

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

..title

AN ORDINANCE relating to land use and zoning; amending Sections 3.58.040, 3.58.060, 23.22.062, 23.24.040, 23.24.045, 23.40.002, 23.41.004, 23.41.012, 23.41.014, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.524, 23.45.528, 23.45.536, 23.45.570, 23.47A.004, 23.47A.005, 23.47A.008, 23.47A.009, 23.47A.012, 23.47A.016, 23.47A.022, 23.48.020, 23.48.025, 23.48.085, 23.48.220, 23.48.245, 23.48.420, 23.49.008, 23.49.011, 23.49.015, 23.49.019, 23.49.028, 23.49.058, 23.49.164, 23.50.020, 23.53.006, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.54.040, 23.55.014, 23.55.015, 23.55.020, 23.66.140, 23.66.338, 23.71.044, 23.73.008, 23.73.009, 23.73.014, 23.73.015, 23.76.004, 23.76.006, 23.76.060, 23.84A.024, 23.84A.032, 23.84A.036, 23.84A.038, 23.86.006, 23.86.007, 23.86.028, and 25.11.070 of the Seattle Municipal Code; and repealing Section 22.202.070 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

..body

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

Section 1. Section 3.58.040 of the Seattle Municipal Code, last amended by Ordinance 120479, is amended as follows:

**3.58.040 Term of office; recusal ((-))**

A. Each member shall serve for a term of two ~~((2))~~ years, with ~~((the term of office staggered so that the terms of one-third (1/3) of the members shall expire each year))~~ four members' terms ending in one year and five members' terms ending in the next consecutive year. Members are eligible for reappointment to one additional two-year term. A person appointed to fill a vacancy shall serve for the remainder of the unexpired term. ~~((Any member of the Commission may be appointed to succeed himself or herself.))~~ The membership of the Commission shall not be limited to residents of the City or residents of the state.

B. No member of the Commission, during his or her term of office and for six ~~((6))~~ months thereafter, shall be individually eligible for employment by, or to contract with, the

1 City in connection with any capital improvement project reviewed by this Commission, and  
2 no member shall be involved in such capital improvement project work during such time. If a  
3 member's employer, or a firm in which a member is a partner or has an ownership interest, is  
4 under contract or under consideration for a contract with the City during his or her term of  
5 office, the member shall divulge this information in a meeting of the Commission, and shall  
6 recuse himself or herself from any and all deliberations regarding such project until project  
7 completion or until the member's employer or firm is no longer under consideration for  
8 contract on such project.

9 Section 2. Section 3.58.060 of the Seattle Municipal Code, last amended by Ordinance  
10 96977, is amended as follows:

11 **3.58.060 Organization—Quorum—Support staff ((:))**

12 The Chairman of the Commission shall be designated by the Mayor, subject to  
13 confirmation by the City Council, to serve ((from October 1st of each year)) for a period of  
14 one ((+)) year. The Commission shall elect ((such)) other officers as it may deem necessary  
15 and shall adopt ((such)) administrative procedures as ((are)) required to accomplish the  
16 purposes of this ((chapter)) Chapter 3.58. Five ((5)) appointive members shall constitute a  
17 quorum. ((Transactions)) Actions constituting Commission recommendations ((must)) shall  
18 secure the approval of the majority of those present. The City shall provide appropriate staff,  
19 and one ((+)) staff representative ((of which)) shall serve as Executive Secretary of the  
20 Commission and be responsible for all records. ((He)) The Executive Secretary of the  
21 Commission shall prepare and distribute agenda for Commission meetings. ((He)) The  
22 Executive Secretary of the Commission shall advise and arrange for ((such)) compensation  
23 and reimbursement of expenses as may be authorized.

1 Section 3. Section 22.202.070 of the Seattle Municipal Code, enacted by Ordinance  
2 124945, is repealed:

3 ~~((**22.202.070 Transfers**~~

4 ~~Monies deposited in the accounts established in Sections 22.202.050 and 22.202.060~~  
5 ~~may be transferred by ordinance to other funds for purposes other than purposes listed in~~  
6 ~~Sections 22.202.050 and 22.202.060.))~~

7 Section 4. Section 23.22.062 of the Seattle Municipal Code, last amended by  
8 Ordinance 124475, is amended as follows:

9 **23.22.062 Unit lot subdivisions**

10 A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision  
11 of land for:

12 1. Residential development including single-family dwelling units, townhouse,  
13 rowhouse, and cottage housing developments, and existing apartment structures built prior to  
14 January 1, 2013, but not individual apartment units, in all zones in which these uses are  
15 permitted, or any combination of the above types of residential development as permitted in  
16 the applicable zones.

17 2. Live-work units that occupy space from the ground to the roof of the  
18 structure in which they are located, do not occupy space above or below another live-work  
19 unit or dwelling unit, and are attached along at least one common wall to at least one other  
20 live-work unit or dwelling unit, with habitable interior space on both sides of the common  
21 wall, or abut another live-work unit or dwelling unit on a common lot line, in all zones in  
22 which these uses are permitted, or any combination of the above types of development as  
23 permitted in the applicable zones.

1           B. Except for any site for which a permit has been issued pursuant to Sections  
2 23.44.041 or 23.45.545 for a detached accessory dwelling unit, lots developed or proposed to  
3 be developed with uses described in subsection 23.22.062.A above may be subdivided into  
4 individual unit lots. The development as a whole shall meet development standards applicable  
5 at the time the permit application is vested. As a result of the subdivision, development on  
6 individual unit lots may be nonconforming as to some or all of the development standards  
7 based on analysis of the individual unit lot, except that any private usable open space or  
8 private amenity area for each dwelling unit or live-work unit shall be provided on the same  
9 unit lot as the dwelling unit or live-work unit it serves.

10           C. Subsequent platting actions, additions or modifications to the structure(s) may not  
11 create or increase any nonconformity of the parent lot.

12           D. Access easements and joint use and maintenance agreements shall be executed for  
13 use of common garage or parking areas, common open space (such as common courtyard  
14 open spaces for cottage housing), and other similar features, as recorded with the King County  
15 Recorder.

16           E. Within the parent lot, required parking for a dwelling unit or live-work unit may be  
17 provided on a different unit lot than the lot with the dwelling unit or live-work unit, as long as  
18 the right to use that parking is formalized by an easement on the plat, as recorded with the  
19 King County Recorder.

20           F. The fact that the unit lot is not a separate buildable lot and that additional  
21 development of the individual unit lots may be limited as a result of the application of  
22 development standards to the parent lot shall be noted on the plat, as recorded with the King  
23 County Recorder.

1 Section 5. Section 23.24.040 of the Seattle Municipal Code, last amended by  
2 Ordinance 124378, is amended as follows:

3 **23.24.040 Criteria for approval**

4 A. The Director shall, after conferring with appropriate officials, use the following  
5 criteria to determine whether to grant, condition, or deny a short plat:

6 1. Conformance to the applicable Land Use Code provisions, as modified by  
7 this ~~((chapter))~~ Chapter 23.24;

8 2. Adequacy of access for pedestrians, vehicles, utilities, and fire protection as  
9 provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and  
10 circulation;

11 3. Adequacy of drainage, water supply, and sanitary sewage disposal;

12 4. Whether the public use and interests are served by permitting the proposed  
13 division of land;

14 5. Conformance to the applicable provisions of Section 25.09.240, Short  
15 subdivisions and subdivisions, in environmentally critical areas;

16 6. Whether the proposed division of land is designed to maximize the retention  
17 of existing trees;

18 7. Conformance to the provisions of Section 23.24.045, Unit lot subdivisions,  
19 when the short subdivision is for the purpose of creating separate lots of record for the  
20 construction and/or transfer of title of single-family dwelling units, townhouse, rowhouse, and  
21 cottage housing developments, ~~((as permitted in Single Family, Residential Small Lot, and  
22 Lowrise zones, and for single-family dwelling units in Lowrise zones,))~~ existing apartment  
23 structures built prior to January 1, 2013, but not individual apartment units, and live-work

1 units or any combination of the above types of residential development, as permitted in the  
2 applicable zones; and ((;))

3 8. ~~((Conformance to the provisions of Section 23.24.046, Multiple single-~~  
4 ~~family dwelling units on a single family lot, when the short subdivision is for the purpose of~~  
5 ~~creating two or more lots from one lot with more than one existing single family dwelling~~  
6 ~~unit.~~

7 9.)) Every lot except unit lots and lots proposed to be platted for individual  
8 live-work units in zones where live-work units are permitted, shall conform to the following  
9 standards for lot configuration, unless a special exception is authorized under subsection  
10 23.24.040.B:

11 a. If a lot is proposed with street frontage, then one lot line shall abut  
12 the street for at least 10 feet; and

13 b. No lot shall be less than 10 feet wide for a distance of more than 10  
14 feet as measured at any point; and

15 c. No proposed lot shall have more than six separate lot lines. The lot  
16 lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-  
17 of-way or an existing lot line; and

18 d. If the property proposed for subdivision is adjacent to an alley, and  
19 the adjacent alley is either improved or required to be improved according to the standards of  
20 Section 23.53.030, then no new lot shall be proposed that does not provide alley access,  
21 except that access from a street to an existing use or structure is not required to be changed to  
22 alley access. Proposed new lots shall either have sufficient frontage on the alley to meet  
23 access standards for the zone in which the property is located or provide an access easement

1 from the proposed new lot or lots to the alley that meets access standards for the zone in  
2 which the property is located.

3 B. Special Exception. The Director may modify the standards of subsection  
4 ~~((23.24.040.A.9))~~ 23.24.040.A.8, as a Type II special exception decision, if the applicant  
5 demonstrates that the proposed plat meets the following criteria:

6 1. The property has one of the following conditions not created by the  
7 applicant:

8 a. Natural topographic features or natural obstructions prevent the  
9 platting of one or more lots according to the standards of subsection ~~((23.24.040.A.9))~~  
10 23.24.040.A.8;

11 b. Location of existing principal structures that are retained on lots  
12 existing prior to the proposed platting require a platting configuration of one or more lots that  
13 cannot reasonably meet the standards of subsection ~~((23.24.040.A.9))~~ 23.24.040.A.8;

14 c. Location of existing easements or feasibility of access to portions of  
15 the property prevents the configuration of proposed plat lines that meet the standards of  
16 subsection ~~((23.24.040.A.9))~~ 23.24.040.A.8.

17 2. Modification of the standards of subsection ~~((23.24.040.A.9))~~ 23.24.040.A.8  
18 shall be the minimum necessary to allow platting of lots that each contain a building area for  
19 development meeting the development standards of the zone in which the proposed plat is  
20 located.

21 3. Lots created under the special exception standards of this subsection  
22 23.24.040.B shall not have a configuration that requires a variance from setbacks and yard

1 requirements of the Land Use Code or a variance or exception from the Regulations for  
2 Environmentally Critical Areas for any development that may be proposed on the lots.

3 \* \* \*

4 Section 6. Section 23.24.045 of the Seattle Municipal Code, last amended by  
5 Ordinance 124475, is amended as follows:

6 **23.24.045 Unit lot subdivisions**

7 A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision  
8 of land for:

9 1. Residential development including single-family dwelling units, townhouse,  
10 rowhouse, and cottage housing developments, and existing apartment structures built prior to  
11 January 1, 2013, but not individual apartment units, in all zones in which these uses are  
12 permitted, or any combination of the above types of residential development as permitted in  
13 the applicable zones.

14 2. Live-work units that occupy space from the ground to the roof of the  
15 structure in which they are located, do not occupy space above or below another live-work  
16 unit or dwelling unit, and are attached along at least one common wall to at least one other  
17 live-work unit or dwelling unit, with habitable interior space on both sides of the common  
18 wall, or abut another live-work unit or dwelling unit on a common lot line, in all zones in  
19 which these uses are permitted, or any combination of the above types of development as  
20 permitted in the applicable zones.

21 B. Except for any lot for which a permit has been issued pursuant to Section ((s))  
22 23.44.041 or 23.45.545 for a detached accessory dwelling unit, lots developed or proposed to  
23 be developed with uses described in subsection 23.24.045.A above may be subdivided into



1 individual unit lots. The development as a whole shall meet development standards applicable  
2 at the time the permit application is vested. As a result of the subdivision, development on  
3 individual unit lots may be nonconforming as to some or all of the development standards  
4 based on analysis of the individual unit lot, except that any private, usable open space or  
5 private amenity area for each dwelling unit or live-work unit shall be provided on the same  
6 unit lot as the dwelling unit or live-work unit it serves.

7 C. Subsequent platting actions, additions or modifications to the structure(s) may not  
8 create or increase any nonconformity of the parent lot.

9 D. Access easements and joint use and maintenance agreements shall be executed for  
10 use of common garage or parking areas, common open space (such as common courtyard  
11 open space for cottage housing), and other similar features, as recorded with the Director of  
12 the King County Department of Records and Elections.

13 E. Within the parent lot, required parking for a dwelling unit or live-work unit may be  
14 provided on a different unit lot than the lot with the dwelling unit or live-work unit, as long as  
15 the right to use that parking is formalized by an easement on the plat, as recorded with the  
16 Director of the King County Department of Records and Elections.

17 F. The facts that the unit lot is not a separate buildable lot, and that additional  
18 development of the individual unit lots may be limited as a result of the application of  
19 development standards to the parent lot, shall be noted on the plat, as recorded with the  
20 Director of the King County Department of Records and Elections.

21 Section 7. Section 23.40.002 of the Seattle Municipal Code, last amended by  
22 Ordinance 123649, is amended as follows:

23 **23.40.002 Conformity with regulations required**



**Table A for 23.41.004  
Thresholds for Design Review**

c.	Highrise (HR)	20 dwelling units or 4,000 square feet of non-residential gross floor area
d.	Neighborhood Commercial (NC1, NC2, NC3)	4 dwelling units or 4,000 square feet of non-residential gross floor area
e.	Commercial (C1, C2)	4 dwelling units or 12,000 square feet of non-residential gross floor area, located on a lot in an urban center or urban village <sup>1</sup> , or on a lot that abuts or is across a street or alley from a lot zoned single-family, or on a lot located in the area bounded by: NE 95th St., NE 145th St., 15th Ave. NE, and Lake Washington
f.	Seattle Mixed (SM)	20 dwelling units or 12,000 square feet of non-residential gross floor area
g.	Industrial Commercial (IC) zone within all designated urban villages and urban centers	12,000 square feet of non-residential gross floor area
h.	Master Planned Community (MPC) <sup>2</sup>	20 dwelling units or 12,000 square feet of non-residential gross floor area
i.	All zones – congregate residences, and residential uses in which more than 50 percent of dwelling units are small efficiency dwelling units <sup>3</sup>	<p>Developments containing at least 5,000 but less than 12,000 square feet of gross floor area are subject to Streamlined Design Review (SDR) pursuant to Section 23.41.018.</p> <p>Developments containing at least 12,000 but less than 20,000 square feet of gross floor area are subject to Administrative Design Review (ADR) pursuant to Section 23.41.016.</p> <p>Developments containing 20,000 square feet or more of gross floor area are subject to Design Review pursuant to Chapter 23.41.</p>

Footnotes to Table A for 23.41.004 (⚡)

<sup>1</sup> Urban centers and urban villages are identified in the Seattle Comprehensive Plan.  
<sup>2</sup> If an application in a Master Planned Community zone does not include a request for departures, the applicable design review procedures are in Section 23.41.020. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014.  
<sup>3</sup> When a congregate residence or development in which more than 50 percent of dwelling units are small efficiency dwelling units is subject to more than one design review threshold, the gross square footage threshold on line i shall apply.

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

4                   3. Design review is required for all new development proposals located in the  
5 Downtown zones listed in Table B for 23.41.004 that exceed any of the following thresholds  
6 in Table B for 23.41.004:

<b>Table B for 23.41.004</b>	
<b>Thresholds for Downtown Design Review</b>	
<b>DOC1, DOC2, or DMC zones</b>	
<b>Use</b>	<b>Threshold</b>
Non-residential	50,000 square feet of gross floor area
Residential	20 dwelling units
<b>DRC, DMR, DH1 or DH2 zones, or PMM zone outside the Pike Place Market Historical District</b>	
<b>Use</b>	<b>Threshold</b>
Non-residential	20,000 square feet of gross floor area
Residential	20 dwelling units

7                   4. Design review is required for all new development proposals exceeding 120  
8 feet in width on any single street frontage in the Stadium Transition Area Overlay District as  
9 shown in Map A for 23.74.004, and all new development proposals exceeding 12,000 square  
10 feet of non-residential gross floor area and electing to add extra floor area above the base FAR  
11 that are located in an IC 85-160 zone.

12                   5. Streamlined administrative design review (SDR) to protect trees. As  
13 provided in Sections 25.11.070 and 25.11.080, SDR pursuant to Section 23.41.018 is required  
14 for any new development proposals in LR, MR, and commercial zones if an exceptional tree,  
15 as defined in Section 25.11.020, is located on the lot and is not proposed to be preserved, if  
16 design review would not otherwise be required by this subsection 23.41.004.A.

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

4                   7. SDR pursuant to Section 23.41.018 is required for all new developments that  
5 include at least three townhouse units, if design review is not otherwise required by this  
6 subsection 23.41.004.A.

7                   ~~((8. Except for development within the boundaries of a Master Planned  
8 Community, design review pursuant to Section 23.41.014 is required for a development  
9 proposal if the proposal is (a) for three or more attached or detached dwelling units or 2,000  
10 square feet or more of non-residential gross floor area; and (b) on a lot that is abutting one or  
11 more qualifying lots and the combined size of development proposals on the subject lot and  
12 abutting qualifying lot or lots exceeds thresholds in Table A or Table B to Section 23.41.004.  
13 For purposes of the preceding sentence, a “qualifying lot” is a lot for which, on the day a  
14 complete application is submitted for a development proposal on the subject lot: (a) a  
15 complete Master Use Permit or building permit application for a development proposal that  
16 does not exceed thresholds in Table A or B to Section 23.41.004 is or has been submitted; and  
17 (b) a certificate of occupancy for the development has not been issued or, for a project where  
18 no certificate of occupancy is required, the final inspection pursuant to any issued building  
19 permit has not been completed. If complete applications for development proposals are  
20 submitted for the subject lot and qualifying lot on the same day, design review is required for  
21 both development proposals.~~

22                   9.)) 8. Design review pursuant to Section 23.41.014 is required for any project  
23 seeking to participate in the Living Building Pilot Program, including a development proposal

1 for an existing structure.

2 \* \* \*

3 Section 9. Section 23.41.012 of the Seattle Municipal Code, last amended by the  
4 ordinance introduced as Council Bill 118854, is amended as follows:

5 **23.41.012 Development standard departures**

6 \* \* \*

7 B. Departures may be granted from any Land Use Code standard or requirement,  
8 except for the following:

- 9 1. Procedures;
- 10 2. Permitted, prohibited, or conditional use provisions, except that departures  
11 may be granted from development standards for required street-level uses;
- 12 3. Residential density limits;
- 13 4. In Downtown zones, provisions for exceeding the base FAR or achieving  
14 bonus development as provided in Chapter 23.49, Downtown Zoning;
- 15 5. In Downtown zones, the minimum size for Planned Community  
16 Developments as provided in Section 23.49.036;
- 17 6. In Downtown zones, the average floor area limit for stories in residential use  
18 in Table B for 23.49.058;
- 19 7. In Downtown zones, the provisions for combined lot developments as  
20 provided in Section 23.49.041;
- 21 8. In Downtown Mixed Commercial zones, tower spacing requirements as  
22 provided in subsection 23.49.058.F;

1                   9. In the Downtown Mixed Commercial 160 zone, minimum floor-to-floor  
2 height for street-level uses required as a condition of the additional height allowed by  
3 subsection 23.49.008.E;

4                   10. Downtown view corridor requirements, provided that departures may be  
5 granted to allow open railings on upper-level roof decks or rooftop open space to project into  
6 the required view corridor, provided such railings are determined to have a minimal impact on  
7 views and meet the requirements of the Building Code;

8                   11. In SM-SLU zones, floor area limits for all uses provided in subsections  
9 23.48.245.A, 23.48.245.B.1, 23.48.245.B.2, and 23.48.245.B.3, except that departures of up to  
10 a five percent increase in floor area limit for each story may be granted for structures with  
11 non-residential uses meeting the requirements of subsections 23.48.245.B.1.d.1 and  
12 23.48.245.B.1.d.2;

13                   12. The provisions of Chapter 23.58A, except that departures may be granted  
14 from the requirements of subsections 23.48.021.C.1.b.2, 23.48.021.C.1.b.3.a,  
15 23.48.021.C.1.b.4, and 23.48.021.C.1.b.5, if the applicant demonstrates that the amenity to be  
16 provided according to Section 23.58A.040 better achieves the intent of the Downtown  
17 Amenity Standards for that amenity feature;

18                   13. In SM-SLU zones, provisions limiting the number of towers permitted per  
19 block provided for in Section 23.48.245;

20                   14. In ~~((the))~~ SM-SLU zones, provisions for upper-level setbacks provided for  
21 in Section 23.48.245;

22                   15. FAR; except that in the Pike/Pine Conservation Overlay District shown on  
23 Map A for 23.73.004, departures from the development standards for allowing floor area

1 exemptions from FAR calculations in subsection 23.73.009.C and for retaining a character  
2 structure on a lot in Section 23.73.015 are not considered departures from FAR limits;

3           16. Maximum size of use;

4           17. Structure height, except that:

5                   a. Within the Roosevelt Commercial Core building height departures up  
6 to an additional 3 feet may be granted for properties zoned NC3-65 ((7)) (Map A for  
7 23.41.012, Roosevelt Commercial Core);

8                   b. Within the Ballard Municipal Center Master Plan area building  
9 height departures may be granted for properties zoned NC3-65 ((7)) (Map B for 23.41.012,  
10 Ballard Municipal Center Master Plan Area). The additional height may not exceed 9 feet, and  
11 may be granted only for townhouses that front a mid-block pedestrian connection or a park  
12 identified in the Ballard Municipal Center Master Plan;

13                   c. In Downtown zones building height departures may be granted for  
14 minor communication utilities as set forth in subsection 23.57.013.B;

15                   d. Within the Uptown Urban Center building height departures up to 3  
16 feet of additional height may be granted if the top floor of the structure is set back at least 6  
17 feet from all lot lines abutting streets;

18                   e. Within the Queen Anne Residential Urban Village and  
19 Neighborhood Commercial zones as shown on Map C for 23.41.012, Upper Queen Anne  
20 Commercial Areas, building height departures up to 3 feet of additional height may be granted  
21 if the top floor of the structure is set back at least 6 feet from all lot lines abutting streets;

22                   f. Within the PSM 85-120 zone in the area shown on Map A for  
23 23.49.180, departures may be granted from development standards that apply as conditions to



1 additional height, except for FAR and provisions for adding bonus floor area above the base  
2 FAR; and

3 g. Within the Pike/Pine Conservation Overlay District shown on Map A  
4 for 23.73.004, departures may be granted from development standards that apply as conditions  
5 to additional height in subsections 23.73.014.A and 23.73.014.B, and the provision for  
6 receiving sites for TDP in subsection 23.73.024.B.5;

7 18. Quantity of parking required, minimum and maximum parking limits, and  
8 minimum and maximum number of drive-in lanes, except that within the Ballard Municipal  
9 Center Master Plan area departures may be granted from the minimum parking requirement  
10 up to a 30 percent maximum reduction for ground-level retail uses that abut established mid-  
11 block pedestrian connections through private property as identified in the “Ballard Municipal  
12 Center Master Plan Design Guidelines, 2013”;

13 19. Provisions of the Shoreline District, Chapter 23.60A;

14 20. Standards for storage of solid-waste containers;

15 21. The quantity of open space required for major office projects in Downtown  
16 zones as provided in subsection 23.49.016.B;

17 22. Noise and odor standards;

18 23. Standards for the location of access to parking in Downtown zones;

19 24. Provisions of Chapter 23.52, Transportation Concurrency and  
20 Transportation Impact Mitigation;

21 25. Provisions of Chapter 23.53, Requirements for Streets, Alleys, and  
22 Easements, except that departures may be granted from the access easement standards in  
23 Section 23.53.025;

1                   26. Affordable housing production conditions within the MPC-YT zone,  
2 pursuant to Section 23.75.085;

3                   27. Limits on floor area for uses within the MPC-YT zone, as provided in  
4 Sections 23.75.085 and 23.75.090 or as applicable under Section 23.75.040;

5                   28. Limits on number, distribution, and gross floor area per story for highrise  
6 structures within the MPC-YT zone, as provided in Section 23.75.120 or as applicable under  
7 Section 23.75.040;

8                   29. Definitions;

9                   30. Measurements;

10                  31. Lot configuration standards in subsections 23.22.100.C.3,  
11 ~~((23.24.040.A.9))~~ 23.24.040.A.8, and 23.28.030.A.3, which may be modified as authorized in  
12 those provisions;

13                  32. Standards for structural building overhangs in Section 23.53.035 and  
14 structural encroachments permitted in setbacks provided in lieu of dedication of right-of-way  
15 under subsection 23.53.015.D.1.b;

16                  33. Within the Pike/Pine Conservation Overlay District shown on Map A for  
17 23.73.004, the requirement that all character structures on a lot be retained in order to qualify  
18 as a TDP receiving site in subsection 23.73.024.B, the exception allowing additional FAR for  
19 non-residential uses in subsection 23.73.009.B, the FAR exemption for residential uses in  
20 subsection 23.73.009.C.3, the exception to floor area limits in subsections 23.73.010.B.1 and  
21 23.73.010.B.2, the exception for width and depth measurements in subsection 23.73.012.B, or  
22 the exception for an additional 10 feet in height as provided for in subsection 23.73.014.B.

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a. Departures may, however, be granted under the following

circumstances:

1) The character structure is neither a designated Seattle  
Landmark nor listed in a rule promulgated by the Director according to Section 23.73.005;

and

2) The departure is for demolishing a wood-frame character  
structure originally built as a single-family residence or single-family accessory structure; or

3) The departure is for demolishing a character structure that is  
determined to have insufficient value to warrant retention when the following applies:

a) The structure lacks a high degree of architectural  
integrity as evidenced by extensive irreversible exterior remodeling; or

b) The structure does not represent the Pike/Pine  
neighborhood's building typology that is characterized by the use of exterior materials and  
design elements such as masonry, brick, and timber; multi-use loft spaces; very high and  
fully-glazed ground-floor storefront windows; and decorative details including cornices,  
emblems, and embossed building names; or

c) Demolishing the character structure would allow for  
more substantial retention of other, more significant character structures on the lot, such as a  
structure listed in a rule promulgated by the Director according to Section 23.73.005; or  
would allow for other key neighborhood development objectives to be achieved, such as  
improving pedestrian circulation by providing through-block connections, developing arts and  
cultural facilities, or siting publicly-accessible open space at key neighborhood locations.

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b. In addition to the provisions of subsection

((~~23.41.012.B.32.a~~) 23.41.012.B.33.a, the following provisions apply:

1) At least one character structure shall be retained on the lot if: subsection 23.73.009.C.3 regarding the FAR exemption for residential uses, subsection 23.73.010.B.2 regarding increases in the floor area limits, subsection 23.73.012.B regarding the exception from width and depth measurements, or subsection 23.73.014.B regarding the exception allowing for an additional 10 feet in height are being used by the development proposal.

2) No character structures are required to be retained on the lot if: subsection 23.73.009.B regarding the exception to allow additional FAR for non-residential uses, subsection 23.73.010.B.1 regarding increases in the floor area limits, or Section 23.73.024 for the use of TDP on a lot that is an eligible TDP receiving site under the provisions of subsection 23.73.024.B are the only provisions being used by the development proposal;

34. In pedestrian-designated zones, provisions for residential uses at street level, as provided in subsection 23.47A.005.C.1, except that a departure may be granted to allow residential uses at street level to occupy, in the aggregate, no more than 50 percent of the street-level street-facing facade;

35. In pedestrian-designated zones, provisions for transparency requirements, as provided in subsection 23.47A.008.B, except that departures may be granted to reduce the required transparency from 60 percent to no less than 40 percent of the street-facing facade;

36. In pedestrian-designated zones, provisions for height requirements for floor-to-floor height, as provided in subsection 23.47A.008.B, except that departures to allow

1 a mezzanine with less than the minimum floor-to-floor height may be granted provided that  
2 the outer edge of the mezzanine floor is at least 15 feet from the exterior wall facing a  
3 principal pedestrian street; (~~and~~)

4 37. The provisions of Chapter 23.58B and Chapter 23.58C((-)) ;

5 38. Area-specific development standards for Lake City, identified in subsection  
6 23.47A.009.E, except departures may be requested if the development provides at least one of  
7 the following features:

8 a. A usable open space that:

9 1) abuts the street,  
10 2) is no more than 4 feet above or 4 feet below the adjacent  
11 sidewalk grade,

12 3) has a minimum width equal to 30 percent of the width of the  
13 street-facing facade or 20 feet, whichever is greater, and

14 4) has a minimum depth of 20 feet measured from the abutting  
15 street lot line.

16 b. An east-west through-block pedestrian passageway that:

17 1) has a minimum width of 20 feet and provides direct and  
18 continuous passage between the north/south rights-of-way abutting the lot; and

19 2) is designed to provide safe pedestrian use, including signage  
20 identifying the passageway; and

21 39. For lots 40,000 square feet or greater in size, area-specific development  
22 standards for Ballard identified in subsections 23.47A.009.F.2, 23.47A.009.F.3, and

1 23.47A.009.F.4.b, except that departures may be requested if the development provides at  
2 least one of the following features:

3 a. A usable open space that:

4 1) abuts the street,

5 2) is no more than 4 feet above or 4 feet below the adjacent  
6 sidewalk grade,

7 3) has a minimum width equal to 30 percent of the width of the  
8 street-facing facade or 20 feet, whichever is greater, and

9 4) has a minimum depth of 20 feet measured from all street lot  
10 lines.

11 b. A separation between structures that:

12 1) has a minimum east-west dimension width of 20 feet,

13 2) is no more than 4 feet above or below the adjacent sidewalk  
14 grades, and

15 3) is either developed as:

16 a) a north-south through block pedestrian passageway;

17 b) a woonerf;

18 c) an amenity area that is available for public use and not  
19 counting towards the minimum requirement of 23.47A.024; or

20 d) a combination thereof.

21 \* \* \*

22 Section 10. Section 23.41.014 of the Seattle Municipal Code, last amended by  
23 Ordinance 123392, is amended as follows:

1 **23.41.014 Design review process**

2 \* \* \*

3 C. Guidelines (~~(Priorities.)~~) priorities

4 1. Based on the concerns expressed at the early design guidance public meeting  
5 or in writing to the Design Review Board, (~~(the Board shall identify any guidelines that may~~  
6 ~~not be applicable to the site and identify those)~~) the applicable guidelines of highest priority to  
7 the neighborhood, referred to as the “guideline priorities,” shall be identified. The Board shall  
8 incorporate any community consensus regarding design (~~(,)~~) expressed at the meeting into its  
9 guideline priorities, to the extent the consensus is consistent with the design guidelines and  
10 reasonable in light of the facts of the proposed development.

11 2. The Director shall distribute a copy of the guideline priorities applicable to  
12 the development to all those who attended the early design guidance public meeting, to those  
13 who sent in comments or otherwise requested notification, and to the project proponent.

14 3. The project proponent is encouraged to meet with the Board and the public  
15 for early resolution of design issues, and may hold additional optional meetings with the  
16 public or the Board. The Director may require the proponent to meet with the Board if the  
17 Director believes that such a meeting may help to resolve design issues.

18 \* \* \*

19 F. Director’s (~~(Decision.)~~) decision

20 1. A decision on an application for a permit subject to design review shall be  
21 made by the Director. The Director may condition a proposed project to achieve compliance  
22 with design guidelines and to achieve the purpose and intent of this (~~(chapter)~~) Chapter 23.41.  
23 For applications accepted into the Living Building Pilot Program established under Section

1 23.40.060, the Director may also condition a proposed project to achieve the purpose and  
2 intent of the Living Building Pilot Program.

3 2. ~~((Projects Subject To Design Review Must Meet All Codes And Regulatory~~  
4 ~~requirements applicable to the subject site, except as provided in Section 23.41.012.~~

5 3.)) The Director’s design review decision shall be made as part of the overall  
6 Master Use Permit decision for the project. The Director’s decision shall consider the  
7 recommendation of the Design Review Board. Except for projects accepted in the Living  
8 Building Pilot Program established in Section 23.40.060, if four or more members of the  
9 Design Review Board are in agreement in their recommendation to the Director, the Director  
10 shall issue a decision that makes compliance with the recommendation of the Design Review  
11 Board a condition of permit approval, unless the Director concludes that the recommendation  
12 of the Design Review Board:

- 13 a. Reflects inconsistent application of the design review guidelines; or
- 14 b. Exceeds the authority of the Design Review Board; or
- 15 c. Conflicts with SEPA conditions or other regulatory requirements  
16 applicable to the site; or
- 17 d. Conflicts with the requirements of state or federal law.

18 \* \* \*

19 Section 11. Section 23.44.010 of the Seattle Municipal Code, last amended by  
20 Ordinance 124843, is amended as follows:

21 **23.44.010 Lot requirements**

22 \* \* \*





1 d. "The Historic Lot Exception." The historic lot exception may be  
2 applied to allow separate development of lots already in existence if the lot has an area of at  
3 least 2,500 square feet, and was established as a separate building site in the public records of  
4 the county or City prior to July 24, 1957, by deed, platting, or building permit. The qualifying  
5 lot shall be subject to the following provisions:

6 1) A lot is considered to have been established as a separate  
7 building site by deed if the lot was held under separate ownership from all abutting lots for at  
8 least one year after the date the recorded deed transferred ownership.

9 2) If two contiguous lots have been held in common ownership  
10 at any time after January 18, 1987, and a principal structure extends onto or over both lots,  
11 neither lot qualifies for the exception. If the principal structure does not extend onto or over  
12 both lots, but both lots were required to meet development standards other than parking  
13 requirements in effect at the time the structure was built or expanded, neither lot qualifies for  
14 the exception unless the vacant lot is not needed to meet current development standards other  
15 than parking requirements. If the combined property fronts on multiple streets, the orientation  
16 of the principal structure shall not be considered when determining if it could have been built  
17 to the same configuration without using the vacant lot or lots as part of the principal  
18 structure's building site.

19 \* \* \*

20 3. Special exception review for lots less than 3,200 square feet in area. A  
21 special exception Type II review as provided for in Section 23.76.004 is required for separate  
22 development of any lot with an area less than 3,200 square feet that qualifies for any lot area

1 exception in subsection 23.44.010.B.1. The special exception application shall be subject to  
2 the following provisions:

3 a. The depth of any structure on the lot shall not exceed two times the  
4 width of the lot. If a side yard easement is provided according to subsection 23.44.014.D.3,  
5 the portion of the easement within 5 feet of the structure on the lot qualifying under this  
6 provision may be treated as a part of that lot solely for the purpose of determining the lot  
7 width for purposes of complying with this subsection (~~(23.44.010.B.2.e)~~) 23.44.010.B.3.a.

8 \* \* \*

9 D. Lot coverage exceptions

10 1. Lots abutting alleys. For purposes of computing the lot coverage only:

11 a. The area of a lot with an alley or alleys abutting any lot line may be  
12 increased by one-half of the width of the abutting alley or alleys.

13 b. The total lot area for any lot may not be increased by the provisions  
14 of this Section 23.44.010 by more than (~~(40)~~) ten percent.

15 2. Special structures and portions of structures. The following structures and  
16 portions of structures are not counted in lot coverage calculations:

17 a. Access bridges.

18 1) Uncovered, unenclosed pedestrian bridges 5 feet or less in  
19 width and of any height necessary for access,

20 2) Uncovered, unenclosed vehicular bridges no wider than 12  
21 feet for access to one parking space or 18 feet for access to two parking spaces and of any  
22 height necessary for access;



1 **23.44.014 Yards**

2 \* \* \*

3 D. Exceptions from standard yard requirements. No structure shall be placed in a  
4 required yard except pursuant to the following:

5 \* \* \*

6 8. Access (~~((Bridges))~~) bridges. Uncovered, unenclosed access bridges are  
7 permitted as follows:

8 a. ~~((pedestrian))~~ Pedestrian bridges 5 feet or less in width, and of any  
9 height necessary for access, are permitted in required yards, except that in side yards an access  
10 bridge must be at least 3 feet from any side lot line.

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

16 \* \* \*

17 17. Stormwater management

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

20 1) Each above-grade GSI feature is less than 4.5 feet tall,  
21 excluding piping;

22 2) Each above-grade GSI feature is less than 4 feet wide; and



1 a. There is no alley improved to the standards of ~~((Section))~~ subsection  
2 23.53.030.C, and there is no unimproved alley in common usage that currently provides  
3 access to parking on the lot or to parking on adjacent lots in the same block; or

4 b. Existing topography does not permit alley access; or

5 c. ~~((A portion of the alley abuts))~~ At least 50 percent of alley frontage  
6 abuts property in a nonresidential zone; or

7 d. The alley is used for loading or unloading by an existing  
8 nonresidential use; or

9 e. Due to the relationship of the alley to the street system, use of the  
10 alley for parking access would create a significant safety hazard; ~~((Ø))~~

11 f. Parking access must be from the street in order to provide access to a  
12 parking space that complies with the Washington State Building Code, Chapter 11 ~~((-))~~ ; or

13 g. Providing alley access would require removal of a tree on private  
14 property that is an exceptional tree or a tree greater than 2 feet in diameter measured 4.5 feet  
15 above the ground, provided that a permanent covenant meeting the standard in subsection  
16 25.11.050.C is recorded and all other applicable criteria for tree protection in Chapter 25.11  
17 are met.

18 \* \* \*

19 D. Parking and garages in required yards

20 \* \* \*

21 10. Lots with downhill yards abutting streets. Parking, either open or enclosed  
22 in an attached or detached garage, for one two-axle or one up to four-wheeled vehicle may be  
23 located in a required yard abutting a street if the following conditions are met:

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

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

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

7 d. Parking in a rear yard complies with subsections 23.44.016.D.2,  
8 23.44.016.D.5, and 23.44.016.D.6; and

9 e. Access to parking is permitted through the required yard abutting the  
10 street by subsection 23.44.016.B. ~~((; and))~~

11 ~~((f. A driveway access bridge is permitted in the required yard abutting  
12 the street if necessary for access to parking. The access bridge shall be no wider than 12 feet  
13 for access to one parking space or 18 feet for access to two or more parking spaces. The  
14 driveway access bridge may not be located closer than 5 feet to an adjacent property line and  
15 shall not be included in lot coverage calculations.))~~

16 \* \* \*

17 E. Standards for garages if allowed in required yards. Garages that are either detached  
18 structures or portions of a principal structure for the primary purpose of enclosing a two-axle  
19 or four-wheeled vehicle may be permitted in required yards according to the following  
20 conditions:

21 1. Maximum coverage and size

22 a. Garages, together with any other accessory structures and other  
23 portions of the principal structure, are limited to a maximum combined coverage of 40 percent





1 **23.44.022 Institutions**

2 \* \* \*

3 D. General (~~(Provisions.))~~ provisions

4 1. New or expanding institutions in single-family zones shall meet the  
5 development standards for uses permitted outright in Sections 23.44.008 through 23.44.016  
6 unless modified elsewhere in this subsection 23.44.022.D or in a Major Institution master  
7 plan.

8 2. The establishment of a child care center in a legally established institution  
9 devoted to the care or instruction of children, ~~((which does not))~~ or establishment of a shelter  
10 for homeless youths and young adults in a legally established institution devoted to the care or  
11 instruction of children, shall not be considered a new use or an expansion of the institutional  
12 use if the shelter occupants are enrolled students of the institution and if the use does not  
13 violate any condition of approval of the existing institutional use (~~((and does not require~~  
14 ~~structural))~~ or require expansion (~~((shall not be considered a new use or an expansion of the~~  
15 ~~institutional use))~~ of the existing structure.

16 3. Institutions seeking to establish or expand on property that is developed with  
17 residential structures may expand their campus up to a maximum of 2 1/2 acres. An institution  
18 campus may be established or expanded beyond 2 1/2 acres if the property proposed for the  
19 expansion is substantially vacant land.

20 \* \* \*

21 Section 16. Section 23.45.510 of the Seattle Municipal Code, last amended by the  
22 ordinance introduced as Council Bill 118862, is amended as follows:

23 **23.45.510 Floor area ratio (FAR) limits**

\* \* \*

1  
2 B. FAR limits in LR zones. FAR limits apply in LR zones as shown in Table A for  
3 23.45.510, provided that if the LR zone designation includes an incentive zoning suffix, then  
4 ~~((the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain))~~ gross floor  
5 area ~~((exceeding that allowed by the FAR shown in the suffix designation))~~ may exceed the  
6 base FAR as identified in the suffix designation, up to the limits shown in Table A for  
7 23.45.510, if the applicant complies with Chapter 23.58A, Incentive Provisions. In LR zones  
8 the following standards apply to the calculation of gross floor area for application of FAR  
9 limits:

10 1. Exterior corridors, breezeways, and stairways that provide building  
11 circulation and access to dwelling units or sleeping rooms are included in gross floor area.

12 2. Balconies, patios, and decks that are associated with a single dwelling unit  
13 or sleeping room and that are not used for common circulation, and ground-level walking  
14 paths, are excluded from gross floor area.

15 3. Common walls separating individual rowhouse and townhouse dwelling  
16 units are considered to be exterior walls.

17  
18 \* \* \*

19 D. FAR limits in MR and HR zones. FAR limits apply to all structures and lots in MR  
20 and HR zones as shown in Table B for 23.45.510, provided that if the MR ~~((and))~~ or HR zone  
21 ~~((designations include))~~ designation includes an incentive zoning suffix, then ~~((the applicant~~  
22 ~~shall comply with Chapter 23.58A, Incentive Provisions, to obtain))~~ gross floor area  
23 ~~((exceeding that allowed by the FAR shown in the suffix designation))~~ may exceed the base

1 FAR as identified in the suffix designation, up to the limits in Table B for 23.45.510, if the  
2 applicant complies with Chapter 23.58A, Incentive Provisions.

<b>Table B for 23.45.510</b>		
<b>Floor area ratios (FAR) in MR and HR zones<sup>1</sup></b>		
	<b>MR</b>	<b>HR</b>
Base FAR	3.2	8 on lots 15,000 square feet or less in size; 7 on lots larger than 15,000 square feet
Maximum FAR, allowed pursuant to Chapter 23.58A and Section 23.45.516	4.25	13 for structures 240 feet or less in height; 14 for structures over 240 feet
Footnotes to Table B for 23.45.510		
<sup>1</sup> The maximum FAR limit for MR zones with a mandatory housing affordability suffix is shown in subsection 23.48.517.B.2.		

3 \* \* \*

4 Section 17. Section 23.45.512 of the Seattle Municipal Code, last amended by the  
5 ordinance introduced as Council Bill 118862, is amended as follows:

6 **23.45.512 Density limits—LR zones**

7 \* \* \*

8 B. Density exception for certain types of low-income multifamily residential uses

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

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

1 residential use, ~~((or))~~ low-income elderly/low-income disabled multifamily residential use, or  
2 other low-income residential uses, for the life of the structure.

3 \* \* \*

4 G. Adding units to existing structures

5 1. One additional dwelling unit may be added to an existing residential ~~((use))~~  
6 structure regardless of the density restrictions in subsections 23.45.512.A, 23.45.512.B,  
7 23.45.512.C, and 23.45.512.D. An additional unit is allowed only if the proposed additional  
8 unit is to be located entirely within an existing structure, and no additional floor area to  
9 accommodate the new unit is proposed to be added to the existing structure.

10 2. For the purposes of this subsection 23.45.512.G, “existing residential  
11 ~~((uses))~~ structures” are those that were established under permit as of October 31, 2001, or for  
12 which a permit has been granted and the permit has not expired ~~((on))~~ October 31, 2001.

13 Section 18. Section 23.45.514 of the Seattle Municipal Code, last amended by the  
14 ordinance introduced as Council Bill 118862, is amended as follows:

15 **23.45.514 Structure height**

16 \* \* \*

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

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



- 1 e. Sun and wind screens;
- 2 f. Penthouse pavilions for the common use of residents;
- 3 g. Greenhouses and solariums, in each case that meet minimum energy
- 4 standards administered by the Director;
- 5 h. Wind-driven power generators; and
- 6 i. Minor communication utilities and accessory communication devices,
- 7 except that height is regulated according to the provisions of Section 23.57.011.

8 \* \* \*

9 8. In order to protect solar access for property to the north, the applicant shall  
10 either locate the rooftop features listed in this subsection (~~((23.56.514.J))~~ 23.45.514.J.8 at least  
11 ~~((10))~~ 15 feet from the north (~~(edge of the roof)~~ lot line, or provide shadow diagrams to  
12 demonstrate that the proposed location of such rooftop features would shade property to the  
13 north on January 21st at noon no more than would a structure built to maximum permitted  
14 bulk:

- 15 a. Solar collectors;
- 16 b. Planters;
- 17 c. Clerestories;
- 18 d. Greenhouses and solariums that meet minimum energy standards
- 19 administered by the Director;
- 20 e. Minor communication utilities and accessory communication
- 21 devices, permitted according to the provisions of Section 23.57.011;
- 22 f. Play equipment;
- 23 g. Sun and wind screens;

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h. Penthouse pavilions for the common use of residents.

\* \* \*

Section 19. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 124952, is amended as follows:

**23.45.518 Setbacks and separations**

\* \* \*

C. HR zones. Minimum setbacks for HR zones are shown in Table C for 23.45.518.

~~((Table C for 23.45.518: HR Setbacks (see also Exhibit B for 23.45.518)))~~

<b><u>Table C for 23.45.518</u></b>	
<b><u>HR Setbacks (see also Exhibit B for 23.45.518)</u></b>	
<b>Setbacks for structures 85 feet in height or less</b>	
Structures 85 feet in height or less are subject to the setback provisions of the MR zone in subsection <del>((23.45.518.A))</del> 23.45.518.B.	
<b>Setbacks for structures greater than 85 feet in height</b>	
Lot line abutting a street	For portions of a structure: <ul style="list-style-type: none"> <li>• 45 feet or less in height: 7-foot average setback; 5-foot minimum setback, except that no setback is required for frontages occupied by street level uses or dwelling units with a direct entry from the street;</li> <li>• Greater than 45 feet in height: 10-foot minimum setback</li> </ul>
Lot line abutting an alley	Rear lot line abuts an alley: For portions of a structure: <ul style="list-style-type: none"> <li>• 45 feet or less in height: no setback required;</li> <li>• Greater than 45 feet in height: 10-foot minimum setback.</li> </ul>
Lot line that abuts neither a street nor alley	For portions of a structure: <ul style="list-style-type: none"> <li>• 45 feet or less in height: 7-foot average setback; 5-foot minimum setback, except that no setback is required for portions abutting an existing structure built to the abutting lot line;</li> <li>• Greater than 45 feet in height: 20-foot minimum setback.</li> </ul>

\* \* \*

H. Projections permitted in required setbacks and separations



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

4                   2. Garden windows and other features that do not provide floor area may  
5 project a maximum of 18 inches into required setbacks and separations if they ~~((are))~~ :

6                   a. are a minimum of 30 inches above the finished floor;

7                   b. are no more than 6 feet in height and 8 feet wide; and

8                   c. combined with bay windows and other features with floor area, make  
9 up no more than 30 percent of the area of the facade.

10                  3. Bay windows and other features that provide floor area may project a  
11 maximum of 2 feet into required setbacks and separations if they ~~((are))~~ :

12                  a. are no closer than 5 feet to any lot line;

13                  b. are no more than 10 feet in width; and

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

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

18                  5. Unenclosed porches or steps

19                  a. ~~((If setbacks are required pursuant to subsection 23.45.518.A.1,~~  
20 ~~unenclosed)) Unenclosed porches or steps no higher than 4 feet above existing grade, or the~~  
21 grade at the street lot line closest to the porch, whichever is lower, may extend to within 4 feet  
22 of a street lot line, except that portions of entry stairs or stoops not more than 2.5 feet in height

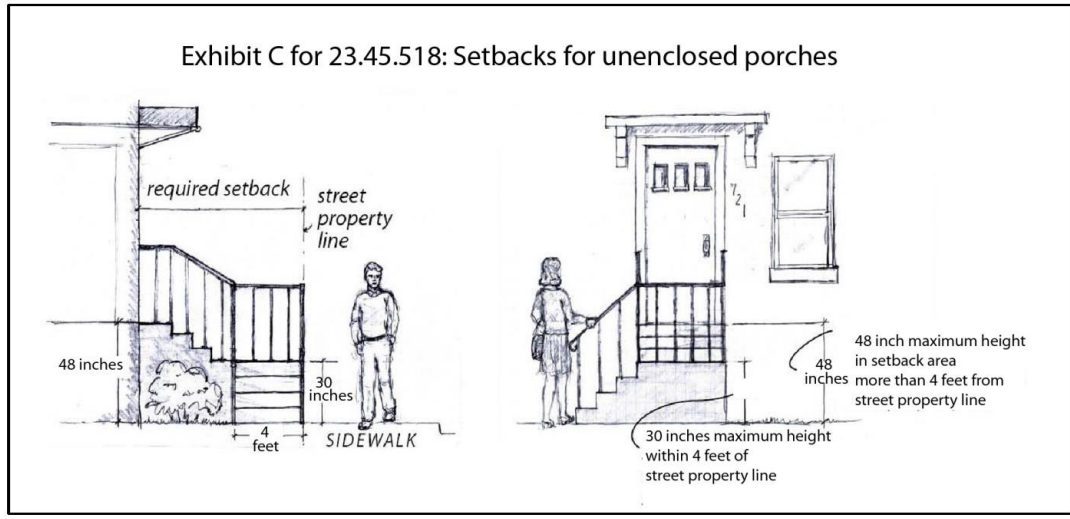
1 from existing or finished grade, whichever is lower, excluding guard rails or hand rails, may  
2 extend to a street lot line. See Exhibit C for 23.45.518.

3 b. Unenclosed porches or steps no higher than 4 feet above existing  
4 grade may project into the required rear setback or required separation between structures a  
5 maximum of 4 feet provided they are a minimum of 5 feet from a rear lot line.

6 c. Unenclosed porches or steps permitted in required setbacks and  
7 separations shall be limited to a combined maximum width of 20 feet.

8 **Exhibit C for 23.45.518**

9 **Setbacks for unenclosed porches**



10

11 ~~((b))~~ d. Permitted porches or steps may be covered, provided that no  
12 portions of the cover-structure, including any supports, are closer than 3 feet to any lot line.

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

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K. Exceptions for existing single-family structures.

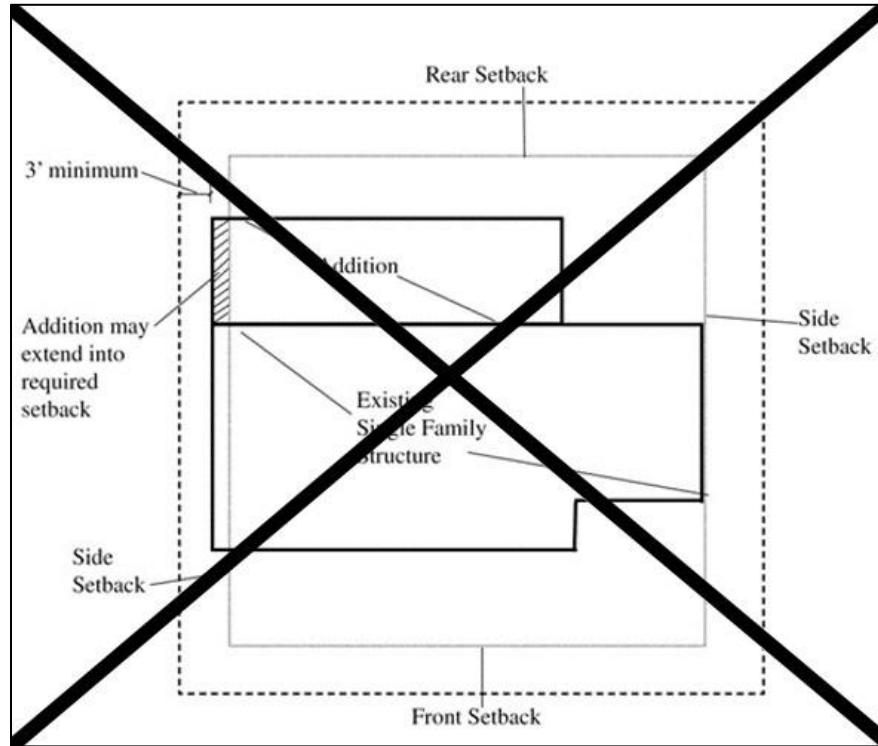
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1. In all multifamily zones, certain additions to a single-family dwelling unit may extend into a required side setback if the structure is already nonconforming with respect to that setback, and if the presently nonconforming section is at least 60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

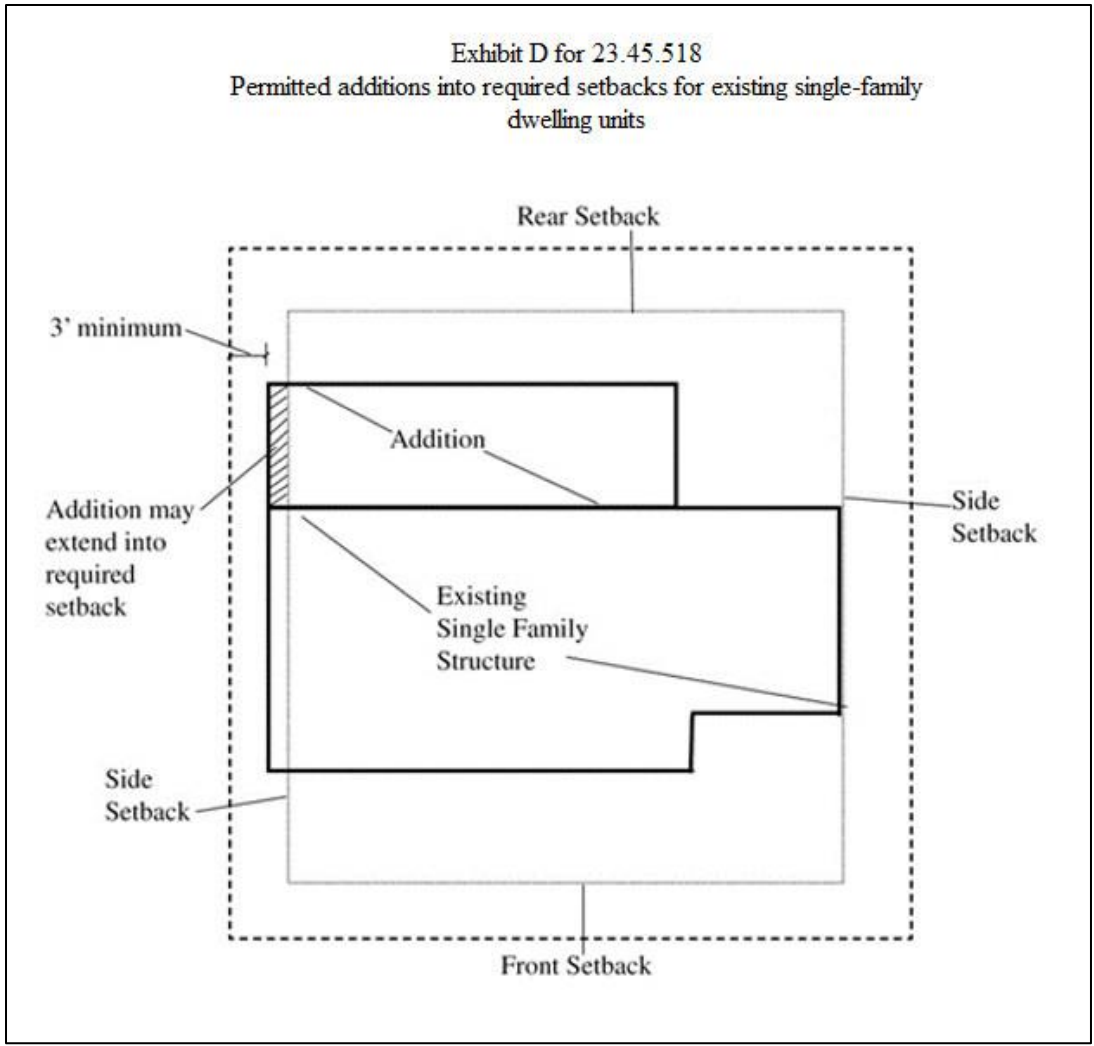
2. An existing single-family dwelling unit in a Lowrise zone may be converted to a multifamily use without conforming to setback standards for apartments in subsection 23.45.518.A, provided that the building envelope is not changed. For the purposes of this subsection 23.45.518.K.2, “existing single-family dwelling unit” is one that was established under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired on October 31, 2001.

1 ~~Exhibit D for 23.45.518 (Permitted Additions Into Required Setbacks for Existing~~  
2 ~~Single-Family Dwelling Units))~~

3 Permitted additions into required setbacks for existing single-family dwelling units



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Section 20. Section 23.45.524 of the Seattle Municipal Code, last amended by Ordinance 124608, is amended as follows:

**23.45.524 Landscaping standards**

A. Landscaping requirements

1. Standards. All landscaping provided to meet requirements under this Section 23.45.524 shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited

1 to, the type and size of plants, number of plants, spacing of plants, depth and quality of soil,  
2 use of drought-tolerant plants, and access to light and air for plants.

3 2. Green Factor requirement

4 a. Landscaping that achieves a Green Factor score of 0.6 or greater,  
5 determined as set forth in Section 23.86.019, is required for any lot within an LR zone if  
6 ~~((development is proposed that has more than one dwelling unit, or a congregate residence))~~  
7 construction of more than one new dwelling unit or a congregate residence is proposed on the  
8 site. The addition of any new dwelling unit that does not increase the floor area on the site is  
9 exempt from the Green Factor requirement. Vegetated walls may not count towards more than  
10 25 percent of a lot's Green Factor score.

11 b. Landscaping that achieves a Green Factor score of 0.5 or greater,  
12 determined as set forth in Section 23.86.019, is required for any lot within an MR or HR zone  
13 if ~~((development is proposed that has more than one dwelling unit or a congregate residence))~~  
14 construction of more than one new dwelling unit or a congregate residence is proposed on the  
15 site. The addition of any new dwelling unit that does not increase the floor area on the site is  
16 exempt from the Green Factor requirement.

17 \* \* \*

18 Section 21. Section 23.45.528 of the Seattle Municipal Code, last amended by  
19 Ordinance 123495, is amended as follows:

20 **23.45.528 Structure width and depth limits for lots ~~((in Midrise zones))~~ greater than**  
21 **9,000 square feet in ~~((size))~~ Midrise zones**

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

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

2           B. Structure depth ((-))

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

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

10           Section 22. Section 23.45.536 of the Seattle Municipal Code, last amended by  
11 Ordinance 124952, is amended as follows:

12 **23.45.536 Parking location, access, and screening**

13           A. Off-street parking spaces are required to the extent provided in Chapter 23.54,  
14 Quantity and ((design standards for access and off-street parking)) Design Standards for  
15 Access, Off-Street Parking, and Solid Waste Storage.

16           B. Location of parking

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

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

- 21                           a. between a principal structure and a street lot line;
- 22                           b. in the required front setback or side street side setback; and
- 23                           c. within 7 feet of any street lot line.





1 use, if shelter occupants are enrolled students of the institution and ~~((that does not))~~ if these  
2 uses do not require expansion of the existing structure or violate any condition of approval of  
3 the existing institutional use ~~((is not considered an expansion of the use))~~.

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

6 \* \* \*

7 Section 24. Section 23.47A.004 of the Seattle Municipal Code, last amended by  
8 Ordinance 124969, is amended as follows:

9 **23.47A.004 Permitted and prohibited uses**

10 A. All uses are permitted outright, prohibited, or permitted as a conditional use  
11 according to Table A for 23.47A.004 and this Section 23.47A.004, except as may be  
12 otherwise provided pursuant to subtitle III, Division 3, Overlay Districts, of this Title 23.

13 \* \* \*

14 I. The terms of Table A for 23.47A.004 are subject to any applicable exceptions or  
15 contrary provisions expressly provided for in this Title 23.

<b>Table A for 23.47A.004 Uses in Commercial zones</b>					
<b>Uses</b>	<b>Permitted and prohibited uses by zone<del>((1))</del><sup>1</sup></b>				
	<b>NC1</b>	<b>NC2</b>	<b>NC3</b>	<b>C1</b>	<b>C2</b>
<b>A. AGRICULTURAL USES</b>					
A.1. Animal husbandry	A	A	A	A	P
A.2. Aqua-culture	10	25	P	P	P
A.3. Community garden	P	P	P	P	P
A.4. Horticulture	10	25	P	P	P
A.5. Urban farm <sup>2</sup>	P	P	P	P	P

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
B. CEMETERIES	X	X	X	X	X
C. COMMERCIAL USES <del>((2))</del> <sup>3</sup>					
C.1. Animal shelters and kennels	X	X	X	X	P
C.2. Eating and drinking establishments					
C.2.a. Drinking establishments	CU-10	CU-25	P	P	P
C.2.b. Restaurants	10	25	P	P	P
C.3. Entertainment uses					
C.3.a. Cabarets, adult <del>((3))</del> <sup>4</sup>	X	P	P	P	P
C.3.b. Motion picture theaters, adult	X	X	X	X	X
C.3.c. Panoramas, adult	X	X	X	X	X
C.3.d. Sports and recreation, indoor	10	25	P	P	P
C.3.e. Sports and recreation, outdoor	X	X	X <del>((4))</del> <sup>5</sup>	P	P
C.3.f. Theaters and spectator sports facilities	X	25	P	P	P
C.4. Food processing and craft work <sup>2</sup>	10	25	25	P	P
C.5. Laboratories, research and development	10	25	P	P	P
C.6. Lodging uses	X <del>((5))</del> <sup>6</sup>	CU-25 <del>((5))</del> <sup>6</sup>	P	P	P

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
C.7. Medical services <del>((6))</del> <sup>7</sup>	10 <del>((7))</del> <sup>8</sup>	25	P	P	P
C.8. Offices	10	25	P	35 <del>((8))</del> <sup>9</sup>	35 <del>((8))</del> <sup>9</sup>
C.9. Sales and services, automotive					
C.9.a. Retail sales and services, automotive	10 <del>((9))</del> <sup>10</sup>	25 <del>((9))</del> <sup>10</sup>	P <del>((9))</del> <sup>10</sup>	P	P
C.9.b. Sales and rental of motorized vehicles	X	25	P	P	P
C.9.c. Vehicle repair, major automotive	X	25	P	P	P
C.10. Sales and services, general <sup>2</sup>					
C.10.a. Retail sales and services, general <sup>2</sup>	10	25	P	P	P
C.10.b. Retail sales, multi-purpose	10 <del>((10))</del> <sup>11</sup>	50	P	P	P
C.11. Sales and services, heavy					
C.11.a. Commercial sales, heavy	X	X	25	P	P
C.11.b. Commercial services, heavy	X	X	X	P	P
C.11.c. Retail sales, major durables	10	25	P	P	P
C.11.d. Retail sales and services, non-household	10	25	P	P	P

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone(((4))) <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
C.11.e. Whole-sale show-rooms	X	X	25	25	P
<b>C.12. Sales and services, marine</b>					
C.12.a. Marine service stations	10	25	P	P	P
C.12.b. Sales and rental of large boats	X	25	P	P	P
C.12.c. Sales and rental of small boats, boat parts and accessories	10	25	P	P	P
C.12.d. Vessel repair, major	X	X	X	S	S
C.12.e. Vessel repair, minor	10	25	P	P	P
<b>D. HIGH-IMPACT USES</b>	X	X	X	X	X
<b>E. INSTITUTIONS</b>					
E.1. Institutions not listed below	10	25	P	P	P
E.2. Major institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
E.3. Religious facilities	P	P	P	P	P
E.4. Schools, elementary or secondary	P	P	P	P	P
<b>F. LIVE-WORK UNITS (((4)))<sup>12</sup></b>	P	P	P	P	P
<b>G. MANUFACTURING USES</b>					
G.1. Manufacturing, light <sup>2</sup>	X	10	25	P	P

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
G.2. Manufacturing, general	X	X	X	P	P
G.3. Manufacturing, heavy	X	X	X	X	X
H. PARKS AND OPEN SPACE	P	P	P	P	P
<b>I. PUBLIC FACILITIES</b>					
I.1. Jails					
I.1.a. Youth Service Centers	X	X	P <del>((12))</del> <sup>13</sup>	X	X
I.1.b. All other jails	X	X	X	X	X
I.2. Work-release centers	CCU-10	CCU-25	CCU	CCU	CCU
<b>J. RESIDENTIAL USES <del>((13))</del><sup>14</sup></b>					
J.1. Residential uses not listed below	P	P	P	P	CU <del>((14))</del> <sup>15</sup>
J.2. Caretaker's quarters	P	P	P	P	P
J.3. Congregate residence	X/P <del>((15))</del> <sup>16</sup>	X/P <del>((15))</del> <sup>16</sup>	P/X <del>((16))</del> <sup>17</sup>	P/X <del>((16))</del> <sup>17</sup>	P/X <del>((16))</del> <sup>17</sup>
<b>K. STORAGE USES</b>					
K.1. Mini-warehouses	X	X	25	40	P
K.2. Storage, outdoor	X	X	X <del>((17))</del> <sup>18</sup>	P	P
K.3. Warehouses	X	X	25	25	P
<b>L. TRANSPORTATION FACILITIES</b>					
L.1. Cargo terminals	X	X	X	S	P
<b>L.2. Parking and moorage</b>					
L.2.a. Boat moorage	S	S	S	S	S
L.2.b. Dry boat storage	X	25	P	P	P

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
L.2.c. Parking, principal use, except as listed below <del>((18))</del> <sup>19</sup>	X	25	P	P	P
L.2.c.i. Park and pool lots <del>((18))</del> <sup>19</sup>	P <del>((19))</del> <sup>20</sup>	P	P	P	P
L.2.c.ii. Park and ride lots <del>((18))</del> <sup>19</sup>	X	X	CU	CU	CU
L.2.d. Towing services	X	X	X	P	P
L.3. Passenger terminals	X	X	25	P	P
L.4. Rail transit facilities	P	P	P	P	P
L.5. Transportation facilities, air					
L.5.a. Airports (land-based)	X	X	X	X	X
L.5.b. Airports (water-based)	X	X	X	X	S
L.5.c. Heliports	X	X	X	X	X
L.5.d. Heli-stops	X	X	CCU	CCU	CU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	X	X	X	CCU	CCU
L.6.b. Railroad switchyards	X	X	X	X	X
L.6.c. Railroad switchyards with a mechanized hump	X	X	X	X	X

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
L.6.d. Transportation services, personal	X	X	P	P	P
<b>M. UTILITY USES</b>					
M.1. Communication utilities, major <del>((20))</del> <sup>21</sup>	X	X	X	CCU	CCU
M.2. Communication utilities, minor <del>((20))</del> <sup>21</sup>	P	P	P	P	P
M.3. Power plants	X	X	X	X	X
M.4. Recycling	X	X	X	P	P/CU <del>((21))</del> <sup>22</sup>
M.5. Sewage treatment plants	X	X	X	X	X
M.6. Solid waste management	X	X	X	X	X
M.7. Utility services uses	10	25	P	P	P

**KEY**

A = Permitted as an accessory use only  
CU = Administrative Conditional Use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)  
CCU = Council Conditional Use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)  
P = Permitted  
S = Permitted in shoreline areas only  
X = Prohibited  
10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010  
20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010  
25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010  
35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010  
40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section 23.47A.010

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010					

~~((Footnotes to Table A for 23.47A.004~~

~~— (1) In pedestrian-designated zones, a portion of the street-level street-facing facade of a structure along a designated principal pedestrian street may be limited to certain uses as provided in subsection 23.47A.005.D. In pedestrian-designated zones, drive-in lanes are prohibited (Section 23.47A.028).~~

~~— (2) For commercial uses with drive-in lanes, see Section 23.47A.028.~~

~~— (3) Subject to subsection 23.47A.004.H.~~

~~— (4) Permitted at Seattle Center.~~

~~— (5) Bed and breakfasts in existing structures are permitted outright with no maximum size limit.~~

~~— (6) Medical services over 10,000 square feet within 2,500 feet of a medical Major Institution Overlay boundary require conditional use approval, unless they are included in a Major Institution Master Plan or dedicated to veterinary services.~~

~~— (7) Medical service uses that are located in an urban center or urban village, which are in operation at such location before August 1, 2015, and that routinely provide medical services on a reduced fee basis to individuals or families having incomes at or below 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC 9902 (2), are limited to 20,000 square feet. This provision does not apply to medical service uses that are subject to a Major Institution Master Plan.~~

~~— (8) Office uses in C1 and C2 zones are permitted up to the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010.D. Office uses in C1 and C2 zones are permitted outright with no maximum size limit if they meet the standards identified in subsection 23.47A.010.D.~~

~~— (9) Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (Section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.~~

~~— (10) Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 square feet in size.~~

~~— (11) Subject to subsection 23.47A.004.G.~~

~~— (12) Permitted pursuant to subsection 23.47A.004.D.7.~~

~~— (13) Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C.~~

~~— (14) Residential uses are conditional uses in C2 zones under subsection 23.47A.006.A.3, except as otherwise provided above in Table A for 23.47A.004 or in that subsection 23.47A.006.A.3.~~

~~— (15) Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are prohibited. Supportive~~



**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
<p>services include meal service, cleaning service, health services or similar.</p> <p><del>— (16) Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services or similar.</del></p> <p><del>— (17) Permitted at Seattle Center, see Section 23.47A.011</del></p> <p><del>— (18) In pedestrian designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.</del></p> <p><del>— (19) Permitted only on parking lots existing at least five years prior to the establishment of the park and pool lot.</del></p> <p><del>— (20) See Chapter 23.57, Communications regulations, for regulation of communication utilities.</del></p> <p><del>— (21) A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7.)</del></p>					

Footnotes to Table A for 23.47A.004

<sup>1</sup> In pedestrian-designated zones, a portion of the street-level street-facing facade of a structure along a designated principal pedestrian street may be limited to certain uses as provided in subsection 23.47A.005.D. In pedestrian-designated zones, drive-in lanes are prohibited (Section 23.47A.028).

<sup>2</sup> In addition to the provisions in this Chapter 23.47A, uses that entail major marijuana activity are subject to the requirements of Section 23.42.058.

<sup>3</sup> For commercial uses with drive-in lanes, see Section 23.47A.028.

<sup>4</sup> Subject to subsection 23.47A.004.H.

<sup>5</sup> Permitted at Seattle Center.

<sup>6</sup> Bed and breakfasts in existing structures are permitted outright with no maximum size limit.

<sup>7</sup> Medical services over 10,000 square feet within 2,500 feet of a medical Major Institution Overlay boundary require conditional use approval, unless they are included in a Major Institution Master Plan or dedicated to veterinary services.

<sup>8</sup> Medical service uses that are located in an urban center or urban village, which are in operation at such location before August 1, 2015, and that routinely provide medical services on a reduced fee basis to individuals or families having incomes at or below 200 percent of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC 9902 (2), are limited to 20,000 square feet. This provision does not apply to medical service uses that are subject to a Major Institution Master Plan.

<sup>9</sup> Office uses in C1 and C2 zones are permitted up to the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010.D. Office uses in C1 and C2 zones are permitted

**Table A for 23.47A.004  
Uses in Commercial zones**

Uses	Permitted and prohibited uses by zone <del>((1))</del> <sup>1</sup>				
	NC1	NC2	NC3	C1	C2
outright with no maximum size limit if they meet the standards identified in subsection <u>23.47A.010.D.</u>					
<sup>10</sup> <u>Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (Section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.</u>					
<sup>11</sup> <u>Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 square feet in size.</u>					
<sup>12</sup> <u>Subject to subsection 23.47A.004.G.</u>					
<sup>13</sup> <u>Permitted pursuant to subsection 23.47A.004.D.7.</u>					
<sup>14</sup> <u>Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C.</u>					
<sup>15</sup> <u>Residential uses are conditional uses in C2 zones under subsection 23.47A.006.A.3, except as otherwise provided above in Table A for 23.47A.004 or in that subsection 23.47A.006.A.3.</u>					
<sup>16</sup> <u>Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services or similar.</u>					
<sup>17</sup> <u>Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services or similar.</u>					
<sup>18</sup> <u>Permitted at Seattle Center, see Section 23.47A.011.</u>					
<sup>19</sup> <u>In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.</u>					
<sup>20</sup> <u>Permitted only on parking lots existing at least five years prior to the establishment of the park and pool lot.</u>					
<sup>21</sup> <u>See Chapter 23.57, Communications regulations, for regulation of communication utilities.</u>					
<sup>22</sup> <u>A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7.</u>					

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Section 25. Section 23.47A.005 of the Seattle Municipal Code, last amended by Ordinance 125125, is amended as follows:

**23.47A.005 Street-level uses**

\* \* \*

C. Residential uses at street level

1. In all NC and C zones, residential uses may occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade in the following circumstances or locations:

a. In a pedestrian-designated zone, facing a designated principal pedestrian street; or

b. In all NC and C1 zones within the Bitter Lake Village Hub Urban Village, except lots abutting Linden Avenue North, north of North 135th Street; or

c. Within a zone that has a height limit of 85 feet or higher, except as provided in subsection 23.47A.005.C.2; or

d. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2; or

e. In all NC and C1 zones within the Northgate Overlay District, except as provided in Section 23.71.044; or

f. In all NC and C1 zones within the areas shown on Maps A through D for 23.47A.005 at the end of this Chapter 23.47A when facing an arterial street.

2. Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the location of residential uses in the following circumstances:

a. Within a very low-income housing project existing as of May 1, 2006, or within a very low-income housing project replacing a very low-income housing project existing as of May 1, 2006, on the same site; or

1                                   b. The residential use is an assisted living facility or nursing home and  
2 private living units are not located at street level; or

3                                   c. Within the Pike/Pine Conservation Overlay District, for street-facing  
4 facades that do not face a designated principal pedestrian street, as shown on Map A for  
5 23.73.008; or

6                                   d. In a structure existing on January 1, 2012, that is within an NC1 zone  
7 but not located in an area defined in Maps A through D for 23.47A.005, at the end of this  
8 Chapter 23.47A, a live-work space may be converted to an accessory dwelling unit if the  
9 residential use is established, if the area proposed to be converted meets the minimum housing  
10 standards of Chapter 22.206, and if the area proposed to be converted meets the owner  
11 occupancy requirement of subsection 23.44.041.C; or

12                                   e. Within a structure that:

13   1) is developed and owned by the Seattle Housing Authority;

14 and

15   2) is located on a lot zoned NC1 or NC3 that was owned by the  
16 Seattle Housing Authority as of January 1, 2009.

17                                   3. Additions to, or on-site accessory structures for, existing single-family  
18 structures are permitted outright.

19                                   4. Where residential uses at street level are limited to 20 percent of the street-  
20 level, street-facing facade, such limits do not apply to residential structures separated from the  
21 street lot line by an existing structure meeting the standards of this Section 23.47A.005 and  
22 Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

23   \* \* \*

1 Section 26. Section 23.47A.008 of the Seattle Municipal Code, last amended by  
2 Ordinance 124770, is amended as follows:

3 **23.47A.008 Street-level development standards**

4 \* \* \*

5 D. Where residential uses are located along a street-level street-facing facade, the  
6 following requirements apply unless exempted by subsection 23.47A.008.G:

7 1. At least one of the street-level street-facing facades containing a residential  
8 use shall have a visually prominent pedestrian entry; and

9 2. The floor of a dwelling unit located along the street-level street-facing  
10 facade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10  
11 feet from the sidewalk. An exception to the standards of this subsection 23.44.008.D.2 may be  
12 granted as a Type I decision if the following criteria are met:

13 a. An accessible route to the unit is not achievable if the standard is  
14 applied or existing site conditions such as topography make access impractical if the standard  
15 is applied;

16 b. The floor is at least 18 inches above average sidewalk grade or 4 feet  
17 below sidewalk grade, or is set back at least 10 feet from the sidewalk; and

18 c. The visually prominent pedestrian entry is maintained.

19 \* \* \*

20 Section 27. Section 23.47A.009 of the Seattle Municipal Code, last amended by the  
21 ordinance introduced as Council Bill 118862, is amended as follows:

22 **23.47A.009 Standards applicable to specific areas**

1           A. Resolution of standards conflicts. To the extent there is a conflict between this  
2 Section 23.47A.009 and other sections of Title 23, the provisions of this Section 23.47A.009  
3 apply.

4           B. West Seattle Junction Hub Urban Village. The following provisions apply to  
5 development in the NC3 85(4.75) zone ((-)) :

6                   1. Lot coverage limit. The maximum lot coverage permitted for principal and  
7 accessory structures shall not exceed 80 percent on lots 40,000 square feet in size or greater.

8                   2. The total permitted FAR is as identified in subsection 23.47A.013.E.

9                   3. Maximum width of structures. The maximum width of all portions of a  
10 structure measured parallel to a north-south street lot line is 275 feet.

11                   4. Setback and separation requirements

12                           a. The following standards apply to structures greater than 250 feet in  
13 width measured parallel to a north-south street lot line:

14                                   1) A minimum separation of 30 feet is required between  
15 structures that are adjacent to the same north-south street lot line; and

16                                   2) A minimum setback of 15 feet is required from side lot lines  
17 that are not street side lot lines and that separate lots that abut the same north-south street lot  
18 line; and

19                                   3) Structures permitted in required setback and separation areas  
20 pursuant to (~~subsections 23.47A.009.B.4.a and 23.47A.009.B.4.b~~) this subsection

21 23.47A.009.B.4.a and subsection 23.47A.009.B.4.b are subject to subsection 23.47A.014.E. In  
22 addition:

1 a) Decks with open railings may project up to 5 feet into  
2 the required setback or separation area if they are no lower than 20 feet above existing or  
3 finished grade. Decks may cover no more than 20 percent of the total setback or separation  
4 area.

5 b) Unenclosed porches or steps for residential units no  
6 higher than 4 feet above the grade at the street lot line closest to the porch are permitted.

7 b. A setback of at least 10 feet from the street lot line is required along  
8 non-arterial north-south avenues for at least 25 percent of the lot frontage or 100 feet of the lot  
9 frontage, whichever is less.

10 c. Required setback and areas separating structures identified in  
11 subsections 23.47A.009.B.4.a and 23.47A.009.B.4.b shall include landscaping, paving, and  
12 lighting. Sidewalks for pedestrian access, plazas, or other approved amenity or landscaped  
13 areas are permitted in required setback or separation areas.

14 d. Upper-level setback requirements along SW Alaska Street

15 1) Structures exceeding 65 feet in height on lots abutting SW  
16 Alaska Street between 38th Avenue SW and California Avenue SW shall maintain a  
17 minimum setback of 10 feet for that portion of the structure between 45 feet and 55 feet in  
18 height.

19 2) For portions of a structure above 55 feet in height, an  
20 additional minimum setback is required at a rate of at least 1 foot of setback for every 5 feet of  
21 height that exceeds 55 feet, up to the maximum allowable height.

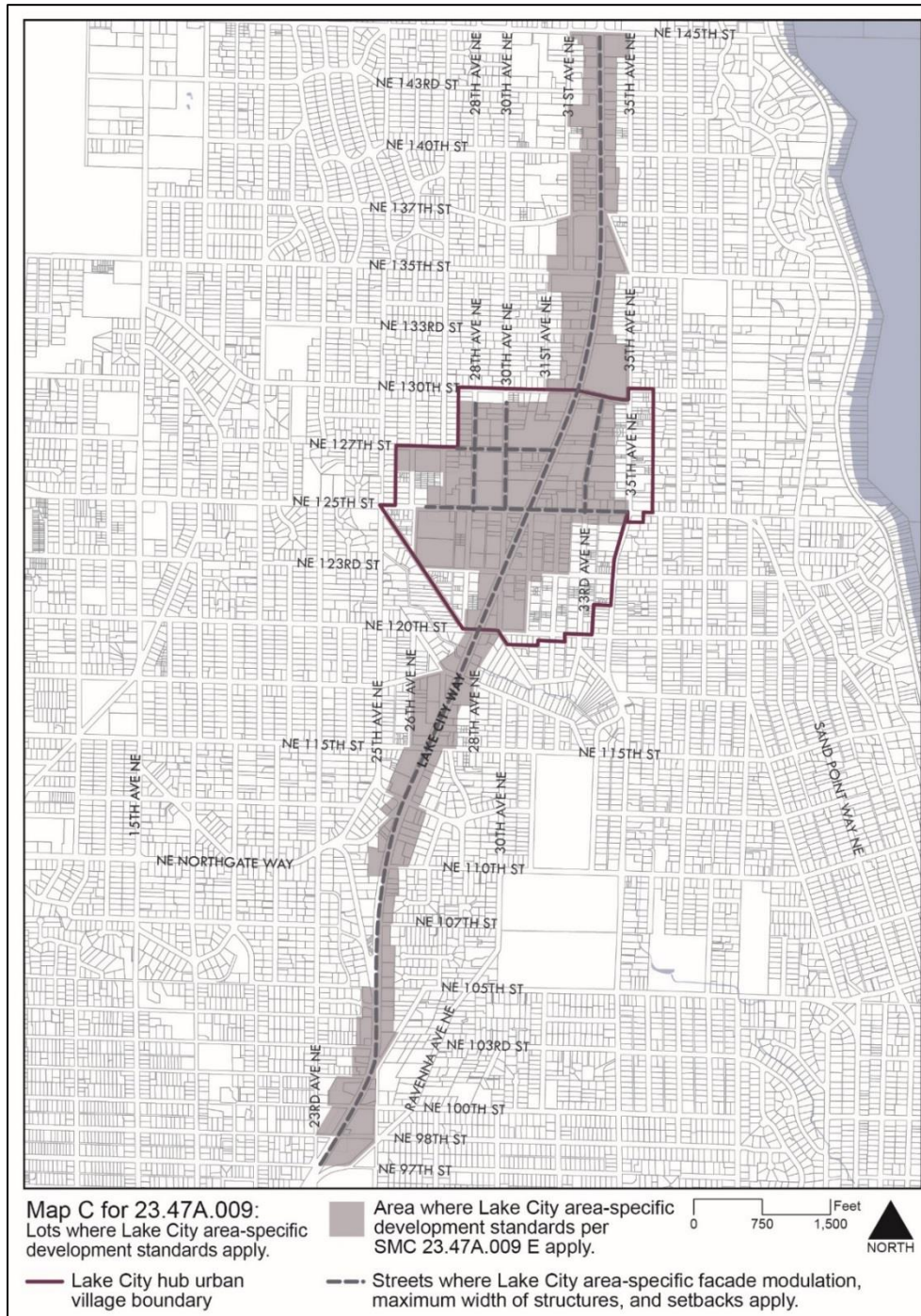
22 3) Structures located within 100 feet of Fauntleroy Way SW are  
23 exempt from the upper-level setback requirement.





1 **Map C for 23.47A.009**

2 **Lots where Lake City area-specific development standards apply**



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1. Maximum lot coverage

a. The maximum lot coverage permitted for principal and accessory structures is 80 percent of the lot area.

b. Lot coverage exceptions. The following structures or portions of structures are not counted in the lot coverage calculation ((-)) :

1) Portions of a structure that are below grade or that do not extend more than 4 feet above the finished grade.

2) The first 18 inches of overhead horizontal building projections of an architectural or decorative character, such as cornices, eaves, sills, and gutters.

3) Ramps or other devices that provide access for the disabled and elderly and that meet the standards of the Seattle Building Code.

4) The first 4 feet of unenclosed porches or steps for residential units.

c. In the portion of the lot that is not covered by structures, owners are encouraged to provide improvements at-grade that enhance the usability and livability of the lot for occupants and visitors, such as pedestrian circulation areas, landscaping, lighting, weather protection, art, or other similar improvements.

2. Facade modulation

a. Facade modulation requirements apply to all portions of a structure up to a height of 35 feet and located within 10 feet of a street lot line on streets designated by Map C for 23.47A.009.

1                                   b. The maximum width of any unmodulated facade is 100 feet. Facades  
2 longer than 100 feet shall be modulated by stepping back the facade from the street lot line for  
3 a minimum depth of 10 feet and a minimum width of 15 feet.

4                                   c. Facade modulation requirements do not apply to portions of a  
5 structure that are below grade or that do not extend more than 2 feet above the finished grade  
6 at the lot line.

7                                   3. Maximum structure width

8                                   a. On streets designated by Map C for 23.47A.009, the maximum  
9 allowed structure width is 250 feet.

10                                  b. Structure width limits do not apply to portions of a structure that are  
11 below grade or that do not extend more than 2 feet above the finished grade at the lot line.

12                                  4. Upper-level setbacks

13                                  a. On streets designated by Map C for 23.47A.009, a setback with an  
14 average depth of 10 feet from abutting street lot lines is required for portions of a structure  
15 above a height of 45 feet. The maximum depth of a setback that can be used to calculate the  
16 average setback is 20 feet.

17                                  b. A setback with an average depth of 15 feet from abutting street lot  
18 lines is required for portions of a structure above a height of 65 feet. The maximum depth of a  
19 setback that can be used to calculate the average setback is 25 feet.

20                                  ~~((5. The requirements contained in subsections 23.47A.009.E.1,~~  
21 ~~23.47A.009.E.2, 23.47A.009.E.3, and 23.47A.009.E.4 may be waived or modified if at least~~  
22 ~~one of the following features are provided and approved through a design review process~~  
23 ~~pursuant to Chapter 23.41:~~





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3. Maximum structure width

a. The maximum allowed structure width is 250 feet.

b. Structure width limits do not apply to portions of a structure that are below grade or that do not extend more than 2 feet above the existing or finished grade at the street lot line, whichever is lower.

4. Setback requirements

a. Street-level setbacks

1) In the area shown on Map D for 23.47A.009, portions of a structure up to 10 feet above the abutting sidewalk grade facing 15th Avenue NW shall be set back from the street lot line by a minimum depth of 6 feet up to a maximum depth of 10 feet.

2) The provisions of subsection 23.47A.009.F.2 do not apply to the area described in subsection 23.47A.F.4.a.1.

b. Upper-level setbacks

1) A setback with an average depth of 10 feet from all abutting street lot lines is required for portions of a structure above a height of 45 feet. The maximum depth of a setback that can be used for calculating the average setback is 20 feet.

2) A setback with an average depth of 15 feet from all street lot lines is required for portions of a structure above a height of 65 feet. The maximum depth of a setback that can be used for calculating the average setback is 25 feet.

~~((5. For lots 40,000 square feet in size or greater the requirements contained in subsections 23.47A.009.F.2, 23.47A.009.F.3, and 23.47A.009.F.4.b may be waived or modified pursuant to Chapter 23.41, Design Review, only if one or more of the following features are provided to offset the bulk of the project:~~



- 1 a. Solar collectors;
- 2 b. Planters;
- 3 c. Clerestories;
- 4 d. Greenhouses and solariums;
- 5 e. Minor communication utilities and accessory communication
- 6 devices, permitted pursuant to the provisions of Section 23.57.012;
- 7 f. Non-firewall parapets;
- 8 g. Play equipment.

\* \* \*

Section 29. Section 23.47A.016 of the Seattle Municipal Code, last amended by Ordinance 124952, is amended as follows:

**23.47A.016 Landscaping and screening standards**

\* \* \*

D. Screening and landscaping requirements for specific uses. When there is more than one use that requires screening or landscaping, the requirement that results in the greater amount applies.

1. Surface parking areas

a. Landscaping requirements for surface parking areas are established in Table C for 23.47A.016.

<b>Table C for 23.47A.016 Landscaping requirements for surface parking areas</b>	
<b>Number of parking spaces</b>	<b>Required landscaped area</b>
20 to 50	18 square feet, per parking space
51 to 99	25 square feet, per parking space
100 or more	35 square feet, per parking space





1 **23.47A.022 Light and glare standards ((-))**

2 \* \* \*

3 E. Glare diagrams that clearly identify potential adverse glare impacts on residential  
4 zones and on arterials shall be required when:

5 1. Any structure is proposed to have a facade of reflective coated glass or other  
6 highly reflective material, and/or new or expanded structures greater than ~~((sixty-five(-)))~~ 65  
7 ~~((-))~~ feet in height are proposed to have more than ~~((thirty(-)))~~ 30 ~~((-))~~ percent of a facade  
8 composed of clear or tinted glass; and

9 2. The facade(s) surfaced or composed of materials referred to in subsection  
10 23.47A.022.E.1 above either:

11 a. ~~((Are))~~ are oriented toward and are less than ~~((two-hundred(-)))~~ 200  
12 ~~((-))~~ feet from any residential zone, and/or

13 b. ~~((Are))~~ are oriented toward and are less than ~~((four-hundred(-)))~~ 400  
14 ~~((-))~~ feet from ~~((a-major(-)))~~ any arterial with more than ~~((fifteen-thousand(-)))~~ 15,000 ~~((-))~~  
15 vehicle trips per day, according to Seattle Department of Transportation data.

16 \* \* \*

17 Section 31. Section 23.48.020 of the Seattle Municipal Code, amended by the  
18 ordinance introduced as Council Bill 118862, is amended as follows:

19 **23.48.020 Floor area ratio (FAR)**

20 A. General provisions

21 1. All gross floor area not exempt under subsection 23.48.020.D counts toward  
22 the gross floor area allowed under the FAR limits.

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

3. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone.

B. FAR limits. The FAR limits for SM zones, excluding (~~SM zones in specific geographic areas as set forth in the applicable subchapter of this Chapter 23.48~~) zones designated SM-SLU, SM-D, and SM-NR, are shown in Table A for 23.48.020.

<b>Table A for 23.48.020 SM FAR limits</b>		
<b>Zone</b>	<b>FAR limits for all uses</b>	
	<b>Base</b>	<b>Maximum<sup>1</sup></b>
SM 40	3	3.5
SM 65	3.5	5
SM 85 <sup>2</sup>	4.5	6
SM 125	5	8
SM 160	5	9
SM 240	6	13

Footnotes to Table A for 23.48.020  
<sup>1</sup>See subsection 23.48.020.C for requirements for achieving maximum FAR.  
<sup>2</sup>In the SM 85 zone within the area shown on Map A for 23.48.020, residential uses are exempt from FAR calculations.

\* \* \*

Section 32. Section 23.48.025 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 118862, is amended as follows:

**23.48.025 Structure height**

\* \* \*

C. Rooftop features

\* \* \*

4. The following rooftop features may extend up to 15 feet above the maximum height limit, so long as the combined total coverage of all features listed in this

1 subsection 23.48.025.C.4, including weather protection such as eaves or canopies extending  
2 from rooftop features, does not exceed 20 percent of the roof area, or 25 percent of the roof  
3 area if the total includes stair or elevator penthouses or screened mechanical equipment:

4 a. Solar collectors;

5 b. Stair penthouses;

6 c. Mechanical equipment;

7 d. Atriums, greenhouses, and solariums;

8 e. Play equipment and open-mesh fencing that encloses it, as long as  
9 the fencing is at least 15 feet from the roof edge;

10 f. Minor communication utilities and accessory communication devices,  
11 except that height is regulated according to the provisions of Section 23.57.012; and

12 g. Covered or enclosed common amenity area for structures exceeding  
13 a height of 125 feet.

14 5. For structures greater than 85 feet in height, elevator penthouses up to 25  
15 feet above the height limit are permitted. If the elevator provides access to a rooftop designed  
16 to provide usable open space or common recreation area, elevator penthouses and mechanical  
17 equipment up to 45 feet above the height limit are permitted.

18 6. Greenhouses that are dedicated to food production are permitted to extend  
19 15 feet above the applicable height limit, as long as the combined total coverage of all features  
20 gaining additional height listed in this subsection 23.48.025.C does not exceed 50 percent of  
21 the roof area.

1                   7. At the applicant’s option, the combined total coverage of all features listed  
2 in subsections 23.48.025.C.4 and 23.48.025.C.5 may be increased to 65 percent of the roof  
3 area, provided that all of the following are satisfied:

- 4                   a. All mechanical equipment is screened; and
- 5                   b. No rooftop features are located closer than 10 feet to the roof edge.

6                   8. In order to protect solar access for property to the north, the applicant shall  
7 either locate the rooftop features listed in this subsection 23.48.025.C.8 at least 10 feet from  
8 the north (~~(edge of the roof))~~ lot line, or provide shadow diagrams to demonstrate that the  
9 proposed location of such rooftop features would shade property to the north on January  
10 21(~~(st))~~) at noon no more than would a structure built to maximum permitted bulk:

- 11                   a. Solar collectors;
- 12                   b. Planters;
- 13                   c. Clerestories;
- 14                   d. Atriums, greenhouses, and solariums;
- 15                   e. Minor communication utilities and accessory communication devices  
16 according to the provisions of Section 23.57.012;
- 17                   f. Nonfirewall parapets; and
- 18                   g. Play equipment.

19                   9. Screening. Rooftop mechanical equipment and elevator penthouses shall be  
20 screened with fencing, wall enclosures, or other structures.

21                   10. For height limits and exceptions for communication utilities and accessory  
22 communication devices, see Section 23.57.012.

1 Section 33. Section 23.48.085 of the Seattle Municipal Code, enacted by Ordinance  
2 124883, is amended as follows:

3 **23.48.085 Parking and loading location, access and curb cuts**

4 \* \* \*

5 D. Parking and loading access. If a lot abuts more than one right-of-way, the location  
6 of access for parking and loading shall be determined by the Director, depending on the  
7 classification of rights-of-way, according to the following:

8 1. Access to parking and loading shall be from the alley when the lot abuts an  
9 alley improved to the standards of subsection 23.53.030.C and use of the alley for parking and  
10 loading access would not create a significant safety hazard as determined by the Director.

11 2. If the lot does not abut an improved alley, or use of the alley for parking and  
12 loading access would create a significant safety hazard as determined by the Director, parking  
13 and loading access may be permitted from the street. If the lot abuts more than one street, the  
14 location of access is determined by the Director, as a Type I decision, after consulting with the  
15 Director of Transportation. For SM zone designations in the SM-SLU, SM-NR, and SM-U  
16 geographic areas with pedestrian street classifications, unless the Director otherwise  
17 determines under subsection 23.48.085.D.3, access is allowed only from a right-of-way in the  
18 category preferred among the categories of rights-of-way abutting the lot, according to the  
19 ranking set forth below, from most to least preferred (a portion of a street that is included in  
20 more than one category is considered as belonging only to the least preferred of the categories  
21 in which it is included):

22 a. An undesignated street;

23 b. Class 2 Pedestrian Street;

1 c. Class 1 Pedestrian Street;

2 d. Neighborhood Green Street.

3 3. The Director may allow or require access from a right-of-way other than one  
4 indicated as the preferred category in this subsection 23.48.085.D if, after consulting with the  
5 Director of Transportation, the Director finds that an exception to the access requirement is  
6 warranted. The Director shall base the decision on granting an exception on any of the  
7 following: whether and to what extent alternative locations of access would enhance  
8 pedestrian safety and comfort, facilitate transit operations, facilitate the movement of vehicles,  
9 minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize hazards.  
10 Curb cut controls on designated Neighborhood Green Streets shall be evaluated on a case-by-  
11 case basis, but generally access from Neighborhood Green Streets is not allowed if access  
12 from any other right-of-way is possible.

13 4. If a street or alley vacation is proposed, the Director shall consult with the  
14 Seattle Design Commission on how the location and extent of proposed curb cuts affects or  
15 impacts the public realm and how those impacts have been reduced.

16 \* \* \*

17 Section 34. Section 23.48.220 of the Seattle Municipal Code, adopted by Ordinance  
18 124883, is amended as follows:

19 **23.48.220 Floor area ratio (FAR) in South Lake Union Urban Center**

20 A. General provisions

21 1. Except as otherwise specified in this subsection 23.48.220.A, FAR limits for  
22 specified SM zones within the South Lake Union Urban Center are as shown in Table A for  
23 23.48.220.

**Table A for 23.48.220  
FAR Limits for Specified Zones in South Lake Union Urban Center**

Zone	FAR limits for non-residential uses		Maximum FAR for structures that do not exceed the base height limit and include residential use <sup>1</sup>
	Base FAR	Maximum FAR	
SM-SLU/R 55/85	NA	NA	4.5
SM-SLU 85/65-125	4.5	6	4.5
SM-SLU 85/65-160	4.5	7	4.5
SM-SLU 160/85-240	4.5 <sup>2</sup>	7	6
SM-SLU 85-240	0.5/((1.5)) <sup>3</sup>	NA	6
SM-SLU 240/125-400	5 <sup>2</sup>	7	10

Footnotes to Table A for 23.48.220

NA (not applicable) refers to zones where uses are not subject to an FAR limit.

<sup>1</sup> All portions of residential structures that exceed the base height, including portions restricted to the podium height limit, are exempt from FAR limits.

<sup>2</sup> In the SM-SLU 160/240, and SM-SLU 240/400 zones, an additional increment of 0.5 FAR above the base FAR is permitted on lots meeting the requirements of subsection 23.48.220.A.7.

<sup>3</sup> The ((1.5))<sup>3</sup> FAR limit applies to religious facilities. For all other non-residential uses, the 0.5 FAR limit applies.

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2. FAR for development including a mix of residential and non-residential uses

((:))

a. For zones included on Table A for 23.48.220, development including a mix of non-residential uses and residential uses that do not exceed the base height limit for residential use shall:

1) obtain extra floor area for any chargeable non-residential floor area above the base FAR for non-residential uses as prescribed in Table A for 23.48.220; and

2) not exceed the lower of the maximum FAR for non-residential uses in Table A for 23.48.220 or the maximum FAR for structures that do not exceed the base height limit and include any residential use in Table A for 23.48.220.



\* \* \*

6. In all SM-SLU zones, a development that includes a residential structure or a portion of ~~((the))~~ a structure as a residential tower is exempt from FAR requirements as to that structure or portion of a structure, and the ~~((applicable))~~ FAR limits for ~~((all other portions of the))~~ permitted non-residential uses in that structure or portion of a structure shall be applied based on ~~((the total lot area minus))~~ the lot area required for the residential tower development, to meet the upper-level floor area limit of subsection 23.48.245.A. ~~((For the portion of the lot with the residential tower and podium, the FAR limit for permitted non-residential uses in a residential tower or podium that is also a mixed-use structure shall be based on the area of the portion of the lot occupied by the residential tower and podium))~~ The FAR limits for the remainder of the development shall be applied based on an assumed lot area of the total lot area minus the lot area required for the portion of the development that is a residential tower.

\* \* \*

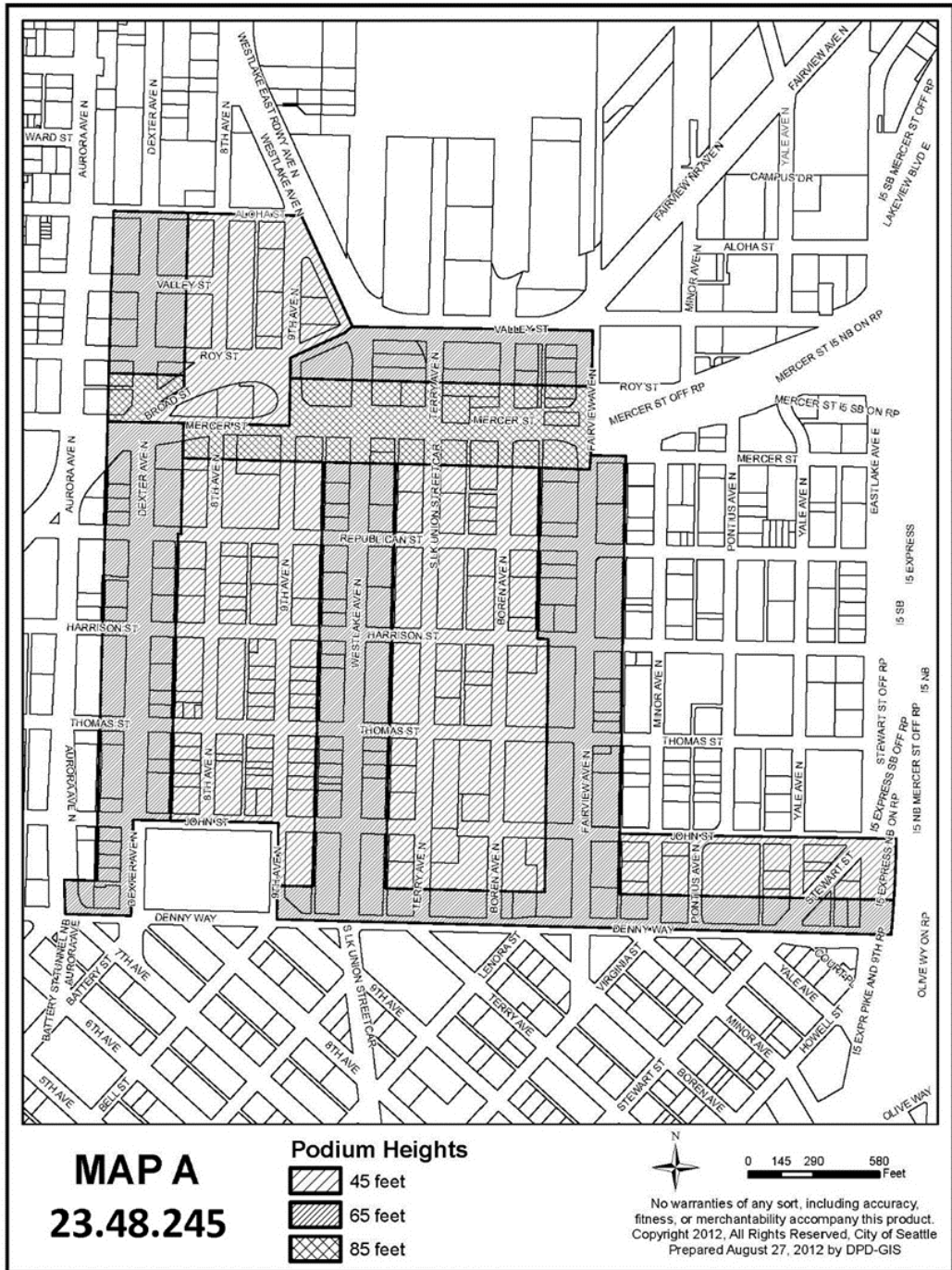
Section 35. Section 23.48.245 of the Seattle Municipal Code, enacted by Ordinance 124883, is amended as follows:

**23.48.245 Upper-level development standards in South Lake Union Urban Center**

\* \* \*

**Map A for 23.48.245**

**Podium Heights**



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Section 36. Section 23.48.420 of the Seattle Municipal Code, enacted by Ordinance 124883, is amended as follows:

**23.48.420 Floor area ratio (FAR) in North Rainier**

**Table A for 23.48.420  
FAR Limits in North Rainier**

Zone	FAR limits for (( <del>non-residential</del> )) <u>all</u> uses	
	Base FAR	Maximum FAR
SM-NR 65	3.5	5
SM-NR 55/75	2.0 <sup>1</sup>	No limit
SM-NR 85	4.5 (( <sup>2</sup> ))	6
SM-NR 125	5	8

Footnotes to Table A for ((~~23.48.020~~)) 23.48.420

<sup>1</sup> Floor area that exceeds an FAR of 2.0 must be obtained by providing public benefits through the incentive zoning program as per Chapter 23.58A.

((<sup>2</sup> ~~In the SM-NR 85 zone residential use is not subject to the base FAR limit.~~))

1 Within zones that have an incentive zoning suffix, the number in the suffix within parentheses  
2 is the base FAR.

3 Section 37. Section 23.49.008 of the Seattle Municipal Code, last amended by  
4 Ordinance 124843, is amended as follows:

5 **23.49.008 Structure height**

6 The following provisions regulating structure height apply to all property in Downtown zones  
7 except the DH1 zone. Structure height for PSM, IDM<sub>2</sub>, and IDR zones is regulated by this  
8 Section 23.49.008, and by Sections 23.49.178, 23.49.208, and 23.49.236.

9 A. Base and maximum height limits

10 1. Except as otherwise provided in this Section 23.49.008, maximum structure  
11 heights for Downtown zones are as designated on the Official Land Use Map.

12 In certain zones, as specified in this Section 23.49.008, the maximum structure height  
13 may be allowed only for particular uses or only on specified conditions, or both. If height  
14 limits are specified for portions of a structure that contain specified types of uses, the

1 applicable height limit for the structure is the highest applicable height limit for the types of  
2 uses in the structure, unless otherwise specified.

3           2. Except in the PMM zone, the base height limit for a structure is the lowest of  
4 the maximum structure height or the lowest other height limit, if any, that applies pursuant to  
5 this Title 23 based upon the uses in the structure, before giving effect to any bonus for which  
6 the structure qualifies under this Chapter 23.49 and to any special exceptions or departures  
7 authorized under this Chapter 23.49. In the PMM zone the base height limit is the maximum  
8 height permitted pursuant to urban renewal covenants.

9           3. In zones listed below in this subsection 23.49.008.A.3, the applicable height  
10 limit for portions of a structure that contain non-residential and live-work uses is shown as the  
11 first figure after the zone designation (except that there is no such limit in DOC1), and the  
12 base height limit for portions of a structure in residential use is shown as the first figure  
13 following the “/”. The third figure shown is the maximum residential height limit. Except as  
14 stated in subsection 23.49.008.D, the base residential height limit is the applicable height limit  
15 for portions of a structure in use if the structure does not use the bonus available under Section  
16 23.49.015, and the maximum residential height limit is the height limit for portions of a  
17 structure in residential use if the structure uses the bonus available under Section 23.49.015:

18           DOC1 Unlimited/450 unlimited

19           DOC2 500/300-500

20           DMC 340/290-400

21           DMC 240/290-400.

22           4. A structure in a DMC 340/290-400 zone on a lot comprising a full block that  
23 abuts a DOC1 zone along at least one street frontage may gain additional structure height of

1 30 percent above the maximum residential height limit if the structure uses the bonus  
2 available under Section 23.49.015, or 35 percent above 340 feet if that bonus is not used, in  
3 either case under the following conditions:

4 a. Only one tower is permitted on the lot;

5 b. Any additional floor area above the maximum height limit for non-  
6 residential or live-work use, as increased under this subsection 23.49.008.A.4, is occupied by  
7 residential use;

8 c. The average residential gross floor area and maximum residential  
9 floor area of any story in the portion of the tower permitted above the base residential height  
10 limit do not exceed the limits prescribed in subsection 23.49.058.E.1;

11 d. Any residential floor area allowed above the base residential height  
12 limit under this provision is gained through voluntary agreements to provide low-income or  
13 moderate-income housing according to Section 23.49.015;

14 e. At least 35 percent of the lot area, or a minimum of 25,000 square  
15 feet, whichever is greater, is in open space use substantially at street level meeting the  
16 following standards, and subject to the following allowances for coverage:

17 1) The location and configuration of the space shall enhance  
18 solar exposure, allow easy access to entrances to the tower serving all tenants and occupants  
19 from streets abutting the open space, and allow convenient pedestrian circulation through all  
20 portions of the open space. The open space shall be entirely contiguous and physically  
21 accessible. To offset the impact of the taller structure allowed, the open space shall have  
22 frontage at grade abutting sidewalks, and be visible from sidewalks, on at least two streets.

23 The elevation of the space may vary, especially on sloping lots where terracing the space



1 Landmark structure, unless a certificate of approval for the alteration is granted by the  
2 Landmarks Preservation Board.

3 5. In a DRC zone, the base height limit is 85 feet, except that, subject to the  
4 conditions in subsection 23.49.008.A.6:

5 a. The base height limit is 150 feet if any of the following conditions is  
6 satisfied:

7 1) all portions of a structure above 85 feet contain only  
8 residential use; or

9 2) at least 25 percent of the gross floor area of all structures on a  
10 lot is in residential use; or

11 3) a minimum of 1.5 FAR of eating and drinking  
12 establishments, retail sales, and service or entertainment uses, or any combination thereof, is  
13 provided on the lot.

14 b. For residential floor area created by infill of a light well on a  
15 Landmark structure, the base height limit is the lesser of 150 feet or the highest level at which  
16 the light well is enclosed by the full length of walls of the structure on at least three sides. For  
17 the purpose of this subsection 23.49.008.A.5.b a light well is defined as an inward modulation  
18 on a non-street facing facade that is enclosed on at least three sides by walls of the same  
19 structure, and infill is defined as an addition to that structure within the light well.

20 \* \* \*

21 Section 38. Section 23.49.011 of the Seattle Municipal Code, last amended by  
22 Ordinance 125163, is amended as follows:

23 **23.49.011 Floor area ratio**

1  
2  
3

A. General standards

1. The base and maximum floor area ratio (FAR) for each zone is provided in

Table A for 23.49.011.

<b>Table A for 23.49.011 Base and maximum floor area ratios (FARs)</b>		
<b>Zone designation</b>	<b>Base FAR</b>	<b>Maximum FAR</b>
Downtown Office Core 1 (DOC1)	6	20
Downtown Office Core 2 (DOC2)	5	14
Downtown Retail Core (DRC)	3	5
Downtown Mixed Commercial (DMC)	4 in DMC 65 4.5 in DMC 85 5 in DMC 125, DMC 160, DMC 240/290-400, and DMC 340/290-400 3 in DMC 85/65-150	4 in DMC 65 4.5 in DMC 85 5 in DMC 160, except 8 for hotels 7 in DMC 125 and DMC 240/290-400 10 in DMC 340/290-400 5 in DMC 85/65-150
Downtown Mixed Residential/Residential (DMR/R)	1 in DMR/R 85/65 1 in DMR/R 125/65 1 in DMR/R 240/65	1 in DMR/R 85/65 2 in DMR/R 125/65 2 in DMR/R 240/65
Downtown Mixed Residential/Commercial (DMR/C)	1 in DMR/C 85/65 1 in DMR/C 125/65 2 in DMR/C 240/125 2.5 in DMR/C 65/65-85 2.5 in DMR/C 65/65-150	4 in DMR/C 85/65 4 in DMR/C 125/65 5 in DMR/C 240/125 4 in DMR/C 65/65-85 4 in DMR/C 65/65-150
Pioneer Square Mixed (PSM)	NA <sup>(1)</sup>	NA <sup>(1)</sup>
International District Mixed (IDM)	3, except as stated below((*) <sup>(2)</sup> ) 6 for hotels((**)) <sup>(3)</sup> in IDM 75-85 and IDM 75/85-150	3, except as stated below 6 for hotels((**)) <sup>(3)</sup> in IDM 75-85 and IDM 75/85-150 6 in IDM 150/85-150
International District Residential (IDR)	1	2 if 50 percent or more of the total gross floor area on the lot is in residential use
International District Residential/Commercial (IDR/C)	3, except hotels 6 for hotels((**)) <sup>(3)</sup>	3, except hotels 6 for hotels((**)) <sup>(3)</sup>
Downtown Harborfront 1 (DH1)	NA	NA





1 generate for low-income housing and moderate-income housing. The amount of such housing  
2 and income levels served, and the amount of any cash payment, shall be determined as  
3 follows:

4 a. For the performance option, the applicant shall provide, as low-  
5 income housing or moderate-income housing, net rentable floor area equal to 11 percent of the  
6 net residential floor area sought as bonus development, computed by multiplying the  
7 following sum by an efficiency factor of 80 percent: (i) the total square footage of gross  
8 residential floor area to be developed on the lot above the base height limit for residential use  
9 under Section 23.49.008, plus (ii) the excess, if any, in each tower to be developed on the lot,  
10 of (X) the total number of square feet of gross residential floor area between the height of 85  
11 feet and the base height limit, over (Y) the product of the “average residential gross floor area  
12 limit of stories above 85 feet if height does not exceed the base height limit for residential  
13 use” as provided in Table B for 23.49.058, column 2, multiplied by the number of stories with  
14 residential use in each tower above 85 feet and below the base height limit. All low-income  
15 housing or moderate-income housing provided under the performance option shall be on the  
16 lot where the bonus development is used or an adjacent lot. The adjacent lot must be within  
17 the block where the bonus development is used and either abut the lot where bonus  
18 development is used, or be separated only by public right-of-way. All rental housing provided  
19 under the performance option shall be low-income housing.

20 b. For the payment option, the applicant shall pay the lesser of the  
21 following:



1 ((f))a (~~(in DOC1 and DOC2 zones,)~~) \$15.15 per square  
2 foot of gross residential floor area sought as bonus development above the base height limit  
3 for residential use under Section 23.49.008(~~(-)~~); and

4 ((f))b (~~(in DOC1 and DOC2 zones after the effective~~  
5 ~~date of the ordinance introduced as Council Bill 117908)~~) after January 18, 2014, \$21.68 per  
6 square foot of gross residential floor area sought as bonus development above the base height  
7 limit for residential use under Section 23.49.008.

8 c. The amount of the alternative cash contribution, as provided in this  
9 subsection 23.49.015.B.1.b and made at the time specified in subsection 23.49.015.C, shall be  
10 based on the amount that is in effect when vesting of a Master Use Permit occurs under  
11 23.76.026. The full amount must be paid to the City in cash, except that if the City shall  
12 approve by ordinance the acceptance of specific real property in lieu of all or part of the cash  
13 payment, the Director of Housing may accept the real property.

14 2. Each low-income housing unit provided as a condition to the bonus allowed  
15 under this (~~(section)~~) Section 23.49.015 shall serve only households with incomes at or below  
16 (~~(eighty (-))80((+))~~) percent of median income at the time of their initial occupancy. Each  
17 moderate-income housing unit provided as a condition to the bonus allowed under this  
18 (~~(section)~~) Section 23.49.015 shall serve only as owner-occupied housing for households with  
19 incomes no higher than median income at the time of their initial occupancy. For rental  
20 housing, housing costs, including rent and basic utilities, shall not exceed (~~(thirty (-))30((+))~~)  
21 percent of (~~(eighty (-))80((+))~~) percent of median income, adjusted for the average size of family  
22 expected to occupy the unit based on the number of bedrooms, all as determined by the  
23 Housing Director, for a minimum period of (~~(fifty (-))50((+))~~) years. For owner-occupied

1 housing, the initial sale price shall not exceed an amount determined by the Housing Director  
2 to be consistent with affordable housing for a moderate-income household with the average  
3 family size expected to occupy the unit based on the number of bedrooms, and the units shall  
4 be subject to recorded instruments satisfactory to the Housing Director providing for sales  
5 prices on any resale consistent with affordability on the same basis. The Housing Director  
6 may promulgate rules specifying the method of determining affordability, including eligible  
7 monthly housing costs. The Housing Director may also promulgate rules for determining  
8 whether units satisfy the requirements of this ~~((section))~~ Section 23.49.015 and any  
9 requirements relating to down-payment amount, design, quality, maintenance, and condition  
10 of the low-income housing or moderate-income housing.

11           3. For purposes of this ~~((section))~~ Section 23.49.015, housing may be  
12 considered to be provided by the applicant seeking bonus development under the performance  
13 option if the housing satisfies all of the following conditions:

14                   ~~((i))~~ a. It is committed to serve an eligible income group, and for a  
15 time period, referred to in this ~~((section))~~ Section 23.49.015 pursuant to an agreement between  
16 the housing owner and the City.

17                   ~~((ii))~~ b. The agreement required by subsection ~~((i))~~ 23.49.015.B.3.a  
18 is executed and recorded prior to the issuance of the ~~((master use permit))~~ Master Use Permit  
19 to establish the use for the project using the bonus development, but except when subsection  
20 ~~((iii)(B))~~ 23.49.015.B.3.c.2 below applies, no earlier than one ~~((1))~~ year prior to issuance  
21 of that ~~((master use permit))~~ Master Use Permit.

22                   ~~((iii))~~ c. Either:



development under this ~~((section))~~ Section 23.48.915 or any other bonus under this ~~((title))~~

Title 23.

\* \* \*

Section 40. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 124952, is amended as follows:

**23.49.019 Parking quantity, location, and access requirements and screening and landscaping of parking areas**

\* \* \*

H. Standards for location of access to parking. This subsection 23.49.019.H does not apply to Pike Market Mixed, Pioneer Square Mixed, International District Mixed, and International District Residential zones except that subsection 23.49.019.H.1 applies to International District Mixed and International District Residential zones to the extent stated in subsection 23.66.342.D.

1. Curb cut location

a. If a lot abuts an alley, alley access is required, except as provided in subsection 23.49.019.H.1.c.

b. If a lot does not abut an alley and abuts more than one right-of-way, the location of access is determined by the Director as a Type I decision after consulting with the Director of Transportation. Unless the Director otherwise determines under subsection 23.49.019.H.1.c, access is allowed only from a right-of-way in the category, determined by the classifications shown on Map 1B and Map 1F of the Downtown Overlay Maps or another map identified in a note to Map 1F, that is most preferred among the categories of rights-of-way abutting the lot, according to the ranking set forth below, from most to least preferred (a

1 portion of a street that is included in more than one category is considered as belonging only  
2 to the least preferred of the categories in which it is included):

- 3 1) Access street;
- 4 2) Class II pedestrian street/Minor arterial;
- 5 3) Class II pedestrian street/Principal arterial;
- 6 4) Class I pedestrian street/Minor arterial;
- 7 5) Class I pedestrian street/Principal arterial;
- 8 6) Principal transit street;
- 9 7) Designated green street.

10 c. The Director may allow or require access from a right-of-way other  
11 than one indicated by subsection 23.49.019.H.1.a or 23.49.019.H.1.b if, after consulting with  
12 the Director of Transportation on whether and to what extent alternative locations of access  
13 would enhance pedestrian safety and comfort, facilitate transit operations, facilitate the  
14 movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety,  
15 or minimize hazards, and, for hotel use, improve passenger loading safety or increase  
16 visibility of vehicular access for guests arriving by car, the Director finds that an exception to  
17 the general policy is warranted. The Director may approve an exception for hotel use and  
18 impose conditions to minimize any adverse impacts to the pedestrian environment or street  
19 operations, including but not limited to allowing one-way driveways that are less than the  
20 minimum width otherwise required. Curb cut controls on designated green streets shall be  
21 evaluated on a case-by-case basis, but generally access from green streets is not allowed if  
22 access from any other right-of-way is possible.



1                                    d. If a street or alley vacation is proposed, the Director shall consult  
2 with the Seattle Design Commission on how the location and extent of proposed curb cuts  
3 affects or impacts the public realm and how those impacts have been reduced.

4                                    2. Curb cut width and number. The width and number of curbcuts shall comply  
5 with Section 23.54.030, Parking space standards.

6                                    \* \* \*

7                                    Section 41. Section 23.49.028 of the Seattle Municipal Code, enacted by Ordinance  
8 122273, is amended as follows:

9 **23.49.028 Keeping of animals and pet daycare centers ((,))**

10                                    A. Animals that are not being kept in connection with animal husbandry or animal  
11 service uses ~~((may be kept as an accessory use on any lot in a downtown zone according to~~  
12 ~~the following:~~

13                                    1. ~~Up to three (3) small animals per business establishment or dwelling unit may be~~  
14 ~~kept in downtown zones.~~

15                                    2. ~~That type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly~~  
16 ~~Pig (*Sus scrofa bittatus*) shall be permitted as a small animal provided such swine is no greater~~  
17 ~~than twenty two (22) inches in height at the shoulder and no more than one hundred fifty~~  
18 ~~(150) pounds in weight. No more than one (1) such swine may be kept per business~~  
19 ~~establishment or dwelling unit)) are regulated by Section 23.42.052.~~

20                                    \* \* \*

1 Section 42. Section 23.49.058 of the Seattle Municipal Code, last amended by  
2 Ordinance 125173, is amended as follows:

3 **23.49.058 Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), and**  
4 **Downtown Mixed Commercial (DMC) upper-level development standards**

5 \* \* \*

6 C. Facade modulation

7 1. In DOC 1, DOC 2, and DMC zones, except the DMC 160 zone, facade  
8 modulation is required above a height of 85 feet above the sidewalk for any portion of a  
9 structure located within 15 feet of a street lot line. No modulation is required for portions of a  
10 facade set back 15 feet or more from a street lot line.

11 2. In the DMC 160 zone, facade modulation is required above a height of 60  
12 feet above the sidewalk for any portion of a structure located within 15 feet of a street lot line.  
13 No modulation is required for portions of a facade set back 15 feet or more from a street lot  
14 line.

15 3. The maximum length of a facade without modulation is prescribed in Table  
16 A for 23.49.058. This maximum length shall be measured parallel to each street lot line, and  
17 shall apply to any portion of a facade, including projections such as balconies, that is located  
18 within 15 feet of street lot lines.

**Table A for 23.49.058  
Modulation Requirements for DOC1, DOC2, and DMC Zones, Except DMC 160 Zone**

<b>Elevation <u>in feet</u></b>	<b>Maximum length of unmodulated facade within 15 feet of street lot line <u>in feet</u></b>
0 to 85 ((feet))	No limit
((86)) Greater than 85, up to 160 ((feet))	155 ((feet))
((161)) Greater than 160, up to 240 ((feet))	125 ((feet))



1 distance of 20 feet, or as specified in subsections 23.49.164.D.4 and 23.49.164.D.5 for  
2 structures separated by a mid-block corridor.

3           4. At all levels above 45 feet and up to 85 feet in height, structures separated  
4 by a mid-block corridor must be separated at all points by a minimum horizontal distance of  
5 45 feet, unless subsection 23.49.164.D.6 applies.

6           5. At all levels above 85 feet in height, structures separated by a mid-block  
7 corridor must be separated at all points by a minimum horizontal distance of 55 feet, unless  
8 subsection 23.49.164.D.6 applies.

9           6. If a mid-block corridor abuts a side lot line that is not a street lot line, at all  
10 levels above 45 feet structures on that lot must set back from that side lot line at all points by a  
11 minimum horizontal distance of 45 feet.

12           7. Waiver or modification of requirements, limits, and standards

13           a. For developments in the International Special Review District, the  
14 Director may waive or modify the requirements, limits and standards referred to in subsection  
15 23.49.164.D.2 and 23.49.164.D.3 as a Type I decision if, upon consultation with the Director  
16 of Neighborhoods, the Director determines that waiving or modifying a requirement, limit or  
17 standard will increase availability of affordable housing meeting the provisions of subsection  
18 23.49.164.D.7.b or will better meet the goals and objectives of Section 23.66.302.

19           b. For purposes of this subsection 23.49.164.D.7, housing is affordable  
20 if it receives public funding and/or an allocation of federal low-income housing tax credits,  
21 and is subject to a regulatory agreement, covenant or other legal instrument recorded on the  
22 property title and enforceable by The City of Seattle, Washington State Housing Finance  
23 Commission, State of Washington, King County, U.S. Department of Housing and Urban

1 Development, or other similar entity as approved by the Director of Housing, which restricts  
2 at least 40 percent of the units to occupancy by households earning no greater than 60 percent  
3 of median income, and controls the rents that may be charged, for a minimum period of 40  
4 years.

5 Section 44. Section 23.50.020 of the Seattle Municipal Code, last amended by  
6 Ordinance 124843, is amended as follows:

7 **23.50.020 Structure height exceptions and additional restrictions**

8 A. Rooftop features. Where a height limit applies to a structure, except as provided in  
9 subsections 23.50.024.C.4, 23.50.024.D.4, 23.50.024.E.4, and 23.50.024.F.3, the provisions in  
10 this subsection 23.50.020.A apply to rooftop features:

11 \* \* \*

12 5. Greenhouses that are dedicated to food production are permitted to extend  
13 15 feet above the applicable height limit if the combined total coverage of all features gaining  
14 additional height does not exceed 50 percent of the roof area. Greenhouses allowed under this  
15 subsection 23.50.020.A.5 shall be located at least 10 feet from the north ~~((edge of the roof))~~  
16 lot line unless a shadow diagram is provided that demonstrates that locating such features  
17 within 10 feet of the north ~~((edge of the roof))~~ lot line would not shade property to the north  
18 on January 21~~((st))~~ at noon more than would a structure built to maximum permitted height  
19 and FAR.

20 \* \* \*

21 Section 45. Section 23.53.006 of the Seattle Municipal Code, last amended by  
22 Ordinance 124843, is amended as follows:

23 **23.53.006 Pedestrian access and circulation**

\* \* \*

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

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

2. On streets designated on Map A for 23.50.016, sidewalks are required if new lots are created through the platting process, including full and short subdivisions (~~and unit lot subdivisions, and~~) or if development is proposed. Sidewalks are required only for the portion of the lot that abuts the designated street.

3. On arterials, except in IG1 and IG2 zones and on lots in IB zones that are not directly across the street from or abutting a lot in a residential or commercial zone, sidewalks are required if new lots are created through the platting process, including full and short subdivisions (~~and unit lot subdivisions, and~~) or if development is proposed. Sidewalks are required only for the portion of the lot that abuts the arterial.

\* \* \*

Section 46. Section 23.53.015 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

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

\* \* \*

D. Exceptions

\* \* \*

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

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

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

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

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

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

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

5                                    g. Widening and/or improving the right-of-way is impractical because  
6 topography would preclude the use of the street for vehicular access to the lot, for example  
7 due to an inability to meet the required ~~((20))~~ 15 percent maximum driveway slope.

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

12                                    Section 47. Section 23.53.030 of the Seattle Municipal Code, last amended by  
13 Ordinance 124919, is amended as follows:

14 **23.53.030 Alley improvements in all zones**

15                                    A. General requirements~~((:))~~

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

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



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

4                    \* \* \*

5                    Section 48. Section 23.54.015 of the Seattle Municipal Code, last amended by  
6 Ordinance 124843, is amended as follows:

7 **23.54.015 Required parking**

8                    \* \* \*

9                    B. Parking requirements for specific zones

10                    1. Parking in downtown zones is regulated by Section 23.49.019 and not by  
11 this Section 23.54.015.

12                    2. Parking in the MPC-YT zone is regulated by Section 23.75.180 and not by  
13 this Section 23.54.015.

14                    3. Parking for major institution uses in the Major Institution Overlay District is  
15 regulated by Sections 23.54.015 and 23.54.016.

16                    4. Parking in the Northgate Overlay District is regulated by Chapter 23.54  
17 except as modified by Section 23.71.016.

18                    5. No parking is required for single-family residential uses on lots in any  
19 residential zone that are less than 3,000 square feet in size or less than 30 feet in width where  
20 access to parking is permitted through a required yard or setback abutting a street according to  
21 the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3.

22                    6. No parking is required for urban farms or community gardens in residential  
23 zones.

\* \* \*

1  
2 K. Bicycle parking. The minimum number of off-street parking spaces for bicycles  
3 required for specified uses is set forth in Table D for 23.54.015. In the case of a use not shown  
4 on Table D for 23.54.015, there is no minimum bicycle parking requirement. The minimum  
5 requirements are based upon gross floor area of the use in a structure, or the square footage of  
6 the use when located outside of an enclosed structure, or as otherwise specified.

7 1. After the first 50 spaces for bicycles are provided, additional spaces are  
8 required at 1/2 the ratio shown in Table D for 23.54.015, except for rail transit facilities;  
9 passenger terminals; and park and ride lots. (~~Spaces within dwelling units or on balconies do~~  
10 ~~not count toward the bicycle parking requirement.~~)

11 2. Required bicycle parking shall be provided in a safe, accessible and  
12 convenient location. Bicycle parking hardware shall be installed so that it can perform to its  
13 manufacturer's specifications and any design criteria promulgated by the Director of  
14 Transportation, allowing adequate clearance for bicycles and their riders. Directional signage  
15 shall be installed when bike parking facilities are not clearly visible from the street or  
16 sidewalk. If any covered automobile parking is provided, all required long-term bicycle  
17 parking shall be covered. If located off-street, bicycle and automobile parking areas shall be  
18 separated by a barrier or painted lines.

19 3. Long-term parking for bicycles shall be for bicycles parked four hours or  
20 more. Short-term parking for bicycles shall be for bicycles parked less than four hours.

21 4. Bicycle parking required for residential uses shall be located on-site.

22 5. Bicycle parking required for small efficiency dwelling units and congregate  
23 residence sleeping rooms is required to be covered for weather protection. If the required,

1 covered bicycle parking is located inside the building that contains small efficiency dwelling  
2 units or congregate residence sleeping rooms, the space required to provide the required  
3 bicycle parking shall be exempt from Floor Area Ratio (FAR) limits. Covered bicycle parking  
4 that is provided beyond the required bicycle parking shall not be exempt from FAR limits.

5 6. Bicycle parking facilities shared by more than one use are encouraged.

6 7. Bicycle parking facilities required for non-residential uses shall be located  
7 on the lot or in a shared bicycle parking facility within 100 feet of the lot, except as provided  
8 in subsection 23.54.015.K.8.

9 8. Bicycle parking may be located in a facility within 100 feet of the lot that is  
10 not a shared bicycle parking facility, or public bicycle parking may be provided in the right-  
11 of-way, subject to approval by the Director of Transportation, in lieu of providing required  
12 on-site bicycle parking, if the Director determines that:

13 a. Safe, accessible, and convenient bicycle parking accessory to a non-  
14 residential use cannot be provided on-site or in a shared bicycle parking facility within 100  
15 feet of the lot, without extraordinary physical or financial difficulty;

16 b. The bicycle parking in the right-of-way is equivalent to bicycle  
17 parking that would otherwise be required on-site, and takes into consideration the cost of  
18 materials, equipment and labor for installation;

19 c. The bicycle parking in the right-of-way is located within sufficient  
20 proximity to serve the bicycle parking demand generated by the project; and

21 d. Construction of the bicycle parking is completed before issuance of a  
22 certificate of occupancy for the development.

1 9. Bicycle parking spaces within dwelling units, other than a private garage, or  
2 on balconies do not count toward the bicycle parking requirement.

3 \* \* \*

<b>Table D for 23.54.015 Parking for Bicycles<sup>1</sup></b>			
<b>Use</b>		<b>Bike parking requirements</b>	
		<b>Long-term</b>	<b>Short-term</b>
<b>A. COMMERCIAL USES</b>			
A.1.	Eating and drinking establishments	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>
A.2.	Entertainment uses	1 per 12,000 square feet	1 per 40 seats and 1 per 1,000 square feet of non-seat area; 1 per 20 seats and 1 per 1,000 square feet of non-seat area in UC/SAO <sup>2</sup>
A.3.	Lodging uses	1 per 20 rentable rooms	2
A.4.	Medical services	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>
A.5.	Offices and laboratories, research and development	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>	1 per 40,000 square feet
A.6.	Sales and services, general	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>
A.7.	Sales and services, heavy	1 per 4,000 square feet	1 per 40,000 square feet
<b>B. INSTITUTIONS</b>			
B.1.	Institutions not listed below	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>	1 per 40,000 square feet
B.2.	Child care centers	1 per 4,000 square feet	1 per 40,000 square feet
B.3.	Colleges	A number of spaces equal to 10 percent of the maximum	None

		students present at peak hour plus 5 percent of employees	
B.4.	Community clubs or centers	1 per 4,000 square feet	1 per 4,000 square feet
B.5.	Hospitals	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>	1 per 40,000 square feet
B.6.	Libraries	1 per 4,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO <sup>2</sup>
B.7.	Museums	1 per 4,000 square feet	1 per 4,000 square feet
B.8.	Religious facilities	1 per 12,000 square feet	1 per 40 seats or 1 per 1,000 square feet of non-seat area
B.9.	Schools, elementary	1 per classroom	None
B.10.	Schools, secondary (middle and high)	2 per classroom	None
B.11.	Vocational or fine arts schools	A number of spaces equal to 10 percent of the maximum students present at peak hour plus 5 percent of employees	None
<b>C. MANUFACTURING USES</b>		1 per 4,000 square feet	None
<b>D. RESIDENTIAL USES</b>			
D.1.	Congregate residences <sup>3</sup>	0.75 per sleeping room	None
D.2.	Multi-family structures	1 per 4 dwelling units or 0.75 per small efficiency dwelling unit	None
<b>E. TRANSPORTATION FACILITIES</b>			
E.1.	Park and ride lots	At least 20 <sup>4</sup>	None
E.2.	Principal use parking except park-and-ride lots	1 per 20 auto spaces	None
E.3.	Rail transit facilities and passenger terminals	At least 20 <sup>4</sup>	None

Footnote to Table D for 23.54.015((=))

<sup>1</sup>If a use is not shown on this Table D for 23.54.015, there is no minimum bicycle parking requirement.

<sup>2</sup>For the purposes of this Table D for 23.54.015, UC/SAO means urban centers or the Station Area Overlay District.

<sup>3</sup>For congregate residences that are owned by a not-for-profit entity or charity, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, the Director shall have the discretion to reduce the amount of required bicycle parking if it can be demonstrated that residents are less likely to travel by bicycle.

<sup>4</sup>The Director 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.

1 Section 49. Section 23.54.030 of the Seattle Municipal Code, last amended by  
2 Ordinance 124843, is amended as follows:

3 **23.54.030 Parking space standards**

4 All parking spaces provided, whether required by Section 23.54.015 or not, and required  
5 barrier-free parking, shall meet the standards of this Section 23.54.030, except that parking for  
6 residential and live-work uses provided in excess of the quantity required by Section  
7 23.54.015 is exempt from the requirements of subsections 23.54.030.A and 23.54.030.B.

8 \* \* \*

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

13 \* \* \*

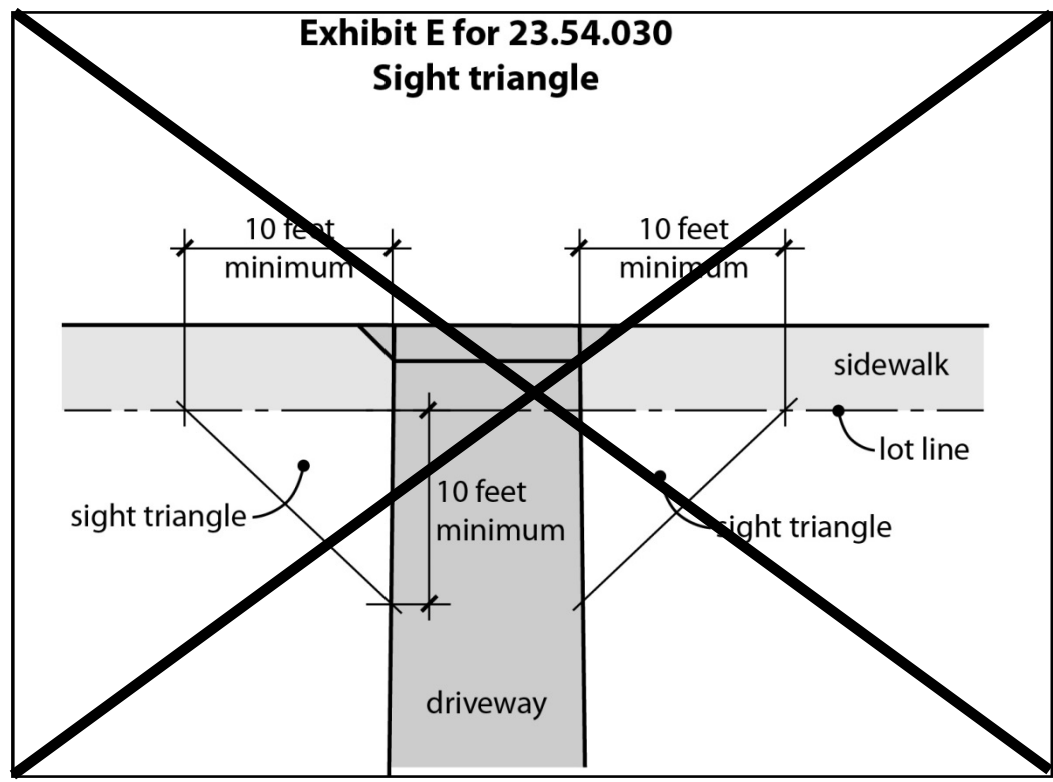
14 7. Curb cuts are not allowed on streets if alley access to a lot is feasible but has  
15 not been provided.

16 G. Sight triangle

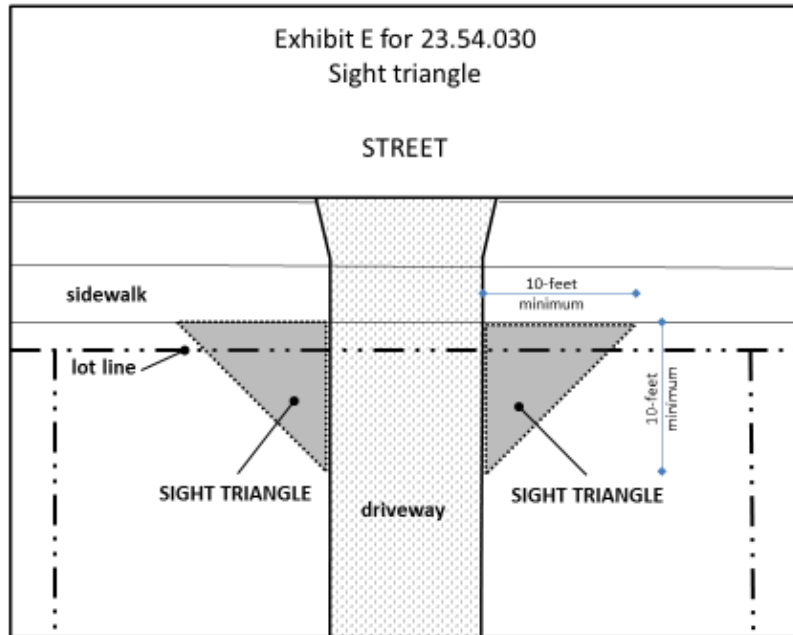
1                    1. For exit-only driveways and easements, and two way driveways and  
2 easements less than 22 feet wide, a sight triangle on both sides of the driveway or easement  
3 shall be provided, and shall be kept clear of any obstruction for a distance of 10 feet from the  
4 intersection of the driveway or easement with a driveway, easement, sidewalk, or curb  
5 intersection if there is no sidewalk, as depicted in Exhibit E for 23.54.030.

6 **Exhibit E for 23.54.030**

7 **Sight triangle**



8



1

2           2. For two way driveways or easements 22 feet wide or more, a sight triangle  
3 on the side of the driveway used as an exit shall be provided, and shall be kept clear of any  
4 obstruction for a distance of 10 feet from the intersection of the driveway or easement with a  
5 driveway, easement, sidewalk, or curb intersection if there is no sidewalk. The entrance and  
6 exit lanes shall be clearly identified.

7           3. The sight triangle shall also be kept clear of obstructions in the vertical  
8 spaces between 32 inches and 82 inches from the ground.

9           4. When the driveway or easement is less than 10 feet from the lot line, the  
10 sight triangle may be provided as follows:

11           a. An easement may be provided sufficient to maintain the sight  
12 triangle. The easement shall be recorded with the King County Recorder; or



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b. The driveway may be shared with a driveway on the neighboring lot;

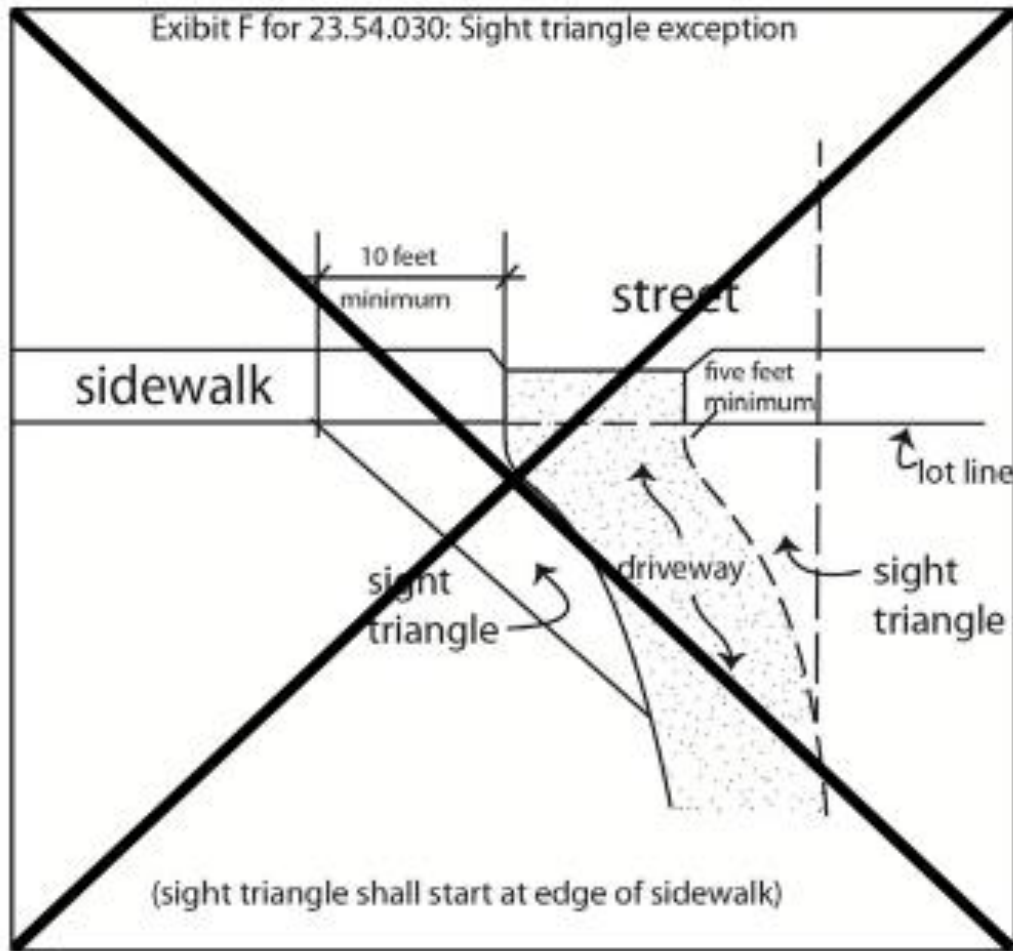
or

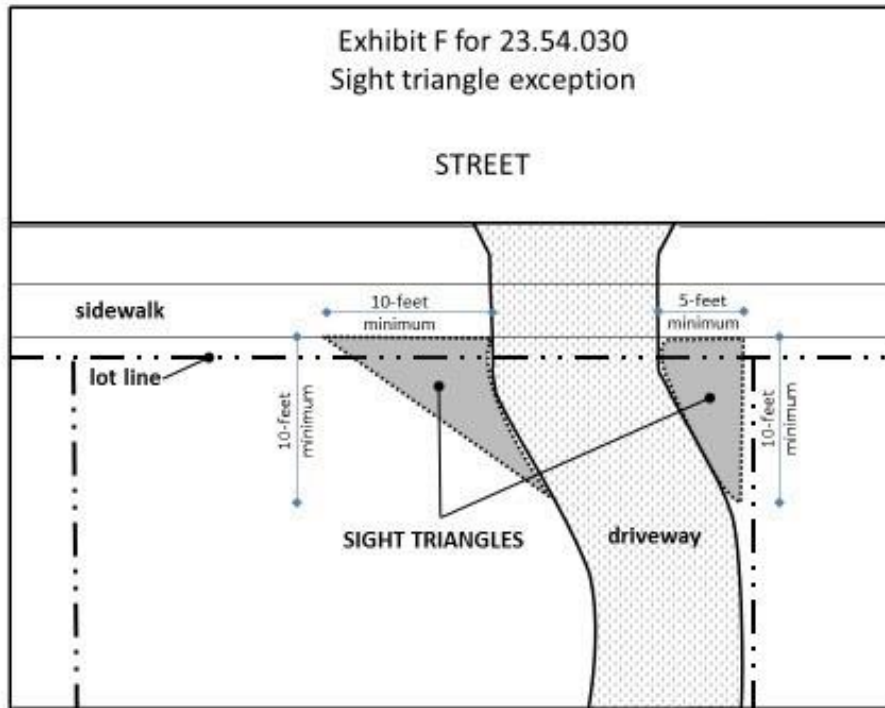
c. The driveway or easement may begin 5 feet from the lot line, as

depicted in Exhibit F for 23.54.030.

**Exhibit F for 23.54.030**

**Sight triangle exception**





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5. An exception to the sight triangle requirement may be made for driveways serving lots containing only residential uses and fewer than three parking spaces, when providing the sight triangle would be impractical.

6. In all Downtown, Industrial, Commercial 1, and Commercial 2 zones, the sight triangle at a garage exit may be provided by mirrors and/or other approved safety measures.

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

8. Sight triangles are not required when access to parking is provided from an alley.

\* \* \*

1 Section 50. Section 23.54.040 of the Seattle Municipal Code, last amended by  
2 Ordinance 124608, is amended as follows:

3 **23.54.040 Solid waste and recyclable materials storage and access**

4 \* \* \*

5 I. The Director, in consultation with the Director of Seattle Public Utilities, has the  
6 discretion to ~~((grant departures from))~~ modify the requirements of this Section 23.54.040 as a  
7 Type I decision, if the applicant proposes alternative, workable measures that meet the intent  
8 of this Section 23.54.040 and if either:

9 1. The applicant can demonstrate difficulty in meeting any of the requirements  
10 of this Section 23.54.040; or

11 2. The applicant proposes to construct or expand a structure, and the  
12 requirements of this Section 23.54.040 conflict with opportunities to increase residential  
13 densities and/or retain ground-level retail uses.

14 Section 51. Section 23.55.014 of the Seattle Municipal Code, last amended by  
15 Ordinance 124919, is amended as follows:

16 **23.55.014 Off-premises signs ((:))**

17 \* \* \*

18 F. Registration of ~~((Advertising Signs))~~ advertising signs. Each owner of an off-  
19 premises advertising sign shall file a written report with the Director on or before July 1 of  
20 each year. The report shall be submitted on a form supplied by the Director. The owner shall  
21 identify the number and location of advertising signs maintained by the owner in the City at  
22 any time during the previous year and provide such other information as the Director deems  
23 necessary for the inspection of signs and for the administration and enforcement of this

1 Section 23.55.014. The owner shall pay a fee to the Director at the time the written report is  
2 filed. The amount of the fee is ~~((Forty Dollars (\$40)))~~ established by Section 22.900E.010 for  
3 each sign face identified in the report. SDCI shall assign a registration number to each sign  
4 face, and the sign number shall be displayed on the face of the billboard frame in figures  
5 which are a minimum of 8 inches tall. It is unlawful to maintain a sign face ~~((which))~~ that has  
6 not been registered as required by this Section 23.55.014. Notwithstanding any other  
7 provision of this code, any person who maintains an unregistered sign face is subject to an  
8 annual civil penalty of \$5,000 for each unregistered sign face.

9 \* \* \*

10 Section 52. Section 23.55.015 of the Seattle Municipal Code, last amended by  
11 Ordinance 124105, is amended as follows:

12 **23.55.015 Sign kiosks and community bulletin boards**

13 \* \* \*

14 C. Development ~~((Standards for Sign Kiosks))~~ standards for sign kiosks

15 1. Design and ~~((Construction.))~~ construction

16 a. The design of any sign kiosk shall comply with the design principles  
17 for sign kiosks approved by the Seattle Design Commission, or shall be reviewed and  
18 recommended by the Commission.

19 b. The design of any sign kiosk adjacent to a park, playground, or  
20 publicly owned community center shall also be reviewed and must be approved by the Seattle  
21 Department of Parks and Recreation for aesthetic compatibility with existing signs and the  
22 design of the park, playground, or community center.

23 c. The design of any sign kiosk in a special review district established

1 in ~~((SMC))~~ Chapters 23.66, 25.16, 25.20, 25.22, and 25.24 shall also be reviewed and must be  
2 approved by the board for that district for compliance with the standards of that district.

3 d. The sign kiosk shall be in sections with maximum dimensions of  
4 ~~((seven-))7((+))~~ feet high, ~~((three-))3((+))~~ feet wide measuring from the centers of the  
5 supporting posts on either side of the sections, and ~~((six-))6((+))~~ inches deep, with a  
6 maximum of four ~~((4))~~ sections. No more than ~~((two-))2((+))~~ feet of additional height will  
7 be allowed for artistic decoration on top of the kiosk, with additional width not to exceed the  
8 width of the kiosk structure. The Seattle Design Commission may approve a different style or  
9 different dimensions, which shall not exceed the maximum height dimension and the  
10 maximum overall size set out above.

11 e. Lights, changing image signs, and message board signs shall not be  
12 placed on any part of a sign kiosk that is visible from the street. Flashing signs and chasing  
13 signs are prohibited on any part of a kiosk. Any lighting fixtures used within kiosks or used  
14 externally to illuminate kiosks shall be fully shielded. The maximum illumination level at the  
15 kiosk shall be ~~((five-))5((+))~~ foot-candles (fc) maintained at ground level.

16 f. Materials used in constructing sign kiosks shall minimize reflective  
17 glare from natural or artificial illumination.

18 g. The design of any kiosk structure shall not be likely to be mistaken  
19 for any traffic control device and shall comply with ~~((SMC))~~ Sections 11.50.500 through  
20 11.50.560.

21 h. All sign kiosks shall be designed, constructed and maintained in  
22 accordance with ~~((SMC Chapter 22,))~~ Section ~~((3204,))~~ 3107 of the 2015 Seattle Building  
23 Code ~~((provisions governing signs))~~.

\* \* \*

Section 53. Section 23.55.020 of the Seattle Municipal Code, last amended by Ordinance 123046, is amended as follows:

**23.55.020 Signs in single-family zones**

\* \* \*

D. The following signs are permitted in all single-family zones:

1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

2. Memorial signs or tables, and the name of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;

3. Signs for public facilities indicating danger and/or providing service or safety information;

4. National, state, and institutional flags;

5. For any nonresidential use allowed in the zone except for elementary or secondary schools, one electric or nonilluminated double-faced identifying wall or ground sign not to exceed 15 square feet of area per sign face on each street frontage;

6. On-premises directional signs not exceeding 8 square feet in area. One such sign is permitted for each entrance or exit to a surface parking area or parking garage;

7. For elementary or secondary schools, one electric or nonilluminated double-faced identifying sign, not to exceed 30 square feet of area per sign face on each street frontage, provided that the signs shall be located and landscaped so that light and glare impacts on surrounding properties are reduced, and so that any illumination is controlled by a

1 timer set to turn off by 10 p.m.;

2 8. One nonilluminated sign bearing the name of a home occupation not  
3 exceeding 64 square inches in area.

4 \* \* \*

5 Section 54. Subsection 23.66.140.C of the Seattle Municipal Code, which section was  
6 last amended by Ordinance 125163, is amended as follows:

7 **23.66.140 Height**

8 \* \* \*

9 C. Rooftop features and additions to structures

10 \* \* \*

11 4. Height limits for rooftop features

12 \* \* \*

13 j. Enclosed rooftop recreational spaces for new structures

14 1) If included on new structures, enclosed rooftop recreational  
15 spaces and solar collectors may exceed the maximum height limit by up to 15 feet. The  
16 applicant shall make a commitment that the proposed development will meet the green  
17 building standard and shall demonstrate compliance with that commitment, all in accordance  
18 with Chapter 23.58D, and meet a Green Factor requirement of .30 or greater according to the  
19 provisions of Section 23.86.019. Each enclosed rooftop recreational space shall include  
20 interpretive signage explaining the sustainable features employed on or in the structure.  
21 Commercial, residential, or industrial uses shall not be established within enclosed rooftop  
22 recreational spaces that are allowed to exceed the maximum height limit under this subsection  
23 23.66.140.C.4.j.





3. To enhance views and sightlines into and down streets; and
4. To reduce driver distraction and visual blight.

B. Business establishments may erect signs, including banners and flags that are signs, ~~((as defined in subsection 23.84A.036))~~ if the Director of Neighborhoods determines the proposed sign meets the standards in this Section 23.66.338 and issues a certificate of approval, except as provided in subsection 23.66.338.H.

\* \* \*

Section 56. Section 23.71.044 of the Seattle Municipal Code, last amended by Ordinance 122311, is amended as follows:

**23.71.044 Standards for residential uses in commercial zones within the Northgate Overlay District ((-))**

\* \* \*

B. When permitted, structures with residential uses exceeding 20~~((%)~~) percent of the street-level street-facing facade are subject to the following development standards:

1. In all C and NC zones with a height limit of ~~((thirty (30)))~~ 40 feet or less, the development standards for residential structures in Lowrise 3 zones, except that no front setback is required.

2. ~~((In all C and NC zones with a height limit of forty (40) feet, the development standards for residential structures in Lowrise 4 zones, except that no front setback is required.~~

3.)) In all C and NC zones with a height limit of ~~((sixty five (65)))~~ 65 feet, the development standards for residential structures in Midrise zones, except that no front setback is required.

\* \* \*

Section 57. Section 23.73.008 of the Seattle Municipal Code, last amended by Ordinance 124503, is amended as follows:

**23.73.008 Street-level uses**

A. Street-level uses on principal pedestrian streets. Along designated principal pedestrian streets shown on Map A for 23.73.008, provisions for street-level uses are established in Chapter 23.47A, except as modified by this Section 23.73.008.

B. Space for small commercial uses at street level

1. Except as provided in subsection 23.73.008.B.3, all structures that include more than 5,000 square feet of commercial uses at street level, excluding the floor area of performing arts theaters, arts facilities, and parking and access, shall include commercial spaces at street level for small, individual business establishments that average 2,000 square feet or less in size, according to Table A for 23.73.008.

**Table A for 23.73.008**

**Commercial Space for Small Business Establishments**

Total amount of square feet in commercial use at street level as calculated in subsection 23.73.008.B	Number of required commercial spaces for individual business establishments averaging 2,000 square feet or less in size
Up to 5,000 square feet	0
More than 5,000 square feet, up to 8,000 square feet	1
More than 8,000 square feet, up to 12,000 square feet	2
More than 12,000 square feet, up to 16,000 square feet	3
More than 16,000 square feet	4, plus 1 additional space for each additional 4,000 square feet above 16,000 square feet, up to a maximum of 8

2. The commercial space requirement of subsection 23.73.008.B.1 applies to the total size of a business establishment, except that if a business establishment includes

1 more than one principal use, each principal use within the business establishment may qualify  
2 as a small business establishment.

3                   3. For projects that retain a character structure as provided in Section  
4 23.73.015, in addition to any excluded floor area specified in subsection 23.73.008.B.1, floor  
5 area meeting the following conditions is not required to comply with subsection  
6 23.73.008.B.1:

7                   a. The floor area is occupied by street-level commercial uses or other  
8 uses excluded from the requirement for small commercial spaces in subsection 23.73.008.B.1  
9 and is within the original street-level footprint of the retained character structure; and

10                   b. The original street-level of the character structure was designed as a  
11 large space for use as automobile retail sales and service, warehouse, manufacturing, or large  
12 retail or commercial space.

13                   c. Original facade openings providing transparency at the street-level  
14 remain unobstructed by interior improvements to retain visual access to interior space for  
15 pedestrians on the abutting sidewalk, even if the resulting amount of transparency exceeds  
16 what is otherwise required in subsection 23.47A.008.B.2.

17   \* \* \*

18                   Section 58. Section 23.73.009 of the Seattle Municipal Code, last amended by  
19 Ordinance 124503, is amended as follows:

20 **23.73.009 Floor area ratio**

21   \* \* \*

22                   B. Non-residential uses are limited to a maximum of 2 FAR, except that for  
23 development on a lot that meets one of the following conditions, the FAR limits for non-

1 residential uses in Section 23.47A.013 for the underlying zone applies:

2 1. A character structure has not existed on the lot since January 18, 2012; or

3 2. For lots that include a character structure, all character structures on the lot

4 are retained according to Section 23.73.015, unless a departure is approved through the design

5 review process to allow the removal of a character structure based on the provisions of

6 subsection (~~(23.41.012.B.32)~~) 23.41.012.B.33. If the lot includes a character structure that has

7 been occupied by residential uses since January 18, 2012, the same amount of floor area in

8 residential uses shall be retained in that structure, unless a departure is approved through the

9 design review process to allow the removal of the character structure based on the provisions

10 of subsection (~~(23.41.012.B.32)~~) 23.41.012.B.33. The owner of the lot shall execute and

11 record in the King County real property records an agreement to provide for the maintenance

12 of the required residential uses for the life of the project.

13 C. In addition to the floor area exempt under the provisions of the underlying zone, the

14 following floor area is exempt from the calculation of gross floor area subject to an FAR

15 limit:

16 1. The following street-level uses complying with the standards of Section

17 23.47A.008 and subsection 23.73.008.B:

18 a. General sales and services;

19 b. Major durables retail sales;

20 c. Eating and drinking establishments;

21 d. Museums;

22 e. Religious facilities;

23 f. Libraries; and

1 g. Automotive retail sales and service uses located within an existing  
2 structure or within a structure that retains a character structure as provided in Section  
3 23.73.015.

4 2. Floor area used for theaters or arts facilities, which for the purposes of this  
5 Section 23.73.009 only, may be operated either by for-profit or not-for-profit organizations.

6 3. All floor area in residential use in a development that retains all character  
7 structures on the lot as provided in Section 23.73.015, or that uses the transfer of development  
8 potential (TDP) on a lot that is a TDP receiving site according to Section 23.73.024, unless a  
9 departure is approved through the design review process to allow the removal of a character  
10 structure based on the provisions of subsection ((~~23.41.012.B.32~~)) 23.41.012.B.33.

11 \* \* \*

12 Section 59. Section 23.73.014 of the Seattle Municipal Code, last amended by  
13 Ordinance 124503, is amended as follows:

14 **23.73.014 Height exceptions**

15 A. Height exception for street-level uses. In zones with a mapped height limit of 65  
16 feet, an additional 4 feet of height above the height limit of the zone is allowed for structures  
17 that include uses listed as required street-level uses in subsection 23.47A.005.D.1 or live-work  
18 use if the following conditions are met:

19 1. The floor-to-ceiling height of the street-level uses or live-work units located  
20 at street level is 13 feet or more, except when a character structure is retained according to  
21 Section 23.73.015, the floor-to-ceiling height of the portion of the street-level story above the  
22 footprint of the character structure need not exceed the original floor-to-ceiling height of the  
23 character structure;



1 a. Projections such as unenclosed balconies, bay windows, cornices,  
2 belt courses; and eaves, gutters, and other forms of weather protection may project a  
3 maximum of 18 inches into the required setback; and

4 b. On through lots that are bounded on three or more sides by a street  
5 and that are less than 170 feet wide measured between streets, a setback is not required from  
6 the narrowest abutting street that is not shown as a Principal Pedestrian Street on Map A for  
7 23.73.008.

8 3. The original floor-to-ceiling height of the street-level story of the character  
9 structure is maintained, allowing for adjustments to provide access to persons with  
10 disabilities.

11 4. If it is determined at any time that the character structure's street-facing  
12 facade cannot be maintained as required under subsection 23.73.015.A.1, the Design Review  
13 Board shall review any proposed changes to the facade before changes are made. If the  
14 proposed facade changes are not approved through the design review process the incentives  
15 may not be used.

16 \* \* \*

17 Section 61. Section 23.76.004 of the Seattle Municipal Code, last amended by  
18 Ordinance 124747, is amended as follows:

19 **23.76.004 Land Use Decision Framework**

20 \* \* \*

<p><b>Table A for 23.76.004</b>  <b>LAND USE DECISION FRAMEWORK<sup>1</sup></b></p>
<p><b>Director's and Hearing Examiner's Decisions Requiring Master Use Permits</b>  <b>TYPE I</b>  <b>Director's Decision</b>  (Administrative review through land use interpretation as allowed by Section 23.88.020<sup>2</sup>)</p>

*	Application of development standards for decisions not otherwise designated Type II, III, IV, or V
*	Uses permitted outright
*	Temporary uses, four weeks or less
*	Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments
*	Intermittent uses
*	Interim use parking authorized under subsection 23.42.040.G
*	Uses on vacant or underused lots pursuant to Section 23.42.038
*	Transitional encampment interim use
*	Certain street uses
*	Lot boundary adjustments
*	Modifications of features bonused under Title 24
*	Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
*	Temporary uses for relocation of police and fire stations
*	Exemptions from right-of-way improvement requirements
*	Special accommodation
*	Reasonable accommodation
*	Minor amendment to a Major Phased Development permit
*	Determination of public benefit for combined lot FAR
*	Determination of whether an amendment to a property use and development agreement is major or minor
*	Streamlined design review decisions pursuant to Section 23.41.018; if no development standard departures are requested, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
*	Shoreline special use approvals that are not part of a shoreline substantial development permit
*	Adjustments to major institution boundaries pursuant to subsection 23.69.023.B
*	Determination that a project is consistent with a planned action ordinance
*	Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance
*	Other Type I decisions that are identified as such in the Land Use Code
	<b>TYPE II</b> <b>Director's Decision</b> (Appealable to Hearing Examiner or Shorelines Hearing Board <sup>3</sup> )
*	Temporary uses, more than four weeks, except for temporary relocation of police and fire stations
*	Variances
*	Administrative conditional uses
*	Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit <sup>3</sup>
*	Short subdivisions
*	Special exceptions
*	Design review decisions, except for streamlined design review pursuant to Section 23.41.018 if no development standard departures are requested, and except for design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
*	Light rail transit facilities
*	The following environmental determinations:
	1. Determination of non-significance (EIS not required)



	2. Determination of final EIS adequacy
	3. Determinations of significance based solely on historic and cultural preservation
	4. A decision to condition or deny a permit for a project based on SEPA policies, except for a project determined to be consistent with a planned action ordinance, <u>only if integrated with another Type II decision</u>
*	Major Phased Developments
*	Downtown Planned Community Developments
*	Other Type II decisions that are identified as such in the Land Use Code
	<b>TYPE III</b> <b>Hearing Examiner’s Decision</b> (No Administrative Appeal)
*	Subdivisions (preliminary plats)
	<b>COUNCIL LAND USE DECISIONS</b> <b>TYPE IV</b> (Quasi-Judicial)
*	Amendments to the Official Land Use Map (rezones), except area-wide amendments and correction of errors
*	Public projects that require Council approval
*	Major Institution master plans, including major amendments, renewal of a master plan’s development plan component, and master plans prepared pursuant to subsection 23.69.023.C after an acquisition, merger, or consolidation of major institutions
*	Major amendments to property use and development agreements
*	Council conditional uses
*	Other decisions listed in subsection 23.76.036.A
	<b>TYPE V</b> <b>(Legislative)</b>
*	Land Use Code text amendments
*	Area-wide amendments to the Official Land Use Map
*	Corrections of errors on the Official Land Use Map due to cartographic and clerical mistakes
*	Concept approvals for the location or expansion of City facilities requiring Council land use approval
*	Major Institution designations and revocations of Major Institution designations
*	Waivers or modifications of development standards for City facilities
*	Adoption of or amendments to Planned Action Ordinances
*	Other decisions listed in subsection 23.76.036.C
Footnotes for Table A for 23.76.004(=)	
<sup>1</sup> Sections 23.76.006 and 23.76.036 establish the types of land use decisions in each category. This Table A for 23.76.004 is intended to provide only a general description of land use decision types.	
<sup>2</sup> Type I decisions are subject to administrative review through a land use interpretation pursuant to Section 23.88.020 if the decision is one that is subject to interpretation.	
<sup>3</sup> Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit, are appealable to the Shorelines Hearings Board along with all related environmental appeals.	

1           Section 62. Section 23.76.006 of the Seattle Municipal Code, last amended by the  
2 ordinance introduced as Council Bill 118854, is amended as follows:

1 **23.76.006 Master Use Permits required**

2 A. Type I, II, and III decisions are components of Master Use Permits. Master Use  
3 Permits are required for all projects requiring one or more of these decisions.

4 \* \* \*

5 C. The following are Type II decisions:

6 1. The following procedural environmental decisions for Master Use Permits  
7 and for building, demolition, grading, and other construction permits are subject to appeal to  
8 the Hearing Examiner and are not subject to further appeal to the City Council (supplemental  
9 procedures for environmental review are established in Chapter 25.05, Environmental Policies  
10 and Procedures):

- 11 a. Determination of Non-significance (DNS), including mitigated DNS;
- 12 b. Determination that a final Environmental Impact Statement (EIS) is  
13 adequate; and
- 14 c. Determination of Significance based solely on historic and cultural  
15 preservation.

16 2. The following decisions are subject to appeal to the Hearing Examiner  
17 (except shoreline decisions and related environmental determinations that are appealable to  
18 the Shorelines Hearings Board):

- 19 a. Establishment or change of use for temporary uses more than four  
20 weeks not otherwise permitted in the zone or not meeting development standards, including  
21 the establishment of temporary uses and facilities to construct a light rail transit system for so  
22 long as is necessary to construct the system as provided in subsection 23.42.040.F, but  
23 excepting temporary relocation of police and fire stations for 24 months or less;

- 1                                   b. Short subdivisions;
- 2                                   c. Variances, provided that the decision on variances sought as part of a
- 3 Council land use decision shall be made by the Council pursuant to Section 23.76.036;
- 4                                   d. Special exceptions, provided that the decision on special exceptions
- 5 sought as part of a Council land use decision shall be made by the Council pursuant to Section
- 6 23.76.036;
- 7                                   e. Design review decisions, except for streamlined design review
- 8 decisions pursuant to Section 23.41.018 if no development standard departures are requested
- 9 pursuant to Section 23.41.012, and except for design review decisions in a MPC zone
- 10 pursuant to Section 23.41.020 if no development standard departures are requested pursuant to
- 11 Section 23.41.012;
- 12                                   f. Administrative conditional uses, provided that the decision on
- 13 administrative conditional uses sought as part of a Council land use decision shall be made by
- 14 the Council pursuant to Section 23.76.036;
- 15                                   g. The following shoreline decisions, provided that these decisions shall
- 16 be made by the Council pursuant to Section 23.76.036 when they are sought as part of a
- 17 Council land use decision (supplemental procedures for shoreline decisions are established in
- 18 Chapter 23.60A):
  - 19   1) Shoreline substantial development permits;
  - 20   2) Shoreline variances; and
  - 21   3) Shoreline conditional uses;
- 22                                   h. Major Phased Developments;
- 23                                   i. Determination of project consistency with a planned action ordinance,

1 only if the project requires another Type II decision;

2 j. Establishment of light rail transit facilities necessary to operate and  
3 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

4 k. Downtown planned community developments;

5 l. Establishment of temporary uses for transitional encampments,  
6 except transitional encampment interim uses provided for in subsection 23.76.006.B.2;

7 m. Determination of requirements according to subsections  
8 23.58B.025.A.4 and 23.58C.030.A.3; and

9 n. Except for projects determined to be consistent with a planned action  
10 ordinance, decisions to ~~((approve,))~~ condition((;)) or deny based on SEPA policies if such  
11 decisions are integrated with the decisions listed in subsections 23.76.006.C.1 or  
12 23.76.006.C.2.a. through 23.76.006.C.2.1, and further including any other land use decision  
13 that is subject to public notice and administrative appeal; provided that, for decisions listed in  
14 subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g that are  
15 made by the Council, integrated decisions to ~~((approve,))~~ condition((;)) or deny based on  
16 SEPA policies are made by the Council pursuant to Section 23.76.036.

17 \* \* \*

18 Section 63. Section 23.76.060 of the Seattle Municipal Code, last amended by  
19 Ordinance 123913, is amended as follows:

20 **23.76.060 Expiration and extension of Council land use decisions**

21 \* \* \*

22 E. Extensions. The Council may extend the time limits on Type IV land use decisions  
23 for ~~((no more than))~~ two years or such other time as the Council may determine appropriate,

1 upon an applicant’s filing an application to the Department at least 120 days before the  
2 approval’s expiration. The Council may request a recommendation on the extension  
3 application from the Director, but the Hearing Examiner hearing and recommendation  
4 requirements of Section 23.76.052 do not apply. Notice of applications for extensions of Type  
5 IV land use decisions and an opportunity to comment shall be provided pursuant to  
6 subsections 23.76.012.B.1 or B.2, and subsection 23.76.012.B.3, and notice and an  
7 opportunity to comment shall also be provided to the parties of record in the Council’s  
8 original Type IV land use proceeding and to those persons who were provided written notice  
9 of the Hearing Examiner’s recommendation on the original Type IV application to the extent  
10 reasonably practicable.

11           1. The Council may not extend the time limit for a Type IV land use decision  
12 for a project that is not in conformance with applicable regulations, including land use and  
13 environmentally critical areas regulations, in effect at the time application for an extension is  
14 made.

15           2. In deciding whether to grant an extension, the Council shall consider:

16                   a. The reason or basis for the application for the extension and whether  
17 it is reasonable under the circumstances;

18                   b. Whether changed circumstances in the area support an extension;

19                   c. Whether additional time is reasonably necessary to comply with a  
20 condition of approval adopted by the Council that is required to be fulfilled prior to expiration  
21 of the Council land use decision.

22           Section 64. Section 23.84A.024 of the Seattle Municipal Code, last amended by  
23 Ordinance 124475, is amended as follows:

1 **23.84A.024 “L”**

2 \* \* \*

3 “Lot line, front” means, in the case of a lot with frontage on a single street, the lot line  
4 separating the lot from the street, and in the case of a lot with frontage on more than one street  
5 other than a through lot, the lot line separating the lot from any abutting street, provided the  
6 other lot line(s) that abut streets are considered to be either side street lot line(s) or the rear lot  
7 line according to the definitions of those terms. In the case of a through lot, the lot lines  
8 separating the lot from the streets that are parallel or within 15 degrees of parallel to each  
9 other are both front lines. For new development on a lot with no street frontage, the front lot  
10 line shall be the lot line designated by the project applicant in accordance with Section  
11 23.86.010. If the area of the front yard based on a front lot line determined according to this  
12 definition is less than 20 percent of the total lot area and is less than 1,000 square feet in area,  
13 the Director may designate a different lot line as the front lot line in order to provide structural  
14 setbacks, building separations, and open space that are more consistent with those of other lots  
15 that are within 100 feet of the property.

16 \* \* \*

17 Section 65. Section 23.84A.032 of the Seattle Municipal Code, last amended by  
18 Ordinance 124919, is amended as follows:

19 **23.84A.032 “R”**

20 \* \* \*

21 “Residential use” means any one or more of the following:

22 \* \* \*

23 22. “Townhouse development” means a multifamily residential use that is not a

1 rowhouse development, and in which:

2 a. each dwelling unit occupies space from the ground to the roof of the  
3 structure in which it is located;

4 b. no portion of a dwelling unit occupies space above or below another  
5 dwelling unit, except for an attached accessory dwelling unit and except for dwelling units  
6 constructed over a shared parking garage; and

7 c. each dwelling unit is attached along at least one common wall to at least one  
8 other dwelling unit or live-work unit, with habitable interior space on both sides of the  
9 common wall, or abuts another dwelling unit or live-work unit on a common lot line.

10 \* \* \*

11 Section 66. Section 23.84A.036 of the Seattle Municipal Code, last amended by  
12 Ordinance 124457, is amended as follows:

13 **23.84A.036 “S”**

14 \* \* \*

15 “Sign, message board” means an electric sign that has a reader board for the display of  
16 information, such as time, temperature, ((œf)) or public service or commercial messages, that  
17 can be changed through the turning on and off of different combinations of light bulbs within  
18 the display area.

19 \* \* \*

20 Section 67. Section 23.84A.038 of the Seattle Municipal Code, last amended by the  
21 ordinance introduced as Council Bill 118862, is amended as follows:

22 **23.84A.038 “T”**

23 \* \* \*





1 from calculation of gross floor area. The exempt gross floor area of such partially below-grade  
2 stories is measured as follows:

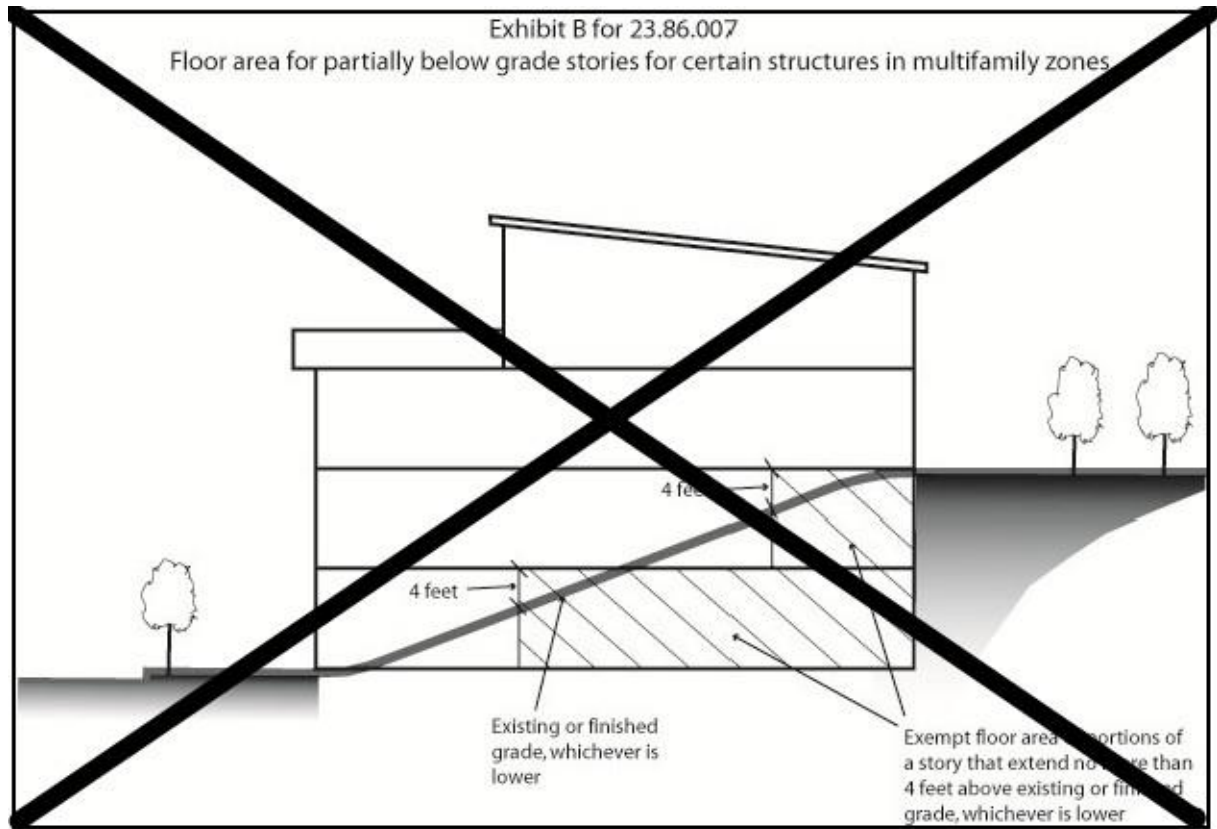
3                   1. determine the elevation 4 feet below the ceiling of the partially below-grade  
4 story, or 4 feet below the roof surface if there is no next floor above the partially below-grade  
5 story;

6                   2. determine the points along the exterior wall of the story where the elevation  
7 determined in subsection 23.86.007.B.1 above intersects the abutting corresponding existing  
8 or finished grade elevation, whichever is lower;

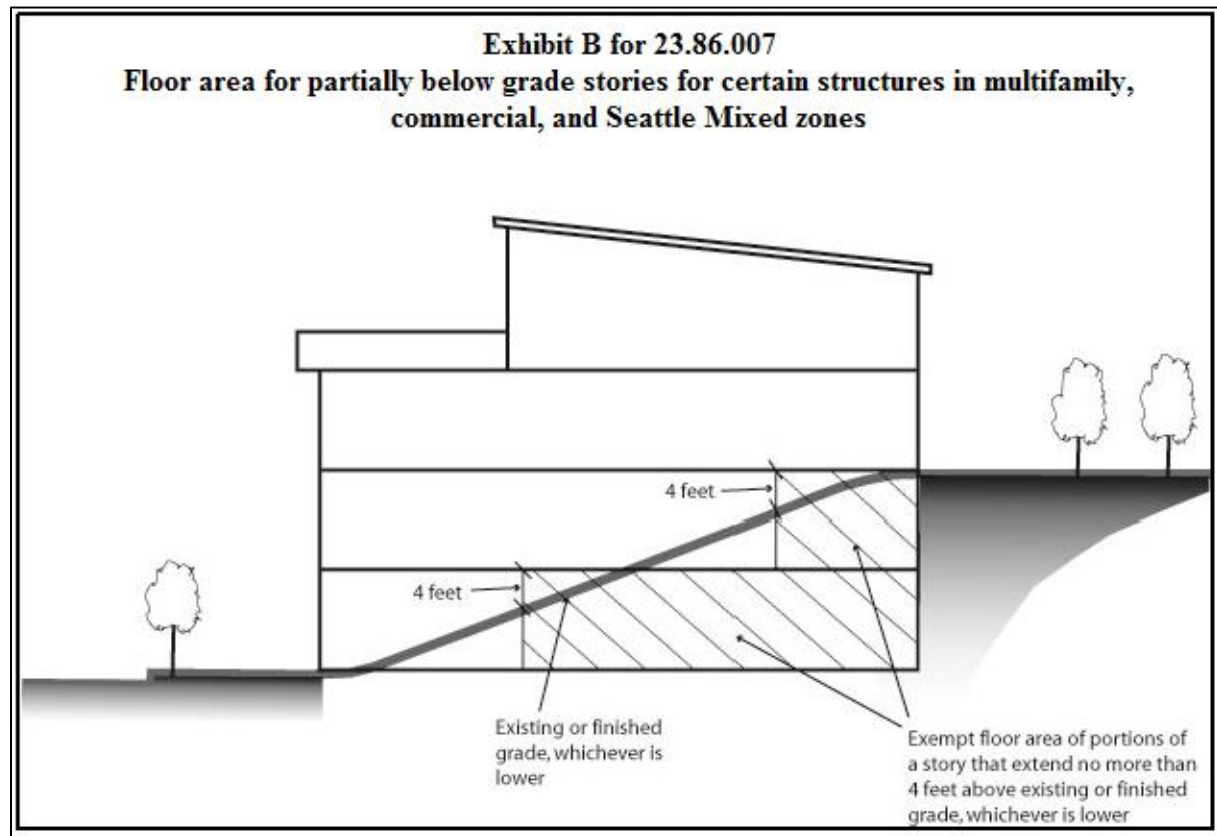
9                   3. draw a straight line across the story connecting the two points on the exterior  
10 walls;

11                   4. the gross floor area of the partially below-grade story or portion of a  
12 partially below-grade story is the area of the story that is at or below the straight line drawn in  
13 subsection 23.86.007.B.3 above, excluding openings required by the Building Code for  
14 egress. (See Exhibit B for 23.86.007).

15 **Exhibit B for 23.86.007**  
16 **Floor area for partially below grade stories for certain structures in multifamily,**  
17 **commercial, and Seattle Mixed zones**



1



2

\* \* \*

Section 70. Section 23.86.028 of the Seattle Municipal Code, last amended by Ordinance 124503, is amended as follows:

**23.86.028 Blank facades**

In zones where blank facades are required to be limited, the following provisions shall be used to determine the percent and length of blank facades.

A. Percent of blank facades

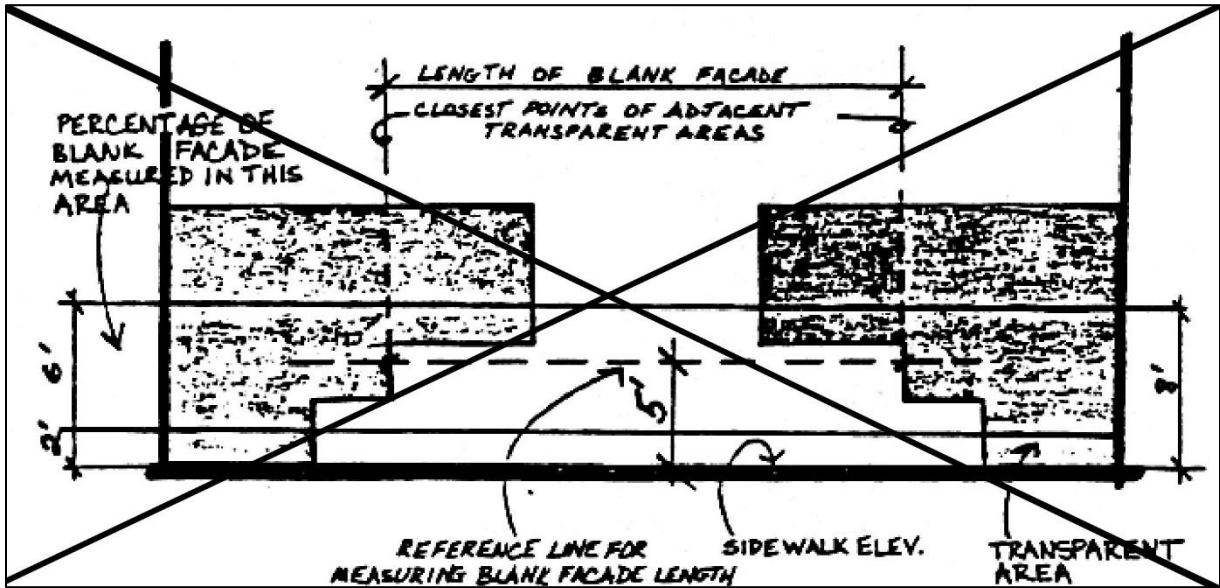
1. Blank facades shall be measured in an area between 2 feet and 8 feet above the elevation of the lot line at the sidewalk as depicted in Exhibits A and B for 23.86.028.

Areaways, stairways and other excavations at the lot line shall not be considered in measuring the elevation of the street lot line. When sidewalk widening is required according to Section 23.49.022, the elevation of the line establishing the new sidewalk width shall be used rather than the street lot line.

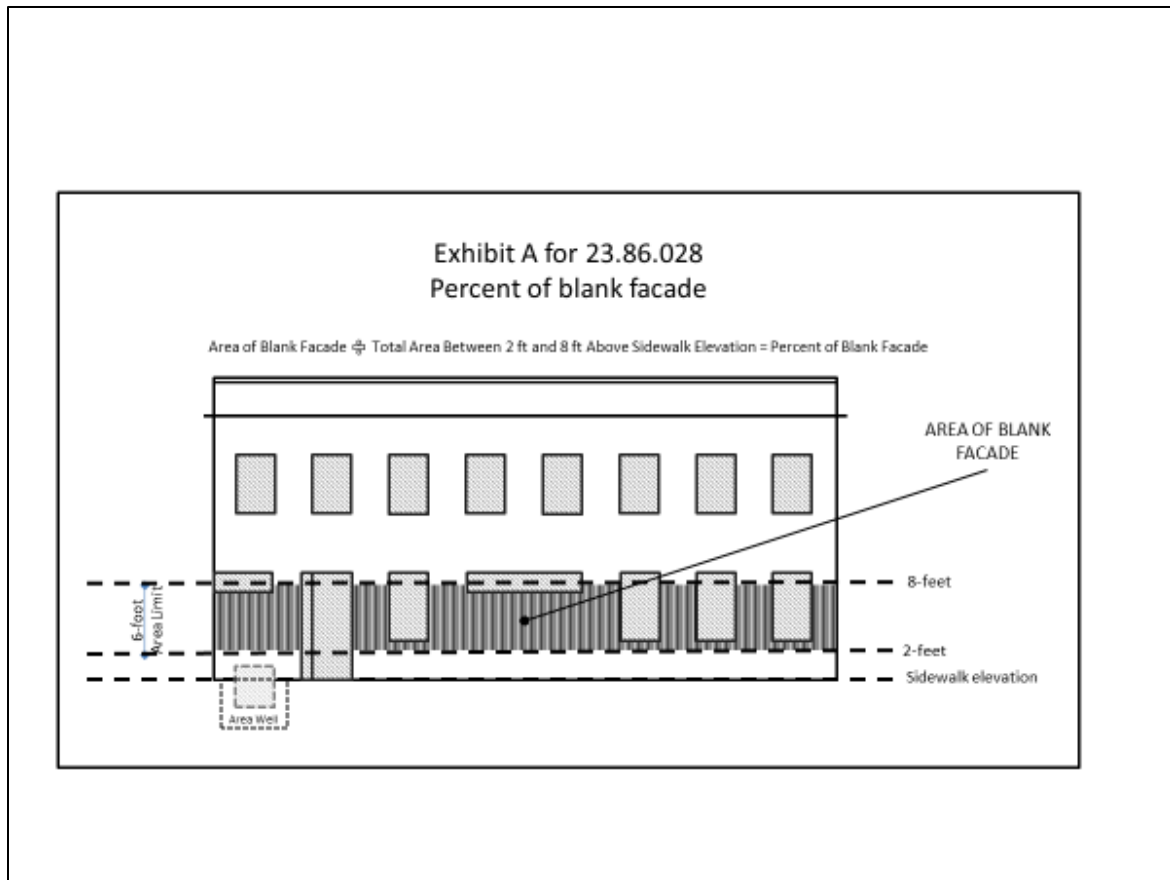
2. When the blank facade is limited for facades which abut bonused public open spaces, the measurement of facade transparency shall be from the elevation of the public open space.

1 **Exhibit A for 23.86.028 ((Percent of and Length of Blank Facades))**

2 **Percent of blank facade**



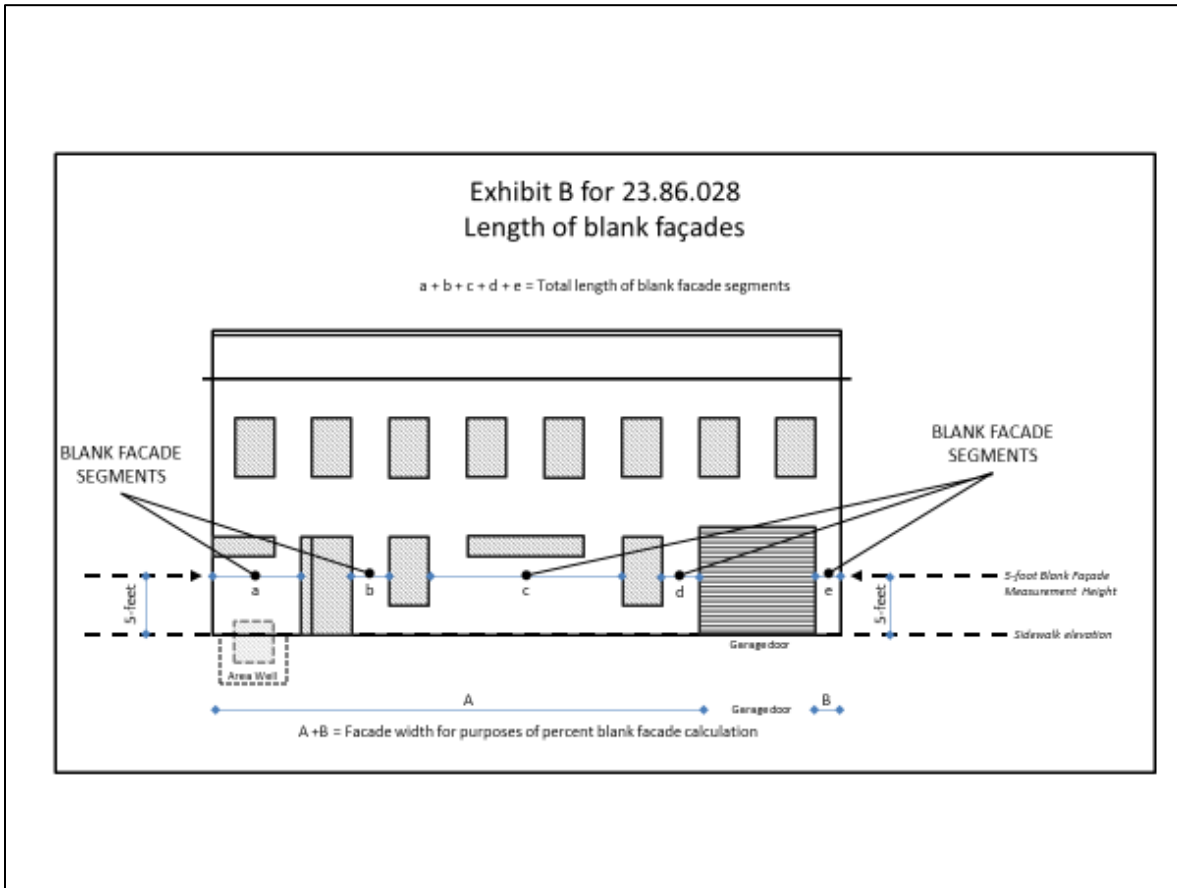
3



4

1 **Exhibit B for 23.86.028**

2 **Length of blank facades**



3

4 B. Length of blank facades. The length of a blank facade located within the area  
5 established in subsection ((23.83.028.A)) 23.86.028.A shall be measured between the closest  
6 points of adjacent transparent areas, at 5 feet above the elevation of the lot line at the  
7 sidewalk, as depicted in Exhibit B for 23.86.028.

8 C. The following shall not be counted in determining the length of blank facades:

- 9 1. Garage doors, as depicted in Exhibit ((A))B for 23.86.028; and
- 10 2. The full length of landmark designated structures, and character structures
- 11 retained according to Section 23.73.015.

1 Section 71. Section 25.11.070 of the Seattle Municipal Code, last amended by  
2 Ordinance 123495, is amended as follows:

3 **25.11.070 Tree protection on sites undergoing development in Lowrise zones**

4 The provisions in this Section 25.11.070 apply in Lowrise zones.

5 A. Exceptional trees

6 1. If the Director determines that there is an exceptional tree located on the lot  
7 of a proposed development and the tree is not proposed to be preserved, the development shall  
8 go through streamlined design review as provided in Section 23.41.018 if the project falls  
9 below the ~~((thresholds))~~ thresholds for design review established in Section 23.41.004.

10 2. The Director may permit the exceptional tree to be removed only if the total  
11 floor area that could be achieved within the maximum permitted FAR and height limits of the  
12 applicable Lowrise zone according to ~~((SMC))~~ Title 23~~((, the Land Use Code,))~~ cannot be  
13 achieved while avoiding the tree protection area through the following:

14 a. Development standard adjustments permitted in Section 23.41.018 or  
15 the departures permitted in Section 23.41.012.

16 b. An increase in the permitted height as follows under subsection  
17 25.11.070.A.3.

18 3. In order to preserve an exceptional tree, the following exceptions are  
19 allowed:

20 a. ~~((for))~~ For a principal structure with a base height limit of 40 feet that is  
21 subject to the pitched roof provisions of ~~((Section))~~ subsection 23.45.514.D, the Director may  
22 permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50  
23 feet if the increase is needed to accommodate, on an additional story, the amount of floor area

1 lost by avoiding development within the tree protection area and the amount of floor area on  
2 the additional story is limited to the amount of floor area lost by avoiding development within  
3 the tree protection area.

4 ((e)) b. Parking ((Reduction)) reduction. A reduction in the parking  
5 quantity required by Section 23.54.015 and the standards of Section 23.54.030 may be  
6 permitted in order to protect an exceptional tree if the reduction would result in a project that  
7 would avoid the tree protection area.

8 \* \* \*

9

