

CITY OF SEATTLE
ORDINANCE 126509
COUNCIL BILL 120214

AN ORDINANCE relating to land use and zoning; renaming Single-Family zones to Neighborhood Residential zones; amending Chapter 23.32 of the Seattle Municipal Code (SMC) at pages 1 through 107, 111 through 114, 117 through 126, 131 through 140, 142 through 214, and 216 through 221 of the Official Land Use Map; renaming Chapter 23.44 of the Seattle Municipal Code; and amending Sections 6.600.080, 11.16.240, 15.16.040, 15.17.100, 15.17.120, 15.17.150, 15.32.200, 15.32.300, 22.801.200, 22.900C.010, 23.04.010, 23.30.010, 23.30.030, 23.34.006, 23.34.010, 23.34.011, 23.34.012, 23.34.013, 23.34.014, 23.34.018, 23.34.072, 23.34.089, 23.40.006, 23.41.004, 23.41.008, 23.42.052, 23.42.056, 23.42.058, 23.42.106, 23.42.108, 23.42.110, 23.42.112, 23.42.122, 23.42.124, 23.42.130, 23.44.002, 23.44.006, 23.44.008, 23.44.010, 23.44.011, 23.44.012, 23.44.013, 23.44.014, 23.44.016, 23.44.017, 23.44.019, 23.44.020, 23.44.021, 23.44.022, 23.44.024, 23.44.028, 23.44.034, 23.44.035, 23.44.036, 23.44.041, 23.44.046, 23.44.060, 23.45.514, 23.45.518, 23.45.527, 23.45.536, 23.45.550, 23.45.578, 23.47A.014, 23.47A.040, 23.50.024, 23.50.030, 23.51A.002, 23.51B.002, 23.53.006, 23.53.010, 23.53.015, 23.53.030, 23.54.015, 23.54.020, 23.55.012, 23.55.015, 23.55.020, 23.57.005, 23.57.008, 23.57.009, 23.57.010, 23.58C.050, 23.69.024, 23.71.012, 23.71.030, 23.71.036, 23.72.004, 23.72.010, 23.84A.048, 23.86.006, 23.86.007, 23.86.008, 23.86.010, 23.90.019, 23.91.002, 25.05.800, 25.08.225, 25.09.240, 25.09.260, 25.11.040, 25.11.050, and 25.11.060 of the Seattle Municipal Code.

WHEREAS, before 1923, The City of Seattle allowed a mix of housing types and scattered businesses in Seattle’s neighborhoods; and

WHEREAS, in 1923, the City adopted its first land use code, which prohibited multifamily structures and boarding houses in areas where they had previously been permitted; and

WHEREAS, since 1923, the City zoned some areas with existing multifamily buildings and commercial uses to single-family zoning; and

WHEREAS, as a result, Seattle’s Single Family zones frequently include a mix of land uses, a condition that is not reflected in the term Single Family; and

WHEREAS, 54 percent of Seattle parcel area is zoned Single Family and 49 percent of the City is in single-family use; and

1 WHEREAS, a similar portion of the City is designated as “Single Family Areas” on the Future
2 Land Use Map; and

3 WHEREAS, in 2018, the Seattle Planning Commission (SPC) published “Neighborhoods for
4 All,” which recommended changing the name of Single Family zones to Neighborhood
5 Residential because “[t]he label of ‘Single Family Zone’ is a misnomer, as individuals
6 and roommates can live in a house together without being a family”; and

7 WHEREAS, the SPC found that “[c]hanging the name of the zone to Neighborhood Residential
8 would more accurately reflect the character of the zone, while not suggesting only
9 families can live there”; and

10 WHEREAS, in 2019, in Resolution 31870, the City Council first called for the name of “Single
11 Family” areas to be changed to “Neighborhood Residential”; and

12 WHEREAS, in 2019 and 2020, Resolutions 31896 and 31970, repeated the call to change the
13 name of single-family areas; and

14 WHEREAS, the City has amended the Comprehensive Plan to change the name of lower-density
15 residential areas from “Single Family” to “Neighborhood Residential”;

16 WHEREAS, the City’s land use code should remain consistent with the Comprehensive Plan,
17 and one way to maintain that consistency is to rename the “Single Family” zones to
18 “Neighborhood Residential” zones in most circumstances;

19 WHEREAS, because of the unique requirements of the Shoreline Management Act, the City
20 intends to update terms in Chapter 23.60A of the Seattle Municipal Code as part of the
21 next general update to Seattle’s Shoreline Master Program Regulations; and

22 WHEREAS, the City did not elect to amend the reference of “single family” in the term “single
23 family dwelling unit” or “single family structures” in the Code because those terms refer

1 to individual buildings or units, rather than to neighborhoods that contain a mix of uses;
2 NOW, THEREFORE,

3 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

4 Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is
5 amended to rezone properties on pages 1 through 107, 111 through 114, 117 through 126, 131
6 through 140, 142 through 214, and 216 through 221 of the Official Land Use Map to change the
7 names of Single Family zones to the comparable Neighborhood Residential zones, as follows:

Table 1 for Section 1: Zoning Name Changes	
Existing Zone (Abbreviation)	New Zone (Abbreviation)
Residential, Single Family 9600 (SF 9600)	Residential, Neighborhood 1 (NR1)
Residential, Single Family 7200 (SF 7200)	Residential, Neighborhood 2 (NR2)
Residential, Single Family 5000 (SF 5000)	Residential, Neighborhood 3 (NR3)

8
9 Section 2. Section 6.600.080 of the Seattle Municipal Code, enacted by Ordinance
10 125490, is amended as follows:

11 **6.600.080 Bed and breakfast operator general provisions**

12 All bed and breakfast operators who advertise or offer a bed and breakfast unit on a platform in
13 the City, shall comply with the following:

14 * * *

15 C. If operating within a ((single-family)) neighborhood residential zone, comply with all
16 standards provided in Section 23.44.051. If operating within a multi-family zone, comply with
17 all standards provided in subsection 23.45.545.G.

18 * * *

1 Section 3. Section 11.16.240 of the Seattle Municipal Code, last amended by Ordinance
2 123564, is amended as follows:

3 **11.16.240 Traffic Engineer—Authority—Review and recommend**

4 It shall be the function of the Traffic Engineer under the supervision of the Director of
5 Transportation to:

6 * * *

7 G. Review and make recommendations concerning all applications for all building
8 permits except in ((~~single family (SF)~~)) neighborhood residential (NR) and Lowrise 1 (LR1)
9 zones regarding facilitation of traffic with respect to new or existing driveways;

10 * * *

11 Section 4. Section 15.16.040 of the Seattle Municipal Code, last amended by Ordinance
12 125946, is amended as follows:

13 **15.16.040 Terms and conditions**

14 * * *

15 B. The Director of Transportation may issue a Street Use permit authorizing the use of a
16 public place for a café if the following requirements are met:

17 1. The applicant shall be the owner or occupant of the abutting property;

18 2. The café shall abut the applicant's business frontage unless an alternative
19 location is approved;

20 3. The café shall be operated by a food service business holding all necessary City
21 and state permits and licenses;

22 4. The café shall not be located in the public place abutting a lot zoned NR1,

23 NR2, NR3, RSL, ((~~SF 5000, SF 7200, SF 9600,~~)) LR1, LR2, or LR3 as these zoning

1 Health—Seattle & King County, the King County Board of Health, and the Seattle Fire
2 Department if propane or a combustible fuel is used;

3 2. The permittee shall only sell food and beverages that are capable of immediate
4 consumption;

5 3. The permittee shall obtain and maintain in effect all required permits and
6 business licenses and display the vending Street Use permit at the vending site in a manner
7 approved by the Director of Transportation;

8 4. The permittee's vending cart or food vehicle shall not be located in the public
9 place abutting a lot zoned NR1, NR2, NR3, RSL, (~~SF 5000, SF 7200, SF 9600,~~) LR1, LR2, or
10 LR3 as these zoning designations are defined under subsection 23.30.010.A if the abutting
11 zoning does not have an RC classification as shown on the Official Land Use Map, Chapter
12 23.32;

13 5. The permittee's vending cart or food vehicle shall not be located in the curb
14 space of the public place, unless authorized under Section 15.17.120;

15 6. A proposed vending cart, food vehicle, or attended newsstand, and all
16 associated vending activity shall not impair pedestrian passage and shall be sited to provide:

17 a. An unobstructed corner clearance zone;

18 b. An unobstructed pedestrian clear zone abutting the entire length of the
19 vending cart, food vehicle, or attended newsstand. The width of the pedestrian clear zone is
20 determined by the street type where the permitted area is located as defined by the Right-of-Way
21 Improvements Manual or successor rule; and

22 c. An unobstructed 3-foot-wide pedestrian straight path as defined in
23 Section 15.02.046 within the designated pedestrian clear zone that extends along the permitted

1 area and for 25 feet on either end of the permitted area's boundaries along the block face;

2 7. The vending cart, food vehicle, or attended newsstand shall comply with
3 clearances required in the Right-of-Way Improvements Manual or successor rule. In addition to
4 any other required setbacks, the vending cart, food vehicle, or attended newsstand:

5 a. Shall not be sited in a manner that adversely affects pedestrian mobility
6 directly beyond the permitted footprint area or inhibits the operation, maintenance, or
7 functionality of any utilities or street fixtures;

8 b. Shall not be located in the furniture zone when the curb space is
9 designated as a bus zone area, disabled person parking zone, food-vehicle zone, or commercial
10 loading zone;

11 c. Shall be located:

12 1) At least 1,000 feet from any public or private school containing
13 a ninth- to twelfth-grade class;

14 2) At least 50 feet from a food service business if the permittee is
15 vending food or nonalcoholic beverages and at least 50 feet from a floral business if the
16 permittee is vending flowers. However, a vending Street Use permit may be issued to the owner
17 of a food service business for a site along the food service business's frontage, provided all other
18 vending requirements of this Chapter 15.17 are satisfied;

19 3) At least 10 feet from the corner clearance zone when located in
20 the furniture zone; and

21 4) At least 5 feet from curb ramps, curb ramp landings, alleys, and
22 driveways;

23 8. The Traffic Engineer or Director of Transportation has authority to require

1 dimensions greater than the minimum standards included in subsections 15.17.100.A.6 and
2 15.17.100.A.7 to provide for pedestrian passage, traffic management, or any other public-use
3 purpose;

4 9. Vending sites shall not be located in driveways or within 15 feet of a business
5 entrance or exit unless the abutting property owner submits an affidavit stating that access is not
6 needed during the proposed vending hours;

7 10. The vending activity shall not violate the Americans with Disabilities Act;

8 11. The permittee shall not use amplification or noise-making devices and the
9 permittee shall comply with Chapter 25.08;

10 12. Unless specifically authorized by Street Use permit, the permittee shall not
11 locate electrical lines overhead or on the ground surface where the public has access to the public
12 place; and

13 13. The permittee shall not leave a vending cart or food vehicle unattended in the
14 public place for longer than 30 minutes.

15 * * *

16 Section 6. Section 15.17.120 of the Seattle Municipal Code, last amended by Ordinance
17 125946, is amended as follows:

18 **15.17.120 Food vending from a curb space**

19 * * *

20 C. The Seattle Department of Transportation may designate a food-vehicle zone subject
21 to the following requirements:

22 1. The proposed location is:

23 a. At least 50 feet from a food service business when vending food or

1 nonalcoholic beverages;

2 b. Not located in the public place abutting a lot zoned NR1, NR2, NR3,
3 RSL, (~~SF 5000, SF 7200, SF 9600,~~) LR1, LR2, or LR3 as these zoning designations are defined
4 under subsection 23.30.010.A if the abutting zoning does not have an RC classification as shown
5 on the Official Land Use Map, Chapter 23.32; and

6 c. At least 1,000 feet from any public or private school containing a ninth-
7 to twelfth-grade class; and

8 2. If an existing food-vehicle zone conflicts with the setback requirements of
9 subsection 15.17.120.C.1, the Director of Transportation shall not issue a new food-vehicle-zone
10 vending Street Use permit when the existing Street Use permit expires.

11 D. The Director of Transportation may issue to a vendor, property owner, or public entity
12 a temporary-curb-space vending Street Use permit that authorizes vending from a curb space that
13 is not designated as a food-vehicle zone. The permit shall be effective for no more than four days
14 during a six-month period if the curb space abuts a lot with a zoning designation other than those
15 listed in subsection 15.17.120.C.1.b, or it shall be effective for no more than one day during a
16 calendar year for the block that abuts a lot with a zoning designation listed in subsection
17 15.17.120.C.1.b. The temporary-curb-space vending Street Use permit may be issued under the
18 following requirements:

- 19 1. The permittee shall reserve the curb space as required in Title 11;
- 20 2. The permittee shall comply with the requirements in subsection 15.17.120.A;
- 21 3. The temporary-curb-space vending Street Use permit shall only be issued for
22 an event located on private property abutting the curb space or an event located in the adjoining
23 public place. If the event requires a Special Event as permitted and authorized under Chapter

1 15.52, the Director of Transportation shall not issue a temporary-curb-space vending Street Use
2 permit; and

3 4. The vending activity shall end by 10 p.m. if located in the public place abutting
4 a lot zoned NR1, NR2, NR3, RSL, ((SF 5000, SF 7200, SF 9600,)) LR1, LR2, or LR3 as these
5 zoning designations are defined under subsection 23.30.010.A if the abutting zoning does not
6 have an RC classification as shown on the Official Land Use Map, Chapter 23.32.

7 * * *

8 Section 7. Section 15.17.150 of the Seattle Municipal Code, last amended by Ordinance
9 125946, is amended as follows:

10 **15.17.150 Merchandise display from a public place**

11 A. The Director of Transportation may issue a merchandise display Street Use permit to a
12 retail sales business allowing the same goods or wares offered for sale by the business to be
13 displayed on the adjoining public place. Merchandise displays shall be subject to the following
14 requirements:

15 1. The proposed merchandise display shall be sited to provide:

16 a. An unobstructed corner clearance zone;

17 b. An unobstructed pedestrian clear zone abutting the entire length of the
18 merchandise display. The width of the pedestrian clear zone is determined by the street type
19 where the merchandise display is located as defined by the Right-of-Way Improvements Manual
20 or successor rule; and

21 c. An unobstructed 3-foot-wide pedestrian straight path as defined in
22 Section 15.02.046 within the designated pedestrian clear zone that extends along the permitted
23 area and for 25 feet on either end of the permitted area's boundaries along the block face;

1 2. The merchandise display shall comply with clearances required in the Right-of-
2 Way Improvements Manual or successor rule. In addition to any other required setbacks, the
3 merchandise display:

4 a. Shall not be sited in a manner that adversely affects pedestrian mobility
5 directly beyond the permitted footprint area or inhibits the operation, maintenance, or
6 functionality of any utilities or street fixtures;

7 b. Shall not be located in the furniture zone when the curb space is
8 designated as a bus zone area, disabled person parking zone, food-vehicle zone, or commercial
9 loading zone;

10 c. Shall be located:

11 1) At least 10 feet from the corner clearance zone when located in
12 the furniture zone; and

13 2) At least 5 feet from curb ramps, curb ramp landings, alleys, and
14 driveways;

15 3. The Traffic Engineer or Director of Transportation has authority to require
16 dimensions greater than the minimum standards included in subsections 15.17.150.A.1 and
17 15.17.150.A.2 to provide for pedestrian passage, traffic management, or any other public-use
18 purpose.

19 4. The merchandise display shall not be located in the public place abutting a lot
20 zoned NR1, NR2, NR3, RSL, (~~SF 5000, SF 7200, SF 9600~~), LR1, LR2, or LR3 as these zoning
21 designations are defined under subsection 23.30.010.A if the abutting zoning does not have an
22 RC classification as shown on the Official Land Use Map, Chapter 23.32;

23 5. The display shall be removed during those hours that the business is closed;

1 The notice shall be displayed towards the nearest public place that abuts the site and is viewable
2 by the public and shall be maintained on the site for the duration of the public notice period.

3 1. If the new at-grade communication cabinet proposal is more than 36 inches in
4 height including footings or bases as measured from the grade of the surrounding public place, or
5 has a maximum volume of more than 18 cubic feet, and is abutting a lot zoned NR1, NR2, NR3,
6 RSL, ((~~SF 5000, SF 7200, SF 9600,~~)) LR1, LR2, or LR3 as these zoning designations are defined
7 under subsection 23.30.010.A and the abutting zoning does not have an RC classification as
8 shown on the Official Land Use Map, Chapter 23.32 ("residentially zoned parcels"), the
9 communication cabinet shall be fully screened from the public place and abutting private
10 property. If it is not feasible to install mitigation screening due to physical site constraints, the
11 applicant shall provide an alternative mitigation proposal within 200 feet of the project. If the
12 alternative mitigation cannot be located within 200 feet of the project, the applicant shall propose
13 an alternative location that the Director shall review and may approve. All mitigation screening
14 shall comply with setback standards in Section 15.32.250 and remain the permittee's sole
15 responsibility to maintain so long as the communication cabinet or accessory equipment occupies
16 the public place. As determined by the Director, mitigation screening may include landscaping,
17 fencing, or visual treatment to the cabinet surface. Visual treatment to the cabinet may include
18 paint, decals, vinyl wraps, photos, or other surface treatments. A cabinet shall be considered fully
19 screened for visual treatment purposes when the treatment is applied to all communication
20 cabinet vertical surfaces.

21 2. The applicant shall send and post all required notices at least three calendar
22 days before the start of the public notice period. The mailing and on-site notice shall be on a
23 form provided by the Department of Transportation and shall include: a description of the

1 regarding any question of right to attach, construction compliance or contract interpretation
2 regarding attachment to poles. Permission to make attachments to the City's poles may be
3 withdrawn for violation of applicable codes, for breach of contract, for failure to supply proof
4 of required permits, by governmental directive or for any reason associated with the City's
5 requirements for the use of its poles or public right-of-way. The City may direct the immediate
6 removal of attachments at the owner's expense, if attachments fail to conform to codes or the
7 City's requirements, or if attachments interfere with City operations.

8 2. All attachments shall be made in accordance with all applicable codes as well
9 as City electrical standards, guidelines and practices.

10 3. All attachments, including co-lashing, shall be subject to prior approval of the
11 Seattle Information Technology Department, Seattle Department of Transportation and the
12 City Light Department in accordance with the following principles, requirements and
13 procedures:

14 a. Providing for the safety of the public, City employees, private
15 contractors, and other users of poles is a fundamental principle which must be observed.

16 b. The primary function of the City's poles is to support the City's
17 electrical lines and equipment.

18 c. The City shall neither replace existing poles with taller poles nor add
19 crossarms to existing poles to create more communication space on the poles, except as
20 described in subsection 15.32.300.C.4 below.

21 d. Any new attachments must accommodate any prior agreements
22 between the City and other entities regarding use of space on the poles.

23 e. The City shall not relinquish the one communication space reserved

1 for its own use on every pole. At the request of the applicant, however, the City shall consider
2 creating additional space for communication uses on the poles by taking such actions as
3 removing secondary rack wiring and substituting triplex wire, moving streetlight fixtures, guy
4 wires and other attachments to the poles and by providing for co-lashing. Any actions
5 undertaken to create more communication space shall be considered make-ready work, and any
6 such costs shall be borne by the applicant.

7 f. Approval of attachments may include requirements for extra mitigation
8 measures in certain areas, such as residential, critical areas and shoreline zones, greenbelts,
9 parks, historic districts and viewsheds. All such extra measures, including any additional
10 public involvement and/or environmental review, shall be taken in accordance with directives
11 from the General Manager and Chief Executive Officer of the City Light Department, and all
12 costs associated with such extra measures and review shall be paid by the applicant.

13 g. All make-ready costs such as costs for any permits, environmental
14 review, adjustment of other equipment on the pole, tree replacement and tree trimming, shall
15 be paid by the applicant prior to making any attachments to the poles.

16 h. As a condition of securing the City's permission to use its poles for
17 attachment of cable, all applicants shall be required to permit co-lashing to their own cable of
18 up to two other cables, which may be owned and operated by other entities. All cable
19 attachments that initially occupy a space on a City-owned pole shall be required to provide an
20 external or internal support ("messenger") wire that is capable of supporting two other cables
21 in addition to the initial cable installed by the applicant. Owners of cable subsequently co-
22 lashed to the initial cable shall pay the owner of the initial cable a proportionate share of the
23 cost of the messenger wire. All entities co-lashing together shall be required to provide one

1 another with reciprocal indemnity provisions equivalent to those which must be granted to the
2 City by each of them pursuant to Section 15.32.150. Co-lashing shall not be required of any
3 applicant until all other spaces on the pole, other than the City's reserved space, have been
4 utilized. The City Light Department shall issue a Department Policy and Procedure for
5 providing co-lashing space based on costs, operational convenience, cable size, and other
6 criteria which are developed in the course of producing such Department Policy and Procedure.

7 i. In addition to the indemnification required by Section 15.32.150, the
8 City may require that the applicant provide the City and entities permitted to co-lash with
9 additional indemnification, such as indemnification from a parent company, and/or require that
10 the applicant provide proof of specific insurance provisions acceptable to the City which cover
11 potential exposure of both the applicant and the City.

12 j. As a further condition of securing the City's permission to use its poles
13 for attachment of cable, all applicants upon request shall be required to provide the City with
14 capacity on the applicant's cable over and above the capacity specifications submitted by the
15 applicant. Such additional capacity may be in the form of dedicated fiber or dedicated space on
16 the same cable being installed by the applicant or in the form of separate cable, as specified by
17 the Seattle Information Technology Department, and shall be dedicated to the City for as long
18 as the cable is attached to the City's poles. The City shall have the right to use that capacity for
19 any governmental purpose and the right to lease that capacity to any public or nonprofit
20 entities. The incremental costs of adding the specified amount of capacity for the City shall be
21 borne by the City.

22 k. Applications for attachment to City-owned poles shall be submitted to
23 the City Light Department. The City Light Department shall then coordinate that request with

1 the Seattle Department of Transportation and the Seattle Information Technology Department.
2 Approval of all three departments shall be required prior to the issuance of a permit to attach to
3 the poles.

4 1. All applications for pole attachment shall be considered on a first-
5 come, first-serve basis, provided that where space is limited, attachment permits shall be given
6 first to public entities, second to entities which are common carriers, third to entities which
7 request attachment to six poles or less for their own private communication needs, and fourth
8 to others.

9 m. If no space can be created on the poles requested, the applicant may
10 seek an exception to any of the requirements set forth in this section by submitting a written
11 request to a three person review committee comprised of one representative each from the
12 Seattle Information Technology Department, the Seattle Department of Transportation, and the
13 City Light Department. The committee shall review the request with reference to
14 considerations which may warrant making an exception including, but not limited to reduced
15 environmental effects, the lack of alternatives for achieving equivalent service available to the
16 applicant, the lack of alternative routing which can be made available and the feasibility of
17 undergrounding all or part of the cable. After engaging in a review of the application, the
18 committee shall forward a recommendation to the Mayor and City Council. Exceptions will not
19 be recommended where the City Light Department believes the safety will be compromised by
20 the granting of an exception. Any exceptions to the requirements of this Section 15.32.300
21 must be approved by ordinance.

22 n. All entities that are provided attachments to City-owned poles, other
23 than Class II attachments, including attachments by means of co-lashing, shall pay a rental fee

1 for each such attachment at a rate established by ordinance. All income from such pole rental
2 rates shall be paid into the Light Fund.

3 4. Provisions for special attachments

4 a. Class II attachments shall be limited to situations where: (i) make-
5 ready costs are paid by the provider; (ii) pole/equipment, installation, operation, and
6 maintenance costs are paid by the provider; and (iii) visual impacts of antennas and other
7 attachments are reduced to a degree acceptable to the General Manager and Chief Executive
8 Officer.

9 b. Class II attachment requests are subject to public notice and comment.
10 Approval of attachments may include requirements for extra mitigation measures in certain
11 areas, such as residential, critical areas and shoreline zones, greenbelts, parks, historic districts
12 and view-sheds. All such extra measures, including any additional public involvement and/or
13 environmental review, shall be taken in accordance with directives from the General Manager
14 and Chief Executive Officer of the City Light Department, and all costs associated with such
15 extra measures and review shall be paid by the applicant. Where a request meets the following
16 criteria in Seattle, the applicant shall apply to the Department of Planning and Development
17 and pay for an attachment siting review and recommendation consistent with the application,
18 fee, notice, timeline and criteria for an administrative conditional use permit. The
19 recommendation of the Department of Planning and Development shall be advisory to the
20 General Manager and Chief Executive Officer:

Zone	Street Type	Zoning Height Limit (ft)	Pole Height Requested (ft)
((SF,)) NR, L-1, NC-1	Nonarterial	<40	<60

((SF,)) NR, L-1, NC-1	Arterial	<40	>60
L-2, L-3, L-4, NC-2	Either	<40	>60
NC-3, C, I, MI	Either	<40	>60

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c. Where the request is for a location outside Seattle, the applicant shall comply with all applicable requirements of the local jurisdiction where the property is located.

d. Class II attachments shall be permitted substantially in the form of the site agreements authorized by Ordinance 118737, together with special terms and conditions within the site agreement.

e. Class II rental rates shall be established at fair market value as determined by the City Light Department and set forth in the special terms and conditions within the site agreement. All income from such Class II rental rates shall be paid into the Light Fund.

Section 10. Section 22.801.200 of the Seattle Municipal Code, last amended by Ordinance 126336, is amended as follows:

22.801.200 "S"

* * *

"Single-family residential project" means a project that constructs one Single-family Dwelling Unit as defined in subsection 23.84A.032 and any associated accessory dwelling unit located in land classified as being ~~((Single family Residential 9,600 (SF 9600), Single family Residential 7,200 (SF 7200), or Single family Residential 5,000 (SF 5000)))~~ Neighborhood Residential 1 (NR1), Neighborhood Residential 2 (NR2), or Neighborhood Residential 3 (NR3)

1 pursuant to Section 23.30.010, and the total new plus replaced hard surface is less than 5,000
 2 square feet.

3 * * *

4 Section 11. Table C-1 for Section 22.900C.010 of the Seattle Municipal Code, which
 5 section was last amended by Ordinance 126213, is amended as follows:

6 **22.900C.010 Land use fees**

7 * * *

Table C-1 for 22.900C.010—LAND USE FEES	
A. MASTER USE PERMIT, ENVIRONMENTAL CRITICAL AREAS, CITY COUNCIL, and HEARING EXAMINER APPROVALS	
Hours worked beyond those covered by minimum will be charged the Land Use hourly rate, unless otherwise noted, and are payable at time of invoice.	
Type of Land Use Review	Minimum Fee
General—first 10 hours of review	Land Use Hourly × 10
Low-Income Housing—first 24 hours of review ¹	Land Use Hourly × 10
1. Administrative conditional uses (ACUs) ACUs for community centers, child care centers, adult care centers, private schools, religious facilities, and public and private libraries in ((single-family)) <u>neighborhood residential</u> and multi-family zones shall be charged a minimum fee of \$1,970 for the first 20 hours. Additional hours shall be charged at the Land Use hourly rate. This exception applies if the application is for an ACU only, or an ACU combined with a variance application.	
2. Design Review The minimum fee for Administrative Design Review, Master Planned Community Design Review and Streamlined Design Review is \$3,940. The minimum fee for full Design Review is \$7,880, which covers the first 20 hours of review. Refer to subsection 15 of this Table C-1 for 22.900C.010 for fees related to Design Review for Tree Protection.	
3. Environmental reviews (SEPA), including projects with more than one addressed site.	
4. Environmentally critical areas (ECA)	
a. Environmentally Critical Areas variance ²	
b. ECA Exception	
c. Environmentally Critical Areas Administrative Conditional Use	
5. Shoreline permits	
a. Substantial development permits	
b. Variances ² and conditional uses	
6. Short subdivisions ³ ; refer to subsection 10 of Table D-2 for 22.900D.010 for additional fees that may apply to this permit type	
7. Special exceptions	

8. Variances ² Variances for community centers, child care centers, adult care centers, private schools, religious facilities, and public and private libraries in ((single-family)) <u>neighborhood residential</u> and multi-family zones shall be charged a minimum fee of \$1,970 for the first 20 hours. Additional hours shall be charged at the Land Use hourly rate. This exception applies if the application is for a variance only, or a variance combined only with an ACU application.
9. Type II land use approvals such as, but not limited to, planned community/residential development, major phased developments, and other Type II approvals that are not categorized otherwise in this Table C-1 for 22.900C.010.
10. The minimum fee for Council conditional uses, Rezones, Public Projects, and all other Type IV and Type V land use approvals shall be \$7,880, which covers the first 20 hours of review.
11. Full subdivisions ⁴ ; refer to subsection 10 of Table D-2 for 22.900D.010 for additional fees that may apply to this permit type
12. Reserved
13. Reserved
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Section 12. Section 23.04.010 of the Seattle Municipal Code, last amended by Ordinance 123913, is amended as follows:

23.04.010 Transition to the Land Use Code

* * *

C. Existing Planned Unit Developments. Planned unit developments (PUDs) in ((~~an SF~~)) a neighborhood residential or multifamily zone regulated under Title 23 which were authorized pursuant to Title 24 shall be permitted to develop according to the specific terms of such authorizations. This shall include the opportunity to apply to the Council for an extension of time for completion of PUDs. Upon completion of the PUDs, the provisions of Title 23, including all use and development standards, shall apply.

Section 13. Section 23.30.010 of the Seattle Municipal Code, last amended by Ordinance 125792, is amended as follows:

23.30.010 Classifications for the purpose of this Subtitle III

Category 3	LR3, C or NC zones with a height limit of 30, 40, or 55 feet
Category 4	Zones with height limits greater than 55 feet and equal to or less than 95 feet
Category 5	Zones with heights greater than 95 feet ¹
Footnote to Table A for 23.34.006 ¹ An increase in development capacity of more than 25 percent, but no more than 50 percent, within Category 5 should be treated as a change of a single category. An increase in development capacity of more than 50 percent within Category 5 should be treated as a change of two categories.	

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Section 16. Section 23.34.010 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.34.010 Designation of ((SF 5000, SF 7200, and SF 9600)) NR1, NR2, and NR3 zones

A. Except as provided in subsection 23.34.010.B, areas zoned ((SF 5000, SF 7200, or SF 9600)) NR1, NR2, or NR3 may be rezoned to zones more intense than ((SF 5000)) NR3 only if the City Council determines that the area does not meet the locational criteria for ((SF 5000, SF 7200, or SF 9600)) NR1, NR2, or NR3 zones.

B. Areas zoned ((SF 5000, SF 7200, or SF 9600)) NR1, NR2, or NR3 that meet the locational criteria contained in subsections 23.34.011.B.1 through 23.34.011.B.3 may only be rezoned to zones more intense than ((SF 5000)) NR3 if they are located within the adopted boundaries of an urban village, and the rezone is to a zone that is subject to the provisions of Chapter 23.58B and Chapter 23.58C.

Section 17. Section 23.34.011 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.34.011 ((SF 5000, SF 7200, and SF 9600)) NR1, NR2, and NR3 zones, function, and locational criteria

1 A. Function. An area that provides predominantly detached single-family structures on
2 lot sizes compatible with the existing pattern of development and the character of (~~single family~~
3 ~~neighborhoods~~) neighborhood residential areas.

4 B. Locational criteria. (~~A SF 5000, SF 7200, or SF 9600~~) An NR1, NR2, or NR3 zone
5 designation is most appropriate in areas that are outside of urban centers and villages and meet
6 the following criteria:

7 1. Areas that consist of blocks with at least 70 percent of the existing structures,
8 not including detached accessory dwelling units, in single-family residential use; or

9 2. Areas that are designated by an adopted neighborhood plan as appropriate for
10 single-family residential use; or

11 3. Areas that consist of blocks with less than 70 percent of the existing structures,
12 not including detached accessory dwelling units, in single-family residential use but in which an
13 increasing trend toward single-family residential use can be demonstrated; for example:

14 a. The construction of single-family structures, not including detached
15 accessory dwelling units, in the last five years has been increasing proportionately to the total
16 number of constructions for new uses in the area, or

17 b. The area shows an increasing number of improvements and
18 rehabilitation efforts to single-family structures, not including detached accessory dwelling units,
19 or

20 c. The number of existing single-family structures, not including detached
21 accessory dwelling units, has been very stable or increasing in the last five years, or

22 d. The area's location is topographically and environmentally suitable for
23 single-family residential developments.

1 C. An area that meets at least one of the locational criteria in subsection 23.34.011.B
2 should also satisfy the following size criteria in order to be designated as a ((~~SF 5000, SF 7200,~~
3 ~~or SF 9600~~)) NR1, NR2, or NR3 zone:

4 1. The area proposed for rezone should comprise 15 contiguous acres or more, or
5 should abut existing ((~~SF 5000, SF 7200, or SF 9600~~)) NR1, NR2, or NR3 zones.

6 2. If the area proposed for rezone contains less than 15 contiguous acres, and does
7 not abut existing ((~~SF 5000, SF 7200, or SF 9600~~)) NR1, NR2, or NR3 zones, then it should
8 demonstrate strong or stable single-family residential use trends or potentials such as:

9 a. That the construction of single-family structures, not including detached
10 accessory dwelling units, in the last five years has been increasing proportionately to the total
11 number of constructions for new uses in the area, or

12 b. That the number of existing single-family structures, not including
13 detached accessory dwelling units, has been very stable or increasing in the last five years, or

14 c. That the area's location is topographically and environmentally suitable
15 for single-family structures, or

16 d. That the area shows an increasing number of improvements or
17 rehabilitation efforts to single-family structures, not including detached accessory dwelling units.

18 D. Half-blocks at the edges of ((~~SF 5000, SF 7200, or SF 9600~~)) NR1, NR2, or NR3
19 zones which have more than 50 percent single-family structures, not including detached
20 accessory dwelling units, or portions of blocks on an arterial which have a majority of single-
21 family structures, not including detached accessory dwelling units, shall generally be included.

22 This shall be decided on a case-by-case basis, but the policy is to favor including them.

1 Section 18. Section 23.34.012 of the Seattle Municipal Code, last amended by Ordinance
2 125791, is amended as follows:

3 **23.34.012 Neighborhood Residential Small Lot (RSL) zone, function and locational criteria**

4 A. Function. An area within an urban village that provides for the development of homes
5 on small lots that may be appropriate and affordable to households with children and other
6 households which might otherwise choose existing detached houses on larger lots.

7 B. Locational criteria. An RSL zone is most appropriate in areas generally characterized
8 by the following:

9 1. The area is similar in character to ((~~single-family~~)) neighborhood residential
10 zones;

11 2. The area is located inside an urban center, urban village, or Station Area
12 Overlay District where it would provide opportunities for a diversity of housing types within
13 these denser environments;

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

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

22 5. The area is within a reasonable distance of frequency transit service, but is not
23 close enough to make higher density multifamily development more appropriate.

1 6. The area would provide a gradual transition between ((single-family))
2 neighborhood residential zoned areas and multifamily or neighborhood commercial zoned areas;
3 and

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

6 Section 19. Section 23.34.013 of the Seattle Municipal Code, last amended by Ordinance
7 123495, is amended as follows:

8 **23.34.013 Designation of multifamily zones**

9 An area zoned ((single-family)) neighborhood residential that meets the criteria of
10 Section 23.34.011 for ((single-family)) designation as NR1, NR2 or NR3 may not be rezoned to
11 multifamily except as otherwise provided in Section 23.34.010.B.

12 Section 20. Section 23.34.014 of the Seattle Municipal Code, last amended by Ordinance
13 123495, is amended as follows:

14 **23.34.014 Lowrise 1 (LR1) zone, function and locational criteria**

15 * * *

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

18 1. The area is similar in character to ((single-family)) neighborhood residential
19 zones;

20 2. The area is either:

21 a. located outside of an urban center, urban village, or Station Area

22 Overlay District;

1 A demolition permit for a structure containing a dwelling unit may only be issued if one of the
2 following conditions is met, provided that no permit for demolition of a structure containing a
3 dwelling unit may be issued if the new use is for non-required parking:

4 A. The structure has not been occupied as rental housing during the prior 6 months, and
5 the demolition does not aid expansion of an adjacent non-residential use in a ((single family))
6 neighborhood residential or lowrise zone, except as required for extension of light rail transit
7 lines;

8 * * *

9 Section 25. Section 23.41.004 of the Seattle Municipal Code, last amended by Ordinance
10 126287, is amended as follows:

11 **23.41.004 Applicability**

12 A. Design review required

13 1. Subject to the exemptions in subsection 23.41.004.B, design review is required
14 in the following areas or zones when development is proposed that exceeds a threshold in Table
15 A or Table B for 23.41.004:

16 a. Multifamily;

17 b. Commercial;

18 c. Seattle Mixed;

19 d. Downtown; and

20 e. Stadium Transition Area Overlay District as shown in Map A for

21 23.74.004, when the width of the lot exceeds 120 feet on any street frontage.

22 2. Subject to the exemptions in subsection 23.41.004.B, design review is required
23 in the following areas or zones when commercial or institution development is proposed that

1 exceeds a threshold in Table A or Table B for 23.41.004:

2 a. Industrial Buffer; and

3 b. Industrial Commercial.

4 3. The gross floor area of the following uses is not included in the total gross floor
5 area of a development for purposes of determining if a threshold is exceeded:

6 a. Religious facilities;

7 b. Elementary and secondary schools;

8 c. Uses associated with a Major Institution Master Plan (MIMP); or

9 d. Development of a major institution use within a Major Institution
10 Overlay (MIO) district.

11 4. Any development proposal participating in the Living Building or 2030
12 Challenge High Performance Existing Building Pilot Program according to Sections 23.40.060
13 and 23.40.070, including a development proposal for an existing structure, regardless of size or
14 site characteristics, is subject to full design review according to Section 23.41.014.

15 5. Any development proposal, regardless of size or site characteristics, is subject
16 to the administrative design review process according to Section 23.41.016 if it receives public
17 funding or an allocation of federal low-income housing tax credits, and is subject to a regulatory
18 agreement, covenant or other legal instrument recorded on the property title and enforceable by
19 The City of Seattle, Washington State Housing Finance Commission, State of Washington, King
20 County, U.S. Department of Housing and Urban Development, or other similar entity as
21 approved by the Director of Housing, which restricts at least 40 percent of the units to occupancy
22 by households earning no greater than 60 percent of median income, and controls the rents that
23 may be charged, for a minimum period of 40 years.

1 6. Any development proposal that is located in a Master Planned Community
 2 zone and that includes a request for departures, regardless of size or site characteristics, is subject
 3 to full design review according to Section 23.41.014. If a development proposal in a Master
 4 Planned Community zone does not include a request for departures, the applicable design review
 5 procedures are in Section 23.41.020.

6 7. Subject to the exemptions in subsection 23.41.004.B, design review is required
 7 for additions to existing structures when the size of the proposed addition or expansion exceeds a
 8 threshold in Table A or Table B for 23.41.004. Administrative design review, as described in
 9 Section 23.41.016, is required for certain other additions to existing structures according to rules
 10 promulgated by the Director.

Table A for 23.41.004	
Design review thresholds by size of development and specific site characteristics outside of downtown and industrial zones	
If any of the site characteristics in part A of this table are present, the design review thresholds in part B apply. If none of the site characteristics in part A of this table are present, the design review thresholds in part C apply.	
A.	Category
	Site Characteristic
	A.1. Context
	a. Lot is abutting or across an alley from a lot with ((single-family)) <u>neighborhood residential</u> zoning. b. Lot is in a zone with a maximum height limit 20 feet or greater than the zone of an abutting lot or a lot across an alley.
	A.2. Scale
	a. Lot is 43,000 square feet in area or greater. b. Lot has any street lot line greater than 200 feet in length.
	A.3. Special features
	a. Development proposal includes a Type IV or V Council Land Use Decision. b. Lot contains a designated landmark structure. c. Lot contains a character structure in the Pike/Pine Overlay District.
B.	Development on a lot containing any of the specific site characteristics in part A of this table is subject to the thresholds below.
	Amount of gross floor area of development
	Design review type¹
	B.1. Less than 8,000 square feet
	No design review ^{2, 3}

	B.2. At least 8,000 but less than 35,000 square feet	Administrative design review
	B.3. 35,000 square feet or greater	Full design review ⁴
C.	Development on a lot not containing any of the specific site characteristics in part A of this table is subject to the thresholds below.	
	Amount of gross floor area of development	Design review type¹
	C.1. Less than 8,000 square feet	No design review ^{2, 3}
	C.2. At least 8,000 but less than 15,000 square feet	Streamlined design review
	C.3. At least 15,000 but less than 35,000 square feet	Administrative design review
	C.4. 35,000 square feet or greater	Full design review

Footnotes to Table A for 23.41.004

¹ Applicants for any development proposal subject to administrative design review may choose full design review instead, and applicants for any project subject to streamlined design review may choose administrative or full design review.

² The following development is subject to streamlined design review: (1) development that is at least 5,000 square feet but less than 8,000 square feet and (2) is proposed on a lot that was rezoned from a ((~~Single-family~~)) neighborhood residential zone to a Lowrise 1 (LR1) zone or Lowrise 2 (LR2) zone, within five years after November 4, 2017. This requirement shall only apply to applications for new development submitted on or before December 31, 2023.

³ The following development is subject to administrative design review: (1) development that is at least 5,000 square feet but less than 8,000 square feet and (2) is proposed on a lot that was rezoned from a ((~~Single-family~~)) neighborhood residential zone to a Lowrise 3 (LR3) zone, any Midrise zone, Highrise zone, Commercial (C) zone, or Neighborhood Commercial (NC) zone, within five years after November 4, 2017. This requirement shall only apply to applications for new development submitted on or before December 31, 2023.

⁴ Development proposals that would be subject to the full design review, may elect to be reviewed pursuant to the administrative design review process according to Section 23.41.016 if the applicant elects the MHA performance option according to Sections 23.58B.050 or 23.58C.050. If the applicant elects administrative design review process pursuant to this footnote 4 to Table A for 23.41.004, the applicant shall not be eligible to change its election between performance and payment pursuant to subsections 23.58B.025.B.2.c or 23.58C.030.B.2.c.

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Table B for 23.41.004		
Design review thresholds by size of development in downtown and industrial zones		
Zone	Amount of gross floor area of development	Design review type
A. All DOC1, DOC2, or	50,000 square feet or greater	Full design review

DMC zones		
B. All DRC, DMR, DH1, DH2, PMM zones outside the Pike Place Market Historical District, IB, or IC zones	20,000 square feet or greater	Full design review

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B. Exemptions. The following are exempt from design review:

1. Development located in special review districts established by Chapter 23.66;
2. Development in Landmark districts established by Title 25;
3. Development within the historic character area of the Downtown Harborfront 1 zone;
4. Development that is subject to shoreline design review pursuant to Chapter 23.60A;
5. New light rail transit facilities that are subject to review by the Seattle Design Commission;
6. City facilities that are subject to review by the Seattle Design Commission;
7. Development within ((~~single-family or residential small lot~~)) neighborhood residential zones; and
8. Permanent supportive housing.

* * *

Section 26. Table B for Section 23.41.008 of the Seattle Municipal Code, which section was last amended by Ordinance 126188, is amended as follows:

23.41.008 Design review general provisions

* * *

Table B for 23.41.008 Maximum number of Design Review Board meetings for certain projects		
Type of design review	Early design guidance	Recommendation meeting

	meetings	
Full design review	2 ^{1,2}	1 ^{1,2}
Footnotes to Table B for 23.41.008		
¹ There is no limit to the number of Board meetings when: The project lot is abutting or across the street from a lot in a ((single-family)) <u>neighborhood residential zone</u> ; The development proposal includes a Type IV or Type V Master Use Permit component as described in Chapter 23.76; or Departures are requested, unless the project applicant elects the MHA performance option according to Sections 23.58B.050 or 23.58C.050.		
² The Director may require additional Design Review Board meetings according to subsection 23.41.008.E.4.		

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Section 27. Section 23.42.052 of the Seattle Municipal Code, last amended by Ordinance 123378, is amended as follows:

23.42.052 Keeping of animals

The keeping of small animals, farm animals, domestic fowl and bees is permitted outright in all zones as an accessory use to any principal use permitted outright or to a permitted conditional use, in each case subject to the standards of this Section 23.42.052.

A. Small Animals. Up to three small animals may be kept accessory to each business establishment, other than an urban farm, or dwelling unit on a lot, except as follows:

1. In no case is more than one miniature potbelly pig allowed per business establishment or dwelling unit (see subsection 23.42.052.B).

2. In ((~~single-family~~)) neighborhood residential zones,

a. accessory dwelling units shall not be considered separate dwelling units for the purpose of this Section 23.42.052;

b. up to four small animals are permitted on lots of at least 20,000 square feet; and

1 c. one additional small animal is permitted for each 5,000 square feet of
2 lot area in excess of 20,000 square feet. Accessory structures, including kennels, for four or more
3 animals must be at least 10 feet from any other lot in a residential zone.

4 * * *

5 Section 28. Section 23.42.056 of the Seattle Municipal Code, last amended by Ordinance
6 126042, is amended as follows:

7 **23.42.056 Transitional encampment as an interim use**

8 A Type I Master Use Permit may be issued for a transitional encampment interim use according
9 to the requirements of this Section 23.42.056.

10 * * *

11 B. Location. The transitional encampment interim use may be located on property within
12 any zone subject to the following requirements:

13 1. Screening shall be installed and maintained along each encampment boundary,
14 including boundaries fronting on an opened public street. The screening shall consist of existing
15 or installed vegetation that is sufficiently dense to obscure viewing the encampment site, or a 6-
16 foot high view-obscuring fence or wall.

17 2. Except for encampments established prior to February 18, 2020, all
18 encampment facilities, improvements, activities, and uses shall be set back from abutting lot
19 lines, as follows:

20 a. 10 feet from any side or rear lot line that abuts a lot in a ~~((single-~~
21 ~~family))~~ neighborhood residential zone; and

22 b. 5 feet from any side or rear lot line that abuts a lot in any zone other
23 than ~~((single family))~~ neighborhood residential; except that no setback is required when an

1 abutting lot, which is not in a ((single-family)) neighborhood residential zone, does not have an
2 established use.

3 3. The property is owned or controlled by a private party, an Educational Major
4 Institution, The City of Seattle, or another public entity.

5 4. The property is within ½ mile of a transit stop. This distance shall be the
6 walking distance measured from the nearest transit stop to the lot line of the lot containing the
7 encampment site.

8 5. The property is 5,000 square feet or larger and provides a minimum of 100
9 square feet of land area for each occupant that is permitted to occupy the encampment site.

10 6. The property does not contain a wetland, wetland buffer, known and potential
11 landslide designations, steep slope, steep slope buffer, or fish and wildlife habitat conservation
12 area defined and regulated by Chapter 25.09 unless all encampment facilities, improvements,
13 activities, and uses are located outside any critical area and required buffer as provided for in
14 Chapter 25.09.

15 7. The encampment site is not used by an existing legally-permitted use for code
16 or permit-required purposes including but not limited to parking or setbacks.

17 8. The property is not an unopened public right-of-way; or designated as a park,
18 playground, viewpoint, or multi-use trail by the City or King County.

19 9. The property is, as measured by a straight line, at least 1 mile from any other
20 legally-established transitional encampment interim use including encampments accessory to a
21 religious facility or accessory to other principal uses on property owned or controlled by a
22 religious organization. This subsection 23.42.056.B.9 shall not apply:

23 a. To encampments on sites owned or controlled by religious

1 organizations, or

2 b. To any legally-established transitional encampment interim use that
3 provides shelter for fewer than ten persons, or

4 c. When at least one transitional encampment is established in each
5 Council District.

6 * * *

7 Section 29. Section 23.42.058 of the Seattle Municipal Code, last amended by Ordinance
8 124969, is amended as follows:

9 **23.42.058 Marijuana**

10 A. Major marijuana activity is prohibited in any dwelling unit, regardless of the zone in
11 which the dwelling unit is located, except that major marijuana activity is allowed in caretaker's
12 quarters unless the quarters are located in a zone or district identified in subsection 23.42.058.B.

13 B. Major marijuana activity is prohibited in the following zones and districts:

- 14 1. (~~Single-family~~) Neighborhood residential zones;
- 15 2. Multifamily zones;
- 16 3. Neighborhood Commercial 1 (NC1) zones;
- 17 4. Pioneer Square Mixed (PSM);
- 18 5. International District Mixed (IDM);
- 19 6. International District Residential (IDR);
- 20 7. Downtown Harborfront 1 (DH1);
- 21 8. Downtown Harborfront 2 (DH2);
- 22 9. Pike Market Mixed (PMM);
- 23 10. Ballard Avenue Landmark District;

- 1 11. Columbia City Landmark District;
- 2 12. Fort Lawton Landmark District;
- 3 13. Harvard-Belmont Landmark District;
- 4 14. International Special Review District;
- 5 15. Pike Place Market Historical District;
- 6 16. Pioneer Square Preservation District;
- 7 17. Sand Point Overlay District; or
- 8 18. Stadium Transition Area Overlay District.

9 * * *

10 Section 30. Section 23.42.106 of the Seattle Municipal Code, last amended by Ordinance
11 125518, is amended as follows:

12 **23.42.106 Expansion of nonconforming uses**

13 * * *

14 B. In addition to the standards in subsection 23.42.106.A, a structure in a (~~single-~~
15 ~~family~~) neighborhood residential zone occupied by a nonconforming residential use may be
16 allowed to expand subject to the following:

- 17 1. The number of dwelling units shall not be increased, except as may be allowed
18 pursuant to Section 23.40.040 or Section 23.44.015.
- 19 2. For a nonconforming residential use that is not a multifamily use, except as
20 may be allowed pursuant to Section 23.40.040 or Section 23.44.015, the number of residents
21 may not be increased beyond the maximum number that was allowed by the standards of the
22 zone at the time of approval; if originally permitted by conditional use, the number shall not be
23 allowed to increase above the number permitted by the conditional use approval.

1 3. An expansion of no more than 500 square feet of gross floor area, meeting the
2 development standards for single-family construction and not exceeding the average height of
3 the closest principal structures on either side, is allowed.

4 4. An expansion greater than 500 square feet of gross floor area and/or exceeding
5 the average height of the closest principal structures on either side may be approved by the
6 Seattle Department of Construction and Inspections through a special exception, Type II Master
7 Use Permit, if the proposed expansion meets the development standards for single-family
8 construction and is compatible with surrounding development in terms of:

- 9 a. Architectural character;
10 b. Existing streetscape and pattern of yards; and
11 c. Scale and proportion of principal structures.

12 5. If an addition proposed under subsection 23.42.106.B.3 or 23.42.106.B.4 would
13 require additional parking under the requirements of Section 23.54.015 for multifamily
14 structures, that additional parking must be provided.

15 * * *

16 Section 31. Section 23.42.108 of the Seattle Municipal Code, last amended by Ordinance
17 123495, is amended as follows:

18 **23.42.108 Change from nonconforming use to conforming use**

19 A. In any zone, a nonconforming use may be converted to any conforming use if all
20 development standards are met.

21 B. In ((single-family)) neighborhood residential zones, a nonconforming use may be
22 converted to single-family dwelling unit, even if all development standards are not met.

23 * * *

1 Section 32. Section 23.42.110 of the Seattle Municipal Code, last amended by Ordinance
2 123495, is amended as follows:

3 **23.42.110 Change from one nonconforming use to another nonconforming use**

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

7 A. In ~~((single family and residential small lot))~~ neighborhood residential zones, a
8 nonconforming multifamily residential use may not be converted to any nonresidential use not
9 otherwise permitted in the zone.

10 * * *

11 Section 33. Section 23.42.112 of the Seattle Municipal Code, last amended by Ordinance
12 126157, is amended as follows:

13 **23.42.112 Nonconformity to development standards**

14 A. A structure nonconforming to development standards may be maintained, renovated,
15 repaired or structurally altered but may not be expanded or extended in any manner that
16 increases the extent of nonconformity or creates additional nonconformity, except:

17 1. any portion of a principal structure in a ~~((single family))~~ neighborhood
18 residential zone that is nonconforming to front and/or rear yard requirements may be increased in
19 height by up to 5 feet, but not to exceed the height limit of the zone, and only to the extent
20 necessary to achieve minimum ceiling height in an existing basement or another floor within the
21 principal structure to conform to the City's regulations for habitable rooms or to accommodate a
22 pitched roof on the principal structure. If the height of a principal structure is being raised to
23 increase ceiling height in a basement or another floor, existing porches or steps may extend into

1 a required yard to the extent necessary to meet Building Code standards, but in no case shall they
2 be located closer than 3 feet to any lot line.

3 2. mechanical equipment may be added or replaced, even if nonconformity is
4 created by the addition or replacement, provided that the new mechanical equipment serves the
5 same function as existing equipment;

6 3. as otherwise required by law;

7 4. as necessary to improve access for the elderly or disabled;

8 5. as specifically permitted for nonconforming uses and nonconforming structures
9 elsewhere in this Land Use Code; or

10 6. Light poles nonconforming to height standards and located in parks may be
11 moved or may be replaced by new light poles to the same height and configuration as the
12 existing light poles.

13 * * *

14 Section 34. Section 23.42.122 of the Seattle Municipal Code, last amended by Ordinance
15 123649, is amended as follows:

16 **23.42.122 Height nonconformity**

17 A. ((Single-family)) Neighborhood residential and multifamily zones.

18 1. In ((single-family)) neighborhood residential zones, a principal structure
19 nonconforming as to height may be expanded or extended to add eaves, dormers and/or
20 clerestories to an existing pitched roof if the additions are constructed below the highest point of
21 the roof. An existing pitched roof that is above the height limit may not be converted into a flat
22 roof, nor shall the slope of the roof be reduced to less than a 4:12 pitch.

23 2. In multifamily zones, a structure nonconforming as to height may be expanded

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

5 * * *

6 Section 35. Section 23.42.124 of the Seattle Municipal Code, last amended by Ordinance
7 124883, is amended as follows:

8 **23.42.124 Light and glare standards nonconformity**

9 When nonconforming exterior lighting is replaced, new lighting shall conform to the
10 requirements of the light and glare standards of the respective zone. See subsection 23.44.008.H
11 for ((single-family)) neighborhood residential zones; Section 23.45.534 for multifamily zones;
12 Section 23.46.020 for residential-commercial zones; Section 23.47A.022 for C zones or NC
13 zones; Section 23.48.075 for SM zones; Section 23.49.025 for downtown zones; and Section
14 23.50.046 for IB and IC zones.

15 Section 36. Section 23.42.130 of the Seattle Municipal Code, last amended by Ordinance
16 123209, is amended as follows:

17 **23.42.130 Nonconforming solar collectors**

18 The installation of solar collectors that do not conform to development standards or that increase
19 an existing nonconformity may be permitted as follows:

20 A. In ((single-family)) neighborhood residential zones, pursuant to subsection B of
21 Section 23.44.046;

22 B. In multifamily zones, pursuant to Section 23.45.582;

23 C. In NC zones or C zones, pursuant to subsection Section 23.47A.012 E.

1 Section 37. The name of Chapter 23.44 of the Seattle Municipal Code, enacted by
2 Ordinance 110381, is amended as follows:

3 **Chapter 23.44 NEIGHBORHOOD RESIDENTIAL~~((, SINGLE FAMILY))~~**

4 Section 38. Section 23.44.002 of the Seattle Municipal Code, last amended by Ordinance
5 125791, is amended as follows:

6 **23.44.002 Scope of provisions**

7 A. This Chapter 23.44 establishes regulations for the following ~~((single family))~~
8 neighborhood residential zones: NR1, NR2, NR3, and RSL, ~~((SF 5000, SF 7200, and SF 9600))~~
9 zones.

10 * * *

11 Section 39. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance
12 126131, is amended as follows:

13 **23.44.006 Principal uses permitted outright**

14 The following principal uses are permitted outright in ~~((single family))~~ neighborhood residential
15 zones:

16 A. Single-family dwelling unit.

17 * * *

18 Section 40. Section 23.44.008 of the Seattle Municipal Code, last amended by Ordinance
19 126157, is amended as follows:

20 **23.44.008 Development standards for uses permitted outright**

21 A. The development standards set out in this Subchapter I apply to principal and
22 accessory uses permitted outright in ~~((single family))~~ neighborhood residential zones.

23 * * *

1 Section 41. Section 23.44.010 of the Seattle Municipal Code, last amended by Ordinance
2 126157, is amended as follows:

3 **23.44.010 Minimum lot area and lot coverage**

4 A. Minimum lot area. The minimum lot area in ((single-family)) neighborhood
5 residential zones shall be as provided in Table A for 23.44.010:

Table A for 23.44.010	
Minimum lot area	
Zone	Minimum lot area required
((SF 9600)) <u>NR1</u>	9,600 square feet
((SF 7200)) <u>NR2</u>	7,200 square feet
((SF 5000)) <u>NR3</u>	5,000 square feet
RSL	No minimum lot area ¹

Footnote to Table A for 23.44.010
¹ In RSL zones, there is no minimum lot area; however, the maximum number of dwelling units on a lot is limited by the density limits in subsection 23.44.017.B.

6
7 Submerged lands shall not be counted in calculating the area of lots for the purpose of
8 these minimum lot area requirements, or the exceptions to minimum lot area requirements
9 provided in this Section 23.44.010. A parcel that does not meet the minimum lot area
10 requirements or exceptions of this Section 23.44.010, and that is in common ownership with an
11 abutting lot when the abutting lot is the subject of any permit application, shall be included as a
12 part of the abutting lot for purposes of the permit application.

13 B. Exceptions to minimum lot area requirements. The following exceptions to minimum
14 lot area requirements are allowed in ((SF 5000, SF 7200, and SF 9600)) NR1, NR2, and NR3
15 zones, subject to the requirements in subsection 23.44.010.B.2, and further subject to the
16 requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square feet in area:

17 1. A lot that does not satisfy the minimum lot area requirements of its zone may
18 be developed or redeveloped under one of the following circumstances:

1 a. "The Seventy-Five/Eighty Rule." The Seventy-Five/Eighty Rule
2 exception may be applied to allow separate development of lots already in existence in their
3 current configuration, or new lots resulting from a full subdivision, short subdivision, or lot
4 boundary adjustment. In order to qualify for this exception, the lot must have an area at least 75
5 percent of the minimum required for the zone and also at least 80 percent of the mean area of the
6 lots within the same block front, subject to the following provisions:

7 1) To be counted as a separate lot for the purposes of calculating
8 the mean area of the lots on a block front, a lot must be entirely within a ((~~single family~~)
9 neighborhood residential zone, and must be currently developed as a separate building site or
10 else currently qualify for separate development based on facts in existence as of the date a
11 building permit, full or short subdivision, or lot boundary adjustment application is filed with the
12 Department. The existence of structures or portions of structures on the property that is the
13 subject of the application may be disregarded when the application indicates the structures or
14 portions of structures will be demolished. In cases where this exception is applied for the purpose
15 of a lot boundary adjustment, the calculation shall be based on the existing lots as they are
16 configured before the adjustment.

17 2) To be counted as a separate lot for the purposes of calculating
18 the mean area of the lots on a block front, a lot must have at least 10 feet of frontage on the street
19 the calculation is applied to.

20 3) Publicly owned properties and public or private lots developed
21 with non-residential uses such as parks or institutional uses may be excluded from the
22 calculation. There must, however, be at least one lot on the block front used for the calculation
23 other than the property that is the subject of the platting, lot boundary adjustment, or building

1 permit application that this exception is being applied to.

2 4) If property is to be subdivided or its lot lines are modified by a
3 lot boundary adjustment that increases the number of lots that qualify for separate development,
4 the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall
5 be excluded from the block front mean area calculation.

6 5) For purposes of this subsection 23.44.010.B.1.a, if the platting
7 pattern is irregular, the Director will determine which lots are included within a block front.

8 6) If an existing or proposed lot has frontage on more than one
9 street, the lot may qualify for this exception based on the calculation being applied to any street
10 on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets
11 but does not have 30 feet of frontage on any street, the exception may be applied based on the
12 calculation along the street on which the lot has the most frontage, provided the lot has at least
13 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but
14 equal frontage on multiple streets, the rule may be applied based on the calculation along any
15 one of the streets, provided the lot has at least 10 feet of frontage on that street.

16 7) New lots created pursuant to subsection 23.44.010.B.1.a shall
17 comply with the following standards:

18 a) For a lot that is subdivided or short platted, the
19 configuration requirements of subsections 23.22.100.C.3 and 23.24.040.A.9 or with the
20 modification provisions of subsections 23.22.100.D and 23.24.040.B, as applicable; or

21 b) For an existing lot that is reconfigured under the
22 provisions of Chapter 23.28, the configuration requirements of subsection 23.28.030.A.3 or with
23 the modification provisions of subsection 23.28.030.A.4.

1 b. The lot area deficit is the result of a dedication or sale of a portion of the
2 lot to the City or state for street or highway purposes, payment was received for only that portion
3 of the lot, and the lot area remaining is at least 2,500 square feet.

4 c. The lot would qualify as a legal building site under subsection
5 23.44.010.B but for a reduction in the lot area due to court-ordered adverse possession, and the
6 amount by which the lot was so reduced was less than ten percent of the former area of the lot.
7 This exception does not apply to lots reduced to less than 2,500 square feet.

8 d. The historic lot exception. The historic lot exception may be applied to
9 allow separate development of lots already in existence if the lot has an area of at least 2,500
10 square feet, and was established as a separate building site in the public records of the county or
11 City prior to July 24, 1957, by deed, contract of sale, platting, or building permit. The qualifying
12 lot shall be subject to the following provisions:

13 1) A lot is considered to have been established as a separate
14 building site by deed if the lot was held under separate ownership from all abutting lots for at
15 least one year after the date the recorded deed transferred ownership. A lot is considered to have
16 been established as a separate building site by contract of sale only if that sale would have
17 caused the property to be under separate ownership from all abutting lots.

18 2) If two contiguous lots have been held in common ownership at
19 any time after January 18, 1987, and a principal structure extends onto or over both lots, neither
20 lot qualifies for the exception. If the principal structure does not extend onto or over both lots,
21 but both lots were required to meet development standards other than parking requirements in
22 effect at the time the structure was built or expanded, neither lot qualifies for the exception
23 unless the vacant lot is not needed to meet current development standards other than parking

1 requirements. If the combined property fronts on multiple streets, the orientation of the principal
2 structure shall not be considered when determining if it could have been built to the same
3 configuration without using the vacant lot or lots as part of the principal structure's building site.

4 3) Lots that do not otherwise qualify for this exception cannot
5 qualify as a result of all or part of a principal structure being removed or destroyed by fire or act
6 of nature that occurred on or after January 18, 1987. Lots may, however, qualify as a result of
7 removing from the principal structure minor features that do not contain enclosed interior space,
8 including but not limited to eaves and unenclosed decks.

9 4) If parking for an existing principal structure on one lot has been
10 provided on an abutting lot and parking is required under Chapter 23.54 the required parking for
11 the existing house shall be relocated onto the same lot as the existing principal structure in order
12 for either lot to qualify for the exception.

13 e. The lot is within a clustered housing planned development pursuant to
14 Section 23.44.024, a planned residential development pursuant to Section 23.44.034, or a
15 development approved as an environmentally critical areas conditional use pursuant to Section
16 25.09.260.

17 f. If a lot qualifies for an exception to the lot area requirement under
18 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or
19 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that
20 also qualify for separate development may be adjusted through the lot boundary adjustment
21 process if the adjustment maintains the existing lot areas, increases the area of a qualifying
22 substandard lot without reducing another lot below the minimum permitted lot area, or causes the
23 areas of the lots to become more equal provided the number of parcels qualifying for separate

1 development is not increased.

2 2. Limitations

3 a. Development may occur on a substandard lot containing a riparian
4 corridor, a wetland and wetland buffer, or a steep slope and steep slope buffer pursuant to the
5 provisions of Chapter 25.09 or containing priority freshwater habitat or priority saltwater habitat
6 described in Section 23.60A.160, only if one of the following conditions applies:

7 1) The substandard lot is not held in common ownership with an
8 abutting lot or lots at any time after October 31, 1992, or

9 2) The substandard lot is held in common ownership with an
10 abutting lot or lots, or has been held in common ownership at any time after October 31, 1992, if
11 proposed and future development will not intrude into the environmentally critical area or buffer
12 or priority freshwater habitat or priority saltwater habitat described in Section 23.60A.160.

13 b. Lots on totally submerged lands do not qualify for any minimum lot
14 area exceptions.

15 3. Special exception review for lots less than 3,200 square feet in area. A special
16 exception Type II review as provided for in Section 23.76.006 is required for separate
17 development of any lot that has not been previously developed as a separate lot and has an area
18 less than 3,200 square feet that qualifies for any lot area exception in subsection 23.44.010.B.1.
19 The special exception application shall be subject to the following provisions:

20 a. The depth of any structure on the lot shall not exceed two times the
21 width of the lot. If a side yard easement is provided according to subsection 23.44.014.C.3, the
22 portion of the easement within 5 feet of the structure on the lot qualifying under this subsection
23 23.44.010.B.3 may be treated as a part of that lot solely for the purpose of determining the lot

width for purposes of complying with this subsection 23.44.010.B.3.a.

b. Windows in a proposed principal structure facing an existing abutting lot that is developed with a house shall be placed in manner that takes into consideration the interior privacy in abutting houses, provided that this subsection 23.44.010.B.3.b shall not prohibit placing a window in any room of the proposed house.

c. In approving a special exception review, additional conditions may be imposed that address window placement to address interior privacy of existing abutting houses.

C. Maximum lot coverage

1. The maximum lot coverage permitted for principal and accessory structures is as provided in Table B for 23.44.010.

Table B for 23.44.010 Maximum lot coverage		
Zone	Lot size	Maximum lot coverage
((SF 5000, SF 7200, and SF 9600)) <u>NR1, NR2, and NR3</u>	Less than 5,000 square feet	1,000 square feet plus 15 percent of lot area
	5,000 square feet or more	35 percent of lot area
RSL	All lots	50 percent of lot area

2. For purposes of computing maximum lot coverage, only those portions of a lot that measure at least 10 feet in all directions shall be included in lot coverage calculations, except for portions of a lot that are used for access or that are granted a waiver under subsections 23.22.100.D, 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.

* * *

Section 42. Section 23.44.011 of the Seattle Municipal Code, last amended by Ordinance 125854, is amended as follows:

23.44.011 Floor area in ((~~single-family~~)) neighborhood residential zones

A. Gross floor area. In ((~~single-family~~)) neighborhood residential zones, gross floor area

1 includes exterior corridors, breezeways, and stairways that provide building circulation and
2 access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with
3 a single dwelling unit or sleeping room and that are not used for common circulation, and
4 ground-level walking paths, are not considered gross floor area.

5 B. Floor area ratio (FAR) limits.

6 1. The FAR limit on lots developed with a single-family dwelling unit as the
7 principal use in (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones, is 0.5, except
8 that lots with less than 5,000 square feet of lot area can include up to 2,500 square feet of total
9 chargeable floor area. The applicable FAR limit applies to the total chargeable floor area of all
10 structures on the lot.

11 2. The FAR limit in RSL zones is 0.75. The applicable FAR limit applies to the
12 total chargeable floor area of all structures on the lot.

13 C. The following floor area is exempt from FAR limits:

14 1. All stories, or portions of stories, that are underground.

15 2. All portions of a story that extend no more than 4 feet above existing or
16 finished grade, whichever is lower, excluding access.

17 3. In (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones:

18 a. Any floor area contained in an accessory dwelling unit;

19 b. Either up to 500 additional square feet of floor area in any accessory
20 structure that is not a detached accessory dwelling unit, or up to 250 square feet of floor area in
21 an attached garage.

22 4. In RSL zones, 50 percent of floor area contained in structures built prior to
23 January 1, 1982, as single-family dwelling units that will remain in residential use, regardless of

1 the number of dwelling units within the existing structure, provided the exemption is limited to
2 the gross square footage in the single-family dwelling unit as of January 1, 1982.

3 D. In (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones, additions to a
4 single-family dwelling unit existing on the effective date of the ordinance introduced as Council
5 Bill 119544 may exceed the FAR limit in subsection 23.44.011.B.1 if the addition adds floor
6 area equal to or less than 20 percent of the floor area that existed on the effective date of the
7 ordinance introduced as Council Bill 119544. Only one addition to any single-family dwelling
8 unit may be exempted under this subsection 23.44.011.D.

9 Section 43. Section 23.44.012 of the Seattle Municipal Code, last amended by Ordinance
10 125791, is amended as follows:

11 **23.44.012 Height limits**

12 A. Maximum height established. The provisions of this Section 23.44.012 apply in
13 (~~single family~~) neighborhood residential zones, except as provided elsewhere in the Land Use
14 Code for specific types of structures or structures in particular locations.

15 1. Except as provided in subsections 23.44.012.A.2 and 23.44.012.A.3, the
16 maximum permitted height for any structure not located in a required yard is 30 feet.

17 2. In (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones, the
18 maximum permitted height for any structure on a lot 30 feet or less in width is 25 feet.

19 3. In (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones, for a lot or
20 unit lot of any width, if the area of the largest rectangle or other quadrilateral that can be drawn
21 within the lot lines of the lot or unit lot is less than 3,200 square feet the maximum permitted
22 height for any structure on that lot shall be 18 feet. Additional height shall be allowed, subject to
23 the limit that would otherwise apply under subsections 23.44.012.A.1 and 23.44.012.A.2,

1 provided that the elevation at the top of the exterior walls of the structure, exclusive of pitched
2 roofs, does not exceed the average of the elevations at the tops of the walls of single-family
3 residences on abutting lots within the same zone. The limit of this subsection 23.44.012.A.3 shall
4 not apply to additions to single-family residences existing as of February 1, 2013, that do not
5 exceed the greater of 1,000 square feet of new gross floor area or the amount of gross floor area
6 on any one floor of the existing house.

7 * * *

8 Section 44. Section 23.44.013 of the Seattle Municipal Code, enacted by Ordinance
9 117383, is amended as follows:

10 **23.44.013 Transportation concurrency level-of-service standards.**

11 Proposed uses in ~~((single-family))~~ neighborhood residential zones shall meet the
12 transportation concurrency level-of-service standards prescribed in Chapter 23.52.

13 Section 45. Section 23.44.014 of the Seattle Municipal Code, last amended by Ordinance
14 126157, is amended as follows:

15 **23.44.014 Yards**

16 A. General

17 1. Yards are required for every lot in a ~~((single-family))~~ neighborhood residential
18 zone.

19 2. In the case of a through lot, each yard abutting a street, except a side yard, shall
20 be a front yard. Rear yard provisions shall not apply to the through lot, except pursuant to
21 Section 23.40.030 or 23.40.035.

22 3. Setbacks from a street or alley may be required in order to meet the provisions
23 of Section 23.53.015.

1 4. Setbacks from access easements may also be required for principal structures
2 according to the standards in subsections 23.53.025.C.2 and 23.53.025.D.6.

3 B. Required yards for ((single family)) neighborhood residential zones are shown in
4 Table A for 23.44.014.

Table A for 23.44.014 Required yards in ((single family)) <u>neighborhood residential</u> zones		
Yard	((SF 5000, SF 7200, and SF 9600)) NR1, NR2, and NR3	RSL
Front	20 feet or the average of the front yards of the single-family structures on either side, whichever is less ¹	10 feet
Rear	25 feet or 20 percent of lot depth, whichever is less, except that it may never be less than 10 feet ²	10 feet except that, if the rear yard abuts an alley, there is no rear yard requirement
Side	5 feet ^{3, 4, 5}	5 feet ⁵

Footnotes to Table A for 23.44.014

¹ If the natural gradient or slope (as measured from the front line of the lot for a distance of 60 feet or the full depth of the lot, whichever is less) is in excess of 35 percent, the required front yard depth shall be the lesser of: 20 feet less 1 foot for each one percent of gradient or slope in excess of 35 percent; or the average of the front yards on either side.

² If the rear lot line abuts an alley, the centerline of the alley between the side lot lines extended shall be assumed to be the rear lot line for purposes of the provision of rear yard and the determination of lot depth; provided, that at no point shall the principal structure be closer than 5 feet to the alley.

³ In the case of a reversed corner lot, the key lot of which is in a ((single family)) neighborhood residential zone, the width of the side yard on the street side of the reversed corner lot shall not be less than 10 feet.

⁴ If any side street lot line is a continuation of the front lot line of an abutting ((single family)) neighborhood residential zoned lot, whether or not separated by an alley, the width of the street side yard shall not be less than 10 feet.

⁵ No side yard is required from a side lot line that abuts an alley.

5
6 C. Exceptions from standard yard requirements. No structure shall be placed in a required
7 yard except as follows:

8 1. Garages. Attached and detached garages may be located in a required yard
9 subject to the standards of Section 23.44.016.

10 2. Certain accessory structures in side and rear yards

1 a. Except for detached accessory dwelling units, any accessory structure
2 that complies with the requirements of Section 23.44.040 may be constructed in a side yard that
3 abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed corner
4 lot within 5 feet of the key lot and not abutting the front yard of the key lot, upon recording with
5 the King County Recorder's Office an agreement to this effect between the owners of record of
6 the abutting properties.

7 b. Except for detached accessory dwelling units, any detached accessory
8 structure that complies with the requirements of Section 23.44.040 may be located in a rear yard,
9 provided that on a reversed corner lot, no accessory structure shall be located in that portion of
10 the required rear yard that abuts the required front yard of the adjoining key lot, nor shall the
11 accessory structure be located closer than 5 feet from the key lot's side lot line unless the
12 provisions of subsections 23.44.014.C.2.a or 23.44.016.D.9 apply.

13 c. A detached accessory dwelling unit may be located in a rear yard
14 subject to the requirements of subsection 23.44.041.C.

15 3. A principal residential structure or a detached accessory dwelling unit may
16 extend into one side yard if an easement is provided along the side or rear lot line of the abutting
17 lot, sufficient to leave a 10-foot separation between that structure and any principal structure or
18 detached accessory dwelling unit on the abutting lot. The 10-foot separation shall be measured
19 from the wall of the principal structure or the wall of the detached accessory dwelling unit that is
20 proposed to extend into a side yard to the wall of the principal structure or detached accessory
21 dwelling unit on the abutting lot.

22 a. No structure or portion of a structure may be built on either lot within
23 the 10-foot separation, except as provided in this Section 23.44.014.

1 b. Accessory structures, other than detached accessory dwelling units, and
2 features of and projections from principal structures, such as porches, eaves, and chimneys, are
3 permitted in the 10-foot separation area required by this subsection 23.44.014.C.3 if otherwise
4 allowed in side yards by this subsection 23.44.014.C. For purposes of calculating the distance a
5 structure or feature may project into the 10-foot separation, assume the property line is 5 feet
6 from the wall of the principal structure or detached accessory dwelling unit proposed to extend
7 into a side yard and consider the 5 feet between the wall and the assumed property line to be the
8 required side yard.

9 c. Notwithstanding subsection 23.44.014.C.3.b, no portion of any
10 structure, including eaves or any other projection, shall cross the actual property line.

11 d. The easement shall be recorded with the King County Recorder's
12 Office. The easement shall provide access for normal maintenance activities to the principal
13 structure on the lot with less than the required 5-foot side yard.

14 4. Certain additions. Certain additions to an existing single-family structure, or an
15 existing accessory structure if being converted to a detached accessory dwelling unit, may extend
16 into a required yard if the existing single-family structure or existing accessory structure is
17 already nonconforming with respect to that yard. The presently nonconforming portion must be
18 at least 60 percent of the total width of the respective facade of the structure prior to the addition.
19 The line formed by the existing nonconforming wall of the structure is the limit to which any
20 additions may be built, except as described in subsections 23.44.014.C.4.a through
21 23.44.014.C.4.e. Additions may extend up to the height limit and may include basement
22 additions. New additions to the nonconforming wall or walls shall comply with the following
23 requirements (Exhibit A for 23.44.014):

1 a. Side yard. If the addition is a side wall, the existing wall line may be
2 continued by the addition except that in no case shall the addition be closer than 3 feet to the side
3 lot line;

4 b. Rear yard. If the addition is a rear wall, the existing wall line may be
5 continued by the addition except that in no case shall the addition be closer than 20 feet to the
6 rear lot line or centerline of an alley abutting the rear lot line or, in the case of an existing
7 accessory structure being converted to a detached accessory dwelling unit, 3 feet to the rear lot
8 line;

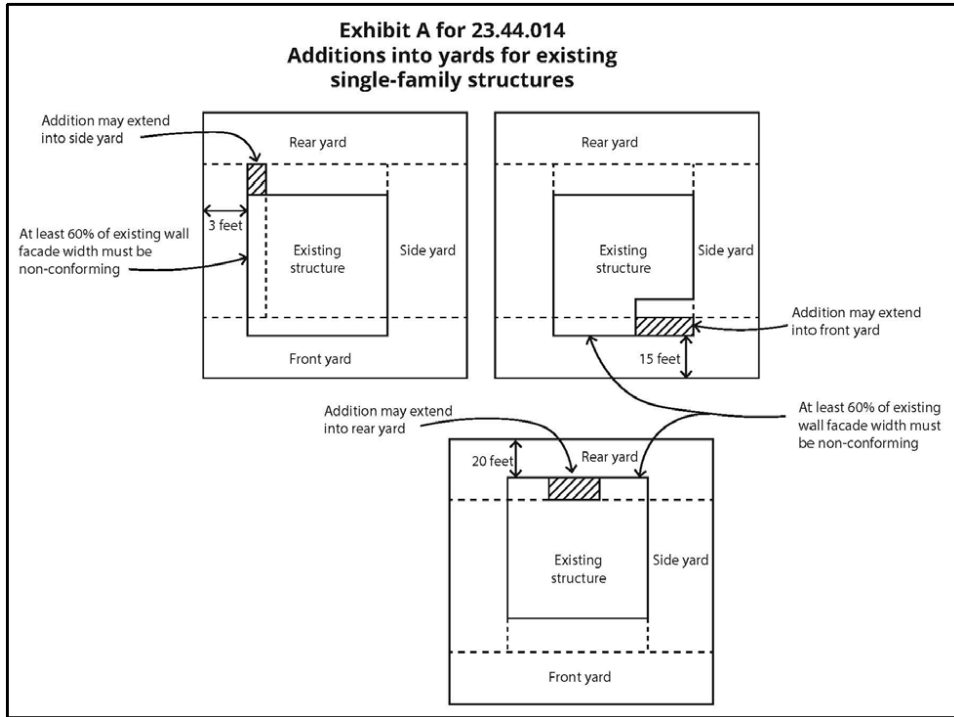
9 c. Front yard. If the addition is a front wall, the existing wall line may be
10 continued by the addition except that in no case shall the addition be closer than 15 feet to the
11 front lot line;

12 d. If the nonconforming wall of the single-family structure is not parallel
13 or is otherwise irregular, relative to the lot line, then the Director shall determine the limit of the
14 wall extension, except that the wall extension shall not be located closer than specified in
15 subsections 23.44.014.C.4.a, 23.44.014.C.4.b, and 23.44.014.C.4.c.

16 e. Roof eaves, gutters, and chimneys on such additions may extend an
17 additional 18 inches into a required yard, but in no case shall such features be closer than 2 feet
18 to the side lot line.

19 **Exhibit A for 23.44.014**

20 **Additions into yards for existing single-family structures**



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5. Uncovered porches or steps. Uncovered, unenclosed porches or steps may project into any required yard, if the surface of porches or steps are no higher than 4 feet above existing grade, no closer than 3 feet to any side lot line, and has a width and depth no greater than 6 feet within the required yard. For each entry to a principal structure, one uncovered, unenclosed porch and/or associated steps are permitted in the required yards.

6. Certain features of a structure. Unless otherwise provided elsewhere in this Chapter 23.44, certain features of a principal or accessory structure, except for accessory dwelling units, may extend into required yards if they comply with the following:

a. External architectural details with no living area, such as chimneys, eaves, cornices, and columns, may project no more than 18 inches into any required yard;

b. Bay windows are limited to 8 feet in width and may project no more than 2 feet into a required front, rear, and street side yard;

c. Other projections that include interior space, such as garden windows,

1 may extend no more than 18 inches into any required yard, starting a minimum of 30 inches
2 above finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

3 d. The combined area of features permitted by subsections
4 23.44.014.C.6.b and 23.44.014.C.6.c may comprise no more than 30 percent of the area of the
5 facade.

6 7. Unenclosed decks and roofs over patios. Unenclosed decks and roofs over
7 patios, if attached to a principal structure or a detached accessory dwelling unit, may extend into
8 the required rear yard, but shall not be within 12 feet of the centerline of any alley, or within 5
9 feet of any rear lot line that is not an alley lot line, or closer to any side lot line in the required
10 rear yard than the side yard requirement of the principal structure along that side, or closer than 5
11 feet to any accessory structure. The height of the roof over unenclosed decks and patios shall not
12 exceed 12 feet. The roof over such decks or patios shall not be used as a deck.

13 8. Access bridges. Uncovered, unenclosed access bridges are permitted as
14 follows:

15 a. Pedestrian bridges 5 feet or less in width, and of any height necessary
16 for access, are permitted in required yards, except that in side yards an access bridge must be at
17 least 3 feet from any side lot line.

18 b. A driveway access bridge is permitted in the required yard abutting the
19 street if necessary for access to parking. The vehicular access bridge shall be no wider than 12
20 feet for access to one parking space or 18 feet for access to two or more parking spaces and of
21 any height necessary for access. The driveway access bridge may not be located closer than 5
22 feet to an adjacent property line.

23 9. Barrier-free access. Access facilities for the disabled and elderly that comply

1 with Washington State Building Code Chapter 11 are permitted in any required yard.

2 10. Freestanding structures and bulkheads

3 a. Fences, freestanding walls, bulkheads, signs, and similar structures 6
4 feet or less in height above existing or finished grade, whichever is lower, may be erected in any
5 required yard. The 6-foot height may be averaged along sloping grade for each 6-foot-long
6 segment of the fence, but in no case may any portion of the fence exceed 8 feet. Architectural
7 features may be added to the top of the fence or freestanding wall above the 6-foot height if the
8 features comply with the following: horizontal architectural feature(s), no more than 10 inches
9 high, and separated by a minimum of 6 inches of open area, measured vertically from the top of
10 the fence, are permitted if the overall height of all parts of the structure, including post caps, is
11 no more than 8 feet. Averaging the 8-foot height is not permitted. Structural supports for the
12 horizontal architectural feature(s) may be spaced no closer than 3 feet on center.

13 b. The Director may allow variation from the development standards listed
14 in subsection 23.44.014.C.10.a, according to the following:

- 15 1) No part of the structure may exceed 8 feet; and
16 2) Any portion of the structure above 6 feet shall be predominately
17 open, such that there is free circulation of light and air.

18 c. Bulkheads and retaining walls used to raise grade may be placed in any
19 required yard when limited to 6 feet in height, measured above existing grade. A guardrail no
20 higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of
21 February 20, 1982. If a fence is placed on top of a new bulkhead or retaining wall, the maximum
22 combined height is limited to 9 1/2 feet.

23 d. Bulkheads and retaining walls used to protect a cut into existing grade

1 may be placed in any required yard when limited to the minimum height necessary to support the
2 cut. If the bulkhead or retaining wall is measured from the low side and it exceeds 6 feet, an open
3 guardrail of no more than 42 inches meeting Building Code requirements may be placed on top
4 of the bulkhead or retaining wall. If the bulkhead or retaining wall is 6 feet or less, a fence may
5 be placed on top up to a maximum combined height of 9.5 feet for both fence and bulkhead or
6 retaining wall.

7 e. If located in shoreline setbacks or in view corridors in the Shoreline
8 District as regulated in Chapter 23.60A, structures shall not obscure views protected by Chapter
9 23.60A, and the Director shall determine the permitted height.

10 11. Decks in yards. Decks no higher than 18 inches above existing or finished
11 grade, whichever is lower, may extend into required yards.

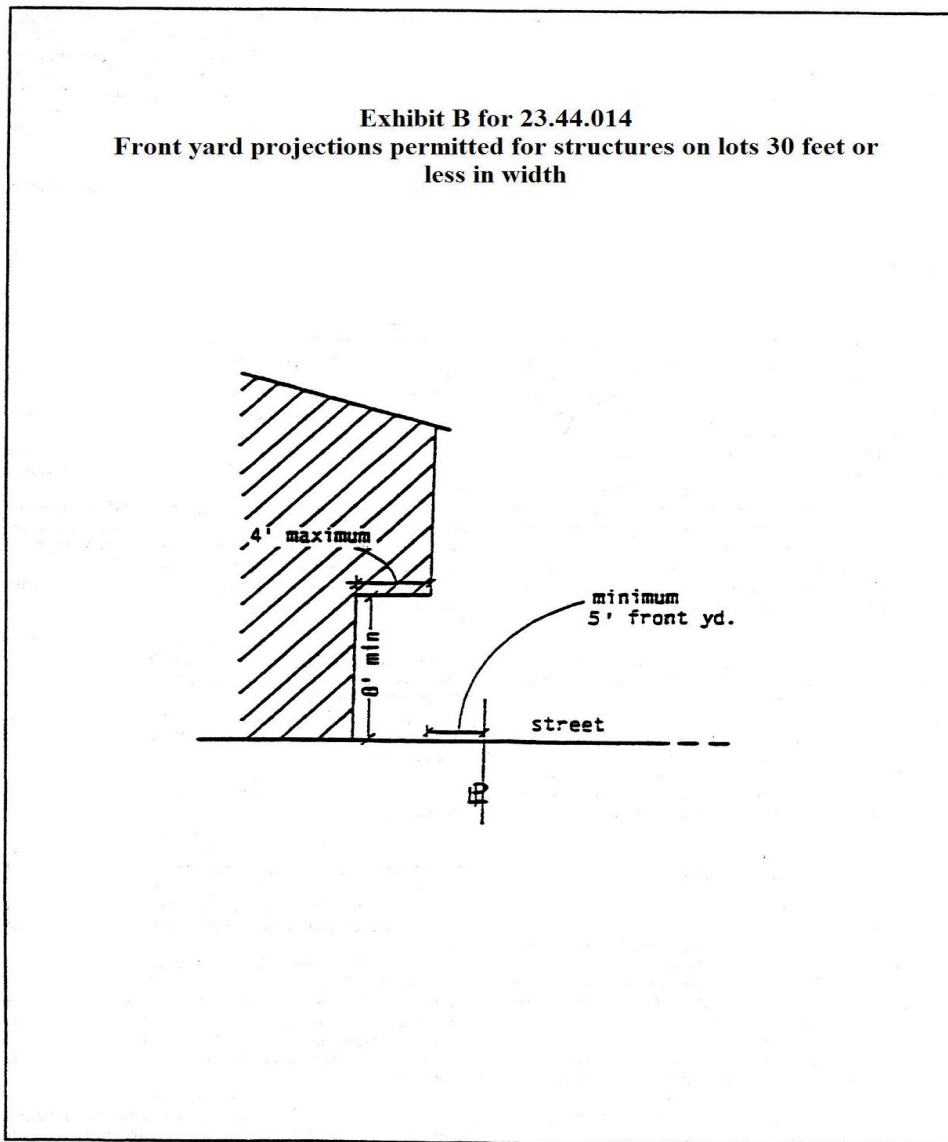
12 12. Mechanical equipment. Heat pumps and similar mechanical equipment, not
13 including incinerators, are permitted in required yards if they comply with the requirements of
14 Chapter 25.08. Any heat pump or similar equipment shall not be located within 3 feet of any lot
15 line. Charging devices for electric cars are considered mechanical equipment and are permitted
16 in required yards if not located within 3 feet of any lot line.

17 13. Solar collectors. Solar collectors may be located in required yards, subject to
18 the provisions of Section 23.44.046.

19 14. Front yard projections for structures on lots 30 feet or less in width. For a
20 structure on a lot in an (~~SF 5000, SF 7200, or SF 9600~~) NR1, NR2, or NR3 zone that is 30 feet
21 or less in width, portions of the front facade that begin 8 feet or more above finished grade may
22 project up to 4 feet into the required front yard, provided that no portion of the facade, including
23 eaves and gutters, shall be closer than 5 feet to the front lot line (Exhibit B for 23.44.014), and

1 provided further that no portion of the facade of an existing structure that is less than 8 feet or
2 more above finished grade already projects into the required front yard.

3 **Exhibit B for 23.44.014**
4 **Front yard projections permitted for structures on lots 30 feet or less in width**



5
6 15. Front and rear yards may be reduced by 25 percent, but no more than 5 feet, if
7 the site contains a required environmentally critical area buffer or other area of the property that
8 cannot be disturbed pursuant to subsection 25.09.280.A.

1 16. Arbors. Arbors may be permitted in required yards under the following
2 conditions:

3 a. In any required yard, an arbor may be erected with no more than a 40-
4 square-foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum
5 height of 8 feet. Both the sides and the roof of the arbor shall be at least 50 percent open, or if
6 latticework is used, there shall be a minimum opening of 2 inches between crosspieces.

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

12 17. Stormwater management

13 a. Above-grade green stormwater infrastructure (GSI) features are allowed
14 without yard restrictions if:

15 1) Each above-grade GSI feature is no more than 4.5 feet tall,
16 excluding piping;

17 2) Each above-grade GSI feature is no more than 4 feet wide; and

18 3) The total storage capacity of all above-grade GSI features is no
19 greater than 600 gallons.

20 b. Above-grade GSI features larger than what is allowed in subsection
21 23.44.014.C.17.a are allowed within a required yard if:

22 1) Above-grade GSI features do not exceed ten percent coverage of
23 any one yard area;

1 2) No portion of an above-grade GSI feature is located closer than
2 3 feet from a side lot line;

3 3) No portion of an above-grade GSI feature is located closer than
4 20 feet from a rear lot line or centerline of an alley abutting the rear lot line; and

5 4) No portion of an above-grade GSI feature is located closer than
6 15 feet from the front lot line.

7 18. A structure may be permitted to extend into front and rear yards as necessary
8 to protect exceptional trees and trees over 2 feet in diameter pursuant to Section 25.11.060.

9 19. Below grade structures. Structures below grade, measured from existing or
10 finished grade, whichever is lower, may be located below required yards.

11 * * *

12 Section 46. Section 23.44.016 of the Seattle Municipal Code, last amended by Ordinance
13 126157, is amended as follows:

14 **23.44.016 Parking and garages**

15 * * *

16 D. Parking and garages in required yards. Parking and garages are regulated as described
17 in subsections 23.44.016.D.1 through 23.44.016.D.12. Unless otherwise specified, the terms
18 "garage" or "garages" as used in this subsection 23.44.016.D refer to both attached and detached
19 garages.

20 1. Parking and garages shall not be located in the required front yard except as
21 provided in subsections 23.44.016.D.7, 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and
22 23.44.016.D.12.

23 2. Parking and garages shall not be located in a required side yard abutting a street

1 or the first 10 feet of a required rear yard abutting a street except as provided in subsections
2 23.44.016.D.7, 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

3 3. Garages shall not be located in a required side yard that abuts the rear or side
4 yard of another lot or in that portion of the rear yard of a reversed corner lot within 5 feet of the
5 key lot's side lot line unless:

6 a. The garage is a detached garage and extends only into that portion of a
7 side yard that is either within 35 feet of the centerline of an alley or within 25 feet of any rear lot
8 line that is not an alley lot line; or

9 b. An agreement between the owners of record of the abutting properties,
10 authorizing the garage in that location, is executed and recorded, pursuant to subsection
11 23.44.014.C.2.a.

12 4. Detached garages with vehicular access facing an alley shall not be located
13 within 12 feet of the centerline of the alley except as provided in subsections 23.44.016.D.9,
14 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

15 5. Attached garages shall not be located within 12 feet of the centerline of any
16 alley, nor within 12 feet of any rear lot line that is not an alley lot line, except as provided in
17 subsections 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

18 6. On a reversed corner lot, no garage shall be located in that portion of the
19 required rear yard that abuts the required front yard of the adjoining key lot unless the provisions
20 of subsection 23.44.016.D.9 apply.

21 7. If access to required parking passes through a required yard, automobiles,
22 motorcycles, and similar vehicles may be parked on the open access located in a required yard.

23 8. Trailers, boats, recreational vehicles, and similar equipment shall not be parked

1 in required front and side yards or the first 10 feet of a rear yard measured from the rear lot line,
2 or measured 10 feet from the centerline of an alley if there is an alley adjacent to the rear lot line,
3 unless fully enclosed in a structure otherwise allowed in a required yard by this subsection
4 23.44.016.D.

5 9. Lots with uphill yards abutting streets. In ((~~SF 5000, SF 7200, and SF 9600~~)
6 NR1, NR2, and NR3 zones, parking for one two-axle or one up to four-wheeled vehicle may be
7 established in a required yard abutting a street according to subsection 23.44.016.D.9.a or
8 23.44.016.D.9.b only if access to parking is permitted through that yard pursuant to subsection
9 23.44.016.B.

10 a. Open parking space

11 1) The existing grade of the lot slopes upward from the street lot
12 line an average of at least 6 feet above sidewalk grade at a line that is 10 feet from the street lot
13 line; and

14 2) The parking area shall be at least an average of 6 feet below the
15 existing grade prior to excavation and/or construction at a line that is 10 feet from the street lot
16 line; and

17 3) The parking space shall be no wider than 10 feet for one parking
18 space at the parking surface and no wider than 20 feet for two parking spaces if permitted as
19 provided in subsection 23.44.016.D.12.

20 b. Terraced garage

21 1) The height of a terraced garage is limited to no more than 2 feet
22 above existing or finished grade, whichever is lower, for the portions of the garage that are 10
23 feet or more from the street lot line. The ridge of a pitched roof on a terraced garage may extend

1 up to 3 feet above this 2-foot height limit. All parts of the roof above the 2-foot height limit shall
2 be pitched at a rate of not less than 4:12. No portion of a shed roof shall be permitted to extend
3 beyond the 2-foot height limit of this provision. Portions of a terraced garage that are less than 10
4 feet from the street lot line shall comply with the height standards in subsection 23.44.016.E.2;

5 2) The width of a terraced garage structure shall not exceed 14 feet
6 for one two-axle or one up to four-wheeled vehicle, or 24 feet if permitted to have two two-axle
7 or two up to four-wheeled vehicles as provided in subsection 23.44.016.D.12;

8 3) All above ground portions of the terraced garage shall be
9 included in lot coverage; and

10 4) The roof of the terraced garage may be used as a deck and shall
11 be considered to be a part of the garage structure even if it is a separate structure on top of the
12 garage.

13 10. Lots with downhill yards abutting streets. In ((~~SF 5000, SF 7200, and SF~~
14 ~~9600~~)) NR1, NR2, and NR3 zones, parking, either open or enclosed in an attached or detached
15 garage, for one two-axle or one up to four-wheeled vehicle may be located in a required yard
16 abutting a street if the following conditions are met:

17 a. The existing grade slopes downward from the street lot line that the
18 parking faces;

19 b. For front yard parking, the lot has a vertical drop of at least 20 feet in
20 the first 60 feet, measured along a line from the midpoint of the front lot line to the midpoint of
21 the rear lot line;

22 c. Parking is not permitted in required side yards abutting a street;

23 d. Parking in a rear yard complies with subsections 23.44.016.D.2,

1 23.44.016.D.5 and 23.44.016.D.6; and

2 e. Access to parking is permitted through the required yard abutting the
3 street by subsection 23.44.016.B.

4 11. Through lots. On through lots less than 125 feet in depth in ((~~SF 5000, SF~~
5 ~~7200, and SF 9600~~)) NR1, NR2, and NR3 zones, parking, either open or enclosed in an attached
6 or detached garage, for one two-axle or one up to four-wheeled vehicle may be located in one of
7 the required front yards. The front yard in which the parking may be located shall be determined
8 by the Director based on the location of other garages or parking areas on the block. If no pattern
9 of parking location can be determined, the Director shall determine in which yard the parking
10 shall be located based on the prevailing character and setback patterns of the block.

11 12. Lots with uphill yards abutting streets or downhill or through lot front yards
12 fronting on streets that prohibit parking. In ((~~SF 5000, SF 7200, and SF 9600~~)) NR1, NR2, and
13 NR3 zones, parking for two two-axle or two up to four-wheeled vehicles may be located in
14 uphill yards abutting streets or downhill or through lot front yards as provided in subsections
15 23.44.016.D.9, 23.44.016.D.10, or 23.44.016.D.11 if, in consultation with the Seattle Department
16 of Transportation, it is found that uninterrupted parking for 24 hours is prohibited on at least one
17 side of the street within 200 feet of the lot line over which access is proposed. The Director may
18 authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary, for
19 access.

20 * * *

21 F. Appearance of garage entrances

22 1. Garage setback.

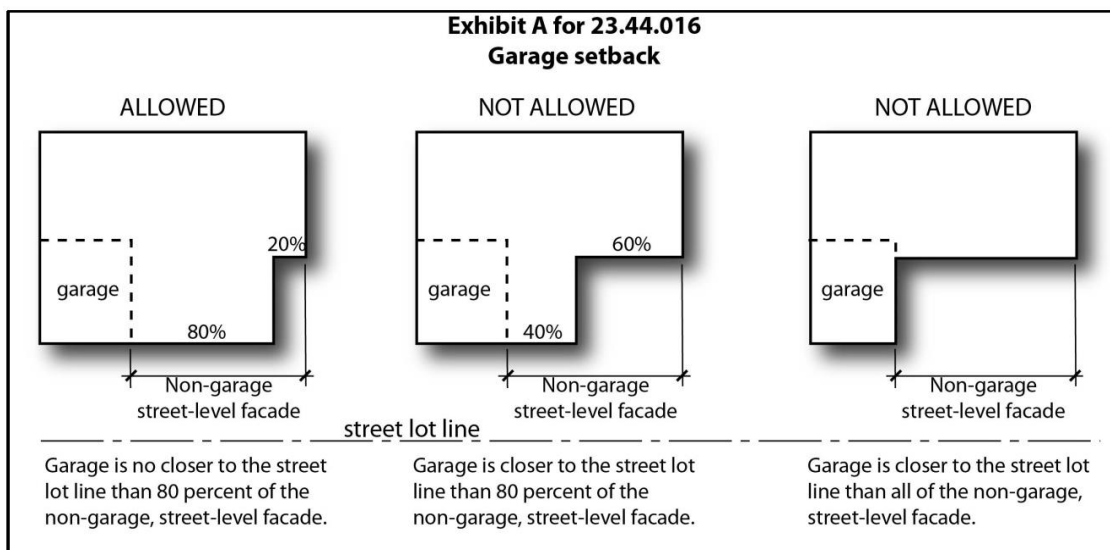
23 a. In ((~~SF 5000, SF 7200, and SF 9600~~)) NR1, NR2, and NR3 zones, no

1 portion of a garage, whether attached to a principal structure or within a detached accessory
2 structure, may be closer to the street lot line than 80 percent of the remaining non-garage, street-
3 level facade (see Exhibit A for 23.44.016) of the principal structure to which the garage is
4 accessory. If the entire street-level facade of either a principal or accessory structure is garage,
5 no portion of the garage may be closer to the street lot line than 80 percent of the facade of the
6 story above the street-level facade.

7 b. In RSL zones, garage entrances facing the street shall be set back at
8 least 18 feet from the street lot line.

9 **Exhibit A for 23.44.016**

10 **Garage setback**



11
12 2. Garage entrance width. The total combined horizontal width of all garage
13 entrances on the lot that are located on the front facade may be up to 50 percent of the horizontal
14 width of the front facade or 10 feet, whichever is greater. On corner lots, a garage entrance shall
15 be allowed on only one street-facing facade.

16 3. Exemptions

1 a. Garages allowed under subsections 23.44.016.D.9, 23.44.016.D.10,
2 23.44.016.D.11, and 23.44.016.D.12 are not subject to the standards of this subsection
3 23.44.016.F.

4 b. Garages that are set back more than 35 feet from the front lot line are
5 not subject to the standards of this subsection 23.44.016.F.

6 c. The Director may waive or modify the standards of this subsection
7 23.44.016.F based on one or more of the following factors:

- 8 1) Irregular lot shape;
- 9 2) Topography of the lot;
- 10 3) Configuration of proposed or existing structures on the lot;
- 11 4) Location of exceptional trees as defined in Section 25.11.020;

12 and

13 5) The proposed structure or addition has design features including
14 but not limited to modulation, screening, and landscaping.

15 * * *

16 Section 47. Section 23.44.017 of the Seattle Municipal Code, last amended by Ordinance
17 125854, is amended as follows:

18 **23.44.017 Density limits**

19 A. In ((~~SF 5000, SF 7200, and SF 9600~~)) NR1, NR2, and NR3 zones, only one single-
20 family dwelling unit is allowed per lot, except that up to two accessory dwelling units may also
21 be approved pursuant to Section 23.44.041, and except as approved as part of an administrative
22 conditional use permit under Section 25.09.260, a clustered housing planned development under
23 Section 23.44.024, or a planned residential development under Section 23.44.034.

1 B. The following provisions apply in RSL zones:

2 1. The minimum lot area per dwelling unit is 2,000 square feet.

3 2. Except as provided in subsection 23.44.017.B.3, when calculation of the
4 number of dwelling units allowed according to subsection 23.44.017.B.1 results in a fraction of a
5 unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over
6 0.85 constitutes one additional unit.

7 3. For lots in existence on the effective date of the ordinance introduced as
8 Council Bill 119444, if the number of dwelling units allowed according to subsection
9 23.44.017.B.2 equals less than two, two units are allowed.

10 Section 48. Section 23.44.019 of the Seattle Municipal Code, enacted by Ordinance
11 126384, is amended as follows:

12 **23.44.019 Alternative development standards for low-income housing on property owned**
13 **or controlled by a religious organization**

14 In lieu of meeting development standards contained in subsection 23.44.010.A (minimum lot
15 area), subsection 23.44.010.C (maximum lot coverage), subsection 23.44.011.B (floor area),
16 subsection 23.44.012.A (height), and Section 23.44.017 (density), a proposed development that
17 meets the requirements of Section 23.42.055 and subsection 23.44.019.A may elect to meet the
18 alternative development standards in subsection 23.44.019.B through subsection 23.44.019.F.

19 A. Lot requirements

20 1. Development on a lot that meets one of the following criteria, but does not
21 meet the additional requirements in subsection 23.44.019.A.2, may meet the alternative
22 development standards in subsection 23.44.019.B and subsection 23.44.019.D through
23 subsection 23.44.019.F:

- 1 a. The lot has or abuts a lot with a religious facility or other use accessory
2 to a religious facility; or
3 b. The lot area is 10,000 square feet or greater; or
4 c. The lot is in an RSL zone.

5 2. Development on a lot that meets the following additional requirements may
6 meet the alternative development standards in subsection 23.44.019.C and subsection
7 23.44.019.D through subsection 23.44.019.F:

- 8 a. The lot area is 10,000 square feet or greater;
9 b. The lot is in an urban village, within 1/4 mile (1,320 feet) of an urban
10 village, or within 1/4 mile (1,320 feet) of a transit stop or station served by a frequent transit
11 route on the map required by subsection 23.54.015.B.4; and

12 c. The lot meets one of the following locational criteria:

13 1) The lot abuts, is located on a block front with, or is located
14 across a right-of-way from a zone not designated a ~~((single-family))~~ neighborhood residential
15 zone; or

16 2) No lot line is located within 50 feet of a single-family dwelling
17 unit.

18 B. Proposed development on lots meeting the criteria in subsection 23.44.019.A.1 but not
19 subsection 23.44.019.A.2 may meet the following development standards:

20 1. The minimum lot area per dwelling unit is 1,500 square feet in ~~((SF 5000, SF~~
21 ~~7200, and SF 9600))~~ NR1, NR2, and NR3 zones and 1,200 square feet in RSL zones.

22 2. The maximum lot coverage is 50 percent of lot area in ~~((SF 5000, SF 7200, and~~
23 ~~SF 9600))~~ NR1, NR2, and NR3 zones and 65 percent in RSL zones.

1 3. The maximum FAR limit is 1.0 in ((~~SF 5000, SF 7200, and SF 9600~~)) NR1,
2 NR2, and NR3 zones and 1.2 in RSL zones. The applicable FAR limit applies to the total
3 chargeable floor area of all structures on the lot.

4 4. In ((~~SF 5000, SF 7200, and SF 9600~~)) NR1, NR2, and NR3 zones, the
5 maximum height for a proposed development that exceeds the maximum lot coverage limit in
6 subsection 23.44.010.C is 22 feet. The maximum height for all other developments is 30 feet.

7 C. Proposed development on lots meeting the criteria in subsection 23.44.019.A.2 may
8 meet the following development standards:

9 1. The minimum lot area per dwelling unit is 400 square feet.

10 2. The maximum lot coverage is 50 percent of lot area in ((~~SF 5000, SF 7200, and~~
11 ~~SF 9600~~)) NR1, NR2, and NR3 zones and 65 percent in RSL zones.

12 3. The maximum height limit is 40 feet in ((~~SF 5000, SF 7200, and SF 9600~~))
13 NR1, NR2, and NR3 zones and 50 feet in RSL zones.

14 4. The maximum FAR limit is 2.0 in ((~~SF 5000, SF 7200, and SF 9600~~)) NR1,
15 NR2, and NR3 zones and 3.0 in RSL zones. The applicable FAR limit applies to the total
16 chargeable floor area of all structures on the lot.

17 D. Permitted uses. In addition to the uses listed in Section 23.44.006, the following uses
18 are permitted outright on lots meeting the requirements of this Section 23.44.019: apartments,
19 cottage housing development, rowhouse development, and townhouse development.

20 E. Setback requirements. In addition to the yard requirements of Section 23.44.014, the
21 following standards apply:

22 1. No structure shall be closer than 10 feet to a side lot line of an abutting ((~~single-~~
23 ~~family zoned~~)) neighborhood residential-zoned lot.

1 2. No structure shall be closer than 20 feet to a rear lot line of an abutting (~~single-~~
2 ~~family zoned~~) neighborhood residential-zoned lot.

3 3. No structure shall be closer than 5 feet to any lot line.

4 F. Maximum facade length. The maximum combined length of all portions of a facade
5 within 20 feet of a lot line of an abutting (~~single family zoned~~) neighborhood residential-zoned
6 lot may not exceed 40 feet. Maximum facade length shall be measured as described in Section
7 23.86.015.

8 Section 49. Section 23.44.020 of the Seattle Municipal Code, last amended by Ordinance
9 125854, is amended by follows:

10 **23.44.020 Tree requirements**

11 A. Tree requirements in (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones

12 1. Trees sufficient to meet the following requirements shall be provided when
13 single-family dwelling units are constructed:

14 a. For lots over 3,000 square feet, at least 2 caliper inches of tree per 1,000
15 square feet of lot area.

16 b. On lots that are 3,000 square feet or smaller, at least 3 caliper inches of
17 tree.

18 2. Trees sufficient to meet the following requirements shall be provided when a
19 new structure, or an addition to an existing structure, containing an accessory dwelling unit is
20 constructed:

21 a. For lots that do not contain the minimum number of caliper inches of
22 tree required by subsection 23.44.020.A.1 at the time a permit application is submitted for any
23 number of accessory dwelling units, at least 2 caliper inches of tree shall be planted;

1 b. For lots that contain the minimum number of caliper inches of tree
2 required by subsection 23.44.020.A.1 at the time a permit application is submitted for any
3 number of accessory dwelling units, no new trees are required.

4 3. The minimum number of caliper inches of tree required may be met by
5 preserving existing trees, planting new trees, or by a combination of preservation and planting.
6 The preservation or planting of trees in the right-of-way may be counted, provided that they are
7 approved by the Director of Transportation.

8 4. Submerged land shall not be included in calculating lot area for purposes of
9 either the tree preservation option or tree planting option.

10 5. Tree measurements. Trees planted to meet the requirements in this subsection
11 23.44.020.A shall be at least 1.5 inches in diameter. The diameter of new trees shall be measured
12 (in caliper inches) 6 inches above the ground. Existing trees shall be measured 4.5 feet above the
13 ground. When an existing tree is 3 to 10 inches in diameter, each 1 inch counts as 1 inch toward
14 meeting the tree requirements in this subsection 23.44.020.A. When an existing tree is more than
15 10 inches in diameter, each 1 inch of the tree that is over 10 inches shall count as 3 inches toward
16 meeting the tree requirement.

17 6. Tree preservation plans. If the tree preservation option is chosen, a tree
18 preservation plan must be submitted by a certified arborist and approved. Tree preservation plans
19 shall provide for protection of trees during construction according to standards promulgated by
20 the Director.

21 7. The owner of the subject lot shall ensure that the trees planted remain healthy
22 for at least five years after inspection by the City and be responsible for replacing any trees that
23 do not remain healthy after inspection by the City.

1 * * *
2 Section 50. Section 23.44.021 of the Seattle Municipal Code, last amended by Ordinance
3 125791, is amended as follows:

4 **23.44.021 General provisions**

5 A. Only those conditional uses identified in this Subchapter II may be authorized as
6 conditional uses in ~~((single-family))~~ neighborhood residential zones. The Master Use Permit
7 Process set forth in Chapter 23.76 shall be used to authorize conditional uses.

8 * * *

9 Section 51. Section 23.44.022 of the Seattle Municipal Code, last amended by Ordinance
10 126131, is amended as follows:

11 **23.44.022 Institutions**

12 A. Institutions identified. The following institutions may be permitted as conditional uses
13 in ~~((single-family))~~ neighborhood residential zones:

- 14 Community centers
- 15 Private schools
- 16 Religious facilities
- 17 Libraries
- 18 Existing institutes for advanced study
- 19 Other similar institutions

20 The following institutions are prohibited in ~~((single-family))~~ neighborhood residential
21 zones:

- 22 Hospitals
- 23 Colleges

1 Museums

2 Private clubs

3 Vocational schools

4 B. Major Institutions. Existing major institutions and major institution uses within an
5 existing Major Institution overlay district shall be permitted in accordance with the provisions of
6 Chapter 23.69, Major Institution Overlay Districts, and the provisions of this section.

7 C. Public schools shall be permitted as regulated in Section 23.51B.002.

8 D. General provisions

9 1. New or expanding institutions in ~~((single-family))~~ neighborhood residential
10 zones shall meet the development standards for uses permitted outright in Sections 23.44.008
11 through 23.44.020 unless modified elsewhere in this subsection 23.44.022.D or in a Major
12 Institution master plan.

13 2. The establishment of a shelter for homeless youths and young adults in a
14 legally established elementary or secondary school, is not considered a new use or an expansion
15 of the institutional use provided that:

16 a. The use does not violate any condition of approval of the existing
17 institutional use;

18 b. The use does not require expansion of the existing structure;

19 c. Any new children's play area is located at least 30 feet from any other
20 lot in a ~~((single-family))~~ neighborhood residential zone, and at least 20 feet from any lot in a
21 multifamily zone;

22 d. The occupants are enrolled students of the established school.

23 3. Institutions seeking to establish or expand on property that is developed with

1 residential structures may expand their campus up to a maximum of 2 1/2 acres. An institution
2 campus may be established or expanded beyond 2 1/2 acres if the property proposed for the
3 expansion is substantially vacant land.

4 * * *

5 K. Bulk and siting

6 1. Lot area. If the proposed site is more than one acre in size, the Director may
7 require the following and similar development standards:

8 a. For lots with unusual configuration or uneven boundaries, the proposed
9 principal structures be located so that changes in potential and existing development patterns on
10 the block or blocks within which the institution is located are kept to a minimum;

11 b. For lots with large street frontage in relationship to their size, the
12 proposed institution reflect design and architectural features associated with adjacent
13 residentially-zoned block fronts in order to provide continuity of the block front and to integrate
14 the proposed structures with residential structures and uses in the immediate area.

15 2. Yards. Yards of institutions shall be as required for uses permitted outright
16 pursuant to Section 23.44.014, provided that no structure other than freestanding walls, fences,
17 bulkheads or similar structures shall be closer than 10 feet to the side lot line. If the Director
18 finds that a reduced setback will not significantly increase project impacts, including but not
19 limited to noise, odor, and the scale of the structure in relation to nearby buildings, the sideyard
20 setback may be reduced to 5 feet. Fences and freestanding walls of utility services uses,
21 regulated under this Section 23.44.022 pursuant to Section 23.51A.002, shall be set back from
22 the street lot line a minimum of 10 feet, and landscaping shall be provided between the fence or
23 wall and the right-of-way. The Director may reduce this setback after finding that the reduced

1 setback will not significantly increase project impacts, including but not limited to noise, odor,
2 and the scale of the fence, wall, or structure in relation to nearby buildings. Acceptable methods
3 to reduce fence or wall impacts include changes in the height, design or construction of the fence
4 or wall, including the use of materials, architectural detailing, artwork, vegetated trellises,
5 decorative fencing, or similar features to provide visual interest facing the street lot line. Fences
6 and walls may obstruct or allow views to the interior of a site. Where site dimensions and
7 conditions allow, applicants are encouraged to provide both a landscaped setback between the
8 fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the
9 street lot line, through the height, design or construction of the fence or wall, including the use of
10 materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar
11 features.

12 3. Institutions Located on Lots in More Than One (1) Zone Classification. For lots
13 which include more than one (1) zone classification, (~~(single-family)~~) neighborhood residential
14 zone provisions shall apply only to the (~~(single-family)~~) neighborhood residential-zoned lot area
15 involved.

16 4. Height Limit.

17 a. Religious symbols for religious institutions may extend an additional
18 twenty-five (25) feet above the height limit.

19 b. For gymnasiums and auditoriums that are accessory to an institution the
20 maximum height shall be thirty-five (35) feet if portions of the structure above thirty-five (35)
21 feet are set back at least twenty (20) feet from all property lines. Pitched roofs on a gymnasium
22 or auditorium which have a slope of not less than four to twelve (4:12) may extend ten (10) feet
23 above the thirty-five (35) foot height limit. No portion of a shed roof on a gymnasium or an

1 auditorium shall be permitted to extend beyond the thirty-five (35) foot height limit under this
2 provision.

3 5. Facade Scale. If any facade of a new or expanding institution exceeds thirty
4 (30) feet in length, the Director may require that facades adjacent to the street or a residentially
5 zoned lot be developed with design features intended to minimize the appearance of bulk. Design
6 features which may be required include, but are not limited to, modulation, architectural features,
7 landscaping or increased yards.

8 * * *

9 Section 52. Section 23.44.024 of the Seattle Municipal Code, last amended by Ordinance
10 125791, is amended as follows:

11 **23.44.024 Clustered housing planned developments**

12 Clustered housing planned developments (CHPDs) may be permitted as an administrative
13 conditional use in (~~SF 5000, SF 7200, and SF 9600~~) NR1, NR2, and NR3 zones. A CHPD is
14 intended to enhance and preserve natural features, encourage the construction of affordable
15 housing, allow for development and design flexibility, and protect and prevent harm in
16 environmentally critical areas. CHPDs shall be subject to the following provisions:

17 A. Site requirements

18 1. The minimum size of a CHPD is two acres, excluding submerged land and any
19 land designated an environmentally critical area or buffer due to the presence of a riparian
20 corridor, wetland, wetland buffer, priority habitat area, steep slope, or steep slope buffer
21 according to Chapter 25.09, Regulations for Environmentally Critical Areas.

22 2. Where portions of a site are designated an environmentally critical area or
23 buffer due to the presence of a riparian corridor, wetland, wetland buffer, priority habitat area,

1 steep slope, or steep slope buffer according to Chapter 25.09, Regulations for Environmentally
2 Critical Areas, the conditional use provisions under Section 25.09.260 shall apply, superseding
3 the standards of this Section 23.44.024.

4 3. The Director may exclude land from a CHPD if it is separated from the site by
5 topography, if it has a poor functional relationship with the site, or if including the land would
6 have a negative impact on adjacent (~~((single-family))~~) neighborhood residential zoned lots.

7 B. Type of dwelling units permitted. Only single-family dwelling units shall be permitted
8 in a CHPD.

9 C. Number of dwelling units permitted

10 1. The number of dwelling units permitted in a CHPD shall be calculated by
11 dividing the CHPD land area by the minimum lot area required in subsection 23.44.010.A for the
12 (~~((single-family))~~) neighborhood residential zone where the CHPD is located. Land that is
13 designated an environmentally critical area or buffer due to the presence of a riparian corridor,
14 wetland, wetland buffer, priority habitat area, steep slope, or steep slope buffer and submerged
15 land shall be excluded from the land used to calculate the permitted number of dwelling units in
16 a CHPD. For CHPDs located in more than one zone, the number of dwelling units shall be
17 calculated based on the proportion of land area in each zone.

18 2. Where portions of a site are designated an environmentally critical area or
19 buffer due to the presence of a riparian corridor, wetland, wetland buffer, priority habitat area,
20 steep slope, or steep slope buffer according to Chapter 25.09, Regulations for Environmentally
21 Critical Areas, the administrative conditional use provisions under Section 25.09.260 shall apply.

22 3. One additional detached single-family structure may be permitted if the
23 development includes one or more of the following facilities open to the surrounding

1 community:

2 a. Usable open space and other recreational facilities approved by the

3 Director;

4 b. Community center; and

5 c. Child care facility.

6 D. Subdivision. A CHPD may be subdivided into lots of less than the minimum area
7 required by subsection 23.44.010.A.

8 E. Yards. Yards shall be required for structures within a CHPD. For the purposes of this
9 subsection 23.44.024.E, setbacks shall be considered yards, and the provisions relating to
10 accessory structures in required yards of the applicable ((single-family)) neighborhood
11 residential zone shall apply.

12 1. Structures shall be set back a minimum distance of 20 feet from the street lot
13 line of a CHPD.

14 2. No dwelling unit in a CHPD shall be closer than 5 feet to a side lot line of an
15 abutting ((single-family)) neighborhood residential zoned lot.

16 3. No dwelling unit in a CHPD shall be closer than 25 feet to a rear lot line of an
17 abutting ((single-family)) neighborhood residential zoned lot.

18 4. No dwelling unit in a CHPD shall be closer than 5 feet to any lot line of an
19 abutting ((non-single-family)) non-neighborhood residential zoned lot.

20 5. There shall be a minimum distance of 10 feet between principal structures
21 within 100 feet of the lot line of a CHPD.

22 6. To provide a sense of privacy and to mitigate the effects of shadows between
23 structures located more than 100 feet from the lot line of a CHPD, the required separation

1 between structures in the CHPD shall vary depending on the design of the facing facades as
2 follows:

3 a. Walls of interior facades that do not have a principal entrance shall be at
4 least 10 feet apart at any point.

5 b. A principal entrance to a structure shall be at least 15 feet from the
6 nearest interior facade that does not have a principal entrance.

7 c. A principal entrance to a structure shall be at least 20 feet from the
8 nearest interior facade with a principal entrance.

9 7. The Director may increase the minimum required yards or require alternate
10 spacing or placement of structures in order to:

11 a. preserve or enhance topographical conditions;

12 b. enhance the relationship with adjacent uses and the layout of the
13 project;

14 c. promote green stormwater infrastructure and other measures to reduce
15 stormwater runoff; or

16 d. maintain a compatible scale and design with the surrounding
17 community.

18 * * *

19 Section 53. Section 23.44.028 of the Seattle Municipal Code, last amended by Ordinance
20 124378, is amended as follows:

21 **23.44.028 Structures unsuited to uses permitted outright**

22 A. Uses not otherwise permitted in the zone may be permitted as an administrative
23 conditional use in structures unsuited to uses permitted outright in ((single-family))

1 neighborhood residential zones. The determination that a use may be permitted shall be based on
2 the following factors:

- 3 1. The design of the structure is not suitable for conversion to a use permitted
4 outright in a ((~~single-family~~)) neighborhood residential zone; and
- 5 2. The structure contains more than 4,000 square feet; and
- 6 3. The proposed use will provide a public benefit.

7 * * *

8 Section 54. Section 23.44.034 of the Seattle Municipal Code, last amended by Ordinance
9 125791, is amended as follows:

10 **23.44.034 Planned residential development (PRD)**

11 Planned residential developments (PRDs) may be permitted in ((~~SF 5000, SF 7200, and SF~~
12 ~~9600~~)) NR1, NR2, and NR3 zones as a council conditional use. A PRD is intended to enhance
13 and preserve natural features, encourage the construction of affordable housing, allow for
14 development and design flexibility, promote green stormwater infrastructure and protect and
15 prevent harm in environmentally critical areas. PRDs shall be subject to the following
16 provisions:

17 A. Site requirements

18 1. The minimum size of a PRD is two acres, excluding submerged land and any
19 land designated as an environmentally critical area or buffer due to the presence of a riparian
20 corridor, wetland, wetland buffer, steep slope, or steep slope buffer according to Chapter 25.09,
21 Regulations for Environmentally Critical Areas.

22 2. The area of the site devoted to single-family uses at the time of application,
23 calculated by multiplying the number of such uses by the minimum lot area for the zone, shall

1 not exceed 20 percent of the area of the entire site.

2 3. Land that is designated as an environmentally critical area or buffer due to the
3 presence of a riparian corridor, wetland, wetland buffer, steep slope, or steep slope buffer
4 according to Chapter 25.09, Regulations for Environmentally Critical Areas, and submerged land
5 shall be excluded from the land used to calculate permitted density in a PRD.

6 4. Land may be excluded from a PRD by the Director if it is separated from the
7 site by topography, if it has a poor functional relationship with the site, or if including the land
8 would have a negative impact on adjacent ((single-family)) neighborhood residential zoned lots.

9 5. Where portions of a site are designated as an environmentally critical area or
10 buffer due to the presence of a riparian corridor, wetland, wetland buffer, steep slope, or steep
11 slope buffer according to Chapter 25.09, Regulations for Environmentally Critical Areas, the
12 conditional use provisions under Section 25.09.260 shall apply, superseding the standards of this
13 Section 23.44.034.

14 B. Type of housing permitted

15 1. Only single-family dwelling units are permitted within 100 feet of a PRD lot
16 line that abuts or is directly across the street from a ((single-family)) neighborhood residential
17 zoned lot, except as provided in this subsection 23.44.034.B.

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

1 surrounding ~~((single-family))~~ neighborhood.

2 3. Single-family dwelling units, cottage housing developments, rowhouse
3 developments, and townhouse developments are permitted when more than 100 feet from a lot
4 line of a PRD.

5 4. Cottage housing developments, rowhouse developments, and townhouse
6 developments shall meet the development standards for structures in LR1 zones, unless
7 otherwise specified in this Chapter 23.44.

8 * * *

9 E. Yards. Yards shall be required for residential structures within a PRD. For the
10 purposes of this subsection 23.44.034.E, setbacks shall be considered yards, and the provisions
11 relating to accessory structures in required yards of the applicable ~~((single-family))~~
12 neighborhood residential zone shall apply.

13 1. Structures within 100 feet of the exterior lot line of a PRD shall be set back a
14 minimum distance of 20 feet from the street lot line of a PRD.

15 2. No dwelling unit in a PRD shall be closer than 5 feet to a side lot line of an
16 abutting ~~((single-family))~~ neighborhood residential zoned lot.

17 3. No dwelling unit in a PRD shall be closer than 25 feet to a rear lot line of an
18 abutting ~~((single-family))~~ neighborhood residential zoned lot.

19 4. No dwelling unit in a PRD shall be closer than 5 feet to any lot line of an
20 abutting ~~((non single family or))~~ non-residentially zoned lot.

21 5. Principal structures shall be at least 10 feet apart.

22 6. To provide a sense of privacy and to mitigate the effects of shadows between
23 structures that are more than 100 feet from the lot line of a PRD, the required separation between

1 structures shall vary depending on the design of the facing facades as follows:

2 a. Walls shall be at least 10 feet apart.

3 b. A principal entrance to a structure shall be at least 15 feet from the
4 nearest interior facade that does not have a principal entrance.

5 c. A principal entrance to a structure shall be at least 20 feet from the
6 nearest interior facade with a principal entrance.

7 7. The Director may modify the minimum required setbacks or require alternate
8 spacing or placement of structures in order to preserve or enhance topographical conditions,
9 enhance the relationship with adjacent uses or the layout of the project, promote green
10 stormwater infrastructure and other measures to reduce stormwater runoff, or maintain a
11 compatible scale and design with the surrounding community.

12 * * *

13 Section 55. Section 23.44.035 of the Seattle Municipal Code, last amended by Ordinance
14 116596, is amended as follows:

15 **23.44.035 Communication utilities.**

16 Communication utilities may be permitted in (~~(single-family)~~) neighborhood residential zones
17 subject to the provisions of section 23.57.010.

18 Section 56. Section 23.44.036 of the Seattle Municipal Code, last amended by Ordinance
19 123478, is amended as follows:

20 **23.44.036 Public facilities**

21 Public facilities may be permitted in (~~(single-family)~~) neighborhood residential zones according
22 to the provisions of Section 23.51A.002 and the provisions of Chapter 23.76, Subchapter III,
23 Council Land Use Decisions. Public facilities include, but are not limited to, police precinct

1 stations, fire stations, public boat moorages, and utility services uses.

2 Section 57. Section 23.44.041 of the Seattle Municipal Code, last amended by Ordinance
3 126157, is amended as follows:

4 **23.44.041 Accessory dwelling units**

5 A. General provisions. The Director may authorize an accessory dwelling unit, and that
6 dwelling unit may be used as a residence, only under the following conditions:

7 1. Number of accessory dwelling units allowed on a lot

8 a. In an ((SF 5000, SF 7200, or SF 9600)) NR1, NR2, and NR3 zone, a lot
9 with or proposed for a principal single-family dwelling unit may have up to two accessory
10 dwelling units, provided that the following conditions are met:

11 1) Only one accessory dwelling unit may be a detached accessory
12 dwelling unit; and

13 2) A second accessory dwelling unit is allowed only if:

14 a) The second accessory dwelling unit is added by
15 converting floor area within an existing structure; or

16 b) For a new structure, the applicant makes a commitment
17 that the new principal structure containing an attached accessory dwelling unit or the new
18 accessory structure containing a detached accessory dwelling unit will meet a green building
19 standard and shall demonstrate compliance with that commitment, all in accordance with
20 Chapter 23.58D; or

21 c) the second accessory dwelling unit is a rental unit
22 affordable to and reserved solely for "income-eligible households," as defined in Section
23 23.58A.004, and is subject to an agreement specifying the affordable housing requirements under

1 this subsection approved by the Director of Housing to ensure that the housing shall serve only
2 income-eligible households for a minimum period of 50 years. The monthly rent, including basic
3 utilities, shall not exceed 30 percent of the income limit for the unit, all as determined by the
4 Director of Housing, and the housing owner shall submit a report to the Office of Housing
5 annually that documents how the affordable housing meets the terms of the recorded agreement.

6 Prior to issuance, and as a condition to issuance, of the first
7 building permit for a project, the applicant shall execute and record a declaration in a form
8 acceptable to the Director that shall commit the applicant to satisfy the conditions to establishing
9 a second accessory dwelling unit as approved by the Director.

10 b. In an RSL zone, each principal dwelling unit may have no more than
11 one accessory dwelling unit.

12 2. In the Shoreline District, accessory dwelling units shall be as provided in
13 Chapter 23.60A; where allowed in the Shoreline District, they are also subject to the provisions
14 in this Section 23.44.041.

15 3. In an ((~~SF 5000, SF 7200, or SF 9600~~) NR1, NR2, and NR3) zone, any number
16 of related persons may occupy each unit on a lot with one or more accessory dwelling units. If
17 unrelated persons occupy any dwelling unit, the total number of persons occupying all dwelling
18 units may not altogether exceed eight if there is one accessory dwelling unit on the lot. If two
19 accessory dwelling units exist on the lot, the total number of unrelated persons occupying all
20 units may not altogether exceed 12.

21 4. In RSL zones, any number of related persons may occupy each principal unit,
22 or each principal unit plus an associated accessory dwelling unit. If unrelated persons occupy
23 either unit, the total number of persons occupying the principal unit plus an associated accessory

1 dwelling unit may not altogether exceed eight.

2 5. In an ((~~SF 5000, SF 7200, or SF 9600~~)) NR1, NR2, and NR3 zone, accessory
3 dwelling units are subject to the tree requirements in subsection 23.44.020.A.2.

4 6. No off-street parking is required for accessory dwelling units. An existing
5 required parking space may not be eliminated to accommodate an accessory dwelling unit unless
6 it is replaced elsewhere on the lot.

7 B. Attached accessory dwelling units. Attached accessory dwelling units are subject to
8 the following additional conditions:

9 1. The gross floor area of an attached accessory dwelling unit may not exceed
10 1,000 square feet, excluding garage area, unless the portion of the structure in which the attached
11 accessory dwelling unit is located existed as of December 31, 2017.

12 2. In an ((~~SF 5000, SF 7200, or SF 9600~~)) NR1, NR2, and NR3 zone, only one
13 entrance to the structure may be located on each street-facing facade of the structure, unless
14 multiple entrances on the street-facing facade existed on January 1, 1993, or unless the Director
15 determines that topography, screening, or another design solution is effective in de-emphasizing
16 the presence of an additional entrance.

17 * * *

18 D. Single-family status unaffected. A ((~~single-family~~)) neighborhood residential lot with
19 any number of accessory dwelling units shall be considered a single-family dwelling unit for
20 purposes of rezone criteria (Section 23.34.011).

21 Section 58. Section 23.44.046 of the Seattle Municipal Code, last amended by Ordinance
22 113401, is amended as follows:

23 **23.44.046 Solar collectors.**

1 A. Solar collectors are permitted outright as an accessory use to any principal use
2 permitted outright or to a permitted conditional use subject to the following development
3 standards:

4 1. Solar collectors, including solar greenhouses which meet minimum standards
5 and maximum size limits as determined by the Director, shall not be counted in lot coverage.

6 2. Solar collectors except solar greenhouses attached to principal use structures
7 may exceed the height limits of ~~((single-family))~~ neighborhood residential zones by four (4) feet
8 or extend four (4) feet above the ridge of a pitched roof. However, the total height from existing
9 grade to the top of the solar collector may not extend more than nine (9) feet above the height
10 limit established for the zone (see Exhibit 23.44.046 A). A solar collector which exceeds the
11 height limit for ~~((single-family))~~ neighborhood residential zones shall be placed so as not to
12 shade an existing solar collector or property to the north on January 21st, at noon, any more than
13 would a structure built to the maximum permitted height and bulk.

14 3. Solar collectors and solar greenhouses meeting minimum written energy
15 conservation standards administered by the Director may be located in required yards according
16 to the following conditions:

17 a. In a side yard, no closer than three (3) feet from the side property line;

18 or

19 b. In a rear yard, no closer than fifteen (15) feet from the rear property line
20 unless there is a dedicated alley, in which case the solar collector shall be no closer than fifteen
21 (15) feet from the centerline of the alley; or

22 c. In a front yard, solar greenhouses which are integrated with the
23 principal structure and have a maximum height of twelve (12) feet may extend up to six (6) feet

1 into the front yard. In no case shall the greenhouse be located closer than five (5) feet from the
2 front property line.

3 * * *

4 Section 59. Section 23.44.060 of the Seattle Municipal Code, last amended by Ordinance
5 123046, is amended as follows:

6 **23.44.060 Uses accessory to parks and playgrounds**

7 * * *

8 C. Storage structures and areas and other structures and activities customarily associated
9 with parks and playgrounds are subject to the following development standards in addition to the
10 general development standards for accessory uses:

11 1. Any active play area shall be located 30 feet or more from any lot in a ((single-
12 family)) neighborhood residential zone.

13 2. Garages and service or storage areas shall be located 100 feet or more from any
14 other lot in a residential zone and obscured from view from each such lot.

15 Section 60. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance
16 125791, is amended as follows:

17 **23.45.514 Structure height**

18 * * *

19 F. For apartments in LR2 zones, and for all residential uses in LR3 zones, the applicable
20 height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure
21 that includes a story that is partially below-grade, provided that:

22 1. This height exception does not apply to portions of lots that are within 50 feet
23 of a ((single-family)) neighborhood residential zone boundary line, unless the lot in the LR zone

1 is separated from a ((single-family)) neighborhood residential zoned lot by a street;

2 2. The number of stories above the partially below-grade story is limited to four
3 stories for residential uses with a 40-foot height limit and to five stories for residential uses with
4 a 50-foot height limit;

5 3. On the street-facing facade(s) of the structure, the story above the partially
6 below-grade story is at least 18 inches above the elevation of the street, except that this
7 requirement may be waived to accommodate units accessible to the disabled or elderly,
8 consistent with the Seattle Residential Code, Chapter 3, or the Seattle Building Code, Chapter
9 11; and

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

13 * * *

14 Section 61. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance
15 126157, is amended as follows:

16 **23.45.518 Setbacks and separations**

17 A. LR zones

18 1. Required setbacks for the LR zones are shown in Table A for 23.45.518 and
19 subsection 23.45.518.A.2.

Table A for 23.45.518 Required setbacks in LR zones measured in feet				
All LR zones	Category of residential use			
Setback	Cottage housing developments and single-family dwelling units	Rowhouse developments	Townhouse developments	Apartments

Front	7 average; 5 minimum	5 minimum	7 average; 5 minimum	5 minimum
Rear	0 with alley; 7 if no alley	0 with alley; With no alley: 7 average; 5 minimum	7 average; 5 minimum	10 minimum with alley; 15 minimum if no alley
Side setback for facades 40 feet or less in length ¹	5	0 where abutting another rowhouse development ² , otherwise 3.5, except that on side lot lines that abut a ((single- family)) <u>neighborhood residential zone</u> , the setback is 5	5	5
Side setback for facades greater than 40 feet in length ³	5 minimum	0 where abutting another rowhouse development ² , otherwise 3.5, except that on side lot lines that abut a ((single- family)) <u>neighborhood residential zone</u> , the setback is 7 average; 5 minimum	7 average; 5 minimum	7 average; 5 minimum

Footnotes to Table A for 23.45.518

¹ Additions to existing nonconforming structures built prior to April 11, 2011, shall be set back a sufficient distance so that the addition complies with setback standards. For any portion of a structure built before April 11, 2011, the average setback applies only to a new addition built after that date. If an addition is to a side wall extended vertically, the existing side wall line may be continued by the addition, provided that the average setback of 7 feet or the 5-foot minimum setback is met.

² If the side facades of rowhouse developments on abutting lots are not joined, then a 3.5-foot setback is required, except the side setback may be reduced to zero if the abutting lot contains a rowhouse development and an easement is provided along the shared lot line of the abutting lot sufficient to leave a 3.5-foot separation between the principal structures of the abutting rowhouse developments.

³ Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are not

considered part of the facade length for the purposes of determining the side setback requirement.

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2. Upper-level setbacks in LR2 and LR3 zones

a. An upper-level setback of 12 feet from the front lot line is required for all portions of a structure above the following height:

- 1) Forty-four feet for zones with a height limit of 40 feet; and
- 2) Fifty-four feet for zones with a height limit of 50 feet.

b. An upper-level setback of 12 feet from each side or rear lot line that abuts a lot zoned (~~single-family~~) neighborhood residential is required for all portions of the structure above 34 feet in height.

c. Projections allowed in subsection 23.45.518.H are allowed in upper-level setbacks.

d. Structures allowed in subsection 23.45.518.J are not allowed in upper-level setbacks.

e. Rooftop features are not allowed in upper-level setback except as follows:

- 1) A pitched roof, other than a shed roof or butterfly roof, is allowed in the upper-level setback if all parts of the roof are pitched at a rate of not less than 6:12 and not more than 12:12.
- 2) Open railings may extend up to 4 feet above the height at which the setback begins.
- 3) Parapets may extend up to 2 feet above the height at which the setback begins.

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Section 62. Section 23.45.527 of the Seattle Municipal Code, enacted by Ordinance 123495, is amended as follows:

23.45.527 Structure width and façade length limits in LR zones

* * *

B. Maximum façade length in Lowrise zones.

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

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

Section 63. Section 23.45.536 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.45.536 Parking location, access, and screening

A. Off-street parking spaces are required to the extent provided in Chapter 23.54.

B. Location of parking

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

2. Surface parking

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

- 1) Between a principal structure and a street lot line;

1 2) In the required front setback or side street side setback; and

2 3) Within 20 feet of any street lot line.

3 b. If access is taken directly from an alley, surface parking may be located
4 anywhere within 25 feet from an alley lot line provided it is no closer than 7 feet to any street lot
5 line.

6 3. Parking in a structure. Parking may be located in a structure or under a
7 structure, provided that no portion of a garage that is higher than 4 feet above existing or finished
8 grade, whichever is lower, shall be closer to a street lot line than any part of the street-level,
9 street-facing facade of the structure in which it is located;

10 4. On a through lot, parking may be located between the structure and one front
11 lot line. The front setback in which the parking may be located will be determined by the
12 Director based on the prevailing character and setback patterns of the block.

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

17 6. Parking that is required and accessory to a residential or non-residential use
18 may be located on a lot within 800 feet of the lot where the use that requires the parking is
19 located, provided that:

20 a. The lot is not located in a (~~single family~~) neighborhood residential
21 zone; and

22 b. The requirements of Section 23.54.025 for required parking are met.

23 * * *

1 Section 64. Section 23.45.550 of the Seattle Municipal Code, enacted by Ordinance
2 126384, is amended as follows:

3 **23.45.550 Alternative development standards for low-income housing on property owned**
4 **or controlled by a religious organization**

5 In lieu of meeting development standards contained in subsections 23.45.510.B and 23.45.510.C
6 (floor area), subsections 23.45.512.A and 23.45.512.B (density), and subsections 23.45.514.A
7 and 23.45.514.B (height), a proposed development that meets the requirements of Section
8 23.42.055 may elect to meet the alternative development standards in this Section 23.45.550.

9 A. Floor area

10 1. Development permitted pursuant to Section 23.42.055 is subject to the FAR
11 limits as shown in Table A for 23.45.550.

Table A for 23.45.550 FAR limits for development permitted pursuant to Section 23.42.055		
Zone	Base FAR	Maximum additional exempt FAR ¹
LR1	1.5	0.3
LR2	1.8	0.3
LR3 outside urban centers and urban villages	2.5	0.5
LR3 inside urban centers and urban villages	3.25	0.5
MR	5.0	0.5
HR	16	1.0

Footnote to Table A for 23.45.550
¹ Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt from FAR calculations up to this amount.

12
13 2. In addition to the FAR exemptions in subsection 23.45.510.D, an additional
14 FAR exemption up to the total amount specified in Table A for 23.45.550 is allowed for any
15 combination of the following floor area:

1 a. Floor area in units with two or more bedrooms and a minimum net unit
2 area of 850 square feet;

3 b. Floor area of a religious facility; and

4 c. Floor area in a structure designated as a Landmark pursuant to Chapter
5 25.12; and

6 d. Any floor area in a development located within 1/4 mile (1,320 feet) of
7 a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.

8 3. Split-zoned lots

9 a. On lots located in two or more zones, the FAR limit for the entire lot
10 shall be the highest FAR limit of all zones in which the lot is located, provided that:

11 1) At least 65 percent of the total lot area is in the zone with the
12 highest FAR limit;

13 2) No portion of the lot is located in a ((single family))
14 neighborhood residential zone; and

15 3) A minimum setback of 10 feet applies for any lot line that abuts
16 a lot in a ((single family)) neighborhood residential zone.

17 b. For the purposes of this subsection 23.45.550.A.3, the calculation of the
18 percentage of a lot or lots located in two or more zones may include lots that abut and are in the
19 same ownership at the time of the permit application.

20 B. Maximum height

21 1. Development permitted pursuant to Section 23.42.055 is subject to the height
22 limits as shown in Table B for 23.45.550.

Table B for 23.45.550 Structure height for development permitted pursuant to Section 23.42.055

Zone	Height limit (in feet)
LR1	40
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65
MR	95
HR	480

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2. Split-zoned lots

a. On lots located in two or more zones, the height limit for the entire lot shall be the highest height limit of all zones in which the lot is located, provided that:

1) At least 65 percent of the total lot area is in the zone with the highest height limit;

2) No portion of the lot is located in a ~~((single family))~~ neighborhood residential zone; and

3) A minimum setback of 10 feet applies for any lot line that abuts a lot in a ~~((single family))~~ neighborhood residential zone.

b. For the purposes of this subsection 23.45.550.B.2, the calculation of the percentage of a lot or lots located in two or more zones may include lots that abut and are in the same ownership at the time of the permit application.

C. Density limits. Development permitted pursuant to this Section 23.45.550 is not subject to the standards of subsections 23.45.512.A and 23.45.512.B.

Section 565. Section 23.45.578 of the Seattle Municipal Code, enacted by Ordinance 123209, is amended as follows:

23.45.578 Public or private parks and playgrounds

* * *

1 C. Storage structures and areas and other structures and activities customarily associated
2 with parks and playgrounds are subject to the following development standards in addition to the
3 general development standards for accessory uses:

4 1. Any active play area shall be located 30 feet or more from any lot in a ((~~single-~~
5 ~~family~~)) neighborhood residential zone.

6 2. Garages and service or storage areas shall be screened from view from abutting
7 lots in residential zones.

8 Section 66. Section 23.47A.014 of the Seattle Municipal Code, last amended by
9 Ordinance 125791, is amended as follows:

10 **23.47A.014 Setback requirements**

11 A. Rooftop features are not allowed in setbacks, except that for upper-level setbacks:

12 1. Open railings may extend up to 4 feet above the height at which the setback
13 begins.

14 2. Parapets may extend up to 2 feet above the height at which the setback begins.

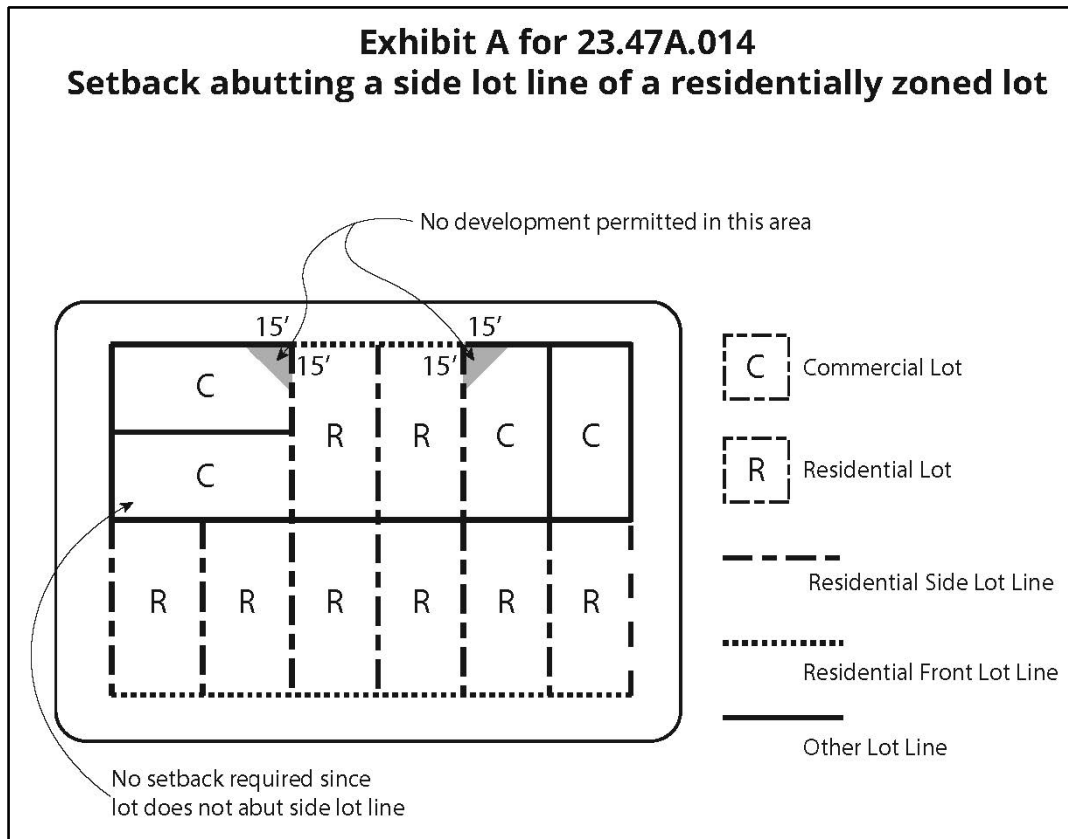
15 B. Setback requirements for lots abutting or across the alley from residential zones

16 1. A setback is required where a lot abuts the intersection of a side lot line and
17 front lot line of a lot in a residential zone or a lot that is zoned both commercial and residential if
18 the commercial zoned portion of the abutting lot is less than 50 percent of the width or depth of
19 the lot. The required setback forms a triangular area. Two sides of the triangle extend along the
20 street lot line and side lot line 15 feet from the intersection of the residentially zoned lot's front
21 lot line and the side lot line abutting the residentially zoned lot. The third side connects these two
22 sides with a diagonal line across the commercially zoned lot (Exhibit A for 23.47A.014).
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Exhibit A for 23.47A.014

Setback abutting a side lot line of a residentially zoned lot



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2. An upper-level setback is required along any rear or side lot line that abuts a lot in an LR, MR, or HR zone or that abuts a lot that is zoned both commercial and LR, MR, or HR if the commercial zoned portion of the abutting lot is less than 50 percent of the width or depth of the lot, as follows:

a. Ten feet for portions of structures above 13 feet in height to a maximum of 65 feet; and

b. For each portion of a structure above 65 feet in height, additional setback at the rate of 1 foot of setback for every 10 feet by which the height of such portion exceeds 65 feet, up to a maximum setback of 20 feet (Exhibit B for 23.47A.014).

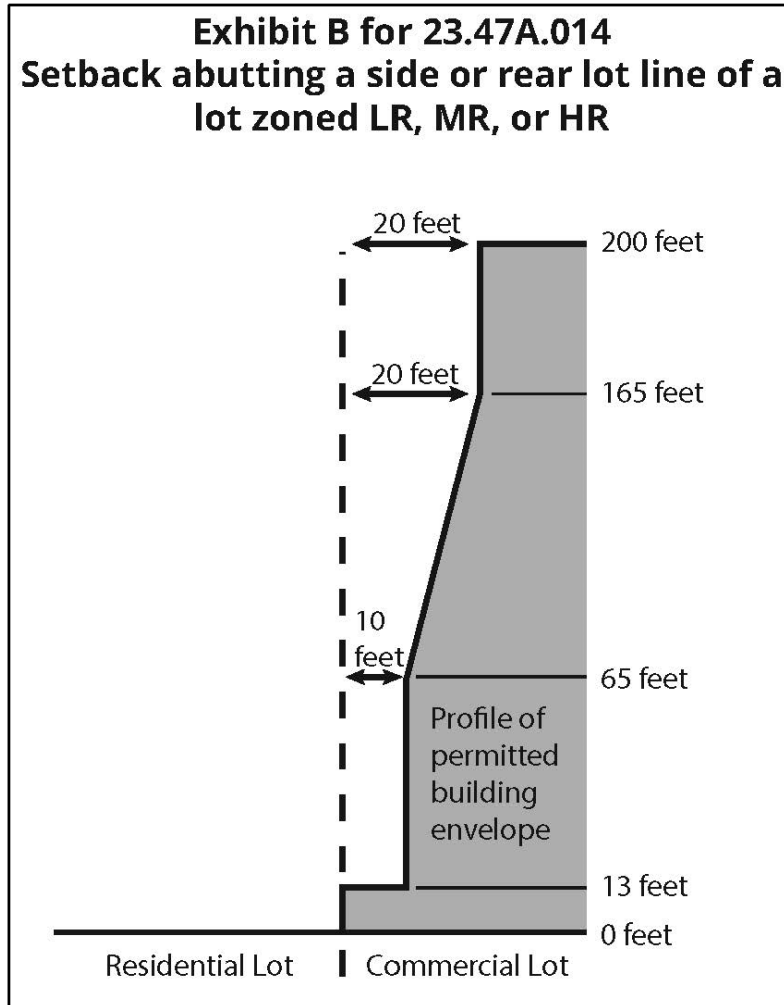
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Exhibit B for 23.47A.014

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Setback abutting a side or rear lot line of a lot zoned LR, MR, or HR



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3. An upper-level setback is required along any rear or side lot line that abuts a lot

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in a ~~((single-family))~~ neighborhood residential zone, that is across an alley from a lot in a

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~~((single-family))~~ neighborhood residential zone, or that abuts a lot that is zoned both commercial

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and ~~((single-family))~~ neighborhood residential if the commercial zoned portion of the abutting

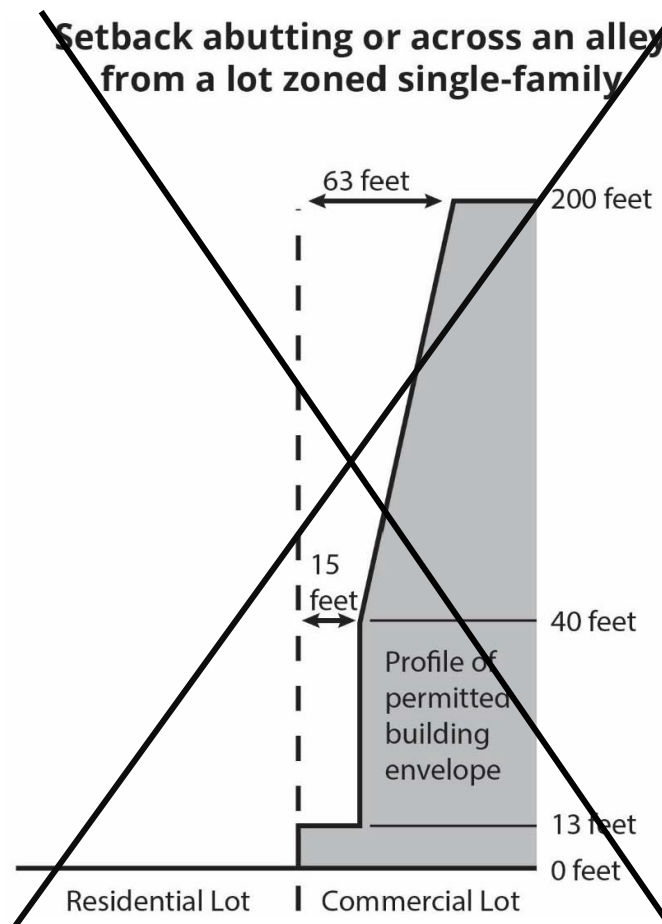
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lot is less than 50 percent of the width or depth of the lot as follows:

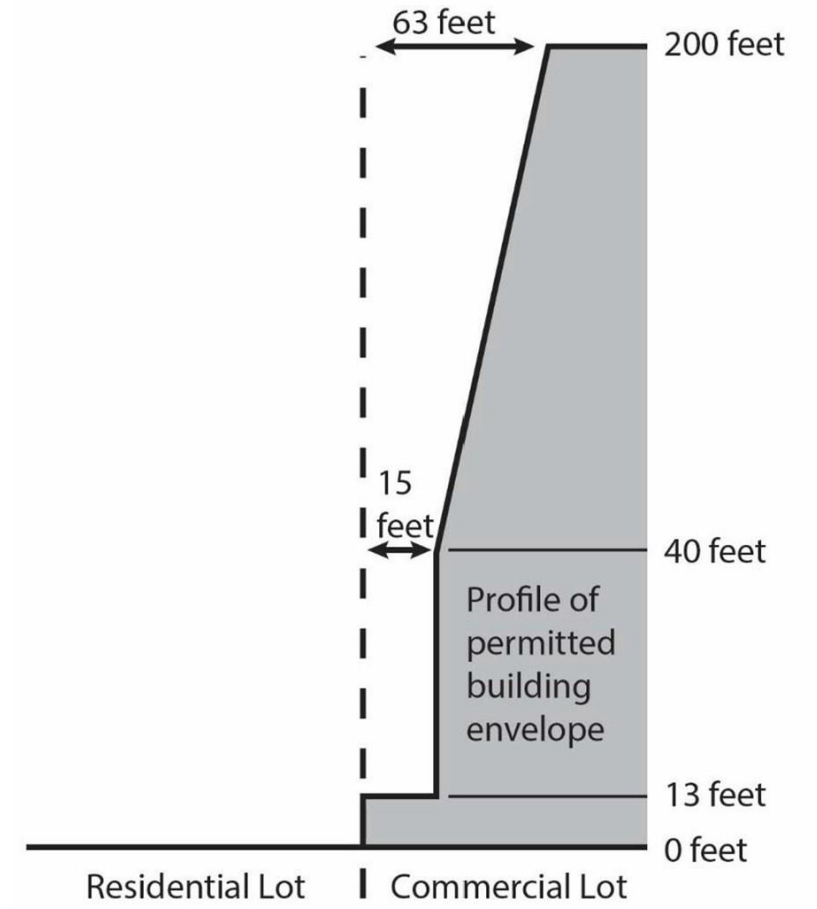
- 1 a. Fifteen feet for portions of structures above 13 feet in height to a
2 maximum of 40 feet; and
3 b. For each portion of a structure above 40 feet in height, additional
4 setback at the rate of 3 feet of setback for every 10 feet by which the height of such portion
5 exceeds 40 feet (Exhibit C for 23.47A.014).

6
7 **Exhibit C for 23.47A.014**

8 **Setback abutting or across an alley from a lot zoned ((single-family)) neighborhood**
9 **residential**



Setback abutting or across an alley from a lot zoned neighborhood residential



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4. One-half of the width of an abutting alley may be counted as part of the required setback. For the purpose of this Section 23.47A.014, the alley width and the location of the rear lot line shall be determined prior to any dedication that may be required for alley improvement purposes.

5. No entrance, window, or other opening is permitted closer than 5 feet to an abutting residentially-zoned lot.

* * *

1 Section 67. Section 23.47A.040 of the Seattle Municipal Code, enacted by Ordinance
2 125125126384, is amended as follows:

3 **23.47A.040 Alternative development standards for low-income housing on property owned**
4 **or controlled by a religious organization**

5 In lieu of meeting development standards contained in subsections 23.47A.012.A (height) and
6 23.47A.013.A (floor area), a proposed development that meets the requirements of Section
7 23.42.055 may elect to meet the alternative development standards in this Section 23.47A.040.

8 A. Maximum height

9 1. The applicable height limit for development permitted pursuant to Section
10 23.42.055 in NC zones and C zones as designated on the Official Land Use Map, Chapter 23.32
11 is increased as shown in Table A for 23.47A.040.

Table A for 23.47A.040 Additional height for development permitted pursuant to Section 23.42.055	
Mapped height limit (in feet)	Height limit (in feet)
30	55
40	75
55	85
65	95
75	95
85	145
95	145
145	200
200	240

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13 2. Split-zoned lots

14 a. On lots located in two or more zones, the height limit for the entire lot
15 shall be the highest height limit of all zones in which the lot is located, provided that:

16 1) At least 65 percent of the total lot area is in the zone with the
17 highest height limit;

1 2) No portion of the lot is located in a ((single-family))
 2 neighborhood residential zone; and

3 3) A minimum setback of 10 feet applies for any lot line that abuts
 4 a lot in a ((single-family)) neighborhood residential zone.

5 b. For the purposes of this subsection 23.47A.040.A.2, the calculation of
 6 the percentage of a lot or lots located in two or more zones may include lots that abut and are in
 7 the same ownership at the time of the permit application.

8 B. Floor area

9 1. Development permitted pursuant to Section 23.42.055 is subject to the FAR
 10 limits as shown in Table B for 23.47A.040.

Table B for 23.47A.040 FAR limits for development permitted pursuant to Section 23.42.055			
Mapped height limit (in feet)	FAR limit for development that does not exceed mapped height limit	FAR limit for development that exceeds mapped height limit	Maximum additional exempt FAR ¹
30	2.75	3.25	0.5
40	3.5	4.5	0.5
55	4.25	5.25	0.5
65	5.25	5.75	0.5
75	5.75	5.75	0.5
85	6.25	7.0	1.0
95	6.5	7.0	1.0
145	7.25	8.0	1.0
200	8.5	9.0	1.0

Footnote to Table A for 23.47A.040
¹ Gross floor area for uses listed in subsection 23.47A.040.B.2 are exempt from FAR calculations up to this amount.

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1 2. In addition to the FAR exemptions in subsection 23.47A.013.B, an additional
2 FAR exemption up to the total amount specified in Table B for 23.47A.040 is allowed for any
3 combination of the following floor area:

4 a. Floor area in units with two or more bedrooms and a minimum net unit
5 area of 850 square feet;

6 b. Floor area of a religious facility;

7 c. Floor area in a structure designated as a Landmark pursuant to Chapter
8 25.12; and

9 d. Any floor area in a development located within 1/4 mile (1,320 feet) of
10 a transit stop or station served by a frequent transit route as defined in subsection 23.54.015.B.4.

11 3. Split-zoned lots

12 a. On lots located in two or more zones, the FAR limit for the entire lot
13 shall be the highest FAR limit of all zones in which the lot is located, provided that:

14 1) At least 65 percent of the total lot area is in the zone with the
15 highest FAR limit;

16 2) No portion of the lot is located in a ~~((single-family))~~
17 neighborhood residential zone; and

18 3) A minimum setback of 10 feet applies for any lot line that abuts
19 a lot in a ~~((single-family))~~ neighborhood residential zone.

20 b. For the purposes of this subsection 23.47A.040.B.3, the calculation of
21 the percentage of a lot or lots located in two or more zones may include lots that abut and are in
22 the same ownership at the time of the permit application.

1 C. Upper-level setback. An upper-level setback of 8 feet from the lot line is required for
2 any street-facing facade for portions of a structure exceeding the mapped height limit designated
3 on the Official Land Use Map, Chapter 23.32.

4 Section 68. Section 23.50.024 of the Seattle Municipal Code, last amended by Ordinance
5 123649, is amended as follows:

6 **23.50.024 Industrial Buffer—Structure height**

7 * * *

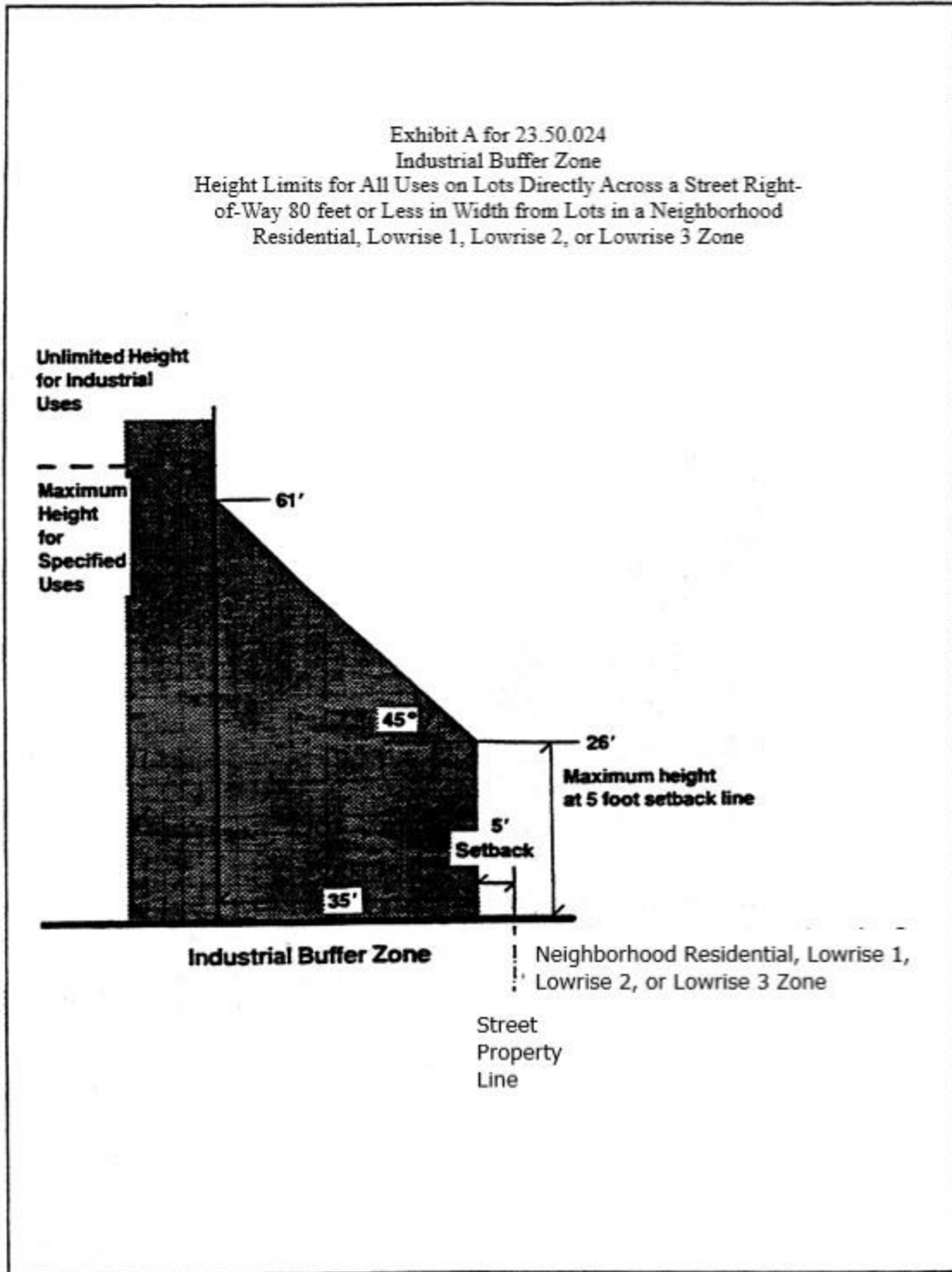
8 C. The following height limits shall apply to all uses, in addition to the maximum
9 permitted heights for uses listed in subsection B, on lots directly across a street right-of-way
10 eighty (80) feet or less in width from lots in a ((~~Single family~~)) neighborhood residential,
11 Lowrise 1, Lowrise 2, or Lowrise 3 zone:

12 1. All structures shall be set back five (5) feet from the street lot line opposite lots
13 zoned ((~~Single family~~)) neighborhood residential, Lowrise 1, Lowrise 2, or Lowrise 3. A
14 maximum height of twenty-six (26) feet shall be permitted at the setback line.

15 2. Beginning at the five (5) foot setback line and continuing for thirty-five (35)
16 feet, permitted height shall increase at a forty-five (45) degree angle from the twenty-six (26)
17 foot height allowed at the setback line. (See Exhibit A for 23.50.024((A)))

18 Exhibit A for 23.50.024: Industrial Buffer Zone Height Limits for All Uses on Lots Directly
19 Across a Street Right-of-Way 80 feet or Less in Width from Lots in a Neighborhood Residential,

20 Lowrise 1, Lowrise 2, or Lowrise 3 Zone



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3. The height permitted beyond forty (40) feet from the street lot line shall be the same as the maximum height designated on the Official Land Use Map.

1 4. Exceptions for rooftop features, Section 23.50.020 A, shall not apply in the area
2 within forty (40) feet of the street lot line.

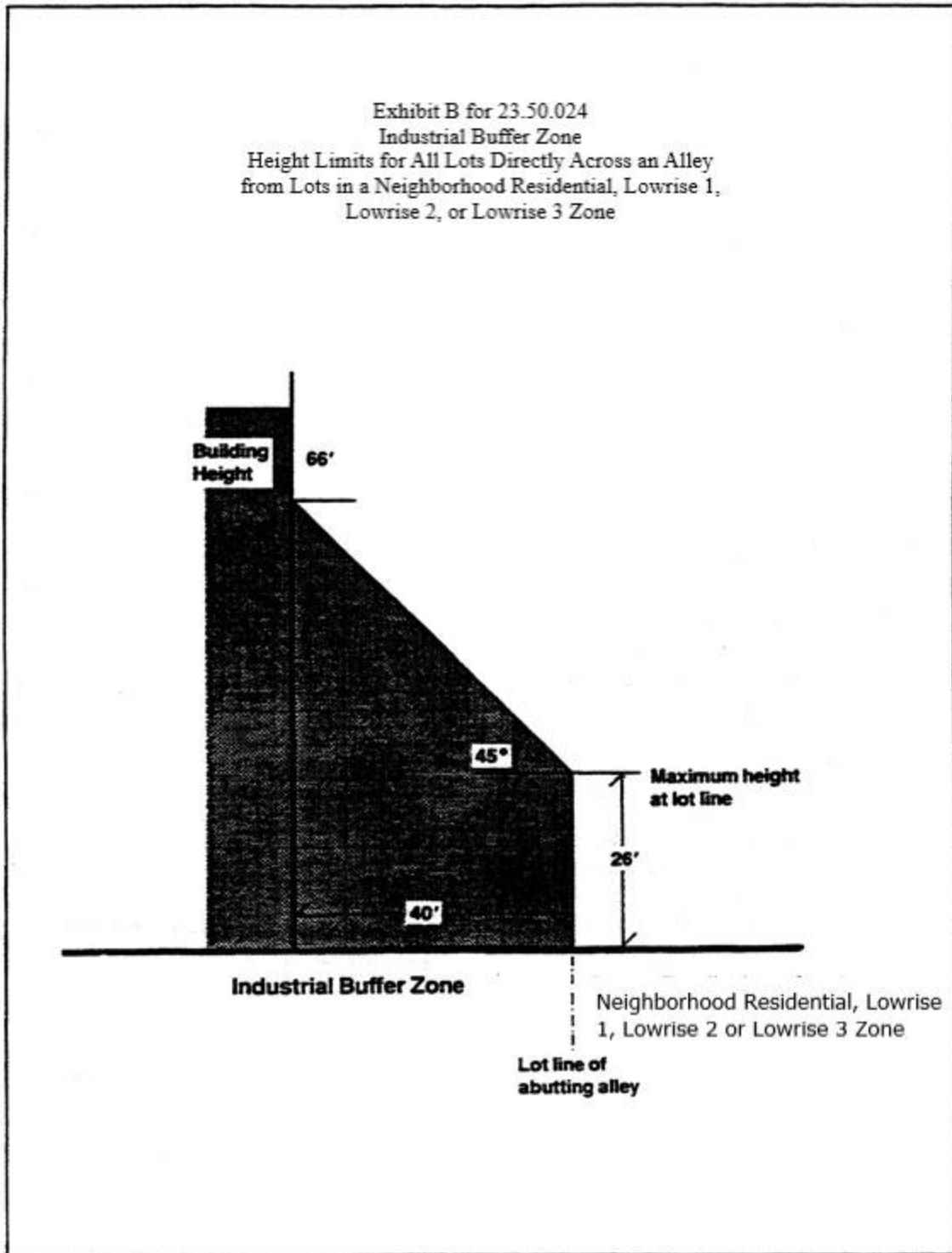
3 D. The following height limits shall apply to all lots directly across an alley from lots in a
4 ~~((Single-family))~~ neighborhood residential, Lowrise 1, Lowrise 2, or Lowrise 3 zone:

5 1. A maximum height of twenty-six (26) feet shall be permitted on alley lot lines.

6 2. For the area within forty (40) feet of the lot line, permitted height shall increase
7 at a forty-five (45) degree angle from the twenty-six (26) foot height allowed at the alley lot line.

8 (See Exhibit B for 23.50.024(~~(B)~~))

9 Exhibit B for 23.50.024: Industrial Buffer Zone Height Limits for All Lots Directly Across an
10 Alley from a Lot in a Neighborhood Residential, Lowrise 1, Lowrise 2, or Lowrise 3 Zone



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3. The height permitted beyond forty (40) feet from the alley lot line shall be the same as the maximum height designated on the Official Land Use Map.

1 4. Exceptions for rooftop features, Section 23.50.020 A, shall not apply for the
2 area within forty (40) feet of the alley lot line.

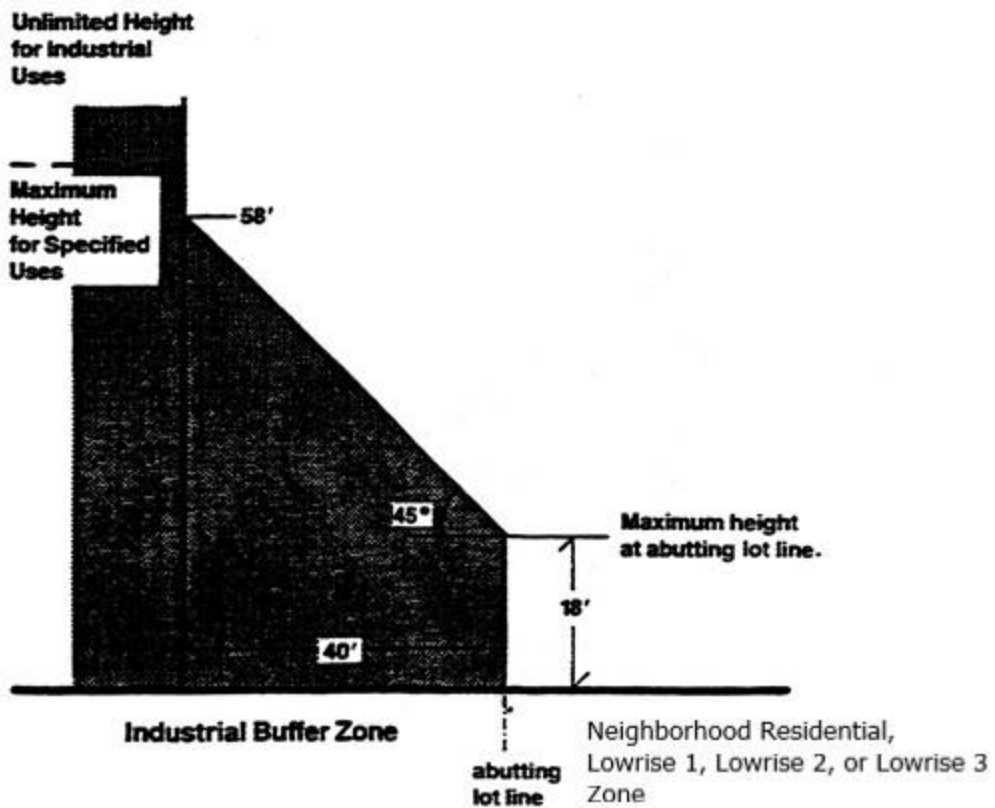
3 E. The following height limits shall apply to all lots abutting a lot in a ((~~Single family~~))
4 neighborhood residential, Lowrise 1, Lowrise 2, or Lowrise 3 zone:

5 1. A maximum height of eighteen (18) feet shall be permitted on abutting lot
6 lines.

7 2. For the area within forty (40) feet of the lot line, permitted height shall increase
8 at a forty-five (45) degree angle from the eighteen (18) foot height allowed at the abutting lot
9 line. (See Exhibit C for 23.50.024(~~(C)~~))

10 Exhibit C for 23.50.024: Industrial Buffer Zone Height Limits for All Lots Abutting a Lot in a
11 Neighborhood Residential, Lowrise 1, Lowrise 2 or Lowrise 3 Zone

Exhibit C for 23.50.024
Industrial Buffer Zone
Height Limits for All Lots Abutting a Lot in a
Neighborhood Residential, Lowrise 1, Lowrise 2, or
Lowrise 3 Zone



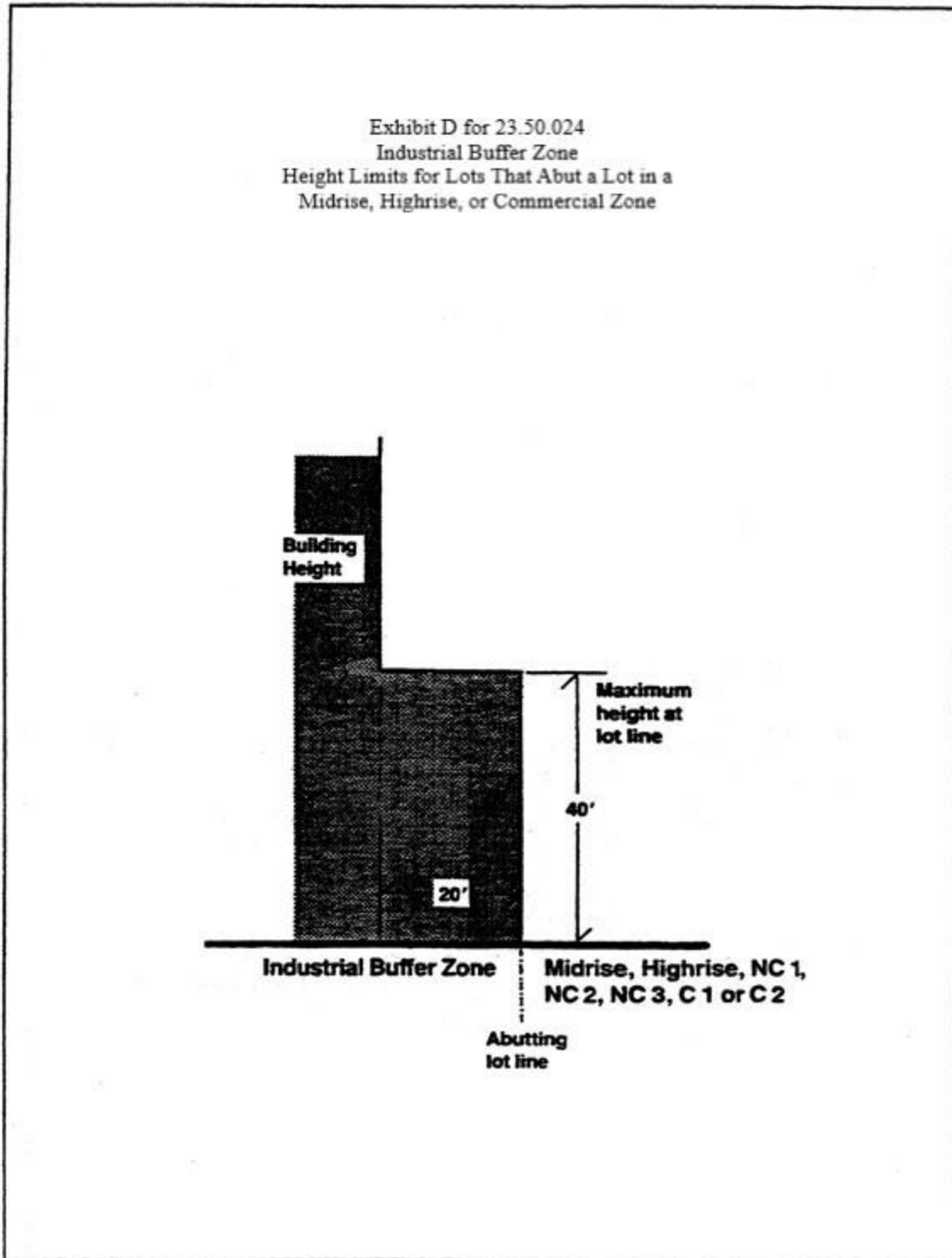
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3. The height permitted beyond forty (40) feet from the abutting lot line shall be the same as the maximum height designated on the Official Land Use Map.

1 4. Exceptions for rooftop features, Section 23.50.020 A, shall not apply in the area
2 within forty (40) feet of the abutting lot line.

3 F. The following height limit shall apply to lots which abut a lot in a Midrise, Highrise, or
4 Commercial zone:

5 1. A maximum height of forty (40) feet shall apply for a depth of twenty (20) feet
6 along the abutting lot lines. (See Exhibit D for 23.50.024(~~D~~))

7 Exhibit D for 23.50.024: Industrial Buffer Zone Height Limits for Lots That Abut a Lot in a
8 Midrise, Highrise, Or Commercial Zone

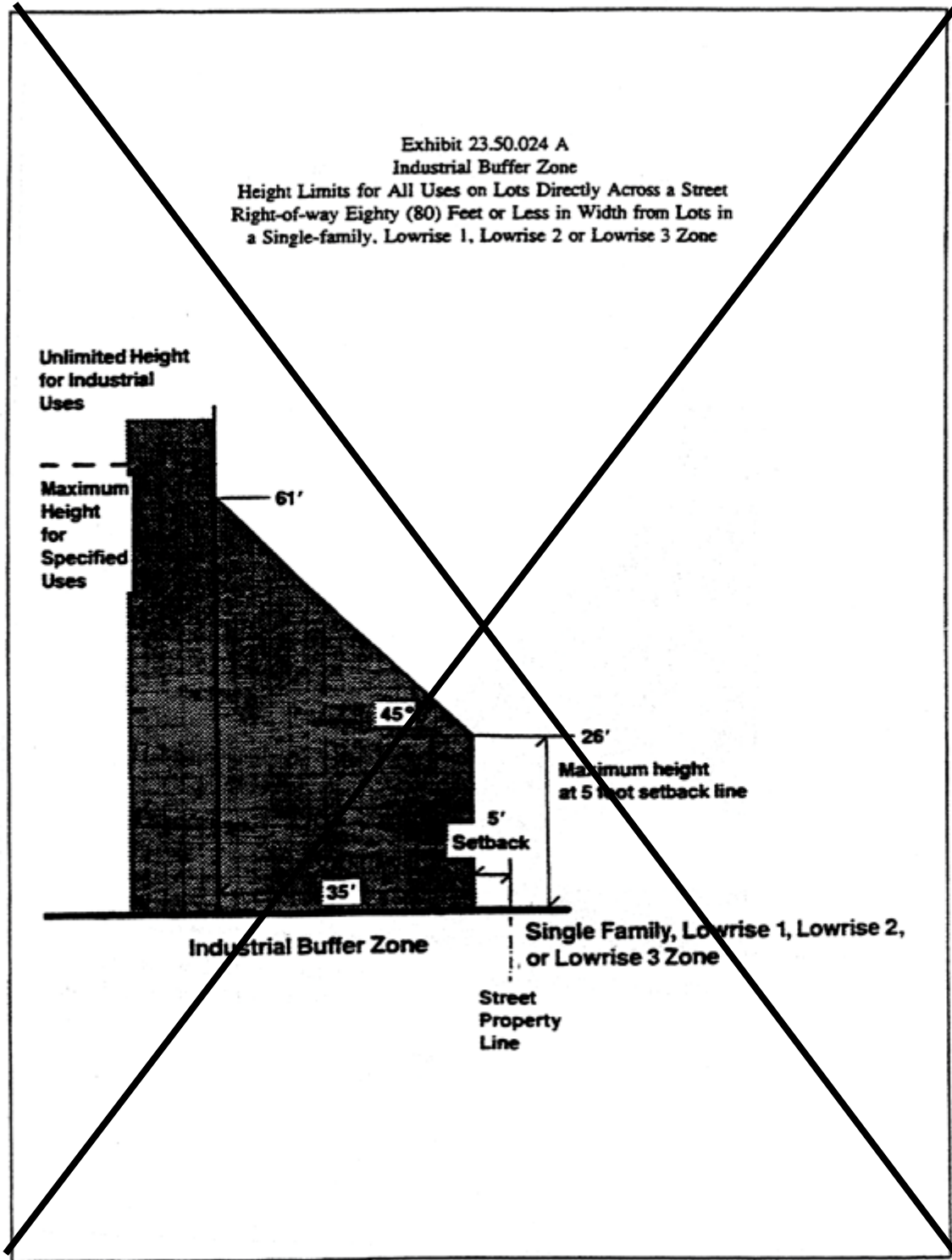


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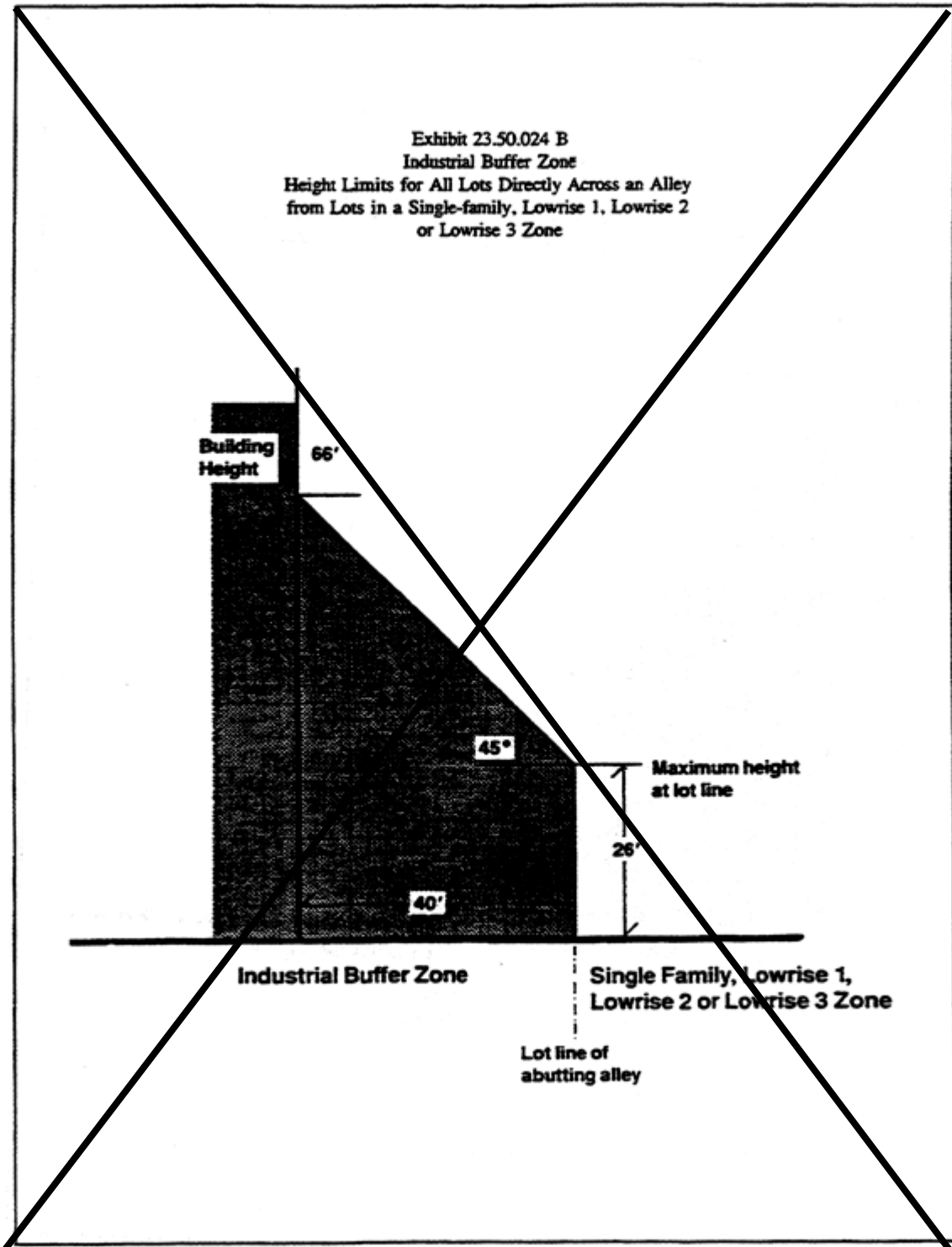
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2. The height permitted beyond twenty (20) feet from the abutting lot lines shall be the same as the maximum height designated on the Official Land Use Map.



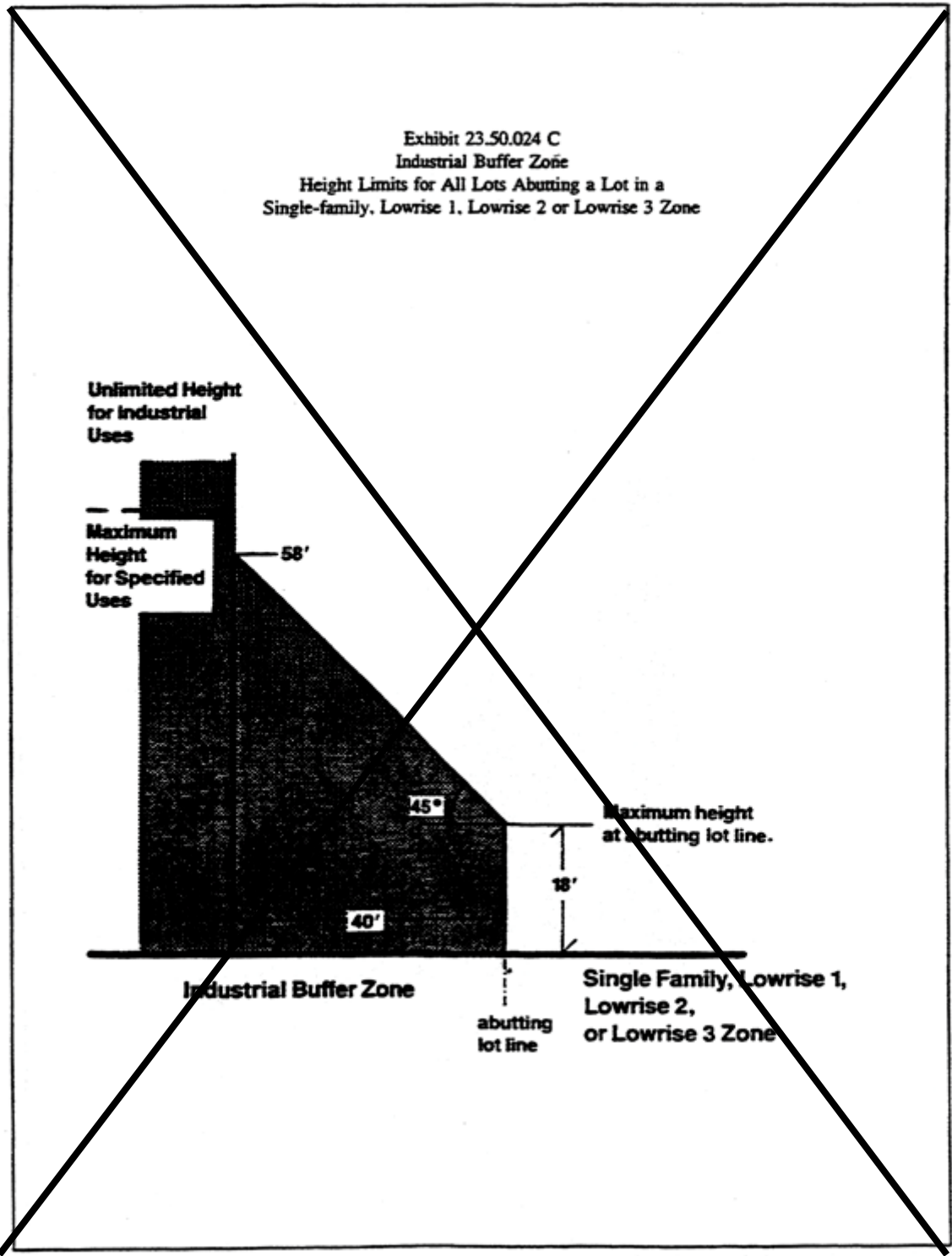
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((Exhibit 23.54.024B))



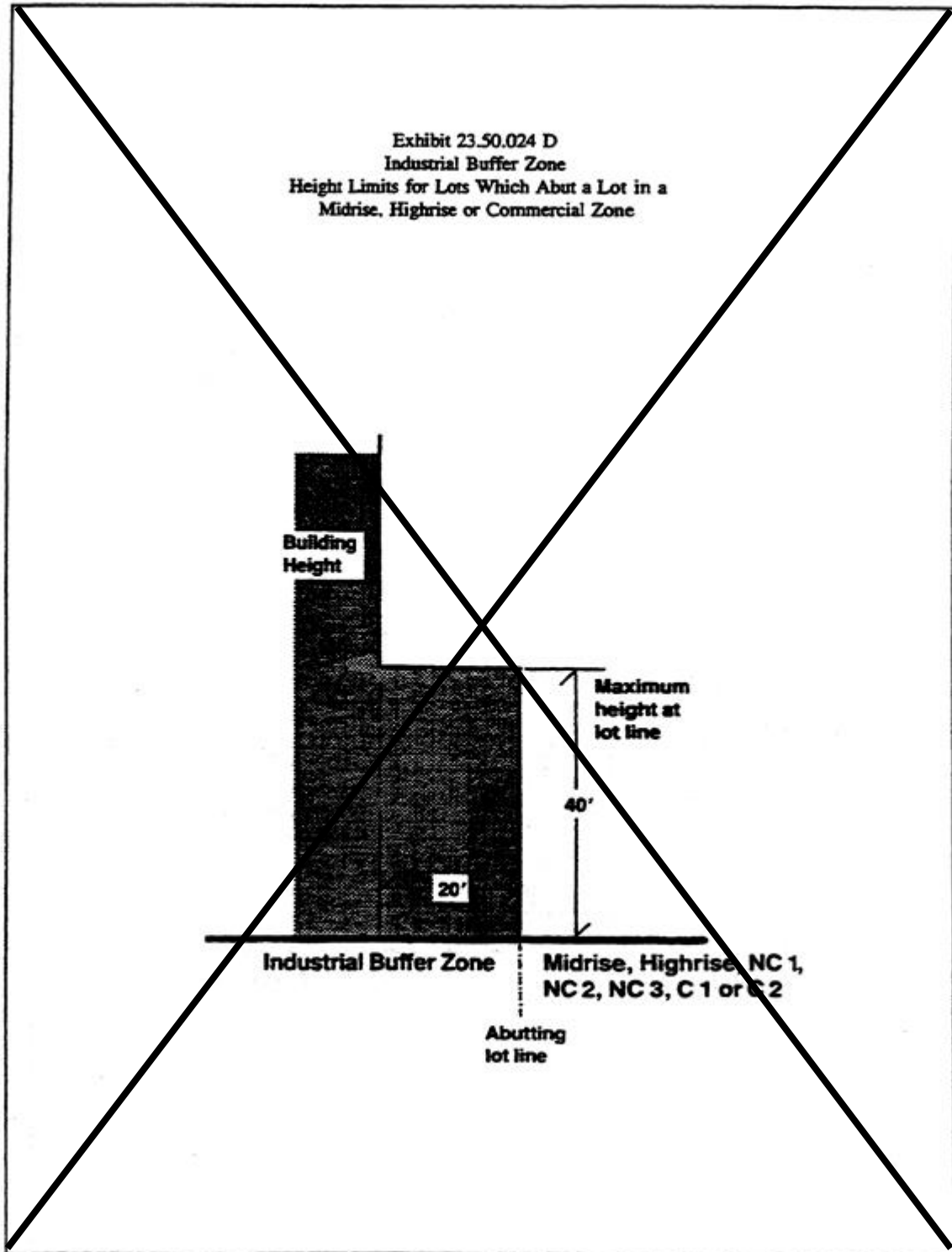
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((Exhibit 23.54.024C))



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((Exhibit 23.54.024D))



1
2 Section 69. Section 23.50.030 of the Seattle Municipal Code, last amended by Ordinance
3 125603, is amended as follows:

1 **23.50.030 Industrial Buffer—Setback requirements**

2 A. Setbacks shall be required in the Industrial Buffer (IB) zone according to the
3 provisions of subsections B, C and D of this section. All required setbacks shall be landscaped
4 according to the provisions of Section 23.50.036.

5 B. A five (5) foot setback shall be required from all street lot lines which are across a
6 street right-of-way eighty (80) feet or less in width from a lot in a ((~~Single-family~~))
7 neighborhood residential, Lowrise 1, Lowrise 2 or Lowrise 3 zone.

8 * * *

9 Section 70. Section 23.51A.002 of the Seattle Municipal Code, last amended by
10 Ordinance 125603, is amended as follows:

11 **23.51A.002 Public facilities in ((~~single-family~~)) neighborhood residential zones**

12 A. Except as provided in subsections B, D and E of this Section 23.51A.002, uses in
13 public facilities that are most similar to uses permitted outright or permitted as an administrative
14 conditional use under Chapter 23.44 are also permitted outright or as an administrative
15 conditional use, subject to the same use regulations, development standards and administrative
16 conditional use criteria that govern the similar use. The City Council may waive or modify
17 applicable development standards or administrative conditional use criteria according to the
18 provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects
19 considered as Type IV quasi-judicial decisions and City facilities considered as Type V
20 legislative decisions.

21 B. Permitted Uses in Public Facilities Requiring City Council Approval. The following
22 uses in public facilities in ((~~single-family~~)) neighborhood residential zones may be permitted by
23 the City Council, according to the provisions of Chapter 23.76, Procedures for Master Use

1 Permits and Council Land Use Decisions:

- 2 1. Police precinct station;
- 3 2. Fire station;
- 4 3. Public boat moorage;
- 5 4. Utility services use; and
- 6 5. Other similar use.

7 The proponent of any such use shall demonstrate the existence of a public necessity for the
8 public facility use in a ((~~single family~~)) neighborhood residential zone. The public facility use
9 shall be developed according to the development standards for institutions (Section 23.44.022),
10 unless the City Council makes a determination to waive or modify applicable development
11 standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use
12 Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities
13 considered as Type V legislative decisions.

14 C. Expansion of Uses in Public Facilities.

15 1. Major Expansion. Major expansions may be permitted to uses in public
16 facilities allowed in subsections 23.51A.002.A and B above according to the same provisions
17 and procedural requirements as described in these subsections. A major expansion of a public
18 facility use occurs when the proposed expansion would not meet development standards or
19 would exceed either 750 square feet or 10 percent of its existing area, whichever is greater,
20 including gross floor area and areas devoted to active outdoor uses other than parking.

21 2. Minor Expansion. When an expansion falls below the major expansion
22 threshold level, it is a minor expansion. Minor expansions may be permitted to uses in public
23 facilities allowed in subsections 23.51A.002.A and B above according to the provisions of

1 Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, for a Type I
2 Master Use Permit when the development standards of the zone in which the public facility is
3 located are met.

4 D. Sewage treatment plants. The expansion or reconfiguration (which term shall include
5 reconstruction, redevelopment, relocation on the site, or intensification of treatment capacity) of
6 existing sewage treatment plants in (~~single-family~~) neighborhood residential zones may be
7 permitted if there is no feasible alternative location in a zone where the use is permitted and the
8 conditions imposed under subsections 23.51A.002.D.3 and 23.51A.002.D.4 are met.

9 1. Applicable procedures. The decision on an application for the expansion or
10 reconfiguration of a sewage treatment plant is a Type IV Council land use decision. If an
11 application for an early determination of feasibility is required to be filed pursuant to subsection
12 23.51A.002.D.2, the early determination of feasibility will also be a Council land use decision
13 subject to Sections 23.76.038 through 23.76.056.

14 2. Need for feasible alternative determination. The proponent shall demonstrate
15 that there is no feasible alternative location in a zone where establishment of the use is permitted.

16 a. The Council's decision as to the feasibility of alternative location(s)
17 shall be based upon a full consideration of the environmental, social, and economic impacts on
18 the community, and the intent to preserve and to protect the physical character of (~~single-~~
19 ~~family~~) neighborhood residential areas, and to protect (~~single-family~~) neighborhood residential
20 areas from intrusions of non-single-family uses.

21 b. The determination of feasibility may be the subject of a separate
22 application for a Council land use decision prior to submission of an application for a project-
23 specific approval if the Director determines that the expansion or reconfiguration proposal is

1 complex, involves the phasing of programmatic and project-specific decisions or affects more
2 than one site in a ((~~single-family~~)) neighborhood residential zone.

3 c. Application for an early determination of feasibility shall include:

4 1) The scope and intent of the proposed project in the ((~~single-~~
5 ~~family~~)) neighborhood residential zone and appropriate alternative(s) in zones where
6 establishment of the use is permitted, identified by the applicant or the Director;

7 2) The necessary environmental documentation as determined by
8 the Director, including an assessment of the impacts of the proposed project and of the
9 permitted-zone alternative(s), according to the state and local SEPA guidelines;

10 3) Information on the overall sewage treatment system that
11 outlines the interrelationship of facilities in ((~~single-family~~)) neighborhood residential zones and
12 in zones where establishment of the use is permitted;

13 4) Schematic plans outlining dimensions, elevations, locations on
14 site, and similar specifications for the proposed project and for the alternative(s).

15 d. If a proposal or any portion of a proposal is also subject to a feasible
16 alternative location determination under Section 23.60A.066, the Plan Shoreline Permit
17 application and the early determination application will be considered in one determination
18 process.

19 3. Conditions for Approval of Proposal.

20 a. The project is located so that adverse impacts on residential areas are
21 minimized;

22 b. The expansion of a facility does not result in a concentration of
23 institutions or facilities that would create or appreciably aggravate impacts that are incompatible

1 with single-family residences.

2 c. A facility management and transportation plan is required. The level
3 and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale
4 of the proposed facility, and shall at a minimum include discussion of sludge transportation,
5 noise control, and hours of operation. Increased traffic and parking expected to occur with use of
6 the facility shall not create a serious safety problem or a blighting influence on the
7 neighborhood;

8 d. Measures to minimize potential odor emission and airborne pollutants
9 including methane shall meet standards of and be consistent with best available technology as
10 determined in consultation with the Puget Sound Clean Air Agency (PSCAA), and shall be
11 incorporated into the design and operation of the facility;

12 e. Methods of storing and transporting chlorine and other hazardous and
13 potentially hazardous chemicals shall be determined in consultation with the Seattle Fire
14 Department and incorporated into the design and operation of the facility;

15 f. Vehicular access suitable for trucks is available or provided from the
16 plant to a designated arterial improved to City standards;

17 g. The bulk of facilities shall be compatible with the surrounding
18 community. Public facilities that do not meet bulk requirements may be located in ~~((single-~~
19 ~~family)) neighborhood residential ~~((areas))~~ zones if there is a public necessity for their location
20 there;~~

21 h. Landscaping and screening, separation from less intensive zones, noise,
22 light and glare controls and other measures to ensure the compatibility of the use with the
23 surrounding area and to mitigate adverse impacts shall be incorporated into the design and

1 operation of the facility.

2 i. No residential structures, including those modified for nonresidential
3 use, are demolished for facility expansion unless a need has been demonstrated for the services
4 of the institution or facility in the surrounding community.

5 4. Substantial Conformance. If the application for a project-specific proposal is
6 submitted after an early determination that location of the sewage treatment plant is not feasible
7 in a zone where establishment of the use is permitted, the proposed project must be in substantial
8 conformance with the feasibility determination. Substantial conformance shall include, but not
9 be limited to, a determination that:

10 a. There is no net substantial increase in the environmental impacts of the
11 project-specific proposal as compared to the impacts of the proposal as approved in the
12 feasibility determination.

13 b. Conditions included in the feasibility determination are met.

14 E. Prohibited Uses. The following public facilities are prohibited in ~~((single-family))~~
15 neighborhood residential zones:

- 16 1. Jails;
- 17 2. Metro operating bases;
- 18 3. Park and ride lots;
- 19 4. Establishment of new sewage treatment plants;
- 20 5. Solid waste transfer stations;
- 21 6. Animal control shelters;
- 22 7. Post Office distribution centers; and
- 23 8. Work-release centers.

1 F. Essential Public Facilities. Permitted essential public facilities shall also be reviewed
2 according to the provisions of Chapter 23.80, Essential Public Facilities.

3 Section 71. Section 23.51B.002 of the Seattle Municipal Code, last amended by
4 Ordinance 123495, is amended as follows:

5 **23.51B.002 Public schools in residential zones**

6 Public schools in all ((single family)) neighborhood residential and multifamily zones are subject
7 to the following development standards unless otherwise indicated:

8 A. New public schools or additions to existing public schools and accessory uses
9 including child care centers that meet the applicable development standards of this Chapter
10 23.51B are permitted outright.

11 B. Departures from development standards may be permitted or required pursuant to
12 procedures and criteria established in Chapter 23.79, Establishment of Development Standard
13 Departure for Public Schools.

14 C. Lot Coverage in ((Single Family)) Neighborhood Residential Zones

15 1. For new public school construction on new public school sites the maximum lot
16 coverage permitted for all structures is 45 percent of the lot area for one story structures or 35
17 percent of the lot area if any structure or portion of a structure has more than one story.

18 2. For new public school construction and additions to existing public school
19 structures on existing public school sites, the maximum lot coverage permitted is the greater of
20 the following:

- 21 a. The lot coverage permitted in subsection 23.51B.002.C.1; or
22 b. The lot coverage of the former school structures on the site, provided
23 that the height of the new structure or portion of structure is no greater than that of the former

1 structures when measured according to Section 23.86.006.F, and at least 50 percent of the
2 footprint of the new principal structure is constructed on a portion of the lot formerly occupied
3 by the footprint of the former principal structure.

4 3. Departures from lot coverage limits may be granted or required pursuant to the
5 procedures and criteria set forth in Chapter 23.79. Up to 55 percent lot coverage may be allowed
6 for single-story structures, and up to 45 percent lot coverage for structures of more than one
7 story. Lot coverage restrictions may be waived by the Director as a Type I decision when waiver
8 would contribute to reduced demolition of residential structures.

9 4. The exceptions to lot coverage set forth in subsection 23.44.010.D apply.

10 D. Height

11 1. (~~Single Family~~) Neighborhood Residential and Lowrise Zones

12 a. For new public school construction on new public school sites, the
13 maximum permitted height is 30 feet plus 5 feet for a pitched roof. For gymnasiums and
14 auditoriums that are accessory to the public school, the maximum permitted height is 35 feet plus
15 10 feet for a pitched roof if all portions of the structure above 30 feet are set back at least 20 feet
16 from all lot lines. All parts of a pitched roof above the height limit must be pitched at a rate of
17 not less than 4:12. No portion of a shed roof on a gymnasium or auditorium is permitted to
18 extend above the 35 foot height limit under this provision.

19 b. For new public school construction on existing public school sites, the
20 maximum permitted height is 35 feet plus 15 feet for a pitched roof. All parts of the roof above
21 the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is
22 permitted to extend beyond the 35 foot height limit under this provision.

23 c. For additions to existing public schools on existing public school sites,

1 the maximum height permitted is the height of the existing school or 35 feet plus 15 feet for a
2 pitched roof, whichever is greater. When the height limit is 35 feet, the ridge of the pitched roof
3 on a principal structure may extend up to 15 feet above the height limit, and all parts of the roof
4 above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is
5 permitted to extend beyond the 35 foot limit under this provision.

6 2. Midrise and Highrise Zones. The maximum permitted height for any public
7 school located in a MR or HR zone is the base height permitted in that zone for multifamily
8 structures.

9 3. In Lowrise zones, departures from height limits may be granted or required
10 pursuant to the procedures and criteria set forth in Chapter 23.79. For construction of new
11 structures on new and existing public school sites to the extent not otherwise permitted outright,
12 the maximum height that may be granted as a development standard departure is 35 feet plus 15
13 feet for a roof pitched at a rate of not less than 4:12 for elementary schools and 60 feet plus 15
14 feet for a roof pitched at a rate of not less than 4:12 for secondary schools. No departures may be
15 granted for a portion of a shed roof to extend beyond 35 feet in height under this provision.

16 4. Height maximums in all residential zones may be waived by the Director as a
17 Type I decision when the waiver would contribute to reduced demolition of residential
18 structures.

19 5. The provisions of subsection B of Section 23.44.012 and the exemptions of
20 subsection C of Section 23.44.012 apply.

21 6. Light Standards

22 a. Light standards for illumination of athletic fields on new and existing
23 public school sites may be allowed to exceed the maximum permitted height, up to a maximum

1 height of 100 feet, if the Director determines that the additional height is necessary to ensure
2 adequate illumination and that impacts from light and glare are minimized to the greatest extent
3 practicable. The applicant must submit an engineer's report demonstrating that impacts from light
4 and glare are minimized to the greatest extent practicable. When proposed light standards are
5 reviewed as part of a project being reviewed pursuant to Chapter 25.05, Environmental Policies
6 and Procedures, and requiring a SEPA determination, the applicant must demonstrate that the
7 additional height contributes to a reduction in impacts from light and glare.

8 b. When proposed light standards are not included in a proposal being
9 reviewed pursuant to Chapter 25.05, the Director may permit the additional height as a special
10 exception subject to Chapter 23.76, Procedures for Master Use Permits and Council Land Use
11 Decisions.

12 1) When seeking a special exception for taller light standards, the
13 applicant must submit an engineer's report demonstrating that the additional height contributes to
14 a reduction in impacts from light and glare. When the proposal will result in extending the
15 lighted area's duration of use, the applicant must address and mitigate potential impacts,
16 including but not limited to, increased duration of noise, traffic, and parking demand. The
17 applicant also shall conduct a public workshop for residents within 1/8 of a mile of the affected
18 school in order to solicit comments and suggestions on design as well as potential impacts.

19 2) The Director may condition a special exception to address
20 negative impacts from light and glare on surrounding areas, and conditions may also be imposed
21 to address other impacts associated with increased field use due to the addition of lights,
22 including, but not limited to, increased noise, traffic, and parking demand.

23 E. Setbacks

1 1. General Requirements

2 a. No setbacks are required for new public school construction or for
3 additions to existing public school structures for that portion of the site across a street or an alley
4 or abutting a lot in a nonresidential zone. If any portion of the site is across a street or an alley
5 from or abuts a lot in a residential zone, setbacks are required for areas facing or abutting
6 residential zones, as provided in subsections E.2 through E.5 of this Section 23.51B.002.

7 Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC)
8 zones are based upon the residential zone classification of the RC lot.

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

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

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

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

19 a. New public school construction on new public school sites across a
20 street or alley from lots in residential zones shall provide minimum setbacks according to the
21 height of the school and the designation of the facing residential zone, as shown in Table A for
22 23.51B.002:

23 **Table A for 23.51B.002: Minimum Setbacks for a New Public School Site Located Across a**

1 **Street or Alley from a Residential Zone**

	Minimum Setbacks Across a Street or Alley from the Following Zones (in feet):			
Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average			
20 or less	15	10	5	0
Greater than 20 up to 35	15	10	5	0
Greater than 35 up to 50	20	15	5	0
Greater than 50	35	20	10	0

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b. New public school construction on new public school sites abutting lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table B for 23.51B.002:

Table B for 23.51B.002: Minimum Setbacks for a New Public School Site Abutting a Residential Zone

	Minimum Setbacks Abutting the Following Zones (in feet):			
Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average (minimum)			
20 or less	20 (10)	15 (10)	10 (5)	0
Greater than 20 up to 35	25 (10)	15 (10)	10 (5)	0
Greater than 35 up to 50	25 (10)	20 (10)	10 (5)	0
Greater than 50	30 (15)	25 (10)	15 (5)	0

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

Table C for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Located Across a Street or Alley from a Residential Zone

	Minimum Setbacks If Across a Street or Alley from the Following Zones (in feet):			
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Façade Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average			
20 or less	10	5	5	0
Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

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

Table D for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Abutting a Residential Zone

Minimum Setbacks Abutting the Following Zones (in feet):				
Façade Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average (minimum)			
20 or less	15 (10)	10 (5)	10 (5)	0 (0)
Greater than 20 up to 35	20 (10)	15 (10)	10 (5)	0 (0)
Greater than 35 up to 50	25 (10)	20 (10)	10 (5)	0 (0)
Greater than 50	30 (15)	25 (10)	15 (5)	0 (0)

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

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

Table E for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Located Across a Street or Alley

	Minimum Setbacks (in feet) If Located Across a Street or Alley from:
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Façade Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average			
20 or less	5	5	5	0
Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

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b. Additions to public schools on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone as shown in Table F for 23.51B.002, whichever is less:

Table F for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Abutting a Residential Zone

	Minimum Setbacks by Abutting Zone (in feet):			
Façade Height	((SF)) NR/L1	LR2/LR3	MR	HR
	Average (minimum)			
20 or less	10 (5)	10 (5)	10 (5)	0 (0)
Greater than 20 up to 35	15 (5)	10 (5)	10 (5)	0 (0)
Greater than 35 up to 50	20 (10)	20 (10)	10 (5)	0 (0)
Greater than 50	25 (10)	25 (10)	15 (5)	0 (0)

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

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

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

1 c. The limits in subsections E.5.a and E.5.b of this Section 23.51B.002
2 may be waived by the Director if a waiver would contribute to reduced demolition of residential
3 structures.

4 * * *

5 Section 72. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance
6 125791, is amended as follows:

7 **23.53.006 Pedestrian access and circulation**

8 * * *

9 D. Outside urban centers and urban villages. Outside urban centers and urban villages,
10 sidewalks, curbs, and curb ramps are required on an existing street in any of the following
11 circumstances, except as provided in subsection 23.53.006.F.

12 1. In any zone with a pedestrian designation, sidewalks, curbs, and curb ramps are
13 required when new lots, other than unit lots, are created through the full or short subdivision
14 platting process or when development is proposed.

15 2. In industrial zones, on streets designated on Map A for 23.50.016, Industrial
16 Streets Landscaping Plan, sidewalks, curbs, and curb ramps are required when new lots are
17 created through the full or short subdivision platting process or when development is proposed.
18 Sidewalks, curbs, and curb ramps are required only for the portion of the lot that abuts the
19 designated street.

20 3. On arterials, except in IG1 and IG2 zones and on lots in IB zones that are not
21 directly across the street from or abutting a lot in a residential or commercial zone, sidewalks,
22 curbs, and curb ramps are required when new lots, other than unit lots, are created through the

1 full or short subdivision platting process or when development is proposed. Sidewalks, curbs,
2 and curb ramps are required only for the portion of the lot that abuts the arterial.

3 4. In ~~((single-family))~~ neighborhood residential zones, sidewalks, curbs, and curb
4 ramps are required when ten or more lots are created through the full subdivision platting process
5 or when ten or more dwelling units are developed.

6 5. Outside of ~~((single-family))~~ neighborhood residential zones, except in IG1 and
7 IG2 zones and on lots in IB zones that are not directly across the street from or abutting a lot in a
8 residential or commercial zone, sidewalks, curbs, and curb ramps are required when six or more
9 lots, other than unit lots, are created through the full or short subdivision platting process or
10 when six or more dwelling units are developed.

11 6. In all zones, except IG1 and IG2 zones and on lots in IB zones that are not
12 directly across the street from or abutting a lot in a residential or commercial zone, sidewalks,
13 curbs, and curb ramps are required when the following non-residential uses are developed:

14 a. Seven hundred and fifty square feet or more of gross floor area of major
15 and minor vehicle repair uses and multi-purpose retail sales; or

16 b. Four thousand square feet or more of non-residential uses not listed in
17 subsection 23.53.006.D.6.a.

18 * * *

19 Section 73. Section 23.53.010 of the Seattle Municipal Code, last amended by Ordinance
20 123495, is amended as follows:

21 **23.53.010 Improvement requirements for new streets in all zones**

22 A. General Requirements. New streets created through the platting process or otherwise
23 dedicated shall meet the requirements of this chapter and the Right-of-Way Improvements

1 Manual.

2 B. Required right-of-way widths for new streets.

3 1. Arterial and downtown streets. New streets located in downtown zones, and
4 new arterials, shall be designed according to the Right-of-Way Improvements Manual.

5 2. Nonarterials not in downtown zones.

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

8 **Table A for Section 23.53.010**

Zone Category	Required Right-of-Way Width
1. ((SF)) NR, LR1, NC1	50 feet
2. LR2, LR3, NC2	56 feet
3. MR, HR, NC3, C1, C2, SCM, IB, IC	60 feet
4. IG1, IG2	66 feet

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

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

19 Section 74. Section 23.53.015 of the Seattle Municipal Code, last amended by Ordinance
20 125681, is amended as follows:

21 **23.53.015 Improvement requirements for existing streets in residential and commercial**

1 **zones**

2 * * *

3 D. Exceptions

4 1. Streets with existing curbs

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

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

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

15 3) Pedestrian access and circulation are required as specified in
16 Section 23.53.006.

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

20 1) Setback requirement. A setback equal to half the difference
21 between the current right-of-way width and the minimum right-of-way width established in
22 subsection 23.53.015.A.6 is required; provided, however, that if a setback has been provided
23 under this provision, other lots on the block shall provide the same setback. In all residential

1 zones except Highrise zones, an additional 3-foot setback is also required. The area of the
2 setback may be used to meet any development standard, except that required parking may not be
3 in the setback. Underground structures that would not prevent the future widening and
4 improvement of the right-of-way may be permitted in the required setback by the Director after
5 consulting with the Director of Transportation. Encroachments into this setback shall not be
6 considered structural building overhangs, but the encroachment is limited to the standards set
7 forth in Section 23.53.035.

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

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

14 4) Pedestrian access and circulation are required as specified in
15 Section 23.53.006.

16 2. Projects with reduced improvement requirements

17 a. One or two dwelling units. If no more than two new dwelling units are
18 proposed to be constructed, or no more than two new ~~((single-family))~~ neighborhood residential
19 zoned lots are proposed to be created, the following requirements shall be met:

20 1) If there is no existing hard-surfaced roadway, a crushed-rock
21 roadway at least 16 feet in width is required, as specified in the Right-of-Way Improvements
22 Manual.

23 2) All structures on the lot(s) shall be designed and built to

1 accommodate the grade of the future street improvements.

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

5 4) Pedestrian access and circulation are required as specified in
6 Section 23.53.006.

7 b. Other projects with reduced requirements. The types of projects listed in this
8 subsection 23.53.015.D.2.b are exempt from right-of-way dedication requirements and are
9 subject to the street improvement requirements of this subsection 23.53.015.D.2.b, except as
10 waived or modified pursuant to subsection 23.53.015.D.3:

11 1) Types of projects

12 a) Proposed developments that contain more than two but
13 fewer than ten units in ((SF)) NR, RSL, and LR1 zones, or fewer than six residential units in all
14 other zones, or proposed short plats in which no more than two additional lots are proposed to be
15 created, except as provided in subsection 23.53.015.D.2.a;

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

18 c) Non-residential structures that have less than 4,000
19 square feet of gross floor area and that do not contain uses listed in subsection
20 23.53.015.D.2.b.1.b that are larger than 750 square feet;

21 d) Structures containing a mix of residential uses and either
22 nonresidential uses or live-work units, if there are fewer than ten units in ((SF)) NR, RSL, and
23 LR1 zones, or fewer than six residential units in all other zones, and the square footage of

1 nonresidential use is less than specified in subsections 23.53.015.D.2.b.1.b and
2 23.53.015.D.2.b.1.c;

3 e) Remodeling and use changes within existing structures;

4 f) Additions to existing structures that are exempt from
5 environmental review; and

6 g) Expansions of surface parking, outdoor storage, outdoor
7 sales or outdoor display of rental equipment of less than 20 percent of the parking, storage, sales
8 or display area or number of parking spaces.

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

18 3) Other requirements. The requirements of subsection
19 23.53.015.D.1.b shall also be met.

20 3. Exceptions from required street improvements. As a Type 1 decision, the
21 Director, in consultation with the Director of Transportation, may waive or modify the
22 requirements for paving and drainage, dedication, setbacks, grading, no-protest agreements, and
23 landscaping if one or more of the following conditions are met. The waiver or modification shall

1 provide the minimum relief necessary to accommodate site conditions while maximizing access
2 and circulation.

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

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

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

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

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

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

22 g. Widening or improving the right-of-way is impractical because
23 topography would preclude the use of the street for vehicular access to the lot, for example due

1 to an inability to meet the required 15 percent maximum driveway slope.

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

5 Section 75. Section 23.53.030 of the Seattle Municipal Code, last amended by Ordinance
6 125603, is amended as follows:

7 **23.53.030 Alley improvements in all zones**

8 * * *

9 B. New alleys

10 1. New alleys created through the platting process shall meet the requirements of
11 Subtitle II of this Title 23.

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

Table A for Section 23.53.030: Width of New Alley Rights-of-Way	
Zone Category	Right-of-Way Width
1. ((SF)) NR, LR1, NC1	12 feet
2. LR2, LR3, NC2	16 feet
3. MR, HR, NC3, C1, C2, SM and all Industrial and Downtown zones	20 feet

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

20 C. Definition of improved alley. In certain zones, alley access is required if the alley is

1 improved. For the purpose of determining if access is required, the alley will be considered
2 improved if it meets the standards of this subsection 23.53.030.C.

3 1. Right-of-way width

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

Table B for Section 23.53.030: Right-of-Way Width for Alleys Considered to be Improved	
Zone Category	Right-of-Way Width
1. ((SF)) NR, LR1, LR2, LR3, NC1	10 feet
2. MR, HR, NC2	12 feet
3. NC3, C1, C2 and SM	16 feet

6
7 b. If an alley abuts lots in more than one zone category, the minimum alley
8 width shall be determined based on the requirements in Table B for the zone category with the
9 most frontage excluding Zone Category 1. If Zone Categories 2 and 3 have equal frontage, the
10 minimum alley width shall be 16 feet.

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

12 D. Minimum widths established.

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

Table C for Section 23.53.030: Required Minimum Right-of-Way Widths for Existing Alleys	
Zone Category	Right-of-Way Width
1. ((SF)) NR and LR1	No minimum width
2. LR2, NC1	12 feet
3. LR3, MR, HR, NC2	16 feet
4. NC3, C1, C2, SM, all downtown zones	20 feet
5. All industrial zones	20 feet

15
16 2. If an alley abuts lots in more than one zone category, the minimum alley width

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

5 * * *

6 Section 76. Tables A, B, C and D for Section 23.54.015 of the Seattle Municipal Code,
 7 which section was last amended by Ordinance 126287, is amended as follows:

8 **23.54.015 Required parking and maximum parking limits**

9 * * *

Table A for 23.54.015 Required Parking for Non-residential Uses Other Than Institutions				
Use		Minimum parking required		
I. General Non-residential Uses (other than institutions)				
A.	AGRICULTURAL USES ¹		1 space for each 2,000 square feet	
B.	COMMERCIAL USES			
	B.1.	Animal shelters and kennels	1 space for each 2,000 square feet	
	B.2.	Eating and drinking establishments	1 space for each 250 square feet	
	B.3.	Entertainment Uses, general, except as noted below ²	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats	
		B.3.a	Adult cabarets	1 space for each 250 square feet
		B.3.b	Sports and recreation uses	1 space for each 500 square feet
	B.4.	Food processing and craft work	1 space for each 2,000 square feet	
	B.5.	Laboratories, research and development	1 space for each 1,500 square feet	
	B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in ((single family)) neighborhood residential and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms	
	B.7.	Medical services	1 space for each 500 square feet	
	B.8.	Offices	1 space for each 1,000 square feet	
	B.9.	Sales and services, automotive	1 space for each 2,000 square feet	

	B.10.	Sales and services, general, except as noted below		1 space for each 500 square feet
		B.10.a.	Pet Daycare Centers ³	1 space for each 10 animals or 1 space for each staff member, whichever is greater, plus 1 loading and unloading space for each 20 animals
	B.11.	Sales and services, heavy		1 space for each 2,000 square feet
	B.12.	Sales and services, marine		1 space for each 2,000 square feet
C.	HIGH IMPACT USES			1 space for each 2,000 square feet
D.	LIVE-WORK UNITS			0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use
E.	MANUFACTURING USES			1 space for each 2,000 square feet
F.	STORAGE USES			1 space for each 2,000 square feet
G.	TRANSITIONAL ENCAMPMENT INTERIM USE			1 space for every vehicle used as shelter; plus 1 space for each 2 staff members on-site at peak staffing times
H.	TRANSPORTATION FACILITIES			
	H.1.	Cargo terminals		1 space for each 2,000 square feet
	H.2.	Parking and moorage		
		H.2.a.	Flexible-use parking	None
		H.2.b.	Towing services	None
		H.2.c.	Boat moorage	1 space for each 2 berths
		H.2.d.	Dry storage of boats	1 space for each 2,000 square feet
	H.3.	Passenger terminals		1 space for each 100 square feet of waiting area
	H.4.	Rail transit facilities		None
	H.5.	Transportation facilities, air		1 space for each 100 square feet of waiting area
	H.6.	Vehicle storage and maintenance uses		1 space for each 2,000 square feet
I.	UTILITIES			1 space for each 2,000 square feet
II. Non-residential Use Requirements for Specific Areas				
J.	Non-residential uses in urban centers or the Station Area Overlay District ⁴			No minimum requirement
K.	Non-residential uses in urban villages that are not within an urban center or the Station Area Overlay			No minimum requirement

	District, if the non-residential use is located within a frequent transit service area. ⁴	
L.	Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504.	No minimum requirement

Footnotes for Table A for 23.54.015

¹ No parking is required for urban farms or community gardens in residential zones.

² Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.

³ The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.

⁴ The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a non-residential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of non-residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

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Table B for 23.54.015	
Required parking for residential uses	
Use	Minimum parking required
I. General residential uses	
A.	Adult family homes
	1 space for each dwelling unit

B.	Artist's studio/dwellings	1 space for each dwelling unit
C.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences	1 space for each 4 sleeping rooms
F.	Cottage housing developments	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015 ¹	1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units
J.	Nursing homes ²	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units ³	1 space for each dwelling unit
II. Residential use requirements for specific areas		
L.	All residential uses within urban centers or within the Station Area Overlay District ¹	No minimum requirement
M.	All residential uses in commercial, RSL and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area ^{1, 4}	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ¹	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ¹	1.5 spaces for each dwelling unit
III. Multifamily residential use requirements with rent and income criteria		
P.	For each dwelling unit rent and income-restricted at or below 80 percent of the median income ^{1, 5}	No minimum requirement

Footnotes to Table B for 23.54.015

¹ The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a greater or a lesser amount of minimum

parking, including no parking, under any other provision of this Section 23.54.015. If more than one such provision may apply, the provision requiring the least amount of minimum parking applies, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other applicable requirement in Part I or Part II of this Table B for 23.54.015. The minimum amount of parking prescribed by Part III of Table B for 23.54.015 applies to individual units within a use, structure, or development instead of any requirements in Parts I or II of Table B for 23.54.015.

² For development within (~~(single-family)~~) neighborhood residential zones the Director may waive some or all of the minimum parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the minimum parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions are effective only as long as the conditions that justify the waiver are present. When the conditions are no longer present, the development shall provide the amount of minimum parking that otherwise is required.

³ No parking is required for single-family residential uses on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3.

⁴ Except as provided in Part III of Table B for 23.54.015, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.

⁵ Dwelling units qualifying for parking reductions according to Part III of Table B for 23.54.015 shall be subject to a recorded restrictive housing covenant or recorded regulatory agreement that includes rent and income restrictions at or below 80 percent of median income, without a minimum household income requirement. The housing covenant or regulatory agreement including rent and income restrictions qualifying the development for parking reductions according to Part III of Table B for 23.54.015 shall be for a term of at least 15 years from the date of issuance of the certificate of occupancy and shall be recorded with the King County Recorder, signed and acknowledged by the owner(s), in a form prescribed by the Director of Housing. If these provisions are applied to a development for housing for persons 55 or more years of age, such housing shall have qualified for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.

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Table C for 23.54.015 Required Parking for Public Uses and Institutions	
Use	Minimum parking required
I. General Public Uses and Institutions	
A. Adult care centers ^{1, 2}	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is

		greater; plus 1 loading and unloading space for each 20 adults (clients)
B.	Child care centers ^{1, 2, 3}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) ^{1, 4}	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by SPR ^{1, 5}	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
F.	Hospitals	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
G.	Institutes for advanced study, except in ((single-family)) <u>neighborhood residential zones</u>	1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
H.	Institutes for advanced study in ((single-family)) <u>neighborhood residential zones</u> (existing) ¹	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
I.	Libraries ^{1, 6}	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms

J.	Museums ¹	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
L.	Religious facilities ¹	1 space for each 80 square feet of all auditoria and public assembly rooms
M.	Schools, private elementary and secondary ¹	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
N.	Schools, public elementary and secondary ^{7,8}	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
O.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate
II. General Public Uses and Institutions for Specific Areas		
P.	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ⁹	No minimum requirement
Q.	General public uses and institutions, except hospitals, including institutes for advanced study in ((single-family)) <u>neighborhood residential</u> zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a frequent transit service area	No minimum requirement

Footnotes for Table C for 23.54.015

¹ When this use is permitted in a ((~~single-family~~)) neighborhood residential zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.

² The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.

³ A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

⁴ When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.

⁵ Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.

⁶ When a library is permitted in a ((~~single-family~~)) neighborhood residential zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements pursuant to subsection 23.44.022.L.

⁷ For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.

⁸ Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.

⁹ The general requirements of lines A through O of Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other

provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

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Table D for 23.54.015 Parking for bicycles ¹			
Use		Bike parking requirements	
		Long-term	Short-term
A. COMMERCIAL USES			
A.1.	Eating and drinking establishments	1 per 5,000 square feet	1 per 1,000 square feet
A.2.	Entertainment uses other than theaters and spectator sports facilities	1 per 10,000 square feet	Equivalent to 5 percent of maximum building capacity rating
	A.2.a Theaters and spectator sports facilities	1 per 10,000 square feet	Equivalent to 8 percent of maximum building capacity rating ²
A.3.	Lodging uses	3 per 40 rentable rooms	1 per 20 rentable rooms plus 1 per 4,000 square feet of conference and meeting rooms
A.4.	Medical services	1 per 4,000 square feet	1 per 2,000 square feet
A.5.	Offices and laboratories, research and development	1 per 2,000 square feet	1 per 10,000 square feet
A.6.	Sales and services, general	1 per 4,000 square feet	1 per 2,000 square feet
A.7.	Sales and services, heavy	1 per 4,000 square feet	1 per 10,000 square feet of occupied floor area; 2 spaces minimum
B. INSTITUTIONS			
B.1.	Institutions not listed below	1 per 4,000 square feet	1 per 10,000 square feet
B.2.	Child care centers	1 per 4,000 square feet	1 per 20 children. 2 spaces minimum
B.3.	Colleges	1 per 5,000 square feet	1 per 2,500 square feet
B.4.	Community clubs or centers	1 per 4,000 square feet	1 per 1,000 square feet
B.5.	Hospitals	1 per 4,000 square feet	1 per 10,000 square feet
B.6.	Libraries	1 per 4,000 square feet	1 per 2,000 square feet
B.7.	Museums	1 per 4,000 square feet	1 per 2,000 square feet
B.8.	Religious facilities	1 per 4,000 square feet	1 per 2,000 square feet
B.9.	Schools, primary and secondary	3 per classroom	1 per classroom
B.10.	Vocational or fine arts schools	1 per 5,000 square feet	1 per 2,500 square feet

C. MANUFACTURING USES		1 per 4,000 square feet	1 per 20,000 square feet
D. RESIDENTIAL USES ³			
D.1.	Congregate residences ⁴	1 per sleeping room	1 per 20 sleeping rooms. 2 spaces minimum
D.2.	Multi-family structures ^{4, 5}	1 per dwelling unit	1 per 20 dwelling units
D.3.	Single-family residences	None	None
D.4.	Permanent supportive housing	None	None
E. TRANSPORTATION FACILITIES			
E.1.	Park and ride facilities on surface parking lots	At least 20 ⁶	At least 10
E.2.	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3.	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto spaces	None
E.4.	Rail transit facilities and passenger terminals	Spaces for 5% of projected AM peak period daily ridership ⁶	Spaces for 2% of projected AM peak period daily ridership

Footnotes to Table D for 23.54.015:

¹ Required bicycle parking includes long-term and short-term amounts shown in this table.

² The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.

³ For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table D for 23.54.015.

⁴ For congregate residences or multifamily structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle.

⁵ For each dwelling rent and income-restricted at 30 percent of median income and below, there is no minimum required long-term bicycle parking requirement. For each dwelling rent and income-restricted at 60 percent to 31 percent of the median income, long-term bicycle parking requirements may be wholly or partially waived by the Director as a Type I decision if the waiver would result in additional rent and income restricted units meeting the requirements of this footnote to Table D for 23.54.015 and when a reasonable alternative such as, in-unit vertical bicycle storage space is provided. The Directors of the Seattle Department of Construction and Inspections and Seattle Department of Transportation are authorized to promulgate a joint Directors' Rule defining reasonable alternatives for long-term bicycle parking that meets the standards of this footnote to Table D for 23.54.015. Dwelling units qualifying for this provision shall be subject to a housing covenant, regulatory agreement, or

other legal instrument recorded on the property title and enforceable by The City of Seattle or other similar entity, which restricts residential unit occupancy to households at or below 60 percent of median income, without a minimum household income requirement. The housing covenant or regulatory agreement including rent and income restrictions shall be for a term of at least 40 years from the date of issuance of the certificate of occupancy and shall be recorded with the King County Recorder, signed and acknowledged by the owner(s), in a form prescribed by the Director of Housing or the Washington State Housing Finance Commission. If these provisions are applied to a development for housing for persons 55 or more years of age, such housing shall have qualified for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.

⁶ The Director, in consultation with the Director of the Seattle Department of Transportation, may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

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Section 77. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.54.020 Parking quantity exceptions

The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all zones except downtown zones, which are regulated by Section 23.49.019, and Major Institution zones, which are regulated by Section 23.54.016.

* * *

K. Peat Settlement-prone Environmentally Critical Areas. Except in ((~~Single-family, Residential Small Lot,~~)) Neighborhood Residential and Lowrise zones, the Director may reduce or waive the minimum accessory off-street parking requirements to the minimum extent necessary to offset underground parking potential lost to limitations set forth in Section 25.09.110 on development below the annual high static groundwater level in peat settlement-prone areas. In making any such reduction or waiver, the Director will assess area parking needs. The Director may require a survey of on- and off-street parking availability. The Director may

1 take into account the level of transit service in the immediate area; the probable relative
2 importance of walk-in traffic; proposals by the applicant to encourage carpooling or transit use
3 by employees; hours of operation; and any other factor or factors considered relevant in
4 determining parking impact.

5 * * *

6 Section 78. Section 23.55.012 of the Seattle Municipal Code, last amended by Ordinance
7 121477, is amended as follows:

8 **23.55.012 Temporary signs permitted in all zones.**

9 A. Real estate "for sale," "for rent" and "open house" temporary signs, temporary signs
10 identifying the architect, engineer or contractor for work currently under construction, and
11 temporary noncommercial messages displayed on fabric signs, flags or rigid signs shall be
12 permitted in all zones at all times, provided they are not painted with light-reflecting paint or
13 illuminated. The total area for these types of temporary signs in the aggregate shall not exceed
14 eight (8) square feet per building lot in (~~single-family~~) neighborhood residential zones, and
15 twenty-four (24) square feet per building lot in all other zones, except as follows: the total area
16 allowed for noncommercial messages may increase to a maximum of eight (8) square feet per
17 dwelling unit for use by the occupant of that dwelling unit; and in buildings where there are eight
18 (8) dwelling units or more, a real estate banner not exceeding thirty-six (36) square feet may be
19 permitted for one (1) nine (9) month period starting from the date of the issuance of the
20 certificate of occupancy.

21 * * *

22 Section 79. Section 23.55.015 of the Seattle Municipal Code, last amended by Ordinance
23 125272, is amended as follows:

1 **23.55.015 Sign kiosks and community bulletin boards**

2 A. Sign Kiosks. Sign kiosks are permitted in all zones, except ((single-family))
3 neighborhood residential zones and multifamily residential zones, provided that a sign kiosk may
4 abut a park or playground at least one acre in size, or publicly owned community center in all
5 zones. Sign kiosks are not permitted within fifty (50) feet of a ((single-family)) neighborhood
6 residential zone or multifamily residential zone.

7 * * *

8 Section 80. Section 23.55.020 of the Seattle Municipal Code, last amended by Ordinance
9 125272, is amended as follows:

10 **23.55.020 Signs in ((single-family)) neighborhood residential zones**

11 A. Signs shall be stationary and shall not rotate.

12 B. No flashing, changing-image or message board signs shall be permitted.

13 C. No roof signs shall be permitted.

14 D. The following signs are permitted in all ((single-family)) neighborhood residential
15 zones:

16 1. Electric, externally illuminated or nonilluminated signs bearing the name of the
17 occupant of a dwelling unit, not exceeding 64 square inches in area;

18 2. Memorial signs or tables, and the name of buildings and dates of building
19 erection if cut into a masonry surface or constructed of bronze or other noncombustible
20 materials;

21 3. Signs for public facilities indicating danger and/or providing service or safety
22 information;

23 4. National, state, and institutional flags;

1 5. For any nonresidential use allowed in the zone except for elementary or
2 secondary schools, one electric or nonilluminated double-faced identifying wall or ground sign
3 not to exceed 15 square feet of area per sign face on each street frontage;

4 6. On-premises directional signs not exceeding 8 square feet in area. One such
5 sign is permitted for each entrance or exit to a surface parking area or parking garage;

6 7. For elementary or secondary schools, one electric or nonilluminated double-
7 faced identifying sign, not to exceed 30 square feet of area per sign face on each street frontage,
8 provided that the signs shall be located and landscaped so that light and glare impacts on
9 surrounding properties are reduced, and so that any illumination is controlled by a timer set to
10 turn off by 10 p.m.

11 8. One nonilluminated sign bearing the name of a home occupation not exceeding
12 64 square inches in area.

13 * * *

14 Section 81. Section 23.57.005 of the Seattle Municipal Code, last amended by Ordinance
15 124172, is amended as follows:

16 **23.57.005 Permitted and prohibited locations**

17 A. (~~Single Family, Residential Small Lot~~) Neighborhood Residential, Lowrise, Midrise,
18 Highrise, Neighborhood Commercial 1, 2 and 3, and Seattle Mixed zones

19 1. New major communication utilities are prohibited.

20 2. Physical expansion of existing major communication utilities may be permitted
21 by Council Conditional Use under the criteria listed in Section 23.57.006 and according to
22 development standards in Section 23.57.008.

23 3. The following activities are permitted outright for existing communication

1 utilities and accessory communication devices: structural alteration to meet safety requirements,
2 replacement on-site, maintenance, renovation, or repair. The addition of new accessory
3 communication devices or new minor communication utilities to an existing tower is permitted
4 outright, except as follows: No more than a total of 15 horn and dish antennas that are over 4 feet
5 in any dimension may be located on an existing tower, unless the applicant submits copies of
6 Federal Communications Commission licenses, as provided in subsection 23.57.008.G, showing
7 that all of the existing 15 horn and dish antennas over 4 feet in any dimension, plus any proposed
8 additional such horn or dish antennas, are accessory to the communication utility.

9 * * *

10 Section 82. Section 23.57.008 of the Seattle Municipal Code, last amended by Ordinance
11 124952, is amended as follows:

12 **23.57.008 Development standards**

13 A. In ((~~Single Family, Residential Small Lot~~)) Neighborhood Residential, Lowrise,
14 Midrise, Highrise, Neighborhood Commercial, and Seattle Mixed zones, physical expansion of a
15 major communication utility may be permitted only when:

16 1. The expanded facility will be a shared-use utility, and another broadcaster has
17 contracted to relocate its transmitter to the expanded facility; and

18 2. A different existing tower of similar size in the immediate vicinity will be
19 removed within six months of issuance of the certificate of occupancy.

20 * * *

21 Section 83. Section 23.57.009 of the Seattle Municipal Code, last amended by Ordinance
22 120928, is amended as follows:

23 **23.57.009 Permitted and prohibited locations for all minor communication utilities, and**

1 **development standards for minor communication utilities with freestanding transmission**
2 **towers in all zones.**

3 * * *

4 B. Interior Locations. Minor communication utilities located entirely within the interior
5 of a structure shall be permitted outright on lots developed with non-single family principal uses
6 in ~~((single family))~~ neighborhood residential zones, and on all lots in all other zones. The
7 installation of the utility shall not result in the removal of a dwelling unit in a residential zone.

8 * * *

9 Section 84. Section 23.57.010 of the Seattle Municipal Code, last amended by Ordinance
10 123649, is amended as follows:

11 **23.57.010 ~~((Single Family and Residential Small Lot))~~ Neighborhood Residential zones**

12 * * *

13 C. Uses Permitted by Administrative Conditional Use.

14 1. The following may be permitted by Administrative Conditional Use, pursuant
15 to criteria listed in subsection 23.57.010.C.2, as applicable:

16 a. The establishment or expansion of a minor communication utility,
17 unless the minor communication utility is permitted outright on an existing freestanding major or
18 minor communication tower, except on lots zoned ~~((single family or Residential Small Lot))~~
19 neighborhood residential and containing a single family dwelling or no use.

20 b. Mechanical equipment associated with minor communication utilities
21 whose antennas are located on another site or in the right-of-way, where the equipment is
22 completely enclosed within a structure that meets the development standards of the zone. The
23 equipment shall not emit radiofrequency radiation, and shall not result in the loss of a dwelling

1 unit. Antennas attached to City-owned poles in the right-of-way shall follow the terms and
2 conditions contained in Section 15.32.300.

3 2. Administrative Conditional Use Criteria.

4 a. The proposal shall not be significantly detrimental to the residential
5 character of the surrounding residentially zoned area, and the facility and the location proposed
6 shall be the least intrusive facility at the least intrusive location consistent with effectively
7 providing service. In considering detrimental impacts and the degree of intrusiveness, the
8 impacts considered shall include but not be limited to visual, noise, compatibility with uses
9 allowed in the zone, traffic, and the displacement of residential dwelling units.

10 b. The visual impacts that are addressed in Section 23.57.016 shall be
11 mitigated to the greatest extent practicable.

12 c. Within a Major Institution Overlay District, a Major Institution may
13 locate a minor communication utility or an accessory communication device, either of which
14 may be larger than permitted by the underlying zone, when:

15 1) The antenna is at least 100 feet from a Major Institution Overlay
16 District boundary, and

17 2) The antenna is substantially screened from the surrounding
18 neighborhood's view.

19 d. If the proposed minor communication utility is proposed to exceed the
20 permitted height of the zone, the applicant shall demonstrate the following:

21 1) The requested height is the minimum necessary for the effective
22 functioning of the minor communication utility, and

23 2) Construction of a network of minor communication utilities that

1 consists of a greater number of smaller less obtrusive utilities is not technically feasible.

2 e. If the proposed minor communication utility is proposed to be a new
3 freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible
4 for the proposed facility to be on another existing transmission tower or on an existing building
5 in a manner that meets the applicable development standards. The location of a facility on a
6 building on an alternative site or sites, including construction of a network that consists of a
7 greater number of smaller less obtrusive utilities, shall be considered.

8 f. If the proposed minor communication utility is for a personal wireless
9 facility and it would be the third separate utility, or any subsequent separate utility after the third
10 utility, on the same lot, the applicant shall demonstrate that it meets the criteria contained in
11 subsection 23.57.009.A, except for minor communication utilities located on a freestanding
12 water tower or similar facility.

13 * * *

14 Section 85. Section 23.58C.050 of the Seattle Municipal Code, last amended by
15 Ordinance 125835, is amended as follows:

16 **23.58C.050 Affordable housing—performance option**

17 * * *

18 C. Performance requirements. Units provided to comply with this Chapter 23.58C
19 through the performance option shall meet the following requirements:

20 1. Distribution. Units provided through the performance option shall be generally
21 distributed throughout each structure in the development containing units.

22 2. Comparability Units provided through the performance option shall be
23 comparable to the other units to be developed in terms of the following:

- 1 a. Status as a dwelling unit, live-work unit, or congregate residence
2 sleeping room;
- 3 b. Number and size of bedrooms and bathrooms;
4 c. Net unit area measured by square feet;
5 d. Access to amenity areas;
6 e. Functionality; and
7 f. Term of the lease.
- 8 3. Eligible households. Units provided through the performance option shall serve
9 only:
- 10 a. At initial occupancy by a household:
- 11 1) For a rental unit with net unit area of 400 square feet or less,
12 households with incomes no greater than 40 percent of median income;
- 13 2) For a rental unit with net unit area of greater than 400 square
14 feet, households with incomes no greater than 60 percent of median income;
- 15 3) For an ownership unit, households with incomes no greater than
16 80 percent of median income, and that meet a reasonable limit on assets. The Director of
17 Housing shall establish by rule the method to establish a reasonable limit on assets.
- 18 b. At the time of annual certification according to subsection
19 23.58C.050.C.6.c:
- 20 1) For a rental unit with net unit area of 400 square feet or less,
21 households with incomes no greater than 60 percent of median income;
- 22 2) For a rental unit with net unit area of greater than 400 square
23 feet, households with incomes no greater than 80 percent of median income.

1 4. Affirmative marketing. Units provided through the performance option shall be
2 affirmatively marketed to attract eligible households from all racial, ethnic, and gender groups in
3 the housing market area of the property, particularly to inform and solicit applications from
4 households who are otherwise unlikely to apply for housing in the development. Proposed
5 marketing efforts shall be submitted to the Office of Housing for review and approval. Records
6 documenting affirmative marketing efforts shall be maintained and submitted to the Office of
7 Housing upon request.

8 5. Public subsidy. If any public subsidy, including the Multifamily Housing
9 Property Tax Exemption authorized by Chapter 5.73 and chapter 84.14 RCW, is used for a
10 development containing units provided through the performance option on the same lot as the
11 development required to comply with this Chapter 23.58C, and the public subsidy operates
12 through subjecting some of the units in the development to restrictions on the income levels of
13 occupants and the rents or sale prices that may be charged, the units provided to comply with this
14 Chapter 23.58C shall be different units than the units that are subject to such restrictions as a
15 condition of the public subsidy.

16 6. Additional requirements for rental units provided through the performance
17 option

18 a. Rent levels. Monthly rent shall not exceed 30 percent of 60 percent of
19 median income or, in the case of rental units with net unit area of 400 square feet or less, 30
20 percent of 40 percent of median income. For purposes of this subsection 23.58C.050.C.6.a,
21 "monthly rent" includes a utility allowance for heat, gas, electricity, water, sewer, and refuse
22 collection, to the extent such items are not paid for tenants by the owner, and any recurring fees
23 that are required as a condition of tenancy.

1 b. Limitation on charges. Fees charged to eligible households upon move-
2 in or transfer within the development shall be limited to a reasonable level to be established by
3 the Director of Housing by rule. No tenant of a rental unit may be charged fees for income
4 verifications or reporting requirements related to this Chapter 23.58C.

5 c. Annual certification, third party verification

6 1) The owner of the rental unit shall obtain from each tenant, no
7 less than annually, a certification of household size and annual income in a form acceptable to
8 the City. The owner shall examine the income of each tenant household in accordance with 24
9 CFR 5.609, with guidance from the HUD Occupancy Handbook 4350.3, Chapter 5. The owner
10 also shall examine the income and household size of any tenant at any time when there is
11 evidence that the tenant's written statement was not complete or accurate. If so requested by the
12 City, the owner shall obtain such certifications and/or examine incomes and household sizes at
13 any other times upon reasonable advance notice from the City. The owner shall maintain all
14 certifications and documentation obtained according to this subsection 23.58C.050.C.6.c.1 on
15 file for at least six years after they are obtained, and shall make them available to the City for
16 inspection and copying promptly upon request.

17 2) Owners of rental units shall attempt to obtain third party
18 verification whenever possible to substantiate income at each certification, which shall include
19 contacting the individual income source(s) supplied by the household. The verification
20 documents shall be supplied directly to the independent source by the owner and returned
21 directly to the owner from the independent source. In the event that the independent source does
22 not respond to the owner's faxed, mailed, or emailed request for information, the owner may
23 pursue oral third party verification. If written or oral third party documentation is not available,

1 the owner may accept original documents (pay stubs, W-2, etc.) at the discretion of the Director
2 of Housing and shall document why third party verification was not available. At the discretion
3 of the Director of Housing, the owner may accept tenant self-certifications after the initial
4 income verification and first annual recertification.

5 d. Reporting. At such times as may be authorized by the Director of
6 Housing, but no less than annually, the owner of the rental unit shall submit to the Director of
7 Housing a written report, verified upon oath or affirmation by the owner, demonstrating
8 compliance with this Chapter 23.58C. The written report shall state, at a minimum, the
9 occupancy and vacancy of each rental unit, the monthly rent charged for the unit, and the income
10 and size of the household occupying the unit. The Director of Housing may require other
11 documentation to ensure compliance with this subsection 23.58C.050.C, including but not
12 limited to documentation of rents, copies of tenant certifications, documentation supporting
13 determinations of tenant income (including employer's verification or check stubs), and other
14 documentation necessary to track program outcomes and the demographics of households
15 served. The first annual report shall include documentation of issuance of the certificate of
16 occupancy or final building permit inspection for the rental unit. The Director of Housing is
17 authorized to assess a late fee of \$50 per day, to accrue starting 14 days from the date the Office
18 of Housing notifies the owner of the rental unit that the report is overdue, until the report is
19 submitted.

20 e. Annual fee. The owner of the rental unit shall pay the Office of Housing
21 an annual fee of \$150 per rental unit for the purposes of monitoring compliance with the
22 requirements according to this Section 23.58C.050. On March 1, 2017, and on the same day each
23 year thereafter, the annual fee shall automatically adjust in proportion to the annual change for

1 the previous calendar year (January 1 through December 31) in the Consumer Price Index, All
2 Urban Consumers, Seattle-Tacoma-Bellevue, WA, All Items (1982-1984 = 100), as determined
3 by the U.S. Department of Labor, Bureau of Labor Statistics or successor index.

4 f. Over-income households; unit substitution. If, based on any
5 certification, a previously eligible household occupying a rental unit provided through the
6 performance option is determined to be ineligible due to exceeding the income limits according
7 to subsection 23.58C.050.C.3.b, the owner of the development to which this Chapter 23.58C
8 applies shall, through the process according to subsection 23.58C.030.A.6, designate a
9 comparable substitute rental unit within the development, as approved by the Director of
10 Housing, as soon as such a unit becomes available, and upon such designation the requirements
11 according to this subsection 23.58C.050.C shall transfer to the substitute unit. Upon such
12 determination that a previously eligible household is ineligible, the owner shall promptly give the
13 ineligible household notice of such determination and notice that the requirements according to
14 this subsection 23.58C.050.C will transfer to a substitute unit when such unit becomes available.
15 Upon the transfer of the requirements, the owner shall give the ineligible household six months'
16 notice prior to any rent increase.

17 g. Maintenance, insurance. Rental units provided through the performance
18 option, and the structure in which they are located, shall be maintained by the owner in decent
19 and habitable condition, including the provision of adequate basic appliances. The owner shall
20 keep such units, and the structure in which they are located, insured by an insurance company
21 licensed to do business in the state of Washington and reasonably acceptable to the City, against
22 loss by fire and other hazards included with broad form coverage, in the amount of 100 percent
23 of the replacement value.

1 h. Casualty

2 1) If a rental unit provided through the performance option is
3 destroyed or rendered unfit for occupancy by casualty that does not affect all of the other units in
4 the development to which this Chapter 23.58C applies, the owner of the development shall,
5 through the process according to subsection 23.58C.030.A.6, designate a comparable substitute
6 rental unit within the development, as approved by the Director of Housing, as soon as such a
7 unit becomes available, which the tenant household of the unit affected by casualty shall be
8 allowed to move into, and upon such designation the requirements according to this subsection
9 23.58C.050.C shall transfer to the substitute unit.

10 2) If all of the units in the development to which this Chapter
11 23.58C applies are substantially destroyed by casualty, including by earthquake or fire, the
12 requirements according to this subsection 23.58C.050.C shall terminate.

13 i. Conversion to ownership housing. If all of the units to whose
14 development this Chapter 23.58C applies according to subsection 23.58C.025.B in a structure are
15 converted to ownership housing, including through a conversion to condominiums, prior to 75
16 years from the date of certificate of occupancy or, if a certificate of occupancy is not required,
17 from the date of the final building permit inspection, for the development to which this Chapter
18 23.58C applies according to subsection 23.58C.025.B:

19 1) The owner of the development shall, at the time of such
20 conversion, either pay to the City a payment in lieu of continuing affordability or convert the
21 rental units provided through the performance option to ownership units provided through the
22 performance option, as follows:

1 a) Where a payment in lieu of continuing affordability is
2 made, the amount of the payment shall be equal to the amount of the cash contribution according
3 to subsection 23.58C.040.A that would have been required at the time of issuance of the first
4 building permit that includes the structural frame for the structure if the applicant had elected the
5 payment option, adjusted for each calendar year following issuance of that permit in proportion
6 to the annual increase in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-
7 Bellevue, WA, Shelter (1982-1984 = 100), as determined by the U.S. Department of Labor,
8 Bureau of Labor Statistics or successor index, multiplied times the percentage in Table C for
9 23.58C.050 that corresponds to the number of years that the rental units provided through the
10 performance option satisfied the requirements according to this subsection 23.58C.050.C. The
11 City shall use the payment to support continued housing affordability in The City of Seattle
12 consistent with applicable statutory requirements.

Table C for 23.58C.050 Payment in lieu of affordability calculation percentages for conversion to ownership housing	
Number of years units provided through performance option satisfied the requirements according to subsection 23.58C.050.C	Percentage
Less than 7.5	100%
Between 7.5 and 15	95%
Between 15 and 22.5	90%
Between 22.5 and 30	85%
Between 30 and 37.5	80%
Between 37.5 and 45	75%
Between 45 and 52.5	65%
Between 52.5 and 60	55%
Between 60 and 67.5	40%
Between 67.5 and 75	20%

13
14 b) Where rental units provided through the performance
15 option are converted to ownership units provided through the performance option, the converted

1 comparable unit according to subsection 23.58C.050.C.2 that is not subject to rent and income
2 restrictions and is located in the same payment and performance area as shown on Map A for
3 23.58C.050, multiplied by the typical number of months between demolition of multifamily
4 housing on a property and completion of redevelopment of a property in the zone in which the
5 eliminated rental unit is located, not to exceed 30 months. The Director shall by rule establish an
6 appropriate methodology and inputs for determining the payment amount in particular zones.

7 b) The City shall use the payment to support continued
8 housing affordability in The City of Seattle, including but not limited to providing rental
9 assistance to the tenants of rental units provided through the performance option that were
10 eliminated.

11 2) If the units to whose development this Chapter 23.58C applies
12 according to subsection 23.58C.025.B are in multiple structures and an individual structure is
13 demolished, or its use is changed, prior to 75 years from the date of certificate of occupancy or,
14 if a certificate of occupancy is not required, from the date of the final building permit inspection,
15 for the development to which this Chapter 23.58C applies according to subsection 23.58C.025.B,
16 so as to eliminate all of the units to whose development this Chapter 23.58C applies according to
17 subsection 23.58C.025.B in the individual structure, the owner of the development shall:

18 a) Except as provided according to subsection
19 23.58C.050.C.6.j.2.b, pay to the City a payment in lieu of continuing affordability according to
20 subsection 23.58C.050.C.6.j.1.a for each rental unit provided through the performance option
21 that is eliminated; or

22 b) If a rental unit that is eliminated resulted from the
23 combination of fractions of units according to subsection 23.58C.050.A.4, designate, subject to

1 review by the Director in consultation with the Director of Housing, a comparable substitute
2 rental unit within the other structures to replace each such unit that is eliminated or, if such
3 designation is not possible, pay to the City a payment in lieu of continuing affordability
4 according to subsection 23.58C.050.C.6.j.1.a.

5 c) Demolition or change of use of an individual structure
6 shall not be a basis for reducing the number of rental units provided through the performance
7 option in the other structures and any comparable substitute rental units shall be in addition to
8 any existing rental units provided through the performance option in the other structures.

9 7. Additional requirements for ownership units provided through the performance
10 option

11 a. Affordable sale price; down payment. The initial sales price for an
12 ownership unit provided through the performance option shall be an amount according to which
13 total ongoing housing costs do not exceed 35 percent of 65 percent of median income, in order to
14 allow for equity growth for individual homeowners while maintaining affordability for future
15 buyers. The Director of Housing shall establish by rule the method for calculating the initial sales
16 price including standard assumptions for determining upfront housing costs, including the down
17 payment, and ongoing housing costs, which shall include mortgage principal and interest
18 payments, homeowner's insurance payments, homeowner or condominium association dues and
19 assessments, and real estate taxes and other charges included in county tax billings. The Director
20 of Housing may establish a maximum down payment amount for eligible households at initial
21 sale of an ownership unit. The applicant for the development to which this Chapter 23.58C
22 applies shall be responsible for any costs incurred in the initial sale of an ownership unit

1 necessary to ensure compliance with this Chapter 23.58C, including but not limited to marketing
2 to eligible households, income verification, buyer education, and verification of buyer financing.

3 b. Affordable resale price. For an ownership unit provided through the
4 performance option, the sale price for sales subsequent to the initial sale shall be calculated to
5 allow modest growth in homeowner equity while maintaining long-term affordability for future
6 buyers. All buyers of an ownership unit subsequent to the initial sale shall be households with
7 incomes no greater than 80 percent of median income at initial occupancy. The Director of
8 Housing shall by rule:

9 1) Establish the method for calculating the resale price and may
10 establish a maximum down payment amount for eligible households at resale,

11 2) Establish specific requirements for documents ensuring
12 affordability requirements are met at resale, and

13 3) Provide for recovery of reasonable administrative costs.

14 c. Other restrictions. An eligible household purchasing an ownership unit
15 provided through the performance option, either at initial sale or resale, shall:

16 1) Occupy the unit as its principal residence for the duration of its
17 ownership and shall not lease the unit, unless the Director of Housing approves a limited short-
18 term exception, and

19 2) Comply with all other program rules established by the Director
20 of Housing as necessary to maintain the long-term viability of the unit. Such rules may include,
21 but are not limited to, refinancing approvals and debt limits; limits on credit for capital
22 improvements at the time of resale; requirements for basic maintenance, inspections, and
23 compliance procedures; minimum insurance requirements; obligations to provide information

1 regarding compliance when and as requested; and fees to cover the full costs of calculating the
2 maximum sales price at resale, marketing to eligible households, and screening and selecting
3 eligible households to purchase the unit at resale.

4 d. Annual fee. The owner of the ownership unit shall pay the Office of
5 Housing an annual fee, payable in 12 equal payments, for the purposes of monitoring compliance
6 with the requirements according to this Section 23.58C.050. The initial fee shall be established
7 by the Director of Housing by rule. On March 1, 2017, and on the same day each year thereafter,
8 the annual fee shall automatically adjust in proportion to the annual change for the previous
9 calendar year (January 1 through December 31) in the Consumer Price Index, All Urban
10 Consumers, Seattle-Tacoma-Bellevue, WA, All Items (1982-1984 = 100), as determined by the
11 U.S. Department of Labor, Bureau of Labor Statistics or successor index.

12 e. Ongoing stewardship. Either prior to or subsequent to the initial sale,
13 the Director of Housing is authorized to designate an agency or organization with sufficient
14 capacity, as approved by the Director of Housing, to perform ongoing stewardship and
15 management functions for ownership units provided through the performance option, including
16 but not limited to the following:

- 17 1) Calculating maximum sale prices;
- 18 2) Marketing sales to eligible households;
- 19 3) Screening, educating, and selecting eligible households;
- 20 4) Approving buyer financing; and
- 21 5) Managing successive resales to eligible households.

22 8. Additional requirements for units provided through the performance option on
23 a site other than the same lot as the development required to comply with this Chapter 23.58C:

1 a. Equal or better - comparability of units. The applicant shall demonstrate
2 to the satisfaction of the Director of Housing that units provided through the performance option
3 on a site other than the same lot as the development required to comply with this Chapter 23.58C
4 are equal to or better than units provided through performance on the same lot.

5 b. Location. Units provided through the performance option on a site other
6 than the same lot as the development required to comply with this Chapter 23.58C shall be
7 located in a Lowrise or ((~~Residential Small Lot~~)) RSL zone. In addition, units shall be located:

8 1) Within the same urban center or urban village as the
9 development required to comply with this Chapter 23.58C; or

10 2) Within one mile of the development required to comply with
11 this Chapter 23.58C if such development is located outside of an urban center or urban village.

12 c. Tenure. Units provided through the performance option on a site other
13 than the same lot as the development required to comply with this Chapter 23.58C shall be
14 ownership units and shall comply with all additional requirements for ownership units according
15 to subsection 23.58C.050.C.7.

16 d. Public subsidy. If any public subsidy is used for a development, and the
17 public subsidy operates through subjecting units in the development to restrictions on the income
18 levels of occupants and the rents or sale prices that may be charged, the development shall not be
19 eligible to provide units through the performance option according to subsection 23.58C.050.C.8.

20 e. Developer's agreement. If the owner of the development required to
21 comply with this Chapter 23.58C is not the owner of the units provided through the performance
22 option, then in addition to the agreement required according to subsection 23.58C.050.E, the
23 owner of the development required to comply with this Chapter 23.58C and the owner of the

1 units provided through the performance option shall execute a developer's agreement, acceptable
2 to the Director of Housing, allowing the exclusive use of the units provided through the
3 performance option to satisfy the requirements according to this Chapter 23.58C in return for
4 necessary and adequate financial support to the development of those units provided through the
5 performance option.

6 d. Letter of credit

7 1) If the units provided through the performance option are located
8 on a site other than the same lot as the development required to comply with this Chapter
9 23.58C, the owner of the development required to comply with this Chapter 23.58C shall provide
10 to the Director of Housing an irrevocable bank letter of credit, approved by the Director of
11 Housing, in the amount according to subsection 23.58C.040.A.

12 2) The Director of Housing may draw on the letter of credit one
13 year after the date of issuance of the certificate of occupancy, or, if a certificate of occupancy is
14 not required, the final building permit inspection, for the development required to comply with
15 this Chapter 23.58C if the certificate of occupancy or final building permit inspection for the
16 units provided through the performance option has not been issued on or before that date. The
17 owner of the development required comply with this Chapter 23.58C shall also pay an amount
18 equal to the interest on the cash contribution, at the rate equal to the prime rate quoted by Bank
19 of America, or its successor, plus three percent per annum, from the date of issuance of the first
20 building permit that includes the structural frame for the development required to comply with
21 this Chapter 23.58C.

22 3) If and when the City becomes entitled to draw on any letter of
23 credit, the Director of Housing may take appropriate steps to do so, and the amounts realized, net

1 of any costs to the City, shall be used in the same manner as cash contributions according to
2 subsection 23.58C.040.B.

3 * * *

4 Section 86. Section 23.69.024 of the Seattle Municipal Code, last amended by Ordinance
5 125845, is amended as follows:

6 **23.69.024 Major Institution designation**

7 A. Major Institution designation shall apply to all institutions that conform to the
8 definition of Major Institution.

9 B. New Major Institutions

10 1. When a medical or educational institution makes application for new
11 development, or when a medical or educational institution applies for designation as a Major
12 Institution, the Director will determine whether the institution meets, or would meet upon
13 completion of the proposed development, the definition of a Major Institution in Section
14 23.84A.025. Measurement of an institution's site or gross floor area in order to determine
15 whether it meets minimum standards for Major Institution designation shall be according to the
16 provisions of Section 23.86.036.

17 2. If the Director determines that Major Institution designation is required, the
18 Director may not issue any permit that would result in an increase in area of Major Institution
19 uses until the institution is designated a Major Institution, a Major Institution Overlay District is
20 established, and a master plan is prepared according to the provisions of Part 2, Major Institution
21 Master Plan.

22 3. The Director's determination that an application for a Major Institution
23 designation is required will be made in the form of an interpretation subject to the procedures of

1 Section 23.88.020.

2 4. The procedures for designation of a Major Institution are as provided in
3 Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The
4 Council will grant or deny the request for Major Institution designation by resolution.

5 5. If the Council designates a new Major Institution, a Major Institution Overlay
6 District must be established by ordinance according to the procedures for amendments to the
7 Official Land Use Map (rezones) in Chapter 23.76, Procedures for Master Use Permits and
8 Council Land Use Decisions.

9 6. A new Major Institution Overlay District may not be established and a Major
10 Institution Overlay District Boundary may not be expanded in ((~~single-family~~)) neighborhood
11 residential zones.

12 7. Boundaries of a Major Institution Overlay District and maximum height limits
13 shall be established or amended in accordance with the rezone criteria contained in Section
14 23.34.124, and the purpose and intent of this Chapter 23.69 as described in Section 23.69.002,
15 except that acquisition, merger, or consolidation involving two Major Institutions is governed by
16 the provisions of Section 23.69.023.

17 8. A new Major Institution Overlay District may not be established and a Major
18 Institution Overlay District Boundary may not be expanded in Industrial zones, except within
19 Industrial-zoned properties located outside of the Ballard/Interbay/Northend Manufacturing and
20 Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th
21 Avenue West, north of West Nickerson Street, and west of 3rd Avenue West.

22 * * *

23 Section 87. Section 23.71.012 of the Seattle Municipal Code, last amended by Ordinance

1 123495, is amended as follows:

2 **23.71.012 Special landscaped arterials**

3 A. Special landscaped arterials are those arterials identified on Map A.

4 B. If an owner proposes substantial development on lots abutting special landscaped
5 arterials, the owner shall provide the following:

6 1. Street trees meeting standards established by the Director of Seattle Department
7 of Transportation.

8 2. A 6 foot planting strip and 6 foot sidewalk if the lot is zoned (~~(SF)~~) NR, LR1,
9 or LR2.

10 3. A 6 foot planting strip and a 6 foot sidewalk, or, at the owner's option, a 12 foot
11 sidewalk without a planting strip, if the lot is zoned NC2, NC3, RC, LR3, or MR.

12 4. Pedestrian improvements, as determined by the Director of the Seattle
13 Department of Transportation, such as, but not limited to special pavers, lighting, benches and
14 planting boxes.

15 Section 88. Section 23.71.030 of the Seattle Municipal Code, last amended by Ordinance
16 125791, is amended as follows:

17 **23.71.030 Development standards for transition areas within the Northgate Overlay**

18 **District**

19 * * *

20 B. The requirements of this Section 23.71.030 apply to development on lots in the more
21 intensive zones under the following conditions:

22 1. Where a lot zoned Midrise (MR) or Highrise (HR) abuts or is across an alley
23 from a lot zoned (~~(Single-family)~~) neighborhood residential, Lowrise 1 (LR1), or Lowrise 2

1 (LR2); and

2 2. Where a lot zoned Neighborhood Commercial 2 or 3 (NC2, NC3) with a height
 3 limit of 40 feet or greater abuts or is across an alley from a lot zoned ((~~Single family~~))
 4 neighborhood residential, Lowrise 1 (LR1), or Lowrise 2 (LR2).

5 * * *

6 Section 89. Section 23.71.036 of the Seattle Municipal Code, last amended by Ordinance
 7 123495, is amended as follows:

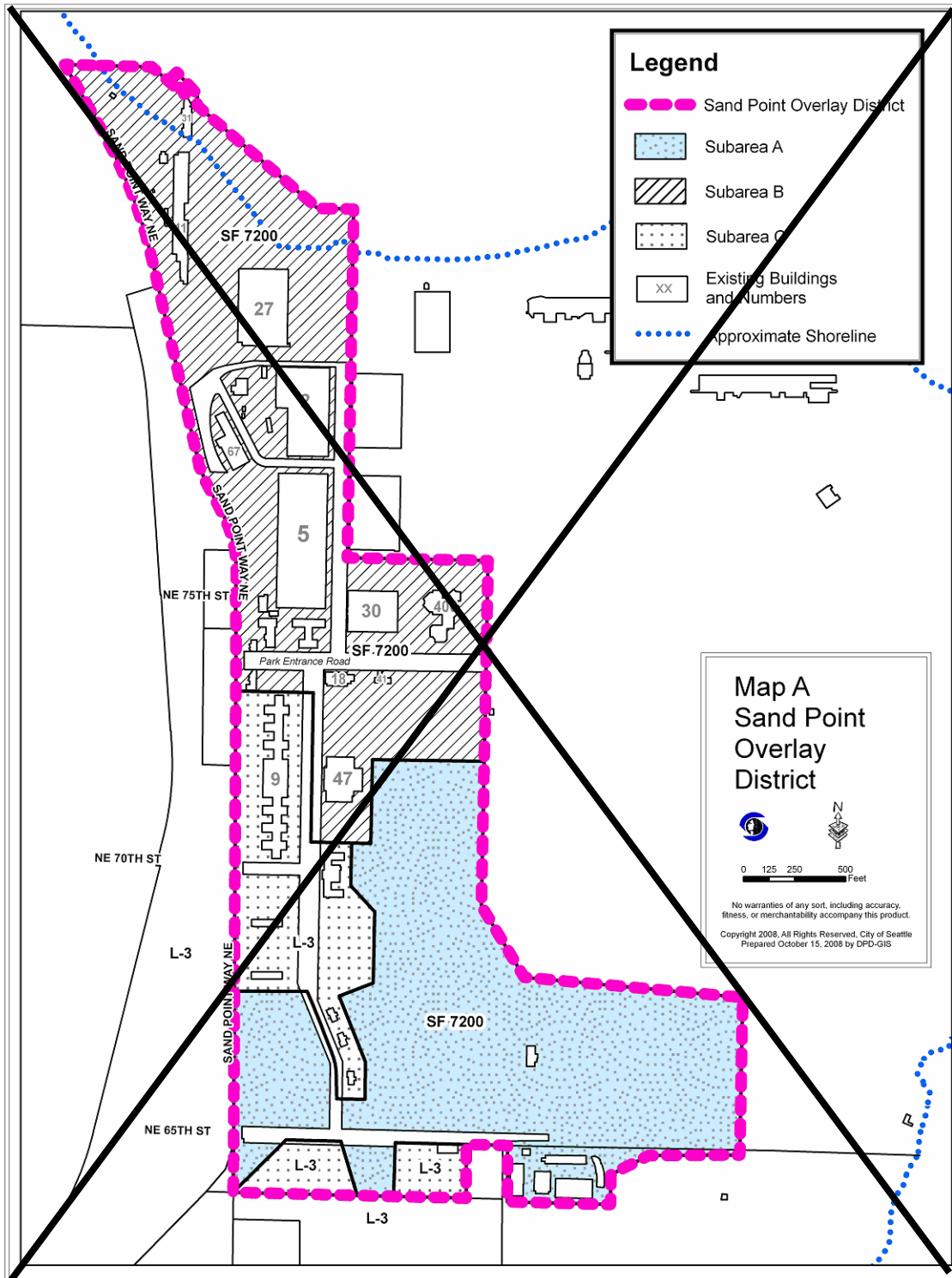
8 **23.71.036 Maximum width and depth of structures**

9 The maximum width and depth requirements of this Section 23.71.036 shall apply only to
 10 portions of a structure within 50 feet of a lot line abutting, or directly across a street right-of-way
 11 that is less than 80 feet in width, from a less intensive residential zone as provided in Table A for
 12 23.71.036.

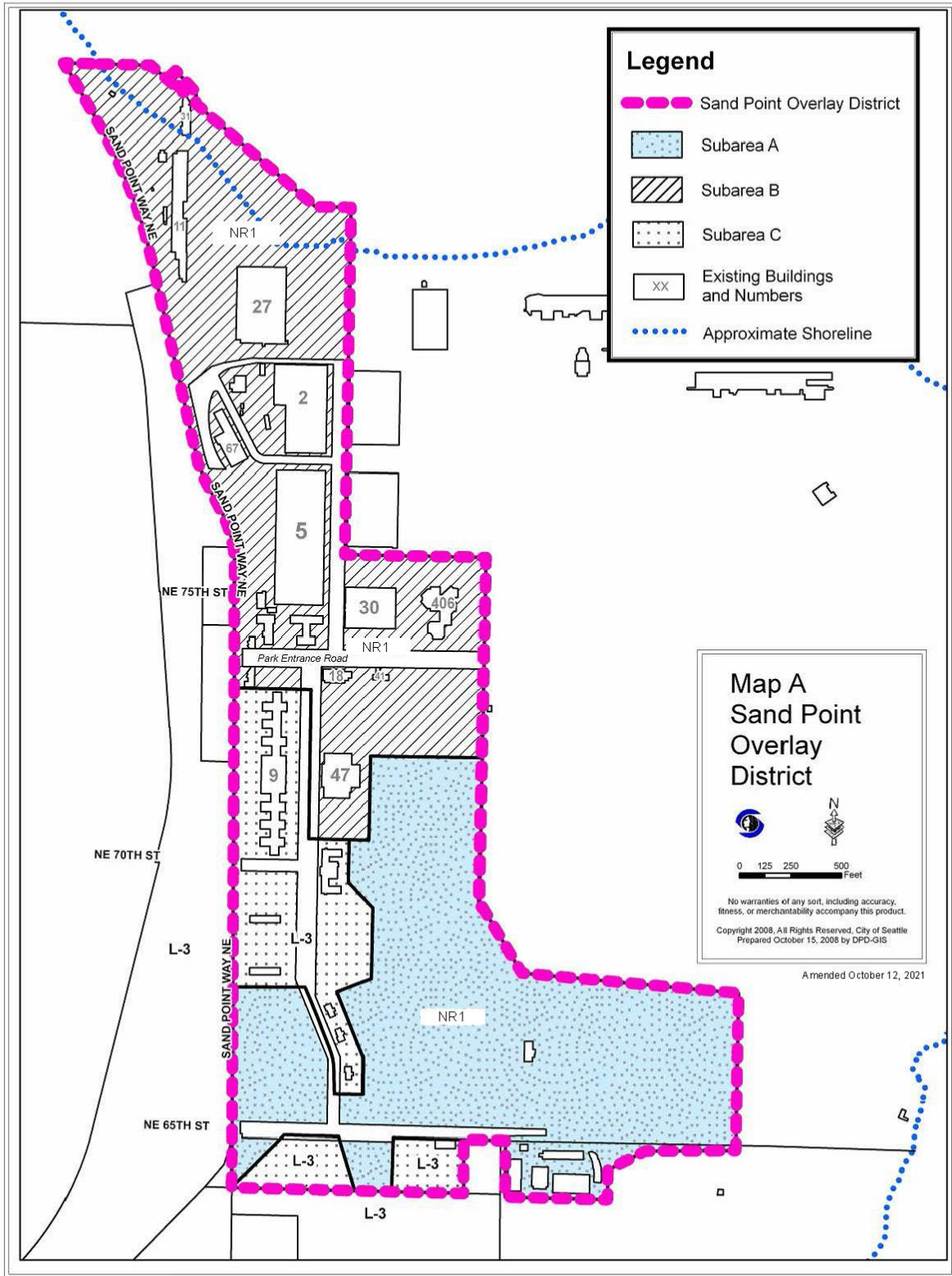
Table A for 23.71.036: Structure Width and Depth Standards for Transition Areas			
Subject Lot	Abutting Residential zone (or) zone across a street right-of-way less than 80 feet in width	Maximum Width	Maximum Depth
LR3, MR, MR/85 and HR	((Single family)) <u>Neighborhood residential</u> , LR1 or LR2	Apartments: 75 feet	65% depth of lot with no individual structure to exceed 90 feet
		Rowhouse and townhouse developments: 130 feet	
NC2 and NC3 with 40 feet or greater height limits	((Single family)) <u>Neighborhood residential</u> , LR1 or LR2	Above a height of 30 feet, wall length shall not exceed 80% of the length of the abutting lot line, to a maximum of 60 feet.	

13
 14 Section 90. Section 23.72.004 of the Seattle Municipal Code, last amended by Ordinance
 15 125603, is amended as follows:

16 **23.72.004 Sand Point Overlay District established**



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 2



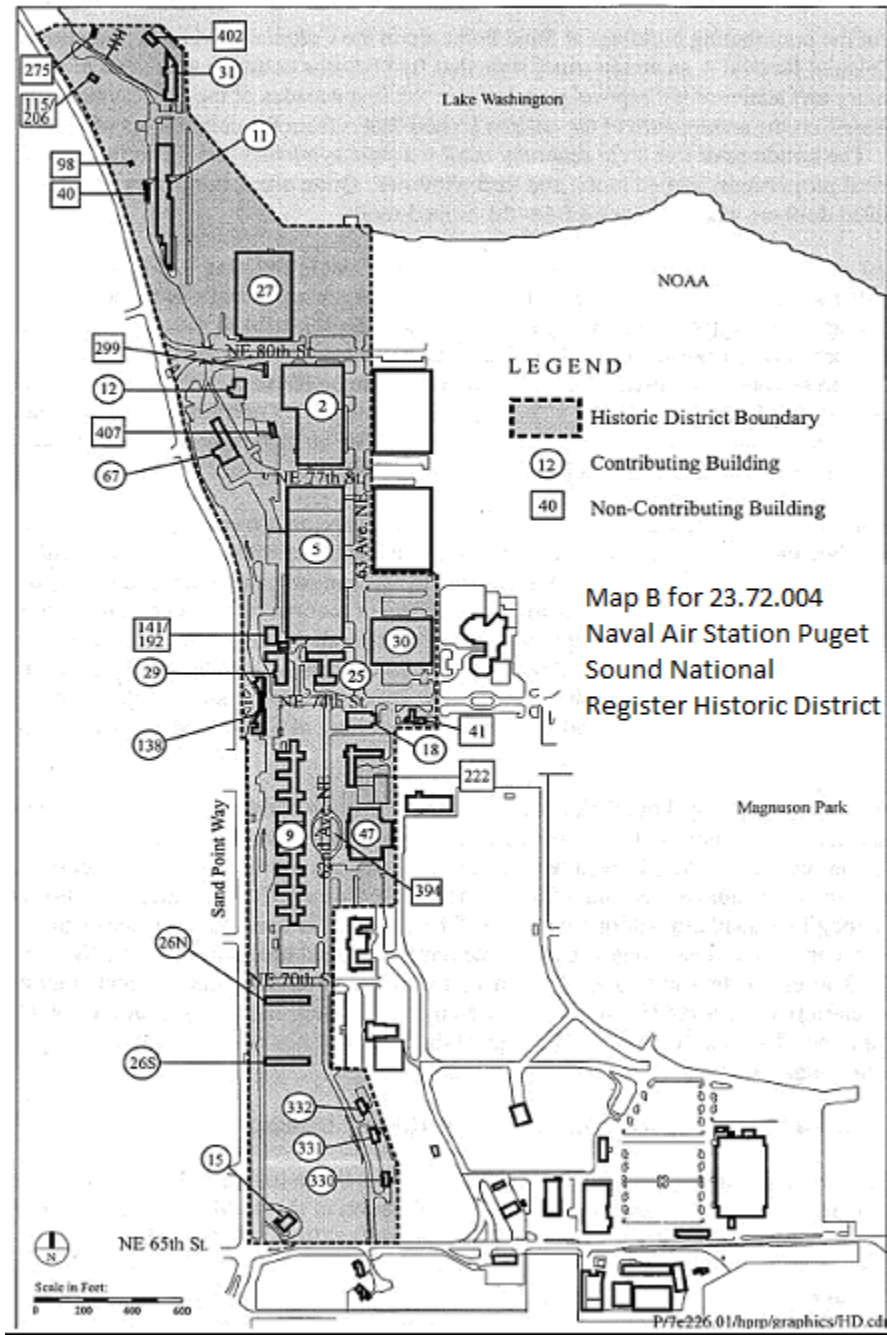
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Map B for 23.72.004 – Naval Air Station Puget Sound Sand Point

1

National Register Historic District



2

3

Section 91. Section 23.72.010 of the Seattle Municipal Code, last amended by Ordinance

4

124378, is amended as follows;

5

23.72.010 Development standards

6

A. Within areas zoned (~~(single family)~~) neighborhood residential, changes of use within

1 existing structures that are subject to SEPA requirements in Seattle Municipal Code Chapter
2 25.05 and new structures shall conform to the development standards for ((single family))
3 neighborhood residential development in Chapter 23.44, Neighborhood Residential ((Single-
4 family)), except as modified in subsections D—H of this section and except as provided in
5 section 23.72.012.

6 * * *

7 Section 92. Section 23.84A.048 of the Seattle Municipal Code, last amended by
8 Ordinance 125792, is amended as follows:

9 **23.84A.048 "Z"**

10 * * *

11 "Zone, neighborhood commercial" or "Zone, NC" means a zone with a classification that
12 includes any of the following: Neighborhood Commercial 1 (NC1), Neighborhood Commercial 2
13 (NC2), or Neighborhood Commercial 3 (NC3), which classification also may include one or
14 more suffixes.

15 "Zone, neighborhood residential" means a zone with a classification that includes any of
16 the following: NR1, NR2, NR3, and RSL.

17 "Zone, next more intensive" means, with respect to a zone with one of the following
18 designations, a zone that has the designation listed immediately after that designation in the
19 following list:

- 20 1. Neighborhood Commercial 1 (NC1)
- 21 2. Neighborhood Commercial 2 (NC2)
- 22 3. Neighborhood Commercial 3 (NC3)
- 23 4. Commercial 1 (C1)

1 5. Commercial 2 (C2)

2 6. Industrial Buffer (IB)

3 7. Industrial Commercial (IC)

4 8. General Industrial 2 (IG2)

5 9. General Industrial 1 (IG1)

6 "Zone, pedestrian-designated" means a Neighborhood Commercial 1P (NC1P),
7 Neighborhood Commercial 2P (NC2P), Neighborhood Commercial 3P (NC3P), Commercial 1P
8 (C1P), or Commercial 2P (C2P) zone designated on the Official Land Use (Zoning) map.

9 "Zone, residential" means a zone with a classification that includes any of the following:
10 ~~((SF9600, SF7200, SF5000,))~~ NR1, NR2, NR3, RSL, LR1, LR2, LR3, MR, HR, RC, DMR,
11 IDR, SM/R, SM-SLU/R, and SM-U/R which classification also may include one or more
12 suffixes, but not including any zone with an RC designation.

13 "Zone, single-family" means a zone with a classification that includes any of the
14 following: ~~((SF 5000, SF 7200, SF 9600))~~ Neighborhood Residential 1 (NR1), Neighborhood
15 Residential 2 (NR2), Neighborhood Residential 3 (NR3), and Residential Small Lot (RSL).

16 Section 93. Section 23.86.006 of the Seattle Municipal Code, last amended by Ordinance
17 125603, is amended as follows:

18 **23.86.006 Structure height measurement**

19 * * *

20 C. Height averaging for ~~((single family))~~ neighborhood residential zones. In a ~~((single-~~
21 ~~family))~~ neighborhood residential zone, when expanding an existing structure occupied by a
22 nonconforming residential use per Section 23.42.106, the following measurement shall be used
23 to determine the average height of the closest principal structures on either side:

1 1. Each structure used for averaging shall be on the same block front as the lot for
2 which a height limit is being established. The structures used shall be the nearest single-family
3 structure on each side of the lot, and shall be within 100 feet of the side lot lines of the lot.

4 2. The height limit for the lot shall be established by averaging the elevations of
5 the structures on either side in the following manner:

6 a. If the nearest structure on either side has a roof with at least a 4:12
7 pitch, the elevation to be used for averaging shall be the highest point of that structure's roof
8 minus 5 feet.

9 b. If the nearest structure on either side has a flat roof, or a roof with a
10 pitch of less than 4:12, the elevation of the highest point of the structure's roof shall be used for
11 averaging.

12 c. Rooftop features which are otherwise exempt from height limitations
13 according to subsection 23.44.012.C, shall not be included in elevation calculations.

14 d. The two elevations obtained from subsection 23.86.006.B.2.a and/or
15 subsection 23.86.006.B.2.b shall be averaged to derive the height limit for the lot. This height
16 limit shall be the difference in elevation between the midpoint of a line parallel to the front lot
17 line at the required front setback and the average elevation derived from subsection
18 23.86.006.B.2.a and/or subsection 23.86.006.B.2.b.

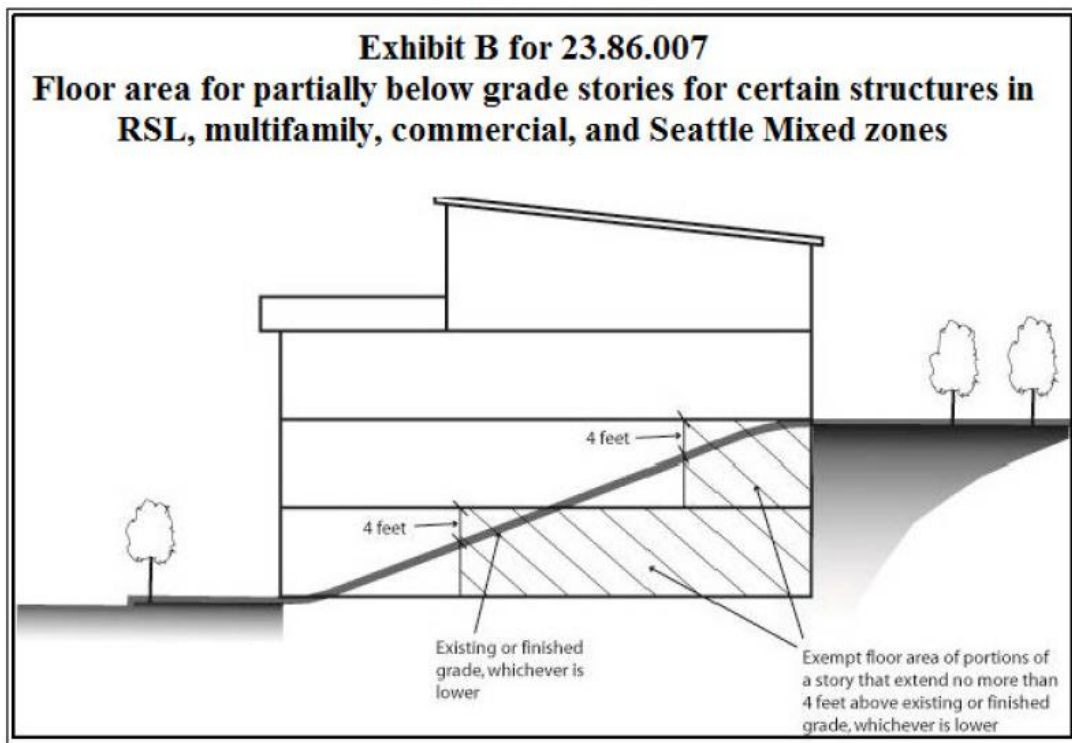
19 e. The height measurement technique used for the lot shall then be the
20 City's standard measurement technique, subsection 23.86.006.A.

21 3. If there is no single-family structure within 100 feet of a side lot line, or if the
22 nearest single-family structure within 100 feet of a side lot line is not on the same block front,
23 the elevation used for averaging on that side shall be 30 feet plus the elevation of the midpoint of

1 determined in subsection 23.86.007.D.1 intersects the abutting corresponding existing or finished
2 grade elevation, whichever is lower;

3 3. Draw a straight line across the story connecting the two points on the exterior
4 walls; and

5 4. The gross floor area of the partially below-grade story or portion of a partially
6 below-grade story is the area of the story that is at or below the straight line drawn in subsection
7 23.86.007.D.3, excluding openings required by the Building Code for egress. (See Exhibit B for
8 23.86.007.)
9



10

11

* * *

12 Section 95. Section 23.86.008 of the Seattle Municipal Code, last amended by Ordinance
13 121476, is amended as follows:

14 **23.86.008 Lot coverage, width and depth.**

* * *

B. In ~~((single family))~~ neighborhood residential zones, lot depth shall be the length of the line extending between the front lot line or front lot line extended, and the rear lot line or lines, or in the case of a through lot, between the two (2) front lot lines or lines extended. This line shall be perpendicular to the front lot line or front lot line extended. Where an alley abuts the rear of the property, one-half (1/2) of the width of the alley shall be included as a portion of the lot for determining lot depth.

C. Lot Width in ~~((Single family))~~ Neighborhood Residential Zones:

1. When a lot is essentially rectangular, the lot width shall be the mean horizontal distance between side lot lines measured at right angles to lot depth (Exhibit 23.86.008 B).

2. In the case of a lot with more than one (1) rear lot line (Exhibits 23.86.008 C and 23.86.008 D), the lot width shall be measured according to the following:

a. If the distance between the rear lot lines is fifty (50) percent or less of the lot depth, the lot width shall be measured parallel to the front lot line and shall be the greatest distance between the side lot lines (Exhibit 23.86.008 C); or

b. If the distance between the rear lot lines is greater than fifty (50) percent of the lot depth, the lot width shall be determined by measuring average lot width according to Exhibit 23.86.008 D.

3. For irregular lots not meeting the conditions of subsections C1 or C2, the Director shall determine the measurement of lot width.

* * *

Section 96. Section 23.86.010 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

23.86.010 Yards

* * *

B. Front Yards.

1. Determining Front Yard Requirements. Front yard requirements are presented in the development standards for each zone. Where the minimum required front yard is to be determined by averaging the setbacks of structures on either side of a lot, the following provisions apply:

a. The required depth of the front yard shall be the average of the distance between single-family structures and front lot lines of the nearest single-family structures on each side of the lot (Exhibit B for 23.86.010). If the front facade of the single-family structure is not parallel to the front lot line, the shortest distance from the front lot line to the structure shall be used for averaging purposes (Exhibit C for 23.86.010).

b. The yards used for front yard averaging shall be on the same block front as the lot, and shall be the front yards of the nearest single-family structures within 100 feet of the side lot lines of the lot.

c. For averaging purposes, front yard depth shall be measured from the front lot lines to the wall nearest to the street or, where there is no wall, the plane between supports, which comprises 20 percent or more of the width of the front facade of the single-family structure. Enclosed porches shall be considered part of the single-family structure for measurement purposes. Attached garages or carports permitted in front yards under 23.44.016.D, decks, uncovered porches, eaves, attached solar collectors, and other similar parts of the structure shall not be considered part of the structure for measurement purposes.

d. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes

1 the amount of the dedication shall be subtracted from the front yard depth of the structures on
2 either side.

3 e. If the first single-family structure within 100 feet of a side lot line of the
4 lot is not on the same block front, or does not provide its front yard on the same street, or if there
5 is no single-family structure within 100 feet of the side lot line, the yard depth used for averaging
6 purposes on that side shall be 20 feet (Exhibits D and E for 23.86.010).

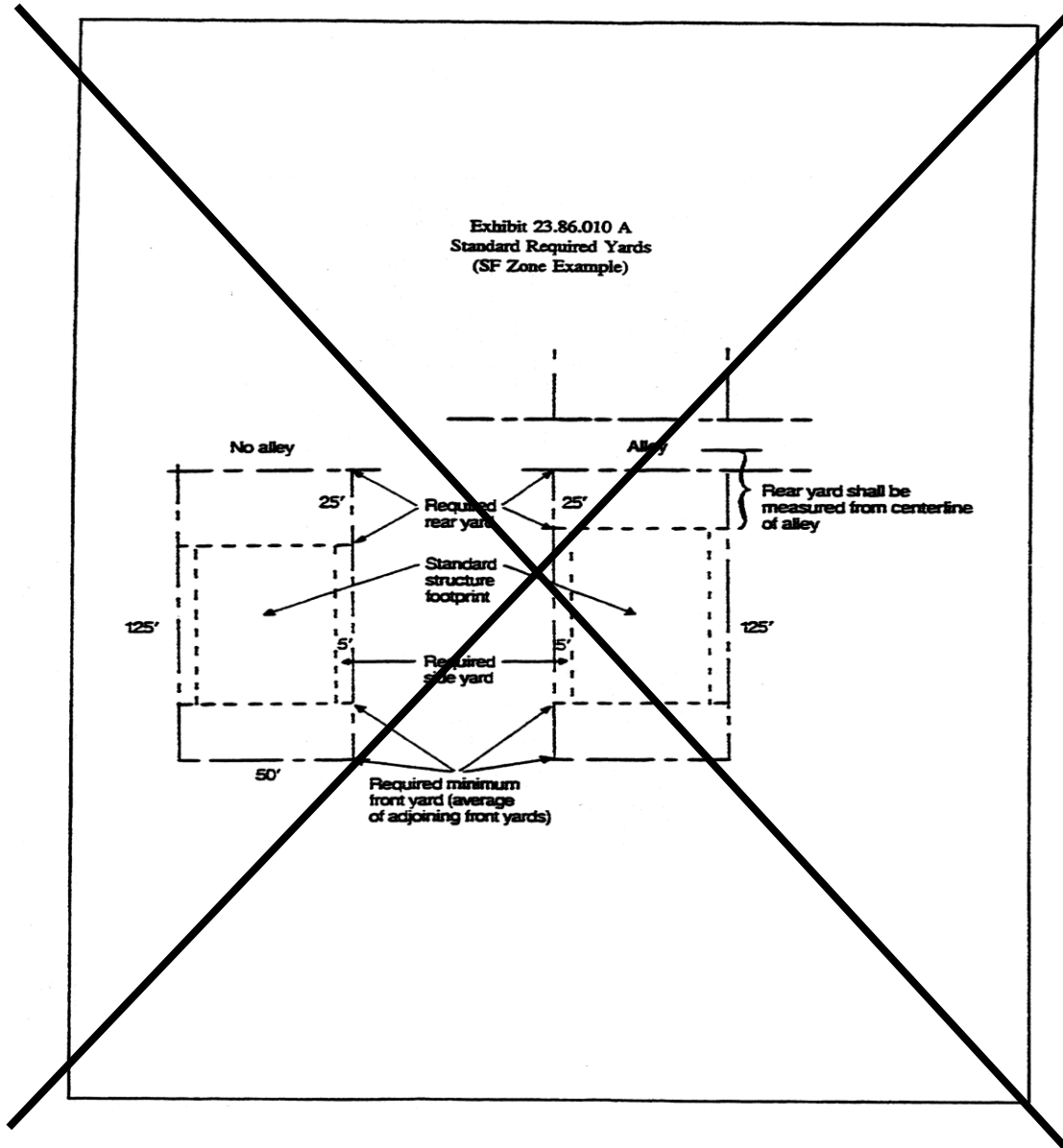
7 f. If the front yard of the first single-family structure within 100 feet of the
8 side lot line of the lot exceeds 20 feet, the yard depth used for averaging purposes on that side
9 shall be 20 feet (Exhibit F for 23.86.010).

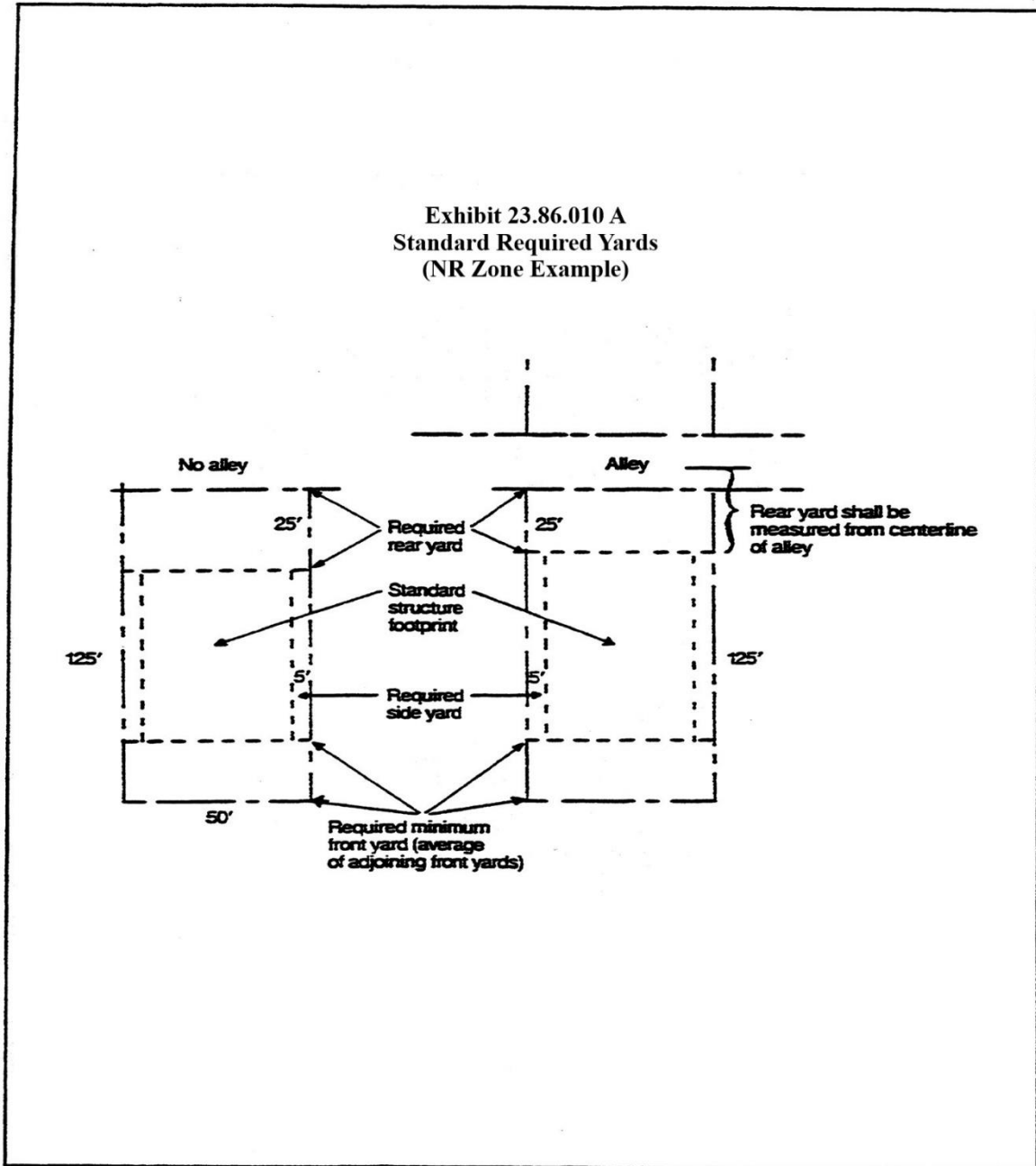
10 g. In cases where the street is very steep or winding, the Director shall
11 determine which adjacent single-family structures should be used for averaging purposes.

12 2. Sloped Lots in ((Single-family)) Neighborhood Residential Zones. For a lot in a
13 ((single-family)) neighborhood residential zone, reduction of the required front yard is permitted
14 at a rate of 1 foot for every percent of slope in excess of 35 percent. For the purpose of this
15 provision the slope shall be measured along the centerline of the lot. In the case of irregularly
16 shaped lots, the Director shall determine the line along which slope is calculated.

17 * * *

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Section 97. Section 23.90.019 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.90.019 Civil penalty for unauthorized dwelling units in ((single-family)) neighborhood

1 **residential zones**

2 In addition to any other sanction or remedial procedure that may be available, the following
3 penalties apply to unauthorized dwelling units in (~~(single-family)~~) neighborhood residential
4 zones in violation of Section 23.44.006. An owner of a (~~(single-family)~~) neighborhood
5 residential zoned lot that has more than one single-family dwelling unit and who is issued a
6 notice of violation for an unauthorized dwelling unit, is subject to a civil penalty of \$5,000 for
7 each additional dwelling unit, unless the additional unit is an authorized dwelling unit in
8 compliance with Section 23.44.041, is a legal non-conforming use, or is approved as part of an
9 administrative conditional use permit pursuant to Section 25.09.260. Penalties for violation of
10 Sections 23.44.006 and 23.44.041, except for violations of subsection 23.44.041.C or except for
11 those violations subject to subsection 23.90.018.B, shall be reduced from \$5,000 to \$500 if, prior
12 to the compliance date stated on the notice of violation for an unauthorized dwelling unit, the
13 dwelling unit is removed or authorized in compliance with Section 23.44.041, is a legal non-
14 conforming use, or is approved as part of an administrative conditional use permit pursuant to
15 Section 25.09.260.

16 Section 98. Section 23.91.002 of the Seattle Municipal Code, last amended by Ordinance
17 125791, is amended as follows:

18 **23.91.002 Scope of this Chapter 23.91**

19 A. Violations of the following provisions of this Title 23 shall be enforced under the
20 citation or criminal provisions set forth in this Chapter 23.91:

21 1. Junk storage in residential zones (Chapter 23.44, Chapter 23.45, Chapter 23.46,
22 Chapter 23.49 Subchapter IV, and Chapter 23.49 Subchapter VII), unless the lot contains a
23 vacant structure subject to the vacant building maintenance standards contained in subsection

1 22.206.200.A and a notice of violation has been issued requiring compliance with subsection
2 22.206.200.F;

3 2. Construction or maintenance of structures in required yards or setbacks in
4 residential zones (Chapter 23.44, Chapter 23.45, Chapter 23.46, Chapter 23.49 Subchapter IV,
5 and Chapter 23.49 Subchapter VII);

6 3. Parking of vehicles in a (~~single-family~~) neighborhood residential zone
7 (Section 23.44.016), unless the lot contains a vacant structure subject to the vacant building
8 maintenance standards contained in subsection 22.206.200.A;

9 4. Keeping of animals (Section 23.42.052); and

10 [5. Reserved.]

11 6. The following violations of the Shoreline District, Chapter 23.60A:

12 a. Discharging, leaking, or releasing solid or liquid waste and untreated
13 effluent, oil, chemicals, or hazardous materials into the water (subsection 23.60A.152.R);

14 b. Releasing debris and other waste materials from construction,
15 maintenance, repair, or in operation or management of a property, into any water body
16 (subsections 23.60A.152.H, 23.60A.152.I, 23.60A.152.T, and 23.60A.152.U);

17 c. Conducting activity in or over water outside the allowed work windows
18 (subsection 23.60A.152.J); and

19 d. Closing required public access (Section 23.60A.164).

20 B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect,
21 limit, or preclude any previous, pending, or subsequent enforcement action or proceeding taken
22 pursuant to Chapter 23.90.

23 Section 99. Section 25.05.800 of the Seattle Municipal Code, last amended by Ordinance

1 125964, is amended as follows:

2 **25.05.800 Categorical exemptions**

3 The proposed actions contained in this Section 25.05.800 are categorically exempt from
4 threshold determination and environmental impact statement requirements, subject to the rules
5 and limitations on categorical exemptions contained in Section 25.05.305.

6 A. Minor new construction; flexible thresholds

7 1. The exemptions in this subsection 25.05.800.A apply to all licenses required to
8 undertake the construction in question. To be exempt under this Section 25.05.800, the project
9 shall be equal to or smaller than the exempt level. For a specific proposal, the exempt level in
10 subsection 25.05.800.A.2 shall control. If the proposal is located in more than one city or county,
11 the lower of the agencies' adopted levels shall control, regardless of which agency is the lead
12 agency. The exemptions in this subsection 25.05.800.A apply except when the project:

- 13 a. Is undertaken wholly or partly on lands covered by water;
- 14 b. Requires a license governing discharges to water that is not exempt
15 under RCW 43.21C.0383;
- 16 c. Requires a license governing emissions to air that is not exempt under
17 RCW 43.21C.0381 or WAC 197-11-800 (7) or 197-11-800 (8); or
- 18 d. Requires a land use decision that is not exempt under subsection
19 25.05.800.F.

20 2. The following types of construction are exempt, except when undertaken
21 wholly or partly on lands covered by water:

- 22 a. The construction or location of residential or mixed-use development
23 containing no more than the number of dwelling units identified in Table A for 25.05.800 below:

Table A for 25.05.800 Exemptions for residential uses			
Zone	Number of exempt dwelling units		
	Outside urban centers and urban villages	Within urban centers and urban villages where growth estimates have not been exceeded	Within urban centers and urban villages where growth estimates have been exceeded
(SF) NR and RSL	4	4	4
LR1	4	200 ¹	20
LR2	6	200 ¹	20
LR3	8	200 ¹	20
NC1, NC2, NC3, C1, and C2	4	200 ¹	20
MR, HR, and Seattle Mixed zones	20	200 ¹	20
MPC-YT	NA	30 ¹	20
Downtown zones	NA	250 ¹	20
Industrial zones	4	4	4

Footnotes to Table A for 25.05.800

NA = not applicable

Urban centers and urban villages are identified in the Seattle Comprehensive Plan

¹ Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed-use development located in an urban center or in an urban village is categorically exempt from the State Environmental Policy Act, unless the Department has determined that residential growth within the urban center or village has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.

- 1
- 2 b. The construction of a barn, loafing shed, farm equipment storage
- 3 building, produce storage or packing structure, or similar agricultural structure, covering 10,000
- 4 square feet or less, and to be used only by the property owner or the property owner's agent in
- 5 the conduct of farming the property. This exemption does not apply to feed lots;
- 6 c. The construction of office, school, commercial, recreational, service, or
- 7 storage buildings, containing no more than the gross floor area listed in Table B for 25.05.800
- 8 below:

Table B for 25.05.800 Exemptions for non-residential uses

Zone	Exempt area of use (square feet of gross floor area)		
	Outside urban centers and hub urban villages	Within urban centers and hub urban villages where growth estimates have not been exceeded	Within urban centers and hub urban villages where growth estimates have been exceeded
((SF)) NR, RSL, and LR1	4,000	4,000	4,000
LR2 and LR3	4,000	12,000 ¹ or 30,000 ²	12,000
MR, HR, NC1, NC2, and NC3	4,000	12,000 ¹ or 30,000 ²	12,000
C1, C2, and Seattle Mixed zones	12,000	12,000 ¹ or 30,000 ²	12,000
Industrial zones	12,000	12,000	12,000
MPC-YT	NA	12,000	12,000
Downtown zones	NA	12,000 ¹ or 30,000 ²	12,000

Footnotes to Table B for 25.05.800

NA = not applicable

Urban centers and urban villages are identified in the Seattle Comprehensive Plan

¹ New non-residential development that is not part of a mixed-use development and that does not exceed 12,000 square feet in size is categorically exempt from the State Environmental Policy Act (SEPA).

² Pursuant to RCW 43.21C.229, new non-residential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in an urban center or in a hub urban village is categorically exempt from SEPA, unless the Department has determined that employment growth within the urban center or village has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.

1
 2 d. The construction of a parking lot designed for 40 or fewer automobiles,
 3 as well as the addition of spaces to existing lots up to a total of 40 spaces;

4 e. Any fill or excavation of 500 cubic yards or less throughout the total
 5 lifetime of the fill or excavation; and any excavation, fill, or grading necessary for an exempt
 6 project in subsections 25.05.800.A.2.a, 25.05.800.A.2.b, 25.05.800.A.2.c, or 25.05.800.A.2.d
 7 shall be exempt;

8 f. Mixed-use construction, including but not limited to projects combining
 9 residential and commercial uses, is exempt if each use, if considered separately, is exempt under
 10 the criteria of subsections 25.05.800.A.2.a through 25.05.800.A.2.d, unless the uses in

1 combination may have a probable significant adverse environmental impact in the judgment of
2 an agency with jurisdiction (see subsection 25.05.305.A.2.b);

3 g. In zones not specifically identified in this subsection 25.05.800.A, the
4 standards for the most similar zone addressed by this subsection 25.05.800.A apply;

5 h. For the purposes of this subsection 25.05.800.A, "mixed-use
6 development" means development having two or more principal uses, one of which is a
7 residential use comprising 50 percent or more of the gross floor area;

8 i. To implement the requirements of Table A for 25.05.800 and Table B
9 for 25.05.800, the Director shall establish implementation guidance by rule for how growth is
10 measured against exemption limits and how changes to thresholds will occur if exemption limits
11 are reached. The exemption limits shall consist of the growth estimates established in the
12 Comprehensive Plan for a given area, minus a "cushion" of ten percent to assure that
13 development does not exceed growth estimates without SEPA review; and

14 j. The Director shall monitor residential and employment growth and
15 periodically publish a determination of growth for each urban center and urban village.

16 Residential growth shall include, but need not be limited to, net new units that have been built
17 and net new units in projects that have received a building permit but have not received a
18 certificate of occupancy. Per implementation guidance established by rule, if the Director
19 determines that exemption limits have been reached for an urban center or urban village
20 subsequent development will be subject to the lower thresholds as set forth in Table A for
21 25.05.800 and Table B for 25.05.800.

22 B. Other minor new construction

23 1. The exemptions in this subsection 25.05.800.B apply to all licenses required to

1 undertake the following types of proposals except when the project:

2 a. Is undertaken wholly or partly on lands covered by water;

3 b. Requires a license governing discharges to water that is not exempt
4 under RCW 43.21C.0383;

5 c. Requires a license governing emissions to air that is not exempt under
6 RCW 43.21C.0381 or subsection 25.05.800.H or subsection 25.05.800.I; or

7 d. Requires a land use decision that is not exempt under subsection
8 25.05.800.F.

9 2. The construction or designation of bus stops, loading zones, shelters, access
10 facilities, pull-out lanes for taxicabs, transit, and school vehicles, and designation of transit-only
11 lanes;

12 3. The construction or installation of commercial on-premises signs, and public
13 signs and signals, including those for traffic control and wayfinding;

14 4. The construction or installation of minor road and street improvements by any
15 agency or private party that include the following:

16 a. Safety structures and equipment: Such as pavement marking, adding or
17 removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle
18 traffic or volume, freeway surveillance and control systems, railroad protective devices (not
19 including grade-separated crossings), grooving, glare screen, safety barriers, or energy
20 attenuators;

21 b. Transportation corridor landscaping (including the application of state
22 of Washington approved herbicides by licensed personnel for right-of-way weed control as long
23 as this is not within watersheds controlled for the purpose of drinking water quality);

- 1 c. Temporary traffic controls and detours;
- 2 d. Correction of substandard curves and intersections within existing
- 3 rights-of-way or widening of a highway by less than a single lane width where capacity is not
- 4 significantly increased and no new right-of-way is required;
- 5 e. Adding auxiliary lanes for localized purposes (e.g., weaving, climbing,
- 6 and speed change), where capacity is not significantly increased and no new right-of-way is
- 7 required;
- 8 f. Channelization, rechannelization, elimination of sight restrictions at
- 9 intersections, street lighting, guard rails, and barricade installation;
- 10 g. Installation of catchbasins and culverts for the purposes of road and
- 11 street improvements;
- 12 h. Reconstruction of existing roadbed (existing curb-to-curb in urban
- 13 locations), including adding or widening of shoulders where capacity is not increased and no
- 14 new right-of-way is required;
- 15 i. Addition of bicycle lanes, paths and facilities, and pedestrian walks and
- 16 paths including sidewalk extensions, but not including additional automobile lanes;
- 17 5. Grading, excavating, filling, septic tank installations, and landscaping
- 18 necessary for any building or facility exempted by subsections 25.05.800.A and 25.05.800.B, as
- 19 well as fencing and the construction of small structures and minor accessory facilities;
- 20 6. Additions or modifications to or replacement of any building or facility
- 21 exempted by subsections 25.05.800.A and 25.05.800.B when such addition, modification, or
- 22 replacement will not change the character of the building or facility in a way that would remove
- 23 it from an exempt class¹;

1 7. The demolition of any structure or facility, the construction of which would be
2 exempted by subsections 25.05.800.A and 25.05.800.B, except for structures or facilities with
3 recognized historical significance such as listing in a historic register¹;

4 8. The installation or removal of impervious underground or above-ground tanks,
5 having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On
6 agricultural and industrial lands, the installation or removal of impervious underground or above-
7 ground tanks, having a total capacity of 60,000 gallons or less;

8 9. The vacation of streets or roads, converting public right-of-way, and other
9 changes in motor vehicle access;

10 10. The installation of hydrological measuring devices, regardless of whether or
11 not on lands covered by water;

12 11. The installation of any property, boundary, or survey marker, other than
13 fences, regardless of whether or not on lands covered by water;

14 12. The installation of accessory solar energy generation equipment on or attached
15 to existing structures and facilities whereby the existing footprint and size of the building are not
16 increased.

17 ¹ Footnote for subsections 25.05.800.B.6 and 25.05.800.B.7: Proposed actions that
18 involve structures that exceed the following thresholds in Table A or B for Footnote (1) for
19 25.05.800.B.6 and 25.05.800.B.7 and that appear to meet criteria set forth in Chapter 25.12 for
20 Landmark designation are subject to referral to the Department of Neighborhoods pursuant to
21 Section 25.12.370:

Table A for Footnote (1) for 25.05.800.B.6 and 25.05.800.B.7 Residential uses threshold for referral to Department of Neighborhoods (DON)	
Zone	Permit applications for additions, modifications, demolition, or replacement of structures with more than the following

	number of dwelling units are referred to DON for landmark review:
((SF)) NR, RSL LR1, NC1, NC2, NC3, C1, C2, and Industrial zones	4
LR2	6
LR3	8
MR, HR, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, SM-NG, and Downtown zones	20

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Table B for Footnote (1) for 25.05.800.B.6 and 25.05.800.B.7 Non-residential uses threshold for referral to Department of Neighborhoods (DON)	
Zone	Permit applications for additions, modifications, demolition, or replacement of structures with more than the following square footage amounts are referred to DON for landmark review:
C1, C2, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, SM-NG, and Industrial zones	12,000
All other zones	4,000

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Section 100. Section 25.08.225 of the Seattle Municipal Code, last amended by

5

Ordinance 122311, is amended as follows:

6

25.08.225 Residential disturbance.

7

"Residential disturbance" means a gathering of more than one (1) person at a residential property

8

located in a ~~((single family))~~ neighborhood residential or multifamily zone, as defined in SMC

9

Section 23.84A.048 between the hours of ten o'clock (10:00) p.m. (eleven o'clock (11:00) p.m.

10

on Friday and Saturday nights) and seven o'clock (7:00) a.m. at which noise associated with the

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gathering is frequent, repetitive or continuous and is audible to a person of normal hearing at a

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distance of seventy-five (75) feet or more from the property.

13

Section 101. Section 25.09.240 of the Seattle Municipal Code, last amended by

1 Ordinance 125292, is amended as follows:

2 **25.09.240 Short subdivisions and subdivisions**

3 * * *

4 D. Development standards for new lots in ((~~Single-Family~~)) neighborhood residential
5 zones. If new lots are created in ((~~Single-Family~~)) neighborhood residential zones by short
6 subdivision or subdivision, the following development standards apply based on the area of each
7 new lot that is outside the environmentally critical areas listed in subsection 25.09.240.A, plus
8 environmentally critical areas in which development is allowed pursuant to subsections
9 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3:

10 1. Lot coverage and lot coverage exceptions according to subsections 23.44.010.C
11 and 23.44.010.D.

12 2. Height limits according to Section 23.44.012, including the requirements of
13 subsection 23.44.012.A.3 if the area of the largest rectangle or other quadrilateral that can be
14 drawn within the lot lines of the new lot outside the environmentally critical areas is less than
15 3,200 square feet.

16 * * *

17 G. In computing the number of lots a parcel in a ((~~Single-Family~~)) neighborhood
18 residential zone may contain, the Director shall exclude the following areas:

19 1. The environmentally critical areas and buffers identified in subsection
20 25.09.240.A, unless:

21 a. The environmentally critical areas and buffers are on a lot that meets the
22 provisions of subsection 25.09.240.B; or

23 b. The applicant obtains an administrative conditional use under Section

1 25.09.260, if it is not practicable to meet the requirements of subsection 25.09.240.B considering
2 the parcel as a whole.

3 Section 102. Section 25.09.260 of the Seattle Municipal Code, last amended by
4 Ordinance 125292, is amended as follows:

5 **25.09.260 Environmentally critical areas administrative conditional use**

6 A. Administrative conditional use

7 1. In ~~((Single Family))~~ neighborhood residential zones the Director is authorized
8 to approve an environmentally critical areas administrative conditional use pursuant to Section
9 23.42.042 and this Section 25.09.260 for one or both of the following purposes:

10 a. In calculating the maximum number of lots and units allowed on the
11 entire parcel under subsection 25.09.240.G, the Director may count environmentally critical
12 areas and/or buffers, except the open water area of a wetland or riparian corridor, that would
13 otherwise be excluded, if an applicant is unable to demonstrate compliance with the requirements
14 of subsection 25.09.240.B for the entire parcel proposed to be subdivided.

15 b. For the entire parcel proposed to be subdivided, the Director may
16 approve development of single family residences that meet the development standards of
17 subsection 25.09.260.B.3 and the platting conditions in subsections 25.09.260.B.1 and
18 25.09.260.C.2.b. Except as specifically superseded by the development standards of subsection
19 25.09.260.B.3 and the platting conditions of subsection 25.09.260.C.2.b, all applicable
20 regulations of Title 23 shall also apply to the entire parcel. The entire parcel is designated as the
21 site.

22 2. Process. If an administrative conditional use application includes an application
23 to authorize development in a steep slope erosion hazard area or buffer, the application is not

1 required to include an application for the variances allowed under Sections 25.09.280 or
2 25.09.290, but the application must address the criteria listed in subsection 25.09.260.B.1.c.

3 B. Criteria. An application under this Section 25.09.260 shall provide information
4 sufficient to demonstrate that the proposal meets the following criteria:

5 1. Environmental impacts on environmentally critical areas and buffers

6 a. No development is in a biodiversity area or corridor, riparian corridor,
7 wetland, or wetland buffer.

8 b. No riparian management area or wetland buffer is reduced.

9 c. No development is on a steep slope erosion hazard area or its buffer
10 unless either the proposed development meets the criteria of subsections 25.09.090.B.2.a,
11 25.09.090.B.2.b, or 25.09.090.B.2.c or the property is a lot in existence as a legal building site
12 prior to October 31, 1992, is predominantly characterized by steep slope erosion hazard areas,
13 and the following criteria are met:

14 1) The proposed development shall be located away from steep
15 slope erosion hazard areas and buffers to the extent practicable.

16 2) The Director shall require clear and convincing evidence that
17 the provisions of this subsection 25.09.260.B are met if development is located on steep slope
18 erosion hazard areas and buffers with these characteristics:

19 a) A wetland over 1,500 square feet in size or a watercourse
20 designated part of a riparian corridor;

21 b) An undeveloped area over 5 acres characterized by steep
22 slope erosion hazard areas; or

23 c) Areas designated by the Washington Department of Fish

1 and Wildlife (WDFW) as biodiversity areas and corridors, or areas identified by the Director
2 with significant tree and vegetation cover providing wildlife habitat.

3 3) If the application includes a proposal to develop in a steep slope
4 erosion hazard area or buffer, the development in the steep slope erosion hazard area or buffer
5 shall be the minimum necessary to achieve the number of single family dwelling units that would
6 be allowed on the original entire parcel according to the calculation for subdivision required
7 under subsection 25.09.240.G in the following order of priority:

8 a) The proposal reduces the front and/or rear yards pursuant
9 to subsection 25.09.260.B.3.b.1 and complies with the building separation standards of
10 subsections 25.09.260.B.3.b.2 and 25.09.260.B.3.b.3;

11 b) The proposal reduces the steep slope erosion hazard area
12 buffer; and

13 c) The proposal intrudes into not more than 30 percent of
14 the steep slope erosion hazard area.

15 d. The proposal protects WDFW priority species and maintains wildlife
16 habitat.

17 e. The proposal does not result in unmitigated negative environmental
18 impacts pursuant to Section 25.09.065, including drainage and water quality, erosion, loss of
19 trees and vegetation, and slope stability on the identified environmentally critical area and buffer.

20 f. The proposal promotes expansion, restoration, or enhancement of the
21 identified environmentally critical area and buffer.

22 2. General environmental impacts and site characteristics

23 a. The proposal minimizes potential negative effects of the development

1 on the undeveloped portion of the site and preserves topographic features.

2 b. The proposal retains and protects trees and vegetation on designated
3 non-disturbance areas, protects stands of mature trees, minimizes tree removal, removes noxious
4 weeds and non-native vegetation and replaces this vegetation with native trees and vegetation,
5 and protects the visual continuity of treed and vegetated areas and tree canopy.

6 3. Development standards

7 a. The total number of single-family dwelling units permitted through the
8 environmentally critical areas conditional use regulations shall not exceed the number that would
9 be allowed based on compliance with the use regulations of Section 23.44.008, and the minimum
10 lot area standards of the underlying ((~~Single Family~~)) neighborhood residential zone, and shall
11 be established only on the site comprised of the original entire parcel, with subdivision of the
12 original entire parcel allowed only as unit lots approved through the unit lot subdivision process
13 in Section 25.09.260.C.2.b.2.

14 b. Single-family dwelling units shall be the sole type of principal use
15 permitted through the environmentally critical areas conditional use regulations and shall meet
16 the development standards of Chapter 23.44, except that the following standards apply instead of
17 the standards in Chapter 23.44, as applicable:

18 1) Front and rear yards required by subsections 23.44.014.A and
19 23.44.014.B may be reduced to no less than 10 feet each and 30 feet for the sum of both yards if
20 the reduction would minimize or eliminate any intrusion into the steep slope erosion hazard area
21 or required buffer;

22 2) Front and rear building separations between proposed single
23 family residences shall be a minimum of 25 feet;

1 3) Side building separations shall be a minimum of 10 feet;

2 4) The maximum lot coverage shall be calculated by deducting
3 required non-disturbance areas from total lot size; and

4 5) Front, rear, and side separations shall be determined by the
5 Director, based on location of the building in relation to other buildings and the front lot line.

6 * * *

7 Section 103. Section 25.11.040 of the Seattle Municipal Code, last amended by
8 Ordinance 125791, is amended as follows:

9 **25.11.040 Restrictions on tree removal**

10 A. Tree removal or topping is prohibited in the following cases, except as provided in
11 Section 25.11.030, or where the tree removal is required for the construction of a new structure,
12 retaining wall, rockery, or other similar improvement that is approved as part of an issued
13 building or grading permit as provided in Sections 25.11.060, 25.11.070, and 25.11.080:

14 1. All trees 6 inches or greater in diameter, measured 4.5 feet above the ground,
15 on undeveloped lots;

16 2. Exceptional trees on undeveloped lots; and

17 3. Exceptional trees on lots in Lowrise, Midrise, commercial, and ~~((single-~~
18 ~~family)) neighborhood residential zones.~~

19 B. Limits on Tree Removal. In addition to the prohibitions in subsection 25.11.040.A, no
20 more than three trees 6 inches or greater in diameter, measured 4.5 feet above the ground, may
21 be removed in any one-year period on lots in Lowrise, Midrise, commercial, and ~~((single-~~
22 ~~family)) neighborhood residential zones, except when the tree removal is required for the
23 construction of a new structure, retaining wall, rockery, or other similar improvement that is~~

1 approved as part of an issued building or grading permit as provided in Sections 25.11.060,
2 25.11.070, and 25.11.080.

3 C. Tree removal in Environmentally Critical Areas shall comply with the provisions of
4 Section 25.09.070.

5 Section 104. Section 25.11.050 of the Seattle Municipal Code, last amended by
6 Ordinance 124919, is amended as follows:

7 **25.11.050 General Provisions for exceptional tree determination and tree protection area**
8 **delineation in ((~~Single-family, Residential Small Lot~~)) Neighborhood Residential, Lowrise,**
9 **Midrise, and Commercial zones.**

10 A. Exceptional trees and potential exceptional trees shall be identified on site plans and
11 exceptional tree status shall be determined by the Director according to standards promulgated
12 by the Seattle Department of Construction and Inspections.

13 * * *

14 Section 105. Section 25.11.060 of the Seattle Municipal Code, last amended by
15 Ordinance 125791, is amended as follows:

16 **25.11.060 Tree protection on sites undergoing development in ((~~single-family~~))**
17 **neighborhood residential zones**

18 A. Exceptional trees


19 1. The Director may permit a tree to be removed only if:

20 a. The maximum lot coverage permitted on the site according to Title 23
21 cannot be achieved without extending into the tree protection area or into a required front and/or
22 rear yard to an extent greater than provided for in subsection 25.11.060A.2; or

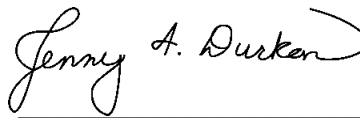
23 b. Avoiding development in the tree protection area would result in a

1 Section 106. This ordinance shall take effect and be in force 180 days after its approval
2 by the Mayor, but if not approved and returned by the Mayor within ten days after presentation,
3 it shall take effect as provided by Seattle Municipal Code Section 1.04.020.


4 Passed by the City Council the 13th day of December, 2021,
5 and signed by me in open session in authentication of its passage this 13th day of
6 December, 2021.

7 
8 _____
President _____ of the City Council

9 Approved / returned unsigned / vetoed this 15th day of December, 2021.

10 
11 _____
Jenny A. Durkan, Mayor

12 Filed by me this 15th day of December, 2021.

13 
14 _____
Monica Martinez Simmons, City Clerk

15 (Seal)