td>
<td>12 feet</td>
</tr>
<tr>
<td>3. LR3, MR, HR, HR, NC2</td>
<td>16 feet</td>
</tr>
<tr>
<td>4. NC3, C1, C2, SM, all downtown zones</td>
<td>20 feet</td>
</tr>
<tr>
<td>5. All industrial zones</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

2. If an alley abuts lots in more than one zone category, the minimum alley width shall be determined based on the requirements in Table C for Section 23.53.030 for the zone category with the most frontage excluding Zone Category 1. If the zone categories have equal frontage, the one with the wider requirement shall be used to determine the minimum alley width.

***

Section 64. Tables A, B, and C for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, are amended as follows:
**23.54.015 Parking**

* * *

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum parking required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. General Nonresidential Uses (other than institutions)</strong></td>
<td><strong>Table A for Section 23.54.015</strong></td>
</tr>
<tr>
<td><strong>A. AGRICULTURAL USES</strong></td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td><strong>B. COMMERCIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>B.1. Animal shelters and kennels</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>B.2. Eating and drinking establishments</td>
<td>1 space for each 250 square feet</td>
</tr>
<tr>
<td>B.3. Entertainment Uses, general, except as noted below (1)</td>
<td>For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats</td>
</tr>
<tr>
<td>B.3.a Adult cabarets</td>
<td>1 space for each 250 square feet</td>
</tr>
<tr>
<td>B.3.b Sports and recreation uses</td>
<td>1 space for each 500 square feet</td>
</tr>
<tr>
<td>B.4. Food processing and craft work</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>B.5. Laboratories, research and development</td>
<td>1 space for each 1,500 square feet</td>
</tr>
<tr>
<td>B.6. Lodging uses</td>
<td>1 space for each 4 rooms; For bed and breakfast facilities in single family and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms</td>
</tr>
<tr>
<td>B.7. Medical services</td>
<td>1 space for each 500 square feet</td>
</tr>
<tr>
<td>B.8. Offices</td>
<td>1 space for each 1,000 square feet</td>
</tr>
<tr>
<td>B.9. Sales and services, automotive</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>B.10. Sales and services, general, except as noted below (2)</td>
<td>1 space for each 500 square feet</td>
</tr>
<tr>
<td>B.10.a. Pet Daycare Centers (2)</td>
<td>1 space for each 10 animals or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 animals.</td>
</tr>
</tbody>
</table>
### Table A

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.11</td>
<td>Sales and services, heavy</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>B.12</td>
<td>Sales and services, marine</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>C.</td>
<td>HIGH IMPACT USES</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>D.</td>
<td>LIVE-WORK UNITS</td>
<td>0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use</td>
</tr>
<tr>
<td>E.</td>
<td>MANUFACTURING USES</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>F.</td>
<td>STORAGE USES</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>G.</td>
<td>TRANSPORTATION FACILITIES</td>
<td></td>
</tr>
<tr>
<td>G.1</td>
<td>Cargo terminals</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>G.2</td>
<td>Parking and moorage</td>
<td></td>
</tr>
<tr>
<td>G.2.a</td>
<td>Principal use parking</td>
<td>None</td>
</tr>
<tr>
<td>G.2.b</td>
<td>Towing services</td>
<td>None</td>
</tr>
<tr>
<td>G.2.c</td>
<td>Boat moorage</td>
<td>1 space for each 2 berths</td>
</tr>
<tr>
<td>G.2.d</td>
<td>Dry storage of boats</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>G.3</td>
<td>Passenger terminals</td>
<td>1 space for each 100 square feet of waiting area</td>
</tr>
<tr>
<td>G.4</td>
<td>Rail transit facilities</td>
<td>None</td>
</tr>
<tr>
<td>G.5</td>
<td>Transportation facilities, air</td>
<td>1 space for each 100 square feet of waiting area</td>
</tr>
<tr>
<td>G.6</td>
<td>Vehicle storage and maintenance uses</td>
<td>1 space for each 2,000 square feet</td>
</tr>
<tr>
<td>H.</td>
<td>UTILITIES</td>
<td>1 space for each 2,000 square feet</td>
</tr>
</tbody>
</table>

### II. Nonresidential Use Requirements with Locational Criteria

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Nonresidential uses (other than institutions) in urban centers or the Station Area Overlay District (3)</td>
<td>No minimum requirement</td>
</tr>
<tr>
<td>J.</td>
<td>Nonresidential uses (other than institutions) permitted in on the ground floor in MR and HR zones pursuant to Section 23.45.504.</td>
<td>No minimum requirement</td>
</tr>
</tbody>
</table>

Footnotes for Table A for Section 23.54.015

(1) Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three...
hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.

(2) The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.

(3) The general requirements of lines A through H of Table A for Section 23.54.015 is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a nonresidential use fits within more than one line in Table A for Section 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

<table>
<thead>
<tr>
<th>Table B for 23.54.015: PARKING FOR RESIDENTIAL USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
</tr>
<tr>
<td>A. Adult family homes</td>
</tr>
<tr>
<td>B. Artist’s studio/dwellings</td>
</tr>
<tr>
<td>C. Assisted living facilities</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>D. Caretaker’s quarters</td>
</tr>
<tr>
<td>E. Congregate residences</td>
</tr>
<tr>
<td>F. Cottage housing developments</td>
</tr>
<tr>
<td>G. Floating homes</td>
</tr>
</tbody>
</table>
### Table B for 23.54.015: PARKING FOR RESIDENTIAL USES

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum parking required</th>
</tr>
</thead>
<tbody>
<tr>
<td>H. Mobile home parks</td>
<td>1 space for each mobile home lot as defined in Chapter 22.904</td>
</tr>
<tr>
<td>I. Multifamily residential uses, except as provided in Sections B or C</td>
<td>1 space per dwelling unit.</td>
</tr>
<tr>
<td>of this Table B for 23.54.015. (1)</td>
<td></td>
</tr>
<tr>
<td>J. Nursing homes (2)</td>
<td>1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus</td>
</tr>
<tr>
<td></td>
<td>1 space for each 6 beds</td>
</tr>
<tr>
<td>K. Single-family dwelling units</td>
<td>1 space for each dwelling unit</td>
</tr>
<tr>
<td>II. Residential Use Requirements with Location Criteria</td>
<td></td>
</tr>
<tr>
<td>L. Residential uses in commercial and multifamily zones within urban</td>
<td>No minimum requirement</td>
</tr>
<tr>
<td>centers or within the Station Area Overlay District (1)</td>
<td></td>
</tr>
<tr>
<td>M. Residential uses in commercial and multifamily zones within urban</td>
<td>No minimum requirement</td>
</tr>
<tr>
<td>villages that are not within urban center or the Station Area Overlay</td>
<td></td>
</tr>
<tr>
<td>District, if the residential use is located within 1,320 feet of a</td>
<td></td>
</tr>
<tr>
<td>street with frequent transit service, measured as the walking</td>
<td></td>
</tr>
<tr>
<td>distance from the nearest transit stop to the lot line of the lot</td>
<td></td>
</tr>
<tr>
<td>containing the residential use. (1)</td>
<td></td>
</tr>
<tr>
<td>N. Multifamily residential uses within the University of Washington</td>
<td>1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus</td>
</tr>
<tr>
<td>parking impact area shown on Map A for 23.54.015 (1)</td>
<td>1.5 spaces per dwelling units with 2 or more bedrooms; plus</td>
</tr>
<tr>
<td></td>
<td>.25 spaces per bedroom for dwelling units with 3 or more bedrooms</td>
</tr>
<tr>
<td>O. Multifamily dwelling units within the Alki area shown on Map B for</td>
<td>1.5 spaces for each dwelling unit</td>
</tr>
<tr>
<td>Section 23.54.015 (1)</td>
<td></td>
</tr>
<tr>
<td>III. Multifamily Residential Use Requirements with Income Criteria</td>
<td></td>
</tr>
<tr>
<td>P. Multifamily residential uses: for each dwelling unit rented to</td>
<td>0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each</td>
</tr>
<tr>
<td>and occupied by a household with an income at time of its initial</td>
<td>dwelling unit with 3 or more bedrooms</td>
</tr>
<tr>
<td>occupancy at or below 30 percent of the median income (3), for the</td>
<td></td>
</tr>
<tr>
<td>life of</td>
<td></td>
</tr>
</tbody>
</table>
### Table B for 23.54.015: PARKING FOR RESIDENTIAL USES

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum parking required</th>
</tr>
</thead>
<tbody>
<tr>
<td>the building (1)</td>
<td></td>
</tr>
<tr>
<td>Q. Multifamily residential uses: for each dwelling unit rented to</td>
<td>0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling</td>
</tr>
<tr>
<td>and occupied by a household with an income at time of its initial</td>
<td>unit with 3 or more bedrooms</td>
</tr>
<tr>
<td>occupancy of between 30 and 50 percent of the median income (3), for</td>
<td></td>
</tr>
<tr>
<td>the life of the building (1)</td>
<td></td>
</tr>
<tr>
<td>R. Low-income disabled multifamily residential uses (1) (3)</td>
<td>1 space for each 4 dwelling units</td>
</tr>
<tr>
<td>S. Low-income elderly/low-income disabled multifamily residential</td>
<td>1 space for each 5 dwelling units</td>
</tr>
<tr>
<td>uses (1) (4)</td>
<td></td>
</tr>
</tbody>
</table>

*Footnotes for Table B for Section 23.54.015:*

1. The general requirement of line I of Table B for Section 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for Section 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section B of Table B for Section 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

2. For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.

3. Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.
Map A for 23.54.015: University District Parking Impact Area
I. General Public Uses and Institutions

A. Adult care centers (1), (2)

1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>B.</td>
<td>Child care centers (1), (2), (3)</td>
<td>1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children</td>
</tr>
<tr>
<td>C.</td>
<td>Colleges</td>
<td>A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities</td>
</tr>
<tr>
<td>D.</td>
<td>Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) (1), (4)</td>
<td>1 space for each 555 square feet; or For family support centers, 1 space for each 100 square feet</td>
</tr>
<tr>
<td>E.</td>
<td>Community clubs, and community centers not owned and operated by DOPAR (1), (5)</td>
<td>1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts</td>
</tr>
<tr>
<td>F.</td>
<td>Hospitals</td>
<td>1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds</td>
</tr>
<tr>
<td>G.</td>
<td>Institutes for advanced study, except as provided in line H below</td>
<td>1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats</td>
</tr>
<tr>
<td>H.</td>
<td>Institutes for advanced study in single family zones (existing) (1)</td>
<td>3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater</td>
</tr>
<tr>
<td>I.</td>
<td>Libraries (1) (6)</td>
<td>1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td>1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms</td>
</tr>
<tr>
<td>2</td>
<td>J. Museums</td>
<td>1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public</td>
</tr>
<tr>
<td>3</td>
<td>K. Private clubs</td>
<td>1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts</td>
</tr>
<tr>
<td>4</td>
<td>L. Religious facilities (1)</td>
<td>1 space for each 80 square feet of all auditoria and public assembly rooms</td>
</tr>
<tr>
<td>5</td>
<td>M. Schools, private elementary and secondary (1)</td>
<td>1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member</td>
</tr>
<tr>
<td>6</td>
<td>N. Schools, public elementary and secondary (7) (8)</td>
<td>1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site</td>
</tr>
<tr>
<td>7</td>
<td>O. Vocational or fine arts schools</td>
<td>1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate</td>
</tr>
</tbody>
</table>

### II. General Public Uses and Institutions with Locational Criteria

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>P.</td>
<td>General public uses and institutions in urban centers or the Station Area Overlay District (9)</td>
<td>No minimum requirement</td>
</tr>
</tbody>
</table>
Footnotes for Table C for Section 23.54.015:
(1) When this use is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.
(2) The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.
(3) A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.
(4) When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to Section 23.54.020.I.
(5) Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one parking space for every eight fixed seats. Each 20 inches of width of bleachers shall be counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one space for each 350 square feet.
(6) When a library is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements according to Section 23.44.022.L.
(7) For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.
(8) Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.
(9) The general requirement of lines A through O of Table C for Section 23.54.015 for general public uses and institutions, is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use or institution fits within more than one line in Table C for Section 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

* * *
Section 65. Subsections A, F, M, and N of Section 23.54.020 of the Seattle Municipal Code, which section was last amended by Ordinance 123029, are amended as follows:

**23.54.020 Parking quantity exceptions**

A. Adding Units to Existing Structures in Multifamily and Commercial Zones.

1. For the purposes of this Section 23.54.020, "existing structures" means those structures that were established under permit, or for which a permit has been granted and has not expired as of the applicable date, as follows:

   a. In multifamily zones, August 10, 1982;


2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:

   a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

   b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception
permitted in subsection 23.54.020.A.2, if the conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:

a. The only use of the structure will be residential; and

b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

c. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

d. The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

***

F. Reductions to minimum parking requirements.

1. Reductions to minimum parking requirements permitted by this subsection will be calculated from the minimum parking requirements in Section 23.54.015. Total reductions to required parking as provided in this subsection may not exceed 40 percent

2. Transit reduction.

a. In multifamily and commercial zones, the minimum parking requirement for all uses is reduced by 20 percent if the use is located within 1,320 feet of a street with frequent transit service. This distance will be the walking distance measured from the nearest transit stop to the lot line of the lot containing the use.

b. In industrial zones, the minimum parking requirement for a nonresidential use is reduced by 15 percent if the use is located within 1,320 feet of a street with...
peak transit service headways of 15 minutes or less. This distance will be the walking distance measured from the nearest transit stop to the lot line of the lot containing the use.

3. In locations where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement if dwelling units are proposed to be added to an existing structure in a multifamily or commercial zone, in addition to the exception permitted in subsection 23.54.020.A.2, if the conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:

   a. The only use of the structure will be residential; and

   b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

   c. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

   d. The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

   ***

Section 66. Section 23.54.025 of the Seattle Municipal Code, which section was enacted by Ordinance 112777, is amended as follows:

23.54.025 Off-site parking
A. Where allowed. Off-site parking may be established by permit on a lot where the type of parking proposed is allowed by the provisions of this Title 23, if the lot’s location is an eligible for parking accessory to the use for which the parking is required. If parking and parking access, including the proposed off-site parking, are or will be the sole uses of a lot, or if surface parking outside of structures will comprise more than half of the lot area, or if parking will occupy more than half of the gross floor area of all structures on a lot, then a permit to establish off-site parking may be granted only if principal use parking is a permitted use for such lot.

B. Development standards.

1. Off-site parking shall satisfy the screening and landscaping requirements and other development standards applicable where it is located, except to the extent that it is legally nonconforming to development standards prior to establishment of the off-site parking use. Unless otherwise provided, development standards regarding the relation of parking to structures apply to off-site parking in the same manner as they apply to parking accessory to the uses in such structures.

2. Parking allowed only as temporary surface parking does not qualify as off-site parking.

3. Parking shall not be established as off-site parking for more than one use unless authorized to be shared according to the shared parking provisions of this Chapter 23.54.

4. If maximum parking limits apply to a use, off-site parking permitted for that use shall count against the maximum limit unless otherwise expressly stated in the provisions of this Title 23 applicable to the lot where the use requiring parking is located.
C. Permit requirements.

1. When all or part of the required parking for a use is to be provided on a lot other than the lot on which the use requiring parking is located, a permit must be obtained to establish off-site parking for the use requiring parking as a use on the off-site parking lot.

2. The permit application must be submitted by or on behalf of the owner of the off-site parking lot along with written consent of the owner of the lot on which the use requiring parking is located, or such owner’s authorized representative.

3. The permit may be issued only after the applicant has demonstrated that the off-site parking complies with all applicable requirements of this Title 23. An application to establish off-site parking, or to change the use for which off-site parking is provided, may be considered as part of the application to establish, expand or change the use requiring off-site parking.

D. Required notice.

1. When off-site parking is required parking for a use on any lot, notice of this off-site parking arrangement shall be recorded with the King County Recorder for both lots. The notice shall:

   a. include legal descriptions of both the lots on which the use requiring parking is located and the off-site parking lot; and

   b. identify by an attached drawing the number and location of spaces established as off-site parking for the use requiring parking;

2. A copy of the notice, with attached drawing, shall be submitted as part of any permit application for any use for which the off-site parking is to be used to satisfy all or part of
the parking requirement. Once the permit application is complete in every other respect, a copy of the notice, with attached drawing and a recording number assigned by the King County Recorder, shall be submitted prior to issuance of the permit.

**E. Termination, change, or suspension of off-site parking use.**

1. Except as otherwise provided in subsection F of this Section 23.54.025, in order to terminate any off-site parking use, or to establish a new use for which off-site parking will be provided on the off-site parking lot, a change of use permit is required. Such a change of use permit shall not be issued unless: a. the owner of the lot on which the use requiring parking is located has been notified in writing of the change of use; and b. the off-site parking is not required for any reason, which may include one or more of the following: 1) the use requiring parking has been discontinued or reduced in size; 2) the parking is no longer required by this Title 23; 3) other parking meeting the requirements of Title 23 has been provided for the use requiring parking and, if it is off-site parking, established by permit; 4) a variance allowing the use requiring parking to continue without all or part of such off-site parking has been granted.

2. If the owner of a lot where off-site parking is established plans to improve the lot and continue to provide off-site parking for the use requiring parking after completion of the improvements, the owners of such lot and the lot on which the use requiring parking is located, or such owners’ authorized representatives, may apply for a temporary suspension of the off-site parking use, by submitting to the Director:
a. a plan, with attached drawings showing the number and location of parking spaces, for providing interim parking for the use requiring parking, satisfying all applicable requirements of this title, until improvements to the off-site parking lot are completed;

b. a plan, with attached drawings showing the number and location of parking spaces, for the provision of permanent parking for the use requiring parking, satisfying all applicable requirements of this title, when the improvements are completed; and

c. such other materials as the Director may require to evaluate the proposal.

3. If the Director approves the plans for purposes of subsection 23.54.025.E.2, then the Director may authorize the suspension of the off-site parking use pending the completion of the proposed improvements, conditioned upon issuance of a building permit for the proposed improvements, issuance of any permits necessary to establish the interim parking use, and the actual provision of the other off-site parking in accordance with applicable development standards.

4. If a use requiring off-site parking is suspended as a result of fire, act of nature, or other causes beyond the control of the owners, or for substantial renovation or reconstruction, then subject to the applicable provisions in the zone or district where the off-site parking is located, the Director may approve the temporary use of the off-site parking to serve one or more other uses, or as general purpose parking, for a period not to exceed 180 days, subject to extensions for not more than 180 days if at the end of the initial period or any extension the use requiring parking has not recommenced.
5. No permit for the demolition of a structure including off-site parking, established under this Section 24.54.025 or of any portion thereof necessary for such off-site parking, shall be issued, except in case of emergency, unless the off-site parking use has been terminated or temporarily suspended pursuant to this Section 23.54.025.E. If any such structure, or such portion thereof, is destroyed as a result of fire, act of nature, or other causes beyond the control of the owners, then the owner of the off-site parking lot may obtain a change of use permit. Upon such destruction of off-site parking, the lot on which the use requiring parking will be subject to Section 23.54.025.G.

F. Off-site parking established by covenant.

1. Off-site parking established by a covenant or other document approved by the Director and recorded in the King County real property records consistent with this Section 23.54.025 as in effect immediately prior to the effective date of this ordinance, if that date is after either the date of vesting under Section 23.76.026 of the Master Use Permit application with which the covenant was submitted or the date when such covenant or other document was approved, may be used as required parking for the use(s) identified in such covenant to the extent to consistent with the Master Use Permit and any other conditions of the Director’s approval, without compliance with subsections 23.54.025.C and D, so long as such off-site parking use is not discontinued for a period of 90 days, and subject to compliance with any applicable development standards. The owner of any such off-site parking spaces and the owner of the use requiring parking each are responsible for notifying the Director should the use of any or all of those spaces as off-site parking for the use requiring parking cease.
2. When maximum parking limits apply to a use requiring off-site parking, off-site parking permitted for that use under this subsection 23.54.025.F shall count against the maximum limit unless otherwise expressly stated in the provisions of this title that apply to the lot where the use requiring parking is located.

3. Off-site parking established by covenant or other document approved by the Director, and not by permit establishing off-site parking use, is not subject to the requirements of subsection E of this section 23.54.025.

4. Any replacement off-site parking established by covenant in compliance with subsection 23.54.025.G.1.e shall be considered to have been established as described in subsection 23.54.025. F.1.

G. Effect of loss of required off-site parking.

1. If, for any reason, any off-site parking used to satisfy the minimum required parking for any use requiring parking is not available for off-site parking for such use in conformity with the applicable use permit, then it shall be unlawful to continue the use requiring parking unless:

   a. other parking meeting the requirements of this Title 23 is provided on the same lot as the use requiring parking within 30 days; or

   b. other off-site parking is secured, a permit is applied for to establish the off-site parking use within 30 days, such permit is obtained within 180 days, and the other off-site parking is completed in accordance with all applicable requirements and is in use within 180 days unless the Director, upon finding that substantial progress toward completion has been
made and that the public will not be adversely affected by the extension, grants an extension in writing; or

c. the loss of off-site parking is caused by damage to or destruction of a structure, and either

1) the owners of the off-site parking and of the lot of the use requiring parking apply for a permit to establish other existing spaces on the off-site parking lot as parking for such use within 90 days, and such permit is granted within 180 days; or

2) the owner of the off-site parking lot applies for any permit necessary to repair or rebuild the structure so as to provide the off-site parking within 90 days, the off-site parking is completed in accordance with all applicable requirements within 180 days, unless the Director, upon finding that substantial progress toward completion has been made and that the public will not be adversely affected by the extension, grants an extension in writing, and if the location on the lot of the off-site parking is modified, the owner executes and records within 180 days an amendment to the notice identifying the location of the off-site parking in the rebuilt or repaired structure; ord. a variance is applied for within 30 days and subsequently granted; or

e. the off-site parking was exempt, under subsection 23.54.025.F, from the requirements of subsections C, D, and E of this section 23.54.025, and within 30 days substitute off-site parking, on a lot where such parking is permitted by the provisions of this Title 23 and consistent with all applicable development standards, is provided and established by recorded covenant consistent with the terms of this Section 23.54.025 as in effect immediately prior to the effective date of this ordinance.
2. Unless a variance is applied for within such 30 day period and not denied, upon
the expiration of any applicable period in subsections 23.54.025.G.1.a, G.1.b or G.1.c without
the completion of the action or actions required, the use requiring parking shall be discontinued
to the extent necessary so that the remaining parking for that use satisfies the applicable
minimum parking requirement. Upon the denial of a variance from parking requirements the use
requiring parking must be discontinued to that extent, unless the conditions of
subsection 23.54.025.G.1.a, G.1.b, G.1.c, or G.1.e are then satisfied. Each period stated in this
subsection 23.54.025.G runs from the first date upon which spaces established as off-site parking
are not available for use as off-site parking.

H. Signage. Signage for off-site parking is required, subject to the applicable restrictions
in the zone or district, both on the same lot as the use requiring parking and on the off-site
parking lot, as follows:

1. One or more signs, each of a size and at a location to be approved by the
   Director, must be placed on the same lot as the use requiring parking indicating the address of
   the off-site parking and that it is available to one or more user groups (e.g., customers,
   employees, residents).

2. One or more signs, each of a size and at a location to be approved by the
   Director, must be placed on the off-site parking lot identifying the use(s) served by the parking
   spaces, and sufficient signage shall be provided to clearly specify the spaces that are reserved for
   each use requiring parking and, if applicable, the days and times when the spaces are so reserved.

3. The Director may allow the use of temporary signage for off-site parking
   serving spectator sports facilities.
I. Management and operation of off-site parking. If a party other than the owner of the off-site parking lot is responsible for its management and operation, the Director may require verification from the owner of the off-site parking lot that the party responsible for its management and operation has been apprised of the requirements of this section 23.54.025 and any applicable permits.

Section 67. Subsections B, D, F, and G of Section 23.54.030 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

**23.54.030 Parking space standards**

* * *

B. Parking space requirements. The required size of parking spaces shall be determined by whether the parking is for a residential, nonresidential or live-work use. In structures containing both residential and either nonresidential uses or live-work units, parking that is clearly set aside and reserved for residential use shall meet the standards of subsection 23.54.030.B.1; otherwise, all parking for the structure shall meet the standards of subsection 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Building Code, Subtitle 1 of Title 22, or the Residential Code, Subtitle 1a of Title 22.

1. Residential uses.

   a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium car, as described in subsection A.2 of this Section 23.54.030, except as provided in subsection 23.54.030.B.1.d.

   b. When more than five parking spaces are provided, a minimum of 60 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a
medium parking space shall also be the maximum size. Forty percent of the parking spaces may
be striped for any size, provided that when parking spaces are striped for large vehicles, the
minimum required aisle width shall be as shown for medium vehicles.

c. Assisted living facilities. Parking spaces shall be provided as in
subsections 23.54.030.B.1.a and B.1.b above, except that a minimum of two spaces shall be
striped for a large vehicle.

d. Townhouse units. For an individual garage serving a townhouse unit,
the minimum required size of a parking space shall be for a large car, as described in subsection
23.54.030.A.

2. Nonresidential uses and live-work units.

a. When ten or fewer parking spaces are provided, a maximum of 25
percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the
spaces shall be striped for large vehicles.

b. When between 11 and 19 parking spaces are provided, a minimum of
25 percent of the parking spaces shall be striped for small vehicles. The minimum required size
for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the
parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall
be striped for large vehicles.

c. When 20 or more parking spaces are provided, a minimum of 35
percent of the parking spaces shall be striped for small vehicles. The minimum required size for
small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking
spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at least one floor, and there shall be at least one direct entrance from the street that is at least 6 feet 9 inches in height for all parking garages accessory to nonresidential uses and live-work units and for all principal use parking garages.

* * *

D. Driveways. Driveway requirements for residential and nonresidential uses are described below. When a driveway is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection 23.54.030.D.2.

1. Residential uses.

   a. Driveway width. Driveways less than 100 feet in length that serve 30 or fewer parking spaces shall be a minimum of 10 feet in width for one-way or two-way traffic.

   b. Except for driveways serving one single-family dwelling unit, driveways more than 100 feet in length that serve 30 or fewer parking spaces shall either:

       1) be a minimum of 16 feet wide, tapered over a 20 foot distance to a 10 foot opening at the lot line; or

       2) be a minimum of 10 feet wide and provide a passing area at least 20 feet wide and 20 feet long. The passing area shall begin 20 feet from the lot line, with an appropriate taper to meet the 10 foot opening at the lot line. If a taper is provided at the other end of the passing area, it shall have a minimum length of 20 feet.
c. Driveways of any length that serve more than 30 parking spaces shall be at least 10 feet wide for one-way traffic and at least 20 feet wide for two-way traffic.

d. Driveways for two attached rowhouse or townhouse units may be paired so that there is a single curb cut providing access. The maximum width of the paired driveway is 18 feet.

e. Driveways with a turning radius of more than 35 degrees shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

Exhibit B for 23.54.030: Turning Path Radius

f. Vehicles may back onto a street from a parking area serving five or fewer vehicles, provided that either:

1) The street is not an arterial as defined in Section 11.18.010; or
2) For one single-family dwelling unit, the Director may permit backing onto an arterial based on a safety analysis that addresses visibility, traffic volume, and other relevant issues.

g. Nonconforming driveways. The number of parking spaces served by an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall not be increased. This prohibition may be waived by the Director after consulting with the Director of the Seattle Department of Transportation, based on a safety analysis.

2. Nonresidential Uses.

a. Driveway Widths.

1) The minimum width of driveways for one way traffic shall be 12 feet and the maximum width shall be 15 feet.

2) The minimum width of driveways for two way traffic shall be 22 feet and the maximum width shall be 25 feet.

b. Driveways shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

3. Driveway slope for all uses. No portion of a driveway, whether located on a lot or on a right-of-way, shall exceed a slope of 15 percent, except as provided in this subsection 23.54.030.D.3. The maximum 15 percent slope shall apply in relation to both the current grade of the right-of-way to which the driveway connects, and to the proposed finished grade of the right-of-way if it is different from the current grade. The ends of a driveway shall be adjusted to accommodate an appropriate crest and sag. The Director may permit a driveway slope of more than 15 percent if it is found that:
a. The topography or other special characteristic of the lot makes a 15 percent maximum driveway slope infeasible;

b. The additional amount of slope permitted is the least amount necessary to accommodate the conditions of the lot; and

c. The driveway is still useable as access to the lot.

***

F. Curb cuts. The number of permitted curb cuts is determined by whether the parking served by the curb cut is for residential or nonresidential use, and by the zone in which the use is located. If a curb cut is used for more than one use or for one or more live-work units, the requirements for the use with the largest curb cut requirements shall apply.

1. Residential uses.

   a. Number of curb cuts.

       1) For lots not located on a principal arterial designated on the Arterial street map, Section 11.18.010, curb cuts are permitted according to Table A for 23.54.030:


<table>
<thead>
<tr>
<th>Street or Easement Frontage of the Lot</th>
<th>Number of Curb Cuts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>80 feet or less</td>
<td>1</td>
</tr>
<tr>
<td>Greater than 80 feet up to 160 feet</td>
<td>2</td>
</tr>
<tr>
<td>Greater than 160 feet up to 240 feet</td>
<td>3</td>
</tr>
<tr>
<td>Greater than 240 feet up to 320 feet</td>
<td>4</td>
</tr>
</tbody>
</table>

For lots with frontage in excess of 320 feet, the pattern established above continues.
2) For lots on principal arterials designated on the Arterial street map, Section 11.18.010, curb cuts are permitted according to Table B for 23.54.030:

Table B for 23.54.030: Curb Cuts for Principal Arterial Street Frontage

<table>
<thead>
<tr>
<th>Street or Easement Frontage of the Lot</th>
<th>Number of Curb Cuts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>160 feet or less</td>
<td>1</td>
</tr>
<tr>
<td>Greater than 160 feet up to 320 feet</td>
<td>2</td>
</tr>
<tr>
<td>Greater than 320 feet up to 480</td>
<td>3</td>
</tr>
</tbody>
</table>

For lots with street frontage in excess of 480 feet, the pattern established above continues.

3) On a lot that has both principal arterial and non-principal arterial street frontage, the total number of curb cuts on the principal arterial is calculated using only the length of the street lot line on the principal arterial.

4) If two adjoining lots share a common driveway, the combined frontage of the two lots will be considered as one in determining the maximum number of permitted curb cuts.

b. Curb cut width. Curb cuts shall not exceed a maximum width of 10 feet except that:

1) For lots on principal arterials designated on the Arterial street map, Section 11.18.010, the maximum curb cut width is 23 feet;

2) One curb cut greater than 10 feet but in no case greater than 20 feet in width may be substituted for each two curb cuts permitted by subsection 23.54.030.F.1.a;

3) A greater width may be specifically permitted by the development standards in a zone;
4) If subsection D of this Section 23.54.030 requires a driveway greater than 10 feet in width, the curb cut may be as wide as the required width of the driveway;

and

5) A curb cut may be less than the maximum width permitted but shall be at least as wide as the minimum required width of the driveway it serves.

c. Distance between curb cuts.

1) The minimum distance between any two curb cuts located on a lot is 30 feet.

2) For rowhouse and townhouse developments located on more than one lot, the minimum distance between curb cuts is 18 feet (See Exhibit C for 23.54.030).
2. Nonresidential uses in all zones except industrial zones.

   a. Number of Curb cuts.

      1) In RC zones and within Major Institution Overlay Districts, two-way curb cuts are permitted according to Table C for 23.54.030:

**Table C for 23.54.030: Number of Curb Cuts in RC Zones and Major Institution Overlay Districts**

<table>
<thead>
<tr>
<th>Street Frontage of the Lot</th>
<th>Number of Curb cuts Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>80 feet or less</td>
<td>1</td>
</tr>
<tr>
<td>Greater than 80 feet up to 240 feet</td>
<td>2</td>
</tr>
<tr>
<td>Greater than 240 feet up to 360 feet</td>
<td>3</td>
</tr>
</tbody>
</table>
2) The Director may allow two one-way curb cuts to be substituted for one two-way curb cut, after determining, as a Type I decision, that there would not be a significant conflict with pedestrian traffic.

3) The Director shall, as a Type I decision, determine the number and location of curb cuts in C1, C2 and SM zones.

4) In downtown zones, a maximum of two curb cuts for one way traffic at least 40 feet apart, or one curb cut for two way traffic, shall be permitted on each street front where access is permitted by Section 23.49.019.H. No curb cut shall be located within 40 feet of an intersection. These standards may be modified by the Director as a Type I decision on lots with steep slopes or other special conditions, to the minimum extent necessary to provide vehicular and pedestrian safety and facilitate a smooth flow of traffic.

5) For public schools, the Director shall permit, as a Type I decision, the minimum number of curb cuts that the Director determines is necessary.

6) In NC zones, curb cuts shall be provided according to subsection 23.47.032.A, or, when 23.47A.032. A does not specify the maximum number of curb cuts, according to subsection 23.54.030F.2.a.1).

7) For police and fire stations the Director shall permit the minimum number of curb cuts that the Director determines is necessary to provide adequate maneuverability for emergency vehicles and access to the lot for passenger vehicles.

b. Curb cut widths.
1) For one way traffic, the minimum width of curb cuts is 12 feet, and the maximum width is 15 feet.

2) For two way traffic, the minimum width of curb cuts is 22 feet, and the maximum width is 25 feet, except that the maximum width may be increased to 30 feet if truck and auto access are combined.

3) For public schools, the maximum width of a curb cut is 25 feet. Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79.

4) For fire and police stations, the Director may allow curb cuts up to, and no wider than, the minimum width necessary to provide access for official emergency vehicles that have limited maneuverability and that must rapidly respond to emergencies. Curb cuts for fire and police stations are considered curb cuts for two-way traffic.

5) If one of the following conditions applies, the Director may require a curb cut of up to 30 feet in width, if it is found that a wider curb cut is necessary for safe access:

   i. The abutting street has a single lane on the side that abuts the lot; or

   ii. The curb lane abutting the lot is less than 11 feet wide;

   or

   iii. The proposed development is located on an arterial with an average daily traffic volume of over 7,000 vehicles; or
iv. Off-street loading berths are required according to subsection G of Section 23.54.035.

c. The entrances to all garages accessory to nonresidential uses or live-work units and the entrances to all principal use parking garages shall be at least 6 feet 9 inches high.

3. All uses in industrial zones.

a. Number and location of curb cuts. The number and location of curb cuts will be determined by the Director.

b. Curb cut width. Curb cut width in Industrial zones shall be as follows:

1) If the curb cut provides access to a parking area or structure, it must be a minimum of 15 feet wide and a maximum of 30 feet wide.

2) If the curb cut provides access to a loading berth, the maximum width may be increased to 50 feet.

3) Within the minimum and maximum widths established by this subsection 23.54.030.F.3, the Director shall determine the size of the curb cuts.

4. Curb cuts for access easements.

a. If a lot is crossed by an access easement serving other lots, the curb cut serving the easement may be as wide as the easement roadway.

b. The curb cut serving an access easement shall not be counted against the number or amount of curb cuts permitted to a lot if the lot is not itself served by the easement.
5. Curb cut flare. A flare with a maximum width of 2.5 feet is permitted on either side of curb cuts in any zone.

6. Replacement of unused curb cuts. When a curb cut is no longer needed to provide access to a lot, the curb and any planting strip must be replaced.

G. Sight Triangle.

1. For exit-only driveways and easements, and two way driveways and easements less than 22 feet wide, a sight triangle on both sides of the driveway or easement shall be provided, and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk or curb intersection if there is no sidewalk, as depicted in Exhibit D for 23.54.030.
2. For two way driveways or easements 22 feet wide or more, a sight triangle on the side of the driveway used as an exit shall be provided, and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk, or curb intersection if there is no sidewalk. The entrance and exit lanes shall be clearly identified.

3. The sight triangle shall also be kept clear of obstructions in the vertical spaces between 32 inches and 82 inches from the ground.
4. When the driveway or easement is less than 10 feet from the lot line, the sight triangle may be provided as follows:

   a. An easement may be provided sufficient to maintain the sight triangle. The easement shall be recorded with the King County Recorder; or
   
   b. The driveway may be shared with a driveway on the neighboring lot; or
   
   c. The driveway or easement may begin 5 feet from the lot line, as depicted in Exhibit E for 23.54.030.

**Exhibit F for 23.54.030: Sight Triangle Exception**

![Exhibit F for 23.54.030: Sight Triangle Exception](image)
5. An exception to the sight triangle requirement may be made for driveways serving lots containing only residential uses and fewer than three parking spaces, when providing the sight triangle would be impractical. 6. In all downtown zones, the sight triangle at a garage exit may be provided by mirrors and/or other approved safety measures.

7. Sight triangles shall not be required for one-way entrances into a parking garage or surface parking area.

***

Section 68. The Title of Chapter 23.54 of the Seattle Municipal Code, which Chapter was last amended by Ordinance 123209, is amended as follows:

Chapter 23.54 Quantity and Design Standards for Access, Off-Street Parking, and Solid Waste Storage

Section 69. A new Section 23.54.040 of the Seattle Municipal Code is added as follows:

23.54.040 Solid waste and recyclable materials storage and access

A. Except as provided in subsection I of this Section 23.54.040, in downtown, multifamily, and commercial zones, storage space for solid waste and recyclable materials containers shall be provided as shown in Table A for 23.54.040 for all new structures, and for existing structures to which two or more dwelling units are added.

1. Residential uses proposed to be located on separate platted lots, for which each dwelling unit will be billed separately for utilities, shall provide one storage area per dwelling unit that has minimum dimensions of 2 feet by 6 feet.
2. Residential development for which a home ownership association or other single entity exists or will exist as a sole source for utility billing may meet the requirement in subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.

3. Nonresidential development shall meet the requirement in Table A for 23.54.040.

<table>
<thead>
<tr>
<th>Residential Development</th>
<th>Minimum Area for Shared Storage Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-8 dwelling units</td>
<td>84 square feet</td>
</tr>
<tr>
<td>9-15 dwelling units</td>
<td>150 square feet</td>
</tr>
<tr>
<td>16-25 dwelling units</td>
<td>225 square feet</td>
</tr>
<tr>
<td>26-50 dwelling units</td>
<td>375 square feet</td>
</tr>
<tr>
<td>51-100 dwelling units</td>
<td>375 square feet plus 4 square feet for each additional unit above 50</td>
</tr>
<tr>
<td>More than 100 dwelling units</td>
<td>575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nonresidential Development (Based on gross floor area of all structures on the lot)</th>
<th>Minimum Area for Shared Storage Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>0--5,000 square feet</td>
<td>82 square feet</td>
</tr>
<tr>
<td>5,001--15,000 square feet</td>
<td>125 square feet</td>
</tr>
<tr>
<td>15,001--50,000 square feet</td>
<td>175 square feet</td>
</tr>
<tr>
<td>50,001--100,000 square feet</td>
<td>225 square feet</td>
</tr>
<tr>
<td>100,001--200,000 square feet</td>
<td>275 square feet</td>
</tr>
<tr>
<td>200,001 plus square feet</td>
<td>500 square feet</td>
</tr>
</tbody>
</table>

Mixed use development that contains both residential and nonresidential uses, shall meet the requirements of subsection 23.54.040.B.

B. Mixed use development that contains both residential and nonresidential uses shall meet the storage space requirements shown in Table A for 23.54.040 for residential development, plus 50 percent of the requirement for nonresidential development. In mixed use
developments, storage space for garbage may be shared between residential and nonresidential uses, but separate spaces for recycling shall be provided.

C. For development with more than 100 dwelling units, the required minimum area for storage space may be reduced by 15 percent, if the area provided as storage space has a minimum horizontal dimension of 20 feet.

D. The storage space required by Table A for 23.54.040 shall meet the following requirements:

1. For developments with 8 or fewer dwelling units, the minimum horizontal dimension (width and depth) for required storage space is 7 feet. For developments with 9 dwelling units or more, the minimum horizontal dimension of required storage space is 12 feet;

2. The floor of the storage space shall be level and hard-surfaced, and the floor beneath garbage or recycling compactors shall be made of concrete; and

3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts.

E. The location of all storage spaces shall meet the following requirements:

1. The storage space shall be located on the lot of the structure it serves and, if located outdoors, shall not be located between a street-facing facade of the structure and the street;

2. The storage space shall not be located in any required driveways, parking aisles, or parking spaces;

3. The storage space shall not block or impede any fire exits, any public rights-of-way, or any pedestrian or vehicular access;
4. The storage space shall be located to minimize noise and odor impacts on building occupants and beyond the lot lines of the lot;

5. The storage space shall meet the contractor safety standards promulgated by the Director of Seattle Public Utilities; and

6. The storage space shall not be used for purposes other than solid waste and recyclable materials storage and access.

F. Access for service providers to the storage space from the collection location shall meet the following requirements:

1. For containers 2 cubic yards or smaller:
   a. Containers to be manually pulled shall be placed no more than 50 feet from a curb cut or collection location;
   b. Collection location shall not be within a bus stop or within the right-of-way area abutting a vehicular lane designated as a sole travel lane for a bus;
   c. Access ramps to the storage space shall not exceed a grade of 6 percent; and
   d. Any gates or access routes for trucks shall be a minimum of 10 feet wide.

2. For containers larger than 2 cubic yards and all compacted refuse containers:
   a. Direct access shall be provided from the alley or street to the containers;
   b. Any gates or access routes for trucks shall be a minimum of 10 feet wide;
c. Collection location shall not be within a bus stop or within the street
right-of-way area abutting a vehicular lane designated as a sole travel lane for a bus;

d. If accessed directly by a collection vehicle, whether into a structure or
otherwise, a 21 foot overhead clearance shall be provided.

G. Access for occupants to the storage space from the collection location shall meet the
following requirements:

1. Direct access shall be provided from the alley or street to the containers;

2. A pick-up location within 50 feet of a curb cut or collection location shall be
designated that minimizes any blockage of pedestrian movement along a sidewalk or other right-
of-way;

3. If a planting strip is designated as a pick-up location, any required landscaping
shall be designed to accommodate the solid waste and recyclable containers within this area.

H. The solid waste and recyclable materials storage space, access and pick-up
 specifications required in this Section 23.54.040, including the number and sizes of containers,
shall be included on the plans submitted with the permit application for any development subject
to the requirements of this Section 23.54.040.

I. The Director, in consultation with the Director of Seattle Public Utilities, has the
discretion to grant departures from the requirements of this Section 23.54.040 if the applicant
proposes alternative, workable measures that meet the intent of this Section 23.54.040 and if
either:

1. The applicant can demonstrate difficulty in meeting any of the requirements of
this Section 23.54.040; or
2. The applicant proposes to construct or expand a structure, and the requirements of this Section 23.54.040 conflict with opportunities to increase residential densities and/or retain ground-level retail uses.

Section 70. Subsection C.1 of Section 23.57.011, which section was last amended by Ordinance 123209, is amended as follows:

23.57.011 Lowrise, Midrise and Highrise zones

* * *

C. Development standards.

1. Location. Minor communication utilities and accessory communication devices regulated pursuant to Section 23.57.002 and amateur radio towers:

   a. Are prohibited in a required front or side setback.

   b. May be located in a required rear setback, except for transmission towers.

   c. In all Lowrise, Midrise and Highrise zones, minor communication utilities and accessory communication devices may be located on rooftops of buildings, including sides of parapets and penthouses above the roofline. Rooftop space within the following parameters shall not count toward meeting open space or amenity area requirements: the area 8 feet from and in front of a directional antenna and at least 2 feet from the back of a directional antenna, or, for an omnidirectional antenna, 8 feet away from the antenna in all directions. The Seattle-King County Public Health Department may require a greater distance for paging facilities after review of the Non-Ionizing Electromagnetic Radiation (NIER) report.

* * *
Section 71. Subsection C.1 of Section 23.57.012, which section was last amended by Ordinance 122311, is amended as follows:

23.57.012 Commercial zones

* * *

C. Development standards.

1. Location and height. Facilities in special review, historic, and landmark districts are subject to the standards of Section 23.57.014. On sites that are not in special review, historic, or landmark districts, antennas may be located on the rooftops of buildings, including sides of parapets and equipment penthouses above the roofline, subject to the height limits in subsections 23.57.012.C.1.a and C.1.b, as limited by subsection 23.57.012.C.1.c. below:

   a. Utilities and devices located on a rooftop of a building nonconforming as to height may extend up to 15 feet above the height of the building legally existing as of the effective date of Ordinance 120928.¹

   b. Utilities and devices located on a rooftop of a building that conforms to the height limit may extend up to 15 feet above the zone height limit or above the highest portion of a building, whichever is less.

   c. Any height above the underlying zone height limit permitted under subsections 23.57.012.C.1.a and C.1.b, shall be allowed only if the combined total coverage by communication utilities and accessory communication devices, in addition to the roof area occupied by rooftop features listed in Section 23.47A.012.D.4, does not exceed 20 percent of the total rooftop area, or 25 percent of the rooftop area if mechanical equipment is screened.
d. The following rooftop areas shall not be counted towards amenity area requirements:

1) The area 8 feet from and in front of a directional antenna and the area 2 feet from and in back of a directional antenna.

2) The area within 8 feet in any direction from an omnidirectional antenna.

3) Such other areas in the vicinity of paging facilities as determined by the Seattle-King County Health Department after review of the Non-Ionizing Electromagnetic Radiation (NIER) report.

***

Section 72. Subsection B of Section 23.71.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 121477, is amended as follows:

23.71.012 Special landscaped arterials

***

B. If an owner proposes substantial development on lots abutting special landscaped arterials, the owner shall provide the following:

1. Street trees meeting standards established by the Director of Seattle Department of Transportation.

2. A 6 foot planting strip and 6 foot sidewalk if the lot is zoned SF, LR1, or LR2.

3. A 6 foot planting strip and a 6 foot sidewalk, or, at the owner's option, a 12 foot sidewalk without a planting strip, if the lot is zoned NC2, NC3, RC, LR3, or MR.
4. Pedestrian improvements, as determined by the Director of the Seattle
Department of Transportation, such as, but not limited to special pavers, lighting, benches and
planting boxes.

Section 73. Subsection B of Section 23.71.030, which section was enacted by Ordinance
116795, is amended as follows:

**23.71.030 Development standards for transition areas within the Northgate Overlay District**

* * *

B. The requirements of this Section 23.71.030 apply to development on lots in the more
intensive zones under the following conditions:

1. Where a lot zoned Lowrise 3, (LR3), Midrise (MR), Midrise/85 (MR/85) or
Highrise (HR) abuts or is across a street or alley from a lot zoned Single-Family (SF), Lowrise 1
(LR1), or Lowrise 2 (LR2); and

2. Where a lot zoned Neighborhood Commercial 2 or 3 (NC2, NC3) with a height
limit of 40 feet or greater abuts or is across a street or alley from a lot zoned Single-Family (SF),
Lowrise 1 (LR1), or Lowrise 2 (LR2).

* * *

Section 74. Section 23.71.036 of the Seattle Municipal Code, which section was enacted
by Ordinance 116795, is amended as follows:

**23.71.036 Maximum width and depth of structures**

The maximum width and depth requirements of this Section 23.71.036 shall apply only to
portions of a structure within 50 feet of a lot line abutting, or directly across a street right-of-way
that is less than 80 feet in width, from a less intensive residential zone as provided in Table A for 23.71.036.

Table A for 23.71.036: Structure Width and Depth Standards for Transition Areas

<table>
<thead>
<tr>
<th>Subject Lot</th>
<th>Abutting Residential zone (or) zone across a street right-of-way less than 80 feet in width</th>
<th>Maximum Width</th>
<th>Maximum Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR3, MR, MR/85, and HR</td>
<td>Single-family, LR1, or LR2</td>
<td>Apartments: 75 feet</td>
<td>65% depth of lot with no individual structure to exceed 90 feet</td>
</tr>
<tr>
<td>NC2 and NC3 with 40 foot or greater height limits</td>
<td>Single-family, LR1, or LR2</td>
<td>Above a height of 30 feet, wall length shall not exceed 80% of the length of the abutting lot line, to a maximum of 60 feet.</td>
<td></td>
</tr>
</tbody>
</table>

Section 75. Subsection A of Section 23.76.004, and Exhibit 23.76.004 A of the Seattle Municipal Code, which section was last amended by Ordinance 123046, are amended to read as follows:

**23.76.004 Land use decision framework**

A. Land use decisions are classified into five categories based on the amount of discretion and level of impact associated with each decision. Procedures for the five different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are categorized by type in Table A for 23.76.004.
** Table A for 23.76.004 **

** LAND USE DECISION FRAMEWORK **

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

<table>
<thead>
<tr>
<th>TYPE I</th>
<th>TYPE II</th>
<th>TYPE III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director’s Decision (No Administrative Appeal)</td>
<td>Director’s Decision (Appealable to Hearing Examiner*)</td>
<td>HEARING Examiner’s Decision (No Administrative Appeal)</td>
</tr>
<tr>
<td>• Compliance with development standards</td>
<td>• Temporary uses, more than four weeks, except for temporary relocation of police and fire stations</td>
<td>Subdivisions (preliminary plats)</td>
</tr>
<tr>
<td>• Uses permitted outright</td>
<td>• Variances</td>
<td></td>
</tr>
<tr>
<td>• Temporary uses, four weeks or less</td>
<td>• Administrative conditional uses</td>
<td></td>
</tr>
<tr>
<td>• Intermittent uses</td>
<td>• Shoreline decisions (*Appealable to Shorelines Hearings Board along with all related environmental appeals)</td>
<td></td>
</tr>
<tr>
<td>• Certain street uses</td>
<td>• Short subdivisions</td>
<td></td>
</tr>
<tr>
<td>• Lot boundary adjustments</td>
<td>• Special Exceptions</td>
<td></td>
</tr>
<tr>
<td>• Modifications of features bonused under Title 24</td>
<td>• Design review, except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested</td>
<td></td>
</tr>
<tr>
<td>• Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation</td>
<td>• Light rail transit facilities</td>
<td></td>
</tr>
<tr>
<td>• Temporary uses for relocation of police and fire stations</td>
<td>• The following environmental determinations:</td>
<td></td>
</tr>
<tr>
<td>• Exemptions from right-of-way improvement requirements</td>
<td>1. Determination of nonsignificance (EIS not required)</td>
<td></td>
</tr>
<tr>
<td>• Special accommodation</td>
<td>2. Determination of final EIS adequacy</td>
<td></td>
</tr>
<tr>
<td>• Reasonable accommodation</td>
<td>3. Determination of significance based solely on historic and</td>
<td></td>
</tr>
<tr>
<td>• Minor amendment to a Major Phased Development Permit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Determination of public benefit for</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR’S AND HEARING EXAMINER’S
DECISIONS REQUIRING MASTER USE PERMITS

<table>
<thead>
<tr>
<th>TYPE I</th>
<th>TYPE II</th>
<th>TYPE III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director’s Decision (No Administrative Appeal)</td>
<td>Director’s Decision (Appealable to Hearing Examiner*)</td>
<td>HEARING Examiner’s Decision (No Administrative Appeal)</td>
</tr>
<tr>
<td>combined lot FAR</td>
<td>cultural preservation</td>
<td></td>
</tr>
<tr>
<td>• Determination of whether an amendment to a Property Use and Development Agreement is major or minor</td>
<td>4. A decision by the Director to approve, condition or deny a project based on SEPA Policies</td>
<td></td>
</tr>
<tr>
<td>• Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are requested</td>
<td>5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required)</td>
<td></td>
</tr>
<tr>
<td>• Other Type I decisions that are identified as such in the Land Use Code</td>
<td>• Major Phased Development</td>
<td>• Downtown Planned Community Developments</td>
</tr>
</tbody>
</table>

***

Section 76. Subsections B and C of Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 122824, are amended to read as follows:

23.76.006 Master Use Permits required

***

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;
2. Establishment or change of use for uses permitted outright, temporary uses for
four weeks or less not otherwise permitted in the zone, and temporary relocation of police and
fire stations for 24 months or less;

3. The following street use approvals associated with a development proposal:
   a. Curb cut for access to parking;
   b. Concept approval of street improvements, such as additional on-street
      parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving;
   c. Structural building overhangs;
   d. Areaways;

4. Lot boundary adjustments;

5. Modification of the following features bonused under Title 24:
   a. Plazas;
   b. Shopping plazas;
   c. Arcades;
   d. Shopping arcades;
   e. Voluntary building setbacks;

6. Determinations of Significance (determination that an environmental impact
   statement is required) for Master Use Permits and for building, demolition, grading and other
   construction permits (supplemental procedures for environmental review are established in
   Chapter 25.05, Environmental Policies and Procedures), except for Determinations of
   Significance based solely on historic and cultural preservation;
7. Discretionary exceptions for certain business signs authorized by Section 23.55.042D;

8. Waiver or modification of required right-of-way improvements;

9. Special accommodation pursuant to Section 23.44.015;

10. Reasonable accommodation;

11. Minor amendment to Major Phased Development Permit;

12. Determination of public benefit for combined lot development;

13. Streamlined design review pursuant to Section 23.41.018, if no development standard departures are requested pursuant to Section 23.41.012; and

14. Other Type I decisions that are identified as such in the Land Use Code.

C. The following are Type II decisions:

1. The following procedural environmental decisions for Master Use Permits and for building, demolition, grading and other construction permits are subject to appeal to the Hearing Examiner and are not subject to further appeal to the City Council (supplemental procedures for environmental review are established in SMC Chapter 25.05, Environmental Policies and Procedures):

   a. Determinations of Nonsignificance (DNSs), including mitigated DNSs;

   b. Determination that a final environmental impact statement (EIS) is adequate; and

   c. Determination of Significance based solely on historic and cultural preservation.
2. The following decisions, including any integrated decisions to approve, condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner (except shoreline decisions and related environmental determinations, which are appealable to the Shorelines Hearings Board):

   a. Establishment or change of use for temporary uses more than four weeks not otherwise permitted in the zone or not meeting development standards, including the establishment of temporary uses and facilities to construct a light rail transit system for so long as is necessary to construct the system as provided in Section 23.42.040.F, but excepting temporary relocation of police and fire stations for 24 months or less;

   b. Short subdivisions;

   c. Variances; provided that, variances sought as part of a Type IV decision may be granted by the Council pursuant to Section 23.76.036;

   d. Special exceptions; provided that, special exceptions sought as part of a Type IV decision may be granted by the Council pursuant to Section 23.76.036;

   e. Design review, including streamlined design review pursuant to Section 23.41.018 if development standard departures are requested pursuant to Section 23.41.012;

   f. Administrative conditional uses; provided that, administrative conditional uses sought as part of a Type IV decision may be approved by the Council pursuant to Section 23.76.036;

   g. The following shoreline decisions (supplemental procedures for shoreline decisions are established in Chapter 23.60):

      1) Shoreline substantial development permits,
2) Shoreline variances,

3) Shoreline conditional uses;

h. Major Phased Development;

i. Determination of project consistency with a planned action ordinance and EIS;

j. Establishment of light rail transit facilities necessary to operate and maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

k. Establishment of monorail transit facilities necessary to operate and maintain a monorail transit system, in accordance with the provisions of Section 23.80.004 and Section 15.54.020; and

l. Downtown planned community developments.

* * *

Section 77. Section 23.76.011 of the Seattle Municipal Code, which Section was last amended by Ordinance 122054, is amended as follows:

23.76.011 Notice of design guidance and planned community development process

A. The Director shall provide the following notice for the required early design guidance process or streamlined administrative design review (SDR) guidance process for design review projects subject to any of Sections 23.41.014, 23.41.016, and 23.41.018, and for the preparation of priorities for planned community developments:

1. Publication of notice in the Land Use Information Bulletin; and

2. Mailed notice; and
B. The applicant shall post one land use sign visible to the public at each street frontage abutting the site except that if there is no street frontage or the site abuts an unimproved street, the Director shall require either more than one sign and/or an alternative posting location so that notice is clearly visible to the public.

C. For the required meeting for the preparation of priorities for a planned community development, and for a public meeting required for early design guidance, the time, date, location and purpose of the meeting shall be included with the mailed notice.

D. The land use sign may be removed by the applicant the day after the public meeting.

Section 78. Subsection B of Section 23.76.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 121477, is amended as follows:

**23.76.012 Notice of application**

***

B. Types of notice required.

1. For projects subject to environmental review, or design review pursuant to Section 23.41.014, the department shall direct the installation of an environmental review sign on the site, unless an exemption or alternative posting as set forth in this subsection 23.76.012.B is applicable. The environmental review sign shall be located so as to be clearly visible from the adjacent street or sidewalk, and shall be removed at the direction of the department after final City action on the application has been completed.

   a. In the case of submerged land, the environmental review sign shall be posted on adjacent dry land, if any, owned or controlled by the applicant. If there is no adjacent
dry land owned or controlled by the applicant, notice shall be provided according to subsection 23.76.012.B.1.c.

b. Projects limited to interior remodeling, or which are subject to environmental review only because of location over water or location in an environmentally critical area, are exempt from the environmental review sign requirement.

c. When use of an environmental review sign is neither feasible nor practicable to assure that notice is clearly visible to the public, the Director shall post ten placards within 300 feet of the site and at the closest street intersections when one or more of the following conditions exist:

(1) The project site is over 5 acres;

(2) The applicant is not the property owner, and the property owner does not consent to the proposal;

(3) The site is subject to physical characteristics such as steep slopes or is located such that the environmental review sign would not be highly visible to neighboring residents and property owners or interested citizens.

d. The Director may require both an environmental review sign and the alternative posting measures described in subsection 23.76.012.B.1.c, or may require that more than one environmental review sign be posted, when necessary to assure that notice is clearly visible to the public.

2. For projects that are categorically exempt from environmental review, the department shall post one land use sign visible to the public at each street frontage abutting the site except, when there is no street frontage or the site abuts an unimproved street, the Director
may post more than one sign and/or an alternative posting location so that notice is clearly visible to the public. The land use sign may be removed by the applicant within 14 days after final action on the application has been completed.

3. For all projects requiring notice of application, the Director shall provide notice in the Land Use Information Bulletin. For projects subject to the environmental review, notice in the Land Use Information Bulletin shall be published after installation of the environmental review sign.

4. In addition, for variances, administrative conditional uses, temporary uses for more than 4 weeks, shoreline variances, shoreline conditional uses, short plats, early design guidance process, School Use Advisory Committee (SUAC) formation and school development standard departure, the Director shall provide mailed notice.

5. Mailed notice of application for a project subject to design review, except streamlined design review pursuant to Section 23.41.018 for which no development standard departure pursuant to Section 23.41.012 is requested, shall be provided to all persons establishing themselves as parties of record by attending an early design guidance public meeting for the project or by corresponding with the Department about the proposed project before the date of publication.

6. Additional notice for subdivisions shall include mailed notice and publication in at least one community newspaper in the area affected by the subdivision.

***

Section 79. Section 23.76.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 122611, is amended as follows:
23.76.026 Vesting

A. Master Use Permit components other than subdivisions and short subdivisions. Except as otherwise provided in this Section 23.76.026 or otherwise required by law, applications for all Master Use Permit components except subdivisions and short subdivisions shall be considered under the Land Use Code and other land use control ordinances in effect on the date:

1. Notice of the Director's decision on the application is published, if the decision can be appealed to the Hearing Examiner, or the Director's decision if no Hearing Examiner appeal is available; or

2. A fully complete building permit application, as determined under Section 106 of the Seattle Building Code or Section R105 of the Seattle Residential Code, is filed.

B. Subdivision and short subdivision components of Master Use Permits. An application for approval of a subdivision or short subdivision of land shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application for such approval that satisfies the requirements of Section 23.22.020 (subdivision) or Sections 23.24.020 and 23.24.030 (short subdivision) is submitted to the Director.

C. Design review component of Master Use Permits.

1. If a complete application for a Master Use Permit is filed prior to the date design review becomes required for that type of project, no design review component is required.

2. A complete application for a Master Use Permit that includes a design review component shall be considered under the Land Use Code and other land use control ordinances in effect on the date a complete application for the early design guidance process or SDR guidance process is submitted to the Director, provided that such Master Use Permit application
is filed within 90 days of the date of the early design guidance public meeting if an early design guidance public meeting is required, or within 90 days of the date the Director provided guidance if no early design guidance public meeting is required.

D. {RESERVED}

E. {RESERVED}

F. Applicants whose applications vest after the effective date of the ordinance introduced as Council Bill 117014, but prior to the expiration of 180 days after the effective date of that ordinance, may elect to have Section 23.86.006, Structure height, as it existed prior to the effective date of that ordinance applied to their application. The applicant shall make the election in writing and file it with the Director prior to the expiration of the 180 day period.

Section 80. Subsection B of Section 23.76.040 of the Seattle Municipal Code, which section was last amended by Ordinance 122497, is amended as follows:

**23.76.040 Applications for Council land use decisions**

* * *

B. All applications for Council land use decisions shall be made to the Director on a form provided by the Department.

1. For Council land use decisions that do not include a design review component and are not applications for Major Institution Master Plans, the Director shall transmit notice of the application to the City Clerk for filing with the City Council promptly after the application is first submitted.

2. For Council land use decisions that include a design review component the Director shall:
a. For applications subject to design review by the Design Review Board, transmit notice of the early design guidance public meeting to the City Clerk for filing with the City Council promptly at the same time public notice is provided.

b. For applications subject to design review pursuant to Sections 23.41.016 or 23.41.018, transmit notice of the application to the City Clerk for filing with the City Council promptly after the applicant applies to begin the early design guidance or SDR design guidance process.

3. For applications for Major Institution Master Plans, the Director shall transmit the notice of intent to prepare a master plan to the City Clerk for filing with the City Council promptly after the notice of intent is received.

***

Section 81. Section 23.84A.002 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical order, and to amend a definition, as follows:

**23.84A.002 “A”**

***

"Amenity area" means space that provides opportunity for active or passive recreational activity for residents of a development or structure, including landscaped open spaces, decks and balconies, roof gardens, plazas, courtyards, play areas, and sport courts.

"Amenity area, common" means amenity area that is available for use by all occupants of a residential use.
"Amenity area, private " means amenity area that is intended to be used only by the occupants of one dwelling unit.

***

"Apartment" See “Residential use”.

***

“Assisted living unit” is a dwelling unit in an assisted living facility that meets the size and physical requirements required by WAC 388-110-140.

***

Section 82. Section 23.84A.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended to add definitions, to be inserted in alphabetical order, to delete a definition, and to amend a definition, as follows:

23.84A.006 “C”

***

“Carriage house” means a dwelling unit in a carriage house structure.

“Carriage house structure” means a structure within a cottage housing development, in which one or more dwelling units are located on the story above an enclosed parking garage at ground level that either abuts an alley and has vehicle access from that alley, or is located on a corner lot and has access to the parking in the structure from a driveway that abuts and runs parallel to the rear lot line of the lot. See also “Carriage house”.

***

“Cottage” means a single-family dwelling unit located in a cottage housing development.
“Cottage housing development”. See “Residential use”.

* * *

Section 83. Section 23.84A.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122411, is amended to delete a definition as follows:

23.84A.010 “E”

* * *

Section 84. Section 23.84A.012 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended to add a definition, to be inserted in alphabetical order, to delete a definition, and to amend two definitions, as follows:

23.84A.012 “F”

* * *

"Facade, interior" means any facade of a structure that faces, or portions of which face, the facade(s) of another structure(s) located on the same lot.

* * *

"Facade, street-facing” means for any street lot line, all portions of the facade, measured from grade to the eaves of a sloping roof, or to the top of the parapet on a flat roof, that are:

1. oriented at less than a 90 degree angle to the street lot line; and
2. not separated from the street lot line by another lot, or any structure except a fence, ramp, solar collector, or sign.

* * *

“Frequent transit service.” See “Transit service, frequent.”
Section 85. Section 23.84A.014 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended to delete two definitions as follows:

**23.84A.014 “G”**

* * *

* * *

Section 86. Section 23.84A.024 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended to add a definition as follows:

**23.84A.024 “L”**

* * *

"Lot grade, existing" means the natural surface contour of a lot, as modified by minor adjustments to the surface of the lot in preparation for construction. For purposes of this definition, on a lot where excavation has occurred for previous development, the interpolated grade based on existing grade elevations at the lot lines may be considered the natural surface contour of the lot. Where an area in excess of two acres has been legally regraded, the resulting grade shall be considered the existing lot grade.

* * *

"Lot line, alley" means a lot line that abuts upon an alley.

* * *

Section 87. Section 23.84A.025 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended, as follows:
Section 23.84A.025 “M”

"Multifamily residential structure" means a structure containing only multifamily residential uses and permitted uses accessory to the multifamily residential uses.

Section 88. Section 23.84A.032 of the Seattle Municipal Code, which section was last amended by Ordinance 122935, is amended to delete definitions, amend definitions, and add new definitions, to be inserted in alphabetical order, as follows:

23.84A.032 “R.”

"Residential district identification sign" means an off-premises sign that gives the name of the group of residential structures, such as a subdivision.

“Residential use” means any one or more of the following:

1. “Accessory dwelling unit” means one or more rooms that (a) are located within an owner-occupied dwelling unit, or within an accessory structure on the same lot as an owner-occupied dwelling unit; (b) meet the standards of Section 23.44.041 or 23.45.545; (c) are designed, arranged, and intended to be occupied by not more than one household as living accommodations independent from any other household; and (d) are so occupied or vacant.

2. “Adult family home” means an adult family home defined and licensed as such by The State of Washington in a dwelling unit.
3. “Apartment” means a multifamily residential use that is not a cottage housing development, rowhouse development, or townhouse development.

4. “Artist’s studio/dwelling” means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

5. “Assisted living facility” means a use licensed by The State of Washington as a boarding home pursuant to RCW 18.20, that contains at least two assisted living units for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes. See “Assisted living unit.”

6. “Caretaker’s quarters” means a use accessory to a nonresidential use consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a caretaker or watchperson.

7. “Congregate residence” means a use in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family dwelling units for which special or reasonable accommodation has been granted.

8. “Cottage housing development” means a use consisting of cottages arranged on at least two sides of a common open space or a common amenity area. A cottage housing
development may include a carriage house structure. See “Cottage,” “Carriage house,” and “Carriage house structure.”


10. “Domestic violence shelter” means a dwelling unit managed by a nonprofit organization, which unit provides housing at a confidential location and support services for victims of domestic violence.

11. “Floating home” means a dwelling unit constructed on a float that is moored, anchored or otherwise secured in the water.

12. “Mobile home park” means a tract of land that is rented for the use of more than one mobile home occupied as a dwelling unit.

13. “Multifamily residential use” means a use consisting of two or more dwelling units in a structure or portion of a structure, excluding accessory dwelling units.

14. "Multifamily residential use, low-income disabled" means a multifamily residential use in which at least 90 percent of the dwelling units are occupied by one or more persons who have a handicap as defined in the Federal Fair Housing Amendments Act and who constitute a low-income household.

15. "Multifamily residential use, low-income elderly" means a residential use in which at least 90 percent of the dwelling units are occupied by one or more persons 62 or more years of age who constitute a low-income household.

16. "Multifamily residential use, low-income elderly/low-income disabled" means a multifamily residential use in which at least 90 percent of the dwelling units (not
including vacant units) are occupied by a low-income household that includes a person who has a handicap as defined in the Federal Fair Housing Amendment Act or a person 62 years of age or older, as long as the housing qualifies for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.

17. “Nursing home” means a use licensed by The State of Washington as a nursing home, which provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves, but that does not provide care for the acutely ill or surgical or obstetrical services. This definition excludes hospitals or sanitariums.

19. “Rowhouse Development” means a multifamily residential use in which: (a) each dwelling unit occupies the space from the ground to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space above or below another dwelling unit, except for dwelling units constructed over a shared parking garage; (c) each dwelling unit is attached along at least one common wall to at least one other dwelling unit, or abuts another dwelling unit on a common lot line; (d) the front of each dwelling unit faces a street; (e) each dwelling unit provides pedestrian access directly to the street that it faces; and (f) there is no intervening principal structure between any dwelling unit and the street, or between any dwelling unit and a lot line.

20. “Single-family dwelling unit” means a detached structure having a permanent foundation, containing one dwelling unit, except that the structure may also contain an accessory
dwelling unit where expressly authorized pursuant to this Title 23. A detached accessory dwelling unit is not considered a single-family dwelling unit for purposes of this Chapter 23.84A.

21. "Townhouse Development” means a multifamily residential use that is not a rowhouse development, and in which: (a) each dwelling unit occupies the space from the ground to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space above or below another dwelling unit, except for dwelling units constructed over a shared parking garage; and (c) each dwelling unit is attached along at least one common wall to at least one other dwelling unit, or abuts another dwelling unit on a common lot line.

***

“Rowhouse development.” See “Residential use.”

“Rowhouse unit” means a dwelling unit in a rowhouse development.

***

Section 89. Section 23.84A.036 of the Seattle Municipal Code, which section was last amended by Ordinance 123046, is amended to add a definition, to be inserted in alphabetical order, as follows:

Section 23.84A.036 “S”

***

“Structure, multifamily residential.” See “Multifamily residential structure.”

***
Section 90. Section 23.84A.038 of the Seattle Municipal Code, which section was last amended by Ordinance 123378, is amended to add definitions, to be inserted in alphabetical order, delete definitions, and amend definitions, as follows:

23.84A.038 “T”

“Tandem houses” means two unattached single-family dwelling units occupying the same lot.

***

“Townhouse” See “Residential use.”

“Townhouse unit” means a dwelling unit in a townhouse development.

***

“Transit service, frequent” means transit service headways in at least one direction of 15 minutes or less for at least 12 hours per day, 6 days per week, and 30 minutes or less for at least 18 hours every day.

***

Section 91. Section 23.84A.040 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.84A.040 "U."

"Underground" means entirely below the surface of the earth, measured from existing or finished grade, whichever is lower, excluding access.

***

Section 92. Section 23.84A.044 of the Seattle Municipal Code, which section was last amended by Ordinance 123021, is amended to add a new definition to be inserted in alphabetical order, as follows:
23.84A.044 "W"

***

"Woonerf" means a common space shared by pedestrians, bicyclists and vehicles, used for vehicular access, in which amenities such as trees, planters, and seating serve to impede vehicular movement and provide opportunities for outdoor use by occupants of abutting structures. A woonerf is intended and designed to prioritize pedestrian movement and safety, through features such as pavers and pervious ground surfaces that slow vehicular movement.

***

Section 93. Section 23.84A.048 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.84A.048 “Z”

***

"Zone, lowrise" means a zone with a classification that includes any of the following: Lowrise 1, Lowrise 2, or Lowrise 3, which classification also may include one or more suffixes.

"Zone, multifamily" means a zone with a classification that includes any of the following: Lowrise 1 (LR1), Lowrise 2 (LR2), Lowrise 3 (LR3), Midrise (MR), Midrise/85 (MR/85), or Highrise (HR), which classification also may include one or more suffixes.

***

"Zone, residential" means a zone with a classification that includes any of the following: SF9600, SF7200, SF5000, RSL, LR1, LR2, LR3, MR, HR, RC, DMR, and IDR, which classification also may include one or more suffixes, but not including any zone with an RC designation.
Section 94. The title of Section 23.86.006 of the Seattle Municipal Code, and subsections A and D of Section 23.86.006, which section was last amended by Ordinance 123206, are amended as follows:

**23.86.006 Structure height measurement**

A. In all zones except downtown zones and zones within the South Lake Union Urban Center, and except for the Living Building Pilot Program authorized by Section 23.40.060, unless otherwise specified, the height of structures shall be measured according to this subsection 23.86.006.A.

1. General rule. Except as otherwise specified, the height of a structure is the difference between the elevation of the highest point of the structure not excepted from applicable height limits and the average grade level. In this subsection 23.86.006.A, “average grade level” means the average of the elevation of existing lot grades at the midpoints, measured horizontally, of each exterior walls of the structure, except as provided in subsection 23.86.006.A.2.

2. Height measurement on sloping lots.

a. The calculation of structure height in subsection 23.86.006.A.1 may be modified, at the discretion of the applicant, on sloping lots for which the elevation at the higher corner of at least one exterior wall is at least 20 feet higher than the elevation at the lower corner of that wall.

b. If the condition of subsection 23.86.006.A.2.a is satisfied, then the height measurement method may be modified as follows:
1) Draw the smallest rectangle that encloses the principal structure.

2) Divide one side of the rectangle into equal segments at least 15 feet in length.

3) The lines used to divide the length of the structure into individual segments shall be perpendicular to the side of the rectangle used to determine the difference in elevation in subsection 23.86.006.A.2.a and extend as a vertical plane from the ground to the sky.

4) The maximum height for each segmented portion of the structure shall be measured from the average grade level for each segmented portion of the structure, which shall be calculated as the average elevation of existing lot grades at the midpoints of the two opposing exterior walls of each segmented portion of the structure.

Section 95. Section 23.86.007 of the Seattle Municipal Code, which section was last amended by Ordinance 115326, is amended as follows:

**23.86.007 Gross floor area and floor area ratio measurement**

A. Certain items may be exempted from calculation of gross floor area of a structure. Except as otherwise expressly provided in this Title 23, if gross floor area of underground stories or portions of stories is exempted, the amount of below-grade gross floor area is measured as follows:

1. An underground story is that story or portion of a story for which the finished floor next above, or the roof surface if there is no next floor above, is at or below the abutting existing or finished grade, whichever is lower (See Exhibit A for 23.86.007).
2. To determine the amount of gross floor area that is below grade:
   
a. determine the elevation of the finished floor of the story next above the underground story, or the roof surface if there is no next floor above the underground story;
   
b. determine the points along the exterior wall of the story where the finished floor elevation or roof surface elevation above intersects the abutting corresponding existing or finished grade elevation, whichever is lower;
   
c. draw a straight line across the story connecting the two points on the exterior walls;
   
d. the gross floor area of an underground story or portion of an underground story is the area that is at or below the straight line drawn in step 23.86.007.A.2.c above.
Exhibit A for 23.86.007: Floor Area Below Grade

B. Pursuant to subsection 23.45.510.E, for certain structures in multifamily zones, portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, are exempt from calculation of gross floor area. The exempt gross floor area of such partially below-grade stories is measured as follows:

1. determine the elevation 4 feet above the finished floor of the story next above the partially below-grade story, or 4 foot above the roof surface if there is no next floor above the partially below-grade story;
2. determine the points along the exterior wall of the story where the elevation
determined in step 23.86.007.B.1 above intersects the abutting corresponding existing or finished
grade elevation, whichever is lower;

3. draw a straight line across the story connecting the two points on the exterior
walls;

4. the gross floor area of the partially below-grade story or portion of a partially
below-grade story is the area of the story that is at or below the straight line drawn in step
23.86.007.B.3 above (See Exhibit B for 23.86.007).
C. Public rights-of-way are not considered part of a lot when calculating floor area ratio; except that if dedication of right-of-way is required as a condition of a proposed development, the area of dedicated right-of-way is included.

D. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

E. In LR zones, if more than one category of residential use is located on a lot, the FAR limit for each category of residential use is based on each category’s percentage of total structure footprint area, as follows:
1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, “footprint” is defined as the horizontal area enclosed by the exterior walls of the structure.

2. Calculate the total square feet of footprint of all categories of residential uses on the lot.

3. Divide the square footage of the footprint for each category of residential structure (subsection 23.86.007.D.1 above) by the total square feet of footprints of all residential uses (subsection 23.86.007.D.2 above).

4. Multiply the percentage calculated in subsection 23.86.007.D.3 for each housing category by the area of the lot. The result is the area of the lot devoted to each housing category.

5. The FAR limit for each category of residential use is the applicable one for that use multiplied by the percentage calculated in subsection 23.86.007.E.4.

Section 96. Section 23.86.012 of the Seattle Municipal Code, which section was last amended by Ordinance 115326, is amended as follows:

23.86.012 Multifamily zone setback measurement

A. Setback Averaging. In multifamily zones, certain required setbacks may be averaged. In such cases the following provisions apply:

a. The average front and rear setbacks are calculated based on the entire width of the structure;

b. The average side setbacks are calculated based on the entire depth of the structure;
c. Setbacks are measured horizontally from the lot line to the facade of the structure, at the point that the structure meets the ground.

B. Determining front setbacks for institutions.

In LR zones, the minimum required front setback for institutions is determined by averaging the setbacks of structures on either side of the subject lot, as follows:

1. The required front setback is the average of the distances between principal structures and front lot lines of the nearest principal structures on each side of the subject lot if each of those structures is on the same block front as the subject lot and is within 100 feet of the side lot lines of the subject lot (Exhibit A for 23.86.012).
Exhibit A for 23.86.012: Front Setback Averaging for Institutions

**EXHIBIT A FOR 23.86.012: FRONT SETBACK AVERAGING FOR INSTITUTIONS**

DEPTH SHALL BE MEASURED FROM FRONT LOT LINE TO CLOSEST WALL COMPRISING 20% OR MORE OF WIDTH OF STRUCTURE FRONT.

MORE THAN 20% OF TOTAL WIDTH OF STRUCTURE FRONT

FRONTAGE STREET

REQUIRED MINIMUM FRONT SETBACK FOR LOT B DETERMINED AS FOLLOWS:
1. FRONT SETBACK, LOT A = 16'
2. FRONT SETBACK, LOT C = 20'
3. AVERAGE FRONT SETBACK = 18'
4. REQUIRED MINIMUM FRONT SETBACK FOR LOT B = 18'.
2. If the first principal structure within 100 feet of a side lot line of the subject lot is not on the same block front or there is no principal structure within 100 feet of the side lot line, the setback depth used for averaging purposes on that side is 7 feet.

3. For averaging purposes, the front setback is the shortest distance from the front lot line to the nearest wall or, where there is no wall, the plane between supports that span 20 percent or more of the width of the front facade of the principal structure. Attached garages and enclosed porches are considered part of the principal structure for measurement purposes. Decks less than 18 inches above existing grade, uncovered porches, eaves, attached solar collectors and other similar parts of the structure are not considered part of the principal structure.

4. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes the amount of dedication is subtracted from the front setbacks of the structures on either side.

5. If the front setback of the first principal structure within 100 feet of the side lot line of the subject lot exceeds 20 feet, the setback depth used for averaging purposes on that side is 20 feet.

6. In cases where the street is very steep or winding, the Director will determine which adjacent structures should be used for averaging purposes.

7. In the case of a through lot, the front setback is determined independently for each street frontage. The measurement techniques of this section 23.86.012 apply to each street frontage separately.
8. For multiple structures on the same lot, the front setback of a principal structure on the same lot may be used for averaging purposes.

Section 97. Section 23.86.014 of the Seattle Municipal Code, which section was last amended by Ordinance 118414, is amended as follows:

23.86.014 Structure width measurement

A. Structure width is measured as follows:

1. Draw the smallest rectangle that encloses the principal structure.

2. Structure width is the length of the side of that rectangle most closely parallel to the front lot line (Exhibit A for 23.86.014).

Exhibit A for 23.86.014: Structure Width
Exhibit A for 23.86.014: Structure Width

Street
Front Lot Line

Structure Width

Side Lot Line

Principal Structure

Smallest Rectangle enclosing principal structure

Rear Lot Line
B. Portions of a structure considered part of the principal structure for the purpose of measuring structure width are as follows:

1. Carports and garages attached to the principal structure, unless they are attached by a structural feature not counted in structure width under subsection 23.86.014.C;

2. Accessory structures, other than carports and garages, that are not listed in subsection 23.86.014.C, if they are less than 3 feet from the principal structure at any point;

3. Exterior corridors, hallways, and open, above-grade walkways;

4. Enclosed porches, decks, balconies and other enclosed projections; and

5. Projecting segments of a facade unless they are not counted in structure width in subsection 23.86.014.C.

C. Portions of a structure that are not considered part of the principal structure for the purpose of measuring structure width are as follows:

1. The first 4 feet of eaves, cornices, and gutters that project from an exterior wall;

2. The first 18 inches of chimneys that project from an exterior wall;

3. Attached solar greenhouses meeting minimum energy standards administered by the Director;

4. The first 4 feet of unenclosed decks, balconies and porches, unless located on the roof of an attached garage or carport included in structure width in subsection 23.86.014.B.1;

5. Arbors, trellises, and similar features; and

6. In Lowrise zones, portions of a structure that are exempt from FAR limits pursuant to subsection 23.45.510.E.5.
Section 98. A new Section 23.86.015 is added to the Seattle Municipal Code as follows:

**23.86.015 Maximum façade length measurement**

A. In Lowrise zones, the length of certain façades is limited by development standards.

Façade length is measured as follows:

1. Draw a line parallel to, and 15 feet from, the lot line along which the length of a façade is limited.

2. For each portion of a structure that located between the line drawn in subsection 23.86.015.A.1 and the lot line, mark the points at which that portion of the structure crosses the line drawn in subsection 23.86.015.A.1, and measure the distance between those points.

3. The façade length limit applies to the sum of the lengths of the portions of structure(s) measured in subsection 23.86.015.A.2 (see Exhibit A and Exhibit B for 23.86.015).
Exhibit A for 23.86.015 Façade Length

Exhibit B for 23.86.015 Façade Length
B. Portions of a structure that are included in façade length measurement include:
1. Carports and garages attached to the principal structure, unless they are attached by a structural feature not counted in structure width under subsection 23.86.015.C;

2. Accessory structures, other than carports and garages, that are not listed in subsection 23.86.014.C, if they are less than 3 feet from the principal structure at any point;

3. Exterior corridors, hallways, and open, above-grade walkways;

4. Projecting segments of a facade unless they are not counted in structure width in subsection 23.86.014.C.

4. Enclosed porches, decks, balconies and other enclosed projections; and

5. Projecting segments of a facade unless excluded in subsection 23.86.015.C.

C. Portions of a structure that are not included in façade length measurement include:

1. Eaves, cornices, and gutters;

2. The first 18 inches of chimneys that project from an exterior wall;

3. Attached solar greenhouses meeting minimum energy standards administered by the Director;

4. The first 4 feet of unenclosed decks, balconies and porches, unless located on the roof of an attached garage or carport included in structure width in subsection 23.86.014.B.1;

5. Arbors, trellises, and similar features; and

6. In Lowrise zones, portions of a structure that are exempt from FAR limits pursuant to subsection 23.45.510.E.5.

Section 99. Section 23.86.016 of the Seattle Municipal Code, which section was last amended by Ordinance 118414, is amended as follows:

**23.86.016 Structure and lot depth measurement**
A. Structure depth is measured as follows:

1. Draw the smallest rectangle that encloses a principal structure.

2. Structure depth is the length of the sides of that rectangle most closely parallel to the side lot lines (Exhibit A for 23.86.016).

Exhibit A for 23.86.016: Structure Depth
c. If more than one structure is located on a lot and no portion of a structure is behind any portion of another structure and the structures are separated by a minimum of 10 feet, the maximum depth of each structure shall be measured individually (See Exhibit A for 23.86.016: Structure Depth).
Exhibit B for 23.86.016. When any portion of a structure is behind any portion of another
structure then maximum structure depth shall be the combined depth of the principal structures
on the lot.

Exhibit B for 23.86.016  23.41.018: Depth Measurement for Offset Structures
B. Portions of a structure considered part of the principal structure for the purpose of measuring structure depth are as follows:
1. Carports and garages attached to the principal structure, unless they are attached by a structural feature not counted in structure depth under subsection 23.86.016.C;

2. Accessory structures, other than carports and garages, that are not listed in subsection 23.86.016.C, if they are less than 3 feet from the principal structure at any point;

3. Exterior corridors, hallways, and open, above grade walkways;

4. Enclosed porches, decks, balconies and other enclosed projections, except as provided in subsection 23.43.008.C; and;

5. Projecting segments of a facade unless they are not counted in structure depth in subsection 23.86.016.C.

C. Portions of a structure that are not considered part of the principal structure for the purpose of measuring structure depth are as follows:

1. The first 4 feet of eaves, cornices, and gutters that project from an exterior wall;

2. The first 18 inches of chimneys that project from an exterior wall;

3. Attached solar greenhouses meeting minimum energy standards administered by the Director;

4. The first 4 feet of unenclosed decks, balconies and porches, unless located on the roof of an attached garage or carport included in structure depth in subsection 23.86.014.B;

5. Arbors, trellises, and similar features; and

6. In Lowrise 3 zones in the Northgate Overlay District, portions of a structure that are exempt from FAR limits pursuant to subsection 23.45.510.E.5.
D. Determining lot depth. In certain zones, development standards are based on lot depth, which is determined as follows::

1. If the lot is essentially rectangular and has a rear lot line within 15 degrees of parallel to the front lot line, the lot depth is the horizontal distance between the midpoints of the front and rear lot lines (Exhibit C for 23.86.016).

2. If the lot is triangular or wedge-shaped, lot depth shall be the horizontal distance between the midpoint of the front lot line and the rear point of the lot. If the lot does not actually come to a point, lot depth is measured from midpoint of the front lot line to the midpoint of the rear lot line (Exhibit C for 23.86.016).

3. In the case of a through lot, lot depth is measured between the midpoint of each front lot line.

4. When lot shape is so irregular that subsections 23.86.016.D.1, 2 or 3 cannot be used, lot depth is the distance equal to the result of lot area divided by length of front lot line, provided that in no case is the depth permitted to be greater than the distance from front lot line to the furthest point on the perimeter of the lot (Exhibit D for 23.86.016).
Exhibit C for 23.86.016: Measuring Lot Depth
Exhibit D for 23.86.016 Rear Lot Line Exception

Exhibit D for 23.86.016: Rear Lot Line Exception

LOT DEPTH REAR LOT LINE
NOT PARALLEL TO FRONT LOT
LINE FOR ENTIRE DISTANCE

Lot area =
(100 x 100) +
(25 x 50)) =
11,250

Lot depth =
Lot Area Front Lot Line
= 11,250
100
= 112.5
Section 100. A new Section 23.86.017 of the Seattle Municipal Code is added to read as follows:

23.86.017 Amenity area measurement

Certain zones require a minimum amount of amenity area to be provided on the lot. If amenity area is required, the following provisions shall apply:

A. If the applicable development standards specify a minimum contiguous amenity area, areas smaller than the minimum contiguous area are not be counted toward fulfilling amenity area requirements.

1. Driveways and vehicular access easements, whether paved or unpaved, shall be considered to separate the amenity areas they bisect, except for woonerfs permitted to qualify as required amenity area.

2. Pedestrian access areas shall not be considered to break the contiguity of amenity area on each side.

B. In shoreline areas, when determining the amount of amenity area required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

C. In cases where the shape or configuration of the amenity area is irregular or unusual, the Director shall determine whether amenity area requirements have been met, notwithstanding the following provisions, based on whether the proposed configuration would result in amenity area that is truly usable for normal residential recreational purposes. For the purpose of measuring the minimum horizontal dimension of the amenity area, if one is specified, the following provisions shall apply:
1. For rectangular or square areas, each exterior dimension of the area shall meet the minimum dimension (Exhibit A for 23.86.017).

**Exhibit A for Section 23.86.017: Measurement of Regular Amenity Area**

![Exhibit A for 23.86.017: Measurement of Rectangular Amenity Areas]

2. For circular areas, the diameter of the circle shall meet the minimum dimension; for semicircular areas, the radius of the area shall meet the minimum dimension (Exhibit B for 23.86.017).
Exhibit B for 23.86.017: Measurement of Circular Amenity Areas

(Exhibit: Measurement of Circular Open Spaces)

("a" = minimum horizontal dimension of amenity area as established in each zone)
Section 101. Section 23.86.019 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

23.86.019 Green Factor measurement

A. Development standards for certain areas require landscaping that meets a minimum Green Factor score. All required landscaping shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth and quality of soil, use of drought-tolerant plants, and access to light and air for plants. The Green Factor score shall be calculated as follows:

1. Identify all proposed landscape elements, sorted into the categories presented in Table A for Section 23.86.019.

2. Multiply the square feet, or equivalent square footage where applicable, of each landscape element by the multiplier provided for that element in Table A for Section 23.86.019, according to the following provisions:

   a. If multiple elements listed on Table A for Section 23.86.019 occupy the same area (for example, groundcover under a tree), count the full square footage or equivalent square footage of each element.

   b. Landscaping elements in the right-of-way between the lot line and the roadway may be counted, provided that they are approved by the Director of the Department of Transportation.

   c. Elements listed in Table A for Section 23.86.019 that are provided to satisfy any other requirements of this Code may be counted.
d. For trees, large shrubs, and large perennials, use the equivalent square footage of each tree or shrub according to Table B for Section 23.86.019.

e. For vegetated walls, use the square footage of the portion of the wall covered by vegetation. All vegetated wall structures, including fences counted as vegetated walls, shall be constructed of durable materials, provide adequate planting area for plant health, and provide appropriate surfaces or structures that enable plant coverage.

f. For all elements other than trees, large shrubs, large perennials, and vegetated walls, square footage is determined by the area of the portion of a horizontal plane that lies over or under the element.

g. All permeable paving and structural soil credits together may not count for more than one third of the lot’s Green Factor score.

3. Add together all the products calculated under subsection 23.86.019.A.2 to determine the Green Factor numerator.

4. Divide the Green Factor numerator by the lot area to determine the Green Factor score.

<table>
<thead>
<tr>
<th>Table A for Section 23.86.019: Green Factor Landscape Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green Factor Landscape Elements</td>
</tr>
<tr>
<td>A. Planted Areas (choose one of the following for each planting area)</td>
</tr>
<tr>
<td>1. Planted areas with a soil depth of less than 24 inches</td>
</tr>
<tr>
<td>2. Planted areas with a soil depth of 24 inches or more:</td>
</tr>
<tr>
<td>3. Bioretention facilities meeting standards of the Stormwater Code, Title 22 Subtitle VIII of the Seattle Municipal Code</td>
</tr>
<tr>
<td>B. Plants</td>
</tr>
<tr>
<td>1. Mulch, ground covers or other plants normally expected to be less than 2 feet tall at maturity.</td>
</tr>
<tr>
<td>2. Large shrubs or other perennials at least 2 feet tall at maturity</td>
</tr>
<tr>
<td>3. Small trees</td>
</tr>
<tr>
<td>4. Small/medium trees</td>
</tr>
<tr>
<td>5. Medium/large trees</td>
</tr>
<tr>
<td>6. Large trees</td>
</tr>
<tr>
<td>7. Preservation of existing large trees at least 6 inches in diameter at breast height</td>
</tr>
<tr>
<td><strong>C. Green roofs</strong></td>
</tr>
<tr>
<td>1. Planted over at least 2 inches but less than 4 inches of growth medium</td>
</tr>
<tr>
<td>2. Planted over at least 4 inches of growth medium</td>
</tr>
<tr>
<td><strong>D. Vegetated walls</strong></td>
</tr>
<tr>
<td><strong>E. Water features using harvested rainwater and under water at least six months per year</strong></td>
</tr>
<tr>
<td><strong>F. Permeable paving</strong></td>
</tr>
<tr>
<td>1. Installed over at least 6 inches and less than 24 inches of soil and/or gravel</td>
</tr>
<tr>
<td>2. Installed over at least 24 inches of soil and/or gravel</td>
</tr>
<tr>
<td><strong>G. Structural soil</strong></td>
</tr>
<tr>
<td><strong>H. Bonuses applied to Green Factor landscape elements:</strong></td>
</tr>
<tr>
<td>1. Landscaping that consists entirely of drought- tolerant or native plant species</td>
</tr>
<tr>
<td>2. Landscaping that receives at least 50 percent of its irrigation through the use of harvested rainwater</td>
</tr>
<tr>
<td>3. Landscaping visible from adjacent rights-of-way or public open space</td>
</tr>
<tr>
<td>4. Landscaping in food cultivation</td>
</tr>
</tbody>
</table>

| **Table B for Section 23.86.019: Equivalent square footage of trees and large shrubs** |
|---------------------------------|----------------------------------|
| **Landscape Elements**          | **Equivalent Square Feet**       |
| Large shrubs or large perennials | 12 square feet per plant         |
| Small trees                     | 75 square feet per tree          |
| Small/medium trees              | 150 square feet per tree         |
| Medium/large trees              | 250 square feet per tree         |
| Large trees                     | 350 square feet per tree         |
| Existing large trees            | 20 square feet per inch of trunk diameter 4.5 feet above grade |
Section 102. Section 23.86.020 of the Seattle Municipal Code, relating to the measurement of modulation for institutions in multifamily zones, which section was last amended by Ordinance 110570, and as shown in Attachment A, is repealed.

Section 103. Subsection B and D of Section 23.90.018 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, are amended as follows:

**23.90.018 Civil Enforcement Proceedings and Penalties**

B. Specific violations.

1. Violations of Section 23.71.018 are subject to penalty in the amount specified in subsection 23.71.018.H.

2. Violations of the requirements of subsection 23.44.041.C are subject to a civil penalty of $5,000, which shall be in addition to any penalty imposed under subsection 23.90.018.A.

3. Violations of Section 23.49.011, 23.49.015 or 23.50.051 with respect to failure to demonstrate compliance with commitments to earn LEED Silver ratings under applicable sections are subject to penalty in amounts determined under Section 23.49.020, and not to any other penalty, but final determination and enforcement of penalties under that Section are subject to subsection 23.90.018.C.

4. Violations of Sections 23.45.510 and 23.45.526 with respect to failure to demonstrate compliance with commitments to earn a LEED Silver rating or a 4-Star rating awarded by the Master Builders Association of King and Snohomish Counties or other eligible green building ratings systems under applicable sections are subject to penalty in amounts determined under subsection 23.90.018.E, and not to any other penalty.
5. Violation of Section 23.40.007.B with respect to failure to demonstrate compliance with a waste diversion plan for a structure permitted to be demolished under subsection 23.40.006.C is subject to a penalty in an amount determined as follows:

\[ P = SF \times 0.02 \times RDR, \]

where:

- \( P \) is the penalty;
- \( SF \) is the total square footage of the structure for which the demolition permit was issued; and
- \( RDR \) is the refuse disposal rate, which is the per ton rate established in SMC Chapter 21.40, and in effect on the date the penalty accrues, for the deposit of refuse at City recycling and disposal stations by the largest class of vehicles.

6. Violations of Section 23.40.060.E.2 by failing to submit the report required by Section 23.40.060.E.2 by the date required is subject to a penalty of $500 per day from the date the report was due to the date it is submitted.

7. Violation of Section 23.40.060.E.1 by failing to demonstrate full compliance with the standards contained in Section 23.40.060.E.1 is subject to a maximum penalty of 5 percent of the construction value set forth in the building permit for the structure and a minimum penalty of 1 percent of construction value, based on the extent of compliance with standards contained in Section 23.40.060.E.1.

***

D. Except in cases of violations of Section 23.45.510, 23.45.526, 23.49.011, 23.49.015, or 23.50.051 with respect to failure to demonstrate compliance with commitments to earn LEED
Silver, Built Green 4-Star, or ESDS ratings or satisfy alternative standards, 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 the 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 104. Section 25.05.675 of the Seattle Municipal Code, which section was last amended by Ordinance 123209, is amended as follows:

25.05.675 Specific environmental policies

* * *

M. Parking.

1. Policy background.

   a. Increased parking demand associated with development projects may adversely affect the availability of parking in an area.

   b. Parking regulations to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are implemented through the City’s Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb parking spillover. The City recognizes that the cost of providing additional parking may have an adverse effect on the affordability of housing.
2. Policies.

a. It is the City’s policy to minimize or prevent adverse parking impacts associated with development projects.

b. Subject to the overview and cumulative effects policies set forth in Sections 25.05.665 and 25.05.670, the decision maker may condition a project to mitigate the effects of development in an area on parking; provided that:

1) No SEPA authority is provided to mitigate the impact of development on parking availability in the Downtown and South Lake Union Urban Centers; 2) No SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential uses located within:

   i. the Capitol Hill/First Hill Urban Center, the Uptown Urban Center, and the University District Urban Center, except the portion of the Ravenna urban village that is not within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot;

   ii. the Station Area Overlay District; and

   iii. portions of urban villages within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot;

3) Outside of the areas listed in subsection 25.05.675.M.2.b, parking impact mitigation for multifamily development, except in the Alki area, as described in subsection 25.05.675.M.2.c, may be required only where on-street parking is at capacity, as
defined by the Seattle Department of Transportation or where the development itself would cause on-street parking to reach capacity as so defined.

c. For the Alki area, as identified on Map B for 23.54.015, a higher number of spaces per unit than is required by SMC Section 23.54.015 may be required to mitigate the adverse parking impacts of specific multifamily projects. Projects that generate a greater need for parking and that are located in places where the street cannot absorb that need -- for example, because of proximity to the Alki Beach Park -- may be required to provide additional parking spaces to meet the building’s actual need. In determining that need, the size of the development project, the size of the units and the number of bedrooms in the units shall be considered.

d. If parking impact mitigation is authorized by this subsection 25.05.675.M, it may include but is not limited to:

1) Transportation management programs;

2) Parking management and allocation plans;

3) Incentives for the use of alternatives to single-occupancy vehicles, such as transit pass subsidies, parking fees, and provision of bicycle parking space;

4) Increased parking ratios; and

5) Reduced development densities to the extent that it can be shown that reduced parking spillover is likely to result; provided, that parking impact mitigation for multifamily development may not include reduction in development density.

* * *

231
Section 105. Subsection A of Section 25.05.800 of the Seattle Municipal Code, which section was last amended by Ordinance 122670, is amended as follows:

25.05.800 Categorical exemptions

The proposed actions contained in this subchapter are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in Section 25.05.305.

A. Minor new construction—flexible thresholds.

1. The exemptions in this subsection apply to all licenses required to undertake the construction in question, except when a rezone or any license governing emissions to the air or discharges to water is required. To be exempt under this Section 25.05.800, the project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt level in subsection A.2 of this Section 25.05.800 shall control. If the proposal is located in more than one city or county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency.

2. The following types of construction are exempt, except when undertaken wholly or partly on lands covered by water or unless undertaken in environmentally critical areas (Section 25.05.908):

   a. The construction or location of residential structures containing no more than the number of dwelling units identified in Table A for 25.05.800, except for lots located in an Urban Center or a SAOD, if the proposed construction or location is on a lot in an LRI or LR2 zone, and if the lot abuts any portion of another lot that is zoned SF or RSL, or is across an alley of any width from a lot that is zoned SF or RSL, or is across a street from a lot zoned SF or...
RSL if that street does not meet minimum width requirements in Section 23.53.015.A, then the level of exempt construction is 4 dwelling units for lots in an LR1 zone, and 6 dwelling units for lots in an LR2 zone;

<table>
<thead>
<tr>
<th>Zone</th>
<th>Residential Uses</th>
<th>Number of Exempt Dwelling Units</th>
<th>Outside of Urban Centers</th>
<th>Within Urban Centers or SAOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF, RSL</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>LR1</td>
<td></td>
<td>4</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>LR2</td>
<td></td>
<td>6</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>LR3</td>
<td></td>
<td>8</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>NC1, NC2, NC3, C1, C2</td>
<td></td>
<td>4</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>MR, HR, SM</td>
<td></td>
<td>20</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>Downtown zones</td>
<td></td>
<td>Not Applicable</td>
<td></td>
<td>80</td>
</tr>
<tr>
<td>Industrial zones</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>

Notes for Table A for 25.05.800
SAOD = Station Area Overlay Districts.
Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, containing no more than the gross floor area listed in the Table B for 25.05.800 below:
d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces;

e. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations there under;

f. Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d above, unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see Section 25.05.305.A.2.b);

g. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection apply.

<table>
<thead>
<tr>
<th>Table B for 25.05.800: Exemptions for Non-Residential Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>SF, RSL, LR1, LR2, LR3</td>
</tr>
<tr>
<td>MR, HR, NC1, NC2, NC3</td>
</tr>
<tr>
<td>C1, C2, SM, Industrial zones</td>
</tr>
<tr>
<td>Downtown zones</td>
</tr>
</tbody>
</table>

Notes for Table B for 25.05.800
SAOD = Station Area Overlay Districts.
Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
Section 106. Subsections A and B of Section 25.09.260 of the Seattle Municipal Code, which section was last amended by Ordinance 122050, is amended as follows:

**25.09.260 Environmentally Critical Areas Administrative Conditional Use**

A. When the applicant demonstrates it is not practicable to comply with the requirements of Section 25.09.240.B considering the parcel as a whole, the applicant may apply for an administrative conditional use permit, authorized under Section 23.42.042, under this section to allow the Director to count environmentally critical areas and their buffers that would otherwise be excluded in calculating the maximum number of lots and units allowed on the parcel under Section 25.09.240.E.

B. Standards. The Director may approve an administrative conditional use for smaller than required lot sizes and yards, and/or more than one dwelling unit per lot if the applicant demonstrates that the proposal meets the following standards:

1. Environmental impacts on critical areas.
   a. No development is in a riparian corridor, shoreline habitat, shoreline habitat buffer, wetland, or wetland buffer.
   b. No riparian management area, shoreline habitat buffer, or wetland buffer is reduced.
   c. No development is on a steep slope area or its buffer unless the property being divided is predominantly characterized by steep slope areas, or unless approved by the Director under Section 25.09.180.B.2.a, b, or c.
(1) The preference is to cluster units away from steep slope areas and buffers.

(2) The Director shall require clear and convincing evidence that the provisions of this subsection 25.09.260.B are met if units are clustered on steep slope areas and steep slope area buffers with these characteristics:

(a) a wetland over 1,500 square feet in size or a watercourse designated part of a riparian corridor; or

(b) an undeveloped area over 5 acres characterized by steep slopes; or

(c) areas designated by the Washington Department of Fish and Wildlife as urban natural open space habitat areas with significant tree cover providing valuable wildlife habitat.

d. The proposal protects Washington State Department of Fish and Wildlife priority species and maintains wildlife habitat.

e. The open water area of a shoreline habitat, wetland or riparian corridor shall not be counted in determining the permitted number of lots.

f. The proposal does not result in unmitigated negative environmental impacts, including drainage and water quality, erosion, and slope stability on the identified environmentally critical area and its buffer.

g. The proposal promotes expansion, restoration or enhancement of the identified environmentally critical area and buffer.

2. General environmental impacts and site characteristics.
a. The proposal keeps potential negative effects of the development on the undeveloped portion of the site to a minimum and preserves topographic features.

b. The proposal retains and protects vegetation on designated nondisturbance areas, protects stands of mature trees, keeps tree removal to a minimum, removes noxious weeds and protects the visual continuity of vegetated areas and tree canopy.

3. Neighborhood compatibility.

   a. The total number of lots permitted on-site shall not be increased beyond that permitted by the underlying single-family zone.

   b. Where dwelling units are proposed to be attached, they do not exceed the height, bulk and other applicable development standards of the Lowrise 1 (LR1) zone.

   c. The development is reasonably compatible with and keeps the negative impact on the surrounding neighborhood to a minimum. This includes, but is not limited to, concerns such as neighborhood character, land use, design, height, bulk, scale, yards, pedestrian environment, and preservation of the tree canopy and other vegetation.

   * * *

Section 107. Section 25.11.070 of the Seattle Municipal Code, which section was enacted by Ordinance 120410, is amended as follows:

25.11.070 Tree protection on sites undergoing development in Lowrise zones

   The provisions in this Section 25.11.070 apply in Lowrise zones.

   A. Exceptional trees

   1. If the Director determines that there is an exceptional tree located on the lot of a proposed development and the tree is not proposed to be preserved, the development shall go
through streamlined design review as provided in Section 23.41.018 if the project falls below the thresholds for design review established in Section 23.41.004.

2. The Director may permit the exceptional tree to be removed only if the total floor area that could be achieved within the maximum permitted FAR and height limits of the applicable Lowrise zone according to SMC Title 23, the Land Use Code, cannot be achieved while avoiding the tree protection area through the following:

   a. Development standard adjustments permitted in Section 23.41.018 or the departures permitted in Section 23.41.012.

   b. An increase in the permitted height as follows under subsection 25.11.070.A.3.

3. In order to preserve an exceptional tree, for a principal structure with a base height limit of 40 feet that is subject to the pitched roof provisions of Section 23.45.514.D, the Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50 feet if the increase is needed to accommodate, on an additional story, the amount of floor area lost by avoiding development within the tree protection area and the amount of floor area on the additional story is limited to the amount of floor area lost by avoiding development within the tree protection area.

   c. Parking Reduction. A reduction in the parking quantity required by Section 23.54.015 and the standards of Section 23.54.030 may be permitted in order to protect an exceptional tree if the reduction would result in a project that would avoid the tree protection area.
B. Trees over 2 feet in diameter.

1. Trees over 2 feet in diameter, measured 4.5 feet above the ground, shall be identified on site plans.

2. In order to protect trees over 2 feet in diameter an applicant may request and the Director may allow modification of development standards in the same manner and to the same extent as provided for exceptional trees in subsection 25.11.070.A.

Section 108. Section 25.11.080, which section was enacted by Ordinance 120410, is amended as follows:

**25.11.080 Tree protection on sites undergoing development in Midrise and Commercial Zones**

The standards in this Section 25.11.080 apply in Midrise and Commercial zones.

A. Exceptional trees.

1. If the Director determines that there is an exceptional tree located on the lot of a proposed project and the tree is not proposed to be preserved, the project shall go through streamlined design review as provided in Section 23.41.018 if the project falls below the thresholds for design review established in Section 23.41.004.

2. The Director may permit an exceptional tree to be removed only if the applicant demonstrates that protecting the tree by avoiding development in the tree protection area could not be achieved through the development standard adjustments permitted in Section 23.41.018 or the departures permitted in Section 23.41.012, a reduction in the parking requirements of Section 23.54.015, and/or a reduction in the standards of Section 23.54.030.

B. Trees over 2 feet in diameter measured.

1. Trees over 2 feet in diameter, measured 4.5 feet above the ground, shall be identified on site plans.
2. In order to protect trees over 2 feet in diameter an applicant may request and
the Director may permit modification of development standards in the same manner and to the
same extent as provided for exceptional trees in subsection 25.11.080.A, above.

* * *

Section 109. The Council requests that the Department of Planning and Development
(DPD) establish a specific target for review time for permit applications subject to the
streamlined administrative design review (SDR) process. DPD will report on the target in the
online permit turnaround data that the Department updates monthly, and will report on the
number of applications and the turnaround times as part of the regular Department presentations
to the Committee on the Built Environment or its successor Committee. In addition, the Council
requests that the DPD submit a written report evaluating the SDR process to all Councilmembers
two months after Master Use Permit decisions for ten SDR projects have been published. In the
report, DPD will provide an evaluation of the per unit cost of SDR, the amount of staffing
required for SDR to the applicant, DPD performance in meeting the review targets, the amount
and purpose of any adjustments granted by DPD through the SDR process, the effects on project
design and development capacity, and potential program improvements. The report should
provide this information by zone category. The Council will reevaluate the SDR process based
on the DPD report findings if necessary to address efficiency, cost, and/or quality of project
design.

Section 110. The provisions of this ordinance are declared to be separate and severable.
The invalidity of any particular provision, or its invalidity as applied in any circumstances, shall
not affect the validity of any other provision or the application of the particular provision in other
circumstances. To the extent that sections of this ordinance recodify or are incorporated into
new or different sections provisions of the Seattle Municipal Code as previously in effect, this ordinance shall be construed to continue such provisions in effect. The repeal of various sections of Title 23 of the Seattle Municipal Code by this ordinance shall not relieve any person of the obligation to comply with the terms and conditions of any permit issued pursuant to the provisions of such Title as in effect prior to such repeal, nor shall it relieve any person or property of any obligations, conditions or restrictions in any agreement or instrument made or granted pursuant to, or with reference to, the provisions of such Title in effect prior to such repeal.

Section 111. Sections 1 through 106 of this ordinance shall take effect 90 days after the effective date of this ordinance.

Section 112. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within 10 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of ______________________, 2010, and signed by me in open session in authentication of its passage this ____ day of __________________, 2010.

__________________________
President __________ of the City Council

Approved by me this ____ day of ______________________, 2010.

__________________________
Michael McGinn, Mayor
Filed by me this ___ day of __________________________, 2010.

____________________________________
City Clerk
(Seal)

Attachment A: Repealed Code Sections
Attachment B: Official Land Use Map amendments

(see Ordinance 123495 at the Seattle City Clerk’s website)