

May 11, 2018

**MEMORANDUM**

**To:** Planning, Land Use and Zoning Committee  
**From:** Eric McConaghy, Council Central Staff  
**Subject:** Council Bill (CB) 119217 -- Land Use Omnibus Legislation

Approximately biennially, the Seattle Department of Construction and Inspections (SDCI) develops an omnibus bill amending the Land Use Code and other regulatory codes administered by SDCI (Code). Generally, the omnibus bill corrects typographical errors, corrects cross-references, clarifies existing regulations, and makes other minor amendments identified by SDCI in the course of Code administration. The omnibus bill is not intended to be a vehicle for addressing significant policy issues. Inevitably, some proposed changes are substantive and represent policy choices for the Council.

On March 6, the Mayor transmitted the latest omnibus bill, [Council Bill \(CB\) 119217](#). PLUZ Committee received a briefing from SDCI and Central Staff on CB 119217 on April 4, hosted a public hearing on April 18 and is scheduled to discuss the legislation at the next regular meeting on May 16.

This memo describes amendments requested by SDCI since transmitting the bill to Council, describes technical amendments, and sets out issues preliminary identified by Central Staff.

Because some amendments require a change to the title of the bill, a substitute version of the omnibus bill is attached to this memorandum.

**SDCI Requested Amendments**

SDCI has requested the following amendments since transmitting the bill. Unless otherwise noted in the table, Central Staff recommends them. They are included in the substitute of the bill (Attachment A).

Table 1: SDCI requested amendments

Amendment	Rationale
1. Establish a higher floor area threshold of 15,000 square feet, up from 8,000 square feet, below which rowhouse development would be exempt from Design Review.	The new design review thresholds, in <a href="#">Ordinance 125429</a> (effective in July 2018), are based on square footage of development rather than development type, in general, but some exemptions exist. The concern is that the square footage thresholds, effective in July, are contrary to the existing Code language in 23.41.004.A.7, which requires streamlined design review (SDR) for townhouses but deliberately excluded rowhouses to provide an incentive to build rowhouses. Central Staff notes that this amendment may have policy implications, see <i>Identified Issues</i> below.
2. Correct footnote in Table B 23.54.015 per CB 119221 (CB 119173), dealing with off-street parking requirements	This amendment would correct an unintended effect on off-street parking requirements in the Alki area caused by the change to the footnote per <a href="#">Ordinance 125558</a> .

Amendment	Rationale
3. Correct language in Environmental Critical Area (ECA) code (25.09.090) due to drafting error in Ordinance 125248	As part of <a href="#">Ordinance 125248</a> updating the regulations for Environmentally Critical Areas in May 2017, SMC 25.09.055 was repealed. Before the repeal, the critical areas regulations allowed a small project waiver for development not exceeding 300 square feet in a steep slope critical area or buffer. When this section was repealed, the small project waiver language was moved to the new section, SMC 25.09.090.D, providing development standards in steep slope areas. In moving the language, the reference to “buffer” was accidentally omitted. This amendment clarifies that the maximum amount of development allowed through the small project waiver is limited to a total of 750 square feet of site disturbance, and that a maximum of 300 square feet of that development is allowed in the steep slope erosion hazard area and required buffer together.
4. Correct error in Seattle Mixed (SM) zones in Section 23.48.240 due to a drafting error in Ordinance 125267	In error, the names of several SM zones were not updated to correspond with the zone changes as part <a href="#">Ordinance 125267</a> . Also, in the same section, SDCI staff have identified an older drafting error that included a zone in that should not be included. So, this amendment (1) corrects the zone names as follows:  SM-SLU 85/65-125 = SM-SLU 100/65-145 SM-SLU 160/85-240 = SM-SLU 175/85-280 SM-SLU 240/125-400 = SM-SLU 240/125-440  and (2) removes an old error that listed SLU 85/65-160 in 23.48.240.G.1 but should not have.
5. Correct two typos in the Central Area Design Guidelines	On pages 14 and 16, the Central Area Guidelines should reference Citywide Guideline CS3.B, in the Seattle Design Guidelines.
6. Edit SMC 23.86.002.B Fractions to remove the phrase, “bicycle spaces.”	This correction acknowledges that rounding of measurements for bicycle parking is handled in new subsection 23.54.015.K.1 per the recent off-street parking legislation, <a href="#">Ordinance 125558</a> .

### Technical amendments

Besides the changes to the title of the transmitted bill to add SMC sections that contain proposed amendments, the draft substitute bill (Attachment A) includes technical amendments that reconcile the omnibus bill with recent changes adopted with the off-street parking bill ([Ordinance 125558](#)) dealing with bicycle parking

### Identified Issues

Central Staff has identified issues the in the proposed legislation and potential amendments for your consideration, see *Table 2 Identified Issues* (Attachment B)

**Next steps**

Central Staff requests direction from PLUZ during the May 16 meeting with regard to the issues identified in this memo, additional issues and any related amendments.

**Attachment**

- A. Substitute Omnibus Bill
- B. Table 2 – Identified Issues

cc: Kirstan Arestad, Central Staff Director  
Ketil Freeman, Supervising Analyst

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

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

..title

AN ORDINANCE relating to land use and zoning; correcting typographical errors, correcting section references, clarifying regulations, and making minor amendments; amending the Official Land Use Map to rezone all property currently in a DOC2 500/300-550 zone to a DOC2 550/300-550 zone; amending Sections 22.206.130, 23.24.040, 23.28.020, 23.28.030, 23.30.020, 23.41.004, 23.41.012, 23.42.040, 23.42.048, 23.44.006, 23.44.008, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.44.041, 23.45.510, 23.45.514, 23.45.518, 23.45.536, 23.45.545, 23.45.570, 23.46.002, 23.47A.008, 23.47A.009, 23.47A.013, 23.47A.014, 23.47A.016, 23.48.005, 23.48.020, 23.48.220, 23.48.225, 23.48.231, 23.48.240, 23.48.245, 23.48.250, 23.48.620, 23.48.640, 23.48.645, 23.48.722, 23.48.735, 23.49.008, 23.49.011, 23.49.015, 23.49.023, 23.49.032, 23.49.106, 23.49.108, 23.49.164, ~~23.50.012~~, 23.50.014, 23.50.016, 23.50.030, 23.50.032, 23.51A.002, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.61.014, 23.66.030, 23.66.332, 23.72.004, 23.73.024, 23.75.085, 23.75.160, 23.76.004, 23.76.006, 23.76.012, 23.76.022, 23.76.028, 23.76.034, 23.84A.002, 23.84A.004, 23.84A.032, 23.84A.046, 23.86.002, 23.86.006, 23.86.007, 23.86.032, 25.05.030, 25.05.610, 25.05.800, 25.08.940, 25.09.090, 25.11.070, and 25.11.080 of the Seattle Municipal Code; adding a new Section 23.22.059 to the Seattle Municipal Code; and repealing Section 23.50.029 of the Seattle Municipal Code.

..body

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

Section 1. Section 22.206.130 of the Seattle Municipal Code, last amended by Ordinance 125343, is amended as follows:

**22.206.130 Requirements**

\* \* \*

**B. Number of exits**

1. Occupied floors containing one or more housing unit(s) above the first floor or on any floor where the means of egress does not discharge within 4 feet, measured vertically, of adjacent ground level shall have access to not less than two unobstructed exits that meet the standards of ~~((subsection))~~ Section 22.206.130 ((-A)); provided, that:

1 a. Housing units may have a single exit if located on a second floor that  
2 has an occupant load of not more than ten persons or in a basement that has an occupant load of  
3 not more than ten persons; or

4 b. A housing unit may have a single exit if the exit leads directly to a  
5 street, alley, other public right-of-way, or yard:

6 i. At ground level, or

7 ii. By way of an exterior stairway, or

8 iii. By way of an enclosed stairway with a fire-resistant rating of  
9 one hour or more that serves only that housing unit and has no connection with any other floor  
10 below the floor of the housing unit being served or any other area not a part of the housing unit  
11 being served; or

12 c. Housing units above the first floor or in a basement may have one exit  
13 if:

14 i. An approved automatic fire-sprinkler system is provided for exit  
15 ways and common areas in the building, or

16 ii. Built to the single exit requirements of the building code in  
17 effect when the building was constructed, altered, rehabilitated, or repaired.

18 2. Floors other than those containing housing units shall meet the exit standards of  
19 the building code in effect when the building, structure, or premises was constructed or, if  
20 altered, rehabilitated, or repaired, shall meet the exit standards in effect when the floor was  
21 altered, rehabilitated, or repaired.

22 3. If two exits are required, a fire escape that meets the standards of subsection  
23 22.206.130.D may be used as one of the required exits.

\* \* \*

Section 2. A new Section 23.22.059 is added to the Seattle Municipal Code as follows:

**23.22.059 Shoreline District**

No plat shall be approved by the Hearing Examiner covering any land situated in the Shoreline District unless in compliance with Section 23.60A.156 and conformance to the applicable provisions of Section 23.60A.168.

Section 3. Section 23.24.040 of the Seattle Municipal Code, last amended by Ordinance 125272, is amended as follows:

**23.24.040 Criteria for approval**

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

1. Conformance to the applicable Land Use Code provisions, as modified by this Chapter 23.24;
2. Adequacy of access for pedestrians, vehicles, utilities, and fire protection as provided in Section 23.53.005 (~~(Access to lots,)~~) and Section 23.53.006; (~~(Pedestrian access and circulation;)~~)
3. Adequacy of drainage, water supply, and sanitary sewage disposal;
4. Whether the public use and interests are served by permitting the proposed division of land;
5. Conformance to the applicable provisions of Section 25.09.240 (~~(Short subdivisions and subdivisions;)~~) in environmentally critical areas and Section 23.60A.156;
6. For lots in the Shoreline District, conformance to the applicable provisions of Section 23.60A.168;

1                   ((6)) 7. Whether the proposed division of land is designed to maximize the  
2 retention of existing trees;

3                   ((7)) 8. Conformance to the provisions of Section 23.24.045 (~~(Unit lot~~  
4 ~~subdivisions,))~~ when the short subdivision is for the purpose of creating separate lots of record  
5 for the construction and/or transfer of title of single-family dwelling units, townhouse, rowhouse,  
6 and cottage housing developments, existing apartment structures built prior to January 1, 2013,  
7 but not individual apartment units, or any combination of the above types of residential  
8 development, as permitted in the applicable zones; and

9                   ((8)) 9. Every lot, except unit lots and lots proposed to be platted for individual  
10 live-work units in zones where live-work units are permitted, shall conform to the following  
11 standards for lot configuration, unless a special exception is authorized under subsection  
12 23.24.040.B:

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

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

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

20                   d. If the property proposed for subdivision is adjacent to an alley, and the  
21 adjacent alley is either improved or required to be improved according to the standards of  
22 Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except  
23 that access from a street to an existing use or structure is not required to be changed to alley

1 access. Proposed new lots shall either have sufficient frontage on the alley to meet access  
2 standards for the zone in which the property is located or provide an access easement from the  
3 proposed new lot or lots to the alley that meets access standards for the zone in which the  
4 property is located.

5 \* \* \*

6 Section 4. Section 23.28.020 of the Seattle Municipal Code, enacted by Ordinance  
7 110570, is amended as follows:

8 **23.28.020 Application for approval of lot boundary adjustment ((-))**

9 Anyone seeking an approval by the Director of a lot boundary adjustment shall file an  
10 application as provided in Chapter 23.76\_ (~~((the Master Use Permit Process.))~~) All applications  
11 for lot boundary adjustments shall contain the following:

12 ((4)) A. A plan showing the proposed change and containing standard survey data;

13 ((2)) B. A plot plan as appropriate showing the location and dimensions of existing  
14 structures in relation to the proposed lot boundary adjustment;

15 ((3)) C. A legal description of the property involved;

16 ((4)) D. Name and address of owner(s) of the property involved.

17 Section 5. Section 23.28.030 of the Seattle Municipal Code, last amended by Ordinance  
18 124843, is amended as follows:

19 **23.28.030 Criteria for approval**

20 A. The Director shall approve an application for a lot boundary adjustment if it is  
21 determined that:

22 1. No additional lot, tract, parcel, site, or division is created by the proposed  
23 adjustment;

1                   2. No lot contains insufficient area and dimensions to meet the minimum  
2 requirements for development as calculated under the development standards of the zone in  
3 which the lots affected are situated, except as provided in Section 23.44.010, and under any  
4 applicable regulations for siting development on parcels with riparian corridors, wetlands,  
5 wetland buffers, or steep slopes in Chapter 25.09 (~~or on parcels containing priority freshwater~~  
6 ~~habitat or priority saltwater habitat in Section 23.60A.160~~) or Section 23.60A.156. Adjusted lots  
7 shall continue to be regarded as existing lots for purposes of Chapter 25.09. Any required  
8 nondisturbance area shall be legibly shown and described on the site plan, and a covenant shall  
9 be required as set out in Section 25.09.335;

10                   3. Every proposed adjusted lot shall conform to the following standards for lot  
11 configuration, unless a modification is authorized under subsection 23.28.030.A.4:

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

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

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

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

1 which the property is located or an access easement from the adjusted lot or lots shall be  
2 provided to the alley that meets access standards for the zone in which the property is located.

3 4. Modification. The Director's recommendation on a proposed lot adjustment  
4 may modify the standards of subsection 23.28.030.A.3 if the applicant demonstrates that the  
5 proposed lot boundary adjustment meets the following criteria:

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

8 1) Natural topographic features or natural obstructions prevent the  
9 reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3;

10 2) Location of existing principal structures that are retained on lots  
11 existing prior to the proposed lot boundary adjustment require a reconfiguration of one or more  
12 lots that cannot reasonably meet the standards of subsection 23.28.030.A.3;

13 3) Location of existing easements or feasibility of access to  
14 portions of the property prevents the reconfiguration of lot lines that meet the standards of  
15 subsection 23.28.030.A.3.

16 b. Modification of the standards of subsection 23.28.030.A.3 shall be the  
17 minimum necessary to allow adjusted lots that each contain a building area for development that  
18 meets the development standards of the zone in which the proposed lot boundary adjustment is  
19 located.

20 5. The adjusted lot has adequate drainage; ((;)) water supply and sanitary sewage  
21 disposal; ((;)) and access for vehicles, utilities, and fire protection;



1 **23.41.004 Applicability**

2 \* \* \*

**Table A for 23.41.004  
 Design review thresholds by size of development and specific site characteristics outside of downtown and industrial zones**

If any of the site characteristics in part A of this table are present, the design review thresholds in part B apply. If none of the site characteristics in part A of this table are present, the design review thresholds in part C apply.

<b>A. Category</b>	<b>Site Characteristic</b>
A.1. Context	a. Lot is abutting or across an alley from a lot with single-family zoning. b. Lot is in a zone with a maximum height limit 20 feet or greater than the zone of an abutting lot or a lot across an alley.
A.2. Scale	a. Lot is 43,000 square feet in area or greater. b. Lot has any street lot line greater than 200 feet in length.
A.3. Special features	a. Development proposal includes a Type IV or V Council Land Use Decision. b. Lot contains a designated landmark structure. c. Lot contains a character structure in the Pike/Pine Overlay District.
<b>B. Development on a lot containing any of the specific site characteristics in part A of this table is subject to the thresholds below.</b>	
<b>Amount of gross floor area of development</b>	<b>Design review type<sup>1</sup></b>
B.1. Less than 8,000 square feet	No design review <sup>2, 3</sup>
B.2. At least 8,000 but less than 35,000 square feet	Administrative design review
B.3. 35,000 square feet or greater	Full design review <sup>4</sup>
<b>C. Development on a lot not containing any of the specific site characteristics in part A of this table is subject to the thresholds below.</b>	
<b>Amount of gross floor area of development</b>	<b>Design review type<sup>1</sup></b>
C.1. Less than 8,000 square feet	No design review <sup>2, 3</sup>
C.2. At least 8,000 but less than 15,000 square feet	Streamlined design review
C.3. At least 15,000 but less than 35,000 square feet	Administrative design review
C.4. 35,000 square feet or greater	Full ( <del>Design Review</del> ) <u>design review</u> <sup>4</sup>

**Table A for 23.41.004**

**Design review thresholds by size of development and specific site characteristics outside of downtown and industrial zones**

Footnotes to Table A for 23.41.004

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

<sup>2</sup>The following development is subject to streamlined design review: (1) development that is at least 5,000 square feet but less than 8,000 square feet and (2) is proposed on a lot that was rezoned from a Single-family zone to a Lowrise 1 (LR1) zone or Lowrise 2 (LR2) zone, within five years after the effective date of the ordinance introduced as Council Bill 119057. This requirement shall only apply to applications for new development submitted on or before December 31, 2023.

<sup>3</sup>The following development is subject to administrative design review: (1) development that is at least 5,000 square feet but less than 8,000 square feet and (2) is proposed on a lot that was rezoned from a Single-family zone to a Lowrise 3 (LR3) zone, any Midrise zone, Highrise zone, Commercial (C) zone, or Neighborhood Commercial (NC) zone, within five years after the effective date of the ordinance introduced as Council Bill 119057. This requirement shall only apply to applications for new development submitted on or before December 31, 2023.

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

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

1. Development located in special review districts established by Chapter 23.66;

2. Development in Landmark districts established by Title 25, Environmental

Protection and Historic Preservation;

3. Development within the historic character area of the Downtown Harborfront 1

zone.

4. Development that is subject to shoreline design review pursuant to Chapter

23.60A; and

1 5. New light rail transit facilities that are subject to review by the Seattle Design

2 Commission.

3 6. City facilities that are subject to review by the Seattle Design Commission.

4 7. Development within single-family or residential small lot zones.

5 ((8. Rowhouse development with less than 15,000 square feet of gross floor area  
6 of development.))

7 \* \* \*

8 Section 8. Section 23.41.012 of the Seattle Municipal Code, last amended by Ordinance  
9 125429, is amended as follows:

10 **23.41.012 Development standard departures**

11 A. The Director may waive or modify application of a development standard to a  
12 development proposal if the Director decides that waiver or modification would result in a  
13 development that better meets the intent of adopted design guidelines.

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

16 1. Procedures;

17 2. Definitions;

18 3. Measurements;

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

20 5. Lot configuration standards in subsections 23.22.100.C.3, ~~((23.24.040.A.8))~~  
21 23.24.040.A.9, and 23.28.030.A.3;



1 standards specified in the Seattle Building Code and any Director’s Rule making interpretation  
2 thereof.

3 1. ((Sleeping)) Living room net floor area. Each small efficiency dwelling unit  
4 shall have a ((sleeping)) living room that has at least 150 net square feet of floor area as specified  
5 in the rules promulgated by the Director. The floor area occupied by storage, bathrooms,  
6 cabinets, closets, appliances, and structural features (( $\tau$ )) is not included in calculating the net  
7 floor area.

8 2. Total floor area. The total floor area of a small efficiency dwelling unit,  
9 inclusive of bathrooms, cabinets, closets, appliances, and structural features, shall be at least 220  
10 square feet.

11 3. Food preparation area. Each small efficiency dwelling unit shall contain a food  
12 preparation area with a cooking appliance that may be portable, such as a microwave, a  
13 refrigerator, a sink, and not less than 4 square feet of contiguous countertop work area.

14 4. Bathroom. Each small efficiency dwelling unit shall contain a bathroom with a  
15 toilet, sink, and a shower or bathtub.

16 Section 11. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance  
17 124105, is amended as follows:

18 **23.44.006 Principal uses permitted outright**

19 The following principal uses are permitted outright in single-family zones:

20 \* \* \*

21 F. Uses in existing or former public schools:

22 1. Child care centers, public or private schools, educational and vocational  
23 training for the disabled, adult evening education classes, nonprofit libraries, community centers,

1 community programs for the elderly (~~or similar uses, in each case in existing or former public~~  
2 ~~schools~~), and similar uses are permitted outright in existing or former public schools, provided  
3 that any new children’s play equipment or active play area associated with the use shall be  
4 located at least 30 feet from any other lot in a single family zone, and at least 20 feet from any  
5 other lot in any other residential zone.

6 2. Other non-school uses in existing or former public schools, if permitted  
7 pursuant to procedures established in Chapter 23.78.

8 3. Additions to existing public schools only when the proposed use of the addition  
9 is a public school;

10 \* \* \*

11 Section 12. Section 23.44.008 of the Seattle Municipal Code, last amended by Ordinance  
12 124105, is amended as follows:

13 **23.44.008 Development standards for uses permitted outright**

14 A. The development standards set out in this (~~subchapter~~) Subchapter I apply to  
15 principal and accessory uses permitted outright in single-family zones.

16 \* \* \*

17 F. (~~Except for a detached accessory dwelling unit, any~~) Any structure occupied by a  
18 permitted principal use other than single-family residential use may be converted to single-  
19 family residential use even if the structure does not conform to the development standards for  
20 single-family structures. Expansions of converted nonconforming structures are regulated by  
21 Section 23.42.108. Conversion of structures occupied by nonconforming uses (~~are~~) is regulated  
22 by Sections 23.42.108 and 23.42.110.

23 \* \* \*

1 Section 13. Section 23.44.010 of the Seattle Municipal Code, last amended by Ordinance  
2 125272, is amended as follows:

3 **23.44.010 Lot requirements**

4 \* \* \*

5 B. Exceptions to minimum lot area requirements. The following exceptions to minimum  
6 lot area requirements are allowed, subject to the requirements in subsection 23.44.010.B.2, and  
7 further subject to the requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square  
8 feet in area:

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

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

17 1) To be counted as a separate lot for the purposes of calculating  
18 the mean area of the lots on a block front, a lot must be entirely within a single-family zone, and  
19 must be currently developed as a separate building site or else currently qualify for separate  
20 development based on facts in existence as of the date a building permit, full or short  
21 subdivision, or lot boundary adjustment application is filed with the Department. The existence  
22 of structures or portions of structures on the property that is the subject of the application may be  
23 disregarded when the application indicates the structures or portions of structures will be

1 demolished. In cases where this exception is applied for the purpose of a lot boundary  
2 adjustment, the calculation shall be based on the existing lots as they are configured before the  
3 adjustment.

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

7                                   3) Lots developed with institutional uses, parks, or nonconforming  
8 nonresidential uses may be excluded from the calculation. There must, however, be at least one  
9 lot on the block front used for the calculation other than the property that is the subject of the  
10 platting, lot boundary adjustment, or building permit application that this exception is being  
11 applied to.

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

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

18                                   6) If an existing or proposed lot has frontage on more than one  
19 street, the lot may qualify for this exception based on the calculation being applied to any street  
20 on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets  
21 but does not have 30 feet of frontage on any street, the exception may be applied based on the  
22 calculation along the street on which the lot has the most frontage, provided the lot has at least  
23 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but

1 equal frontage on multiple streets, the rule may be applied based on the calculation along any  
2 one of the streets, provided the lot has at least 10 feet of frontage on that street.

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

5 a) For a lot that is subdivided or short platted, the  
6 configuration requirements of subsections 23.22.100.C.3 and (~~23.24.040.A.8~~) 23.24.040.A.9 or  
7 with the modification provisions of subsections 23.22.100.D and 23.24.040.B, as applicable; or

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

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

14 c. The lot would qualify as a legal building site under subsection  
15 23.44.010.B but for a reduction in the lot area due to court-ordered adverse possession, and the  
16 amount by which the lot was so reduced was less than (~~40~~) ten percent of the former area of the  
17 lot. This exception does not apply to lots reduced to less than 2,500 square feet.

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



1 development approved as an environmentally critical areas conditional use pursuant to Section  
2 25.09.260.

3 f. If a lot qualifies for an exception to the lot area requirement under  
4 subsection 23.44.010.B.1.a, 23.44.010.B.1.b, 23.44.010.B.1.c, 23.44.010.B.1.d, or  
5 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that  
6 also qualify for separate development may be adjusted through the lot boundary adjustment  
7 process if the adjustment maintains the existing lot areas, increases the area of a qualifying  
8 substandard lot without reducing another lot below the minimum permitted lot area, or causes the  
9 areas of the lots to become more equal provided the number of parcels qualifying for separate  
10 development is not increased. Lots resulting from a lot boundary adjustment that do not meet the  
11 minimum lot area requirement must qualify for an exception to that requirement.

## 12 2. Limitations

13 a. Development may occur on a substandard lot containing a riparian  
14 corridor, a wetland and wetland buffer, or a steep slope and steep slope buffer pursuant to the  
15 provisions of Chapter 25.09(~~(, Regulations for environmentally critical areas)~~) or containing  
16 priority freshwater habitat or priority saltwater habitat described in Section 23.60A.160, if the  
17 following conditions apply:

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

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



1 B. Pitched roofs. The ridge of a pitched roof on a principal structure may extend up to  
2 5 feet above the maximum height limit, as determined under subsection 23.44.012.A. ~~((above-))~~  
3 All parts of the roof above the height limit must be pitched at a rate of not less than 4:12 (Exhibit  
4 A for 23.44.012). No portion of a shed or butterfly roof, except on a dormer, shall be permitted  
5 to extend beyond the maximum height limit, as determined under subsection 23.44.012.A.  
6 ~~((above-))~~ Roof forms including but not limited to barreled and domed roofs may be allowed  
7 under this subsection 23.44.012.B if the Director determines that the roof form remains within  
8 the massing of a pitched roof form such as a gable or gambrel roof that would otherwise be  
9 allowed by this subsection 23.44.012.B (Exhibit B for 23.44.012).

10 \* \* \*

11 Section 15. Section 23.44.014 of the Seattle Municipal Code, last amended by Ordinance  
12 125272, is amended as follows:

13 **23.44.014 Yards and separations**

14 Yards are required for every lot in a single-family zone. A yard that is larger than the minimum  
15 size may be provided.

16 \* \* \*

17 B. Rear Yards ~~((-))~~

18 1. The rear yard shall be ~~((twenty five (25)))~~ 25 feet.

19 2. The minimum required rear yard for a lot having a depth of less than ~~((one~~  
20 ~~hundred twenty five (125)))~~ 125 feet shall be ~~((twenty (20)))~~ 20 percent of the lot depth and in  
21 no case less than ~~((ten (10)))~~ 10 feet.

22 3. When the required rear yard abuts upon an alley along a lot line, the centerline  
23 of the alley between the side lot lines extended shall be assumed to be a lot line for purposes of

1 the provision of rear yard and the determination of lot depth; provided, that at no point shall the  
2 principal structure be closer than ~~((five (5)))~~ 5 feet to the alley.

3 4. When a lot in any single-family zone abuts at the rear lot line upon a public  
4 park, playground, or open water, not less than ~~((fifty (50)))~~ 50 feet in width, the rear yard need  
5 not exceed the depth of ~~((twenty (20)))~~ 20 feet.

6 \* \* \*

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

9 \* \* \*

10 5. Uncovered porches or steps. Uncovered, unenclosed porches or steps may  
11 project into any required yard, if ~~((they are))~~ each component is no higher than 4 feet above  
12 existing grade, no closer than 3 feet to any side lot line, ~~((no wider than 6 feet and project no  
13 more than 6 feet into required front or rear yards))~~ and has no horizontal distance greater than 6  
14 feet within the required yard. ~~((The width of porches and steps are to be calculated separately.))~~  
15 For each entry to a principal structure, one uncovered, unenclosed porch and/or associated steps  
16 are permitted in the required yards.

17 \* \* \*

18 10. Freestanding ~~((Structures and Bulkheads.))~~ structures and bulkheads

19 a. Fences, freestanding walls, bulkheads, signs, and similar structures  
20 6 feet or less in height above existing or finished grade, whichever is lower, may be erected in  
21 any required yard. The 6-foot height may be averaged along sloping grade for each 6-foot-long  
22 segment of the fence, but in no case may any portion of the fence exceed 8 feet. Architectural  
23 features may be added to the top of the fence or freestanding wall above the 6-foot height if the

1 features comply with the following: horizontal architectural feature(s), no more than 10 inches  
2 high, and separated by a minimum of 6 inches of open area, measured vertically from the top of  
3 the fence, are permitted if the overall height of all parts of the structure, including post caps, is  
4 no more than 8 feet. Averaging the 8-foot height is not permitted. Structural supports for the  
5 horizontal architectural feature(s) may be spaced no closer than 3 feet on center.

6 b. The Director may allow variation from the development standards listed  
7 in subsection 23.44.014.D.10.a, according to the following:

8 1) No part of the structure may exceed 8 feet; and

9 2) Any portion of the structure above 6 feet shall be predominately  
10 open, such that there is free circulation of light and air.

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

16 d. Bulkheads and retaining walls used to protect a cut into existing grade  
17 may ~~((not exceed))~~ be placed in any required yard when limited to the minimum height  
18 necessary to support the cut. ~~((or 6 feet, whichever is greater.))~~ If the bulkhead or retaining wall  
19 is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches  
20 meeting Building Code requirements may be placed on top of the bulkhead or retaining wall. ((A  
21 fence must be set back a minimum of 3 feet from such a bulkhead or retaining wall.)) If the  
22 bulkhead or retaining wall is 6 feet or less, a fence may be placed on top up to a maximum  
23 combined height of 9.5 feet for both fence and bulkhead or retaining wall.

1 \* \* \*

2 Section 16. Section 23.44.016 of the Seattle Municipal Code, last amended by Ordinance  
3 125272, is amended as follows:

4 **23.44.016 Parking and garages**

5 \* \* \*

6 D. Parking and garages in required yards

7 \* \* \*

8 8. Trailers, boats, recreational vehicles, and similar equipment shall not be parked  
9 in required front and side yards or the first 10 feet of a rear yard measured from the rear lot line,  
10 or measured 10 feet from the centerline of an alley if there is an alley adjacent to the rear lot line,  
11 unless fully enclosed in a structure otherwise allowed in a required yard by this subsection  
12 23.44.016.D.

13 \* \* \*

14 Section 17. Section 23.44.022 of the Seattle Municipal Code, last amended by Ordinance  
15 125272, is amended as follows:

16 **23.44.022 Institutions**

17 A. Institutions Identified. The following institutions may be permitted as conditional uses  
18 in single-family zones:

19 Community centers

20 Child care centers

21 Private schools

22 Religious facilities

23 Libraries

Existing institutes for advanced study

Other similar institutions

The following institutions are prohibited in single-family zones:

Hospitals

Colleges

Museums

Private clubs

Vocational schools

\* \* \*

#### D. General provisions

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

2. The establishment of a child care center in a legally established ~~((institution devoted to the care or instruction of children))~~ elementary or secondary school or community center, or establishment of a shelter for homeless youths and young adults in a legally established ~~((institution devoted to the care or instruction of children))~~ elementary or secondary school, ~~((shall not be))~~ is not considered a new use or an expansion of the institutional use ~~((if the shelter occupants are enrolled students of the institution and if))~~ provided that:

a. ~~((the))~~ The use does not violate any condition of approval of the existing institutional use; ~~((or))~~

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

1                                    c. Any new children’s play area is located at least 30 feet from any other  
2 lot in a single-family zone, and at least 20 feet from any lot in a multifamily zone;

3                                    d. If the use is a shelter, the occupants are enrolled students of the  
4 established school.

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

9                                    \* \* \*

10                                   Section 18. Section 23.44.041 of the Seattle Municipal Code, last amended by Ordinance  
11 124843, is amended as follows:

12 **23.44.041 Accessory dwelling units**

13                                   A. Accessory dwelling units, general provisions. The Director may authorize an  
14 accessory dwelling unit, and that dwelling unit may be used as a residence, only under the  
15 following conditions:

16                                   1. A lot with or proposed for a single-family dwelling may have no more than one  
17 accessory dwelling unit.

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

21                                   ((2)) 3. The owner(s) of the lot shall comply with the owner occupancy  
22 requirements of subsection 23.44.041.C.

1 ((3)) 4. Any number of related persons may occupy each unit in a single-family  
2 dwelling unit with an accessory dwelling unit; provided that, if unrelated persons occupy either  
3 unit, the total number of persons occupying both units may not altogether exceed eight.

4 ((4)) 5. All accessory dwelling units are required to meet the development  
5 standards in Table A for 23.44.041, unless modified in subsection 23.44.041.B:

**Table A for 23.44.041**  
**Development (~~(Standards for All Accessory Dwelling Units)~~) standards for all accessory dwelling units**

a. Maximum gross floor area	Attached accessory dwelling units are limited to 1,000 square feet, including garage and storage area. <sup>1</sup> Detached accessory dwelling units are limited to 800 square feet, including any garage and storage area provided in the same structure as the accessory dwelling unit, but excluding areas below grade, measured as set forth in Section 23.86.007.
b. Entrances	Only one entrance to the structure may be located on each street-facing facade of the dwelling unit. <sup>2</sup>

Footnotes to Table A for 23.44.041:

<sup>1</sup>The gross floor area of an attached accessory dwelling unit may exceed 1,000 square feet only if the portion of the structure in which the accessory dwelling unit is located was in existence as of June 1, 1999, and if the entire accessory dwelling unit is located on one level, except that a garage for the accessory dwelling unit may be located on a different level.

<sup>2</sup>More than one entrance may be allowed if: a) two entrances on the street-facing facade existed on January 1, 1993; or b) the Director determines that topography, screening, or another design solution is effective in de-emphasizing the presence of a second entrance.

6 ((5)) 6. Except on lots located within areas that are defined as either an urban  
7 center or urban village in the City's Comprehensive Plan, one off-street parking space is  
8 required for the accessory dwelling unit and may be provided as tandem parking with the  
9 parking space provided for the principal dwelling unit. An existing required parking space may  
10 not be eliminated to accommodate an accessory dwelling unit unless it is replaced elsewhere  
11 on the lot. Except for lots located in either Map A for 23.54.015, University District Parking  
12 Overlay Area or Map B for 23.54.015, Alki Area Parking Overlay Area, the Director may  
13 waive the off-street parking space requirement for an accessory dwelling unit if:

1 a. The topography or location of existing principal or accessory  
2 structures on the lot makes provision of an off-street parking space physically infeasible; or

3 b. The lot is located in a restricted parking zone (RPZ) and a current  
4 parking study is submitted showing a utilization rate of less than 75 percent for on-street  
5 parking within 400 feet of all property lines of the site.

6 B. Accessory dwelling units, detached, additional provisions. A detached accessory  
7 dwelling unit is also known as a backyard cottage. The Director may authorize a detached  
8 accessory dwelling unit, and that unit may be used as a residence, only under the conditions set  
9 forth in subsection 23.44.041.A and the following additional conditions:

10 ~~((1. Detached accessory dwelling units are not permitted on a lot if any portion~~  
11 ~~of the lot is within the Shoreline District established pursuant to Section 23.60.010.~~

12 2)) 1. Detached accessory dwelling units are required to meet the additional  
13 development standards set forth in Table B for 23.44.041.

a. Minimum lot size	4,000 square feet
b. Minimum lot width	25 feet
c. Minimum lot depth	70 feet <sup>2</sup>
d. Maximum lot coverage	The provisions of Section 23.44.010 apply.
e. Maximum rear yard coverage	A detached accessory dwelling unit, together with any other accessory structures and other portions of the principal structure, is limited to a maximum combined coverage of 40 percent of the rear yard.
f. Maximum gross floor area	800 square feet including garage and storage area but excluding covered porches and covered decks that are less than 25 square feet in area, and underground areas measured as set forth in Section 23.86.007.
g. Front yard	A detached accessory dwelling unit may not be located within the front yard required by subsection 23.44.014.A, except on a through lot pursuant to Section 23.40.030 or Section 23.40.035 and row i of this Table B for 23.44.041.

**Table B for 23.44.041**  
**Development standards for detached accessory dwelling units<sup>1</sup>**

h. Minimum side yard	The provisions of subsection 23.44.014.C apply. <sup>7</sup>				
i. Minimum rear yard	A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line. <sup>3, 4, 7</sup>				
j. Location of entry	Entrances to detached accessory dwelling units may not be located on facades facing the nearest side lot line or the rear lot line unless the nearest side lot line or rear lot line abuts an alley or other public right-of-way.				
k. Maximum height limits <sup>5</sup>	Lot width (feet)				
	Less than 30	30 or greater up to 35	Above 35 up to 40	Above 40 up to 50 <sup>6</sup>	50 or greater
(1) Base structure height limit (feet)	12	14	15	16	16
(2) Height allowed for pitched roof above base structure height limit (feet)	3	7	7	6	7
(3) Height allowed for shed or butterfly roof above base structure height limit (feet); see Exhibit A for 23.44.041	3	4	4	4	4
l. Minimum separation from principal structure	5 feet				

Footnotes to Table B for 23.44.041

<sup>1</sup>The Director may allow an exception to standards a through f, h, i, and j pursuant to subsection 23.44.041.B.3, for converting existing accessory structures.

<sup>2</sup>For lots that do not meet the lot depth requirement, but have a greater width than depth and an area greater than 5,000 square feet, a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.

<sup>3</sup>If the lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within 12 feet of the centerline of the alley.

<sup>4</sup>On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.

<sup>5</sup>Features such as chimneys, antennas, and flagpoles may extend up to 4 feet above the maximum allowed height.

<sup>6</sup>Detached accessory dwelling units on lots that have a width greater than 40 feet up to 50 feet may be built to the maximum height limit applicable in the column for lots greater than 50 feet when the detached accessory dwelling unit is located on a lot with a rear lot line that is adjacent

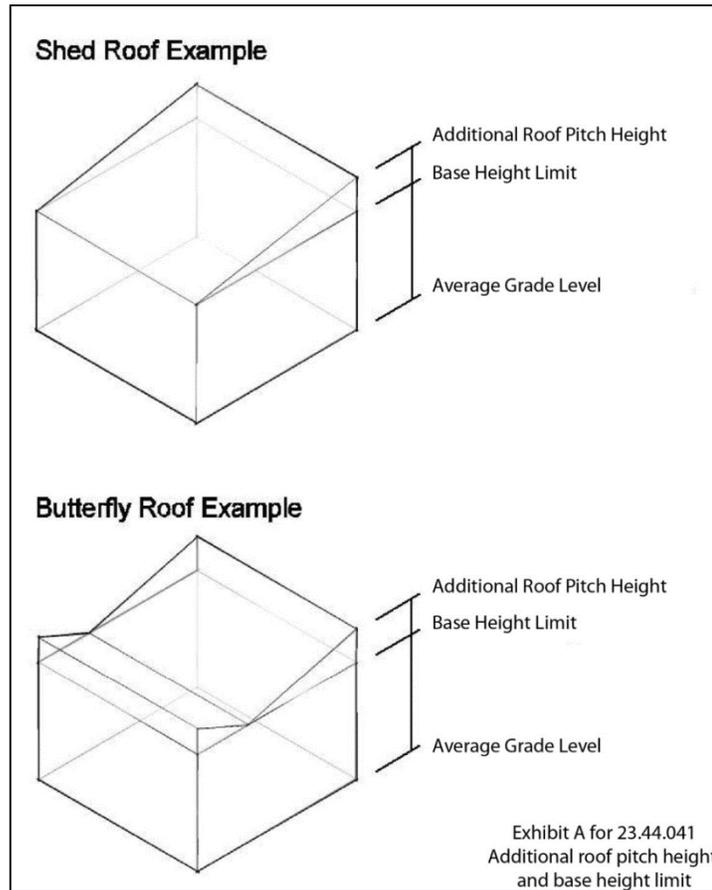
**Table B for 23.44.041**  
**Development standards for detached accessory dwelling units<sup>1</sup>**

to an alley.

<sup>7</sup>The exceptions from standard yard requirements in subsection 23.44.014.D.6.a shall also apply.

1  
2

**Exhibit A for 23.44.041**  
**Additional roof pitch height and base height limit**



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((3)) 2. Conversion of accessory structures. An existing accessory structure that is not located in a required front yard, or that is located in a front yard where Section 23.40.030 or 23.40.035 applies, may be converted into a detached accessory dwelling unit if the structure complies with the minimum standards set forth in Sections 22.206.010 through 22.206.140 of the Housing and Building Maintenance Code and with the Seattle Residential Code, if work requiring a permit is performed on the structure or has previously been performed without a permit. The Director may allow an exception to one or more of the development standards for accessory dwelling units contained in subsection ((~~23.44.041.A.4~~)) 23.44.041.A.5 and

standards a through f, h, i, and j listed in Table B for 23.44.041, provided the conversion does not increase the structure's nonconformity with the standard and the applicant can demonstrate that the accessory structure was constructed prior to June 1, 1999, as an accessory structure. If an accessory structure constructed prior to June 1, 1999, was replaced to the same configuration in accordance with the standards of Section 23.42.112, then the replacement structure also qualifies for conversion under this subsection (~~(23.44.041.B.3)~~) 23.44.041.B.2. For purposes of this subsection (~~(23.44.041.B.3)~~) 23.44.041.B.2, the term "conversion" means either keeping the accessory structure intact or removing and rebuilding the accessory structure, provided that any expansion or relocation of the accessory structure complies with the development standards for detached accessory dwelling units.

\* \* \*

Section 19. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 125359, is amended as follows:

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

\* \* \*

E. The following floor area is exempt from FAR limits:

\* \* \*

3. The floor area contained in structures built prior to January 1, 1982, as single-family dwelling units that will remain in residential use, regardless of the number of dwelling units within the existing structure, provided that:

a. ~~((no))~~ No other principal structure is located between the existing ~~((single family dwelling unit))~~ residential structure and the street lot line along at least one street frontage. If the ~~((single family dwelling unit))~~ existing residential structure is moved on the lot,

1 the floor area of the ~~((dwelling))~~ existing residential structure remains exempt if it continues to  
2 meet this provision; and

3 b. ~~((the))~~ The exemption is limited to the gross ~~((square footage))~~ floor  
4 area in the ~~((single family dwelling unit))~~ existing residential structure as of January 1, 1982.

5 \* \* \*

6 9. The floor area of required bicycle parking for small efficiency dwelling units or  
7 congregate residence sleeping rooms, if the bicycle parking is located within the structure  
8 containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area  
9 of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR  
10 limits.

11 Section 20. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance  
12 125359, is amended as follows:

13 **23.45.514 Structure ~~((Height))~~ height**

14 J. Rooftop features

15 1. Flagpoles and religious symbols for religious institutions that are located on a  
16 roof are exempt from height controls, except as regulated in Chapter 23.64, ~~((Airport Height~~  
17 ~~Overlay District,))~~ provided they are no closer to any lot line than 50 percent of their height  
18 above the roof portion where attached.

19 2. Open railings, planters, greenhouses not dedicated to food production, parapets,  
20 and firewalls on the roofs of principal structures may extend 4 feet above the maximum height  
21 limit set in subsections 23.45.514.A, 23.45.514.B, ~~((E,))~~ and 23.45.514.F. ~~((of this Section~~  
22 23.45.514.))

1                   3. Architectural projections that result in additional interior space, such as  
2 dormers, skylights, and clerestories, are subject to the following limits:

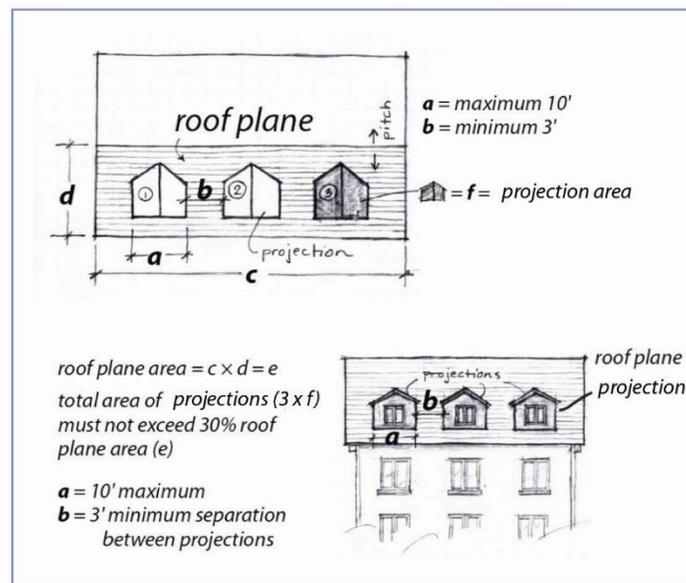
3                   a. On pitched roofs, projections may extend to the height of the ridge of  
4 a pitched roof that is allowed pursuant to subsection 23.45.514.D, if the following conditions  
5 are met:

6                   ((i)) 1. the total area of the projections is no more than 30  
7 percent of the area of each roof plane measured from the plan view perspective;

8                   ((ii)) 2. each projection is limited to 10 feet in width; and

9                   ((iii)) 3. each projection is separated by at least 3 feet from any  
10 other projection (see Exhibit D for 23.45.514).

11                   **Exhibit D for 23.45.514: Permitted Projections on Pitched Roofs**



12  
13                   b. On flat roofs, the projections may extend 4 feet above the maximum  
14 height limit allowed by subsections 23.45.514.A, 23.45.514.B, and 23.45.514.F if the  
15 following requirements are met:



**Table A for 23.45.518  
 Required Setbacks in LR Zones Measured in Feet**

All LR zones	Category of residential use			
	Cottage housing developments and single-family dwelling units	Rowhouse developments	Townhouse developments	Apartments
Front	7 average; 5 minimum	5 minimum	7 average; 5 minimum	5 minimum
Rear	0 with alley; 7 if no alley	0 with alley; With no alley: 7 average; 5 minimum	7 average; 5 minimum	10 minimum with alley; 15 minimum if no alley
Side setback for facades 40 feet or less in length <sup>1</sup>	5	0 where abutting another rowhouse development <sup>3</sup> , otherwise 3.5, except that on side lot lines that abut a single-family zone, the setback is 5	5	5
Side setback for facades greater than 40 feet in length <sup>2</sup>	5 minimum	0 where abutting another rowhouse development <sup>3</sup> , otherwise 3.5, except that on side lot lines that abut a single-family zone, the setback is 7 average; 5 minimum	7 average; 5 minimum	7 average; 5 minimum

Footnotes to Table A for 23.45.518:

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

<sup>2</sup>Portions of structures that qualify for the FAR exemption in subsection 23.45.510.E.5 are not considered part of the facade length for the purposes of determining the side setback requirement.

<sup>3</sup>If the side facades of rowhouse developments on abutting lots are not joined, then a 3.5 foot setback is required, except the side setback may be reduced to zero if the abutting lot contains a rowhouse development and an easement is provided along the shared lot line of the abutting lot sufficient to leave a 3.5 foot separation between the principal structures of the abutting rowhouse developments.

\* \* \*

1 J. Structures in required setbacks or separations

2 \* \* \*

3 12. Mechanical equipment. Heat pumps and similar mechanical equipment, not  
4 including incinerators, are permitted in required setbacks if they comply with the requirements of  
5 Chapter 25.08. No heat pump or similar equipment shall be located within 3 feet of any lot line.  
6 Charging devices for electric cars are considered mechanical equipment and are permitted in  
7 required setbacks if not located within 3 feet of any lot line.

8 \* \* \*

9 Section 22. Section 23.45.536 of the Seattle Municipal Code, last amended by Ordinance  
10 125272125558, is amended as follows:

11 **23.45.536 Parking location, access, and screening**

12 \* \* \*

13 D. Screening of parking

14 1. Parking shall be screened from direct street view by:

15 a. The street facing façade of a structure;

16 b. Garage doors;

17 c. A fence or wall; or

18 d. Landscaped areas including bioretention facilities or landscaped berms.

19 ~~1. Parking shall be screened from direct street view by:~~

20 ~~a. ((the)) The street facing facade of a structure;~~

21 ~~b. ((garage)) Garage doors;~~

22 ~~c. ((a)) A fence or wall; or~~

1 ~~d. ((landscaped)) Landscaped areas, including bioretention facilities or~~  
2 ~~landscaped berms.~~

3 2. Screening provided by a fence, wall, or vegetation in a landscaped area shall  
4 not be located within any required sight triangle and shall meet the following conditions:

5 a. The fence, wall, or vegetation in the landscaped area shall be at least 3  
6 feet tall measured from the elevation of the curb, or from the elevation of the street if no curb is  
7 present. If the elevation of the ground at the base of the fence, wall, or landscaped area is higher  
8 than the finished elevation of the parking surface, the difference in elevation may be measured as  
9 a portion of the required height of the screen, so long as the fence, wall, or vegetation in the  
10 landscaped area is at least 3 feet in height. If located in a setback, the fence or wall shall meet the  
11 requirements of subsection 23.45.518.J.7.

12 b. The fence, wall, or vegetation in the landscaped area shall be set back at  
13 least 3 feet from the lot line.

14 3. Screening by garage doors in LR zones. If parking is provided in a garage in or  
15 attached to a principal structure and garage door(s) face a street, the garage door(s) may be no  
16 more than 75 square feet in area.

17 \* \* \*

18 Section 23. Section 23.45.545 of the Seattle Municipal Code, last amended by Ordinance  
19 125483, is amended as follows:

20 **23.45.545 Standards for certain accessory uses**

21 E. Nonconforming solar collectors. The Director may permit the installation of solar  
22 collectors that meet minimum energy standards and that increase an existing nonconformity as a  
23 special exception pursuant to Chapter 23.76. Such an installation may be permitted even if it

1 exceeds the height limits established in Section(~~s 23.45.009 and~~) 23.45.514 when the following  
2 conditions are met:

3 1. There is no feasible alternative solution to placing the collector(s) on the roof;

4 and

5 2. Such collector(s) are located so as to minimize view blockage from  
6 surrounding properties and the shading of property to the north, while still providing adequate  
7 solar access for the solar collectors.

8 \* \* \*

9 I. In LR zones, accessory dwelling units are allowed, in rowhouse and townhouse units,  
10 as follows:

11 1. One accessory dwelling unit is allowed for each rowhouse or townhouse unit  
12 that is a “principal unit”. A “principal unit” is a dwelling unit that is not an accessory dwelling  
13 unit.

14 2. The owner of a principal unit shall comply with the owner occupancy  
15 requirements of subsection 23.44.041.C.

16 3. The maximum gross floor area of an accessory dwelling unit is 650 square feet,  
17 provided that the total gross floor area of the accessory dwelling unit does not exceed 40 percent  
18 of the total gross floor area in residential use on the lot or unit lot, if present, exclusive of  
19 garages, storage sheds, and other non-habitable spaces.

20 4. An accessory dwelling unit shall be located completely within the same  
21 structure as the principal unit or in an accessory structure located between the rowhouse or  
22 townhouse unit and the rear lot line.

1                   5. The entrance to an accessory dwelling unit provided within the same structure  
2 as the principal unit shall be provided through one of the following configurations:

- 3                   a. Through the primary entry to the principal unit; or  
4                   b. Through a secondary entry on a different facade than the primary entry  
5 to the principal unit; or  
6                   c. Through a secondary entry on the same facade as the primary entry to  
7 the principal unit that is smaller and less visually prominent than the entry to the principal unit,  
8 and does not have a prominent stoop, porch, portico, or other entry feature.

9                   6. Exterior stairs. Exterior stairs providing access to an accessory dwelling unit  
10 may not exceed 4 feet in height, except for exterior stairs providing access to an accessory  
11 dwelling unit located above a garage.

12                   7. Parking. Parking is not required for an accessory dwelling unit.

13                   8. In the Shoreline District, accessory dwelling units in rowhouse and townhouse  
14 units shall be as provided in Chapter 23.60A and where allowed in the Shoreline District, they  
15 are also subject to the provisions in this subsection 23.45.545.I.

16                   J. An accessory dwelling unit within an established single-family dwelling unit or on the  
17 lot of an established single-family dwelling unit shall be considered an accessory use to the  
18 single-family dwelling unit, shall meet the standards listed for accessory dwelling units in  
19 Section 23.44.041, and shall not be considered a separate dwelling unit for any development  
20 standard purposes in multifamily zones. In the Shoreline District, accessory dwelling units in  
21 single-family dwelling units shall be as provided in Chapter 23.60A and where allowed in the  
22 Shoreline District, they are also subject to the provisions in this subsection 23.45.545.J.

23                   \* \* \*

1 Section 24. Section 23.45.570 of the Seattle Municipal Code, last amended by Ordinance  
2 ~~125272~~125558, is amended as follows:

3 **23.45.570 Institutions**

4 \* \* \*

5 G. Parking

6 1. Parking quantity. Parking and loading is required pursuant to Section  
7 23.54.015, except as modified by Section 23.54.020.

8 2. Location of parking. Parking areas and facilities may be located anywhere on  
9 the lot except in the required front setback or side street side setback.

10 ~~((G. Parking~~

11 ~~1. Parking ~~Quantity~~ quantity. Parking and loading is required pursuant to~~  
12 ~~Section 23.54.015.~~

13 ~~2. Location of ~~Parking~~ parking. Parking areas and facilities may be located~~  
14 ~~anywhere on the lot except in the required front setback or side street side setback.))~~

15 3. Screening of ~~Surface Parking Areas~~ surface parking areas. Surface parking  
16 areas for more than five vehicles shall be screened in accordance with the following  
17 requirements and the provisions of Section 23.45.524.

18 a. Screening shall be provided on each side of the parking area ~~which~~  
19 that abuts, or faces across a street, alley, or access easement, a lot in a residential zone.

20 b. Screening shall consist of a fence, solid evergreen hedge or wall  
21 between 4 and 6 feet in height. Sight triangles must be provided. Fences surrounding sports  
22 fields/recreation areas may be 8 feet high. The Director may permit higher fencing when  
23 necessary for sports fields.

1 c. The height of the visual barrier created by the screen required in  
2 subsection 23.45.570.G.3 shall be measured from street level. If the elevation of the lot line is  
3 different from the finished elevation of the parking surface, the difference in elevation may be  
4 measured as a portion of the required height of the screen, so long as the screen itself is a  
5 minimum of 3 feet in height.

6 4. Landscaping of surface parking. Accessory surface parking areas for more than  
7 20 vehicles shall be landscaped according to the following requirements:

8 a. One tree per every five parking spaces is required.

9 b. Each required tree shall be planted in a landscaped area and shall be 3  
10 feet away from any curb of a landscaped area or edge of the parking area. Permanent curbs or  
11 structural barriers shall protect landscaping, but may include openings to allow movement of  
12 stormwater.

13 c. Hardy evergreen ground cover shall be planted to cover each landscaped  
14 area.

15 d. The trees and landscaped areas shall be located within the parking area  
16 to break up large expanses of pavement and cars.

17 \* \* \*

18 Section 25. Section 23.46.002 of the Seattle Municipal Code, last amended by Ordinance  
19 ~~124843~~[125558](#), is amended as follows:

20 **23.46.002 Scope of provisions**

21 A. This Chapter 23.46 details those authorized commercial uses which are or may be  
22 permitted in Residential-Commercial (RC) zones.



1 **23.47A.008 Street-level development standards**

2 \* \* \*

3 E. When a live-work unit is located on a street-level street-facing facade, the provisions  
4 of subsections 23.47A.008.A and 23.47A.008.B, and the following requirements, apply:

5 1. The portion of each such live-work unit in which business is conducted must be  
6 located between the principal street and the residential portion of the live-work unit. The non-  
7 residential portions of the unit shall extend the width of the street-level street-facing facade, shall  
8 extend a minimum depth of 15 feet from the street-level street-facing facade, and shall not  
9 contain any of the primary features of the residential (live) portion of the live-work unit, such as  
10 kitchen, bathroom, sleeping, or laundry facilities. These basic residential features shall be  
11 designed and arranged to be separate from the work portion of the live-work unit.

12 2. Each live-work unit must have a pedestrian entry on the street-facing facade  
13 that is designed to be visually prominent and provide direct access to the non-residential portions  
14 of the unit.

15 ~~((2))~~3. Each live-work unit must include an exterior sign with the name of the  
16 business associated with the live-work unit. Such signage shall be clearly associated with the unit  
17 and visible to pedestrians outside of the building.

18 ~~((3))~~4. The owner of each live-work unit must keep a copy of the current business  
19 license associated with the business located in that unit on file.

20 \* \* \*

21 Section 27. Section 23.47A.009 of the Seattle Municipal Code, last amended by  
22 Ordinance 125361, is amended as follows:

23 **23.47A.009 Standards applicable to specific areas**

\* \* \*

F. Ballard Hub Urban Village. The following provisions apply to development proposed in NC zones within the Ballard Hub Urban Village.

1. Maximum lot coverage on lots 40,000 square feet in size or greater:

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 existing or finished grade, whichever is lower.

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 20 percent of the lot that remains uncovered, as required by this subsection 23.47A.009.F.1, not more than ten parking spaces may be provided, and applicants are encouraged to provide elements at-grade that enhance the usability and livability of the lot for residents and tenants such as pedestrian circulation areas, landscaping, lighting, weather protection, art, or other similar features.

2. Facade modulation

1 a. Facade modulation requirements apply to all portions of a street-facing  
2 facade of a structure up to a height of 45 feet located within 10 feet of a street lot line, according  
3 to provisions of subsection 23.47A.009.F.2.c.

4 b. The maximum width of any unmodulated street-facing facade is 100  
5 feet. Facades longer than 100 feet shall be modulated at no greater than 100-foot intervals by  
6 stepping back the facade from the street lot line for a minimum depth of 10 feet and a minimum  
7 width of 15 feet.

8 c. Facade modulation requirements do not apply to portions of a structure  
9 that are below grade or that do not extend more than 2 feet above the existing or finished grade at  
10 the street lot line, whichever is lower.

### 11 3. Maximum structure width

12 a. The maximum allowed structure width is 250 feet.

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

### 16 4. Setback requirements

#### 17 a. Street-level setbacks

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

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

#### 23 b. Upper-level setbacks





1 ~~whichever is lower, as measured to the finished floor level or roof above, pursuant to subsection~~  
2 ~~23.47A.012.A.3; or~~

3 ~~b. All of the following conditions are met:~~

4 ~~1) No above-grade parking is exempted by subsection 23.47A.013.D.5.a;~~

5 ~~2) The parking is accessory to a residential use on the lot;~~

6 ~~3) Total parking on the lot does not exceed one space for each residential dwelling unit~~  
7 ~~plus the number of spaces required for non-residential uses; and~~

8 ~~4) The amount of gross floor area exempted by this subsection 23.47A.013.D.5.b does~~  
9 ~~not exceed 25 percent of the area of the lot in zones with a height limit less than 65 feet, or 50~~  
10 ~~percent of the area of the lot in zones with a height limit 65 feet or greater; and~~

11 ~~6. Rooftop greenhouse areas meeting the standards of subsections 23.47A.012.C.6 and~~  
12 ~~23.47A.012.C.7.~~

13 ~~7. The floor area of required bicycle parking for small efficiency dwelling units or~~  
14 ~~congregate residence sleeping rooms, if the bicycle parking is located within the structure~~  
15 ~~containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area~~  
16 ~~of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR~~  
17 ~~limits.))~~

18 D. The following gross floor area is not counted toward maximum FAR:

19 1. All underground stories or portions of stories;

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

22 3. Gross floor area of a transit station, including all floor area open to the general  
23 public during normal hours of station operation but excluding retail or service establishments to

1 which public access is limited to customers or clients, even where such establishments are  
2 primarily intended to serve transit riders;

3 4. Within First Hill, on lots zoned NC3 with a 160-foot height limit, all gross floor  
4 area occupied by a residential use;

5 5. On a lot containing a peat settlement-prone environmentally critical area,  
6 above-grade parking within or covered by a structure or portion of a structure, if the Director  
7 finds that locating a story of parking below grade is infeasible due to physical site conditions  
8 such as a high water table, if either:

9 a. The above-grade parking extends no more than 6 feet above existing or  
10 finished grade and no more than 3 feet above the highest existing or finished grade along the  
11 structure footprint, whichever is lower, as measured to the finished floor level or roof above,  
12 pursuant to subsection 23.47A.012.A.3; or

13 b. All of the following conditions are met:

14 1) No above-grade parking is exempted by subsection  
15 23.47A.013.D.5.a;

16 2) The parking is accessory to a residential use on the lot;

17 3) Total parking on the lot does not exceed one space for  
18 each residential dwelling unit plus the number of spaces required for non-residential uses; and

19 4) The amount of gross floor area exempted by this  
20 subsection 23.47A.013.D.5.b does not exceed 25 percent of the area of the lot in zones with a  
21 height limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65  
22 feet or greater.

1                   6. Rooftop greenhouse areas meeting the standards of subsections 23.47A.012.C.6  
2 and 23.47A.012.C.7; and

3                   7. Bicycle commuter shower facilities required by subsection 23.54.015.K.8.  
4                   ((8. The floor area of required bicycle parking for small efficiency dwelling units  
5 or congregate residence sleeping rooms, if the bicycle parking is located within the structure  
6 containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area  
7 of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR  
8 limits.))

9                   \* \* \*

10                  H. Minimum FAR

11                   1. A minimum FAR shown in Table C for 23.47A.013 is required whenever more  
12 than 1,000 square feet of gross floor area is added to or removed from a lot located in:

13                   a. ~~((a))~~ A pedestrian-designated zone in an urban center, urban village, or  
14 Station Area Overlay District; or

15                   b. ~~((the))~~ The Northgate Overlay District and abutting a Major Pedestrian  
16 Street as shown on Map A for 23.71.004.

<b>Table C for 23.47A.013</b>						
<b>Minimum floor area ratio (FAR) <sup>1</sup></b>						
<b>Height limit in feet</b>	<b>30</b>	<b>40</b>	<b>65</b>	<b>85</b>	<b>125</b>	<b>160</b>
Minimum FAR	1.5	1.5	2	2	2.5	2.5

Footnote to Table C for 23.47A.013  
<sup>1</sup>Minimum floor area ratios for zones with a mandatory affordable housing suffix are shown on Table B for 23.47A.017.

17                   2. The minimum FAR requirement provided in subsection 23.47A.013.H.1 does  
18 not apply if:

1 a. Additional floor area is added to an existing structure on a lot that is  
2 nonconforming with respect to the minimum FAR shown in Table C for 23.47A.013;

3 b. The lot is larger than five acres;

4 c. All existing gross floor area is demolished to create a vacant lot; ~~((Ø))~~

5 d. Parks and open space is the principal use of the lot~~((:))~~; or

6 e. The lot is to be occupied by a nonprofit medical service use that  
7 provides a specialized service, such as kidney dialysis, that is not currently provided in the  
8 applicable urban village.

9 3. Portions of the lot designated as a steep slope, wetland, or riparian corridor or  
10 as a buffer to one of these areas, as defined in Chapter 25.09, shall not be included when  
11 calculating lot size for the purpose of determining the minimum FAR requirement provided in  
12 subsection 23.47A.013.H.1.

13 4. The Director, in consultation with the Director of the Department of  
14 Neighborhoods, may waive the minimum FAR requirement provided in subsection  
15 23.47A.013.H.1 for lots that contain a designated Landmark, or for lots within a Landmark  
16 District pursuant to Title 25 or within a Special Review District pursuant to Chapter 23.66, if the  
17 Director determines a waiver is necessary to preserve the integrity of a Landmark or meet  
18 adopted District design and development guidelines.

19 5. The Director may waive the minimum FAR requirement provided in subsection  
20 23.47A.013.H.1 for lots within the Pike/Pine Conservation Overlay District pursuant to Chapter  
21 23.32, if the Director determines that the proposed development promotes neighborhood  
22 conservation objectives.



\* \* \*

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)) A for 23.47A.016.

<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) Each landscaped area shall be no smaller than 100 square feet and must be protected by permanent curbs or structural barriers.

2) No part of a landscaped area shall be less than 4 feet in width or length except those parts of landscaped areas created by turning radii or angles of parking spaces.

3) No parking space shall be more than 60 feet from a required landscaped area.

\* \* \*

3. Other uses or circumstances. Screening and landscaping is required according to Table ((D)) B for 23.47A.016:

**Table ((D)) B for 23.47A.016**

<b>Use or ((Circumstance)) circumstance</b>	<b>Minimum ((Requirement)) requirement</b>
a. Drive-in businesses abutting or across an alley from a lot in a residential zone	6-foot-high screening along the abutting or alley lot lines; and A 5-foot-deep landscaped area inside the screening, when a drive-in lane or queuing lane abuts a lot in a residential zone
b. Drive-in businesses, other than gas stations, in which the drive-in lane or queuing lanes are across the street from a lot in a residential zone	3-foot-high screening
c. Garbage cans in NC1, NC2, or NC3 zones, or associated with a structure containing a residential use in C1 or C2 zones	3-foot-high screening along areas where garbage cans are located
d. Garbage dumpsters in NC1, NC2, or NC3 zones, or associated with structures containing a residential use in C1 or C2 zones	6-foot-high screening
e. Gas stations in NC1, NC2 and NC3 zones or, in C1 and C2 zones, across the street from a lot in a residential zone	3-foot-high screening along street lot lines
f. Mobile home parks	6-foot-high screening along all lot lines that are not street lot lines; and Along all street lot lines, a 5-foot-deep landscaped area or a 5-foot-deep planting strip with street trees
g. Outdoor sales and outdoor display of rental equipment, abutting or across an alley from a lot in a residential zone	6-foot-high screening along the abutting or alley lot lines
h. Outdoor sales and outdoor display of rental equipment across the street from a lot in a residential zone	3-foot-high screening along the street lot line
i. Outdoor storage in a C1 zone; or Outdoor dry boat storage in NC2, NC3 or C1 zones in the Shoreline District	Screened from all lot lines by the facade of the structure or by 6-foot- high screening; and 5-foot-deep landscaped area between all street lot lines and the 6-foot-high screening (Exhibit C for 23.47A.016)
j. Outdoor storage in a C2 zone abutting a lot in a residential zone; or Outdoor dry boat storage in a C2 zone in the Shoreline District, abutting a lot in a residential zone	50-foot setback from the lot lines of the abutting lot in a residential zone and screened from those lot lines by the facade of the structure or by 6-foot-high screening (Exhibit D for 23.47A.016)

**Table ((D)) B for 23.47A.016**

<b>Use or ((Circumstance)) circumstance</b>	<b>Minimum ((Requirement)) requirement</b>
k. Outdoor storage in a C2 zone across the street from a lot in a residential zone; or Outdoor dry boat storage, in a C2 zone in the Shoreline District, across the street from a lot in a residential zone	Screened from the street by the facade of a structure, or by 6-foot-high screening
l. Parking garage occupying any portion of the street-level street-facing facade between 5 and 8 feet above sidewalk grade	A 5-foot-deep landscaped area along the street lot line; or Screening by the exterior wall of the structure; or 6-foot-high screening between the structure and the landscaped area (Exhibit B for 23.47A.016)
m. Unenclosed parking garage on lots abutting a lot in a residential zone	A 5-foot-deep landscaped area and 6-foot-high screening along each shared lot line
n. Parking garage that is 8 feet or more above grade	3.5-foot screening along the perimeter of each floor of parking
o. Outdoor areas associated with pet daycare centers	Screened from all property lines by the facade of the structure or by 6-foot-high screening between the outdoor area and all property lines

\* \* \*

Section 31. Section 23.48.005 of the Seattle Municipal Code, last amended by Ordinance 125432, is amended as follows:

**23.48.005 Uses**

\* \* \*

C. Conditional uses

1. Conditional uses are subject to the procedures described in Chapter 23.76 (~~Procedures for Master Use Permits and Council Land Use Decisions,~~) and shall meet the provisions of both Section 23.42.042 and this subsection 23.48.005.C.

2. Mini-warehouses and warehouses may be permitted by the Director as administrative conditional uses if:

a. The street-level portion of a mini-warehouse or warehouse only fronts on an east/west oriented street, or an alley; and

1                           b. Vehicular entrances, including those for loading operations, will not  
2 disrupt traffic or transit routes; and

3                           c. The traffic generated will not disrupt the pedestrian character of an area  
4 by significantly increasing the potential for pedestrian-vehicle conflicts.

5                           3. Helistops and heliports may be permitted as Council conditional uses according  
6 to the following criteria:

7                           a. The helistop or heliport is: for the takeoff and landing of helicopters that  
8 serve a public safety, news gathering or emergency medical care function and, in the case of  
9 heliports, services provided for those helicopters; is part of a City and regional transportation  
10 plan approved by the City Council and is a public facility; or is part of a City and regional  
11 transportation plan approved by the City Council and is not within 2,000 feet of a residential  
12 zone.

13                           b. The helistop or heliport is located so as to minimize adverse physical  
14 environmental impacts on lots in the surrounding area, and particularly on residentially zoned  
15 lots, public parks, and other areas where substantial public gatherings may be held.

16                           c. The lot is of sufficient size that the operations of the helistop or heliport  
17 and the flight paths of the helicopters can be buffered from other uses in the surrounding area.

18                           d. Open areas and landing pads shall be hard-surfaced.

19                           e. The helistop or heliport meets all federal requirements including those  
20 for safety, glide angles, and approach lanes.

21                   D. Required street-level uses

22                           1. One or more of the following uses listed in this subsection 23.48.005.D.1 are  
23 required: (i) at street-level of the street-facing facade along streets designated as Class 1

1 Pedestrian Streets shown on Map A for 23.48.240, except as required in subsection 23.48.205.C;  
2 (ii) at street-level of the street-facing facades along streets designated on Map A for 23.48.640;  
3 and (iii) at street-level of the street-facing facades along streets designated as Class 1 or Class 2  
4 streets shown on Map A for 23.48.740:

- 5 a. General sales and service uses;
- 6 b. Eating and drinking establishments;
- 7 c. Entertainment uses;
- 8 d. Public libraries;
- 9 e. Public parks;
- 10 f. Arts facilities;
- 11 g. Religious facilities; and
- 12 h. Light rail transit stations.

13 2. Standards for required street-level uses. Required street-level uses shall meet  
14 the development standards in subsection 23.48.040.C, and any additional standards for Seattle  
15 Mixed zones in specific geographic areas in the applicable subchapter of this Chapter 23.48.

16 E. Public facilities in all SM zones

17 1. Uses in public facilities that are most similar to uses permitted outright or  
18 permitted as a conditional use under this Chapter 23.48 are permitted outright or as a conditional  
19 use, respectively, subject to the same use regulations, development standards and conditional use  
20 criteria that govern the similar uses.

21 2. Permitted uses in public facilities requiring council approval. Unless  
22 specifically prohibited in this Chapter 23.48, uses in public facilities that are not similar to uses

1 permitted outright or permitted as a conditional use under this Chapter 23.48 may be permitted  
2 by the City Council.

3 3. In all SM zones, uses in public facilities not meeting development standards  
4 may be permitted by the Council, and the Council may waive or grant departures from  
5 development standards, if the following criteria are satisfied:

6 a. The project provides unique services that are not provided to the  
7 community by the private sector, such as police and fire stations;

8 b. The proposed location is required to meet specific public service  
9 delivery needs;

10 c. The waiver of or departure from the development standards is necessary  
11 to meet specific public service delivery needs; and

12 d. The relationship of the project to the surrounding area has been  
13 considered in the design, siting, landscaping and screening of the facility.

14 4. The City Council's use approvals, and waivers of or grants of departures from  
15 applicable development standards or conditional use criteria, contemplated by subsections  
16 23.48.005.E.2 and 23.48.005.E.3, are governed by the provisions of Chapter 23.76, Subchapter  
17 III.

18 5. Expansion of uses in public facilities

19 a. Major expansion. Major expansion of uses in public facilities allowed  
20 pursuant to subsections 23.48.005.E.1, 23.48.005.E.2, and 23.48.005.E.3 may be permitted  
21 according to the criteria and process in those subsections 23.48.005.E.1, 23.48.005.E.2, and  
22 23.48.005.E.3. A major expansion of a public facility use occurs when an expansion would not  
23 meet development standards or the area of the expansion would exceed either 750 square feet or

1 ten percent of the existing area of the use, whichever is greater. For the purposes of this Section  
2 23.48.005, area of use includes gross floor area and outdoor area devoted actively to that use,  
3 other than as parking.

4 b. Minor expansion. An expansion of a use in a public facility that is not a  
5 major expansion is a minor expansion. Minor expansions to uses in public facilities allowed  
6 pursuant to subsections 23.48.005.E.1, 23.48.005.E.2, and 23.48.005.E.3 above may be permitted  
7 according to the provisions of Chapter 23.76 for a Type I Master Use Permit.

8 6. Essential public facilities. Permitted essential public facilities will be reviewed  
9 according to the provisions of Chapter 23.80.

10 Section 32. Section 23.48.020 of the Seattle Municipal Code, last amended by Ordinance  
11 ~~125432~~[125558](#), is amended as follows:

12 **23.48.020 Floor area ratio (FAR)**

13 \* \* \*

14 B. Floor area exempt from FAR calculations. The following floor area is exempt from  
15 maximum FAR calculations:

- 16 1. All underground stories or portions of stories.
- 17 2. Portions of a story that extend no more than 4 feet above existing or finished  
18 grade, whichever is lower, excluding access.
- 19 3. As an allowance for mechanical equipment, in any structure 65 feet in height or  
20 more, 3.5 percent of the total chargeable gross floor area in a structure is exempt from FAR  
21 calculations. Calculation of the allowance includes the remaining gross floor area after all  
22 exempt space allowed in this subsection 23.48.020.B has been deducted. Mechanical equipment

1 located on the roof of a structure, whether enclosed or not, is not included as part of the  
2 calculation of total gross floor area.

3 4. All gross floor area for solar collectors and wind-driven power generators.

4 5. Bicycle commuter shower facilities required by subsection 23.54.015.K.8.

5 ((6))((5-)) The floor area of required bicycle parking for small efficiency dwelling  
6 units or congregate residence sleeping rooms, if the bicycle parking is located within the  
7 structure containing the small efficiency dwelling units or congregate residence sleeping rooms.  
8 Floor area of bicycle parking that is provided beyond the required bicycle parking is not exempt  
9 from FAR limits.

10 \* \* \*

11 Section 33. Section 23.48.220 of the Seattle Municipal Code, last amended by Ordinance  
12 125291, is amended as follows:

13 **23.48.220 Floor area ratio (FAR) in South Lake Union Urban Center**

14 A. General provisions

15 1. Except as otherwise specified in this subsection 23.48.220.A, FAR limits for  
16 specified SM zones within the South Lake Union Urban Center are as shown in Table A for  
17 23.48.220 and Table B for 23.48.220.

<b>Table A for 23.48.220</b>			
<b>FAR limits for specified zones in South Lake Union Urban Center</b>			
<b>Zone</b>	<b>FAR limits for non-residential uses</b>		<b>Maximum FAR for structures that do not exceed the base height limit and include residential use<sup>1</sup></b>
	<b>Base FAR</b>	<b>Maximum FAR</b>	
SM-SLU 100/65-145	4.5	6.5	4.5
SM-SLU 85/65-160	4.5	7	4.5
SM-SLU 175/85-280	4.5 <sup>2</sup>	8	6
SM-SLU 85-280	0.5/3 <sup>3</sup>	NA	6
SM-SLU 240/125-440	5 <sup>2</sup>	8	10

**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	

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 175/85-280, and SM-SLU 240/125-440 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.3.  
<sup>3</sup>The 3 FAR limit applies to religious facilities. For all other non-residential uses, the 0.5 FAR limit applies.

**Table B for 23.48.220  
 FAR limits for SM-SLU/R 65/95, SM-SLU 100/95, and SM-SLU 145 zones**

Zone	FAR limits for all uses	
	Base FAR	Maximum FAR
SM-SLU/R 65/95	Not applicable	Not applicable
SM-SLU 100/95	4.5	6.75
SM-SLU 145	5	9.5 <sup>1</sup>

Footnote to Table B for 23.48.220  
<sup>1</sup>The maximum FAR for development with non-residential uses that exceed 85 feet in height is 8.5.

\* \* \*

3. For the zones included on Table A for 23.48.220, an additional increment of up to 0.5 FAR is permitted for non-residential uses above the base FAR of the zone if a lot meets the conditions of either subsection 23.48.220.A.3.a or subsection 23.48.220.A.3.b.

a. The lot includes one or more qualifying Landmark structures, subject to the following conditions:

1) The structure is rehabilitated to the extent necessary so that all features and characteristics controlled or designated by ordinance pursuant to Chapter 25.12 are in good condition and consistent with the applicable ordinances and with any Certificates of





1 a) ~~((Is removed))~~ Removed or converted to a use for which  
2 extra non-residential floor area is not required under the provisions of the zone; and/or

3 b) ~~((Is subject))~~ Subject to provisions for gaining extra non-  
4 residential floor area through alternative means consistent with the provisions of the zone and  
5 provisions for allowing extra non-residential floor area in Chapter 23.58A. Alteration or removal  
6 of the open space may be further restricted by the provisions of the zone and by conditions of  
7 any applicable permit; and

8 4) The amount of extra FAR permitted above the base FAR is not  
9 more than three times the square footage of open space provided to qualify for that increment of  
10 FAR.

11 \* \* \*

12 7. Within the area in the SM-SLU 175/85-280 zone meeting the standards for  
13 location in subsection 23.48.230.B, structures designed for research and development laboratory  
14 use and administrative office associated with research and development laboratories have a base  
15 FAR of 5 and a maximum FAR of ~~((7))~~ 8, provided that the maximum number of floors allowed  
16 above grade is eight measured from the floor with the lowest elevation above grade, but not  
17 including rooftop projections.

18 \* \* \*

19 Section 34. Section 23.48.225 of the Seattle Municipal Code, last amended by Ordinance  
20 125291, is amended as follows:

21 **23.48.225 Structure height in South Lake Union Urban Center**

22 \* \* \*

1 f.(F.) All non-exempt floor area and residential floor area located above the base height is  
2 considered extra floor area. Extra floor area may be obtained above the base height, up to the  
3 maximum height, through the provision of public amenities meeting the standards of Section  
4 23.48.021 and Chapter 23.58A.

5 \* \* \*

6 Section 35. Section 23.48.231 of the Seattle Municipal Code, adopted by Ordinance  
7 125291, is amended as follows:

8 **23.48.231 Modification of development standards in certain SM-SLU zones**

9 A. In a SM-SLU 175/85-280 zone located in the South Lake Union Seaport Flight  
10 Corridor as shown on Map A for 23.48.225, the following apply:

11 1. The following modifications shall occur if the height limit according to  
12 subsection (~~(23.48.225.D)~~) 23.48.225.E would prevent a development from being able to achieve  
13 the maximum height that would otherwise be allowed according to subsection 23.48.225.A:

14 a. The upper-level floor area limit according to subsection 23.48.245.A  
15 shall be increased from 50 percent to 55 percent, except that for lots less than 12,500 square feet  
16 the upper-level floor area limit according to subsection 23.48.245.A shall be increased from 50  
17 percent to 67 percent;

18 b. The non-residential floor plate limits according to subsection  
19 23.48.245.B.1.d shall be increased from 24,000 to 25,000 square feet;

20 c. The residential floor plate limits according to subsection  
21 23.48.245.B.2.a shall be increased from 12,500 to 13,500 square feet; and

22 d. The residential floor plate limits according to subsection  
23 23.48.245.B.2.b.1 shall be increased from 10,500 to 11,500 square feet.

\*\*\*

Section 36. Section 23.48.240 of the Seattle Municipal Code, last amended by Ordinance 125267, is amended as follows:

**23.48.240 - Street-level development standards in South Lake Union Urban Center**

\*\*\*

G. Required usable open space in the ((SM-SLU 100/65-145, SM-SLU 175/85-280, and SM-SLU 240/125-440 zones))((SM-SLU 85/65-125, SM-SLU 160/85-240 and SM-SLU 240/125-400 zones))

1. Except as provided for in subsection 23.48.240.G.3 and 23.48.240.F, in the ((SM-SLU 85/65-125, SM-SLU 85/65-160, SM-SLU 160/85-240 and SM-SLU 240/125-400)) ((SM-SLU 100/65-145, SM-SLU 175/85-280, and SM-SLU 240/125-440)) zones, on lots exceeding 30,000 square feet in area, proposed development containing extra floor area as provided for in ((SM-SLU 85/65-125)) Sections 23.48.021 and 23.48.221 shall provide usable open space as follows:

\*\*\*

H. Through-block pedestrian connections for large lot developments

1. A through-block pedestrian connection meeting the standards of subsection 23.48.240.F.2 is required in the ((SM-SLU 85/65-125,))((SM-SLU 100/65-145,)) SM-SLU 85-240, SM-SLU 85/65-160, ((SM-SLU 160/85-240 and SM-SLU 240/125-400))((SM-SLU 175/85-280, and SM-SLU 240/125-440)) zones for development described as follows:

\*\*\*



1                                   1) A minimum of two floors in the structure are occupied by  
2 research and development uses and have a floor-to-floor height of at least 14 feet; and

3                                   2) The structure has no more than seven stories above existing or  
4 finished grade, whichever is lower, as measured from the lowest story to the highest story of the  
5 structure but not including rooftop features permitted under subsection 23.48.025.C. The lowest  
6 story shall not include a story that is partially below grade and extends no higher than 4 feet  
7 above existing or finished grade, whichever is lower.

8                                   c. Within locations in the SM-SLU 175/85-280 zone meeting the standards  
9 in subsection 23.48.230.B for extra height in South Lake Union Urban Center, there is no floor  
10 area limit for structures that do not exceed a height of 120 feet and that are designed for research  
11 and development laboratory use and administrative office associated with research and  
12 development laboratories.

13                                  d. For structures or portions of structures with non-residential uses that  
14 exceed a height of 85 feet, or that exceed the height of 105 feet under the provisions of  
15 subsection 23.48.245.B.1.b, or 120 feet under subsection 23.48.245.B.1.c, each story of the  
16 structure above the specified podium height indicated for the lot on Map A for 23.48.245,  
17 excluding rooftop features or stories with rooftop features that are otherwise permitted above the  
18 height limit under the provisions of subsection 23.48.025.C, is limited to a maximum gross floor  
19 area of 24,000 square feet per story, except that the average gross floor area for stories above the  
20 specified podium height is 30,000 square feet for structures on a lot that meets the following  
21 conditions:

22                                   1) The lot has a minimum area of 60,000 square feet; and



1                   3. Floor area limit for mixed-use development. This subsection 23.48.245.B.3  
2 applies to structures or portions of structures that include both residential and non-residential  
3 uses, as provided for in subsection 23.48.220.A.2.

4                   a. For a story that includes both residential and non-residential uses, the  
5 gross floor area limit for all uses combined shall not exceed the floor area limit for non-  
6 residential uses, provided that the floor area occupied by residential use shall not exceed the floor  
7 area limit otherwise applicable to residential use.

8                   b. For a mixed-use structure with residential uses located on separate  
9 stories from non-residential uses, the floor area limits shall apply to each use at the applicable  
10 height limit.

11                   4. Podium standards. The standards for podiums apply only to structures or  
12 portions of structures that include a tower that is subject to a floor area limit.

13                   a. Height limit for podiums. The specific podium height for a lot is shown  
14 on Map A for 23.48.245, and the height limit extends from the street lot line to the parallel alley  
15 lot line, or, where there is no alley lot line parallel to the street lot line, from the street lot line to  
16 a distance of 120 feet from the street lot line, or to the rear lot line, if the lot is less than 120 feet  
17 deep. The podium height is measured from the grade elevation at the street lot line. In the SM-  
18 SLU 85/65-160 zone on the blocks bounded by Valley Street, Mercer Street, 9th Avenue North,  
19 and Fairview Avenue North, the line on Map A for 23.48.245 demarcating the different podium  
20 heights within these blocks is located 120 feet north of the northerly line of Mercer Street.

21                   b. Podium floor area limits. For the podiums of structures with residential  
22 uses that exceed the base height limit established for the zone under subsection 23.48.225.A.1  
23 and for structures with non-residential uses that exceed a height of 85 feet, the average floor area

1 coverage of required lot area, pursuant to subsection 23.48.245.A, for all the stories below the  
2 podium height specified on Map A for 23.48.245, shall not exceed 75 percent of the lot area,  
3 except that floor area is not limited for each story if the total number of stories below the podium  
4 height is three or fewer stories, or if the conditions in subsection 23.48.245.B.4.c apply.

5 c. The floor area limit on podiums in subsection 23.48.245.B.4.b does not  
6 apply if a lot includes one of the following:

7 1) Usable open space that meets the provisions of subsection  
8 23.48.240.F; or

9 2) A structure that has been in existence prior to 1965 and the  
10 following conditions are met:

11 a) The structure is rehabilitated and maintained to comply  
12 with applicable codes and shall have a minimum useful life of at least 50 years from the time that  
13 it was included on the lot with the project allowed to waive the podium area limit;

14 b) The owner agrees that the structure shall not be  
15 significantly altered for at least 50 years from the time that it was included on the lot with the  
16 project allowed to waive the podium area limit. Significant alteration means the following:

17 i. Alteration of the exterior facades of the structure,  
18 except alterations that restore the facades to their original condition;

19 ii. Alteration of the floor-to-ceiling height of the  
20 street-level story, except alterations that restore the floor-to-ceiling height to its original  
21 condition; or

22 iii. The addition of stories to the structure, unless  
23 the proposed addition is no taller than the maximum height to which the structure was originally

1 built, or the addition is approved through the design review process as compatible with the  
2 original character of the structure and is necessary for adapting the structure to new uses; or

3 c) If the structure is removed from the lot, then any use of  
4 the portion of the lot previously occupied by the structure shall be limited to usable open space.

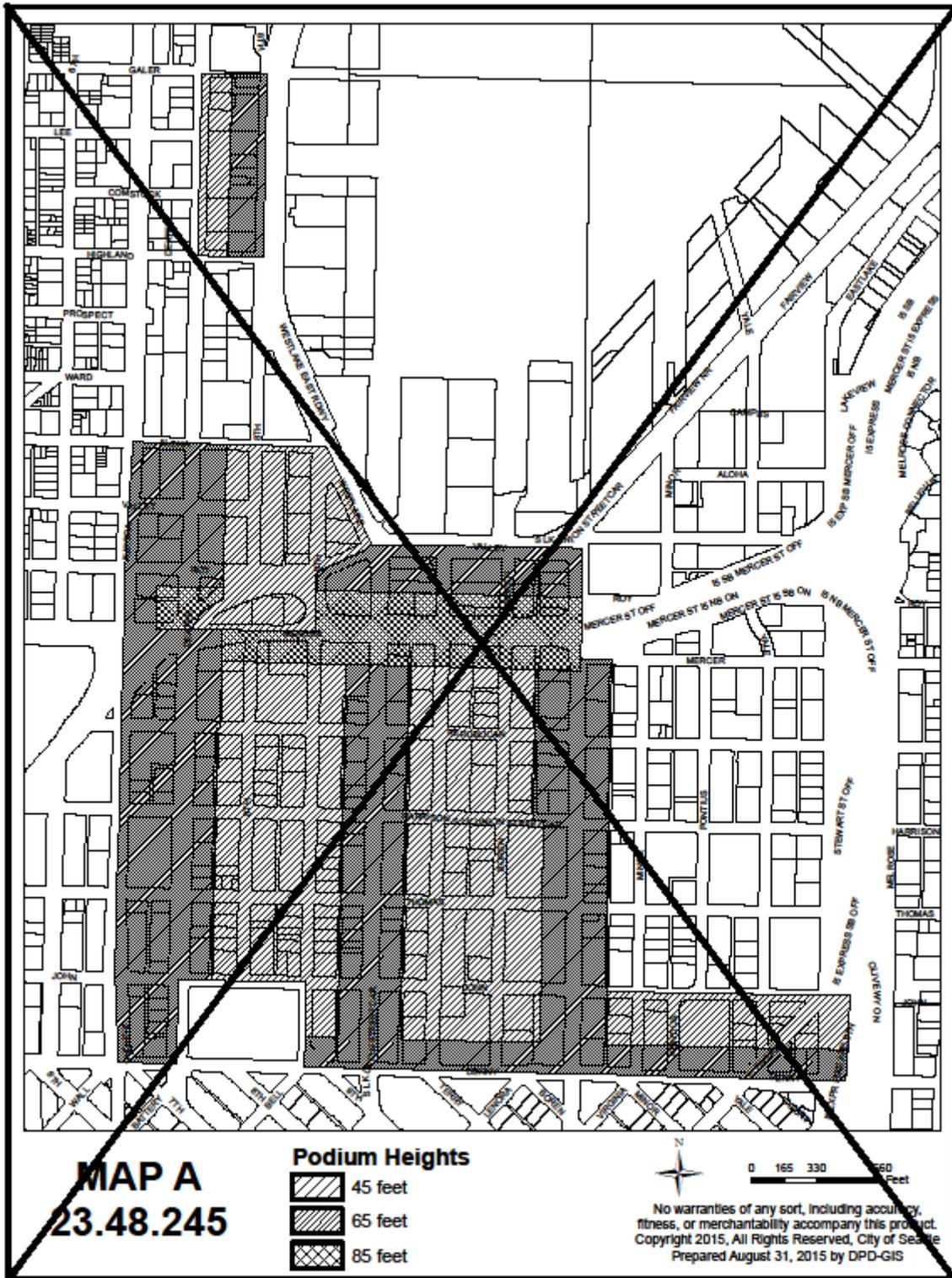
5 The portion of the lot previously occupied by the structure shall be defined by a rectangle  
6 enclosing the exterior walls of the structure as they existed at the time it was included on the lot  
7 with the project allowed to waive the podium area limit, with the rectangle extended to the  
8 nearest street frontage.

9 d. Additional height for podiums abutting Class 1 Pedestrian Streets.

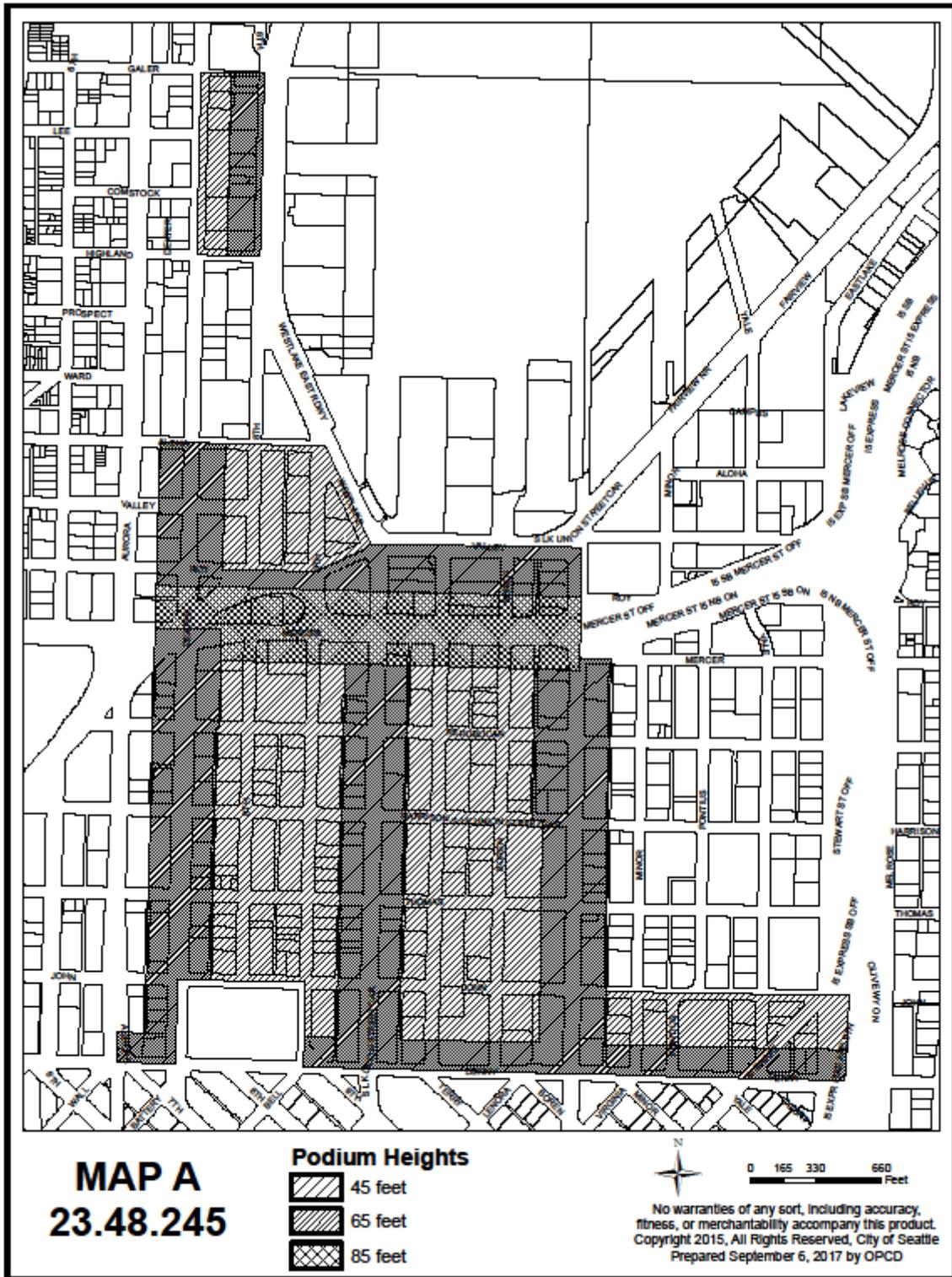
10 Podium height for structures fronting on Class 1 Pedestrian Streets pursuant to Section 23.48.240  
11 may exceed podium height limits shown on Map A for 23.48.245 by 5 feet provided that floor-  
12 to-ceiling clearance at the ground floor is at least 15 feet.

1  
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### Map A for 23.48.245 Podium Heights



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1                    b. The amenity area must be common amenity area, except that up to 40  
2 percent of the amenity area may be private provided that the private and common amenity area  
3 are continuous and are not separated by barriers more than 4 feet in height; and the private  
4 amenity areas are directly accessible from units meeting these requirements; and

5                    c. The common amenity area includes children’s play equipment; and

6                    d. The common amenity area is located at or below a height of 85 feet.

7                    ((1. Unit number and size

8                    a. ~~An increment of 0.5 FAR is permitted above the maximum FAR of the~~  
9 ~~zone for projects that include a minimum of ten dwelling units that each have a minimum area of~~  
10 ~~900 gross square feet and include two or more bedrooms and comply with all of the conditions of~~  
11 ~~this subsection 23.48.620.D;~~

12                    b. ~~An increment of 1 FAR is permitted above the maximum FAR of the~~  
13 ~~zone for projects that include a minimum of twenty dwelling units that each have a minimum~~  
14 ~~area of 900 gross square feet and include two or more bedrooms and comply with all of the~~  
15 ~~conditions of this subsection 23.48.620.D, provided that in no case shall the total amount of~~  
16 ~~additional chargeable floor area allowed above the maximum FAR exceed 1 FAR;~~

17                    2. ~~Private amenity area. Each dwelling unit shall have direct access to a private~~  
18 ~~amenity area, such as a private patio or roof deck, that is located either at ground level or on the~~  
19 ~~roof of a story that is not above 45 feet in height and that has a minimum area of 150 square feet~~  
20 ~~and a minimum horizontal dimension of 8 feet. Private amenity area that is provided to meet the~~  
21 ~~conditions of this subsection 23.48.620.D.2 shall be allowed to count as residential amenity area~~  
22 ~~required by Section 23.48.045; and~~

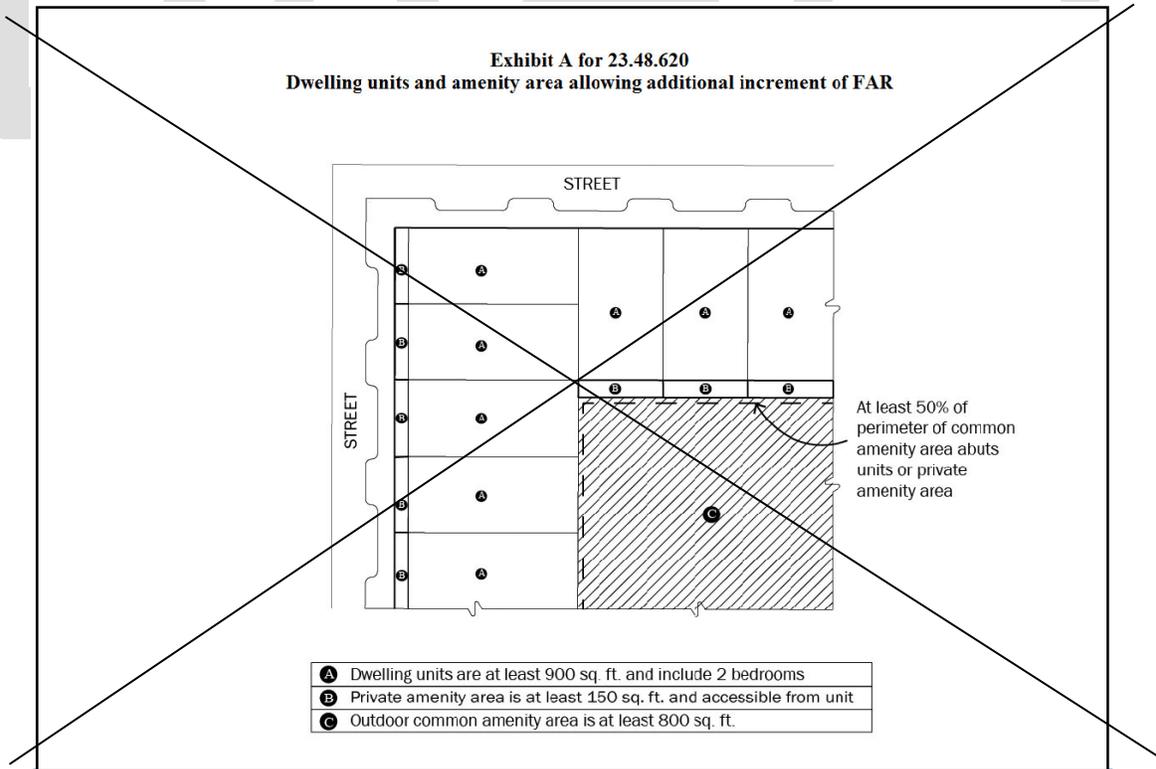
1 a. ~~Common amenity area. All units provided to meet the minimum number~~  
2 ~~of units required in subsection 23.48.620.D.1 shall have access to an outdoor common amenity~~  
3 ~~area that is located on the same story as the dwelling unit, is accessible only to the residents of~~  
4 ~~the building, and meets the following standards:~~

5 1) ~~the common amenity area has a minimum area of 800 square~~  
6 ~~feet and a minimum horizontal dimension of 10 feet;~~

7 2) ~~the common amenity area abuts and is visually or physically~~  
8 ~~accessible from these dwelling units, or it abuts the private amenity area of these units, along at~~  
9 ~~least 50 percent of its perimeter; and~~

10 3) ~~the common amenity area includes space for children's play~~  
11 ~~equipment.))~~

12 **((Exhibit A for 23.48.620**  
13 **Dwelling units and amenity area exempt from FAR))**



14

1 Section 4039. Subsections 23.48.640.A and 23.48.640.B of the Seattle Municipal Code,  
2 which section was enacted by Ordinance 125267, are amended as follows:

3 **23.48.640 Street-level development standards in SM-U zones**

4 A. Required (~~(street-level)~~) setbacks in SM-U zones

5 1. In the SM-U 85, SM-U 75-240, and SM-U 95-320 zones, a (~~(street-level)~~)  
6 setback is required (~~(at-grade)~~) from specified street lot lines as shown on Table A for 23.48.640.  
7 If the required setback allows for averaging the depth of the setback from the street lot line, any  
8 setback area further than 10 feet from the street lot line shall not be included in the averaging  
9 calculation.

<b>Table A for 23.48.640 Required (<del>(street-level)</del>) setbacks in the SM-U 85, SM-U 75-240, and SM-U 95-320 zones</b>	
<b>Street requiring setback from abutting street lot line ((:))</b>	<b>Required setback measured from street lot line</b>
NE 42 <sup>nd</sup> Street	3 feet average
NE 43 <sup>rd</sup> Street	3 feet average
NE 45 <sup>th</sup> Street	8 feet minimum
NE 50 <sup>th</sup> Street	5 feet minimum

10 2. All setback areas required by subsection 23.48.640.A.1 shall either be part of a  
11 usable open space or be landscaped according to standards in subsection 23.48.055.A.3, except  
12 that for setbacks required from lot lines abutting NE 45<sup>th</sup> Street and NE 50<sup>th</sup> Street, no  
13 landscaping is required if the setback area is paved to match the abutting sidewalk, and the  
14 Director, after consulting with the Director of the Seattle Department of Transportation,  
15 determines that the paved setback area will not conflict with Seattle Department of  
16 Transportation standards for the abutting sidewalk.

1                   3. Required (~~(street-level)~~) setbacks in the SM-U/R 75-240 zone. On all streets in  
2 the SM-U/R 75-240 zone, an average (~~(street-level)~~) setback of 5 feet is required from all street  
3 lot lines, subject to the following:

4                   a. No setback shall be less than 3 feet from the street lot line, and any  
5 setback area further than 10 feet from the street lot line shall not be included in the averaging  
6 calculation.

7                   b. The setback area shall either be part of a usable open space or  
8 landscaped according to standards in subsection 23.48.055.A.3.

9                   4. Underground structures are permitted in all required setback areas.

10                  5. Bay windows, canopies, horizontal projection of decks, balconies with open  
11 railings, eaves, cornices, gutters, and other similar architectural features that are at least 13 feet  
12 above the sidewalk elevation are permitted to extend up to 4 feet into the required setback.

13                  6. Setback areas eligible for floor area bonus. Areas provided as required street-  
14 level setbacks under this subsection 23.48.640.A that abut a designated Neighborhood Green  
15 Street shown on Map A for 23.48.640 are eligible for a floor area bonus as a green street setback,  
16 provided that the setback area complies with the development standards and conditions in  
17 Section 23.58A.040 for a green street setback.

18                  B. (~~(Facade)~~) Setback requirements for street-level residential units and live-work units.

19 In all SM-U zones, if a structure contains street-level, street-facing residential units or live-work  
20 units, facades that contain those uses (~~((the street-facing facades of street-level residential units~~  
21 ~~and live-work units))~~) shall set back an average of 7 feet from the street lot line, subject to the  
22 following:





1                   4. If the presence of an existing highrise structure would preclude the addition of  
2 another highrise structure on a different block front of the same block, the Director may, as a  
3 special exception according to Chapter 23.76, reduce the required separation of this subsection  
4 23.48.645.E by up to 20 percent. In determining the amount of reduction in separation allowed,  
5 the Director shall consider the following factors that may support the reduction in separation  
6 between structures and offset any related impacts:

7                   a. The potential impact of the additional highrise structure on adjacent  
8 structures located within the same block and on adjacent blocks, in terms of views, privacy, and  
9 shadows;

10                   b. Potential public benefits related to the development that offset the  
11 impact of the reduction in required separation between structures, such as the provision of public  
12 open space, improvements to a designated green street, or other streetscape improvements, or the  
13 preservation of a Landmark structure;

14                   c. The potential impact on the public environment, including shadow and  
15 view impacts on nearby streets and public open spaces; and

16                   d. Design characteristics of the additional structure, such as overall bulk  
17 and massing, orientation, facade treatments and transparency, visual interest, and other features  
18 that address the relationship between the two structures.

19                   5. For purposes of this subsection 23.48.645.E, a highrise structure is considered  
20 to be “existing” and must be taken into consideration when other highrise structures are  
21 proposed, under any of the following circumstances:

22                   a. The highrise structure is physically present, except that a highrise  
23 structure that is physically present is not considered “existing” if the owner of the lot where the

1 highrise structure is located has applied to the Director for a permit to demolish the highrise  
2 structure and provided that no building permit for the proposed highrise structure is issued until  
3 the demolition of the highrise structure that is physically present has been completed;

4 b. The highrise structure is a proposed highrise structure for which a  
5 complete application for a Master Use Permit or building permit has been submitted, provided  
6 that:

7 i. ~~((the))~~ The application has not been withdrawn or cancelled  
8 without the highrise structure having been constructed; and

9 ii. ~~((if))~~ If a decision on that application has been published or a  
10 permit on the application has been issued, the decision or permit has not expired, and has not  
11 been withdrawn, cancelled, or invalidated, without the highrise structure having been  
12 constructed.

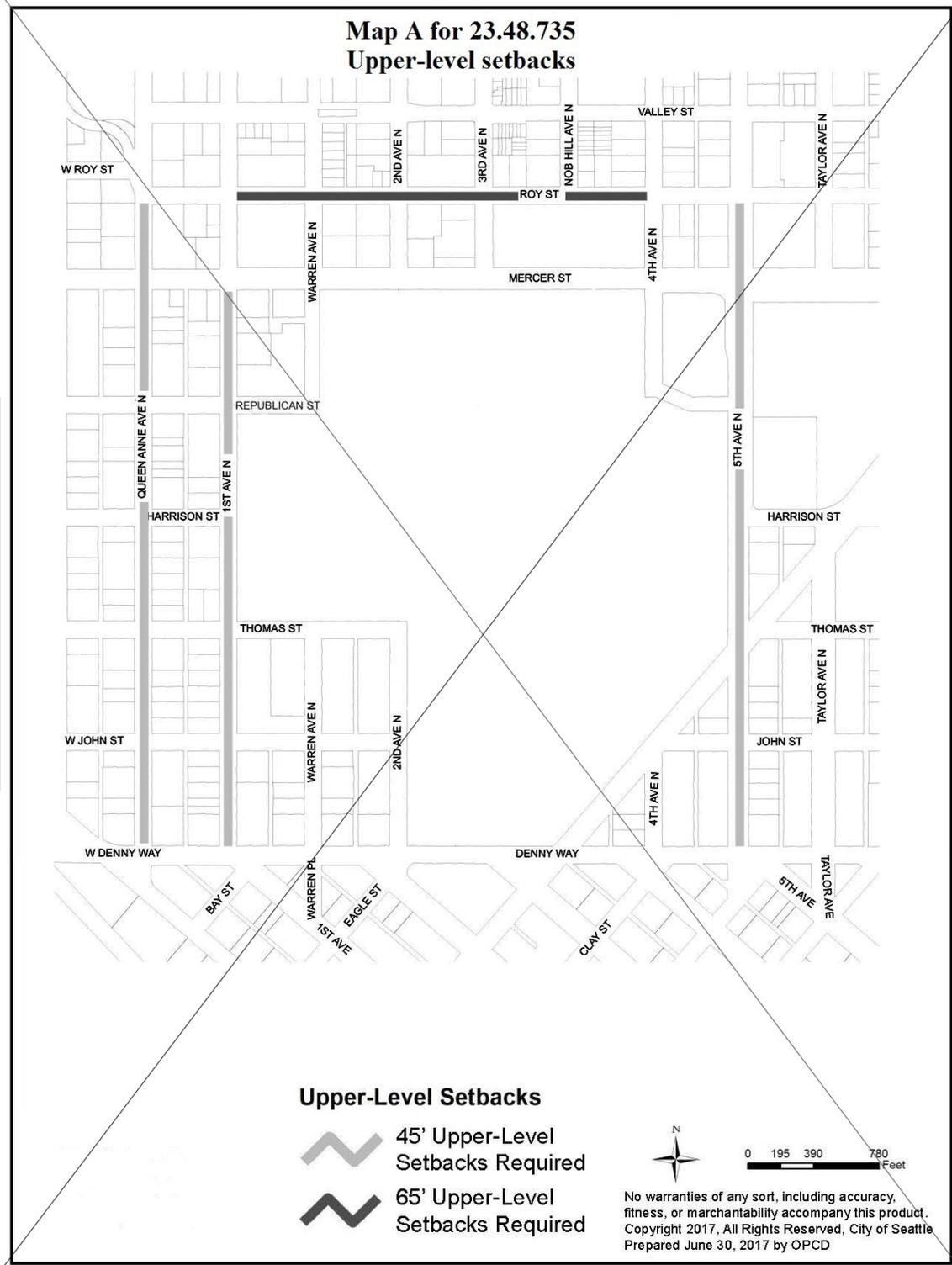
13 c. The highrise structure is a proposed highrise structure for which a  
14 complete application for early design guidance has been filed and a complete application for a  
15 Master Use Permit or building permit has not been submitted, provided that the early design  
16 guidance application will not qualify a proposed highrise structure as an existing highrise  
17 structure if a complete Master Use Permit application is not submitted within 90 days of the date  
18 of the early design guidance public meeting if one is required, or within 90 days of the date the  
19 Director provides guidance if no early design guidance public meeting is required, or within 150  
20 days of the first early design guidance public meeting if more than one early design guidance  
21 public meeting is held.

22 \* \* \*

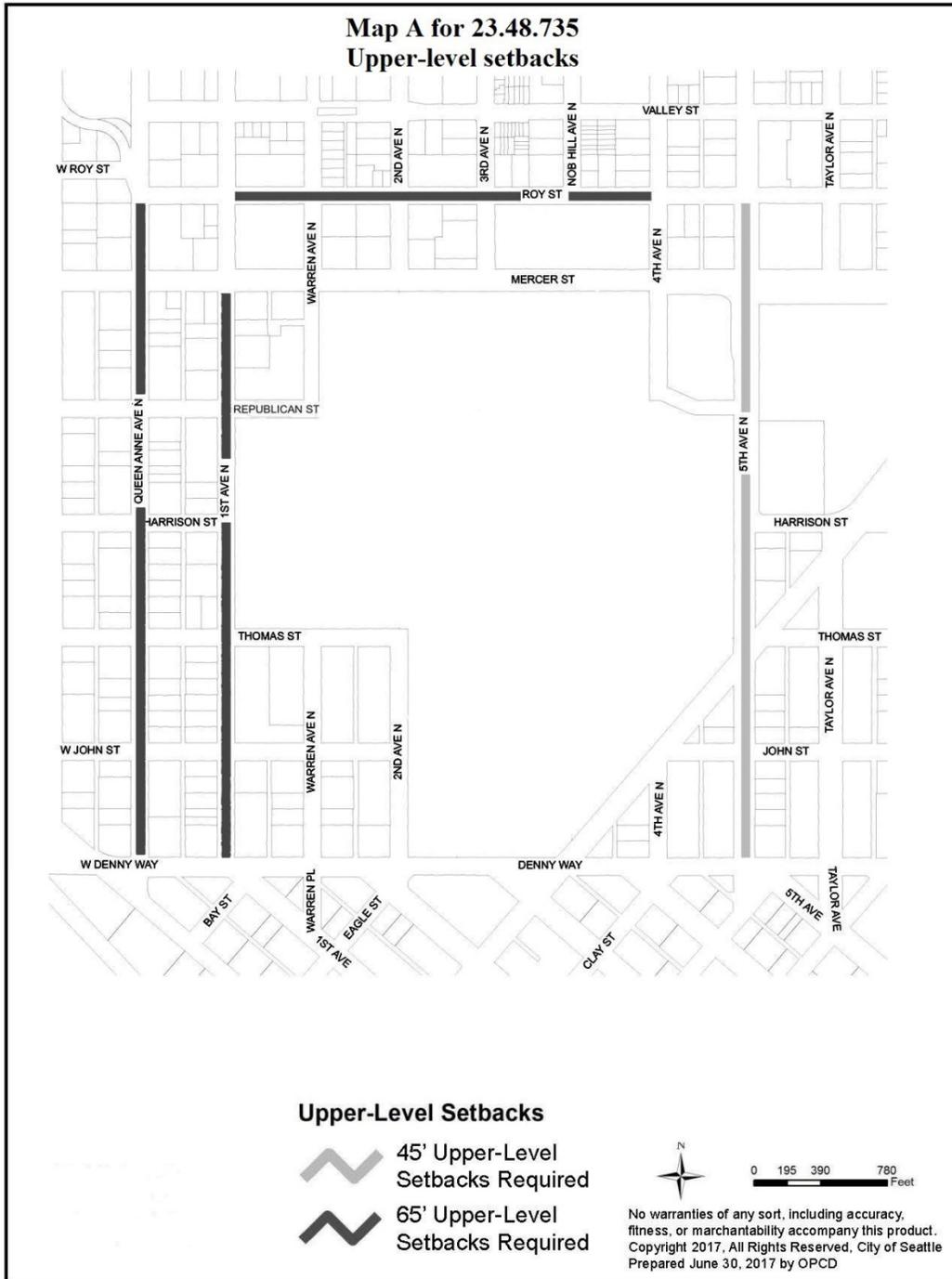


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### Map A for 23.48.735 Upper-level setbacks



3



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3  
4

Section [4344](#). Section 23.49.008 of the Seattle Municipal Code, last amended by Ordinance 125374, is amended as follows:

1 **23.49.008 Structure height**

2 The following provisions regulating structure height apply to all property in Downtown zones  
3 except the DH1 zone. Structure height for PSM, IDM, and IDR zones is regulated by this Section  
4 23.49.008, and by Sections 23.49.178, 23.49.208, and 23.49.236.

5 A. Base and maximum height limits

6 1. Except as otherwise provided in this Section 23.49.008, maximum structure  
7 heights for Downtown zones are as designated on the Official Land Use Map. In certain zones,  
8 as specified in this Section 23.49.008, the maximum structure height may be allowed only for  
9 particular uses or only on specified conditions, or both. If height limits are specified for portions  
10 of a structure that contain specified types of uses, the applicable height limit for the structure is  
11 the highest applicable height limit for the types of uses in the structure, unless otherwise  
12 specified.

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

19 3. In zones listed below in this subsection 23.49.008.A.3, the applicable height  
20 limit for portions of a structure that contain non-residential and live-work uses is shown as the  
21 first figure after the zone designation (except that there is no such limit in DOC1), and the base  
22 height limit for portions of a structure in residential use is shown as the first figure following the  
23 “/”. The third figure shown is the maximum residential height limit. Except as stated in

1 subsection 23.49.008.D, the base residential height limit is the applicable height limit for  
2 portions of a structure in residential use if the structure does not use the bonus available under  
3 Section 23.49.015, and the maximum residential height limit is the height limit for portions of a  
4 structure in residential use if the structure uses the bonus available under Section 23.49.015:

5 DOC1 Unlimited/450-unlimited

6 DOC2 ((~~500~~))550/300-550

7 DMC 340/290-440

8 DMC 240/290-440.

9 \* \* \*

10 ((~~F.~~)) H. In the DOC2 500/300-550 zone, as a Type I decision, the Director may increase  
11 the maximum height for residential uses to 640 feet provided that:

12 1. The structure is located on a block with an existing tower that exceeds 160 feet  
13 in height and that has at least 50 percent of gross floor area in residential use; and

14 2. The lot with the structure either:

15 a. ((~~abuts~~)) Abuts the lot with the existing tower or

16 b. ((~~is~~)) Is across an alley from the lot with the existing tower and has lot  
17 area, which could be developed with a tower meeting the requirements of Section 23.49.058,

18 located within 22 lineal feet of any portion of the lot with the existing tower; and

19 3. The average residential gross floor area of the structure per story above a height  
20 of 85 feet is not more than 11,200 square feet; and

21 4. All portions of the structure above a height of 85 feet are set back from the lot  
22 line closest to the lot with the existing tower by:

1 a. ~~((a))~~ At least 15 feet, if the lot on which the structure is located is  
2 across an alley from the lot with the existing tower; or

3 b. ~~((a))~~ At least 30 feet, if the lot on which the structure is located abuts  
4 the lot with the existing tower.

5 5. For the purposes of this subsection (~~(23.49.008.F)~~) 23.49.008.H, any setback  
6 from the lot line closest to the lot with the existing tower is measured from the lot line after any  
7 dedication required by Section 23.53.030.

8 6. For the purposes of this subsection (~~(23.49.008.F)~~) 23.49.008.H, a tower is  
9 "existing" if it meets the requirements of subsection 23.49.058.D.7.

10 Section ~~4445~~. Section 23.49.011 of the Seattle Municipal Code, last amended by  
11 Ordinance 125374, is amended as follows:

12 **23.49.011 Floor area ratio**

13 \* \* \*

14 **B. Exemptions and deductions from FAR calculations**

15 1. The following are not included in chargeable floor area, except as specified  
16 below in this Section 23.49.011:

17 \* \* \*

18 y. The floor area of required bicycle parking for small efficiency dwelling  
19 units or congregate residence sleeping rooms, if the bicycle parking is located within the  
20 structure containing the small efficiency dwelling units or congregate residence sleeping rooms.  
21 Floor area of bicycle parking that is provided beyond the required bicycle parking is not exempt  
22 from FAR limits.

23 \* \* \*

1 Section ~~4546~~. Section 23.49.015 of the Seattle Municipal Code, last amended by  
2 Ordinance 125272, is amended as follows:

3 **23.49.015 Bonus residential floor area in DOC1, DOC2, and DMC zones outside South**  
4 **Downtown for voluntary agreements for low-income housing and moderate-income**  
5 **housing**

6 \* \* \*

7 B. Voluntary agreements for housing

8 \* \* \*

9 3. For purposes of this Section 23.49.015, housing may be considered to be  
10 provided by the applicant seeking bonus development under the performance option if the  
11 housing satisfies all of the following conditions:

12 a. It is committed to serve an eligible income group, and for a time period,  
13 referred to in this Section 23.49.015 pursuant to an agreement between the housing owner and  
14 the City.

15 b. The agreement required by subsection 23.49.015.B.3.a is executed and  
16 recorded prior to the issuance of the Master Use Permit to establish the use for the project using  
17 the bonus development, but except when subsection 23.49.015.B.3.c.2 below applies, no earlier  
18 than one year prior to issuance of that Master Use Permit.

19 c. Either:

20 1) ~~((the))~~ The Certificate of Occupancy for the new low-income  
21 housing or moderate income housing, or both, must be issued within three years of the date the  
22 Certificate of Occupancy is issued for the project using the bonus development, unless the

1 Housing Director approves an extension based on delays that the applicant or housing developer  
2 could not reasonably have avoided, or

3 2) (~~only~~) Only in the case of low-income housing on a lot  
4 adjacent to the project using bonus development, which housing is subject to a regulatory  
5 agreement related to long-term City financing of low-income housing and was developed under a  
6 Master Use Permit issued pursuant to a decision that considered the housing together with a  
7 project then proposed on that adjacent site, a final Certificate of Occupancy for the low-income  
8 housing was issued within five years of the building permit issuance for the project proposed for  
9 bonus development on the adjacent lot.

10 d. If the low-income housing or moderate-income housing is not owned by  
11 the applicant, then the applicant made a financial contribution to the low-income housing or  
12 moderate-income housing, or promised such contribution and has provided to the City an  
13 irrevocable, unconditional letter of credit to ensure its payment, in form and content satisfactory  
14 to the Housing Director, in either case in an amount determined by the Housing Director to be,  
15 when reduced by the value of any expected benefits to be received for such contribution other  
16 than the bonus development, approximately equal to the cost of providing units within the  
17 project using the bonus development, and the owner of the low-income housing or moderate-  
18 income housing has entered into a linkage agreement with the applicant pursuant to which only  
19 the applicant has the right to claim such housing for purposes of bonus development under this  
20 Section (~~(23.48.915)~~) 23.49.015 or any other bonus under this Title 23.

21 \* \* \*

22 Section 4647. Section 23.49.023 of the Seattle Municipal Code, last amended by  
23 Ordinance 125371, is amended as follows:

1 **23.49.023 Extra residential floor area and hotel floor area in South Downtown;**  
2 **transferable development potential (TDP); limits on TDP sending sites**

3 \* \* \*

4 D. Transferable Development Potential (TDP)

5 1. Open space TDP may be transferred from a lot in any zone in South  
6 Downtown, subject to Section ((~~23.58A.040~~)) 23.58A.042, but only to a lot in South Downtown  
7 that is eligible to use TDP.

8 2. South Downtown Historic TDP may be transferred from a lot in any zone  
9 within the Pioneer Square Preservation District or the International Special Review District,  
10 subject to Section ((~~23.58A.040~~)) 23.58A.042, but only to a lot in South Downtown that is  
11 eligible to use TDP.

12 E. Limits on TDP sending sites

13 1. Development on any lot from which TDP is transferred is limited pursuant to  
14 Section ((~~23.58A.040~~)) 23.58A.042, any other provision of this Title 23 notwithstanding.

15 2. Lot coverage on any lot from which open space TDP is transferred is limited  
16 pursuant to Section ((~~23.58A.040~~)) 23.58A.042.

17 \* \* \*

18 Section ~~4748~~. Section 23.49.032 of the Seattle Municipal Code, last amended by  
19 Ordinance 122054, is amended as follows:

20 **23.49.032 Additions of chargeable floor area to lots with existing structures ((-))**

21 A. ((~~When~~)) If development is proposed on a lot that will retain existing structures  
22 containing chargeable floor area in excess of the applicable base FAR, additional chargeable  
23 floor area may be added to the lot up to the maximum permitted FAR, by qualifying for bonuses

1 or using TDR, or both, and by the use of ~~((rural))~~ regional development credits if permitted on  
2 ~~((such))~~ the lot, subject to the general rules for FAR and use of bonuses, TDR, and ~~((rural))~~  
3 regional development credits, ~~((SMC))~~ Sections 23.49.011 through 23.49.014. If the lot area of  
4 an existing development is decreased, resulting in an increase of the amount of chargeable floor  
5 area in excess of the applicable base FAR, the additional chargeable floor area shall be supported  
6 by qualifying for bonuses or using TDR, or both, and by the use of regional development credits  
7 if permitted on the lot, subject to the general rules for FAR and uses of bonuses, TDR and  
8 regional development credits, Sections 23.49.011 through 23.49.014. Solely for the purpose of  
9 determining the amounts and types of bonus and TDR, if any, that may be used to achieve the  
10 proposed increase in chargeable floor area over the base FAR, the legally established continuing  
11 chargeable floor area of the existing structures on the lot shall be considered as the base FAR.

12 \* \* \*

13 C. When subsection 23.49.032.A or 23.49.032.B applies, any existing public benefit  
14 features for which increased floor area was granted under Title 24 shall, to the extent possible in  
15 the opinion of the Director, satisfy the requirements of Section 23.49.034. ~~((Modification of~~  
16 ~~plazas and other features bonused under Title 24.))~~

17 Section ~~4849~~. Section 23.49.106 of the Seattle Municipal Code, last amended by  
18 Ordinance 122054, is amended as follows:

19 **23.49.106 Downtown Retail Core, street facade requirements((~~o~~))**

20 Standards for the street facades of structures are established for the following elements:

21 Minimum and maximum facade heights

22 Setback limits

23 Facade transparency

1 Blank facade limits

2 Screening of parking

3 Street trees.

4 These standards shall apply to each lot line of a lot that abuts a street.

5 A. Minimum ~~((Facade Height))~~ facade height. Minimum facade height shall be ~~((thirty-~~  
6 ~~five-(35)))~~ 35 feet except that this requirement shall not apply when all portions of the structure  
7 are lower than an elevation of ~~((thirty-five-(35)))~~ 35 feet.

8 B. Facade ~~((Setback Limits.))~~ setback limits

9 1. The facades of structures less than or equal to ~~((fifteen-(15)))~~ 15 feet in height  
10 shall be located within ~~((two-(2)))~~ 2 feet of the street property line.

11 2. Structures greater than ~~((fifteen-(15)))~~ 15 feet in height shall be governed by the  
12 following criteria:

13 a. No setback limits shall apply up to an elevation of ~~((fifteen-(15)))~~ 15  
14 feet above sidewalk grade.

15 b. Between the elevations of ~~((fifteen-(15)))~~ 15 and ~~((thirty-five-(35)))~~ 35  
16 feet above sidewalk grade, the facade shall be located within ~~((two-(2)))~~ 2 feet of the street  
17 property line, except that setbacks between the elevations of ~~((fifteen-(15)))~~ 15 and ~~((thirty-five~~  
18 ~~(35)))~~ 35 feet above sidewalk grade at the property line shall be permitted according to the  
19 following standards (see Exhibit A for 23.49.106 ~~((A)))~~:

20 ~~((f))~~ 1) The maximum setback shall be ~~((ten-(10)))~~ 10 feet.

21 ~~((f))~~ 2) The total area of the portion of the facade between the  
22 elevations of ~~((fifteen-(15)))~~ 15 feet and ~~((thirty-five-(35)))~~ 35 feet above sidewalk grade at the  
23 street property line that is set back more than ~~((two-(2)))~~ 2 feet from the street property line shall

1 not exceed ~~((forty (40)))~~ 40 percent of the total facade area between the elevations of ~~((fifteen~~  
2 ~~(15)))~~ 15 feet and ~~((thirty five (35)))~~ 35 feet.

3 ~~((€))~~ 3) No setback deeper than ~~((two (2)))~~ 2 feet shall be wider  
4 than ~~((twenty (20)))~~ 20 feet, measured parallel to the street property line.

5 ~~((€))~~ 4) The facade of the structure shall return to within ~~((two (2)))~~  
6 2 feet of the street property line between each setback area for a minimum of ~~((ten (10)))~~ 10 feet.

7 Balcony railings and other nonstructural features or walls shall not be considered the facade of  
8 the structure.

9 3. When sidewalk widening is required by Section 23.49.022, setback standards  
10 shall be measured to the line established by the new sidewalk width rather than the street  
11 property line.

12 C. Facade ~~((Transparency Requirements.))~~ transparency requirements

13 1. Facade transparency requirements shall apply to the area of the facade between  
14 ~~((two (2)))~~ 2 feet and ~~((eight (8)))~~ 8 feet above the sidewalk. Only clear or lightly tinted glass in  
15 windows, doors and display windows shall be considered transparent. Transparent areas shall  
16 allow views into the structure or into display windows from the outside.

17 2. When the transparency requirements of this subsection are inconsistent with the  
18 glazing limits in the Energy Code, this subsection shall apply.

19 3. On all streets, a minimum of ~~((sixty (60)))~~ 60 percent of the street level facade  
20 shall be transparent.

21 D. Blank ~~((Facade Limits.))~~ facade limits

22 1. Blank facade limits shall apply to the area of the facade between ~~((two (2)))~~ 2  
23 feet and ~~((eight (8)))~~ 8 feet above the sidewalk.

1                   2. Any portion of the facade which is not transparent shall be considered to be a  
2 blank facade.

3                   3. Blank facades shall be limited to segments (~~((fifteen-15))~~) 15 feet wide, except  
4 for garage doors which may be wider than (~~((fifteen-15))~~) 15 feet. Blank facade width may be  
5 increased to (~~((thirty-30))~~) 30 feet if the Director determines that the facade is enhanced by  
6 architectural detailing, artwork, landscaping, or similar features that have visual interest. The  
7 width of garage doors shall be limited to the width of the driveway plus (~~((five-5))~~) 5 feet.

8                   4. Any blank segments of the facade shall be separated by transparent areas at  
9 least (~~((two-2))~~) 2 feet wide.

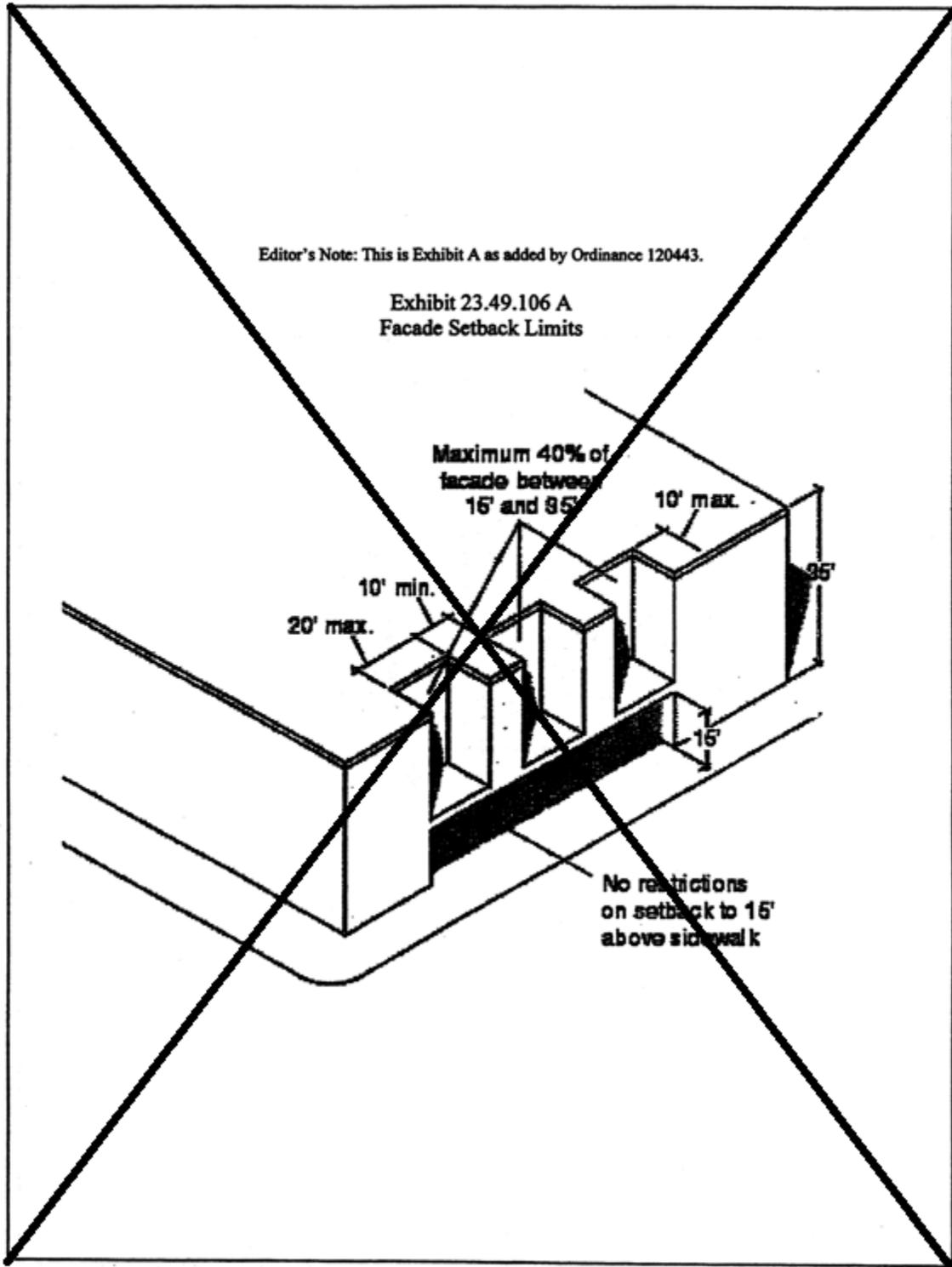
10                  5. The total of all blank facade segments, including garage doors, shall not exceed  
11 (~~((forty-40))~~) 40 percent of the street facade of the structure on each street frontage.

12                  E. Reserved.

13                  F. Street (~~((Tree Requirements))~~) tree requirements. Street trees shall be required on all  
14 streets abutting a lot. When areaways are located beneath the sidewalk, the street trees shall be  
15 planted in below-grade containers with provisions for watering the trees. Street trees shall be  
16 planted according to Seattle Department of Transportation Tree Planting Standards.

1  
2

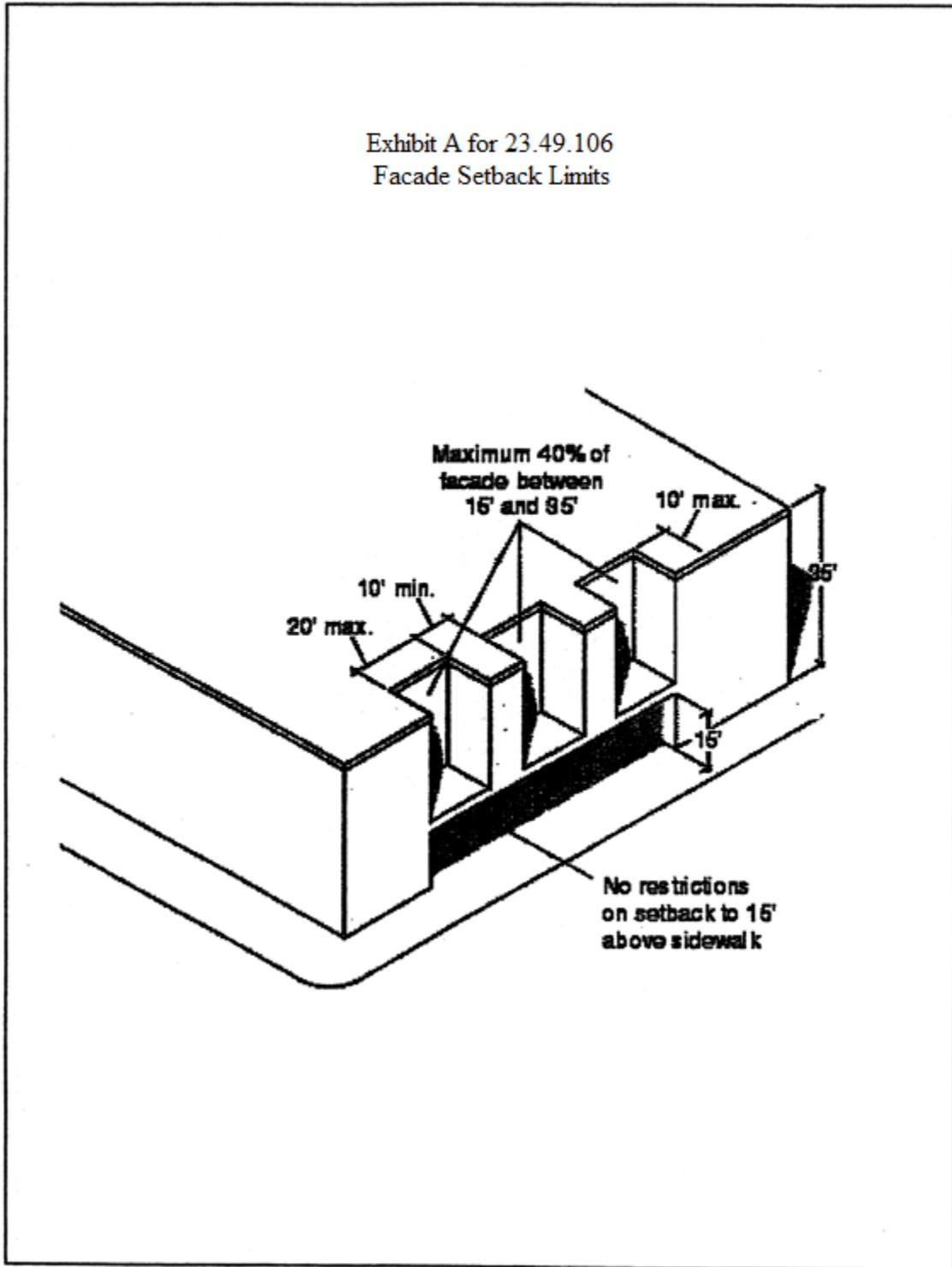
**Exhibit A for 23.49.106**  
**Facade Setback Limits**



3

1

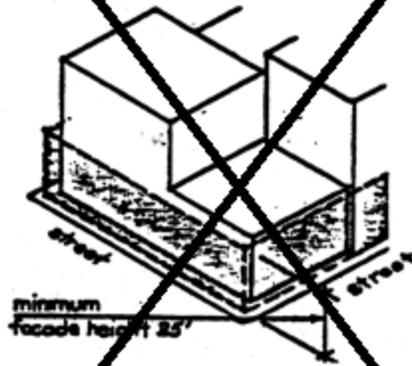
**((Exhibit 23.49.106A))**



2

Editor's Note: This was Exhibit A prior to amendments made by Ordinance 120443.

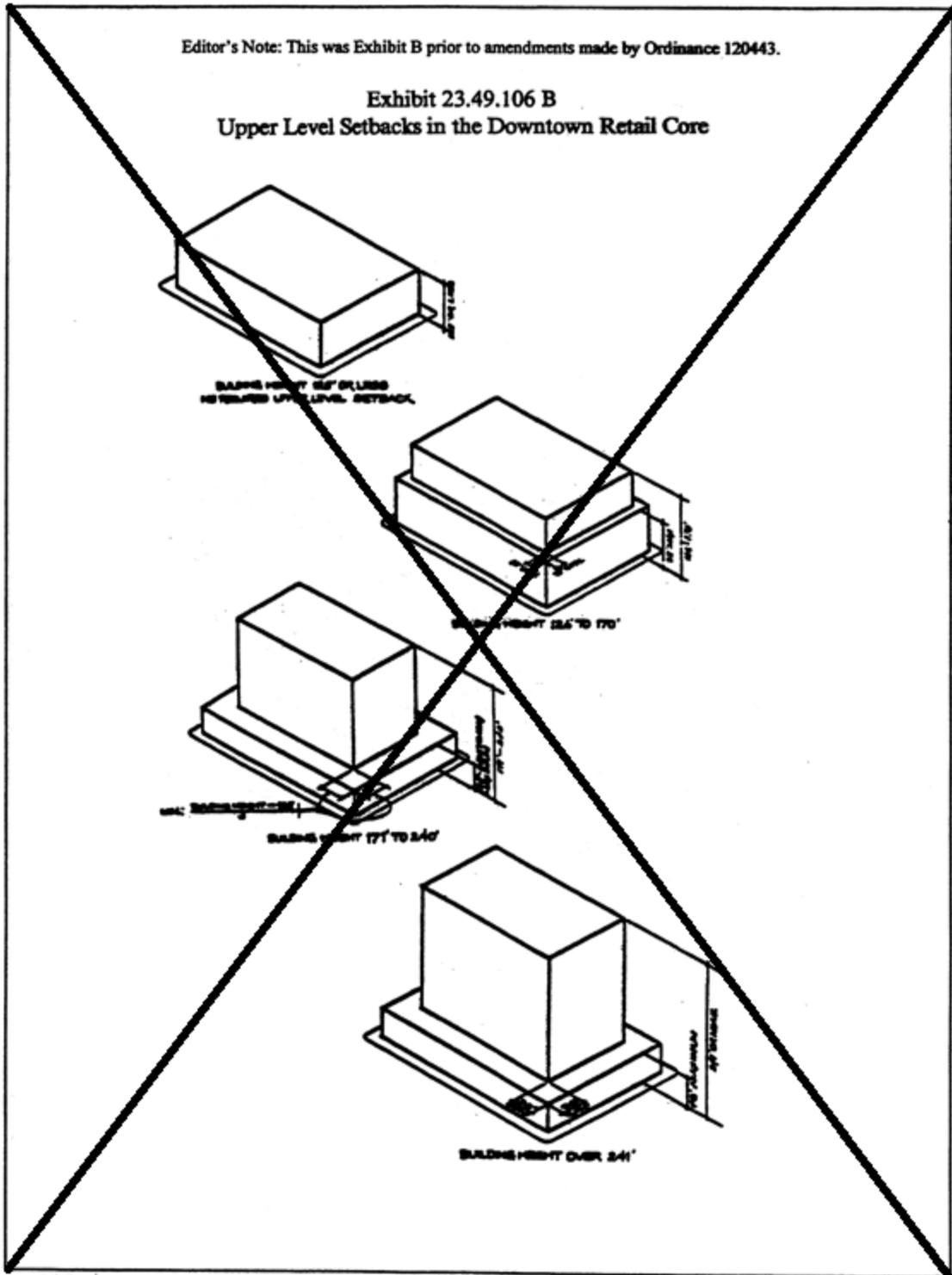
**Exhibit 23.49.106 A (Old)  
Minimum Façade Height**



***((Exhibit 23.49.106A (Old))***

Editor's Note: This was Exhibit B prior to amendments made by Ordinance 120443.

**Exhibit 23.49.106 B**  
**Upper Level Setbacks in the Downtown Retail Core**

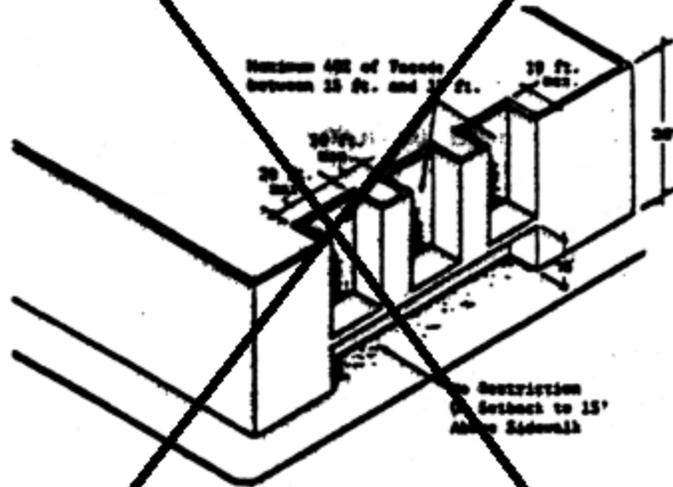


1  
2

*((Exhibit 23.49.106B))*

Editor's Note: This was Exhibit C prior to amendments made by Ordinance 120443

**Exhibit 23.49.106 C**  
**Exception to Maximum Setback Limits**



1  
2

**((Exhibit 23.49.106C))**

1           Section ~~49~~50. Section 23.49.108 of the Seattle Municipal Code, last amended by  
2 Ordinance 122054, is amended as follows:

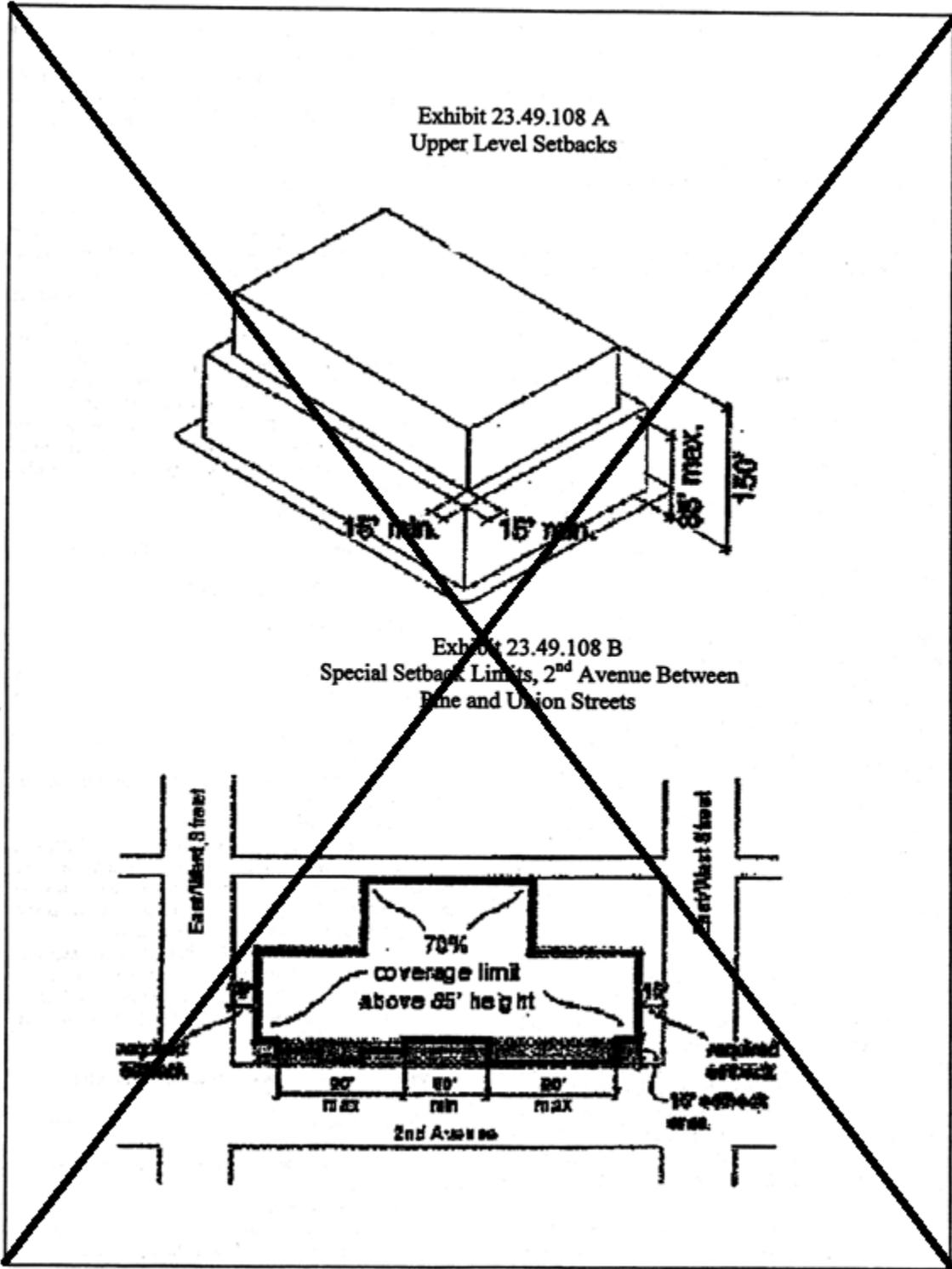
3 **23.49.108 Downtown Retail Core, upper-level development standards(~~3~~)**

4           (~~(A)~~) Structure setbacks of (~~(fifteen)~~)15(~~(3)~~) feet from the street property line are  
5 required for all portions of a building at or above a height of (~~(eighty-five)~~)85(~~(3)~~) feet above  
6 the adjacent sidewalk. (See Exhibit A for 23.49.108(~~A~~)).)

DRAFT

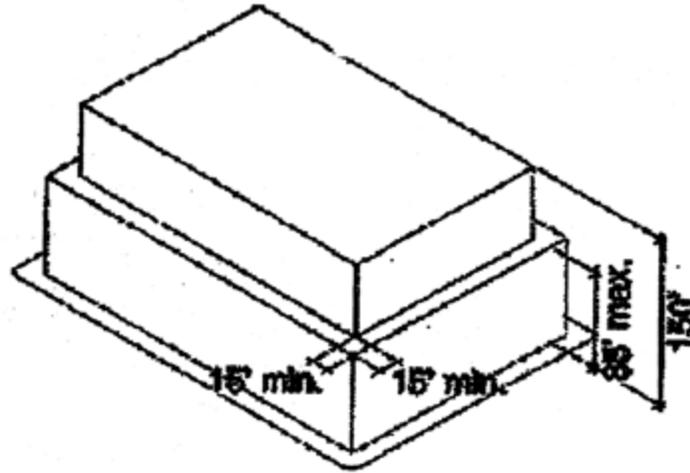
1  
2

Exhibit A for 23.49.108  
Upper Level Setbacks



3

Exhibit A for 23.49.108  
Upper Level Setbacks



1  
2

((Exhibits 23.49.108A, 23.49.108B))

1 Section ~~5051~~. Section 23.49.164 of the Seattle Municipal Code, last amended by  
2 Ordinance 125371, is amended as follows:

3 **23.49.164 Downtown Mixed Residential, maximum width, depth, and separation**  
4 **requirements**

5 A. Width and depth limits((-))

6 1. Except as provided in subsections 23.49.164.B, 23.49.164.C, and 23.49.164.D,  
7 a maximum width and depth for ~~((the))~~ any portion of a structure above 65 feet in height is  
8 established in Table A for 23.49.164. ~~((, and this portion of the structure shall be separated~~  
9 ~~horizontally from any other portion of a structure on the lot above 65 feet in height by at least 20~~  
10 ~~feet at all points.))~~ The maximum applies to the width and depth of portions of structures as  
11 measured parallel to any street lot line.

12 2. Any portion of a structure above 65 feet in height shall be separated  
13 horizontally by at least 20 feet at all points from any other portion of a structure on the lot above  
14 65 feet in height.

<b>Table A for 23.49.164</b>		
<b>Maximum width and depth by lot size</b>		
<b>Height of portion of structure (in feet)</b>	<b>0—19,000 square feet</b>	<b>Greater than 19,000 square feet</b>
Greater than 65 up to 145	90 feet on avenues 120 feet on east/west streets	120 feet
Greater than 145	Not applicable	100 feet

15 \* \* \*

16 ~~Section 51. Section 23.50.012 of the Seattle Municipal Code, last amended by Ordinance~~  
17 ~~124969, is amended as follows:~~

**23.50.012 Permitted and ((Prohibited Uses)) prohibited uses**

A. All uses are permitted outright, prohibited, or permitted as a conditional use, according to Table A for 23.50.012 and this Section 23.50.012.

\*\*\*

<b>Table A for 23.50.012 Uses in Industrial zones</b>						
<b>Uses</b>	<b>Permitted and prohibited uses by zone</b>					
	<b>IB</b>	<b>IC</b>	<b>IG1 and IG2 (general)</b>	<b>IG1 in the Duwamish M/I Center</b>	<b>IG2 in the Duwamish M/I Center</b>	
***						
<b>L. TRANSPORTATION FACILITIES</b>						
L.1. Cargo terminals			P	P	P	P
L.2. Parking and moorage						
L.2.a. Boat moorage			P	P	P	P
L.2.b. Dry boat storage			P	P	P	P
L.2.c. Parking, principal use, except as listed below			P	P or X(17)	P	X(5) X(5)
L.2.c.i. Park and Pool lots			P(18)	P(18)	P(18)	CU CU
L.2.c.ii. Park and Ride ((L)) lots			CU	CU	CU	CU CU
L.2.d. Towing services			P	P	P	P
L.3. Passenger terminals			P	P	P	P
L.4. Rail transit facilities			P	P	P	P
L.5. Transportation facilities, air						
L.5.a. Airports (land-based)			X	CCU	CCU	CCU CCU
L.5.b. Airports (water-based)			X	CCU	CCU	CCU CCU
L.5.c. Heliports			X	CCU	CCU	CCU CCU
L.5.d. Helistops			CCU	CCU	CCU	CCU CCU
L.6. Vehicle storage and maintenance						
L.6.a. Bus bases			CU	CU	CU	CU CU
L.6.b. Railroad switchyards			P	P	P	P
L.6.c. Railroad switchyards with a mechanized hump			X	X	CU	CU CU
L.6.d. Transportation services, personal			P	P	P	P

~~\*\*\*~~

~~Footnotes to Table A for 23.50.012~~

~~—(1) In addition to the provisions in this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.~~

~~—(2) Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:~~

~~—(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;~~

~~—(b) 10,000 square feet in IB and IC zones; and~~

~~—(c) 20,000 square feet in IG2 zones.~~

~~—(3) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead, or injured animals are permitted.~~

~~—(4) Subject to subsection 23.50.012.E.~~

~~—(5) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for general parking purposes or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Area Overlay District may reserve parking. Such reserved non required parking shall be permitted to be used for general parking purposes and is exempt from the one space per 650 square feet ratio under the following circumstances:~~

~~—(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and~~

~~—(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and~~

~~—(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.~~

~~—(6) Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.~~

~~—(7) The high impact uses listed in subsection 23.50.014.B.10 may be permitted as conditional uses.~~

~~—(8) High impact uses may be permitted as conditional uses as provided in subsection 23.50.014.B.5.~~

~~—(9) Research and education facilities that are a part of a college or university, and that are water dependent or water related, as defined by Section 23.60A.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.~~

~~—(10) A college or university offering a primarily vocational curriculum within the zone is permitted.~~

~~—(11) Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014.B.14.~~

~~—(12) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street,~~

~~museums are allowed in new buildings or structures.~~  
~~—(13) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.~~  
~~—(14) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.~~  
~~—(15) The heavy manufacturing uses listed in subsection 23.50.014.B.9 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.~~  
~~—(16) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided in subsection 23.50.014.C.~~  
~~—(17) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.~~  
~~—(18) Park and pool lots are not permitted within 3,000 feet of the Downtown Urban Center.~~  
~~—(19) Subject to subsection 23.50.014.B.7.e.~~

1 Section 52. Section 23.50.014 of the Seattle Municipal Code, last amended by Ordinance  
2 124969, is amended as follows:

3 **23.50.014 Conditional uses**

4 \* \* \*

5 B. Administrative conditional uses. The following uses, identified as administrative  
6 conditional uses in Table A for 23.50.012, may be permitted by the Director if the provisions of  
7 this subsection 23.50.014.B and subsection 23.50.014.A are met.

8 \* \* \*

9 10. The high-impact uses listed in subsection 23.50.014.B.10.a may be permitted  
10 as conditional uses in the Industrial Commercial (IC) zone according to the criteria contained in  
11 subsection 23.50.014.B.10.b.

12 a. Uses

13 ((c)) 1) The manufacture of Group A hazardous materials, except  
14 Class A or B explosives; and

15 ((c)) 2) The manufacture of Group B hazardous materials, when the  
16 hazardous materials are present in quantities greater than 2,500 pounds of solids, 275 gallons of  
17 liquids, or 1,000 cubic feet of gas at any time.

1 b. Criteria

2 ((f)) 1) The lot is located so that large concentrations of people,  
3 particularly in residential and commercial areas, are not exposed to unreasonable adverse  
4 impacts;

5 ((f)) 2) A management plan may be required. The Director may  
6 determine the level of detail to be disclosed in the plan based on the probable impacts and/or the  
7 scale of the effects. Discussion of materials handling and storage, odor control, transportation,  
8 and other factors may be required;

9 ((f)) 3) The finished product as packaged for sale or distribution  
10 shall be in such a form that product handling and shipment does not constitute a significant  
11 public health risk; and

12 ((f)) 4) The nature of the materials produced and/or the scale of  
13 manufacturing operations may be limited in order to minimize the degree and severity of risks to  
14 public health and safety.

15 Section 53. Section 23.50.016 of the Seattle Municipal Code, last amended by Ordinance  
16 123589, is amended as follows:

17 **23.50.016 Landscaping standards on designated streets**

18 Uses located on streets that have been designated on the Industrial Streets Landscaping Plan Map  
19 (Map A for 23.50.016), shall provide landscaping as outlined in subsections 23.50.016.A and  
20 23.50.016.B.

21 A. Street ~~((Trees))~~ trees. Street trees are required along designated street frontages. Street  
22 trees shall be provided in the planting strip according to Seattle Department of Transportation  
23 Tree Planting Standards.

1 B. Exceptions to ~~((Street Tree Requirements.))~~ street tree requirements

2 1. Street trees required by subsection ~~((A of this section))~~ 23.50.016.A may be  
3 located on the lot ~~((at least two feet (2'))~~) within 5 feet but not less than 2 feet from the street lot  
4 line instead of in the planting strip ~~((when))~~ if:

5 a. Existing trees and/or landscaping on the lot provide improvements  
6 substantially equivalent to those required in this ~~((section))~~ Section 23.50.016.

7 b. ~~((It is not feasible to plant street trees according to City standards. A  
8 five-foot (5') deep landscaped setback area shall be required along the street property lines and  
9 trees shall be planted there. If an on-site landscaped area is already required, the trees shall be  
10 planted there if they cannot be placed in the planting strip.~~

11 e.) Continuity of landscaping on adjacent properties along the street front  
12 is desirable.

13 c. Existing railroad tracks and/or a railroad easement are within 10 feet of  
14 the paved portion of a street designated on the Industrial Streets Landscaping Plan Map.

15 2. If it is not feasible to plant street trees according to City standards, a 5-foot  
16 deep landscaped setback area is required along the street property lines and trees shall be planted  
17 there. If an on-site landscaped area is already required, the trees shall be planted there if they  
18 cannot be placed in the planting strip.

19 3. Street trees shall not be required for an expansion of less than ~~((two thousand  
20 five hundred (2,500(2,500)))~~) square feet. Two ~~((2))~~ street trees shall be required for each  
21 additional ~~((one thousand (1,000(1,000)))~~) square feet of expansion. The maximum number of street  
22 trees shall be controlled by Seattle Department of Transportation standards. Rounding, ~~((per  
23 Section))~~ described in subsection 23.86.002.B, ((shall not be)) is not permitted.



1 **23.50.032 Industrial Commercial—Setback requirements ((~~7~~))**

2 \* \* \*

3 ~~((D. A setback may be required in order to meet the provisions of Section 23.53.015,~~  
4 ~~Improvement requirements for existing streets in residential and commercial zones, and Section~~  
5 ~~23.53.030, Alley improvements in all zones.))~~

6 Section 57. Section 23.51A.002 of the Seattle Municipal Code, last amended by  
7 Ordinance 123209, is amended as follows:

8 **23.51A.002 Public facilities in single family zones**

9 \* \* \*

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

15 1. Applicable ~~((Procedures))~~ procedures. The decision on an application for the  
16 expansion or reconfiguration of a sewage treatment plant is a Type IV Council land use decision.  
17 If an application for an early determination of feasibility is required to be filed pursuant to  
18 subsection 23.51A.002.D.2 ~~((of this section 23.51A.002))~~, the early determination of feasibility  
19 will also be a Council land use decision subject to Sections 23.76.038 through 23.76.056.

20 2. Need for ~~((Feasible Alternative Determination))~~ feasible alternative  
21 determination. The proponent shall demonstrate that there is no feasible alternative location in a  
22 zone where establishment of the use is permitted.

1 a. The Council's decision as to the feasibility of alternative location(s)  
2 shall be based upon a full consideration of the environmental, social, and economic impacts on  
3 the community, and the intent to preserve and to protect the physical character of single-family  
4 areas, and to protect single-family areas from intrusions of non-single-family uses.

5 b. The determination of feasibility may be the subject of a separate  
6 application for a Council land use decision prior to submission of an application for a project-  
7 specific approval if the Director determines that the expansion or reconfiguration proposal is  
8 complex, involves the phasing of programmatic and project-specific decisions or affects more  
9 than one site in a single-family zone.

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

11 1) The scope and intent of the proposed project in the single-family  
12 zone and appropriate alternative(s) in zones where establishment of the use is permitted,  
13 identified by the applicant or the Director;

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

17 3) Information on the overall sewage treatment system that  
18 outlines the interrelationship of facilities in single-family zones and in zones where  
19 establishment of the use is permitted;

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

22 d. If a proposal or any portion of a proposal is also subject to a feasible  
23 (~~or reasonable~~) alternative location determination under Section 23.60A.066, the Plan

1 Shoreline Permit application and the early determination application will be considered in one  
2 determination process.

3 \* \* \*

4 Section 58. Section 23.53.015 of the Seattle Municipal Code, last amended by Ordinance  
5 125272, is amended as follows:

6 **23.53.015 Improvement requirements for existing streets in residential and commercial**  
7 **zones**

8 A. General requirements

9 \* \* \*

10 6. Minimum right-of-way widths ((-))

11 a. Arterials. The minimum right-of-way widths for arterials as designated  
12 ((on the Arterial street map, Section 11.18.010)) by the Seattle Department of Transportation,  
13 are as specified in the Right-of-Way Improvements Manual.

14 \* \* \*

15 B. Improvements to ~~((Arterial Streets))~~ arterial streets. Except as provided in Subsection  
16 23.53.015.D, arterials shall be improved according to the following requirements:

17 1. If a street is designated as an arterial ~~((on the Arterial street map, Section~~  
18 ~~11.18.010))~~ by the Seattle Department of Transportation, a paved roadway with a curb and  
19 pedestrian access and circulation as required by Section 23.53.006, drainage facilities, and any  
20 landscaping required by the zone in which the lot is located shall be provided in the portion of  
21 the street right-of-way abutting the lot, as specified in the Right-of-Way Improvements Manual.

22 2. If necessary to accommodate the right-of-way and roadway widths specified in  
23 the Right-of-Way Improvements Manual, dedication of right-of-way is required. If an existing

1 arterial street has less than the minimum right-of-way width established in subsection  
2 23.53.015.A.6, dedication of additional right-of-way equal to half the difference between the  
3 current right-of-way width and the minimum right-of-way width established in subsection  
4 23.53.015.A.6 is required.

5 \* \* \*

6 Section 59. Section 23.53.030 of the Seattle Municipal Code, last amended by Ordinance  
7 125272, is amended as follows:

8 **23.53.030 Alley improvements in all zones**

9 \* \* \*

10 B. New ~~((Alleys.))~~ alleys

11 1. New alleys created through the platting process shall meet the requirements of  
12 Subtitle ~~((III))~~ II of this ~~((title, Platting Requirements))~~ Title 23.

13 \* \* \*

14 F. Existing ~~((Alleys Which Do Not Meet the Minimum Width))~~ alleys that do not meet  
15 minimum width

16 1. When an existing alley is used for access to parking spaces, open storage, or  
17 loading berths on a lot, and the alley does not meet the minimum width established in subsection  
18 23.53.030.D, except as provided in subsection 23.53.030.G, a dedication equal to half the  
19 difference between the current alley right-of-way width and minimum right-of-way width  
20 established in subsection 23.53.030.D shall be required; provided, however, that if right-of-way  
21 has been dedicated since 1982, other lots on the block shall not be required to dedicate more than  
22 that amount of right-of-way. Underground and overhead portions of structures that would not  
23 interfere with the functioning of the alley may be allowed by the Director of the Seattle



<b><u>Table B for 23.54.015</u></b>		
<b><u>Required Parking for Residential Uses</u></b>		
<b><u>Use</u></b>	<b><u>Minimum parking required</u></b>	
<b><u>I. General residential uses</u></b>		
<b><u>A.</u></b>	<b><u>Adult family homes</u></b>	<b><u>1 space for each dwelling unit</u></b>
<b><u>B.</u></b>	<b><u>Artist’s studio/dwellings</u></b>	<b><u>1 space for each dwelling unit</u></b>
<b><u>C.</u></b>	<b><u>Assisted living facilities</u></b>	<b><u>1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space</u></b>
<b><u>D.</u></b>	<b><u>Caretaker’s quarters</u></b>	<b><u>1 space for each dwelling unit</u></b>
<b><u>E.</u></b>	<b><u>Congregate residences</u></b>	<b><u>1 space for each 4 sleeping rooms</u></b>
<b><u>F.</u></b>	<b><u>Cottage housing developments</u></b>	<b><u>1 space for each dwelling unit</u></b>
<b><u>G.</u></b>	<b><u>Floating homes</u></b>	<b><u>1 space for each dwelling unit</u></b>
<b><u>H.</u></b>	<b><u>Mobile home parks</u></b>	<b><u>1 space for each mobile home lot as defined in Chapter 22.904</u></b>
<b><u>I.</u></b>	<b><u>Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015<sup>1</sup></u></b>	<b><u>1 space for each dwelling unit, or 1 space for each 2 small efficiency dwelling units</u></b>
<b><u>J.</u></b>	<b><u>Nursing homes<sup>2</sup></u></b>	<b><u>1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds</u></b>
<b><u>K.</u></b>	<b><u>Single-family dwelling units</u></b>	<b><u>1 space for each dwelling unit<sup>3</sup></u></b>
<b><u>II. Residential use requirements for specific areas</u></b>		
<b><u>L.</u></b>	<b><u>All residential uses within urban centers or within the Station Area Overlay District<sup>1</sup></u></b>	<b><u>No minimum requirement</u></b>
<b><u>M.</u></b>	<b><u>All residential uses in commercial and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area<sup>1, 4</sup></u></b>	<b><u>No minimum requirement</u></b>
<b><u>N.</u></b>	<b><u>Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015<sup>1</sup></u></b>	<b><u>1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms</u></b>
<b><u>O.</u></b>	<b><u>Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015<sup>1</sup></u></b>	<b><u>1.5 spaces for each dwelling unit</u></b>

**Table B for 23.54.015**  
**Required Parking for Residential Uses**

**III. Multifamily residential use requirements with rent and income criteria**

P.	For each dwelling unit rent and income-restricted at or below 80 percent of the median income <sup>1, 5</sup>	No minimum requirement
----	---	------------------------

Footnotes to Table B for 23.54.015

<sup>1</sup> The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a greater or a lesser amount of minimum parking, including no parking, under any other provision of this Section 23.54.015. If more than one such provision may apply, the provision requiring the least amount of minimum parking applies, except that if ((line O in Part II of this table applies, it shall supercede any other applicable requirement in Part I or Part II of this table.))~~((an applicable minimum parking requirement in Part II of Table B for 23.54.015 requires more parking than Part I, it shall be applicable and other minimum parking requirements in Part I of Table B shall not apply.))~~ The minimum amount of parking prescribed by Part III of Table B for 23.54.015 applies to individual units within a use, structure, or development instead of any requirements in Parts I or II of Table B for 23.54.015.

<sup>2</sup> For development within single-family zones the Director may waive some or all of the minimum parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the minimum parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions are effective only as long as the conditions that justify the waiver are present. When the conditions are no longer present, the development shall provide the amount of minimum parking that otherwise is required.

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

<sup>4</sup> Except as provided in Part III of Table B, the minimum amounts of parking prescribed by Part I of Table B apply within 1,320 feet of the Fauntleroy Ferry Terminal.

<sup>5</sup> Dwelling units qualifying for parking reductions according to Part III of Table B for 23.54.015 shall be subject to a recorded restrictive housing covenant or recorded regulatory agreement that includes rent and income restrictions at or below 80 percent of median income, without a minimum household income requirement. The housing covenant or regulatory agreement including rent and income restrictions qualifying the development for parking reductions according to Part III of Table B for 23.54.015 shall be for a term of at least 15 years from the date of issuance of the certificate of occupancy and shall be recorded with the King County Recorder, signed and acknowledged by the owner(s), in a form prescribed by the Director of Housing. If these provisions are applied to a development for housing for persons 55 or more years of age, such housing shall have qualified for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.

\* \* \*

Section ~~6061~~. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance 125272, is amended as follows:

**23.54.030 Parking space standards**

\* \* \*

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

1. Residential uses

a. Number of curb cuts

1) For lots not located on a principal arterial as designated ((on the Arterial street map, Section 11.18.010)) by the Seattle Department of Transportation, curb cuts are permitted according to Table A for 23.54.030:

\* \* \*

2) For lots on principal arterials as designated ((on the Arterial street map, Section 11.18.010)) by the Seattle Department of Transportation, curb cuts are permitted according to Table B for 23.54.030:

\* \* \*

b. Curb cut width. Curb cuts shall not exceed a maximum width of 10 feet except that:

1 1) For lots on principal arterials as designated (~~on the Arterial~~  
2 ~~street map, Section 11.18.010~~) by the Seattle Department of Transportation, the maximum curb  
3 cut width is 23 feet;

4 \* \* \*

5 Section ~~6162~~. Section 23.61.014 of the Seattle Municipal Code, last amended by  
6 Ordinance 125267, is amended as follows:

7 **23.61.014 Nonconforming uses**

8 Within the station area overlay districts shown in subsection 23.61.014.A, uses listed in  
9 subsection 23.61.014.B may be expanded or extended by an amount of gross floor area not to  
10 exceed 20 percent of the existing gross floor area of the use, provided that this exception may be  
11 applied only once on a lot.

12 A. The provisions of this Section 23.61.014 apply to the following station area overlay  
13 districts:

- 14 1. (~~Henderson~~) Rainier Beach;
- 15 2. Othello;
- 16 3. Columbia City; and
- 17 4. Mount Baker.

18 B. The provisions of this Section 23.61.014 apply to the following nonconforming uses:

- 19 1. Automotive retail sales and services;
- 20 2. General manufacturing;
- 21 3. Heavy commercial services; and
- 22 4. Mini-warehouse and warehouse.



1 g. Confirmation that the fee required by ~~((SMC Chapter 22.901T of the~~  
2 ~~Permit Fee Subtitle))~~ Section 22.900G.010 has been paid;

3 h. A detailed description of the proposed work, including:

4 ((f)) 1) Any changes that will be made to the building or the site,

5 ((f))2) Any effect that the work would have on the public right-of-  
6 way or other public spaces,

7 ((f))3) Any new construction,

8 ((f))4) Any proposed use, change of use, or expansion of use;

9 i. Four ~~((4))~~ sets of scale drawings, with all dimensions shown, of:

10 ((f)) 1) A site plan of existing conditions, showing adjacent streets  
11 and buildings, and, if the proposal includes any work in the public right-of-way, the existing  
12 street uses, such as street trees and sidewalk displays, and another site plan showing proposed  
13 changes to the existing conditions,

14 ((f)) 2) A floor plan showing the existing features and a floor plan  
15 showing the proposed new features,

16 ((f)) 3) Elevations and sections of both the proposed new features  
17 and the existing features,

18 ((f)) 4) Construction details,

19 ((f)) 5) A landscape plan showing existing features and plantings,  
20 and another landscape plan showing proposed site features and plantings;

21 j. Photographs of any existing features that would be altered and  
22 photographs showing the context of those features, such as the building facade where they are  
23 located;

1 k. One ((4)) sample of proposed colors, if the proposal includes new  
2 finishes or paint, and an elevation drawing or a photograph showing the location of proposed  
3 new finishes or paint;

4 l. If the proposal includes new signage, awnings, or exterior lighting:

5 ((f)) 1) Four ((4)) sets of scale drawings of proposed signage or  
6 awnings, showing the overall dimensions, material, design graphics, typeface, letter size, and  
7 colors,

8 (2) Four ((4)) sets of a plan, photograph, or elevation drawing  
9 showing the location of the proposed awning, sign, or lighting,

10 ((f)) 3) Four ((4)) copies of details showing the proposed method  
11 of attaching the new awning, sign, or lighting,

12 ((f)) 4) The wattage and specifications of the proposed lighting,  
13 and a drawing or picture of the lighting fixture,

14 ((f)) 5) One ((4)) sample of proposed sign colors or awning  
15 material and color,

16 ((f)) 6) For new signage or awnings in the International Special  
17 Review District, the dimensions of the street frontage on the side where the sign or awning  
18 would be located;

19 m. If the proposal includes demolition of a structure or object:

20 ((f)) 1) A statement of the reason(s) for demolition,

21 ((f)) 2) A description of the replacement structure or object and the  
22 replacement use;

1 n. If the proposal includes replacement, removal, or demolition of existing  
2 features, a survey of the existing conditions of the features that would be replaced, removed, or  
3 demolished.

4 \* \* \*

5 Section ~~6364~~. Section 23.66.332 of the Seattle Municipal Code, last amended by  
6 Ordinance 123589, is amended as follows:

7 **23.66.332 Height and ((~~Rooftop Features~~)) rooftop features**

8 A. Maximum structure height is as designated on the Official Land Use Map, Chapter  
9 23.32, except as provided in this Section 23.66.332.

10 B. Rooftop ((~~Features~~)) features

11 1. The Special Review Board and the Director of Neighborhoods shall review  
12 rooftop features to preserve views from Kobe Terrace Park.

13 2. Religious symbols for religious institutions, smokestacks and flagpoles are  
14 exempt from height controls, except as regulated in Chapter 23.64, provided they are at least 10  
15 feet from all lot lines.

16 3. Open railings, planters, clerestories, skylights, play equipment, parapets and  
17 firewalls may extend up to 4 feet above the maximum height limit and may have unlimited  
18 rooftop coverage.

19 4. Solar collectors excluding greenhouses may extend up to 7 feet above the  
20 maximum height limit and may have unlimited rooftop coverage.

21 5. The following rooftop features may extend up to 15 feet above the maximum  
22 height limit provided that the combined coverage of all features listed below does not exceed 15  
23 percent of the roof area:

1 a. Solar collectors, excluding greenhouses;

2 b. ~~((Stair and elevator penthouses;~~

3 e-)) Mechanical equipment that is set back at least 15 feet from the roof  
4 edge;

5 ~~((d.))~~ c. Minor communication utilities and accessory communication  
6 devices, except that height is regulated according to Section 23.57.014.

7 6. Stair and elevator penthouses may extend above the applicable height limit up  
8 to 15 feet provided that the combined rooftop coverage of stair and elevator penthouses and all  
9 features listed in subsection 23.66.332.B.5 does not exceed 15 percent of the roof area. When  
10 additional height is needed to accommodate energy-efficient elevators in zones with height limits  
11 of 125 feet or greater, elevator penthouses may extend the minimum amount necessary to  
12 accommodate energy-efficient elevators, up to 25 feet above the applicable height limit. Energy-  
13 efficient elevators shall be defined by Director's Rule. When additional height is allowed for an  
14 energy-efficient elevator, stair penthouses may be granted the same additional height if they are  
15 co-located with the elevator penthouse.

16 Additional combined coverage of these rooftop features, not to exceed 25 percent of the roof  
17 area, may be permitted subject to review by the Special Review Board and approval by the  
18 Director of Neighborhoods.

19 ~~((6))~~ 7. Structures existing prior to June 1, 1989 may add new or replace existing  
20 mechanical equipment up to 15 feet above the existing roof elevation of the structure as long as it  
21 is set back at least 15 feet from the roof edge subject to review by the Special Review Board and  
22 approval by the Director of Neighborhoods.

1           ((7)) 8. Screening of ~~((Rooftop Features))~~ rooftop features. Measures may be  
2 taken to screen rooftop features from public view subject to review by the Special Review Board  
3 and approval by the Director of Neighborhoods. The amount of roof area enclosed by rooftop  
4 screening may exceed the maximum percentage of the combined coverage of rooftop features  
5 listed in subsection 23.66.332.B.5. In no circumstances shall the height of rooftop screening  
6 exceed 15 feet above the maximum height limit.

7           ((8)) 9. For height exceptions for communication utilities and devices, see Section  
8 23.57.014.

9           Section ~~6465~~. Section 23.72.004 of the Seattle Municipal Code, last amended by  
10 Ordinance 123543, is amended as follows:

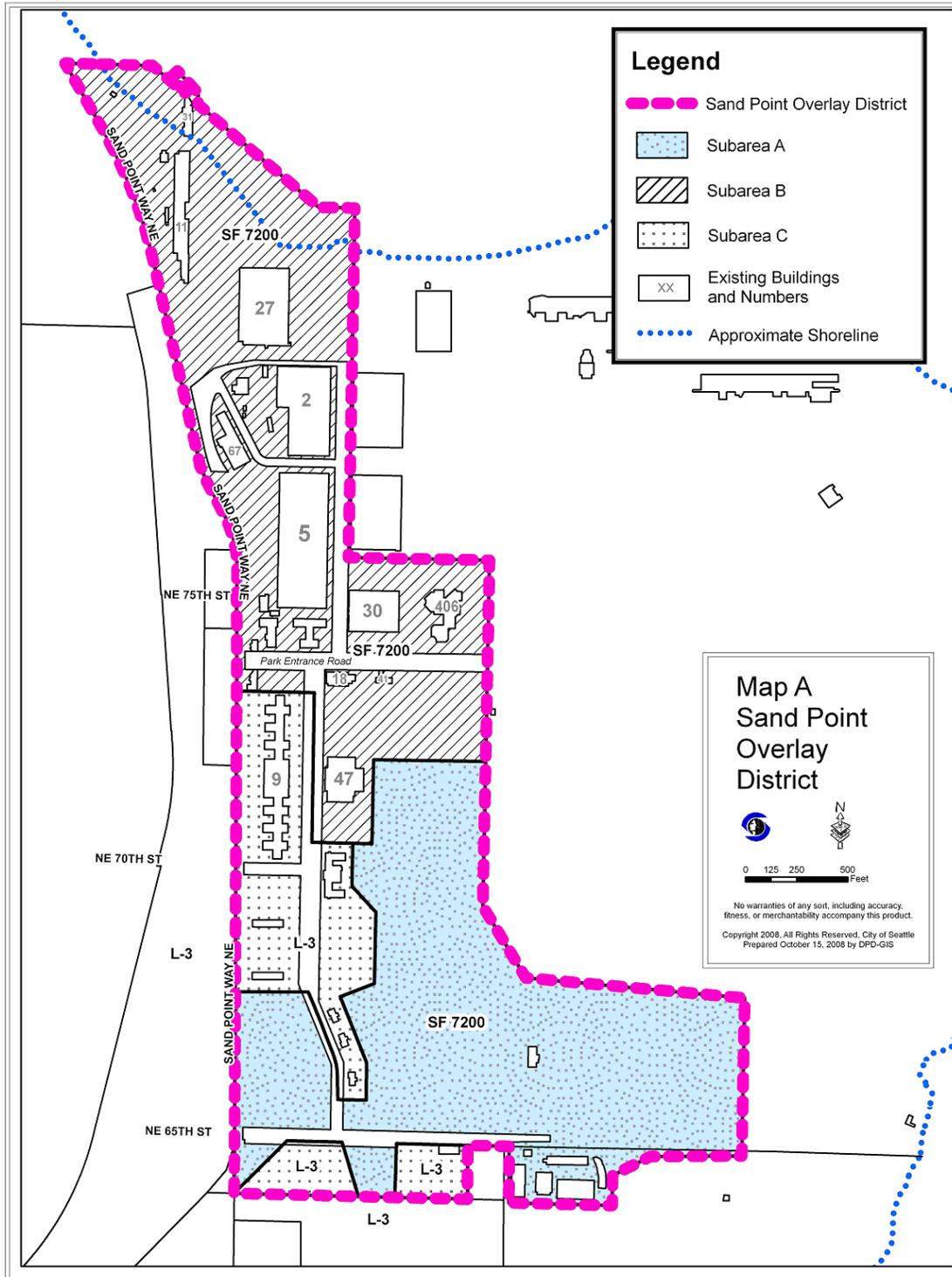
11 **23.72.004 Sand Point Overlay District established ((~~7~~))**

12           A. There is hereby established pursuant to Chapter 23.59 ~~((of the Seattle Municipal~~  
13 ~~Code,))~~ the Sand Point Overlay District, including three subareas: A, B, and C. Subarea A  
14 includes one area zoned Single Family 7200 (SF 7200), Subarea B includes one area zoned SF  
15 7200, and Subarea C includes three areas zoned ~~((LR-3))~~ LR3, as shown on the City's Official  
16 Land Use Map, Chapter 23.32, and Map A for 23.72.004. The Sand Point Overlay District  
17 includes the Naval Air Station Puget Sound Sand Point National Register Historic District,  
18 shown on Map B for 23.72.004 ~~((which is eligible to be listed on the National Register of~~  
19 ~~Historic Places))~~.

20           B. Additional regulations applicable to the Sand Point Overlay District are found in  
21 Chapter 25.30.

1

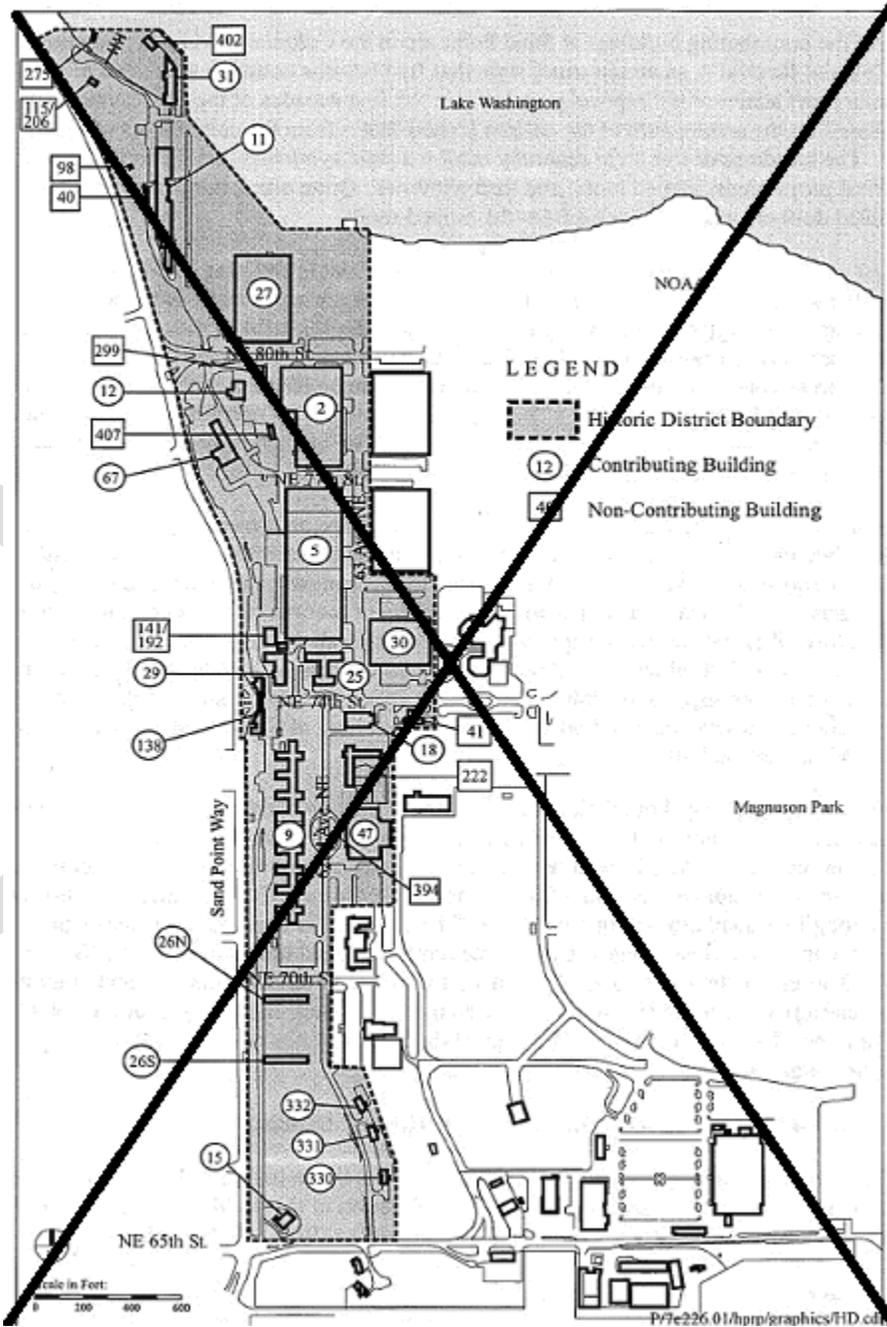
### Map A for 23.72.004 — Sand Point Overlay District



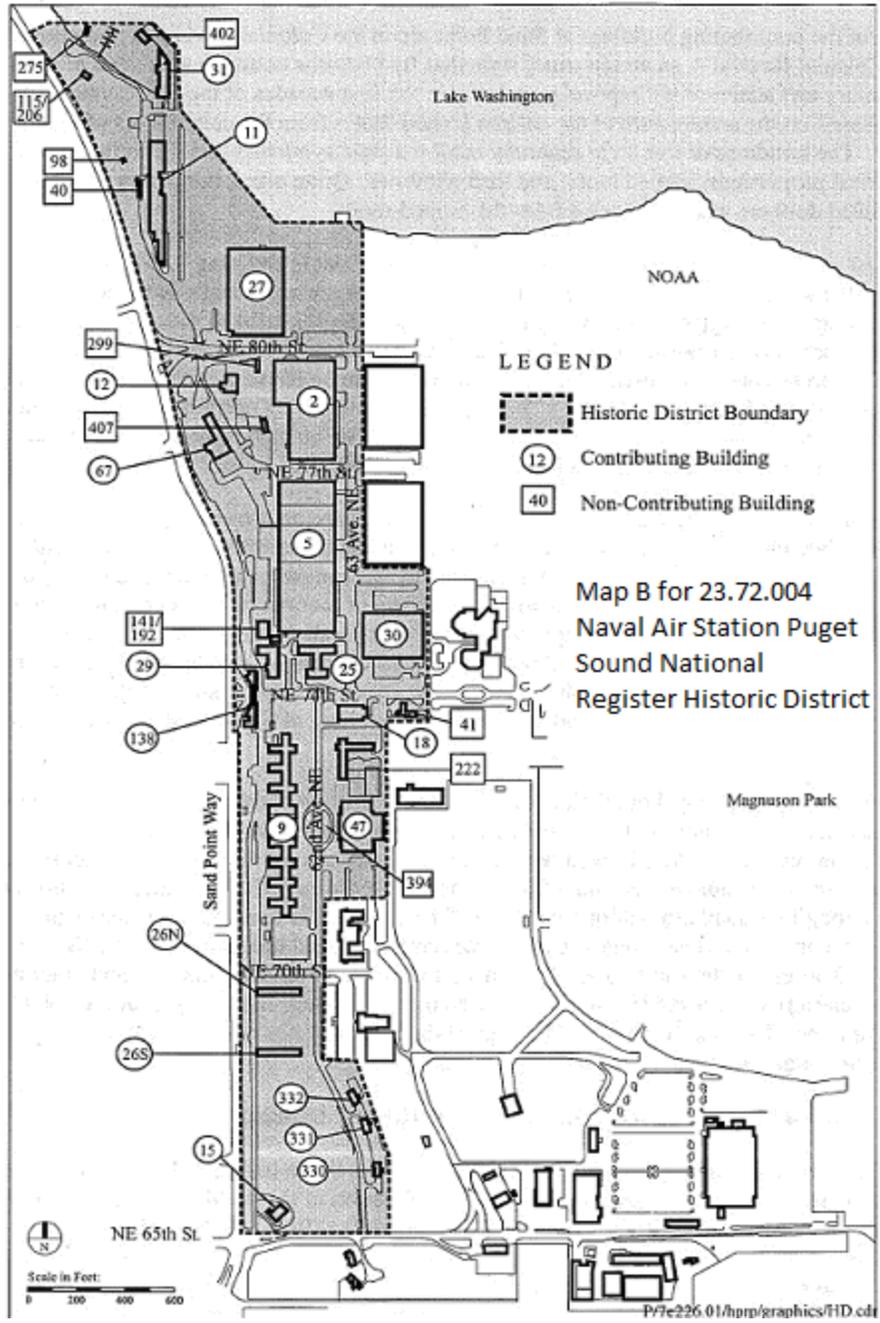
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### Map B for 23.72.004 — Naval Air Station Puget Sound Sand Point National Register Historic District



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Section ~~6566~~. Section 23.73.024 of the Seattle Municipal Code, last amended by Ordinance 124503, is amended as follows:

1 **23.73.024 Transfer of development potential**

2 \* \* \*

3 C. Standards for sending sites. A lot must meet the following conditions in order to be  
4 eligible as a sending site to transfer extra residential floor area through TDP to a lot that is an  
5 eligible receiving site according to subsection 23.73.024.B:

6 1. TDP sending sites shall be located in an NC3P zone within the Pike/Pine  
7 Conservation Overlay District, excluding NC3P zones with an MIO-105 overlay, and shall  
8 contain one of the following structures:

9 a. One or more structures designated wholly or in part as a landmark under  
10 Chapter 25.12 or its predecessor ordinance; or

11 b. Any character structure, provided that character structures on the  
12 proposed TDP sending site have not been demolished or significantly altered since January 18,  
13 2012, unless a departure is approved through the design review process to allow the removal of a  
14 character structure based on the provisions of subsection ((~~23.41.012.B.32~~)) 23.41.012.B.33. For  
15 the purposes of this subsection 23.73.024.C.1.b, a significant alteration results in conditions that  
16 would preclude the character structure from complying with the minimum requirements for  
17 retaining the character structure in subsection 23.73.024.C.4.

18 \* \* \*

19 Section ~~6667~~. Section 23.75.085 of the Seattle Municipal Code, enacted by Ordinance  
20 123963, is amended as follows:

21 **23.75.085 Residential floor area limits; affordable housing incentive program**

22 A. Purpose. The provisions of this Section 23.75.085 are intended to implement an  
23 affordable housing incentive program as authorized by RCW 36.70A.540.

\* \* \*

C. Residential floor area limits ((-))

1. The aggregate residential floor area limit for built and permitted development on all lots within the MPC-YT zone is established in Table A for 23.75.085 and subject to the following conditions:

a. The aggregate residential floor area limit is increased in stages, referred to as “tiers,” when affordable housing is provided in accordance with the terms of this Section 23.75.085 in amounts sufficient to satisfy the conditions for the next tier according to Table A for 23.75.085.

b. The Tier 1 limit is the base, so no affordable housing needs to be provided in order for aggregate residential floor area to reach the Tier 1 limit.

c. If the total amount of constructed or permitted floor area reaches the applicable tier limit, but affordable housing production conditions have not been satisfied, no further building permits for residential floor area may be issued except for replacement units, 60 percent of MI units, or 80 percent of MI units. In counting total permitted residential floor area, projects with expired or cancelled permits shall not be included.

d. After the maximum residential floor area allowed has been increased to Tier 4, no Master Use Permit for a development including residential floor area shall be issued unless the development application includes a number of 80 percent of MI units equal to 4.5 percent of the total number of dwelling units in the application that are not either replacement units or 60 percent of MI units.

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**Table A for 23.75.085  
 Maximum floor area limits for residential  
 uses based on affordable housing production<sup>1</sup>**

	<b>Affordable housing production conditions for the Yesler Terrace redevelopment area (cumulative) to increase maximum floor area limit to the next tier</b>	<b>Maximum residential floor area allowed in the MPC-YT zone</b>
Tier 1 (base)	<ul style="list-style-type: none"> <li>• 187 replacement units</li> <li>• 80 60% of MI units</li> <li>• A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.</li> </ul>	1,400,000 square feet
Tier 2	<ul style="list-style-type: none"> <li>• 374 replacement units</li> <li>• 160 60% of MI units</li> <li>• A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.</li> </ul>	2,750,000 square feet
Tier 3	<ul style="list-style-type: none"> <li>• 561 Replacement units</li> <li>• 290 60% of MI units</li> <li>• A number of 80% of MI units equal to 4.5 percent of all housing units completed to date in the MPC-YT zone in accordance with 23.75.085.D, other than replacement units and 60% of MI units.</li> </ul>	3,350,000 square feet
Tier 4	Not applicable	3,950,000 square feet
Footnote to Table A for 23.75.085 <sup>1</sup> Housing existing as of January 1, 2012 does not count toward the affordable housing production conditions or the maximum residential floor area allowed.		

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2. In order to count toward the conditions to a higher tier under Table A for 23.75.085, affordable housing shall be committed under recorded covenants or instruments, acceptable to the Director of Housing, to satisfy the following requirements:

a. Term. The affordable housing shall serve only income eligible households for replacement units, 60 percent of MI units, or 80 percent of MI units, as defined in Section 23.75.020, for a minimum of fifty years from the date when the affordable housing becomes available for occupancy as determined by the Director of Housing.



1 estimated monthly housing costs and requirements relating to down payment amount and  
2 homebuyer contributions.

3 5) The Director of Housing is authorized to amend covenants to  
4 adjust affordability and income limits up to a maximum of 30 percent of 80 percent of median  
5 income if the Director of Housing determines that:

6 a) ~~((in))~~ In the case of replacement units, a reduction in  
7 federal operating subsidies has made such funding insufficient to maintain the replacement units  
8 for households with incomes at or below 30 percent of median income;

9 b) ~~((in))~~ In the case of 60 percent of MI units, after 40 years  
10 from initial occupancy of a building, rent levels are insufficient to operate and maintain the units  
11 or to meet any required debt coverage ratios as required by financing;

12 c) ~~((the))~~ The number of units with adjusted affordability  
13 has been minimized to the extent practical, and

14 d) ~~((one))~~ One or more agreements are entered into  
15 between the housing owner and the Director of Housing committing the housing owner(s) to new  
16 affordability and occupancy requirements effective when replacement units and/or 60 percent of  
17 MI units are vacated and available for occupancy by new tenants.

18 c. Size. If provided in a development permitted under a single master use  
19 permit that includes dwelling units other than affordable housing, the average net floor area of  
20 the affordable housing units shall be no smaller than the average net floor area per unit of the  
21 development as a whole.

22 d. Location. Affordable housing must be located within the Yesler Terrace  
23 redevelopment area. No more than ~~((140))~~ 190 of the replacement units shall be located east of

1 Boren Avenue. A minimum of 50 replacement units shall be located in at least five of the eight  
2 blocks west of Boren Avenue. When provided within a development permitted under a single  
3 master use permit that includes dwelling units other than affordable housing, the affordable  
4 housing shall generally be distributed throughout the development.

5 \* \* \*

6 Section ~~6768~~. Section 23.75.160 of the Seattle Municipal Code, enacted by Ordinance  
7 123963, is amended as follows:

8 **23.75.160 Landscaping, ~~(and)~~ street trees, and tree protection**

9 A. Landscaping requirements ((-))

10 1. Standards. All landscaping provided to meet requirements under this Section  
11 23.75.160 is required to meet standards promulgated by the Director to provide for the long-term  
12 health, viability, and coverage of plantings.

13 2. Green Factor requirement. A minimum Green Factor score of 0.30, computed  
14 pursuant to Section 23.86.019 except as otherwise provided in this Section 23.75.160, is required  
15 for any lot with development containing:

16 a. ((~~more~~)) More than four dwelling units built after January 1, 2012;

17 b. ((~~more~~)) More than 4,000 square feet of nonresidential uses built after  
18 January 1, 2012; or

19 c. ((~~more~~)) More than 20 automobile parking spaces built after January 1,  
20 2012.

21 3. Landscape elements provided within pedestrian pathways, access drives, or  
22 parks may not be counted toward meeting the minimum requirement in subsection  
23 23.75.160.A.2.

1 B. Street tree requirements. Street trees are required when a proposed development is on  
2 a lot that abuts a street. Existing street trees shall be retained unless removal is approved by the  
3 Director of Transportation. The Director, in consultation with the Director of Transportation,  
4 shall determine the number, type, and placement of street trees to be provided in order to:

- 5 1. ((~~improve~~)) Improve public safety;
- 6 2. ((~~promote~~)) Promote compatibility with existing street trees;
- 7 3. ((~~match~~)) Match trees to the available space in the planting strip;
- 8 4. ((~~maintain~~)) Maintain and expand the urban forest canopy;
- 9 5. ((~~encourage~~)) Encourage healthy growth through appropriate spacing;
- 10 6. ((~~protect~~)) Protect utilities; and
- 11 7. ((~~allow~~)) Allow access to the street, structures, and lot.

12 C. Except for any proposal that meets the planned action ordinance within the MPC zone,  
13 Chapter 25.11 shall apply to proposed development. All proposed development shall comply  
14 with the requirements of Sections 25.11.050, 25.11.070, and 25.11.080.

15 Section ~~6869~~. Table A for 23.76.004 of the Seattle Municipal Code, which section was  
16 last amended by Ordinance ~~125558~~~~125429~~, is amended as follows:

17 **23.76.004 Land use decision framework**

18 \* \* \*

<b>Table A for 23.76.004</b>	
<b>LAND USE DECISION FRAMEWORK <sup>1</sup></b>	
<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> )	
*	Application of development standards for decisions not otherwise designated Type II, III, IV, or V
*	Uses permitted outright
*	Temporary uses, four weeks or less

**Table A for 23.76.004  
 LAND USE DECISION FRAMEWORK <sup>1</sup>**

*Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments
*Intermittent uses
<del>*Interim use parking authorized under subsection 23.42.040.G</del>
*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 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
*Decision to increase the maximum height for residential uses in the DOC2 zone according to subsection (( <del>23.49.008.F</del> ) <u>23.49.008.H</u> )
*Minor revisions to an issued an unexpired MUP that was subject to design review
*Building height increase for minor communication utilities in downtown zones
*Decision to increase the maximum allowable FAR in the DOC2 zone according to subsection 23.49.011.A.2.n
*Other Type I decisions that are identified as such in the Land Use Code

\* \* \*

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 may be subject to administrative review through a land use interpretation pursuant to Section 23.88.020.

<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 ~~6970~~. Section 23.76.006 of the Seattle Municipal Code, last amended by  
2 Ordinance ~~125429~~125558, is amended as follows:

3 **23.76.006 Master Use Permits required**

4 \* \* \*

5 B. The following decisions are Type I:

6 \* \* \*

7 17. Decision to increase the maximum height of a structure in the DOC2 500/300-  
8 550 zone according to subsection (~~(23.49.008.F)~~) 23.49.008.H;

9 \* \* \*

10 Section ~~7071~~. Section 23.76.012 of the Seattle Municipal Code, last amended by  
11 Ordinance 125429, is amended as follows:

12 **23.76.012 Notice of application**

13 \* \* \*

14 B. Types of notice required

15 \* \* \*

16 4. The Director shall provide mailed notice of:

17 a. Applications for variances, administrative conditional uses, special  
18 exceptions, temporary uses for more than four weeks, shoreline variances, shoreline conditional  
19 uses, short plats that do not exclusively create unit lots, early design guidance process for  
20 administrative design review and streamlined administrative design review, subdivisions, Type  
21 IV Council land use decisions, amendments to property use and development agreements, Major  
22 Institution designations and revocation of Major Institution designations, concept approvals for

1 the location or expansion of City facilities requiring Council land use approval, and waivers or  
2 modification of development standards for City facilities; and

3                   b. The first early design guidance meeting for a project subject to design  
4 review pursuant to Section 23.76.014.

5           D. Comment period. The Director shall provide a 14 day public comment period prior to  
6 making a threshold determination of nonsignificance (DNS) or publishing a decision on the  
7 project; provided that the comment period shall be extended by 14 days if a written request for

8 extension is submitted within the initial 14 day comment period; provided further that the

9 comment period shall be 30 days for applications requiring shoreline decisions except that for

10 limited utility extensions and bulkheads subject to Section ~~((23.60.065))~~ 23.60A.064, the

11 comment period shall be 20 days as specified in Section ~~((23.60.065))~~ 23.60A.064. The comment

12 period shall begin on the date notice is published in the Land Use Information Bulletin.

13 Comments shall be filed with the Director by 5 p.m. of the last day of the comment period. If the

14 last day of the comment period is a Saturday, Sunday, or federal or City holiday, the comment

15 period shall run until 5 p.m. the next day that is not a Saturday, Sunday, or federal or City

16 holiday. Any comments received after the end of the official comment period may be considered

17 if the comment is material to review yet to be conducted.

18   \* \* \*

19           Section ~~7172~~. Section 23.76.022 of the Seattle Municipal Code, last amended by

20 Ordinance 125387, is amended as follows:

21 **23.76.022 Administrative reviews and appeals for Type I and Type II Master Use Permits**

22   \* \* \*

1 B. Shoreline Appeal Procedures. An appeal of the Director's decision to issue, condition,  
2 or deny a shoreline substantial development permit, shoreline variance, or shoreline conditional  
3 use as a part of a Master Use Permit shall be filed by the appellant with the Shorelines Hearings  
4 Board in accordance with the provisions of the Shoreline Management Act of 1971, ((RCW  
5 Chapter)) chapter 90.58 RCW, and the rules established under its authority, ((WAC)) chapter  
6 173-27 WAC. An appeal of related environmental actions, including a Determination of  
7 Nonsignificance (DNS), determination that an EIS is adequate, and the decision to grant,  
8 condition or deny the shoreline proposal based on the City's SEPA Policies pursuant to Section  
9 25.05.660, shall be consolidated in the appeal to the Shorelines Hearings Board. An appeal of a  
10 decision for limited utility extensions and bulkheads subject to Section ((23.60.065)) 23.60A.064  
11 shall be finally determined within 30 days as specified in that ((section)) Section 23.60A.064.

12 \* \* \*

13 Section ~~7273~~. Section 23.76.028 of the Seattle Municipal Code, last amended by  
14 Ordinance 123913, is amended as follows:

15 **23.76.028 Type I and II Master Use Permit issuance**

16 \* \* \*

17 C. Type II Master Use Permits((-))

18 1. Except as provided in subsections 23.76.028.C.2 and 23.76.028.C.3, a Type II  
19 Master Use Permit is approved for issuance on the day following expiration of the applicable  
20 City of Seattle administrative appeal period or, if appealed, on the fourth day following a final  
21 City of Seattle administrative appeal decision ((to grant or conditionally grant the permit)) or the  
22 day after an appeal is dismissed.



1 **23.84A.002 “A”**

2 “Abut” means to border upon~~((-))~~, except that lots that touch only on a corner of another  
3 lot are not considered to abut.

4 \* \* \*

5 Section ~~7576~~. Section 23.84A.004 of the Seattle Municipal Code, last amended by  
6 Ordinance 125267, is amended as follows:

7 **23.84A.004 “B”**

8 \* \* \*

9 “Block.” In areas outside downtown and Seattle Mixed (SM) zones, a block consists of  
10 two facing block fronts bounded on two sides by alleys, ~~((€))~~ rear lot lines, or another lot’s side  
11 lot line and on two sides by the centerline of platted streets, with no other intersecting streets  
12 intervening, as depicted in Exhibit A for 23.84A.004.

13 \* \* \*

14 Section ~~7677~~. Section 23.84A.032 of the Seattle Municipal Code, last amended by  
15 Ordinance 125272, is amended as follows:

16 **23.84A.032 “R”**

17 \* \* \*

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

19 \* \* \*

20 22. “Townhouse development” means a multifamily residential use that is not a rowhouse  
21 development, and in which:

22 a. ~~((each))~~ Each dwelling unit occupies space from the ground to the roof of the  
23 structure in which it is located;



1 Section ~~7879~~. Section 23.86.002 of the Seattle Municipal Code, last amended by  
2 Ordinance 124803, is amended as follows:

3 **23.86.002 General provisions**

4 A. For all calculations, the applicant shall be responsible for supplying drawings  
5 illustrating the measurements. These drawings shall be drawn to scale, and shall be of sufficient  
6 detail to allow verification upon inspection or examination by the Director.

7 B. Fractions ((-))

8 1. ~~((Unless otherwise indicated.))(((When)) If any))((when any))~~ measurement  
9 technique for determining the number of items required or allowed, including but not limited to  
10 ~~((motor vehicle ))~~ parking ~~((-or bicycle spaces))~~, or required trees or shrubs, results in fractional  
11 requirements, any fraction up to and including 0.5 of the applicable unit of measurement shall be  
12 disregarded and fractions over 0.5 shall require the next higher full unit of measurement.

13 2. ~~((When))~~ any measurement technique for determining required minimum or  
14 allowed maximum dimensions, including but not limited to height, yards, setbacks, lot coverage,  
15 open space, building depth, parking space size or curb cut width, results in fractional  
16 requirements, the dimension shall be measured to the nearest inch. Any fraction up to and  
17 including 0.5 of an inch shall be disregarded and fractions over 0.5 of an inch shall require the  
18 next higher unit.

19 3. Except within Lowrise multi-family zones, if density calculations result in a  
20 fraction of a unit, any fraction up to and including 0.5 constitutes zero additional units, and any  
21 fraction over 0.5 constitutes one additional unit. Within Lowrise multi-family zones, the effect of  
22 a density calculation that results in a fraction of a unit is as described in Table A for 23.45.512.  
23 This provision may not be applied to density calculations that result in a quotient less than one.





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

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

7                   3. (~~draw~~) Draw a straight line across the story connecting the two points on the  
8 exterior walls;

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

\* \* \*

14           D. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of  
15 the lot located in that zone, except that if the sole difference between the zoning designations for  
16 portions of a lot is the base FAR, allowable floor area based on the calculations for the separate  
17 portions of the lot may be provided anywhere on the lot.

\* \* \*

19           Section ~~8182~~. Section 23.86.032 of the Seattle Municipal Code, enacted by Ordinance  
20 112303, is amended as follows:

21 **23.86.032 Gross floor area in residential, commercial, or other non-residential use ((-))**

22           A. When a requirement is based on the percentage of a structure's gross floor area which  
23 is in residential use, residential area shall include the following:

1 ((A)) 1. The gross floor area of all floors or portions of floors of a structure  
2 ((which)) that are devoted entirely to residential use, except as otherwise provided in this Section  
3 23.86.032;

4 ((B)) 2. For required amenity area and open space, accessory parking areas,  
5 storage areas, and mechanical rooms are excluded from the calculation of gross floor area in  
6 residential use;

7 3. The prorated portion share of a structure's common areas in the same  
8 proportion as the residential use to ((other)) commercial or other non-residential uses occupying  
9 the structure.

10 B. When a requirement is based on the percentage of a structure's gross floor area which  
11 is in commercial or other non-residential use, commercial or other non-residential use area shall  
12 include the prorated portion share of a structure's common areas in the same proportion as the  
13 non-residential or commercial use to residential uses occupying the structure.

14 Section ~~8283~~. Section 25.05.030 of the Seattle Municipal Code, last amended by  
15 Ordinance 114057, is amended as follows:

16 **25.05.030 Policy ((-))**

17 A. The policies and goals set forth in SEPA are supplementary to existing agency  
18 authority.

19 B. Agencies shall to the fullest extent possible:

20 1. Interpret and administer the policies, regulations, and laws of the state of  
21 Washington in accordance with the policies set forth in SEPA and these rules;

22 2. Find ways to make the SEPA process more useful to ((decisionmakers))  
23 decision makers and the public; promote certainty regarding the requirements of the act; reduce

1 paperwork and the accumulation of extraneous background data; and emphasize important  
2 environmental impacts and alternatives;

3 \* \* \*

4 Section ~~8384~~. Section 25.05.610 of the Seattle Municipal Code, last amended by  
5 Ordinance 124843, is amended as follows:

6 **25.05.610 Use of NEPA documents**

7 A. An agency may adopt any environmental analysis prepared under the National  
8 Environmental Policy Act (NEPA) by following Sections 25.05.600 ~~((when to use existing  
9 environmental documents)))~~ and ~~((Section))~~ 25.05.630 ~~((adoption procedures)))~~.

10 B. A NEPA environmental assessment (EA) or documented categorical exclusion may be  
11 adopted to support a determination of nonsignificance instead of preparing an environmental  
12 checklist, if the requirements of Sections 25.05.340, 25.05.600, and 25.05.630 (and Sections  
13 25.05.350, and 25.05.355 as applicable), are met and elements of the environment in Section  
14 25.05.444 are adequately addressed.

15 C. An agency may adopt a NEPA EIS as a substitute for preparing a SEPA EIS if:

16 1. The requirements of Sections 25.05.360, 25.05.600, and 25.05.630 are met (in  
17 which case the procedures in Subchapters III, IV, and V of these rules for preparing an EIS shall  
18 not apply); and

19 2. The federal ~~((EA or))~~ EIS is not found inadequate:

20 a. By a court;

21 b. By the Council on Environmental Quality (CEQ) (or is at issue in a  
22 predecision referral to CEQ) under the NEPA regulations; or

1 c. By the administrator of the United States Environmental Protection  
2 Agency under Section 309 of the Clean Air Act, 42 U.S.C. ((4857)) 7609.

3 \* \* \*

4 Section ~~8485~~. Section 25.05.800 of the Seattle Municipal Code, last amended by  
5 Ordinance 125432, is amended as follows:

6 **25.05.800 Categorical exemptions**

7 The proposed actions contained in this Section 25.05.800 are categorically exempt from  
8 threshold determination and environmental impact statement requirements, subject to the rules  
9 and limitations on categorical exemptions contained in Section 25.05.305.

10 \* \* \*

11 **B. Other minor new construction**

12 1. The exemptions in this subsection 25.05.800.B apply to all licenses required to  
13 undertake the following types of proposals except when the project:

14 a. Is undertaken wholly or partly on lands covered by water;  
15 b. Requires a license governing discharges to water that is not exempt  
16 under RCW 43.21C.0383;

17 c. Requires a license governing emissions to air that is not exempt under  
18 RCW 43.21C.0381 or subsection 25.05.800.H or subsection 25.05.800.I; or

19 d. Requires a land use decision that is not exempt under subsection  
20 25.05.800.F.

21 2. The construction or designation of bus stops, loading zones, shelters, access  
22 facilities, ((and)) pull-out lanes for taxicabs, transit, and school vehicles, and designation of  
23 transit only lanes;

1                   3. The construction (~~(and/or)~~) or installation of commercial on-premises signs,  
2 and public signs and signals, including those for traffic control and wayfinding;

3                   4. The construction or installation of minor road and street improvements by any  
4 agency or private party that include the following:

5                   a. Safety structures and equipment: Such as pavement marking, adding or  
6 removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle  
7 traffic or volume, freeway surveillance and control systems, railroad protective devices (not  
8 including grade-separated crossings), grooving, glare screen, safety barriers, or energy  
9 attenuators;

10                   b. Transportation corridor landscaping (including the application of state  
11 of Washington approved herbicides by licensed personnel for right-of-way weed control as long  
12 as this is not within watersheds controlled for the purpose of drinking water quality (~~in~~  
13 ~~accordance with WAC 248-54-660~~));

14                   c. Temporary traffic controls and detours;

15                   d. Correction of substandard curves and intersections within existing  
16 rights-of-way or widening of a highway by less than a single lane width where capacity is not  
17 significantly increased and no new right-of-way is required;

18                   e. Adding auxiliary lanes for localized purposes (e.g. weaving, climbing,  
19 and speed change), where capacity is not significantly increased and no new right-of-way is  
20 required;

21                   f. Channelization (~~(and)~~) , rechannelization, elimination of sight  
22 restrictions at intersections, street lighting, guard rails, and barricade installation;

1 g. Installation of catchbasins and culverts for the purposes of road and  
2 street improvements;

3 h. Reconstruction of existing roadbed (existing curb-to-curb in urban  
4 locations), including adding or widening of shoulders where capacity is not increased and no  
5 new right-of-way is required;

6 i. Addition of bicycle lanes, paths and facilities, and pedestrian walks and  
7 paths including sidewalk extensions, but not including additional automobile lanes;

8 5. Grading, excavating, filling, septic tank installations, and landscaping  
9 necessary for any building or facility exempted by subsections 25.05.800.A and 25.05.800.B, as  
10 well as fencing and the construction of small structures and minor accessory facilities;

11 6. Additions or modifications to or replacement of any building or facility  
12 exempted by subsections 25.05.800.A and 25.05.800.B when such addition, modification, or  
13 replacement will not change the character of the building or facility in a way that would remove  
14 it from an exempt class<sup>1</sup>;

15 7. The demolition of any structure or facility, the construction of which would be  
16 exempted by subsections 25.05.800.A and 25.05.800.B, except for structures or facilities with  
17 recognized historical significance such as listing in a historic register<sup>1</sup>;

18 8. The installation or removal of impervious underground or above-ground tanks,  
19 having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On  
20 agricultural and industrial lands, the installation or removal of impervious underground or above-  
21 ground tanks, having a total capacity of 60,000 gallons or less;

22 9. The vacation of streets or roads, converting public right-of-way, and other  
23 changes in motor vehicle access;

10. The installation of hydrological measuring devices, regardless of whether or not on lands covered by water;

11. The installation of any property, boundary, or survey marker, other than fences, regardless of whether or not on lands covered by water;

12. The installation of accessory solar energy generation equipment on or attached to existing structures and facilities whereby the existing footprint and size of the building is not increased.

<sup>1</sup>Footnote for subsections 25.05.800.B.6 and 25.05.800.B.7: Proposed actions that involve structures that exceed the following thresholds and that appear to meet criteria set forth in Chapter 25.12 for Landmark designation are subject to referral to the Department of Neighborhoods pursuant to Section 25.12.370:

<b>Table A for Footnote (1) for 25.05.800.B.6 and ((<del>25.05.800.B.6</del>) 25.05.800.B.7</b>	
<b>Zone</b>	<b>Residential uses Permit applications for additions, modifications, demolition, or replacement of structures with more than the following number of dwelling units are referred to DON for landmark review:</b>
SF, RSL, LR1, NC1, NC2, NC3, C1, C2, and Industrial zones	4
LR2	6
LR3	8
MR, HR, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, and Downtown zones	20

<b>Table B for Footnote (1) for 25.05.800.B.6 and 25.05.800.B.7</b>	
<b>Zone</b>	<b>Non-residential uses Permit applications for additions, modifications, demolition, or replacement of structures with more than the following square footage amounts referred to DON for landmark review:</b>
C1, C2, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, and Industrial zones	12,000
All other zones	4,000

\* \* \*

1 X. Utilities. The utility-related actions listed below shall be exempt, except for  
2 installation, construction, or alteration on lands covered by water. The exemption includes  
3 installation and construction, relocation when required by other governmental bodies, repair,  
4 replacement, maintenance, operation, or alteration that does not change the action from an  
5 exempt class:

6 1. All communications lines, including cable TV, but not including  
7 communication towers or relay stations;

8 2. All stormwater, water and sewer facilities, lines, equipment, hookups or  
9 appurtenances including, utilizing or related to lines 12 inches or less in diameter;

10 3. All electric facilities, lines, equipment or appurtenances, not including  
11 substations, with an associated voltage of 55,000 volts or less; and the overbuilding of existing  
12 distribution lines (55,000 volts or less) with transmission lines (more than 55,000 volts); and the  
13 undergrounding of all electrical facilities, lines, equipment, or appurtenances;

14 4. All natural gas distribution (as opposed to transmission) lines and necessary  
15 appurtenant facilities and hookups;

16 5. All developments within the confines of any existing electrical substation,  
17 reservoir, pump station, vault, pipe, or well. Additional appropriations of water are not exempted  
18 by this Section 25.05.800;

19 6. Periodic use of chemical or mechanical means to maintain a utility or  
20 transportation right-of-way in its design condition; provided, the chemicals used are approved by  
21 Washington State and applied by licensed personnel. This exemption shall not apply to the use of  
22 chemicals within watersheds that are controlled for the purpose of drinking water quality (~~in~~  
23 ~~accordance with WAC 248-54-660~~);

1                   7. All grants of rights-of-way by agencies to utilities for use for distribution (as  
2 opposed to transmission) purposes;

3                   8. All grants of franchises by agencies to utilities;

4                   9. All disposals of rights-of-way by utilities.

5                   Y. Natural resources management. In addition to the other exemptions contained in this  
6 Section 25.05.800, the following natural resources management activities shall be exempt:

7                   1. All Class I, II, and III forest practices as defined by RCW 76.09.050 or  
8 regulations thereunder;

9                   2. Issuance of new grazing leases covering a section of land or less, and issuance  
10 of all grazing leases for land that has been subject to a grazing lease within the previous ten  
11 years;

12                   3. Licenses or approvals to remove firewood;

13                   4. Issuance of agricultural leases covering 160 contiguous acres or less;

14                   5. Issuance of leases for Christmas tree harvesting or brush picking;

15                   6. Issuance of leases for school sites;

16                   7. Issuance of leases for, and placement of, mooring buoys designed to serve  
17 pleasure craft;

18                   8. Development of recreational sites not specifically designed for all-terrain  
19 vehicles and not including more than 12 campsites;

20                   9. Periodic use of chemical or mechanical means to maintain public park and  
21 recreational land; provided, that chemicals used are approved by the Washington State

22 Department of Agriculture and applied by licensed personnel. This exemption shall not apply to

1 the use of chemicals within watersheds that are controlled for the purpose of drinking water  
2 quality ((in accordance with WAC 248-54-660));

3 10. Issuance of rights-of-way, easements, and use permits to use existing roads in  
4 non-residential areas;

5 11. Establishment of natural area preserves to be used for scientific research and  
6 education and for the protection of rare flora and fauna, under the procedures of chapter 79.70  
7 RCW;

8 Z. Watershed restoration projects. Actions pertaining to watershed restoration projects as  
9 defined in RCW 89.08.460(2) are exempt; provided, they implement a watershed restoration plan  
10 that has been reviewed under SEPA (RCW 89.08.460(1)).

11 AA. Wireless service facilities

12 1. The siting of wireless service facilities are exempt if:

13 a. The collocation of new equipment, removal of equipment, or  
14 replacement of existing equipment on existing or replacement structures that does not  
15 substantially change the physical dimensions of such structures; or

16 b. The siting project involves constructing a wireless service tower less  
17 than 60 feet in height that is located in a commercial or industrial zone.

18 2. For the purposes of this subsection 25.05.800.AA:

19 a. “Wireless services” means wireless data and telecommunications  
20 services, including commercial mobile services, commercial mobile data services, unlicensed  
21 wireless services, and common carrier wireless exchange access services, as defined by federal  
22 laws and regulations.

1                                   b. “Wireless service facilities” means facilities for the provision of  
2 wireless services.

3                                   c. “Collocation” means the mounting or installation of equipment on an  
4 existing tower, building, structure for the purposes of either transmitting or receiving, or both,  
5 radio frequency signals for communication purposes.

6                                   d. “Existing structure” means any existing tower, pole, building, or other  
7 structure capable of supporting wireless service facilities.

8                                   e. “Substantially change the physical dimensions” means:

9                                   1) The mounting of equipment on a structure that would increase  
10 the height of the structure by more than 10 percent, or 20 feet, whichever is greater; or

11                                   2) The mounting of equipment that would involve adding an  
12 appurtenance to the body of the structure that would protrude from the edge of the structure more  
13 than 20 feet, or more than the width of the structure at the level of the appurtenance, whichever is  
14 greater.

15                                   3. This exemption does not apply to projects within an environmentally critical  
16 area designated under GMA (RCW 36.70A.060).

17                                   BB. State transportation project. The following Washington department of transportation  
18 projects and activities shall be exempt: The repair, reconstruction, restoration, retrofitting, or  
19 replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus  
20 transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and  
21 bike lanes), that is in operation, as long as the action:

1                   1. Occurs within the existing right-of-way and in a manner that substantially  
2 conforms to the preexisting design, function, and location as the original except to meet current  
3 engineering standards or environmental permit requirements; and

4                   2. The action does not result in addition of automobile lanes, a change in capacity,  
5 or a change in functional use of the facility.

6                   CC. Structurally deficient city, town, and county bridges. The repair, reconstruction,  
7 restoration, retrofitting, or replacement of a structurally deficient city, town or county bridge  
8 shall be exempt as long as the action:

9                   1. Occurs within the existing right-of-way and in a manner that substantially  
10 conforms to the preexisting design, function, and location as the original except to meet current  
11 engineering standards or environmental permit requirements; and

12                   2. The action does not result in addition of automobile lanes, a change in capacity,  
13 or a change in functional use of the facility.

14                   “Structurally deficient” means a bridge that is classified as in poor condition under the  
15 state bridge condition rating system and is reported by the state to the national bridge inventory  
16 as having a deck, superstructure, or substructure rating of four or below. Structurally deficient  
17 bridges are characterized by deteriorated conditions of significant bridge elements and  
18 potentially reduced load-carrying capacity. Bridges deemed structurally deficient typically  
19 require significant maintenance and repair to remain in service, and they require major  
20 rehabilitation or replacement to address the underlying deficiency.

21                   Section ~~8586~~. Section 25.08.940 of the Seattle Municipal Code, enacted by Ordinance  
22 122614, is amended as follows:

1 **25.08.940 Contested case hearing ((~~τ~~))**

2 A. Date and ((~~Notice~~)) notice. If a person requests a contested case hearing, the hearing  
3 shall be held within ((~~sixty~~))60((~~+~~)) days after the written response to the citation requesting  
4 ((~~such~~)) the hearing is received.

5 B. Hearing. Contested case hearings shall be conducted pursuant to the procedures for  
6 hearing contested cases contained in Section 3.02.090 and the rules adopted by the Hearing  
7 Examiner for hearing contested cases, except as modified by this ((~~section~~)) Section 25.08.940.

8 The issues heard at the hearing shall be limited to those raised in writing in the response to the  
9 citation and that are within the jurisdiction of the Hearing Examiner. The Hearing Examiner may  
10 issue subpoenas for the attendance of witnesses and the production of documents.

11 C. Sufficiency. No citation shall be deemed insufficient for failure to contain a detailed  
12 statement of the facts constituting the specific violation ((~~which~~)) that the person cited is alleged  
13 to have committed or by reason of defects or imperfections, provided such lack of detail, or  
14 defects or imperfections do not prejudice substantial rights of the person cited.

15 D. Amendment of ((~~Citation~~)) citation. A citation may be amended prior to the  
16 conclusion of the hearing to conform to the evidence presented if substantial rights of the person  
17 cited are not thereby prejudiced.

18 E. Evidence at ((~~Hearing~~)) hearing. The certified statement or declaration authorized by  
19 RCW 9A.72.085 submitted by a representative of the Administrator shall be prima facie  
20 evidence that a violation occurred and that the person cited is responsible. Any certifications or  
21 declarations authorized under RCW 9A.72.085 shall be admissible without further evidentiary  
22 foundation. The person cited may rebut the evidence and establish that the cited violation(s) did  
23 not occur or that the person contesting the citation is not responsible for the violation.

1 F. Disposition. If the citation is sustained at the hearing, the Hearing Examiner shall enter  
2 an order finding that the person cited committed the violation and shall impose the applicable  
3 penalty. If the Hearing Examiner determines that the violation did not occur, the Hearing  
4 Examiner shall enter an order dismissing the citation.

5 G. Appeal. The Hearing Examiner's decision is the final decision of the City. Any  
6 judicial review must be commenced within ~~((twenty-one (21)))~~21((+)) days of issuance of the  
7 Hearing Examiner's decision ~~((in accordance with RCW 36.70C.040))~~.

8 Section ~~8687~~. Section 25.09.090 of the Seattle Municipal Code, last amended by  
9 Ordinance 125292, is amended as follows:

10 **25.09.090 Development standards for steep slope erosion hazard areas**

11 A. This Section 25.09.090 and Section 25.09.080 apply to parcels containing a steep  
12 slope erosion hazard area or steep slope erosion hazard area buffer.

13 B. Impacts on steep slope erosion hazard areas

14 1. Development is prohibited on steep slope erosion hazard areas, unless the  
15 applicant demonstrates that the provisions of subsections 25.09.070.C, 25.09.070.D,  
16 25.09.090.B.2, 25.09.090.D, 25.09.090.E, or 25.09.090.F apply, or the slope is on a parcel in a  
17 Downtown zone or highrise zone.

18 2. Development is allowed on steep slope erosion hazard areas if the applicant  
19 demonstrates that all other provisions of this Chapter 25.09 and all applicable provisions of Title  
20 23 and Chapters 22.800 through 22.808 are met, that no adverse impact on the stability or  
21 erosion potential of the steep slope erosion hazard areas will result, and that the development  
22 meets one of the following criteria and the criteria in subsection 25.09.090.B.3. In making this  
23 determination, the Director may require a geotechnical report to verify site conditions and to

1 evaluate the impacts of the development in the steep slope erosion hazard area and shall require  
2 such a report for criteria in subsections 25.09.090.B.2.c and 25.09.090.B.2.d. The geotechnical  
3 report is subject to the provisions for third party review in subsection 25.09.080.C.

4 a. Development is located within the footprint of existing, lawfully  
5 constructed, structures or paved areas, not including landscaped areas or areas that have been  
6 graded;

7 b. Development is located on a steep slope erosion hazard area that has  
8 been created through previous legal grading activities, including but not limited to rockeries or  
9 retaining walls resulting from right-of-way improvements;

10 c. Development is located on a steep slope erosion hazard area that is less  
11 than 20 feet in vertical rise and that is 30 feet or more from other steep slope erosion hazard  
12 areas; or

13 d. Development is a necessary stabilization measure to mitigate an active  
14 landslide hazard on the applicant's lot or from an abutting lot, and such development meets the  
15 following requirements:

16 1) The applicant demonstrates that the stabilization is the minimum  
17 necessary to mitigate the landslide hazard; and

18 2) The applicant uses the least intrusive option available to  
19 mitigate the landslide hazard.

20 \* \* \*

21 D. Small project waiver

22 1. The Director may approve new accessory structures or additions to existing  
23 principal structures in a steep slope erosion hazard area or buffer if no construction occurs over

1 or in a water course, water body, or wetland and if the applicant demonstrates that the proposal  
2 meets the following criteria:

3 a. The new accessory structure or addition to an existing principal  
4 structure is on a lot that has been in existence as a legal building site prior to October 31, 1992;

5 b. The development does not exceed 750 square feet ((of total site  
6 disturbance)), with no more than 300 square feet located in the steep slope erosion hazard area  
7 ((or buffer)), calculated cumulatively from October 31, 1992. If the new accessory structure or  
8 addition to an existing principal structure is on a lot that is or has been held in common  
9 ownership with a contiguous lot and the lots are or have been used for a single principal use or  
10 for a principal use and accessory use, the limitation applies to the entire site;

11 c. It is not practicable to build the accessory structure or addition to an  
12 existing principal structure for the intended purpose outside of the steep slope erosion hazard  
13 area or buffer; and

14 d. The location of the accessory structure or addition to an existing  
15 principal structure minimizes the impact on the steep slope erosion hazard area and/or buffer;

16 e. In landslide-prone areas the Director may require a soils report prepared by a qualified  
17 geotechnical engineer or geologist licensed by the State of Washington demonstrates that it is  
18 safe to construct the new accessory structure or the addition to an existing structure.

19 Section ~~8788~~. Section 25.11.070 of the Seattle Municipal Code, last amended by  
20 Ordinance 125429, is amended as follows:

21 **25.11.070 Tree protection on sites undergoing development in Lowrise zones**

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

1           A. Exceptional trees

2                   1. If the Director determines that an exceptional tree is located on the lot of a  
3 proposed development, which is not a major institution use within a Major Institution Overlay  
4 zone, and the tree is not proposed to be preserved, the development shall go through streamlined  
5 design review as provided in Section 23.41.018 if the project falls below the thresholds for  
6 design review established in Section 23.41.004.

7                   2. The Director may permit the exceptional tree to be removed only if the total  
8 floor area that could be achieved within the maximum permitted FAR and height limits of the  
9 applicable Lowrise zone according to Title 23 cannot be achieved while avoiding the tree  
10 protection area through the following:

11                           a. Development standard adjustments permitted in Section 23.41.018 or  
12 the departures permitted in Section 23.41.012.

13                           b. An increase in the permitted height as follows under subsection  
14 25.11.070.A.~~(2)~~3.

15                           ~~(2)~~ 3. In order to preserve an exceptional tree, the following code modifications  
16 are allowed:

17                           a. Permitted height. For a principal structure with a base height limit of 40  
18 feet that is subject to the pitched roof provisions of subsection 23.45.514.D, the Director may  
19 permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50  
20 feet if the increase is needed to accommodate, on an additional story, the amount of floor area  
21 lost by avoiding development within the tree protection area and the amount of floor area on the  
22 additional story is limited to the amount of floor area lost by avoiding development within the  
23 tree protection area.



1           A. Exceptional trees

2                   1. If the Director determines that an exceptional tree is located on the lot of a  
3 proposed development, which is not a major institution use within a Major Institution Overlay  
4 zone, and the tree is not proposed to be preserved, the project shall go through streamlined  
5 design review as provided in Section 23.41.018 if the project falls below the thresholds for  
6 design review established in Section 23.41.004.

7                   2. The Director may permit an exceptional tree to be removed only if the  
8 applicant demonstrates that protecting the tree by avoiding development in the tree protection  
9 area could not be achieved through the development standard adjustments permitted in Section  
10 23.41.018 or the departures permitted in Section 23.41.012, the modifications allowed by this  
11 Section 25.11.080, a reduction in the parking requirements of Section 23.54.015, or a reduction  
12 in the standards of Section 23.54.030.

13                   ((2)) 3. If the Director determines that an exceptional tree is located within a  
14 Major Institution Overlay zone, and the tree is not proposed to be preserved, the Director may  
15 allow removal of an exceptional tree only if:

16                           a. The proposed development is for a major institution use identified in an  
17 adopted Major Institution Master Plan; and

18                           b. The location of an exceptional tree is such that planned future physical  
19 development identified in an adopted Major Institution Master Plan cannot be sited while  
20 avoiding the tree protection area; and

21                           c. Mitigation for exceptional trees and trees over 2 feet in diameter,  
22 measured 4.5 feet above the ground, is provided pursuant to Section 25.11.090 for trees that are  
23 removed in association with development.

\* \* \*

Section 8990.

A. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended as follows: all areas designated on Attachment A as DOC2 500/300-550 are rezoned to DOC2 550/300-550.

B. Attachment A to this ordinance, which is incorporated by reference, shows the areas being rezoned as described in this section.

C. Except for the DOC2 500/300-550 classification, all other designations and classifications of the property rezoned by this section remain in effect.

D. This ordinance is not intended to release or modify either the terms of any agreement previously made in connection with the rezoning of any property, or any conditions or restrictions included in any rezone decision or ordinance. As to each lot being rezoned in this ordinance from a zoning designation previously established by a map amendment conditioned upon a recorded agreement, all conditions and restrictions stated in the applicable prior rezone decision, ordinance, or agreement, whether or not referring to a specific zoning designation or rezone action, continue as conditions and restrictions under the zoning designation established by this ordinance. The City Council finds that the restrictions in each such agreement are necessary in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezones effected by this ordinance.

Section 91. Portions of the Central Area Neighborhood Design Guidelines shall be amended as shown in Exhibit B.

1           Section ~~9290~~. Sections 7, 8, ~~68, 69, 70, 87, and 88~~69, 70, 71, 88, 89 of this ordinance  
2 shall take effect and be in force on July 1, 2018.

DRAFT

1 Section ~~9391~~. This ordinance shall take effect and be in force 30 days after its approval  
2 by the Mayor, but if not approved and returned by the Mayor within ten days after presentation,  
3 it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2018,  
5 and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
6 \_\_\_\_\_, 2018.

7 \_\_\_\_\_  
8 President \_\_\_\_\_ of the City Council

9 Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

10 \_\_\_\_\_  
11 Jenny A. Durkan, Mayor

12 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

13 \_\_\_\_\_  
14 Monica Martinez Simmons, City Clerk

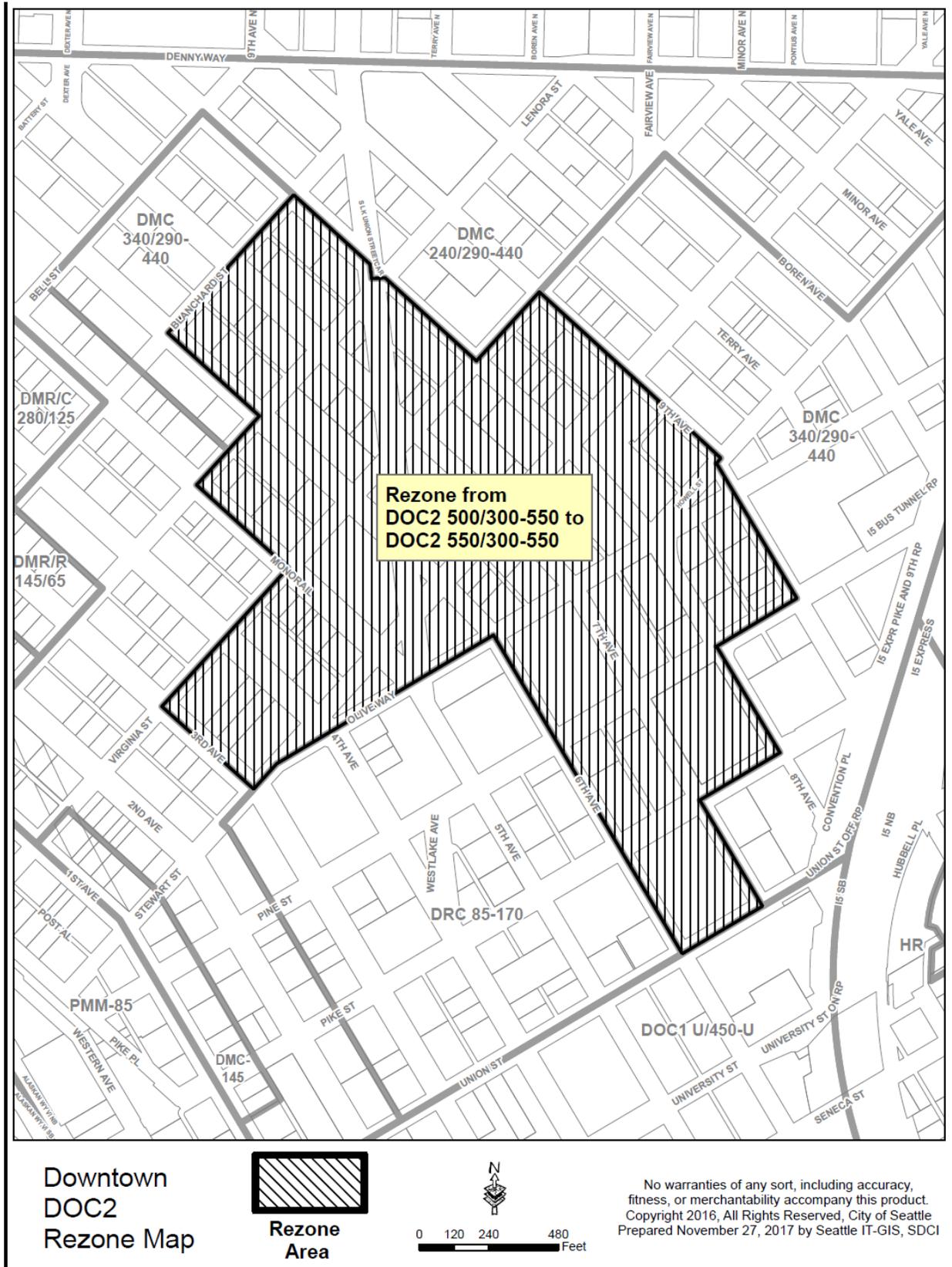
15 (Seal)

16  
17  
18  
19 Attachments:  
20 Exhibit A – Downtown DOC2 Rezone Map

1 Exhibit B – Central Area Neighborhood Design Guidelines

DRAFT

### Exhibit A





# Central Area

## NEIGHBORHOOD DESIGN GUIDELINES



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## Acknowledgments

The effort for this document began in December of 2015, by a passionate group of Central Area residents who have all been active in the community for many years, dedicating their time as members in five different Central Area Organizations:

- 23rd Ave Action Community Team
- Central Area Land Use Review Committee
- Historic Central Area Arts & Cultural District
- Central Area Collaborative
- African American Veterans Group of Washington

Together they formed the Central Area Design Guidelines Coalition (CADGC), and worked with Grace Kim and Margaret Knight of Schemata Workshop, and Donald King of Mimar Studio to build on the work that began in 1994, and develop a set of design guidelines for the Central Area.

The participation of the CADGC in this process was invaluable, and we are thankful for the many hours these community members and organizations have put into this effort.

We'd like to give a special thanks to CADGC members: Tyrone Brown, Amanda Bryan, Dennis Comer, Karen Estevenin, Jeff Floor, Preston Hampton, Sharon Khosla, Lois Martin, and Robert Stephens Jr. for their commitment to this process.

We would like to also acknowledge the dedicated and continued community support of several key Central Area groups and individuals, which set the stage by providing foundational documents from which this work sprung, including:

- Central Area Action Plan of 1994
- Central Area Neighborhood Plan of 1998
- Central Area Neighborhood Design Guidelines of 1998
- Historic Central Area Arts & Cultural District Plan of 2015
- 23rd Ave Action Plan and Urban Design Framework of 2016
- Central Area Commercial Revitalization Plan of 2016

# Introduction

## What are Neighborhood-Specific Design Guidelines?

Design guidelines are the primary tool used in the review of proposed projects by Seattle DCI staff for administrative design review, or the Design Review Boards. Guidelines define the qualities of architecture, urban design, and public space that make for successful projects and communities. There are two types of guidelines used in the Design Review Program:

- Citywide—applying to all areas of the city except for downtown; and
- Neighborhood-specific—applying to a specific geographically-defined area, usually within a residential urban village or center.

Once a set of neighborhood-specific guidelines is adopted by City Council, they are used in tandem with citywide guidelines for the review of all projects within that neighborhood. Not all neighborhoods within the city have neighborhood-specific guidelines, but for those that do, applicants and Board members are required to consult both sets of guidelines—citywide and neighborhood-specific—with the neighborhood guidelines taking precedence over the citywide in the event of a conflict between the two. Neighborhood-specific guidelines offer additional guidance on the features and character of a particular neighborhood, and are very helpful to all involved in the design review process.

Neighborhood-specific design guidelines reveal the character of the neighborhood as known to its residents and business owners. The guidelines help to reinforce existing character and protect the qualities that neighborhood residents value most in the face of change. Thus, a neighborhood's guidelines, in conjunction with the citywide Design Guidelines, can increase overall awareness of responsive design and involvement in the design review process.

## Reader's Guide

This document is organized around the themes and format of the city-wide Seattle Design Guidelines with additional topics and directives specific to the Central Area neighborhood. Guideline example photos and graphics are presented in addition to other text which explains intent or provides background information. The "Additional Guidance" section references locations specified on page 17 of this document, and provides another layer of information for defining character and culturally significant areas.

# Context & Priority Issues: Central Area



MOHAI, Al Smith Collection

For much of its history, Seattle was a segregated city. As with many cities in America, people of color were excluded from most neighborhoods, schools, many stores, restaurants, hotels, and even hospitals. This historic pattern of discrimination established a structural foundation of inequity in our city, prioritizing homeownership and business opportunities for White residents. Because of this history, the City has made it a priority to evolve into a community of opportunity for all people, regardless of race or socio-economic status. This is noted in Seattle’s Comprehensive Plan, Seattle 2035, with one of its core values being:

**Race and Social Equity** - limited resources and opportunities must be shared; and the inclusion of under-represented communities in decision-making processes is necessary<sup>1</sup>.



MOHAI, Al Smith Collection

This value greatly informs the Central Area Design Guidelines. It is, however, important to note that the language within this document often speaks specifically to the preservation of the African and Black American community in the Central Area. To understand the importance of this emphasis, we must look to history.

One of the first settlers of what we now know as the Central Area, William Grose, was an African American who arrived in Seattle in 1861 and soon became a successful businessman. He owned and operated a restaurant and a hotel in Downtown Seattle, while building a home on his 12-acres of land between what is now East Olive Street and East Madison Street at 24th Avenue. The area attracted other African Americans and became one of the first Black settlements in Seattle, with a settlement of single, Black transient workers around Jackson Street, and middle-class Black families near East Madison eventually merging to form what we currently call the Central Area.



MOHAI, Al Smith Collection

By the early 1900s, a thriving Black-owned and operated business district had flourished near East Madison, and many predominately

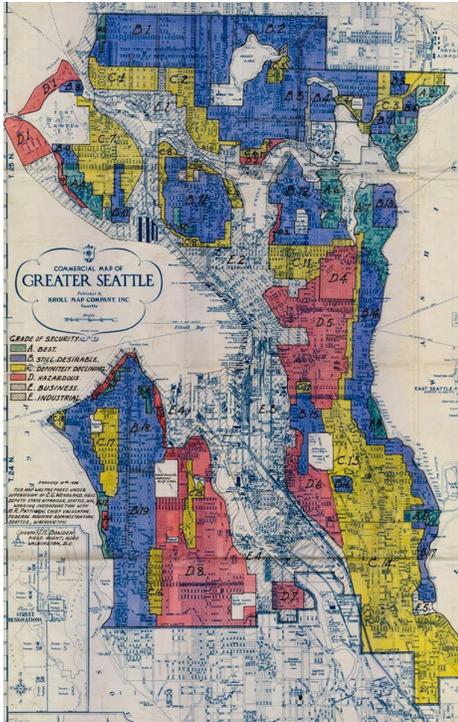
<sup>1</sup> Seattle Comprehensive Plan

**"The parties hereto signing and executing this instrument, and the several like instruments relating to their several properties, hereby mutually covenant, promise and agree each with the others that no part of lands owned by them shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes or any person of Negro blood.**

**This covenant shall run with the land and bind the respective heirs and parties hereto for a period of 21 years."**

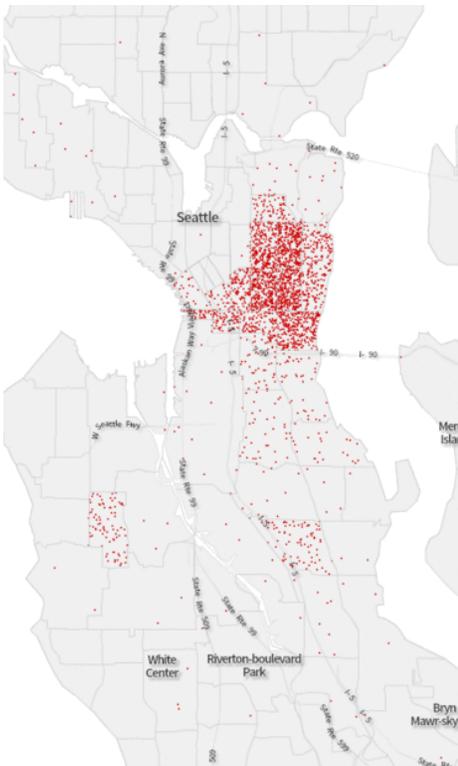
Excerpt from a 1948 Capital Hill neighborhood agreement on a restrictive covenant. Intended expiration was 1969.

civil rights and labor history project of the university of washington



1936 redlining map with areas deemed "hazardous" in red.

civil rights and labor history project courtesy of social explorer



Map showing where Black Americans resided in 1960. One dot represents 25 individuals.

Black churches had been founded, some of which are still community anchors today.

Other ethnic groups also settled in the Central Area, creating a vibrant and diverse community. However, after World War II housing discrimination and restrictive real estate covenants<sup>2</sup> in other areas of the city forced Seattle’s growing Black population into the Central Area. This, along with the movement of the Central Area’s Jewish, European American, and Japanese American residents to other parts of the city made the Central Area a primarily Black neighborhood. While many of the buildings left behind were repurposed by the community, the neighborhood suffered from neglect in the form of discriminatory investment practices and “redlining<sup>3</sup>.” These restrictions prevented most African Americans from buying, improving, and developing property for most of the nearly seventy years they remained majority occupants of the Central Area.

*"As a consequence of redlining, neighborhoods that local banks deemed unfit for investment were left underdeveloped or in disrepair. Attempts to improve these neighborhoods with even relatively small-scale business ventures were commonly obstructed by financial institutions that continued to label the underwriting as too risky or simply rejected them outright. When existing businesses collapsed, new ones were not allowed to replace them, often leaving entire blocks empty and crumbling. Consequently, African Americans in those neighborhoods were frequently limited in their access to banking, healthcare, retail merchandise, and even groceries".<sup>4</sup>*

Since World War II, Seattle has hosted numerous military installations. Many Black soldiers made Central Area their home after being discharged from military services. However, currently there are few places that provide services, housing and gathering opportunities for Black Veterans.

The inequalities endured by Seattle’s Black residents during these times makes preserving African American culture and community a high priority in the Central Area, wherein much of this history, culture, and community are contained. These guidelines are both in response

<sup>2</sup> Racial deed restrictions became common after 1926 when the U.S. Supreme Court validated their use. The restrictions were an enforceable contract and an owner who violated them risked forfeiting the property. Many neighborhoods prohibited the sale or rental of property by Asian Americans and Jews as well as Blacks. - Civil Rights and Labor History Project of the University of Washington

<sup>3</sup> The term "redlining" was coined in the late 1960s by John McKnight, a sociologist and community activist. It refers to the specific practice called "redlining", began with the National Housing Act of 1934 and the Federal Home Loan Bank Board practice of drawing a red line on a map to delineate an area where banks should not make loans; later the term was applied to discrimination against a particular group of people (usually on the basis of race or sex) irrespective of geography. - Wikipedia

<sup>4</sup> [https://en.wikipedia.org/wiki/Redlining#cite\\_note-19](https://en.wikipedia.org/wiki/Redlining#cite_note-19)

MOHAI, Al Smith Collection



to this historic inequity and aligned with other Seattle programs<sup>5</sup> which seek to facilitate public and private investments in neighborhoods that support those most in need.

The Central Area Neighborhood Design Guidelines recognize and encourage Seattle’s goals of creating *Strong Communities and People*, as well as *Great Places with Equitable Access*. The document addresses this by applying one of Seattle’s Equitable Development Framework’s six Equity Drivers<sup>6</sup> to these Guidelines to achieve equity objectives.

**Build on local cultural assets:** Respect local community character, cultural diversity, and values. Preserve and strengthen cultural communities and build the capacity of their leaders, organizations, and coalitions to have greater self-determination.

MOHAI, Al Smith Collection



The Central Area Design Guidelines build upon this goal by focusing on the physical design features and future development of the Central Area, and append three additional goals:

Reflect the unique historical character of the Central Area.

Retain the rich characteristics valued by the community's long term residents as well as its new and future residents.

Facilitate inclusive and equitable growth and development.

MOHAI, Al Smith Collection



Given the Central Area’s history, it is the intent of this document to highlight guiding principles which support Seattle’s Black community. Throughout the process of creating these guidelines, there was a struggle of how best to incorporate African American or Afrocentric design standards, acknowledging that there is no definitive source that comprehensively embodies Black design principles in a meaningful way.

Instead the document incorporates guidelines centered on community accessible open space, interactions between residents and shopkeepers with passersby, and transparency of street uses. While some of this guidance may feel universal, it is particularly important to the African American community, and was explicitly expressed by residents in the Central Area. These themes are at the heart of this document, and drive each of the guidelines outlined in the subsequent pages.

Architects and designers interested in designing a building that is reflective of the African-American community are required to reach out to community stakeholders and review the ideas, people, and resources available at [www.seattle.gov/opcd/cadq-documents](http://www.seattle.gov/opcd/cadq-documents)

<sup>5</sup> <https://www.seattle.gov/opcd/ongoing-initiatives/equitable-development-initiative>

<sup>6</sup> As part of Seattle’s Equitable Development Implementation Plan, the Equity Drivers and Equity Outcomes function as an analytical tool to guide implementation to reduce disparities and achieve equitable outcomes for marginalized populations. The Equity Drivers build on the Puget Sound Regional Equity Network’s Principles of Equitable Development.



# Guidelines at a Glance

The Central Area Neighborhood Neighborhood Design Guidelines work together with the City Council adopted Seattle Design Guidelines (also called the Citywide Design Guidelines), which always remain applicable on all projects subject to Design Review. See SMC 23.41.004 for information on Design Review thresholds.

Below is a list of the Citywide Guidelines, and the column to the right indicates if these Neighborhood Design Guidelines provide supplemental guidance for that topic; a “yes” means both Citywide and Neighborhood Guidelines are applicable; a “no” means only Citywide Guidelines apply.

## Citywide Design Guidelines

## Neighborhood-specific Guidance

### CONTEXT & SITE (CS)

<b>CS1</b>	<b>Natural Systems and Site Features</b> Use natural systems and features of the site and its surroundings as a starting point for design	<b>YES</b>
<b>CS2</b>	<b>Urban Pattern and Form</b> Strengthen the most desirable forms, characteristics and patterns of the surrounding area	<b>YES</b>
<b>CS3</b>	<b>Architectural Context and Character</b> Contribute to the architectural character of the neighborhood	<b>YES</b>

### PUBLIC LIFE (PL)

<b>PL1</b>	<b>Connectivity</b> Complement, connect and contribute to the network of open spaces around the site	<b>YES</b>
<b>PL2</b>	<b>Walkability</b> Create a safe and comfortable walking environment, easy to navigate and well connected	<b>NO</b>
<b>PL3</b>	<b>Street-Level Interaction</b> Encourage human interaction and activity at the street-level, including entries and edges	<b>YES</b>
<b>PL4</b>	<b>Active Transportation</b> Incorporate features that facilitate active transport such as walking, bicycling and transit use	<b>NO</b>

### DESIGN CONCEPT (DC)

<b>DC1</b>	<b>Project Uses and Activities</b> Optimize the arrangement of uses and activities on site	<b>NO</b>
<b>DC2</b>	<b>Architectural Concept</b> Develop a unified, functional architectural concept that fits well on the site and its surroundings	<b>YES</b>
<b>DC3</b>	<b>Open Space Concept</b> Integrate building and open space design so that each complements the other	<b>YES</b>
<b>DC4</b>	<b>Exterior Elements and Finishes</b> Use appropriate and high-quality elements and finishes for the building and open spaces	<b>YES</b>

See the below link for a complete version of the Citywide Guidelines, and a complete list of all Neighborhood-specific Design Guidelines:

<http://www.seattle.gov/dpd/aboutus/whoweare/designreview/designguidelines/default.htm>

# CS1

CONTEXT & SITE

## Natural Systems & Site Features

### Citywide Guideline:

Use natural systems and features of the site and its surroundings as a starting point for project design.

### Central Area Neighborhood Supplemental Guidance

#### 1. Local Topography

- a. Respond to local topography with terraces, stoops, stepping facades, or similar approaches. Use appropriately scaled rockeries, stairs, and landscaping to transition between the sidewalk, building façade, and entrances in keeping with local topographic conditions, and existing neighboring approaches.
- b. If fencing or screening is included in the design, it should step along with the topography.

#### 2. Connection to Nature

- a. Be sensitive to the project's impact on solar access to adjacent streets, sidewalks, and buildings. Where possible, consider setting taller buildings back at their upper floors, or pushing buildings back from the street and providing wider sidewalks so sunlight can reach pedestrian level spaces and neighboring properties. Ensure sunlight reaches building entrances whenever possible.
- b. Provide vegetated spaces throughout the project. Vertical green walls are encouraged in addition to landscape beds.
- c. Incorporate edible gardens and urban farming opportunities within the design, both at grade, and on the roof for larger buildings.
- d. Unify streets through street trees and landscaping.
  1. Consider tree species as a unifying feature to provide identifiable character to a street or project.
  2. Incorporate an irrigation plan for the trees and other landscaping proposed to ensure maintainability of the plants, or include low-maintenance, drought-resistant species.
- e. Create protected sidewalks by utilizing planter strips with lush landscaping, to help create a "room" between the street and the building.



Lush planter strip shelters the sidewalk and ground floor residential units from car traffic along the street.



Vegetated buffer softens the retail edge while maintaining the streetscape's urban feel.

# CS2

CONTEXT & SITE

## Urban Pattern & Form

### Citywide Guideline:

Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

### Central Area Neighborhood Supplemental Guidance

#### 1. Transition and Delineation of Zones

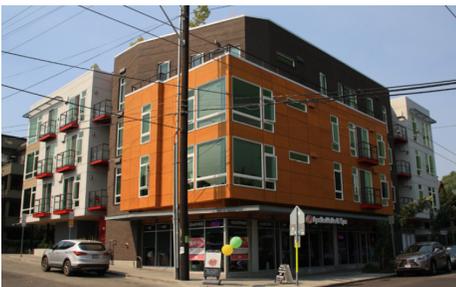
- a. Where denser zones transition to lower density residential zones, provide privacy layering and scale for ground related entrances, porches, and stoops on façades facing the less dense residential zone.
- b. In addition to building height, use building massing and articulation to transition to single-family scaled fabric. Other acceptable methods include setbacks, building footprint size and placement on the site, building width, façade modulation, and roof line articulation.
- c. The use of appropriately scaled residential elements, such as bay windows and balconies, on larger buildings next to single-family zones are encouraged to better relate to the human scale. This is especially important for buildings four stories and lower.
- d. Along with smaller building massing, the use of breezeways, portals, and through-block connections help to lessen the mass of the overall building, and add to the existing network of pedestrian pathways.



Street fronting entrances with residential scaled detailing help transition to nearby single family homes.



Vertically articulated bays break down the facade scale.



Articulated building massing both horizontally and vertically breaks down the building's scale.

# CS3

CONTEXT & SITE

## Architectural Context & Character

### Citywide Guideline:

Contribute to the architectural character of the neighborhood.

### Central Area Neighborhood Supplemental Guidance

#### 1. Neighborhood Context

- a. Retain and encourage the extension of existing positive attributes of the surrounding neighborhood character.
- b. Where appropriate, encourage the preservation, rehabilitation, adaptive reuse, and/or addition to existing structures as a way to continue the existing neighborhood fabric.
- c. Include high ceilings in ground floor spaces of new structures consistent with older character structures in the vicinity. Floor to ceiling heights of at least 15 feet with clerestory windows are encouraged for commercial ground floors.



Smaller scaled row house bungalow with character defining front porch and detailing.



Contrasting character of the new architectural addition provides a backdrop for the preserved building facade.



Preservation of the ground floor facade, with a compatible addition above retains a portion of the neighborhood's history.



Ground floor retail space with high ceilings and clerestory windows.

Photo credit: Weber Thompson Architects

# PL1

PUBLIC LIFE

## Connectivity

### Citywide Guideline:

Complement and contribute to the network of open spaces around the site and the connections among them.

### Central Area Neighborhood Supplemental Guidance

#### 1. Accessible Open Space

- a. Provide safe and well connected open spaces. Utilize walkways and linkages to visually and physically connect pedestrian paths with neighboring projects, shared space and public spaces such as streets. Use linkages to create and contribute to an active and well-connected open space network.
- b. Larger projects around important neighborhood nodes should create generous recessed entries, corner plazas, and more usable open space adjoining the streets. Projects along dense business corridors should maintain a continuous street wall definition contributing to the area’s urban feel (see Cultural Placemaker map on page 17 for node locations).
- c. Incorporate transparent and open indoor community meeting spaces at the ground level of larger projects. Avoid having any window coverings or window film that permanently obscure views into or out of the space.

#### 2. Connection Back to the Community

- a. Provide cultural and place-specific open spaces that can be used for a variety of uses including social gathering, festivals, and other larger celebrations.
- b. When providing open gathering spaces for the community, include weather protection to ensure the space can remain active all year long.
- c. Enhance gathering places with lighting, art and features, so that the scale of the art and special features are commensurate with the scale of the new development.



Activated through-block connection provides safe and usable common spaces.



20 minutes magazine

Covered gathering space that can be used throughout the year.



Open space for social activities that can accommodate a variety of uses.



Urban rooftop used for agriculture to which residents and local establishments have access.

architect magazine



Activated courtyard space that is both visually and physically open.

archdaily



Safe play areas adjacent to residential units where families can congregate.

- d. Ensure exclusive rooftop, private, or gated open spaces are not the only form of open space provided for the project. Prioritize common, accessible, ground level open space at the building street fronts and/or with courtyards that are not restricted or hidden from street views.
- e. Not all open spaces need to be landscaped; hardscapes are encouraged when sized and designed to encourage active usage. At these locations, building edges should be inviting while creating well defined open spaces for common use. These spaces are especially important close to prominent intersections, streets, and Cultural Placemaker locations (shown on page 17). In areas where it is not feasible to be open to physical pedestrian access, visual openness should be provided.
- f. When providing vegetation at the roof level, consider urban agriculture instead of a passive green roof to provide residents access to fresh produce.

### 3. Livability for Families and Elderly

- a. Provide safe areas for children to play where they can be seen. Incorporate seating areas nearby for parents, guardians, and other community members to congregate.
- b. Consider utilizing building rooftops as an opportunity for family gathering and gardening.
- c. Where applicable, preserve alleys for pedestrian access and service use. Provide adequate lighting, transparency and entrances to ensure active usage.
- d. Provide multi-generational community gathering spaces for young and old to recreate and converse together.

# PL3

PUBLIC LIFE

## Street-Level Interaction

### Citywide Guideline:

Encourage human interaction and activity at the street-level with clear connections to building entries and edges.



Open and transparent restaurant frontage that engages with public realm.



Color and material variation in storefront design.



Coupled entrances helps foster a sense of community among residents.

### Central Area Neighborhood Supplemental Guidance

#### 1. Frontages

- a. Encourage color, material, and signage variation in storefront design.
- b. Design ground floor frontages in commercial and mixed-use areas that emulate or improve upon the surrounding pedestrian-oriented context, while acknowledging the pedestrian patterns that exist.
- c. Promote transparency and “eyes on the street.” No reflective or obscure glass should be used. Discourage retailers from putting display cases or window film up against windows to maintain transparency into commercial spaces.
- d. Avoid grade separations at retail. Storefronts should step along with the grade (ex: 30’ max length of any floor level on a sloping frontage) with a focus on accessibility.
- e. In pedestrian-oriented commercial areas, provide frequent entrances and expressed breaks along storefronts through columns or pilasters at regular intervals of 25 to 30 feet, to accommodate and encourage smaller retailers and community-oriented businesses.
- f. Live/work spaces should be designed to activate street frontage, maintain transparent windows, and arrange the interior to place work space at the streetwindows.
- g. At residential projects, provide coupled entries where possible to foster a sense of community and visual interest in building entryways. Provide generous porches at these entries to encourage sitting and watching the street.
- h. Provide exterior access to ground floor residential units. This interior/exterior connection should occur frequently with entrances placed at a regular interval.



Restaurant storefront that engages with the public sidewalk and street.



Pedestrian furniture and protected open space that is inviting for public use while also providing an outdoor area for businesses to utilize.



Planter zone that incorporates community gardening opportunities.

## 2. Streetscape Treatment

- a. Emphasize the relationship between buildings and their entrances to the street, pedestrians, and neighboring buildings both adjacent and across the street. Provide special treatment through paving or building materials to highlight each business’s presence along the street.
- b. Provide recessed business entries to encourage a slower pedestrian pace where people have sheltered space to stop and gather.
- c. To protect pedestrians along the sidewalk, provide awnings or overhead weather protection at all non-residential frontages, neighborhood nodes, and on west-facing facades with a minimum depth of 6’. Larger commercial projects should have deeper coverage, with a minimum depth of 8' at all street frontages, especially street corners.
- d. Encourage a quality pedestrian environment that provides safe, comfortable routes for pedestrians that reflect the existing character of the building fabric.
- e. Encourage activation of the planter zone to include community gardens, as well as street trees and pedestrian furniture (with SDOT concurrence).
- f. Limit the placement of solid barriers or blank walls next to the sidewalk. Consider using landscape buffers instead.
- g. Provide voluntary space abutting the sidewalk right-of-way for businesses to utilize (ex: cafes, produce markets, street markets, fish vendors, buskers, pop-up shops, etc.).
- h. Encourage a safe, comfortable environment for pedestrians with components of complete streets (ex: wide planter zones, wide sidewalks, and/or building setbacks to allow for usable porches, stoops, and outdoor seating).



Raised entries that create a private stoop at residential entrances, with high transparency railings that facilitate street interaction.

- i. Porches and stoops are the life of the street. Encourage human activity by providing opportunities for neighbors to connect, walk, and talk together on the sidewalk.
- j. To facilitate usable stoops and patios, and to encourage pedestrian-to-resident interaction, buffer private outdoor spaces from the public sidewalk with low walls, planters and landscape layering that defines the private space yet allows for face to face conversations. Tall 'privacy walls' or fences are not acceptable.
- k. If floor levels and site grading allows, the private stoop at residential units should be raised above sidewalk grade, using 30" as an average height, with universal access to the unit included elsewhere.
- l. Residential patio levels recessed more than 18" below the adjacent sidewalk grades are discouraged and should be used discerningly, as they can hinder interaction, and may create safety and maintenance issues.



Frequent stoops accompanying ground floor entrances to residential units provide a place for social interactions.

# DC2

DESIGN CONCEPT

## Architectural Concept

### Citywide Guideline:

Develop a unified, functional architectural concept that fits well on the site and its surroundings.

## Central Area Neighborhood Supplemental Guidance

### 1. Building Layout and Massing

- a. Project concepts should be intelligible and clear. Clarity makes knowledge of the design accessible, thus a larger portion of the community will be able to participate in the planning and design process.
- b. Building design should relate to the earth, using building forms and massing that engage the ground plane, rather than 'float above'. Ground level transparency should still occur on major pedestrian and commercial streets.
- c. Smaller and varied building forms are encouraged. Larger building forms should divide their mass up so that it does not appear as one, monolithic building. These breaks in massing and differentiation should take cues from the surrounding fabric. Vertical and horizontal datums and patterns can help provide a guide for how to articulate and break down the overall massing. Modulated façades for large buildings keep the building inviting and consistent with the finer-grain fabric found in the Central Area neighborhood. As such, projects should use 50' – 75' massing widths as a guide for modulation.
- d. Appropriately scale buildings so that they relate to the scale and form of the adjacent public realm (i.e. the width of the streets and/or affronting open spaces and adjacent smaller scale zones).
- e. Consider all sides of the building and the impacts each façade has on its immediate neighboring context. If building on a slope, consider the project's roofscape as well.
- f. Consider how each façade may respond to climate conditions such as solar shading and prevailing winds.



Regular breaks in the building lessen the perceived bulk from the street.



Upper floor setback creates a usable outdoor "community porch" space.



Broken-up building massing avoids a monolithic form.

urban land institute



Open space adjacent to ground related apartment units provides space for resident interaction.



Smaller scaled commercial façades and footprints are conducive to local businesses.



Smaller façades with transparent storefronts and detailed recessed entries create a slower paced pedestrian environment.

- g. Consider upper floor setbacks along secondary retail zones. In these less dense areas, tall does not always mean urban. Walkable urban places can be achieved at a smaller scale with buildings that have visual texture through their retail frontage, pedestrian scaled signage, tile details, and accented knee walls, as demonstrated by the businesses along Union St, west of 23rd Avenue.
- h. Where compatible with the surrounding streetscape, family sized, ground related apartment units (2 and 3 bedrooms) with usable adjacent open spaces are encouraged.
- i. Encourage clusters of small and local businesses together.
  1. Reduce the scale of commercial façades so that they are conducive to small business tenants.
  2. Include commercial spaces with smaller footprints to promote and accommodate local establishments at street level.
  3. Set the maximum length of street frontage for individual businesses to be consistent with the existing business character of the area.
  4. Where there is not a strong existing character for the area, follow guidance provided in frontage section (PL3-1).

# DC3

DESIGN CONCEPT

## Open Space Concept

### Citywide Guideline:

Integrate building and open space design so that each complements the other.

### Central Area Neighborhood Supplemental Guidance

#### 1. Common Open Spaces

- a. Where possible, provide common courtyards and yards that are publicly visible and accessible. These spaces should be activated and layered, so that there is a graduation from private outdoor space, to the fully shared realm.
- b. Encourage courtyard housing and bungalow courts which use landscaping as the delineation between shared and private spaces, instead of fencing.
- c. Provide generous common, open space, including shared courtyards and plazas that serve as extensions of the adjacent public realm.

capitol hill seattle blog



Shared residential courtyard

wikimedia commons



Retail courtyard in Madison Valley



Common courtyard in mixed-use building



Residential units provided with individual, private outdoor spaces, a shared walk with seating, and landscape buffer next to the public sidewalk (shown at right).

# DC4

DESIGN CONCEPT

## Exterior Elements & Finishes

### Citywide Guideline:

Use appropriate and high-quality elements and finishes for the building and open spaces.



Awnings, façade rhythm, modern bay windows, and a finer grain material texture provide human scale detailing.



Varied use of materials and shapes create an artful screening solution.

### Central Area Neighborhood Supplemental Guidance

#### 1. Screening

- a. When screening or fencing is used, it should be designed as an artistic opportunity.
- b. Design screening height, porosity, and materials to allow for views in and out of the site, and visual interaction with the public realm.

#### 2. Building Materials

- a. Consider vibrant and bold uses of color, materials, texture, and light to reinforce local cultural references.
- b. Encourage variation in building materials and employ high quality materials.
- c. Salvage building materials from the site when possible. If reusable materials, such as brick, are removed from demolished buildings, use them in the new development as visible building components.

#### 3. Building Details and Elements

- a. Provide operable windows in a way that promotes natural ventilation.
- b. Incorporate building materials and details that reflect human scale and the craftsmanship of the building process (ex: use of brick or wood for exterior cladding).
- c. Incorporate elements such as bay windows, columns, and deep awnings which add human scale and façade texture.
- d. Façades should exhibit a rhythm of fenestration, and transparency of the inside program out to the public realm.

# A.1

## ADDITIONAL GUIDANCE

### Character Areas

#### Citywide Guideline **CS3.B:**

Contribute to architectural and placemaking character with local history and cultural references.

#### Central Area Neighborhood Supplemental Guidance: Character Areas

*The following additional guidance is for projects within the Influence Area and Character Areas as indicated on page 17.*

##### 1. History and Heritage

- a. Provide design features to express the African and Black American presence within the neighborhood. Create 'pockets of culture' to represent both the Black American identity within the Central Area, as well as other heritages that have had a large impact on the Central Area's past.
- b. Consider including visual arts as an integral part of the design concept along main street building façades, within highly trafficked pedestrian areas, and within open spaces.
- c. Use any resulting blank walls and surfaces for the visible expression of art that references the history, heritage, and culture of the community.
- d. Include interpretive opportunities (through visual art, signage, markers, etc.) that tell the story of the neighborhood's history in engaging ways.
- e. Encourage the building design to reflect the racial, economical, and multi-generational character of the community.
- f. Developments are encouraged to provide housing and/or amenities for the Black Veteran community.
- g. Provide amenities appropriate to the activities and interests of the local community, such as basketball hoops, chess boards, tot lots and other family oriented activities.
- h. Bicycle use and parking should be encouraged to promote a healthy and active neighborhood and to support local businesses. Bicycle racks should be plentiful, and either be from the Seattle Department of Transportation's bike parking program or be an approved rack of similar "inverted U" or "staple" style. The bicycle racks may also be an opportunity for placemaking, such as having a uniform color for bike racks within the Central District or having distinctive place-names designed into the racks.



Jazz and swing dancing tribute



Mural mosaic at 25th and Cherry



squire park community council

The People's Wall marking the Black Panther Community Center



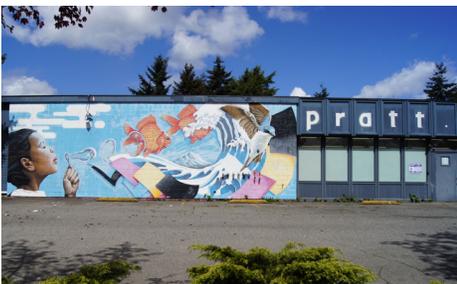
Katy's Cafe



Garfield Community Center



Starbucks at 23rd and Jackson



Pratt Fine Arts Center

## 2. For 23rd and Union Character Area

- a. Community characteristics that are unique to this area include:
  1. A cohesive neighborhood grain with historic character that establishes the area as a destination for the surrounding community.
  2. An established, pedestrian-scaled neighborhood-commercial area, with a mix of both commercial and residential uses, grounded by locally-owned businesses and institutions.
  3. Hub of the African and Black American community.
  4. Diverse range of shops, restaurants, entertainment, and places of worship. Specific buildings to note are:
    - Central Cinema (1411 21st Ave)
    - Katy's Cafe (2000 E Union St)
- b. In this area it is especially important to provide additional accessible open space and community gathering opportunities, for example plazas adjacent to the public sidewalks.

## 3. For 23rd and Cherry Character Area

- a. Community characteristics that are unique to this area include:
  1. Smaller-scaled fabric with many culturally specific restaurants, as well as community and youth-centered resources.
  2. Specific places to note are;
    - Garfield High School (400 23rd Ave)
    - Garfield Community Center (2323 E Cherry St)
    - Quincy Jones Performing Arts Center (400 23rd Ave)
    - Medgar Evers Pool (500 23rd Ave)
    - Eritrean Community Center (2402 E Spruce St)

## 4. For 23rd and Jackson Character Area

- a. Community characteristics that are unique to this area include:
  1. Larger-scale, mixed-use commercial district with opportunities for startups, and both large and small scaled businesses.
  2. Both a local and regional destination due to its commercial developments, social services, community assets, and shops for daily household needs.
  3. Specific places to note are;
    - Pratt Fine Arts Center (1902 S Main St)
    - Wood Technology Center (2310 S Lane St)
    - Seattle Vocational Institute (2120 S Jackson St)
    - Langston Hughes Performing Arts Institute (104 17th Ave S)
    - Douglass Truth Library (2300 E Yesler Way)

# A.2

## ADDITIONAL GUIDANCE

# Cultural Placemakers

### Citywide Guideline CS3.B:

Contribute to architectural and placemaking character with local history and cultural references.

### Central Area Neighborhood Supplemental Guidance: Cultural Placemakers

*The following additional guidance applies to all projects with street frontage within 200 feet of the street corner, in any direction, at the designated Cultural Placemaker locations as identified on page 17.*

#### 1. Cultural Placemakers

- a. Emphasize Cultural Placemakers within the community. The Cultural Placemaker map identifies several key intersections in the Central Area that serve as cultural anchors for their surrounding areas. Projects at these corner locations should stimulate activities and create visual interest to enhance the Central Area’s identity and a sense of arrival, such as:

1. Providing street furniture, public art, landscape elements, pedestrian lighting, mosaics, varied paving patterns, etc.
2. Creating façade enhancements at prominent building corners.
3. Creating a building layout and setbacks that provide opportunities for open space that expand the usable space beyond the width of the sidewalks.
4. Providing larger landscape buffers at placemakers along heavier trafficked streets.

capitol hill seattle blog



Garfield High School at 23rd Ave and Jefferson St



Fire Station 6, a historic landmark at 23rd Ave and Yesler Way

soul of america



Madison Temple at 23rd Ave and Madison St

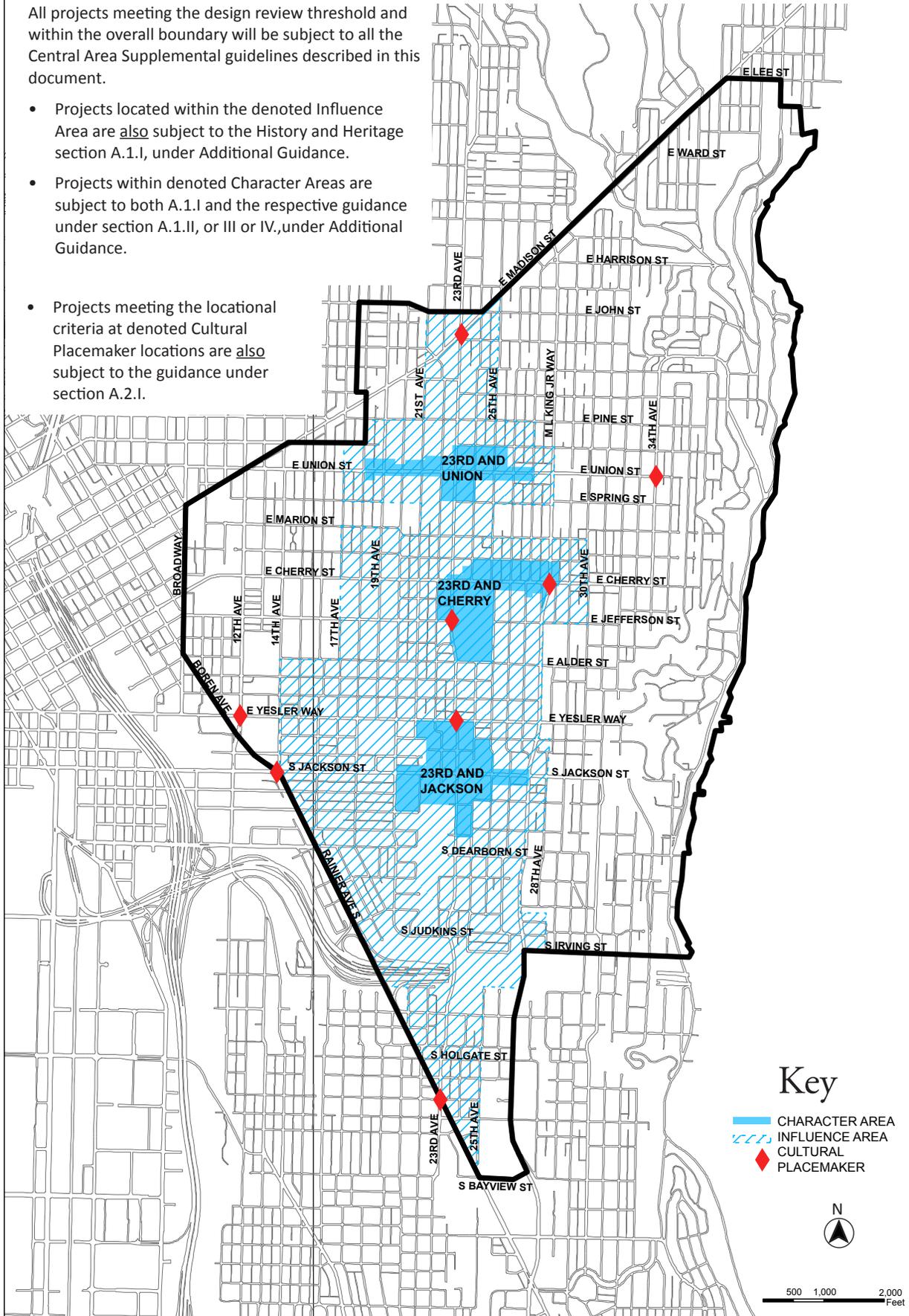


Present day intersection at Cherry St and Martin Luther King Jr Way (right photo), where community anchor Catfish Corner was once located (left photo).

# Central Area Character & Cultural Placemaker Map

All projects meeting the design review threshold and within the overall boundary will be subject to all the Central Area Supplemental guidelines described in this document.

- Projects located within the denoted Influence Area are also subject to the History and Heritage section A.1.I, under Additional Guidance.
- Projects within denoted Character Areas are subject to both A.1.I and the respective guidance under section A.1.II, or III or IV, under Additional Guidance.
- Projects meeting the locational criteria at denoted Cultural Placemaker locations are also subject to the guidance under section A.2.I.



**Table 2: Identified Issues**

issue	SMC/bill page	Issue	Options	Discussion
included in transmitted bill				
A.	23.49.007	Should Council increase the maximum height limit for non-residential uses from 500 to 550 feet in the Downtown Office Core 2 (DOC2) 500/350-550 zone?	<p>1. Do nothing. Change as transmitted would be adopted as part of the substitute bill (and Central Staff would make technical corrections to the bill to make the corresponding zone change elsewhere in the code).</p> <p>2. Amend the substitute bill to remove the change.</p>	As part of the legislation to implement Mandatory Housing Affordability (MHA) provisions in Downtown and South Lake Union, Ordinance 125291 (May of 2017), height limits were raised in several zones including the DOC2 500/350-500 zone, which was changed to DOC2 500/350-550. SDCI asserts that the intent of the legislation was to allow non-residential uses to be located up to the maximum height allowed for structures, up to 550 feet. The proposal would rezone DOC2 500/350-550 to DOC2 550/350-550. Central Staff finds evidence in the record contrary to SDCI's assertion about Council's intent in this matter. Moreover, rezoning DOC 2 zone to add height for commercial development would thwart the purpose of Ord. 125374, which the Council passed in 2017. That Ordinance authorizes additional height for new mixed use and residential structures that provide greater setbacks from existing residential towers.
B.	23.76.012.B.4	Should Council approve a change in requirements for notice of unit lot subdivisions?	<p>1. Do nothing. Change as transmitted would be adopted as part of the substitute bill.</p> <p>2. Amend the substitute bill to remove the change.</p>	Under the current language of Section 23.76.012.B.4, unit lot short subdivisions (townhouse plats) require mailed notice to neighbors within 300 feet, posting of land use notice signs and Land Use Information Bulletin (LUIB) publishing. Commonly, unit lot subdivisions occur after a permit to build the development itself has been issued and may occur after the development is constructed. The amendment would remove the 300-foot mailed notice to neighbors of unit lot subdivisions. Central Staff highlights the proposed change.
C.	23.86.007.D	Should Council approve a change in the rules of measurement that affect FAR calculation on lots in more than one zone?	<p>1. Do nothing. Change as transmitted would be adopted as part of the substitute bill.</p> <p>2. Amend the substitute bill to remove the change.</p>	Currently, the SMC requires that if a lot is in more than one zone, the floor area ratio (FAR) limit for each zone applies to the portion of the lot located in that zone. This rule is intended to prevent excessive development in the less-intensive zone as a result of shifting development from the more intensive zone. This amendment would create an exception to this rule for lots falling in more than one zone such that "if the sole difference between the zoning designations for portions of a lot is the base FAR, allowable floor area based on the calculations for the separate portions of the lot may be provided anywhere on the lot." Base FAR means the floor area that may be allowed in a zone, expressed as a multiple of the lot area, without use of any bonuses, transfer of development capacity, other incentive provisions, or any departures, waivers, variances or special exceptions. Central Staff highlights this change as a possible policy choice for Council
amendment to the bill				
D.	23.41.004.A.3.e	Should Council approve a higher floor area threshold of 15,000 square feet of gross floor area, up from 8,000, for streamlined design review (SDR) for rowhouses?	<p>1. Do nothing. Change as requested by SDCI would be adopted as part of the substitute bill.</p> <p>2. Remove the change from the substitute bill; keep 8,000 square foot threshold</p>	SDCI says that the new threshold of 8,000 square feet of gross floor area would require more rowhouse projects to go through SDR. SDCI asserts that while not strictly a clarification of the Seattle Municipal Code (SMC), this proposed change would be minor and would continue the same incentives for rowhouses as in the current Code. Central Staff highlights the proposed change. See description amendment in <i>Table 1</i> for additional information.