Seattle Municipal Code
Chapter 23.47
Commercial Area Land Use Regulations

DRAFT

Staff-Recommended Changes to Implement the Neighborhood Business District Strategy

City Planning
Seattle Department of Planning and Development
September 29, 2004

NOTES:
The following chart provides a preliminary description of how the Commercial code may change in order to implement the Neighborhood Business District Strategy (NBDS).

Additional changes may be made in order to be consistent with those highlighted in this document. Examples of additional changes include: amendments to charts and lists of permitted and prohibited uses under other zones to reflect the more concise list of uses proposed as part of the NBDS; new definitions for consolidated uses in Section 23.84, Definitions (which will also be re-organized to make it easier to use); and consolidation of subjects that are treated the same across a number of zones, such as uses in landmarks, home occupations and keeping of animals.

Questions or comments about the changes proposed here can be addressed to DPD staff at 386-9761, or nbds@seattle.gov. For more information about the NBDS, please visit our website at: www.seattle.gov/dpd/planning/nbds

Current Code	Proposed Changes
Chapter 23.47 COMMERCIAL	
23.47.002 Scope of provisions.	
A. This chapter describes the authorized uses and development standards for the five (5) commercial zones: Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2 (NC2), Neighborhood Commercial 3 (NC3), Commercial 1 (C1) and Commercial 2 (C2).	No changes proposed
B. Commercial zones which have a pedestrian designation (P1 or P2) or a residential designation (R) on the Official Land Use Map shall be subject to the use and development standards of Subchapters I, II and III of this chapter. These subchapters may be modified by applicable overlay provisions.	Remove references to the Residential (/R) designation. Identify only one P designation, rather than P1 and P2.
C. Areas referred to as urban village commercial areas are those commercially zoned properties designated on the Comprehensive Plan Future Land Use Map as commercial/mixed use areas within urban centers/villages. These commercial areas are indicated by a "V" on the Official Land Use Map.	Delete. Section 23.47.009 which refers to single-purpose residential structures inside and outside urban village commercial areas is proposed to be deleted.
D. In addition to the regulations of this chapter, certain commercial areas may be regulated by Subtitle IV, Division 3, Overlay Districts.	Clarify that when an overlay applies to an area, the provisions of the overlay take precedence over those of the commercial zone.
E. Requirements for streets, alleys and easements are provided in Chapter 23.53. Standards for parking quantity, access and design are provided in Chapter 23.54. Signs shall be regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86. 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.	Add reference to Chapter 23.80, Essential Public Facilities for light rail and monorail facilities.

Current Code	Proposed Changes
F. Departure from the development standards of this chapter may be permitted or required for public schools pursuant to procedures and criteria established in Chapter 23.79, Development Standard Departure for Public Schools.	No changes proposed
Subchapter I Uses in All Commercial Zones	
SMC 23.47.004 Permitted and prohibited uses.	
A. All uses shall either be permitted outright, prohibited or permitted as a conditional use according to Chart A, and this section, except to the extent that Chart A may be superseded by Chapter 23.67, Southeast Seattle Reinvestment Area, or by Chapter 23.73, Pike/Pine Overlay District.	Delete references to overlays to remove redundant cross-references – see 002.D, above
B. All permitted uses shall be allowed as either a principal use or as an accessory use, unless otherwise indicated in Chart A.	No changes proposed
C. In pedestrian-designated zones, certain street-level uses shall be required according to the provisions of Section 23.47.042.	Delete. Concept will be incorporated into Commercial Use Chart (Chart A, page 7)
D. The Director may authorize a use not otherwise permitted in the zone in a landmark structure, subject to the following criteria: 1. The use shall not require significant alteration of the structure; and 2. The design of the structure makes uses permitted in the zone impractical in the structure, or the permitted uses do not provide sufficient financial return to make use of the structure feasible; and 3. The physical impacts of the use shall not be detrimental to other properties in the zone or vicinity or to the public interest.	No changes proposed
E. Residential Uses.	
1. Residential Use in Single-purpose Residential Structures. The term "single-purpose residential structure" may include a structure with both residential and nonresidential uses, but does not include an assisted living facility or any structure that is part of a mixed-use development meeting the standards in Section 23.47.008. Residential use in single-purpose residential structures is permitted as an administrative conditional use, unless:	Rephrase to “residential use at street level”, rather than “single-purpose residential” to be clearer about what is regulated.

Current Code	Proposed Changes
a. The structure is located within an area in which the use is either permitted outright or prohibited, as shown on the Maps 23.47.004 A, B, C, D, E, F, G, H, I, and J;	Residential uses would be permitted at street level outside of pedestrian-designated areas. With Wallingford and South Lake Union rezones currently under consideration, most maps would no longer be required. Replace with a statement that residential use is prohibited at street level in commercial areas in the Bitter Lake Village and Lake City Urban Villages.
b. The structure is located in a pedestrian-designated zone, in which case residential use is prohibited at street level along the designated principal pedestrian street as provided in Section 23.47.042;	Delete starting with "as provided in…" (cross reference.)
c. The structure is located within a zone that has a height limit of eighty-five (85) feet or higher, in which case single-purpose residential structures are prohibited;	Change "single-purpose residential" to "residential use at street level"
d. The residential use is a nursing home, in which case it is permitted outright unless prohibited as provided in subsection E1b;	Delete, as a residential use, nursing homes would be permitted outright in Chart A, except in pedestrian-designated zones.
e. The structure is located within the Station Area Overlay District, in which case the provisions of Chapter 23.61 apply;	Delete (redundant cross-reference)
f. The structure is in a part of the International Special Review District east of the Interstate 5 Freeway, in which case residential use is permitted outright as provided in Section 23.66.330; or	Delete (redundant cross-reference)
g. The structure, in any commercial zone, is for a low-income housing project and:	Rewrite. Low-income housing

Current Code	Proposed Changes
(1) An application for a reservation of tax credit for 1988 and 1989 under the low-income tax credit program administered by the Washington State Housing Finance Commission was filed on or before March 15, 1988; or (2) A nonprofit corporation purchased sites, signed options or entered into a real estate purchase agreement prior to March 15, 1988, in either of which cases the residential use is permitted outright.	would be allowed at street level unless it is adjacent to an arterial, in which case 1a, 1b and 1c would be considered.
2. Residential Use in Mixed-use Development. Residential use in mixed-use development is permitted outright in NC1, NC2, NC2/R, NC3, NC3/R and C1 zones; provided that, for assisted living facilities, which are considered mixed-use development, private living units and parking accessory to those units are prohibited at street level.	Delete, distinction between mixed-use and single-purpose residential would no longer be made
3. For purposes of this subsection E, live-work units shall be deemed a nonresidential use.	Delete – See Chart A and definition of "live-work unit"
F. Public Facilities.	
1. Except as provided in subsection F2 below, uses in public facilities that are most similar to uses permitted outright or permitted as a conditional use under this chapter shall also be permitted outright or as a conditional use, subject to the same use regulations, development standards and conditional use criteria that govern the similar uses. The City Council may waive or modify applicable development standards or conditional use criteria according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi- judicial decisions and City facilities considered as Type V legislative decisions.	Move last sentence to a new subsection. Remainder is not proposed to be changed.
2. Other Permitted Uses in Public Facilities Requiring City Council Approval. Unless specifically prohibited in Chart A, uses in public facilities that are not similar to uses permitted outright or permitted as a conditional use under this chapter may be permitted by the City Council. Uses in public facilities shall meet the development standards of the zone in which they are located. The City Council may waive or modify applicable development standards or conditional use criteria according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.	Delete the last sentence – redundant to new subsection. Remainder is not proposed to be changed.
3. In all commercial zones, uses in public facilities not meeting development standards may be permitted by the Council if the following criteria are satisfied: a. The project provides unique services which are not provided to the community by the private sector,	No changes proposed

Current Code	Proposed Changes
such as police and fire stations; and b. The proposed location is required to meet specific public service delivery needs; and c. The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping and screening of the facility. 4. Expansion of Uses in Public Facilities. a. Major Expansion. Major expansions may be permitted to uses in public facilities allowed in subsections F1 and F2 above according to the same provisions and procedural requirements as described in these subsections. A major expansion of a public facility use occurs when the expansion that is proposed would not meet development standards or exceed either seven hundred fifty (750) square feet or ten (10) percent of its existing area, whichever is greater, including gross floor area and areas devoted to active outdoor uses other than parking. b. Minor Expansion. When an expansion falls below the major expansion threshold level, it is a minor expansion. Minor expansions may be permitted to uses in public facilities allowed in subsections F1 and F2 above according to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, for a Type I Master Use Permit when the development standards of the zone in which the public facility is located are met. 5. Essential Public Facilities. Permitted essential public facilities shall also be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.	
G. Home occupations and the keeping of animals shall be permitted as accessory uses in commercial zones, according to the standards of Section 23.47.025, Home occupations, and Section 23.47.026, Standards for the keeping of animals.	Delete – redundant to other sections
H. Existing cemeteries shall be permitted to continue in use. No new cemeteries shall be permitted and existing cemeteries shall not be expanded in size. For purposes of this section, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that (1) the change does not increase the net land area occupied by the cemetery; (2) the land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and (3) the use of the land being added, as a cemetery, will not result in the loss of housing (for the living).	No changes proposed

Current Code	Proposed Changes
I. Changes from accessory to principal use parking.	
1. In zones where principal use parking is permitted outright, accessory parking may be converted to principal use parking without a separate use permit or approval when the use served by the accessory use parking has been discontinued. Any existing nonconformities as to development standards may be maintained.	Allow accessory use parking to be made available for short-term use by the general public
2. In zones where principal use parking is not permitted outright, it may be permitted as an administrative conditional use according to subsection 23.47.006 B.8.	Delete, see comments under 006.B.8.
J. Live-work Units.	
1. Live-work units are permitted outright in all commercial zones subject to the provisions of this title.	Delete redundant to chart A
2. Live-work units at street level are prohibited where single- purpose residential structures are prohibited, as shown on Map 23.47.004 A, Wallingford Urban Center; Map E, South Lake Union Urban Village; Map G, Lake City Hub Urban Village; and Map I, Bitter Lake Village Hub Urban Village.	Delete, allow live-work to be a transitional use in Lake City and Bitter Lake Village
3. Live-work units located at street level where permitted are subject to the development standards in Section 23.47.036.	Delete - redundant
COMMERCIAL USES: CHART A **For Section 23.47.004** ZONES NC1 NC2 NC3 C1 C2 I. COMMERCIAL USE A. Retail Sales and Services. 1. Personal and Household Retail Sales and Services - Multi-purpose convenience stores P P P P P - General retail sales and service P P P P P - Major durables sales, service and rental P P P P P 2. Medical Services P/CU[1] P/CU[1] P/CU[1] P/CU[1] P/CU[1] 3. Animal Services[2] - Animal health services P P P P P - Kennels X X X X P - Animal shelters X X X X X	The uses in the chart would be simplified as much as possible, without significantly changing how these uses are regulated. For example, “Pet grooming services” and “Customer service offices” would become part of “General retail sales and services” “Animal health services” would become part of “Medical services”. The following uses would be treated differently:

Current Code						Proposed Changes
- Pet grooming services	P	P	P	P	P	• "Animal shelters" and "Kennels" would become one category, and would be permitted in the C2 zone. • All "Lodging" uses would be treated the same and would be permitted in the NC1 and NC2 zones, up to max. size limits. • Principal Use Parking would no longer be a conditional use under specified circumstances, see 23.47.006B8. • Sale of heating fuel would becomes part of a new "Commercial sales, heavy" category and would be subject to a new size limit in NC3 zone. • The "/CU" would be removed from residential uses under NC1, NC2, NC3 and C1 zones. Residential uses would be permitted everywhere in these zones, except at ground-floor in Pedestrian-designated areas and specified urban villages. Mobile home parks would be permitted wherever other single-family
4. Automotive Retail Sales and Services						
- Gas Stations	P	P	P	P	P	
- Sales and rental of motorized vehicles	X	P	P	P	P	
- Vehicle repair, minor	P	P	P	P	P	
- Vehicle repair, major	X	P	P	P	P	
- Car wash	X	P	P	P	P	
- Towing services	X	X	X	P	P	
- Automotive parts or accessory sales	P	P	P	P	P	
5. Marine Retail Sales and Services						
- Sales and rental of large boats	X	P	P	P	P	
- Vessel repair, minor	P	P	P	P	P	
- Vessel repair, major	X	X	X	S	S	
- Marine service station	P	P	P	P	P	
- Dry storage of boats	X	P	P	P	P	
- Recreational marinas	S	S	S	S	S	
- Commercial moorage	S	S	S	S	S	
- Sale of boat parts or accessories	P	P	P	P	P	
6. Eating and Drinking Establishments						
- Restaurants	P	P	P	P	P	
- Restaurants with drive-in lanes	X	X	CU	P	P	
- Drinking establishment	CU	CU	P	P	P	
7. Lodging						
- Hotel	X	X	P	P	P	
- Motel	X	X	P	P	P	
- Bed and breakfast	P[3]	P[3]	P	P	P	
8. Mortuary Services	X	P	P	P	P	
9. Existing Cemeteries[14]	P	P	P	P	P	
B. Principal Use Parking[9]	X/ CU	P/ CU	P/ CU	P/ CU	P/ CU	
C. Non-Household Sales and Service						
1. Business support services	P	P	P	P	P	
2. Business incubator	P	P	P	P	P	
3. Sales, service and rental of office equipment	X	P	P	P	P	
4. Sales, service and rental of commercial equipment and construction materials						

Current Code						Proposed Changes
	X	X	P	P	P	structures are permitted.
5. Sale of heating fuel	X	X	P	P	P	Artist studio dwellings
6. Heavy commercial services	X	X	X	P	P	would be permitted
- Construction services	X	X	X	P	P	outright in the C2 zone.
- Commercial laundries	X	X	X	P	P	
D. Offices						Information about maximum
1. Customer service office	P	P	P	P	P	size of use limits from
2. Administrative office	P	P	P	P	P	23.47.010 would be moved
E. Entertainment						into this chart:
1. Places of Public Assembly						Add in the following
- Performing arts theater	X	P	P	P	P	categories
- Spectator sports facility	X	P	P	P	P	10 = Permitted up to 10,000
- Lecture and meeting halls	X	P	P	P	P	sq. ft.
- Motion picture theater	X	P	P	P	P	25 = Permitted up to 25,000
- Adult motion picture theater	X	P	P	P	P	sq. ft.
- Adult panorams	X	X	X	X	X	35 = Permitted up to 35,000
2. Participant Sports and Recreation						sq. ft.
- Indoor	P	P	P	P	P	50 = Permitted up to 50,000
- Outdoor	X	X	X[4]	P	P	sq. ft.
F. Wholesale Showroom	X	X	P	P	P	
G. Mini-Warehouse	X	X	P	P	P	A column would be added
H. Warehouse	X	X	P	P	P	titled: “Uses permitted and
I. Outdoor Storage	X	X	X[5]	P	P	prohibited at street level along
J. Transportation Facilities						principal pedestrian streets in
1. Personal transportation services	X	X	P	P	P	P-designated areas”,
2. Passenger terminals	X	X	P	P	P	identifying the uses permitted
3. Cargo terminals	X	X	X	S	P	at street level under 23.47.042.
4. Transit vehicle base	X	X	X	CCU6	CU6	
5. Helistops	X	X	CCU[7]	CCU[7]	CU[7]	
6. Heliports	X	X	X	X	X	
7. Airport, land-based	X	X	X	X	X	
8. Airport, water-based	X	X	X	X	S	
9. Railroad switchyard	X	X	X	X	X	
10. Railroad switchyard with mechanized hump	X	X	X	X	X	

Current Code						Proposed Changes
K. Food Processing and Craft Work						
1. Food processing for human consumption	P	P	P	P	P	
2. Custom and craft work	P	P	P	P	P	
L. Research and Development Laboratories	P	P	P	P	P	
II. SALVAGE AND RECYCLING						
A. Recycling Collection Station	P	P	P	P	P	
B. Recycling Center	X	X	X	P	P	
C. Salvage Yard	X	X	X	X	X	
III. UTILITIES						
A. Utility Service Uses	P	P	P	P	P	
B. Major Communication Utility[8]	X	X	X	CCU	CCU	
C. Minor Communication Utility[8]	P	P	P	P	P	
D. Solid Waste Transfer Station	X	X	X	X	X	
E. Power Plants	X	X	X	X	X	
F. Sewage Treatment Plants	X	X	X	X	X	
G. Solid Waste Incineration Facility	X	X	X	X	X	
H. Solid Waste Landfill	X	X	X	X	X	
IV. MANUFACTURING						
A. Light Manufacturing	X	P	P	P	P	
B. General Manufacturing	X	X	X	P	P	
C. Heavy Manufacturing	X	X	X	X	X	
V. HIGH-IMPACT USES	X	X	X	X	X	
VI. INSTITUTIONS						
A. Institute for Advanced Study	P	P	P	P	P	
B. Private Club	P	P	P	P	P	
C. Child Care Center	P	P	P	P	P	
D. Museum	P	P	P	P	P	
E. School, Elementary or Secondary	P	P	P	P	P	
F. College	P	P	P	P	P	
G. Community Center	P	P	P	P	P	
H. Community Club	P	P	P	P	P	
I. Vocational or Fine Arts School	P	P	P	P	P	
J. Hospital	P	P	P	P	P	
K. Religious Facility	P	P	P	P	P	

Current Code						Proposed Changes
L. University	P	P	P	P	P	
M. Major Institutions within a Major Institution Overlay District subject to Chapter 23.69	P	P	P	P	P	
VII. PUBLIC FACILITIES						
A. Jails	X	X	X	X	X	
B. Work-release Center[9]	CCU	CCU	CCU	CCU	CCU	
C. Secure Community Transition Facility[9]	CCU	CCU	CCU	CCU	CCU	
VIII. PARK AND POOL/RIDE LOT						
A. Park and Pool Lots	P[10]	P	P	P	P	
B. Park and Ride Lots	X	X	CU	CU	CU	
IX. RESIDENTIAL[11]						
A. Single-family Dwelling Units	P/CU[12]	P/CU[12]	P/CU[12]	P/CU[12]	CU[12]	
B. Multifamily Structures	P/CU	P/CU	P/CU	P/CU	CU	
C. Congregate Residences	P/CU	P/CU	P/CU	P/CU	CU	
D. Floating Homes	S	S	S	S	S	
E. Mobile Home Park	X	X	X	P	CU	
F. Artist Studio/Dwelling	P/CU	P/CU	P/CU	P/CU	CU	
G. Caretaker's Quarters	P	P	P	P	P	
H. Adult Family Homes	P/CU	P/CU	P/CU	P/CU	P	
I. Home Occupations	P[13]	P[13]	P[13]	P[13]	P[13]	
J. Nursing Homes	P	P	P	P	P	
K. Assisted Living Facilities	P/CU	P/CU	P/CU	P/CU	CU	
X. LIVE-WORK UNITS[15]	P	P	P	P	P	
XI. OPEN SPACE						
A. Parks	P	P	P	P	P	
B. Playgrounds	P	P	P	P	P	
XII. AGRICULTURAL USES						
A. Animal Husbandry	X[13]	X[13]	X[13]	X[13]	P[13]	
B. Horticultural Uses	P	P	P	P	P	
C. Aquaculture	P	P	P	P	P	
P - Permitted						
X - Prohibited						
CU - Administrative Conditional Use						

Current Code	Proposed Changes
CCU - Council Conditional Use S - Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program [1] Medical service uses over ten thousand (10,000) square feet within two thousand five hundred (2,500) feet of a medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted Major Institution master plan or located in a downtown zone. See Section 23.47.006. [2] The keeping of animals for other than business purposes shall be regulated by Section 23.47.026. [3] In existing structures only. [4] Outdoor participant sports and recreation uses are permitted at Seattle Center. [5] Outdoor storage is permitted at the Seattle Center, subject to the provisions of Section 23.47.011. [6] New transit vehicle bases accommodating one hundred fifty (150) or fewer buses or existing transit vehicle bases seeking to expand. [7] Permitted only as an accessory use according to Section 23.47.006. [8] See Chapter 23.57 for regulation of communication utilities. [9] Subject to dispersion criteria in Section 23.47.006. [10] Permitted only on parking lots existing at least five (5) years prior to the proposed establishment of the park and pool lot. [11] Residential uses in mixed-use developments satisfying Section 23.47.008 and assisted living facilities are permitted outright in NC1, NC2, NC3, and C1 zones. Residential use in a single-purpose residential structure generally may be permitted in NC1, NC2, NC3 and C1 zones as an administrative conditional use pursuant to Section 23.47.006. Residential use in single-purpose residential structures is permitted outright in limited areas and circumstances, and is prohibited in certain areas as described in subsection 23.47.004 E. "Single-purpose residential structure" may include a structure with both residential and nonresidential uses but does not include an assisted living facility or any structure that is part of a mixed-use development meeting the standards in Section 23.47.008. All residential uses, other than nursing homes, in the C2 zones are subject to an administrative conditional use approval. Nursing homes are permitted outright in all commercial zones, whether in a mixed-use structure or single-purpose residential use, except in pedestrian-designated zones (See Section 23.47.040). [12] An accessory dwelling unit added to a single-family residence shall be allowed outright and shall not require a separate conditional use permit. The unit shall be considered accessory to the single-family residence, shall meet the standards listed for accessory dwelling units in Section 23.44.041 and shall not be considered a separate dwelling unit for all development standard purposes in commercial zones. [13] Permitted only as an accessory use.	

Current Code	Proposed Changes
[14] Subject to criteria in Section 23.47.004. [15] Subject to Subsection 23.47.004 I and to development standards in Section 23.47.036. Except where expressly treated as a residential use, live-work units shall be deemed a nonresidential use.	
SMC 23.47.006 Conditional uses.	
A. All conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria: 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. 2. In authorizing a conditional use, adverse impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.	No changes proposed
B. The following uses, identified as administrative conditional uses on Chart A of Section 23.47.004, may be permitted by the Director when the provisions of this subsection and subsection A are met:	No changes proposed
1. Restaurants that include drive-in lanes may be permitted in NC3 zones as a conditional use according to the following criteria: a. The design of the structure, including architectural treatment, signage, landscaping and lighting, is compatible with other structures in the vicinity; and b. Appropriate litter-control measures are provided; and c. The applicant, if required by the Director, prepares an analysis of traffic, circulation and parking impacts, and demonstrates that the use does not: (1) Cause significant additional traffic to circulate through adjacent residential neighborhoods, or (2) Disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts, or (3) Create traffic or access problems which will require the expenditure of City funds to mitigate, or (4) Interfere with peak-hour transit operations, by causing auto traffic to cross a designated high-occupancy vehicle lane adjacent to the lot, or	Consolidate discussion of drive-in lanes under section 23.47.028.

Current Code	Proposed Changes
(5) Cause cars waiting to use the facility to queue across the sidewalk or onto the street, or (6) Interrupt established retail or service frontage designed to serve pedestrians; d. Restaurants that are drive-in businesses shall also comply with the provisions of Section 23.47.028, Standards for drive-in businesses.	
2. Drinking establishments in NC1 and NC2 zones may be permitted as conditional uses. A drinking establishment in an NC1 or NC2 zone shall be evaluated according to the following criteria: a. The size of the drinking establishment, design of the structure, signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established. b. The location, access and design of parking shall be compatible with adjacent residential zones. c. Special consideration shall be given to the location and design of the doors and windows of drinking establishments to ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings on lots that abut residential zones. d. Drinking establishments shall not generate traffic that creates traffic congestion or further aggravates spillover parking on residential streets.	No changes proposed
3. Park-and-ride lots in NC3, C1 and C2 zones may be permitted as conditional uses.	
a. Conditional Use Criteria.	
(1) The park-and-ride lot shall have direct vehicular access to a designated arterial improved to City standards.	Change “have direct vehicular access to” to “be adjacent to”
(2) If the proposed park-and-ride lot is located on a lot containing accessory parking for other uses, there shall be no substantial conflict in the principal operating hours of the park-and-ride lot and the other uses.	No changes proposed
b. Mitigating Measures. Landscaping and screening in addition to that required for surface parking areas, noise mitigation, vehicular access controls, signage restrictions, and other measures may be required to provide comfort and safety for pedestrians and bicyclists and to insure the compatibility of the park-and-ride lot with the surrounding area.	No changes proposed

Current Code	Proposed Changes
4. Single-purpose residential structures may be permitted outright, permitted as an administrative conditional use or prohibited as provided by Section 23.47.004 E. In order to conserve the limited amount of commercially zoned land for commercial uses, single-purpose residential structures shall generally not be allowed in commercial zones. However, additions to, or on-site accessory structures for, existing single-family structures are permitted outright. Where single-purpose residential structures may be permitted as an administrative conditional use, such a permit may be granted only when the following circumstances exist: a. Due to location or parcel size, the proposed site is not suited for commercial development; or b. There is substantial excess supply of land available for commercial use near the proposed site, evidenced by such conditions as a lack of commercial activity in existing commercial structures for a sustained period, commercial structures in disrepair, and vacant or underused commercially zoned land; provided that single- purpose residential development shall not interrupt an established commercial street front. As used in this subsection, an "established commercial street front" may be intersected by streets or alleys, and some lots with no current commercial use.	Delete section, the concept of single-purpose residential uses is being removed and replaced with permitting or restricting residential uses at street level. “Single-purpose residential structures” is a confusing way of talking about the uses that are permitted at street level, see 23.47.004E
5. Residential Uses in C2 Zones.	
a. In order to conserve the limited amount of commercially zoned land for commercial uses, residential uses in single-purpose or mixed-use structures shall generally not be allowed in C2 zones. However, additions to, or on-site accessory structures for, existing single-family structures shall be permitted outright. Residential uses in single-purpose or mixed-use structures may be permitted in C2 zones as administrative conditional uses according to the following criteria: (1) Availability of Suitable Land for C2 Activities. Residential uses shall generally be discouraged in areas which have limited vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development. (2) Relationship to Transportation Systems. Residential uses shall generally be discouraged in areas with direct access to major transportation systems such as freeways, state routes and freight rail lines. (3) Compatibility With Surrounding Areas. Residential uses shall not be allowed in close proximity to industrial areas and/or in areas where nonresidential uses may create a nuisance or adversely affect the desirability of the area for living purposes.	Emphasize that purpose of these conditions is to discourage conflicts between residential and non-residential uses. Better define “areas where nonresidential uses may create a nuisance” based on Chart A, and noise and odor sections.

Current Code	Proposed Changes
b. Residential uses required to obtain a shoreline conditional use shall not be required to obtain an administrative conditional use.	No changes proposed
6. Development of a medical service use over ten thousand (10,000) square feet, outside but within two thousand five hundred (2,500) feet of a medical Major Institution overlay district boundary, shall be subject to administrative conditional use approval, unless included in an adopted master plan. In making a determination whether to approve or deny a medical service use, the Director shall determine whether an adequate supply of commercially zoned land for businesses serving neighborhood residents will continue to exist. The following factors shall be used in making this determination: a. Whether the amount of medical service use development existing and proposed in the vicinity would reduce the current viability or significantly impact the longer-term potential of the neighborhood-serving character of the commercial area; and b. Whether medical service use development would displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of retail and personal services uses, or significantly detract from an area's overall neighborhood-serving commercial character.	Simplify, exempt “animal health services” which will become part of “medical services”
7. Change of One Nonconforming Use to Another. a. A nonconforming use may be converted by an administrative conditional use authorization to a use not otherwise permitted in the zone based on the following factors: (1) New uses shall be limited to those first permitted in the next more intensive zone; (2) The relative impacts of size, parking, traffic, light, glare, noise, odor and similar impacts of the two (2) uses, and how these impacts could be mitigated. b. The Director must find that the new nonconforming use is no more detrimental to property in the zone and vicinity than the existing nonconforming use.	No changes proposed
8. Principal use parking may be authorized on a temporary basis as an administrative conditional use, except in pedestrian designated zones (P1 or P2) or within the Station Area Overlay District, under the circumstances described in subsection (a) below, subject to the conditions of subsection (b). a. Eligible circumstances: (1) Principal use parking is not permitted in the zone; and	Delete, only applies to NC1 zone, amendments to 23.47.004I will provide appropriate flexibility.

Current Code	Proposed Changes
(2) An existing surface parking area or structure has been used to provide accessory parking, and the use to which the parking was accessory has been discontinued; or (3) The site has been cleared pursuant to an active permit authorizing construction and commencement of a new use on the property; or. (4) Development of the site, including what is to become accessory surface or structured parking, is partially complete, but the use to which the parking is to be accessory has not yet been commenced. b. Conditions. (1) The permit may be issued for a two (2) year period. At the expiration of that period, the permit may be renewed for a maximum of two (2) additional years; and (2) Exterior lighting and vehicle lights shall be shielded or screened to minimize glare affecting nearby uses.	
C. The following uses, identified as Council Conditional Uses on Chart A of Section 23.47.004, may be permitted by the Council when the provisions of this subsection and subsection A of this section are met.	
1. New bus bases for one hundred and fifty (150) or fewer buses, or existing bus bases which are proposed to be expanded to accommodate additional buses, in C1 or C2 zones. a. Conditional Use Criteria. (1) The bus base has vehicular access suitable for use by buses to a designated arterial improved to City standards; and (2) The lot is of sufficient size so that the bus base includes adequate buffer space from the surrounding area. b. Mitigating measures may include, but are not limited to: (1) Noise mitigation measures, such as keeping maintenance building doors closed except when buses are entering or exiting; acoustic barriers; and noise-reducing operating procedures, shall be required when necessary. (2) An employee ridesharing program established and promoted to reduce the impact of employee vehicles on streets in the vicinity of the bus base. (3) Landscaping and screening, noise and odor mitigation, vehicular access controls, and other measures may be required to insure the compatibility of the bus base with the surrounding area and	Change “bus base” to “transit vehicle base”

Current Code	Proposed Changes
to mitigate any adverse impacts.	
2. Helistops in NC3, C1 and C2 zones as accessory uses, according to the following standards and criteria: a. The helistop is to be used for the takeoff and landing of helicopters serving public safety, news gathering or emergency medical care functions; is part of a City and regional transportation plan approved by the City Council and is a public facility; or is part of a City and regional transportation plan approved by the City Council and is not within two thousand (2,000) feet of a residential zone. b. The helistop is located so as to minimize impacts on surrounding areas. c. The lot is of sufficient size that the operations of the helistop are buffered from the surrounding area. d. Open areas and landing pads are hard-surfaced. e. The helistop meets all federal requirements, including those for safety, glide angles and approach lanes.	No changes proposed
3. Work-Release Centers in all Commercial Zones-Conditional Use Criteria.	Simplify. Move detailed criteria and guidelines about what the application must contain into a director's rule.
a. Maximum Number of Residents. No work-release center shall house more than fifty (50) persons, excluding resident staff.	No changes proposed
b. If the work-release center is in a single-purpose residential structure, the requirements of Section 23.47.023 shall be followed. If the work-release center is in a mixed-use structure, the requirements for mixed-use structures in Chapter 23.47 shall be followed.	Delete. This is redundant. These sections apply to all development.
c. Dispersion Criteria.	
(1) The lot line of any new or expanding work-release center shall be located six hundred (600) feet or more from any residential zone, any lot line of any special residence, and any lot line of any school.	No changes proposed
(2) The lot line of any new or expanding work-release center shall be located one (1) mile or more from any lot line of any other work- release center.	No changes proposed
(3) The Director shall determine whether a proposed facility meets the dispersion criteria from maps	Move this section into a

Current Code	Proposed Changes
which shall note the location of current work-release centers and special residences. Any person who disputes the accuracy of the maps may furnish the Director with the new information and, if determined by the Director to be accurate, this information shall be used in processing the application.	Director's rule.
d. The Council's decision shall be based on the following criteria:	
(1) The extent to which the applicant can demonstrate the need for the new or expanding facility in the City, including a statement describing the public interest in establishing or expanding the facility;	Move the second phrase into a Director's rule.
(2) The extent to which the applicant has demonstrated that the facility can be made secure. The applicant shall submit a proposed security plan to the Director, and the Director, in consultation with the Seattle Police Department, shall consider and evaluate the plan. The security plan shall address, but is not limited to, the following: i. Plans to monitor and control the activities of residents, including methods to verify the presence of residents at jobs or training programs, policies on sign-outs for time periods consistent with the stated purpose of the absence for unescorted trips by residents away from the center, methods of checking the records of persons sponsoring outings for work-release residents, and policies on penalties for drug or alcohol use by residents, and ii. Staff numbers, level of responsibilities, and scheduling, and iii. Compliance with the security standards of the American Corrections Association;	Move everything after the first sentence into a Director's rule
(3) The extent to which proposed lighting is located so as to minimize spillover light on surrounding properties while maintaining appropriate intensity and hours of use to ensure that security is maintained;	No changes proposed
(4) The extent to which the facility's landscape plan meets the requirements of the zone while allowing visual supervision of the residents of the facility;	No changes proposed
(5) The extent to which appropriate measures are taken to minimize noise impacts on surrounding properties. Measures to be used for this purpose may include: landscaping, sound barriers or fences, berms, location of refuse storage areas, and limiting the hours of use of certain areas;	Move the second sentence into a director's rule
(6) The extent to which the impacts of traffic and parking are mitigated by increasing on-site parking or	Move everything after

Current Code	Proposed Changes
loading spaces to reduce overflow vehicles or changing the access to and location of off- street parking;	"mitigated", into a director's rule
(7) The extent to which the facility is well-served by public transportation or to which the facility is committed to a program of encouraging the use of public or private mass transportation;	Combine with #6
(8) Verification from the Department of Corrections (DOC), which shall be reviewed by the Police Department, that the proposed work- release center meets DOC standards for such facilities and that the facility will meet state laws and requirements.	Combine with #2 in Director's rule
D. Any authorized conditional use which has been discontinued shall not be re-established or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued: 1. A permit to change the use of the property has been issued and the new use has been established; or 2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months. Property which is vacant, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multi-tenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.	No changes proposed
Subchapter II Development Standards Applicable in All Commercial Zones	
SMC 23.47.007 Major Phased Developments. A. An applicant may seek approval of a Major Phased Development, as defined in Section 23.84.025. A Major Phased Development proposal is subject to the provisions of the zone in which it is located and shall meet the following thresholds: 1. A minimum site size of five (5) acres, where the site is composed of contiguous parcels or contains a right-of-way within. 2. The project, which at time of application shall be a single, functionally interrelated campus, contains more than one building, with a minimum total gross floor area of two hundred thousand (200,000) square feet.	No changes proposed to this section

Current Code	Proposed Changes
3. The first phase of the development consists of at least one hundred thousand (100,000) square feet in gross building floor area. 4. At the time of application, the project is consistent with the general character of development anticipated by Land Use Code regulations. B. A Major Phased Development application shall be submitted, evaluated, and approved according to the following: 1. The application shall contain a level of detail which is sufficient to reasonably assess anticipated impacts, including those associated with a maximum buildout, within the timeframe requested for Master Use Permit extension. 2. A Major Phased Development component shall not be approved unless the Director concludes that anticipated environmental impacts, such as traffic, open space, shadows, construction impacts and air quality, are not significant or can be effectively monitored and conditions imposed to mitigate impacts over the extended life of the permit. 3. Expiration or renewal of a permit for the first phase of a Major Phased Development is subject to the provisions of Chapter 23.76, Master Use Permits and Council Land Use Decisions. The Director shall determine the expiration date of a permit for subsequent phases of the Major Phased Development through the analysis provided for above; such expiration shall be no later than fifteen (15) years from the date of issuance. C. Changes to the approved Major Phased Development. When an amendment to an approved project is requested, the Director shall determine whether or not the amendment is minor. 1. A minor amendment meets the following criteria: a. Substantial compliance with the approved site plan and conditions imposed in the existing Master Use Permit with the Major Phased Development component with no substantial change in the mix of uses and no major departure from the bulk and scale of structures originally proposed; and b. Compliance with the requirements of the zone in effect at the time of the original Master Use Permit approval; and c. No significantly greater impact would occur. 2. If the amendment is determined by the Director to be minor, the site plan may be revised and approved as a Type I Master Use Permit. The Master Use Permit expiration date of the original approval shall be retained, and shall not be extended through a minor revision.	

Current Code	Proposed Changes
3. If the Director determines that the amendment is not minor, the applicant may either continue under the existing MPD approval or may submit a revised MPD application. The revised application shall be a Type II decision. Only the portion of the site affected by the revision shall be subject to regulations in effect on the date of the revised MPD application. The decision may retain or extend the existing expiration date on the portion of the site affected by the revision.	
SMC 23.47.008 Mixed use development. A. A mixed use development consists of residential and nonresidential use in the same structure or in separate structures on the same lot and meeting the standards specified in this section, except as provided in the Northgate Overlay District, Chapter 23.71. When an application for a mixed use development with residential and nonresidential uses in separate structures is submitted, a temporary certificate of occupancy shall not be issued for the residential structure(s) until a schedule for completion of the nonresidential building is presented to and approved by the Director, and substantial construction of the nonresidential structure is completed. Substantial construction means that the framing of the exterior walls has been inspected and approved. B. A minimum of eighty (80) percent of a structure's street front facade at street level shall be occupied by nonresidential uses. Except in zones designated NC2/R and NC3/R, the required nonresidential use shall extend at least thirty (30) feet in depth at street level from the street front facade of the structure, provided that the minimum required depth may be averaged, with no depth less than fifteen (15) feet. In no instance shall more than fifty (50) percent of the structure's footprint be required to be in nonresidential uses. If the street front facade and depth requirements result in a space greater than fifty (50) percent of the structure's footprint, the Director may modify the street front facade and depth requirements to reduce the space to fifty (50) percent of the structure's footprint. In all NC and C zones, the nonresidential use portion of the development shall also be subject to the following: 1. For purposes of calculating the eighty (80) percent of a structure's street front facade at street level, twenty-two (22) feet for the width of a driveway accessing parking may be subtracted from the length of the street front facade if the access cannot be provided from a side street or alley. 2. If the nonresidential and residential uses are located in separate structures, the eighty (80) percent requirement shall apply to the lot's lineal street frontage at street level. 3. Areas required to be in nonresidential use under this section shall be uses other than principal use or accessory parking, mini- warehouses, warehouses, lodging uses or utility uses. 4. Where the lot fronts on two (2) or more streets and abuts a lot which is not zoned commercial, the street	This section would be repealed and replaced with street-level development standards for commercial and residential uses: • A chart would show what applies in each zone for each use. • Several physical standards from the Pedestrian designations would be incorporated in Neighborhood Commercial zones generally (for example, parking would no longer be permitted between a building and the street.) • Provisions for height exceptions would move to 23.41.012 “Development Standard Departures” to be considered during design review, under the conditions and up to the maximums listed here. • Existing 1st floor

Current Code	Proposed Changes
front facade requirement shall apply to the structure's facade along the street with the greatest continuous lineal feet of commercially zoned frontage. 5. Where a lot fronts on two (2) or more streets and only abuts lots which are zoned commercial, the street front facade requirement shall be calculated by totaling the combined street front facades of the structure containing the required nonresidential use. On a through lot, the Director may waive the requirement for one (1) or more, but not all of the street fronts if the streets are not major commercial streets. The Director may require screening of garbage cans, parking and utility meters where the street front facade requirement is waived. 6. A minimum of fifty-one (51) percent of the portion of a structure's street front facade which contains required nonresidential use shall be at or above sidewalk grade. 7. The entrance to required nonresidential uses at street level shall be no more than three (3) feet above or below sidewalk grade. If the entranced to required nonresidential use at street level in C1 and C2 zones is provided from a surface parking lot located between the street and the structure, the entrance shall be no more than three (3) feet above or below the surface parking lot grade. 8. For the purposes of this section, a structure's street front facade shall be measured by drawing the least rectangle that encloses the structure and measuring the length of the side of that rectangle most closely parallel to the front of streetside lot line(s) (Exhibit 23.47.008 A). C. Height for Mixed Use Development. 1. Mixed use development shall be subject to the height provisions of Section 23.47.012 A. 2. Except in zones designated NC2/R and NC3/R, mixed use development at street level shall have a minimum floor to floor height of thirteen (13) feet. 3. In zones with a thirty (30) foot or forty (40) foot height limit, the Director may permit the height of the structure to exceed the height limit of the zone by up to four (4) feet, provided all of the following conditions are met: a. Residential and nonresidential uses are located in the same structure; and b. The additional height of the structure will not result in an additional story to be built beyond what could be built under the applicable height limit if a thirteen (13) foot floor to floor height were not required at street level. 4. In zones with a thirty (30) foot or forty (40) foot height limit, the Director may permit the height of a structure to exceed the height limit of the zone by up to seven (7) feet, provided all of the following	commercial height, and depth requirements would still apply to mixed-use buildings. • Minimum requirement that 80% of a structure's street-front façade be in non-residential use would only apply in P-designated areas. • A minimum of one pedestrian-oriented entrance at the sidewalk would be required for street-level residential units. • Parking access and location requirements would be incorporated into this section.

Current Code	Proposed Changes
conditions are met: a. Residential and multi-purpose convenience store uses are located in the same structure; and b. The total gross floor area of at least one (1) multi-purpose convenience store use exceeds twelve thousand (12,000) square feet; and c. The additional height will result in a floor to floor height of sixteen (16) feet or more for the multi-purpose convenience store use at street level; and d. The additional height of the structure will not result in an additional story to be built beyond what could be built under the applicable height limit if a sixteen (16) foot floor to floor height were not required at street level. 5. The Director shall impose reductions of the residential floor to floor heights if the additional height of the structure, permitted by subsections C.3 and C.4 above, significantly blocks views from neighboring residential structures of the following: Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, Green Lake, Puget Sound, Lake Washington, Lake Union and the Ship Canal. D. Above thirteen (13) feet from finished grade, the residential portion of a structure containing residential and nonresidential uses shall be limited to a maximum lot coverage of sixty-four (64) percent. Portions of structures exempted from structure width as provided in Section 23.86.014 C shall also be exempt from lot coverage calculations. If the nonresidential and residential uses are located in separate structures, this provision shall apply only to the portion of the residential structure more than thirteen (13) feet above finished grade. This provision shall not apply when an area in an existing building, in nonresidential use as of April 3, 1995, is converted to residential use, provided that the structure is not modified in any way that increases the coverage to greater than sixty-four (64) percent of the portion of the structure in residential use and over thirteen (13) feet above finished grade. This subsection D does not apply within the Station Area Overlay District, Chapter 23.61. E. Any new detached structure which contains residential uses and does not meet the requirements for mixed use development as provided in this section shall be considered a single-purpose residential structure, and is subject to the standards of Section 23.47.023. F. Any detached structure existing as of July 25, 1996, that contains residential and nonresidential uses and does not meet the requirements for mixed use development as provided in subsection B of this section may add additional residential units, provided that: 1. An area equal to at least ten (10) percent of the gross floor area of the structure or fifty (50) percent of the structure's footprint, whichever is greater, is already in nonresidential use qualifying under subsection B3	

Current Code	Proposed Changes
of this section above and occupies at least sixty (60) percent of the structure's street front facade at street level; or 2. No decrease is proposed in the percentage of the street front facade at street level that is in qualifying nonresidential use unless at least eighty (80) percent of the street front facade at street level will remain in qualifying nonresidential use; and no decrease is proposed in the area in nonresidential use, or the depth of nonresidential space extending from the street front facade shall be at least thirty (30) feet. G. Any detached structure existing as of July 25, 1996, which contains residential and nonresidential uses and exceeds the density limits for single-purpose residential structures may decrease the amount of space devoted to nonresidential uses or decrease the amount of the structure's street front facade at street level that is occupied by nonresidential use provided that: 1. The amount of the structure's street front facade at street level that is occupied by nonresidential uses does not decrease to less than eighty (80) percent of the structure's street front facade; and 2. The amount of space devoted to nonresidential uses at street level does not decrease to less than a depth of thirty (30) feet, provided that the depth may be averaged, with no depth less than fifteen (15) feet.	
SMC 23.47.009 Density limits for residential uses. A. Density limits shall not apply to residential uses in mixed use development, except as established in the Northgate Overlay District as provided in Chapter 23.71. B. Density limits shall not apply to single-purpose residential structures within the Station Area Overly District pursuant to Chapter 23.61, or along selected streets in the Pike/Pine Overlay District, pursuant to Chapter 23.73, and for Seattle Housing Authority structures permitted pursuant to Section 23.47.0004 E1g. Where the Station Area Overlay District and the Pike/Pine Overlay District overlap, the provisions of the Pike/Pine Overlay District shall prevail. C. Density limits shall apply for single-purpose residential structures subject to the following, except as provided in subsection D of this section: 1. In the Northgate Overlay District, as provided in Chapter 23.71. 2. In NC1 zones the density limit shall be one (1) unit per one thousand six hundred (1,600) square feet of lot area. 3. In NC2, NC3, C1 and C2 zones with either thirty (30) foot or forty (40) foot height limits, the density limit shall be one (1) unit per one thousand two hundred (1,200) square feet of lot area.	This section would be deleted. New FAR limits in 23.47.012 would replace residential density limits.

Current Code	Proposed Changes
4. In NC2, NC3, C1 and C2 zones with sixty-five (65) foot height limits, the density limit shall be one (1) unit per eight hundred (800) square feet of lot area. 5. There shall be no residential density limit for single-purpose residential structures in the NC2/R or NC3/R zone. D. The following density limits for single-purpose residential structures shall apply in commercial areas where there has been a review and approval by the City Council subsequent to January 1, 1995 to determine whether single-purpose residential structures shall continue to be conditional uses, permitted outright or prohibited, and if the area is to be included within an urban village or urban center, an urban village boundary has been established: 1. Inside urban village commercial areas as shown on the Official Land Use Map. a. In NC zones with thirty (30) foot height limits, the density limit shall be one (1) unit per seven hundred (700) square feet of lot area. b. In NC zones with forty (40) foot height limits, the density limit shall be one (1) unit per five hundred (500) square feet of lot area. c. In NC zones with sixty-five (65) foot height limits, the density limit shall be one (1) unit per four hundred (400) square feet of lot area. d. In C1 and C2 zones with thirty (30) foot, forty (40) foot or sixty-five (65) foot height limits, the density limit shall be one (1) unit per one thousand (1,000) square feet of lot area except as provided in subsection D1e below. e. Density limits in a C1 or C2 zone may be increased to the density limit for single-purpose residential structures in the NC zone with the corresponding height designation if the structure is developed according to the standards for NC zones as listed below: (1) Outdoor storage areas, per Section 23.47.011 E1; (2) Screening for gas stations, per Section 23.47.016 D3c; (3) Blank facades, per Section 23.47.016 E; (4) Drive-in lanes, per Section 23.47.028 A3; and (5) Location of parking, per Section 23.47.032 B. f. There shall be no residential density limit for single-purpose residential structures in the NC2/R or NC3/R zone.	

Current Code	Proposed Changes
2. Outside urban village commercial areas as shown on the Official Land Use Map. a. In NC zones with thirty (30) foot height limits, the density limit shall be one (1) unit per eight hundred (800) square feet of lot area. b. In NC zones with forty (40) foot and sixty-five (65) foot height limits, the density limit shall be one (1) unit per six hundred (600) square feet of lot area. c. In C1 and C2 zones with thirty (30) foot, forty (40) foot or sixty-five (65) foot height limits, the density limit shall be one (1) unit per one thousand (1,000) square feet of lot area.	
SMC 23.47.010 Maximum size of nonresidential use.	
A. Maximum Size of Nonresidential Use Per Individual Business Establishment and Per Lot.	
1. Maximum size regulations shall apply to individual business establishments according to Chart B.	Move information from Chart B to Chart A, see page 9.
2. Maximum size for all nonresidential uses in NC2/R and NC3/R shall apply per lot as follows: a. Nonresidential uses shall be limited to the size of the lot area or twenty thousand (20,000) square feet, whichever is greater. b. Nonresidential uses in zones designated NC2/R and NC3/R with a height limit of thirty (30) or forty (40) feet may be increased in size up to one and one-half (1.5) times the lot area if the nonresidential use is in a mixed use structure according to the provisions of Section 23.47.008, and if a minimum of thirty-five (35) percent of the gross floor area of the mixed use structure is in residential use, not including parking. c. Nonresidential uses in zones designated NC2/R and NC3/R with a height limit of sixty-five (65) feet may be increased in size up to two (2) times the lot area if the nonresidential use is in a mixed use structure according to the provisions of Section 23.47.008, and if a minimum of thirty-five (35) percent of the gross floor area of the mixed use structure is in residential use, not including parking.	Delete section, the "/R" designation is proposed to be deleted. Instead, residential uses would be permitted outright at street level in areas which are currently zoned with /R.
3. For each lot, office uses in C1 and C2 zones shall be limited to the size of the lot area or thirty-five thousand (35,000) square feet, whichever is greater. Office uses in C1 and C2 zones are exempt from this limit if the structure meets the following standards for NC zones: a. Outdoor storage areas, per Section 23.47.011 E1; b. Screening for gas stations, per Section 23.47.016 D3c;	Update references based on new development standards

Current Code	Proposed Changes
c. Blank facades, per Section 23.47.016 E; d. Drive-in lanes, per Section 23.47.028 A; and e. Location of parking, per Section 23.47.032 B.	
B. The size limits for specific outdoor activities shall be as provided in Section 23.47.011, Outdoor activities.	Delete (duplicative cross reference)
C. Maximum size shall be calculated by taking the gross floor area of a structure(s) or portion of a structure(s) occupied by a single use or business establishment, except that any gross floor area used for accessory parking shall be exempted from maximum size calculation.	No changes proposed
D. In NC1 and NC2 zones, any area used for outdoor sales shall also be included in determining the maximum size of a business establishment. In NC1, NC2 and NC3 zones, any area used for the outdoor display of rental equipment shall also be included in determining the maximum size of a business establishment.	Simplify by treating rental and sales the same. Don't count either in NC3.
E. Maximum Size of Combined Uses Within a Business Establishment. Business establishments which include more than one (1) type of use shall be permitted, provided each use is permitted, and: 1. The size of each use within a business establishment does not exceed the size limit for that individual use; 2. The total size of the business establishment does not exceed the maximum size allowed for the type of use with the largest size limit. When one (1) of the uses has no maximum size limit, the business establishment shall have no maximum size limit.	No changes proposed
F. Split Zoned Lots. 1. The total size of a business establishment and the total size of each use within a business establishment occupying portions of a lot in more than one (1) zone shall not exceed the maximum size allowed in the zone with the larger size limit. 2. The total size of that portion of a business establishment or of a use within a business establishment in each zone shall not exceed the maximum size allowed for that business establishment or use in that zone.	No changes proposed
G. Increases in Maximum Size Limits. 1. Increases in maximum size limits for operating business establishments or uses may be permitted as Special Exceptions according to the procedures set forth in Chapter 23.76, Master Use Permits and	Delete section, maximum size limits would reflect these limits, without the opportunity to expand above them.

Current Code	Proposed Changes
Council Land Use Decisions, subject to the following: a. Operating business establishments or uses in NC1 zones may be expanded up to a maximum of ten thousand (10,000) square feet. b. Operating business establishments or uses in NC2 zones which are limited to a maximum size of five thousand (5,000) square feet may be expanded to a maximum size of ten thousand (10,000) square feet, and operating business establishments or uses which are limited to a maximum size of fifteen thousand (15,000) square feet may be expanded to a maximum size of twenty-five thousand (25,000) square feet. c. Operating business establishments or uses in NC3 zones which are limited to a maximum of ten thousand (10,000) or fifteen thousand (15,000) square feet may be expanded to a maximum size of twenty thousand (20,000) square feet. 2. The decision to permit, condition or deny an increase in size shall be based upon an assessment of the following factors: a. The impacts of the operating business establishment and the anticipated impacts if an increase in size were permitted; b. The availability of commercial space in the zone for uses which contribute to the function and desired characteristics of the zone, as described in Chapter 23.34; c. The number of business establishments present in the zone that are similar to the business establishment for which expansion is proposed; d. The compatibility of the operating business establishment with the character and scale of the business district and the surrounding neighborhood; and e. The length of time the business establishment has been operating.	
SMC 23.47.011 Outdoor activities. A. Outdoor activities associated with permitted commercial uses shall be permitted in commercial zones subject to the standards of the zone. B. In certain zones outdoor sales areas and outdoor display areas for rental equipment shall be included in determining the maximum size of business establishments or uses as provided in subsection D of Section 23.47.010, Maximum size of nonresidential use. C. Outdoor sales areas in NC1 and NC2 zones shall be limited as follows: 1. NC1 Zones. Forty (40) percent of lot area or one thousand five hundred (1,500) square feet, whichever is	To encourage the creation of sidewalk cafes, a line would be added here or to the parking chapter to exempt the first 700 square feet of outdoor seating areas for restaurants from parking requirements. Distinction between outdoor sales area and outdoor rental

Current Code	Proposed Changes
less; 2. NC2 Zones. Forty (40) percent of lot area or ten thousand (10,000) square feet, whichever is less; 3. There shall be no limitation on the size of an outdoor sales area in NC3, C1 or C2 zones. D. Outdoor display areas for rental equipment shall be limited as follows: 1. NC1 Zones. Ten (10) percent of lot area or five hundred (500) square feet, whichever is less; 2. NC2 and NC3 Zones. Fifteen (15) percent of lot area or one thousand (1,000) square feet, whichever is less; 3. There shall be no limitation on the size of outdoor display of rental equipment in C1 or C2 zones. E. Outdoor Storage Area. 1. Outdoor storage areas shall be prohibited in NC1, NC2 and NC3 zones, except at the Seattle Center, where outdoor storage may not exceed one thousand (1,000) square feet at any one (1) location nor ten thousand (10,000) square feet in total for the entire site. 2. Outdoor storage areas shall be permitted with no size limitation in C1 and C2 zones. F. Outdoor Recycling Collection Stations. Outdoor recycling collection stations shall be limited to the following: 1. NC1 Zones. Ten (10) percent of lot area or five hundred (500) square feet, whichever is less; 2. NC2 and NC3 Zones. Ten (10) percent of lot area or one thousand (1,000) square feet, whichever is less; 3. C1 and C2 Zones. Ten (10) percent of lot area or one thousand (1,000) square feet, whichever is less, provided that larger outdoor recycling collection stations may be allowed if they comply with the screening and landscaping standards for outdoor storage. G. The following outdoor activities shall be located at least fifty (50) feet from a residentially zoned lot, except when the elevation of the commercial property line is at least fifteen (15) feet above the residential property at the lot line: 1. Outdoor sales and/or service of food or beverages; 2. Outdoor recycling collection stations; 3. Outdoor storage; 4. Outdoor sports and recreation;	area would be deleted.

Current Code	Proposed Changes
5. Outdoor loading berths. H. Outdoor activities shall be screened and landscaped according to the provisions of Section 23.47.016.	
SMC 23.47.012 Structure height and floor area ratio.	
A. Maximum Height. The maximum structure height for commercial zones shall be thirty (30) feet, forty (40) feet, sixty-five (65) feet, eighty-five (85) feet, one hundred twenty-five (125) feet, or one hundred sixty (160) feet, as designated on the Official Land Use Map, Chapter 23.32, except that:	Remove "except that"
1. Within the South Lake Union Hub Urban Village, the maximum structure height in commercial zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-five (85) feet and one-hundred and five (105) feet, respectively, provided that: a. a minimum of two (2) floors in the structure have a floor to floor height of at least fourteen (14) feet; and b. the additional height is used to accommodate mechanical equipment; and c. the additional height permitted does not allow more than six (6) floors in commercial zones with a sixty-five (65) foot height limit, or more than seven (7) floors in commercial zones with an eighty-five (85) foot height limit. 2. Mixed use structures located in commercial zones with a thirty (30) foot or forty (40) foot height limit may exceed the height limit of the zone according to the provisions of Section 23.47.008.	This would be moved to 23.41.012 "Development standard departures." Buildings meeting these conditions could be granted height a height waiver through design review.
3. Monorail transit facilities may exceed the height limit of the zone according to the provisions of Section 23.80.004 or Section 15.54.020.	Delete cross-reference, see 23.47.002.E.
B. Floor Area Ratios. Structures sixty-five (65) feet in height or less shall not be subject to floor area ratio provisions. Mixed use structures shall meet the standards for mixed use development, as described in Section 23.47.008.	FAR limits for 30' (2.25 FAR), 40' (3 FAR) and 65' (4.25 FAR) zones would be added.

Current Code	Proposed Changes
1. Floor area ratios (FARs) shall apply to structures in zones with eighty-five (85) foot, one hundred twenty-five (125) foot and one hundred sixty (160) foot maximum height limits according to Chart C, except as provided by subsection B.2 of this section. CHART C PERMITTED FLOOR AREA RATIO (FAR) Structures Higher than 65 Feet Height Limit Zones 85' 125' 160' Mixed-use structure total 6 6 7 Any single use within a mixed-use structure 4.5 5 5 Single-purpose structure total 4.5 5 5	Additional FAR would be allowed in adopted station area overlays and revitalization areas. Delete reference to mixed-use structures, street level requirements will take the place of this.
2. The following FAR provisions apply to lots zoned NC3 with a one hundred and sixty (160) foot height limit and located within the First Hill Urban Village: a. Residential floor area is exempt from FAR limits; and b. The maximum FAR for nonresidential uses within mixed use structures is seven (7); and c. The maximum FAR for nonresidential structures is five (5); except that the FAR may be increased to seven (7) when a structure's street front at street level is occupied by retail sales and service uses and meets the development standards for nonresidential uses as provided in subsections 23.47.008 B and C.	No changes proposed
C. Additional Height Permitted. Within the area bounded by Valley and Mercer Streets and Westlake and Fairview Avenues North, maximum structure height may be increased from forty (40) feet to sixty-five (65) feet as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. In order to grant the special exception, the Director must find that all of the following criteria are met:…	Move to the SMC zone under separate proposal to rezone this area to SMC.
D. Exemptions from FAR Calculations. The following areas shall be exempted from FAR calculations:	
1. All gross floor area below grade;	No changes proposed
2. All gross floor area used for accessory parking;	Delete, or specify that accessory parking will be counted for height limits 65' and lower.

Current Code	Proposed Changes
3. All gross floor area of a monorail station, including all floor area open to the general public during normal hours of station operation (but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve monorail riders); and	No changes proposed
4. Within the South Lake Union Hub Urban Village, gross floor area occupied by mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR calculations. The allowance is calculated on the gross floor area of the structure after all exempt space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.	No changes proposed
E. Split Zoned Lots. When a lot is subject to more than one (1) height and FAR limit, the height and FAR limits for each zone shall apply to the portion of the lot located in that zone.	No changes proposed
F. Sloped Lots. On sloped lots, additional height shall be permitted along the lower elevation of the structure footprint, at the rate of one (1) foot for each six (6) percent of slope, to a maximum additional height of five (5) feet (Exhibit 23.47.012 A).	No changes proposed
G. Pitched Roofs. The ridge of pitched roofs may extend up to five (5) feet above the maximum height limit in zones with height limits of thirty (30) or forty (40) feet. All parts of the roof above the height limit shall be pitched at a rate of not less than three to twelve (3:12) (Exhibit 23.47.012 B). No portion of a shed roof shall be permitted to extend beyond the height limit under this provision.	No changes proposed
H. Rooftop Features. 1. Smokestacks; chimneys; 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 a minimum of ten (10) feet from any side or rear lot line. 2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof as permitted by Section 23.47.012F or up to four (4) feet above the maximum height limit with unlimited rooftop coverage. 3. Solar Collectors. a. In zones with height limits of thirty (30) or forty (40) feet, solar collectors may extend up to four (4) feet above the maximum height limit, with unlimited rooftop coverage.	Simplify, remove cross-references where appropriate.

Current Code	Proposed Changes
b. In zones with height limits of sixty-five (65) feet or more, solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage. 4. The following rooftop features may extend up to fifteen (15) feet above the maximum height limit, so long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area or twenty-five (25) percent of the roof area if the total includes stair or elevator penthouses or screened mechanical equipment: a. Solar collectors; b. Stair and elevator penthouses; c. Mechanical equipment; d. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least fifteen (15) feet from the roof edge; and e. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.012. 5. Within the South Lake Union Hub Urban Village, at the applicant's option, the combined total coverage of all features listed in subsection H4 may be increased to sixty-five (65) percent of the roof area, provided that the following are satisfied: a. All mechanical equipment is screened; and b. No rooftop features are located closer than ten (10) feet to the roof edge. 6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection at least ten (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; e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Section 23.57.012;	

Current Code	Proposed Changes
f. Nonfirewall parapets; g. Play equipment. 7. Structures existing prior to May 10, 1986 may add new or replace existing mechanical equipment up to fifteen (15) feet above the roof elevation of the structure and shall comply with the noise standards of Section 23.47.018. 8. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.012. I. Solar Retrofits. The Director may permit the retrofitting of solar collectors on conforming or nonconforming structures existing on June 9, 1986 as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. Such a retrofit may be permitted even if it exceeds established height limits, if the following conditions are met: 1. There is no feasible alternative solution to placing the collector(s) on the roof; 2. The positioning of such collector(s) minimizes view blockage and shading of property to the north, while still providing adequate solar access for the collectors; and 3. Such collector(s) meet minimum energy standards administered by the Director. J. Height Exceptions for Public Schools. 1. For new public school construction on new public school sites, the maximum permitted height shall be the maximum height permitted in the zone. 2. For new public school construction on existing public school sites, the maximum permitted height shall be the maximum height permitted in the zone or thirty-five (35) feet plus fifteen (15) feet for a pitched roof, whichever is greater. 3. For additions to existing public schools on existing public school sites, the maximum height permitted shall be the maximum height permitted in the zone, the height of the existing school, or thirty- five (35) feet plus fifteen (15) feet for a pitched roof, whichever is greater. 4. Development standard departure for structure height may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79. For construction of new structures on new and existing public school sites to the extent not otherwise permitted outright, maximum height which may be granted as a development standard departure in zones with height limits of thirty (30) or forty (40) feet shall be thirty-five (35) feet plus fifteen (15) feet for a pitched roof for elementary schools and sixty (60) feet plus fifteen (15) feet for a pitched roof for secondary schools. All height maximums may be waived by the Director	

Current Code	Proposed Changes
when waiver would contribute to reduced demolition of residential structures. 5. To qualify for the pitched roof exception, all parts of the roof above the height limit must be pitched at a rate of not less than three to twelve (3:12). No portion of a shed roof shall extend above the height limit under this provision.	
SMC 23.47.014 Setback requirements. A. For the purposes of this section, portions of structures shall include those features listed in Section 23.47.012 G, Rooftop Features. B. Setbacks for Mixed Use Development, Single-purpose Residential Structures and Structures Containing No Residential Uses. 1. A setback shall be required on lots which abut the intersection of a side and front lot line of a residentially zoned lot. The required setback shall be a triangular area. Two (2) sides of the triangle shall extend fifteen (15) feet from the intersection of the street property line and the property line abutting the residentially zoned lot. The third side shall connect these two (2) sides with a diagonal line across the lot (Exhibits 23.47.014 A and 23.47.014 B). 2. A setback shall be required along any side lot line which abuts a side lot line of a residentially zoned lot as follows: a. Zero (0) feet for portions of structures thirteen (13) feet in height or lower; and b. Ten (10) feet for portions of structures above thirteen (13) feet in height to a maximum of sixty-five (65) feet; and c. For portions of structures above sixty-five (65) feet in height, an additional one (1) foot of setback shall be required for every ten (10) feet in excess of sixty-five (65) feet (Exhibit 23.47.014 C). 3. For structures containing no residential uses, a setback shall be required along any rear lot line which abuts a lot line of a residentially zoned lot or which is across an alley from a residentially zoned lot, as follows: a. Zero (0) feet for portions of structures thirteen (13) feet in height or lower; and b. Ten (10) feet for portions of structures above thirteen (13) feet in height to a maximum of sixty-five (65) feet; and c. For portions of structures above sixty-five (65) feet in height, an additional one (1) foot of setback shall be required for every ten (10) feet in excess of sixty-five (65) feet (Exhibit 23.47.014 C). 4. For mixed use developments and single-purpose residential structures, a setback shall be required along	No changes proposed

Current Code	Proposed Changes
any rear lot line which abuts a lot line of a residentially zoned lot or which is across an alley from a residentially zoned lot, as follows: a. Zero (0) feet for portions of structures thirteen (13) feet in height or lower; and b. Fifteen (15) feet for portions of structures above thirteen (13) feet in height to a maximum of forty (40) feet; and c. For portions of structures above forty (40) feet in height, an additional two (2) feet of setback shall be required for every ten (10) feet in excess of forty (40) feet (Exhibit 23.47.014 D). 5. One-half (1/2) alley width may be counted as part of the required setback. 6. No entrance, window, or other opening shall be permitted closer than five (5) feet to a residentially zoned lot. C. A five (5) foot setback shall be required from all street property lines where street trees are required and it is not feasible to plant them in accordance with City standards. The setback shall be landscaped according to Section 23.47.016, Screening and landscaping standards. D. A five (5) foot setback shall be provided along all street lot lines of a mobile home park. The setback shall be landscaped according to the provisions of Section 23.47.016 D6. E. Structures in Required Setbacks. 1. Decks and balconies with open railings may extend into the required setback, but shall not be permitted within five (5) feet of a residentially zoned lot, except as provided in subsection E6. 2. Eaves, cornices and gutters projecting no more than eighteen (18) inches from the structure facade shall be permitted in required setbacks. 3. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington State Building Code, Chapter 11, are permitted in required setbacks. 4. Uncovered, unenclosed pedestrian bridges, necessary for access and less than five (5) feet in width, are permitted in required setbacks. 5. Fences, freestanding walls and other similar structures. a. Fences, freestanding walls and other similar structures six (6) feet or less in height above existing or finished grade, whichever is lower, are permitted in required setbacks. The six (6) foot height may be averaged along sloping grade for each six (6) foot long segment of the fence, but in no case may any portion of the fence exceed eight (8) feet.	

Current Code	Proposed Changes
b. Bulkheads and retaining walls used to raise grade may be placed in any required setback when limited to six (6) feet in height, measured above existing grade. A guardrail no higher than forty-two (42) inches may be placed on top of a bulkhead or retaining wall existing as of the date of the ordinance codified in this section. If a fence is placed on top of a new bulkhead or retaining wall, the maximum combined fence is limited to nine and one-half (9 1/2) feet. c. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or six (6) feet, whichever is greater. When the bulkhead is measured from the low side and it exceeds six (6) feet, an open guardrail of no more than forty-two (42) inches meeting Building Code requirements may be placed on top of the bulkhead or retaining wall. A fence must be set back a minimum of three (3) feet from such a bulkhead or retaining wall. 6. Decks which are accessory to residential uses and are no more than eighteen (18) inches above existing or finished grade, whichever is lower, may project into required setbacks. 7. Underground structures are permitted in all setbacks. 8. Detached solar collectors shall be permitted in required setbacks. Such collectors shall be no closer than five (5) feet to any other principal or accessory structure, and no closer than three (3) feet to any lot line which abuts a residentially zoned lot. 9. Dumpster and other trash receptacles, except for trash compactors, located outside of structures shall not be permitted within ten (10) feet of any lot line which abuts a residentially zoned lot and shall be screened from the residential lot with a minimum six (6) foot high screen fence. F. Setback Requirements for Specific Uses or Structures. 1. Farm animals and structures housing them shall be located at least fifty (50) feet from any residentially zoned lot. 2. Beehives shall not be located within twenty-five (25) feet of any property line except when located eight (8) feet or more above the grade immediately adjacent to the subject lot or when situated less than eight (8) feet above the adjacent existing grade and behind a solid fence or hedge six (6) feet high, parallel to any property line within twenty-five (25) feet of a hive and extending at least twenty- five (25) feet beyond the hive in both directions. 3. Parking occupying the street-level frontage of a structure shall be set back at least five (5) feet from all street lot lines and along all property lines abutting residentially zoned lots for any portion of a structure which contains parking that is not screened from the residential zone by the exterior wall of the structure. This setback shall be landscaped and the parking screened according to the requirements of Section	

Current Code	Proposed Changes
23.47.016, Screening and landscaping standards. 4. Where access to a loading berth is from the alley, and truck loading is parallel to the alley, a setback of twelve (12) feet shall be required for the loading berth, measured from the centerline of the alley (Exhibit 23.47.014 E). This setback shall be maintained up to a height of sixteen (16) feet. G. A setback may be required in order to meet the provisions of Section 23.53.015, Improvement requirements for existing streets in residential and commercial zones, and Section 23.53.030, Alley improvements in all zones.	
SMC 23.47.015 View corridors. A. On lots which are partially within the Shoreline District, a view corridor shall be required for the entire lot if the portion of the lot in the Shoreline District is required to provide a view corridor under the Seattle Shoreline Master Program. B. Measurement and modification of the view corridor requirement shall be according to the Shoreline District measurement regulations.	No changes proposed
SMC 23.47.016 Screening and landscaping standards. A. The following types of screening and landscaping may be required for specific uses according to the provisions of this chapter. 1. Three (3) Foot High Screening on Street Property Lines. Three (3) foot high screening may be either: a. A fence or wall at least three (3) feet in height; or b. A hedge or landscaped berm at least three (3) feet in height. 2. Six (6) Foot High Screening on Property Lines. Six (6) foot high screening may be either: a. A fence or wall six (6) feet in height; or b. A landscaped berm at least five (5) feet in height or a hedge planted in conformance with landscaping rules promulgated by the Director. 3. Landscaped Areas and Berms. Each area or berm required to be landscaped shall be planted with trees, shrubs, and grass or evergreen groundcover. Features such as pedestrian access meeting the Washington State Building Code, Chapter 11-Accessibility, decorative pavers, sculptures or fountains may cover a maximum of thirty (30) percent of each required landscaped area or berm. Landscaping shall be provided according to standards promulgated by the Director.	No changes proposed

Current Code	Proposed Changes
4. Landscaping of Surface Parking Areas. When landscaping of a surface parking area is required, the following standards shall be met: a. Total Number of Parking Spaces — Required Landscape Area 20 to 50 — 18 square feet/ parking space 51 to 99 — 25 square feet/ parking space 100 or more — 35 square feet/ parking space b. The minimum size of a required landscaped area shall be one hundred (100) square feet. Berms and other landscaped areas provided to meet screening standards may be counted as part of a landscaped area. No part of a landscaped area shall be less than four (4) feet in dimension except those parts created by turning radii or angles of parking spaces. c. No stall shall be more than sixty (60) feet from a required landscaped area. d. One (1) tree shall be required for every ten (10) parking spaces. e. Each tree shall be three (3) feet away from any curb of a landscaped area or edge of the parking area. Permanent curbs or structural barriers shall enclose each landscaped area. f. Hardy evergreen groundcover shall be planted in accordance with rules promulgated by the Director. Trees in parking areas shall be selected in consultation with the City Arborist. 5. Combinations of Screening and Landscaping Requirements. When there is more than one (1) type of use which requires screening or landscaping, the requirement which results in the greater amount of screening and landscaping shall be followed. Street trees required by subsection C shall be provided in addition to landscaping required for specific uses in subsection D. B. Landscaping for New Construction. 1. An amount of landscaping equal to five (5) percent of lot area shall be required for new construction on any vacant lot. This five (5) percent landscaping requirement may include landscaping otherwise required by this chapter. The landscaping shall be in a location which is visible to pedestrians or customers and which has adequate sunlight and space necessary to insure plant survival. 2. The Director shall have the discretion to waive or reduce the requirement of subsection B1 based on the following factors: a. No useable space for landscaping exists between the proposed new structure and existing structures on adjoining lots because of inadequate sunlight or inadequate width;	

Current Code	Proposed Changes
b. No setback is provided in front of the new structure; c. Landscaping in the rear would not be visible to pedestrians or customers; d. Planter boxes in the right-of-way are not feasible due to narrow sidewalks or other potential for pedestrian conflict. C. Street Trees. 1. Street trees shall be provided in the planting strip. Existing street trees may count toward meeting the street tree requirement. 2. Exceptions to Street Tree Requirements. a. If a lot borders a platted but unopened street, the Director may reduce or waive the street tree requirement on that frontage if after consultation with the Director of Transportation it is determined that the street is unlikely to be developed. b. Street tree requirements shall not apply to single-family dwelling units in commercial zones. c. Street trees shall not be required when a change of use is the only permit requested. d. Street trees shall not be required for temporary use permits. e. Street trees shall not be required when expanding an existing structure unless an expansion equal to or greater than one thousand (1,000) square feet of expansion is proposed. Two (2) street trees shall be required for each additional one thousand (1,000) square feet of expansion. Rounding, per Section 23.86.002 B, shall not be permitted. The maximum number of street trees shall be controlled by the Department of Transportation standard. f. Street trees shall not be required when an existing surface parking area is expanded by less than ten (10) percent in area or in number of spaces. g. If street trees would obscure the visibility of retail uses or obstruct pedestrian access to retail uses, and there is no other location on the lot for the landscaping, the Director may reduce or waive the street tree requirement after consultation with the City Arborist. 3. If it is not feasible to plant street trees according to City standards, either a five (5) foot deep landscaped setback shall be required along the street property line or landscaping other than trees may be located in the planting strip according to Department of Transportation rules. The street trees shall be planted in the landscaped area at least two (2) feet from the street lot line if they cannot be placed in the planting strip. Where retail sales and service uses have customer entrances located along the street frontage, street trees	

Current Code	Proposed Changes
shall not be required. The Director may reduce or waive this setback and tree requirement where physically infeasible. D. Screening and Landscaping Requirements for Specific Uses. 1. Surface Parking Areas. a. When a surface parking area abuts a lot in a residential zone, six (6) foot high screening along the abutting lot line(s) shall be required. A five (5) foot deep landscaped area shall be required inside the screening (Exhibit 23.47.016 A). b. When a surface parking area is across an alley from a lot in a residential zone, six (6) foot high screening along the alley shall be required. A five (5) foot deep landscaped area shall be required inside the screening. The Director may reduce or waive the screening and landscaping requirement for part or all of the lot abutting the alley, or may waive only the landscaping requirement, when required parking can only be provided at the rear lot line and the alley is necessary to provide aisle space. In making the determination to waive or reduce the landscaping and screening requirements, the Director shall consider the following criteria: (1) Whether the lot width and depth permit a workable plan for the building and parking which would preserve the screening and landscaping; and (2) Whether the character of use across the alley, such as multifamily parking structures, makes the screening and landscaping less necessary; and (3) Whether the property is located in a pedestrian-designated zone and therefore access to parking from the street is not feasible or is undesirable; and (4) Whether a topographic break between the alley and the residential zone makes screening less necessary. c. Surface parking areas for nineteen (19) or fewer cars shall be screened by three (3) foot high screening along the street lot line. d. Surface parking areas for more than nineteen (19) cars shall provide three (3) foot high view-obscuring landscaping along street lot lines, and landscaping according to subsection A4 of this section. The Director may reduce or waive this requirement for reasons of safety, to assure adequate maneuvering room for service vehicles, or to prevent the number of parking spaces from being reduced to less than the required amount. 2. Parking Within or Under Structures.	

Current Code	Proposed Changes
a. When parking occupies any portion of the street-level frontage of a structure between a height of five (5) feet and eight (8) feet above sidewalk grade, the portion of the structure containing the parking shall be required to have a five (5) foot deep landscaped area along street lot lines. In addition, the parking shall be screened by: (1) The facade of the structure; or (2) Six (6) foot high screening between the structure and the landscaped area (Exhibit 23.47.016 B). b. A five (5) foot setback shall be required along all property lines abutting residentially zoned lots for any portion of a structure which contains parking that is not screened from the residential zone by the exterior wall of the structure. At ground level, the setback shall be landscaped according to subsection 23.47.016 C3 and six (6) foot high screening along the abutting property line(s) shall be provided. Above ground level, parking that is required to provide a five (5) foot setback shall have an opaque screen at least three and one-half (3 1/2) feet high. c. When access is through a street-facing facade, the facade shall contain one (1) garage door, not to exceed the maximum width allowed for the curbcut. d. The perimeter of each floor of parking which is eight (8) feet or more above sidewalk grade shall have an opaque screen at least three and one-half (3 1/2) feet high. 3. Drive-in Business. a. Drive-in businesses, including gas stations, abutting or across an alley from a residentially zoned lot, shall provide six (6) foot high screening along the abutting or alley lot lines. A five (5) foot deep landscaped area inside the screening shall be required when the drive-in portion of the business or its queuing lanes abut a lot in a residential zone. b. Drive-in businesses other than gas stations in which the drive-in portion of the business or its queuing lanes is across the street from a residentially zoned lot shall provide three (3) foot high screening for the drive-in portion. c. Gas stations shall provide three (3) foot high screening along street lot lines in all NC1, NC2 and NC3 zones. In C1 and C2 zones, three (3) foot high screening shall only be required when a gas station is across the street from a residentially zoned lot. 4. Outdoor Sales and Outdoor Display of Rental Equipment. a. When an outdoor sales area or outdoor display of rental equipment area is abutting or across an alley from a residentially zoned lot, six (6) foot high screening shall be provided along the abutting or alley	

Current Code	Proposed Changes
lot lines. b. When an outdoor sales area or outdoor display of rental equipment is across the street from a residentially zoned lot, three (3) foot high screening along the street lot line shall be provided. 5. Outdoor Storage. a. C1 Zones. Outdoor storage shall be screened by a structure's facade or by six (6) foot high screening between the storage area and all property lines. A five (5) foot deep landscaped area shall be provided between all street lot lines and the six (6) foot high screening (Exhibit 23.47.016 C). b. C2 Zones. (1) When an outdoor storage area is across the street from a residentially zoned lot it shall be screened from the street by the facade of a structure, or by six (6) foot high screening along the street lot lines. (2) When a lot containing outdoor storage abuts a residentially zoned lot, the outdoor storage area shall set back fifty (50) feet from abutting residentially zoned lot lines and be screened by a structure's facade or by six (6) foot high screening between the outdoor storage and all abutting property lines (Exhibit 23.47.016 D). c. Outdoor Dry Storage of Boats. Screening shall be required for the outdoor dry storage of boats in the Shoreline District according to the provisions for outdoor storage in C1 zones, subsection D5a, unless the dry storage of boats is located in a C2 zone, in which case screening shall be required according to the provisions for outdoor storage in C2 zones, subsection D5b. 6. Mobile Home Parks. Mobile home parks shall be screened by six (6) foot high screening along all nonstreet lot lines. A five (5) foot deep landscaped area shall be provided along all street lot lines of a mobile home park. A five (5) foot planting strip with street trees may be provided instead of the five (5) foot deep landscaped area. 7. Lots Within the Shoreline District. On lots within the Shoreline District where view corridors are required, the height of screening may be reduced and the location and type of required landscaping may be modified so that view corridors are not obstructed. 8. When one (1) of the specific uses listed in this subsection is proposed for expansion, the applicable landsca4ping requirement shall be met. The Director may reduce or waive the landscaping requirements where physically infeasible due to the location of existing structures or required parking.	

Current Code	Proposed Changes
E. Blank Facades. 1. One (1) of the following shall be required along each street frontage with blank facades greater than thirty (30) feet in width in all NC1, NC2, NC2/R, NC3, and NC3/R zones or in C1 and C2 zones when across a street from a residentially zoned lot: a. Ivy or similar vegetation shall be planted in front of or on the street-facing side of the blank facade; or b. A five (5) foot setback shall be provided in front of the blank facade, and the setback shall be planted with trees and shrubs according to rules promulgated by the Director; or c. Artwork on the blank facade which has been approved by the Office of Arts and Cultural Affairs. 2. Blank facade requirements shall apply to the area of the facade between two (2) feet and eight (8) feet above the sidewalk. 3. Any portion of a facade which is not transparent shall be considered to be a blank facade. Clear or lightly tinted glass in windows, doors and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside. 4. Portions of a facade of a structure which are separated by transparent areas of at least four (4) feet in width and between two (2) feet and eight (8) feet above the sidewalk shall be considered separate facade segments for the purposes of this subsection.	Incorporate this section into 23.47.008's standards for street level spaces. Require native or non-invasive species rather than ivy.
F. Access Through Required Screening and Landscaping. Breaks in required screening shall be permitted to provide pedestrian and vehicular access. Breaks in required screening for vehicular access shall not exceed the width of permitted curbcuts.	
SMC 23.47.018 Noise standards.	
A. All permitted manufacturing, fabricating, repairing, refuse compacting and recycling activities shall be conducted wholly within an enclosed structure in an NC1, NC2 or NC3 zone. In a C1 or C2 zone, location within an enclosed structure shall be required only when the lot is located within fifty (50) feet of a residential zone, except when required as a condition for permitting a major noise generator according to subsection B.	No changes proposed
B. Major Noise Generators. 1. The following uses or devices shall be considered major noise generators:	Update based on new use chart (Chart A on page 9)

Current Code	Proposed Changes
a. Light and general manufacturing; b. Major vessel repair; c. Aircraft repair shops; d. Major vehicle repair; e. Exterior heat exchangers, and other similar devices (e.g., ventilation, air-conditioning, refrigeration); f. Cargo terminals; g. Recycling centers; h. Other similar uses. 2. When a major noise generator is proposed, and when an existing major noise generator is proposed to be expanded, a report from an acoustical consultant shall be required to describe the measures to be taken by the applicant in order to meet noise standards for the area. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks and use of specified construction techniques or building materials. Measures to be used shall be specified on the plans. After a permit has been issued, any measures which were required by the permit to limit noise shall be maintained.	
SMC 23.47.020 Odor standards. A. The venting of odors, vapors, smoke, cinders, dust, gas and fumes shall be at least ten (10) feet above finished sidewalk grade, and directed away as much as possible from residential uses within fifty (50) feet of the vent. B. Major Odor Sources. 1. Uses which employ the following odor-emitting processes or activities shall be considered major odor sources: a. Lithographic, rotogravure or flexographic printing; b. Film burning; c. Fiberglassing; d. Selling of gasoline and/or storage of gasoline in tanks larger than two hundred sixty (260) gallons; e. Handling of heated tars and asphalts;	No changes proposed

Current Code	Proposed Changes
f. Incinerating (commercial); g. Tire buffing; h. Metal plating; i. Vapor degreasing; j. Wire reclamation; k. Use of boilers (greater than 106 British Thermal Units per hour, ten thousand (10,000) pounds steam per hour, or thirty (30) boiler horsepower); l. Animal food processing; m. Other similar processes or activities. 2. Uses which employ the following processes shall be considered major odor sources, except when the entire activity is conducted as part of a retail sales and service use: a. Cooking of grains; b. Smoking of food or food products; c. Fish or fishmeal processing; d. Coffee or nut roasting; e. Deep fat frying; f. Dry cleaning; g. Other similar processes or activities. C. When an application is made for a use which is determined to be a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency (PSCAA), shall determine the appropriate measures to be taken by the applicant in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken shall be indicated on plans submitted to the Director and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures which were required by the permit shall be maintained.	
SMC 23.47.022 Light and glare standards. A. Exterior lighting shall be shielded and directed away from adjacent uses.	No changes proposed

Current Code	Proposed Changes
B. Interior lighting in parking garages shall be shielded, to minimize nighttime glare affecting nearby uses. C. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two (2) vehicles shall be screened from adjacent properties by a fence or wall between five (5) feet and six (6) feet in height, or solid evergreen hedge or landscaped berm at least five (5) feet in height. If the elevation of the lot line is different from the finished elevation of the driveways 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 three (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. D. Height. 1. Exterior lighting on poles shall be permitted up to a maximum height of thirty (30) feet from finished grade. In zones with a forty (40) foot or greater height limit, exterior lighting on poles shall be permitted up to a height of forty (40) feet from finished grade, provided that the ratio of watts to area is at least twenty (20) percent below the maximum exterior lighting level permitted by the Energy Code.1 2. Athletic Fields. a. Light poles for illumination of athletic fields on new and existing public school sites will be allowed to exceed the maximum permitted height set forth in Section 23.47.022 D1, up to a maximum height of one hundred (100) feet, where determined by the Director to be necessary to ensure adequate illumination and where the Director determines that impacts from light and glare are minimized to the greatest extent practicable. The applicant must submit an engineer's report demonstrating that impacts from light and glare are minimized to the greatest extent practicable. When proposed light poles are reviewed as part of a project being reviewed pursuant to Chapter 25.05, Environmental Policies and Procedures, and requiring a SEPA determination, the applicant must demonstrate that the additional height contributes to a reduction in impacts from light and glare. b. When proposed light poles are not included in a proposal being reviewed pursuant to Chapter 25.05, the Director may permit the additional height as a special exception subject to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. (1) When seeking a special exception for taller light standards, the applicant must submit an engineer's report demonstrating that the additional height contributes to a reduction in impacts from light and glare. When the proposal will result in extending the lighted area's duration of use, the applicant must address and mitigate potential impacts, including but not limited to, increased duration of noise, traffic, and parking demand. The applicant also must demonstrate it has conducted a public workshop	

Current Code	Proposed Changes
for residents within (1/8) one-eighth of a mile of the affected school in order to solicit comments and suggestions on design as well as potential impacts. (2) The Director may condition a special exception to address negative impacts from light and glare on surrounding areas, and conditions may also be imposed to address other impacts associated with increased field use due to the addition of lights, including, but not limited to, increased noise, traffic, and parking demand. E. Glare diagrams which clearly identify potential adverse glare impacts on residential zones and on arterials shall be required when: 1. Any structure proposed to have facades of reflective coated glass or other highly reflective material, and/or new structures or expansion of existing structures greater than sixty-five (65) feet in height which have more than thirty (30) percent of the facades comprised of clear or tinted glass; and 2. The facade(s) surfaced or comprised of such materials either: a. Are oriented toward and are less than two hundred (200) feet from any residential zone, and/or b. Are oriented toward and are less than four hundred (400) feet from a major arterial with more than fifteen thousand (15,000) vehicle trips per day, according to Seattle Department of Transportation data. 3. When glare diagrams are required, the Director may require modification of the plans to mitigate adverse impacts, using methods including but not limited to the following: a. Minimizing the percentage of exterior facade that is composed of glass; b. Using exterior glass of low reflectance; c. Tilting glass areas to prevent glare which could affect arterials, pedestrians or surrounding structures; d. Alternating glass and nonglass materials on the exterior facade; and e. Changing the orientation of the structure.	
SMC 23.47.023 Standards for single-purpose residential structures. A. In all commercial zones, single-purpose residential structures shall be subject to the density standards provided for in Section 23.47.009, except as provided for in the Northgate Overlay District, Chapter 23.71, and in the Pike/Pine Overlay District, Chapter 23.73, and except for Seattle Housing Authority development permitted pursuant to Section 23.47.004 Ele. B. In all commercial zones with a height limit of eighty-five (85) feet or greater, except those designated NC/R,	Delete – addressed through section 23.47.004

Current Code	Proposed Changes
single-purpose residential structures are prohibited. C. Single-purpose residential structures shall meet all other development standards applicable to mixed use development, except that the street level frontage may be occupied by residential use other than parking. D. A single-purpose residential structure developed pursuant to Section 23.47.004 E1e shall meet all development standards applicable to mixed use development, except that Section 23.47.008 B shall not apply, and that the structure at street level shall not be required to meet the minimum thirteen (13) foot floor to floor height specified in Section 23.47.008 C2.	
SMC 23.47.024 Open space standards. Usable open space is intended for use by the residents of the development or structure, and shall be required for all residential uses in mixed use development, single-purpose residential structures, and structures with one (1) or more live-work units not located at street level according to the following: A. Open Space Quantity. Usable open space shall be required for all residential uses in an amount equal to twenty (20) percent of the structure's gross floor area in residential use. Calculation of a structure's gross floor area, for the purposes of this subsection, shall exclude area used for mechanical equipment, accessory parking and unenclosed decks, balconies or porches. B. Open Space Development Standards. 1. When permitted, required usable open space may be provided at ground level or may be provided above the ground in the form of balconies, decks, solaria, greenhouses, or roof gardens or decks. 2. Balconies and decks provided above the ground as open space shall have a minimum area of sixty (60) square feet and no horizontal dimension shall be less than six (6) feet. 3. Usable open space at ground level, and roof gardens, solaria, and greenhouses provided above ground as open space shall have a minimum area of two hundred fifty (250) square feet. No horizontal dimension shall be less than ten (10) feet. 4. Required usable open space is permitted at the front, sides, or rear of the structure. 5. Parking areas, driveways, and pedestrian access to the nonresidential, live-work or residential entrances, except for pedestrian access meeting the Washington State Building Code, Chapter 11-Accessibility, shall not be counted as open space. 6. Required open space shall be landscaped according to standards promulgated by the Director. 7. When a transmitting antenna is sited or proposed to be sited on a rooftop where required open space is	Change term to “residential amenity space.” Would be rewritten consistent with housing revitalization efforts. 10% of gross floor area would be required up to 50% of the lot area. A fee to provide public open space would be allowed to be provided to off-set half of the required on-site space. Of the on-site open space, half would be permitted to be indoors in spaces like gyms, or community meeting rooms.

Current Code	Proposed Changes
located, see Section 23.57.012.	
SMC 23.47.025 Home occupations. Home occupations of a person residing in a dwelling unit are permitted in that dwelling unit as accessory uses, subject to the following development standards: A. The occupation shall be clearly incidental and accessory to the use of the property as a dwelling. B. The address of the home occupation shall not be given in any advertisement including but not limited to commercial telephone directories, newspapers, magazines, off-premises signs, flyers, radio, television or any other media. C. The occupation shall be conducted only within the principal structure and not in an accessory structure, except that parking of vehicles associated with a home occupation shall be permitted anywhere that parking is permitted on the lot. D. To preserve the residential appearance of the structure, there shall be no evidence of the occupation from the exterior of the structure; provided, that one (1) sign and outdoor play areas for daycare programs and outdoor activities normally associated with residential use shall be permitted. No outdoor storage shall be permitted in connection with a home occupation. E. To preserve the residential character and use of the structure, only internal alterations customary to residential use shall be permitted and no external alterations shall be permitted to accommodate a home occupation. F. Except for daycare programs, not more than one (1) person who is not a resident of the dwelling unit may work in the dwelling unit of the home occupation whether or not compensated. This includes persons working off-site who come to the site for business purposes at any time as well as persons working on site. G. Commercial pickup and deliveries shall be limited to one (1) per day on weekdays and shall be prohibited on weekends. H. The home occupation shall not cause or add to on-street parking congestion or cause a substantial increase in traffic through residential areas. I. A maximum of two (2) private passenger vehicles, vans and similar vehicles each not exceeding a gross vehicle weight of ten thousand (10,000) pounds shall be permitted to operate in connection with the home occupation. J. The home occupation shall be conducted so that odor, dust, light and glare, and electrical interference and	Move to an “accessory uses” section, simplify standards because more flexibility regarding home occupations and less concern with the residential character of an area is appropriate in commercial areas.

Current Code	Proposed Changes
other similar impacts are not detectable by sensory perception at or beyond the property line of the lot where the home occupation is located. K. Signs shall be regulated by Sections 23.55.028 and 23.55.030.	
SMC 23.47.026 Standards for the keeping of animals. Animals which are not being kept in connection with animal husbandry or animal service uses may be kept as an accessory use on any lot in a commercial zone according to the following standards: A. Domestic Fowl. Up to three (3) domestic fowl may be kept on any lot. For each one thousand (1,000) square feet of lot area in excess of five thousand (5,000) square feet, one (1) additional domestic fowl may be kept. B. Farm Animals. Cows, horses, and other similar farm animals are permitted only on lots at least twenty thousand (20,000) square feet in size. One (1) farm animal for every ten thousand (10,000) square feet of lot area is permitted. C. Beekeeping. Beekeeping is permitted when it is registered with the State Department of Agriculture. No more than four (4) hives shall be kept on lots of ten thousand (10,000) square feet or less. For each two thousand five hundred (2,500) square feet of lot area in excess of ten thousand (10,000) square feet, one (1) additional hive may be kept. Each hive shall have only one (1) swarm. D. Small Animals. Up to three (3) small animals per business establishment or dwelling unit may be kept in commercial zones. That type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (Sus scrofa bittatus) shall be permitted as a small animal provided such swine is no greater than twenty-two (22) inches in height at the shoulder and no more than one hundred fifty (150) pounds in weight. No more than one (1) such swine may be kept per business establishment or dwelling unit.	Move to “accessory uses” section. No changes proposed to text.
SMC 23.47.027 Landmark Districts and designated landmark structures. A. The Director may waive or modify standards for open space, setbacks, width and depth limits and screening and landscaping for designated landmark structures or within a Landmark District pursuant to Seattle Municipal Code, Chapter 25.12 or within a Special Review District pursuant to Seattle Municipal Code, Chapter 23.66. B. The Director's decision to waive or modify development standards shall be consistent with adopted District design and development guidelines and shall be consistent with the recommendations of the Landmarks Preservation Board or the Director of Neighborhoods except when potential environmental impacts clearly require lesser waivers or modifications.	No changes proposed

Current Code	Proposed Changes
SMC 23.47.028 Standards for drive-in businesses. A. Number of Drive-in Lanes Permitted. 1. Zones Designated NC2/R and NC3/R. Drive-in businesses are prohibited in zones designated NC2/R and NC3/R. 2. NC1 Zones. Gas stations shall be limited to a maximum of four (4) drive-in lanes. Other drive-in businesses are prohibited. 3. NC2 Zones. Restaurants with drive-in lanes are prohibited. All other drive-in businesses in NC2 zones shall be limited to a maximum of two (2) drive-in lanes, except gas stations which shall be allowed a maximum of four (4) drive-in lanes. 4. NC3 Zones. All drive-in businesses in NC3 zones shall be limited to a maximum of four (4) drive-in lanes, except gas stations which shall have no restrictions on the number of drive-in lanes. Restaurants with drive-in lanes are subject to conditional use approval pursuant to Section 23.47.006. 5. C1 and C2 Zones. There shall be no restriction on the number of drive-in lanes in C1 and C2 zones. B. Drive-in businesses shall provide queuing spaces according to the following: 1. Banks with drive-in facilities shall provide a minimum of five (5) queuing spaces per lane when the number of lanes does not exceed two (2). 2. Banks with three (3) or more drive-in lanes shall provide a minimum of three (3) queuing spaces per lane. 3. Car washes shall provide a minimum of ten (10) queuing spaces. C. If the drive-in bank or car wash is located along either a principal arterial, a minor arterial, or along a street with only one (1) lane for moving traffic in each direction, the Director shall determine, after consulting with Seattle Department of Transportation whether additional queuing spaces are necessary or whether access should be restricted. The Director may for the purpose of environmental mitigation restrict access to the facility from that arterial or street, or may require additional queuing space up to a maximum of: 1. Banks with one (1) or two (2) drive-in lanes, eight (8) spaces per lane; 2. Banks with three (3) or more drive-in lanes, six (6) spaces per lane; 3. Car washes, twenty (20) spaces per lane. D. The Director shall establish the minimum number of queuing spaces needed for similar uses which are not listed above, using the quantities of subsection B as a guide.	Simplify, using charts, incorporate standards for restaurants with drive-in lanes from 23.47.006.

Current Code	Proposed Changes
E. Drive-in businesses shall provide screening and landscaping according to the requirements of Section 23.47.016, Screening and landscaping standards.	
SMC 23.47.029 Solid waste and recyclable materials storage space. A. Storage space for solid waste and recyclable materials containers shall be provided for all new structures permitted in commercial zones and expanded multifamily structures as indicated in the table below. For the purposes of this subsection, "expanded multifamily structure" means expansion of multifamily structures with ten (10) or more existing units by two (2) or more units.	No changes proposed

Structure Type	Structure Size	Minimum Area for Storage Space
Multifamily*	7 -- 15 units	75 square feet
	16 -- 25 units	100 square feet
	26 -- 50 units	150 square feet
	51 -- 100 units	200 square feet
	More than 100 units	200 square feet plus 2 square feet for each additional unit
	Front-loading	
Commercial*	0 -- 5,000 square feet	82 square feet
	5,001 -- 15,000 square feet	125 square feet
	15,001 -- 50,000 square feet	175 square feet
	50,001 -- 100,000 square feet	225 square feet
	100,001 -- 200,000 square feet	275 square feet
	200,001 plus square feet	500 square feet

* Mixed Use Buildings. Mixed use buildings with eighty (80) percent or more of floor space designated for residential use will be considered residential buildings. All other mixed use buildings will be considered commercial buildings.

B. The design of the storage space shall meet the following requirements:

1. The storage space shall have no dimension (width and depth) less than six (6) feet;
2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors require a concrete surface); and

Current Code	Proposed Changes
3. If located outdoors, the storage space shall be screened from public view and designed to minimize light and glare impacts. C. The location of the storage space shall meet the following requirements: 1. The storage space shall be located within private property boundaries of the structure it serves and, if located outdoors, it 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 for the structure; 3. The storage space shall not block or impede any fire exits, public rights-of-ways or any pedestrian or vehicular access; and 4. The storage space shall be located to minimize noise and odor to building occupants and neighboring developments. D. Access to the storage space for occupants and service providers shall meet the following requirements: 1. For rear-loading containers (usually two (2) cubic yards or smaller): a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and 2. For front-loading containers (usually larger than two (2) cubic yards): a. Direct access shall be provided from the alley or street to the containers, b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot overhead clearance shall be provided. E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C, and D of this section above, in addition to the number and sizes of containers, shall be included on the plans submitted with the permit application. F. The Director, in consultation with the Director of Seattle Public Utilities, shall have the discretion to modify the requirements of subsections A, B, C, and D of this section above under the following circumstances: 1. Then the applicant can demonstrate difficulty in meeting any of the requirements of subsections A, B, C, and D of this section; or 2. When the applicant proposes to expand a multifamily or mixed-use building, and the requirements of	

Current Code	Proposed Changes
subsections A, B, C, and D of this section conflict with opportunities to increase residential densities and/or retain ground-level retail uses; and 3. When the applicant proposes alternative, workable measures that meet the intent of this section.	
SMC 23.47.030 Required parking. A. Each use shall provide a minimum number of off-street parking spaces according to the requirements of Section 23.54.015, Required parking. B. In pedestrian-designated zones, parking shall also be provided according to the requirements of Section 23.47.044, Required parking in pedestrian-designated zones. C. Loading Berth Requirements. Loading berths shall be required for certain commercial uses according to the requirements of Section 23.54.030.	Update parking charts in 23.54 in order to be more consistent with measured demand. Retail parking would be required at 1 space per 500 sq. ft., the Restaurant parking requirement would be 1 space per 250 sq. ft., Lodging would be 1 space per 4 rooms; Entertainment would be 1 space per 10 seats; Research and development laboratories would be 1 space per 1500 sq. ft.; Food processing and craft work would be 1 space per 2,000 sq. ft. Residential uses would generally be one space per unit. Required parking would be waived for urban centers and under the station area overlay. Add revised provisions of 23.47.044 (P-designation

Current Code	Proposed Changes
	parking waivers)
SMC 23.47.032 Parking location and access. A. Parking for nonresidential uses and live-work units shall be located on the lot or built into or under the structure or within eight hundred (800) feet of the lot on which the use is located. When parking is provided on a lot other than the lot of the use to which it is accessory, the provisions of Section 23.54.025, Parking covenants, shall apply. Parking for residential uses must be located on the same lot as the residential use to which it is accessory.	Move the provisions of this section to the new street-level standards section in 23.47.008
B. Location of Parking in NC1, NC2 and NC3 Zones. Parking which is located outside a structure shall maintain the following relationships to lot lines and structures: 1. Side and Rear Lot Lines. Parking may be located between a structure and a side or rear lot line (Exhibit 23.47.032 B). 2. Front Lot Lines. a. When a lot fronts on two or more streets, parking may be located between the structure and the lot line on the street with the fewest lineal feet of commercially zoned frontage. b. When a lot fronts on two or more streets on which the lineal feet of commercially zoned frontage are equal, the Director shall determine the front lot line for the purposes of location of parking. In making a determination, the Director shall consider the following criteria: (1) The extent to which parking along a street would disrupt an established commercial street's pedestrian-oriented character or commercial continuity; (2) The potential for pedestrian and automobile conflicts; (3) The relative traffic capacity of a street as an indicator of a street's role as a principal commercial street along which parking would be prohibited. c. Parking may be located between the front lot line and a portion of a structure where the parking is also located between a side lot line, other than a street side lot line, and a portion of the same structure which is equal to at least thirty (30) percent of the total width of the structure (Exhibit 23.47.032 A). d. 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 the Shoreline Master Program. e. The Director may permit parking in front of structures in NC2 zones as a special exception if the Director	Add “surface” Add language to prohibit parking between a structure and side lot line adjacent to a street. After “Front Lot Lines” add “Generally parking shall not be located along a front lot line, except as provided below.” Delete 2a, 2b, 2c, 2e. Add language to allow parking along a front lot line if parking is next to a building, as long as it is not between the building and the corner. Add language to prohibit parking between a building and the street.

Current Code	Proposed Changes
finds that while most of the characteristics of an NC2 area are present, the development of a pedestrian-oriented shopping area is very unlikely and the placement of parking on the side or in back of commercial structures is infeasible or undesirable. Such a conclusion would be appropriate only where all or most of the following circumstances are present: (1) There are extensive curbcuts, a lack of sidewalks, intense auto traffic and/or a pattern of parking in front of businesses which creates an unfriendly environment for pedestrians, increasing the likelihood that customers will drive from one (1) business establishment to another; (2) The lots are narrow and alley access is infeasible, so that a disproportionate amount of the lot would have to be devoted to a driveway if parking is not located in front; (3) The zone in which the lot is located lacks strong edges to buffer adjacent low-density residential areas from parking areas. 3. Parking may be located between any structures on the same lot. 4. In all cases parking shall be screened as provided in Section 23.47.016 B.	
C. Location of Parking in C1 and C2 Zones. 1. There shall be no restrictions on the location of parking on lots in C1 and C2 zones.	Add language that calls for pedestrian pathways through surface parking accessory to certain uses, such as big box retail.
D. Access to Off-street Parking in All Commercial Zones. 1. Access to off-street parking may be from a street or from an alley when the lot abuts a platted alley improved to the standards of Section 23.53.030 C. 2. Access to off-street parking shall be from a street when, due to the relationship of an alley to the street system, use of the alley for parking access would create a significant safety hazard as determined by the Director. 3. Direct access to a loading berth from a street shall be permitted only when no alley improved to the standards of Section 23.53.030 C is available for access. 4. Access to off-street parking in pedestrian-designated zones shall be provided according to Section 23.47.048, Parking, access and curbcuts in pedestrian-designated zones.	No changes proposed

Current Code	Proposed Changes
SMC 23.47.033 Transportation concurrency level-of-service standards. Proposed uses in commercial zones shall meet the transportation concurrency level-of-service standards prescribed in Chapter 23.52.	No changes proposed
SMC 23.47.034 Sidewalk requirements. When new development is proposed, the Director may require that sidewalks be provided if no sidewalks exist. The sidewalk shall be developed in accordance with rules promulgated by the Director.	No changes proposed
SMC 23.47.035 Assisted living facilities use and development standards. A. Assisted living facilities shall be subject to the development standards of the zone in which they are located except as provided below: 1. Density. Density limits do not apply to assisted living facilities; and 2. Open Space. Open space requirements do not apply to assisted living facilities. B. Other Requirements. 1. Minimum Unit Size. Assisted living units shall be designed to meet the minimum square footage required by WAC 388-110-140. 2. Facility Kitchen. There shall be provided a kitchen on-site which services the entire assisted living facility. 3. 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 twenty (20) percent of the total floor area in assisted living units. 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 four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of	No changes proposed

Current Code	Proposed Changes
outdoor communal space may be permitted as part of the design review process, pursuant to Section 23.41.012 A.	
SMC 23.47.036 Development standards for live-work units. A. Live-work units shall be subject to the development standards of the underlying zone. B. Live-work units at street level shall be further subject to the development standards provided below: 1. The portion of the live-work unit in which business is conducted must be located between the principal street and the residential portion of the live-work unit. 2. When transparency is required, clear or lightly tinted glass in windows, doors and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows with a minimum thirty (30) inch depth from the outside.	Delete section, provisions would be addressed through use and street-level development standard sections.
Subchapter III (Reserved)	

Current Code	Proposed Changes
Subchapter IV Pedestrian-Designated Zones	
SMC 23.47.040 General provisions for pedestrian-designated zones. A. There shall be two (2) pedestrian-designated zones: Pedestrian 1 (P1) and Pedestrian 2 (P2), as designated on the Official Land Use Map, Chapter 23.32. B. The development standards of the underlying commercial zone shall apply to all uses within pedestrian-designated zones unless otherwise provided by this subchapter.	This subchapter removed with provisions to be moved to use chart and 23.47.008 street-level development standards.
C. For purposes of this subchapter, the following streets are principal pedestrian streets when located within a pedestrian- designated zone: 10th Avenue; 11th Avenue; 12th Avenue; 15th Avenue East; 22nd Avenue Northwest; 23rd Avenue; 24th Avenue Northwest; 25th Avenue Northeast; Beacon Avenue South; Boren Avenue; Boylston Avenue; Broadway; Broadway East; California Avenue Southwest; East Greenlake Drive North; East Madison Street; East Olive Way; East Pike Street; East Union Street; First Avenue North; Fremont Avenue North; Fremont Place North; Greenwood Avenue North; Lake City Way Northeast; Madison Street; Martin Luther King Jr. Way South; Mercer Street; North 85th Street; Northeast 43rd Street; Northeast 45th Street; Northwest Market Street; Queen Anne Avenue North; Rainier Avenue South; Roosevelt Way Northeast; Roy Street; South Alaska Street; South Henderson Street; South Lander Street; South McClellan Street; South Othello Street; Southwest Alaska Street; Summit Avenue; Terry Avenue; University Way Northeast; and Woodlawn Avenue Northeast.	Create or expand P-designated zones in Admiral, Columbia City, Eastlake, Greenwood/Phinney Ridge, Lake City, and Madison/ Miller based on surveys and neighborhood plans. Add the following streets Northeast 125th Street; Southwest Admiral Way; California Avenue Southwest; Eastlake Avenue East; Northwest 85th Street.

Current Code	Proposed Changes
SMC 23.47.042 Uses in pedestrian-designated zones. A. Uses shall be regulated by the underlying zone except as provided in this section. B. Prohibited Uses. 1. Drive-in businesses, including gas stations, are prohibited in pedestrian-designated zones. 2. Live-work units are prohibited at street-level in pedestrian- designated zones. C. Street-level Uses Required. 1. Street-level uses shall be required along the principal pedestrian street front, except as provided in subsection D4, and shall be limited to the following retail sales and service and office uses if permitted in the underlying commercial zone: a. Personal and household retail sales and service uses; b. Eating and drinking establishments; c. Customer service offices; d. Entertainment uses; e. Pet grooming services; f. Public library. 2. A minimum of eighty (80) percent of each street frontage to which street-level use requirements apply shall be occupied by uses listed in subsection D1. The remaining twenty (20) percent of the street frontage may contain other permitted uses and/or pedestrian entrances (Exhibit 23.47.042 A). 3. Required street-level uses shall be set back no more than ten (10) feet from the street property line and shall occupy at least the first ten (10) feet above sidewalk grade. 4. Street-level use requirements shall not apply to public school development along principal pedestrian streets.	Delete section, issue will be addressed in 23.47.004 and Chart A Add the following uses: Retail sales and services, non-household Lodging Medical services Light rail and monorail transit facilities Child care centers Museums Community clubs and centers Religious Facilities Schools, elementary and secondary Parks, playgrounds and open space Delete, See Chart A
SMC 23.47.044 Required parking in pedestrian-designated zones. A. Minimum parking requirements shall be according to the provisions of Section 23.54.015, Required parking, except as modified by this section. B. Reductions to Required Parking.	Move to 23.47.030. Apply P1 reduction to the P zones. Apply P2 reduction to the NC zone generally.

Current Code	Proposed Changes
1. Reductions to required parking shall be permitted in pedestrian- designated zones according to the provisions of Section 23.54.020, Parking quantity exceptions, except as modified by this section and Chart E. 2. Once the amount of required parking has been calculated according to the provisions of Section 23.54.020, further reductions may be permitted for the types of uses listed in Chart E. 3. The parking waivers permitted by Chart E shall apply to each business establishment in a structure. C. Additional parking waivers may be permitted by the Director as a special exception according to the following provisions: 1. In P1 designated zones, additional parking waivers may be permitted up to the maximum size of use permitted outright or permitted by special exception for the following uses: a. Personal and household retail sales and service uses; b. Eating and drinking establishments; c. Customer service offices; d. Entertainment uses. 2. In P2 designated zones, additional parking waivers may be permitted as special exception for the following uses: a. Eating and drinking establishments, up to a maximum waiver of five thousand (5,000) square feet; b. Motion picture theaters, up to a maximum waiver of three hundred (300) seats. 3. The following factors shall be considered by the Director in determining whether to permit additional parking waivers: a. Anticipated parking demand for the proposed use; b. The extent to which an additional parking waiver is likely to create or add significantly to spillover parking in adjacent residential areas; c. The availability of shared parking opportunities within eight hundred (800) feet of the business; d. Whether land is available for parking without demolishing an existing commercial structure, displacing a commercial use, or rezoning property to commercial. 4. Transportation Study. a. In order to determine whether to permit, condition, or deny additional parking waivers, the Director	

Current Code	Proposed Changes
may require that a transportation study be submitted for review. b. The Director shall determine the level of detail to be disclosed in the transportation study based on the following factors: (1) The size and type of the proposed use; and (2) The size of the requested parking waiver; and (3) Any anticipated impacts of an additional parking waiver. D. The transit reduction permitted in Section 23.54.020 F2 shall not apply to uses in pedestrian-designated zones.	
SMC 23.47.046 Parking location in pedestrian-designated zones. A. In P1 and P2 designated zones parking may be located at the rear of a structure, or may be built into or under a structure, or be located within eight hundred (800) feet of the lot to which it is accessory, according to the provisions of Section 23.54.025, Parking covenants. B. In P1-designated zones, parking shall not be allowed on the lot along the principal pedestrian street front. C. In P2-designated zones, parking may be located to the side of a structure if parking to the rear or within eight hundred (800) feet is unavailable without the demolition of commercial structures. Parking to the side of a structure shall not exceed a maximum of sixty (60) feet along the principal pedestrian street front (Exhibit 23.47.046 A).	Move these provisions to 23.47.008
SMC 23.47.048 Parking access and curbcuts in P1 and P2 designated zones. A. Access to parking shall be from the alley when the lot abuts an alley improved to the standards of Section 23.53.030 C; provided, that when the lot fronts on more than one (1) street access may be from the street which is not the principal pedestrian street. B. When the lot does not abut an alley, and the lot fronts on more than one (1) street, access to parking shall be from the street which is not the principal pedestrian street. C. If the lot does not abut an improved alley, and only abuts a principal street or streets, access may be permitted from a principal pedestrian street, and such access shall be limited to one (1) two (2) way curbcut.	Move these provisions to 23.47.008, and apply more generally to all NC zones.

Current Code	Proposed Changes
SMC 23.47.050 Blank facades in pedestrian-designated zones. A. Blank facades shall not exceed thirty (30) feet in width in pedestrian-designated zones. B. Blank facade requirements shall apply to the area of the facade between two (2) feet and eight (8) feet above the sidewalk. C. Any portion of a facade which is not transparent shall be considered to be a blank facade. Clear or lightly tinted glass in windows, doors and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside. D. Portions of a facade of a structure which are separated by transparent areas of at least two (2) feet in width shall be considered separate facade segments for the purposes of this subsection. E. The total of all blank facade segments shall not exceed forty (40) percent of the facade of the structure along the principal pedestrian street.	Move these provisions to 23.47.008.