CITY OF SEATTLE

ORDINANCE ________________

COUNCIL BILL ________________

..title
AN ORDINANCE related to land use and zoning; adding a new section 23.53.002, amending Sections 23.53.015, 23.53.020, and 23.53.025; and amending Section 23.84A.024 “L” to the Seattle Municipal Code (SMC).

..body

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 23.53.002 is added to the Seattle Municipal Code as follows:

23.53.002 Scope of provisions

In addition to the provisions of this Chapter 23.53, other regulations including but not limited to the Seattle Fire Code (Chapter 22.600) may apply to development proposals.

Section 1. Section 23.53.015 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

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

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C. Improvements to Non-arterial Streets. Except as provided in subsection D of this section, non-arterial streets shall be improved according to the following requirements:

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1. Non-arterial Streets With Right-of-Way Greater Than or Equal to the Minimum Right-of-Way Width.

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b. Fire apparatus ((A)) access. If the lot does not have vehicular access from a street or private easement that meets the regulations for fire apparatus access roads in Chapter 22.600 of the Seattle Municipal Code ((Chapter 10 of the Seattle Fire Code)), such access shall be provided. When an existing street does not meet these regulations, the Chief of the Fire Department may approve an alternative that provides adequate emergency vehicle access.

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c. Fire apparatus ((A)) access. If the lot does not have vehicular access from a street or private easement that meets the regulations for fire apparatus access roads in Chapter 22.600 of the Seattle Municipal Code ((Chapter 10 of the Seattle Fire Code)), such access shall be provided. When an existing street does not meet these regulations, the Chief of the Fire Department may approve an alternative that provides adequate emergency vehicle access.

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Section 2. Section 23.53.020 of the Seattle Municipal Code, last amended by Ordinance 125681, is amended as follows:

**23.53.020 - Improvement requirements for existing streets in industrial zones**

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C. General Industrial 1 and 2 (IG1 and IG2) zones. Except as provided in subsection 23.53.020.E, the following improvements shall be required in IG1 and IG2 zones, in addition to
the pedestrian access and circulation requirements of Section 23.53.006. Further improvements
may be required on streets designated in subsection 23.53.020.B.

1. Setback requirement. When the right-of-way abutting a lot has less than the
minimum width established in subsection 23.53.020.A.6, a setback equal to half the difference
between the current right-of-way width and the minimum right-of-way width established in
subsection 23.53.020.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. The area of the
setback may be used to meet any development standard, except that required parking may not be
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. When an existing street abutting a lot is less than the
width established in subsection 23.53.020.A.6, all structures shall be designed and built to
accommodate the grade of the future street improvements.

3. Fire apparatus access. If the lot does not have vehicular access from a street or
private easement that meets the regulations for fire apparatus access roads in Chapter 22.600 of
the Seattle Municipal Code ((Chapter 10 of the Seattle Fire Code)), such access shall be
provided. When an existing street does not meet these regulations, the Chief of the Fire
Department may approve an alternative that provides adequate emergency vehicle access.

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D. Industrial Buffer (IB) and Industrial Commercial (IC) zones. Except as provided in
subsection 23.53.020.E, the following improvements are required in IB and IC zones, in addition
to the pedestrian access and circulation requirements of Section 23.53.006. Further improvements may be required on streets designated in subsection 23.53.020.B.

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b. Improvements to nonarterial streets

1) Non-arterial streets with right-of-way greater than or equal to the minimum right-of-way width.

a) Improvement requirements. When an existing non-arterial street right-of-way is greater than or equal to the minimum right-of-way width established in subsection 23.53.020.A.6, a paved roadway with pedestrian access and circulation as required by Section 23.53.006 drainage facilities, and any landscaping required by the zone in which the lot is located shall be provided in the portion of the street right-of-way abutting the lot, as specified in the Right-of-Way Improvements Manual.

b) Fire apparatus access. If the lot does not have vehicular access from a street or private easement that meets the regulations for fire apparatus access roads in Chapter 22.600 of the Seattle Municipal Code ((Chapter 10 of the Seattle Fire Code)), such access shall be provided. When an existing street does not meet these regulations, the Chief of the Fire Department may approve an alternative that provides adequate emergency vehicle access.

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2) Non-arterial streets with less than the minimum right-of-way width
a) Dedication requirement. When an existing non-arterial street has less than the minimum right-of-way established in subsection 23.53.020.A.6, dedication of additional right-of-way equal to half the difference between the current right-of-way width and the minimum right-of-way width established in subsection 23.53.020.A.6 is required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the block shall not be required to dedicate more than that amount of right-of-way.

b) Improvement requirement. A paved roadway with pedestrian access and circulation as required by Section 23.53.006, drainage facilities, and any landscaping required by the zone in which the lot is located shall be provided in the portion of the street right-of-way abutting the lot, as specified in the Right-of-Way Improvements Manual.

c) Fire apparatus access. If the lot does not have vehicular access from a street or private easement that meets the regulations for fire apparatus access roads in Chapter 22.600 of the Seattle Municipal Code ((Chapter 10 of the Seattle Fire Code)), such access shall be provided. When an existing street does not meet these regulations, the Chief of the Fire Department may approve an alternative that provides adequate emergency vehicle access.

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Section 3. Section 23.53.025 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.53.025 Access easement standards

If 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, or a minimum width as needed to meet the driveway standards of subsection 23.54.030.D.1)).

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.

B. Vehicle Access Easements Serving at Least Three (3) but Fewer Than Five (5) Single-Family Dwelling Units.

1. Easement width shall be a minimum of (twenty (20) feet))10 feet;

2. The easement shall provide a hard-surfaced roadway at least ((twenty (20) feet))10 feet wide;

3. No maximum easement length shall be set. If the easement is over ((six hundred ))((()))600(())) feet long, a fire hydrant may be required by the Director;

4. A turnaround shall be provided unless the easement extends from street to street;

5. Curbcut width from the easement to the street shall be the minimum necessary for safety and access.
C. Vehicle access easements serving at least five but fewer than ten single-family dwelling units, or at least three but fewer than ten multifamily dwelling units

1. Easement width, surfaced width, length, turn around and curbcut width shall be as required in subsection 23.53.025.B;

2. No single-family structure shall be closer than 5 feet to the easement, except that structural features allowed to extend into required yards under subsection 23.44.014.D.6 are also allowed to extend into the 5-foot setback from an easement.

D. Vehicle Access Easements Serving Ten or more Residential Units.

1. Easement width shall be a minimum of 32 feet;

2. The easement shall provide a surfaced roadway at least 24 feet wide, except in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet;

3. No maximum length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director;

4. A turnaround shall be provided unless the easement extends from street to street;

5. Curbcut width from the easement to the street shall be the minimum necessary for safety access;

6. No single-family structure shall be located closer than 10 feet to an easement;

7. One pedestrian walkway shall be provided, extending the length of the easement.

E. Vehicle Access Easements Serving Nonresidential or Live-work Uses.
1. For nonresidential or live-work uses providing fewer than ten (10) parking spaces, the easement shall meet the requirements of subsection C.

2. For nonresidential or live-work uses providing ten (10) or more parking spaces, the easement shall meet the requirements of subsection D.

F. Pedestrian Access Easements. Where a lot proposed for a residential use abuts an alley but does not abut a street and the provisions of the zone require access by vehicles from the alley, or where the alley access is an exercised option, an easement providing pedestrian access to a street from the lot shall be provided meeting the following standards:

1. Easement width shall be a minimum of five (5) feet;

2. Easements serving one (1) or two (2) dwelling units shall provide a paved pedestrian walkway at least three (3) feet wide;

3. Easements serving three (3) or more dwelling units shall provide a paved pedestrian walkway at least five (5) feet wide;

4. Easements over one hundred (100) feet in length shall provide lighting at intervals not to exceed fifty (50) feet. Lighting placement shall not exceed fifteen (15) feet in height;

5. Pedestrian access easements shall not exceed two hundred (200) feet in length.

G. Vertical Clearance Above Easements. When an easement serves fewer than ten (10) residential units and crosses a residentially zoned lot, portions of structures may be built over the easement provided that a minimum vertical clearance of sixteen and one-half (16 ½) feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with Section 23.54.030 C is maintained. (See Exhibit 23.53.025 A.)
H. Exceptions From Access Easement Standards. The Director, in consultation with the
Fire Chief, may modify the requirements for easement width and surfacing for properties located
in environmentally critical areas or their buffers when it is determined that:

1. Such modification(s) would reduce adverse effects to identified
   environmentally critical areas or buffers; and

2. Adequate access and provisions for fire protection can be provided for
   structures served by the easement.

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Section 4. Section 23.84A.024 of the Seattle Municipal Code, last amended by Ordinance
125483, is amended as follows:

**23.84A.024 - "L."**

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

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

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

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

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Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ________ day of _________________________, 2019, and signed by me in open session in authentication of its passage this _____ day of _________________________, 2019.

____________________________________
President ____________ of the City Council

Approved by me this ________ day of _________________________, 2019.

____________________________________
Jenny A. Durkan, Mayor

Filed by me this ________ day of _________________________, 2019.

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Monica Martinez Simmons, City Clerk

(Seal)