

Amendment 8 Version #2 to CB 120969 OPCD Interim State Zoning Compliance ORD Sponsor:
 Councilmember Moore

Adopt State model code requirements for yards

Effect: This amendment would maintain the current requirements for yards in Neighborhood Residential (NR) zones. In NR zones, yards are used to separate buildings on adjacent lots, provide open space, and separate buildings and public rights of way. Generally, primary buildings are not permitted in yards, although some accessory structures, like accessory dwelling units, may be located there. For sites undergoing redevelopment, development in yards is permitted if locating the building in the yard can save a tree.

Washington State House Bill (HB) 1110 requires local government to allow six of nine middle housing types in areas currently zoned primarily for single family use. In order to facilitate the development of a broader range of housing types, CB 120969 would provide greater flexibility in site design by reducing the required size of yards in NR zones as follows:

Yard	Current NR regulations*	Current RSL and CB 120969 for NR and RSL	Washington State Department of Commerce Model Ordinance
Front	20 feet or the average of the front yards of the single-family structures on either side, whichever is less	10 feet	1-2 units: 15 feet 3 or more units: 10 feet
Rear	25 feet or 20 percent of lot depth, whichever is less, except that it may never be less than 10 feet	10 feet except that if the rear yard abuts an alley, no rear yard is required	Without an alley: 1-2 units: 15 feet 3 or more units: 10 feet With an alley: No yard
Side	5 feet, except that no side yard is required from a side lot line that abuts an alley	5 feet, except that if the side yard abuts an alley, no side yard is required	5 feet

This amendment would instead use the yard requirements included in the Washington State Department of Commerce's model HB 1110-compliant ordinance. The model code has larger yard requirements for lots with one or two units than CB 120969 proposes.

It would reduce flexibility in site design for projects with one or two units, but could also maintain larger open spaces between buildings and the street or the back of the lot.

Amend Section 14 of CB 120969 to retain the existing Table A to Section 23.44.014, and delete the proposed Table A to Section 23.44.014, as follows:

Section 14. Section 23.44.014 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 120949, is amended as follows:

23.44.014 Yards

A. General

1. Yards are required for every lot in a neighborhood residential zone.
2. In the case of a through lot, each yard abutting a street, except a side yard, shall be a front yard. Rear yard provisions shall not apply to the through lot, except pursuant to Section 23.40.030 or 23.40.035.
3. Setbacks from a street or alley may be required in order to meet the provisions of Section 23.53.015.
4. Setbacks from access easements may also be required for principal structures according to the standards in ((~~subsections 23.53.025.C.2 and 23.53.025.D.6~~)) subsection 23.53.025.C.6.

B. Required yards for neighborhood residential zones are shown in Table A for 23.44.014.

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

Footnotes to Table A for 23.44.014

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

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

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

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

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

Table A for 23.44.014
Required yards in neighborhood residential zones

<u>Front</u>	10 feet <u>Lots with one or two dwelling units: 15 feet;</u> <u>Lots with three or more dwelling units: 10 feet</u>
<u>Rear</u>	<u>Lots not abutting an alley with one or two dwelling units: 15 feet;</u> <u>Lots not abutting an alley with three or more dwelling units: 10 feet</u> except that if the rear yard abuts <u>Lots abutting an alley: no rear yard is required</u> ⁺
<u>Side</u>	<u>5 feet</u> , except that if the side yard abuts an alley, no side yard is required ⁺
<u>Footnote for Table A for 23.44.090</u> ⁺ <u>On a reversed corner lot in a neighborhood residential zone, the yard on the side street lot line shall be 10 feet and the rear yard is 5 feet.</u>	