

Attachment A to Lowrise Multifamily Code Amendment Ordinance: Repealed Code Sections

The repealed sections of the Land Use Code are shown below in numerical order. When the repealed section references an exhibit, that exhibit is also repealed. The title of the repealed section is followed by a reference to the number of the repealing section of the ordinance.

Section 23.34.022 - Lowrise 4 (L4) zone, function and locational criteria. (Ordinance Section 11)

- A. Function. An area that provides moderate density multifamily infill development in residential neighborhoods already characterized by moderate density residential structures, with good vehicular circulation, adequate alleys, and on-street parking.
- B. Locational Criteria.
 - 1. Threshold Conditions. Subject to subsection B2 of this section, properties that may be considered for an L4 designation are limited to the following:
 - a. Properties already zoned L4;
 - b. Properties in areas already developed predominantly to the permitted L4 density and where L4 scale is well established;
 - c. Properties within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban Village, or in the Admiral Residential Urban Village; or
 - d. Properties located in the Delridge Neighborhood Revitalization Area, as shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate a mixed-income housing development initiated by a public agency or the Seattle Housing Authority; a property use and development agreement is executed subject to the provisions of SMC Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.
 - 2. Properties designated as environmentally critical may not be rezoned to an L4 designation, and may remain L4 only in areas predominantly developed to the intensity of the L4 zone.
 - 3. Other Criteria. The Lowrise 4 zone designation is most appropriate in areas generally characterized by the following:
 - a. Development Characteristics of the Area.
 - (1) Either:
 - (a) Areas that are already developed predominantly to the permitted L4 density and where L4 scale is well established,
 - (b) Areas that are within an urban center or urban village, except in the Wallingford Residential Urban Village, in the Eastlake Residential Urban Village, in the Upper

1 Queen Anne Residential Urban Village, in the Morgan Junction Residential Urban
2 Village, in the Lake City Hub Urban Village, in the Bitter Lake Village Hub Urban
3 Village, or in the Admiral Residential Urban Village, or

4 (c) Areas that are located within the Delridge Neighborhood Revitalization Area, as
5 shown in Exhibit 23.34.020 A, provided that the L4 zone designation would facilitate
6 a mixed-income housing development initiated by a public agency or the Seattle
7 Housing Authority; a property use and development agreement is executed subject to
8 the provisions of SMC Chapter 23.76 as a condition to any rezone; and the
9 development would serve a broad public purpose.

10 (2) Areas of sufficient size to promote a high quality, higher density residential environment
11 where there is good pedestrian access to amenities;

12 (3) Areas generally platted with alleys that can provide access to parking, allowing the street
13 frontage to remain uninterrupted by driveways, thereby promoting a street environment
14 better suited to the level of pedestrian activity associated with higher density residential
15 environments;

16 (4) Areas with good internal vehicular circulation, and good access to sites, preferably from
17 alleys. Generally, the width of principal streets in the area should be sufficient to allow
18 for two (2) way traffic and parking along at least one (1) curbside.

19 b. Relationship to the Surrounding Areas.

20 (1) Properties in areas adjacent to concentrations of employment;

21 (2) Properties in areas that are directly accessible to regional transportation facilities,
22 especially transit, providing connections to major employment centers, including arterials
23 where transit service is good to excellent and street capacity is sufficient to accommodate
24 traffic generated by higher density development. Vehicular access to the area should not
25 require use of streets passing through less intensive residential areas;

26 (3) Properties with close proximity and with good pedestrian connections to services in
27 neighborhood commercial areas, public open spaces and other residential amenities;

28 (4) Properties with well-defined edges providing sufficient separation from adjacent areas of
small scale residential development, or where such areas are separated by zones
providing a transition in the height, scale and density of development.

Section 23.45.002 - Scope of provisions. (Ordinance Section 19)

The zones regulated by this Chapter 23.45 are found in Section 23.45.502.

Section 23.45.006 - General development standards for structures in multifamily zones. (Ordinance Section 23)

General provisions for structures in multifamily zones are found in Section 23.45.508.

Section 23.45.009 - Structure height—Lowrise zones. (Ordinance Section 25)

- 1
- 2 A. Maximum Height. The maximum height permitted for all structures, except for cottage
- 3 housing developments, shall be as follows:
- 4
- 5 B. Cottage Housing Height. The maximum height permitted for structures in cottage housing
- 6 developments shall be eighteen (18) feet.
- 7
- 8 C. Pitched Roofs.
- 9
- 10 1. Except for cottage housing developments, in Lowrise Duplex/Triplex, Lowrise 1 and
- 11 Lowrise 2 zones the ridge of pitched roofs on principal structures with a minimum slope of six to
- 12 twelve (6:12) may extend up to thirty-five (35) feet. The ridge of pitched roofs on principal
- 13 structures with a minimum slope of four to twelve (4:12) may extend up to thirty (30) feet. All
- 14 parts of the roof above twenty-five (25) feet shall be pitched. (See Exhibit 23.45.009 A.)
- 15
- 16 2. In cottage housing developments, the ridge of pitched roofs with a minimum slope of six
- 17 to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a
- 18 minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the
- 19 roof above eighteen (18) feet shall be pitched.
- 20
- 21 3. In Lowrise 3 and Lowrise 4 zones the ridge of pitched roofs on principal structures may
- 22 extend up to five (5) feet above the maximum height limit. All parts of the roof above thirty (30)
- 23 feet in Lowrise 3 zones and thirty-seven (37) feet in Lowrise 4 zones shall be pitched at a rate of
- 24 not less than four to twelve (4:12). (See Exhibit 23.45.009 B.)
- 25
- 26 4. No portion of a shed roof shall be permitted to extend beyond the maximum height limit
- 27 under this provision.
- 28
- A. Rooftop Features.
1. Flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer than 50 percent of their height above existing grade or, if attached only to the roof, no closer than 50 percent of their height above the roof portion where attached, to any adjoining lot line.
2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend no higher than the ridge of a pitched roof permitted under subsection C above or 4 feet above the maximum height limit set in subsection 23.45.009.A. For cottage housing developments, these rooftop features may extend 4 feet above the 18 foot height limit.
3. For cottage housing developments, chimneys may exceed the height limit by 4 feet or may extend 4 feet above the ridge of a pitched roof.
4. Except in cottage housing developments, the following rooftop features may extend 10 feet above the maximum height limit established in subsection 23.45.009.A so long as the combined total coverage of all features does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened mechanical equipment:

- a. Stair and elevator penthouses;
 - b. Mechanical equipment;
 - c. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least 5 feet from the roof edge;
 - d. Chimneys;
 - e. Minor communication utilities and accessory communication devices, except that height is regulated according to the provisions of Section 23.57.011.
5. For height exceptions for solar collectors, see Section 23.45.545.D, Solar collectors on roofs.
6. In order to protect solar access for property to the north, the applicant shall either locate the rooftop features listed in this subsection 23.45.009.D.6 at least 10 feet from the north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of such rooftop features would shade property to the north on January 21st at noon no more than would a structure built to maximum permitted bulk:
- a. Solar collectors;
 - b. Planters;
 - c. Clerestories;
 - d. Greenhouses;
 - e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Chapter 23.57.011;
 - f. Nonfirewall parapets;
 - g. Play equipment.
7. For height limits and exceptions for communication utilities and devices, Section 23.57.011.
- E. Sloped Lots. Additional height shall be permitted for sloped lots, at the rate of one (1) foot for each six (6) percent of slope, to a maximum of five (5) feet. The additional height shall be permitted on the downhill side of the structure only, as described in Section 23.86.006 C.

Section 23.45.010 - Lot coverage—Lowrise zones. (Ordinance Section 25)

- A. Except as provided in subsection C of this section, the maximum lot coverage permitted for principal and accessory structures shall not exceed the following limits:
1. For townhouses, the following lot coverage limits shall apply:
 2. For all other structures, the following lot coverage limits shall apply:
 3. When townhouses and other structures are located on the same lot, the lot coverage shall be calculated as follows:
 - a. Divide the number of townhouse units by the total number of units on the site, and multiply this figure by the percentage of lot coverage allowed for townhouses in that zone; and
 - b. Divide the number of units in all other (nontownhouse) structures on the site by the total number of units on site and multiply this figure by the percentage of lot coverage allowed for all other structures in that zone; and

- 1 c. Add subsections A3a and A3b above, which equals the maximum lot coverage.
- 2 B. For cottage housing developments, in addition to the limitations of subsection A above, the lot
- 3 coverage for an individual principal structure shall not exceed six hundred fifty (650) square feet.
- 4 C. Lot Coverage Exceptions. The following structures or portions of structures shall be exempted from
- 5 the measurement of lot coverage:
- 6 1. Pedestrian access bridges from alleys, streets or easements, and uncovered, unenclosed bridges of
- 7 any height necessary for access and five (5) feet or less in width;
- 8 2. Ramps or other access for the disabled or elderly meeting Washington State Building Code,
- 9 Chapter 11;
- 10 3. Fences, freestanding walls, bulkheads, signs and other similar structures;
- 11 4. An underground structure, or underground portion of a structure, on any part of the entire lot;
- 12 5. The first eighteen (18) inches of horizontal projection of eaves, cornices and gutters;
- 13 6. The first four (4) feet of horizontal projection from principal and accessory structures of
- 14 unenclosed decks, balconies and porches;
- 15 7. Solar collectors meeting the provisions of Section 23.44.046 and swimming pools eighteen (18)
- 16 inches or less above grade;
- 17 8. Decks or parts of a deck that are eighteen (18) inches or less above existing grade.

17 **Section 23.45.011 - Structure width and depth—Lowrise zones. (Ordinance Section 25)**

- 18 A. The maximum width and depth of structures shall be as provided in Table 23.45.011 A. (See Table
- 19 23.45.011 A.)
- 20 B. The minimum width for structures in Lowrise Duplex/Triplex zones shall be twenty (20) feet.

21 **Section 23.45.012 - Modulation requirements—Lowrise zones. (Ordinance Section 25)**

- 22 A. Front Facades.
- 23 1. Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal
- 24 entrance facing the street, or forty (40) feet with a principal entrance facing the street.
- 25 2. For terraced housing, only the portion of the front facade closest to the street is required to be
- 26 modulated. (See Exhibit 23.45.012 A.)
- 27 B. Side Facades. On corner lots, side facades which face the street shall be modulated if greater than
- 28 forty (40) feet in width for ground-related housing, and thirty (30) feet in width for apartments. Modulation shall not be required for the side facades of terraced housing.

1 C. Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be
2 modulated according to the standards of subsection D of Section 23.45.012, provided that the
3 maximum modulation width shall be forty (40) feet. Perimeter facades shall follow standard
4 development requirements.

4 D. Modulation Standards.

5 1. Lowrise Duplex/Triplex and Lowrise 1 Zones.

6 a. Minimum Depth of Modulation.

7 (1) The minimum depth of modulation shall be four (4) feet. (See Exhibit 23.45.012

8 (2) When balconies are part of the modulation and have a minimum dimension of at least six
9 (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of
10 modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

11 b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

12 c. Maximum Width of Modulation. The modulation width shall emphasize the identity of
13 individual units, but shall not be greater than thirty (30) feet. For units located one (1) above
14 the other, the individuality of the units shall be emphasized through the location of
15 driveways, entrances, walkways and open spaces.

16 2. Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

17 a. Minimum Depth of Modulation.

18 (1) The minimum depth of modulation shall be four (4) feet (see Exhibit 23.45.012 B) in
19 Lowrise 2 and Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet
20 for apartments in Lowrise 4 zones.

21 (2) When balconies are part of the modulation and have a minimum dimension of at least six
22 (6) feet and a minimum area of at least sixty (60) square feet, the minimum depth of
23 modulation shall be two (2) feet. (See Exhibit 23.45.012 C.)

24 b. The minimum width of modulation shall be five (5) feet. (See Exhibit 23.45.012 B.)

25 c. Maximum Width of Modulation.

26 (1) The maximum width of modulation shall be thirty (30) feet.

27 (2) Exceptions to Maximum Width of Modulation in Lowrise 2, Lowrise 3 and Lowrise 4
28 Zones.

i. When facades provide greater depth of modulation than required by subsection D1 of
this section, then for every additional full foot of modulation depth, the width of
modulation may be increased by two and one-half (2½) feet, to a maximum width of

forty (40) feet in Lowrise 2 zones and forty-five (45) feet in Lowrise 3 and Lowrise 4 zones. Subsection B of Section 23.86.002, measurements, shall not apply.

ii. The maximum width of modulation may be increased when facades are set back from the lot line further than the required setback, according to the following guideline: The width of modulation of such a facade shall be permitted to exceed thirty (30) feet by one (1) foot for every foot of facade setback beyond the required setback. This provision shall not be combined with the provisions of subsection D2c(2)i, nor shall it permit facades to exceed forty-five (45) feet in width without modulation.

3. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones required modulation may start a maximum of ten (10) feet above existing grade, and shall be continued up to the roof. In Lowrise Duplex/Triplex zones modulation shall extend from the ground to the roof except for weather protection coverings such as awnings.

Section 23.45.014 - Setback requirements—Lowrise zones. (Ordinance Section 25)

A. Front Setback.

1. The required front setback shall be the average of the setbacks of the first principal structures on either side, except for cottage housing developments, subject to the following:

Lowrise Duplex/Triplex —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.
Lowrise 1,	
Lowrise 2	
and	
Lowrise 3 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed fifteen (15) feet.
Lowrise 4 —	In no case shall the setback be less than five (5) feet and it shall not be required to exceed twenty (20) feet.

2. Cottage Housing Developments. The required front setback shall be a minimum of ten (10) feet.

3. Townhouses.

a. Portions of a structure may project into the required front setback, as long as the average distance from the front property line to the structure satisfies the minimum front setback requirement.

b. No portion of a structure shall be closer to the front property line than five (5) feet.

4. Through Lots. In the case of a through lot, each setback abutting a street, except a side setback, shall be a front setback. Rear setback requirements shall not apply to the lot.

5. A greater 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.

B. Rear Setbacks. Rear setbacks shall be provided as follows:

1. Zones. Lowrise Duplex/Triplex and Lowrise 1-Twenty (20) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet, except for cottage housing developments, which shall provide a minimum ten (10) foot rear setback.
2. Alleys. When a property abuts upon an alley along a rear lot line, the centerline of the alley between the side lot lines extended shall be used as the rear lot line for purposes of measuring a rear setback; provided that at no point shall the principal structure be closer than ten (10) feet to the actual property line at the alley. If the provisions of subsection H of this section are used, this subsection may not be used.

Lowrise 2—Twenty-five (25) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

Lowrise 3 and Lowrise 4—Twenty-five (25) feet or fifteen (15) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet.

C. Side Setbacks.

1. The required side setback for structures in Lowrise zones shall be determined by structure depth and height, according to the following Table 23.45.014 A:

Table 23.45.014 A
 Side Setbacks-Lowrise Zones
Height of Side Facade
 at Highest Point in Feet

	0—25'	26—30'	31—37'	
Structure Depth in Feet	Average Side Setback in Feet			Minimum Side Setback
65 or less	5	6	7	5'
66 to 80	6	6	8	5'
81 to 100	8	9	11	6'
101 to 120	11	12	14	7'
121 to 140	14	15	17	7'
141 to 160	17	18	20	8'
161 to 180	19	21	23	8'
Greater than 180				1' in addition to 8' for every 50' in depth

The pattern established in the table shall be continued for structures greater than one hundred eighty (180) feet in depth.

2. When there is a principal entrance along a side facade not facing a street or alley, the following shall apply except for cottage housing developments:
 - a. In addition to the setback required in Table 23.45.014 A, the principal entrance door(s) shall be recessed three (3) feet. This requirement for a recessed entrance shall apply only to a height necessary to accommodate the entrance.
 - b. Screening along the side property line that faces the principal entrance(s) shall be provided in the form of a wall or fence that meets the standard in subsection G of this section. In order to ensure adequate access width, this screening shall supersede the landscape requirement along property lines that abut single-family zoned lots contained in Section 23.45.015 B1b.
3. The side street setback of a reversed corner lot shall be ten (10) feet or as provided in Table 23.45.014 A, whichever is greater.

D. Required Setbacks for Cluster Developments.

1. In Lowrise Duplex/Triplex zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be ten (10) feet when the length of facing portions of facades is forty (40) feet or less and fifteen (15) feet when the length of facing portions of facades exceeds forty (40) feet.
2. In Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 zones where two (2) or more principal structures are located on a lot, the required setback between those portions of interior facades which face each other shall be as follows:

Table 23.45.014 C
 Required Setback Between Facing Facades
 Lowrise Zones

Length of Facing Facades, in Feet	Average Setback Between Facing Facades (in Feet)	Minimum Setback (in Feet)
40 or less	10	10
41 to 60	15	10
61 to 80	20	10
81 to 100	25	10
101 to 150	30	10
151 or more	40	10

3. Setbacks shall apply only to portions of the facades that are directly across from each other.
4. In Lowrise 2, Lowrise 3 and Lowrise 4 zones structures in cluster developments may be connected by elevated walkways, provided that:
 - a. One (1) elevated walkway shall be permitted to connect any two (2) structures in the development;

- 1 b. Additional elevated walkways, in excess of one (1), between any two (2) structures may be
2 permitted by the Director when it is determined that by their location or design a visual
3 separation between structures is maintained;
- 4 c. All elevated walkways shall meet the following standards:
- 5 (1) The roof planes of elevated walkways shall be at different levels than the roofs or
6 parapets of connected structures.
- 7 (2) Walkways shall be set back from street lot lines and the front facades of the structures
8 they connect, and whenever possible shall be located or landscaped so that they are not
9 visible from a street.
- 10 (3) The design of the walkways and the materials used shall seek to achieve a sense of
11 openness and transparency.
- 12 (4) Elevated walkways shall add to the effect of modulation rather than detract from it.
- 13 5. For structures connected by elevated walkways, the length of the facade shall be defined as the
14 lengths of the facades connected by the elevated walkways and shall exclude the length of the
15 elevated walkway.
- 16 E. Interior Separation for Cottage Housing Developments. In cottage housing developments, there shall
17 be a minimum separation of six (6) feet between principal structures, unless there is a principal
18 entrance on an interior facade of either or both of the facing facades, in which case the minimum
19 separation shall be ten (10) feet. Facades of principal structures facing facades of accessory structures
20 shall be separated by a minimum of three (3) feet.
- 21 F. Projections into Required Setbacks.
- 22 1. Special Features of a Structure.
- 23 a. External architectural details with no living space including cornices, eaves, sunshades,
24 gutters, and vertical architectural features which are less than eight (8) feet in width, may
25 project a maximum of eighteen (18) inches into any required setback.
- 26 b. Bay windows shall be limited to eight (8) feet in width and may project no more than two (2)
27 feet into a front, rear, or street side setback. In no case shall bay windows be closer than five
28 (5) feet to any lot line.
- c. Other projections which include interior space, such as garden windows, may extend no more
 than eighteen (18) inches into any required setback, starting a minimum of thirty (30) inches
 above finished floor, and with maximum dimensions of six (6) feet tall and eight (8) feet
 wide.
- d. The combined area of features permitted in subsections F1b and c above may comprise no
 more than thirty (30) percent of the area of the facade.
2. Unenclosed Decks and Balconies.

- 1 a. Unenclosed decks and balconies may project a maximum of four (4) feet into the required
2 front setback provided they are a minimum of ten (10) feet from the front lot line in Lowrise
3 Duplex/Triplex and Lowrise 1 zones and eight (8) feet from the front lot line in Lowrise 2,
4 Lowrise 3 and Lowrise 4 zones.
- 5 b. Except as provided in subsection G5 of Section 23.45.014, unenclosed decks and balconies
6 shall be permitted in side setbacks, provided they are a minimum of five (5) feet from a side
7 lot line, and may project into the required rear setback a maximum of four (4) feet provided
8 they are a minimum of five (5) feet from a rear lot line.
- 9 c. Unenclosed decks and balconies permitted in required setbacks shall be limited to a
10 maximum width of twenty (20) feet and shall be separated by a distance equal to at least one-
11 half (½) the width of the projection.
- 12 d. All permitted projections into required front and rear setbacks shall begin a minimum of eight
13 (8) feet above finished grade.
- 14 3. An unenclosed porch or steps may extend a maximum of six (6) feet into the required front
15 setback at ground level, provided that it is set back the same distance from the front lot line as
16 that required for unenclosed decks and balconies.

17 G. Structures in Required Setbacks.

- 18 1. Detached garages, carports, or other accessory structures are permitted in the required rear
19 setback, provided that any accessory structure located between a principal structure and the side
20 lot line shall provide the setback required for the principal structure. (See Exhibit 23.45.014 A.)
21
22 All such accessory structures, including garages, shall be no greater than 12 feet in height. The
23 height of garages shall be measured on the facade containing the entrance for the vehicles, with
24 open rails permitted above 12 feet.
- 25 2. Ramps or other devices necessary for access for the disabled and elderly, which meet Washington
26 State Building Code, Chapter 11, are permitted in required front, side or rear setbacks.
- 27 3. Uncovered, unenclosed pedestrian bridges, necessary for access and less than 5 feet in width, are
28 permitted in required front, side and rear setbacks.
4. Fences, Freestanding Walls, Bulkheads, Signs and Other Similar Structures.
 - a. Fences, freestanding walls, signs and other similar structures 6 feet or less in height above
existing or finished grade whichever is lower, are permitted in required front, side, or rear
setbacks. The 6 foot height may be averaged above sloping grade for each 6 foot long
segment of the fence, but in no case may any portion of the fence exceed 8 feet.
Architectural features may be added to the top of the fence or freestanding wall above the 6
foot height when the following provisions are met: horizontal architectural feature(s), no
more than 10 inches high and separated by a minimum of 6 inches of open area, measured
vertically from the top of the fence, may be permitted when the overall height of all parts of
the structure, including post caps, are no more than 8 feet high; averaging the 8 foot height is

- 1 not permitted. Structural supports for the horizontal architectural feature(s) may be spaced no
2 closer than 3 feet on center.
- 3 b. The Director may allow variation from the development standards listed in subsection G4a
4 above, according to the following:
- 5 i. No part of the structure may exceed 8 feet;
- 6 ii. Any portion of the structure above 6 feet shall be predominately open, such that there
7 is free circulation of light and air.
- 8 c. Bulkheads and retaining walls used to raise grade may be placed in any required yard when
9 limited to 6 feet in height, measured above existing grade. A guardrail no higher than 42
10 inches may be placed on top of a bulkhead or retaining wall existing as of the date of the
11 ordinance codified in this section. If a fence is placed on top of a new bulkhead or retaining
12 wall, the maximum combined height is limited to 9.5 feet.
- 13 d. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the
14 minimum height necessary to support the cut or 6 feet, whichever is greater. When the
15 bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more
16 than 42 inches meeting Building Code requirements may be placed on top of the bulkhead or
17 retaining wall. A fence must be set back a minimum of 3 feet from such a bulkhead or
18 retaining wall.
- 19 5. Decks no more than 18 inches above existing or finished grade, whichever is lower, may project
20 into required setbacks.
- 21 6. Underground structures are permitted in all setbacks.
- 22 7. Solar collectors are permitted in required setbacks, subject to the provisions of Section
23 23.45.545.C.
- 24 8. Arbors. Arbors may be permitted in required setbacks under the following conditions:
- 25 a. In each required setback, an arbor may be erected with no more than a 40 square foot
26 footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of 8
27 feet. Both the sides and the roof of the arbor must be at least 50 percent open, or, if
28 latticework is used, there must be a minimum opening of 2 inches between crosspieces.
- b. In each required setback abutting a street, an arbor over a private pedestrian walkway with no
more than a 30 square foot footprint, measured on the horizontal roof plane and inclusive of
eaves, may be erected to a maximum height of 8 feet. The sides of the arbor shall be at least
50 percent open, or, if latticework is used, there must be a minimum opening of 2 inches
between crosspieces.
- H. Front and rear setbacks on lots containing certain environmentally critical areas or buffers may be
reduced pursuant to the provisions of Sections 25.09.280 and 25.09.300.

Section 23.45.015 - Screening and landscaping requirements—Lowrise zones. (Ordinance Section 25)

1 A. Quantity.

- 2 1. A minimum landscaped area that is equivalent in square footage to three (3) feet times the total
3 length of all property lines shall be provided, except as specified in subsection A5 of this section.
- 4 2. If screening and landscaping of parking from direct street view is provided according to
5 subsection D of Section 23.45.018, that amount of landscaped area may be counted toward
6 fulfilling the total amount of landscaped area required by this section.
- 7 3. Landscaped usable open space that is provided for apartments or terraced housing and located at
8 ground level, may be counted toward fulfilling the total amount of landscaped area required by
9 this section.
- 10 4. Street trees shall be provided in the planting strip according to Seattle Department of
11 Transportation Tree Planting Standards, unless it is not possible to meet the standards. Existing
12 street trees may count toward meeting the street tree requirement.
- 13 5. Exceptions.
- 14 a. If full landscaping is not possible because of the location of existing structures and/or existing
15 parking, the amount of required landscaped area may be reduced by up to fifty (50) percent.
16 The Director may require that landscaping which cannot be provided on the lot be provided in
17 the planting strip.
- 18 b. If landscaping would obscure the visibility of retail uses or obstruct pedestrian access to retail
19 uses, and there is no other location on the lot for the landscaping, the Director may reduce or
20 waive the amount of landscaping required in those locations. No reduction or waiver shall
21 apply to screening and landscaping of parking required by subsection D of Section 23.45.018
22 or open space required by Section 23.45.016.

23 B. Development Standards.

- 24 1. Except for the screening and landscaping of parking, which shall be provided according to
25 subsection D of Section 23.45.018, landscaping may be provided on all sides of the lot, or may be
26 concentrated in one (1) or more areas. However, a landscaped area at least three (3) feet deep
27 shall be provided at the following locations, except as provided in subsection B2:
- 28 a. Along street property lines;
- b. Along property lines which abut single-family zoned lots;
- c. Along alleys across from single-family zoned lots.
2. Breaks in required screening and landscaping shall be permitted to provide pedestrian and
vehicular access. Breaks in required screening and landscaping for vehicular access shall not
exceed the width of permitted curbcuts and any required sight triangles. When an alley is used as
an aisle, the Director may reduce or waive the required screening or landscaping along the alley.

3. Required landscaping shall meet standards promulgated by the Director.

C. Tree Requirements in Landscaped Areas in Lowrise Duplex/Triplex, Lowrise 1, and Lowrise 2 Zones.

1. Trees shall be required when new lowrise multifamily dwelling units are constructed. This requirement may be met using options in subsection C1a or C1b below. The minimum number of caliper inches of tree required per lot may be met through using either the tree preservation option or tree planting option set forth below, or through a combination of preservation and planting. Trees within public and private rights-of-way may not be used to meet this standard.

a. Tree Preservation Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of existing tree per one thousand (1,000) square feet of lot area must be preserved. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of existing tree must be preserved per lot. When this option is used, a tree preservation plan is required.

b. Tree Planting Option. For lots over three thousand (3,000) square feet, at least two (2) caliper inches of tree per one thousand (1,000) square feet of lot area must be planted. On lots that are three thousand (3,000) square feet or smaller, at least three (3) caliper inches of tree must be planted per lot.

2. Tree Measurements. Trees planted to meet the requirements in subsection C1 above shall be at least one and one-half (1.5) inches in diameter. The diameter of new trees shall be measured (in caliper inches) six (6) inches above the ground. Existing trees shall be measured four and one-half (4.5) feet above the ground. When an existing tree is three (3) to ten (10) inches in diameter, each one (1) inch counts as one (1) inch toward meeting the tree requirements in subsection C1 above. When an existing tree is more than ten (10) inches in diameter, each one (1) inch of the tree that is over ten (10) inches shall count as three (3) inches toward meeting the tree requirement.

3. Tree Preservation Plans. If the tree preservation option is chosen, a tree preservation plan must be submitted and approved. The plan may be submitted as part of the overall landscaping plan for the project. Tree preservation plans shall provide for protection of trees during construction according to standards promulgated by the Department of Planning and Development.

Section 23.45.016 - Open space requirements—Lowrise zones (Ordinance Section 25)

A. Quantity of Open Space.

1. Lowrise Duplex/Triplex Zones.

a. Single-family Structures. A minimum of 600 square feet of landscaped area shall be provided, except for cottage housing developments.

b. Cottage Housing Developments. A minimum of 400 square feet per unit of landscaped area is required. This quantity shall be allotted as follows:

(1) A minimum of 200 square feet per unit shall be private usable open space; and

(2) A minimum of 150 square feet per unit shall be provided as common open space.

- 1 c. Additional Dwelling Unit Added to Existing Structure Pursuant to Section 23.45.008.F. No
2 open space is required for an additional dwelling unit added to an existing multifamily
3 structure pursuant to Section 23.45.008.F.
- 4 d. Structures with Two Dwelling Units. At least one unit shall have direct access to a minimum
5 of 400 square feet of private, usable open space. The second unit shall also have direct access
6 to 400 square feet of private, usable open space; or 600 square feet of common open space
7 shall be provided on the lot.
- 8 e. Structures with Three Dwelling Units. At least two units shall have direct access to a
9 minimum of 400 square feet of private, usable open space per unit. The third unit shall have
10 direct access to 400 square feet of private, usable open space; or 600 square feet of common
11 open space shall be provided on the lot.

12 2. Lowrise 1 Zones.

13 a. Ground-related Housing.

- 14 (1) An average of 300 square feet per unit of private, usable open space, at ground level and
15 directly accessible to each unit is required, except for cottage housing developments and
16 for an additional unit added to an existing multifamily structure pursuant to Section
17 23.45.008.F. No unit shall have less than 200 square feet of private, usable open space,
18 except for an additional unit added to an existing multifamily structure pursuant to
19 Section 23.45.008.F, for which no open space is required.
- 20 (2) On lots with slopes of 20 percent or more, decks of the same size as the required ground-
21 level open space may be built over the sloping ground-level open space. In order to
22 qualify for this provision, the decks shall not cover the open space of another unit, nor be
23 above the living space of any unit. Decks may project into setbacks in accordance with
24 subsection F of Section 23.45.014.

- 25 b. Apartments. An average of 300 square feet per unit of common open space, with a minimum
26 of 200 square feet, shall be provided at ground level, but it does not have to be directly
27 accessible to the unit, except that no open space is required for an additional dwelling unit
28 added to an existing multifamily structure pursuant to Section 23.45.008.F. Except for an
additional dwelling unit added to an existing multifamily structure pursuant to Section
23.45.008.F, if an additional unit that is not a ground-related unit is added to an existing
structure, common open space at ground level shall be provided for the additional unit. As
long as the average per unit amount of open space is maintained at 300 square feet on the lot,
a minimum of 200 square feet of common open space at ground level shall be provided for
the unit but it does not have to be directly accessible to the unit.

- c. Cottage Housing Developments. A minimum of 300 square feet per unit of landscaped area is
required. This quantity shall be allotted as follows:

- (1) A minimum of 150 square feet per unit shall be private, usable open space; and
- (2) A minimum of 150 square feet per unit shall be provided as common open space.

3. Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Ground-Related Housing.

- (1) In Lowrise 2 and Lowrise 3 zones an average of 300 square feet per unit of private, usable open space, at ground level and directly accessible to each unit, is required, except that no open space is required for an additional dwelling unit added to an existing multifamily structure pursuant to Section 23.45.008.F except as allowed by Section 23.45.008.F, no unit shall have less than 200 square feet of private, usable open space.
- (2) In Lowrise 4 zones a minimum of 15 percent of lot area, plus 200 square feet per unit of private usable open space, at ground level and directly accessible to each unit, is required, except that no open space is required for an Additional dwelling unit added to an existing multifamily structure pursuant to Section 23.45.008.F.
- (3) On lots with slopes of 20 percent or more, decks of the same size as the required ground-level open space may be built over the sloping ground-level open space. In order to qualify for this provision, the decks shall not cover the open space of another unit, nor be above the living space of any unit. Decks may project into setbacks in accordance with subsection F of Section 23.45.014.

b. Apartments.

- (1) Lowrise 2 Zones. A minimum of 30 percent of the lot area shall be provided as usable open space at ground level, except that no open space is required for an additional dwelling unit added to an existing multifamily structure pursuant to Section 23.45.008.F.
- (2) Lowrise 3 and Lowrise 4 Zones.
 - i. A minimum of 25 percent of the lot area shall be provided as usable open space at ground level, except as provided in subsection 23.45.016.A.3.b.2.ii and except that no open space is required for an additional dwelling unit added to an existing multifamily structure pursuant to Section 23.45.008.F.
 - ii. A maximum of 1/3 of the required open space may be provided above ground in the form of balconies, decks, individual unit decks on roofs or common roof gardens if the total amount of required open space is increased to 30 percent of lot area.

B. Development Standards.

1. Lowrise Duplex/Triplex Zones and Ground-related Housing in Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones.

a. Lowrise Duplex/Triplex Zones-Private Usable Open Space.

- (1) Private usable open space shall be provided at ground level in one (1) contiguous parcel with a minimum area of four hundred (400) square feet, except that in cottage housing developments, the quantity per unit shall be a minimum of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet.

1 (2) Private usable open space shall be located a maximum of four (4) feet above or below a
2 private entry to the unit it serves. The floor of the unit accessed by this entry shall have a
3 minimum area of three hundred (300) square feet. This minimum area may include a
4 private garage if habitable floor area of the same unit is located directly above.

5 b. Lowrise Duplex/Triplex Zones-Common Open Space. Required common open space shall be
6 provided at ground level in one (1) contiguous parcel with a minimum area of six hundred
7 (600) square feet, except that in cottage housing developments, the quantity per unit shall be a
8 minimum of one hundred fifty (150) square feet. In cottage housing developments, each
9 cottage shall abut the common open space. No horizontal dimension of open space shall be
10 less than ten (10) feet.

11 c. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Ground-related Housing.

12 (1) In Lowrise 1 zones the required open space shall be provided in one (1) contiguous
13 parcel, except that in cottage housing developments, the open space shall be allotted as
14 described in subsections A2c above and B1c(5) below. In Lowrise 2, Lowrise 3 and
15 Lowrise 4 zones, the required open space for each ground-related dwelling unit is not
16 required to be in one (1) contiguous area, but no open space area shall be less than one
17 hundred twenty (120) square feet. No horizontal dimension of the open space shall be
18 less than ten (10) feet.

19 (2) Required open space may be located a maximum of ten (10) feet above or below the unit
20 it serves, except as permitted in subsection B1c(4), provided that the access to such open
21 space does not go through or over common circulation areas, common or public open
22 spaces, or the open space serving another unit.

23 (3) At least fifty (50) percent of the required open space for a unit shall be level, provided
24 that:

25 i. The open space may be terraced; and

26 ii. Minor adjustments in level shall be permitted as long as the difference in elevation
27 between the highest and lowest point does not exceed two (2) feet.

28 (4) For additional dwelling units proposed within a structure existing on August 11, 1982,
the vertical distance between the unit and the private, landscaped open space may exceed
ten (10) feet where the following criteria are met:

i. Where the structure was constructed with floor-to-floor heights in excess of ten (10)
feet, the open space may be located a maximum of ten (10) feet plus the height
between floors in excess of ten (10) feet, above or below the unit it serves; or

ii. Where the structure was constructed with the first floor in excess of two (2) feet above
grade, the open space may be located a maximum of ten (10) feet plus the additional
height of the first floor in excess of two (2) feet above grade, above or below the unit
it serves.

(5) Lowrise 1 Zone-Cottage Housing Developments.

- 1 i. At least fifty (50) percent of the required total open space per unit shall be provided as
2 private usable open space in one (1) contiguous parcel. No horizontal dimension of
3 the open space shall be less than ten (10) feet.
- 4 ii. Common open space shall be provided at ground level in one (1) contiguous parcel
5 with a minimum area per unit of one hundred fifty (150) square feet. No horizontal
6 dimension of the open space shall be less than ten (10) feet. Each cottage shall abut
7 the common open space.
- 8 d. Required open space may be located in the front, sides or rear of the structure.
- 9 e. To ensure privacy of open space, openings such as windows and doors on the ground floor of
10 walls of a dwelling unit, or common areas which directly face the open space of a different
11 unit, are prohibited, unless such openings are screened by view-obscuring fences,
12 freestanding walls or wingwalls.
- 13 f. Parking areas, driveways and pedestrian access, except for pedestrian access meeting the
14 Washington State Building Code, Chapter 11, shall not be counted as open space.
- 15 g. Required private usable open space shall be landscaped according to standards promulgated
16 by the Director for ground-related dwelling units.
- 17 2. Lowrise 1, Lowrise 2, Lowrise 3 and Lowrise 4 Zones-Apartments.
- 18 a. No horizontal dimension for required ground-level open space shall be less than ten (10) feet.
- 19 b. Required open space is permitted in the front, sides or rear of the structure.
- 20 c. Parking areas, driveways and pedestrian access, except pedestrian access meeting the
21 Washington State Building Code, Chapter 11, shall not be counted as open space.
- 22 d. In order to qualify as above-ground level open space, balconies, decks, and in L3 and L4
23 zones, individual unit decks on roofs, shall all have a minimum horizontal dimension of six
24 (6) feet, and a total area of at least sixty (60) square feet, while common roof gardens in L3
25 and L4 zones shall have a minimum area of two hundred fifty (250) square feet. Common
26 roof garden open space shall be landscaped according to the rules promulgated by the
27 Director.
- 28 e. For cluster development, at least twenty (20) percent of the required open space shall be
provided in one (1) contiguous area.
- f. Terraced Housing on a Slope of Twenty-five (25) Percent or More.
- (1) (No horizontal dimension for required ground-level open space shall be less than ten (10)
feet.
- (2) Required open space is permitted in the front, sides or rear of the structure.
- (3) Parking areas, driveways and pedestrian access, except pedestrian access meeting the
Washington State Building Code, Chapter 11, shall not be counted as open space.

1 (4) In order to qualify as above-ground-level open space, rooftop areas shall have a
2 minimum horizontal dimension of at least ten (10) feet and a total area of at least one
3 hundred twenty (120) square feet.

4 g. When a transmitting antenna is sited or proposed to be sited on a rooftop where required open
5 space is located, see Section 23.57.011.

6 3. Open Space Exception. When all parking and access to parking is uncovered and is surfaced in
7 permeable material, except gravel, the quantity of required ground-level open space shall be
8 reduced by five (5) percent of the total lot area.

9 C. Open Space Relationship to Grade.

10 1. The elevation of open space for ground-related housing must be within 10 vertical feet of the
11 elevation of the dwelling unit it serves. The 10 feet is measured between the finished floor level
12 of the principal living areas of a dwelling unit and the grade of at least 50 percent of the required
13 open space. Direct access to the open space shall be from at least one habitable room of at least
14 80 square feet of the principal living areas of the unit. Principal living areas do not include foyers,
15 entrance areas, closets or storage rooms, hallways, bathrooms or similar rooms alone or in
16 combination. This subsection 23.45.016.C.1 does not apply to townhouses or single-family
17 structures.

18 2. The grade of the ground level open space shall be no higher than 18 inches above the existing
19 grade. The portion of the open space that is within 10 vertical feet of the unit shall include the
20 point where the access to the open space from the unit occurs.

21 3. The elevation of private usable open space for Lowrise Duplex/Triplex structures must be within
22 4 feet of the elevation of the dwelling unit it serves. The 4 feet is measured between the finished
23 floor level of the dwelling unit and the grade of at least 50 percent of the required open space.
24 The grade of the ground level open space shall be no higher than 18 inches above the existing
25 grade. The maximum difference in elevation at the point of access shall be 4 feet.

26 **Section 23.45.017 - Light and glare standards—Lowrise zones. (Ordinance Section 25)**

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

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

C. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more
than two (2) vehicles shall be screened from adjacent properties by a fence or wall between five (5)
feet and six (6) feet in height, or a 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 driveway or
parking surface, the difference in elevation may be measured as a portion of the required height of the
screen so long as the screen itself is a minimum of 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.

Section 23.45.018 - Parking and access—Lowrise zones. (Ordinance Section 25)

1 A. Parking Quantity. Parking shall be required as provided in Chapter 23.54.

2 B. Access to Parking.

- 3 1. Alley Access Required. Access to parking shall be from the alley when the site abuts a platted
4 alley improved to the standards of subsection C of Section 23.53.030 or when the Director
5 determines that alley access is feasible and desirable to mitigate parking access impacts. Except
6 as provided in subsections B2 or B3 of this section, street access shall not be permitted.
- 7 2. Street Access Required. Access to parking shall be from the street when:
- 8 a. Due to the relationship of the alley to the street system, use of the alley for parking access
9 would create a significant safety hazard; or
- 10 b. The lot does not abut a platted alley; or
- 11 c. In Lowrise 3 zones, apartments are proposed across an alley from a Single-family or Lowrise
12 Duplex/Triplex zone; or
- 13 d. In Lowrise 4 zones apartments are proposed across an alley from a Single-family, Lowrise
14 Duplex/Triplex or Lowrise 1 zone.
- 15 3. Street or Alley Access Permitted. Access to parking may be from either the alley or the street, but
16 not both, when the conditions listed in subsection B2 do not apply, and one (1) or more of the
17 following conditions are met:
- 18 a. Topography makes alley access infeasible;
- 19 b. In all zones except Lowrise Duplex/Triplex, ground-related housing is proposed across an
20 alley from a Single-family zone;
- 21 c. Access to required barrier-free parking spaces which meet the Washington State Building
22 Code, Chapter 11, may be from either the street or alley, or both.
- 23 4. In Lowrise Duplex/Triplex zones, no more than fifty (50) percent of the total area of the required
24 front setback extended to side lot lines may be occupied by a driveway providing access to
25 parking, except where the minimum required driveway standards will exceed fifty (50) percent of
26 the front setback.

27 C. Location of Parking.

- 28 1. Parking shall be located on the same site as the principal use.
2. Parking may be located in or under the structure, provided that:
- a. For ground-related housing, the parking is screened from direct street view by the street-
facing facades of the structure (see Exhibit 23.45.018 A), by garage doors, or by a fence and
landscaping as provided in subsection D of Section 23.45.018 (see Exhibit 23.45.018 B).

1 b. For apartments, the parking is screened from direct street view by the street-facing facades of
2 the structure. For each permitted curbcut, the facades may contain one (1) garage door, not to
3 exceed the maximum width allowed for curbcuts (see Exhibit 23.45.018 A).

3 3. Parking may be located outside a structure provided it maintains the following relationships to lot
4 lines and structures. In all cases parking located outside of a structure shall be screened from
5 direct street view as provided in subsection D of Section 23.45.018.

5 a. Parking may be located between any structures on the same lot, except that for cottage
6 housing developments, parking is not permitted between cottages.

7 b. Rear Lot Lines. Parking may be located between any structure and the rear lot line of the lot.
(See Exhibit 23.45.018 C.)

8 c. Side Lot Lines. Parking may be located between any structure and a side lot line which is not
9 a street side lot line (see Exhibit 23.45.018 C). Where the location between the structure and a
10 side lot line is also between a portion of the same structure and the front lot line, subsection
11 C3d(3) shall apply. (See Exhibit 23.45.018 D.)

11 d. Front and Street Side Lot Lines. Parking may be located between any structure and the front
12 and street side lot lines, provided that:

13 (1) On a through lot, parking may be located between the structure and one (1) of the front
14 lot lines; provided, that on lots one hundred twenty-five (125) feet or more in depth,
15 parking shall not be located in either front setback. The frontage in which the parking
16 may be located shall be determined by the Director based on the prevailing character and
17 setback patterns of the block.

18 (2) For ground-related housing on corner lots, parking may be located between the structure
19 and a street lot line along one (1) street frontage only.

20 (3) Parking may be located between the front lot line and a portion of a structure, provided
21 that:

22 i. The parking is also located between a side lot line, other than a street side lot line, and
23 a portion of the same structure which is equal to at least thirty (30) percent of the total
24 width of the structure. (See Exhibit 23.45.018 D.)

25 ii. In Lowrise 1 and Lowrise 2 zones the parking is not located in the front setback and in
26 no case closer than twenty (20) feet to the front lot line.

27 iii. In Lowrise 3 and Lowrise 4 zones the parking is not located in the front setback and in
28 no case closer than fifteen (15) feet to the front lot line.

4. Location of Parking in Special Circumstances.

26 a. For a cluster development, the location of parking shall be determined in relation to the
27 structure or structures which have perimeter facades facing a street. (See Exhibit 23.45.018
28 E.)

1 b. In all Lowrise zones, the Director may permit variations from the development standards for
2 parking location and design, and curbcut quantity and width, for lots meeting the following
3 conditions:

4 (1) Lots proposed for ground-related housing with no feasible alley access and with:

5 i. Less than eighty (80) feet of street frontage, or

6 ii. Lot depth of less than one hundred (100) feet, or

7 iii. A rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from
8 the front lot line; and

9 (2) Lots proposed for apartments and terraced housing with no feasible alley access and a
10 rise or drop in elevation of at least twelve (12) feet in the first sixty (60) feet from the
11 front lot line;

12 (3) On lots meeting the standards listed in subsections C4b(1) and C4b(2), the following
13 variations may be permitted:

14 i. Ground-related Housing. Parking may be located between the structure and the front
15 lot line,

16 ii. Apartments. Parking may be located in or under the structure if screened from direct
17 street view by garage doors or by fencing and landscaping;

18 (4) In order to permit such alternative parking solutions, the Director must determine that
19 siting conditions, such as the topography of the rest of the lot, or soil and drainage
20 conditions, warrant the exception, and that the proposed alternative solution meets the
21 following objectives: Maintaining on-street parking capacity, an attractive environment
22 at street levels, landscaped street setbacks, unobstructed traffic flow and, where
23 applicable, the objectives of the Shoreline Master Program. In no case shall a curbcut be
24 authorized to exceed thirty (30) feet in width.

25 D. Screening of Parking.

26 1. Parking shall be screened from direct street view by the front facade of a structure, by garage
27 doors, and by a fence or wall between five (5) and six (6) feet in height. When the fence or wall
28 runs along the street, there shall be a landscaped area a minimum of three (3) feet deep on the
street side of the fence or wall. The screening shall be located outside any required sight triangle.
(See Exhibit 23.45.018 F.)

2. The height of the visual barrier created by the screen required in subsection D1 shall be measured
from street level. If the elevation of the lot line is different from the finished elevation of the
parking surface, the difference in elevation may be measured as a portion of the required height
of the screen, so long as the screen itself is a minimum of three (3) feet in height (see Exhibit
23.45.018 F).

3. Screening may also be required to reduce glare from vehicle lights, according to Section
23.45.017, Light and glare standards.

1 **Section 23.45.064 - Highrise—General provisions. (Ordinance Section 19)**

2 In Highrise Zones, structures may be built either to the development standards described below, or to
3 the development standards of the Midrise Zone. Structures built to Midrise standards shall have no
4 limit to width or depth when modulated according to the standards of Section 23.45.054 C, midrise
modulation requirements.

5 **Section 23.45.066 - Highrise—Structure height. (Ordinance Section 19)**

6 A. Maximum Height.

7 1. The maximum height shall be one hundred sixty (160) feet.

8 B. Additional Height Permitted. The Director may authorize additional height up to a maximum height
9 of two hundred forty (240) feet, as a special exception pursuant to Chapter 23.76, Master Use Permit.
In order to qualify, the applicant shall comply with the following provisions:

10 1. The applicant shall provide for adequate spacing between existing and proposed towers in order
11 to minimize blockage of views from public places, and to minimize casting of shadows on public
12 places. The applicant shall provide shadow diagrams for December 21st, March 21st and June
13 21st, as well as elevations showing the degree, if any, of view blockage that would occur. The
Director may limit or condition the amount of extra height and bulk granted in order to minimize
blocking of views from public places and to casting of shadows on public places.

14 2. If the provisions of subsection B1 of this section have been met, additional height above one
15 hundred sixty (160) feet may be allowed in return for the provision of one (1) of the public
16 benefits listed below, or any combination of these benefits. The amount of additional height shall
be determined based on the following criteria, and on the design of the proposed project and the
public benefits that are provided.

17 a. When a proposed highrise development provides new low- and/or moderate-income housing,
18 or preserves existing low- and/or moderate-income housing, additional height may be
19 allowed according to the following provisions:

20 (1) The housing provided in order to qualify for additional height shall be in addition to any
housing provided to replace demolished units.

21 (2) Housing provided to replace demolished units must be provided on the same site as the
22 proposed highrise. Additional housing preserved or provided to qualify for additional
height may be either within the proposed project, or within its immediate vicinity.

23
24 (3) For every one (1) percent of the total gross floor area in the proposed structure that is
25 reserved as low-income housing, an additional eight (8) feet in height may be allowed;
26 and for every one (1) percent of the total gross floor area in the proposed structure that is
reserved as moderate income housing, an additional five (5) feet in height may be
27 allowed.
28

- 1 (4) The units provided to gain additional height shall be reserved as low- or moderate-
2 income housing by ownership and restrictive covenants for a minimum of twenty (20)
3 years from the date a certificate of occupancy is issued.
- 4 (5) Two (2) years after the adoption of this provision, or at a time when an adequate number
5 of projects are available for analysis, the Director shall review this provision and
6 recommend any revisions that are necessary consistent with the City's land use and
7 housing objectives.
- 8 b. Landscaped Public Open Space. When proposed highrise developments provide landscaped,
9 usable public open space in addition to the open space required for the exclusive use of
10 residents of the development, additional height up to a maximum of forty (40) feet may be
11 allowed according to the following provisions:
- 12 (1) Open space for public use shall either be dedicated, or upon written agreement with The
13 City of Seattle be available to the public during reasonable and predictable hours each
14 day of the week.
- 15 (2) The open space may be provided on-site or in the immediate vicinity of the project.
- 16 (3) The location of the open space shall enhance street-level activity by providing:
- 17 (A) A focal point in a highly dense or active area; and/or
- 18 (B) A unique amenity suited to the area and of public benefit; and
- 19 (C) Better pedestrian access and siting of an existing public facility or historic landmark.
- 20 (4) The space shall be of a sufficient size to be functional, and shall be contiguous to
21 pedestrian pathways that make it readily accessible to users.
- 22 (5) The design of the open space shall enhance unique site characteristics such as views,
23 topography, trail systems and significant trees or landscaping.
- 24 (6) Public open space and equipment located there shall be designed to provide safety and
25 security for user groups.
- 26 (7) The open space shall be designed so that its solar exposure encourages its use.
- 27 (8) Outdoor common areas and pedestrian access shall be separated from the paths of
28 moving vehicles.
- (9) The outdoor common areas shall function as more than pedestrian walkways or
passageways between areas. Active areas and/or passive areas shall be provided
depending on the needs of the adjacent neighborhood.
- c. Structures of Architectural and Historical Significance. Additional heights may be allowed
when new multifamily developments preserve structures of architectural or historical
significance, according to the following provisions:

1 (1) Preservation of designated City landmarks, with proceedings and controls adopted
2 pursuant to Seattle Municipal Code, Chapter 25.12, Landmarks Preservation Ordinance,
may qualify for eighty (80) feet of additional height.

3 (2) The significant structure to be preserved may be located either on the project site or
4 within the immediate vicinity.

5 C. Height Exceptions.

6 1. Flagpoles and religious symbols for religious institutions are exempt from height controls, except
7 as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer than
8 fifty (50) percent of their height above existing grade or, if attached only to the roof, no closer
than fifty (50) percent of their height above the roof portion where attached, to any adjoining lot
line.

9 2. Railings, planters, skylights, clerestories, greenhouses, parapets, and firewalls may extend four
10 (4) feet above the maximum height limit set in subsections A and B of this section.

11 3. The following rooftop features may extend up to ten (10) feet above the maximum height limit,
12 so long as the combined total coverage of all features does not exceed fifteen (15) percent of the
roof area, or twenty (20) percent of the roof area if the total includes screened mechanical
equipment:

13 a. Stair and elevator penthouses;

14 b. Mechanical equipment;

15 c. Play equipment and open-mesh fencing which encloses it, so long as the fencing is at least
16 five (5) feet from the roof edge;

17 d. Chimneys;

18 e. Sun and wind screens;

19 f. Penthouse pavilions for the common use of residents;

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

22 4. For height exceptions for solar collectors, see Section 23.45.146, Solar collectors.

23 5. In order to protect solar access for property to the north, the applicant shall either locate the
24 rooftop features listed below at least ten (10) feet from the north edge of the roof, or provide
25 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:

26 a. Solar collectors;

27 b. Planters;

28 c. Clerestories;

- d. Greenhouses;
 - e. Minor communication utilities and accessory communication devices, permitted according to the provisions of Section 23.57.011;
 - f. Nonfirewall parapets;
 - g. Play equipment;
 - h. Sun and wind screens;
 - i. Penthouse pavilions for the common use of residents.
6. For height limits and exceptions for communication utilities and devices, see Section 23.57.011.

Section 23.47A.029 - Solid waste and recyclable materials storage space. (Ordinance Section 41)

A. Storage space for solid waste and recyclable materials containers shall be provided as indicated in the table below for all new structures permitted in NC zones or C zones and for existing multifamily structures with ten (10) or more units when expanded by two (2) or more units.

(1) **Mixed-Use Buildings.** Buildings containing residential and nonresidential uses with eighty (80) percent or more of gross floor area designated for residential use will be considered residential buildings. All other mixed-use buildings will be considered nonresidential buildings.

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

1. The storage space shall have no horizontal 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
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 must be located on the lot 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 must not be located in any required driveways, parking aisles, or parking spaces for the structure;
3. The storage space must not block or impede any fire exits, any public rights-of-ways or any pedestrian or vehicular access; and
4. The storage space must 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:

- 1 a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
- 2 b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
- 3 2. For front-loading containers:
 - 4 a. Direct access shall be provided from the alley or street to the containers,
 - 5 b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - 6 c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot
 - 7 overhead clearance shall be provided.
- 8 E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C,
- 9 and D above, in addition to the number and sizes of containers, shall be included on the plans
- 10 submitted with the permit application.
- 11 F. The Director, in consultation with the Director of Seattle Public Utilities, has the discretion to grant
- 12 departures from the requirements of subsections A, B, C, and D of this section above, as a Type I
- 13 Master Use Permit decision, under the following circumstances:
 - 14 1. When either:
 - 15 a. The applicant can demonstrate difficulty in meeting any of the requirements of subsections A,
 - 16 B, C, and D of this section; or
 - 17 b. The applicant proposes to expand a multifamily structure or mixed use building, and the
 - 18 requirements of subsections A, B, C, and D of this section conflict with opportunities to
 - 19 increase residential densities and/or retain ground-level retail uses; and
 - 20 2. When the applicant proposes alternative, workable measures that meet the intent of this section.

21 **Section 23.48.031 - Solid waste and recyclable materials storage space. (Ordinance Section 41)**

- 22 A. Storage space for solid waste and recyclable materials containers shall be provided for all new
- 23 structures permitted in the Seattle Mixed zone and expanded multifamily structures as indicated in the
- 24 table below. For the purposes of this subsection, "expanded multifamily structure" means expansion
- 25 of multifamily structures with ten (10) or more existing units by two (2) or more units.
- 26 B. The design of the storage space shall meet the following requirements:
 - 27 1. The storage space shall have no dimension (width and depth) less than six (6) feet;
 - 28 2. The floor of the storage space shall be level and hard-surfaced (garbage or recycling compactors
 - require a concrete surface); and
 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 1. The storage space shall be located within the private property boundaries of the structure it serves
2 and, if located outdoors, it shall not be located between a street facing facade of the structure and
3 the street;
- 4 2. The storage space shall not be located in any required driveways, parking aisles, or parking
5 spaces for the structure;
- 6 3. The storage space shall not block or impede any fire exits, public rights-of-ways or any pedestrian
7 or vehicular access; and
- 8 4. The storage space shall be located to minimize noise and odor to building occupants and
9 neighboring developments.

10 D. Access to the storage space for occupants and service providers shall meet the following
11 requirements:

- 12 1. For rear-loading containers (usually two (2) cubic yards or smaller):
 - 13 a. Any proposed ramps to the storage space shall be of six (6) percent slope or less, and
 - 14 b. Any proposed gates or access routes must be a minimum of six (6) feet wide; and
- 15 2. For front-loading containers (usually larger than two (2) cubic yards):
 - 16 a. Direct access shall be provided from the alley or street to the containers,
 - 17 b. Any proposed gates or access routes shall be a minimum of ten (10) feet wide, and
 - 18 c. When accessed directly by a collection vehicle into a structure, a twenty-one (21) foot
19 overhead clearance shall be provided.

20 E. The solid waste and recyclable materials storage space specifications required in subsections A, B, C,
21 and D of this section above, in addition to the number and sizes of containers, shall be included on the
22 plans submitted with the permit application.

23 F. The Director, in consultation with the Director of Seattle Public Utilities, shall have the discretion to
24 modify the requirements of subsections A, B, C, and D of this section above under the following
25 circumstances:

- 26 1. When the applicant can demonstrate difficulty in meeting any of the requirements of subsections
27 A, B, C, and D of this section; or
- 28 2. When the applicant proposes to expand a multifamily or mixed-use building, and the
requirements of 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.