SEATTLE CITY COUNCIL

Select Committee on the Comprehensive Plan

Agenda

Friday, September 19, 2025

2:00 PM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

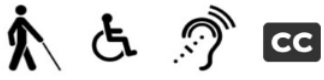
Joy Hollingsworth, Chair
Mark Solomon, Vice-Chair
Debora Juarez, Member
Robert Kettle, Member
Sara Nelson, Member
Alexis Mercedes Rinck, Member
Maritza Rivera, Member
Rob Saka, Member
Dan Strauss, Member

Chair Info: 206-684-8803; Joy.Hollingsworth@seattle.gov

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September 19, 2025 - 2:00 PM

Meeting Location:
Council Chamber, City Hall , 600 4th Avenue , Seattle, WA 98104

Committee Website:
https://www.seattle.gov/council/issues/2025-comprehensive-plan

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business. Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Only written public comment is being accepted at this meeting. Please submit written comments no later than four business hours prior to the start of the meeting to ensure that they are distributed to Councilmembers prior to the meeting. Comments may be submitted at Council@seattle.gov or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104. Business hours are considered 8 a.m. - 5 p.m. Comments received after that time will be distributed after the meeting to Councilmembers and included as part of the public record.

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Executive Session on Pending, Potential, or Actual Litigation*

**Executive Sessions are closed to the public*

D. Items of Business

1. CB 120993 **AN ORDINANCE relating to land use and zoning; implementing a major update of Neighborhood Residential zones and modifying development standards in other zones to comply with various state laws; amending Chapter 23.32 of the Seattle Municipal Code at pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map; amending Chapters 6.600, 14.08, 14.09, 15.32, 21.49, 22.214, 22.801, 22.907, 23.22, 23.24, 23.28, 23.30, 23.34, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.50, 23.51A, 23.51B, 23.53, 23.54, 23.58C, 23.60A, 23.66, 23.72, 23.75, 23.76, 23.80, 23.84A, 23.86, 23.90, 23.91, 25.09, and 25.11 of the Seattle Municipal Code; renumbering existing subsection 23.54.015.K of the Seattle Municipal Code as Section 23.54.037 and further amending the section; renumbering existing subsections 23.54.030.F, 23.54.030.G, 23.54.030.K, and 23.54.030.L as Sections 23.54.031, 23.54.032, 23.54.033, and 23.54.034 and further amending the sections; repealing Chapter 23.44 and Sections 23.34.010, 23.34.012, 23.34.013, 23.34.072, 23.42.130, 23.45.512, 23.45.531, 23.86.010, and 25.09.260 of the Seattle Municipal Code; adding a new Chapter 23.44 and new Sections 23.42.024, 23.42.132, 23.45.519, 23.80.006, 23.80.008, 23.80.010, 25.09.055, and 25.11.025 to the Seattle Municipal Code; and repealing Ordinance 127219.**

Attachments: Full Text: CB 120993 v1
Att 1 - Map of Specific Rezone Areas
Att 2 - Repealed Text of Chapter 23.44
Att 3 - Ord. 127219

Supporting Documents:
Summary and Fiscal Note
Summary Att 1 - SDCI Implementation Cost Memo
Summary Att 2 - One Seattle Plan RET Summary Report
Central Staff Memo and Voting Package (9/17/25)
Substitute Bill
Amendments for Individual Votes

Briefing, Discussion, and Possible Vote

Presenters: Council Central Staff

2. Res 32183 **A RESOLUTION relating to the One Seattle Plan Comprehensive Plan update; calling for additional measures by City departments to further advance the goals of the One Seattle Plan; and requesting that the Office of Planning and Community Development and other City departments develop additional amendments to the Comprehensive Plan in 2026.**

Attachments:
Att 1 - Potential Neighborhood Center Boundary Maps
Att 2 - Proposed Neighborhood Center Boundary Map Modifications

Supporting Documents:
Summary and Fiscal Note

Briefing, Discussion, and Possible Vote

Presenters: Council Central Staff

E. Adjournment

Legislation Text

File #: CB 120993, **Version:** 1

AN ORDINANCE relating to land use and zoning; implementing a major update of Neighborhood Residential zones and modifying development standards in other zones to comply with various state laws; amending Chapter 23.32 of the Seattle Municipal Code at pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map; amending Chapters 6.600, 14.08, 14.09, 15.32, 21.49, 22.214, 22.801, 22.907, 23.22, 23.24, 23.28, 23.30, 23.34, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.50, 23.51A, 23.51B, 23.53, 23.54, 23.58C, 23.60A, 23.66, 23.72, 23.75, 23.76, 23.80, 23.84A, 23.86, 23.90, 23.91, 25.09, and 25.11 of the Seattle Municipal Code; renumbering existing subsection 23.54.015.K of the Seattle Municipal Code as Section 23.54.037 and further amending the section; renumbering existing subsections 23.54.030.F, 23.54.030.G, 23.54.030.K, and 23.54.030.L as Sections 23.54.031, 23.54.032, 23.54.033, and 23.54.034 and further amending the sections; repealing Chapter 23.44 and Sections 23.34.010, 23.34.012, 23.34.013, 23.34.072, 23.42.130, 23.45.512, 23.45.531, 23.86.010, and 25.09.260 of the Seattle Municipal Code; adding a new Chapter 23.44 and new Sections 23.42.024, 23.42.132, 23.45.519, 23.80.006, 23.80.008, 23.80.010, 25.09.055, and 25.11.025 to the Seattle Municipal Code; and repealing Ordinance 127219.

Full text of the legislation is attached.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; implementing a major update of Neighborhood Residential zones and modifying development standards in other zones to comply with various state laws; amending Chapter 23.32 of the Seattle Municipal Code at pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map; amending Chapters 6.600, 14.08, 14.09, 15.32, 21.49, 22.214, 22.801, 22.907, 23.22, 23.24, 23.28, 23.30, 23.34, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.50, 23.51A, 23.51B, 23.53, 23.54, 23.58C, 23.60A, 23.66, 23.72, 23.75, 23.76, 23.80, 23.84A, 23.86, 23.90, 23.91, 25.09, and 25.11 of the Seattle Municipal Code; renumbering existing subsection 23.54.015.K of the Seattle Municipal Code as Section 23.54.037 and further amending the section; renumbering existing subsections 23.54.030.F, 23.54.030.G, 23.54.030.K, and 23.54.030.L as Sections 23.54.031, 23.54.032, 23.54.033, and 23.54.034 and further amending the sections; repealing Chapter 23.44 and Sections 23.34.010, 23.34.012, 23.34.013, 23.34.072, 23.42.130, 23.45.512, 23.45.531, 23.86.010, and 25.09.260 of the Seattle Municipal Code; adding a new Chapter 23.44 and new Sections 23.42.024, 23.42.132, 23.45.519, 23.80.006, 23.80.008, 23.80.010, 25.09.055, and 25.11.025 to the Seattle Municipal Code; and repealing Ordinance 127219.

..body

WHEREAS, the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2022 a series of programs and events, under the title One Seattle Plan, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the One Seattle Plan Public Participation Plan and documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in April 2021, the Washington State Legislature passed Chapter 300, Laws of 2021 (also known as House Bill 1287), which directed the Building Code Council to adopt rules for electric vehicle infrastructure requirements; and

WHEREAS, the Office of Planning and Community Development held a scoping period for the Environmental Impact Statement from June 23 to August 22, 2022; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 322, Laws of 2023 (also known as House Bill 1110), which amended the Growth Management Act to require certain cities, including Seattle, to allow the development of "middle housing" in all residential areas, including at least four units on each lot and at least six units per lot near transit or when at least two units are affordable; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 333, Laws of 2023 (also known as House Bill 1293), which imposes limits on design review and requires that design standards be clear and objective; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 334, Laws of 2023 (also known as House Bill 1337), which requires cities to remove regulatory barriers to accessory dwelling units; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 152, Laws of 2024 (also known as House Bill 2321), which clarified standards implemented through House Bill 1110; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 274, Laws of 2024 (also known as Senate Bill 6015), which imposes restrictions on parking requirements; and

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Environmental Impact Statement analyzing the potential effects of five different growth alternatives in the city through 2044 and a "no action" alternative, conducted two public hearings, and received comments from the public on this document; and

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Comprehensive Plan rooted in a deliberate approach to creating more housing, encouraging density near amenities and frequent transit, and preventing displacement; and

WHEREAS, in Spring 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community groups over a two-month public comment period on the draft plan and an initial proposal for updating Neighborhood Residential zones as documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in Fall 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community groups over a two-month public comment period on a revised proposal for updating Neighborhood Residential zones and draft legislation as documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in January 2025, the Office of Planning and Community Development published a Final Environmental Impact Statement that included analysis of a preferred growth strategy alternative that increased potential housing supply in the city by doubling residential development capacity and that promoted housing supply, variety, and

affordability by adding new and expanded areas for growth in neighborhoods across the city; and

WHEREAS, on March 27, 2025, the Office of Planning and Community Development transmitted legislation to the City Council which would adopt the One Seattle Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone properties on pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map as follows:

A. Properties identified for rezones as shown on Attachment 1 to this ordinance are rezoned as shown in those maps.

B. Except for properties identified to be rezoned as shown on Attachment 1 to this ordinance, all areas identified as “existing zoning” in Table A for Section 1 are rezoned as shown under the “New zoning” column in Table A for Section 1.

Table A for Section 1 Standard zoning changes	
Existing zoning	**New zoning**
RSL (M)	LR1 (M)
NR1	NR
NR2	NR
NR3	NR
NR3-PUD	NR

1. Where the existing zoning includes a Major Institution Overlay, the underlying zoning shall be modified as stated in this subsection 1.B and the Major Institution Overlay shall continue to apply.

2. The rezones in this subsection 1.B shall not remove any existing suffixes other than PUD suffixes.

Section 2. Section 6.600.080 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

6.600.080 Bed and breakfast operator general provisions

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

* * *

C. If operating within a ((~~neighborhood residential~~)) Neighborhood Residential zone, comply with all standards provided in ((~~Section 23.44.051~~)) subsection 23.44.020.C. If operating within a ((~~multi-family~~)) multifamily zone, comply with all standards provided in subsection ((~~23.45.545.G~~)) 23.45.504.I.

* * *

Section 3. Section 14.08.020 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

14.08.020 Definitions

Definitions as used in this Chapter 14.08, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

"Accessory dwelling unit" has the meaning defined in ((~~Chapter 23.84A.032's definition of "Residential use."~~)) Section 23.84A.008.

* * *

((~~"Detached accessory dwelling unit" has the meaning defined in Chapter 23.84A.032's definition of "Residential use".~~))

* * *

Section 4. Section 14.09.010 of the Seattle Municipal Code, last amended by Ordinance 126080, is amended as follows:

14.09.010 Definitions

"Accessory dwelling unit" has the meaning defined in Section ((~~23.84A.032's definition of "Residential use."~~)) 23.84A.008.

* * *

((~~"Detached accessory dwelling unit" has the meaning defined in Section 23.84A.032's definition of "Residential use".~~))

* * *

"Single family dwelling unit" has the meaning as defined in Section 22.204.200.A.

* * *

Section 5. Section 15.32.200 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

15.32.200 At-grade communication cabinets

* * *

F. The applicant for a new at-grade communication cabinet proposal that is more than 36 inches in height including footings or bases as measured from the grade of the surrounding public place, or has a maximum volume of more than 18 cubic feet, shall: (1) send notice of a Seattle Department of Transportation application by first-class mail to all business entities, property owners, and residents located within a 100-foot radius from where the communication cabinet is proposed to be located; and (2) post notice of the new application at the proposed site. The notice shall be displayed towards the nearest public place that abuts the site and is viewable by the public and shall be maintained on the site for the duration of the public notice period.

1. If the new at-grade communication cabinet proposal is more than 36 inches in height including footings or bases as measured from the grade of the surrounding public place, or has a maximum volume of more than 18 cubic feet, and is abutting a lot zoned ((~~NR1, NR2, NR3, RSL,~~)) NR, LR1, LR2, or LR3 as these zoning designations are defined under subsection 23.30.010.A and the abutting zoning does not have an RC classification as shown on the Official Land Use Map, Chapter 23.32 ("residentially zoned parcels"), the communication cabinet shall be fully screened from the public place and abutting private property. If it is not feasible to install mitigation screening due to physical site constraints, the applicant shall provide an alternative mitigation proposal within 200 feet of the project. If the alternative mitigation cannot be located within 200 feet of the project, the applicant shall propose an alternative location that the Director shall review and may approve. All mitigation screening shall comply with setback standards in

Section 15.32.250 and remain the permittee's sole responsibility to maintain so long as the communication cabinet or accessory equipment occupies the public place. As determined by the Director, mitigation screening may include landscaping, fencing, or visual treatment to the cabinet surface. Visual treatment to the cabinet may include paint, decals, vinyl wraps, photos, or other surface treatments. A cabinet shall be considered fully screened for visual treatment purposes when the treatment is applied to all communication cabinet vertical surfaces.

2. The applicant shall send and post all required notices at least three calendar days before the start of the public notice period. The mailing and on-site notice shall be on a form provided by the Seattle Department of Transportation and shall include: a description of the proposed location and installations, comment period dates, information on how the public can submit comments to the Seattle Department of Transportation, and how to request a reconsideration of a Street Use permit decision. If the proposal is abutting a residentially zoned parcel, the mailing and on-site notice shall include a visual and narrative description of the proposed mitigation screening required in subsection 15.32.200.F.1.

3. Written comments concerning the application shall be postmarked or emailed to the Director of the Seattle Department of Transportation within ten business days after the first day of the public notice period.

4. The applicant shall provide the Director of the Seattle Department of Transportation with a mailing list containing the individuals the notice was mailed to, the recipient's mailing address, and date the notice was mailed to each recipient.

* * *

Section 6. Section 15.32.250 of the Seattle Municipal Code, last amended by Ordinance 126732, is amended as follows:

15.32.250 Communication cabinet standards and setbacks

* * *

C. If the at-grade communication cabinet is to be installed in a planting strip it shall be placed in proximity to and in line with existing utility or street light poles, street signs, or other existing structures within the planting strip in order to create a physical and visual alignment. The communication cabinet shall not impair the line of sight for vehicles exiting adjacent alleys, streets, or driveways as provided in ((~~subsection 23.54.030.G~~)) Section 23.54.032 or other sight triangle requirements adopted by City code or rule.

* * *

Section 7. Section 21.49.110 of the Seattle Municipal Code, last amended by Ordinance 125171, is amended as follows:

21.49.110 Electric service connection provisions

* * *

E. Prohibition of master metering((~~.~~))

1. The Department shall not supply electricity for any new service to a duplex or multiple-dwelling building for the purpose of master metering the energy usage of the dwelling units, a central space heating system or HVAC system, or a central domestic water heating system. The Department shall not supply electricity for any larger service to an existing duplex or multiple-dwelling building for the purpose of master metering new central or individual space heating or HVAC systems. The existence of alternative laundry or dining arrangements for residents of multiple-dwelling buildings (such as central kitchens and dining rooms where

residents can buy or eat their meals, or a central laundry), in addition to the availability of cooking and/or laundry facilities within the individual dwelling units, will not be considered grounds for an exemption from the prohibition of master metering.

2. This prohibition does not apply to multiple-dwelling buildings such as transitional housing, student dormitories and residences for religious orders, the elderly or the disabled, in which the residents do not live independently.

3. In situations with a mix of living accommodations where some residents live independently and some do not, those buildings or portions of buildings which provide non-transient independent dwelling units will not be eligible for master metering.

4. Accessory housing exception. ((~~An owner occupied dwelling unit also containing an additional "accessory housing unit" meeting all provisions as defined in Chapter 23.44 and approved by the City~~)) A structure that only contains one principal dwelling unit and one accessory dwelling unit shall be exempt from the master metering provisions of this Chapter 21.49.

5. Other exceptions. Exemption from the master metering prohibition for residential dwelling situations not covered in the provisions of this Chapter 21.49 may be granted on a case-by-case basis by the Department.

* * *

Section 8. Section 22.214.020 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended as follows:

22.214.020 Definitions

For purposes of this Chapter 22.214, the following words or phrases have the meaning prescribed below:

"Accessory dwelling unit" or "ADU" ((~~means an "Accessory dwelling unit" or a "Detached accessory dwelling unit" or "DADU" as~~)) has a meaning defined ((~~under "Residential use"~~)) in Section ((~~23.84A.032~~)) 23.84A.008.

* * *

Section 9. Section 22.801.200 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

22.801.200 "S"

* * *

"Sidewalk" means "sidewalk" as defined in Section 23.84A.036.

"Sidewalk project" means a project for the creation of a new sidewalk or replacement of an existing sidewalk, including any associated planting strip, apron, curb ramp, curb, or gutter, and necessary roadway grading and repair. If the total new plus replaced hard surface in the roadway exceeds 10,000 square feet, the entire project is a roadway project.

"Single-family residential project" means a project that constructs one ((~~Single-family Dwelling Unit~~)) principal detached or attached dwelling unit as defi

ned in ((~~subsection 23.84A.032~~)) 23.84A.008 and any associated accessory dwelling unit located in land classified as being Neighborhood Residential ((~~1 (NR1), Neighborhood Residential 2 (NR2), or Neighborhood Residential 3 (NR3)~~)) pursuant to Section 23.30.010, and the total new plus replaced hard surface is less than 5,000 square feet.

* * *

Section 10. Section 22.907.030 of the Seattle Municipal Code, last amended by Ordinance 125873, is amended as follows:

22.907.030 Notice of proposed sale of low-income multi-family rental building

A. Except as provided in this Section 22.907.030, an owner of a ((~~multifamily rental housing~~)) building ((~~as defined in Section 23.84A.032,~~)) having two or more housing rental units, excluding congregate residences as defined in Section 23.84A.032, any one of which rents for an amount that is affordable to households at or below 80 percent of area median income, as most recently determined by the United States Department of Housing and Urban Development

for the Seattle metropolitan statistical area, shall notify the Seattle Office of Housing (OH) and the Seattle Housing Authority (SHA) of the owner's intent to sell the building. The notice shall be in writing and include the owner's name, phone number, and the address of the rental housing building that will be offered for sale. At the same time, the owner shall submit to OH a declaration signed under penalty of perjury, affirming that the owner has complied with the notice requirements of this Section 22.907.030. The notice and declaration shall be submitted no later than 90 days prior to the building being listed with any real estate listing service or advertised for sale in a printed newspaper or on a website. For the purposes of this Section 22.907.030, a building is "listed" when an owner has signed a listing agreement with a real estate agent.

* * *

Section 11. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.22.062 Unit lot subdivisions

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones.

* * *

Section 12. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.24.045 Unit lot subdivisions

A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones.

* * *

Section 13. Section 23.28.030 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.28.030 Criteria for approval

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

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

2. No lot contains insufficient area and dimensions to meet the minimum requirements for development as calculated under the development standards of the zone in which the lots affected are situated((~~, except as provided in Section 23.44.010,~~)) and under any applicable regulations for siting development on parcels with riparian corridors, wetlands, wetland buffers, or steep slopes in Chapter 25.09 or Section 23.60A.156. Adjusted lots shall

continue to be regarded as existing lots for purposes of Chapter 25.09. Any required nondisturbance area shall be legibly shown and described on the site plan, and a covenant shall be required as set out in Section 25.09.335;

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

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

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

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

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

4. Modification. The standards of subsection 23.28.030.A.3 may be modified if at least one of the following criteria applies:

a. One or more of the existing lots prior to the lot boundary adjustment is irregular in shape;

b. Topography, natural obstructions, configuration of existing lot lines prior to lot line adjustment, existing platting patterns, or street alignment prevent the reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3;

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

d. Location of existing easements or feasibility of access to portions of the property prevents the reconfiguration of lot lines that meet the standards of subsection 23.28.030.A.3; or

e. The lot boundary adjustment establishes an irregular lot line that resulted from an adverse possession claim.

5. No adjusted lot shall be approved for development without a determination that it is capable of being served by existing or extended infrastructure for drainage; a determination that the lot has water supply and sanitary sewage disposal; and a determination that there is access for vehicles, utilities, and fire protection;

6. The lot boundary adjustment is consistent with applicable provisions of this Title 23 including, for lots in the Shoreline District, conformance with the applicable provisions of Section 23.60A.168.

* * *

Section 14. Section 23.30.010 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.30.010 Classifications for the purpose of this Subtitle III

A. General zoning designations. The zoning classification of land shall include one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC," the classification shall include both "RC" and one additional multifamily zone designation in this subsection 23.30.010.A.

Zones	**Abbreviated**
Residential, Neighborhood ((~~1~~))	NR((~~1~~))
((~~Residential, Neighborhood 2~~	~~NR2~~
~~Residential, Neighborhood 3~~	~~NR3~~
~~Residential, Neighborhood, Small Lot~~	~~RSL~~))
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
Residential, Multifamily, Midrise	MR
Residential, Multifamily, Highrise	HR
Residential-Commercial	RC
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Master Planned Community—Yesler Terrace	MPC-YT
Seattle Mixed—South Lake Union	((~~SMU-SLU~~)) <u>SM-SLU</u>
Seattle Mixed—Dravus	SM-D

Zones	**Abbreviated**
Seattle Mixed—North Rainier	SM-NR
Seattle Mixed - Rainier Beach	SM-RB
Seattle Mixed—University District	SM-U
Seattle Mixed—Uptown	SM-UP
Seattle Mixed—Northgate	SM-NG
Commercial 1	C1
Commercial 2	C2
Downtown Office Core 1	DOC1
Downtown Office Core 2	DOC2
Downtown Retail Core	DRC
Downtown Mixed Commercial	DMC
Downtown Mixed Residential	DMR
Pioneer Square Mixed	PSM
International District Mixed	IDM
International District Residential	IDR
Downtown Harborfront 1	DH1
Downtown Harborfront 2	DH2
Pike Market Mixed	PMM
General Industrial 1	IG1
General Industrial 2	IG2
Industrial Buffer	IB

Zones	Abbreviated
Industrial Commercial	IC
Maritime Manufacturing and Logistics	MML
Industry and Innovation	II
Urban Industrial	UI

* * *

Section 15. Section 23.34.010 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~**23.34.010 Designation of NR1, NR2, and NR3 zones**~~

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

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

Section 16. Section 23.34.011 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.34.011 ((~~NR1, NR2, and NR3 zones~~)) <u>NR zone</u>, function((~~,~~)) and locational criteria

A. Function. An area that provides ((~~predominantly detached single-family structures on lot sizes compatible with the existing pattern of development and the character of neighborhood residential areas~~)) <u>for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit</u>.

B. Locational criteria. An ((~~NR1, NR2, or NR3~~)) NR zone designation is most appropriate in areas that are ((~~outside of urban centers and villages and meet the following criteria~~)) generally characterized by the following conditions:

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

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

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

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

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

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

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

1. The area is located outside of an urban center, urban village, or Station Area Overlay District;

2. The area is characterized by residential structures of generally three stories or less; and

3. One or more of the following conditions are present:

a. The area is not located near a major transit stop or on streets abutting frequent transit routes where higher density development might be more appropriate;

b. A significant portion of the area contains environmentally critical areas; or

c. The area is characterized by limited local access and circulation that make the area less suitable for higher density development.

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

~~1. The area proposed for rezone should comprise 15 contiguous acres or more, or should abut existing NR1, NR2, or NR3 zones.~~

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

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

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

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

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

~~D. Half-blocks at the edges of NR1, NR2, or NR3 zones which have more than 50 percent single-family structures, not including detached accessory dwelling units, or portions of blocks on an arterial which have a majority of single-family structures, not including detached accessory dwelling units, shall generally be included. This shall be decided on a case-by-case basis, but the policy is to favor including them.~~))

Section 17. Section 23.34.012 of the Seattle Municipal Code, last amended by Ordinance 126855, is repealed:

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

~~A. Function. An area within an urban village that provides for the development of homes on small lots that may be more affordable compared to detached homes on larger lots and appropriate for households with children.~~

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

~~1. The area is similar in character to neighborhood residential zones;~~

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

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

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

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

~~6. The area would provide a gradual transition between neighborhood residential zoned areas and multifamily or neighborhood commercial zoned areas; and~~

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

Section 18. Section 23.34.013 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~**23.34.013 Designation of multifamily zones**~~

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

Section 19. Section 23.34.014 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

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

A. Function. The function of the LR1 zone is to provide opportunities ((~~for low-density multifamily housing, primarily rowhouse and townhouse developments, through infill development that is compatible with single-family dwelling units, or through the conversion of existing single-family dwelling units to duplexes or triplexes~~)) for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit at a higher intensity than Neighborhood Residential zones.

B. Locational ((~~Criteria~~)) criteria. The LR1 zone is most appropriate in areas generally characterized by the following conditions:

1. ((~~The area is similar in character to neighborhood residential zones;~~

~~2.~~)) The area is ((~~either~~)):

a. ((~~located~~)) Located outside of an urban center, urban village, or Station Area Overlay District;

b. ((~~a~~)) A limited area within an urban center, urban village, or Station Area Overlay District that would provide opportunities for a diversity of housing types within these denser environments; or

c. ((~~located~~)) Located on a collector or minor arterial;

((~~3.~~)) 2. The area is characterized by ((~~a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as rowhouse and townhouse developments, and single-family dwelling units that have been converted to multifamily residential use or are well-suited to conversion~~)) residential structures of generally three stories or less;

((~~4.~~)) 3. The area is characterized by local access and circulation that can accommodate low density ((~~multifamily~~)) development ((~~oriented to the ground level~~)) and the

street, and/or by narrow roadways, lack of alleys, and/or irregular street patterns that make local access and circulation less suitable for higher density ((~~multifamily~~)) development;

((~~5. The area would provide a gradual transition between neighborhood residential zoned areas and multifamily or neighborhood commercial zoned areas; and~~

~~6.~~)) 4. The area is supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers.

Section 20. Section 23.34.072 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~23.34.072 Designation of commercial zones.~~

~~A. The encroachment of commercial development into residential areas shall be discouraged.~~

~~B. Areas meeting the locational criteria for a neighborhood residential designation may be designated as certain neighborhood commercial zones as provided in Section 23.34.010.~~

~~C. Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections 23.34.010 and 23.34.011 of the Seattle Municipal Code.~~

~~D. Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas.~~

~~E. The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.~~))

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

A. ((~~Attached and detached accessory~~)) Accessory dwelling units are ((~~permitted~~)) allowed as a housing use in all zones where ((~~single-family dwelling units are permitted~~)) housing uses are allowed. In the Shoreline District, accessory dwelling units shall comply with Chapter 23.60A.

((~~B. A maximum of two accessory dwelling units may be located on the same lot as a principal dwelling unit. Either or both accessory dwelling units may be attached or detached. Two detached accessory dwelling units may be located in one structure.~~))

B. Accessory dwelling units may not be accessory to residential uses other than housing uses.

C. No lot may have more than two accessory dwelling units.

D. Accessory dwelling units may be attached, detached, or stacked.

E. Unless otherwise provided in the standards of the underlying zone, accessory dwelling units shall be subject to the same standards as principal dwelling units.

F. Accessory dwelling units must be located on the same lot as the principal dwelling unit.

((~~C. Floor area limit in all zones and floor area ratio in Neighborhood Residential zones~~)) G. Maximum size

1. The gross floor area of an accessory dwelling unit may not exceed 1,000 square feet.

2. The following are not included in the gross floor area limit:

a. Up to 250 square feet of gross floor area in an attached garage;

b. ((~~Exterior-only accessed storage areas;~~

~~c.~~)) All stories, or portions of stories, that are underground; and

((~~d.~~)) c. Up to 35 square feet of gross floor area dedicated to long-term bicycle parking.

((~~3. In NR1, NR2, and NR3 zones, gross floor area in an accessory dwelling unit is exempt from FAR limits.~~

~~D. Permitted height~~

~~1. Neighborhood Residential zones. The maximum permitted height for accessory dwelling units is the permitted height for a principal dwelling unit.~~

~~2. Lowrise zones. The maximum permitted height for accessory dwelling units is the permitted height for rowhouse and townhouse development in the applicable zone.~~

~~3. All zones other than Neighborhood Residential or Lowrise. For zones with height limits of 40 feet or less, accessory dwelling units are subject to the permitted height of the zone for principal dwelling units. For zones with height limits greater than 40 feet, accessory dwelling units are subject to the permitted height for rowhouse and townhouse development in the LR3 zone, whichever height limit is applicable.~~

~~4. In all zones, accessory dwelling units associated with cottage developments are subject to the permitted height for cottage housing developments for the applicable zone.~~

~~5. In all zones, allowances above the maximum height limit for pitched roofs, including shed and butterfly roofs, and exemptions for rooftop features are permitted per the applicable zone.~~

~~E. In all zones, accessory dwelling units and appurtenant architectural elements including architectural details, bay windows, and other projections, such as covered porches, patios, decks, and steps, are subject to the yard and setback provisions for principal dwelling units in the underlying zone, except as follows:~~

~~1. In all zones detached accessory dwelling units have no required setback from any lot line that abuts an alley.~~

~~2. Neighborhood Residential zones~~

~~a. A detached accessory dwelling unit and appurtenant architectural elements may be located in the rear yard so long as the structure is no closer than 5 feet to any lot line that does not abut an alley. When a detached accessory dwelling unit is located within a rear yard, the following features may also be located within 5 feet of any lot line:~~

~~1) External architectural details with no living area, such as chimneys, eaves, cornices, and columns, may be located no closer than 3 feet from a property line.~~

~~2) Bay windows no more than 8 feet in width may be located no closer than 3 feet from a property line.~~

~~3) Other projections that include interior space, such as garden windows, may be located no closer than 3.5 feet from a property line starting a minimum of 30 inches above furnished floor, and with maximum dimensions of 6 feet in height and 8 feet in width.~~

~~b. On a through lot, when yards or setbacks cannot be determined, the Director shall designate a rear yard or rear setback for the purpose of allowing an accessory dwelling. In designating a rear yard or rear setback, the Director shall consider factors including but not limited to the location of the yards and setbacks for adjacent structures on the same block face, vehicular and pedestrian access, platting patterns in the vicinity, and topography.~~

~~3. Lowrise zones. Detached accessory dwelling units are excluded from setback averaging provisions and are subject to the minimum setback provision for a principal dwelling unit.~~

~~F. Rooftop decks that are portions of an accessory dwelling unit are allowed up to the applicable height limit, including additions allowed to a detached accessory dwelling unit under subsection 23.44.014.C.4.~~

~~G.~~)) H. Conversions of existing structures

1. For purposes of this subsection ((~~23.42.022.G~~)) 23.42.022.H, the term "conversion" means keeping an existing structure intact, adding to or altering an existing structure, or removing and rebuilding an existing structure, provided that any expansion or relocation of the structure complies with the development standards for accessory dwelling units in this Section 23.42.022 and the provisions of the applicable zone, unless otherwise allowed by this subsection ((~~23.42.022.G~~)) 23.42.022.H.

2. For the purposes of this subsection ((~~23.42.022.G~~)) 23.42.022.H, the term "existing accessory structure" means an accessory structure existing prior to July 23, 2023 or an accessory structure existing prior to July 23, 2023 that was subsequently replaced to the same configuration.

3. Existing accessory structures. An existing accessory structure may be converted into a detached accessory dwelling unit if it meets the following:

a. To facilitate the conversion of and additions to an existing accessory structure, the Director may allow waivers and modifications as a Type I decision to the provisions for accessory dwelling units in this Section 23.42.022 and the development standards of the applicable zone.

b. Conversion of an existing accessory structure to a detached accessory dwelling unit is permitted notwithstanding applicable lot coverage or yard or setback provisions in this Section 23.42.022 or the applicable zone. The converted accessory structure shall comply with the minimum standards set forth in Sections 22.206.020 through 22.206.140.

4. Existing principal structures. The gross floor area of an attached accessory dwelling unit may exceed 1,000 square feet if the portion of the structure in which the attached accessory dwelling unit is located existed as of July 23, 2023.

((~~H. Building separation~~

~~1. Neighborhood Residential zones. A detached accessory dwelling unit shall be separated from its principal dwelling unit by a minimum of 5 feet measured from eave to eave. To be considered attached, an accessory dwelling unit must be connected to the principal dwelling unit by an enclosed space that is at least 3 feet wide, 3 feet tall, and 3 feet long.~~

~~2. All other zones. A detached accessory dwelling unit shall be separated from its principal dwelling unit by a minimum of 3 feet measured from eave to eave. To be considered attached, an accessory dwelling unit must be connected to a principal dwelling unit by an enclosed space that is at least 3 feet wide, 3 feet tall, and 3 feet long.~~))

I. No off-street motor vehicle parking is required for an accessory dwelling unit.

J. When calculating density, the number of dwelling units shall include both accessory dwelling units and principal dwelling units.

((~~J.~~)) K. Title 23 shall not be interpreted or applied to prohibit the sale or other conveyance of a condominium unit on the grounds that the condominium unit was originally built as an accessory dwelling unit.

((~~K.~~)) L. Unless provided otherwise in this Section 23.42.022, the provisions of the applicable zone and overlay district apply. In the event of conflict with provisions elsewhere in Title 23 other than Chapter 23.60A, this Section 23.42.022 shall prevail.

Section 22. A new Section 23.42.024 is added to the Seattle Municipal Code as follows:

23.42.024 Adult family homes

Adult family homes are allowed as a home occupation in all zones where housing uses are allowed.

Section 23. Section 23.42.050 of the Seattle Municipal Code, last amended by Ordinance 126845, is amended as follows:

23.42.050 Home occupations

A home occupation of a person residing in a dwelling unit is permitted outright in all zones as an accessory use to any residential use permitted outright or to a permitted residential conditional use, subject to the following requirements:

* * *

G. A maximum of three passenger vehicles, vans, and similar vehicles, associated with the home occupation, each not exceeding a gross vehicle weight of 10,000 pounds are permitted to be at the home occupation site, independent of commercial deliveries and pickups. For lots developed with a ((~~single-family~~)) residential dwelling unit in NR zones, this limit is in addition to the outdoor parking limit in subsection ((~~23.44.016.C.3~~)) 23.44.160.E.

* * *

Section 24. Section 23.42.106 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.42.106 Expansion of nonconforming uses

* * *

B. In addition to the standards in subsection 23.42.106.A, a structure in a ((~~neighborhood residential~~)) Neighborhood Residential zone occupied by a nonconforming residential use may be allowed to expand subject to the following:

1. The number of dwelling units shall not be increased, except as may be allowed pursuant to Section 23.40.040.

2. For a nonconforming residential use that is not a multifamily use, except as may be allowed pursuant to Section 23.40.040; if originally permitted by conditional use, the number shall not be allowed to increase above the number permitted by the conditional use approval.

3. An expansion of no more than 500 square feet of gross floor area, meeting the development standards for ((~~single-family~~)) residential construction in Chapter 23.44 and not exceeding the average height of the closest principal structures on either side, is allowed.

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

a. Architectural character;

b. Existing streetscape and pattern of ((~~yards~~)) setbacks; and

c. Scale and proportion of principal structures.

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

* * *

D. A nonconforming nonresidential use shall not be expanded or extended, except as follows:

1. A structure occupied by a nonconforming nonresidential use may be maintained, repaired, renovated, or structurally altered but shall not be expanded or extended except as otherwise required by law, as necessary to improve access for the elderly or disabled or as specifically permitted elsewhere in this Code.

2. In ((~~the~~)) Seattle Mixed zones, general manufacturing uses exceeding 25,000 square feet of gross floor area and heavy manufacturing uses may be expanded or extended by an amount of gross floor area not to exceed 20 percent of the existing gross floor area of the use, provided that this exception may be applied only once to any individual business establishment.

3. The Seattle Asian Art Museum building and use located in Volunteer Park, as it exists on January 1, 2017, may be expanded subject to the following development standards:

a. Except as provided in this subsection 23.42.106.D.3, the development standards of Chapter 23.44 do not apply.

b. The building may be expanded one or more times but the gross floor area of all expansions combined and occurring after January 1, 2017, may not exceed 15,000 square feet.

c. No expansion may be located in a freestanding building that lacks a common wall with the building either as it existed on January 1, 2017, or as subsequently expanded.

d. No expansion may exceed the elevation of the highest point of the building as it existed on January 1, 2017.

e. Parking and loading for the proposed expansion is required as provided in Sections 23.54.015 and 23.54.035. As a Type I decision, the Director may reduce parking and loading requirements to an amount not less than the amount needed to provide adequate parking and loading facilities, as demonstrated to the satisfaction of the Director by a parking and loading study prepared by a licensed professional engineer and submitted to the Director by the applicant.

f. Bicycle parking for the proposed expansion shall be provided in accordance with ((~~subsection 23.54.015.K~~)) Section 23.54.037.

g. The street and sidewalk requirements of Chapter 23.53 do not apply.

h. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.

i. Nothing in this Section 23.42.106 alters the authority of the Landmarks Preservation Board pursuant to the City's Landmarks Preservation Ordinance.

* * *

Section 25. Section 23.42.110 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.42.110 Change from one nonconforming use to another nonconforming use

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

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

~~B.~~)) The proposed new use must be no more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following factors:

1. The zones in which both the existing use and the proposed new use are allowed;

2. The number of employees and clients associated or expected with the proposed use;

3. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.

((~~C~~)) B. The existence of a single residential unit, such as a caretaker's or proprietor's unit, accessory to a nonconforming commercial use shall not be treated as having established a

residential use, and such a unit may be converted or changed provided that it is the only residential use in the structure and comprises less than half of the total floor area of the structure.

((~~D~~)) C. Parking requirements for the proposed use shall be determined by the Director.

((~~E~~)) D. If the new use is permitted, the Director may require mitigation measures, including but not limited to landscaping, sound barriers or fences, mounding or berming, adjustments to ((~~yards~~)) setback or parking standards, design modification, or limiting hours of operation.

Section 26. Section 23.42.124 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.42.124 Light and glare standards nonconformity

When nonconforming exterior lighting is replaced, new lighting shall conform to the requirements of the light and glare standards of the respective zone. See ((~~subsection 23.44.008.H~~)) Section 23.44.150 for ((~~neighborhood residential~~)) Neighborhood Residential zones; Section 23.45.534 for multifamily zones; Section 23.46.020 for residential-commercial zones; Section 23.47A.022 for C zones or NC zones; Section 23.48.075 for SM zones; Section 23.49.025 for downtown zones; and Section 23.50.046 for IB and IC zones.

Section 27. Section 23.42.130 of the Seattle Municipal Code, last amended by Ordinance 127099, is repealed:

((~~**23.42.130 Nonconforming solar collectors**~~

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

~~A. In neighborhood residential zones, pursuant to subsection 23.44.046.B;~~

~~B. In multifamily zones, pursuant to subsection 23.45.545.E;~~

~~C. In NC zones or C zones, pursuant to subsection 23.47A.012.E.~~))

Section 28. A new Section 23.42.132 is added to the Seattle Municipal Code as follows:

23.42.132 Columbariums, garden wall crypts, and mausoleums

Columbariums, garden wall crypts, and mausoleums are permitted only as accessory to existing cemeteries, except that columbariums and garden wall crypts may also be accessory to religious facilities. In addition, no interment openings shall abut or be directly across the street from property other than cemetery property. For columbariums, garden wall crypts, and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition.

Section 29. Chapter 23.44 of the Seattle Municipal Code, last amended by Ordinance 127099, is repealed as shown in Attachment 2 to this ordinance.

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

23.44.010 Scope of provisions

A. This Chapter 23.44 establishes regulations for the Neighborhood Residential (NR) zone.

B. Some land in these zones may be regulated by Subtitle III, Division 3, Overlay Districts, of this Title 23 in addition to the standards of this Chapter 23.44.

C. Other regulations may apply to development proposals, including but not limited to general use provisions (Chapter 23.42); transportation concurrency and transportation impact mitigation (Chapter 23.52); requirements for streets, alleys, and easements (Chapter 23.53); standards for access, off-street parking, and solid waste storage (Chapter 23.54); sign

regulations (Chapter 23.55); communication regulations (Chapter 23.57); shoreline regulations (Chapter 23.60A); and environmental protection and historic preservation (Title 25).

D. Congregate residences are subject to additional requirements as specified in Section 23.42.049.

23.44.020 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.44.020 and this Section 23.44.020. Uses not referred to in Table A for 23.44.020 are prohibited, unless otherwise indicated in this Chapter 23.44 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to this Chapter 23.44 and Chapter 23.57. Public facilities are subject to Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.44.

Table A for 23.44.020
Permitted and prohibited uses

Uses	**Permitted and prohibited uses**
A. Residential uses except as listed below	P
A.1. Assisted living facilities	X
A.2. Caretaker's quarters	X
A.3. Congregate residences	X/P[1]
B. Institutions except as listed below	P/CU[2]
B.1. Adult care centers	X

Table A for 23.44.020 Permitted and prohibited uses	
Uses	**Permitted and prohibited uses**
B.2. Colleges	X
B.3. Hospitals	X
B.4. Institutes for advanced study	X
B.5. Museums	X
B.6. Private clubs	X/CU/P[3]
B.7. Vocational or fine arts schools	X
C. Uses in existing or former public schools	
C.1. Preschools, public or private schools, colleges, and community centers in existing or former public schools	P
C.2. Uses not otherwise permitted in existing or former public schools	P[4]
D. Parks and open space uses	P
E. Ground-floor commercial uses	P[5]
F. Human service uses	X
G. Cemeteries	P/X[6]
H. Community gardens	P
I. Rail transit facilities and railroads	P
J. Park and ride facilities	CU[7]
K. Commercially operating horse farms in existence before July 1, 2000	P[8]

Table A for 23.44.020
Permitted and prohibited uses

Uses	Permitted and prohibited uses
L. Uses not otherwise permitted if located in Landmark structures	CU[9]
M. Uses not otherwise permitted if located in structures unsuited to permitted uses	CU[10]
N. All other uses	X

Key to Table A for 23.44.020
P = Permitted outright
CU = Permitted as an administrative conditional use
X = Prohibited
Footnotes to Table A for 23.44.020
[1] Congregate residences are allowed within a major transit service area and prohibited in other areas.
[2] Institutions meeting development standards including but not limited to Section 23.44.180 are permitted outright. Public schools that do not meet development standards are regulated by Chapter 23.51B and Chapter 23.79. Institutions other than public schools that do not meet development standards may be permitted as administrative conditional uses pursuant to Section 23.44.030.
[3] New private clubs are prohibited. Existing private clubs are permitted provided that the use is not expanded. Existing private clubs may be expanded as a conditional use only if the expansion would not result in the gross floor area or the number of surface parking spaces exceeding the amount existing on the effective date of this ordinance by more than 25%.
[4] Pursuant to procedures in Chapter 23.78.
[5] Ground-floor commercial uses are only allowed if they meet the standards of subsection 23.44.020.E.
[6] Pursuant to subsection 23.44.020.D
[7] Pursuant to subsection 23.44.030.F.
[8] Provided that they are located on lots greater than 10 acres and conform to the limits on the number and location of farm animals and structures containing them set forth in Section 23.42.052.
[9] Pursuant to subsection 23.44.030.D.
[10] Pursuant to subsection 23.44.030.E.

C. Accessory uses

1. Except as otherwise provided in this subsection 23.44.020.C, accessory uses customarily incidental to principal uses permitted outright are permitted outright.

2. All accessory uses and structures, except for urban farms and structures in urban farm use, must be located on the same lot as the principal use or structure unless otherwise specifically provided.

3. Urban farms with planting area not more than 4,000 square feet are permitted outright as an accessory use. Urban farms with more than 4,000 square feet of planting area may be permitted as an administrative conditional use accessory to any principal use permitted outright or as a conditional use, pursuant to Section 23.42.051.

4. Piers and floats are permitted, provided they comply with Chapter 23.60A.

5. Bed and breakfast uses are permitted outright if:

a. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;

b. The bed and breakfast use is operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator;

c. There is no evidence of the bed and breakfast use visible from the exterior of the dwelling unit except for a sign permitted by subsection 23.55.020.D.1; and

d. The bed and breakfast use has no more than five guest rooms, provided that this limitation does not apply to bed and breakfast uses that were established on or before April 1, 1987.

6. Accessory dwelling units are permitted, provided they comply with Section 23.42.022.

7. Human service uses accessory to institutional uses are permitted outright.

D. Existing cemeteries are permitted and are prohibited from expanding. New cemeteries are prohibited. For purposes of this Section 23.44.020, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that:

1. The change does not increase the net land area occupied by the cemetery;

2. The land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and

3. The use of the land being added to the cemetery will not result in the loss of housing.

E. All ground-floor commercial uses permitted pursuant to this Section 23.44.020 shall meet the following conditions:

1. The commercial use is located on a corner lot or on a lot that abuts both a street and an alley;

2. The commercial use is limited to the following:

a. Food processing and craft work;

b. General sales and services; and

c. Restaurants;

3. The gross floor area of commercial uses does not occupy more than 2,500 square feet of gross floor area;

4. The commercial use is located only on or below the ground floor of a structure;

5. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air conditioning,

refrigeration) shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent;

6. Drive-in businesses are prohibited as a principal or accessory use;

7. Outdoor sales of food or beverages must be located at least 50 feet from adjacent lots;

8. Outdoor service of food or beverages must be located at least 50 feet from adjacent lots; and

9. Businesses may not be open between the hours of 10 p.m. and 6 a.m.

23.44.030 Administrative conditional uses

A. Uses permitted as administrative conditional uses in Section 23.44.020 may be permitted by the Director when the provisions of Section 23.42.042 and this Section 23.44.030 are met.

B. Unless otherwise specified in this Chapter 23.44, conditional uses shall meet the development standards for uses permitted outright. If an existing structure is nonconforming to development standards, no conditional use is required for any alterations that do not increase the nonconformity.

C. Institutions other than public schools that do not meet the development standards of this Chapter 23.44, including Major Institution uses as provided in Chapter 23.69, and the expansion of existing private clubs may be permitted subject to the following:

1. Bulk and siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards. In determining whether to allow such

modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

2. Noise, Light and Glare. The Director may condition the permit in order to mitigate potential noise, light and glare impacts. Measures the Director may require for this purpose include, but are not limited to the following: visual screening, landscaping, sound barriers, fences, berms, adjustments to setbacks or the location of refuse storage areas, location of parking areas and access, structural design modifications, limiting exterior lighting fixture type, location and height to mitigate light trespass, and regulating hours of use.

3. Transportation plan. A transportation plan is required for proposed new institutions and for those institutions proposing to expand larger than 4,000 square feet of gross floor area and/or to provide 20 or more new parking spaces. The Director may condition a permit to mitigate potential traffic and parking impacts pursuant to a Transportation Management Plan or Program as described in Director's rules governing such plans or programs. The Director will determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution.

D. A use not otherwise permitted in a Neighborhood Residential zone within a structure designated as a Seattle Landmark that is subject to controls and incentives imposed by a designating ordinance, when the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board providing for the restoration and maintenance of the historically significant features of the structure, may be permitted subject to the following:

1. The use is compatible with the existing design and/or construction of the structure without significant alteration;

2. Uses permitted by the zone are impractical because of structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure in reasonably good physical condition; and

3. The use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

E. Uses in structures unsuited to uses permitted outright

1. A use not otherwise permitted in a Neighborhood Residential zone may be permitted as an administrative conditional use in structures unsuited to uses permitted outright in Neighborhood Residential zones. The determination that a use may be permitted shall be based on the following factors:

a. The design of the structure is not suitable for conversion to a use permitted outright in a Neighborhood Residential zone;

b. The structure contains more than 4,000 square feet; and

c. The proposed use will provide a public benefit.

2. Parking requirements for uses permitted under this subsection 23.44.030.E shall be determined by the Director.

3. The Director may require measures to mitigate impacts such as noise, odor, parking, or traffic impacts. Mitigating measures may include but are not limited to landscaping, sound barriers, fences, mounding or berming, adjustments to development standards, design modifications, or setting hours of operation.

4. In the case of an existing or former public school, permissible uses other than those permitted outright in the zone and their development standards including parking

requirements shall be established only pursuant to procedures for establishing criteria for joint use or reuse of public schools in Chapter 23.78.

F. A park and ride facility under the management of a public agency responsible for commuter pooling efforts may be permitted if the Director determines that:

1. It is to be located on an existing parking lot;

2. That parking proposed for the park and ride facility is not needed by the principal use or its accessory uses during the hours proposed for park and ride use; and

3. The park and ride use shall not interfere or conflict with the peak-hour activities associated with the principal use and its accessory uses. The Director may control the number and location of parking spaces to be used.

G. Any use that was previously authorized by a conditional use permit but which has been discontinued shall not be re-established or re-commenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or re-commencement is proposed. Vacant property, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a residential structure or a multitenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than 24 consecutive months.

H. Minor structural work that does not increase usable gross floor area or seating capacity and that does not exceed the development standards applicable to the use shall not be considered an expansion and does not require approval as a conditional use unless the work would exceed the height limit of the zone for uses permitted outright. Such work includes but is not limited to roof repair or replacement and construction of uncovered decks and porches, facilities for barrier-free access, bay windows, dormers, and eaves.

23.44.040 General provisions

A. An exception from one specific standard does not relieve the applicant from compliance with any other standard.

B. Any structure occupied by a permitted principal use other than residential use may be converted to residential use even if the structure does not conform to the development standards for residential uses in the Neighborhood Residential zone.

C. Assisted living facilities, congregate residences, and structures containing ground floor commercial uses shall meet the development standards for stacked dwelling units unless otherwise specified.

D. If more than one category of residential use is located on a lot, and if different development standards apply to the different categories of use, then each category's percentage of the total limit imposed by the development standard shall be calculated based on each category's percentage of total structure footprint area as follows:

1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, "footprint" is defined as the horizontal area enclosed by the exterior walls of the structure.

2. Calculate the total square feet of the footprint of all categories of residential uses on the lot.

3. Divide the square footage of the footprint for each category of residential structure in subsection 23.44.040.D.1 by the total square feet of the footprint of all residential uses in subsection 23.44.040.D.2.

4. Multiply the percentage calculated in subsection 23.44.040.D.3 for each housing category by the area of the lot. The result is the area of the lot devoted to each housing category.

5. The total limit for each category of residential use is the applicable limit for that use multiplied by the percentage calculated in subsection 23.44.040.D.4.

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050 Floor area ratio (FAR) in NR zones	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is 1.4 for stacked dwelling units located within a frequent transit service area on lots 6,000 square feet or larger

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

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

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

3. Common walls separating individual attached dwelling units.

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a frequent transit service area, one dwelling unit per 650 square feet of lot area;

2. For all other dwelling units, one dwelling unit per 1,250 square feet of lot area.

B. The minimum lot size for lots created after the effective date of this ordinance is 5,000 square feet.

C. Maximum density exceptions

1. At least one dwelling unit is allowed on all lots in existence as of the effective date of this ordinance.

2. A lot that is less than 5,000 square feet may be developed with up to four dwelling units provided that the lot does not contain any riparian corridors; wetlands and their

buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

3. A lot that is less than 7,500 square feet and within one-quarter mile walking distance of a stop on a major transit service may be developed with up to six dwelling units if the lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

4. A lot that is less than 7,500 square feet and located more than one-quarter mile walking distance from a stop on a major transit service may be developed with up to six dwelling units if the lot meets the following criteria:

a. The lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes;

b. At least two principal dwelling units are low-income units subject to a regulatory agreement, covenant, or other legal instrument enforceable by The City of Seattle;

c. The low-income units are generally distributed throughout the development and have substantially the same functionality as unrestricted units in the development;

d. To the extent practicable, the low-income units are comparable to unrestricted units in terms of square footage and number of bedrooms and bathrooms;

e. The tenure (i.e., rental or ownership) of low-income units and unrestricted units is the same;

f. The regulatory agreement, covenant, or other legal instrument contains criteria and policies to maintain public benefit if the property is demolished or converted to a non-residential use;

g. For ownership housing, the low-income units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.060.C.4 means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

1) Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

2) Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

h. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit organization (for ownership housing) agrees to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.060.C.4 and the regulatory agreement, covenant, or other legal instrument.

5. For lots that contain any riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes, applicants may choose to develop the lot with the number of dwelling units

provided in the density limits in subsection 23.44.060.A or with the number of dwelling units calculated as follows:

a. Determine the number of units that would be allowed under subsections 23.44.060.C.1 through 23.44.060.C.4 if no environmentally critical areas were located on the lot;

b. Determine the percentage of the lot that is not covered by riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes; and

c. Calculate the number of dwelling units by multiplying the number of units determined in subsection 23.44.060.C.5.a by the percentage of the lot calculated in subsection 23.44.060.C.5.b.

D. Measurement of minimum lot size and maximum density

1. When calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.

2. Congregate residence sleeping rooms shall be treated as one-fourth of a dwelling unit for purposes of calculating density.

3. In the case of a development within a unit lot subdivision, the density limit shall be applied to the parent lot as a whole.

4. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

5. When calculating density, the number of dwelling units shall include both accessory dwelling units and principal dwelling units.

6. Areas not counted in calculating the lot size. The following areas shall not be counted in calculating the area of lots for the purpose of calculating the maximum density and the minimum lot size:

a. Riparian corridors;

b. Wetlands and their buffers;

c. Submerged lands and areas within the shoreline setback; and

d. Designated non-disturbance area in steep slopes.

E. For the purpose of this Section 23.44.060, designated non-disturbance area in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090; and

3. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet.

2. The height limit for accessory structures that are located in required setbacks is 12 feet, except as follows:

a. The ridge of a pitched roof may extend up to 3 feet above the 12-foot height limit provided that all parts of the roof above the height limit shall be pitched at a rate of

not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

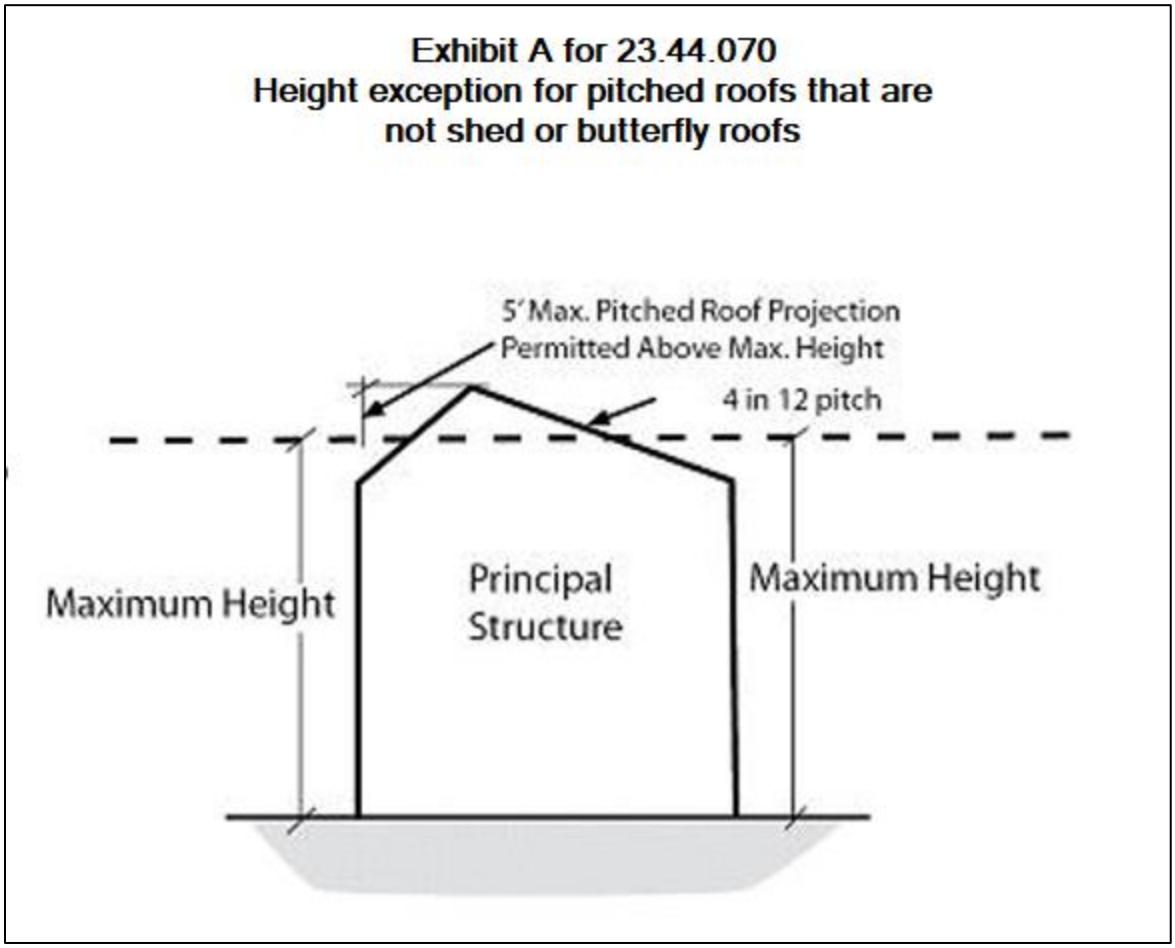
b. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

B. Standards for pitched roofs

1. The ridge of a pitched roof that is not a shed or butterfly roof may extend up to 5 feet above the maximum height limit, as determined under subsection 23.44.070.A. All parts of the roof above the height limit must be pitched at a rate of not less than 4:12 (see Exhibit A for 23.44.070).

Exhibit A for 23.44.070

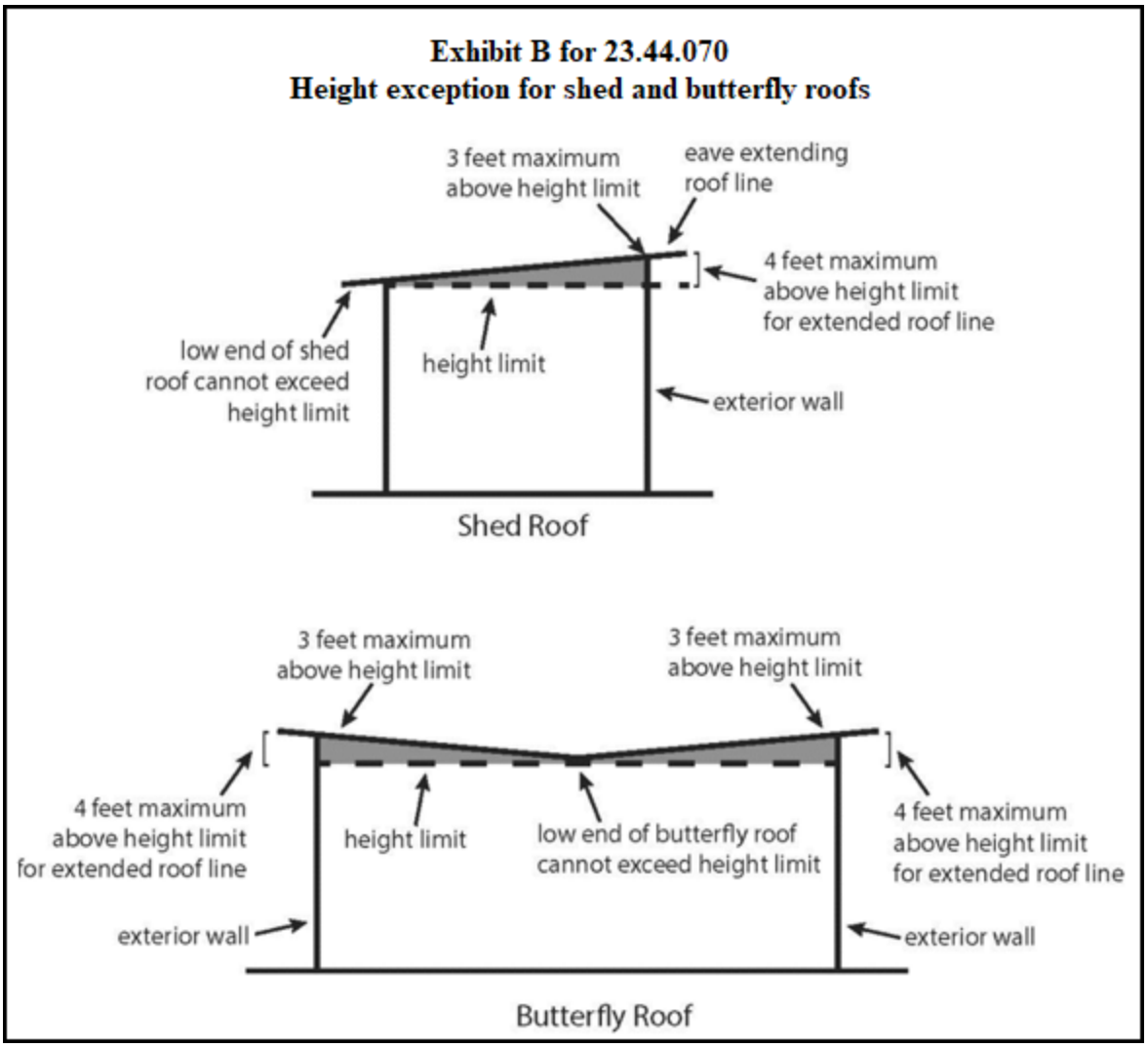
Height exception for pitched roofs that are not shed or butterfly roofs



2. The high side(s) of a shed or butterfly roof may extend 3 feet above the maximum height limit, as determined under subsection 23.44.070.A, provided that the low side(s) of the shed or butterfly roof are no higher than the height limit (see Exhibit B for 23.44.070). The roof line of a shed or butterfly roof may be extended in order to accommodate eaves, provided that the highest point of the roof extension is no more than 4 feet above the height limit.

Exhibit B for 23.44.070

Height exception for shed and butterfly roofs



C. Height limit exceptions

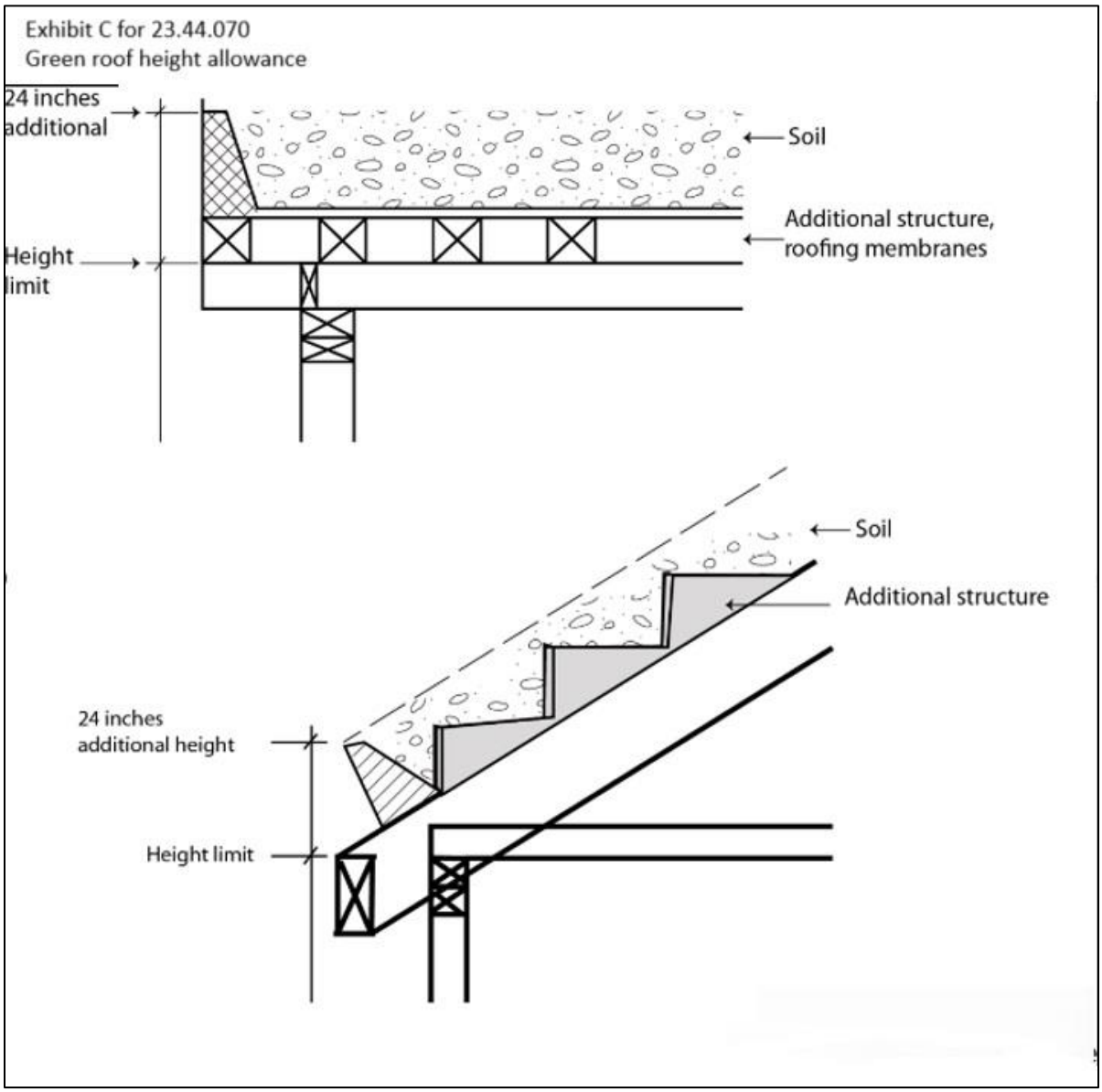
1. Except in the Airport Height Overlay District, flagpoles are exempt from height limits, provided that they are no closer to any adjoining lot line than 50 percent of their height above existing grade, or, if attached only to a roof, no closer than 50 percent of their height above the roof portion where attached.

2. Open railings, planters, greenhouses not dedicated to food production, parapets, and firewalls may extend 4 feet above the height limit in subsection 23.44.070.A. Planters on flat roofs shall not be located within 4 feet of more than 25 percent of the perimeter of the roof.

3. Green roofs may extend 2 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

Exhibit C for 23.44.070

Green roof height allowance



4. Solar collectors may extend 4 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

5. For nonresidential principal uses, the following rooftop features may extend up to 10 feet above the height limit in subsection 23.44.070.A, as long as the combined total coverage of all features listed in this subsection 23.44.070.C.5 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened or enclosed mechanical equipment:

a. Stair and elevator penthouses;

b. Mechanical equipment;

c. Wind-driven power generators; or

d. Chimneys.

6. Devices for generating wind power may extend up to 10 feet above the height limit in subsection 23.44.070.A, provided that the combined total coverage of all features does not exceed 15 percent of the roof area.

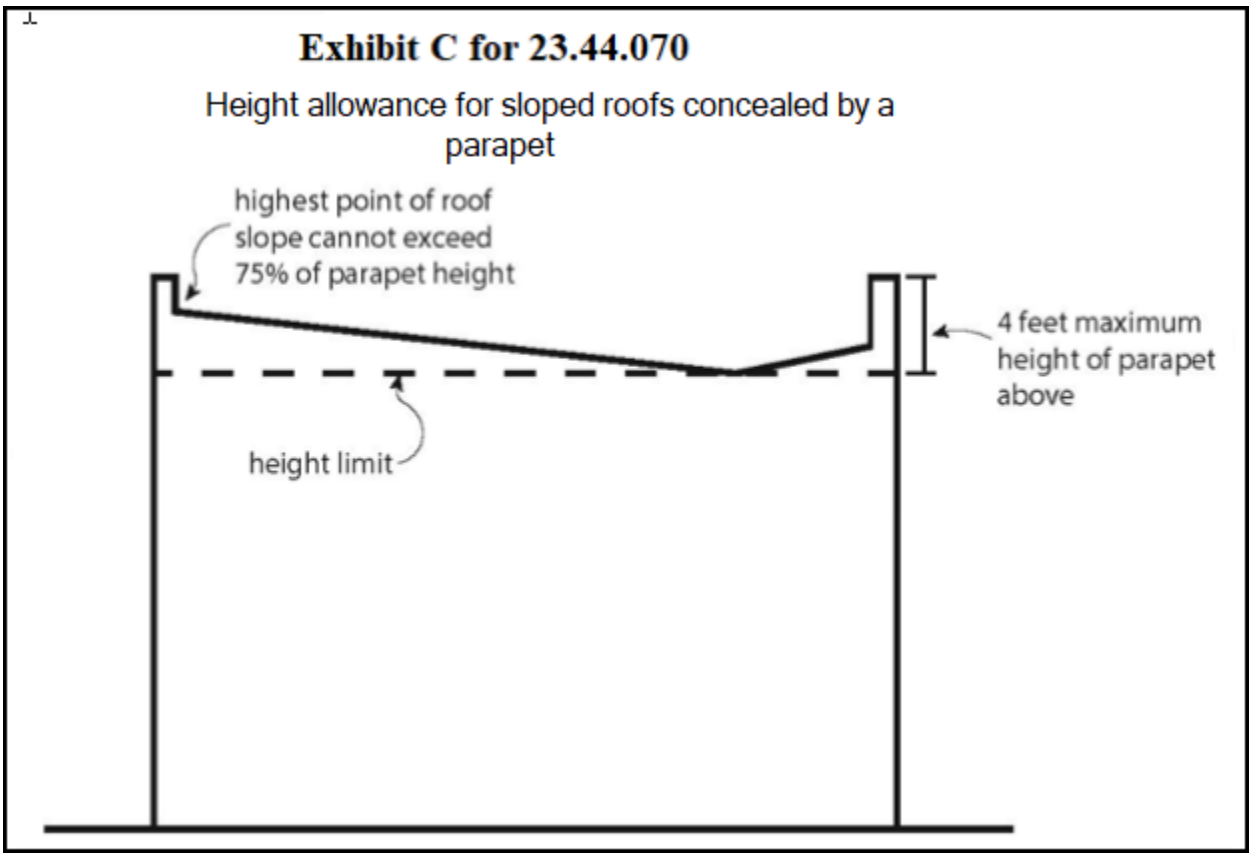
7. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.010.

8. Buildings existing prior to the effective date of this ordinance are permitted to extend up to 8 inches above the height limit in subsection 23.44.070.A or a pitched roof allowed in subsection 23.44.070.B solely for the purpose of adding insulation to an existing roof.

9. Roofs enclosed by a parapet. Roof surfaces that are completely surrounded by a parapet may exceed the applicable height limit to allow for a slope, provided that the height of the highest elevation of the roof surface does not exceed 75 percent of the parapet height, and provided that the lowest elevation of the roof surface is no higher than the applicable height limit. See Exhibit C for 23.44.070.

Exhibit C for 23.44.070

Height allowance for sloped roofs concealed by a parapet



23.44.080 Lot coverage

A. Except as otherwise provided in this Section 23.44.080, the maximum lot coverage allowed for structures is 50 percent.

B. The following areas shall not be counted in calculating the lot size for the purpose of calculating lot coverage in this Section 23.44.080:

1. Riparian corridors;

2. Wetlands and their buffers;

3. Submerged lands and areas within the shoreline setback; and

4. Designated non-disturbance area in steep slopes.

C. Structures not counted. The following structures and portions of structures are not counted in lot coverage calculations:

1. Underground structures;

2. The first 36 inches of architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features that project from principal and accessory structures;

3. Decks or parts of a deck that are 36 inches or less above existing grade;

4. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower; and

5. Unenclosed structures that meet the standards of subsection 23.44.090.H.

D. The lot coverage allowed on lots containing areas listed in subsection 23.44.080.B shall not be less than 625 square feet or an amount of lot coverage approved by the Director through an environmentally critical area reduction, waiver, or modification pursuant to Chapter 25.09, whichever is greater.

E. For the purpose of this Section 23.44.080, designated non-disturbance area in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090; and

3. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

23.44.090 Setbacks

A. Required setbacks for the NR zones are shown in Table A for 23.44.090.

Table A for 23.44.090
Required setbacks in Neighborhood Residential zones

Front	10 feet
Rear	5 feet for accessory dwelling units and 10 feet for other structures except that, if the rear setback abuts an alley, no rear setback is required [1]
Side	5 feet, except that no side setback is required from a side lot line that abuts an alley[1]

Footnote for Table A for 23.44.090
[1] On a reversed corner lot, the setback on the side street lot line shall be 10 feet and the rear setback is 5 feet.

B. Through lots. In the case of a through lot, each setback abutting a street, shall be a front setback.

C. Other setback requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53.

D. Underground structures. Underground structures, measured from existing or finished grade, whichever is lower, may be located within setbacks.

E. Projections from an enclosed structure allowed in required setbacks

1. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features may project into required setbacks a maximum of 2 feet if they are no closer than 3 feet to any lot line.

2. Garden windows and other similar features that do not provide floor area may project a maximum of 18 inches into required setbacks if they:

a. Are a minimum of 30 inches above the finished floor;

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

c. Combined with bay windows and other similar features that provide floor area, make up no more than 30 percent of the area of the facade.

3. Bay windows and other similar features that provide floor area may project a maximum of 2 feet into required front and rear setbacks if they:

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

b. Are no more than 10 feet in width; and

c. Combined with garden windows and other projections included in subsection 23.44.090.E.2, make up no more than 30 percent of the area of the facade.

4. Unenclosed porches and steps

a. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower, may extend to within 5 feet of a street lot line and 3 feet of a side lot line.

b. Porches or steps may be covered, provided that:

1) No portions of the cover-structure, including any supports, are closer than 5 feet to any lot line;

2) The height of the roof over unenclosed porch or steps shall not exceed 15 feet above existing or finished grade, whichever is lower;

3) The roof over such porches or steps shall not be used as a deck; and

4) The total area of porches attached to any individual dwelling unit and located in the setback is not more than 60 square feet.

F. Structures with ground-floor commercial uses. The ground floor of a structure containing a ground-floor commercial use may extend into one front setback provided it is not located closer than 2 feet from a front lot line.

G. Garages and carports

1. Garages and carports may be located in a setback where parking is allowed in a setback as provided in subsections 23.44.160.D.4 and 23.44.160.D.5.

2. Garages and carports may be located in a required side setback that abuts the rear or side setback of another lot if:

a. The garage or carport is a detached structure and extends only into that portion of a side setback that is either within 40 feet of the centerline of an alley or within 25 feet of any rear lot line that is not an alley lot line; or

b. An agreement between the owners of record of the abutting properties, authorizing the garage or carport in that location, is executed and recorded with the King County Recorder's Office.

3. Garages and carports may be located in the rear setback provided they are not located within 5 feet of the rear property line.

4. Garages and carports allowed in required setbacks shall comply with all of the following standards:

a. The area of a garage or carport in front setbacks, is limited to 300 square feet with 14-foot maximum width if one space is provided, and 600 square feet with 24-foot maximum width if two spaces are provided.

b. Roof eaves and gutters that project up to 2 feet are excluded from the maximum coverage and size limits.

c. The roof shall not be used as a balcony or deck in rear or side setbacks.

H. Other unenclosed structures allowed in setbacks

1. All unenclosed structures not more than 18 inches above existing or finished grade, whichever is lower, are allowed in any required setback including but not limited to decks, swimming pools, and hot tubs.

2. Barrier-free access. Access facilities for the disabled and elderly, are allowed in any required setback.

3. Freestanding signs, bike racks, play structures, and similar unenclosed structures that are 6 feet or less in height above existing or finished grade, whichever is lower, are allowed in any required setback, provided that:

a. Signs meet the provisions of Chapter 23.55;

b. Structures located in a side setback allow a 2.5-foot-wide pathway through the side setback; and

c. Structures located within 5 feet of a front lot line are not more than 4 feet in height.

4. Fences

a. Fences no greater than 6 feet in height are allowed in any required setback, except that fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined height is limited to 9.5 feet.

b. Except for fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines, up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is allowed if the architectural features are predominately open.

c. Fence height may be averaged along sloping grades for each 6-foot-long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height when the height allowed by subsection 23.44.090.H.4.a is 6 feet, or 6 feet in height when the height allowed by subsection 23.44.090.H.4.a is 4 feet.

5. Bulkheads and retaining walls

a. Bulkheads and retaining walls used to raise grade are allowed in any required setback if they are limited to 6 feet in height, measured above existing grade.

b. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet measured from the finished grade on the low side, whichever is greater. Any fence shall be set back a minimum of 3 feet from such a bulkhead or retaining wall.

6. Mechanical equipment. Heat pumps, charging devices for electric vehicles, and similar mechanical equipment, not including incinerators, are allowed in required setbacks if they are not located within 3 feet of any lot line.

7. Access bridges. Uncovered, unenclosed access bridges are allowed as follows:

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

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

8. Unenclosed structures are allowed in the rear setback provided that the structure is:

a. Not located within 5 feet of a rear lot line that is not an alley lot line;

b. Not more than 12 feet in height; and

c. Separated from a dwelling unit by at least 3 feet, eave to eave.

9. Above-grade stormwater management features, such as bioretention planters and cisterns, are allowed in setbacks if:

a. No feature, excluding piping, is more than:

1) Twelve feet tall if located in a portion of the rear setback that is not also a side setback; or

2) Six and a half feet tall, if located in other setbacks.

b. No feature greater than 4.5 feet tall is located within 10 feet of the front lot line, excluding piping, unless it is integrated into a bulkhead or retaining wall that is allowed in subsection 23.44.090.H.5;

c. No feature greater than 6 inches tall is located within 2.5 feet of the side lot line; and

d. The total storage capacity of all above-grade cisterns located in setbacks is no greater than 1,250 gallons.

10. Guardrails or handrails no more than 42 inches are allowed on unenclosed stairs, decks, access bridges, bulkheads, and retaining walls.

I. Other enclosed structures allowed in setbacks

1. Any accessory structure that is not a dwelling unit may be constructed in a side or rear setback that abuts the rear or side setback of another lot upon recording with the King County Recorder's Office an agreement to this effect between the owners of record of the abutting properties.

2. Enclosed structures that are not dwelling units are allowed in the rear setback provided that:

a. They are not located within 5 feet of a rear lot line that is not an alley lot line;

b. They are not more than 12 feet in height; and

c. They are separated from a dwelling unit by at least 3 feet, eave to eave.

J. Certain additions. An addition to an existing dwelling unit may extend into a required side setback if:

1. The existing dwelling unit is already nonconforming with respect to that setback;

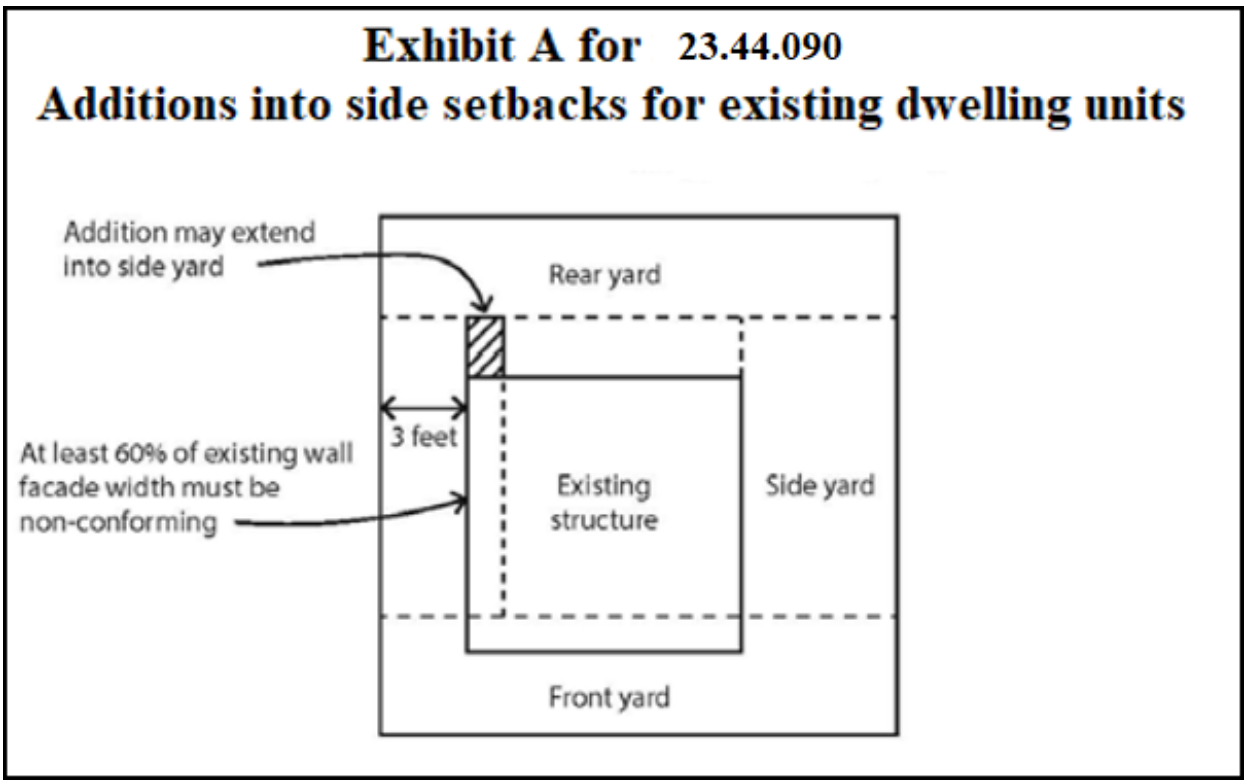
2. The portion of the dwelling unit that is presently nonconforming is at least 60 percent of the total width of the respective facade of the structure prior to the addition;

3. The addition would not be located within 3 feet of a side lot line; and

4. The addition would not be located any closer to the side lot line than the closest part of the existing structure.

Exhibit A for 23.44.090

Additions into side setbacks for existing dwelling units



K. A structure may be permitted to extend into front and rear setbacks as necessary to protect Tier 1 and Tier 2 trees pursuant to Section 25.11.070.

23.44.100 Separations between structures

A. The minimum required separation between structures containing floor area is 6 feet except that if the structures are separated by a driveway or parking aisle, the minimum required separation between the structures is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less.

B. If structures containing floor area are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

C. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2 feet. Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

23.44.110 Amenity area

A. The amount of required amenity area is equal to 20 percent of the lot area.

B. All dwelling units shall have access to either a common or private amenity area.

C. For attached and detached dwelling units, required ground-level amenity areas may be provided as either private or common space. For stacked dwelling units, at least half of the amenity area shall be provided as common space.

D. A minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade. In calculating the total amount of amenity area, only half of the amenity area that is not provided at ground level or within 4 feet of existing grade shall count toward the required amenity area.

E. Amenity area shall not be enclosed within a structure.

F. Each amenity area shall be at least 120 square feet in area and have a minimum width and depth of 8 feet.

G. Features in amenity areas

1. The following features are not allowed in amenity areas:

a. Vehicular parking areas, vehicular access easements, and driveways;

b. Required bike parking;

c. Solid waste and recyclable material storage area; and

d. Enclosed structures.

2. Pathways serving multiple dwelling units are not allowed in private amenity areas.

3. Decks, porches, and steps; swimming pools, spas, and hot tubs; stormwater management features, including but not limited to bioretention planters and cisterns; play equipment; and similar features are allowed in amenity areas.

4. Amenity areas may be covered by weather protection.

5. Projections that do not provide floor area may extend into an amenity area if they meet the standards for projections into setbacks in subsection 23.44.090.E and if garden windows and other similar features are at least 8 feet above finished grade.

6. Rooftop areas located within 8 feet of minor communication utilities and accessory communication devices do not qualify as amenity areas.

H. Areas in environmentally critical areas and their buffers, including but not limited to steep slopes, may count toward amenity areas.

I. No amenity area is required for one new dwelling unit added to a dwelling unit existing as of January 1, 1982, or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001.

23.44.120 Tree requirements

A. Development containing one or more new dwelling units must plant or retain trees to achieve the number of tree points listed in Table A for 23.44.120.

Table A for 23.44.120
Number of tree points required

Density (dwelling units per lot size)	**Tree points required per lot area [1]**
Less dense than 1 unit / 4,000 square feet	1 point / 500 square feet
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	1 point / 600 square feet
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1 point / 675 square feet

Table A for 23.44.120 **Number of tree points required**	
Density (dwelling units per lot size)	**Tree points required per lot area [1]**
1 unit / 1,600 square feet or denser	1 point / 750 square feet
Footnote to Table A for 23.44.120 [1] For purposes of this Section 23.44.120, lot area shall not include submerged lands.	

B. Individual trees preserved during construction or planted as part of construction, excluding street trees, count toward the tree score according to Table B for 23.44.120. Trees required under Section 25.11.090 shall count toward this standard. All required trees shall meet standards promulgated by the Director to provide for the long-term health and viability of plantings. These standards may include but are not limited to tree selection, invasive species, planting specification, soil and mulch amendment, and protection practices during construction.

Table B for 23.44.120
Tree points

Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
Trees planted as part of construction	Small	1 point	1.25 point
	Small/medium	2 points	2.5 points
	Medium/large	3 points	3.75 points
	Large	4 points	5 points
Trees preserved during construction	Small	0.4 point per inch of diameter	0.5 point per inch of diameter
	Small/medium	0.8 point per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 point per inch of diameter	1.4 point per inch of diameter

Table B for 23.44.120 Tree points			
Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
	Large	1.6 point per inch of diameter	1.8 point per inch of diameter

C. Tree protection areas shall be designated in accordance with Section 25.11.060 for all trees that are proposed to be preserved to receive points under subsection 23.44.120.B, regardless of tree tier.

D. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City, and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

E. Tree measurements

1. New trees planted to meet this requirement shall meet the following size standards:

a. Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.

b. Multi-stemmed deciduous trees must have at least three stems and be at least 6 feet tall.

c. Evergreen trees must be at least 4 feet tall.

2. Existing trees shall be measured 4.5 feet above the ground.

F. Tree location. New trees planted to meet this requirement shall not be planted:

1. For small species trees, within 2 feet of a dwelling unit;

2. For small/medium species trees, within 4 feet of a dwelling unit;

3. For medium/large species trees, within 6 feet of a dwelling unit;

4. For large species trees, within 8 feet of a dwelling unit; and

5. For all trees, within 2 feet of a sidewalk located in the right-of-way.

G. Street tree requirements

1. Street trees are required for development that would add one or more principal dwelling units on a lot, except as provided in subsection 23.44.120.G.2 and Section 23.53.015. Existing street trees shall be retained unless the Director of the Seattle Department of Transportation approves their removal. The Director, in consultation with the Director of the Seattle Department of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:

a. Improve public safety;

b. Promote compatibility with existing street trees;

c. Match trees to the available space in the planting strip;

d. Maintain and expand the urban forest canopy;

e. Encourage healthy growth through appropriate spacing;

f. Protect utilities; and

g. Allow access to the street, buildings, and lot.

2. Exceptions to street tree requirements

a. If a lot borders an unopened right-of-way, the Director may reduce or waive the street tree requirement along that right-of-way as a Type I decision if, after consultation with the Director of the Seattle Department of Transportation, the Director determines that the right-of-way is unlikely to be opened or improved.

b. If it is not feasible to plant street trees in a right-of-way planting strip, a 5-foot setback shall be planted with trees along the street lot line that abuts the required front

setback, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Seattle Department of Transportation. If a 5-foot setback or landscaped planting strip is not feasible, the Director may reduce or waive this requirement as a Type I decision.

23.44.130 Structure width limits

Structure width for each building containing residential uses in Neighborhood Residential zones may not exceed 90 feet. Measurement of structure width is provided in Section 23.86.014.

23.44.140 Design standards

A. Application of provisions.

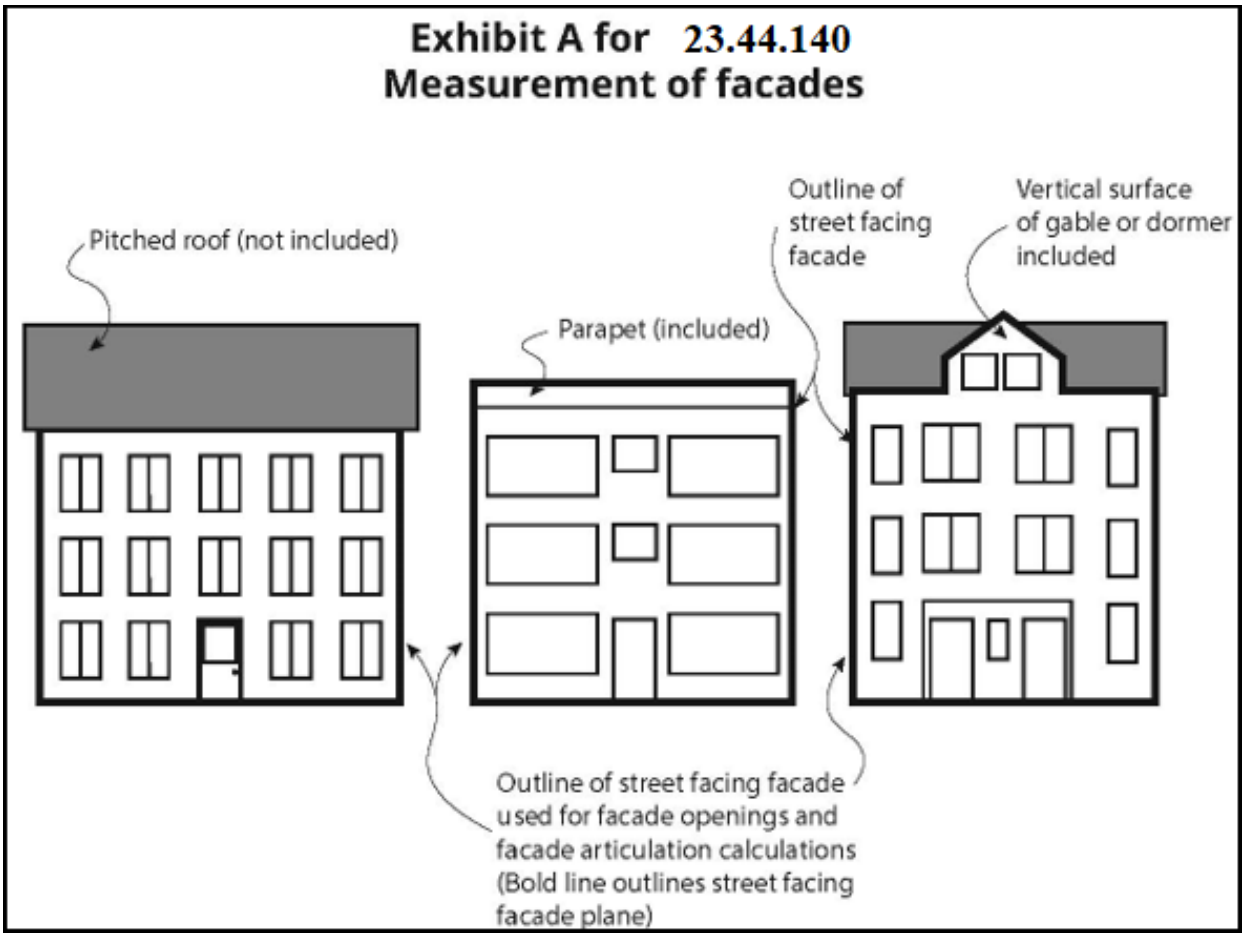
1. The provisions of this Section 23.44.140 apply to development that includes the construction of new dwelling units, except for new dwelling units added within existing structures.

2. For the purposes of this Section 23.44.140, requirements for street-facing facades shall only apply to structures located within 40 feet of a street lot line or a vehicle access easement serving ten or more residential units. For structures located within 40 feet of a vehicle access easement serving ten or more residential units but not within 40 feet of a street lot line, the facade that faces the vehicle access easement shall be considered a street-facing facade for the purpose of this Section 23.44.140. If multiple facades face vehicle access easements, the applicant may decide which facade facing a vehicle access easement is considered the street-facing facade.

B. Measurement of street-facing facades. For the purposes of this Section 23.44.140, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.44.140.

Exhibit A for 23.44.140

Measurement of facades



C. Pedestrian access. Each dwelling unit shall have pedestrian access at least 3 feet in width to the sidewalk or, if no sidewalk exists, the front lot line. This pedestrian access may be shared or private. This pedestrian access may cross any required setbacks or interior separation. This pedestrian access may be part of a driveway.

D. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on that street-facing facade meeting the requirements of subsections 23.44.140.D.1 through

23.44.140.D.4. For attached and detached dwelling units, the pedestrian entry may be located on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a covered porch or recessed entry that also abuts the street-facing facade.

1. For stacked dwelling units, at least one pedestrian entry shall be required for the structure as a whole.

2. For attached and detached dwelling units, each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall have at least one pedestrian entry on the street-facing facade.

3. For structures or dwelling units with multiple street-facing facades, a pedestrian entry is required on only one of the street-facing facades.

4. Required pedestrian entry on street-facing facades shall have weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in width and 4 feet in depth for stacked dwelling units.

E. Windows and doors. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors. If front and side facades are street-facing, the two facades shall be combined for the purpose of this calculation. Windows count toward the requirement for facade openings in this subsection 23.44.140.E only if they are transparent. Windows composed of garage doors and doors to utility and service areas do not count.

23.44.150 Light and glare standards

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

B. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two vehicles shall be screened from abutting properties by a fence or wall

between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm at least 5 feet in height. If the elevation of the lot line is different from the finished elevation of the driveway or parking surface, the difference in elevation may be measured as a portion of the required height of the screen so long as the screen itself is a minimum of 3 feet in height. The Director may waive the requirement for the screening if it is not needed due to changes in topography, agreements to maintain an existing fence, or the nature and location of adjacent uses.

23.44.160 Parking location and access

A. Parking quantity. Off-street parking is required pursuant to Section 23.54.015.

B. Parking on same lot. Any required parking shall be located on the same lot as the principal use, except that parking accessory to a floating home, floating on-water residence, house barge, or vessel with a dwelling unit may be located on another lot if within 600 feet of the lot on which the floating home, floating on-water residence, house barge, or vessel with a dwelling unit is located.

C. Access to parking

1. Vehicular access to parking from an improved street, alley, or easement is required if parking is provided.

2. Access to parking is permitted from a street only if the Director determines that one of the following conditions exists:

a. There is no alley improved to the standards of subsection 23.53.030.B, and there is no unimproved alley in common usage that currently provides access to parking on the lot or to parking on adjacent lots in the same block;

b. Existing topography does not permit alley access;

c. At least 50 percent of alley frontage abuts property in a nonresidential zone;

d. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard;

e. Parking access must be from the street in order to provide access to a parking space that complies with Chapter 11 of the Seattle Building Code; or

f. Providing alley access would require removal of a tree on private property that is a Tier 1 or Tier 2 tree and all other applicable criteria for tree protection in Chapter 25.11 are met.

D. Location of parking. Except as provided below, parking is not allowed within 20 feet of a front lot line or within 5 feet of a side street lot line:

1. If access to required parking passes through a required setback, automobiles, motorcycles, and similar vehicles may be parked on the open access located in a required setback.

2. If access is taken directly from an alley, surface parking may be located within 20 feet of a street lot line if it is located within 28 feet of an alley lot line and is no closer than 7 feet to any street lot line.

3. For lots at least 40 feet in width, up to two surface parking spaces are allowed within 20 feet of a street lot line provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The parking spaces are located perpendicular to the street lot line from which they are accessed;

c. On corner lots, the parking spaces are not located within 20 feet of the street lot line parallel to the parking spaces;

d. No other parking spaces or driveways are located on the lot;

e. The parking spaces are not located within 10 feet of a street lot line; and

f. The combined width of the parking spaces shall not exceed 20 feet.

4. Lots with uphill setbacks abutting streets. Parking may be located in a required setback abutting a street provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The existing grade of the lot slopes upward from the street lot line an average of at least 6 feet above sidewalk grade at a line that is 10 feet from the street lot line;

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

d. No other parking spaces or driveways are located on the lot;

e. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

f. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

5. Lots with downhill setbacks abutting streets. Parking may be located in a required setback abutting a street if the following conditions are met:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The existing grade slopes downward from the street lot line that the parking faces;

c. For parking located in a front setback, the lot has a vertical drop of at least 6 feet in the first 10 feet, measured along a line from the midpoint of the front lot line to the midpoint of the rear lot line;

d. Parking is not located in required side setbacks abutting a street;

e. No other parking spaces or driveways are located on the lot;

f. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

g. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

E. No more than three vehicles may be parked outdoors per dwelling unit on a lot.

F. Trailers, boats, recreational vehicles, and similar equipment shall not be parked in required setbacks, unless fully enclosed in a structure otherwise allowed in a required setback by subsection 23.44.160.D.

G. The total combined horizontal width of all garage entrances that are located on front facades may not be more than 50 percent of the horizontal width of the street-level front facades or 10 feet, whichever is greater. No dwelling unit may have a garage entrance on both a front facade and a side facade.

H. Except as provided in subsections 23.44.160.D.4 and 23.44.160.D.5, garage entrances facing the street shall be set back at least 20 feet from the street lot line.

23.44.170 Alternative standards for development of low-income housing

A. Development of low-income housing that meets all of the following criteria may meet the alternative development standards in subsection 23.44.170.B:

1. The lot is located within a frequent transit service area;

2. The restricted units are generally distributed throughout the development and have substantially the same functionality as unrestricted units, if any, in the development;

3. To the extent practicable, the restricted units are comparable to unrestricted units, if any, in terms of square footage and number of bedrooms and bathrooms;

4. The tenure (i.e., rental or ownership) of restricted units and unrestricted units, if any, is the same;

5. For ownership housing, the restricted units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.170.A means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

a. Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

b. Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

6. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit organization (for ownership housing) agree to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.170.A and the regulatory agreement, covenant, or other legal instrument.

B. Proposed development on a lot meeting the criteria in subsection 23.44.170.A may elect to meet the following development standards in lieu of the standards in subsections 23.44.050.B (floor area), 23.44.060.B (density), and 23.44.070.A (structure height), and Section 23.44.080 (lot coverage):

1. The maximum floor area ratio (FAR) limit is 1.8. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

2. The maximum density limit is one unit per 400 square feet.

3. The maximum height limit is 42 feet.

4. The maximum lot coverage is 60 percent.

23.44.180 Institutions

A. Institutions located in a Neighborhood Residential zone shall meet the development standards of this Section 23.44.180 and other sections of Chapter 23.44 except as provided in Section 23.44.030, Chapter 23.51B, Chapter 23.69, or Chapter 23.79. In the event of conflict between the standards in this Section 23.44.180 and other sections of Chapter 23.44, the standards in this Section 23.44.180 shall control.

B. Height limits

1. The height limit for institutions shall be 32 feet, except as provided in subsection 23.44.180.B.2.

2. For gymnasiums, auditoriums, and wood shops that are accessory to an institution, the maximum permitted height is 35 feet if all portions of the structure above the height limit of the zone are set back at least 20 feet from all lot lines. Pitched roofs on the auditorium, gymnasium, or wood shop with a slope of not less than 4:12 may extend 10 feet above the 35-foot height limit. No portion of a shed roof on a gymnasium, auditorium, or wood shop is permitted to extend beyond 35 feet.

C. Landscaping

1. Landscaping that achieves a Green Factor score of 0.3 or greater, pursuant to Section 23.86.019, is required for any lot with:

a. Development, either a new structure or an addition to an existing structure, containing more than 4,000 new square feet of non-residential uses; or

b. Any parking lot containing more than 20 new parking spaces for automobiles.

2. All required trees shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth, and quality of soil, access to light and air, and protection practices during construction.

D. Parking

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

2. Screening of surface parking areas. Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

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

b. Screening shall consist of a fence, solid evergreen hedge, or wall at least 3 feet in height.

E. Odors. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent.

F. Light and glare

1. Exterior lighting for institutions shall be shielded or directed away from residential structures on adjacent lots.

2. Poles for freestanding exterior lighting are permitted up to a maximum height of 32 feet. Light poles for illumination of athletic fields on new and existing public school sites will be allowed to exceed 30 feet pursuant to Chapter 23.51B.

G. The Director may allow, as a Type I decision, higher fencing in a required setback when necessary for sports fields.

23.44.190 Parks and open space

A. The following accessory uses shall be permitted in public parks when within a structure or on a terrace abutting the structure, provided that when the use is within 100 feet of another lot in a residential zone the use is completely enclosed:

1. The sale and consumption of beer and wine during daylight hours;

2. The sale and consumption of alcoholic beverages under a Class H liquor license at municipal golf courses during established hours of operation.

B. The sale and consumption of beer and wine with meals served in a restaurant facility within the boundaries of Woodland Park shall be permitted. The use shall be permitted in only one facility located no closer than 100 feet from any lot in a residential zone and separated from other public activity areas and zoo buildings by at least 50 feet.

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

1. Any active play area shall be located 30 feet or more from any lot in a Neighborhood Residential zone;

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

Section 31. Section 23.45.502 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.45.502 Scope of provisions

* * *

D. Other regulations((~~,~~)) may apply to development proposals including but not limited to general use provisions (Chapter 23.42); transportation concurrency and transportation impact mitigation (Chapter 23.52); requirements for streets, alleys, and easements (Chapter 23.53); standards for access, off-street parking, ((~~quantity, access, and design~~)) and solid waste storage (Chapter 23.54); ((~~standards for solid waste storage (Chapter 23.54)~~)); ((~~signs~~)) sign regulations (Chapter 23.55); communication regulations (Chapter 23.57); ((~~and methods for~~

~~measurements (Chapter 23.86), may apply to development proposals~~)) shoreline regulations (Chapter 23.60A); and environmental protection and historic preservation (Title 25).

E. Congregate residences are subject to additional requirements as specified in Section 23.42.049.

Section 32. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 127098, is amended as follows:

23.45.504 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to ((~~the regulations in~~)) this Chapter 23.45 and ((~~additional regulations in~~)) Chapter 23.57. Public facilities are subject to ((~~the regulations in~~)) Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

Table A for 23.45.504 Permitted and prohibited uses		
Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
* * *		
C. Uses not otherwise permitted in existing or former public schools	Permitted pursuant to	Permitted pursuant to

Table A for 23.45.504 **Permitted and prohibited uses**		
Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
	procedures established in Chapter 23.78	procedures established in Chapter 23.78
((~~C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses in existing or former public schools~~	~~P~~	~~P~~
~~C.2. Other non-school uses in existing or former public schools~~	~~Permitted pursuant to procedures established in Chapter 23.78~~	~~Permitted pursuant to procedures established in Chapter 23.78~~))
* * *		
E. Parks and ((~~playgrounds including customary~~)) open space uses	P	P
F. Ground-floor commercial uses	RC/P [4]	RC/P ((~~4.~~)) [5]
* * *		
L. Heat recovery incinerators	CU	CU
M. Human service uses	P	P
((~~L.~~)) N. All other uses	X	X
Key to Table A for 23.45.504 P = Permitted outright CU = Permitted as an administrative conditional use		

Table A for 23.45.504 **Permitted and prohibited uses**		
Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46 X = Prohibited Footnotes to Table A for 23.45.504 [1] Institutions meeting development standards including but not limited to the standards in Section 23.45.570 are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69. [2] Prohibited in Station Area Overlay Districts (SAODs); otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506 on surface parking existing as of January 1, 2017. [3] Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted outright in LR3, MR, HR, and LR3/RC zones, except prohibited in ((~~the~~)) a SAOD. [4] ((~~Permitted in development that meets~~)) For lots located in a zone that does not include an RC designation, ground-floor commercial uses are allowed if they meet the requirements of Section 23.42.055 and Chapter 23.46 or the standards of subsection 23.45.504.D ((~~even if it is not located in a zone that includes an RC designation~~)). [5] ((~~Subject to subsection 23.45.504.E except in zones that include an RC designation.~~)) For lots located in a zone that does not include an RC designation, ground-floor commercial uses are allowed if they meet the standards of subsection 23.45.504.E and Section 23.45.532. [6] Subject to subsections 23.45.504.G and 23.45.506.F. [7] Subject to subsection 23.45.504.F. [8] Prohibited in LR1 and LR2 zones. Permitted outright in all other multifamily zones as surface parking on surface parking lots existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026. ((~~P = Permitted outright~~ ~~CU = Permitted as an Administrative Conditional Use~~ ~~RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46~~ ~~X = Prohibited~~))		

C. Accessory uses. The following accessory uses are permitted in all multifamily zones, subject to ((~~the standards in~~)) Section 23.45.545, if applicable:

1. Private garages and carports;

2. Private, permanent swimming pools, hot tubs, and other similar uses;

3. Solar collectors, including solar greenhouses;

4. ((~~Open wet moorage accessory to residential structures;~~)) Piers and floats, provided they comply with Chapter 23.60A;

5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;

6. Bed and breakfasts in a dwelling unit that is at least five years old, provided they comply with subsection 23.45.504.I;

7. Recycling collection stations;

8. Urban farms with planting area not more than 4,000 square feet. Urban farms with greater than 4,000 square feet of planting area may be allowed as an administrative conditional use to any use permitted outright or as a conditional use. The Director may grant, condition, or deny a conditional use permit in accordance with subsection 23.42.051.B; and

9. Accessory dwelling units provided they comply with Section 23.42.022.

D. ((~~Heat recovery incinerators may be permitted as accessory administrative conditional uses, pursuant to Section 23.45.506.~~)) Ground-floor commercial use in Lowrise zones without an RC suffix are allowed if they comply with the following:

1. The commercial use is located on a corner lot or on a lot that abuts both a street and an alley.

2. The commercial use is limited to the following:

a. Food processing and craft work;

b. General sales and services; and

c. Restaurants.

3. The commercial uses do not occupy more than 2,500 square feet of gross floor area.

4. The commercial use is permitted only on or below the ground floor of a structure.

5. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air conditioning, or refrigeration) shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent.

6. Drive-in businesses are prohibited as a principal or accessory use.

7. Outdoor sales of food or beverages must be located at least 50 feet from adjacent lots.

8. Outdoor service of food or beverages must be located at least 50 feet from adjacent lots.

9. Businesses may not be open between the hours of 10 p.m. and 6 a.m.

E. Ground-floor commercial use in Midrise and Highrise zones without an RC suffix are allowed if they comply with the following:

1. Drive-in businesses are prohibited((~~,~~)) as either a principal or accessory use.

2. ((~~The following uses are permitted as ground-floor commercial uses in MR and HR zones pursuant to Section 23.45.532:~~)) The commercial use is limited to the following:

a. Business support services;

b. Food processing and craft work;

c. General sales and services;

d. Medical services;

e. Offices;

f. Restaurants; and

g. Live-work units with one of the uses permitted in this subsection 23.45.504.E as the permitted commercial use.

3. The ground-floor commercial uses meet the requirements of Section 23.45.532.

F. Existing cemeteries are permitted to continue in use. New cemeteries are prohibited and existing cemeteries are prohibited from expanding. For purposes of this Section 23.45.504, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that:

1. The change does not increase the net land area occupied by the cemetery;

2. The land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and

3. The use of the land being added to the cemetery will not result in the loss of housing.

G. Except as provided in subsections 23.45.504.G.1 and 23.45.504.G.2 ((~~below~~)), medical service uses other than permitted ground-floor commercial uses are prohibited.

1. Medical service uses in HR zones may be permitted as administrative conditional uses pursuant to subsection 23.45.506.F.

2. Medical service uses meeting the development standards for institutions are permitted outright on property conveyed by a deed from the City that, at the time of conveyance, restricted the property's use to a health care or health-related facility.

H. Fences and free-standing walls of utility services uses shall be set back from the street lot line by an average of 7 feet and be no less than 5 feet from the street lot line at any point. Landscaping shall be provided between the fence or wall and the street lot line. The Director may reduce this setback after finding that the reduced setback will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

I. Bed and breakfast uses. A bed and breakfast use may be operated in a principal dwelling unit or an accessory dwelling unit under the following conditions:

1. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;

2. The bed and breakfast use is operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator; and

3. There is no evidence of a bed and breakfast use visible from the exterior of the dwelling unit other than a sign permitted by subsection 23.55.022.D.1.

Section 33. Section 23.45.508 of the Seattle Municipal Code, last amended by Ordinance 127098, is amended as follows:

23.45.508 General provisions

A. Except for structures related to an urban farm, a structure occupied by a permitted use other than a residential use may be partially or wholly converted to a residential use even if the structure does not conform to the development standards for residential uses in multifamily zones.

B. ((~~Off street parking shall be provided pursuant to Section 23.54.015, and as permitted by provisions of Sections 23.45.504 and 23.45.506, if applicable.~~

~~C.~~)) Expansions of nonconforming converted structures and conversions of structures occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

((~~D. Methods for measurements are provided in Chapter 23.86. Requirements for streets, alleys, and easements are provided in Chapter 23.53. Standards for parking and access and design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.~~

~~E.~~)) C. Assisted living facilities, congregate residences, nursing homes, and structures containing ground floor commercial uses as allowed by Chapter 23.46 in RC zones shall meet the development standards for ((~~apartments~~)) stacked dwelling units unless otherwise specified.

((~~F. Single-family dwelling units. In LR zones, single-family dwelling units shall meet the development standards for townhouse developments, except as otherwise provided. In MR and HR zones, single-family dwelling units shall meet the development standards of the zone.~~

~~G. Proposed uses in all multifamily zones are subject to the transportation concurrency level-of-service standards prescribed in Chapter 23.52.~~

~~H.~~)) D. Lots with no street frontage. For purposes of structure width, depth, and setbacks, multifamily zoned lots that have no street frontage are subject to the following:

1. For lots that have only one alley lot line, the alley lot line shall be treated as a front lot line.

2. For lots that have more than one alley lot line, the Director shall determine which alley lot line shall be treated as the front lot line.

3. For lots that have no alley lot lines, the applicant may choose the front lot line provided that the selected front lot line length is at least 50 percent of the width of the lot.

((~~I.~~)) E. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is not entitled to a permit for any use or development on a lot in an LR zone that would be inconsistent with any term, condition, or restriction contained either in any recorded agreement that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1, L2, L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to LDT, L1, L2, L3, or L4 conditioned on a recorded agreement prior to April 19, 2011.

((~~J.~~)) F. If more than one category of residential use is located on a lot, and if different development standards apply to the different categories of use, then each category's percentage of the total limit imposed by the development standard shall be calculated based on each category's percentage of total structure footprint area, as follows:

1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, "footprint" is defined as the horizontal area enclosed by the exterior walls of the structure.

2. Calculate the total square feet of footprint of all categories of residential uses on the lot.

3. Divide the square footage of the footprint for each category of residential structure in subsection ((~~23.45.508.J.1~~)) 23.45.508.F.1 by the total square feet of footprints of all residential uses in subsection ((~~23.45.508.J.2~~)) 23.45.508.F.2.

4. Multiply the percentage calculated in subsection ((~~23.45.508.J.3~~)) 23.45.508.F.3 for each housing category by the area of the lot. The result is the area of the lot devoted to each housing category.

5. The total limit for each category of residential use is the applicable limit for that use multiplied by the percentage calculated in subsection ((~~23.45.508.J.4~~)) 23.45.508.F.4.

((~~K.~~)) G. Unless otherwise specified, the development standards of each zone shall be applied in that zone, and may not be used in any other zone, except that if both zones have the same development standards, the development standard shall be applied to the lot as a whole. If a lot or development site includes more than one zoning designation and a development standard is based on lot area, the lot area used in applying the development standard shall be the portion of the contiguous area with the corresponding zoning designation.

Section 34. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.510 Floor area

A. Gross floor area. In multifamily zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or

sleeping room and that are not used for common circulation((~~, and ground-level walking paths,~~)) are not considered gross floor area.

B. Floor area ratio (FAR) limits in LR and MR zones. FAR limits apply in LR and MR zones as shown in Table A for 23.45.510((-)), provided that if the LR zone designation includes an incentive zoning suffix, then gross floor area may exceed the base FAR as identified in the suffix designation, up to the limits shown in Table A for 23.45.510, if the applicant complies with Chapter 23.58A, Incentive Provisions. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.45.510
FAR limits in LR and MR zones

Zone	**Zones with an MHA suffix**	**Zones without an MHA suffix**
LR1	1.3, except 1.5 for stacked dwelling units	1.0
LR2	1.4, except 1.6 for stacked dwelling units [1]	1.1
LR3 outside urban centers and urban villages	1.8	1.2, except 1.3 for ((~~apartments~~)) stacked dwelling units
LR3 inside urban centers and urban villages	2.3	1.2, except 1.5 for ((~~apartments~~)) stacked dwelling units
MR	4.5	3.2

Footnote to Table A for 23.45.510
[1] Except that the FAR is ((~~1.6~~)) 1.8 for ((~~apartments~~)) stacked dwelling units that provide one or more outdoor amenity areas meeting the requirements of Section 23.45.522 and the following provisions are met:
1. The total amount of((~~,~~)) outdoor amenity area is equal to at least 35 percent of the lot area;

Table A for 23.45.510 FAR limits in LR and MR zones		
Zone	**Zones with an MHA suffix**	**Zones without an MHA suffix**
2. No part of such amenity area has a width or depth of less than 20 feet; and 3. The outdoor amenity area is located at ground level or within 4 feet of finished grade.		

* * *

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

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

2. The floor area in a Landmark structure subject to controls and incentives imposed by a designating ordinance, if the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential (TDP) has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A.

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

a. ((~~All residential structures in LR zones, except as provided in subsection 23.45.510.D.4.b;~~)) No other principal structure is located between the existing residential structure and the street lot line along at least one street frontage. If the existing residential structure is moved on the lot, the floor area of the existing residential structure remains exempt if it continues to meet this subsection 23.45.510.D.3.a; and

b. ((~~Single family, cottage housing, rowhouse, and townhouse developments in LR zones, provided that all parking is located at the rear of the structure or is enclosed in structures with garage entrances located on the rear facade; and~~)) The exemption is limited to the gross floor area that existed on January 1, 1982 and does not include any additions to floor area made to the residential structure after January 1, 1982.

4. Portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, excluding access, (see Exhibit A for 23.45.510), in the following circumstances:

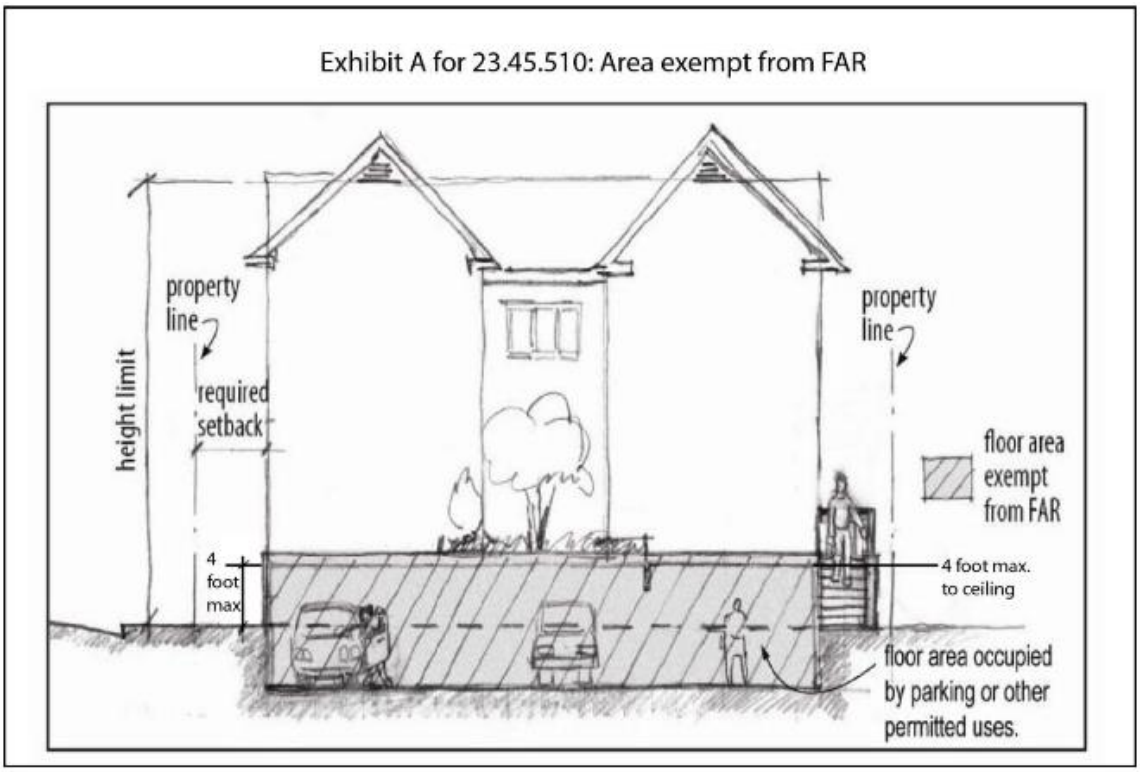
a. ((~~All residential structures~~)) Stacked dwelling units in LR zones ((~~except as provided in subsection 23.45.510.D.4.b~~));

b. ((S~~ingle family, cottage housing, rowhouse, and townhouse developments~~)) Attached and detached dwelling units in LR zones, provided that all parking is located at the rear of the structure or is enclosed in structures with garage entrances located on the rear facade; and

c. All ((~~multifamily structures~~)) dwelling units in MR and HR zones.

Exhibit A for 23.45.510

Area exempt from FAR



5. For ((~~rowhouse and townhouse developments and apartments~~)) attached and stacked dwelling units, floor area within a story, or portion of a story, that is partially above grade if all of the following conditions are met:

a. The story, or portion of the story, that is partially above grade is used for parking or other accessory uses and has no additional stories above;

b. The average height of the exterior walls enclosing the floor area does not exceed one story, measured from existing or finished grade, whichever is lower;

c. The roof area above the exempt floor area is predominantly flat, is used as amenity area, and meets the standards for amenity area at ground level in Section 23.45.522; and

d. At least 25 percent of the perimeter of the amenity area on the roof above the floor area is not enclosed by the walls of the structure.

6. Enclosed common amenity area in HR zones.

7. As an allowance for mechanical equipment, in any structure more than 85 feet in height, 3.5 percent of the gross floor area that is not otherwise exempt under this subsection 23.45.510.D.

8. In HR zones, ground floor commercial uses meeting the requirements of Section 23.45.532, if the street level of the structure containing the commercial uses has a minimum floor-to-floor height of 13 feet and a minimum depth of 15 feet.

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

10. Common walls separating individual ((~~rowhouse and townhouse~~)) attached dwelling units.

11. In the Northgate Urban Center, up to 15,000 square feet of floor area in residential use in a structure built prior to 1990 that is located on a split-zoned lot of at least 40,000 square feet in size.

12. In MR and HR zones, all gross floor area in child care centers.

13. In low-income housing, all gross floor area for accessory human service uses.

E. If TDP is transferred from a lot pursuant to Section 23.58A.042, the amount of non-exempt floor area that may be permitted is ((~~an~~)) a FAR of 7, plus any net amount of TDP previously transferred to the lot, minus the sum of the existing non-exempt floor area on the lot and the amount of TDP transferred.

Section 35. Section 23.45.512 of the Seattle Municipal Code, last amended by Ordinance 127211, is repealed:

((~~23.45.512 Density limits and family-size unit requirements—LR zones~~

~~A. Density limits~~

~~1. Except according to subsection 23.45.512.A.4, the following developments must meet the density limits described in this subsection 23.45.512.A:~~

~~a. In LR1 zones, rowhouse development on interior lots and all townhouse development; and~~

~~b. All development in Lowrise zones that do not have a mandatory housing affordability suffix.~~

~~2. Development described in subsection 23.45.512.A.1 shall not exceed a density of one dwelling unit per 1,150 square feet of lot area, except that apartments in LR3 zones that do not have a mandatory housing affordability suffix shall not exceed a density limit of one dwelling unit per 800 square feet.~~

~~3. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.~~

~~4. Low-income housing shall have a maximum density of one dwelling unit per 400 square feet of lot area.~~

~~B. Family-sized unit requirements in LR1 zones~~

~~1. Apartment developments in LR1 zones with four or more units shall provide at least one unit with two or more bedrooms and a minimum net unit area of 850 square feet for every four units in the structure.~~

~~2. One unit with three or more bedrooms and a minimum net unit area of 1,050 square feet may be provided in place of any two units required to include two bedrooms and a minimum net unit area of 850 square feet.~~

~~C. Nursing homes, congregate housing, assisted living facilities, and accessory dwelling units that meet the standards of Section 23.45.545 are exempt from the density limit set in subsection 23.45.512.A and the requirements in subsection 23.45.512.B.~~

~~D. Dwelling unit(s) located in structures built prior to January 1, 1982, as single-family dwelling units that will remain in residential use are exempt from density limits.~~

~~E. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.~~

~~F. Adding units to existing structures~~

~~1. One additional dwelling unit may be added to an existing residential structure regardless of the density restrictions in subsection 23.45.512.A and the requirements in subsection 23.45.512.B. An additional unit is allowed only if the proposed additional unit is to be located entirely within an existing structure, and no additional floor area to accommodate the new unit is proposed to be added to the existing structure.~~

~~2. For the purposes of this subsection 23.45.512.F, "existing residential structures" are those that were established under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired as of October 31, 2001.~~))

Section 36. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.45.514 Structure height

A. Subject to the additions and exceptions allowed as set forth in this Section 23.45.514, the height limits for structures in LR zones are as shown on Table A for 23.45.514.

Table A for 23.45.514
Structure height for LR zones (in feet)

((~~Housing~~)) Dwelling unit type	**LR1**	**LR2**	**LR3 outside urban centers, urban villages, and Station Area Overlay Districts**	**LR3 in urban centers, urban villages, and Station Area Overlay Districts**
((~~Cottage housing developments~~	~~22~~	~~22~~	~~22~~	~~22~~
~~Rowhouse and townhouse developments~~)) Attached and detached dwelling units	((~~30~~)) 32	40 [1]	40 [1]	50 [1]
((~~Apartments~~)) Stacked dwelling units	((~~30~~)) 32	40 [1]	40 [1]	50 [2]

Footnotes for Table A for 23.45.514
[1] Except that the height limit is ((~~30~~)) 32 feet in zones without a mandatory housing affordability suffix.
[2] Except that the height limit is 40 feet in zones without a mandatory housing affordability suffix.

* * *

C. The height limit for accessory structures other than accessory dwelling units that are located in required setbacks or separations is 12 feet, except as follows:

1. Garages and carports are limited to 12 feet in height as measured on the facade containing the vehicle entrance. Open rails may extend an additional 3 feet above the

roof of the garage or carport if any portion of the roof is within 4 feet of existing grade. The ridge of a pitched roof on a garage located in a required setback may extend up to 3 feet above the 12-foot height limit. All parts of the roof above the height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

2. ((~~The height limit for an accessory dwelling unit is provided in subsection 23.42.022.D.~~

~~3.~~)) Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls((~~,~~)) except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

* * *

F. For ((~~apartments in LR2 zones, and for all residential uses in LR3~~)) stacked dwelling units in LR zones, the applicable height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure that includes a story that is partially below-grade, provided that:

1. This height exception does not apply to portions of lots that are within 50 feet of a ((~~neighborhood residential~~)) Neighborhood Residential zone boundary line, unless the lot in the LR zone is separated from a ((~~neighborhood residential~~)) Neighborhood Residential zoned lot by a street;

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

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

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

* * *

Section 37. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.45.518 Setbacks ((~~and separations~~))

A. LR zones

1. Required setbacks for the LR zones are <u>as</u> shown in Table A for 23.45.518 and subsection 23.45.518.A.2.

((~~Table A for 23.45.518~~ ~~Required setbacks in LR zones measured in feet~~				
~~All LR zones~~	**~~Category of residential use~~**			
~~Setback~~	**~~Cottage housing developments and single-family dwelling units~~**	**~~Rowhouse developments~~**	**~~Townhouse developments~~**	**~~Apartments~~**
~~Front~~	~~7 average; 5 minimum~~	~~5 minimum~~	~~7 average; 5 minimum~~	~~5 minimum~~

((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

~~All LR zones~~	~~Category of residential use~~			
~~Rear~~	~~0 with alley;~~ ~~7 if no alley~~	~~0 with alley;~~ ~~With no alley:~~ ~~7 average;~~ ~~5 minimum~~	~~7 average;~~ ~~5 minimum~~	~~10 minimum with alley;~~ ~~15 minimum if no alley~~
~~Side setback for facades 40 feet or less in length [1]~~	~~5~~	~~0 where abutting another rowhouse development [2]; otherwise 3.5, except that on side lot lines that abut a neighborhood residential zone, the setback is 5~~	~~5~~	~~5~~
~~Side setback for facades greater than 40 feet in length [3]~~	~~5 minimum~~	~~0 where abutting another rowhouse development [2]; otherwise 3.5, except that on side lot lines that abut a neighborhood residential zone, the setback is 7 average;~~ ~~5 minimum~~	~~7 average;~~ ~~5 minimum~~	~~7 average;~~ ~~5 minimum~~

~~Footnotes to Table A for 23.45.518~~

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

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

~~[3] Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are~~

~~((Table A for 23.45.518~~ ~~Required setbacks in LR zones measured in feet~~	
~~All LR zones~~	~~Category of residential use~~
~~not considered part of the facade length for the purposes of determining the side setback requirement.~~))	

Table A for 23.45.518 **Required setbacks in LR zones**	
Front	7 feet average, 5 feet minimum
Rear	If rear lot line abuts an alley, 0 feet Otherwise, 7 feet average, 5 feet minimum
Side	5 feet

2. Upper-level setbacks in LR2 and LR3 zones

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

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

2) Fifty-four feet for zones with a height limit of 50 feet.

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

c. Projections allowed in subsection ((~~23.45.518.H~~)) 23.45.518.G are allowed in upper-level setbacks.

d. Structures allowed in subsection ((~~23.45.518.I~~)) 23.45.518.H are not allowed in upper-level setbacks.

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

1) A pitched roof, other than a shed roof or butterfly roof, is allowed in the upper-level setback if all parts of the roof are pitched at a rate of not less than 6:12 and not more than 12:12.

2) Open railings may extend up to 4 feet above the height at which the setback begins.

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

* * *

D. Through lots. In the case of a through lot, each setback abutting a street ((~~except a side setback~~)) shall be a front setback. Rear setback requirements shall not apply to the through lot.

E. Other setback requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53((~~, Requirements for Streets, Alleys, and Easements~~)).

F. ((~~Separations between multiple structures~~

~~1. In LR and MR zones, the minimum required separation between principal structures at any two points on different interior facades is 10 feet, except for cottage housing developments, and principal structures separated by a driveway or parking aisle.~~

~~2. In LR and MR zones, if principal structures are separated by a driveway or parking aisle, the minimum required separation between the principal structures is 2 feet greater than the required width of the driveway or parking aisle, provided that the separation is not required to be any greater than 24 feet. If principal structures are separated by a driveway~~

~~or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.~~

~~3. Cottage housing developments in LR and MR zones:~~

~~a. The minimum required separation between principal structures at any two points on different interior facades is 6 feet, unless there is a principal entrance on an interior facade, in which case the minimum separation required from that facade is 10 feet.~~

~~b. Facades of principal structures shall be separated from facades of accessory structures by a minimum of 3 feet.~~

~~G.~~)) Front and rear setbacks ((~~and all separations~~)) on lots containing certain environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and 25.09.300.

((~~H.~~)) G. Projections permitted in required setbacks ((~~and separations~~))

1. ((~~Cornices~~)) Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other ((~~forms of weather protection~~)) similar features may project into required setbacks ((~~and separations~~)) a maximum of 4 feet if they are no closer than 3 feet to any lot line.

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

a. Are a minimum of 30 inches above the finished floor;

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

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

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

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

b. Are no more than 10 feet in width; and

c. Combined with garden windows and other ((~~features~~)) projections included in subsection ((~~23.45.518.H.2~~)) 23.45.518.G.2, make up no more than 30 percent of the area of the facade.

4. Unenclosed decks up to 18 inches above existing or finished grade, whichever is lower, may project into required setbacks ((~~or separations~~)).

5. Unenclosed porches or steps

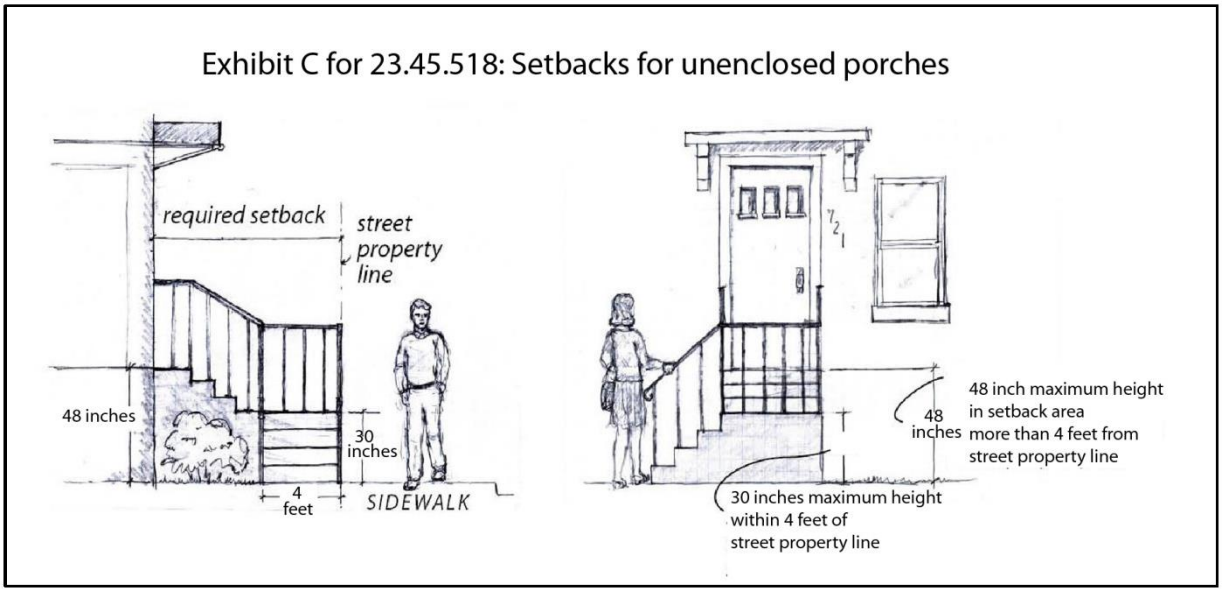
a. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower, may extend to within 4 feet of a street lot line, except that portions of entry stairs or stoops not more than 2.5 feet in height from existing or finished grade, whichever is lower, ((~~excluding guard rails or hand rails,~~)) may extend to a street lot line. See Exhibit C for 23.45.518.

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

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

Exhibit C for 23.45.518

Setbacks for unenclosed porches



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

6. Fireplaces and chimneys may project up to 18 inches into required setbacks ((~~or separations~~)).

7. Unenclosed decks and balconies may project a maximum of 4 feet into required setbacks if each one is:

a. No closer than 5 feet to any lot line;

b. No more than 20 feet wide; and

c. Separated from other decks and balconies on the same facade of the structure by a distance equal to at least 1/2 the width of the projection.

8. Mechanical equipment. Heat pumps and similar mechanical equipment, not including incinerators, are permitted in required setbacks if they comply with the requirements of Chapter 25.08. Any heat pump or similar equipment shall not be located within 3 feet of any

lot line. Charging devices for electric cars are considered mechanical equipment and are permitted in required setbacks if not located within 3 feet of any lot line.

((~~I.~~)) H. Structures in required setbacks ((~~or separations~~)), except upper-level setbacks

1. Detached garages, carports, or other accessory structures that are not accessory dwelling units are allowed in ((~~required separations and~~)) required rear or side setbacks, subject to the following requirements:

a. Any accessory structure located between a principal structure and a side lot line shall provide the setback required for the principal structure;

b. Any portion of an accessory structure located more than 25 feet from a rear lot line shall be set back at least 5 feet from the side lot line;

c. Accessory structures shall be set back at least 7 feet from any lot line that abuts a street; and

d. Accessory structures shall be separated by at least 3 feet from all principal structures, including the eaves, gutters, and other projecting features of the principal structure.

2. Ramps or other devices necessary for access for the disabled and elderly that meet the Seattle Residential Code((~~, Chapter 3,~~)) or Seattle Building Code((~~, Chapter 11, Accessibility,~~)) are allowed in any required setback ((~~or separation~~)).

3. Uncovered, unenclosed pedestrian bridges, necessary for access and 5 feet or less in width, are allowed in any required setback ((~~or separation~~)).

4. Underground structures are allowed in any required setback ((~~or separation~~)).

5. Solar collectors are allowed in any required setback ((~~or separation~~)), pursuant to the provisions of Section 23.45.545.

6. Freestanding signs, bike racks, and similar unenclosed structures that are 6 feet or less in height above existing or finished grade, whichever is lower, are allowed in any required setback ((~~or separation~~)), provided that signs meet the provisions of Chapter 23.55((~~, Signs~~)).

7. Fences

a. Fences no greater than 6 feet in height are allowed in any required setback ((~~or separation~~)), except that fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined height is limited to 9.5 feet.

b. Up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is allowed((~~,~~)) if the architectural features are predominately open.

c. Fence height may be averaged along sloping grades for each 6-foot-long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height when the height allowed by subsection ((~~23.45.518.I.7.a~~)) 23.45.518.H.7.a is 6 feet, or 6 feet in height when the height allowed by subsection ((~~23.45.518.I.7.a~~)) 23.45.518.H.7.a is 4 feet.

8. Bulkheads and retaining walls

a. Bulkheads and retaining walls used to raise grade are allowed in any required setback if they are limited to 6 feet in height, measured above existing grade. ((~~A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of January 3, 1997.~~))

b. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet measured from the finished grade on the low side, whichever is greater. ((~~If the bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or retaining wall.~~)) Any fence shall be set back a minimum of 3 feet from such a bulkhead or retaining wall.

((~~9. Arbors are allowed in any required setback or separation under the following conditions:~~

~~a. In each required setback or separation, an arbor may be erected with no more than a 40-square-foot footprint, measured on a horizontal roof plane inclusive of eaves, to a maximum height of 8 feet. At least 50 percent of both the sides and the roof of the arbor shall be open, or, if latticework is used, there shall be a minimum opening of 2 inches between crosspieces.~~

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

~~10. Above-grade green stormwater infrastructure (GSI) features are allowed in any required setback or separation if:~~

~~a. Each above-grade GSI feature is no more than 4.5 feet tall, excluding piping;~~

~~b. Each above-grade GSI feature is no more than 4 feet wide; and~~

~~c. The total storage capacity of all above-grade GSI features is no greater than 600 gallons.~~

~~11. Above-grade GSI features larger than what is allowed in subsection 23.45.518.I.10 are allowed in any required setback or separation if:~~

~~a. Above-grade GSI features do not exceed ten percent coverage of any one setback or separation area;~~

~~b. No portion of an above-grade GSI feature is located closer than 2.5 feet from a side lot line; and~~

~~c. No portion of an above-grade GSI feature projects more than 5 feet into a front or rear setback area.~~))

9. Guardrails or handrails that are no more than 42 inches in height are allowed on unenclosed stairs, decks, access bridges, bulkheads, and retaining walls.

10. Above-grade stormwater management features, such as bioretention planters and cisterns, are allowed in setbacks if:

a. No feature, excluding piping, is more than:

1) Twelve feet tall if located in a portion of the rear setback that is not also a side setback; or

2) Six and one half feet tall, if located in other setbacks;

b. No feature greater than 4.5 feet tall is located within 10 feet of the front lot line, excluding piping, unless it is integrated into a bulkhead or retaining wall that is allowed in subsection 23.45.518.H.8;

c. No feature greater than 6 inches tall is located within 2.5 feet of the side lot line; and

d. The total storage capacity of all above-grade cisterns is no greater than 1,250 gallons.

((~~12.~~)) 11. Mechanical equipment. Heat pumps and similar mechanical equipment, not including incinerators, are allowed in any required setback if they comply with the requirements of Chapter 25.08. No heat pump or similar equipment shall be located within 3 feet of any lot line. Charging devices for electric cars are considered mechanical equipment and are allowed in any required setbacks if not located within 3 feet of any lot line.

((~~13.~~)) 12. Detached, unenclosed structures accessory to ((~~townhouses~~)) attached or detached dwelling units that are up to 8 feet in height and used exclusively for bike parking are allowed in any required setback ((~~or separation~~)).

((~~14. Detached structures accessory to townhouses that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.~~))

13. Private, permanent swimming pools, hot tubs, and other similar uses are permitted in any required setback, provided that:

a. No part of any swimming pools, hot tubs, and other similar uses projects more than 18 inches above existing grade in a required front setback; and

b. No swimming pool is placed closer than 5 feet to any front or side lot line.

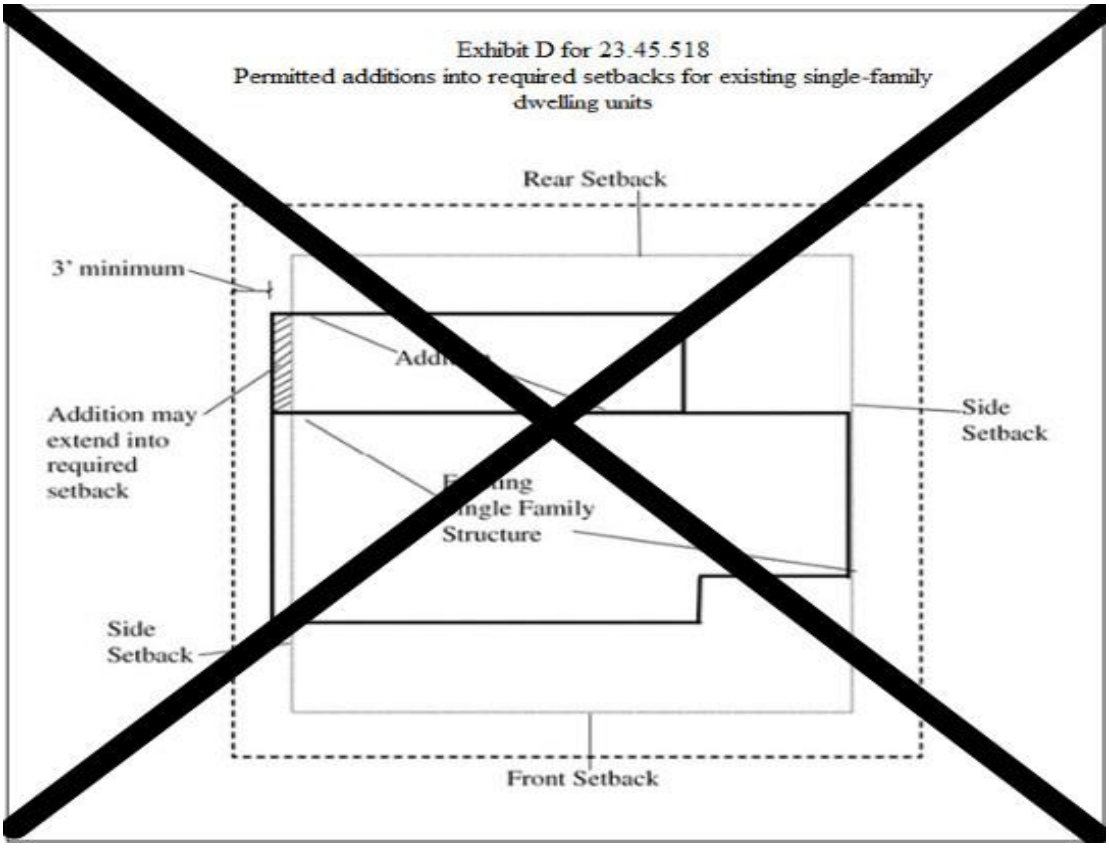
((~~J.~~)) I. Exceptions for existing ((~~single-family~~)) structures. ((~~1.~~)) In all multifamily zones, certain additions to a ((~~single-family dwelling unit~~)) residential structure may extend into a required side setback if the structure is already nonconforming with respect to that

setback, and if the presently nonconforming section is at least 60 percent of the total width of the respective facade of the structure prior to the addition. The line formed by the nonconforming wall of the structure shall be the limit to which any additions may be built, which may extend up to the height limit and may include basement additions (Exhibit D for 23.45.518), provided that additions shall be at least 3 feet from the side lot line.

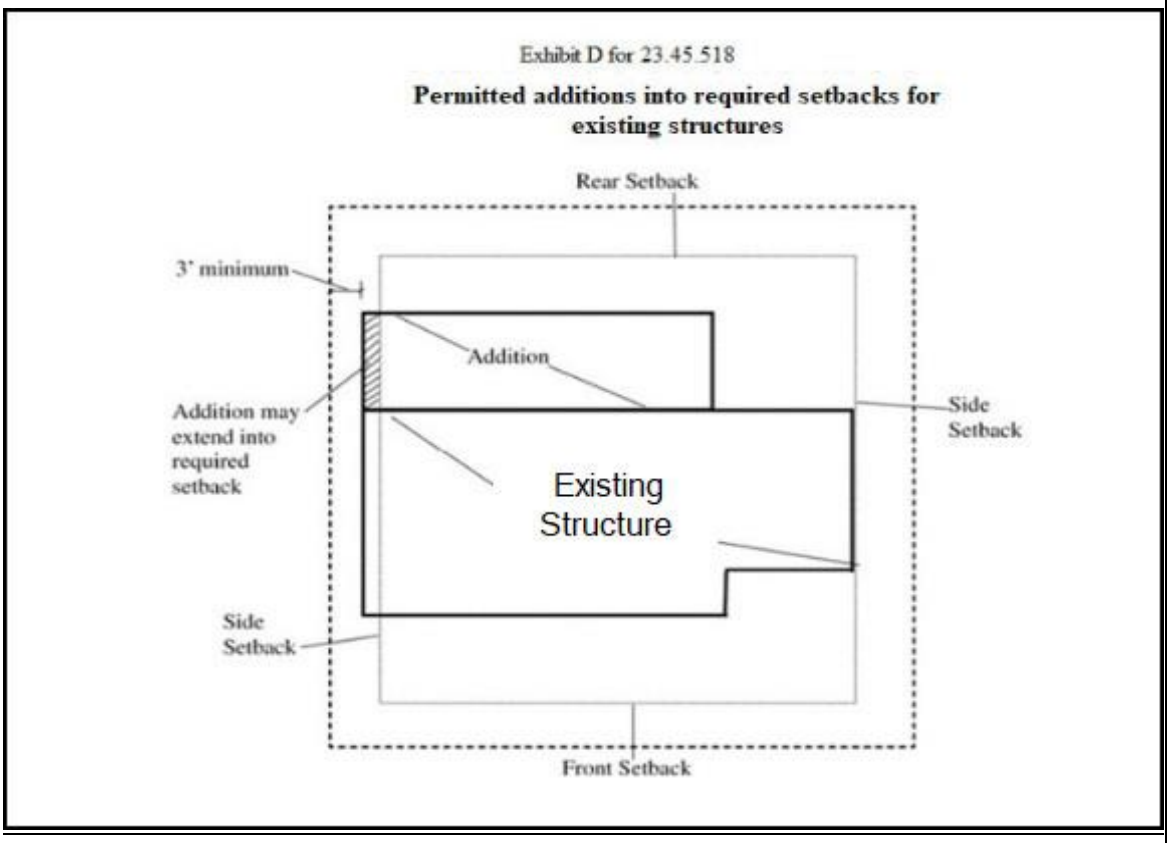
((~~2. An existing single-family dwelling unit in a LR zone may be converted to a multifamily use without conforming to setback standards for apartments in subsection 23.45.518.A, provided that the building envelope is not changed. For the purposes of this subsection 23.45.518.J.2, "existing single-family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

Exhibit D for 23.45.518

Permitted additions into required setbacks for existing ((~~single-family dwelling units~~)) <u>structures</u>


Exhibit D for 23.45.518
Permitted additions into required setbacks for existing single-family dwelling units
Rear Setback
3' minimum
Addition may extend into required setback
Side Setback
Existing Single Family Structure
Side Setback
Front Setback

1


Exhibit D for 23.45.518
Permitted additions into required setbacks for existing structures
Rear Setback
3' minimum
Addition
Addition may extend into required setback
Side Setback
Existing Structure
Side Setback
Front Setback

2

Section 38. A new Section 23.45.519 is added to the Seattle Municipal Code as follows:

23.45.519 Separations between structures

A. In LR and MR zones, the minimum required separation between structures containing floor area is 6 feet except that, if the structures are separated by a driveway or parking aisle, the minimum required separation between structures containing floor area is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less. If the structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

B. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2 feet. Unenclosed structures allowed in side setbacks are allowed in the minimum separation. Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

Section 39. Section 23.45.522 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.45.522 Amenity area

A. Amount of amenity area ((~~required for rowhouse and townhouse developments and apartments in LR zones~~))

1. The ((~~required~~)) amount of <u>required</u> amenity area ((~~for rowhouse and townhouse developments and apartments~~)) in LR zones is equal to ((~~25~~)) <u>20</u> percent of the lot area.

((~~2. A minimum of 50 percent of the required amenity area shall be provided at ground level, except that amenity area provided on the roof of a structure that meets the provisions of subsection 23.45.510.D.5 may be counted as amenity area provided at ground level.~~

~~3. For rowhouse and townhouse developments, amenity area required at ground level may be provided as either private or common space.~~

~~4. For apartments, amenity area required at ground level shall be provided as common space.~~

~~B. Amenity area requirements for cottage housing developments in all multi-family zones~~

~~1. A minimum of 300 square feet of amenity area is required for each cottage.~~

~~2. A minimum of 150 square feet of amenity area is required for each carriage house.~~

~~3. The required quantity shall be allocated as follows:~~

~~a. Half of the amenity area required for each cottage, and all of the amenity area required for each carriage house, shall be provided as common amenity area; and~~

~~b. Half of the amenity area required for each cottage shall be provided as private amenity area for that unit.~~

~~4. The required common amenity area may be divided into no more than two separate areas and shall:~~

~~a. have cottages or carriage houses abutting on at least two sides;~~

~~b. be in a location central to the cottage housing development; and~~

~~c. have no horizontal dimension of less than 10 feet.~~

~~5. Carriage houses shall have stairs that provide access to the common amenity area.~~

~~C. Amount of amenity area required in MR and HR zones.~~)) 2. The ((~~required~~)) amount of required amenity area in MR and HR zones is equal to ((~~5~~)) five percent of the total gross floor area of a residential structure. ((~~in residential use, except that cottage housing developments shall meet the standards in subsection 23.45.522.B.~~

~~D. General requirements. Required amenity areas shall meet the following conditions:~~

~~1. All units~~)) B. Attached and detached dwelling units shall have access to either a common or private amenity area. Stacked dwelling units shall have access to a common amenity area.

C. In LR zones, a minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade. Amenity area used to meet the requirements of this subsection 23.45.522.C may not be covered by any projections that provide floor area.

((~~2.~~)) D. Enclosed amenity areas

((~~a. In LR zones, an amenity area shall not be enclosed within a structure.~~

~~b. In MR and HR zones, except for cottage housing, no~~)) 1. No more than 50 percent of the amenity area may be enclosed, and this enclosed area shall be provided as common amenity area.

2. Enclosed amenity areas must be provided in a room used exclusively for this purpose or in an area on the ground floor that can be accessed directly from the building lobby or an outdoor amenity space and does not include any of the following:

a. Internal circulation hallways between outside doors and elevators or stairs;

b. Mailrooms;

c. Bike parking;

d. Solid waste and recyclable materials storage; and

e. Laundry facilities.

((~~3. Projections into amenity areas. Structural projections that do not provide floor area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least 8 feet above finished grade.~~))

E. Amenity area size

((~~4.~~)) 1. Private amenity areas. ((~~a. There is no minimum dimension for private amenity areas, except that if a private amenity area is located between the structure and a side lot line that is not a side street lot line, the minimum horizontal dimension shall be measured from the side lot line and is required to be a minimum of 10 feet.~~

~~b. An unenclosed porch that is a minimum of 60 square feet in size and that faces a street or a common amenity area may be counted as part of the private amenity area for the rowhouse, townhouse, or cottage to which it is attached.~~)) Each private amenity area shall be at least 60 square feet in area and have a minimum width and depth of 6 feet.

((~~5.~~)) 2. Common amenity areas. ((~~for rowhouse and townhouse developments and apartments shall meet the following conditions: a. No~~)) Each common amenity area shall be ((~~less than~~)) at least 250 square feet ((~~in area, and common amenity areas shall~~)) and have a minimum ((~~horizontal dimension~~)) width and depth of 10 feet.

((~~b. Common amenity areas shall be improved as follows:~~

~~1) At least 50 percent of a common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities, and/or trees.~~

~~2) Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features, shall be provided.~~

~~c. The common amenity area required at ground level for apartments shall be accessible to all apartment units.~~

~~6. Parking areas, vehicular access easements, and driveways do not qualify as amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41.~~

~~7. Swimming pools, spas, and hot tubs may be counted toward meeting the amenity area requirement.~~

~~8. Rooftop areas excluded because they are near minor communication utilities and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not qualify as amenity areas.~~))

F. Features in amenity areas

1. The following features are not allowed in amenity areas:

a. Vehicular parking areas, vehicular access easements, and driveways;

b. Required bike parking;

c. Solid waste and recyclable material storage area; and

d. Enclosed structures.

2. Pathways serving multiple dwelling units are not allowed in private amenity areas.

3. Decks, porches, and steps; swimming pools, spas, and hot tubs; stormwater management features, including but not limited to bioretention planters and cisterns; play equipment; and similar features are allowed in amenity areas.

4. Amenity areas may be covered by weather protection.

5. Projections that do not provide floor area may extend into an amenity area if they meet the standards for projections into setbacks in subsection 23.45.518.G and if garden windows and other similar features are at least 8 feet above finished grade.

6. Rooftop areas located within 8 feet of minor communication utilities and accessory communication devices do not qualify as amenity areas.

G. Common amenity areas shall be improved as follows:

1. At least 35 percent of a common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities, and/or trees.

2. Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features, shall be provided.

H. Areas in environmentally critical areas and their buffers, including but not limited to steep slopes, may count toward amenity areas. No amenity area enhancement elements shall be placed in the environmentally critical areas and their buffers non disturbance area.

((~~E.~~)) I. No amenity area is required for ((~~a~~)) one dwelling unit added to a ((~~single-family dwelling unit~~)) residential structure existing as of January 1, 1982, ((~~or for one new~~

~~dwelling unit added to a multifamily residential use existing as of October 10, 2001~~)) provided that no dwelling units have been added since that date.

Section 40. Section 23.45.527 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.45.527 Structure width ((~~and façade length~~)) limits in LR zones

((~~A.~~)) Structure width ((~~in LR zones~~)) for buildings containing residential uses may not exceed ((~~the width indicated on Table A for 23.45.527~~)) 90 feet in LR1 and LR2 zones and 150 feet in LR3 zones.

((~~Table A for 23.45.527: Maximum Structure Width in LR zones in feet~~

~~Zone~~	**~~Width in feet by Category of Residential Use~~**		
	~~Cottage Housing and Rowhouse Developments~~	**~~Townhouse Developments~~**	**~~Apartments~~**
~~LR1~~	~~No limit~~	~~60~~	~~45~~
~~LR2~~	~~No limit~~	~~90~~	~~90~~
~~LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~120~~	~~120~~
~~LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~150~~	~~150~~

~~B. Maximum façade length in Lowrise zones.~~

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

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

Section 41. Section 23.45.529 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.529 Design standards

((~~A. Intent. The intent of the design standards in this Section 23.45.529 is to:~~

~~1. Enhance street-facing and side facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street or adjacent residential property;~~

~~2. Foster a sense of community by integrating new pedestrian-oriented multifamily development with the neighborhood street environment and promoting designs that allow easy surveillance of the street by area residents;~~

~~3. Promote livability in multifamily areas by providing a sense of openness and access to light and air; and~~

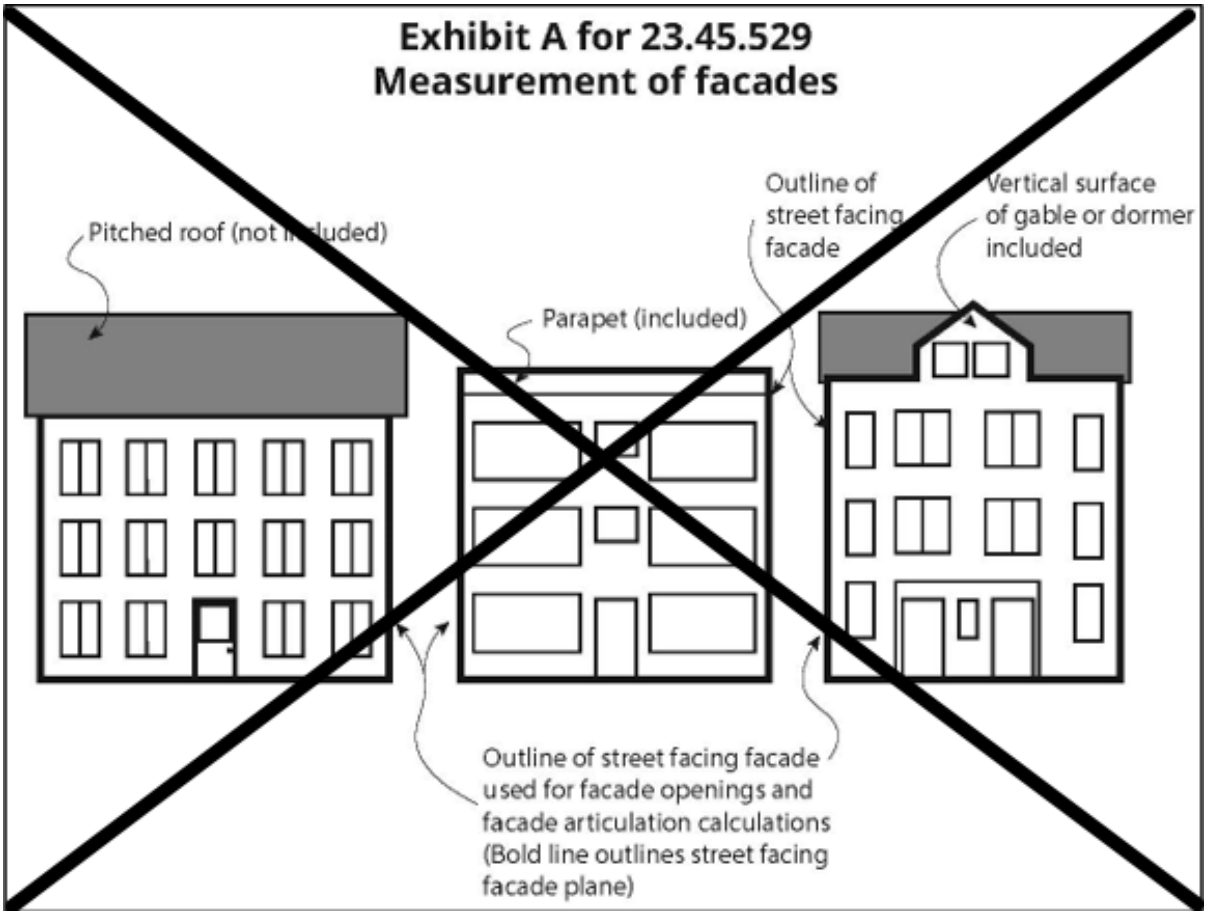
~~4. Encourage the compatibility of a variety of housing types with the scale and character of neighborhoods where new multifamily development occurs.~~

~~B. Application of provisions. The provisions of this Section 23.45.529 apply to all residential uses that do not undergo any type of design review pursuant to Chapter 23.41, except single-family dwelling units.~~

~~C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.~~

~~**Exhibit A for 23.45.529**~~

~~**Measurement of facades**~~



~~1. Facade openings~~

~~a. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors, except as provided in subsection 23.45.529.C.1.b. If a front and side facade are street-facing, the two facades may be combined for the purpose of this calculation.~~

~~b. For any rowhouse or townhouse dwelling unit that has both a front and a side facade that are street-facing, the percentage of the side street-facing facade required to consist of windows and/or doors is reduced to ten percent for the portion of the facade associated with that dwelling unit. This reduction to ten percent is not allowed if the facades~~

~~are combined for the purpose of this standard pursuant to subsection 23.45.529.C.1.a or if any of the exceptions in subsection 23.45.529.C.3 are applied.~~

~~c. Windows count toward the requirement for facade openings in this subsection 23.45.529.C.1 only if they are transparent. Windows composed of glass blocks or opaque glass, garage doors, and doors to utility and service areas do not count.~~

~~2. Facade articulation~~

~~a. If a street-facing facade or portion of a street-facing facade is not vertical, the Director shall determine whether the facade is substantially vertical and required to comply with this subsection 23.45.529.C.~~

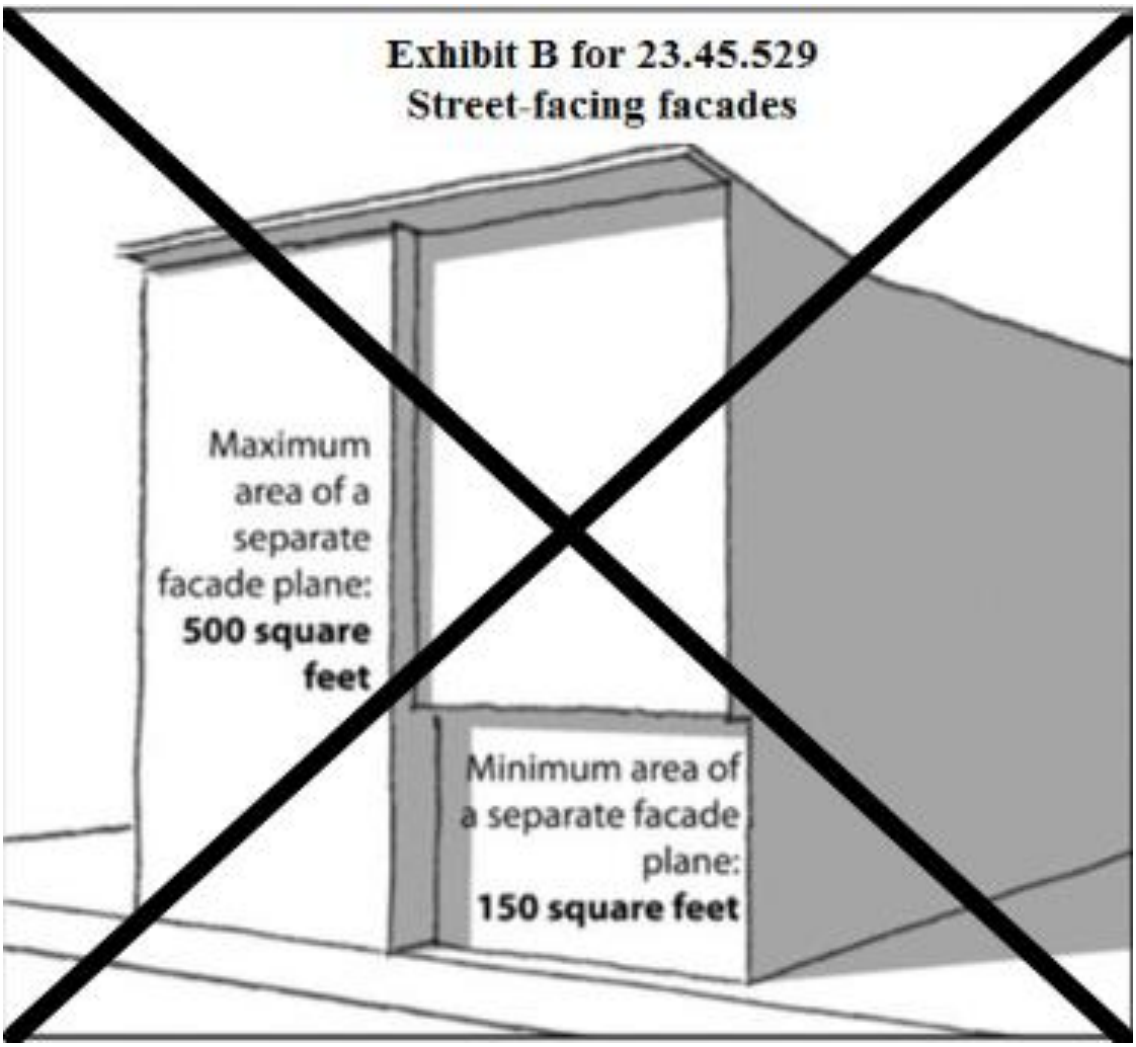
~~b. If the street-facing facade of a structure exceeds 750 square feet in area, division of the facade into separate facade planes is required (see Exhibit B for 23.45.529).~~

~~c. In order to be considered a separate facade plane for the purposes of this subsection 23.45.529.C.2, a portion of the street-facing facade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting facade planes by a minimum depth of 18 inches.~~

~~d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows, and doors on all street-facing facades.~~

~~**Exhibit B for 23.45.529**~~

~~**Street-facing facades**~~



~~3. The Director may allow exceptions to the facade opening requirements in subsection 23.45.529.C.1 and the facade articulation requirements in subsection 23.45.529.C.2, if the Director determines that the street-facing facade will meet the intent of subsection 23.45.529.A.1 for all housing types, and, as applicable, the intent of subsections 23.45.529.E.2, 23.45.529.F.3, and 23.45.529.G.4 for cottage housing developments, rowhouse developments, and townhouse developments, respectively, through one or more of the following street-facing facade treatments:~~

~~a. Variations in building materials and/or color, or both, that reflect the stacking of stories or reinforce the articulation of the facade;~~

~~b. Incorporation of architectural features that add interest and dimension to the facade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or balconies;~~

~~c. Special landscaping elements provided to meet Green Factor requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls covering a minimum of 25 percent of the facade surface;~~

~~d. Special fenestration treatment, including an increase in the percentage of windows and doors to at least 25 percent of the street-facing facade(s).~~

~~D. Treatment of side facades that are not street-facing. For the purposes of this subsection 23.45.529.D, a side facade that is not street-facing includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529, if located within 10 feet of a side lot line.~~

~~1. If the side facade of a structure that is not street-facing exceeds 1,000 square feet in area, one of the following must be met:~~

~~a. A portion of the side facade with a minimum area of 250 square feet and a maximum area of 750 square feet shall project or be recessed from abutting facade planes by a minimum depth of 18 inches; or~~

~~b. The side facade shall include vertical or horizontal variations in building materials or color, covering a minimum of 25 percent of the facade surface.~~

~~2. Structures shall be designed to maintain the privacy of dwelling units by minimizing placement of proposed windows where they would directly align with windows on~~

~~the side facade of a structure on an abutting lot located within 20 feet of the side property line or by use of fencing, screening, landscaping, or translucent windows to create privacy between buildings.~~

~~E. Design standards for cottage housing developments~~

~~1. Pedestrian entry. Each cottage with a street-facing facade that is located within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the use of covered stoops, porches, or other architectural entry features. For cottages on corner lots that have more than one street-facing facade within 10 feet of the street lot line, a visually prominent pedestrian entry is required on only one of the street-facing facades. Access to these entrances may be through a required private amenity area that abuts the street.~~

~~2. Architectural expression. Cottage housing developments shall include architectural details that reduce the visual scale of the units. Each cottage shall employ one or more of the following design techniques to reduce visual scale of the units:~~

~~a. Attached covered porch;~~

~~b. Roofline features such as dormers or clerestories;~~

~~c. Bay windows;~~

~~d. Variation in siding texture and materials; and~~

~~e. Other appropriate architectural techniques demonstrated by the applicant to reduce the visual scale of cottages.~~

~~F. Design standards for rowhouse developments~~

~~1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent through the use of covered~~

~~stoops, porches, or other architectural entry features. For rowhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~2. Front setback. Design elements to provide a transition between the street and the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in the front setback.~~

~~3. Architectural expression. The street-facing facade of a rowhouse unit shall provide architectural detail or composition to visually identify each individual rowhouse unit as seen from the street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual rowhouse units.~~

~~C. Design standards for townhouse developments~~

~~1. Building orientation. Townhouse developments shall maximize the orientation of individual units to the street by complying with one of the following conditions:~~

~~a. When multiple buildings are located on a lot, at least 50 percent of the townhouse units shall be located so that there is no intervening principal structure between the unit and the street, unless the intervening principal structure was established under permit as of October 31, 2001, or was granted a permit on October 31, 2001, and the permit has not expired; or~~

~~b. All townhouse units without a street-facing facade shall have direct access to a common amenity area meeting the requirements of Section 23.45.522 that either abuts the street or is visible and accessible from the street by a clear pedestrian pathway.~~

~~2. Pedestrian pathway. A clear pedestrian pathway from the street to the entrance of each townhouse unit shall be provided. The pedestrian pathway may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color, texture, or similar technique. Signage identifying townhouse unit addresses and the directions to the unit entrance(s) from the street shall be provided.~~

~~3. Pedestrian entry. Each townhouse unit with a street-facing facade shall have a pedestrian entry on the street-facing facade that is designed to be a visually prominent feature through the use of covered stoops, porches, or other architectural entry features. For townhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~4. Architectural expression. Architectural detail or composition shall be provided to visually identify each individual townhouse unit, as seen from the public street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual townhouse units.~~

~~H. Building entry orientation standards for apartments~~

~~1. For each apartment structure, a principal shared pedestrian entrance is required that faces either a street or a common amenity area, such as a landscaped courtyard, that abuts and has direct access to the street. Additional pedestrian entrances to individual units are permitted.~~

~~2. If more than one apartment structure is located on a lot, each apartment structure separated from the street by another principal structure shall have a principal entrance that is accessible from a common amenity area with access to the street.~~

~~3. The shared entrance of each apartment structure shall have a pedestrian entry that is designed to be visually prominent, through the use of covered stoops, overhead weather protection, a recessed entry, or other architectural entry features.~~))

A. Application of provisions

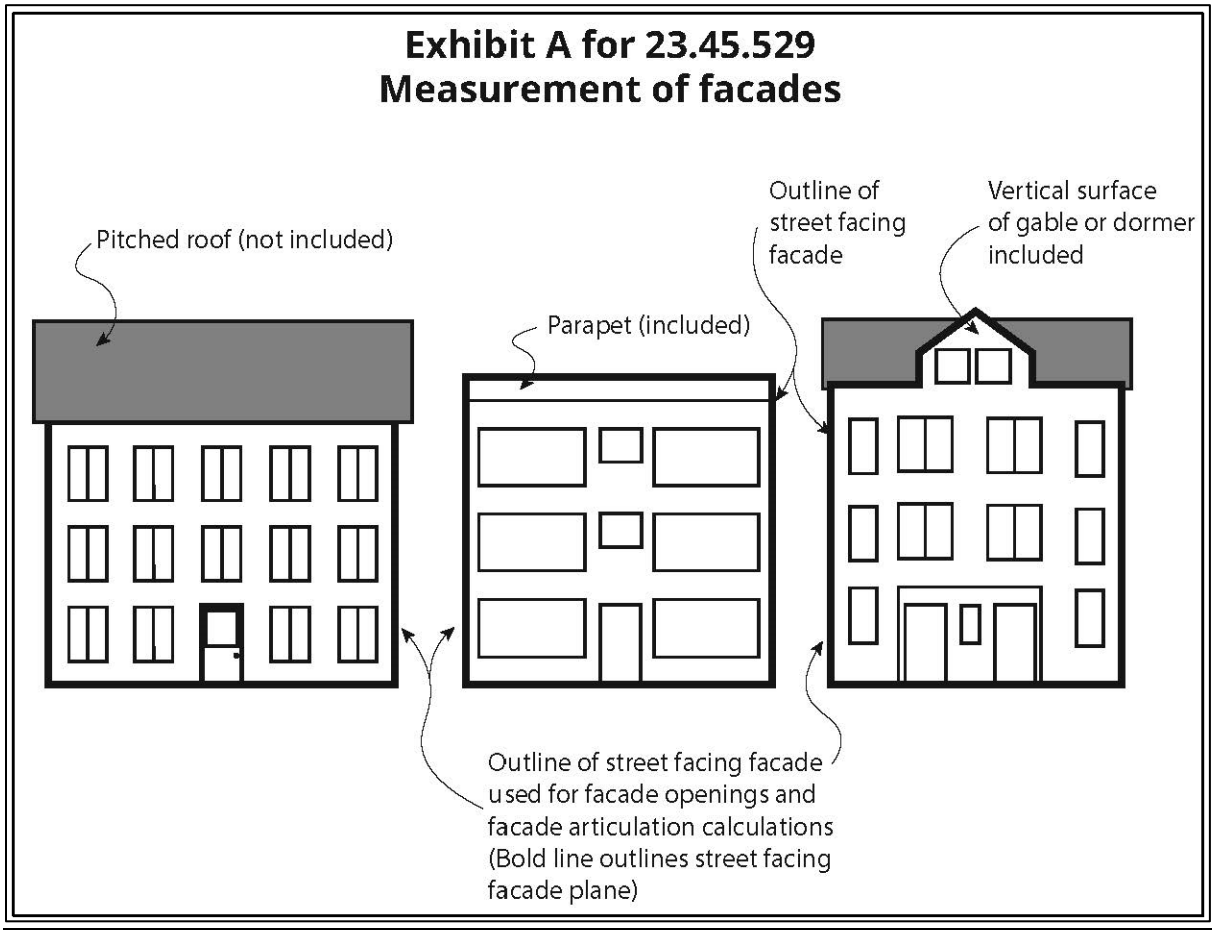
1. The provisions of this Section 23.45.529 apply to development that includes the construction of new dwelling units, except for new dwelling units added within existing structures.

2. For the purposes of this Section 23.45.529, requirements for street-facing facades shall only apply to structures located within 40 feet of a street lot line or a vehicle access easement serving ten or more residential units. For structures located within 40 feet of a vehicle access easement serving ten or more residential units but not within 40 feet of street lot line, the facade that faces the vehicle access easement shall be considered a street-facing facade for the purpose of this Section 23.45.529. If multiple facades face vehicle access easements, the applicant may decide which facade facing a vehicle access easement is considered the street-facing facade.

B. Measurement of street-facing facades. For the purposes of this Section 23.45.529, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.

Exhibit A for 23.45.529

Measurement of facades



C. Pedestrian access. Each dwelling unit shall have pedestrian access at least 3 feet in width to the sidewalk or, if no sidewalk exists, the front lot line. This pedestrian access may be shared or private. This pedestrian access may cross any required setbacks or interior separation. This pedestrian access may be part of a driveway.

D. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on that street-facing facade meeting the requirements of subsections 23.44.140.D.1 through 23.44.140.D.4. For attached and detached dwelling units, the pedestrian entry may be located on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a covered porch or recessed entry that also abuts the street-facing facade.

1. For stacked dwelling units, at least one pedestrian entry shall be required for the structure as a whole.

2. For attached and detached dwelling units, each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall have at least one pedestrian entry on the street-facing facade.

3. For structures or dwelling units with multiple street-facing facades, a pedestrian entry is required on only one of the street-facing facades.

4. Required pedestrian entry on street-facing facades shall have weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in width and 4 feet in depth for stacked dwelling units.

E. Windows and doors. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors. If front and side facades are street-facing, the two facades shall be combined for the purpose of this calculation. Windows count toward the requirement for facade openings in this subsection 23.45.529.E only if they are transparent. Windows composed of garage doors and doors to utility and service areas do not count. For the purpose of this Section 23.45.529, a window shall include the glass pane, window frame, and internal components such as sashes, mullions, grilles, muntins, and stiles.

Section 42. Section 23.45.531 of the Seattle Municipal Code, enacted by Ordinance 123495, is repealed:

((~~23.45.531 Development standards for cottage housing developments and carriage house structures~~

~~A. Size limit for dwelling units.~~

~~1. The maximum gross floor area of each cottage in a cottage housing development is 950 square feet.~~

~~2. The maximum gross floor area of a carriage house is 600 square feet.~~

~~B. Size limit for garages. The maximum gross floor area for a shared garage structure in a cottage housing development is 1,200 square feet, and the garage shall contain no more than four parking spaces.~~

~~C. Carriage house structures. A carriage house structure is permitted in a cottage housing development subject to the following standards:~~

~~1. The maximum number of dwelling units permitted in carriage house structures is one-third of the total number of units in the cottage housing development on the lot.~~

~~2. The maximum gross floor area of the ground floor of a carriage house structure is 1,200 square feet.~~

~~D. Existing single-family dwelling units in a cottage housing development. Existing single-family dwelling units that are non-conforming with respect to the standards for a cottage housing development are permitted to remain, provided that the extent of the nonconformity shall not be increased.~~))

Section 43. Section 23.45.536 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.45.536 Parking location, access, and screening

* * *

D. Screening of parking

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

a. The street-facing facade of a structure;

b. Garage doors;

c. A fence or wall; or

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

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

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

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

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

* * *

Section 44. Section 23.45.545 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.45.545 Standards for ((~~certain accessory uses~~)) solar collectors

A. ((~~Private, permanent swimming pools, hot tubs and other similar uses are permitted in any required setback, provided that:~~

~~1. No part of any swimming pools, hot tubs and other similar uses shall project more than 18 inches above existing grade in a required front setback; and~~

~~2. No swimming pool shall be placed closer than 5 feet to any front or side lot line.~~

~~B. Solar greenhouses, greenhouses and solariums~~

~~1. Solar greenhouses, greenhouses and solariums, in each case that are attached to and integrated with the principal structure and no more than 12 feet in height are permitted in a required rear setback, subject to subsection 23.45.545.B.3, and may extend a maximum of 6 feet into required front and side setbacks, subject to subsection 23.45.545.B.2.~~

~~2. An attached solar greenhouse, greenhouse or solarium, in a required setback, shall be no closer than 3 feet from side lot lines and 8 feet from front lot lines.~~

~~3. A solar greenhouse, greenhouse or solarium allowed pursuant to subsection 23.45.545.B.1 shall not be closer than 5 feet to the rear lot line, except that it may abut an alley if it is no taller than 10 feet along the rear lot line, is of no greater average height than 12 feet for a depth of 15 feet from the rear lot line, and is no wider than 50 percent of lot width for a depth of 15 feet from the rear lot line.~~

~~C. Solar~~)) <u>General standards for solar</u> collectors

1. Solar collectors are permitted in required setbacks, subject to the following:

a. Detached solar collectors are permitted in required rear setbacks, no closer than 5 feet to any other principal or accessory structure.

b. Detached solar collectors are permitted in required side setbacks, no closer than 5 feet to any other principal or accessory structure, and no closer than 3 feet to the side lot line.

2. Sunshades that provide shade for solar collectors that meet minimum written energy conservation standards administered by the Director may project into southern front or rear setbacks. Those that begin at 8 feet or more above finished grade may be no closer than 3 feet from the lot line. Sunshades that are between finished grade and 8 feet above finished grade may be no closer than 5 feet to the lot line.

3. Solar collectors on roofs. Solar collectors that are located on a roof are permitted as follows:

a. In LR zones up to 4 feet above the maximum height limit or 4 feet above the height of stair or elevator penthouse(s), whichever is higher; and

b. In MR and HR zones up to 10 feet above the maximum height limit or 10 feet above the height of stair or elevator penthouse(s), whichever is higher.

c. If the solar collectors would cause an existing structure to become nonconforming, or increase an existing nonconformity, the Director may permit the solar collectors as a special exception pursuant to Chapter 23.76. Solar collectors may be permitted under this subsection ((~~23.45.545.C.3.c~~)) 23.45.545.A.3.c even if the structure exceeds the height limits established in this subsection ((~~23.45.545.C.3~~)) 23.45.545.A.3, if the following conditions are met:

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

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

((~~D. [Reserved.]~~

~~E. Nonconforming solar collectors.~~)) B. Special exceptions. The Director may permit the installation of solar collectors that meet minimum energy standards and that increase an existing nonconformity as a special exception pursuant to Chapter 23.76. Such an installation may be permitted even if it exceeds the height limits established in this Section 23.45.545 and Section 23.45.514 when the following conditions are met:

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

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

((~~F. Open wet moorage facilities for residential uses are permitted as an accessory use pursuant to Chapter 23.60A, Shoreline District, if only one slip per residential unit is provided.~~

~~G. Bed and breakfast uses. A bed and breakfast use may be operated under the following conditions:~~

~~1. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;~~

~~2. All operators of bed and breakfast uses who use a short-term rental platform for listing the bed and breakfast shall have a valid short-term rental operator's license issued by the Department of Finance and Administrative Services.~~

~~3. The bed and breakfast use shall be operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator;~~

~~4. There shall be no evidence of a bed and breakfast use visible from the exterior of the dwelling unit other than a sign permitted by subsection 23.55.022.D.1; and~~

~~5. A bed and breakfast use may be located in a dwelling unit or an accessory dwelling unit.~~

~~H. Heat recovery incinerators, located on the same lot as the principal use, may be permitted by the Director as accessory administrative conditional uses, pursuant to Section 23.45.506.~~

~~I. Accessory dwelling units are allowed pursuant to Section 23.42.022.~~

~~J. Urban farms are subject to the standards in Section 23.42.051 and the conditional use requirement in subsection 23.45.504.C.8.~~))

Section 45. Section 23.45.550 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.45.550 Alternative ((~~Standards~~)) <u>standards</u> for development of ((~~affordable~~)) <u>low-income</u> units ((~~on property owned or controlled by a religious organization~~))

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

<u>A. Development on a lot that meets the requirements of Section 23.42.055 may elect to meet the development standards in subsections 23.45.550.B and 23.45.550.C in lieu of the</u>

standards in subsection 23.45.510.C (floor area) and subsections 23.45.514.A and 23.45.514.B (height).

((~~A.~~)) B. Floor area

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

Table A for 23.45.550
FAR limits for development permitted pursuant to Section 23.42.055

Zone	Base FAR	Maximum additional exempt FAR [1]
LR1	1.5 [2]	0.3
LR2	((~~1.8~~)) 2.0	0.3
LR3 outside urban centers and urban villages	2.5	0.5
LR3 inside urban centers and urban villages	3.25	0.5
MR	5.0	0.5
HR	16	1.0

Footnotes to Table A for 23.45.550
[1] Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt from FAR calculations up to this amount.
[2] Except that lots in LR1 zones that have previously been zoned RSL have a base FAR of 2.7.

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

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

b. Floor area of a religious facility; ((~~and~~))

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

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

3. Split-zoned lots

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

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

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

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

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

((~~B.~~)) C. Maximum height

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

Table B for 23.45.550 Structure height for development permitted pursuant to Section 23.42.055	
Zone	**Height limit (in feet)**
LR1	((~~40~~)) 50
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65
MR	95
HR	480

2. Split-zoned lots

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

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

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

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

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

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

Section 46. Table A for Section 23.47A.004 of the Seattle Municipal Code, which section was last amended by Ordinance 127099, is amended as follows:

23.47A.004 Permitted and prohibited uses

* * *

Table A for 23.47A.004 **Uses in ((~~Commercial~~)) commercial zones**					
	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**
* * *					
E. ((~~INSTITUTIONS~~)) HUMAN SERVICE AND INSTITUTIONAL USES					
E.1. ((~~Institutions~~)) Human service and institutional uses not listed below	10	25	P	P	P
E.2. Major institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
E.3. Religious facilities	P	P	P	P	P
E.4. Schools, elementary or secondary	P	P	P	P	P
E.5. Child care centers	P	P	P	P	P
* * *					
I. PUBLIC FACILITIES					
I.1. Jails					
I.1.a. Youth ((~~Service Centers~~)) service centers	X	X	P [13]	X	X
I.1.b. All other jails	X	X	X	X	X

Table A for 23.47A.004
Uses in ((~~Commercial~~)) commercial zones

Uses	Permitted and prohibited uses by zone [1]				
	NC1	**NC2**	**NC3**	**C1**	**C2**
I.2. Work-release centers	CCU-10	CCU-25	CCU	CCU	CCU
J. RESIDENTIAL USES [14]	P	P	P	P	CU [15]
((~~J.1. Residential uses not listed below~~	~~P~~	~~P~~	~~P~~	~~P~~	~~CU~~ [15]
~~J.2. Caretaker's quarters~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
~~J.3. Congregate residence~~	~~P~~	~~P~~	~~P~~	~~P~~	~~CU~~ [15]
~~J.4. Low-income housing~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~))

* * *

((~~KEY~~)) Key to Table A for 23.47A.004
A = Permitted as an accessory use only
CU = Administrative ((~~Conditional Use~~)) conditional use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
CCU = Council ((~~Conditional Use~~)) conditional use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
P = Permitted
S = Permitted in shoreline areas only
X = Prohibited
CU-25 = Conditionally permitted; use is limited to 25,000 square feet, pursuant to Section 23.47A.010
10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010
20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010
25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010
35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010
40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section

Table A for 23.47A.004
Uses in ((~~Commercial~~)) <u>commercial</u> zones

	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**
23.47A.010 50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010					

Footnotes to Table A for 23.47A.004

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

[2] In addition to the provisions in this Chapter 23.47A, uses that entail major cannabis activity are subject to the requirements of Section 23.42.058.

[3] For commercial uses with drive-in lanes, see Section 23.47A.028.

[4] Subject to subsection 23.47A.004.H.

[5] Permitted at Seattle Center.

[6] Bed and breakfasts in existing structures are permitted outright with no maximum size limit.

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

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

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

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

[11] Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 square feet in size.

[12] Subject to subsection 23.47A.004.G.

[13] Permitted pursuant to subsection 23.47A.004.D.7.

[14] Residential uses may be limited to 20 percent of a street-level street-facing facade

Table A for 23.47A.004
Uses in ((~~Commercial~~)) commercial zones

	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**

pursuant to subsection 23.47A.005.C.

[15] Residential uses are conditional uses in C2 zones ((~~under~~)) subject to subsection 23.47A.006.A.3, except that low-income housing is allowed outright or as otherwise provided ((~~above in Table A for 23.47A.004 or~~)) in subsection 23.47A.006.A.3.

[16] Permitted at Seattle Center; see Section 23.47A.011.

[17] Flexible-use parking is subject to Section 23.54.026. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.

[18] Permitted as surface parking only on surface parking lots existing as of January 1, 2017. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.

[19] Permitted outright, except prohibited in ((~~the~~)) a SAOD.

[20] See Chapter 23.57, Communications regulations, for regulation of communication utilities.

[21] A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7.

Section 47. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

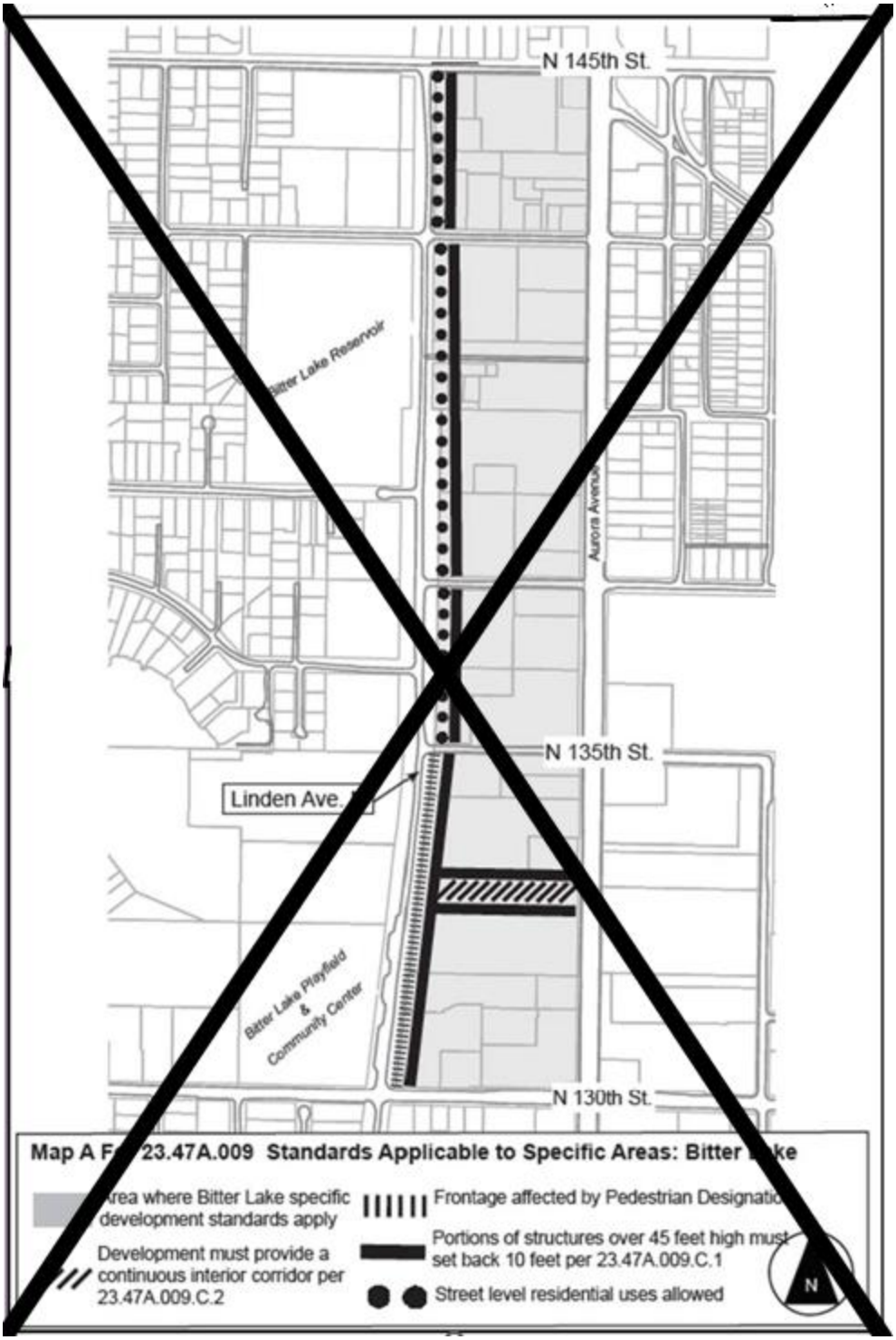
23.47A.009 Standards applicable to specific areas

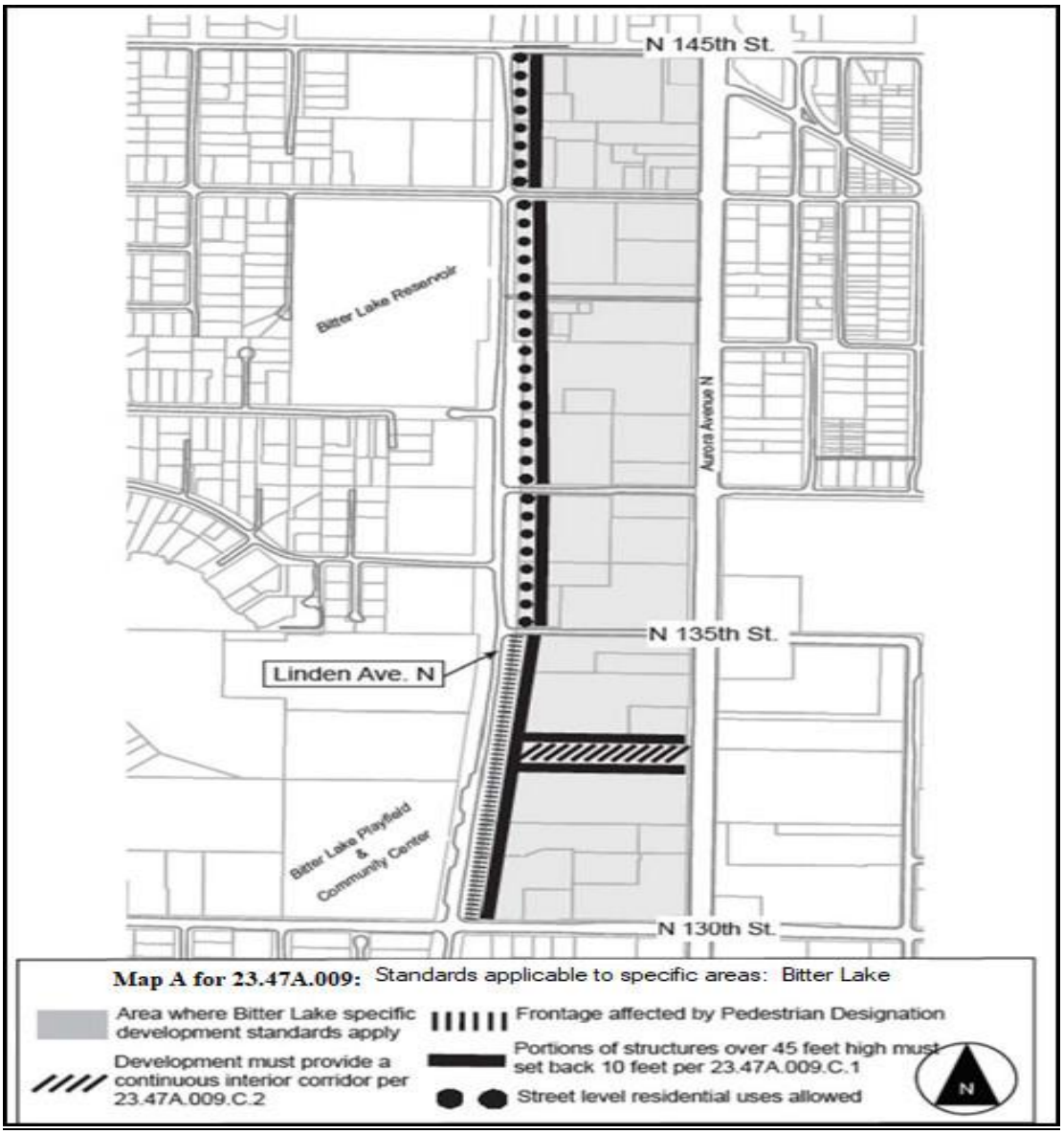
* * *

C. Bitter Lake Village Hub Urban Village. Development on lots designated on Map A for 23.47A.009 shall meet the following requirements:

Map A for 23.47A.009

Standards ((~~Applicable~~)) applicable to ((~~Specific Areas~~)) specific areas: Bitter Lake





1. Upper-level setback requirement. The following standards apply to development on lots abutting the east side of Linden ((~~Ave~~)) Avenue North or along both sides of the corridor required in subsection 23.47A.009.C.2.

a. Any portion of a structure greater than 45 feet in height, measured from the finished grade along the street property line that abuts Linden Avenue North or along the access corridor required in subsection 23.47A.009.C.2, measured from the finished grade along the edge of the access corridor, shall set back an average of 10 feet from the lot line abutting

Linden Avenue North or from the edge of the access corridor as measured according to Section 23.86.012. The maximum depth of a setback that can be used for calculating the average setback is 20 feet.

b. Structures permitted in required setbacks are subject to subsection 23.47A.014.G.

2. Corridor requirement. An access corridor shall be provided on lots over 8 acres that abut Linden Avenue North and Aurora Avenue North, to connect Linden Avenue North and Aurora Avenue North. The location of the proposed corridor shall be clearly shown on the site plan that is submitted with the permit application.

a. The corridor shall have a minimum width of 40 feet and a maximum width of 60 feet.

b. The point at which the corridor intersects Linden Avenue North and Aurora Avenue North shall be at least 335 feet south of the south boundary of the North 135th Street right-of-way, and 700 feet north of the north boundary of the North 130th Street right-of-way, as illustrated by example in Map A for 23.47A.009.

c. The corridor shall include a minimum of one walkway, at least 6 feet wide, extending between Linden Avenue North and Aurora Avenue North. If vehicle access is provided within the corridor, the corridor shall include walkways at least 6 feet wide along both sides of the vehicle access.

d. Landscaping shall be provided along the corridor. If vehicle access is provided within the corridor, trees shall be provided between the walkways and vehicle travel lanes. The Director will determine the number, type, and placement of trees to be provided in order to:

1) Match trees to the available space;

2) Complement existing or planned street trees on abutting streets; and

3) Encourage healthy growth through appropriate spacing.

e. Pedestrian-scaled lighting shall be provided along the corridor.

f. The corridor shall not include any features or structures except the following:

1) Vehicle access, not more than one lane in each direction and meeting the standards of Section 23.54.030.

2) Parking meeting the standards of Section 23.54.030 is allowed along vehicle access lanes within the corridor. Such parking is in addition to the maximum number of spaces allowed under subsection 23.54.015.C.2. The requirements of subsection 23.47A.032.A do not apply to access to parking from the corridor.

3) Overhead horizontal building projections of an architectural or decorative character such as cornices, eaves, sills, and gutter, provided that they project no more than 18 inches from the structure facade.

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

5) Stairs or ramps to accommodate changes in grade.

6) Underground structures.

7) Unenclosed porches or steps for residential units no higher than 4 feet above the finished grade of the corridor are permitted to project no more than 4 feet into the corridor.

8) Green stormwater infrastructure.

9) Features required elsewhere in this subsection 23.47A.009.C.2.

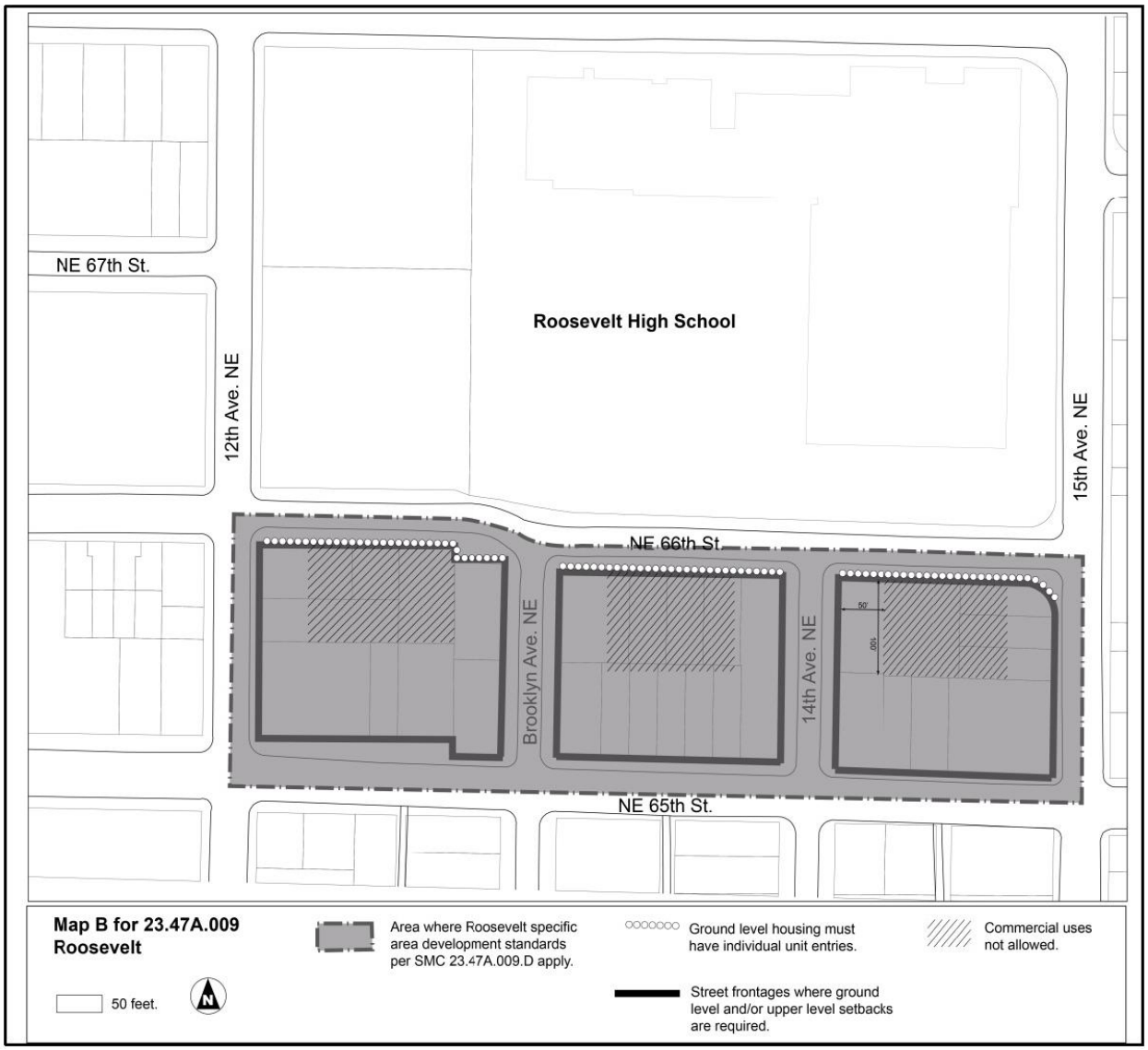
10) The Director may approve other features or structures, such as overhead weather protection, signage, and art, that do not impede safe access from the site to Linden Avenue North and Aurora Avenue North, and that enhance pedestrian comfort and safety of the corridor.

g. If the area proposed for development on a site meeting the size threshold for this subsection 23.47A.009.C.2 is less than the full lot, the Director may waive or modify the access corridor requirement, if the applicant submits a site plan demonstrating how Linden Avenue North and Aurora Avenue North will be connected by an access corridor when the remainder of the lot is developed.

D. Roosevelt Urban Village. The following provisions apply within the area shown on Map B for 23.47A.009.

Map B for 23.47A.009

Roosevelt



1. Setback requirements

a. The following setbacks are required from the listed street property lines:

1) Northeast 66th Street. An average ground-level setback of 10 feet along the length of the street property line and a minimum upper-level setback of 4 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback

at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

2) Brooklyn Avenue Northeast. An average ground-level setback of 5 feet along the length of the street property line and a minimum upper-level setback of 4 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

3) 14th Avenue Northeast. An average ground-level setback of 15 feet and a minimum ground-level setback of 5 feet along the length of the street property line and a minimum upper-level setback of 3 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

4) 15th Avenue Northeast. A minimum ground-level setback of 5 feet along the length of the street property line and an average upper-level setback of 7 feet. The average upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

5) Northeast 65th Street and 12th Avenue Northeast. An average ground-level setback of 8 feet shall be provided, and the setback may include pedestrian access and circulation.

b. Structures permitted in required setbacks are subject to subsection 23.47A.014.G, except that:

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

2) Stoops or porches providing direct access to individual housing units may project up to 5 feet into the required ground-level setback area, except that portions of stoops or porches not more than 2.5 feet in height from existing or finished grade, whichever is lower, may extend to a street lot line. The 2.5-foot height limit for stoops or porches does not apply to guard rails or hand rails. Such stoops or porches shall cover no more than 20 percent of the total ground-level setback area.

3) Fences no greater than 4 feet in height are permitted in the required ground-level setback, and up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is permitted. Fence height may be averaged along sloping grades for each 4-foot-long segment of the fence, but in no case may any portion of the fence exceed 6 feet in height.

c. Where required setbacks may be averaged, measurement shall be pursuant to subsection ((~~23.86.012.A~~)) 23.86.012.B and the following:

1) Where a building is set back more than 30 feet from a lot line at ground level, 30 feet shall be used as the ground-level setback amount for averaging purposes.

2) Where averaging is allowed for a required upper-level setback, the measurement shall be taken horizontally from points directly above the lot line to the facade of the structure at the height where the upper-level setback is required.

2. Landscaping. Required ground-level setbacks shall be landscaped, and may include paving and lighting to enhance pedestrian safety and comfort. Sidewalks, plazas, and

other amenities or landscaped areas approved by the Director are permitted in required ground-level setbacks.

3. Limit on commercial uses. Commercial uses are prohibited within 80 feet of the street property line of Northeast 66th Street, except within 50 feet of the intersections of Northeast 66th Street with Brooklyn Avenue Northeast, 14th Avenue Northeast, 12th Avenue Northeast, and 15th Avenue Northeast, as shown on Map B for 23.47A.009.

4. Housing units on the ground floor. All housing units with a facade that faces Northeast 66th Street with no intervening housing units or commercial uses between the housing unit and the Northeast 66th Street lot line, and located on the first floor of a building, shall have the primary pedestrian entrance to each housing unit directly accessible from the exterior of the structure rather than a primary pedestrian entry through a common entrance hallway.

5. Underground parking. Parking shall be located below grade, except a portion of a below-grade garage may extend up to 4 feet above existing or finished grade, whichever is lower, provided that the parking that extends above grade is fully screened from direct street view by the street-facing facade of the structure or by landscaping.

* * *

Section 48. Section 23.47A.013 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.47A.013 Floor area ratio

* * *

B. The following gross floor area is not counted toward FAR:

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

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

3. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

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

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

b. All of the following conditions are met:

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

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

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

4) The amount of gross floor area exempted by this subsection 23.47A.013.B.4.b does not exceed 25 percent of the area of the lot in zones with a height limit

less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater; ((~~and~~))

5. Rooftop greenhouse areas meeting the standards of subsections 23.47A.012.C.4, 23.47A.012.C.5, and 23.47A.012.C.6;

6. Bicycle commuter shower facilities required by subsection ((~~23.54.015.K.8~~)) 23.54.037.H;

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

8. All gross floor area in child care centers; and

9. In low-income housing, all gross floor area for accessory human service uses.

* * *

Section 49. Section 23.47A.032 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.47A.032 Parking location and access

A. Access to parking

1. NC zones. The following rules apply in NC zones, except as provided under subsections 23.47A.032.A.2 and 23.47A.032.D:

a. Access to parking shall be from the alley if the lot abuts an alley improved to the standards of subsection 23.53.030.C, or if the Director determines that alley

access is feasible and desirable to mitigate parking access impacts. If alley access is infeasible, the Director may allow street access.

b. If access is not provided from an alley and the lot abuts only one street, access is permitted from the street, and limited to one two-way curb cut.

c. If access is not provided from an alley and the lot abuts two or more streets, access is permitted across one of the side street lot lines pursuant to subsection 23.47A.032.C, and curb cuts are permitted pursuant to ((~~subsection 23.54.030.F.2.a.1~~)) Section 23.54.031.

d. For each permitted curb cut, street-facing facades may contain one garage door, not to exceed the maximum width allowed for curb cuts.

2. In addition to the provisions governing NC zones in subsection 23.47A.032.A.1, the following rules apply in pedestrian-designated zones, except as may be permitted under subsection 23.47A.032.D:

a. If access is not provided from an alley and the lot abuts two or more streets, access to parking shall be from a street that is not a principal pedestrian street.

b. If access is not provided from an alley and the lot abuts only a principal pedestrian street or streets, access is permitted from the principal pedestrian street, and limited to one two-way curb cut.

3. In C1 and C2 zones, access to off-street parking may be from a street, alley, or both when the lot abuts an alley. However, structures in C zones with residential uses, structures in C zones with pedestrian designations, and structures in C zones across the street from residential zones shall meet the requirements for parking access for NC zones as provided in subsection 23.47A.032.A.1. If two or more structures are located on a single site, then a single

curb cut shall be provided according to the standards in ((~~Sections~~)) subsections 23.47A.032.A.1((~~,~~)) and 23.47A.032.A.2((~~,~~)) and ((~~23.54.030.F.2~~)) Section 23.54.031.

4. In the event of conflict between the standards for curb cuts in this subsection 23.47A.032.A and the provisions of ((~~subsection 23.54.030.F~~)) Section 23.54.031, the standards in ((~~subsection 23.54.030.F~~)) Section 23.54.031 shall control.

* * *

Section 50. Section 23.48.020 of the Seattle Municipal Code, last amended by Ordinance 127198, is amended as follows:

23.48.020 Floor area ratio (FAR)

* * *

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

1. All underground stories or portions of stories.

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

3. As an allowance for mechanical equipment, in any structure 65 feet in height or more, 3.5 percent of the total chargeable gross floor area in a structure is exempt from FAR calculations. Calculation of the allowance includes the remaining gross floor area after all exempt space allowed in this subsection 23.48.020.B has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, is not included as part of the calculation of total gross floor area.

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

5. Bicycle commuter shower facilities required by ((~~subsection 23.54.015.K.8~~)) Section 23.54.037.

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

7. Child care centers.

8. In low-income housing, all gross floor area for accessory human service uses.

9. Other uses permitted by interim street activation provisions in Section 23.42.041.

* * *

Section 51. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 125815, is amended as follows:

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

The regulations in this Section 23.49.019 do not apply to the Pike Market Mixed zones.

A. Parking quantity requirements

1. No parking, either long-term or short-term, is required for uses on lots in ((~~Downtown~~)) downtown zones, except as follows:

a. In the International District Mixed and International District Residential zones, parking requirements for restaurants, motion picture theaters, and other entertainment uses are as prescribed by Section 23.66.342.

b. In the International District Mixed and International District Residential zones, the Director of the Department of Neighborhoods, upon the recommendation of the International District Special Review District Board, may waive or reduce required parking according to the provisions of Section 23.66.342, Parking and access.

c. Bicycle parking is required as specified in ((~~subsection 23.54.015.K~~)) Section 23.54.037.

2. Reduction or elimination of parking required by permits. A property owner may apply to the Director for the reduction or elimination of parking required by any permit issued under this Title 23 or Title 24, except for a condition contained in or required pursuant to any Council conditional use, contract rezone, planned community development, or other Type IV decision. The Director may grant reduction or elimination of required parking as a Type I decision, either as part of a Master Use Permit for the establishment of any new use or structure, or as an independent application for reduction or elimination of parking required by permit. Parking for bicycles may not be reduced or eliminated under this subsection 23.49.019.A.2. Any Transportation Management Plan (TMP) required by permit for the development for which a parking reduction or elimination is proposed shall remain in effect, except that the Director may change the conditions of the TMP to reflect current conditions and to mitigate any parking and traffic impacts of the proposed changes. If any bonus floor area was granted for the parking, then reduction or elimination shall not be permitted except in compliance with applicable provisions regarding the elimination or reduction of bonus features. If any required parking that is allowed to be reduced or eliminated under this subsection 23.49.019.A.2 is the subject of a recorded parking covenant, the Director may authorize modification or release of the covenant.

* * *

C. Maximum parking limits

1. Except as provided in subsections 23.49.019.C.2 and 23.66.342.B, parking for ((~~non-residential~~)) nonresidential uses is limited to a maximum of one parking space per 1,000 square feet.

2. In the area east of Interstate 5, parking for general sales and service uses and for eating and drinking establishments is limited to a maximum of two parking spaces per 1,000 square feet.

D. Ridesharing and transit incentive program requirements. The following requirements apply to all new structures containing more than 10,000 square feet of new ((~~non-residential~~)) nonresidential use, and to structures where more than 10,000 square feet of ((~~non-residential~~)) nonresidential use is proposed to be added.

1. The building owner shall establish and maintain a transportation coordinator position for the proposed structure and designate a person to fill this position, or the building owner may contract with an area-wide transportation coordinator acceptable to the Department. The transportation coordinator shall devise and implement alternative means for employee commuting. The transportation coordinator shall be trained by the Seattle Department of Transportation or by an alternative organization with ridesharing experience, and shall work with the Seattle Department of Transportation and building tenants. The coordinator shall disseminate ridesharing information to building occupants to encourage use of public transit, carpools, vanpools, and flextime; administer the in-house ridesharing program; and aid in evaluation and monitoring of the ridesharing program by the Seattle Department of Transportation. The transportation coordinator in addition shall survey all employees of building tenants once a year to determine commute mode percentages.

2. The Seattle Department of Transportation, in conjunction with the transportation coordinator, shall monitor the effectiveness of the ridesharing/transit incentive program on an annual basis. The building owner shall allow a designated Seattle Department of Transportation or rideshare representative to inspect the parking facility and review operation of the ridesharing program.

3. The building owner shall provide and maintain a transportation information center, which has transit information displays including transit route maps and schedules and Seattle ridesharing program information. The transportation display shall be located in the lobby or other location highly visible to employees within the structure, and shall be established prior to issuance of a certificate of occupancy.

E. Bicycle parking is required according to ((~~subsection 23.54.015.K~~)) Section 23.54.037.

F. Reserved.

* * *

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

1. Curb cut location

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

b. If a lot does not abut an alley and abuts more than one right-of-way, the location of access is determined by the Director as a Type I decision after consulting with the

Director of the Seattle Department of Transportation. Unless the Director otherwise determines under subsection 23.49.019.H.1.c, access is allowed only from a right-of-way in the category, determined by the classifications shown on Map 1B and Map 1F of the Downtown Overlay Maps or another map identified in a note to Map 1F, that is most preferred among the categories of rights-of-way abutting the lot, according to the ranking set forth below, from most to least preferred (a portion of a street that is included in more than one category is considered as belonging only to the least preferred of the categories in which it is included):

1) Access street;

2) Class II pedestrian street/Minor arterial;

3) Class II pedestrian street/Principal arterial;

4) Class I pedestrian street/Minor arterial;

5) Class I pedestrian street/Principal arterial;

6) Principal transit street;

7) Designated green street.

c. The Director may allow or require access from a right-of-way other than one indicated by subsection 23.49.019.H.1.a or 23.49.019.H.1.b if, after consulting with the Director of the Seattle Department of Transportation on whether and to what extent alternative locations of access would enhance pedestrian safety and comfort, facilitate transit operations, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize hazards, and, for hotel use, improve passenger loading safety or increase visibility of vehicular access for guests arriving by car, the Director finds that an exception to the general policy is warranted. The Director may approve an exception for hotel use and impose conditions to minimize any adverse impacts to the pedestrian environment or

street operations, including but not limited to allowing one-way driveways that are less than the minimum width otherwise required. Curb cut controls on designated green streets shall be evaluated on a case-by-case basis, but generally access from green streets is not allowed if access from any other right-of-way is possible.

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

2. Curb cut width and number. The width and number of ((~~curbcuts~~)) curb cuts shall comply with Section ((~~23.54.030, Parking space standards~~)) 23.54.031.

I. Screening and landscaping of surface parking areas

1. Screening. Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

a. Screening is required along each street lot line.

b. Screening shall consist of:

1) A view-obscuring fence or wall at least 3 feet in height; or

2) A landscaped area with vegetation at least 3 feet in height.

Landscaped areas may include bioretention facilities or landscaped berms, provided that the top of the vegetation is at least 3 feet above the grade abutting the facility or berm.

c. A landscaped strip on the street side of the fence or wall shall be provided if a fence or wall is used for screening. The strip shall be an average of 3 feet from the property line, but at no point less than 1.5 feet wide. Each landscaped strip shall be planted with sufficient shrubs, grass, and/or evergreen groundcover so that the entire strip, excluding

driveways, will be covered in three years. Each landscaped strip may be a bioretention facility, at grade, or a raised berm.

d. Sight triangles shall be provided in accordance with Section ((~~23.54.030, Parking space standards~~)) 23.54.032.

2. Landscaping. Surface parking areas for 20 or more vehicles, except temporary surface parking areas, shall be landscaped according to the following requirements:

a. The amount of landscaped area required is shown on Table B for 23.49.019:

Table B for 23.49.019
Required landscaping for surface parking areas with 20 or more parking spaces

Total number of parking spaces	**Minimum required landscaped area**
20 to 50	18 square feet per parking space
51 to 99	25 square feet per parking space
100 or more spaces	35 square feet per parking space

b. The minimum size of a required landscaped area is 100 square feet. Berms provided to meet the screening standards in subsection 23.49.019.I.1 may be counted as part of a landscaped area. No part of a landscaped area shall be less than 4 feet in any dimension except those dimensions reduced by turning radii or angles of parking spaces.

c. The landscaped area may include bioretention facilities.

d. No parking stall shall be more than 60 feet from a required landscaped area.

e. One tree per every five parking spaces is required.

f. Each tree shall be at least 3 feet from any curb of a landscaped area or edge of the parking area.

g. Permanent curbs or structural barriers shall protect landscaped areas.

h. Sufficient hardy evergreen groundcover shall be planted to cover each landscaped area completely within three years. Trees shall be selected from the Seattle Department of Transportation's list for parking area planting.

J. Transportation management programs

1. When a development is proposed that is expected to generate 50 or more employees single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

a. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.

b. Compliance with this ((~~section~~)) Section 23.49.019 does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

2. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent

with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

3. Each owner subject to the requirements of this ((~~section~~)) Section 23.49.019 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

4. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the Downtown Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.

K. Electric vehicle charging infrastructure. Off-street parking spaces shall be designed according to the standards of ((~~subsection 23.54.030.L~~)) Section 23.54.034.

Section 52. Section 23.50.028 of the Seattle Municipal Code, last amended by Ordinance 126864, is amended as follows:

23.50.028 Floor area

* * *

B. Exemptions from FAR calculations

1. The following areas are exempt from FAR calculations in all industrial zones:

a. All stories, or portions of stories, that are underground;

b. All gross floor area used for accessory parking, except as provided in subsection 23.50.028.D;

c. All gross floor area located on the rooftop of a structure and used for any of the following: mechanical equipment, stair and elevator penthouses, and communication equipment and antennas;

d. All gross floor area used for covered rooftop recreational space of a building existing as of December 31, 1998, in an IG1 or IG2 zone, if complying with subsection 23.50.012.D; and

e. Bicycle commuter shower facilities required by subsection ((~~23.54.015.K.8~~)) 23.54.037.H.

2. In addition to areas exempt from FAR calculations in subsection 23.50.028.B.1, within IG1 and IG2 zones, the gross floor area of rooftop recreational space accessory to office use meeting the standards of subsection 23.50.012.D is exempt from FAR calculations.

Section 53. Section 23.51A.002 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.51A.002 Public facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones

A. Except as provided in subsections ((~~B, D and E of this Section 23.51A.002~~)) 23.51A.002.B, 23.51A.002.D and 23.51A.002.F, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under Chapter 23.44 are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use. The City Council may waive or modify applicable development standards or administrative conditional use criteria according to the provisions of Chapter 23.76, Subchapter

III, ((~~Council Land Use Decisions,~~)) with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

B. Permitted ((~~Uses~~)) uses in ((~~Public Facilities Requiring~~)) public facilities requiring City Council ((~~Approval~~)) approval. The following uses in public facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones may be permitted by the City Council, according to the provisions of Chapter 23.76((~~, Procedures for Master Use Permits and Council Land Use Decisions~~)):

1. Police precinct station;

2. Fire station;

3. Public boat moorage;

4. Utility services use; and

5. Other similar use.

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a ((~~neighborhood residential~~)) Neighborhood Residential zone. The public facility use shall be developed according to the development standards for institutions (Section ((~~23.44.022~~)) 23.44.180), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, ((~~Council Land Use Decisions,~~)) with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

* * *

D. Sewage treatment plants. The expansion or reconfiguration (which term shall include reconstruction, redevelopment, relocation on the site, or intensification of treatment capacity) of existing sewage treatment plants in ((~~neighborhood residential~~)) Neighborhood Residential zones

may be permitted if there is no feasible alternative location in a zone where the use is permitted and the conditions imposed under subsections 23.51A.002.D.3 and 23.51A.002.D.4 are met.

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

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

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

b. The determination of feasibility may be the subject of a separate application for a Council land use decision prior to submission of an application for a project-specific approval if the Director determines that the expansion or reconfiguration proposal is complex, involves the phasing of programmatic and project-specific decisions, or affects more than one site in a ((~~neighborhood residential~~)) Neighborhood Residential zone.

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

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

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

3) Information on the overall sewage treatment system that outlines the interrelationship of facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones and in zones where establishment of the use is permitted;

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

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

3. Conditions for ((~~Approval~~)) approval of ((~~Proposal.~~)) proposal

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

b. The expansion of a facility does not result in a concentration of institutions or facilities that would create or appreciably aggravate impacts that are incompatible with single-family residences.

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

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

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

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

g. The bulk of facilities shall be compatible with the surrounding community. Public facilities that do not meet bulk requirements may be located in ((~~neighborhood residential~~)) Neighborhood Residential zones if there is a public necessity for their location there.

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

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

4. Substantial ((~~Conformance~~)) conformance. If the application for a project-specific proposal is submitted after an early determination that location of the sewage treatment plant is not feasible in a zone where establishment of the use is permitted, the proposed project

must be in substantial conformance with the feasibility determination. Substantial conformance shall include, but not be limited to, a determination that:

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

b. Conditions included in the feasibility determination are met.

E. Prohibited ((~~Uses~~)) uses. ((~~The~~)) Unless determined to be an essential public facility under Chapter 23.80, the following public facilities are prohibited in ((~~neighborhood residential~~)) Neighborhood Residential zones:

1. Jails;

2. Metro operating bases;

3. Park and ride lots;

4. Establishment of new sewage treatment plants;

5. Solid waste transfer stations;

6. Animal control shelters;

7. Post Office distribution centers; and

8. Work-release centers.

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

Section 54. Section 23.51B.002 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.51B.002 Public schools in residential zones

* * *

C. Lot ((~~Coverage~~)) coverage in Neighborhood Residential ((~~Zones~~)) zones

1. For new public school construction on new public school sites, the maximum lot coverage permitted for all structures is ((~~45 percent of the lot area for one-story structures or 35 percent of the lot area if any structure or portion of a structure has more than one story~~)) as provided in Section 23.44.080.

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

a. The lot coverage ((~~permitted in subsection 23.51B.002.C.1~~)) provided in Section 23.44.080; or

b. The lot coverage of the former school structures on the site, provided that the height of the new structure or portion of structure is no greater than that of the former structures when measured according to ((~~Section 23.86.006.F~~)) subsection 23.86.006.E, and at least 50 percent of the footprint of the new principal structure is constructed on a portion of the lot formerly occupied by the footprint of the former principal structure.

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

((~~4. The exceptions to lot coverage set forth in subsection 23.44.010.D apply.~~))

D. Height

1. Neighborhood Residential and ((~~Lowrise Zones~~)) lowrise zones

a. For new public school construction on new public school sites, the maximum permitted height is ((~~30~~)) 32 feet plus 5 feet for a pitched roof. For gymnasiums and auditoriums that are accessory to the public school, the maximum permitted height is 35 feet plus 10 feet for a pitched roof if all portions of the structure above 30 feet are set back at least 20 feet from all lot lines. All parts of a pitched roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof on a gymnasium or auditorium is permitted to extend above the 35-foot height limit under this ((~~provision~~)) subsection 23.51B.002.D.1.a.

b. For new public school construction on existing public school sites, the maximum permitted height is 35 feet plus 15 feet for a pitched roof. All parts of the roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 35-foot height limit under this ((~~provision~~)) subsection 23.51B.002.D.1.b.

c. For additions to existing public schools on existing public school sites, the maximum height permitted is the height of the existing school or 35 feet plus 15 feet for a pitched roof, whichever is greater. When the height limit is 35 feet, the ridge of the pitched roof on a principal structure may extend up to 15 feet above the height limit, and all parts of the roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 35-foot limit under this ((~~provision~~)) subsection 23.51B.002.D.1.c.

2. Midrise and ((~~Highrise Zones~~)) highrise zones. The maximum permitted height for any public school located in a MR or HR zone is the base height permitted in that zone for multifamily structures.

3. In ((~~Lowrise~~)) lowrise zones, departures from height limits may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79. For construction of new structures on new and existing public school sites to the extent not otherwise permitted outright, the maximum height that may be granted as a development standard departure is 35 feet plus 15 feet for a roof pitched at a rate of not less than 4:12 for elementary schools and 60 feet plus 15 feet for a roof pitched at a rate of not less than 4:12 for secondary schools. No departures may be granted for a portion of a shed roof to extend beyond 35 feet in height under this ((~~provision~~)) subsection 23.51B.002.D.3.

4. Height maximums in all residential zones may be waived by the Director as a Type I decision when the waiver would contribute to reduced demolition of residential structures.

5. The provisions of subsection ((~~B of Section 23.44.012~~)) 23.44.070.B and the exemptions of subsection ((~~C of Section 23.44.012~~)) 23.44.070.C apply.

6. Light ((~~Standards~~)) standards

a. Light standards for illumination of athletic fields on new and existing public school sites may be allowed to exceed the maximum permitted height, up to a maximum height of 100 feet, if the Director determines that the additional height is necessary to ensure adequate illumination and that impacts from light and glare are minimized to the greatest extent practicable. The applicant must submit an engineer's report demonstrating that impacts from light and glare are minimized to the greatest extent practicable. When proposed light standards are reviewed as part of a project being reviewed pursuant to Chapter 25.05, ((~~Environmental Policies and Procedures,~~)) and requiring a SEPA determination, the applicant must demonstrate that the additional height contributes to a reduction in impacts from light and glare.

b. When proposed light standards are not included in a proposal being reviewed pursuant to Chapter 25.05, the Director may permit the additional height as a special exception subject to Chapter 23.76((~~, Procedures for Master Use Permits and Council Land Use Decisions~~)).

1) When seeking a special exception for taller light standards, the applicant must submit an engineer's report demonstrating that the additional height contributes to a reduction in impacts from light and glare. When the proposal will result in extending the lighted area's duration of use, the applicant must address and mitigate potential impacts, including but not limited to, increased duration of noise, traffic, and parking demand. The applicant also shall conduct a public workshop for residents within 1/8 ((~~of a~~)) mile of the affected school in order to solicit comments and suggestions on design as well as potential impacts.

2) The Director may condition a special exception to address negative impacts from light and glare on surrounding areas, and conditions may also be imposed to address other impacts associated with increased field use due to the addition of lights, including, but not limited to, increased noise, traffic, and parking demand.

E. Setbacks

1. General requirements

a. No setbacks are required for new public school construction or for additions to existing public school structures for that portion of the site across a street or an alley or abutting a lot in a nonresidential zone. If any portion of the site is across a street or an alley from or abuts a lot in a residential zone, setbacks are required for areas facing or abutting residential zones, as provided in subsections ((~~E.2 through E.5 of this Section 23.51B.002~~))

23.51B.002.E.2 through 23.51B.002.E.5. Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC) zones are based upon the residential zone classification of the RC lot.

b. The minimum setback requirement may be averaged along the structure facade with absolute minimums for areas abutting lots in residential zones as provided in subsections ((~~E.2.b, E.3.b and E.4.b of this Section 23.51B.002~~)) 23.51B.002.E.2.b, 23.51B.002.E.3.b, and 23.51B.002.E.4.b.

c. Trash disposals, operable windows in a gymnasium, main entrances, play equipment, kitchen ventilators, or other similar items shall be located at least 30 feet from any ((~~neighborhood residential~~)) Neighborhood Residential zoned lot and 20 feet from any multi-family zoned lot.

d. The exceptions of subsections ((~~23.44.014.C.5, 23.44.014.C.6, 23.44.014.C.7, 23.44.014.C.8, 23.44.014.C.9, 23.44.014.C.10, 23.44.014.C.11, and 23.44.014.C.12~~)) 23.44.090.D, 23.44.090.E, 23.44.090.G, 23.44.090.H, and 23.44.090.I apply.

2. New public school construction on new public school sites((~~.~~))

a. New public school construction on new public school sites across a street or alley from lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the facing residential zone, as shown in Table A for 23.51B.002((~~:~~)) .

((~~Table A for 23.51B.002: Minimum Setbacks for a New Public School Site Located Across a Street or Alley from a Residential Zone~~))

Table A for 23.51B.002 **Average setbacks for a new public school site located across a street or alley from a residential zone (in feet)**				
	((~~Minimum Setbacks Across a Street or Alley from the Following Zones (in feet):~~)) Zone across street or alley and average setback			
((~~Height~~)) Facade height	**((~~NR/L1~~)) NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	15	10	5	0
Greater than 20 up to 35	15	10	5	0
Greater than 35 up to 50	20	15	5	0
Greater than 50	35	20	10	0

b. New public school construction on new public school sites abutting lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table B for 23.51B.002((:)) .

((~~Table B for 23.51B.002: Minimum Setbacks for a New Public School Site Abutting a Residential Zone~~))

Table B for 23.51B.002 **Setbacks for a new public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks Abutting the Following Zones (in feet):~~)) Abutting zone and setbacks			
((~~Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	20(10)	15(10)	10(5)	0(0)
Greater than 20 up to 35	25(10)	15(10)	10(5)	0(0)
Greater than 35 up to 50	25(10)	20(10)	10(5)	0(0)
Greater than 50	30(15)	25(10)	15(5)	0(0)
Footnote to Table B for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

3. New public school construction on existing public school sites((~~.~~))

a. New public school construction on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous

structure on the site or minimum setbacks according to the ((I)) height of the school and the designation of the facing residential zone as shown in Table C for 23.51B.002, whichever is less((:)) .

((~~Table C for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Located Across a Street or Alley from a Residential Zone~~))

Table C for 23.51B.002
Setbacks for new construction on an existing public school site located across a street or alley from a residential zone (in feet)

	((~~Minimum Setbacks If Across a Street or Alley from the Following Zones (in feet):~~)) Zone across street or alley and average setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	10	5	5	0
Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

b. New public school construction on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table D for 23.51B.002, whichever is less((:)) .

((~~Table D for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Abutting a Residential Zone~~))

Table D for 23.51B.002 **Setbacks for new construction on an existing public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks Abutting the Following Zones (in feet):~~)) Abutting zone and setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	15(10)	10(5)	10(5)	0(0)
Greater than 20 up to 35	20(10)	15(10)	10(5)	0(0)
Greater than 35 up to 50	25(10)	20(10)	10(5)	0(0)
Greater than 50	30(15)	25(10)	15(5)	0(0)
Footnote to Table D for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

4. Additions to ((~~Existing Public School Structures~~)) existing public school structures on ((~~Existing Public School Sites.~~)) existing public school sites

a. Additions to existing public school structures on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the facing residential zone as shown in Table E for 23.51B.002, whichever is less((~~:~~)) .

((~~Table E for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Located Across a Street or Alley~~))

Table E for 23.51B.002 **Setbacks for additions on an existing public school site located across a street or alley from a residential zone (in feet)**				
	((~~Minimum Setbacks (in feet) If Located Across a Street or Alley from:~~)) Zone across street or alley and average setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	5	5	5	0

Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

b. Additions to public schools on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone as shown in Table F for 23.51B.002, whichever is less((:)) .

((~~Table F for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Abutting a Residential Zone~~))

Table F for 23.51B.002 **Setbacks for additions on an existing public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks by Abutting Zone (in feet):~~)) **Abutting zone and setback**			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	10(5)	10(5)	10(5)	0(0)
Greater than 20 up to 35	15(5)	10(5)	10(5)	0(0)
Greater than 35 up to 50	20(10)	20(10)	10(5)	0(0)
Greater than 50	25(10)	25(10)	15(5)	0(0)
Footnote to Table F for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

5. Departures from setback requirements may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 as follows:

a. The minimum average setback may be reduced to 10 feet and the minimum setback to 5 feet for structures or portions of structures across a street or alley from lots in residential zones.

b. The minimum average setback may be reduced to 15 feet and the minimum setback to 5 feet for structures or portions of structures abutting lots in residential zones.

c. The limits in subsections ((~~E.5.a and E.5.b of this Section 23.51B.002~~)) 23.51B.002.E.5.a and 23.51B.002.E.5.b may be waived by the Director if a waiver would contribute to reduced demolition of residential structures.

F. Structure ((~~Width.~~)) width

1. When a new public school structure is built on a new public school site or on an existing public school site, the maximum width of a structure is 66 feet unless either the modulation option in subsection 23.51B.002.F.1.a ((~~below~~)) or the landscape option in subsection 23.51B.002.F.1.b ((~~below~~)) is met.

a. Modulation ((~~Option~~)) option. Facades shall be modulated according to the following provisions:

1) The minimum depth of modulation is 4 feet.

2) The minimum width of modulation is 20 percent of the total structure width or 10 feet, whichever is greater.

b. Landscape ((~~Option~~)) option. The ((~~yards provided by the required~~)) setbacks shall be landscaped as follows:

1) One tree and three shrubs are required for each 300 square feet of ((~~required yard~~)) setback area.

2) Trees and shrubs that already exist in the required planting area or have their trunk or center within 10 feet of the area may be substituted for required plantings

on a one-tree-to-one-tree or one-shrub-((-))to-one-shrub basis. In order to qualify, a tree must be 6 inches or greater in diameter, measured 4.5 feet above the ground.

3) The planting of street trees may be substituted for required trees on a one-to-one basis. All street trees shall be planted according to City of Seattle tree planting standards.

4) Each setback required to be landscaped shall be planted with shrubs, grass, and/or evergreen ground cover.

5) Landscape features such as decorative paving are permitted to a maximum of 25 percent of each required landscaped area.

6) A plan shall be filed showing the layout of the required landscaping.

7) The School District shall maintain all landscape material and replace any dead or dying plants.

2. There is no maximum width limit for additions to existing public school structures on existing public school sites. The Director may require landscaping to reduce the appearance of bulk.

3. Departures from the modulation and landscaping standards may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to permit other techniques to reduce the appearance of bulk. Techniques to reduce the appearance of bulk may be waived by the Director as a Type I decision when the waiver would contribute to reduced demolition of residential structures.

G. Parking ((~~Quantity~~)) quantity. Parking shall be required as provided in Chapter 23.54.

H. Parking ((~~Location~~)) location. Parking may be located:

1. Within the principal structure; or

2. On any portion of the lot except the front setback, provided that the parking is separated from streets and from abutting lots in residential zones by an area with a minimum depth of 5 feet that is landscaped with trees and ground cover determined by the Director, as a Type I decision, as adequate to soften the view of the parking from adjacent properties. In the case of a through lot, parking may also be located in one front setback when landscaped as described in this subsection 23.51B.002.H.2;

3. Departures may be granted or required pursuant to the procedures set forth in Chapter 23.79 to permit parking location anywhere on the lot and to reduce required landscaping. Landscaping may be waived in whole or in part if the topography of the site or other circumstances result in the purposes of landscaping being served, as, for example, when a steep slope shields parking from the view of abutting properties. This test may be waived by the Director, as a Type I decision, when waiver would contribute to reduced demolition of residential structures.

I. Bus and ((~~Truck Loading~~)) truck loading and ((~~Unloading.~~)) unloading

1. Unless subsection ((~~I.4 of this section 23.51B.002~~)) 23.51B.002.I.4 applies, an off-street bus loading and unloading area of a size reasonable to meet the needs of the school shall be provided and may be located in any required ((~~yard~~)) setback. The bus loading and unloading area may be permitted in landscaped areas provided under subsection 23.51B.002.F.1.b if the Director determines that landscaping around the loading and unloading area softens the impacts of its appearance on abutting properties.

2. One off-street truck loading berth that is 13 feet wide and 40 feet long is required for new public school construction.

3. Departures from the requirements and standards for bus and truck loading and unloading areas and berths may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 only when departure would contribute to reduced demolition of residential structures.

4. When a public school is remodeled or rebuilt at the same site, an existing on-street bus loading area is allowed if the following conditions are met:

a. The school site is not proposed to be expanded;

b. The student capacity of the school is not being expanded by more than 25 percent; and

c. The location of the current on-street bus loading remains the same.

J. Noise, ((~~Odor, Light~~)) odor, light, and ((~~Glare~~)) glare. The development standards for small institutions set forth in Section 23.45.570 apply. Departures from these standards may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 only when departure would contribute to reduced demolition of residential structures.

Section 55. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.006 Pedestrian access and circulation

* * *

F. Exceptions. The following exceptions to pedestrian access and circulation requirements and standards apply:

1. Projects exempt from requirements. Pedestrian access and circulation improvements are not required for the following types of projects:

a. Change of use;

b. Alterations to existing structures;

c. Additions to existing structures that are exempt from environmental review;

d. Construction of a detached structure that does not contain a dwelling unit and is accessory to ((~~a single-family~~)) an existing dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office;

e. Construction of ((~~a single-family~~)) one dwelling unit on a lot in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office, and if at least one of the following conditions is met:

1) The lot is on a block front where there are no existing pedestrian access and circulation improvements within 100 feet of the lot; or

2) Construction of pedestrian access and circulation improvements is not necessary because, for example, the existing right-of-way has suitable width and surface treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and potential vehicular traffic; or the Director anticipates limited, if any, additional development near the lot because the development near the lot is at or near zoned capacity under current zoning designations;

f. Construction of accessory dwelling units;

((~~f.~~)) g. Expansions of surface parking, outdoor storage, outdoor sales and outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or display area, or number of parking spaces;

((~~g.~~)) h. In the MML zone, the addition of:

1) Fewer than ten artist's studio dwellings;

2) Less than 750 square feet of gross floor area of major and minor vehicle repair uses and multipurpose retail sales; ((~~and~~)) or

3) Less than 4,000 square feet of gross floor area of ((~~non-residential~~)) nonresidential uses not listed in subsection ((~~23.53.006.F.1.g.2~~)) 23.53.006.F.1.h.2; and

((~~h.~~)) i. Construction of a new ((~~non-residential~~)) nonresidential structure of up to 4,000 square feet of gross floor area if the structure is at least 50 feet from any lot line abutting an existing street that does not have pedestrian access and circulation improvements.

2. Waiver or modification of pedestrian access and circulation requirements. The Director, in consultation with the Director of Transportation, may waive or modify pedestrian access and circulation requirements when one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing pedestrian access and circulation.

a. Location in an environmentally critical area or buffer makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

b. The existence of a bridge, viaduct, or structure such as a substantial retaining wall in proximity to the project site makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

c. Sidewalk, curb, and/or curb ramp construction would result in undesirable disruption of existing drainage patterns, or disturbance to or removal of natural features such as significant trees or other valuable and character-defining mature vegetation; or

d. Sidewalk, curb, and/or curb ramp construction would preclude vehicular access to the lot, for example on project sites where topography would render driveway access in excess of the maximum 15 percent slope.

3. Notwithstanding any provision of Section 23.76.026, the applicant for a Master Use Permit or a building permit to which ((~~the Land Use Code~~)) Title 23 in effect prior to October 30, 2009, applies may, by written election, use the exemptions in subsections 23.53.006.F.1 and 23.53.006.F.2.

Section 56. Section 23.53.025 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.53.025 Access easement standards

If access by easement has been approved by the Director, the easement shall meet the following standards. Surfacing of easements, pedestrian walkways required within easements, and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements Manual.

A. Vehicle access easements serving one or two ((~~single-family~~)) dwelling units ((~~or one multifamily residential use with a maximum of two units~~)) shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. No maximum easement length shall be set. If easement length is more than 150 feet, a vehicle turnaround shall be provided.

3. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

B. Vehicle access easements serving at least three but fewer than ((~~five single-family~~)) ten dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. The easement shall provide a hard-surfaced roadway at least 10 feet wide.

3. No maximum easement length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director.

4. A turnaround shall be provided unless the easement extends from street to street.

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

C. ((~~Vehicle access easements serving at least five but fewer than ten single-family dwelling units, or at least three but fewer than ten multifamily dwelling units~~

~~1. Easement width, surfaced width, length, turn around, and curbcut width shall be as required in subsection 23.53.025.B.~~

~~2. No single-family structure shall be closer than 5 feet to the easement, except that structural features allowed to extend into required yards under subsection 23.44.014.C.6 are also allowed to extend into the 5-foot setback from an easement.~~

~~D.~~)) Vehicle ((~~Access Easements Serving Ten~~)) access easements serving ten or more ((~~Residential Units.~~)) dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 32 feet((~~;~~)) .

2. The easement shall provide a surfaced roadway at least 24 feet wide, except in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet((~~;~~)) .

3. No maximum length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director((~~;~~)) .

4. A turnaround shall be provided unless the easement extends from street to street((~~;~~)) .

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety access((~~;~~)) .

6. No ((~~single-family structure;~~)) detached dwelling unit shall be located closer than ((~~10~~)) 5 feet to an easement, except that architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features shall not be located closer than 3 feet to a required easement.

7. One pedestrian walkway shall be provided, extending the length of the easement.

((~~E. Vehicle Access Easements Serving Nonresidential or Live-work Uses.~~

~~1.~~)) D. For nonresidential or live-work uses providing fewer than ten (((~~10~~))) parking spaces, the easement shall meet the requirements of subsection ((~~C~~)) 23.53.025.B.

((~~2~~)) E. For nonresidential or live-work uses providing ten (((~~10~~))) or more parking spaces, the easement shall meet the requirements of subsection ((~~D~~)) 23.53.025.C.

F. Pedestrian ((~~Access Easements~~)) access easements. Where a lot proposed for a residential use abuts an alley but does not abut a street and the provisions of the zone require access by vehicles from the alley, or where the alley access is an exercised option, an easement providing pedestrian access to a street from the lot shall be provided meeting the following standards:

1. Easement width shall be a minimum of ((~~five (~~)) 5 ((~~)~~)) feet;

2. Easements serving one ((~~(1)~~)) or two ((~~(2)~~)) dwelling units shall provide a paved pedestrian walkway at least ((~~three (~~)) 3 ((~~)~~)) feet wide;

3. Easements serving three ((~~(3)~~)) or more dwelling units shall provide a paved pedestrian walkway at least ((~~five (~~)) 5 ((~~)~~)) feet wide;

4. Easements over ((~~one hundred (~~)) 100 ((~~)~~)) feet in length shall provide lighting at intervals not to exceed ((~~fifty (~~)) 50 ((~~)~~)) feet. Lighting placement shall not exceed ((~~fifteen (~~)) 15 ((~~)~~)) feet in height;

5. Pedestrian access easements shall not exceed ((~~two hundred (~~)) 200 ((~~)~~)) feet in length.

G. Vertical ((~~Clearance Above Easements~~)) clearance above easements. When an easement serves fewer than ten ((~~(10)~~)) residential units and crosses a residentially zoned lot, portions of structures may be built over the easement provided that a minimum vertical clearance of ((~~sixteen and one-half (16 ½)~~)) 16.5 feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with ((~~Section 23.54.030 C~~)) subsection 23.54.030.D is maintained. (((~~See~~)) Exhibit ((~~23.53.025 A~~)) A for 23.53.025.)

H. Exceptions ((~~From Access Easement Standards~~)) from access easement standards. The Director, in consultation with the Fire Chief, may modify the requirements for easement

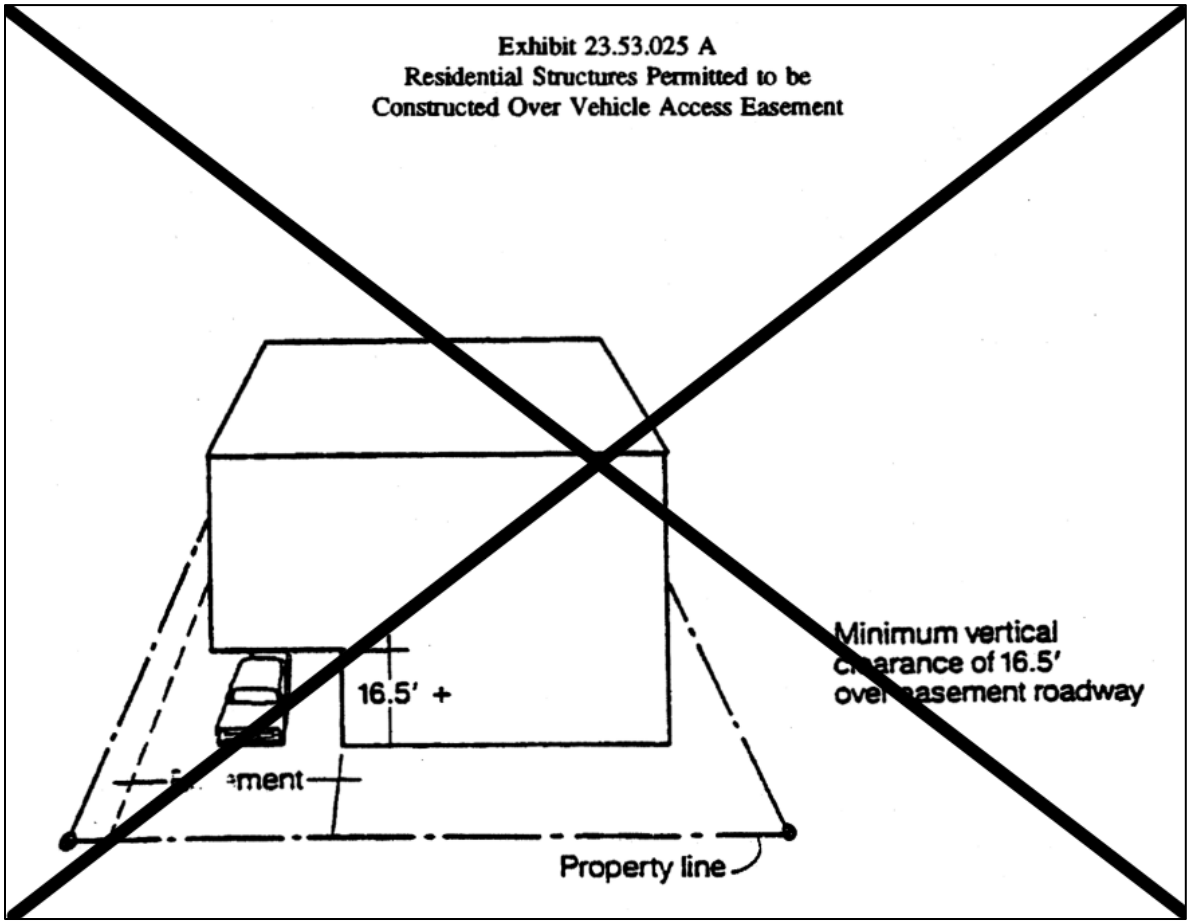
width and surfacing for properties located in environmentally critical areas or their buffers when it is determined that:

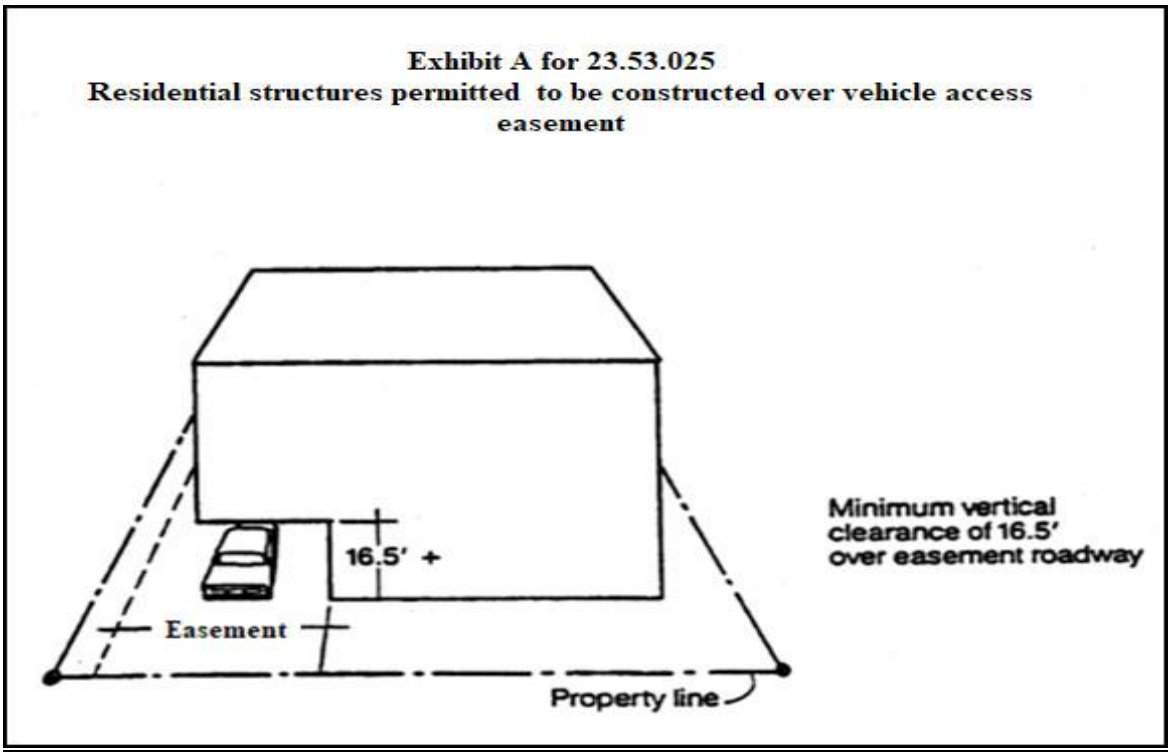
1. Such modification(s) would reduce adverse effects to identified environmentally critical areas or buffers; and

2. Adequate access and provisions for fire protection can be provided for structures served by the easement.

Exhibit A for 23.53.025

Residential structures permitted to be constructed over vehicle access easement





Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required <u>vehicular</u> parking and maximum <u>vehicular</u> parking limits

A. Required parking. The minimum number of off-street motor vehicle parking spaces required for specific uses is set forth in Table A for 23.54.015 for ((~~non-residential~~)) <u>nonresidential</u> uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for 23.54.015 for institutional uses, except as otherwise provided in this Chapter 23.54. Required parking is based upon gross floor area of a use within a structure minus gross floor area in parking uses, and the square footage of a use when located outside of an enclosed structure, or as otherwise specified. Maximum parking limits for specific uses and specific areas are set forth in subsection 23.54.015.C. Exceptions to motor vehicle parking requirements set forth in this Section 23.54.015 are provided in((:)) subsections 23.54.015.B and 23.54.015.C((;)) and in Section 23.54.020 ((~~unless otherwise specified~~)). This Chapter

23.54 does not apply to parking for construction activity, which is regulated by Section 23.42.044.

B. Required parking for specific zones and areas

1. Parking in downtown zones is regulated by Chapters 23.49 and 23.66, and not by this Section 23.54.015.

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

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

4. The Director shall adopt by rule a map of frequent transit and major transit service areas based on proximity to a transit station or stop served by a frequent transit route or a major transit service. The determination whether a proposed development site is in a scheduled frequent transit or major transit service area shall be based on the ((~~frequent transit service area~~)) map adopted by rule that exists on the date a project vests according to the standards of Section 23.76.026, provided that a rule that takes effect on a date after the project vests may be applied to determine whether the site is in a scheduled frequent transit or major transit service area, at the election of the project applicant in accordance with subsection 23.76.026.E.

C. Maximum parking limits for specific zones or areas

1. In the Stadium Transition Area Overlay District certain uses are subject to a maximum parking ratio pursuant to subsection 23.74.010.A.1.b. When there are multiple uses on a lot, the total parking requirement for all uses subject to a maximum ratio cannot exceed the aggregate maximum for those uses under Section 23.74.010.

2. In all commercial zones, except C2 zones outside of urban villages, no more than 145 spaces per lot may be provided as surface parking or as flexible-use parking.

3. In all Neighborhood Residential and multifamily zones, commercial uses are limited to no more than ten parking spaces per business establishment.

4. In the Northgate Overlay District, the Director may permit parking to exceed applicable maximum parking limits as a Type I decision pursuant to Chapter 23.76 if:

a. The parking is provided in a structure according to a joint-use parking agreement with King County Metro Transit; and

b. It can be demonstrated to the satisfaction of the Director through a parking demand study that the spaces are only needed to meet evening and weekend demand or as overflow on less than ten percent of the weekdays in a year, and the spaces shall otherwise be available for daytime use by the general public.

5. Notwithstanding the minimum parking requirements set out in Table A for 23.54.015, in the Industry and Innovation zones, the maximum parking ratio for all uses is one space per 1,000 square feet of gross floor area.

D. Parking waivers for ((~~non-residential~~)) nonresidential uses

1. In all commercial zones, no parking is required for the first 1,500 square feet of each business establishment or the first 15 fixed seats for motion picture and performing arts theaters.

2. In all other zones, no parking is required for the first 2,500 square feet of gross floor area of ((~~non-residential~~)) nonresidential uses in a structure, except for the following:

a. Structures or portions of structures occupied by restaurants with drive-in lanes((~~,~~)) ;

b. Motion picture theaters((~~,~~)) ;

c. Offices((~~,~~)) ; or

d. Institution uses, including Major Institution uses.

When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver is prorated based on the area occupied by the ((~~non-residential~~)) nonresidential uses for which the parking waiver is permitted.

E. Fleet vehicles. Notwithstanding any other provisions of this ((~~section~~)) Section 23.54.015, off-street parking shall be provided for all fleet vehicles and those parking spaces will not be counted toward the parking requirements of Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015.

F. Use and reuse of schools. For non-school uses permitted to locate in a former or existing public school, parking requirements will be determined by school use pursuant to criteria adopted according to Chapter 23.78((~~, Establishment of Criteria for Joint Use or Reuse of Schools~~)).

G. New ((~~non-residential~~)) nonresidential uses in existing structures in commercial and industrial zones. Up to 20 required parking spaces are waived for a new ((~~non-residential~~)) nonresidential use established in an existing structure or the expansion of an existing ((~~non-residential~~)) nonresidential use entirely within an existing structure. Existing required parking shall remain. For purposes of this Section 23.54.015, "existing structure" means a structure that was established under permit, or for which a building permit has been granted and has not expired, at least two years prior to the application to establish the new use or expand the use.

Parking spaces required for loading and unloading of passengers are not eligible for the waiver under this subsection 23.54.015.G.

H. Uses not shown on parking tables. In the case of a use not shown on Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015, the requirements for off-street parking will be determined by the Director based on the requirements for the most comparable use. Where, in the judgment of the Director, none of the uses on Table A for 23.54.015, Table B for 23.54.015, and Table C for 23.54.015 are comparable to a proposed use, the Director may base ((~~his or her~~)) a determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

I. Uses in multiple parking table categories. If an entire use or structure, or the same portion of a use or structure, falls under more than one category in Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015 then, unless otherwise specified, the category requiring the smallest number of parking spaces applies except as expressly set forth on such tables.

J. Existing parking deficits. Existing legal parking deficits of legally established uses are allowed to continue even if a change of use occurs. This subsection 23.54.015.J will not be construed to permit a parking deficit caused by the failure to satisfy conditions of a reduced parking requirement for any use or structure.

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use				Minimum parking required
I. General ((~~non-residential~~)) nonresidential uses (other than institutions)				
* * *				
B.	COMMERCIAL USES			
	B.1.	Animal shelters and kennels		1 space for each 2,000 square feet
	B.2.	Eating and drinking establishments		1 space for each 250 square feet
	B.3.	Entertainment uses, general, except as noted below [2]		For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
		B.3.a.	Adult cabarets	1 space for each 250 square feet
		B.3.b.	Sports and recreation uses [3]	1 space for each 500 square feet
	B.4.	Food processing and craft work		1 space for each 2,000 square feet
	B.5.	Laboratories, research and development		1 space for each 1,500 square feet
	B.6.	Lodging uses		1 space for each 4 rooms; For bed and breakfast facilities in ((~~neighborhood residential~~)) Neighborhood Residential and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
	B.7.	Medical services		1 space for each 500 square feet
	B.8.	Offices		1 space for each 1,000 square feet
	B.9.	Sales and services, automotive		1 space for each 2,000 square feet

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use				Minimum parking required
	B.10.	Sales and services, general, except as noted below		1 space for each 500 square feet
		B.10.a.	Pet daycare centers [4]	1 space for each 10 animals or 1 space for each staff member, whichever is greater, plus 1 loading and unloading space for each 20 animals
	B.11.	Sales and services, heavy		1 space for each 2,000 square feet
	B.12.	Sales and services, marine		1 space for each 2,000 square feet
* * *				
II. ((~~Non-residential~~)) Nonresidential use requirements for specific areas				
I.	((~~Non-residential~~)) Nonresidential uses in urban centers or the Station Area Overlay District [5]			No minimum requirement
J.	((~~Non-residential~~)) Nonresidential uses in urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District, if the ((~~non-residential~~)) nonresidential use is located within a frequent transit service area [5]			No minimum requirement
K.	((~~Non-residential~~)) Nonresidential uses permitted in MR and HR zones pursuant to Section 23.45.504			No minimum requirement
L.	((~~Non-residential~~)) Nonresidential uses permitted in II zones			No minimum requirement

Footnotes for Table A for 23.54.015
[1] No parking is required for urban farms or community gardens in residential zones.
[2] Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use	Minimum parking required
the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded. [3] For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((~~1~~)) one space for each 2,000 square feet. [4] The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. [5] The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a ((~~non-residential~~)) nonresidential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of ((~~non-residential~~)) nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [1, 2, 3]		
((~~A.~~	~~Adult family homes~~	~~1 space for each dwelling unit~~
~~B.~~)) A.	Artist's studio/dwellings	1 space for each 2 dwelling units
((~~C.~~)) B.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
((~~D.~~)) C.	Caretaker's quarters	1 space for each 2 dwelling units
((~~E.~~)) D.	Congregate residences	1 space for each 4 sleeping rooms
((~~F.~~	~~Cottage housing developments~~ [1]	~~1 space for each dwelling unit~~
~~G.~~	~~Floating homes~~	~~1 space for each dwelling unit~~
~~H.~~)) E.	Mobile home parks	1 space for each 2 mobile home lots as defined in Chapter 22.904
((~~I.~~	~~Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015~~ [1, 2]	~~1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units~~
~~J.~~	~~Nursing homes~~	~~1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds~~
~~K.~~)) F.	((~~Single-family dwelling units~~)) Housing [((1, 3))] [4, 5]	1 space for each 2 dwelling units

Table B for 23.54.015
Required parking for residential uses

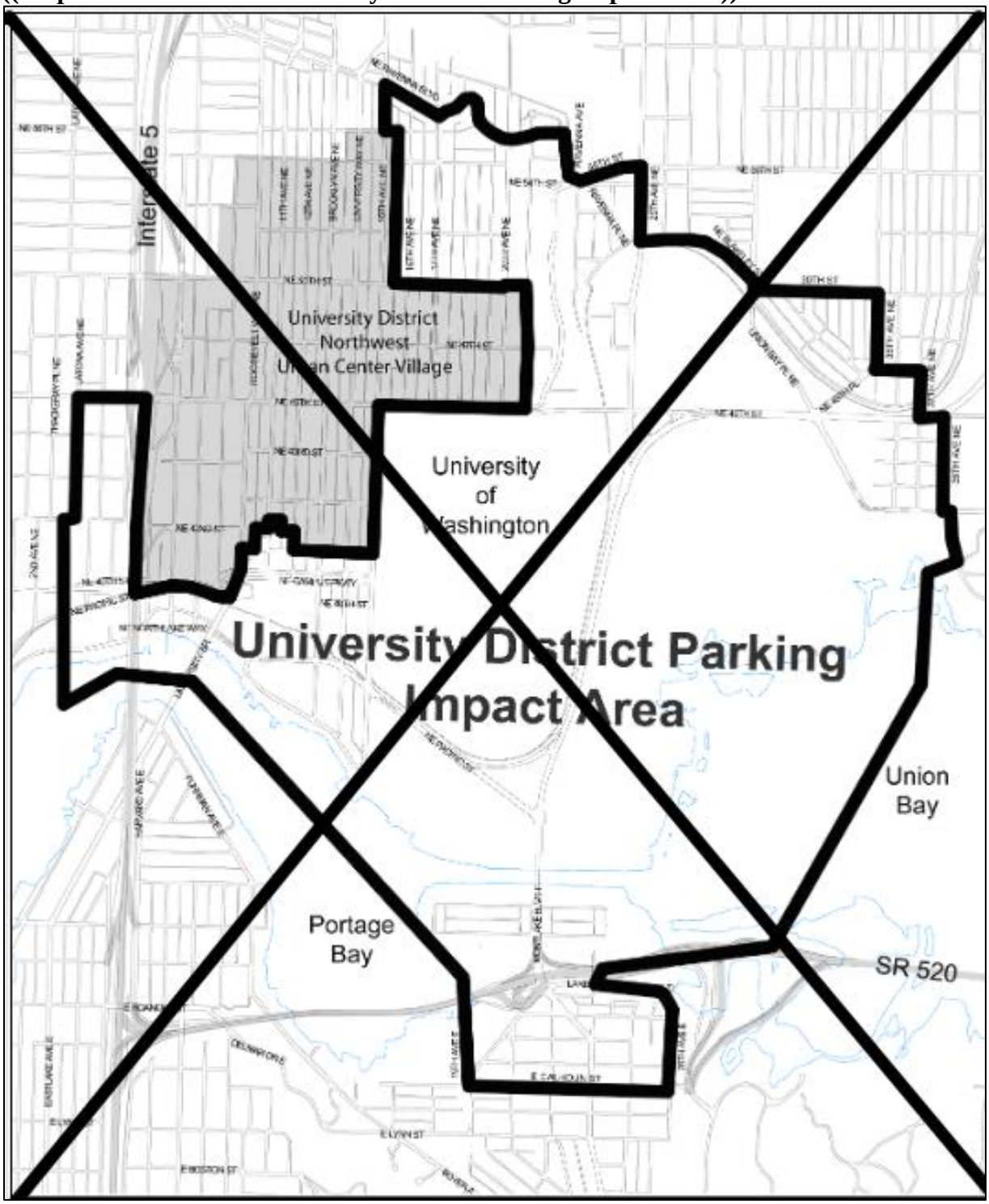
Use		Minimum parking required
II. Residential use requirements for specific areas [1]		
((~~L.~~)) G.	All residential uses within urban centers or within ((~~the~~)) a Station Area Overlay District ((2))	No minimum requirement
((~~M.~~)) H.	All residential uses ((~~in commercial, RSL, and multifamily zones~~)) within urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District((~~,~~)) if the residential use is located within a frequent transit or major transit service area ((~~2, 4~~))	No minimum requirement
I.	All residential uses within a major transit service area	No minimum requirement
((~~N.~~	~~Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015~~ [2]	~~1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms~~
~~O.~~	~~Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015~~ [2]	~~1.5 spaces for each dwelling unit~~))
~~P.~~)) J.	Congregate residences located within ((~~one-half mile walking distance of a major transit stop~~)) a frequent transit service area	No minimum requirement

Footnotes to Table B for 23.54.015
[1] ((~~For each moderate-income unit and each low-income unit, no minimum amount of parking is required.~~
~~2~~)) 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

Table B for 23.54.015
Required parking for residential uses

Use	Minimum parking required
23.54.015. If more than one provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)). [2] For each moderate-income unit and each low-income unit, no minimum amount of parking is required. [3] A reduction or waiving of parking requirements may be permitted if the Director finds that the reduction or waiver is necessary in order to protect a Tier 2 or Tier 3 tree as defined in Chapter 25.11. [4] No parking is required for ((~~single-family residential uses~~)) accessory dwelling units. [5] No parking is required for principal dwelling units 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~~)) 23.44.160.F.2, 23.45.536.C.2, or 23.45.536.C.3. ((~~4 Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.~~))	

((~~Map A for 23.54.015: University District Parking Impact Area~~))



((~~Map B for 23.54.015: Alki Area Parking Overlay~~))

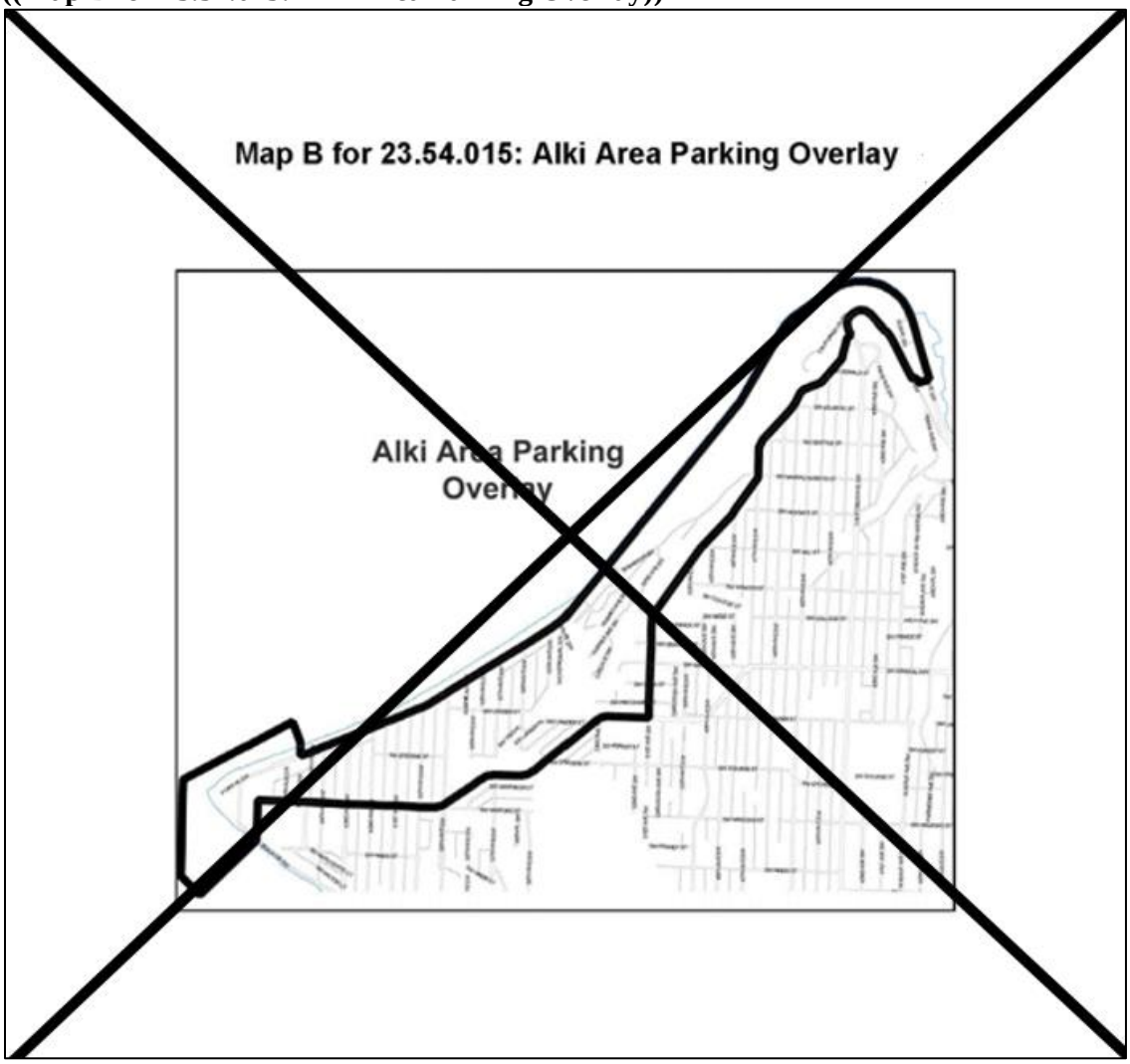


Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
I. General public uses and institutions [1]		
A.	Adult care centers ((~~1~~)) [2, 3]	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
B.	Child care centers [2, 3, 4, 5 ((12))]	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) [((1,)) 6]	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs((,)) and community centers not owned and operated by SPR [((1, 5,)) 7, 8]	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms containing fixed seats; plus 1 space for each 350 square feet of all other indoor areas
F.	Community farms [((5)) 8]	1 space plus 1 space for each 10,000 square feet of site area, or 10 spaces, whichever is less
G.	Hospitals	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
((H.	Institutes for advanced study, except in neighborhood residential zones	1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
		~~square feet of public assembly area not containing fixed seats~~))
((~~I.~~)) H.	Institutes for advanced study in ((~~neighborhood residential~~)) Neighborhood Residential zones (existing) [1]	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
((~~J.~~)) I.	Libraries ((~~1, 5,~~)) 8, 9	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms containing fixed seats; plus 1 space for each 500 square feet of floor area of all other areas
((~~K.~~)) J.	Museums ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
((~~L.~~)) K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
((~~M.~~)) L.	Religious facilities ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms
((~~N.~~	~~Schools, private elementary and secondary~~ ((~~1~~))	~~1 space for each 80 square feet of all auditoria and public assembly rooms, or if~~

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
		~~no auditorium or assembly room, 1 space for each staff member~~
~~O.~~)) <u>M.</u>	Schools, ((~~public~~)) elementary and secondary [7, ((~~9,~~)) 10, <u>11</u>]	1 space for each 80 square feet of all auditoria ((~~or~~)) <u>and</u> public assembly rooms <u>without fixed seats</u>, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats((~~, for new public schools on a new or existing public school site~~
~~P.~~)) <u>N.</u>	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate
II. General public uses and institutions for specific areas		
((~~Q.~~)) <u>O.</u>	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District [((~~11~~)) <u>12</u>]	No minimum requirement
((~~R.~~)) <u>P.</u>	General public uses and institutions, except hospitals, including institutes for advanced study in ((~~neighborhood residential~~)) <u>Neighborhood Residential</u> zones, within urban villages that are not within the Station Area Overlay	No minimum requirement

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	District, if the use is located within a frequent transit service area	

Footnotes to Table C for 23.54.015

[1] ((~~When this use is permitted in a neighborhood residential zone as a conditional use, the~~)) The Director may modify the parking requirements in this Table A for 23.54.015 for institutions in Neighborhood Residential and multifamily zones pursuant to the conditional uses provisions in Section ((~~23.44.022~~)) 23.44.030 ((~~; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to~~)) and Section 23.45.570.

[2] The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.

[3] As a Type I decision, the Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.

[4] A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

[5] ((~~When this use is permitted outright in a neighborhood residential or multifamily zone, the Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~)) The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.

[6] When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.

[7] Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one

Table C for 23.54.015
Required parking for public uses and institutions

Use	Minimum parking required

parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.

[8] The Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.080 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.

[9] When a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.

((~~9~~)) [10] For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown in this Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ((~~10~~)) ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.

((~~10~~)) [11] ((~~Development~~)) For public schools, development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.

((~~11~~)) [12] The general requirements of lines A through P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this

Table C for 23.54.015 **Required parking for public uses and institutions**	
Use	**Minimum parking required**
Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ((~~12 The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.~~))	

((~~K. Bicycle parking.~~))

23.54.037 Bicycle parking

A. Number of spaces

1. The minimum number of parking spaces for bicycles required for specified uses is set forth in Table ((~~D for 23.54.015~~)) A for 23.54.037.

2. Long-term parking for bicycles shall be for bicycles parked four or more hours. Short-term parking for bicycles shall be for bicycles parked less than four hours. In the case of a use not shown on Table ((~~D for 23.54.015~~)) A for 23.54.037, one bicycle parking space per 10,000 gross square feet of either short- or long-term bicycle parking is required((~~, except single-family residential use is exempt from bicycle parking requirements~~)) .

3. The minimum requirements are based upon gross floor area of the use in a structure minus gross floor area in parking uses, or the square footage of the use when located outside of an enclosed structure, or as otherwise specified.

((~~1.~~)) 4. Rounding. For long-term bicycle parking, calculation of the minimum requirement shall round up the result to the nearest whole number. For short-term bicycle

parking, calculation of the minimum requirement shall round up the result to the nearest whole even number.

((~~2.~~)) B. Performance standards. Provide bicycle parking in a highly visible, safe, and convenient location, emphasizing user convenience and theft deterrence, based on rules promulgated by the Director of the Seattle Department of Transportation that address the considerations in this subsection ((~~23.54.015.K.2~~)) 23.54.037.B.

((~~a.~~)) 1. Provide secure locations and arrangements of long-term bicycle parking, with features such as locked rooms or cages and bicycle lockers. The bicycle parking should be installed in a manner that avoids creating conflicts with automobile accesses and driveways.

((~~b.~~)) 2. For a garage with bicycle parking and motor vehicle parking for more than two dwelling units, provide pedestrian and bicycle access to long-term bicycle parking that is separate from other vehicular entry and egress points or uses the same entry or egress point but has a marked walkway for pedestrians and bicyclists.

((~~c.~~)) 3. Provide adequate lighting in the bicycle parking area and access routes to it.

((~~d.~~)) 4. If short-term bicycle parking facilities are not clearly visible from the street or sidewalk or adjacent on-street bicycle facilities, install directional signage in adequate amounts and in highly visible locations in a manner that promotes easy wayfinding for bicyclists.

((~~e.~~)) 5. Provide signage to long-term bicycle parking that is oriented to building users.

((~~f.~~)) 6. Long-term bicycle parking shall be located where bicyclists are not required to carry bicycles on exterior stairs with more than five steps to access the parking. The Director, as a Type I decision, may allow long-term bicycle parking for rowhouse and townhouse development to be accessed by stairs with more than five steps, if the slope of the lot makes access with five or fewer steps infeasible.

((~~g.~~)) 7. Where practicable, long-term bicycle parking shall include a variety of rack types to accommodate different types of bicycles.

((~~h.~~)) 8. Install bicycle parking hardware so that it can perform to its manufacturer's specifications and any design criteria promulgated by the Director of the Seattle Department of Transportation, allowing adequate clearance for bicycles and their riders.

((~~i.~~)) 9. Provide full weather protection for all required long-term bicycle parking.

((~~3.~~)) C. Location of bicycle parking

((~~a.~~)) 1. Long-term bicycle parking required for residential uses shall be located on-site except as provided in subsection ((~~23.54.015.K.3.c~~)) 23.54.037.C.3.

((~~b.~~)) 2. Short-term bicycle parking may be provided on the lot or in an adjacent right-of-way, subject to approval by the Director of the Seattle Department of Transportation, or as provided in subsection ((~~23.54.015.K.3.c~~)) 23.54.037.C.3.

((~~c.~~)) 3. Both long-term and short-term bicycle parking for residential uses may be provided off-site if within 600 feet of the residential use to which the bicycle parking is accessory and if the site of the bicycle parking is functionally interrelated to the site of the residential use to which the bicycle parking is accessory, such as within a unit lot subdivision

or if the sites are connected by access easements, or if a covenant or similar property right is established to allow use of the off-site bicycle parking.

((~~4.~~)) D. Long-term bicycle parking required for small efficiency dwelling units and congregate residence sleeping rooms is required to be covered for full weather protection. If the required, covered long-term bicycle parking is located inside the building that contains small efficiency dwelling units or congregate residence sleeping rooms, the space required to provide the required long-term bicycle parking shall be exempt from floor area ratio (FAR) limits. Covered long-term bicycle parking that is provided beyond the required bicycle parking shall not be exempt from FAR limits.

((~~5.~~)) E. Bicycle parking facilities shared by more than one use are encouraged.

((~~6.~~)) F. Except as provided in subsection ((~~23.54.015.K.7~~)) 23.54.015.G, bicycle parking facilities required for ((~~non-residential~~)) nonresidential uses shall be located:

((~~a.~~)) 1. On the lot; or

((~~b.~~)) 2. For a functionally interrelated campus containing more than one building, in a shared bicycle parking facility within 600 feet of the lot; or

((~~c.~~)) 3. Short-term bicycle parking may be provided in an adjacent right-of-way, subject to approval by the Director of the Seattle Department of Transportation.

((~~7.~~)) G. For ((~~non-residential~~)) nonresidential uses on a functionally interrelated campus containing more than one building, both long-term and short-term bicycle parking may be located in an off-site location within 600 feet of the lot, and short-term public bicycle parking may be provided in a right-of-way, subject to approval by the Director of the Seattle Department of Transportation. The Director of the Seattle Department of Transportation may

consider whether bicycle parking in the public place shall be sufficient in quality to effectively serve bicycle parking demand from the site.

((~~8.~~)) H. Bicycle commuter shower facilities. Structures containing 100,000 square feet or more of office use floor area shall include shower facilities and clothing storage areas for bicycle commuters. Two showers shall be required for every 100,000 square feet of office use. They shall be available in a manner that results in equal shower access for all users. The facilities shall be for the use of the employees and occupants of the building, and shall be located where they are easily accessible to bicycle parking facilities, which may include in places accessible by elevator from the bicycle parking location.

((~~9.~~)) I. Bicycle parking spaces within dwelling units or on balconies do not count toward the bicycle parking requirement, except if the bike parking spaces are located:

((~~a.~~)) 1. In a private garage; or

((~~b.~~)) 2. Within the ground floor of a dwelling unit in ((~~a townhouse or rowhouse development~~)) an attached dwelling unit.

Table ((~~D for 23.54.015~~)) A for 23.54.037
Parking for bicycles [1]

((~~USE~~)) Use		**Bike parking requirements**	
		Long-term	**Short-term**
* * *			
D. RESIDENTIAL USES [3]			
D.1	Assisted living facility	None	None
((~~D.1~~)) D.2	Congregate residences [4, 5]	1 per 4 sleeping rooms	1 per 80 sleeping rooms. 2 spaces minimum

Table ((~~D for 23.54.015~~)) A for 23.54.037
Parking for bicycles [1]

((~~USE~~)) Use		Bike parking requirements	
		Long-term	**Short-term**
((~~D.2~~	~~Multifamily structures other than townhouse and rowhouse developments~~ [4, 5]	~~1 per dwelling unit~~	~~1 per 20 dwelling units~~
~~D.3~~	~~Single-family residences~~	~~None~~	~~None~~
~~D.4~~	~~Townhouse and rowhouse developments~~ [5]	~~1 per dwelling unit~~	~~None~~))
D.3	Permanent supportive housing	None	None
D.4	Other residential uses [4, 5]	1 per dwelling unit [6]	1 per 20 dwelling units, except none for projects with less than 20 dwelling units
E. TRANSPORTATION FACILITIES			
E.1((.))	Park and ride facilities on surface parking lots	At least 20 ((6)) 7	At least 10
E.2((.))	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3((.))	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto spaces	None
E.4((.))	Rail transit facilities and passenger terminals	Spaces for 5 percent of projected AM	Spaces for 2 percent of projected AM

Table ((~~D for 23.54.015~~)) A for 23.54.037
Parking for bicycles [1]

((~~USE~~)) Use		**Bike parking requirements**	
		Long-term	**Short-term**
		peak period daily ridership ((~~6~~)) 7	peak period daily ridership

Footnotes to Table ((~~D for 23.54.015~~)) A for 23.54.037

[1] Required bicycle parking includes long-term and short-term amounts shown in this Table ((~~D for 23.54.015~~)) A for 23.54.037.

[2] The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.

[3] For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table ((~~D for 23.54.015~~)) A for 23.54.037.

[4] For ((~~congregate residences or multifamily~~)) residential structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle.

[5] In low-income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage).

[6] Long-term bike parking is not required in NR zones.

((~~6~~)) 7 The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

Section 58. Section 23.54.016 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.54.016 Major Institutions—((~~parking~~)) Parking and transportation

Except in the MPC-YT zone, Major Institution uses are subject to the following transportation and parking requirements:

* * *

B. Parking ((~~Quantity Required.~~)) quantity required

1. In urban centers and the Station Area Overlay District, no parking is required for Major Institution uses, except for hospitals.

2. For all other Major Institutions the minimum number of parking spaces required is as follows:

a. Long-term ((~~Parking.~~)) parking

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to 80 percent of hospital-based doctors; plus 25 percent of staff doctors; plus 30 percent of all other employees present at peak hour;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to 15 percent of the maximum students present at peak hour, excluding resident students; plus 30 percent of employees present at peak hour; plus 25 percent of the resident unmarried students; plus one space for each married student apartment unit.

b. Short-term ((~~Parking.~~)) parking

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to one space per six beds; plus one space per five average daily outpatients;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to five percent of the maximum students present at peak hour excluding resident students.

c. Additional ((~~Short-term Parking Requirements~~)) short-term parking requirements. When one of the following uses is a Major Institution use, the following additional

short-term parking requirements shall be met. Such requirements may be met by joint use of parking areas and facilities if the Director determines that the uses have different hours of operation according to subsection 23.54.020.G:

1) Museum. One space for each 250 square feet of public floor area;

2) Theater, ((~~Auditorium~~)) auditorium, or ((~~Assembly Hall~~)) assembly hall. One space for each 200 square feet of audience assembly area not containing fixed seats, and one space for every ((~~10~~)) ten seats for floor area containing fixed seats;

3) Spectator ((~~Sports Facility Containing Fewer~~)) sports facility containing fewer than 20,000 ((~~Seats~~)) seats. One space for each ((~~10~~)) ten permanent seats and one space for each 100 square feet of spectator assembly area not containing fixed seats;

4) Spectator ((~~Sports Facility Containing~~)) sports facility containing 20,000 or ((~~More Seats~~)) more seats. One space for each ((~~10~~)) ten permanent seats and one bus space for each 300 permanent seats.

d. Bicycle ((~~Parking~~)) parking. Bicycle parking meeting the development standards of subsections ((~~23.54.015.K.2~~)) 23.54.037.B through ((~~23.54.015.K.6~~)) 23.54.037.G and subsection 23.54.016.D.2 shall be provided in the following quantities:

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to two percent of employees, including doctors, present at peak hour;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to ((~~10~~)) ten percent of the maximum students present at peak hour plus five percent of employees.

If at the time of application for a master use permit, the applicant can demonstrate that the bicycle parking requirement is inappropriate for a particular institution because of topography, location, nature of the users of the institution or other reasons, the Director may modify the bicycle parking requirement.

3. Parking ((~~Deficits~~)) deficits. In addition to providing the minimum required parking for a new structure, five percent of any vehicular or bicycle parking deficit as determined by the minimum requirements of this subsection 23.54.016.B, existing on ((~~the effective date of the ordinance codified in this section~~)) May 2, 1990, shall be supplied before issuance of a certificate of occupancy.

* * *

Section 59. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.54.020 Parking quantity exceptions

The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all zones except downtown zones, which are regulated by Section 23.49.019, and Major Institution zones, which are regulated by Section 23.54.016.

A. Adding ((~~Units~~)) units to ((~~Existing Structures~~)) existing structures in Multifamily and Commercial ((~~Zones.~~)) zones

1. For the purposes of this Section 23.54.020, "existing structures" means those structures that were established under permit, or for which a permit has been granted and has not expired as of the applicable date, as follows:

a. In multifamily zones, August 10, 1982;

b. In commercial zones, June 9, 1986.

2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:

a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception permitted in subsection 23.54.020.A.2, if the ((~~conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:~~

~~a. The~~)) only use of the structure will be residential((~~;~~)) and <u>one of the following conditions is met:</u>

((~~b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and~~

~~c.~~)) <u>a.</u> The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

((~~d.~~)) b. The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

B. Tandem ((~~Parking~~)) parking in ((~~Multifamily Structures~~)) multifamily structures. ((~~1.~~)) Off-street parking required for multifamily structures may be provided as tandem parking, as defined in Section 23.54.030. ((~~A tandem parking space counts as one and one-half parking spaces, except as provided in subsection 23.54.020.B.2 below, and must meet the minimum size requirements of subsection 23.54.030.A.~~

~~2. When a minimum of at least one parking space per dwelling unit in a multifamily structure is required, the total number of parking spaces provided, counting each tandem parking space as one space, may not be less than the total number of dwelling units.~~)) A tandem parking space counts at a rate of one space for every 20 linear feet of depth excluding required access aisles.

* * *

Section 60. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.030 Parking space and access standards

All parking spaces provided, whether required by Section 23.54.015 or not, and required barrier-free parking, shall meet the standards of this Section 23.54.030.

A. Parking space dimensions

1. "Large vehicle" means the minimum size of a large vehicle parking space shall be ((~~8.5~~)) 8 feet in width and 19 feet in length.

2. "Medium vehicle" means the minimum size of a medium vehicle parking space shall be 8 feet in width and 16 feet in length.

3. "Small vehicle" means the minimum size of a small vehicle parking space shall be 7.5 feet in width and 15 feet in length.

4. "Barrier-free parking" means a parking space meeting the following standards:

a. Parking spaces shall not be less than 8 feet in width and shall have an adjacent access aisle not less than 5 feet in width. Van-accessible parking spaces shall have an adjacent access aisle not less than 8 feet in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that aisles will not be used as parking space.

b. A minimum length of 19 feet or when more than one barrier-free parking space is provided, at least one shall have a minimum length of 19 feet, and other spaces may be the lengths of small, medium, or large spaces in approximate proportion to the number of each size space provided on the lot.

5. "Tandem parking" means a parking space equal to the width and two times the length of the vehicle size standards in subsections 23.54.030.A.1, 23.54.030.A.2, and 23.54.030.A.3 for the size of the vehicle to be accommodated.

6. No wall, post, guardrail, or other obstruction, or lot line, is permitted within the area for car door opening. Columns or other structural elements may encroach into the parking space a maximum of 6 inches on a side, except in the area for car door opening 5 feet from the longitudinal centerline, or 4 feet from the transverse centerline of a parking space (see Exhibit A for 23.54.030).

7. If the parking space is next to a lot line and the parking space is parallel to the lot line, the minimum width of the space is 9 feet.

Exhibit A for 23.54.030

Encroachments ((~~Into Required Parking Space~~)) <u>into required parking</u>

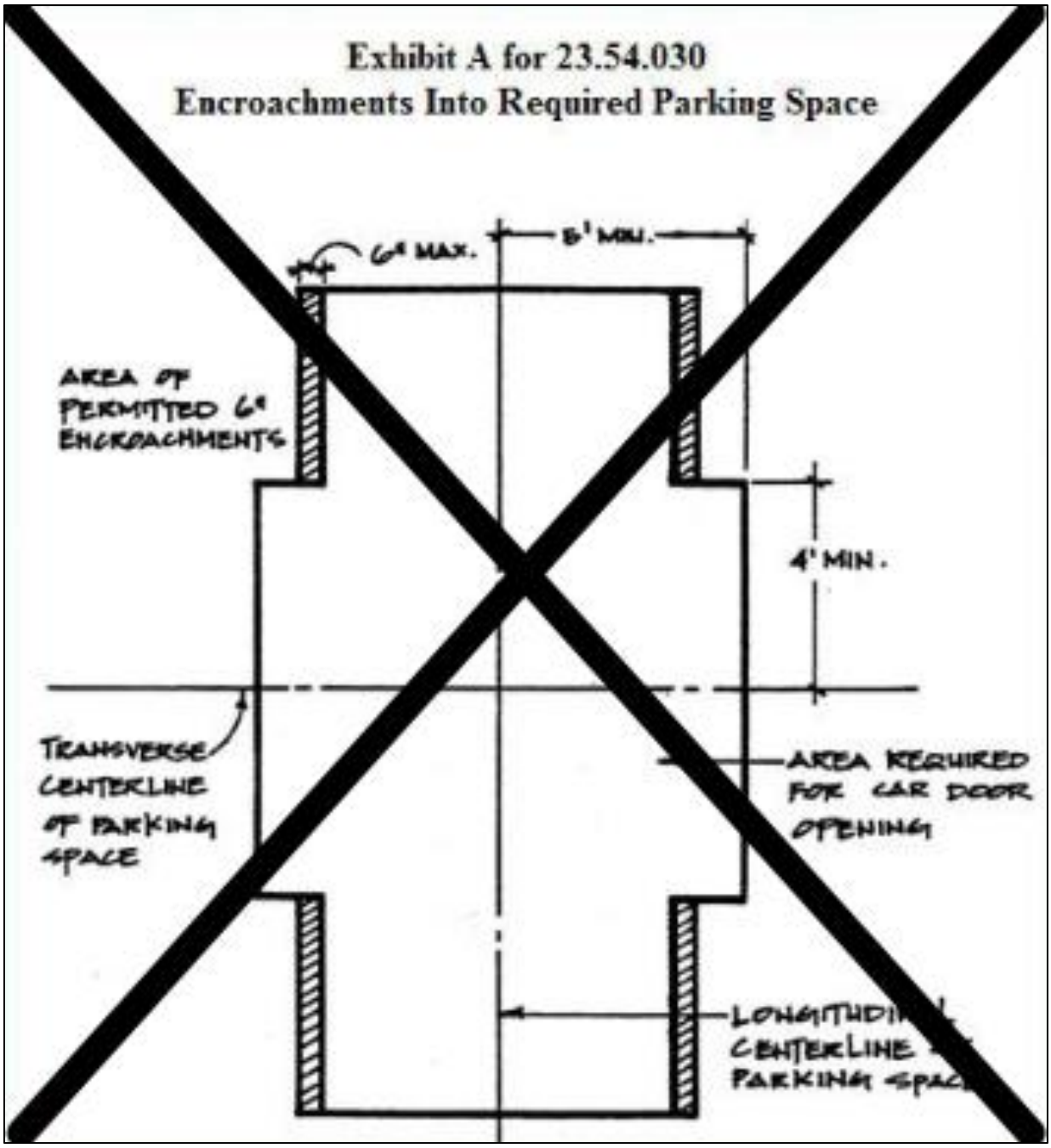
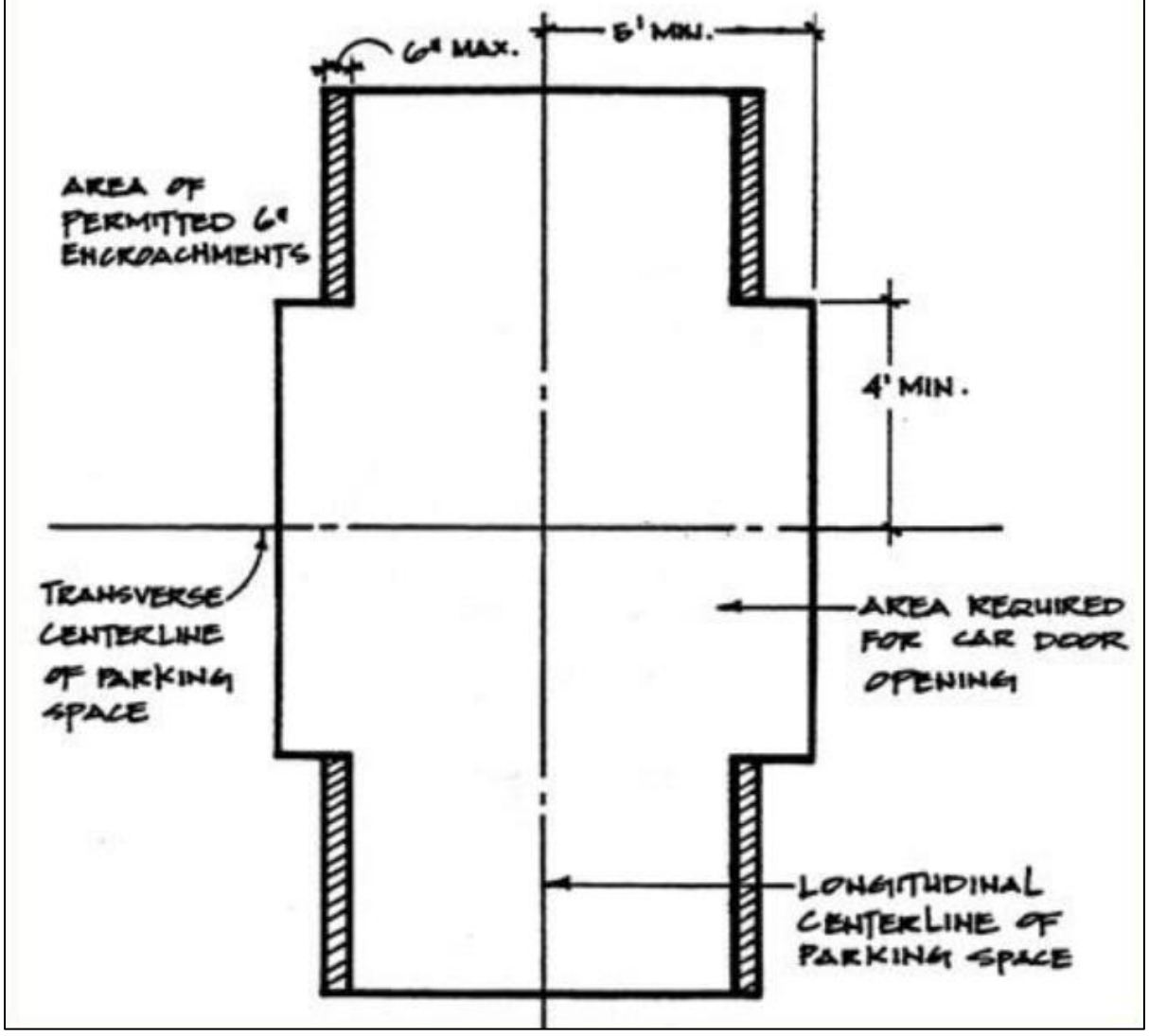


Exhibit A for 23.54.030
Encroachments into required parking



B. Parking space requirements. The required size of parking spaces shall be determined by whether the parking is for a residential, live-work, or ((~~non-residential~~)) nonresidential use. In structures containing residential uses and also containing either ((~~non-residential~~)) nonresidential uses or live-work units, parking that is clearly set aside and reserved for residential or live-work use shall meet the standards of subsection 23.54.030.B.1. Parking for

all other uses within the structure shall meet the standards of subsection 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Seattle Building Code or the Seattle Residential Code.

1. Residential uses

a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.2, except as provided in subsection 23.54.030.B.1.d.

b. When more than five parking spaces are provided, a minimum of 60 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent of the parking spaces may be striped for any size category in subsection 23.54.030.A, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted living facilities. Parking spaces shall be provided as in subsections 23.54.030.B.1.a and 23.54.030.B.1.b, except that a minimum of two spaces shall be striped for a large vehicle.

d. ((~~Townhouse units.~~)) For an individual garage serving ((~~a townhouse~~)) an individual dwelling unit, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.

2. ((~~Non-residential~~)) Nonresidential uses

a. When ten or fewer parking spaces are provided, a maximum of 25 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the spaces shall be striped for large vehicles.

b. When between 11 and 19 parking spaces are provided, a minimum of 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

c. When 20 or more parking spaces are provided, a minimum of 35 percent of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at least one floor, and there shall be at least one direct entrance that is at least 6 feet 9 inches in height for all parking garages accessory to ((~~non-residential~~)) nonresidential uses and live-work units and for all flexible-use parking garages.

3. Live-work uses. The first required parking space shall meet the parking standards for residential use. Additional required parking for a live-work use shall meet the parking standards for ((~~non-residential~~)) nonresidential use.

C. Backing ((~~Distances~~)) distances and ((~~Moving Other Vehicles.~~)) moving other vehicles

1. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except in the case of multiple spaces provided for a ((~~single-family~~)) dwelling unit ((~~or an accessory dwelling unit associated with a single-family~~

~~dwelling,~~)) or in the case of tandem parking authorized under ((~~Section~~)) subsection 23.54.020.B.

2. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than 50 feet.

D. Driveways. Driveway requirements for residential and nonresidential uses are described below. When a driveway is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection 23.54.030.D.2.

1. Residential uses((~~.~~))

a. Driveway width. Driveways less than 100 feet in length that serve 30 or fewer parking spaces shall be a minimum of 10 feet in width for one-way or two-way traffic.

b. Except for driveways serving one ((~~single-family~~)) dwelling unit, driveways more than 100 feet in length that serve 30 or fewer parking spaces shall either:

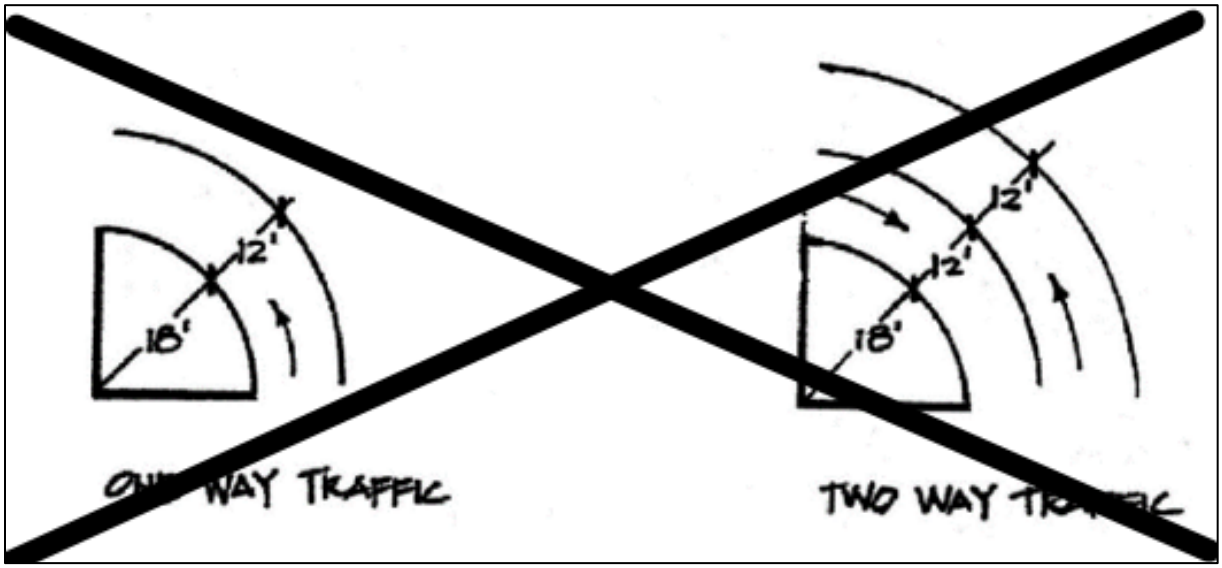
1) ((~~be~~)) Be a minimum of 16 feet wide, tapered over a 20 foot distance to a 10 foot opening at the lot line; or

2) ((~~be~~)) Be a minimum of 10 feet wide and provide a passing area at least 20 feet wide and 20 feet long. The passing area shall begin 20 feet from the lot line, with an appropriate taper to meet the 10-foot opening at the lot line. If a taper is provided at the other end of the passing area, it shall have a minimum length of 20 feet.

c. Driveways of any length that serve more than 30 parking spaces shall be at least 10 feet wide for one-way traffic and at least 20 feet wide for two-way traffic.

d. Driveways for two attached ((~~rowhouse or townhouse~~)) dwelling units may be paired so that there is a single curb cut providing access. The maximum width of the paired driveway is 18 feet.

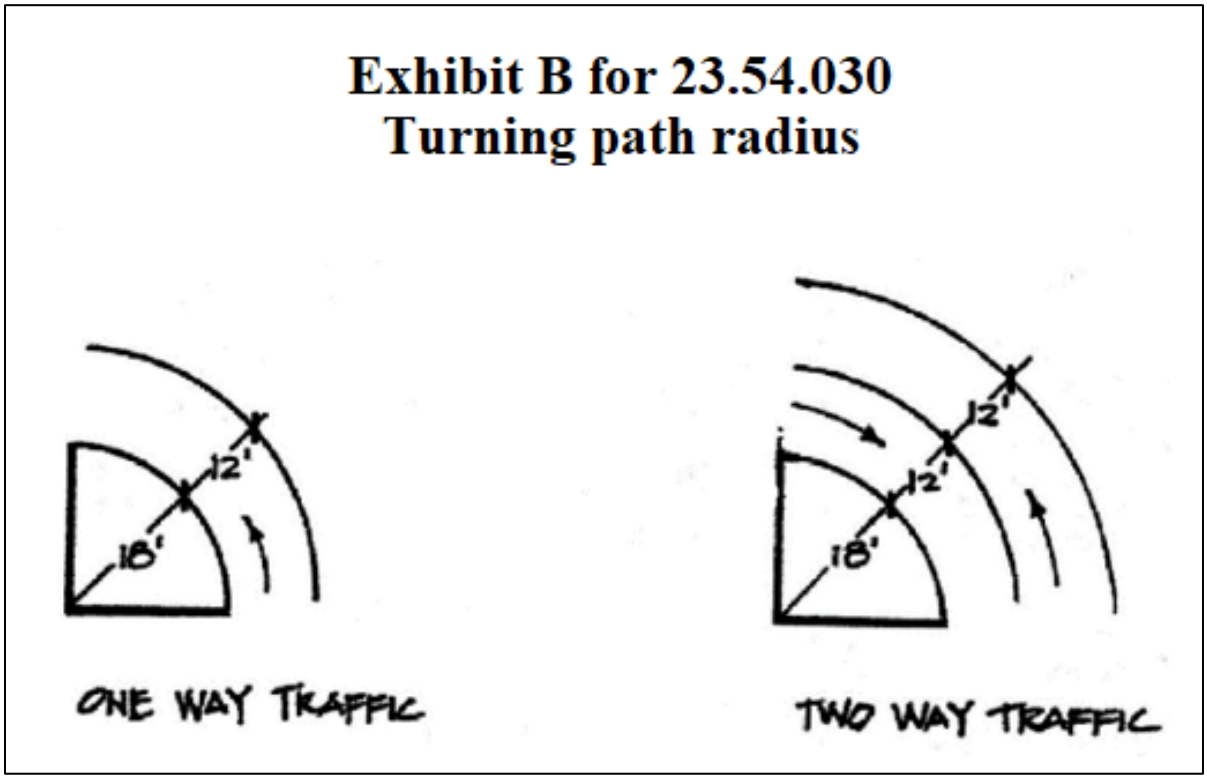
e. Driveways with a turning radius of more than 35 degrees shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.



((~~Exhibit B for 23.54.030: Turning Path Radius~~))

Exhibit B for 23.54.030

Turning path radius



f. Vehicles may back onto a street from a parking area serving five or fewer vehicles, provided that either:

1) The street is not an arterial as defined in Section 11.18.010; or

2) For a lot with one ((~~single-family~~)) dwelling unit or one parking space, the Director may permit backing onto an arterial based on a safety analysis that addresses visibility, traffic volume, and other relevant issues.

g. Nonconforming driveways. The number of parking spaces served by an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall not be increased. This prohibition may be waived by the Director after consulting with the Director of the Seattle Department of Transportation, based on a safety analysis.

2. Nonresidential ((~~Uses.~~)) uses

a. Driveway ((~~Widths.~~)) <u>widths</u>

1) The minimum width of driveways for ((~~one-way~~)) <u>one-way</u> traffic shall be 12 feet and the maximum width shall be 15 feet.

2) The minimum width of driveways for ((~~two-way~~)) <u>two-way</u> traffic shall be 22 feet and the maximum width shall be 25 feet.

b. Driveways shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

c. For driveways that provide access to a solid waste management use the Director may allow both a maximum driveway width greater than the limits set in subsection 23.54.030.D.2.a and appropriate turning path radii, as determined necessary for truck maneuvering.

3. Driveway slope for all uses. No portion of a driveway, whether located on a lot or on a right-of-way, shall exceed a slope of 15 percent, except as provided in this subsection 23.54.030.D.3. The maximum 15 percent slope shall apply in relation to both the current grade of the right-of-way to which the driveway connects, and to the proposed finished grade of the right-of-way if it is different from the current grade. The ends of a driveway shall be adjusted to accommodate an appropriate crest and sag. The Director may permit a driveway slope of more than 15 percent if it is found that:

a. The topography or other special characteristic of the lot makes a 15 percent maximum driveway slope infeasible;

b. The additional amount of slope permitted is the least amount necessary to accommodate the conditions of the lot; and

c. The driveway is still useable as access to the lot.

E. Parking aisles

1. Parking aisles shall be provided according to the requirements of Table A for 23.54.030 and Exhibit C for 23.54.030.

Table A for 23.54.030
Parking aisle dimensions

Parking angle	Stall width	Stall length (in feet)	Aisle width (in feet)[1]	Curb depth per car (in feet)	Unit width (in feet)[2]	Curb length per car (in feet)
0°	Small	18	10	7.5	25	18
	Medium	20	10	8	26	20
	Large	24	12	8	28	24
45°	Small	15	11	15.91	42.82	10.61
	Medium	16	13	16.97	46.94	11.3
	Large	19	13	19.09	51.18	11.3
60°	Small	15	13	16.74	46.48	8.66
	Medium	16	15	17.86	50.72	9.24
	Large	19	17.5	20.45	58.41	9.24
75°	Small	15	16.5	16.43	49.36	7.76
	Medium	16	18.5	17.52	53.55	8.25
	Large	19	20	20.42	60.84[2]	8.25
90°	Small	15	20	15	50	7.5
	Medium	16	22	16	54	8
	Large	19	24[3]	19	62[2]	8

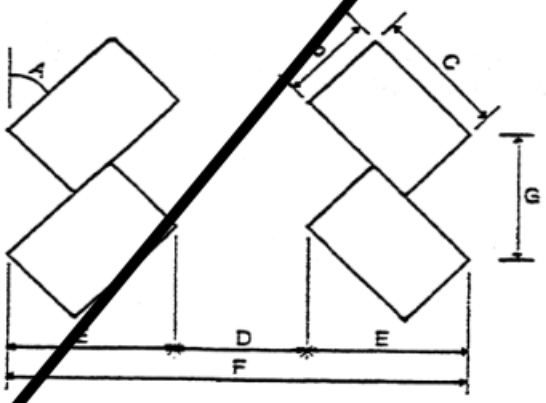
Footnotes for Table A for 23.54.030
[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.
[2] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9 feet.
[3] For lots 44 feet in width or less, the Director may reduce the aisle width to as low as 20 feet if large parking spaces are provided at 90 degrees as long as the spaces are 9 feet wide.

A Parking Angle	B Stall Width	C Stall Length	D Aisle Width [1]	E Curb Depth Per Car	F Unit Width [3]	G Curb Length Per Car
0°	7.5	18.0	10.0	7.5	25.0	18.0
	8.0	20.0	10.0	8.0	26.0	20.0
	8.5	24.0	12.0	8.5	29.0	24.0
45°	7.5	15.0	11.0	15.91	42.82	10.61
	8.0	16.0	13.0	16.97	46.90	11.3
	8.5	19.0	13.0	19.44	51.88	12.02
60°	7.5	15.0	13.0	16.74	46.48	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
	8.5	19.0	17.5	20.70	59.90	9.82
75°	7.5	15.0	16.5	16.43	49.36	7.76
	8.0	16.0	18.5	17.52	53.54	8.25
	8.5	19.0	20.0	20.55	61.10 [3]	8.80
90°	7.5	15.0	20.0	15.0	50.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0
	8.5	19.0 [2]	24.0 [2]	19.0	62.0 [3]	8.5

[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.

[2] When lot width is less than 43 feet, 40 feet may be substituted for a two-way aisle and a single row of cars at 90° to the aisle, provided that the minimum width of the parking stalls shall be 9½ feet.

[3] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9½ feet.



The following equations may be used to compute dimensions for parking angles other than those provided in the chart above:

$E = C \sin A + B \cos A$

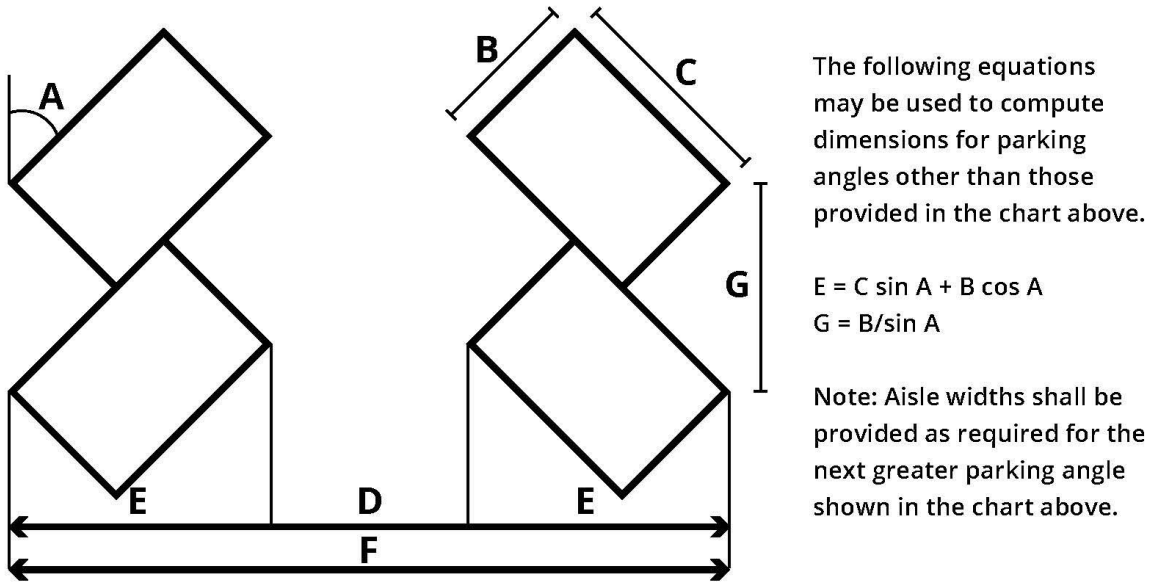
$G = B/\sin A$

NOTE: Aisle widths shall be provided as required for the next greater parking angle shown in the chart above.

((~~Exhibit C for 23.54.030: Parking Aisle Dimensions~~))

Exhibit C for 23.54.030

Parking aisle dimension measurement



2. Minimum aisle widths shall be provided for the largest vehicles served by the aisle.

3. Turning and maneuvering areas shall be located on private property, except that alleys may be credited as aisle space.

4. Aisle slope shall not exceed 17 percent provided that the Director may permit a greater slope if the criteria in subsections 23.54.030.D.3.a, 23.54.030.D.3.b, and 23.54.030.D.3.c are met.

* * *

((~~H~~)) F. Attendant ((~~Parking~~)) parking. In downtown zones, any off-street parking area or structure providing more than ((~~5~~)) five parking spaces where automobiles are parked solely by attendants employed for that purpose shall have parking spaces at least 8 feet in width, and 15 feet in length. Subsections ((~~A, B, C, D and E of this Section 23.54.030~~)) 23.54.030.A, 23.54.030.B, 23.54.030.C, 23.54.030.D, and 23.54.030.E shall not apply, except that the grade curvature of any area used for automobile travel or storage shall not exceed that specified in subsection 23.54.030.D.3. Should attendant operation be discontinued, the provisions of subsections ((~~23.54.030 A, B, C, D and E~~)) 23.54.030.A, 23.54.030.B, 2054.030.C, 23.54.030.D, and 23.54.030.E shall apply to the parking.

((~~I~~)) G. Off-street ((~~Bus Parking~~)) bus parking. Bus parking spaces, when required, shall be 13 feet in width and 40 feet in length. Buses parked ((~~en masse~~)) together shall not be required to have adequate ingress and egress from each parking space.

((~~J~~)) H. The Director may, as a Type I decision, modify any required dimension or distribution percentage of parking spaces identified in subsections 23.54.030.A or 23.54.030.B to allow more efficient use of a surface parking area or parking garage, when the parking area or parking garage provides adequate and safe circulation.

* * *

Section 61. Subsections 23.54.030.F and 23.54.030.G of the Seattle Municipal Code, which section was last amended by Ordinance 127099, are amended as follows:

* * *

23.54.031 Curb cuts

((~~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.~~)) A. Residential uses

((~~a.~~)) 1. Number of curb cuts

((~~1~~)) a. For lots not located on a principal arterial as designated by the Seattle Department of Transportation, curb cuts are permitted according to Table A for ((~~23.54.030~~)) 23.54.031:

Table A for ((~~23.54.030~~)) 23.54.031
Curb cuts for lots not located on a principal arterial or easement frontage

Street or easement frontage of the lot	**Number of curb cuts permitted**
80 feet or less	1
Greater than 80 feet up to 160 feet	2
Greater than 160 feet up to 240 feet	3
Greater than 240 feet up to 320 feet	4
For lots with frontage in excess of 320 feet, the pattern established above continues.	

((~~2~~)) b. For lots on principal arterials as designated by the Seattle Department of Transportation, curb cuts are permitted according to Table B for ((~~23.54.030~~)) 23.54.031:

Table B for ((~~23.54.030~~)) 23.54.031
Curb cuts for principal arterial street frontage

Street or easement frontage of the lot	**Number of curb cuts permitted**
160 feet or less	1

Table B for ((~~23.54.030~~)) 23.54.031 Curb cuts for principal arterial street frontage	
Street or easement frontage of the lot	**Number of curb cuts permitted**
Greater than 160 feet up to 320 feet	2
Greater than 320 feet up to 480 feet	3
For lots with street frontage in excess of 480 feet, the pattern established above continues.	

((~~3~~)) c. On a lot that has both principal arterial and non-principal arterial street frontage, the total number of curb cuts on the principal arterial is calculated using only the length of the street lot line on the principal arterial.

((~~4~~)) d. If two adjoining lots share a common driveway, the combined frontage of the two lots will be considered as one in determining the maximum number of permitted curb cuts.

((~~b.~~)) 2. Curb cut width. Curb cuts shall not exceed a maximum width of 10 feet except that:

((~~1~~)) a. For lots on principal arterials as designated by the Seattle Department of Transportation, the maximum curb cut width is 23 feet;

((~~2~~)) b. One curb cut greater than 10 feet but in no case greater than 20 feet in width may be substituted for each two curb cuts permitted by subsection ((~~23.54.030.F.1.a~~)) 23.54.031.A.1;

((~~3~~)) c. A greater width may be specifically permitted by the development standards in a zone;

((~~4~~)) d. If subsection 23.54.030.D requires a driveway greater than 10 feet in width, the curb cut may be as wide as the required width of the driveway; and

((~~5~~)) e. A curb cut may be less than the maximum width permitted but shall be at least as wide as the minimum required width of the driveway it serves.

((~~c.~~)) 3. Distance between curb cuts

((~~1~~)) a. The minimum distance between any two curb cuts located on a lot is 30 feet, except as provided in subsection ((~~23.54.030.F.1.c.2~~)) 23.54.031.A.3.b.

((~~2~~)) b. For ((~~rowhouse and townhouse developments~~)) attached dwelling units, the minimum distance between curb cuts is 18 feet (See Exhibit ((~~D for 23.54.030~~)) A for 23.54.031). For ((~~rowhouse and townhouse developments~~)) attached dwelling units located on abutting lots, the minimum distance between curb cuts is 18 feet.

Exhibit ((~~D for 23.54.030~~)) <u>A for 23.54.031</u>

Paired driveways for attached units

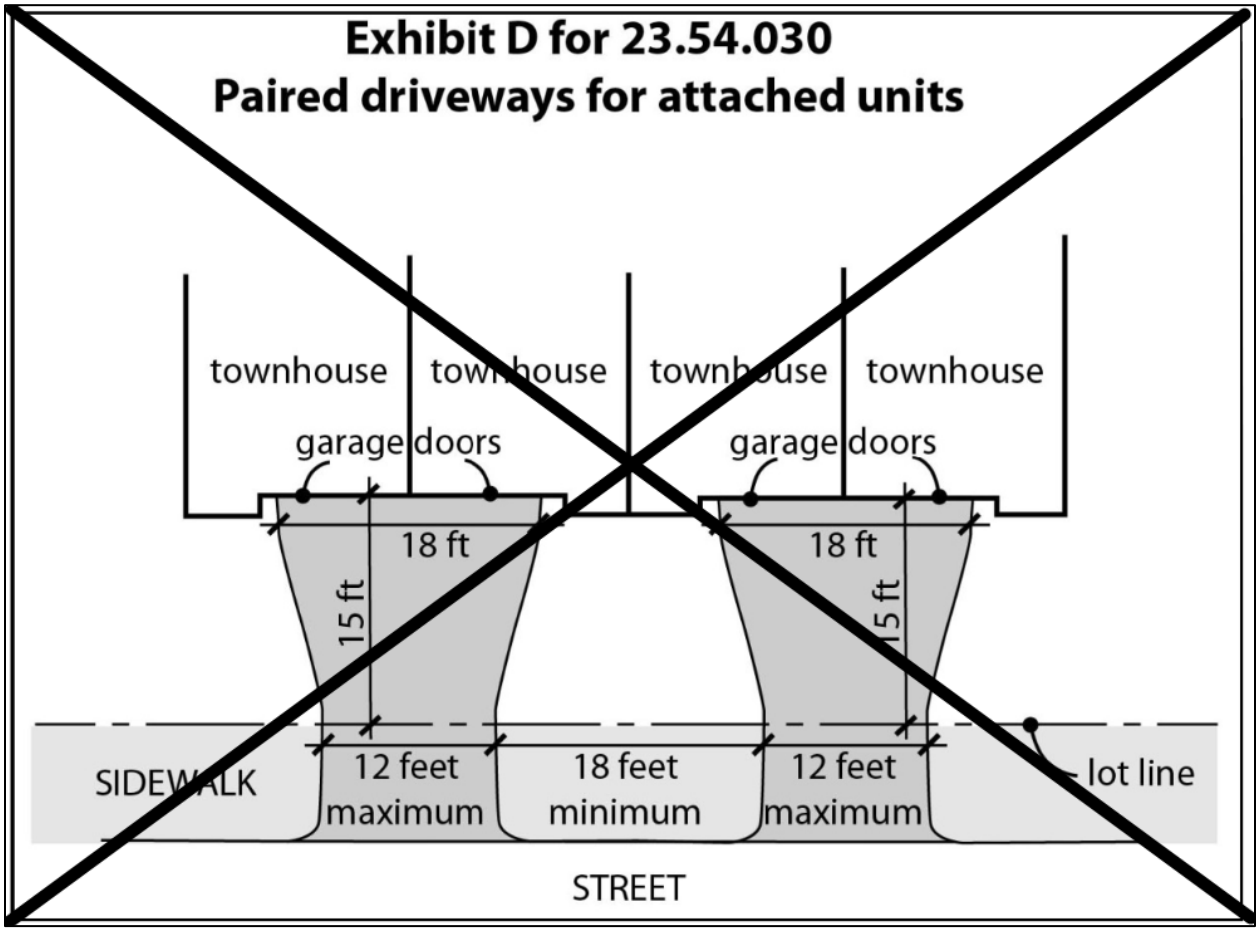
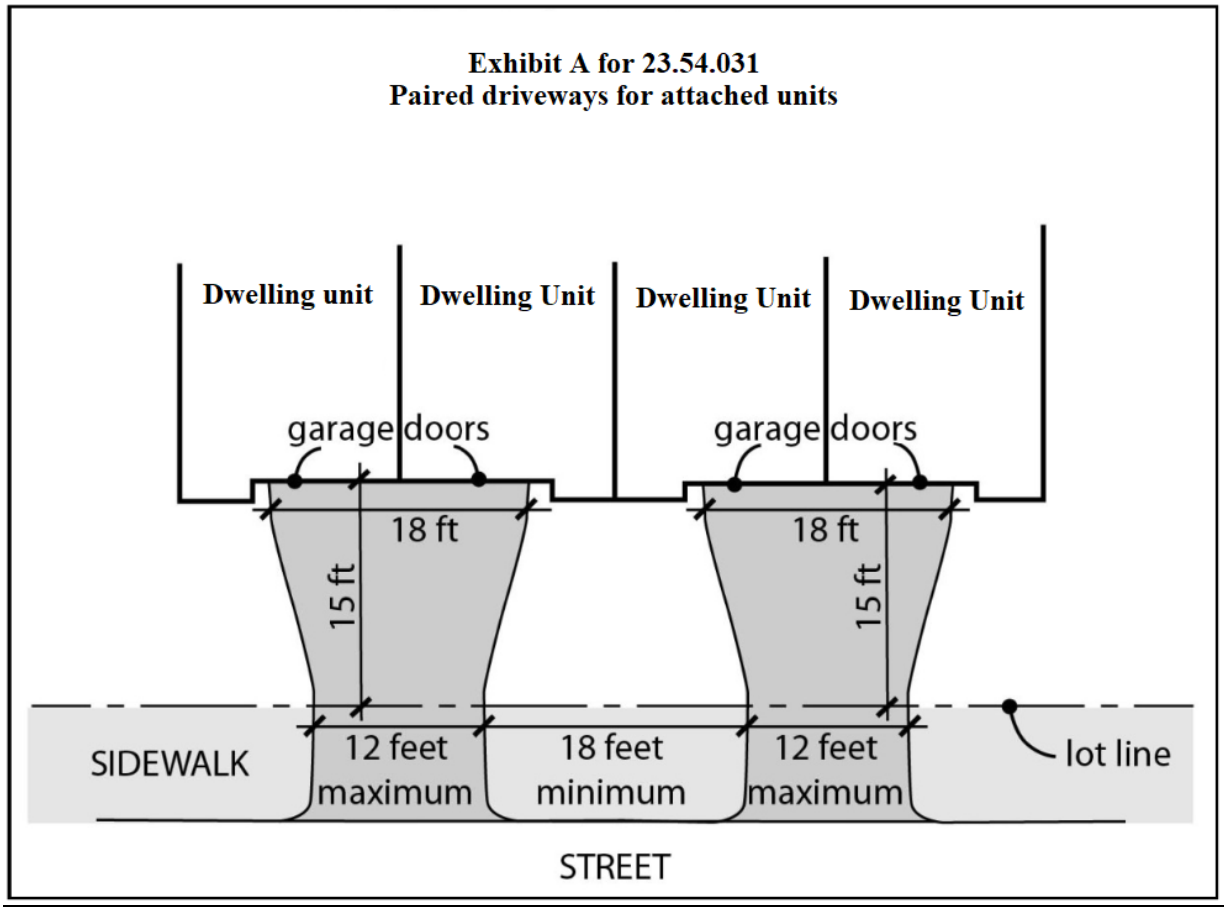


Exhibit A for 23.54.031
Paired driveways for attached units



((~~2.~~)) B. Nonresidential uses in all zones except industrial zones

((~~a.~~)) 1. Number of curb cuts

((~~1~~)) a. In all residential zones, RC zones, and within the Major Institution Overlay District, two-way curb cuts are permitted according to Table C for ((~~23.54.030~~)) 23.54.031:

Table C for ((~~23.54.030~~)) 23.54.031
Number of curb cuts in residential zones, RC zones, and the Major Institution Overlay District

Street frontage of the lot	**Number of curb cuts permitted**
80 feet or less	1

Table C for ((~~23.54.030~~)) 23.54.031
Number of curb cuts in residential zones, RC zones, and the Major Institution Overlay District

Street frontage of the lot	**Number of curb cuts permitted**
Greater than 80 feet up to 240 feet	2
Greater than 240 feet up to 360 feet	3
Greater than 360 feet up to 480 feet	4
For lots with frontage in excess of 480 feet, one curb cut is permitted for every 120 feet of street frontage.	

((~~2~~)) b. The Director may allow two one-way curb cuts to be substituted for one two-way curb cut, after determining, as a Type I decision, that there would not be a significant conflict with pedestrian traffic.

((~~3~~)) c. The Director shall, as a Type I decision, determine the number and location of curb cuts in C1 and C2 zones and the location of curb cuts in SM zones.

((~~4~~)) d. In downtown zones, a maximum of two curb cuts for one-way traffic at least 40 feet apart, or one curb cut for two-way traffic, are permitted on each street front where access is permitted by subsection 23.49.019.H. No curb cut shall be located within 40 feet of an intersection. These standards may be modified by the Director as a Type I decision on lots with steep slopes or other special conditions, to the minimum extent necessary to provide vehicular and pedestrian safety and facilitate a smooth flow of traffic.

((~~5~~)) e. For public schools, the Director shall permit, as a Type I decision, the minimum number of curb cuts that the Director determines is necessary.

((~~6~~)) f. In NC zones, curb cuts shall be provided according to subsection 23.47A.032.A, or, when subsection 23.47A.032.A does not specify the maximum number of curb cuts, according to subsection ((~~23.54.030.F.2.a.1~~)) 23.54.031.B.1.a.

((~~7~~)) g. For police and fire stations the Director shall permit the minimum number of curb cuts that the Director determines is necessary to provide adequate maneuverability for emergency vehicles and access to the lot for passenger vehicles.

((~~b.~~)) 2. Curb cut widths

((~~1~~)) a. For one-way traffic, the minimum width of curb cuts is 12 feet, and the maximum width is 15 feet.

((~~2~~)) b. For two-way traffic, the minimum width of curb cuts is 22 feet, and the maximum width is 25 feet, except that the maximum width may be increased to 30 feet if truck and auto access are combined.

((~~3~~)) c. For public schools, the maximum width of a curb cut is 25 feet. Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79.

((~~4~~)) d. For fire and police stations, the Director may allow curb cuts up to, and no wider than, the minimum width necessary to provide access for official emergency vehicles that have limited maneuverability and that must rapidly respond to emergencies. Curb cuts for fire and police stations are considered curb cuts for two-way traffic.

((~~5~~)) e. If one of the following conditions applies, the Director may require a curb cut of up to 30 feet in width, if it is found that a wider curb cut is necessary for safe access:

((~~i.~~)) 1) The abutting street has a single lane on the side that abuts the lot; or

((~~ii.~~)) 2) The curb lane abutting the lot is less than 11 feet wide; or

((~~iii.~~)) 3) The proposed development is located on an arterial with an average daily traffic volume of over 7,000 vehicles; or

((~~iv.~~)) 4) Off-street loading berths are required according to Section 23.54.035.

((~~c.~~)) 3. The entrances to all garages accessory to nonresidential uses or live-work units and the entrances to all flexible-use parking garages shall be at least 6 feet 9 inches high.

((~~3.~~)) C. All uses in industrial zones

((~~a.~~)) 1. Number and location of curb cuts. The number and location of curb cuts will be determined by the Director.

((~~b.~~)) 2. Curb cut width. Curb cut width in ((~~Industrial~~)) industrial zones shall be as follows:

((~~1~~)) a. Except as set forth in subsection ((~~23.54.030.F.3.b.4~~)) 23.54.031.C.2.d, if the curb cut provides access to a parking area or structure, it must be a minimum of 15 feet wide and a maximum of 30 feet wide.

((~~2~~)) b. If the curb cut provides access to a loading berth, the maximum width may be increased to 50 feet.

((~~3~~)) c. Within the minimum and maximum widths established by this subsection ((~~23.54.030.F.3~~)) 23.54.031.C, the Director shall determine the size of the curb cuts.

((~~4~~)) d. If the curb cut provides access to a solid waste management use, the Director may determine the maximum width of the curb cut.

((~~4.~~)) D. Curb cuts for access easements

((~~a.~~)) 1. If a lot is crossed by an access easement serving other lots, the curb cut serving the easement may be as wide as the easement roadway.

((~~b.~~)) 2. The curb cut serving an access easement shall not be counted against the number or amount of curb cuts permitted to a lot if the lot is not itself served by the easement.

((~~5.~~)) E. Curb cut flare. A flare with a maximum width of 2.5 feet is permitted on either side of curb cuts in any zone.

((~~6.~~)) F. Replacement of unused curb cuts. When a curb cut is no longer needed to provide access to a lot, the curb and any planting strip must be replaced.

((~~7.~~)) G. Curb cuts are not allowed on streets if alley access to a lot is feasible but has not been provided.

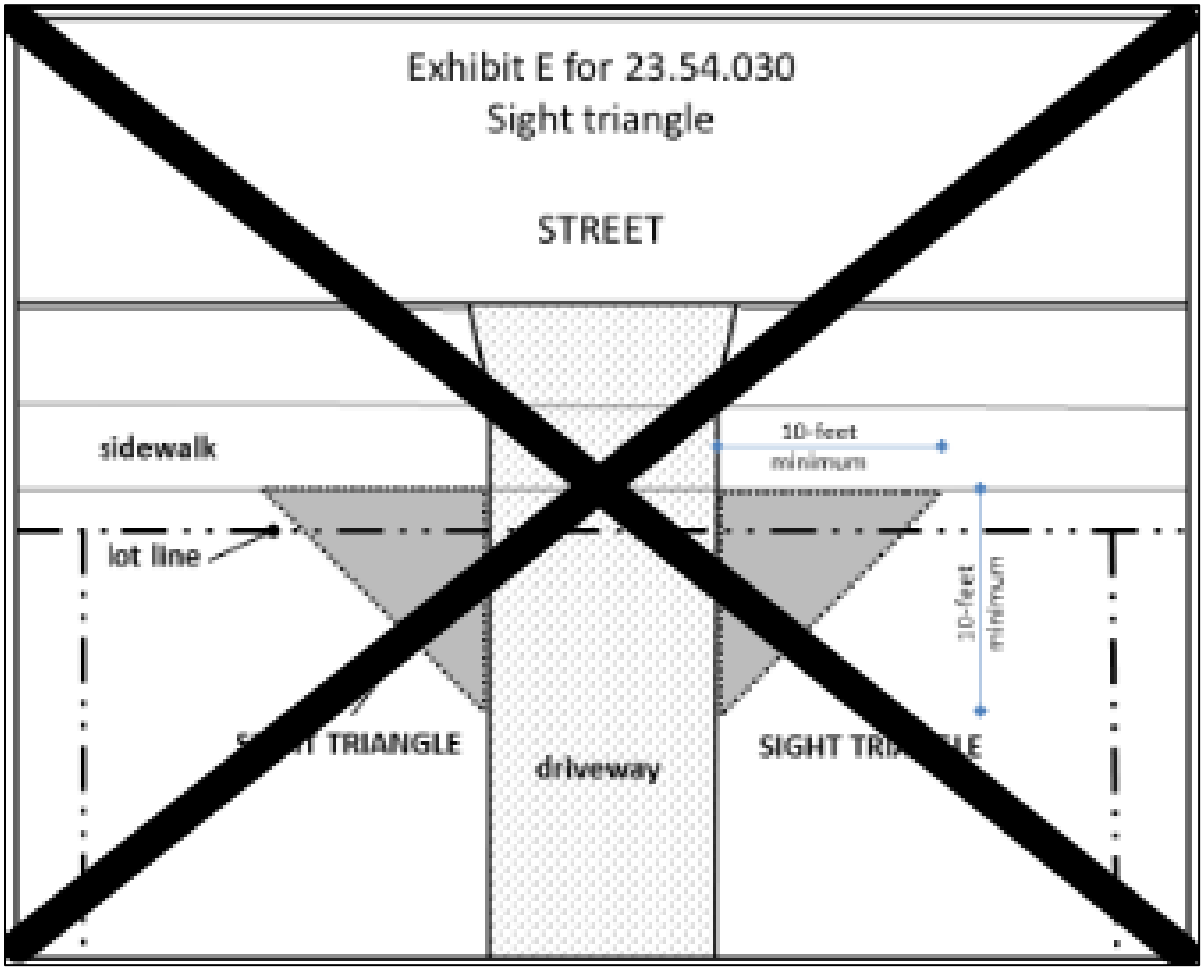
23.54.032 Sight triangles

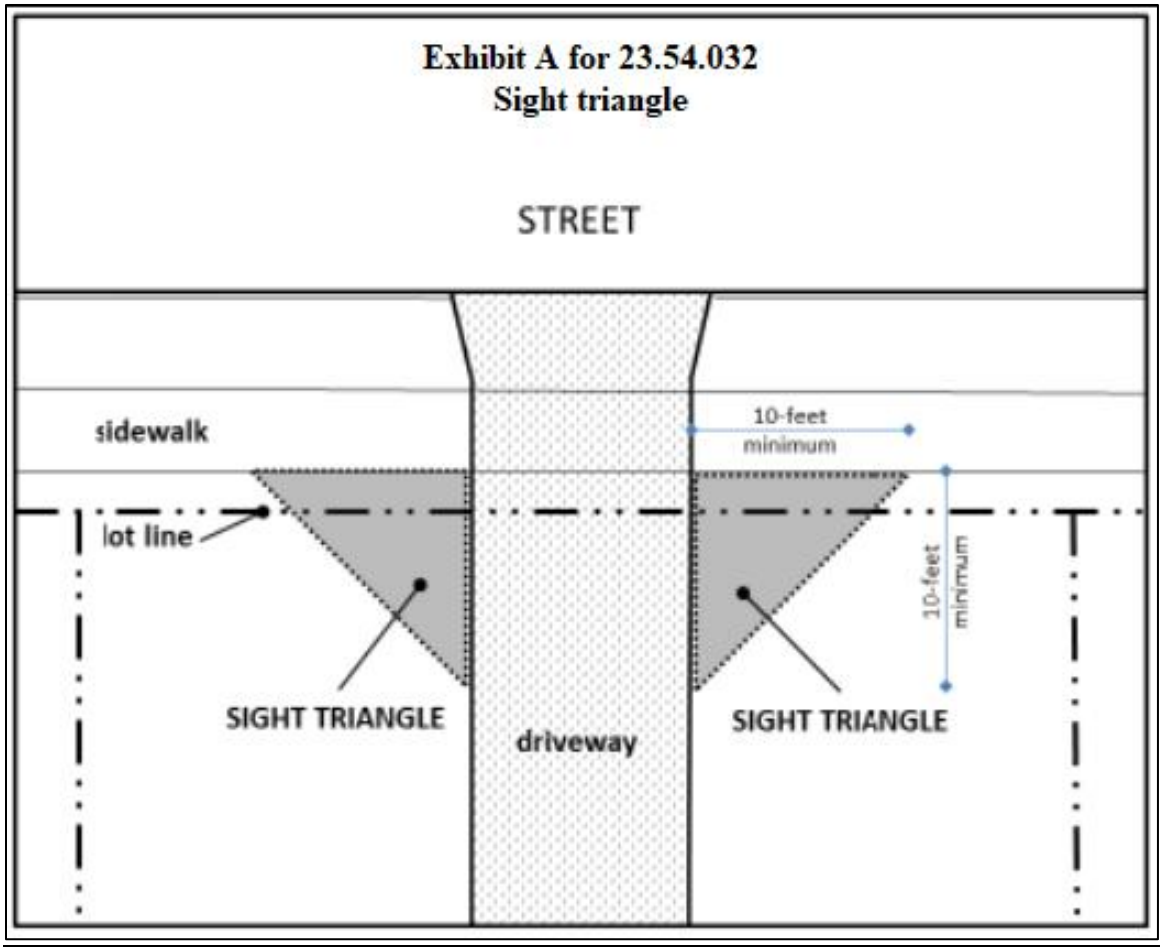
((~~G. Sight triangle~~

~~1.~~)) A. For exit-only driveways and easements, and two-way driveways and easements less than 22 feet wide, a sight triangle on both sides of the driveway or easement shall be provided, and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk, or curb intersection if there is no sidewalk, as depicted in Exhibit ((~~E for 23.54.030~~)) A for 23.54.032.

Exhibit ((~~E for 23.54.030~~)) A for 23.54.032

Sight triangle





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

((~~3.~~)) C. The sight triangle shall also be kept clear of obstructions in the vertical spaces between 32 inches and 82 inches from the ground.

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

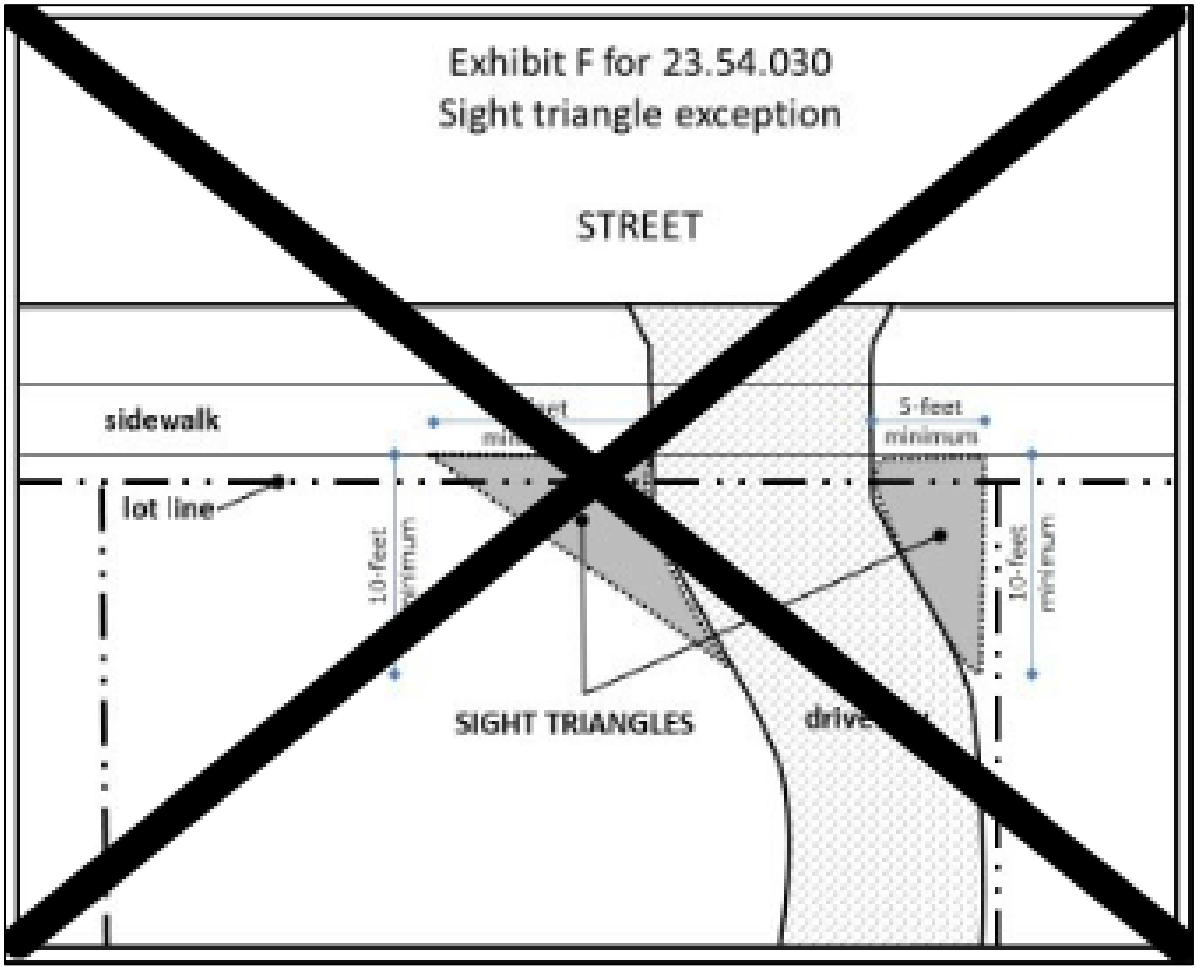
((~~a.~~)) 1. An easement may be provided sufficient to maintain the sight triangle. The easement shall be recorded with the King County Recorder's Office; or

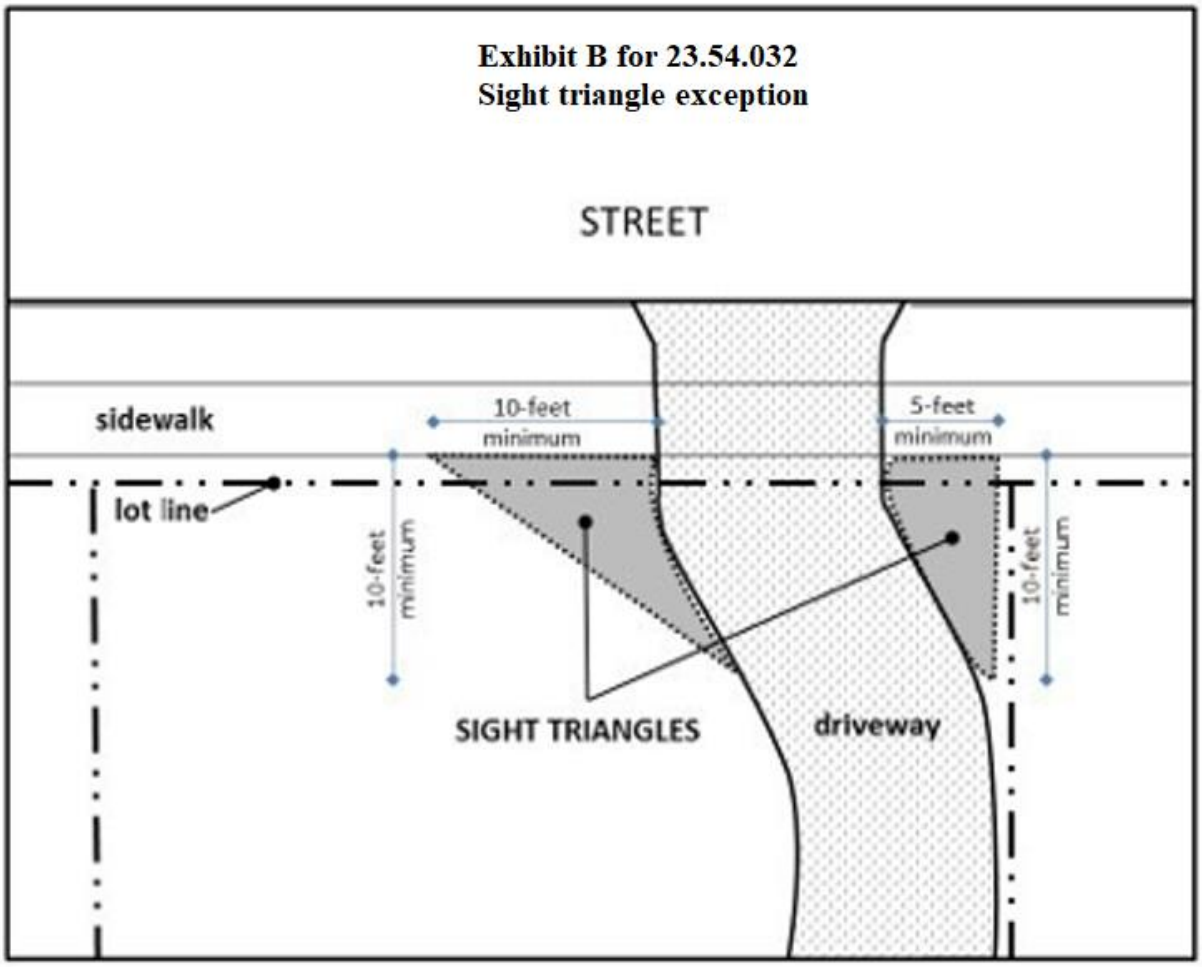
((~~b.~~)) 2. The driveway may be shared with a driveway on the neighboring lot; or

((~~c.~~)) 3. The driveway or easement may begin 5 feet from the lot line, as depicted in Exhibit ((~~F for 23.54.030~~)) B for 23.54.032.

Exhibit ((~~F for 23.54.030~~)) B for 23.54.032

Sight triangle exception





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

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

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

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

* * *

Section 62. Subsections 23.54.030.K and 23.54.030.L of the Seattle Municipal Code, which section was last amended by Ordinance 127099, are amended as follows:

* * *

23.54.033 Pedestrian access to garage

((~~K. Pedestrian access to garage.~~)) For new structures that include a garage, in a zone where flexible-use parking is permitted, at least one pedestrian access walkway or route shall be provided between a garage and a public right-of-way, which may be an alley, including a side-hinged door for pedestrian use. A fire exit door, or other access through lobbies, may serve this purpose if the access route and doors are accessible for ingress and egress by garage users.

23.54.034 Electric vehicle (EV) charging infrastructure

((~~L. Electric vehicle (EV) charging infrastructure.~~)) New parking spaces provided on a lot when a new building is constructed shall be ((~~"~~))EV-ready((~~"~~)) as specified in this ((~~subsection 23.54.030.L~~)) Section 23.54.034. The required number of EV-ready parking spaces shall be determined by whether the parking is for a residential or nonresidential use. Parking that is clearly set aside and reserved for residential use shall meet the standards of subsection ((~~23.54.030.L.1~~)) 23.54.034.A; parking for all other uses within the structure shall meet the standards of subsection ((~~23.54.030.L.2~~)) 23.54.034.B.

((~~1.~~)) A. Residential uses

((~~a.~~)) 1. Private parking for individual ((~~residential~~)) dwelling units. When parking for any individual dwelling unit is provided in a private garage, carport, or parking

area, separate from any parking facilities serving other units, at least one parking space for each unit in that garage, carport, or surface parking area shall be EV-ready.

((~~b.~~)) 2. Surface parking for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a surface parking area serving multiple ((~~residences~~)) dwelling units, the number of parking spaces that shall be EV-ready shall be as follows:

((~~1) When between one and six parking spaces are provided, each of those parking spaces shall be EV-ready;~~

~~2) When between seven and 25 parking spaces are provided, a minimum of six of those parking spaces shall be EV-ready; and~~

~~3) When more than 25 parking spaces are provided, a minimum of 20 percent of those parking spaces shall be EV-ready.~~))

a. When up to 25 parking spaces are provided, the first 12 parking spaces shall be EV-ready; and

b. When more than 25 parking spaces are provided, 45 percent of all parking spaces shall be EV-ready.

((~~c.~~)) 3. Parking garages for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a parking garage serving multiple ((~~residences~~)) dwelling units, a minimum of ((~~20~~)) 45 percent of those parking spaces shall be EV-ready.

((~~d. Other residential uses. When parking is provided for all other residential uses, a minimum of 20 percent of those spaces shall be EV-ready.~~

~~2.~~)) B. Nonresidential uses((~~.~~))

1. When parking is provided for nonresidential uses, a minimum of ((~~ten~~)) 30 percent of those spaces shall be EV-ready((~~.~~)), except as provided in subsection 23.54.034.B.2 and subsection 23.54.034.B.3.

2. For the uses listed in subsection 23.54.034.B.3, the following requirements apply:

a. Where fewer than ten parking spaces are provided for the use, one EV-ready space is required.

b. Where ten or more parking spaces are provided for the use, 10 percent of parking spaces shall be EV-ready.

3. The following uses are subject to the alternative requirements in 23.54.034.B.2:

a. The following institutional uses:

1. Community club or center;

2. Child care center;

3. Community farm;

4. Library;

5. Museum;

6. Private club;

7. Religious facility; and

8. School, elementary or secondary;

b. Entertainment uses;

c. Eating and drinking establishments;

d. Automotive sales and services;

e. Multipurpose retail sales;

f. Heavy sales and services, except heavy commercial services; and

g. Marine sales and services.

((~~3.~~)) C. Rounding. When calculating the number of required EV-ready parking spaces, any fraction or portion of an EV-ready parking space required shall be rounded up to the nearest whole number.

((~~4.~~)) D. Reductions

((~~a.~~)) 1. The Director may, in consultation with the Director of Seattle City Light, reduce the requirements of this ((~~subsection 23.54.030.L~~)) Section 23.54.034 as a Type I decision ((~~where~~)) if there is substantial evidence ((~~substantiating~~)) that the added electrical load that can be attributed to meeting the requirements will:

((~~1~~)) a. Alter the local utility infrastructure design requirements on the utility side of the legal point of service, so as to require on-property power transformation; or

((~~2~~)) b. Require an upgrade to an existing residential electrical service.

((~~b.~~)) 2. In cases where the provisions of subsection ((~~23.54.030.L.4.a~~)) 23.54.034.D.1 have been met, the maximum quantity of EV charging infrastructure required to be installed shall be reduced to the maximum service size that would not require the changes to transformation or electrical service in subsection ((~~23.54.030.L.4.a~~)) 23.54.034.D.1. The Director may first reduce the required level of EV infrastructure at EV-ready parking spaces from 40-amp to 20-amp circuits. If necessary, the Director may also then reduce the number of required EV-ready parking spaces or otherwise reduce the level of EV infrastructure at EV-ready parking spaces.

((~~c.~~)) 3. The Director may establish by rule the procedures and documentation required for a reduction request.

((~~5.~~)) E. All EV charging infrastructure shall be installed in accordance with the Seattle Electrical Code. Where EV-ready surface parking spaces are located more than 4 feet from a building, raceways shall be extended to a pull box or stub in the vicinity of the designated space and shall be protected from vehicles.

((~~6.~~)) F. Accessible parking. Where new EV-ready parking spaces and new accessible parking are both provided, parking facilities shall be designed so that at least ((~~one~~)) 20 percent of the accessible parking spaces or two accessible parking spaces, whichever is greater, shall be EV-ready. The accessible parking EV-ready infrastructure may also serve adjacent parking spaces not designated as accessible parking. The EV-ready accessible parking spaces, rounded up to the next whole number, are allowed to be included in the total number of electric vehicle parking spaces required under 23.54.034.A. and 23.54.034.B.

((~~7.~~)) G. Nothing in this ((~~subsection 23.54.030.L~~)) Section 23.54.034 shall be construed to modify the minimum number of off-street motor vehicle parking spaces required for specific uses or the maximum number of parking spaces allowed, as set forth in Section 23.54.015 or elsewhere in this Title 23.

((~~8.~~)) H. This Section ((~~23.54.030~~)) 23.54.034 does not require EV supply equipment, as defined by Article 100 of the Seattle Electrical Code, to be installed.

Section 63. Section 23.60A.156 of the Seattle Municipal Code, last amended by Ordinance 124750, is amended as follows:

23.60A.156 Standards for environmentally critical areas in the Shoreline District

* * *

K. Subdivisions and short subdivisions

1. The standards for short subdivisions and subdivisions in Section 25.09.240 incorporated by reference into this Chapter 23.60A apply to short subdivisions and subdivisions in the Shoreline District, except as provided in subsections 23.60A.156.K.2 and 23.60A.156.K.3.

2. Subsection 25.09.240.B does not apply. Parcels shall be divided so that each lot contains an area for the principal structure, all accessory structures, and necessary walkways and access for this area that are outside the riparian corridor, wetlands, wetland buffers, and steep slope areas and buffers, except as follows:

a. Development on upland lots may be located on steep slope areas that have been created through previous legal grading activities, including rockeries or retaining walls resulting from rights-of-way improvements, if steep slope erosion is not increased as determined by the Director based on a geotechnical report; and

b. Development on upland lots may be located on steep slope areas that are less than 20 feet in vertical rise and that are 30 feet or more from other steep slope areas, if steep slope erosion is not increased as determined by the Director based on a geotechnical report.

3. Subsection ((~~25.09.240.E~~)) 25.09.240.D does not apply. In computing the number of lots a parcel in a single-family zone may contain, the Director shall exclude easements and/or fee simple property used for shared vehicular access to proposed lots that are required under Section 23.53.005.

L. ((~~Environmentally critical areas administrative conditional use. The provisions of Section 25.09.260 do not apply in the Shoreline District.~~)) Reserved.

* * *

Section 64. Subsection 23.66.030.D of the Seattle Municipal Code, which section was last amended by Ordinance 126760, is amended as follows:

23.66.030 Certificates of Approval – Application, review, and appeals

* * *

D. Review

1. Review when no special review board is established

a. When there is no special review board, the Department of Neighborhoods Director shall, within 30 days of a determination that an application for a certificate of approval is complete, determine whether the proposed action is consistent with the use and development standards for the district and shall, within 15 additional days, issue, issue with conditions, or deny the requested certificate of approval.

b. A copy of the Department of Neighborhoods Director's decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the Director's decision also shall be provided to any person who, prior to the rendering of the decision, made a written request to receive notice of the decision or submitted written substantive comments on the application.

2. Review when special review board is established

a. When a special review board has been established, the board shall hold a public meeting to receive comments on certificate of approval applications.

b. Notice of the board's public meeting shall be posted in two prominent locations in the district at least three days prior to the meeting.

c. The board, after reviewing the application and considering the information received at the public meeting, shall make a written recommendation to the

Department of Neighborhoods Director to grant, grant with conditions, or deny the certificate of approval application based upon the consistency of the proposed action with the requirements of this Chapter 23.66, the district use and development standards, and the purposes for creating the district. The board shall make its recommendation within 30 days of the receipt of a completed application by the board staff, except that the applicant may waive the deadlines in writing for the special review board to make a recommendation or the Director of the Department of Neighborhoods to make a decision, if the applicant also waives any deadlines on the review or issuance of related permits that are under review by the Seattle Department of Construction and Inspections.

d. The Department of Neighborhoods Director shall, within 15 days of receiving the board's recommendation, issue or deny a certificate of approval or issue an approval with conditions.

e. A copy of the decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the decision shall be provided to any person who, prior to the rendering of the decision, made a written request for notice of the decision, or submitted substantive written comments on the application.

3. Notwithstanding any contrary provision of Section 23.66.020 or Title 23, applications for certificates of approval for the following items shall be subject to the process in subsection 23.66.030.D.1 rather than the process in subsection 23.66.030.D.2:

a. The installation, removal, or alteration of: fire escapes, ducts, conduits, HVAC vents, grilles, pipes, panels (including photovoltaic panels), weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, or telecommunication elements necessary for the normal operation of the site, building, or structure.

b. Installation, removal, or alteration((~~, or removal~~)) of minor communication utility equipment on rooftops or streetlight poles, when the location does not have impacts on other historic resources and otherwise complies with the City Design Guidelines for minor communication utilities.

c. Installation, removal, or alteration of exterior light fixtures, exterior security lighting, ((~~and~~)) or security system equipment.

d. Installation, removal, or alteration of exterior or interior signage.

e. Installation, removal, or alteration of awnings or canopies.

f. Installation, removal, or alteration((~~, or removal~~)) of window treatments, including but not limited to blinds, curtains, shades, or window film.

g. Alterations to storefront systems, if the proposed alterations are sympathetic to and do not destroy historic building materials.

h. Alteration to exterior paint colors and other finishes when painting a previously painted or otherwise finished material.

i. Installation, removal, or alteration of the following landscape elements: shrubs; perennials; annuals; and similar low-lying plantings.

j. Installation, removal, or alteration of the following site furnishings: benches; movable tables and seating; movable planters; movable water features; trash/recycling receptacles; and bike racks.

k. Installation, removal, or alteration of fences, gates, and barriers.

l. Right-of-way alterations, including but not limited to alterations to sidewalks, curbs, and the roadway.

m. Repaving and restriping of existing asphalt paved areas not within public rights-of-way.

n. Installation of improvements for accessibility compliance.

o. Installation, removal, or alteration of fire and life safety equipment.

p. Temporary emergency alterations, if the proposed replacement material used is compatible with the historic building fabric.

q. Change of use, establishment of a new use, or expansion of use, if use is a preferred use per Chapter 23.66 or applicable district rules.

r. Replacement of non-original doors and windows within original openings, when the design intent is consistent with the Secretary of the Interior's Standards for Rehabilitation.

s. Revisions to a previously approved ((~~Certificate~~)) certificate of ((~~Approval~~)) approval, where the design revisions are sympathetic to and do not destroy historic building materials.

t. Alterations or changes to accommodate seismic improvements.

4. A decision denying a certificate of approval shall state the specific reasons for the denial and explain why the proposed changes are inconsistent with the requirements of this Subchapter I and adopted use and development standards for the district.

5. Essential public facilities. No certificate of approval may be denied or conditioned in a manner that would preclude the siting of an essential public facility as provided in Chapter 23.80.

* * *

Section 65. Section 23.72.008 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.72.008 Uses permitted in specified areas within the Sand Point Overlay District

* * *

B. Uses ((~~Permitted Within Portions~~)) permitted within portions of Subarea B depicted on Map A for 23.72.008((~~.~~))

1. Principal ((~~Uses Permitted Outright~~)) uses permitted outright. In addition to the principal uses permitted by the provisions of Section ((~~23.44.006~~)) 23.44.020, the following principal uses are permitted outright in Subarea B as depicted on Map A for 23.72.004, subject to subsection ((~~B4:~~)) 23.72.008.B.4:

a. Custom and craft work;

b. Dry boat storage, limited to storage of non-motorized, hand-launchable boats such as kayaks, canoes, and sail boats;

c. Indoor and outdoor sports and recreation;

d. Institutions, except hospitals;

e. Lecture and meeting halls;

f. Motion picture theater not to exceed 500 seats within Building 47;

g. Offices, limited to a total of 86,000 gross square feet in the entire subarea;

h. Performing arts theaters;

i. Research and development laboratories;

j. Restaurants without drive-in lanes, limited to no more than 2,500 square feet per business establishment;

k. Storage of fleet vehicles including accessory service and repair;

l. Warehouses; and

m. General retail sales and service, up to 6,000 square feet per business establishment.

2. Accessory ((~~Uses~~)) uses. Accessory uses that meet the following standards and that are customarily incidental to the principal uses permitted outright, are permitted outright:

a. The area devoted to the accessory use is limited no more than 20 percent of the gross floor area of the principal use it serves;

b. Only principal uses permitted by this ((~~section~~)) Section 23.72.008 and by the applicable provisions of Chapter 23.60A are allowed as accessory uses.

3. When not in use as a motion picture studio, a structure with an established use as a motion picture studio as of July 18, 1997, may be used for indoor and outdoor sports and recreation.

4. Any area not occupied by structures in existence as of July 18, 1997, paved parking areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, is limited to open space, dry boat storage or recreation uses.

* * *

Section 66. Section 23.75.180 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

23.75.180 Parking

A. Parking is regulated by this Section 23.75.180 and not by Sections 23.54.015((~~,~~)) or 23.54.016((~~,~~)) or subsections 23.54.030.A((~~,~~)) or 23.54.030.B, except for bicycle parking, which is required pursuant to ((~~subsection 23.54.015.K~~)) Section 23.54.037. Parking maximums in this

Section 23.75.180 do not include parking for dwelling units existing as of January 1, 2012, so long as those units exist.

B. There is no minimum requirement for parking spaces for motor vehicles. Maximum motor vehicle parking space limits are as follows:

1. For the NW Sector, parking shall not exceed 1,350 spaces, plus 0.7 spaces per dwelling unit or live-work unit in the sector, except that up to an additional 450 parking spaces may be permitted as a special exception pursuant to Chapter 23.76. When deciding whether to grant a special exception, the Director shall consider evidence of parking demand for nonresidential uses and alternative means of transportation, including but not limited to the following:

a. Whether the additional parking will substantially encourage the use of single occupancy vehicles;

b. Characteristics of the work force and employee hours, such as multiple shifts that end when transit service is not readily available;

c. Proximity of transit lines to the lot and headway times of those lines;

d. Whether the additional parking will adversely affect vehicular and pedestrian circulation in the area; and

e. Potential for shared use of additional parking as residential or short-term parking.

2. For the NE, SE, and SW Sectors, Table A for 23.75.180 establishes maximum parking allowed based on the uses on a lot, subject to any transfer of unused parking allowance between lots in the same sector under Section 23.75.040.

((~~Table A for 23.75.180~~

~~Maximum motor vehicle parking limits for NE, SE, and SW Sectors~~))

Table A for 23.75.180
Maximum motor vehicle parking limits for NE, SE, and SW sectors

Use	Maximum parking allowed [1]
Residential	0.7 spaces/dwelling unit or live-work unit [2]
Office	1 space/1,000 square feet of gross floor area
All other uses	1 space/500 square feet of gross floor area

Footnote to Table A for 23.75.180
[1] Based on the development of one or more uses on the lot where the parking is located, subject to any transfer of unused allowance between lots in the same sector under Section 23.75.040.
[2] One additional space beyond this maximum limit shall be allowed for each dwelling unit with ((~~3~~)) three or more bedrooms.

C. Barrier-free parking is required consistent with Seattle Building Code requirements.

D. For purposes of this Section 23.75.180, all parking is classified as "surface parking," as defined in Section 23.84A.030, or as "aboveground," "partially underground," or "underground," as shown in Exhibit A for 23.75.180 and described as follows:

1. "Aboveground parking" means any portion of a parking garage where:

a. ((~~the~~)) The structure projects more than 4 feet in height above finished grade within 30 feet of a build-to line or reduced setback area; or

b. ((~~the~~)) The structure projects more than 6 feet in height above finished grade in any other location.

2. "Partially underground parking" means any portion of a parking garage where:

a. ((~~the~~)) The structure projects 4 feet or less in height above finished grade within 30 feet of a build-to line or reduced setback area; or

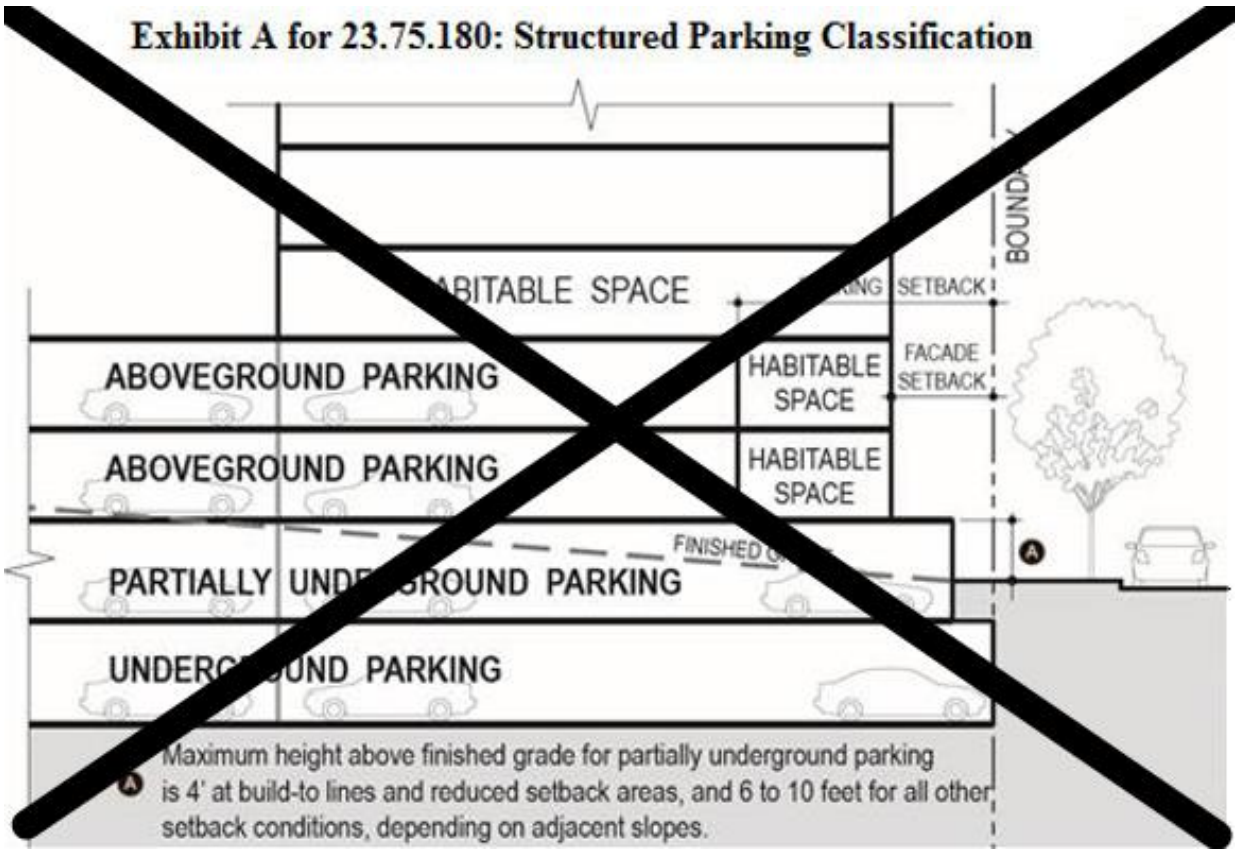
b. ((~~the~~)) The structure projects 6 feet or less in height above finished grade along any other location where the grade along the boundary has a slope of less than ((~~6~~)) six percent; or

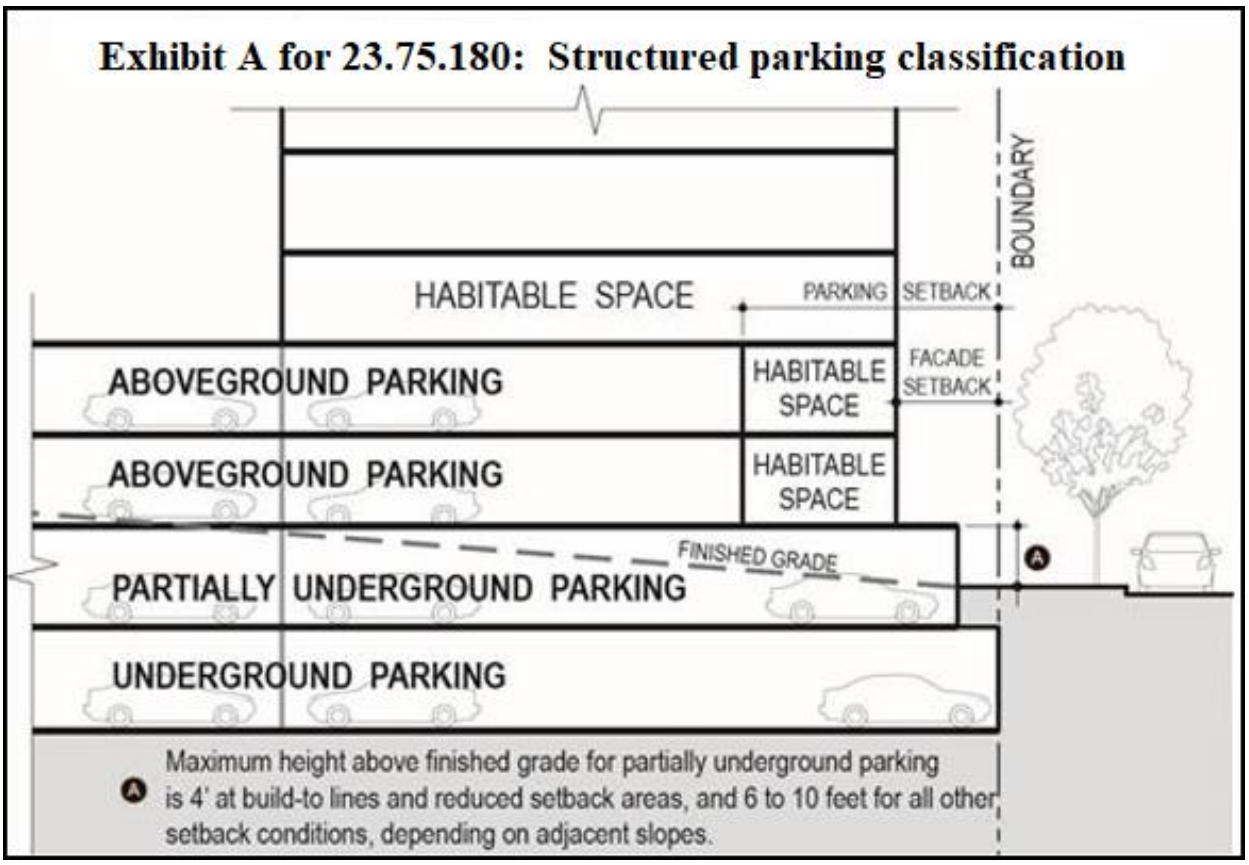
c. ((~~the~~)) The structure projects 10 feet or less in height above finished grade along any other location where the grade along the boundary has a slope of ((~~6~~)) six percent or greater.

3. "Underground parking" means a story of parking garage where all floor area, walls, and ceiling structure are entirely below finished grade, excluding access.

Exhibit A for 23.75.180

Structured ((~~Parking Classification~~)) <u>parking classification</u>





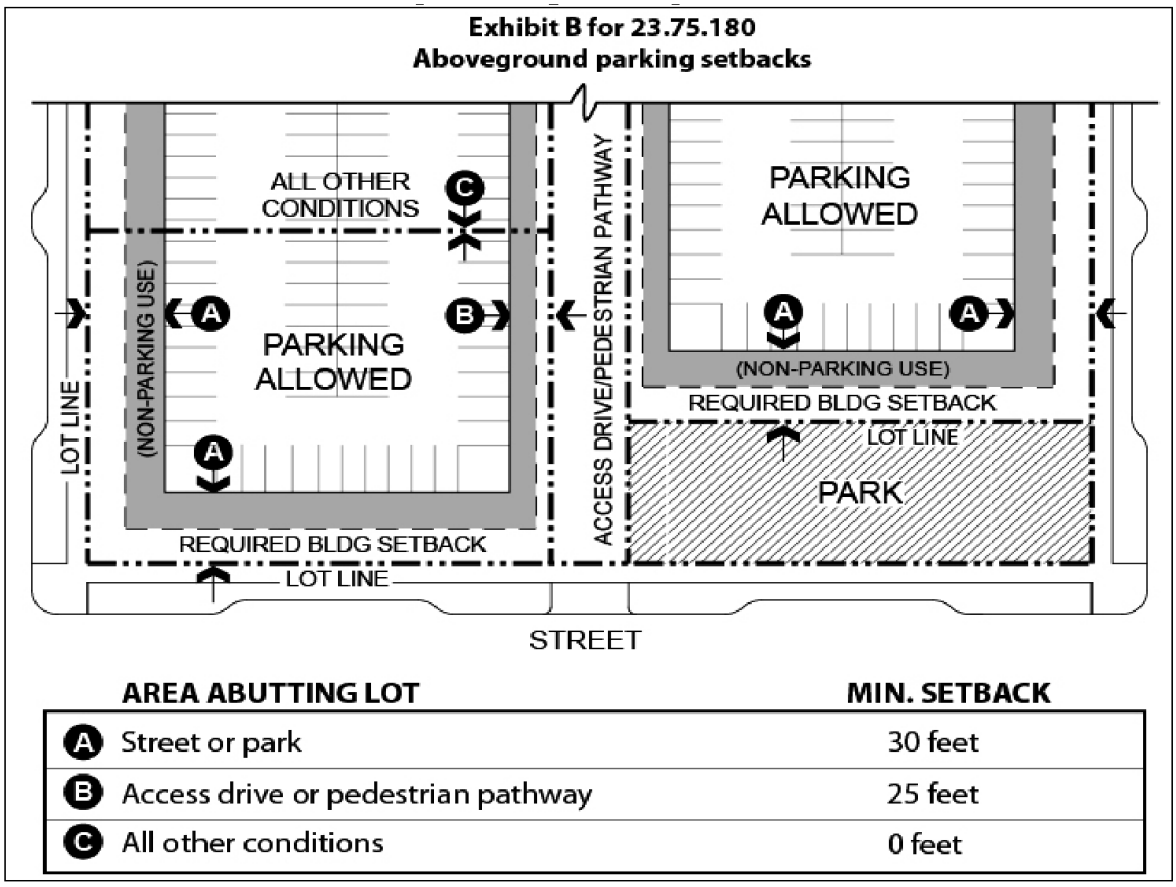
* * *

F. Aboveground parking is subject to the following requirements((.)) :

1. Minimum setbacks for aboveground parking are established in Exhibit B for 23.75.180. No parking setbacks are required from lot lines abutting the Interstate 5 right-of-way.

Exhibit B for 23.75.180

Aboveground parking setbacks



AREA ABUTTING LOT	MIN. SETBACK
A Street or park	30 feet
B Access drive or pedestrian pathway	25 feet
C All other conditions	0 feet

2. Parking within 50 feet of a street, park that is open to the public, access drive, or pedestrian pathway may not exceed three levels of aboveground parking.

3. Aboveground parking and loading areas shall be separated from each regulated facade by a normally occupied use along at least 80 percent of the width of the regulated facade, except where parking access and/or loading access occurs. The remaining part of the ((~~façade~~)) facade shall include architectural detailing, artwork, vegetated walls, or other landscape features, with an opaque screen at least 3.5 feet high on each story.

4. If aboveground parking or an aboveground loading area abuts any ((~~façade~~)) facade other than a regulated ((~~façade~~)) facade, that ((~~façade~~)) facade shall be enhanced with

architectural detailing, artwork, vegetated walls, or other landscape features. Each story shall have an opaque screen at least 3.5 feet high.

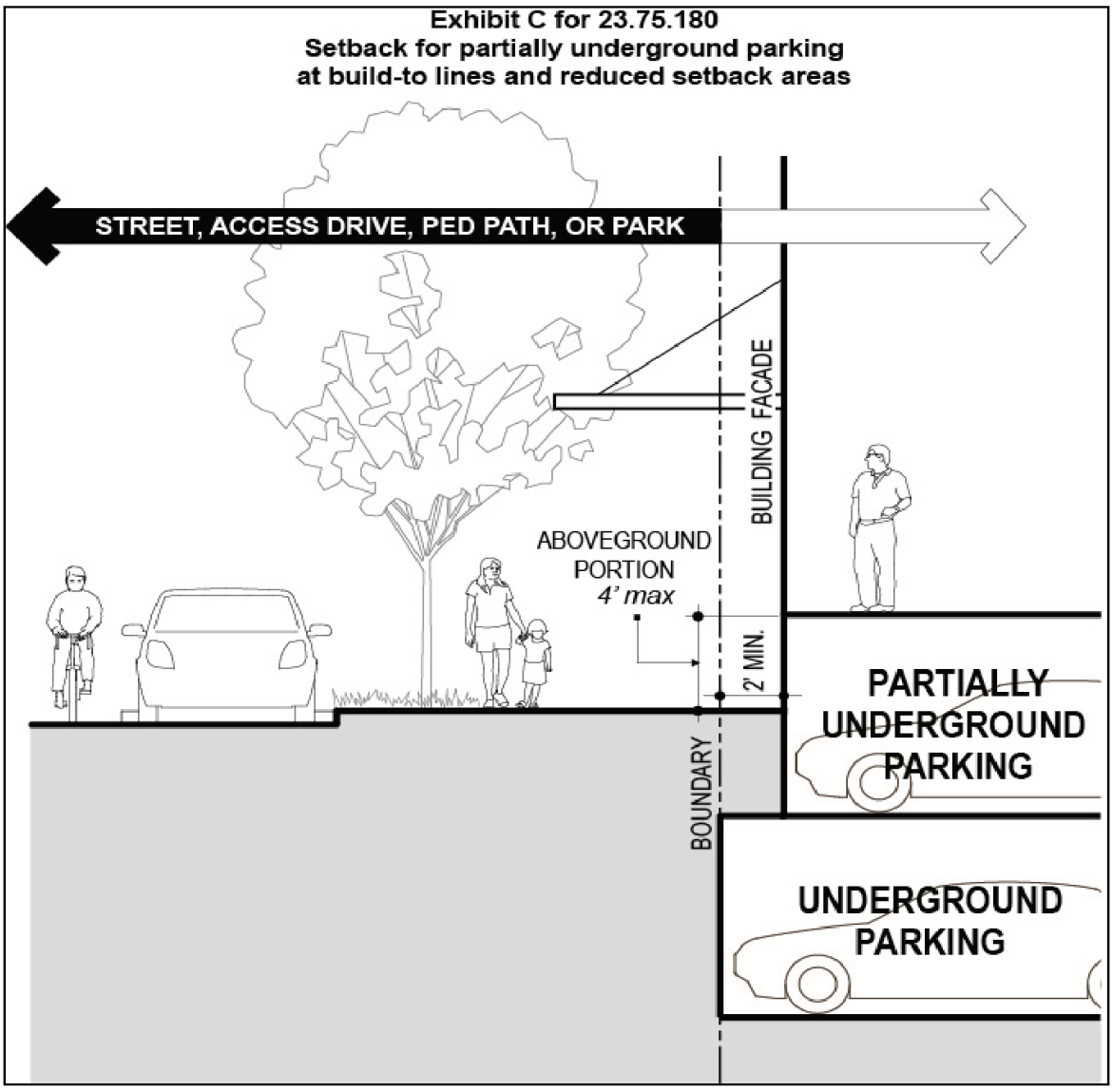
G. Partially underground parking is subject to the following requirements:

1. At build-to lines and in reduced setback areas as depicted in Exhibit C for 23.75.140, partially underground parking is required to be set back at least 2 feet from the boundary, as shown in Exhibit C for 23.75.180. In these locations, the aboveground portion of the parking garage is not allowed to exceed 4 feet above finished grade.

2. Along boundaries that do not abut a street, park that is open to the public, pedestrian pathway, or access drive, no setback is required for partially underground parking.

Exhibit C for 23.75.180

Setback for partially underground parking at build-to lines and reduced setback areas



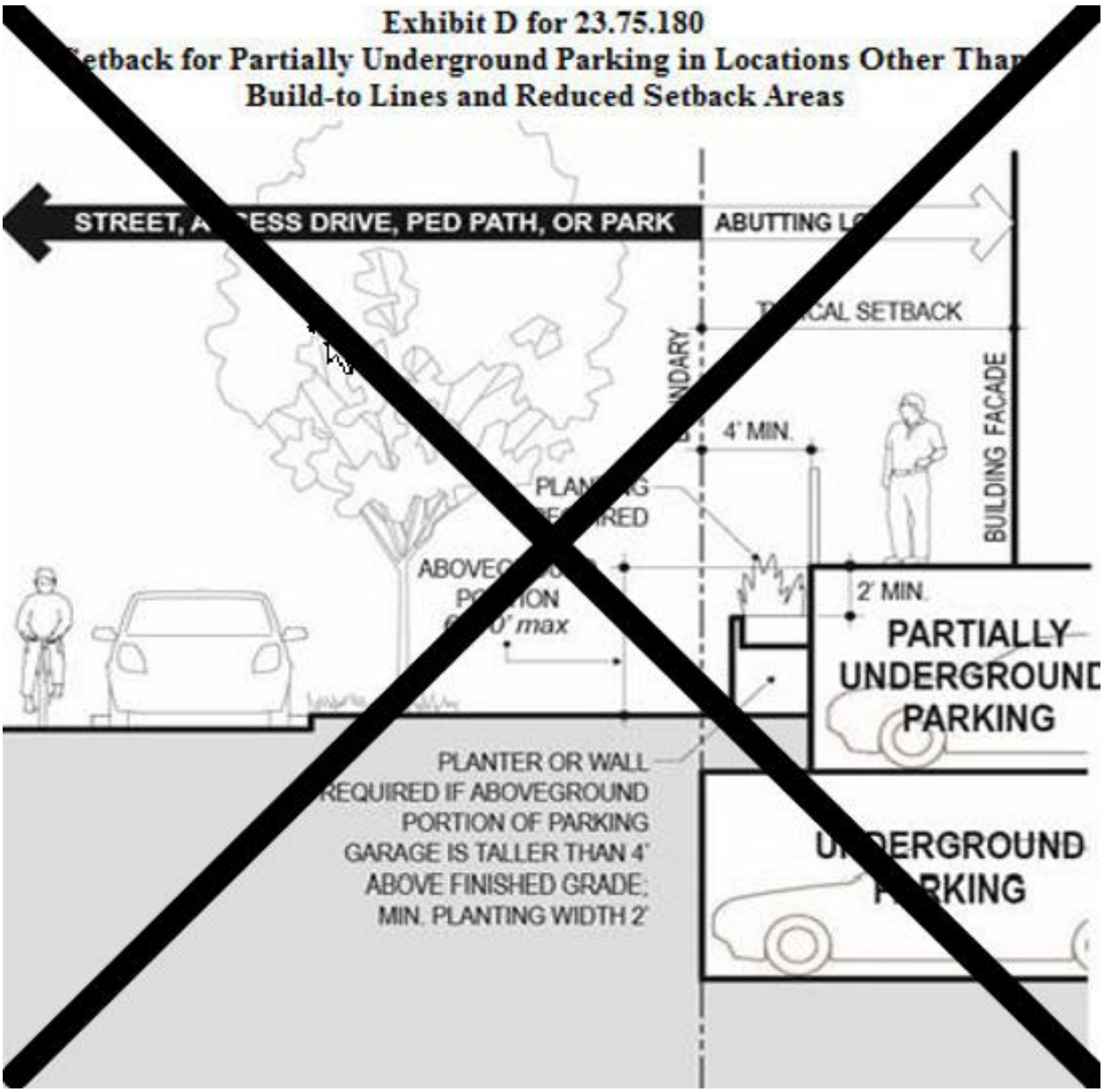
3. Along boundaries that abut a street, park that is open to the public, pedestrian pathway, or access drive and are not subject to a build-to line or reduced setback area, partially underground parking is required to be set back at least 4 feet from the boundary, as shown in Exhibit D for 23.75.180, and must meet the following standards:

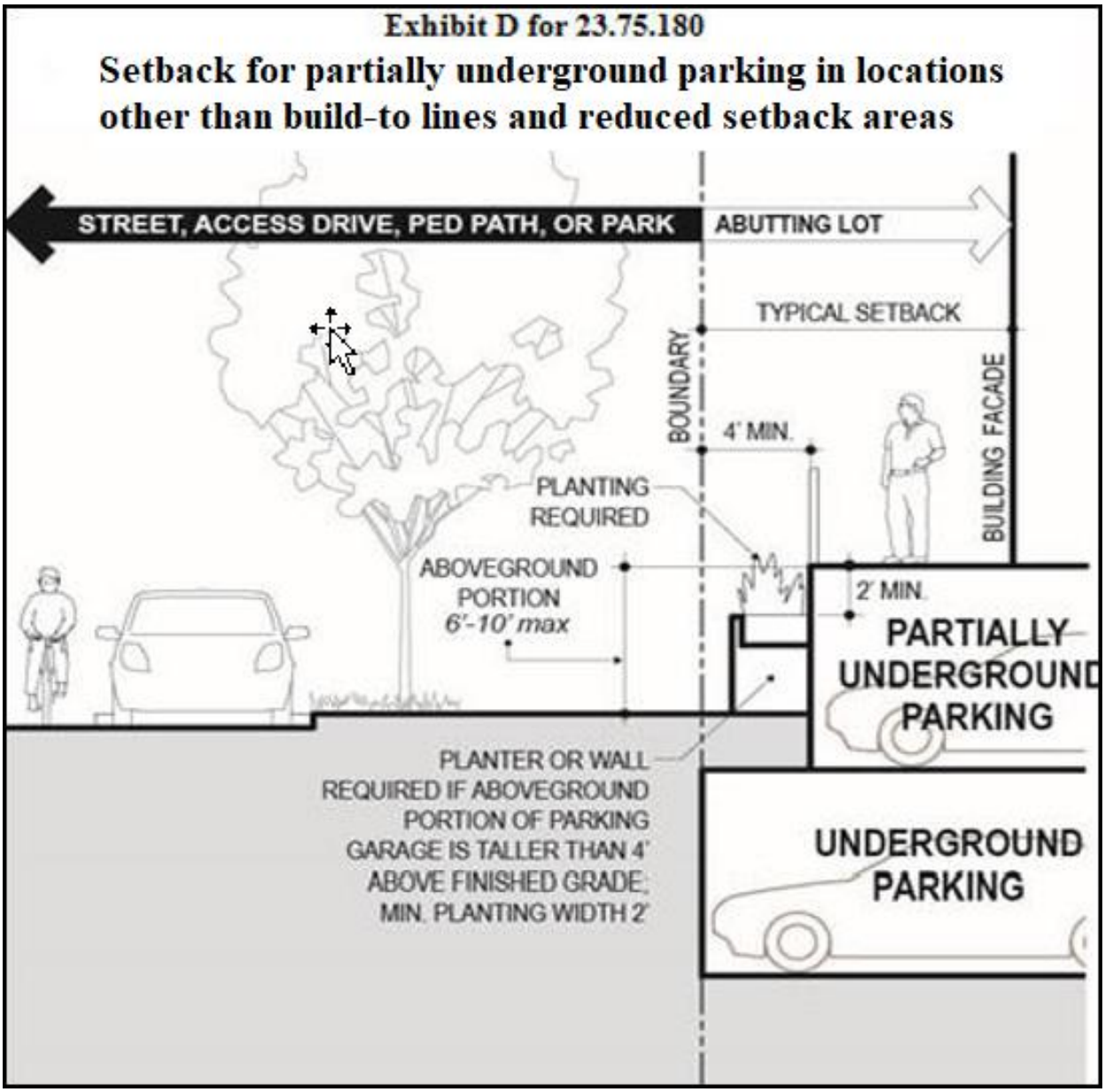
a. The aboveground portion is required to be no higher than 6 feet above the finished grade at the boundary.

b. If the aboveground portion of the parking garage is taller than 4 feet above finished grade, a wall or planter shall be provided between the parking garage and the boundary, as illustrated in Exhibit D for 23.75.180. The top of this wall or planter shall be at least ((~~two~~)) 2 feet below the top of the aboveground portion of the parking garage, and the planting area shall be at least 2 feet in width. Vegetation shall be provided at the top of this wall or planter.

Exhibit D for 23.75.180

Setback ((~~for Partially Underground Parking in Locations Other Than Build-to Lines and Reduced Setback Areas~~)) <u>for partially underground parking in locations other than build-to lines and reduced setback areas</u>





* * *

I. Parking and loading access

1. Access for parking and for loading is required to meet the following requirements:

a. Access is not allowed within 40 feet of the curb line of an intersection.

b. Access is not allowed within 20 feet of a structure corner that includes a regulated ((~~façade~~)) facade on one or both sides.

2. Each access drive is required to include a dedicated pedestrian area along at least one side of the length of the drive. The dedicated pedestrian area is required to:

a. ((~~include~~)) Include a walking surface at least 6 feet wide along the length of the access drive; and

b. ((~~be~~)) Be separated from the access drive roadway by a raised curb, bollards, landscaping, or textured paving details.

3. Curb cuts are required to meet the standards of ((~~subsections 23.54.030.F and 23.54.030.G~~)) Section 23.54.031.

4. Driveways are required to meet the standards of subsection 23.54.030.D.

Section 67. Section 23.76.064 of the Seattle Municipal Code, last amended by Ordinance 118672, is amended as follows:

23.76.064 Approval of City facilities((~~.~~))

A. Concept ((~~Approval~~)) approval for City ((~~Facilities.~~)) facilities

1. In acting on the proposed siting or expansion of a City facility, the Council shall decide whether to approve in concept the facility. If concept approval is granted, the Council may impose terms and conditions, including but not limited to design criteria and conditions relating to the size and configuration of the proposed facility.

2. Following Council approval, final plans for a City facility shall be submitted to the Director. If the Director determines that the project is consistent with the Council's concept approval, the Director shall issue the necessary permits for the facility.

3. No further Council action is required for a City facility unless the Director determines that the final plans represent a major departure from the terms of the original Council concept approval, in which case the final plan shall be submitted to the Council for approval in the same manner as the original application.

B. City ((~~Facilities Not Meeting Development Standards~~)) facilities not meeting development standards. The Council may waive or modify applicable development standards, accessory use requirements, special use requirements, or conditional use criteria for City facilities. If a waiver or modification of a development regulation is sought because the development regulation would otherwise preclude the siting of an essential public facility, then the decision to waive or modify shall be made pursuant to Chapter 23.80 and not this Section 23.76.064.

Section 68. Subsection 23.80.004.B of the Seattle Municipal Code, which section was last amended by Ordinance 124105, is amended as follows:

23.80.004 Review criteria((.))

* * *

B. ((~~If~~)) Except as provided in subsection 23.80.004.C, if the decisionmaker determines that attaching conditions to the permit approval will facilitate project siting in light of the considerations identified above, the decisionmaker may establish conditions for the project for that purpose. However, the decisionmaker may waive or modify development regulations only to the extent that a waiver or modification is approved pursuant to Section 23.80.010.

* * *

Section 69. A new Section 23.80.006 is added to the Seattle Municipal Code as follows:

23.80.006 Identifying new types of essential public facilities

The Director may, as a Type I decision, determine that a facility not otherwise listed in the definition of an essential public facility in Section 23.84A.010 is an essential public facility if:

A. The facility provides or is necessary to provide a public service; and

B. Any of the following conditions exist:

1. The public facility needs a specific type of site of such a size, location, or availability of public services for which there are few choices;

2. The public facility needs to be located near another public facility or is an expansion of an essential public facility at an existing location;

3. The public facility has significant adverse impacts that make it difficult to site;

4. Use of the normal development review process would effectively preclude the siting of an essential public facility; or

5. Development regulations require the proposed facility to use an essential public facility siting process.

Section 70. A new Section 23.80.008 is added to the Seattle Municipal Code as follows:

23.80.008 Review is supplementary

Review of an essential public facility, except for light rail facilities, under this Chapter 23.80, including a decision to condition approval of a project or to waive or modify a development regulation as authorized by this Chapter 23.80, is part of the decision to approve or deny a permit application and is not a separate or distinct regulatory decision. If the underlying decision is subject to administrative appeal, then decisions made under this Chapter 23.80 are subject to review on administrative appeal of the underlying decision. If the underlying decision is not subject to administrative appeal, then decisions made under this Chapter 23.80 are not subject to review on administrative appeal of the underlying decision.

Section 71. A new Section 23.80.010 is added to the Seattle Municipal Code as follows:

23.80.010 Waiver or modification of development regulation

A. Application for waiver or modification. If the applicant for approval of an essential public facility seeks the waiver or modification of a development regulation, the applicant shall include in the application:

1. The specific identification of each development regulation sought to be waived or modified;

2. A detailed explanation of the manner in which each development regulation is believed to preclude the siting of the essential public facility; and

3. A detailed description of any mitigation measures the applicant proposes to take to avoid or mitigate the adverse effects that may result from the proposed waiver or modification of the development regulation.

B. Decision to waive or modify. If the decisionmaker determines that application of a development regulation will preclude the siting of an essential public facility, the decisionmaker shall waive or modify the application of the development regulation to the extent necessary to allow siting the facility. The decisionmaker shall consider the provisions of WAC 365-196-550 when deciding whether a development regulation precludes the siting of the facility.

C. Mitigation. If the decisionmaker waives or modifies a development regulation, the decisionmaker may require the applicant to comply with conditions that avoid or mitigate adverse effects that the decisionmaker believes may result from waiver or modification of the development regulation. If the development regulation to be waived or modified is contained in Chapter 23.60A or Chapter 25.09, and the waiver or modification would result in a net loss of

ecological function, the decisionmaker shall impose mitigation conditions to achieve no net loss of ecological functions as a result of granting the waiver or modification.

D. Relationship to other provisions authorizing exceptions, variances, exemptions, and other forms of relief

1. Except as provided in subsection 23.80.010.D.2, regardless of any other provision of this Title 23, Chapter 25.09, or Chapter 25.11, if an applicant seeks the waiver or modification of a development regulation under this Section 23.80.010, the applicant is not required to also seek relief from the application of the development regulation pursuant to any other form of relief afforded by the Seattle Municipal Code, including procedures for exceptions, variances, exemptions, and similar procedures. However, an applicant is not precluded from seeking such other relief in addition to relief under this Section 23.80.010.

2. When the waiver or modification sought under this Section 23.80.010 is of a development regulation contained in Chapter 23.60A, the applicant must seek relief from the development regulation pursuant to the procedures set forth in Chapter 23.60A. In the event that relief cannot be granted under those procedures, the development regulation may be waived or modified under this Section 23.80.010.

E. Exemption for light rail facilities. This Section 23.80.010 does not apply to light rail facilities. Development standards for light rail facilities may be waived or modified pursuant to subsection 23.80.004.C.

Section 72. Section 23.84A.002 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.84A.002 "A"

* * *

"Adult family home((.))" ((~~See "Residential use."~~)) means the occupation of a dwelling unit by an adult family home defined and licensed as such by the State of Washington under chapter 70.128 RCW.

* * *

Section 73. Section 23.84A.006 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.006 "C"

* * *

((~~"Carriage House" See "Residential use."~~

~~"Carriage House structure" See "Residential use".~~))

* * *

((~~"Cottage, backyard." See "detached accessory dwelling unit" under the definition of "Residential use" in Section 23.84A.032.~~))

* * *

Section 74. Section 23.84A.008 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.008 "D"

* * *

((~~"Duplex" means a single structure containing only two dwelling units, neither of which is a legally established accessory dwelling unit.~~))

"Dwelling unit" means a room or rooms located within a structure that are configured to meet the standards of Section 23.42.048 ((~~and that are occupied or intended to be occupied by not more than one household as living accommodations independent from any other~~

~~household.~~)) , providing independent living facilities for one household, including permanent provisions for sleeping, food preparation, and sanitation.

"Dwelling unit, accessory((~~.~~))" ((~~See "Residential use."~~)) means a dwelling unit that:

1. Is located within the same structure as a principal dwelling unit or within an accessory structure on the same lot as a principal dwelling unit; and

2. Is designed and arranged to be occupied as living facilities independent from any other dwelling unit.

"Dwelling unit, attached" means a dwelling unit that:

1. Occupies space from the ground to the roof of the structure in which it is located; and

2. Is attached to another dwelling unit. Dwelling units are considered attached if they share a common or party wall or have walls containing floor area that are located within 2 feet of each other.

"Dwelling unit, detached" means a dwelling unit that:

1. Occupies space from the ground to the roof of the structure in which it is located; and

2. Is not attached to any other dwelling unit.

((~~"Dwelling unit, detached accessory." Also known as a backyard cottage. See "detached accessory dwelling unit" under the definition of "Residential use" in Section 23.84A.032.~~))

"Dwelling unit, principal" means a dwelling unit that is not accessory to another dwelling unit.

"Dwelling unit((–)), small efficiency" means a dwelling unit with an amount of square footage less than the minimum amounts specified for Efficiency Dwelling Units in the Seattle Building Code, and that meets the standards prescribed in Section 23.42.048.

"Dwelling unit, stacked" means dwelling units that are located above or below other dwelling units such as apartments or condominium buildings.

Section 75. Section 23.84A.010 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.84A.010 "E"

* * *

"Essential public facilities" ((~~within the City of Seattle~~)) means ((~~airports,~~)) sewage treatment plants, ((~~jails,~~)) light rail transit systems, ((~~and~~)) power plants, any facilities identified as an essential public facility in RCW 36.70A.200, and any facility determined to be an essential public facility pursuant to Section 23.80.006.

"EV-ready" means a minimum 40-ampere dedicated 208- or 240-volt branch circuit (32-amp load) terminated at a junction box or receptacle outlet in close proximity to a parking space.

* * *

Section 76. Section 23.84A.016 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.016 "H"

* * *

"Housing, low-income" means a structure or structures for which:

1. An application for public funding for the capital costs of development or rehabilitation of the structure(s) has been or will be submitted; and

2. ((~~Public~~)) A written notice of public funding ((~~is awarded~~)) award, including terms, is received prior to issuance of the ((~~first~~)) building permit, which for development projects shall be the first building permit that includes the structural frame for each structure, and such funding is conditioned on one or more regulatory agreements, covenants, or other legal instruments, recorded on the title of the property and enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency, if approved by the Director of Housing, ((~~being executed and recorded on the title of the property that includes the low-income housing and such legal instruments either:~~

~~a. For a minimum period of 40 years, require rental of at least 40 percent of the dwelling units, small efficiency dwelling units, or congregate residence sleeping rooms as restricted units with rent and income limits no higher than 60 percent of median income; or~~

~~b. For a minimum period of 50 years, require at least 40 percent of the dwelling units as restricted units sold to buyers with incomes no higher than 80 percent of median income at prices (initial sale and resale) to allow modest growth in homeowner equity while maintaining long-term affordability for income-eligible buyers, all as determined by the Director of Housing~~)) that ensure at least 50 percent of total dwelling units shall be low-income units.

* * *

Section 77. Section 23.84A.018 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.84A.018 "I"

* * *

"Institution" means ((~~structures(s)~~)) structures and related grounds used by organizations for the provision of educational, medical, cultural, social, and/or recreational services to the community, including but not limited to the following uses:

1. "Adult care center" means an institution that regularly provides care to a group of adults for less than 24 hours a day, whether for compensation or not.

2. "College" means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor, and/or graduate degrees.

3. "Community club or center" means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, social gatherings, educational programming, gardens, and art exhibits((~~,~~)).

a. "Community center" means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

b. "Community club" means a community club or center use((~~, membership~~)) to which membership is open to the general public on an equal basis.

4. "Child care center" means an institution that regularly provides care to a group of children for less than 24 hours a day, whether for compensation or not. Preschools,

cooperative child care exchanges, and drop-in centers where children receive care by the day ((~~shall be~~)) are considered to be child care centers.

5. "Community farm" means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

6. ((~~"Family support center" means an institution that offers support services and instruction to families, such as parenting classes and family counseling, and is co-located with a Department of Parks and Recreation community center.~~

~~7.~~)) "Hospital" means an institution other than a nursing home that provides accommodations, facilities, and services over a continuous period of 24 hours or more, for observation, diagnosis, and care of individuals who are suffering from illness, injury, deformity, or abnormality or from any condition requiring obstetrical, medical, or surgical services, or alcohol or drug detoxification.

((~~8.~~)) 7. "Institute for advanced study" means an institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

((~~9.~~)) 8. "Library" means an institution where literary, musical, artistic, or reference materials are kept for use but not generally for sale.

((~~10.~~)) 9. "Museum" means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

((~~11.~~)) 10. "Private club" means an institution used for athletic, social, or recreational purposes and operated by a private nonprofit organization, ((~~membership~~)) to which membership is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is generally restricted to members and their guests.

((~~12.~~)) 11. "Religious facility" means an institution, such as a church, temple, mosque, synagogue, or other structure, together with its accessory structures, used primarily for religious worship.

((~~13.~~)) 12. "School, elementary or secondary" means an institution operated by a public or nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

((~~14.~~)) 13. "School, vocational or fine arts" means an institution that teaches trades, business courses, hairdressing, and similar skills on a post-secondary level, or that teaches fine arts such as music, dance, or painting to any age group, whether operated for nonprofit or profit-making purposes, except businesses that provide training, instruction, or lessons exclusively on an individual basis, which are classified as general retail sales and service uses, and except those businesses accessory to an indoor participant sports use.

((~~15.~~)) 14. "University." See "College."

Section 78. Section 23.84A.024 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.84A.024 "L"

* * *

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

1. For a lot with frontage on a single street, the lot line separating the lot from the street;

2. For a through lot, all lot lines separating the lot from the streets that are parallel or within 15 degrees of parallel to each;

3. For a lot with frontage on more than one street other than a through lot, a lot line determined by the Director based on the existing pattern of lots and buildings on the block; and

4. For a lot with no street frontage:

a. On a lot that has only one alley lot line, the alley lot line;

b. On a lot that has more than one alley lot line, one alley lot line determined by the Director based on existing pattern of lots and buildings on the alleys; and

c. On a lot that has no alley lot lines, a lot line chosen by the applicant, provided that the selected front lot line length is at least 50 percent of the width of the lot.

* * *

Section 79. Section 23.84A.025 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.025 "M"

* * *

"Major retail store" means a structure or portion of a structure that provides adequate space of at least ((~~eighty thousand (~~)) 80,000 ((~~)~~)) square feet to accommodate the merchandising needs of a major new retailer with an established reputation, and providing a range of merchandise and services, including both personal and household items, to anchor downtown shopping activity around the retail core, thereby supporting other retail uses and the area's vitality and regional draw for customers.

"Major transit service." See "Transit service, major."

"Major transit stop." See "Transit stop, major."

* * *

((~~"Multifamily residential structure" means a structure containing only multifamily residential uses and permitted uses accessory to the multifamily residential uses.~~

~~"Multifamily structure." See "Residential use."~~))

* * *

Section 80. Section 23.84A.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.030 "P"

* * *

"Permanent supportive housing." ((~~means low-income housing that is paired with on or off-site voluntary human services to support people living with complex and disabling behavioral health or physical health conditions and experiencing homelessness or at imminent risk of homelessness prior to moving into such housing.~~)) See "Residential use, permanent supportive housing."

* * *

((~~"Planned community development (PCD)" means a zoning process that authorizes exceptions from certain development standards for structures on large tracts of land in certain downtown zones. A PCD is developed as a single entity through a public process.~~

~~"Planned residential development (PRD)" means a zoning mechanism that allows for flexibility in the grouping, placement, size and use of structures on a fairly large tract of land. A PRD is developed as a single entity, using a public process that incorporates design review.~~))

* * *

Section 81. Section 23.84A.032 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.032 "R"

* * *

"Residential use" means ((~~any one or more of~~)) a use in one or more structures, including interior and exterior accessory spaces, in which people primarily live including the following uses:

1. ((~~"Accessory dwelling unit" means a dwelling unit that:~~

~~a. Is located within or attached to a structure containing a principal dwelling unit or within an accessory structure on the same lot as principal dwelling unit(s); and~~

~~b. Is designed, arranged, and intended to be occupied as living facilities independent from any other dwelling unit.~~

~~2. "Attached accessory dwelling unit" means an accessory dwelling unit that is within or attached to a structure containing a principal dwelling unit.~~

~~3. "Adult family home" means an adult family home defined and licensed as such by the State of Washington in a dwelling unit.~~

~~4. "Apartment" means a multifamily residential use that is not a cottage housing development, rowhouse development, or townhouse development.~~

~~5.~~)) "Artist's studio/dwelling" means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

((~~6.~~)) 2. "Assisted living facility" means a ((~~use licensed by the State of Washington as a~~)) boarding home licensed by the State of Washington that contains at least two assisted living units for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer (e.g., moving from bed to chair or chair to bath), and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes. See "Assisted living unit."

((~~7. "Carriage house" means a dwelling unit in a carriage house structure.~~

~~8. "Carriage house structure" means a structure within a cottage housing development, in which one or more dwelling units are located on the story above an enclosed parking garage at ground level that either abuts an alley and has vehicle access from that alley, or is located on a corner lot and has access to the parking in the structure from a driveway that abuts and runs parallel to the rear lot line of the lot. See also "Carriage house."~~

~~9.~~)) 3. "Caretaker's quarters" means a ((~~use accessory to a non-residential use consisting of a~~)) dwelling unit not exceeding 800 square feet of living area ((~~and~~)) that is occupied by a caretaker or watchperson and accessory to a nonresidential use.

((~~10.~~)) 4. "Congregate residence" means a use in which sleeping rooms are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities and other common elements with other residents in a building.

((~~11. "Cottage housing development" means a use consisting of cottages arranged on at least two sides of a common open space or a common amenity area. A cottage housing development may include a carriage house structure. See "Cottage," "Carriage house," and "Carriage house structure."~~

~~12. "Detached accessory dwelling unit" means an accessory dwelling unit in an accessory structure.~~

~~13. "Domestic violence shelter" means a structure or portion of a structure managed by a nonprofit organization, which unit provides housing at a confidential location and support services for victims of domestic violence.~~

~~14. "Floating home" means a dwelling unit constructed on a float that is moored, anchored, or otherwise secured in the water.~~

~~15. "Low-income housing."~~))

5. “Housing” means one or more dwelling units with permanent foundations or moorage at a marina that are not defined as another type of residential use in this definition.

((~~16.~~)) 6. "Mobile home" means a structure that is designed and constructed to be transportable in one or more sections and built on a permanent chassis, designed to be used as a dwelling unit without a permanent foundation, and connected to utilities that include plumbing, heating, and electrical systems. A structure that was transportable at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable.

((~~17. "Mobile home park" means a tract of land that is rented for the use of more than one mobile home occupied as a dwelling unit.~~

~~18. "Multifamily residential use" means a use consisting of two or more dwelling units in a structure or portion of a structure, excluding accessory dwelling units, or a congregate residence.~~

~~19. "Nursing home" means a use licensed by the State of Washington as a nursing home, that provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves, but that does not provide care for the acutely ill or surgical or obstetrical services. This definition excludes hospitals or sanitariums.~~

~~20.~~)) 7. "Permanent supportive housing((~~.~~))" means low-income housing that is paired with on- or off-site voluntary human services to support people living with complex and disabling behavioral health or physical health conditions and experiencing homelessness or at imminent risk of homelessness prior to moving into such housing.

((~~21. "Rowhouse development" means a multifamily residential use in which all principal dwelling units on the lot meet the following conditions:~~

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

~~b. No portion of a dwelling unit, except for an accessory dwelling unit or shared parking garage, occupies space above or below another dwelling unit;~~

~~c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line;~~

~~d. The front of each dwelling unit faces a street lot line;~~

~~e. Each dwelling unit provides pedestrian access directly to the street that it faces; and~~

~~f. No portion of any other dwelling unit, except for an attached accessory dwelling unit, is located between any dwelling unit and the street faced by the front of that unit.~~

~~22. "Single-family dwelling unit" means a detached principal structure having a permanent foundation, containing one dwelling unit, except that the structure may also contain one or two attached accessory dwelling units where expressly authorized pursuant to this Title 23. A detached accessory dwelling unit is not considered a single-family dwelling unit for purposes of this Chapter 23.84A.~~

~~23. "Townhouse development" means a multifamily residential use that is not a rowhouse development, and in which:~~

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

~~b. No portion of a dwelling unit occupies space above or below another dwelling unit, except for an attached accessory dwelling unit and except for dwelling units constructed over a shared parking garage, including shared parking garages that project up to 4 feet above grade; and~~

~~c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line.~~))

* * *

Section 82. Section 23.84A.036 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.84A.036 "S"

* * *

"Short subdivision" means the division or redivision of land into nine (((~~9~~))) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, development, or financing.

"Short subdivision, zero lot line" means a short subdivision that conforms to the unit lot subdivision standards in Section 23.24.045.

* * *

"Solar collector" means ((~~any~~)) a device used to collect direct sunlight for use in the heating or cooling of a structure, domestic hot water, ((~~or~~)) swimming pool, or the generation of electricity, including photovoltaic panels and solar thermal panels.

((~~"Solar greenhouse" means a solar collector that is a structure or portion of a structure utilizing glass or similar glazing material to collect direct sunlight for space heating purposes.~~))

* * *

"Structure, accessory." See "Accessory structure."

"Structure, attached" means a structure that shares a common or party wall with another structure or have walls containing floor area that are located within 2 feet of another structure.

"Structure, detached" means a structure ((~~having no common or party wall with another structure~~)) that is not attached to any other structure.

* * *

"Subdivision" means the division or redivision of land into ten ((~~(10)~~)) or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, zero lot line" means a subdivision that conforms to the unit lot subdivision standards in Section 23.22.062.

* * *

Section 83. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.038 "T"

* * *

"Transit route, frequent" means a transit route or segment of a transit route providing frequent transit service in each direction. Segments of overlapping routes that are co-scheduled and together provide frequent transit service shall be considered to provide frequent transit service, and segments of these routes that do not overlap or do not meet these frequencies will not be considered to provide frequent transit service.

"Transit service, frequent" means transit service with scheduled service in a typical week meeting or exceeding the following scheduled frequencies:

1. On weekdays from 6 a.m. to 7 p.m., 15 minutes on average (i.e., 52 trips between 6 a.m. and 6:59 p.m., inclusive), and no individual hour with fewer than three scheduled trips in each direction;

2. On weekdays from 7 p.m. to 12 a.m., 30 minutes on average (i.e., ten trips between 7 p.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction; and

3. On weekends from 6 a.m. to 12 a.m., 30 minutes on average (i.e., 36 trips between 6 a.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction.

4. For the purposes of this definition, "individual hour" means the 60-minute period beginning at the top of each hour; e.g., 6 a.m. to 6:59 a.m., inclusive, or 3 p.m. to 3:59 p.m., inclusive.

<u>“Transit service, major” means the following transit services:</u>

<u>1. Commuter rail;</u>

<u>2. Light rail or street car systems; and</u>

<u>3. Bus rapid transit routes that are in operation or are funded for development and projected for construction within an applicable six-year transit plan under RCW 35.58.2795.</u>

"Transit service area, frequent" means an area within 1,320 feet walking distance of a bus stop served by a frequent transit route or an area within 2,640 feet walking distance of a rail transit station, as shown on a map adopted by Director's Rule.

"Transit service area, major" means an area within 2,640 feet walking distance of a stop served by a major transit service, as shown on a map adopted by Director's Rule.

"Transit station, light rail." See "Rail transit facility" under "Transportation facility."

"Transit station access easement" means an easement for a pedestrian route or connection to provide direct access from street level to transit tunnel stations and concourses and/or light rail transit facilities.

"Transit station access, grade-level" means a pedestrian connection that provides direct access from street level to transit tunnel stations or concourses and/or light rail transit facilities at approximately the same level as the station mezzanine.

"Transit station access, mechanical" means a pedestrian connection that incorporates a mechanical device, such as an escalator, to provide direct access from street level to transit tunnel stations and concourses and/or light rail transit facilities.

"Transit stop, major" means a stop on a major transit service.

* * *

((~~"Triplex" means a single structure containing three dwelling units, none of which is a legally established accessory dwelling unit.~~))

* * *

Section 84. Section 23.84A.040 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.84A.040 "U"

* * *

"Unit, low-income" means a ((~~dwelling~~)) restricted unit that, for a minimum period of at least 50 years, is ((~~a restricted unit~~)) affordable to and reserved solely for ((~~families~~)) households

with annual incomes not to exceed 60 percent of median income for rental units or 80 percent of median income for ownership units ((~~according to one or more regulatory agreements, covenants, or other legal instruments that, as a condition to issuance of the first building permit that includes the structural frame for the structure that includes the low-income unit, shall be executed and recorded on the title of the property and are enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency if approved by the Director of Housing~~)).

"Unit, moderate-income" means a ((~~dwelling~~)) restricted unit that, for a minimum period of at least 50 years, is ((~~a restricted unit~~)) affordable to and reserved solely for ((~~families~~)) households with annual incomes not to exceed 80 percent of median income for rental units or 100 percent of median income for ownership units ((~~according to one or more regulatory agreements, covenants, or other legal instruments that, as a condition to issuance of the first building permit that includes the structural frame for the structure that includes the moderate-income unit, shall be executed and recorded on the title of the property and are enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency if approved by the Director of Housing~~)).

"Unit, restricted" means a dwelling unit ((~~on a property~~)) subject to ((~~a recorded agreement with the~~)) one or more regulatory agreements, covenants, or other legal instruments recorded on the title of the property and enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency, if approved by the Director of Housing, that for a specified number of years limits ((~~both the unit's rent or sale price, as applicable, and eligible residents' annual income at a specified percentage of median income. For purposes of each restricted unit, eligible residents shall be a "family"~~

~~according to 24 CFR Section 5.403 or successor provision, and the family's "annual income" shall be determined according to 24 CFR Section 5.609 or successor provision, unless otherwise approved in writing by the Director of Housing~~)) housing costs for income-eligible households, specified as a percentage of median income, as follows:

1. For renter-occupied housing, rental housing costs for each restricted unit shall not exceed 30 percent of the income limit; and

2. For owner-occupied housing, the initial sale price of each restricted unit shall be affordable to income-eligible households and resale prices must allow modest growth in homeowner equity while maintaining long-term affordability for subsequent eligible homebuyers, all as determined by the Director of Housing, consistent with Council-adopted Housing Funding Policies if funded by the Office of Housing or subsections 23.58C.050.C.7.a and 23.58C.050.C.7.b if not funded by the Office of Housing.

* * *

Section 85. Section 23.84A.046 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.84A.046 "Y"

((~~"Yard." See "Yard, front," "Yard, side" and "Yard, rear."~~

~~"Yard, front" means an area from the ground upward between the side lot lines of a lot, extending from the front lot line to a line on the lot parallel to the front lot line, the horizontal depth of which is specified for each zone. The front yard includes all portions of the lot that are within the specified distance from the street along which the front lot line extends, even if separated from the street by an intervening lot. In the case of an irregularly-shaped lot, the front yard shall be a portion of the property as determined according to Section 23.86.010.~~

~~"Yard, rear" means an area from the ground upward between the side lot lines of a lot, extending from the rear lot line to a line on the lot parallel to the rear lot line, the horizontal depth of which is specified for each zone. In the case of an irregularly-shaped lot, the rear yard shall be a portion of the property adjacent to the rear lot line as determined according to subsection 23.86.010.C.~~

~~"Yard, side" means an area from the ground upward between the front yard (or front lot line if no front yard is required); and the rear yard (or rear lot line if no rear yard is required); and extending from a side lot line to a line on the lot, parallel to the side lot line, the horizontal depth of which is specified for each zone.~~))

* * *

Section 86. Section 23.84A.048 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.84A.048 "Z"

* * *

((~~"Zone, neighborhood residential" means a zone with a classification that includes any of the following: NR1, NR2, NR3, and RSL.~~))

* * *

"Zone, residential" means a zone with a classification that includes any of the following: ((~~NR1, NR2, NR3, RSL~~)) NR, LR1, LR2, LR3, MR, HR, RC, DMR, IDR, SM/R, SM-SLU/R, and SM-U/R which classification also may include one or more suffixes((~~, but not including any zone with an RC designation~~)).

((~~"Zone, single-family" means a zone with a classification that includes any of the following: Neighborhood Residential 1 (NR1), Neighborhood Residential 2 (NR2), Neighborhood Residential 3 (NR3), and Residential Small Lot (RSL).~~))

Section 87. Section 23.86.002 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.86.002 General provisions

* * *

B. Fractions

1. Unless otherwise indicated, if any measurement technique for determining the number of items required or allowed, including but not limited to motor vehicle parking, or required trees or shrubs, results in fractional requirements, any fraction up to and including 0.5 of the applicable unit of measurement shall be disregarded and fractions over 0.5 shall require the next higher full unit of measurement.

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

3. ((~~Except within Lowrise and RSL zones, if density calculations result in a fraction of a unit, any fraction up to and including 0.5 constitutes zero additional units, and any fraction over 0.5 constitutes one additional unit. Within Lowrise zones, the effect of a density calculation that results in a fraction of a unit is as described in Section 23.45.512. Within RSL zones, the effect of a density calculation that results in a fraction of a unit is as described in~~

~~Section 23.44.017. This provision may not be applied to density calculations that result in a quotient less than one.~~)) When calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.

* * *

Section 88. Section 23.86.006 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.86.006 Structure height measurement

* * *

B. Within the South Lake Union Urban Center, at the applicant's option, structure height shall be measured either as provided for in subsection 23.86.006.A((~~, 23.86.006.E~~)) or 23.86.006.D, or under provisions of this subsection 23.86.006.B. Structure height shall be measured for all portions of the structure. All measurements shall be taken vertically from existing or finished grade, whichever is lower, to the highest point of the structure located directly above each point of measurement. Existing or finished grade shall be established by drawing straight lines between the corresponding elevations at the perimeter of the structure. The straight lines will be existing or finished grade for the purpose of height measurement. When a contour line crosses a facade more than once, that contour line will be disregarded when establishing existing or finished grade.

C. ((~~Height averaging for neighborhood residential zones. In a neighborhood residential zone, when expanding an existing structure occupied by a nonconforming residential use per Section 23.42.106, the following measurement shall be used to determine the average height of the closest principal structures on either side:~~

~~1. Each structure used for averaging shall be on the same block front as the lot for which a height limit is being established. The structures used shall be the nearest single-family structure on each side of the lot, and shall be within 100 feet of the side lot lines of the lot.~~

~~2. The height limit for the lot shall be established by averaging the elevations of the structures on either side in the following manner:~~

~~a. If the nearest structure on either side has a roof with at least a 4:12 pitch, the elevation to be used for averaging shall be the highest point of that structure's roof minus 5 feet.~~

~~b. If the nearest structure on either side has a flat roof, or a roof with a pitch of less than 4:12, the elevation of the highest point of the structure's roof shall be used for averaging.~~

~~c. Rooftop features which are otherwise exempt from height limitations according to subsection 23.44.012.C, shall not be included in elevation calculations.~~

~~d. The two elevations obtained from subsection 23.86.006.B.2.a and/or subsection 23.86.006.B.2.b shall be averaged to derive the height limit for the lot. This height limit shall be the difference in elevation between the midpoint of a line parallel to the front lot line at the required front setback and the average elevation derived from subsection 23.86.006.B.2.a and/or subsection 23.86.006.B.2.b.~~

~~e. The height measurement technique used for the lot shall then be the City's standard measurement technique, subsection 23.86.006.A.~~

~~3. If there is no single-family structure within 100 feet of a side lot line, or if the nearest single-family structure within 100 feet of a side lot line is not on the same block front,~~

~~the elevation used for averaging on that side shall be 30 feet plus the elevation of the midpoint of the front lot line of the abutting vacant lot.~~

~~4. If the lot is a corner lot, the height limit may be the highest elevation of the nearest structure on the same block front, provided that the structure is within 100 feet of the side lot line of the lot and that both front yards face the same street.~~

~~5. In no case shall the height limit established according to these height averaging provisions be greater than 40 feet.~~

~~6. Lots using height averaging to establish a height limit shall be eligible for the pitched roof provisions of subsection 23.44.012.B.~~

~~D.~~)) Stories or portions of stories of a structure that are underground are not analyzed for purposes of structure height measurement.

((~~E.~~)) D. Height measurement techniques in downtown zones and in the South Lake Union Urban Center

1. Determine the major street lot line, which shall be the lot's longest street lot line. When the lot has two or more street lot lines of equal length, the applicant shall choose the major street lot line.

2. Determine the slope of the lot along the entire length of the major street lot line.

3. ((~~The~~)) Measure the maximum height ((~~shall be measured~~)) as follows:

a. When the slope of the major street lot line is less than or equal to 7.5 percent, the elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of the major street lot line. On a through-lot, the elevation of maximum height shall apply only to the half of the lot nearest

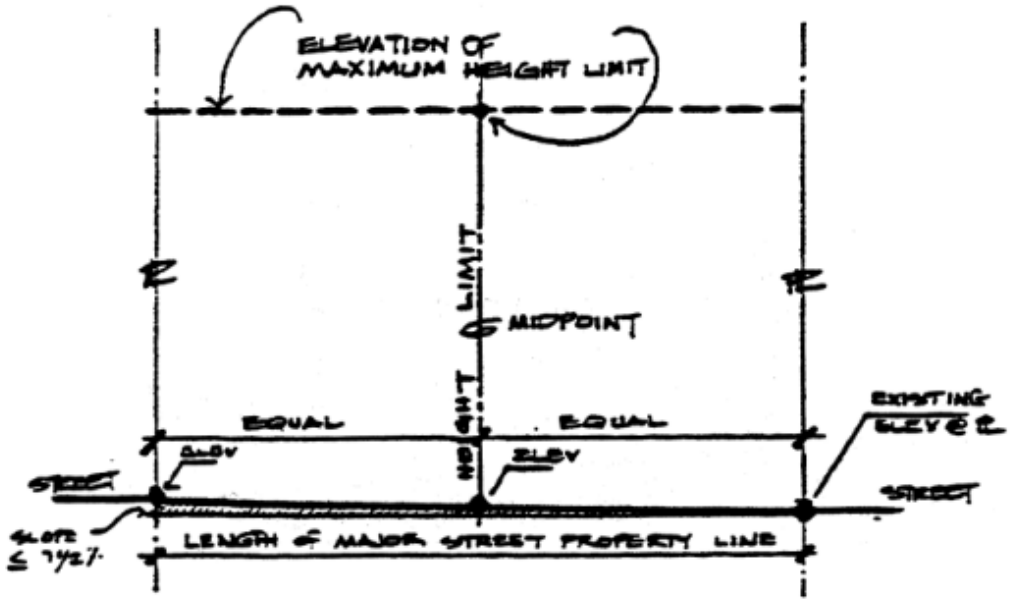
the major street lot line. On the other half of a through-lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street lot line as depicted in Exhibit ((~~B~~)) A for 23.86.006.

Exhibit A for 23.86.006

Maximum height

Slope Less than or equal to 7-1/2 percent

Exhibit A for 23.86.006
Maximum height
Slope less than or equal to 7-1/2 percent



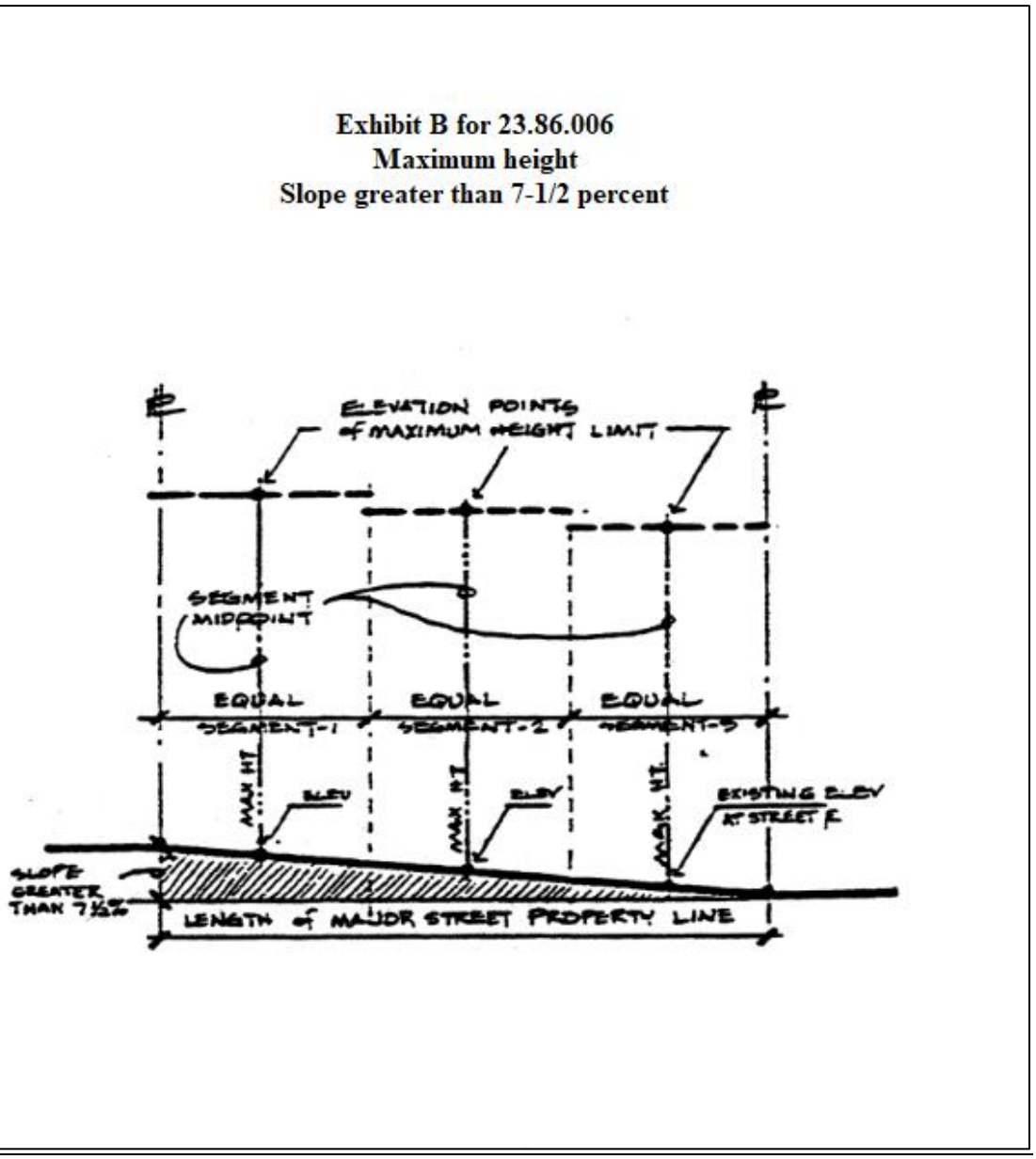
b. When the slope of the major street lot line exceeds 7.5 percent, the major street lot line shall be divided into four or fewer equal segments no longer than 120 feet

in length. The elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of each segment. On a through-lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street lot line. On the other half of a through-lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street lot line, as depicted in Exhibit ((~~C~~)) B for 23.86.006.

Exhibit B for 23.86.006

Maximum height

Slope greater than 7-1/2 percent



c. For lots with more than one street frontage, where there is no street lot line that is essentially parallel to the major street lot line, when a measurement has been made for the portion of the block containing the major street lot line, the next measurement shall be

taken from the remaining street lot line that is opposite and most distant from the major street lot line.

((~~F.~~)) E. Determining the height of existing public school structures. When the height of the existing public school structure is measured for purposes of determining the permitted height or lot coverage of a public school structure, either of the following measurement methods may be used:

1. If all parts of the new roof are pitched at a rate of not less than 4:12, the ridge of the new roof may extend to the highest point of the existing roof. A shed roof does not qualify for this option; or

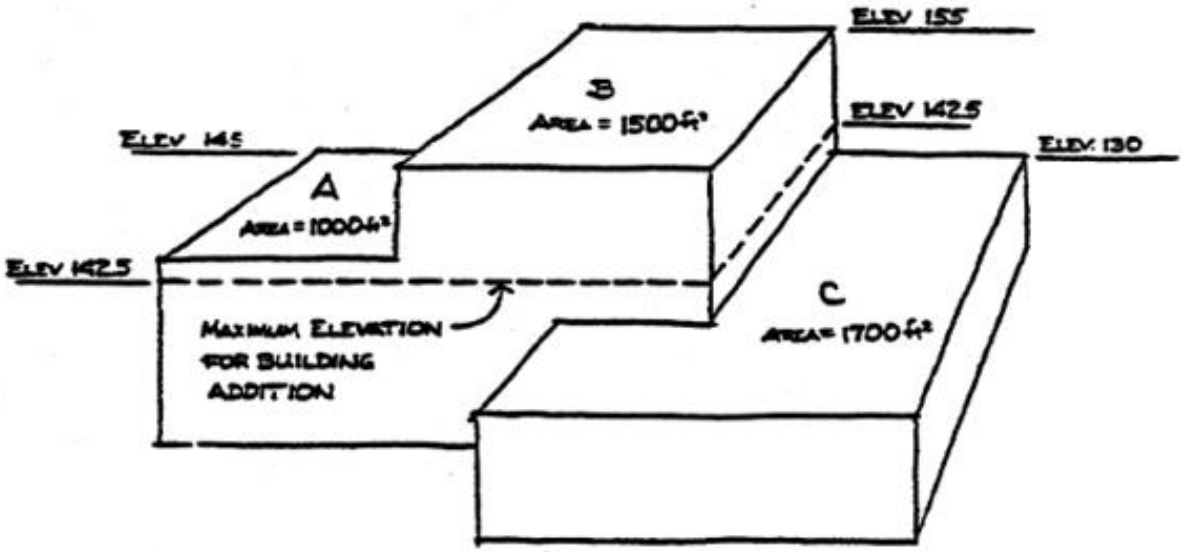
2. If all parts of the new roof are not pitched at a rate of not less than 4:12, then the elevation of the new construction may extend to the average height of the existing structure. The average height shall be determined by measuring the area of each portion of the building at each height and averaging those areas, as depicted in Exhibit ((~~D~~)) C for 23.86.006.

Exhibit C for 23.86.006

Maximum elevations for additions to public schools

Exhibit C for 23.86.006

Maximum elevations for additions to public schools



ROOF LEVEL	AREA	×	ELEV.	=	PRODUCT
A	1000	×	145	=	145,000
B	1500	×	155	=	232,500
C	1700	×	130	=	221,000
	4200				598,500

$$\text{PERMITTED ROOF ELEVATION FOR BUILDING ADDITION} = \frac{\text{TOTAL PRODUCT}}{\text{TOTAL AREA}} = \text{MAXIMUM ELEVATION}$$

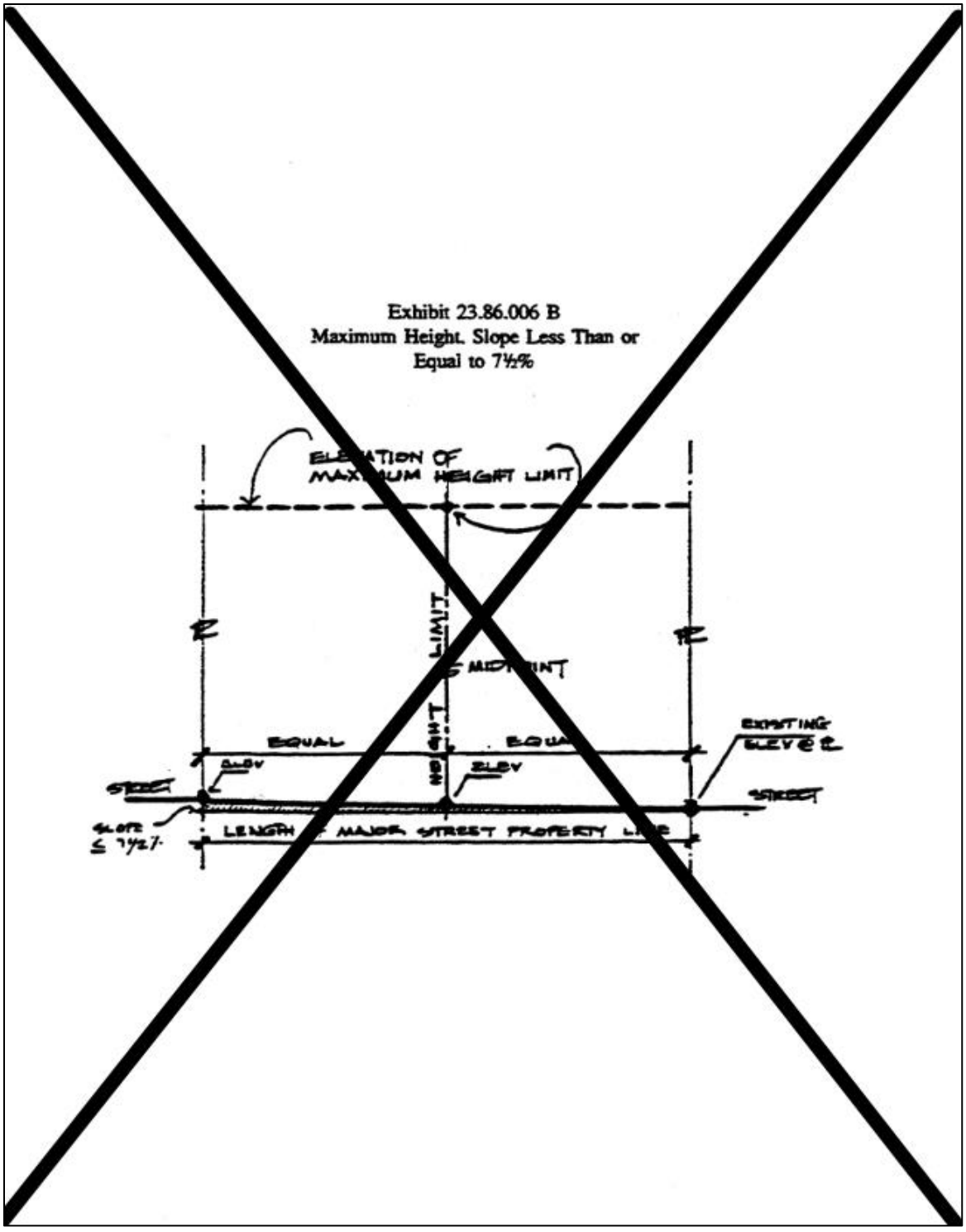
$$= \frac{598{,}500}{4{,}200} = 142.5$$

((~~C.~~)) F. Height measurement technique for structures located partially within the Shoreline District. When any portion of the structure falls within the Shoreline District,

structure height for the entire structure shall be measured according to Section 23.60A.952((~~,~~ ~~Height~~)).

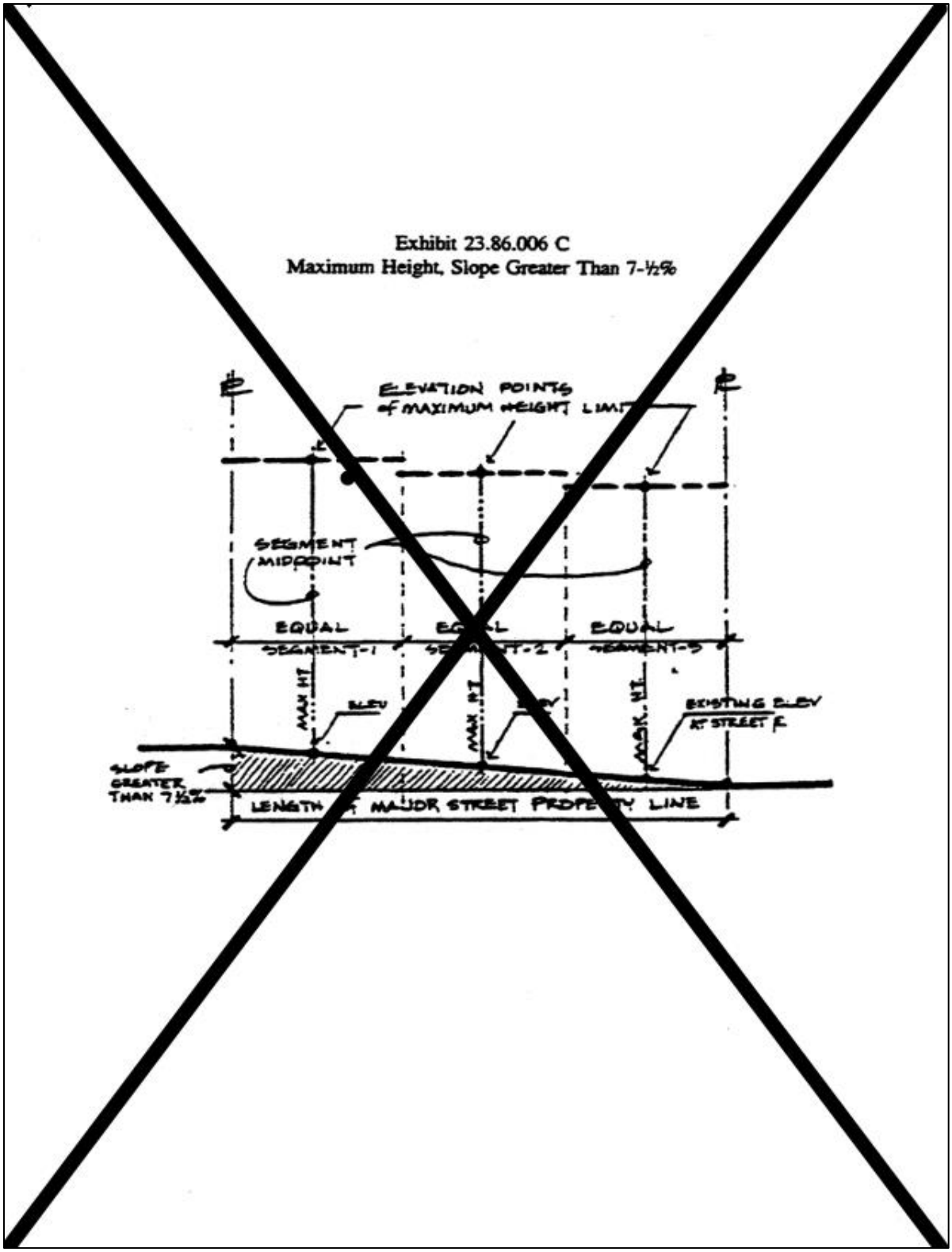
((~~H.~~)) G. For projects accepted into the Living Building Pilot Program authorized pursuant to Section 23.40.060, the applicant may choose either the height definition of Chapter 2 of the Seattle Building Code or the height measurement method described in this Section 23.86.006.

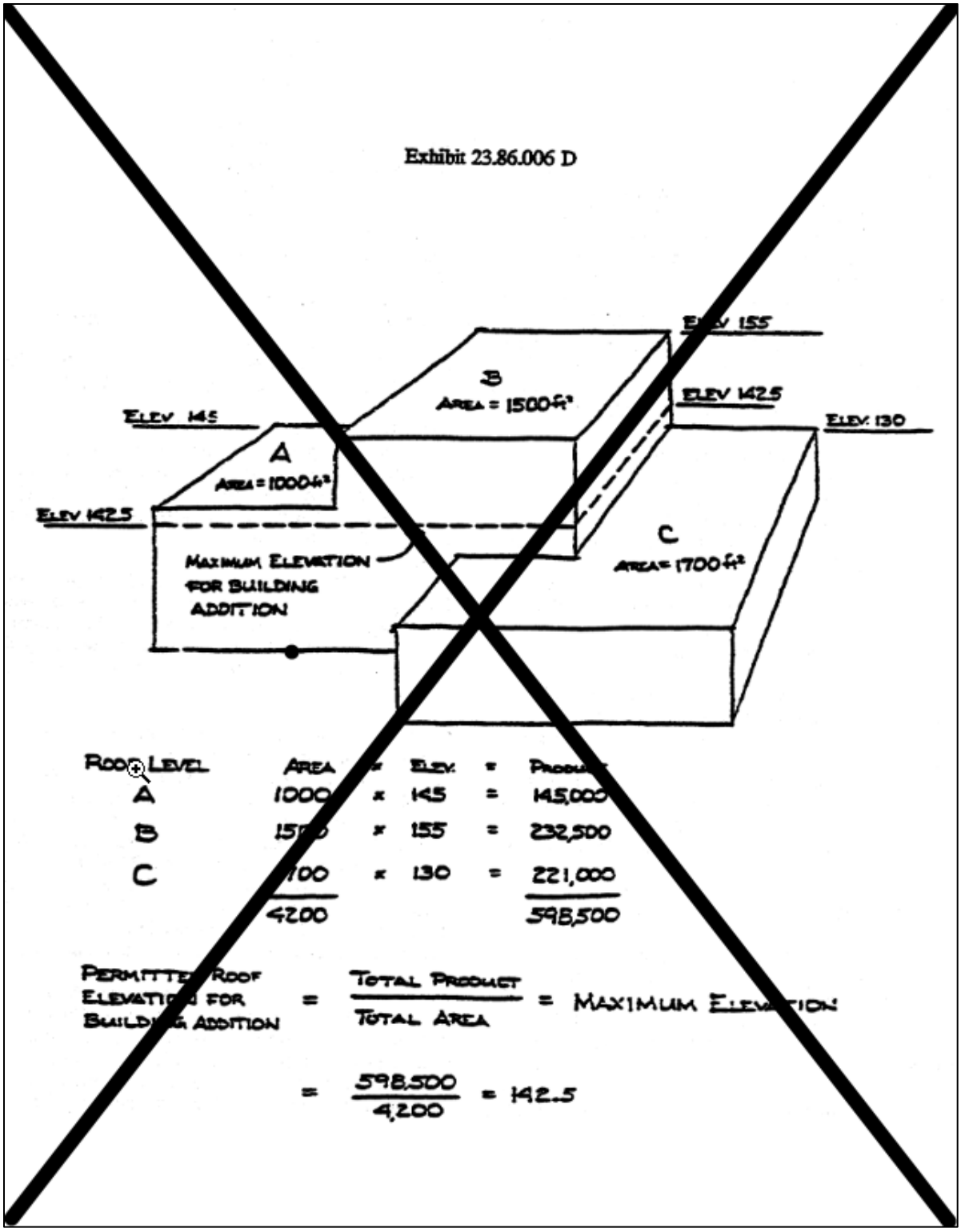
Exhibit 23.86.006 B
Maximum Height. Slope Less Than or Equal to 7½%



1

Exhibit 23.86.006 C
Maximum Height, Slope Greater Than 7-½%




Exhibit 23.86.006 D
ELEV 155
B
AREA = 1500ft²
ELEV 142.5
ELEV 145
ELEV 130
A
AREA = 1000ft²
ELEV 142.5
C
AREA = 1700ft²
MAXIMUM ELEVATION FOR BUILDING ADDITION
ROOF LEVEL AREA × ELEV. = PRODUCT
A 1000 × 145 = 145,000
B 1500 × 155 = 232,500
C 1700 × 130 = 221,000
4200 598,500
PERMITTED ROOF ELEVATION FOR BUILDING ADDITION = TOTAL PRODUCT / TOTAL AREA = MAXIMUM ELEVATION
= 598,500 / 4,200 = 142.5

1

Section 89. Section 23.86.007 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.86.007 Floor area and floor area ratio (FAR) measurement

A. Gross floor area. Except where otherwise expressly provided in this Title 23, gross floor area shall be as defined in Chapter 23.84A and as measured in this Section 23.86.007. The following are included in the measurement of gross floor area in all zones:

1. Floor area contained in stories above and below grade;

2. The area of stair penthouses, elevator penthouses, and other enclosed rooftop features;

3. The area of motor vehicle and bicycle parking that is enclosed; and

4. The area of motor vehicle parking that is covered by a structure or portion of a structure containing enclosed floor area, excluding motor vehicle parking in ((~~neighborhood residential~~)) Neighborhood Residential and multifamily zones that is only covered by one of the following:

a. Projections containing enclosed floor area of up to 4 feet; or

b. Projections containing enclosed floor area of up to 6 feet for the area of parking accessed from an alley and located directly adjacent to an alley.

* * *

D. Pursuant to subsections ((~~23.44.011.C, 23.44.018.A,~~)) 23.44.050.C, 23.45.510.D, and 23.47A.013.B, and Section 23.48.020, for certain structures in ((~~neighborhood residential~~)) Neighborhood Residential, multifamily, commercial, and Seattle Mixed zones, portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, are exempt from calculation of gross floor area. The exempt gross floor area of such partially below-grade stories is measured as follows:

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

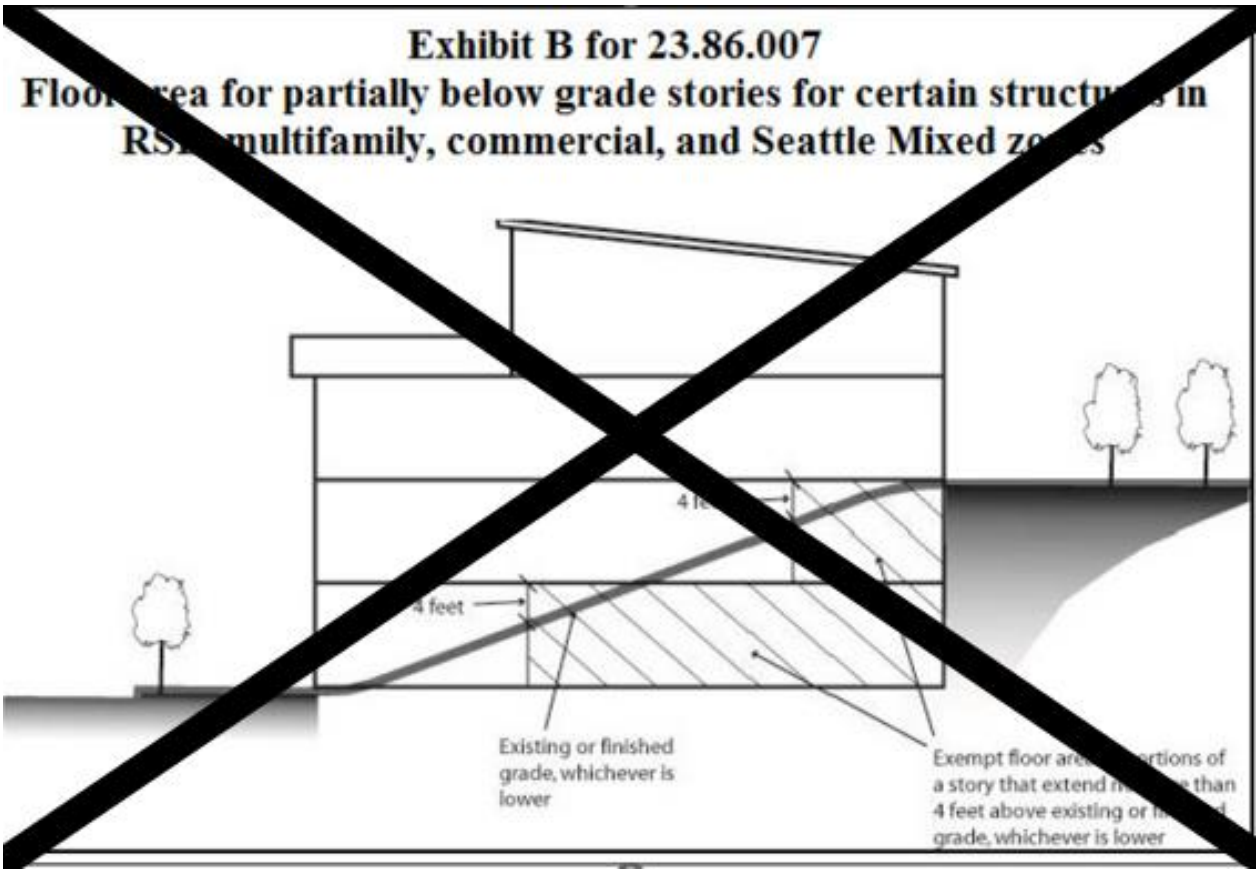
2. Determine the points along the exterior wall of the story where the elevation determined in subsection 23.86.007.D.1 intersects the abutting corresponding existing or finished grade elevation, whichever is lower;

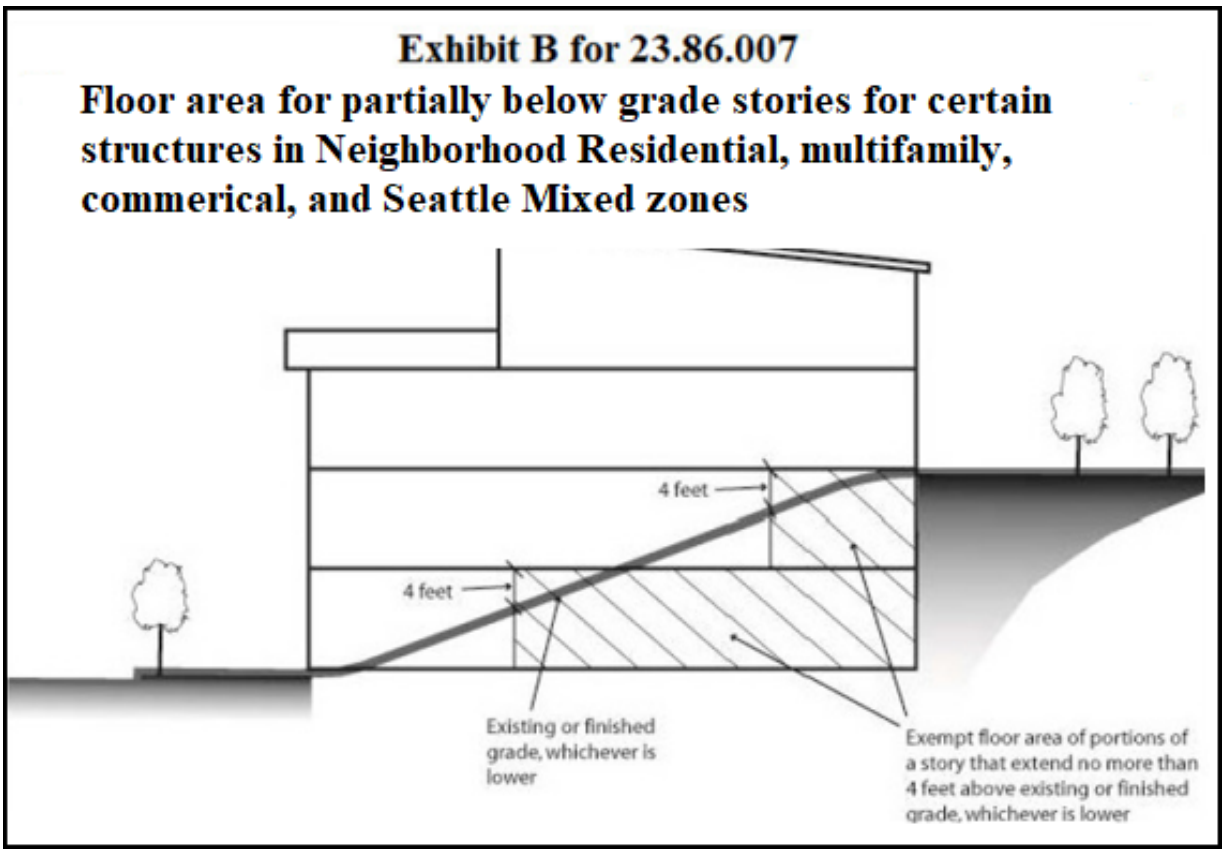
3. Draw a straight line across the story connecting the two points on the exterior walls; and

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

Exhibit B for 23.86.007

Floor area for partially below grade stories for certain structures in ((~~RSL~~)) Neighborhood Residential, multifamily, commercial, and Seattle Mixed zones





* * *

Section 90. Section 23.86.008 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.86.008 Lot ((~~coverage,~~)) width ((~~and depth.~~)) <u>in Neighborhood Residential zones</u>

((~~A. Lot coverage shall be calculated in accordance with Exhibit 23.86.008 A.~~

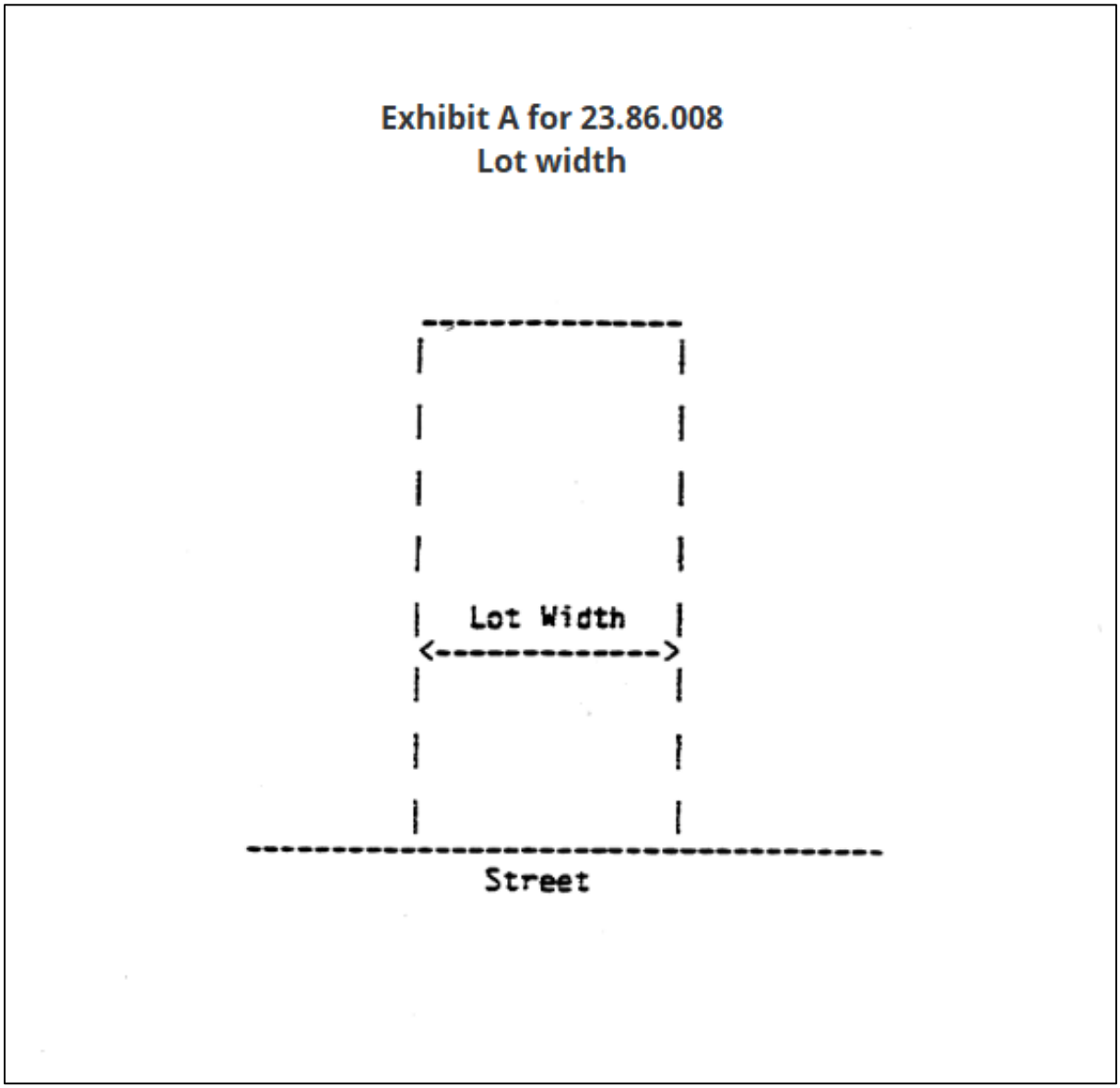
~~B. In neighborhood residential zones, lot depth shall be the length of the line extending between the front lot line or front lot line extended, and the rear lot line or lines, or in the case of a through lot, between the two (2) front lot lines or lines extended. This line shall be perpendicular to the front lot line or front lot line extended. Where an alley abuts the rear of the property, one-half (½) of the width of the alley shall be included as a portion of the lot for determining lot depth.~~

~~C. Lot Width in Neighborhood Residential Zones:~~

~~1.~~)) A. When a lot is essentially rectangular, the lot width ((~~shall be~~)) is the mean horizontal distance between side lot lines measured at right angles to lot depth ((~~(Exhibit 23.86.008 B)~~)) Exhibit A for 23.86.008.

Exhibit A for 23.86.008

Lot width



((~~2. In the case of~~)) B. For a lot with more than one (((~~(1)~~))) rear lot line (((~~(Exhibits 23.86.008 C and 23.86.008 D)~~))) (Exhibit B for 23.86.008 and Exhibit C for 23.86.008), the lot width shall be measured according to the following:

Exhibit B for 23.86.008

Lots with more than one rear lot line, and where the distance between the rear lot line is less than 50 percent of lot depth

Exhibit B for 23.86.008
Lots with more than one rear lot line, and where the distance between the rear lot line is less than 50 percent of lot depth

Where A + B is less than 50% of D, the lot width shall be W.

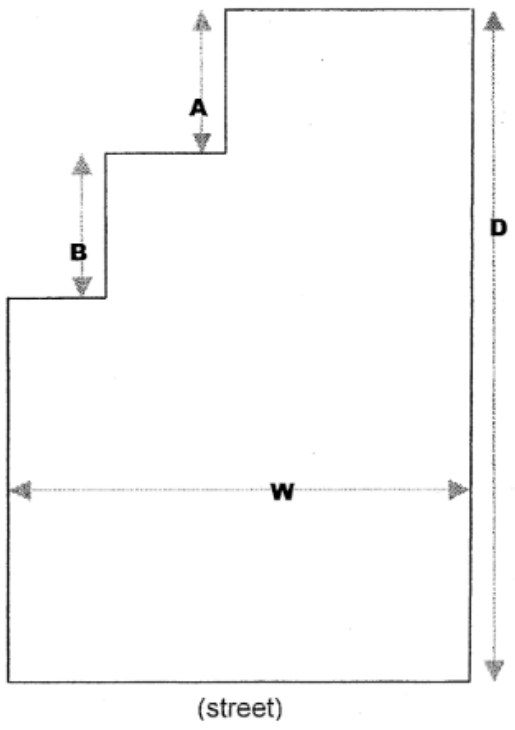
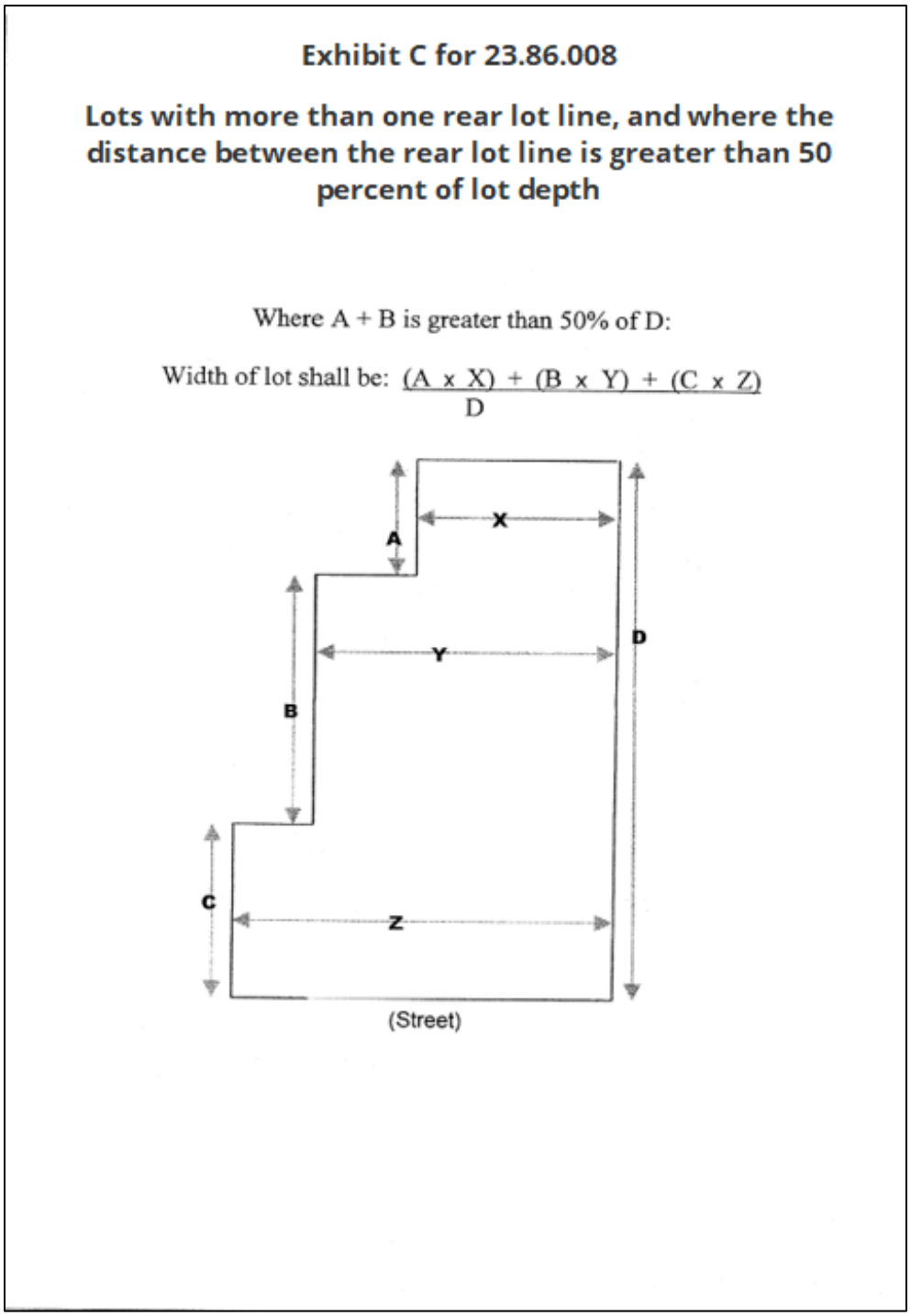


Exhibit C for 23.86.008

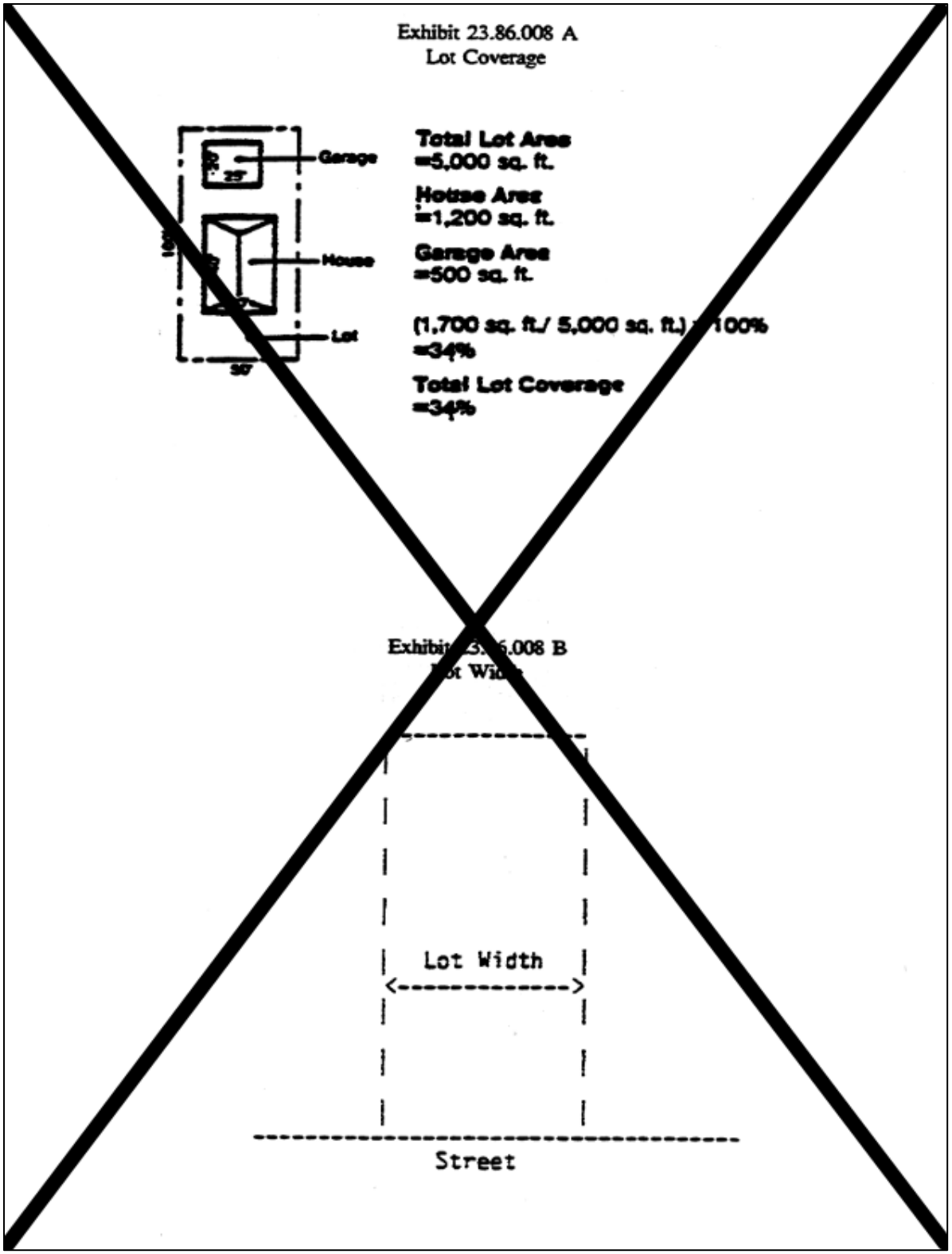
Lots with more than one rear lot line, and where the distance between the rear lot line is greater than 50 percent of lot depth



((~~a.~~)) 1. If the distance between the rear lot lines is ((~~fifty (~~)) 50 ((~~)~~)) percent or less of the lot depth, the lot width shall be measured parallel to the front lot line and shall be the greatest distance between the side lot lines (((~~Exhibit 23.86.008 C~~))) Exhibit B for 23.86.008; or

((~~b.~~)) 2. If the distance between the rear lot lines is greater than ((~~fifty (~~)) 50 ((~~)~~)) percent of the lot depth, the lot width shall be determined by measuring average lot width according to ((~~Exhibit 23.86.008 D~~)) Exhibit C for 23.86.008.

((~~3.~~)) C. For irregular lots not meeting the conditions of subsections ((~~C1 or C2~~)) 23.86.008.A or 23.86.008.B, the Director shall determine the measurement of lot width.



((~~Exhibits 23.86.008A, 23.86.008B~~))

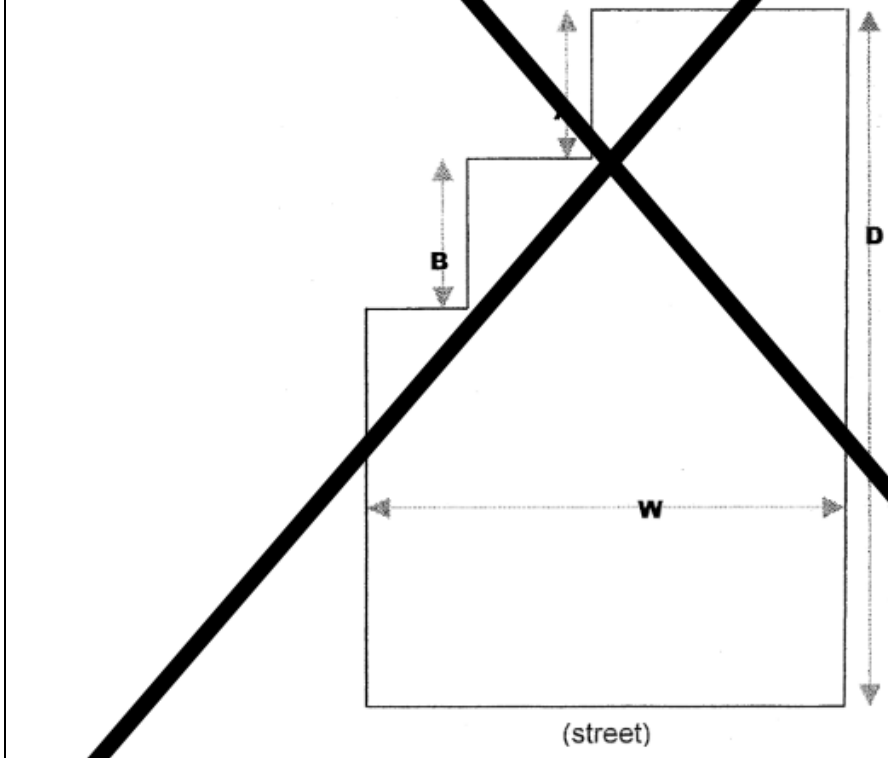
Exhibit 23.86.008 C

Lots With More Than One Rear Lot Line,

And Where The Distance Between The Rear

Lot Line Is Less Than 50% Of Lot Depth

Where A + B is less than 50% of D, the lot width shall be W.



((~~Exhibit 23.86.008C~~))

Exhibit 23.86.008 D

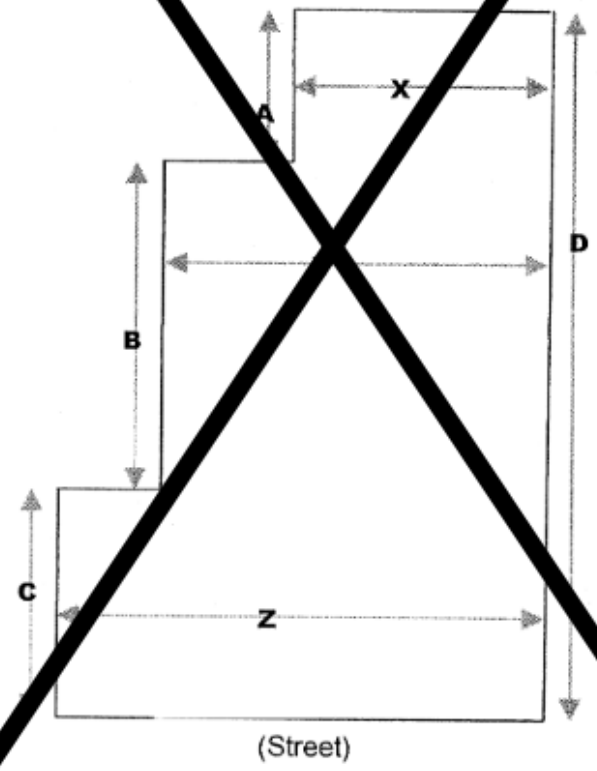
Lots with More Than One Rear Lot Line, And Where

The Distance Between the Rear Lot Line

Is Greater than 50% Of Lot Depth

Where A + B is greater than 50% of D

Width of lot shall be: $\frac{(A \times X) + (B \times Y) + (C \times Z)}{D}$



1

Section 91. Section 23.86.010 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~23.86.010 Yards~~

~~A. Measuring required yards. Required yard dimensions shall be horizontal distances, measured perpendicular to the appropriate lot lines (Exhibit A for 23.86.010). For lots with no street frontage, the applicant may designate the front lot line, provided that under the resulting orientation, the area of the front yard is at least 20 percent of the area of the lot or 1,000 square feet whichever is less. If a lot with frontage on more than one street is developed with an existing principal structure, the orientation of the lot for the purpose of current yard requirements shall be the orientation under which the existing structure is most conforming to current yard standards.~~

~~B. Front Yards.~~

~~1. Determining Front Yard Requirements. Front yard requirements are presented in the development standards for each zone. Where the minimum required front yard is to be determined by averaging the setbacks of structures on either side of a lot, the following provisions apply:~~

~~a. The required depth of the front yard shall be the average of the distance between single-family structures and front lot lines of the nearest single-family structures on each side of the lot (Exhibit B for 23.86.010). If the front facade of the single-family structure is not parallel to the front lot line, the shortest distance from the front lot line to the structure shall be used for averaging purposes (Exhibit C for 23.86.010).~~

~~b. The yards used for front yard averaging shall be on the same block front as the lot, and shall be the front yards of the nearest single-family structures within 100 feet of the side lot lines of the lot.~~

~~c. For averaging purposes, front yard depth shall be measured from the front lot lines to the wall nearest to the street or, where there is no wall, the plane between supports, which comprises 20 percent or more of the width of the front facade of the single-family structure. Enclosed porches shall be considered part of the single-family structure for measurement purposes. Attached garages or carports permitted in front yards under 23.44.016.D, decks, uncovered porches, eaves, attached solar collectors, and other similar parts of the structure shall not be considered part of the structure for measurement purposes.~~

~~d. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes the amount of the dedication shall be subtracted from the front yard depth of the structures on either side.~~

~~e. If the first single-family structure within 100 feet of a side lot line of the lot is not on the same block front, or does not provide its front yard on the same street, or if there is no single-family structure within 100 feet of the side lot line, the yard depth used for averaging purposes on that side shall be 20 feet (Exhibits D and E for 23.86.010).~~

~~f. If the front yard of the first single-family structure within 100 feet of the side lot line of the lot exceeds 20 feet, the yard depth used for averaging purposes on that side shall be 20 feet (Exhibit F for 23.86.010).~~

~~g. In cases where the street is very steep or winding, the Director shall determine which adjacent single-family structures should be used for averaging purposes.~~

~~2. Sloped Lots in Neighborhood Residential Zones. For a lot in a neighborhood residential zone, reduction of the required front yard is permitted at a rate of 1 foot for every percent of slope in excess of 35 percent. For the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall determine the line along which slope is calculated.~~

~~C. Rear yards. Rear yard requirements are presented in the standard development requirements for each zone. In determining how to apply these requirements, the following provisions shall apply:~~

~~1. The rear yard shall be measured horizontally from the rear lot line if the lot has a rear lot line that is essentially parallel to the front lot line for its entire length.~~

~~2. If the front lot line is essentially parallel to portions of the rear property line, as with a stepped rear property line, each portion of the rear property line that is opposite and essentially parallel to the front lot line is considered to be a rear lot line for the purpose of establishing a rear yard.~~

~~3. On a lot with a rear property line, part of which is not essentially parallel to any part of the front lot line, the rear yard is measured from a line or lines drawn from side lot line(s) to side lot line(s), at least 10 feet in length, parallel to and at a maximum distance from the front lot line. If an alley abuts the rear of the property, 1/2 the width of the alley, between the side lot lines extended, is considered to be part of the lot for drawing this line. For those portions of the rear lot line that are essentially parallel to the front lot line, subsection 23.86.010.C.2 above shall apply. The lot depth is then measured perpendicularly from this 10 foot long line extended as needed to the point on the actual front lot line that is the furthest~~

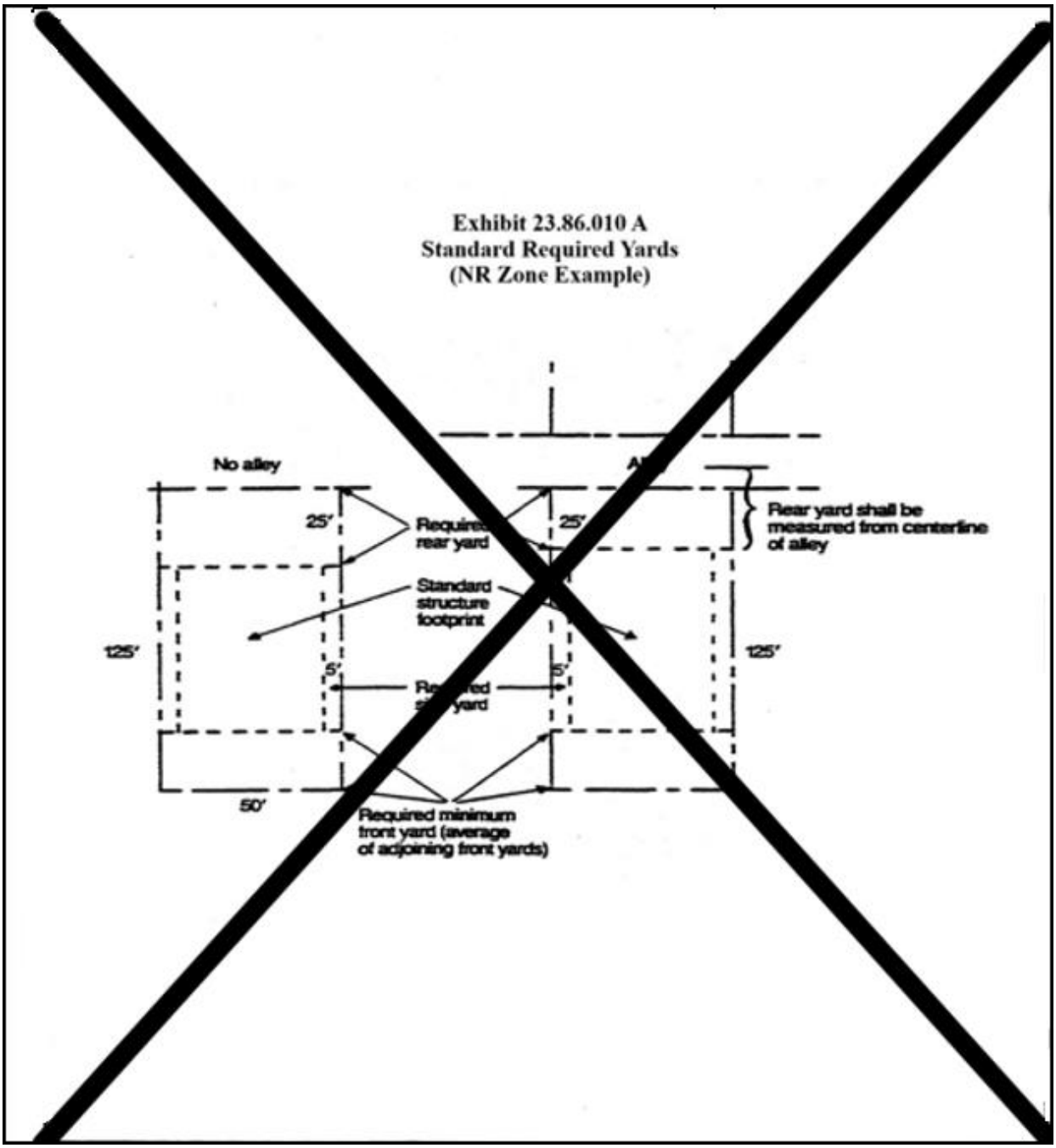
~~distance away. This establishes lot depth, which then may be used to determine the required rear yard depth.~~

~~4. For a lot with a curved front lot line, the rear yard is measured from a line at least 10 feet in length, parallel to and at a maximum distance from a line drawn between the endpoints of the curve. The lot depth is then measured perpendicularly from this 10 foot long line extended as needed to the point on the actual front lot line that is the furthest distance away. This establishes lot depth, which then may be used to determine the required rear yard depth.~~

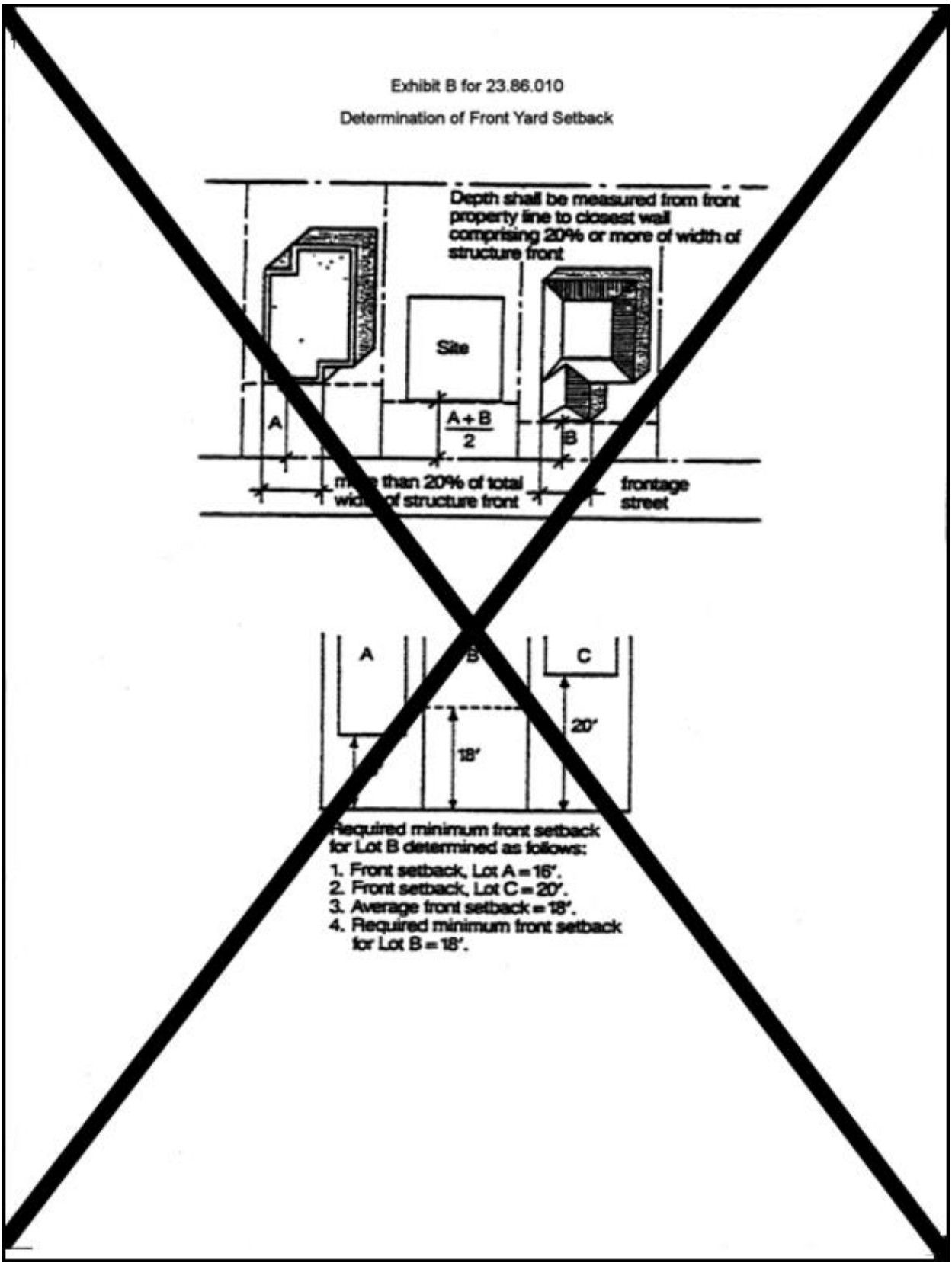
~~5. For a lot with an irregular shape or with an irregular front lot line not meeting conditions of subsections 23.86.010.C.1 through 23.86.010.C.4, the Director shall determine the measurement of the rear yard.~~

~~D. Side Yards.~~

~~1. Side Yard Averaging. Side yard requirements are presented in the standard development requirements for each zone. In certain cases where specifically permitted, the side yard requirement may be satisfied by averaging the distance from side lot line to structure facade for the length of the structure. In those cases the side yard shall be measured horizontally from side lot line to the side facade of the structure.~~))


Exhibit 23.86.010 A
Standard Required Yards
(NR Zone Example)
No alley
25'
Required rear yard
25'
Rear yard shall be measured from centerline of alley
Standard structure footprint
125'
125'
5'
5'
50'
Required minimum front yard (average of adjoining front yards)

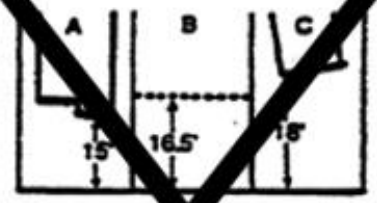
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Exhibit B for 23.86.010
Determination of Front Yard Setback
Depth shall be measured from front property line to closest wall comprising 20% or more of width of structure front
Site
A
A+B
2
B
than 20% of total
of structure front
frontage
street
A
B
C
20'
18'
Required minimum front setback for Lot B determined as follows:
1. Front setback, Lot A = 16'.
2. Front setback, Lot C = 20'.
3. Average front setback = 18'.
4. Required minimum front setback for Lot B = 18'.

1

Exhibit C for 23.86.010

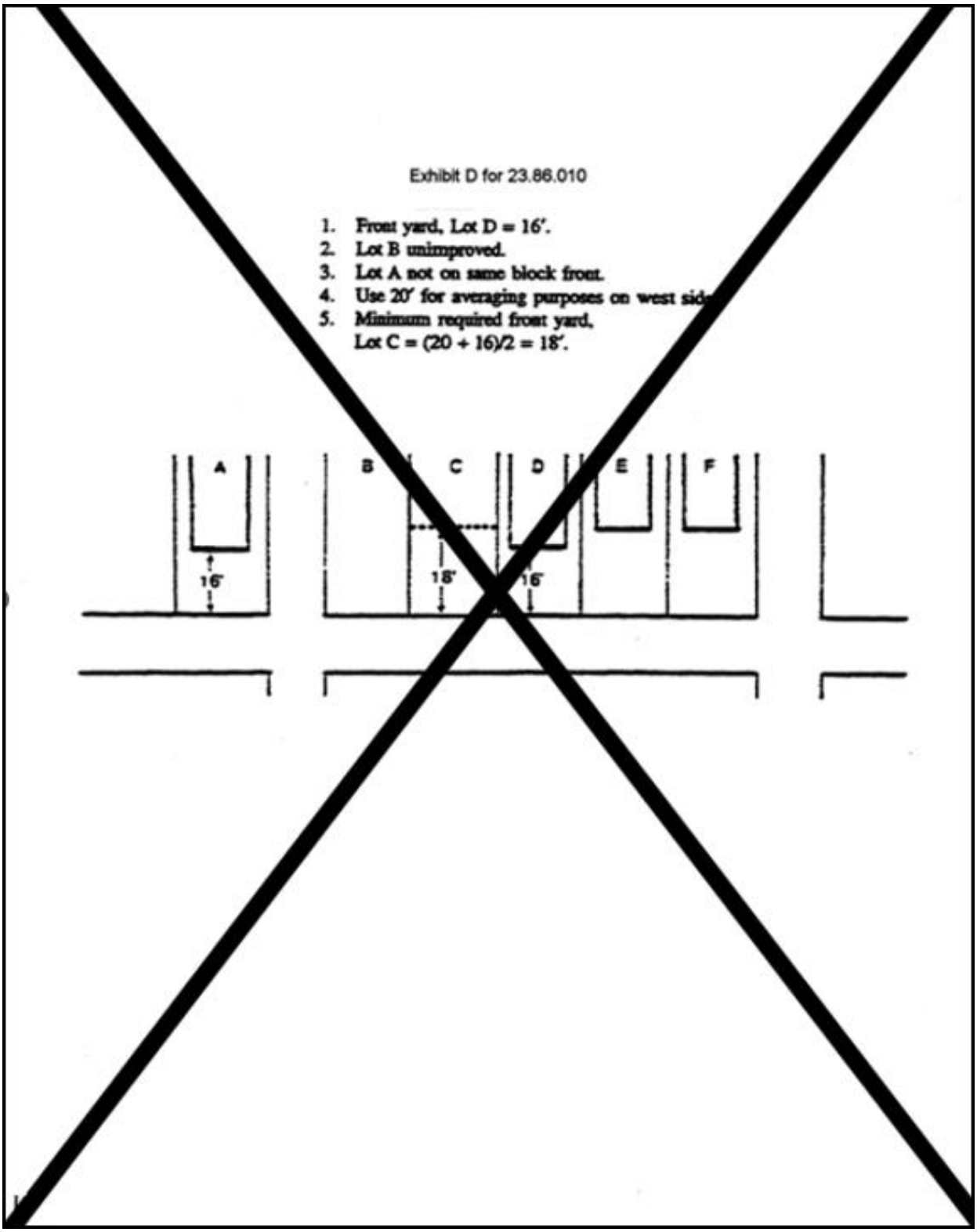
Calculating Minimum Required Front Yard
Unusual Front Walls



Minimum required front yard for Lot B:

1. Front yard, Lot A = 15'.
2. Front yard, Lot C = 18'.
3. Average front yard = 16.5'.
4. Required minimum front yard for lot B = 16.5'

1


Exhibit D for 23.86.010
1. Front yard, Lot D = 16'.
2. Lot B unimproved.
3. Lot A not on same block front.
4. Use 20' for averaging purposes on west side
5. Minimum required front yard,
Lot C = (20 + 16)/2 = 18'.
A
B
C
D
E
F
16'
18'
16'

1

Exhibit E for 23.86.010

Minimum Required Front Yards, Adjoining Lots Unimproved

1. Front yard, Lot F = 18'.
2. Lots B, C, D unimproved.
3. Use 20' for averaging purposes on west side.
4. Minimum required front yard,
   Lot E = (20 + 18)/2 = 19'.

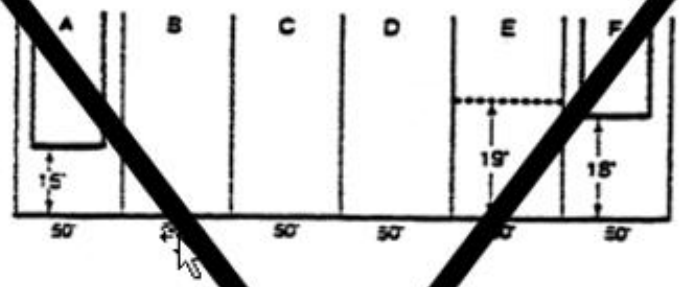
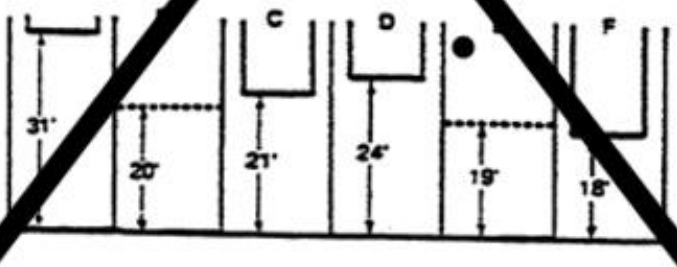


Exhibit F for 23.86.010

1. Minimum required front yard,
   Lot B = (20 + 20)/2 = 20'.
2. Minimum required front yard,
   Lot E = (20 + 18)/2 = 19'.



1

Section 92. Section 23.86.012 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.86.012 ((~~Multifamily and commercial zone setback~~)) Setback and separations measurement

A. For purposes of setback and separation standards, measurement shall be taken to the outside of building foundations and exterior walls rather than to exterior finishing provided that exterior finishes extend no more than 8 inches into a required setback.

B. Setback averaging. In multifamily and commercial zones, certain required setbacks may be averaged. In such cases ((~~the following provisions apply~~)):

1. The average front and rear setbacks are calculated based on the entire width of the structure;

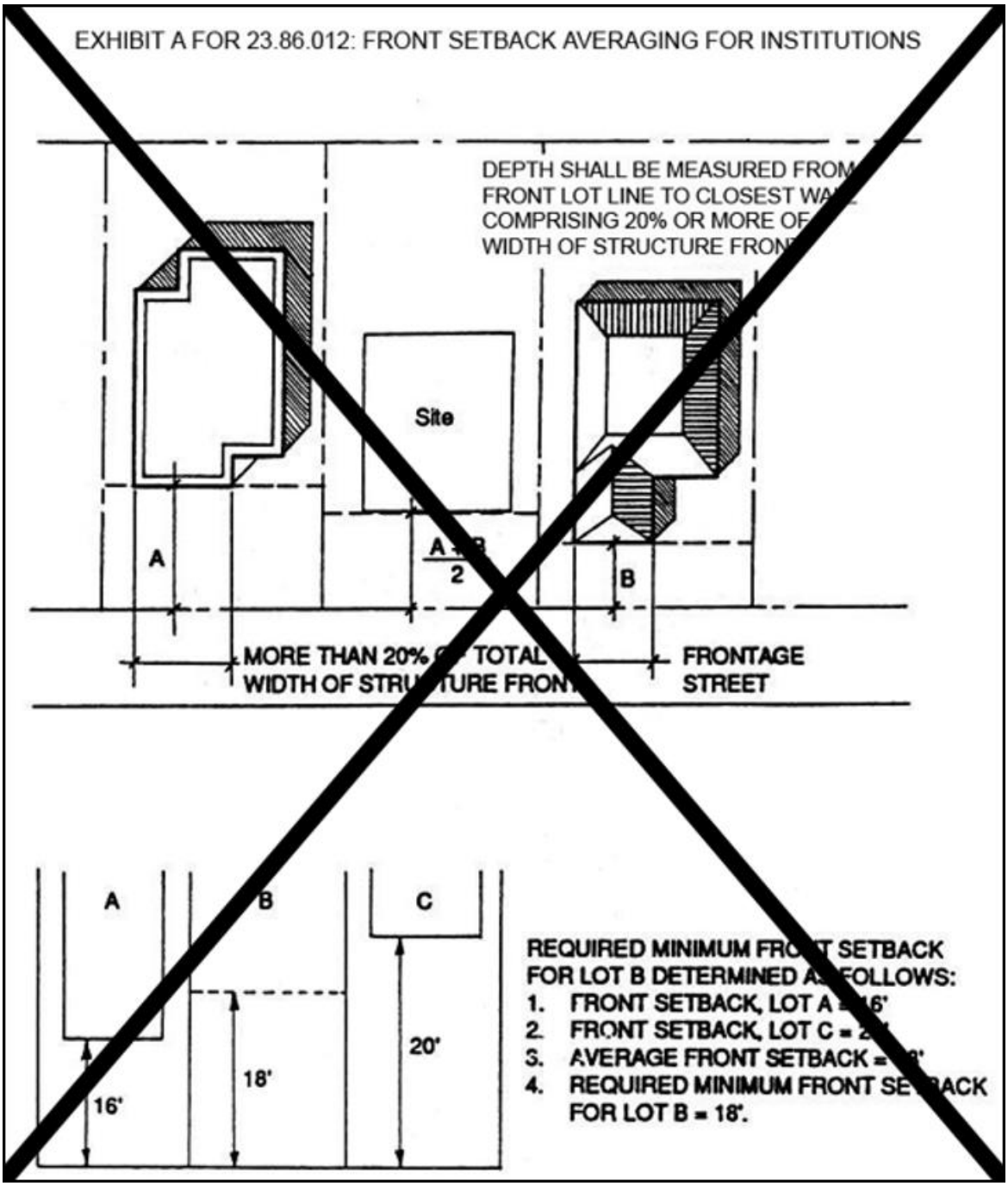
2. The average side setbacks are calculated based on the entire depth of the structure;

3. Setbacks are measured horizontally from the lot line to the facade of the structure. The facade(s) used in calculating the average and minimum setback requirements shall be those facades that are nearest to that lot line except that any features allowed to project into the setback are excluded.

((~~B. Determining front setbacks for institutions. In LR zones, the minimum required front setback for institutions is determined by averaging the setbacks of structures on either side of the subject lot, as follows:~~

~~1. The required front setback is the average of the distances between principal structures and front lot lines of the nearest principal structures on each side of the subject lot if~~

~~each of those structures is on the same block front as the subject lot and is within 100 feet of the side lot lines of the subject lot (Exhibit A for 23.86.012).~~



~~2. If the first principal structure within 100 feet of a side lot line of the subject lot is not on the same block front or there is no principal structure within 100 feet of the side lot line, the setback depth used for averaging purposes on that side is 7 feet.~~

~~3. For averaging purposes, the front setback is the shortest distance from the front lot line to the nearest wall or, where there is no wall, the plane between supports that span 20 percent or more of the width of the front facade of the principal structure. Attached garages and enclosed porches are considered part of the principal structure for measurement purposes. Decks less than 18 inches above existing grade, uncovered porches, eaves, attached solar collectors and other similar parts of the structure are not considered part of the principal structure.~~

~~4. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes the amount of dedication is subtracted from the front setbacks of the structures on either side.~~

~~5. If the front setback of the first principal structure within 100 feet of the side lot line of the subject lot exceeds 20 feet, the setback depth used for averaging purposes on that side is 20 feet.~~

~~6. In cases where the street is very steep or winding, the Director will determine which adjacent structures should be used for averaging purposes.~~

~~7. In the case of a through lot, the front setback is determined independently for each street frontage. The measurement techniques of this section 23.86.012 apply to each street frontage separately.~~

~~8. For multiple structures on the same lot, the front setback of a principal structure on the same lot may be used for averaging purposes.~~))

* * *

Section 93. Section 23.86.017 of the Seattle Municipal Code, enacted by Ordinance 123495, is amended as follows:

23.86.017 Amenity area measurement

((~~Certain zones require a minimum amount of amenity area to be provided on the lot.~~)) If amenity area is required, the following provisions shall apply:

A. If the applicable development standards specify a minimum contiguous amenity area, areas smaller than the minimum contiguous area are not to be counted toward fulfilling amenity area requirements.

1. Driveways and vehicular access easements, whether paved or unpaved, shall be considered to separate the amenity areas they bisect((~~, except for woonerfs permitted to qualify as required amenity area~~)).

2. Pedestrian access areas shall not be considered to break the contiguity of amenity area on each side.

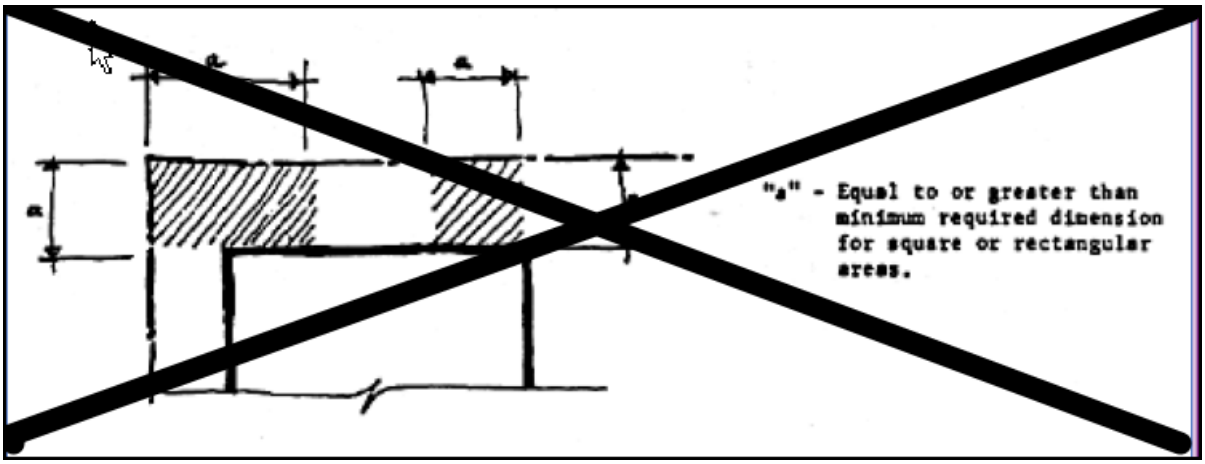
B. In shoreline areas, when determining the amount of amenity area required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

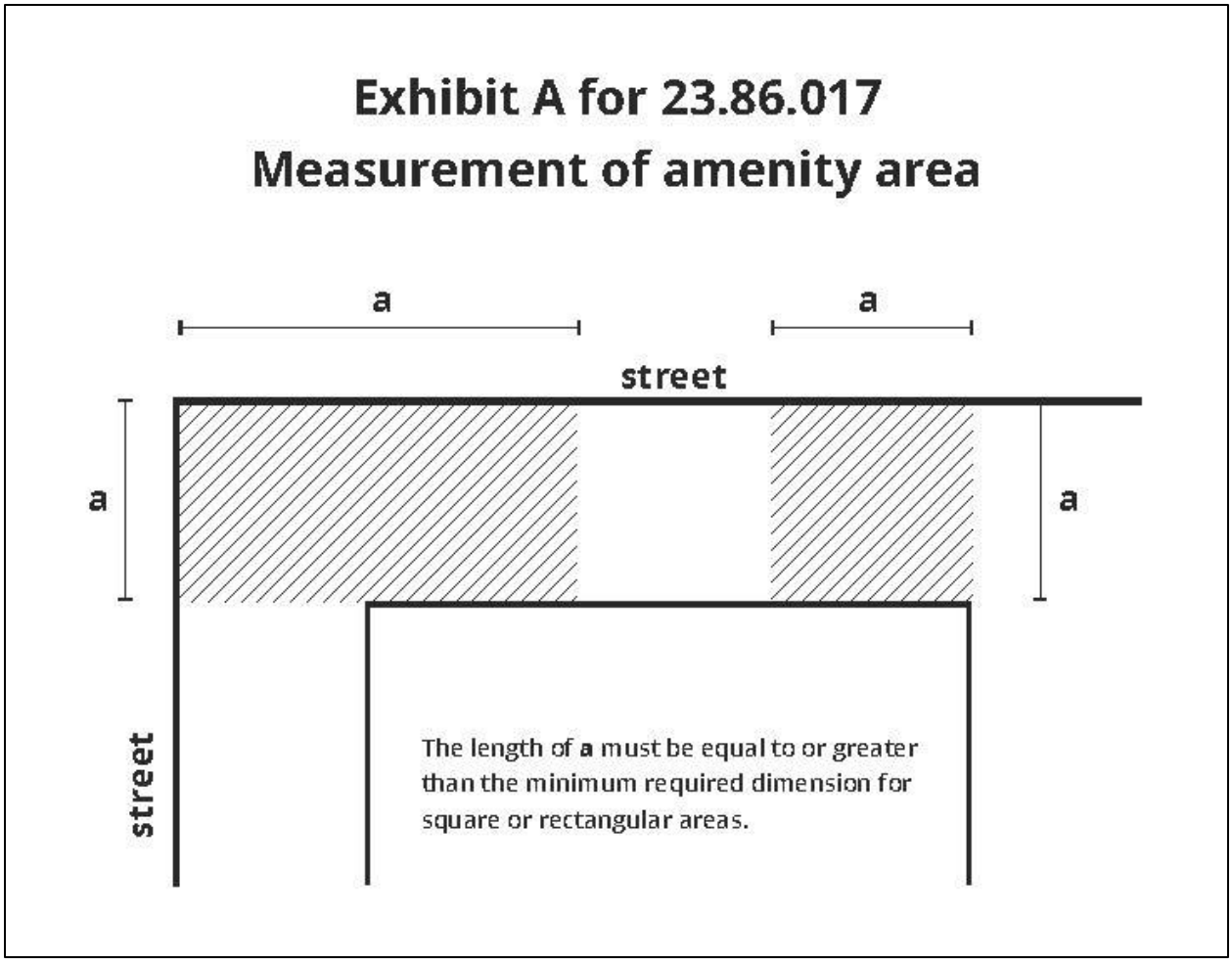
C. In cases where the shape or configuration of the amenity area is irregular or unusual, the Director shall determine whether amenity area requirements have been met, notwithstanding the following provisions, based on whether the proposed configuration would result in amenity area that is truly usable for normal residential recreational purposes. For the purpose of measuring the minimum horizontal dimension of the amenity area, if one is specified, the following provisions shall apply:

1. For rectangular or square areas, each exterior dimension of the area shall meet the minimum dimension (Exhibit A for 23.86.017).

Exhibit A for ((~~Section~~)) 23.86.017((~~: Measurement of Regular Amenity Area~~))

Measurement of amenity area

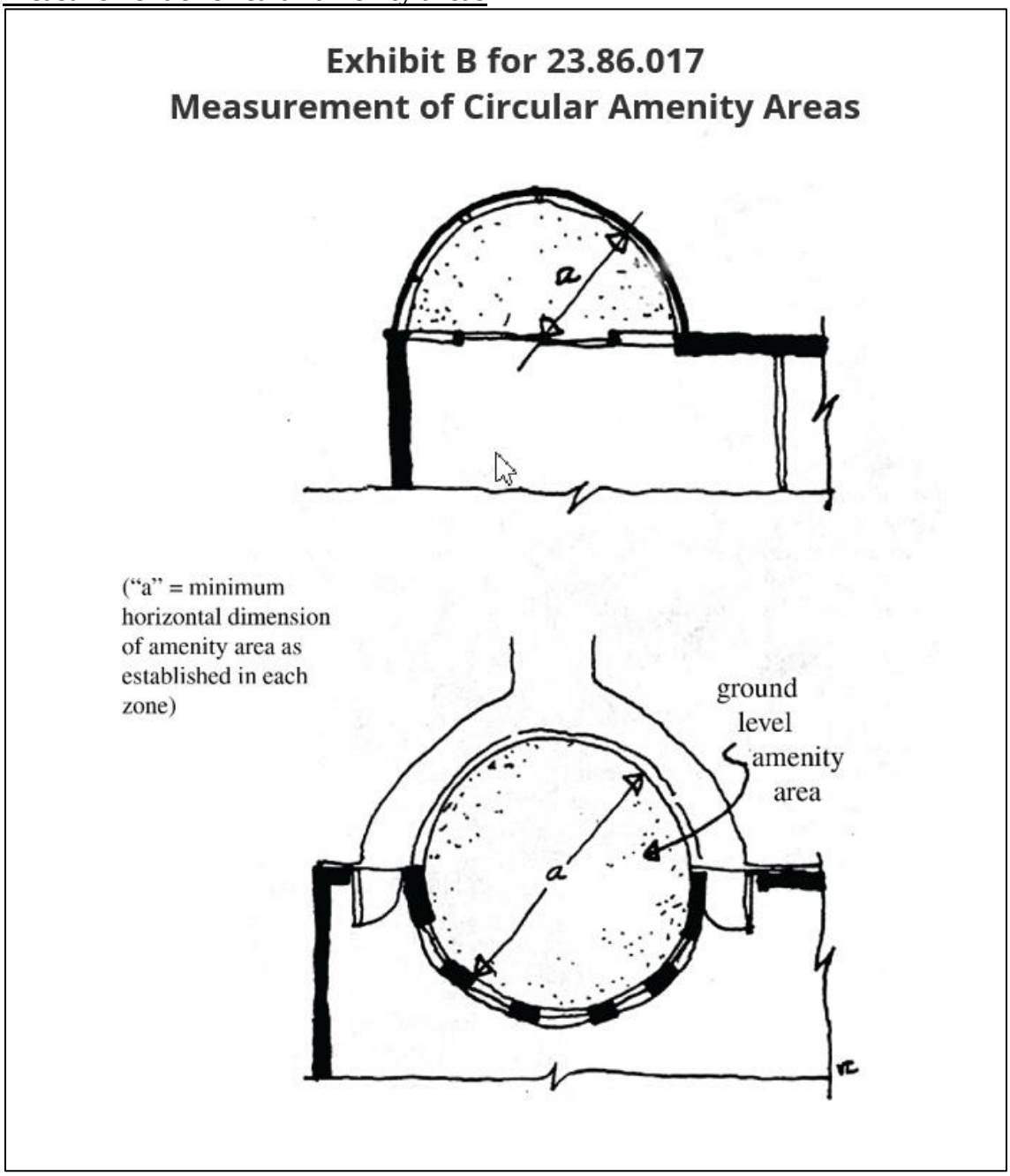




2. For circular areas, the diameter of the circle shall meet the minimum dimension((~~; for~~)) . For semicircular areas, the radius of the area shall meet the minimum dimension (Exhibit B for 23.86.017).

Exhibit B for 23.86.017((~~: Measurement of Circular Amenity Areas~~))

Measurement of circular amenity areas



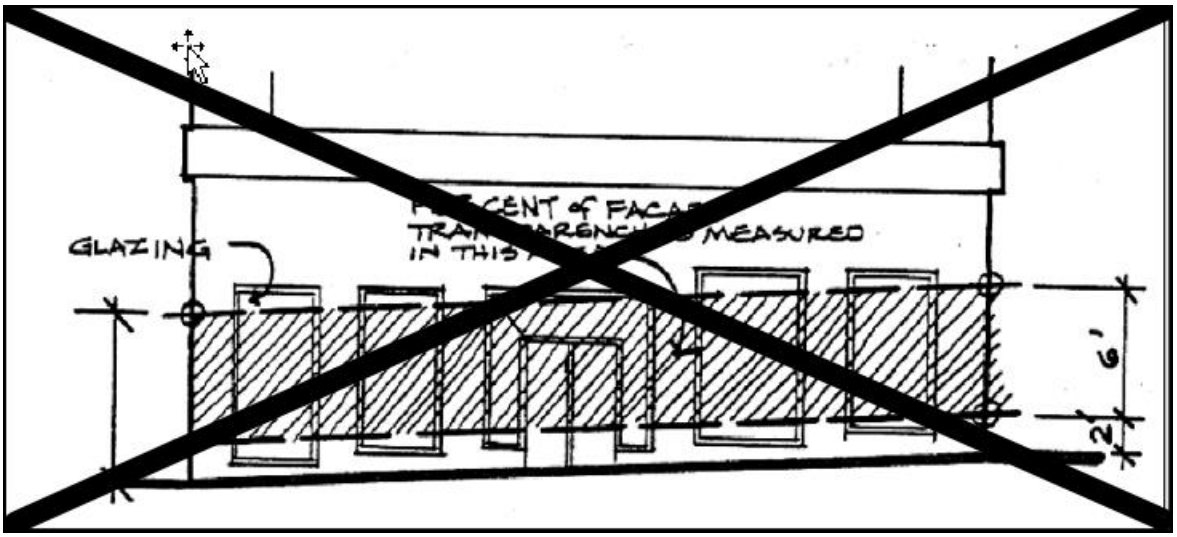
Section 94. Section 23.86.026 of the Seattle Municipal Code, last amended by Ordinance 124503, is amended as follows:

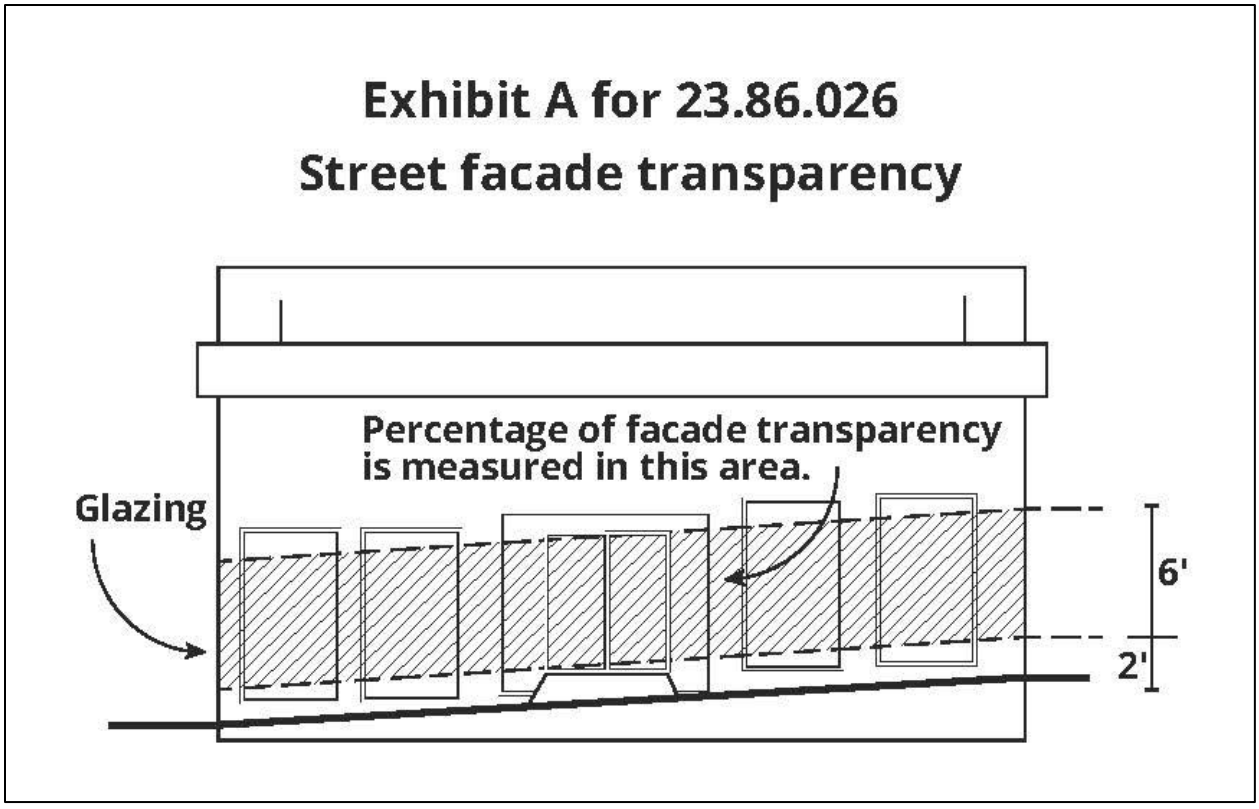
23.86.026 Facade transparency

A. In zones, other than Neighborhood Residential or Lowrise zones, where a certain percentage of the street-facing facade is required to be transparent, transparency shall be measured in an area between 2 feet and 8 feet above the elevation of the lot line at the sidewalk, as depicted in Exhibit A for 23.86.026, unless a different area is specified in the development standards applicable to the lot. Areaways, stairways, and other excavations at the lot line shall not be considered in measuring the elevation of the street lot line. When sidewalk widening is required according to Section 23.49.022, the elevation of the lines establishing the new sidewalk width shall be used rather than the street lot line.

Exhibit A for 23.86.026

Street ((~~Facade Transparency~~)) facade transparency





B. When transparency is required for facades that abut bonused public open spaces, the measurement of facade transparency shall be from the elevation of the public open space.

C. The full length of ((~~landmark~~)) Landmark designated structures, and character structures retained according to Section 23.73.015, shall not be counted in determining the required transparency.

Section 95. Section 23.90.019 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.90.019 Civil penalty for unauthorized dwelling units ((~~in neighborhood residential zones~~))

In addition to any other sanction or remedial procedure that may be available, the following penalties apply to unauthorized dwelling units ((~~in neighborhood residential zones in violation of Section 23.44.006~~)). An owner of a ((~~neighborhood residential zoned~~)) lot ((~~that has more than~~

~~one single-family dwelling unit and~~)) who is issued a notice of violation for an unauthorized dwelling unit((~~,~~)) is subject to a civil penalty of $5,000 for each ((~~additional~~)) unauthorized dwelling unit((~~, unless the additional unit is an authorized dwelling unit in compliance with Section 23.42.022, is a legal non-conforming use, or is approved as part of an administrative conditional use permit pursuant to Section 25.09.260~~)). Penalties for ((~~violation of Sections 23.44.006 and 23.44.022 except for those violations subject to subsection 23.90.018.B,~~)) unauthorized dwelling units in this Section 23.90.019 shall be reduced from $5,000 to $500 if, prior to the compliance date stated on the notice of violation for an unauthorized dwelling unit, the dwelling unit is removed or authorized ((~~, is a legal non-conforming use, or is approved as part of an administrative conditional use permit pursuant to Section 25.09.260~~)).

Section 96. Section 23.91.002 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.91.002 Scope of this Chapter 23.91

A. Violations of the following provisions of this Title 23 shall be enforced under the citation or criminal provisions set forth in this Chapter 23.91:

1. Junk storage in residential zones (((~~Chapter 23.44, Chapter 23.45, Chapter 23.46, Chapter 23.49 Subchapter IV, and Chapter 23.49 Subchapter VII~~))), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A and a notice of violation has been issued requiring compliance with subsection 22.206.200.F;

2. Construction or maintenance of structures in required ((~~yards or~~)) setbacks in residential zones (((~~Chapter 23.44, Chapter 23.45, Chapter 23.46, Chapter 23.49 Subchapter IV, and Chapter 23.49 Subchapter VII~~)));

3. Parking of vehicles in a ((~~neighborhood residential~~)) Neighborhood Residential zone (Section ((~~23.44.016~~)) 23.44.160), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A;

4. Keeping of animals (Section 23.42.052); and

((~~[5. Reserved.]~~

~~6.~~)) 5. The following violations of ((~~the Shoreline District,~~)) Chapter 23.60A:

a. Discharging, leaking, or releasing solid or liquid waste and untreated effluent, oil, chemicals, or hazardous materials into the water (subsection 23.60A.152.R);

b. Releasing debris and other waste materials from construction, maintenance, repair, or in operation or management of a property, into any water body (subsections 23.60A.152.H, 23.60A.152.I, 23.60A.152.T, and 23.60A.152.U);

c. Conducting activity in or over water outside the allowed work windows (subsection 23.60A.152.J); and

d. Closing required public access (Section 23.60A.164).

B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect, limit, or preclude any previous, pending, or subsequent enforcement action or proceeding taken pursuant to Chapter 23.90.

Section 97. Section 25.09.052 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

25.09.052 Replacing structures in environmentally critical areas and buffers

* * *

B. Replacing a ((~~single-family residence~~)) detached dwelling unit voluntarily in wetlands, wetland buffers, and fish and wildlife habitat conservation areas

1. Replacing a ((~~single-family residence~~)) detached dwelling unit and its appurtenant structures and access is allowed in wetlands, wetland buffers, and fish and wildlife habitat conservation areas if the replacement complies with the following:

a. The replacement is in substantially the same location as the original development;

b. The area of the footprint of the replacement does not exceed that of the original development;

c. The proposed access does not exceed the width and length of necessary access;

d. Lot size

1) Riparian watercourse and wetlands. For a ((~~single-family residence~~)) detached dwelling unit located over a riparian watercourse or built in a wetland, the replaced ((~~residence~~)) dwelling unit and necessary access meets wetland buffer or riparian management area requirements to the maximum extent feasible; or

2) For all other property, the lot does not have sufficient area to site a ((~~residence~~)) dwelling unit with the same area of footprint as existed on May 14, 2017, plus necessary access, consistent with the regulations for the applicable environmentally critical area and buffer, including reducing the ((~~yard and~~)) front and/or rear setback requirements ((~~for front and rear yards in Title 23~~)) allowed under Section 25.09.280, except subsection 25.09.280.B.2, to the minimum necessary to accommodate the ((~~residence~~)) dwelling unit and necessary access; and

e. The site for the ((~~residence~~)) dwelling unit, necessary access, and utilities has the least impact on the functions and values of the environmentally critical area.

2. A structure that is replaced and activities related to replacing the structure shall:

a. Comply with restrictions on flood hazard areas reconstruction, if the structure is located in a flood-prone area; and

b. Comply with the development standards for the environmentally critical area and buffer in which it is located to the maximum extent feasible, including requirements for access and shall comply with the standards in Sections 25.09.060, 25.09.065, and 25.09.070; and

c. Mitigate impacts to the functions and values of the environmentally critical area and buffers, in compliance with Section 25.09.065, including any impacts caused by removing the ((~~residence~~)) dwelling unit from its original location, runoff from impervious surfaces, and/or replacing any portion of the ((~~residence~~)) dwelling unit within the environmentally critical area or buffer.

Section 98. A new Section 25.09.055 is added to the Seattle Municipal Code as follows:

25.09.055 Essential public facilities

If an essential public facility as defined in Section 23.84A.010 is proposed within an environmentally critical area as defined in Section 25.09.020, review of the proposed facility is subject to the provisions of Chapter 23.80.

Section 99. Section 25.09.240 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

25.09.240 Short subdivisions and subdivisions

* * *

C. Application submittal requirements. All short subdivision and subdivision applications, in addition to the application submittal requirements included in Title 23 and this Chapter 25.09,

shall include on the surveyed site plan the information required by this Section 25.09.240 ((~~and Section 25.09.260~~)), as applicable.

((~~D. Development standards for new lots in neighborhood residential zones. If new lots are created in neighborhood residential zones by short subdivision or subdivision, the following development standards apply based on the area of each new lot that is outside the environmentally critical areas listed in subsection 25.09.240.A, plus environmentally critical areas in which development is allowed pursuant to subsections 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3:~~

~~1. Lot coverage and lot coverage exceptions according to subsections 23.44.010.C and 23.44.010.D.~~

~~2. Height limits according to Section 23.44.012, including the requirements of subsection 23.44.012.A.3 if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the new lot outside the environmentally critical areas is less than 3,200 square feet.~~

~~E.~~)) D. Lots shall be configured to preserve the environmentally critical areas and buffers identified in subsection 25.09.240.A by:

1. Establishing a separate buffer tract or lot with each owner having an undivided interest; or

2. Establishing non-disturbance areas on individual lots.

((~~F.~~)) E. The environmentally critical areas and buffers identified in subsection 25.09.240.A, except for areas qualifying for development under subsections 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3, shall be designated non-disturbance areas on the final plat. A statement that these non-disturbance areas are located on the lots and the definition of "non-

disturbance area" shall be recorded in the King County Recorder's Office along with the final plat in a form approved by the Director. At the same time, a covenant protecting non-disturbance areas shall be recorded as set out in Section 25.09.335.

((~~G. In computing the number of lots a parcel in a neighborhood residential zone may contain, the Director shall exclude the following areas:~~

~~1. The environmentally critical areas and buffers identified in subsection 25.09.240.A, unless:~~

~~a. The environmentally critical areas and buffers are on a lot that meets the provisions of subsection 25.09.240.B; or~~

~~b. The applicant obtains an administrative conditional use under Section 25.09.260, if it is not practicable to meet the requirements of subsection 25.09.240.B considering the parcel as a whole.~~))

Section 100. Section 25.09.260 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~25.09.260 Environmentally critical areas administrative conditional use~~

~~A. Administrative conditional use~~

~~1. In neighborhood residential zones the Director is authorized to approve an environmentally critical areas administrative conditional use pursuant to Section 23.42.042 and this Section 25.09.260 for one or both of the following purposes:~~

~~a. In calculating the maximum number of lots and units allowed on the entire parcel under subsection 25.09.240.G, the Director may count environmentally critical areas and/or buffers, except the open water area of a wetland or riparian corridor, that would~~

~~otherwise be excluded, if an applicant is unable to demonstrate compliance with the requirements of subsection 25.09.240.B for the entire parcel proposed to be subdivided.~~

~~b. For the entire parcel proposed to be subdivided, the Director may approve development of single family residences that meet the development standards of subsection 25.09.260.B.3 and the platting conditions in subsections 25.09.260.B.1 and 25.09.260.C.2.b. Except as specifically superseded by the development standards of subsection 25.09.260.B.3 and the platting conditions of subsection 25.09.260.C.2.b, all applicable regulations of Title 23 shall also apply to the entire parcel. The entire parcel is designated as the site.~~

~~2. Process. If an administrative conditional use application includes an application to authorize development in a steep slope erosion hazard area or buffer, the application is not required to include an application for the variances allowed under Sections 25.09.280 or 25.09.290, but the application must address the criteria listed in subsection 25.09.260.B.1.c.~~

~~B. Criteria. An application under this Section 25.09.260 shall provide information sufficient to demonstrate that the proposal meets the following criteria:~~

~~1. Environmental impacts on environmentally critical areas and buffers~~

~~a. No development is allowed in a biodiversity area or corridor, riparian corridor, wetland, or wetland buffer.~~

~~b. No riparian management area or wetland buffer is reduced.~~

~~c. No development is on a steep slope erosion hazard area or its buffer unless either the proposed development meets the criteria of subsections 25.09.090.B.2.a, 25.09.090.B.2.b, or 25.09.090.B.2.c or the property is a lot in existence as a legal building site~~

~~prior to October 31, 1992, is predominantly characterized by steep slope erosion hazard areas, and the following criteria are met:~~

~~1) The proposed development shall be located away from steep slope erosion hazard areas and buffers to the extent practicable.~~

~~2) The Director shall require clear and convincing evidence that the provisions of this subsection 25.09.260.B are met if development is located on steep slope erosion hazard areas and buffers with these characteristics:~~

~~a) A wetland over 1,500 square feet in size or a watercourse designated part of a riparian corridor;~~

~~b) An undeveloped area over 5 acres characterized by steep slope erosion hazard areas; or~~

~~c) Areas designated by the Washington Department of Fish and Wildlife (WDFW) as biodiversity areas and corridors, or areas identified by the Director with significant tree and vegetation cover providing wildlife habitat.~~

~~3) If the application includes a proposal to develop in a steep slope erosion hazard area or buffer, the development in the steep slope erosion hazard area or buffer shall be the minimum necessary to achieve the number of single family dwelling units that would be allowed on the original entire parcel according to the calculation for subdivision required under subsection 25.09.240.G in the following order of priority:~~

~~a) The proposal reduces the front and/or rear yards pursuant to subsection 25.09.260.B.3.b.1 and complies with the building separation standards of subsections 25.09.260.B.3.b.2 and 25.09.260.B.3.b.3;~~

~~b) The proposal reduces the steep slope erosion hazard area buffer; and~~

~~c) The proposal intrudes into not more than 30 percent of the steep slope erosion hazard area.~~

~~d. The proposal protects WDFW priority species and maintains wildlife habitat.~~

~~e. The proposal does not result in unmitigated negative environmental impacts pursuant to Section 25.09.065, including drainage and water quality, erosion, loss of trees and vegetation, and slope stability on the identified environmentally critical area and buffer.~~

~~f. The proposal promotes expansion, restoration, or enhancement of the identified environmentally critical area and buffer.~~

~~2. General environmental impacts and site characteristics~~

~~a. The proposal minimizes potential negative effects of the development on the undeveloped portion of the site and preserves topographic features.~~

~~b. The proposal retains and protects trees and vegetation on designated non-disturbance areas, protects stands of mature trees, minimizes tree removal, removes noxious weeds and non-native vegetation and replaces this vegetation with native trees and vegetation, and protects the visual continuity of treed and vegetated areas and tree canopy.~~

~~3. Development standards~~

~~a. The total number of single-family dwelling units permitted through the environmentally critical areas conditional use regulations shall not exceed the number that would be allowed based on compliance with the use regulations of Section 23.44.008, and the minimum lot area standards of the underlying neighborhood residential zone, and shall be established only~~

~~on the site comprised of the original entire parcel, with subdivision of the original entire parcel allowed only as unit lots approved through the unit lot subdivision process in Section 25.09.260.C.2.b.2.~~

~~b. Single-family dwelling units shall be the sole type of principal use permitted through the environmentally critical areas conditional use regulations and shall meet the development standards of Chapter 23.44, except that the following standards apply instead of the standards in Chapter 23.44, as applicable:~~

~~1) Front and rear yards required by subsections 23.44.014.A and 23.44.014.B may be reduced to no less than 10 feet each and 30 feet for the sum of both yards if the reduction would minimize or eliminate any intrusion into the steep slope erosion hazard area or required buffer;~~

~~2) Front and rear building separations between proposed single family residences shall be a minimum of 25 feet;~~

~~3) Side building separations shall be a minimum of 10 feet;~~

~~4) The maximum lot coverage shall be calculated by deducting required non-disturbance areas from total lot size; and~~

~~5) Front, rear, and side separations shall be determined by the Director, based on location of the building in relation to other buildings and the front lot line.~~))

~~C. Conditions~~

~~1. In authorizing an administrative conditional use, mitigation pursuant to Section 25.09.065 shall apply to protect and mitigate negative impacts to biodiversity areas and corridors, priority habitat and setbacks, riparian corridors, wetlands, wetland buffers, and steep slope erosion hazard areas and buffers, and the Director may impose additional conditions to~~

~~protect other properties that could be adversely affected in the zone or vicinity in which the property is located.~~

~~2. In addition to any conditions imposed under subsection 25.09.260.C.1, the following conditions apply to all administrative conditional uses approved under this Section 25.09.260:~~

~~a. Replacement and establishment of native trees and vegetation shall be required where it is not possible to save trees and vegetation and shall comply with Section 25.09.070.~~

~~b. If a subdivision or short subdivision is proposed, the following standards apply:~~

~~1) The development as a whole shall meet development standards under Title 23 and this Chapter 25.09 applicable at the time the application is vested.~~

~~2) A unit lot short subdivision or unit lot subdivision proposal shall be required to ensure that the development standards of subsection 25.09.260.B.3 are implemented for development. New unit lots created under this Section 25.09.260 shall be approved through the unit lot subdivision regulations of Sections 23.22.062 and 23.24.045 and by compliance with this Section 25.09.260. Development on individual unit lots, except as otherwise set forth in this Section 25.09.260, may be nonconforming as to some or all of the development standards.~~

~~3) Subsequent platting actions or additions or modifications to structures may not create or increase any nonconformity of the development as a whole to this Chapter 25.09, and this shall be noted on the document creating the new unit lots that is recorded with the King County Recorder's Office.~~

~~4) Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space, and other similar features and be recorded with the King County Recorder's Office.~~

~~D. The Director shall issue written findings of fact and conclusions to support the Director's decision. The process and procedures for notice of decision and appeal of this administrative conditional use shall be as prescribed for Type II land use decisions in Chapter 23.76.~~))

Section 101. Section 25.09.300 of the Seattle Municipal Code, last amended by Ordinance 125292, is amended as follows:

25.09.300 Environmentally critical area exception

A. Types of exceptions

1. General. An applicant for a City permit to develop real property that is located in an environmentally critical area or buffer may apply to the Director for an exception to modify environmentally critical area development standards, provided that an applicant cannot apply for an exception to allow development ((~~or to obtain development credit under subsection 25.09.240.G~~)) or to relocate lot lines under Section 23.28.030. An applicant seeking relief under this Section 25.09.300 shall demonstrate that no other applicable administrative remedies in this Chapter 25.09 or Title 23 will provide sufficient relief.

2. Public projects. If development in an environmentally critical area or buffer is necessary to accommodate a public facility or public utility, the Director may grant an exception permitting the public facility or public utility using the following criteria in lieu of subsections 25.09.300.C and 25.09.300.D:

a. No reasonable alternative location will accommodate the facility or utility, as demonstrated by an analysis of appropriate alternative locations provided by the applicant or the Director;

b. Mitigation sequencing under Section 25.09.065 is applied to the siting, design, and construction of the facility or utility; and

c. All requirements of subsections 25.09.300.A.1, 25.09.300.B, 25.09.300.E, and 25.09.300.F apply((~~; and~~

~~d. In granting an exception to the development standards in Sections 25.09.090, 25.09.160, and 25.09.200 the Director shall apply the mitigation standards in Section 25.09.065 when imposing any conditions~~)).

* * *

Section 102. Section 25.09.520 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

25.09.520 Definitions

* * *

"Department" means the Seattle Department of Construction and Inspections or its successor department.

"Detached dwelling unit" means a detached dwelling unit as defined in Section 23.84A.008.

* * *

((~~"Single-family residence" means single-family dwelling unit as defined in Section 23.84A.032 in the definition of "residential use."~~))

* * *

Section 103. A new Section 25.11.025 is added to the Seattle Municipal Code as follows:

25.11.025 Essential public facilities

If this Chapter 25.11 applies to a proposal for an essential public facility as defined in Section 23.84A.010, review of the proposed facility is subject to the provisions of Chapter 23.80.

Section 104. Section 25.11.090 of the Seattle Municipal Code, last amended by Ordinance 126821, is amended as follows:

25.11.090 Tree replacement, maintenance, and site restoration

A. In all zones, Tier 1, Tier 2, and Tier 3 trees removed in association with development or because they are hazardous, infested by insects, pests, or pathogens, or an invasive or nuisance tree, or in accordance with the removal criteria in subsection 25.11.050.D, shall be replaced by one or more new trees, the size and species of which shall be determined by the Director; the tree replacement required shall be designed to result, upon maturity, in a canopy cover that is at least roughly proportional to the canopy cover prior to tree removal. Site restoration where there is on-site tree replacement in association with development shall include the removal of all invasive vegetation and shall prohibit replacement with invasive species. When on-site replacement is proposed, such trees count toward the Green Factor under ((~~SMC~~)) Section 23.86.019 and private property tree point requirements under Section 23.44.120. When off-site replacement is proposed, preference for the location shall be on public property.

* * *

Section 105. Ordinance 127219, implementing interim controls to comply with various state laws and attached to this ordinance as Attachment 3, is repealed. This ordinance shows Seattle Municipal Code sections common to both ordinances as if the repealed ordinance did not take effect.

Section 106. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its passage this _____ day of _____, 2025.

_____

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

_____

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2025.

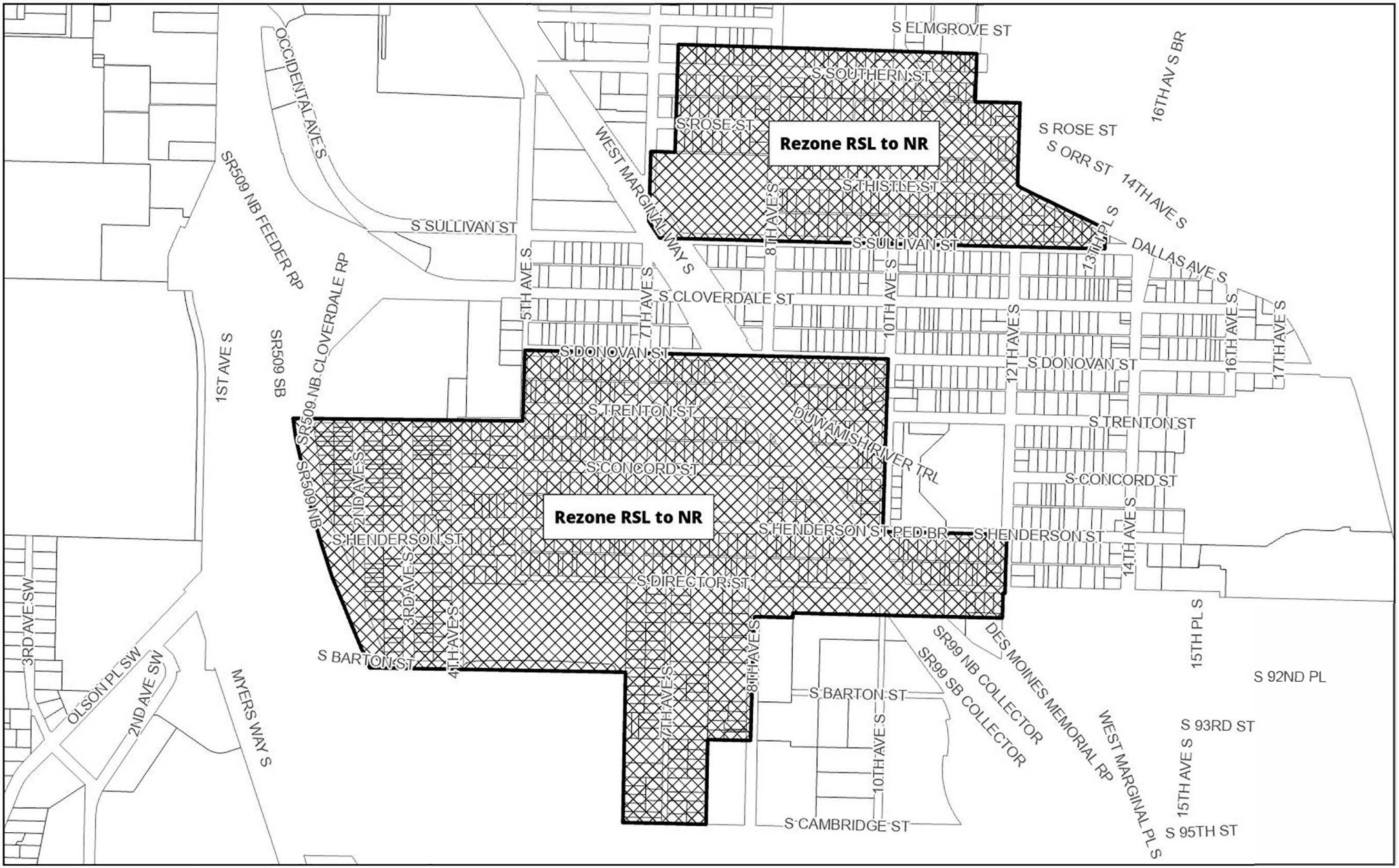
_____

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment 1 – Map of Specific Rezone Areas
Attachment 2 – Repealed Text of Chapter 23.44
Attachment 3 – Ordinance 127219

Map 1



0 450 900 1,800 feet

Area identified for specific rezone

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product. Copyright 2025, City of Seattle.

Prepared Thursday, February 13, 2025, by OPCD.

ATTACHMENT 2 - REPEALED TEXT OF CHAPTER 23.44

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

23.44.002 Scope of provisions

A. This Chapter 23.44 establishes regulations for the following neighborhood residential zones: NR1, NR2, NR3, and RSL, zones.

B. Some land in these zones may be regulated by Subtitle III, Division 3, Overlay Districts, of this Title 23 in addition to the standards of this Chapter 23.44.

C. Other regulations, including but not limited to general use provisions (Chapter 23.42); requirements for streets, alleys, and easements (Chapter 23.53); standards for parking quantity, access, and design (Chapter 23.54); standards for solid waste storage (Chapter 23.54); sign regulations (Chapter 23.55); communication regulations (Chapter 23.57); and methods for measurements (Chapter 23.86) may apply to development proposals.

Subchapter I Principal Uses Permitted Outright

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in neighborhood residential zones:

A. Single-family dwelling unit;

B. In RSL zones, apartments, carriage houses, cottage housing development, rowhouse development, and townhouse developments;

C. Floating homes, subject to the requirements of Chapter 23.60A;

D. Parks and open space, and community gardens;

E. Existing railroad right-of-way;

F. Public schools meeting development standards. New public schools or additions to existing public schools, and accessory uses including child care centers, subject to the special

development standards and departures from standards contained in Chapter 23.51B, except that departures from development standards may be permitted or required pursuant to procedures and criteria established in Chapter 23.79;

G. Uses in existing or former public schools:

1. Child care centers, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses are permitted outright in existing or former public schools, provided that any new children's play equipment or active play area associated with the use shall be located at least 20 feet from any other lot in any residential zone.

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

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

H. Nursing homes. Nursing homes meeting the development standards of this Chapter 23.44, and limited to eight or fewer residents;

I. Adult family homes. Adult family homes, as defined and licensed by the state of Washington;

J. Commercially operating horse farms in existence before July 1, 2000, on lots greater than ten acres, conforming to the limits on the number and location of farm animals and structures containing them set forth in Section 23.42.052;

K. Child care centers;

L. Community centers that do not provide shelter services;

M. Community farms; and

N. Libraries.

23.44.007 Mandatory Housing Affordability in RSL zones

RSL zones that have a mandatory housing affordability suffix are subject to the provisions of Chapters 23.58B and 23.58C.

23.44.008 Development standards for uses permitted outright

A. The development standards set out in this Subchapter I apply to principal and accessory uses permitted outright in neighborhood residential zones.

B. All structures or uses shall be built or established on a lot or lots.

C. Floating homes are subject to the provisions of Chapter 23.60A and are also subject to the parking provisions of this Chapter 23.44.

D. An exception from one specific standard does not relieve the applicant from compliance with any other standard.

E. Methods for measurements are provided in Chapter 23.86. Standards for parking access and design are provided in Chapter 23.54.

F. Any structure occupied by a permitted principal use other than single-family residential use may be converted to single-family residential use even if the structure does not conform to the development standards for single-family structures. Expansions of converted nonconforming structures are regulated by Section 23.42.108. Conversion of structures occupied by nonconforming uses is regulated by Sections 23.42.108 and 23.42.110.

G. Development standards governing lots containing an environmentally critical area or buffer may be modified according to the provisions of Chapter 25.09.

H. Exterior lighting shall be shielded and directed away from residentially zoned lots. The Director may require that the intensity of illumination be limited and that the location of the lighting be changed.

23.44.009 Design standards in RSL zones

In RSL zones, the following provisions apply:

A. Pedestrian access at least 3 feet in width shall be provided between each principal structure and the street. This access may be over a driveway and may cross any required yards or interior separation. The pedestrian access may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color, texture, or similar technique.

B. Each dwelling unit with a street-facing facade or each apartment structure with a street-facing facade, that is located within 40 feet of a street lot line shall have a pedestrian entry or front door on that street-facing facade. For dwelling units or apartment structures on corner lots, a pedestrian entry or front door is required on only one of the street-facing facades. The pedestrian entry or front door shall be marked with a covered stoop, porch, or other similar architectural entry feature.

23.44.010 Minimum lot area and lot coverage

A. Minimum lot area. The minimum lot area in neighborhood residential zones shall be as provided in Table A for 23.44.010:

Table A for 23.44.010
Minimum lot area

Zone	**Minimum lot area required**
NR1	9,600 square feet
NR2	7,200 square feet
NR3	5,000 square feet
RSL	No minimum lot area[1]

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

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

B. Exceptions to minimum lot area requirements. The following exceptions to minimum lot area requirements are allowed in NR1, NR2, and NR3 zones, subject to the requirements in subsection 23.44.010.B.2, and further subject to the requirements in subsection 23.44.010.B.3 for any lot less than 3,200 square feet in area:

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

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

1) To be counted as a separate lot for the purposes of calculating the mean area of the lots on a block front, a lot must be entirely within a neighborhood residential zone, and must be currently developed as a separate building site or else currently qualify for separate development based on facts in existence as of the date a building permit, full

or short subdivision, or lot boundary adjustment application is filed with the Department. The existence of structures or portions of structures on the property that is the subject of the application may be disregarded when the application indicates the structures or portions of structures will be demolished. In cases where this exception is applied for the purpose of a lot boundary adjustment, the calculation shall be based on the existing lots as they are configured before the adjustment.

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

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

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

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

6) If an existing or proposed lot has frontage on more than one street, the lot may qualify for this exception based on the calculation being applied to any street on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets

but does not have 30 feet of frontage on any street, the exception may be applied based on the calculation along the street on which the lot has the most frontage, provided the lot has at least 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but equal frontage on multiple streets, the rule may be applied based on the calculation along any one of the streets, provided the lot has at least 10 feet of frontage on that street.

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

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

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

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

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

d. The historic lot exception. The historic lot exception may be applied to allow separate development of lots already in existence if the lot has an area of at least 2,500 square feet, and was established as a separate building site in the public records of the county or

City prior to July 24, 1957, by deed, contract of sale, platting, or building permit. The qualifying lot shall be subject to the following provisions:

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

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

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

4) If parking for an existing principal structure on one lot has been provided on an abutting lot and parking is required under Chapter 23.54 the required parking for

the existing house shall be relocated onto the same lot as the existing principal structure in order for either lot to qualify for the exception.

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

f. If a lot qualifies for an exception to the lot area requirement under 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 23.44.010.B.1.e, the boundaries between that lot and contiguous lots on the same block face that also qualify for separate development may be adjusted through the lot boundary adjustment process if the adjustment maintains the existing lot areas, increases the area of a qualifying substandard lot without reducing another lot below the minimum permitted lot area, or causes the areas of the lots to become more equal provided the number of parcels qualifying for separate development is not increased.

2. Limitations

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

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

2) The substandard lot is held in common ownership with an abutting lot or lots, or has been held in common ownership at any time after October 31, 1992, if

proposed and future development will not intrude into the environmentally critical area or buffer or priority freshwater habitat or priority saltwater habitat described in Section 23.60A.160.

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

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

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

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

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

C. Maximum lot coverage

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

Table B for 23.44.010 Maximum lot coverage		
Zone	**Lot size**	**Maximum lot coverage**
NR1, NR2, and NR3	Less than 5,000 square feet	1,000 square feet plus 15 percent of lot area
	5,000 square feet or more	35 percent of lot area
RSL	All lots	50 percent of lot area

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

D. Lot coverage exceptions

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

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

b. The total lot area for any lot may not be increased by the provisions of this Section 23.44.010 by more than ten percent.

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

a. Access bridges

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

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

b. Barrier-free access. Ramps or other access for the disabled or elderly that comply with the Seattle Building Code, Chapter 11;

c. Decks. Decks or parts of a deck that are 36 inches or less above existing grade;

d. Freestanding structures and bulkheads. Fences, freestanding walls, bulkheads, signs, and other similar structures;

e. Underground structures. An underground structure, or underground portion of a structure;

f. Eaves and gutters. The first 36 inches of eaves and gutters that project from principal and accessory structures;

g. Solar collectors and swimming pools. Solar collectors that comply with Section 23.44.046 and swimming pools that comply with Section 23.44.044.

23.44.011 Floor area in neighborhood residential zones

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

B. Floor area ratio (FAR) limits.

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

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

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

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

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

3. In NR1, NR2, and NR3 zones:

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

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

4. In RSL zones, 50 percent of the chargeable 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 the exemption is limited to the gross square footage in the single-family dwelling unit as of January 1, 1982.

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

23.44.012 Height limits

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

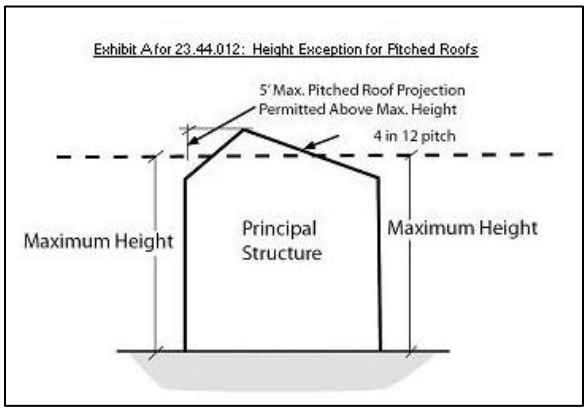
1. Except as provided in subsections 23.44.012.A.2 and 23.44.012.A.3, the maximum permitted height for any structure not located in a required yard is 30 feet.

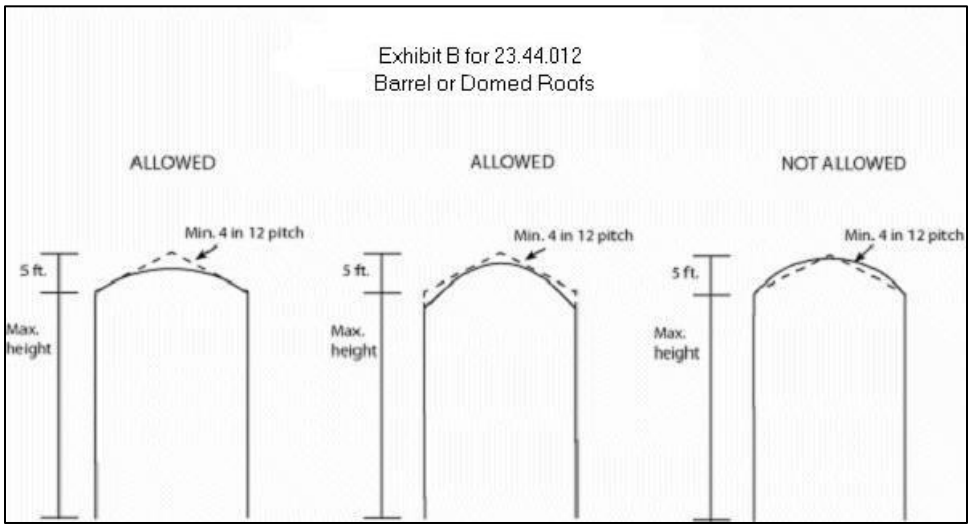
2. In NR1, NR2, and NR3 zones, the maximum permitted height for any structure on a lot 30 feet or less in width is 25 feet.

3. In NR1, NR2, and NR3 zones, for a lot or unit lot of any width, if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the lot or unit lot is less than 3,200 square feet the maximum permitted height for any structure on that lot shall be 18 feet. Additional height shall be allowed, subject to the limit that would otherwise apply under subsections 23.44.012.A.1 and 23.44.012.A.2, provided that the elevation at the top of the exterior walls of the structure, exclusive of pitched roofs, does not exceed the average of the elevations at the tops of the walls of single-family residences on abutting lots within the same zone. The limit of this subsection 23.44.012.A.3 shall not apply to additions to single-family residences existing as of February 1, 2013, that do not exceed the greater of 1,000 square feet of new gross floor area or the amount of gross floor area on any one floor of the existing house.

B. Pitched roofs. The ridge of a pitched roof on a principal structure may extend up to 5 feet above the maximum height limit, as determined under subsection 23.44.012.A. All parts of the roof above the height limit must be pitched at a rate of not less than 4:12 (Exhibit A for 23.44.012). No portion of a shed or butterfly roof, except on a dormer, shall be permitted to extend beyond the maximum height limit, as determined under subsection 23.44.012.A. Roof forms including but not limited to barreled and domed roofs may be allowed under this

subsection 23.44.012.B if the Director determines that the roof form remains within the massing of a pitched roof form such as a gable or gambrel roof that would otherwise be allowed by this subsection 23.44.012.B (Exhibit B for 23.44.012).





C. Height limit exemptions

1. Flagpoles. Except in the Airport Height Overlay District, Chapter 23.64, flagpoles are exempt from height limits, provided that they are no closer to any adjoining lot line than 50 percent of their height above existing grade, or, if attached only to a roof, no closer than 50 percent of their height above the roof portion where attached.

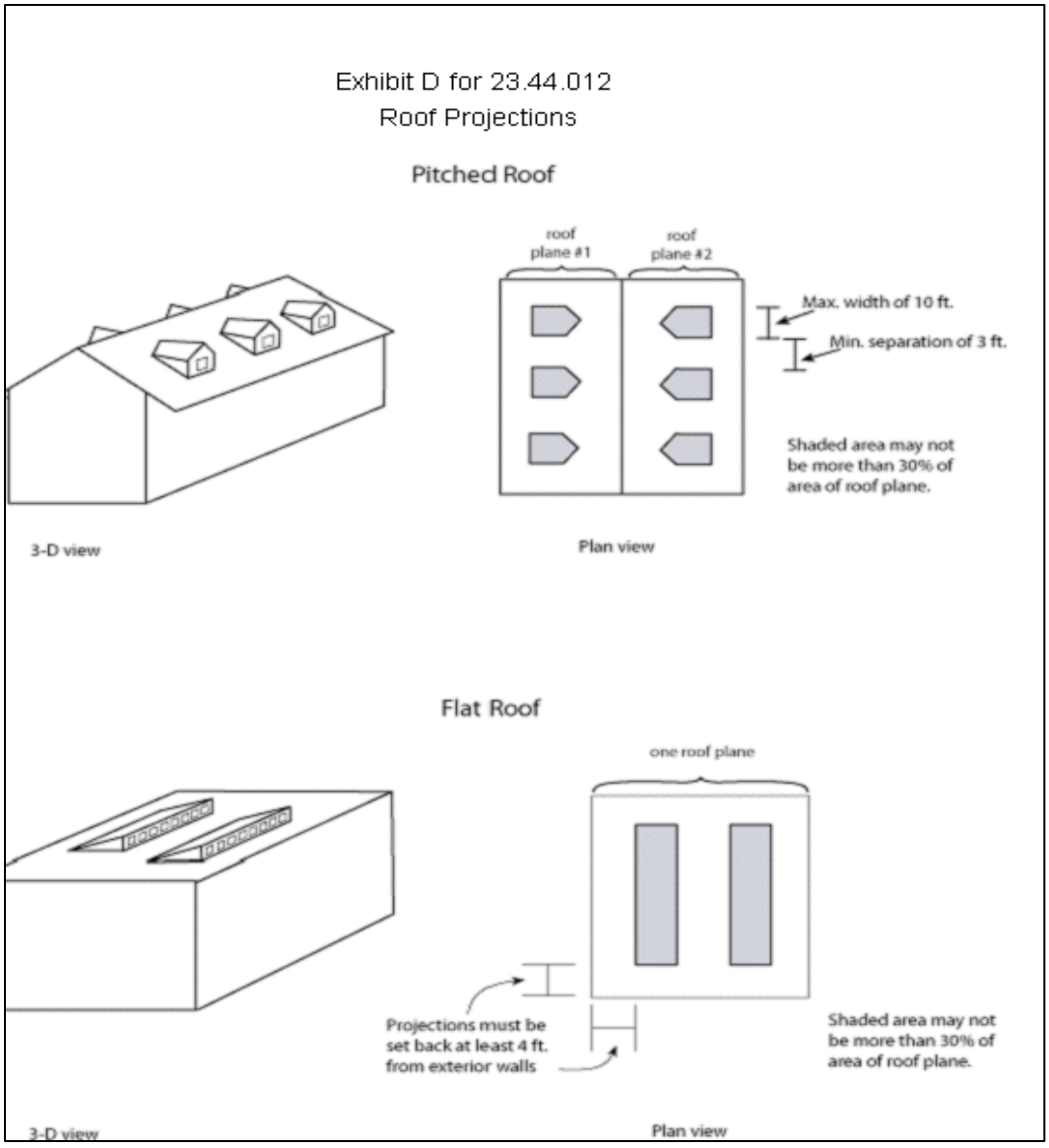
2. Other features. Open rails and planters may extend no higher than the ridge of a pitched roof permitted under subsection 23.44.012.B or 4 feet above the maximum height limit in subsection 23.44.012.A. Planters on flat roofs shall not be located within 4 feet of more than 25 percent of the perimeter of the roof. For any structure with a green roof and having a minimum rooftop coverage of 50 percent, up to 24 inches of additional height above the height limit is allowed to accommodate structural requirements, roofing membranes, and soil. Chimneys may extend 4 feet above the ridge of a pitched roof or above a flat roof.

3. Projections that accommodate windows and result in additional interior space, including dormers, clerestories, skylights, and greenhouses, may extend no higher than the ridge of a pitched roof permitted pursuant to subsection 23.44.012.B, or 4 feet above the applicable height limit pursuant to subsection 23.44.012.A, whichever is higher, if all of the following conditions are satisfied (Exhibit D for 23.44.012:

a. The total area of these projections is limited to 30 percent of the area of each roof plane measured from the plan view perspective;

b. On pitched roofs, projections are limited to 10 feet in width with a minimum separation of 3 feet from other projections; and

c. On flat roofs, projections are set back at least 4 feet from exterior walls.



4. Solar collectors. For height exceptions for solar collectors, not including solar greenhouses, see Section 23.44.046.

5. For nonresidential principal uses, the following rooftop features may extend up to 10 feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection 23.44.012.C.5 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened or enclosed mechanical equipment:

a. Stair and elevator penthouses;

b. Mechanical equipment; or

c. Wind-driven power generators.

6. Wind-driven power generators. Devices for generating wind power may be located on structures as a rooftop feature and may extend up to 10 feet above the maximum height limit set in subsections 23.44.012. A and 23.44.012.B, provided that the combined total coverage of all features does not exceed 15 percent of the roof area.

7. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.010.

23.44.013 Transportation concurrency level-of-service standards.

Proposed uses in neighborhood residential zones shall meet the transportation concurrency level-of-service standards prescribed in Chapter 23.52.

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.

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.

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

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

2. Certain accessory structures in side and rear yards

a. Except for detached accessory dwelling units, any accessory structure that complies with the requirements of Section 23.44.040 may be constructed in a side yard that abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed corner lot within 5 feet of the key lot and not abutting the front yard of the key lot, upon recording with

the King County Recorder's Office an agreement to this effect between the owners of record of the abutting properties.

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

3. A principal structure with or without an accessory dwelling unit, and/or a detached accessory dwelling unit may extend into one side yard if an easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a 10-foot separation between that structure and any principal structure or detached accessory dwelling unit on the abutting lot. The 10-foot separation shall be measured from the wall of the structure proposed to extend into a side yard to the wall of the structure on the abutting lot.

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

b. Features of and projections from structures, such as porches, eaves, and chimneys, are permitted in the 10-foot separation area required by this subsection 23.44.014.C.3 if otherwise allowed in side yards by this subsection 23.44.014.C. For purposes of calculating the distance a structure or feature may project into the 10-foot separation, assume the property line is 5 feet from the wall of the structure proposed to extend into a side yard and consider the 5 feet between the wall and the assumed property line to be the required side yard.

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

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

4. Certain additions to structures may be permitted. An existing single-family structure may extend into a required yard if the existing structure is already nonconforming with respect to that yard. The presently nonconforming portion must be at least 60 percent of the total width of the respective facade of the structure prior to the addition. The line formed by the existing nonconforming wall of the structure is the limit to which any additions may be built, except as described in subsections 23.44.014.C.4.a through 23.44.014.C.4.e. Additions may extend up to the height limit and may include basement additions. New additions to the nonconforming wall or walls within required yards shall comply with the following requirements:

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

b. Rear yard. If the addition is a rear wall, the existing wall line may be continued by the addition except that in no case shall the addition be closer than 20 feet to the rear lot line or centerline of an alley abutting the rear lot line;

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

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

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

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

6. Certain features of a structure. Unless otherwise provided elsewhere in this Chapter 23.44 or Section 23.42.022, certain features of a principal or accessory structure may extend into required yards if they comply with the following:

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

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

c. Other projections that include interior space, such as garden windows, may extend no more than 18 inches into any required yard, starting a minimum of 30 inches above finished floor, and with maximum dimensions of 6 feet in height and 8 feet in width;

d. The combined area of features permitted by subsections 23.44.014.C.6.b and 23.44.014.C.6.c may comprise no more than 30 percent of the area of the facade, except that no limit applies to detached accessory dwelling units.

7. Covered, unenclosed decks and roofs over patios. Covered, unenclosed decks and roofs over patios, if attached to a principal structure, may extend into the required rear yard, but shall not be within 12 feet of the centerline of any alley, or within 5 feet of any rear lot line that is not an alley lot line, or closer to any side lot line in the required rear yard than the side yard requirement of the principal structure along that side, or closer than 5 feet to any accessory structure. The height of the roof over unenclosed decks and patios shall not exceed 12 feet above existing or finished grade, whichever is lower. The roof over such decks or patios shall not be used as a deck.

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

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

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

9. Barrier-free access. Access facilities for the disabled and elderly that comply with the Seattle Building Code, Chapter 11, are permitted in any required yard.

10. Freestanding structures and bulkheads

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

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

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

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

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

d. Bulkheads and retaining walls used to protect a cut into existing grade may be placed in any required yard when limited to the minimum height necessary to support the

cut. If the bulkhead or retaining wall is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle Building Code requirements may be placed on top of the bulkhead or retaining wall. If the bulkhead or retaining wall is 6 feet or less, a fence may be placed on top up to a maximum combined height of 9.5 feet for both fence and bulkhead or retaining wall.

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

11. Decks in yards. Except for decks attached to a detached accessory dwelling unit, decks no higher than 18 inches above existing or finished grade, whichever is lower, may extend into required yards.

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

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

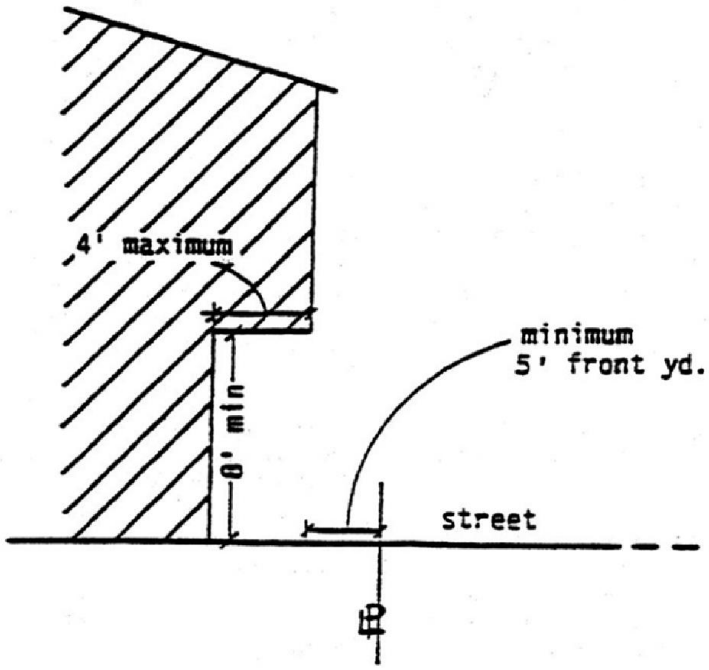
14. Front yard projections for structures on lots 30 feet or less in width. For a structure on a lot in an NR1, NR2, and NR3 zone that is 30 feet or less in width, portions of the front facade that begin 8 feet or more above finished grade may project up to 4 feet into the required front yard, provided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

portion of the facade of an existing structure that is less than 8 feet or more above finished grade already projects into the required front yard.

Exhibit A for 23.44.014

Front yard projections permitted for structures on lots 30 feet or less in width

Exhibit A for 23.44.014
Front yard projections permitted for structures on lots 30 feet or less in width



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

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

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

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

17. Stormwater management

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

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

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

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

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

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

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

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

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

18. A structure may be permitted to extend into front and rear yards as necessary to protect a Tier 1 or Tier 2 tree, as defined in Section 25.11.130.

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

D. Additional standards for structures if allowed in required yards. Structures in required yards shall comply with the following:

1. Accessory structures, attached garages, and portions of a principal structure shall not exceed a maximum combined coverage of 40 percent of the required rear yard, except that, when a detached accessory structure is proposed, the structures may cover an additional 20 percent of the rear yard provided that the increased rear yard coverage does not require removal of any Tier 1 or Tier 2 tree. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of the alley.

2. Any accessory structure located in a required yard shall be separated from its principal structure by a minimum of 5 feet. This requirement does not apply to terraced garages that comply with subsection 23.44.016.C.9.b.

3. Except for detached accessory dwelling units, any accessory structure located in a required yard shall meet both the following standards:

a. A maximum height of 12 feet; and

b. A maximum size of 1,000 square feet in area.

4. Any detached accessory dwelling unit located in a required yard is subject to the requirements of Section 23.42.022.

E. Separations between multiple structures in RSL zones

1. In RSL zones, the minimum required separation between principal structures is 10 feet, except for principal structures separated by a driveway or parking aisle.

2. If principal structures are separated by a driveway or parking aisle, the minimum required separation between the principal structures is 2 feet greater than the required width of the driveway or parking aisle, provided that the separation is not required to be any greater than 24 feet. If principal structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

3. Uncovered porches or steps, features of a structure listed in subsection 23.44.014.C.6, and decks shall be allowed in the separation between principal structures provided they:

a. Comply with the standards of subsections 23.44.014.C.5, 23.44.014.C.6, and 23.44.014.C.11 if the separation were treated like a yard; and

b. Project no more than 3 feet into the separation area.

4. Fences shall be allowed in the separation between principal structures provided they meet the development standards in subsection 23.44.014.C.10.

23.44.016 Parking and garages

A. Parking quantity. Off-street parking is required pursuant to Section 23.54.015.

B. Access to parking

1. Vehicular access to parking from an improved street, alley, or easement is required if parking is required pursuant to Section 23.54.015.

2. Access to parking is permitted through a required yard abutting a street only if the Director determines that one of the following conditions exists:

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

b. Existing topography does not permit alley access; or

c. At least 50 percent of alley frontage abuts property in a non-residential zone; or

d. The alley is used for loading or unloading by an existing non-residential use; or

e. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard; or

f. Parking access must be from the street in order to provide access to a parking space that complies with the Seattle Building Code, Chapter 11; or

g. Providing alley access would require removal of a tree on private property that is a Tier 1 or Tier 2 tree, as defined in Section 25.11.130.

C. Location of parking

1. Parking shall be located on the same lot as the principal use, except as provided in this subsection 23.44.016.C.

2. Parking on planting strips is prohibited.

3. For lots developed with one single-family dwelling, no more than three vehicles may be parked outdoors on any lot.

4. Parking accessory to a floating home may be located on another lot if within 600 feet of the lot on which the floating home is located. The accessory parking shall be screened and landscaped according to subsection 23.44.016.G.

5. Parking accessory to a single-family structure existing on June 11, 1982, may be established on another lot if all the following conditions are met:

a. There is no vehicular access to permissible parking areas on the lot.

b. Any garage constructed is for no more than two two-axle, or two up to four-wheeled vehicles.

c. Parking is screened or landscaped as required by the Director, who shall consider development patterns of the block or nearby blocks.

d. The lot providing the parking is within the same block or across the alley from the principal use lot.

e. The accessory parking shall be tied to the lot of the principal use by a covenant or other document recorded with the King County Recorder's Office.

D. Parking and garages in required yards. Parking and garages are regulated as described in this subsection 23.44.016.D. Unless otherwise specified, the terms "garage" or "garages" as used in this subsection 23.44.016.D refer to both attached and detached garages.

1. Parking and garages shall not be located in the required front yard except as provided in subsections 23.44.016.D.6, 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11.

2. Parking and garages shall not be located in a required side yard abutting a street or the first 10 feet of a required rear yard abutting a street except as provided in subsections 23.44.016.D.6, 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11.

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

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

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

4. Garages with vehicular access facing an alley, shall not be located within 12 feet of the centerline of any alley, nor within 12 feet of any rear lot line that is not an alley lot line, except as provided in subsections 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11, or the Director may waive or modify this standard as a Type I decision provided the applicant can demonstrate that adequate turning and maneuvering areas can be provided.

5. On a reversed corner lot, no garage shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot unless the provisions of subsection 23.44.016.D.8 apply.

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

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

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

a. Open parking space

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

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

3) The parking space shall be no wider than 10 feet for one parking space at the parking surface and no wider than 20 feet for two parking spaces if permitted as provided in subsection 23.44.016.D.11.

b. Terraced garage

1) The height of a terraced garage is limited to no more than 2 feet above existing or finished grade, whichever is lower, for the portions of the garage that are 10 feet or more from the street lot line. The ridge of a pitched roof on a terraced garage may extend up to 3 feet above this 2-foot height limit. All parts of the roof above the 2-foot height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof shall be permitted to extend beyond the 2-foot height limit of this provision. Portions of a terraced garage that are less than 10 feet from the street lot line shall comply with the height standards in subsection 23.44.016.E.2;

2) The width of a terraced garage structure shall not exceed 14 feet for one two-axle or one up to four-wheeled vehicle, or 24 feet if permitted to have two two-axle or two up to four-wheeled vehicles as provided in subsection 23.44.016.D.11;

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

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

9. Lots with downhill yards abutting streets. In NR1, NR2, and NR3 zones, parking, either open or enclosed in an attached or detached garage, for one two-axle or one up to four-wheeled vehicle may be located in a required yard abutting a street if the following conditions are met:

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

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

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

d. Parking in a rear yard complies with subsections 23.44.016.D.2, 23.44.016.D.4 and 23.44.016.D.5; and

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

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

11. Lots with uphill yards abutting streets or downhill or through lot front yards fronting on streets that prohibit parking. In NR1, NR2, and NR3 zones, parking for two two-axle or two up to four-wheeled vehicles may be located in uphill yards abutting streets or downhill or through lot front yards as provided in subsections 23.44.016.D.8, 23.44.016.D.9, or 23.44.016.D.10 if, in consultation with the Seattle Department of Transportation, it is found that uninterrupted parking for 24 hours is prohibited on at least one side of the street within 200 feet

of the lot line over which access is proposed. The Director may authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary, for access.

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

1. Maximum coverage and size

a. Garages, together with any other accessory structures and other portions of the principal structure, are limited to a maximum combined coverage of 40 percent of the required rear yard. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated from the centerline of the alley.

b. Garages located in side or rear yards shall not exceed 1,000 square feet in area.

c. In front yards, the area of garages is limited to 300 square feet with 14-foot maximum width if one space is provided, and 600 square feet with 24-foot maximum width if two spaces are provided. Access driveway bridges permitted under subsection 23.44.014.C.8.b shall not be included in this calculation.

2. Height limits

a. Garages are limited to 12 feet in height measured on the facade containing the entrance for the vehicle.

b. The ridge of a pitched roof on a garage located in a required yard may extend up to 3 feet above the 12-foot height limit. All parts of the roof above the height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

c. Open rails around balconies or decks located on the roofs of garages may exceed the 12-foot height limit by a maximum of 3 feet. The roof over a garage shall not be used as a balcony or deck in rear yards.

3. Separations. Any detached garage located in a required yard, including projecting eaves and gutters, shall be separated from a principal structure by a minimum of 5 feet including eaves and gutters of all structures. This requirement does not apply to terraced garages that comply with subsection 23.44.016.D.9.b.

4. Roof eaves and gutters of a garage located in a required yard may extend a maximum of 18 inches from the exterior wall of the garage. Such roof eaves and gutters are excluded from the maximum coverage and size limits of subsection 23.44.016.E.1.

5. Except for terraced garages that comply with subsection 23.44.016.D.9.b, the roof over a garage in a rear yard shall not be used as a balcony or deck.

F. Appearance of garages

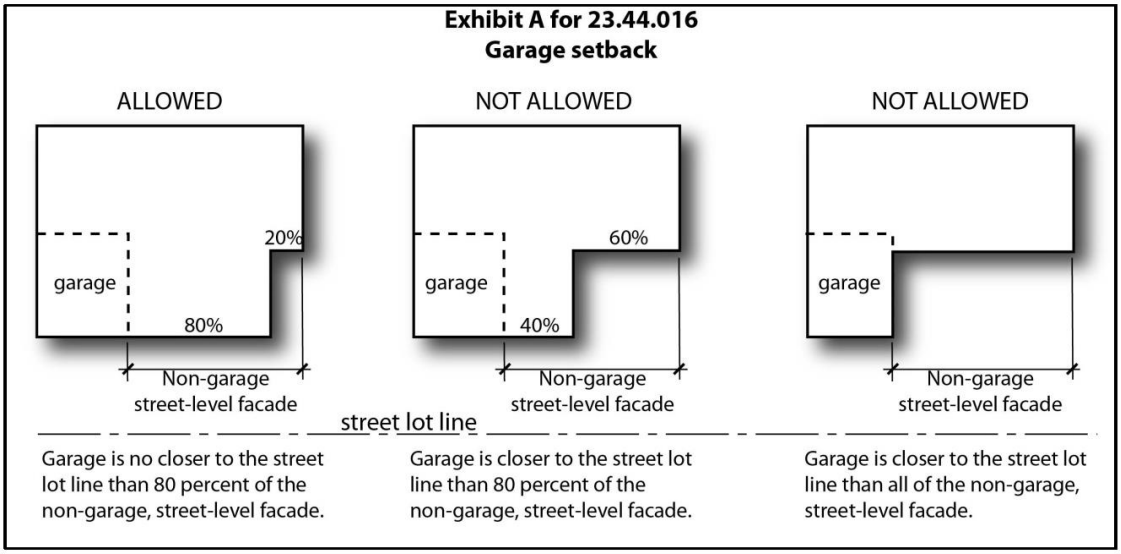
1. Garage setback.

a. In NR1, NR2, and NR3 zones, no portion of a garage, whether attached to a principal structure or within a detached accessory structure, may be closer to the street lot line than 80 percent of the remaining non-garage, street-level facade (see Exhibit A for 23.44.016) of the principal structure to which the garage is accessory. If the entire street-level facade of either a principal or accessory structure is garage, no portion of the garage may be closer to the street lot line than 80 percent of the facade of the story above the street-level facade.

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

Exhibit A for 23.44.016

Garage setback



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

3. Exemptions

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

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

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

1) Irregular lot shape;

2) Topography of the lot;

3) Configuration of proposed or existing structures on the lot;

4) Location of Tier 1 or Tier 2 trees as defined in Section 25.11.130; and

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

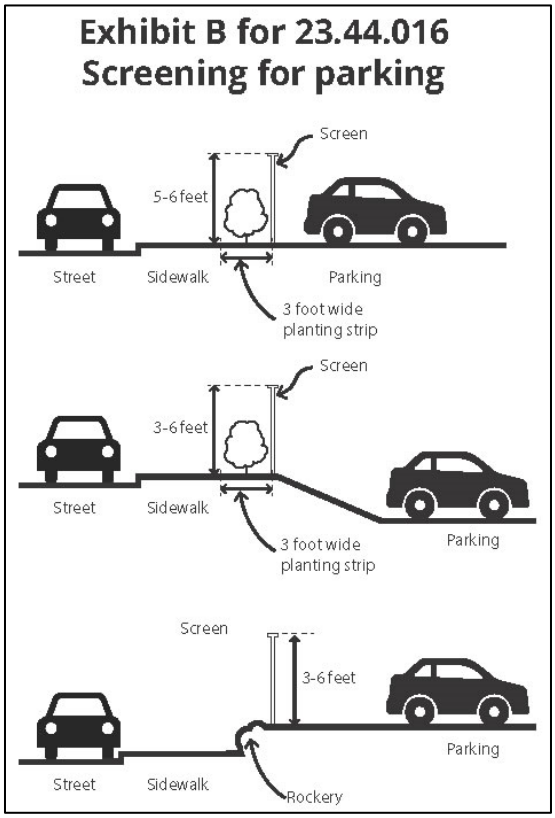
G. Screening

1. Parking accessory to floating homes when located on a separate lot from the floating homes shall be screened from direct street view by a fence or wall between 5 and 6 feet in height. When the fence or wall runs along the street front, there shall be a landscaped strip on the street side of the fence or wall. This strip may be between 1 and 5 feet deep, as measured from the property line, but the average distance from the property line to the fence shall be 3 feet. Such screening shall be located outside any required sight triangle.

2. The height of the visual barrier created by the screen required by subsection 23.44.016.G.1 shall be measured from street level. If the elevation of the lot line is different from the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the screen itself is a minimum of 3 feet in height (see Exhibit B for 23.44.016).

Exhibit B for 23.44.016

Screening of parking



23.44.017 Density limits

A. In NR1, NR2, and NR3 zones, only one single-family dwelling unit is allowed per lot, except that accessory dwelling units may also be approved pursuant to Section 23.42.022, and except as approved as part of an administrative conditional use permit under Section 25.09.260, a clustered housing planned development under Section 23.44.024, or a planned residential development under Section 23.44.034.

B. The following provisions apply in RSL zones:

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

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

3. For lots in existence on April 19, 2019, if the number of principal dwelling units allowed according to subsection 23.44.017.B.1 equals less than two, two units are allowed.

4. Accessory dwelling units are allowed pursuant to Section 23.42.022.

23.44.018 Maximum dwelling unit size in RSL zones

The maximum net unit area of any dwelling unit in RSL zones, including any floor area in an accessory dwelling unit, is 2,200 square feet, except as provided in subsection 23.44.018.B.

A. The following floor area is exempt from the maximum net unit area limit:

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

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

B. Certain additions

1. The limit of this Section 23.44.018 shall not apply to an addition to single-family residences existing on April 19, 2019, if the addition:

a. Adds floor area equal to or less than 20 percent of the floor area that existed on April 19, 2019; or

b. Adds floor area only by adding or expanding a second-story, provided that the second-story addition is directly above a portion of the dwelling unit that existed prior to April 19, 2019. For purposes of this subsection 23.44.018.B.1, portions of a story that extend no

more than 4 feet above existing or finished grade, whichever is lower, shall not be considered in the calculation of the number of stories.

2. Only one addition to any single-family residence may be exempted under this subsection 23.44.018.B.

23.44.019 Alternative standards for development of affordable units on property owned or controlled by a religious organization

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

A. Lot requirements

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

a. The lot has or abuts a lot with a religious facility or other use accessory to a religious facility; or

b. The lot area is 10,000 square feet or greater; or

c. The lot is in an RSL zone.

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

a. The lot area is 10,000 square feet or greater;

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

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

1) The lot abuts, is located on a block front with, or is located across a right-of-way from a zone not designated a neighborhood residential zone; or

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

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

1. The minimum lot area per dwelling unit is 1,500 square feet in NR1, NR2, and NR3 zones and 1,200 square feet in RSL zones.

2. The maximum lot coverage is 50 percent of lot area in NR1, NR2, and NR3 zones and 65 percent in RSL zones.

3. The maximum FAR limit is 1.0 in NR1, NR2, and NR3 zones and 1.2 in RSL zones. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

4. In NR1, NR2, and NR3 zones, the maximum height for a proposed development that exceeds the maximum lot coverage limit in subsection 23.44.010.C is 22 feet. The maximum height for all other developments is 30 feet.

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

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

2. The maximum lot coverage is 50 percent of lot area in NR1, NR2, and NR3 zones and 65 percent in RSL zones.

3. The maximum height limit is 40 feet in NR1, NR2, and NR3 zones and 50 feet in RSL zones.

4. The maximum FAR limit is 2.0 in NR1, NR2, and NR3 zones and 3.0 in RSL zones. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

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

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

1. No structure shall be closer than 10 feet to a side lot line of an abutting neighborhood residential-zoned lot.

2. No structure shall be closer than 20 feet to a rear lot line of an abutting neighborhood residential-zoned lot.

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

F. Maximum facade length. The maximum combined length of all portions of a facade within 20 feet of a lot line of an abutting neighborhood residential-zoned lot may not exceed 40 feet. Maximum facade length shall be measured as described in Section 23.86.015.

23.44.020 Tree requirements

A. Tree requirements in NR1, NR2, and NR3 zones

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

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

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

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

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

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

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

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

5. Tree measurements. Trees planted to meet the requirements in this subsection 23.44.020.A shall be at least 1.5 inches in diameter. The diameter of new trees shall be measured

(in caliper inches) 6 inches above the ground. Existing trees shall be measured 4.5 feet above the ground. When an existing tree is 3 to 10 inches in diameter, each 1 inch counts as 1 inch toward meeting the tree requirements in this subsection 23.44.020.A. When an existing tree is more than 10 inches in diameter, each 1 inch of the tree that is over 10 inches shall count as 3 inches toward meeting the tree requirement.

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

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

B. Tree requirements in RSL zones

1. Trees sufficient to achieve one point, according to Table A for 23.44.020, per 500 square feet of lot area shall be provided for any development:

a. Containing one or more new dwelling units;

b. Containing more than 4,000 square feet of non-residential uses in either a new structure or an addition to an existing structure; or

c. Expanding surface area parking by more than 20 parking spaces for automobiles.

2. Individual trees preserved during construction or planted after construction, excluding street trees, count toward the tree score according to Table A for 23.44.020. All required trees shall meet standards promulgated by the Director to provide for the long-term

health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth, and quality of soil, access to light and air, and protection practices during construction.

Table A for 23.44.020 Tree points		
Type of tree	**Points for deciduous trees**	**Points for evergreen trees**
Small tree planted after construction	1 point	1.25 point
Small/medium tree planted after construction	2 points	2.5 points
Medium/large tree planted after construction	3 points	3.75 points
Large tree planted after construction	4 points	5 points
Trees 6 inches in diameter or greater that are preserved during construction	1 point per inch of diameter	1.25 point per inch of diameter

3. Tree protection areas shall be designated for all trees that are proposed to be preserved to receive points under this subsection 23.44.020.B. No excavation, fill, placing of materials or equipment, or vehicle operation shall be allowed during construction within a tree protection area. Tree protection areas shall be an area equal to the outer extent of the dripline of the tree, except that they may be reduced if the following conditions are met:

a. A certified arborist has submitted and received approval for a plan providing the rationale used to demonstrate that the alternate method provides an adequate level of protection based on visiting the site and examining the specific tree's size, location, and extent of root cover, evaluating the tree's tolerance to construction impact based on its species and health, and identifying any past impacts that have occurred within the root zone; and

b. The alternative tree protection area is prepared under the supervision of the certified arborist.

4. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

C. Street tree requirements

1. Street trees are required for development that would add one or more principal dwelling units on a lot, except as provided in subsection 23.44.020.C.2 and Section 23.53.015. Existing street trees shall be retained unless the Director of Transportation approves their removal. The Director, in consultation with the Director of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:

a. Improve public safety;

b. Promote compatibility with existing street trees;

c. Match trees to the available space in the planting strip;

d. Maintain and expand the urban forest canopy;

e. Encourage healthy growth through appropriate spacing;

f. Protect utilities; and

g. Allow access to the street, buildings, and lot.

2. Exceptions to street tree requirements

a. If a lot borders an unopened right-of-way, the Director may reduce or waive the street tree requirement along that right-of-way as a Type I decision if, after consultation with the Director of Transportation, the Director determines that the right-of-way is unlikely to be opened or improved.

b. If it is not feasible to plant street trees in a right-of-way planting strip, a 5-foot setback shall be planted with street trees along the street lot line that abuts the required

front yard, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Seattle Department of Transportation. If, according to the Director of the Department of Transportation, a 5-foot setback or landscaped planting strip is not feasible, the Director may reduce or waive this requirement as a Type I decision.

Subchapter II Conditional Uses

23.44.021 General provisions

A. Only those conditional uses identified in this Subchapter II may be authorized as conditional uses in neighborhood residential zones. The Master Use Permit Process set forth in Chapter 23.76 shall be used to authorize conditional uses.

B. Unless otherwise specified in this Subchapter II, conditional uses shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.020.

C. A conditional use may be approved, conditioned, or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

D. In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.

E. Any use that was previously authorized by a conditional use permit but which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or recommencement is proposed. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than 24 consecutive months.

Vacant property, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a multifamily structure or a multitenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use.

F. Minor structural work that does not increase usable floor area or seating capacity and that does not exceed the development standards applicable to the use shall not be considered an expansion and does not require approval as a conditional use, unless the work would exceed the height limit of the zone for uses permitted outright. Such work includes but is not limited to roof repair or replacement and construction of uncovered decks and porches, facilities for barrier-free access, bay windows, dormers, and eaves.

Part 1 Administrative Conditional Uses

23.44.022 Institutions

A. Scope of standards

1. The standards of this Section 23.44.022 apply only to institutions permitted as conditional uses in neighborhood residential zones.

2. The following institutions may be permitted as conditional uses in neighborhood residential zones:

a. Community centers that provide shelter services;

b. Private schools;

c. Religious facilities;

d. Existing institutes for advanced study; and

e. Other similar institutions.

3. The following institutions are prohibited in neighborhood residential zones:

a. Hospitals;

b. Colleges;

c. Museums;

d. Private clubs; and

e. Vocational schools.

B. Major institutions. Existing major institutions and major institution uses within an existing Major Institution Overlay District shall be permitted in accordance with the provisions of Chapter 23.69 this Section 23.44.022.

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

D. General provisions

1. New or expanding institutions in neighborhood residential zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.020 unless modified elsewhere in this Section 23.44.022 or in a Major Institution master plan.

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

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

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

c. Any new children's play area is located at least 30 feet from any other lot in a neighborhood residential zone and at least 20 feet from any lot in a multifamily zone; and

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

3. Institutions seeking to establish or expand on property that is developed with residential structures may expand their campus up to a maximum of 2.5 acres. An institution campus may be established or expanded beyond 2.5 acres if the property proposed for the expansion is substantially vacant land.

E. Dispersion. The lot line of any proposed new or expanding institution shall be located at least 600 feet from any lot line of any other institution in a residential zone, with the following exceptions:

1. An institution may expand even though it is within 600 feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.

2. A proposed institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria is achieved due to the presence of physical elements that provide substantial separation from other institutions, such as bodies of water, large open spaces, or topographical breaks or other elements such as arterials, freeways, or nonresidential uses.

F. Demolition of residential structures. No residential structure shall be demolished, nor shall its use be changed to provide for parking. This prohibition may be waived if the demolition or change of use proposed is necessary to meet the parking requirements of Title 23 and if

alternative locations would have greater noise, odor, light and glare, or traffic impacts on surrounding property in residential use. If the demolition or change of use is proposed for required parking, the Director may consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location or screening.

G. Reuse of existing structures. Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures that do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

H. Noise and odors

1. For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational areas, trash and refuse storage areas, ventilating mechanisms, sports facilities, and other noise-generating and odor-generating equipment, fixtures, or facilities. The institution shall be designed and operated in compliance with Chapter 25.08.

2. In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, or setting hours of operation for facilities.

I. Landscaping

1. The Director shall promulgate rules to foster the long-term health, viability, and coverage of plantings. The rules shall address, at a minimum, the type and size of plants, spacing of plants, use of drought-tolerant plants, and access to light and air for plants. All landscaping provided to meet the requirements of this Section 23.44.022 shall comply with these rules.

2. Landscaping that achieves a Green Factor score of 0.3 or greater, pursuant to Section 23.86.019, is required for any lot with:

a. Development containing more than four new dwelling units;

b. Development, either a new structure or an addition to an existing structure, containing more than 4,000 new square feet of non-residential uses; or

c. Any parking lot containing more than 20 new parking spaces for automobiles.

J. Light and glare

1. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area, intensity, and location or angle of illumination be limited.

2. Nonreflective surfaces shall be used to help reduce glare.

K. Bulk and siting

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

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

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

2. Yards. Yards of institutions shall be as required for uses permitted outright pursuant to Section 23.44.014, provided that no structure other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to the side lot line. If the Director finds that a reduced yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings, the side yard may be reduced to 5 feet. Fences and freestanding walls of utility services uses, regulated under this Section 23.44.022 pursuant to Section 23.51A.002, shall be set back from the street lot line a minimum of 10 feet, and landscaping shall be provided between the fence or wall and the right-of-way. The Director may reduce the required yard after finding that the reduced yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the fence, wall, or structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both: a landscaped yard between the fence or wall and the right-of-way; and a fence or wall that provides visual interest facing the street lot line through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

3. Institutions located on lots in more than one zone classification. For lots that include more than one zone classification, neighborhood residential zone provisions shall apply only to the neighborhood residential-zoned lot area involved.

4. Height limit

a. Religious symbols for religious institutions may extend an additional 25 feet above the height limit.

b. For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be 35 feet if portions of the structure above 35 feet are set back at least 20 feet from all property lines. Pitched roofs on a gymnasium or auditorium that have a slope of not less than 4:12 may extend 10 feet above the 35-foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the 35-foot height limit under this provision.

5. Facade scale. If any facade of a new or expanding institution is longer than 30 feet, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of bulk. Design features that may be required include, but are not limited to, modulation, architectural features, landscaping, and increased yards.

L. Parking and loading berth requirements

1. Quantity and location of off-street parking

a. Use of transportation modes such as public transit, vanpools, carpools, and bicycles to reduce the use of single-occupancy vehicles is encouraged.

b. Parking and loading is required as provided in Section 23.54.015.

c. The Director may modify the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 on a case-by-case basis using the information contained in the transportation plan prepared pursuant to subsection 23.44.022.M. The modification shall be based on adopted City policies and shall:

1) Provide a demonstrable public benefit, such as reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light, and glare; and

2) Not cause undue traffic through residential streets or create a safety hazard.

2. Parking design. Parking access and parking shall be designed as provided in Chapter 23.54.

3. Loading berths. The quantity and design of loading berths shall be as provided in Chapter 23.54.

M. Transportation plan. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions that are larger than 4,000 square feet of structure area and/or are required to provide an additional 20 or more parking spaces. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:

1. Traffic. Number of staff on site during normal working hours, number of users, guests and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns,

extent of traffic congestion, types and numbers of vehicles associated with the institution, and mitigating measures to be taken by the applicant;

2. Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking, and measures to be taken by the applicant such as preference given to some parking spaces for carpool and vanpool vehicles and provision of bicycle racks;

3. Parking overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development, and mitigating measures to be taken by the applicant;

4. Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;

5. Availability of public or private mass transportation systems. Route location and frequency of service and private mass transportation programs to be provided by the applicant, such as carpools and vanpools.

N. Development standards for existing institutes for advanced study

1. The institute shall be located on a lot of not less than 15 acres.

2. The lot coverage for all structures shall not exceed 20 percent of the total lot area.

3. Structures shall be set back a minimum of 25 feet from any lot line.

4. Parking areas shall be set back a minimum of 10 feet from any lot line.

5. In the event of expansion, parking shall be required as provided for existing institutes for advanced study in Section 23.54.015.

6. Landscaping shall be provided between a lot line and any structure and shall be maintained for the duration of the use.

23.44.024 Clustered housing planned developments

Clustered housing planned developments (CHPDs) may be permitted as an administrative conditional use in NR1, NR2, and NR3 zones. A CHPD is intended to enhance and preserve natural features, encourage the construction of low-income housing, allow for development and design flexibility, and protect and prevent harm in environmentally critical areas. CHPDs shall be subject to the following provisions:

A. Site requirements

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

2. Where portions of a site are designated an environmentally critical area or buffer due to the presence of a riparian corridor, wetland, wetland buffer, priority habitat area, steep slope, or steep slope buffer according to Chapter 25.09, Regulations for Environmentally Critical Areas, the conditional use provisions under Section 25.09.260 shall apply, superseding the standards of this Section 23.44.024.

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

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

C. Number of dwelling units permitted

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

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

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

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

b. Community center; and

c. Child care facility.

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

E. Yards. Yards shall be required for structures within a CHPD. For the purposes of this subsection 23.44.024.E, setbacks shall be considered yards, and the provisions relating to accessory structures in required yards of the applicable neighborhood residential zone shall apply.

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

2. No dwelling unit in a CHPD shall be closer than 5 feet to a side lot line of an abutting neighborhood residential zoned lot.

3. No dwelling unit in a CHPD shall be closer than 25 feet to a rear lot line of an abutting neighborhood residential zoned lot.

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

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

6. To provide a sense of privacy and to mitigate the effects of shadows between structures located more than 100 feet from the lot line of a CHPD, the required separation between structures in the CHPD shall vary depending on the design of the facing facades as follows:

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

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

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

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

a. preserve or enhance topographical conditions;

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

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

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

F. Landscaping. The Director may require retention of existing mature landscaping, or provision of new landscaping, where that existing or new landscaping is compatible with surrounding flora and favors native species to:

1. Minimize the impacts of the CHPD on adjacent land uses along some or all exterior lot lines;

2. Reduce stormwater runoff, potential erosion, and impervious surfaces; or

3. Screen parking from the view of adjacent residentially zoned lots and the street.

G. Maintenance of required landscaping and open space. Required landscaping and open space shall be maintained for the life of the project. Maintenance of required landscaping and open space shall be the continuing responsibility of the owner.

23.44.026 Use of landmark structures or sites

A. The Director may authorize a use not otherwise permitted in the zone as an administrative conditional use within a structure or on a site designated as a landmark pursuant to Chapter 25.12 subject to the following development standards:

1. The use shall be compatible with the existing configuration of the site and with the existing design and/or construction of the structure without significant alteration; and

2. The use shall be allowed only when it is demonstrated that uses permitted in the zone are impractical because of site configuration or structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure or site in a reasonably good physical condition; and

3. The use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

B. The parking requirements for a use allowed in a landmark are those listed in Section 23.54.015. These requirements may be waived pursuant to subsection 23.54.020.C.

23.44.028 Structures unsuited to uses permitted outright

A. Uses not otherwise permitted in the zone may be permitted as an administrative conditional use in structures unsuited to uses permitted outright in neighborhood residential zones. The determination that a use may be permitted shall be based on the following factors:

1. The design of the structure is not suitable for conversion to a use permitted outright in a neighborhood residential zone; and

2. The structure contains more than 4,000 square feet; and

3. The proposed use will provide a public benefit.

B. Parking requirements for uses permitted under this section shall be determined by the Director.

C. The Director may require measures to mitigate impacts such as noise, odor, parking or traffic impacts. Mitigating measures may include but are not limited to landscaping, sound barriers, fences, mounding or berming, adjustments to development standards, design modifications or setting hours of operation.

D. In the case of an existing or former public school, permissible uses other than those permitted outright in the zone and their development standards including parking requirements shall be established only pursuant to procedures for establishing criteria for joint use or reuse of public schools in Chapter 23.78 of this Land Use Code.

23.44.030 Park and ride facility

The Director may authorize a park and ride facility under the management of a public agency responsible for commuter pooling efforts as an administrative conditional use. The Director shall determine that:

A. It is to be located on an existing parking lot;

B. That parking proposed for the park and ride facility is not needed by the principal use or its accessory uses during the hours proposed for park and ride use; and

C. The park and ride use shall not interfere or conflict with the peak-hour activities associated with the principal use and its accessory uses. The Director may control the number and location of parking spaces to be used.

23.44.032 Certain nonconforming uses.

Nonconforming uses which are authorized pursuant to Section 23.42.110 may be permitted as a conditional use.

Part 2 Council Conditional Uses

23.44.034 Planned residential development (PRD)

Planned residential developments (PRDs) may be permitted in NR1, NR2, and NR3 zones as a council conditional use. A PRD is intended to enhance and preserve natural features, encourage the construction of low-income housing, allow for development and design flexibility, promote green stormwater infrastructure and protect and prevent harm in environmentally critical areas. PRDs shall be subject to the following provisions:

A. Site requirements

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

2. The area of the site devoted to single-family uses at the time of application, calculated by multiplying the number of such uses by the minimum lot area for the zone, shall not exceed 20 percent of the area of the entire site.

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

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

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

B. Type of housing permitted

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

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

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

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

C. Number of dwelling units permitted

1. The number of dwelling units permitted in a PRD shall be calculated by dividing the PRD lot area by the minimum lot area required in subsection 23.44.010.A. If the PRD includes more than one zone, the number of dwelling units shall be calculated based on the proportion of land area in each zone.

2. An increase in number of dwelling units may be permitted in a PRD up to a maximum increase of 20 percent. An increase in permitted density shall be based on the extent to which the proposed PRD provides substantial additional public benefits such as the following:

a. Low-income housing;

b. Usable open space;

c. Child care center, meeting space, or recreational facilities open to the surrounding community; and

d. Green stormwater infrastructure beyond the requirements of the Stormwater Code (Chapters 22.800 through 22.808).

D. Subdivision

1. A PRD may be subdivided into lots of less than the minimum size required by subsection 23.44.010.A.

2. A minimum of 300 square feet of private, landscaped open space is required for each unit and shall be provided at ground level and directly accessible to the unit.

E. Yards. Yards shall be required for residential structures within a PRD. For the purposes of this subsection 23.44.034.E, setbacks shall be considered yards, and the provisions relating to accessory structures in required yards of the applicable neighborhood residential zone shall apply.

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

2. No dwelling unit in a PRD shall be closer than 5 feet to a side lot line of an abutting neighborhood residential zoned lot.

3. No dwelling unit in a PRD shall be closer than 25 feet to a rear lot line of an abutting neighborhood residential zoned lot.

4. No dwelling unit in a PRD shall be closer than 5 feet to any lot line of an abutting non-residentially zoned lot.

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

6. To provide a sense of privacy and to mitigate the effects of shadows between structures that are more than 100 feet from the lot line of a PRD, the required separation between structures shall vary depending on the design of the facing facades as follows:

a. Walls shall be at least 10 feet apart.

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

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

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

F. Landscaping. The Director may require landscaping that is compatible with surrounding flora and favors native species in addition to the following requirements:

1. Minimize the impacts of the PRD on adjacent land uses along some or all exterior lot lines;

2. Reduce stormwater runoff, potential erosion, and impervious surfaces; and/or

3. Screen parking from the view of adjacent residentially zoned lots and the street.

G. Maintenance of required landscaping and open space. Required landscaping and open space shall be maintained for the life of the project. Maintenance of required landscaping and open space shall be the continuing responsibility of the owner.

23.44.035 Communication utilities.

Communication utilities may be permitted in neighborhood residential zones subject to the provisions of section 23.57.010.

23.44.036 Public facilities

Public facilities may be permitted in neighborhood residential zones according to the provisions of Section 23.51A.002 and the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions. Public facilities include, but are not limited to, police precinct stations, fire stations, public boat moorages, and utility services uses.

Subchapter III Accessory Uses

23.44.040 General Provisions

A. Accessory uses customarily incidental to principal uses permitted outright are permitted outright.

B. All accessory uses and structures, except for urban farms and structures in urban farm use, must be located on the same lot as the principal use or structure unless otherwise specifically provided.

C. Accessory conditional uses are subject to the development standards for accessory uses permitted outright unless otherwise specified in this Section 23.44.040. Urban farms also are subject to the development standards in Section 23.42.051.

23.44.042 Urban farms

A. An urban farm with up to 4,000 square feet of planting area is permitted outright as an accessory use to any principal use permitted outright or to a permitted conditional use, in each case subject to the applicable standards of this title, including the provisions of Section 23.42.051.

B. An urban farm with over 4,000 square feet of planting area may permitted as an administrative conditional use accessory to any principal use permitted outright or accessory to a permitted conditional use, pursuant to Sections 23.44.021 and 23.42.051.

23.44.044 Swimming pools

Private, permanent swimming pools, hot tubs and other similar uses are permitted as accessory uses to a single-family structure subject to the following specific development standards:

A. Private, permanent swimming pools, hot tubs and other similar uses over 18 inches above existing grade are subject to the development standards for accessory uses.

B. Private, permanent swimming pools, hot tubs and other similar uses projecting not more than 18 inches above existing grade shall not be counted in lot coverage.

C. Private, permanent swimming pools, hot tubs and other similar uses may be placed in a required front or rear yard, provided that:

1. No part of the structure shall project more than 18 inches above existing lot grade in a required front yard; and

2. No part of the structure shall be placed closer than 5 feet to any front or side lot line.

23.44.046 Solar collectors

A. Solar collectors are permitted outright as an accessory use to any principal use permitted outright or to a permitted conditional use and accessory dwelling units subject to the following development standards:

1. Solar collectors, including solar greenhouses, shall not be counted in lot coverage.

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

3. Solar collectors and solar greenhouses may be located in required yards according to the following conditions:

a. In a side yard, no closer than 3 feet from the side property line; or

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

c. In a front yard, solar greenhouses which are integrated with the principal structure and have a maximum height of 12 feet may extend up to 6 feet into the front yard. In no case shall the greenhouse be located closer than 5 feet from the front property line.

B. Nonconforming solar collectors. The Director may permit the installation of solar collectors which cause an existing structure to become nonconforming, or which increase an existing nonconformity, as a special exception pursuant to Chapter 23.76. Such installation may be permitted even if it exceeds the height limit established in subsection 23.44.046.A.2, so long as total structure height including solar collectors does not exceed 39 feet above existing grade and the following conditions are met:

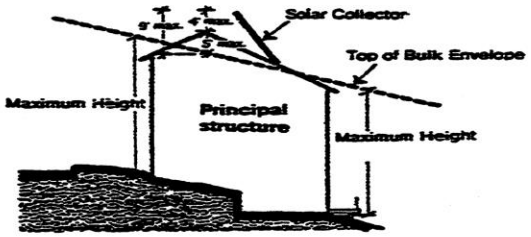
1. There is no feasible alternative to placing the collector(s) on the roof;

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

3. Such collector(s) meet minimum written energy conservation standards administered by the Director; and

4. The collector(s) add no more than 7 feet of height to the existing structure. To minimize view blockage or shadow impacts, the Director shall have the authority to limit a nonconforming solar collector to less than 7 additional feet of height.

Exhibit 23.44.046 A
Pitched Roof With Solar Collector



23.44.048 Keeping of animals.

The keeping of animals is regulated by Section 23.42.052, Keeping of Animals.

23.44.050 Home occupations.

Home occupations are regulated by Section 23.42.050, Home Occupations.

23.44.051 Bed and breakfasts

A bed and breakfast use is permitted if it meets the following standards:

A. General provisions

1. The bed and breakfast use shall have a valid business license tax certificate issued by the Department of Finance and Administrative Services;

2. All operators of bed and breakfast uses who use a short-term rental platform for listing the bed and breakfast shall have a valid short-term rental operator's license issued by the Department of Finance and Administrative Services.

3. The bed and breakfast use shall be operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator;

4. There shall be no evidence of the bed and breakfast use visible from the exterior of the dwelling unit except for a sign permitted by subsection 23.55.020.D.1;

5. The bed and breakfast use shall have no more than five guest rooms, provided that this limitation does not apply to bed and breakfast uses that were established on or before April 1, 1987; and

6. A bed and breakfast use may be located in a dwelling unit or an accessory dwelling unit.

B. Alterations to single-family structures. Interior and exterior alterations consistent with the development standards of the underlying zone are permitted.

23.44.052 Open wet moorage

Piers and floats for open wet moorage of private pleasure craft are permitted as regulated by the Shoreline District, Chapter 23.60A.

23.44.053 Transitional encampments accessory use

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, Transitional Encampments Accessory to Religious Facilities.

23.44.058 Columbariums, garden wall crypts and mausoleums.

Columbariums, garden wall crypts and mausoleums are permitted only as accessory to existing cemeteries except that columbariums and garden wall crypts may also be accessory to religious facilities, and subject to the general development standards for accessory uses. In addition, no interment openings shall abut or be directly across the street from property other than cemetery property. For columbariums, garden wall crypts and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition. For columbariums and garden wall crypts accessory to religious facilities, the landscaping requirements of SMC Section 23.44.022 I applicable to religious facilities and other institutions shall apply.

23.44.060 Uses accessory to parks and playgrounds

A. The following accessory uses shall be permitted in any park when within a structure or on a terrace abutting the structure:

1. The sale and consumption of beer during daylight hours;

2. The sale and consumption of alcoholic beverages under a Class H liquor license at municipal golf courses during established hours of operation.

When the use is within one hundred (100) feet from any lot in a residential zone the use shall be completely enclosed.

B. The sale and consumption of beer and wine with meals served in a restaurant facility within the boundaries of Woodland Park shall be permitted. The use shall be permitted in only one (1) facility located no closer than one hundred (100) feet from any lot in a residential zone and separated from other public activity areas and zoo buildings by at least fifty (50) feet.

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

1. Any active play area shall be located 30 feet or more from any lot in a neighborhood residential zone.

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

23.44.068 Heat recovery incinerator.

The Director may permit a heat recovery incinerator as an accessory use to institutions, public facilities and parks and playgrounds, subject to the following conditions:

A. The incinerator shall be located on the same lot as the institution or public facility.

B. An incinerator in a park or playground shall be permitted only when a permanent structure other than that which houses the incinerator exists and the incinerator abuts the structure.

C. The use shall be located no closer than one hundred (100) feet to any property line unless completely enclosed within a structure.

D. If not within a structure, the use shall be enclosed by a view-obscuring fence of sufficient strength and design to resist entrance by children.

E. Adequate control measures for insects, rodents and odors shall be maintained continuously.

23.44.070 Recycling collection stations.

The Director may permit recycling collection stations as accessory uses to institutions and public facilities. These recycling collection stations shall be maintained in good condition by the respective institution or public facility.

CITY OF SEATTLE

ORDINANCE 127219

COUNCIL BILL 120969

AN ORDINANCE relating to land use and zoning; implementing interim controls to comply with various state laws; establishing findings and adopting a workplan for permanent legislation; amending Sections 23.22.062, 23.24.045, 23.34.011, 23.44.006, 23.44.010, 23.44.011, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.044, 23.45.512, 23.45.514, 23.45.518, 23.45.522, 23.45.527, 23.45.529, 23.53.006, 23.53.025, 23.54.015, 23.54.020, 23.54.030, 23.84A.010, 23.84A.025, 23.84A.036, and 25.09.240 of the Seattle Municipal Code.

WHEREAS, the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2022 a series of programs and events, under the title One Seattle Plan, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the One Seattle Plan Public Participation Plan and documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in April 2021, the Washington State Legislature passed Chapter 300, Laws of 2021 (also known as House Bill 1287), which directed the building code council to adopt rules for electric vehicle infrastructure requirements; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 322, Laws of 2023 (also known as House Bill 1110), which amended the Growth Management Act to require certain cities, including Seattle, to allow the development of "middle housing" in all residential areas, including at least four units on each lot and at least six units per lot near transit or when at least two units are affordable; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 333, Laws of 2023 (also known as House Bill 1293), which imposes limits on design review and requires that design standards be clear and objective; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 152, Laws of 2024 (also known as House Bill 2321), which clarified standards implemented through House Bill 1110; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 274, Laws of 2024 (also known as Senate Bill 6015), which imposes restrictions on parking requirements; and

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Environmental Impact Statement analyzing the potential effects of five different growth alternatives in the city through 2044 and a "no action" alternative, conducted two public hearings, and received comments from the public on this document; and

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Comprehensive Plan rooted in a deliberate approach to creating more housing, encouraging density near amenities and frequent transit, and preventing displacement; and

WHEREAS, in Spring 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community groups over a two-month public comment period on the draft plan and an initial proposal for updating Neighborhood Residential zones; and

WHEREAS, in Fall 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community

groups over a two-month public comment period on a revised proposal for updating Neighborhood Residential zones and draft legislation; and

WHEREAS, in January 2025, the Office of Planning and Community Development published a Final Environmental Impact Statement that included analysis of a preferred growth strategy alternative that increased potential housing supply in the city by doubling residential development capacity and that promoted housing supply, variety, and affordability by adding new and expanded areas for growth in neighborhoods across the city;

WHEREAS, in February 2025, the Final Environmental Impact Statement was appealed to the Hearing Examiner;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council makes the following legislative findings of fact and declares as follows:

A. Chapter 322, Laws of 2023, Chapter 333, Laws of 2023, and Chapter 152, Laws of 2024, establish a deadline for local jurisdiction compliance of six months after its next periodic comprehensive plan update required under RCW 36.70A.130. The Washington State Department of Commerce has interpreted this deadline to be six months after the statutory deadline established in RCW 36.70A.130. Consistent with this guidance, a compliance deadline for The City of Seattle would be June 30, 2025. The requirements of Chapter 300, Laws of 2021, and Chapter 274, Laws of 2024, are currently in effect.

B. The Land Use Code does not fully comply with Chapter 300, Laws of 2021, Chapter 322, Laws of 2023, Chapter 333, Laws of 2023, Chapter 152, Laws of 2024, and Chapter 274, Laws of 2024, necessitating amendment of the code to ensure consistency with State law.

C. In October 2024, the Washington State Department of Commerce released an updated model ordinance for local implementation of Chapter 322, Laws of 2023.

D. Chapter 322, Laws of 2023, stipulates that if a jurisdiction fails to enact development regulations that comply with its requirements by the deadline, that the model ordinance supersedes any non-compliant local development regulations for the purpose of issuance of permits for middle housing development.

E. The Final Environmental Impact Statement (FEIS) released by the Office of Planning and Community Development in January 2025 includes analysis of a preferred alternative that implements Chapter 300, Laws of 2021, Chapter 322, Laws of 2023, Chapter 333, Laws of 2023, Chapter 152, Laws of 2024, and Chapter 274, Laws of 2024 through amendments to the City's Comprehensive Plan and zoning regulations.

F. Following a 14-day appeal period, six separate appeals of the adequacy of the FEIS were submitted to the City's Hearing Examiner.

G. Consistent with subsection 23.76.062.D and Sections 25.05.055 and 25.05.070 of the Seattle Municipal Code, the City Council could not take action to approve legislation that is subject to an active appeal under the State Environmental Policy Act (SEPA).

H. On April 11, 2025, the City Hearing Examiner dismissed all six appeals of the FEIS pursuant to RCW 36.70A.600(3), RCW 36.70A.680(3), and RCW 43.21C.495.

I. If the City does not enact legislation to meet the requirements of Chapter 322, Laws of 2023, by June 30, 2025, any denial of a permit for development of middle housing that is

inconsistent with current development regulations is subject to challenge on the basis that State model code would supersede the City's development regulations. The City would also be subject to potential challenge to any permitting decision related to the requirements of other State legislation cited in subsection 1.B of this ordinance.

J. Adopting interim legislation at this time, as an alternative to allowing the State model code to apply automatically, is necessary to ensure that the requirements governing approval of permits for middle housing meet the minimum requirements of Chapter 322, Laws of 2023, and to ensure that regulations for middle housing development are sufficiently clear and complete for the issuance of permits by the City. Interim legislation will also ensure compliance with other new State requirements cited in subsection 1.B of this ordinance.

Section 2. The interim development regulations set forth in this ordinance shall be in effect for a period of one year from the effective date of this ordinance and shall automatically expire after the one-year period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 3. Pursuant to RCW 36.70A.390, the Council will hold a public hearing prior to adoption or within 60 days of adoption of this interim zoning legislation to take public testimony and to consider adopting further findings.

Section 4. Under RCW 36.70A.390, the Council approves the following work plan for the development of permanent regulations to address the issues in this ordinance and directs the Office of Planning and Community Development to transmit proposed legislation. The Council intends to consider the permanent legislation and to adopt the Seattle Comprehensive Plan under the following schedule:

Mayor Transmits Legislation to Council	Anticipated May 2025
Council Deliberations and Public Hearing on Proposed Comprehensive Plan and Permanent Controls	Anticipated June through September 2025
Comprehensive Plan and Permanent Controls Effective	Anticipated October 2025

The Council intends to consider the issues included in Attachment 1 during its deliberations on the permanent legislation.

Section 5. Based on the authority of RCW 36.70A.390 and the findings in Section 1 of this ordinance, Section 23.76.062 of the Seattle Municipal Code is waived for the adoption of this ordinance.

Section 6. Based on the findings of fact set forth in Section 1 of this ordinance, the City Council may renew these interim regulations for one or more six-month periods in accordance with RCW 36.70A.390.

Section 7. [Reserved]

Section 8. [Reserved]

Section 9. Section 23.34.011 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.34.011 NR1, NR2, and NR3 zones, function, and locational criteria

A. Function. An area that provides ((~~predominantly detached single-family structures on lot sizes compatible with the existing pattern of development and the character of neighborhood residential areas~~)) for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit.

* * *

Section 10. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance 126858, is amended as follows:

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in neighborhood residential zones:

A. Single-family dwelling unit;

B. ((~~In RSL zones, apartments~~)) Apartments, carriage houses, cottage housing development, rowhouse development, and townhouse developments;

* * *

Section 11. Section 23.44.010 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.44.010 Minimum lot area and lot coverage

* * *

C. ((~~Maximum lot coverage 1.~~)) Maximum lot coverage

1. The maximum lot coverage permitted for principal and accessory structures ((~~is as provided in Table B for 23.44.010~~)) on a lot with two or more principal and detached accessory dwelling units is 50 percent.

2. The maximum lot coverage permitted for structures on a lot with no more than one principal dwelling unit and no detached accessory dwelling units is as follows:

a. On a lot greater than or equal to 5,000 square feet, the maximum permitted lot coverage is 35 percent; and

b. On a lot less than 5,000 square feet, the maximum permitted lot coverage is 1,000 square feet plus 15 percent of lot area, provided that lot coverage cannot exceed 50 percent.

((~~Table B for 23.44.010 Maximum lot coverage~~		
~~Zone~~	~~Lot size~~	~~Maximum lot coverage~~
~~NR1, NR2, and NR3~~	~~Less than 5,000 square feet~~	~~1,000 square feet plus 15 percent of lot area~~
	~~5,000 square feet or more~~	~~35 percent of lot area~~
~~RSL~~	~~All lots~~	~~50 percent of lot area~~

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

* * *

Section 12. Section 23.44.011 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.44.011 Floor area in neighborhood residential zones

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

B. Floor area ratio (FAR) limits.

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

~~2. The FAR limit in RSL zones is 0.75. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.~~)) The FAR limit in neighborhood residential zones for lots with residential uses is as shown in Table A for 23.44.011, except that in NR1, NR2, and NR3 zones, lots with less than 5,000 square feet of lot area can include up to 2,500 square feet of total chargeable floor area or the amount of total chargeable floor area allowed by the FAR limit shown in Table A for 23.44.011, whichever is greater. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.011
Floor area ratio (FAR) in neighborhood residential zones

Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6 in NR1, NR2, and NR3 zones 0.75 in RSL zones
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2

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

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

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

((~~3. In NR1, NR2, and NR3 zones:~~

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

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

3. Common walls separating individual attached dwelling units.

4. In RSL zones, 50 percent of the chargeable 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 the exemption is limited to the gross square footage in the single-family dwelling unit as of January 1, 1982.

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

Section 13. Section 23.44.012 of the Seattle Municipal Code, last amended by Ordinance 126600, is amended as follows:

23.44.012 Height limits

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

((~~1. Except as provided in subsections 23.44.012.A.2 and 23.44.012.A.3, the~~)) <u>The</u> maximum permitted height for any structure not located in a required yard is ((~~30~~)) <u>32</u> feet.

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

~~3. In NR1, NR2, and NR3 zones, for a lot or unit lot of any width, if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the lot or unit lot is less than 3,200 square feet the maximum permitted height for any structure on that lot shall be 18 feet. Additional height shall be allowed, subject to the limit that would otherwise apply under subsections 23.44.012.A.1 and 23.44.012.A.2, provided that the elevation at the top of the~~

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

* * *

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

Front	Lots with one or two dwelling units: 15 feet;[1] Lots with three or more dwelling units: 10 feet [1]
Rear	Lots not abutting an alley with one or two dwelling units: 15 feet Lots not abutting an alley with three or more dwelling units: 10 feet Lots abutting an alley: no rear yard is required
Side	5 feet

Table A for 23.44.014 **Required yards in neighborhood residential zones**
Footnote for Table A for 23.44.090 [1] For lots abutting landmarked public right of way on Queen Anne Boulevard, front yards shall be 20 feet or the average of the front yards of the structures on abutting lots, whichever is less, except that 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 the abutting lots.

* * *

Section 15. Section 23.44.016 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 120949, is amended as follows:

23.44.016 Parking and garages

* * *

D. Parking and garages in required yards. Parking and garages are regulated as described in this subsection 23.44.016.D. Unless otherwise specified, the terms "garage" or "garages" as used in this subsection 23.44.016.D refer to both attached and detached garages.

1. Parking and garages shall not be located ((~~in the required front yard~~)) within 20 feet of a front lot line except as provided in subsections 23.44.016.D.6, 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11.

2. Parking and garages shall not be located in a required side yard abutting a street or the first 10 feet of a required rear yard abutting a street except as provided in subsections 23.44.016.D.6, 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11.

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

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

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

4. Garages with vehicular access facing an alley, shall not be located within 12 feet of the centerline of any alley, nor within 12 feet of any rear lot line that is not an alley lot line, except as provided in subsections 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11, or the Director may waive or modify this standard as a Type I decision provided the applicant can demonstrate that adequate turning and maneuvering areas can be provided.

5. On a reversed corner lot, no garage shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot unless the provisions of subsection 23.44.016.D.8 apply.

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

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

8. Lots with uphill yards abutting streets. In NR1, NR2, and NR3 zones, parking for one two-axle or one up to four-wheeled vehicle may be established in a required yard

abutting a street according to subsection 23.44.016.D.8.a or 23.44.016.D.8.b only if access to parking is permitted through that yard pursuant to subsection 23.44.016.B.

a. Open parking space

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

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

3) The parking space shall be no wider than 10 feet for one parking space at the parking surface and no wider than 20 feet for two parking spaces if permitted as provided in subsection 23.44.016.D.11.

b. Terraced garage

1) The height of a terraced garage is limited to no more than 2 feet above existing or finished grade, whichever is lower, for the portions of the garage that are 10 feet or more from the street lot line. The ridge of a pitched roof on a terraced garage may extend up to 3 feet above this 2-foot height limit. All parts of the roof above the 2-foot height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof shall be permitted to extend beyond the 2-foot height limit of this provision. Portions of a terraced garage that are less than 10 feet from the street lot line shall comply with the height standards in subsection 23.44.016.E.2;

2) The width of a terraced garage structure shall not exceed 14 feet for one two-axle or one up to four-wheeled vehicle, or 24 feet if permitted to have two two-axle or two up to four-wheeled vehicles as provided in subsection 23.44.016.D.11;

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

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

9. Lots with downhill yards abutting streets. In NR1, NR2, and NR3 zones, parking, either open or enclosed in an attached or detached garage, for one two-axle or one up to four-wheeled vehicle may be located in a required yard abutting a street if the following conditions are met:

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

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

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

d. Parking in a rear yard complies with subsections 23.44.016.D.2, 23.44.016.D.4, and 23.44.016.D.5; and

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

10. Through lots. On through lots less than 125 feet in depth in NR1, NR2, and NR3 zones, parking, either open or enclosed in an attached or detached garage, for one two-axle or one up to four-wheeled vehicle may be located in one of the required front yards. The front yard in which the parking may be located shall be determined by the Director based on the

location of other garages or parking areas on the block. If no pattern of parking location can be determined, the Director shall determine in which yard the parking shall be located based on the prevailing character and setback patterns of the block.

11. Lots with uphill yards abutting streets or downhill or through lot front yards fronting on streets that prohibit parking. In NR1, NR2, and NR3 zones, parking for two two-axle or two up to four-wheeled vehicles may be located in uphill yards abutting streets or downhill or through lot front yards as provided in subsections 23.44.016.D.8, 23.44.016.D.9, or 23.44.016.D.10 if, in consultation with the Seattle Department of Transportation, it is found that uninterrupted parking for 24 hours is prohibited on at least one side of the street within 200 feet of the lot line over which access is proposed. The Director may authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary, for access.

* * *

Section 16. Section 23.44.017 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 120949, is amended as follows:

23.44.017 Density limits

A. On lots in existence as of June 30, 2025, in ((~~In~~)) NR1, NR2, ((~~and~~)) NR3, and RSL zones, the following density limits apply, except as otherwise provided in subsections 23.44.017.B, 23.44.017.C and 23.44.017.D. For the purposes of this Section 23.44.017, "dwelling unit" includes both principal and accessory units.

1. Up to four dwelling units are permitted per lot.

2. Up to six dwelling units are permitted per lot within one-quarter mile walking distance of a major transit stop.

3. Up to six dwelling units are permitted per lot located more than one-quarter mile walking distance away from a major transit stop, provided that at least two affordable principal dwelling units are provided, and the following requirements are met:

((~~only one single-family dwelling unit is allowed per lot, except that accessory dwelling units may also be approved pursuant to Section 23.42.022, and except as approved as part of an administrative conditional use permit under Section 25.09.260, a clustered housing planned development under Section 23.44.024, or a planned residential development under Section 23.44.034.~~

~~B. The following provisions apply in RSL zones:~~

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

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

~~3. For lots in existence on April 19, 2019, if the number of principal dwelling units allowed according to subsection 23.44.017.B.1 equals less than two, two units are allowed.~~

~~4. Accessory dwelling units are allowed pursuant to Section 23.42.022.~~))

a. A regulatory agreement, covenant, or other legal instrument, recorded on the title of the property and enforceable by the City of Seattle, ensures affordability for income-eligible households for 50 years in at least two principal dwelling units as follows:

1) For rental housing, restricted units serving households with incomes no higher than 60 percent of median income at initial occupancy and with rents not exceeding 30 percent of 60 percent of median income; or

2) For ownership housing, restricted units sold to households with incomes no higher than 80 percent of median income at prices (initial sale and resale) that allow modest growth in homeowner equity while maintaining long-term affordability for income-eligible buyers, as determined by the Director of Housing;

b. The low-income units must be generally distributed throughout the development and have substantially the same functionality as unrestricted units in the development;

c. To the extent practicable, the low-income units must be comparable to the unrestricted units in terms of square footage and number of bedrooms and bathrooms;

d. Tenure (i.e., rental or ownership) of low-income units and unrestricted units must be the same;

e. The regulatory agreement, covenant, or other legal instrument must contain criteria and policies to maintain public benefit if the property is demolished or converted to a non-residential use;

f. For ownership developments, the low-income units must be stewarded by a qualified non-profit organization including:

1). Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

2). Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions;

g. For purposes of this subsection 23.44.017.A.3, qualified non-profit organization means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes;

h. At such times as may be required by the Director of Housing but no less than annually, the property owner for rental housing or the qualified non-profit organization for ownership housing must file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.017.A.3 and the regulatory agreement, covenant, or legal instrument according to subsection 23.44.017.A.3.a; and

i. In RSL zones that have a mandatory housing affordability suffix, the dwelling units for which the regulatory agreement, covenant, or other legal instrument required by subsection 23.44.017.A.3.a ensures affordability as required by that subsection shall be counted towards any obligation to provide MHA-R units according to subsection 23.58C.050.A.

B. The following provisions apply in RSL zones:

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

2. The number of dwelling units allowed on a lot existing as of June 30, 2025, is the greater of the number dwelling units allowed by subsection 23.44.017.A or subsection 23.44.017.B.1.

3. Accessory dwelling units are allowed pursuant to Section 23.42.022.

C. For lots, other than unit lots, created after June 30, 2025, the following provisions apply:

1. In NR1, NR2, and NR3 zones, only one single-family dwelling unit is allowed per lot.

2. In RSL zones, the minimum lot area per principal dwelling unit is 2,000 square feet.

3. Accessory dwelling units are allowed pursuant to Section 23.42.022.

D. Lot density exceptions for lots that contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes. For lots that contain any riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes, applicants may choose to develop the lot with the number of dwelling units provided in the density limits in subsections 23.44.017.A and 23.44.017.B or with the number of principal and accessory dwelling units calculated as follows:

1. Determine the number of units that would be allowed under subsection 23.44.017.A if no environmentally critical areas were located on the lot;

2. Determine the percentage of the lot that is not covered by riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes; and

3. Calculate the number of dwelling units by multiplying the number of dwelling units determined in subsection 23.44.017.D.1 by the percentage of the lot calculated in subsection 23.44.017.D.2.

E. For the purpose of this Section 23.44.017, "designated non-disturbance area" in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090;

3. Areas where development is allowed under an administrative conditional use according to Section 25.09.260; and

4. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

F. Measurement of minimum lot size and maximum density

1. When calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction over 0.85 constitutes one additional unit.

2. Congregate residence sleeping rooms shall be treated as one-fourth of a dwelling unit for purposes of calculating density.

3. In the case of a development within a unit lot subdivision, the density limit shall be applied to the parent lot as a whole.

4. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

Section 17. Section 23.44.044 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.44.044 Swimming pools

Private, permanent swimming pools, hot tubs and other similar uses are permitted as accessory uses to a ((~~single-family~~)) residential structure subject to the following specific development standards:

A. Private, permanent swimming pools, hot tubs and other similar uses over 18 inches above existing grade are subject to the development standards for accessory uses.

B. Private, permanent swimming pools, hot tubs and other similar uses projecting not more than 18 inches above existing grade shall not be counted in lot coverage.

C. Private, permanent swimming pools, hot tubs and other similar uses may be placed in a required front or rear yard, provided that:

1. No part of the structure shall project more than 18 inches above existing lot grade in a required front yard; and

2. No part of the structure shall be placed closer than 5 feet to any front or side lot line.

Section 18. Section 23.45.512 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 120949, is amended as follows:

23.45.512 Density limits and ((~~family-size unit requirements~~)) <u>minimum lot size</u> —LR zones

A. ((~~Density limits~~)) <u>There is no density limit for residential development in LR zones, except that in LR1 zones for rowhouse development on interior lots, all townhouse development, and all single-family dwelling units, and for all residential development in all LR zones that do not have a mandatory housing affordability suffix, the number of dwelling units allowed on a lot is the greater of the number of dwelling units allowed under subsections 23.45.512.B or 23.45.512.C.</u>

~~1. Except according to subsection 23.45.512.A.4, the following developments must meet the density limits described in this subsection 23.45.512.A:~~

~~a. In LR1 zones, rowhouse development on interior lots and all townhouse development; and~~

~~b. All development in Lowrise zones that do not have a mandatory housing affordability suffix.~~

B. Rowhouse development on interior lots, all townhouse development and all single-family dwelling units in LR1 zones, and all residential development in LR zones that do not have a mandatory housing affordability suffix shall not exceed a density of one principal dwelling unit per 1,150 square feet of lot area; except((~~, except that apartments in LR3 zones that do not have a mandatory housing affordability suffix shall not exceed a density limit of one principal dwelling unit per 800 square feet.~~

~~3. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional principal dwelling unit.~~

~~4. Low~~)) low-income housing shall have a maximum density of one principal dwelling unit per 400 square feet of lot area.

((~~B. Family-sized unit requirements in LR1 zones~~

~~1. Apartment developments in LR1 zones with four or more principal dwelling units shall provide at least one unit with two or more bedrooms and a minimum net unit area of 850 square feet for every four principal dwelling units in the structure.~~

~~2. One unit with three or more bedrooms and a minimum net unit area of 1,050 square feet may be provided in place of any two principal dwelling units required to include two bedrooms and a minimum net unit area of 850 square feet.~~))

C. Alternative Density Limits. Rowhouse development on interior lots, all townhouse development and all single-family dwelling units in LR1 zones and all residential development in LR zones that do not have a mandatory housing affordability suffix may include the number of dwelling units permitted under subsection 23.45.512.C.1 or 23.45.512.C.2, as applicable.

For the purposes of this subsection 23.45.512.C, dwelling units include both principal and accessory dwelling units.

1. Permitted densities. The following density limits apply on lots that do not contain any riparian corridors, any wetlands or their buffers, any submerged lands or areas within the shoreline setback, or designated non-disturbance area in steep slopes:

a. Up to four dwelling units are permitted on lots existing as of June 30, 2025.

b. Up to six dwelling units are permitted on all lots existing as of June 30, 2025 that are located within one-quarter mile walking distance of a major transit stop.

c. Up to six dwelling units are allowed on a lot existing as of June 30, 2025 provided that:

((~~Nursing homes, congregate housing, assisted living facilities, and accessory dwelling units that meet the standards of Section 23.42.022 are exempt from the density limit set in subsection 23.45.512.A and the requirements in subsection 23.45.512.B.~~

~~D. Dwelling unit(s) located in structures built prior to January 1, 1982, as single-family dwelling units that will remain in residential use are exempt from density~~ ~~limits.~~

~~E. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.~~))

1). A regulatory agreement, covenant, or other legal instrument, recorded on the title of the property and enforceable by The City of Seattle, ensures affordability for income-eligible households for 50 years in at least two principal dwelling units as follows:

a) For rental housing, restricted units serving households with incomes no higher than 60 percent of median income at initial occupancy and with rents not exceeding 30 percent of 60 percent of median income; or

b) For ownership housing, restricted units sold to households with incomes no higher than 80 percent of median income at prices (initial sale and resale) that allow modest growth in homeowner equity while maintaining long-term affordability for income-eligible buyers, all as determined by the Director of Housing;

2) The low-income units must be generally distributed throughout the development and have substantially the same functionality as unrestricted units in the development;

3) To the extent practicable, the low-income units must be comparable to unrestricted units in terms of square footage and number of bedrooms and bathrooms;

4) Tenure (i.e., rental or ownership) of low-income units and unrestricted units must be the same;

5) The regulatory agreement, covenant, or other legal instrument must contain criteria and policies to maintain public benefit if the property is demolished or converted to a non-residential use;

6) For ownership developments, the low-income units must be stewarded by a qualified non-profit organization including:

a) Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

b) Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions;

7) For purposes of this subsection 23.45.512.C.5, qualified non-profit organization means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes;

8) At such times as may be required by the Director of Housing but no less than annually, the property owner for rental housing or the qualified non-profit organization for ownership housing must file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.45.512.C.1.c and the regulatory agreement, covenant, or legal instrument according to subsection 23.45.512.C.1.c.1; and

9) In zones that have a mandatory housing affordability suffix, the dwelling units for which the regulatory agreement, covenant, or other legal instrument required by subsection 23.45.512.C.1.c.1 ensures affordability as required by that subsection shall be counted towards any obligation to provide MHA-R units according to subsection 23.58C.050.A.

2. For lots that contain any riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes, applicants may choose the density limits in subsection 23.45.512.B or develop the lot with the number of principal and accessory dwelling units as follows:

a. Determine the number of dwelling units that would be allowed under subsection 23.45.512.C.1 if no environmentally critical areas were located on the lot;

b. Determine the percentage of the lot that is not covered by riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes;

c. Calculate the number of permitted dwelling units by multiplying the number of units determined in subsection 23.45.512.C.2.a by the percentage of the lot calculated in subsection 23.45.512.C.2.b.

((~~F.~~)) D. Adding units to existing structures

1. One additional principal dwelling unit may be added to an existing residential structure regardless of the density restrictions in subsection 23.45.512.B or 23.45.512.C ((~~and the requirements in subsection 23.45.512.B~~)). An additional principal dwelling unit is allowed only if the proposed additional unit is to be located entirely within an existing structure, and no additional floor area to accommodate the new unit is proposed to be added to the existing structure.

2. For the purposes of this subsection ((~~23.45.512.F~~)) 23.45.512.D, "existing residential structures" are those that were established under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired as of October 31, 2001.

E. Measurement of minimum lot size and maximum density

1. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

2. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

3. In the case of a development within a unit lot subdivision, the density limit shall be applied to the parent lot as a whole.

4. When calculating maximum density, the number of dwelling units shall include accessory dwelling units and principal dwelling units.

F. For the purpose of this Section 23.45.512, "designated non-disturbance area in steep slopes" shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090;

3. Areas where development is allowed under an administrative conditional use according to Section 25.09.260; and

4. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

G. Exception to Density Limits. Dwelling unit(s) located in structures built prior to January 1, 1982 that will remain in residential use are exempt from the density limit described in subsections 23.45.512.B and 23.45.512.C.

H. The minimum lot size for lots created through a subdivision process is the lot size necessary to allow a density of one principal dwelling unit.

Section 19. Section 23.45.514 of the Seattle Municipal Code, last amended by the ordinance introduced as Council Bill 120949, is amended as follows:

23.45.514 Structure height

A. Subject to the additions and exceptions allowed as set forth in this Section 23.45.514, the height limits for structures in LR zones are as shown on Table A for 23.45.514.

Table A for 23.45.514
Structure height for LR zones (in feet)

Housing type	LR1	LR2	LR3 outside urban centers, urban villages, and Station Area Overlay Districts	LR3 in urban centers, urban villages, and Station Area Overlay Districts
Cottage housing developments	22	22	22	22
Rowhouse and townhouse developments	((~~30~~)) 32	40 [1]	40 [1]	50 [1]
Apartments	((~~30~~)) 32	40 [1]	40 [1]	50 [2]

Footnotes for Table A for 23.45.514
[1] Except that the height limit is ((~~30~~)) 32 feet in zones without a mandatory housing affordability suffix.
[2] Except that the height limit is 40 feet in zones without a mandatory housing affordability suffix.

* * *

Section 20. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.45.518 Setbacks ((~~and separations~~))

A. LR zones

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

((Table A for 23.45.518
Required setbacks in LR zones measured in feet

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

Footnotes to Table A for 23.45.518
[1] Additions to existing nonconforming structures built prior to April 11, 2011, shall be set back a sufficient distance so that the addition complies with setback standards. For any portion of a structure built before April 11, 2011, the average setback applies only to a new addition built

((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

~~All LR zones~~	**~~Category of residential use~~**

~~after that date. If an addition is to a side wall extended vertically, the existing side wall line may be continued by the addition, provided that the average setback of 7 feet or the 5-foot minimum setback is met.~~

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

~~[3] Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are not considered part of the facade length for the purposes of determining the side setback requirement.~~))

Table A for 23.45.518
Required setbacks in LR zones

Front	7 feet average, 5 feet minimum
Rear	If rear lot line abuts an alley, 0 feet Otherwise, 7 feet average, 5 feet minimum
Side	5 feet

2. Upper-level setbacks in LR2 and LR3 zones

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

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

2) Fifty-four feet for zones with a height limit of 50 feet.

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

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

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

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

1) A pitched roof, other than a shed roof or butterfly roof, is allowed in the upper-level setback if all parts of the roof are pitched at a rate of not less than 6:12 and not more than 12:12.

2) Open railings may extend up to 4 feet above the height at which the setback begins.

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

* * *

F. Separations between multiple structures

1. In LR and MR zones, the minimum required separation between principal structures at any two points on different interior facades is 10 feet, except for cottage housing developments, and principal structures separated by a driveway or parking aisle.

2. In LR and MR zones, if principal structures are separated by a driveway or parking aisle, the minimum required separation between the principal structures is 2 feet greater than the required width of the driveway or parking aisle, provided that the separation is not required to be any greater than 24 feet. If principal structures are separated by a driveway

or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

((~~3. Cottage housing developments in LR and MR zones:~~

~~a. The minimum required separation between principal structures at any two points on different interior facades is 6 feet, unless there is a principal entrance on an interior facade, in which case the minimum separation required from that facade is 10 feet.~~

~~b. Facades of principal structures shall be separated from facades of accessory structures by a minimum of 3 feet.~~))

* * *

J. Exceptions for existing ((~~single-family~~)) structures

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

2. An existing single-family dwelling unit in a LR zone may be converted to a multifamily use without conforming to setback standards ((~~for apartments~~)) in subsection 23.45.518.A, provided that the building envelope is not changed. For the purposes of this subsection 23.45.518.J.2, "existing single-family dwelling unit" is one that was established

under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired on October 31, 2001.

* * *

Section 21. Section 23.45.522 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.45.522 Amenity area

A. Amount of amenity area ((~~required for rowhouse and townhouse developments and apartments in LR zones~~))

1. The required amount of amenity area ((~~for rowhouse and townhouse developments and apartments~~)) in LR zones is equal to 25 percent of the lot area.

((~~2. A minimum of 50 percent of the required amenity area shall be provided at ground level, except that amenity area provided on the roof of a structure that meets the provisions of subsection 23.45.510.D.5 may be counted as amenity area provided at ground level.~~

~~3. For rowhouse and townhouse developments, amenity area required at ground level may be provided as either private or common space.~~

~~4. For apartments, amenity area required at ground level shall be provided as common space.~~))

2. In LR zones, a minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade.

((~~B. Amenity area requirements for cottage housing developments in all multi-family zones~~

~~1. A minimum of 300 square feet of amenity area is required for each cottage.~~

~~2. A minimum of 150 square feet of amenity area is required for each carriage house.~~

~~3. The required quantity shall be allocated as follows:~~

~~a. Half of the amenity area required for each cottage, and all of the amenity area required for each carriage house, shall be provided as common amenity area; and~~

~~b. Half of the amenity area required for each cottage shall be provided as private amenity area for that unit.~~

~~4. The required common amenity area may be divided into no more than two separate areas and shall:~~

~~a. have cottages or carriage houses abutting on at least two sides;~~

~~b. be in a location central to the cottage housing development; and~~

~~c. have no horizontal dimension of less than 10 feet.~~

~~5. Carriage houses shall have stairs that provide access to the common amenity area.~~

~~C. Amount of amenity area required in MR and HR zones.~~)) The required amount of amenity area in MR and HR zones is equal to ((~~5~~)) five percent of the total gross floor area of a residential structure ((~~in residential use, except that cottage housing developments shall meet the standards in subsection 23.45.522.B.~~

~~D.~~)) B. General requirements. Required amenity areas shall meet the following conditions:

1. All units shall have access to a common or private amenity area.

2. Enclosed amenity areas

a. In LR zones, an amenity area shall not be enclosed within a structure.

b. In MR and HR zones, ((~~except for cottage housing,~~)) no more than 50 percent of the amenity area may be enclosed, and this enclosed area shall be provided as common amenity area.

3. Projections into amenity areas. Structural projections that do not provide floor area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least 8 feet above finished grade.

4. Private amenity areas

a. There is no minimum dimension for private amenity areas, except that if a private amenity area is located between the structure and a side lot line that is not a side street lot line, the minimum horizontal dimension shall be measured from the side lot line and is required to be a minimum of 10 feet.

b. An unenclosed porch that is a minimum of 60 square feet in size and that faces a street or a common amenity area may be counted as part of the private amenity area for the ((~~rowhouse, townhouse, or cottage~~)) residential structure to which it is attached.

5. Common amenity areas ((~~for rowhouse and townhouse developments and apartments~~)) shall meet the following conditions:

a. No common amenity area shall be less than 250 square feet in area, and common amenity areas shall have a minimum horizontal dimension of 10 feet.

b. Common amenity areas shall be improved as follows:

1) At least 50 percent of a common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities, and/or trees.

2) Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features, shall be provided.

c. The common amenity area ((~~required~~)) at ground level ((~~for apartments~~)) shall be accessible to all ((~~apartment~~)) dwelling units.

6. Parking areas, vehicular access easements, and driveways do not qualify as amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41.

7. Swimming pools, spas, and hot tubs may be counted toward meeting the amenity area requirement.

8. Rooftop areas excluded because they are near minor communication utilities and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not qualify as amenity areas.

((~~E.~~)) C. No amenity area is required for ((~~a~~)) one dwelling unit added to a ((~~single-family dwelling unit~~)) residential structure existing as of January 1, 1982, ((~~or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001~~)) provided that no dwelling units have been added since that date.

Section 22. Section 23.45.527 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.45.527 Structure width and façade length limits in LR zones

A. Structure width in LR zones may not exceed ((~~the width indicated on Table A for 23.45.527~~)) 90 feet in LR1 and LR2 zones and 150 feet in LR3 zones.

((~~Table A for 23.45.527: Maximum Structure Width in LR zones in feet~~

~~Zone~~	~~Width in feet by Category of Residential Use~~		
	~~Cottage Housing and Rowhouse Developments~~	~~Townhouse Developments~~	~~Apartments~~
~~LR1~~	~~No limit~~	~~60~~	~~45~~
~~LR2~~	~~No limit~~	~~90~~	~~90~~
~~LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~120~~	~~120~~
~~LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~150~~	~~150~~))

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

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

Section 23. Section 23.45.529 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.529 Design standards

A. Intent. The intent of the design standards in this Section 23.45.529 is to:

1. Enhance street-facing and side facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street or adjacent residential property;

2. Foster a sense of community by integrating new pedestrian-oriented multifamily development with the neighborhood street environment and promoting designs that allow easy surveillance of the street by area residents;

3. Promote livability in multifamily areas by providing a sense of openness and access to light and air; and

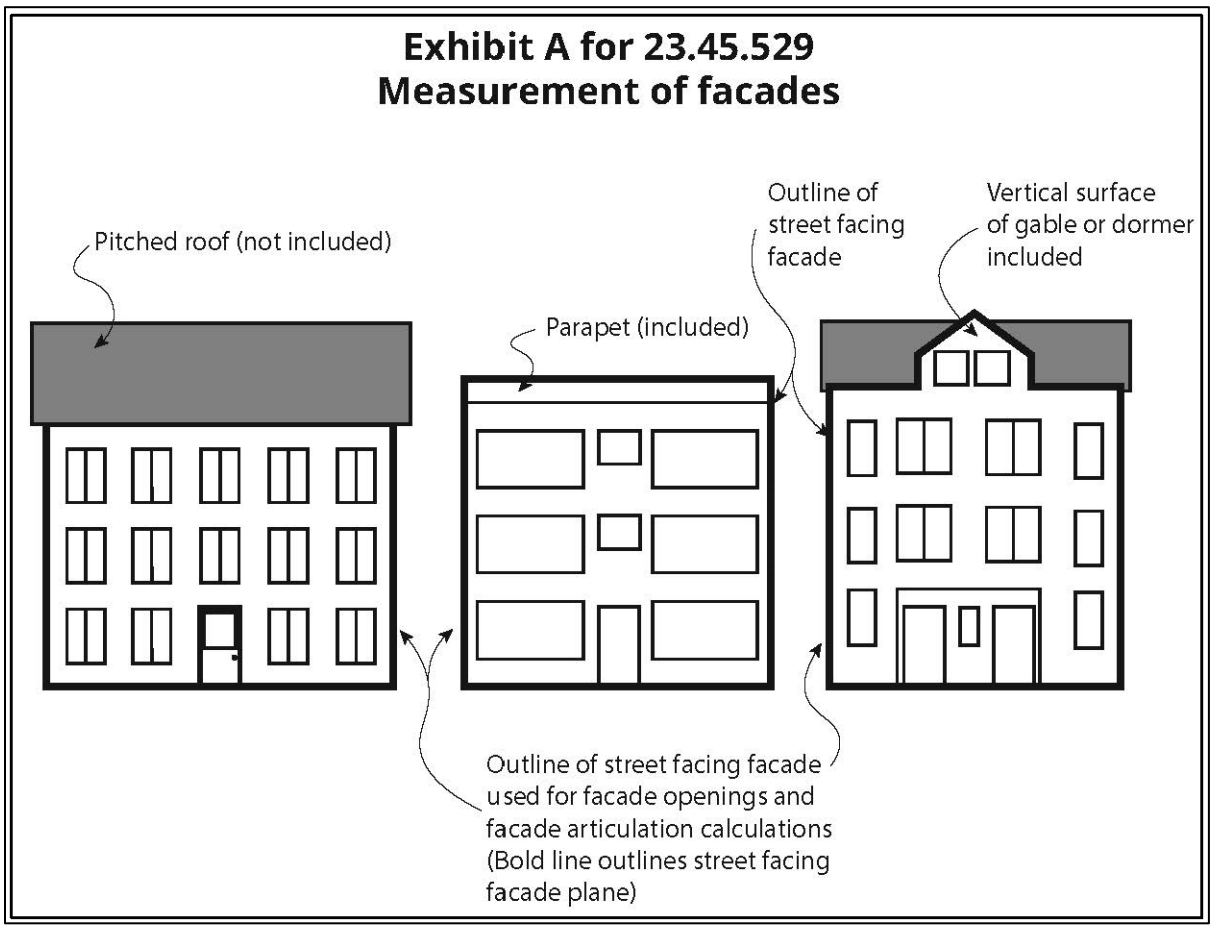
4. Encourage the compatibility of a variety of housing types with the scale and character of neighborhoods where new multifamily development occurs.

B. Application of provisions. The provisions of this Section 23.45.529 apply to all residential uses that do not undergo any type of design review pursuant to Chapter 23.41((~~, except single-family dwelling units~~)).

C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.

Exhibit A for 23.45.529

Measurement of facades



((~~1.~~)) D. Facade openings

((~~a.~~)) 1. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors, except as provided in subsection ((~~23.45.529.C.1.b~~)) 23.45.529.D.2. If a front and side facade are street-facing, the two facades may be combined for the purpose of this calculation.

((~~b.~~)) 2. For any rowhouse or townhouse dwelling unit that has both a front and a side facade that are street-facing, the percentage of the side street-facing facade required to consist of windows and/or doors is reduced to ten percent for the portion of the facade

associated with that dwelling unit. This reduction to ten percent is not allowed if the facades are combined for the purpose of this standard pursuant to subsection ((~~23.45.529.C.1.a~~)) 23.45.529.D.1 ((~~or if any of the exceptions in subsection 23.45.529.C.3 are applied~~)).

((~~c.~~)) 3. Windows count toward the requirement for facade openings in this subsection ((~~23.45.529.C.1~~)) 23.45.529.D only if they are transparent. Windows composed of glass blocks or opaque glass, garage doors, and doors to utility and service areas do not count.

((~~2. Facade articulation~~

~~a. If a street-facing facade or portion of a street-facing facade is not vertical, the Director shall determine whether the facade is substantially vertical and required to comply with this subsection 23.45.529.C.~~

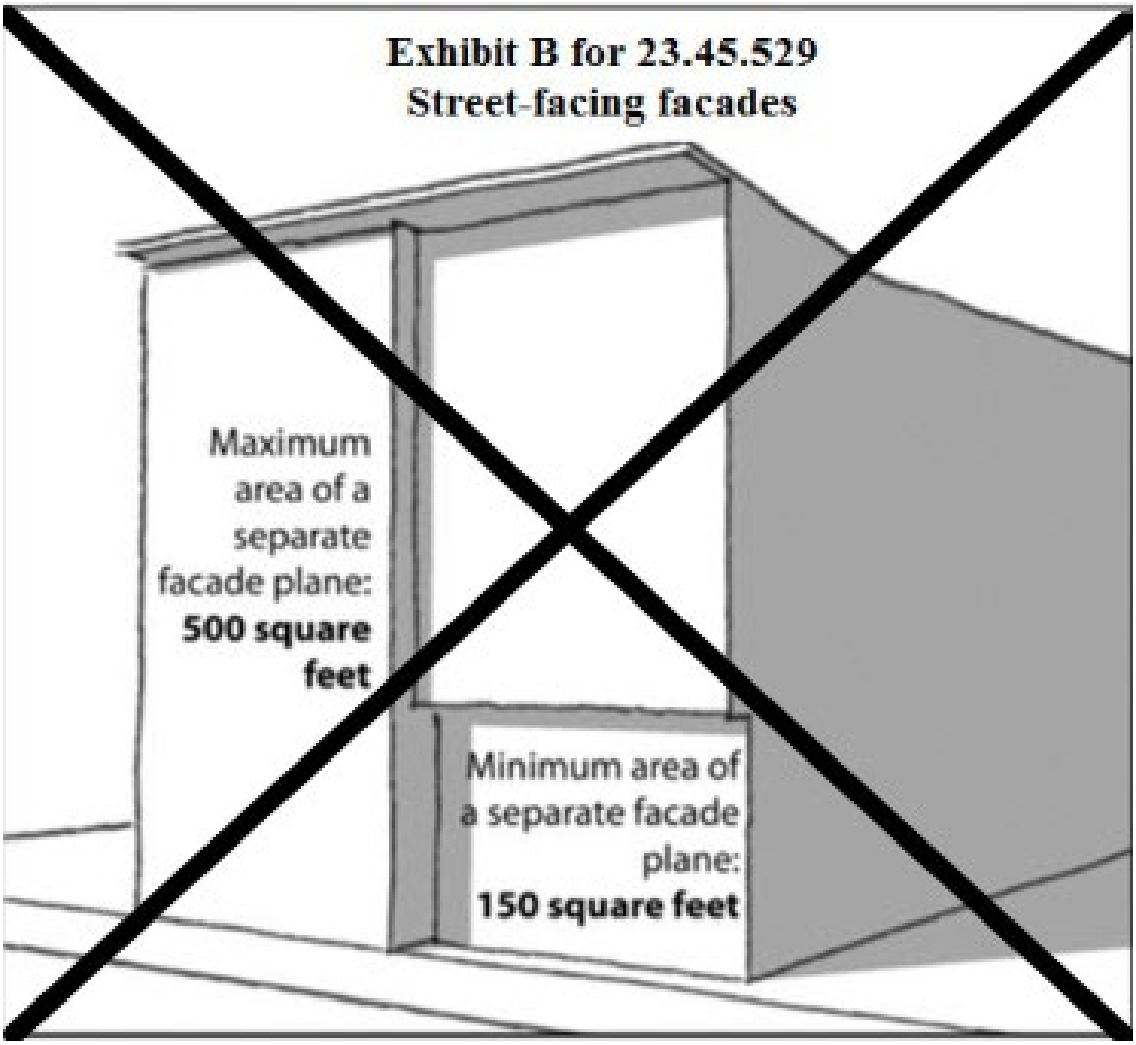
~~b. If the street-facing facade of a structure exceeds 750 square feet in area, division of the facade into separate facade planes is required (see Exhibit B for 23.45.529).~~

~~c. In order to be considered a separate facade plane for the purposes of this subsection 23.45.529.C.2, a portion of the street-facing facade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting facade planes by a minimum depth of 18 inches.~~

~~d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows, and doors on all street-facing facades.~~

~~**Exhibit B for 23.45.529**~~

~~**Street-facing facades**~~



~~3. The Director may allow exceptions to the facade opening requirements in subsection 23.45.529.C.1 and the facade articulation requirements in subsection 23.45.529.C.2, if the Director determines that the street-facing facade will meet the intent of subsection 23.45.529.A.1 for all housing types, and, as applicable, the intent of subsections 23.45.529.E.2, 23.45.529.F.3, and 23.45.529.G.4 for cottage housing developments, rowhouse developments, and townhouse developments, respectively, through one or more of the following street-facing facade treatments:~~

~~a. Variations in building materials and/or color, or both, that reflect the stacking of stories or reinforce the articulation of the facade;~~

~~b. Incorporation of architectural features that add interest and dimension to the facade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or balconies;~~

~~c. Special landscaping elements provided to meet Green Factor requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls covering a minimum of 25 percent of the facade surface;~~

~~d. Special fenestration treatment, including an increase in the percentage of windows and doors to at least 25 percent of the street-facing facade(s).~~))

((~~D.~~)) E. Treatment of side facades that are not street-facing. For the purposes of this subsection 23.45.529.D, a side facade that is not street-facing includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529, if located within 10 feet of a side lot line. ((~~1.~~)) If the side facade of a structure that is not street-facing exceeds 1,000 square feet in area, one of the following must be met:

((~~a.~~)) 1. A portion of the side facade with a minimum area of 250 square feet and a maximum area of 750 square feet shall project or be recessed from abutting facade planes by a minimum depth of 18 inches; or

((~~b.~~)) 2. The side facade shall include vertical or horizontal variations in building materials or color, covering a minimum of 25 percent of the facade surface.

((~~2. Structures shall be designed to maintain the privacy of dwelling units by minimizing placement of proposed windows where they would directly align with windows on the side facade of a structure on an abutting lot located within 20 feet of the side property line~~

~~or by use of fencing, screening, landscaping, or translucent windows to create privacy between buildings.~~

~~E. Design standards for cottage housing developments~~

~~1. Pedestrian entry. Each cottage with a street-facing facade that is located within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the use of covered stoops, porches, or other architectural entry features. For cottages on corner lots that have more than one street-facing facade within 10 feet of the street lot line, a visually prominent pedestrian entry is required on only one of the street-facing facades. Access to these entrances may be through a required private amenity area that abuts the street.~~

~~2. Architectural expression. Cottage housing developments shall include architectural details that reduce the visual scale of the units. Each cottage shall employ one or more of the following design techniques to reduce visual scale of the units:~~

~~a. Attached covered porch;~~

~~b. Roofline features such as dormers or clerestories;~~

~~c. Bay windows;~~

~~d. Variation in siding texture and materials; and~~

~~e. Other appropriate architectural techniques demonstrated by the applicant to reduce the visual scale of cottages.~~

~~F. Design standards for rowhouse developments~~

~~1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent through the use of covered stoops, porches, or other architectural entry features. For rowhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~2. Front setback. Design elements to provide a transition between the street and the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in the front setback.~~

~~3. Architectural expression. The street-facing facade of a rowhouse unit shall provide architectural detail or composition to visually identify each individual rowhouse unit as seen from the street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual rowhouse units.~~

~~G. Design standards for townhouse developments~~

~~1. Building orientation. Townhouse developments shall maximize the orientation of individual units to the street by complying with one of the following conditions:~~

~~a. When multiple buildings are located on a lot, at least 50 percent of the townhouse units shall be located so that there is no intervening principal structure between the unit and the street, unless the intervening principal structure was established under permit as of October 31, 2001, or was granted a permit on October 31, 2001, and the permit has not expired; or~~

~~b. All townhouse units without a street-facing facade shall have direct access to a common amenity area meeting the requirements of Section 23.45.522 that either abuts the street or is visible and accessible from the street by a clear pedestrian pathway.~~

~~2. Pedestrian pathway. A clear pedestrian pathway from the street to the entrance of each townhouse unit shall be provided. The pedestrian pathway may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color,~~

~~texture, or similar technique. Signage identifying townhouse unit addresses and the directions to the unit entrance(s) from the street shall be provided.~~

~~3. Pedestrian entry. Each townhouse unit with a street-facing facade shall have a pedestrian entry on the street-facing facade that is designed to be a visually prominent feature through the use of covered stoops, porches, or other architectural entry features. For townhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~4. Architectural expression. Architectural detail or composition shall be provided to visually identify each individual townhouse unit, as seen from the public street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual townhouse units.~~

~~H. Building entry orientation standards for apartments~~

~~1. For each apartment structure, a principal shared pedestrian entrance is required that faces either a street or a common amenity area, such as a landscaped courtyard, that abuts and has direct access to the street. Additional pedestrian entrances to individual units are permitted.~~

~~2. If more than one apartment structure is located on a lot, each apartment structure separated from the street by another principal structure shall have a principal entrance that is accessible from a common amenity area with access to the street.~~

~~3. The shared entrance of each apartment structure shall have a pedestrian entry that is designed to be visually prominent, through the use of covered stoops, overhead weather protection, a recessed entry, or other architectural entry features.~~))

F. Pedestrian access. Each dwelling unit shall have pedestrian access at least 3 feet in width to the sidewalk or, if no sidewalk exists, the front lot line. This pedestrian access may be shared or private. This pedestrian access may cross any required setbacks or interior separation. The pedestrian access may be part of a driveway.

G. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on that street-facing facade meeting the following:

1. For apartments, at least one pedestrian entry shall be required for the structure as a whole.

2. For single-family dwelling units, cottage housing, rowhouses, and townhouses, each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall have at least one pedestrian entry on the street-facing facade.

3. For structures or dwelling units on corner lots, a pedestrian entry is required on only one of the street-facing facades.

4. Required pedestrian entry on street-facing facades shall have weather protection, such as a covered porch, canopy, recessed entry or similar feature, measuring at least 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in width and 4 feet in depth for stacked dwelling units.

5. For attached and detached dwelling units, the pedestrian entry may be located on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a covered porch or recessed entry that is a portion of the street-facing facade.

Section 24. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.006 Pedestrian access and circulation

* * *

F. Exceptions. The following exceptions to pedestrian access and circulation requirements and standards apply:

1. Projects exempt from requirements. Pedestrian access and circulation improvements are not required for the following types of projects:

a. Change of use;

b. Alterations to existing structures;

c. Additions to existing structures that are exempt from environmental review;

d. Construction of a detached structure accessory to ((~~a single-family~~)) an existing dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office;

e. Construction of ((~~a single-family~~)) one dwelling unit on a lot in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office, and if at least one of the following conditions is met:

1) The lot is on a block front where there are no existing pedestrian access and circulation improvements within 100 feet of the lot; or

2) Construction of pedestrian access and circulation improvements is not necessary because, for example, the existing right-of-way has suitable width and surface treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and potential vehicular traffic; or the Director anticipates limited, if any, additional development near the lot because the development near the lot is at or near zoned capacity under current zoning designations;

f. Expansions of surface parking, outdoor storage, outdoor sales and outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or display area, or number of parking spaces;

g. In the MML zone, the addition of:

1) Fewer than ten artist's studio dwellings;

2) Less than 750 square feet of gross floor area of major and minor vehicle repair uses and multipurpose retail sales; ((~~and~~)) or

3) Less than 4,000 square feet of gross floor area of ((~~non-residential~~)) nonresidential uses not listed in subsection 23.53.006.F.1.g.2; and

h. Construction of a new ((~~non-residential~~)) nonresidential structure of up to 4,000 square feet of gross floor area if the structure is at least 50 feet from any lot line abutting an existing street that does not have pedestrian access and circulation improvements.

2. Waiver or modification of pedestrian access and circulation requirements. The Director, in consultation with the Director of Transportation, may waive or modify pedestrian access and circulation requirements when one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing pedestrian access and circulation.

a. Location in an environmentally critical area or buffer makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

b. The existence of a bridge, viaduct, or structure such as a substantial retaining wall in proximity to the project site makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

c. Sidewalk, curb, and/or curb ramp construction would result in undesirable disruption of existing drainage patterns, or disturbance to or removal of natural features such as significant trees or other valuable and character-defining mature vegetation; or

d. Sidewalk, curb, and/or curb ramp construction would preclude vehicular access to the lot, for example on project sites where topography would render driveway access in excess of the maximum 15 percent slope.

3. Notwithstanding any provision of Section 23.76.026, the applicant for a Master Use Permit or a building permit to which ((~~the Land Use Code~~)) Title 23 in effect prior to October 30, 2009, applies may, by written election, use the exemptions in subsections 23.53.006.F.1 and 23.53.006.F.2.

Section 25. Section 23.53.025 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.53.025 Access easement standards

If access by easement has been approved by the Director, the easement shall meet the following standards. Surfacing of easements, pedestrian walkways required within easements, and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements Manual.

A. Vehicle access easements serving one or two ((~~single-family~~)) dwelling units ((~~or one multifamily residential use with a maximum of two units~~)) shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. No maximum easement length shall be set. If easement length is more than 150 feet, a vehicle turnaround shall be provided.

3. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

B. Vehicle access easements serving at least three but fewer than ((~~five single-family~~)) ten dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. The easement shall provide a hard-surfaced roadway at least 10 feet wide.

3. No maximum easement length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director.

4. A turnaround shall be provided unless the easement extends from street to street.

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

C. ((~~Vehicle access easements serving at least five but fewer than ten single-family dwelling units, or at least three but fewer than ten multifamily dwelling units~~

~~1. Easement width, surfaced width, length, turn around, and curbcut width shall be as required in subsection 23.53.025.B.~~

~~2. No single-family structure shall be closer than 5 feet to the easement, except that structural features allowed to extend into required yards under subsection 23.44.014.C.6 are also allowed to extend into the 5-foot setback from an easement.~~

~~D.~~)) Vehicle ((~~Access Easements Serving Ten~~)) access easements serving ten or more ((~~Residential Units.~~)) dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 32 feet;

2. The easement shall provide a surfaced roadway at least 24 feet wide, except in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet;

3. No maximum length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director;

4. A turnaround shall be provided unless the easement extends from street to street;

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety access;

6. No ((~~single-family structure~~)) detached dwelling unit shall be located closer than ((~~10~~)) 5 feet to an easement, except that architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features shall not be located closer than 3 feet to a required easement;

7. One pedestrian walkway shall be provided, extending the length of the easement.

((~~E. Vehicle Access Easements Serving Nonresidential or Live-work Uses.~~

~~1.~~)) D. For nonresidential or live-work uses providing fewer than ten (((~~10~~))) parking spaces, the easement shall meet the requirements of subsection ((~~C~~)) 23.53.025.B.

((~~2~~)) E. For nonresidential or live-work uses providing ten ((~~(10)~~)) or more parking spaces, the easement shall meet the requirements of subsection ((~~D~~)) 23.53.025.C.

F. Pedestrian ((~~Access Easements~~)) access easements. Where a lot proposed for a residential use abuts an alley but does not abut a street and the provisions of the zone require access by vehicles from the alley, or where the alley access is an exercised option, an easement providing pedestrian access to a street from the lot shall be provided meeting the following standards:

1. Easement width shall be a minimum of ((~~five (~~)) 5 ((~~)~~)) feet;

2. Easements serving one ((~~(1)~~)) or two ((~~(2)~~)) dwelling units shall provide a paved pedestrian walkway at least ((~~three (~~)) 3 ((~~)~~)) feet wide;

3. Easements serving three ((~~(3)~~)) or more dwelling units shall provide a paved pedestrian walkway at least ((~~five (~~)) 5 ((~~)~~)) feet wide;

4. Easements over ((~~one hundred (~~)) 100 ((~~)~~)) feet in length shall provide lighting at intervals not to exceed ((~~fifty (~~)) 50 ((~~)~~)) feet. Lighting placement shall not exceed ((~~fifteen (~~)) 15 ((~~)~~)) feet in height;

5. Pedestrian access easements shall not exceed ((~~two hundred (~~)) 200 ((~~)~~)) feet in length.

G. Vertical ((~~Clearance Above Easements~~)) clearance above easements. When an easement serves fewer than ten ((~~(10)~~)) residential units and crosses a residentially zoned lot, portions of structures may be built over the easement provided that a minimum vertical clearance of ((~~sixteen and one-half (16 ½)~~)) 16.5 feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with ((~~Section 23.54.030 C~~)) subsection 23.54.030.D is maintained. (((~~See~~)) Exhibit ((~~23.53.025 A~~)) A for 23.53.025.)

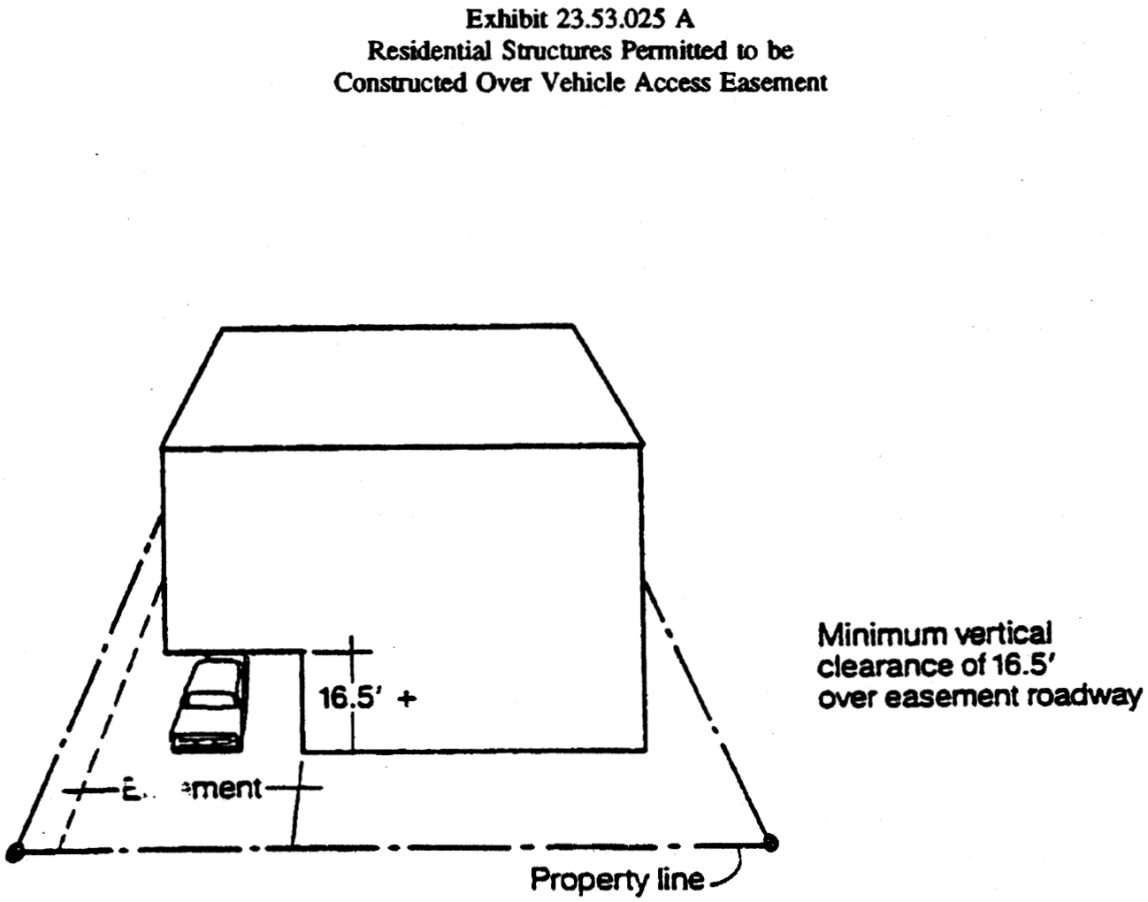
H. Exceptions ((~~From Access Easement Standards~~)) from access easement standards. The Director, in consultation with the Fire Chief, may modify the requirements for easement width and surfacing for properties located in environmentally critical areas or their buffers when it is determined that:

1. Such modification(s) would reduce adverse effects to identified environmentally critical areas or buffers; and

2. Adequate access and provisions for fire protection can be provided for structures served by the easement.

Exhibit A for 23.53.025

Residential structures permitted to be constructed over vehicle access easement



Section 26. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required parking and maximum parking limits

* * *

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [2]		
A.	Adult family homes	1 space for each dwelling unit
B.	Artist's studio/dwellings	1 space for each dwelling units
C.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences [1]	1 space for each 4 sleeping rooms
F.	Cottage housing developments [1, 3, 4]	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses((~~, except as otherwise provided in this Table B for 23.54.015~~)) [1, ((2)) 3, 4]	1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units
J.	Nursing homes	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units [1, 3, 4]	1 space for each dwelling unit

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
II. Residential use requirements for specific areas [2]		
L.	All residential uses within urban centers or within the Station Area Overlay District ((2))	No minimum requirement
M.	All residential uses in commercial, RSL, and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area ((2, 4))	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ((2))	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ((2))	1.5 spaces for each dwelling unit
P.	Congregate residences located within one-half mile walking distance of a major transit stop or a frequent transit stop	No minimum requirement
Q.	Middle housing, as defined in Section 23.84A.025, located within one-half mile walking distance of a major transit stop	No minimum requirement
Footnotes to Table B for 23.54.015 [1] For each moderate-income unit and each low-income unit, no minimum amount of parking is required. [2] The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not		

Table B for 23.54.015 **Required parking for residential uses**	
Use	**Minimum parking required**
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 provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)). [3] No parking is required for ((~~single-family residential uses~~)) accessory dwelling units. [4] No parking is required for principal dwelling units on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3. ((~~4 Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.~~))	

* * *

Table D for 23.54.015 **Parking for bicycles [1]**			
((~~USE~~)) Use		**Bike parking requirements**	
		Long-term	**Short-term**
* * *			
D. RESIDENTIAL USES [3]			
D.1	Congregate residences [4, 5, 6]	1 per 4 sleeping rooms	1 per 80 sleeping rooms. 2 spaces minimum
D.2	Multifamily structures other than townhouse and rowhouse developments [4, 5, 6]	1 per dwelling unit	1 per 20 dwelling units
D.3	Single-family residences	None	None

Table D for 23.54.015
Parking for bicycles [1]

((~~USE~~)) Use		Bike parking requirements	
		Long-term	**Short-term**
D.4	Townhouse and rowhouse developments [5, 6]	1 per dwelling unit	None
E. TRANSPORTATION FACILITIES			
E.1((-))	Park and ride facilities on surface parking lots	At least 20 ((6)) [7]	At least 10
E.2((-))	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3((-))	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto spaces	None
E.4((-))	Rail transit facilities and passenger terminals	Spaces for 5 percent of projected AM peak period daily ridership ((6)) [7]	Spaces for 2 percent of projected AM peak period daily ridership

Footnotes to Table D for 23.54.015
[1] Required bicycle parking includes long-term and short-term amounts shown in this Table D for 23.54.015.
[2] The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.
[3] For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table D for 23.54.015.
[4] For congregate residences or multifamily structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I

Table D for 23.54.015 Parking for bicycles [1]		
((~~USE~~)) Use	**Bike parking requirements**	
	Long-term	**Short-term**
decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle. [5] In low-income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage). [6] No bike parking is required for middle housing as defined in Section 23.84A.025. ((~~6~~)) [7] The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.		

Section 27. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.54.020 Parking quantity exceptions

The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all zones except downtown zones, which are regulated by Section 23.49.019, and Major Institution zones, which are regulated by Section 23.54.016.

A. Adding ((~~Units~~)) units to ((~~Existing Structures~~)) existing structures in Multifamily and Commercial ((~~Zones.~~)) zones

1. For the purposes of this Section 23.54.020, "existing structures" means those structures that were established under permit, or for which a permit has been granted and has not expired as of the applicable date, as follows:

a. In multifamily zones, August 10, 1982;

b. In commercial zones, June 9, 1986.

2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:

a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception permitted in subsection 23.54.020.A.2, if the conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:

a. The only use of the structure will be residential; and

b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

c. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

~~d.~~ The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

B. Tandem ((~~Parking~~)) parking in ((~~Multifamily Structures~~)) multifamily structures. ((~~1.~~)) Off-street parking required for multifamily structures may be provided as tandem parking, as defined in Section 23.54.030. ((~~A tandem parking space counts as one and one-half parking spaces, except as provided in subsection 23.54.020.B.2 below, and must meet the minimum size requirements of subsection 23.54.030.A.~~

~~2. When a minimum of at least one parking space per dwelling unit in a multifamily structure is required, the total number of parking spaces provided, counting each tandem parking space as one space, may not be less than the total number of dwelling units.~~)) A tandem parking space counts at a rate of one space for every 20 linear feet of depth excluding required aisles.

* * *

Section 28. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.030 Parking space and access standards

All parking spaces provided, whether required by Section 23.54.015 or not, and required barrier-free parking, shall meet the standards of this Section 23.54.030.

A. Parking space dimensions

1. "Large vehicle" means the minimum size of a large vehicle parking space shall be ((~~8.5~~)) 8 feet in width and 19 feet in length.

2. “Medium vehicle” means the minimum size of a medium vehicle parking space shall be 8 feet in width and 16 feet in length.

3. “Small vehicle” means the minimum size of a small vehicle parking space shall be 7.5 feet in width and 15 feet in length.

4. “Barrier-free parking” means a parking space meeting the following standards:

a. Parking spaces shall not be less than 8 feet in width and shall have an adjacent access aisle not less than 5 feet in width. Van-accessible parking spaces shall have an adjacent access aisle not less than 8 feet in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that aisles will not be used as parking space.

b. A minimum length of 19 feet or when more than one barrier-free parking space is provided, at least one shall have a minimum length of 19 feet, and other spaces may be the lengths of small, medium, or large spaces in approximate proportion to the number of each size space provided on the lot.

5. “Tandem parking” means a parking space equal to the width and two times the length of the vehicle size standards in subsections 23.54.030.A.1, 23.54.030.A.2, and 23.54.030.A.3 for the size of the vehicle to be accommodated.

6. No wall, post, guardrail, or other obstruction, or lot line, is permitted within the area for car door opening. Columns or other structural elements may encroach into the parking space a maximum of 6 inches on a side, except in the area for car door opening 5 feet from the longitudinal centerline, or 4 feet from the transverse centerline of a parking space (see Exhibit A for 23.54.030).

7. If the parking space is next to a lot line and the parking space is parallel to the lot line, the minimum width of the space is 9 feet.

Exhibit A for 23.54.030

Encroachments ((~~Into Required Parking Space~~)) <u>into required parking</u>

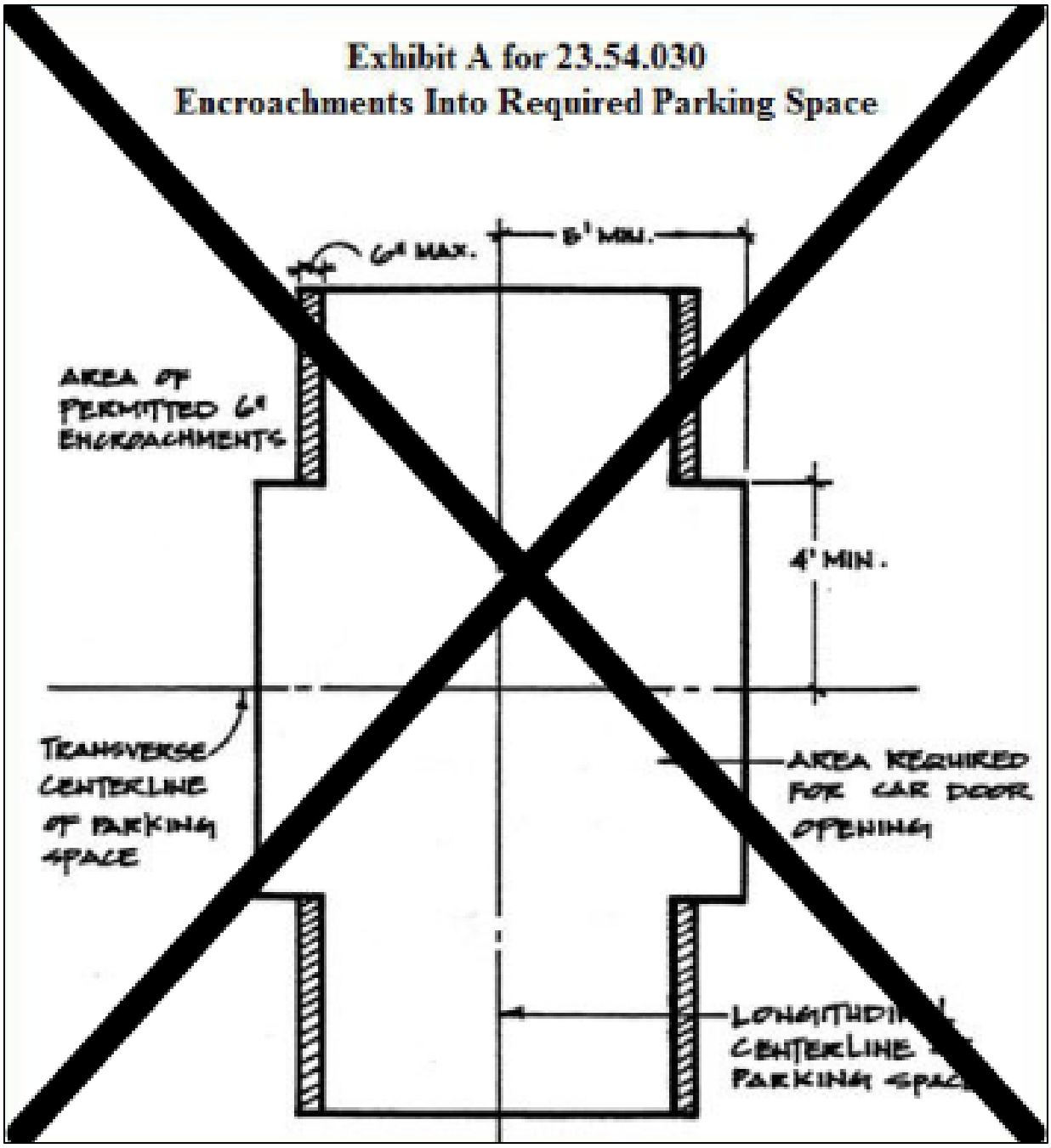
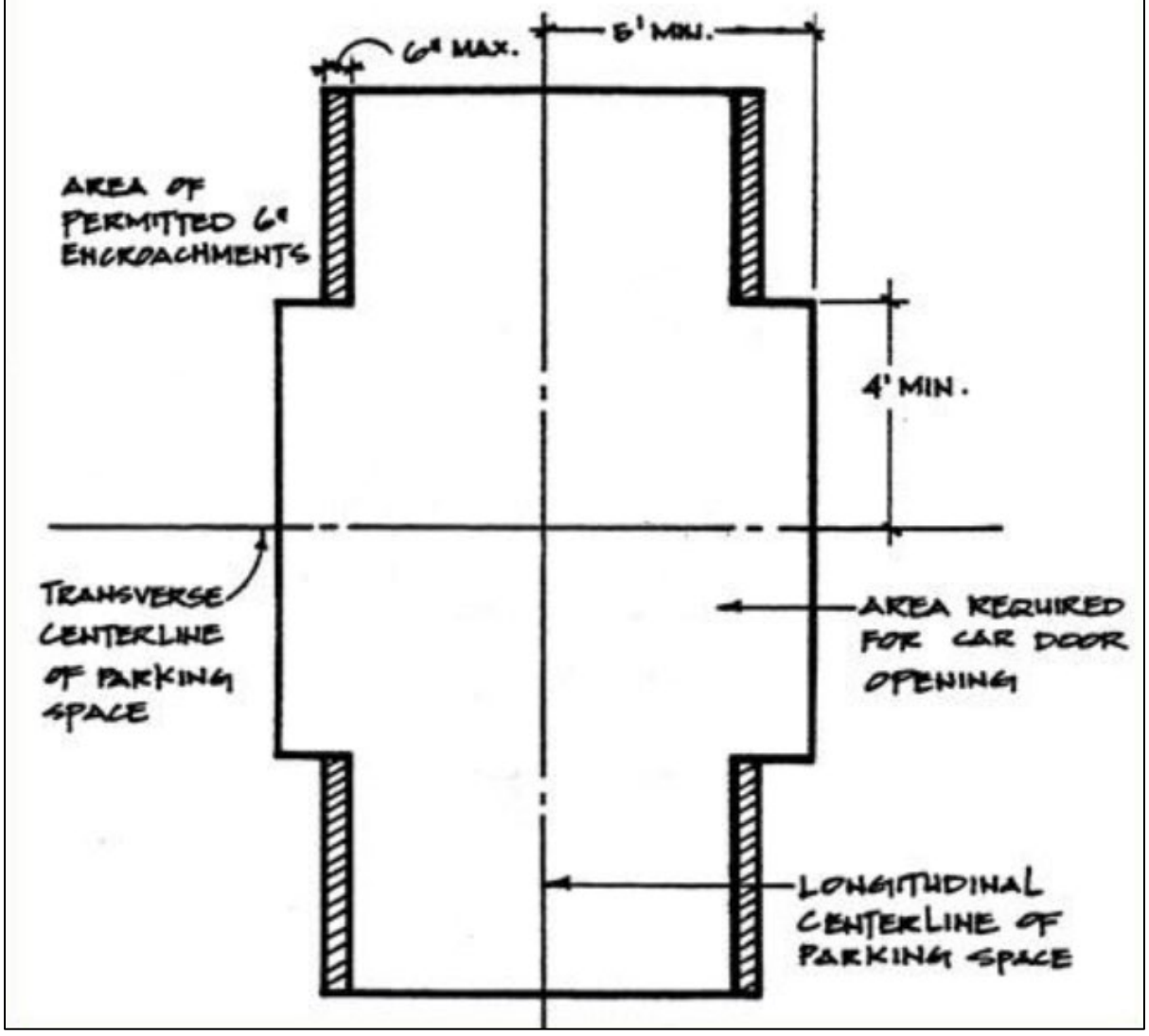


Exhibit A for 23.54.030
Encroachments into required parking



B. Parking space requirements. The required size of parking spaces shall be determined by whether the parking is for a residential, live-work, or ((~~non-residential~~)) nonresidential use. In structures containing residential uses and also containing either ((~~non-residential~~)) nonresidential uses or live-work units, parking that is clearly set aside and reserved for residential or live-work use shall meet the standards of subsection 23.54.030.B.1. Parking for

all other uses within the structure shall meet the standards of subsection 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Seattle Building Code or the Seattle Residential Code.

1. Residential uses

a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.2, except as provided in subsection 23.54.030.B.1.d.

b. When more than five parking spaces are provided, a minimum of 60 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent of the parking spaces may be striped for any size category in subsection 23.54.030.A, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted living facilities. Parking spaces shall be provided as in subsections 23.54.030.B.1.a and 23.54.030.B.1.b, except that a minimum of two spaces shall be striped for a large vehicle.

d. ((~~Townhouse units.~~)) For an individual garage serving ((~~a townhouse~~)) an individual dwelling unit, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.

2. ((~~Non-residential~~)) Nonresidential uses

a. When ten or fewer parking spaces are provided, a maximum of 25 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the spaces shall be striped for large vehicles.

b. When between 11 and 19 parking spaces are provided, a minimum of 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

c. When 20 or more parking spaces are provided, a minimum of 35 percent of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at least one floor, and there shall be at least one direct entrance that is at least 6 feet 9 inches in height for all parking garages accessory to ((~~non-residential~~)) nonresidential uses and live-work units and for all flexible-use parking garages.

3. Live-work uses. The first required parking space shall meet the parking standards for residential use. Additional required parking for a live-work use shall meet the parking standards for ((~~non-residential~~)) nonresidential use.

C. Backing ((~~Distances~~)) distances and ((~~Moving Other Vehicles.~~)) moving other vehicles

1. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except in the case of multiple spaces provided for ((~~a single-family~~)) one dwelling unit ((~~or an accessory dwelling unit associated with a single-~~

~~family dwelling,~~)) or in the case of tandem parking authorized under ((~~Section~~)) subsection 23.54.020.B.

2. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than 50 feet.

D. Driveways. Driveway requirements for residential and nonresidential uses are described below. When a driveway is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection 23.54.030.D.2.

1. Residential uses((~~.~~))

a. Driveway width. Driveways less than 100 feet in length that serve 30 or fewer parking spaces shall be a minimum of 10 feet in width for one-way or two-way traffic.

b. Except for driveways serving one ((~~single-family~~)) dwelling unit, driveways more than 100 feet in length that serve 30 or fewer parking spaces shall either:

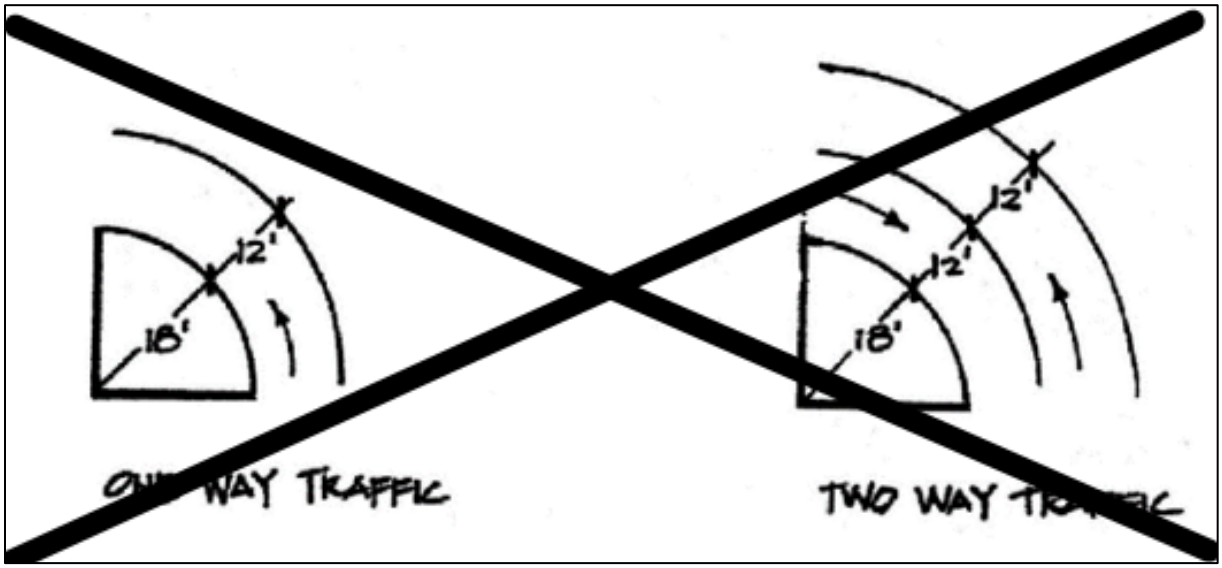
1) ((~~be~~)) Be a minimum of 16 feet wide, tapered over a 20 foot distance to a 10 foot opening at the lot line; or

2) ((~~be~~)) Be a minimum of 10 feet wide and provide a passing area at least 20 feet wide and 20 feet long. The passing area shall begin 20 feet from the lot line, with an appropriate taper to meet the 10-foot opening at the lot line. If a taper is provided at the other end of the passing area, it shall have a minimum length of 20 feet.

c. Driveways of any length that serve more than 30 parking spaces shall be at least 10 feet wide for one-way traffic and at least 20 feet wide for two-way traffic.

d. Driveways for two attached ((~~rowhouse or townhouse~~)) dwelling units may be paired so that there is a single curb cut providing access. The maximum width of the paired driveway is 18 feet.

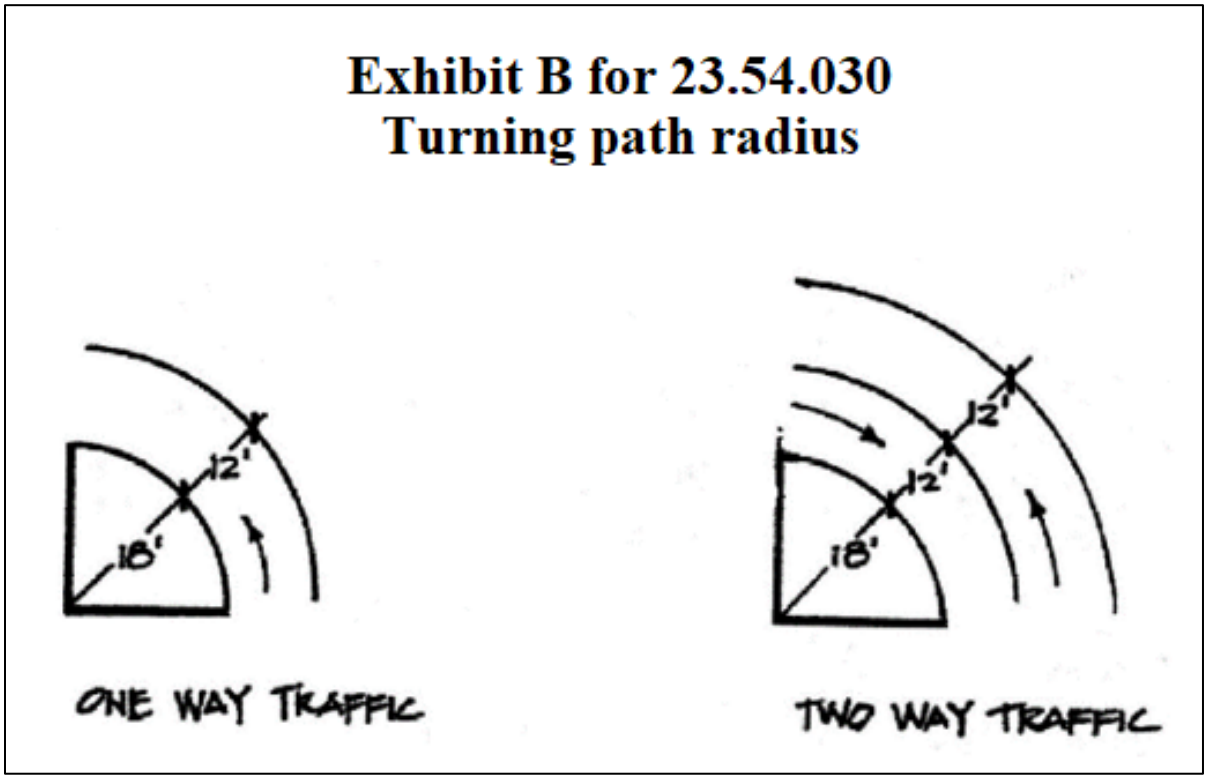
e. Driveways with a turning radius of more than 35 degrees shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.



((~~Exhibit B for 23.54.030: Turning Path Radius~~))

Exhibit B for 23.54.030

Turning path radius



f. Vehicles may back onto a street from a parking area serving five or fewer vehicles, provided that either:

1) The street is not an arterial as defined in Section 11.18.010; or

2) For a lot with one ((~~single-family~~)) dwelling unit or one parking space, the Director may permit backing onto an arterial based on a safety analysis that addresses visibility, traffic volume, and other relevant issues.

g. Nonconforming driveways. The number of parking spaces served by an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall not be increased. This prohibition may be waived by the Director after consulting with the Director of the Seattle Department of Transportation, based on a safety analysis.

2. Nonresidential ((~~Uses.~~)) uses

a. Driveway ((~~Widths.~~)) widths

1) The minimum width of driveways for ((~~one way~~)) one-way traffic shall be 12 feet and the maximum width shall be 15 feet.

2) The minimum width of driveways for ((~~two way~~)) two-way traffic shall be 22 feet and the maximum width shall be 25 feet.

b. Driveways shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

c. For driveways that provide access to a solid waste management use the Director may allow both a maximum driveway width greater than the limits set in subsection 23.54.030.D.2.a and appropriate turning path radii, as determined necessary for truck maneuvering.

3. Driveway slope for all uses. No portion of a driveway, whether located on a lot or on a right-of-way, shall exceed a slope of 15 percent, except as provided in this subsection 23.54.030.D.3. The maximum 15 percent slope shall apply in relation to both the current grade of the right-of-way to which the driveway connects, and to the proposed finished grade of the right-of-way if it is different from the current grade. The ends of a driveway shall be adjusted to accommodate an appropriate crest and sag. The Director may permit a driveway slope of more than 15 percent if it is found that:

a. The topography or other special characteristic of the lot makes a 15 percent maximum driveway slope infeasible;

b. The additional amount of slope permitted is the least amount necessary to accommodate the conditions of the lot; and

c. The driveway is still useable as access to the lot.

E. Parking aisles

1. Parking aisles shall be provided according to the requirements of Table A for 23.54.030 and Exhibit C for 23.54.030.

Table A for 23.54.030
Parking aisle dimensions

Parking angle	Stall width	Stall length (in feet)	Aisle width (in feet)[1]	Curb depth per car (in feet)	Unit width (in feet)[2]	Curb length per car (in feet)
0°	Small	18	10	7.5	25	18
	Medium	20	10	8	26	20
	Large	24	12	8	28	24
45°	Small	15	11	15.91	42.82	10.61
	Medium	16	13	16.97	46.94	11.3
	Large	19	13	19.09	51.18	11.3
60°	Small	15	13	16.74	46.48	8.66
	Medium	16	15	17.86	50.72	9.24
	Large	19	17.5	20.45	58.41	9.24
75°	Small	15	16.5	16.43	49.36	7.76
	Medium	16	18.5	17.52	53.55	8.25
	Large	19	20	20.42	60.84[2]	8.25
90°	Small	15	20	15	50	7.5
	Medium	16	22	16	54	8
	Large	19	24[3]	19	62[2]	8

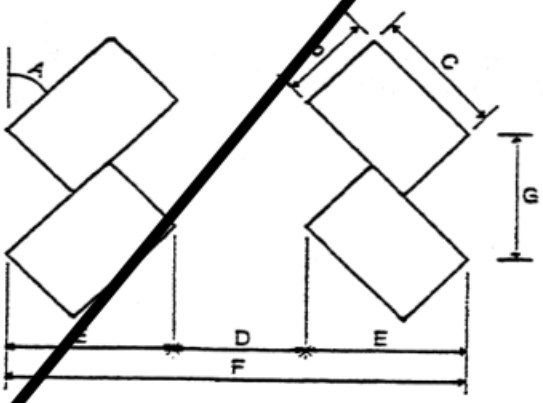
Footnotes for Table A for 23.54.030
[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.
[2] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9 feet.
[3] For lots 44 feet in width or less, the Director may reduce the aisle width to as low as 20 feet if large parking spaces are provided at 90 degrees as long as the spaces are 9 feet wide.

A Parking Angle	B Stall Width	C Stall Length	D Aisle Width [1]	E Curb Depth Per Car	F Unit Width [3]	G Curb Length Per Car
0°	7.5	18.0	10.0	7.5	25.0	18.0
	8.0	20.0	10.0	8.0	26.0	20.0
	8.5	24.0	12.0	8.5	29.0	24.0
45°	7.5	15.0	11.0	15.91	42.82	10.61
	8.0	16.0	13.0	16.97	46.90	11.3
	8.5	19.0	13.0	19.44	51.88	12.02
60°	7.5	15.0	13.0	16.74	46.48	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
	8.5	19.0	17.5	20.70	59.90	9.82
75°	7.5	15.0	16.5	16.43	59.36	7.76
	8.0	16.0	18.5	17.52	53.54	8.25
	8.5	19.0	20.0	20.55	61.10 [3]	8.80
90°	7.5	15.0	20.0	15.0	50.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0
	8.5	19.0 [2]	24.0 [2]	19.0	62.0 [3]	8.5

[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.

[2] When lot width is less than 43 feet, 40 feet may be substituted for a two-way aisle and a single row of cars at 90° to the aisle, provided that the minimum width of the parking stalls shall be 9½ feet.

[3] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9½ feet.



The following equations may be used to compute dimensions for parking angles other than those provided in the chart above:

E = C sin A + B cos A

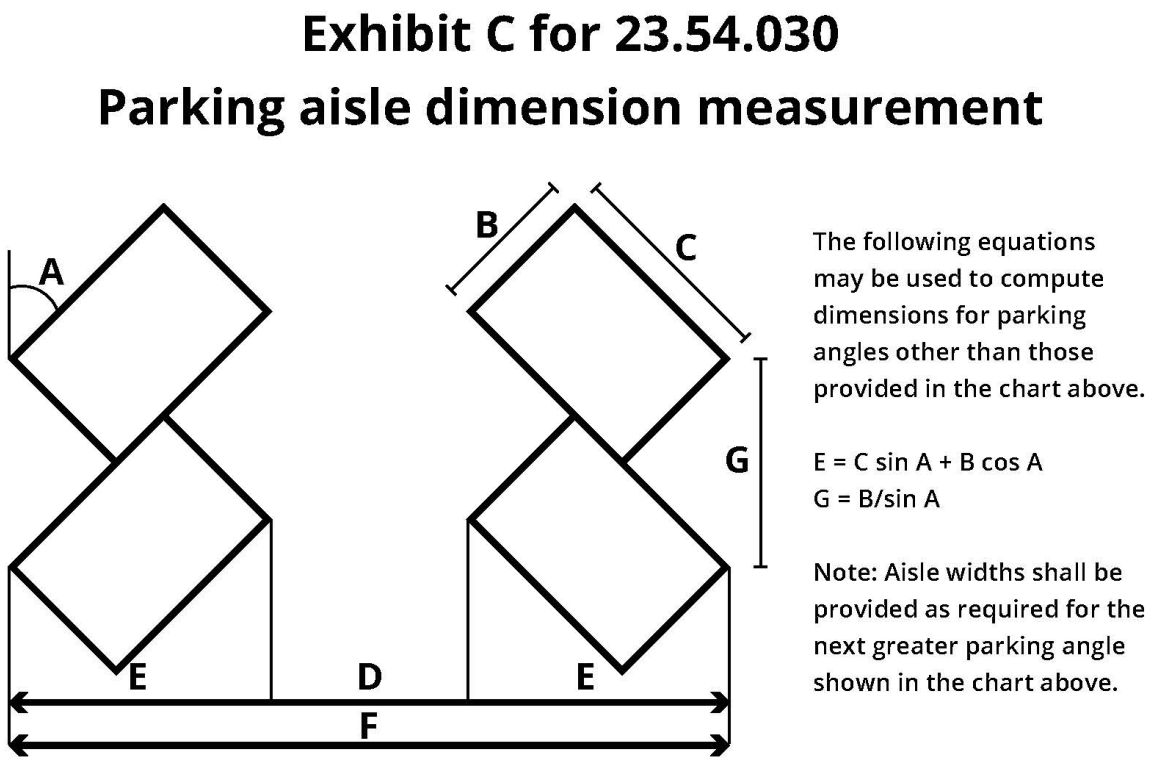
G = B/sin A

NOTE: Aisle widths shall be provided as required for the next greater parking angle shown in the chart above.

((~~Exhibit C for 23.54.030: Parking Aisle Dimensions~~))

Exhibit C for 23.54.030

Parking aisle dimension measurement



2. Minimum aisle widths shall be provided for the largest vehicles served by the aisle.

3. Turning and maneuvering areas shall be located on private property, except that alleys may be credited as aisle space.

4. Aisle slope shall not exceed 17 percent provided that the Director may permit a greater slope if the criteria in subsections 23.54.030.D.3.a, 23.54.030.D.3.b, and 23.54.030.D.3.c are met.

* * *

L. Electric vehicle (EV) charging infrastructure. New parking spaces provided on a lot when a new building is constructed shall be "EV-ready" as specified in this subsection 23.54.030.L. The required number of EV-ready parking spaces shall be determined by whether the parking is for a residential or nonresidential use. Parking that is clearly set aside and reserved for residential use shall meet the standards of subsection 23.54.030.L.1; parking for all other uses within the structure shall meet the standards of subsection 23.54.030.L.2.

1. Residential uses

a. Private parking for individual residential units. When parking for any individual dwelling unit is provided in a private garage, carport, or parking area, separate from any parking facilities serving other units, at least one parking space for each unit in that garage, carport, or surface parking area shall be EV-ready.

b. Surface parking for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a surface parking area serving multiple ((~~residences~~)) dwelling units, the number of parking spaces that shall be EV-ready shall be as follows:

((~~1) When between one and six parking spaces are provided, each of those parking spaces shall be EV-ready;~~

~~2) When between seven and 25 parking spaces are provided, a minimum of six of those parking spaces shall be EV-ready; and~~

~~3) When more than 25 parking spaces are provided, a minimum of 20 percent of those parking spaces shall be EV-ready.~~))

1) When up to 25 parking spaces are provided, the first 12 parking spaces shall be EV-ready; and

2) When more than 25 parking spaces are provided, 45 percent of all parking spaces shall be EV-ready.

c. Parking garages for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a parking garage serving multiple ((~~residences~~)) dwelling units, a minimum of ((~~20~~)) 45 percent of those parking spaces shall be EV-ready.

((~~d. Other residential uses. When parking is provided for all other residential uses, a minimum of 20 percent of those spaces shall be EV-ready.~~))

2. Nonresidential uses.

a. When parking is provided for nonresidential uses, a minimum of ((~~ten~~)) 30 percent of those spaces shall be EV-ready((~~.~~)), except as provided in subsection 23.54.030.L.2.b and subsection 23.54.030.L.2.c.

b. For the uses listed in subsection 23.54.030.L.2.c, the following requirements apply:

1) Where less than ten parking spaces are provided for the use, one EV-ready space is required.

2) Where ten or more parking spaces are provided for the use, ten percent of parking spaces shall be EV-ready.

c. The following uses are subject to the alternative requirements in 23.54.030.L.2.b:

1) The following institutional uses:

a) Community club or center;

b) Child care center;

c) Community farm;

d) Library;

e) Museum;

f) Private club;

g) Religious facility; and

h) School, elementary or secondary;

2) Entertainment uses;

3) Eating and drinking establishments;

4) Automotive sales and services;

5) Multipurpose retail sales;

6) Heavy sales and services, except heavy commercial services; and

7) Marine sales and services.

3. Rounding. When calculating the number of required EV-ready parking spaces, any fraction or portion of an EV-ready parking space required shall be rounded up to the nearest whole number.

4. Reductions

a. The Director may, in consultation with the Director of Seattle City Light, reduce the requirements of this subsection 23.54.030.L as a Type I decision ((~~where~~)) if there is substantial evidence ((~~substantiating~~)) that the added electrical load that can be attributed to meeting the requirements will:

1) Alter the local utility infrastructure design requirements on the utility side of the legal point of service, so as to require on-property power transformation; or

2) Require an upgrade to an existing residential electrical service.

b. In cases where the provisions of subsection 23.54.030.L.4.a have been met, the maximum quantity of EV charging infrastructure required to be installed shall be reduced to the maximum service size that would not require the changes to transformation or electrical service in subsection 23.54.030.L.4.a. The Director may first reduce the required level of EV infrastructure at EV-ready parking spaces from 40-amp to 20-amp circuits. If necessary, the Director may also then reduce the number of required EV-ready parking spaces or otherwise reduce the level of EV infrastructure at EV-ready parking spaces.

c. The Director may establish by rule the procedures and documentation required for a reduction request.

5. All EV charging infrastructure shall be installed in accordance with the Seattle Electrical Code. Where EV-ready surface parking spaces are located more than 4 feet from a building, raceways shall be extended to a pull box or stub in the vicinity of the designated space and shall be protected from vehicles.

6. Accessible parking. Where new EV-ready parking spaces and new accessible parking are both provided, parking facilities shall be designed so that at least ((~~one~~)) 20 percent of the accessible parking spaces shall be EV-ready with no fewer than two EV-ready spaces. The accessible parking EV-ready infrastructure may also serve adjacent parking spaces not designated as accessible parking. The EV-ready accessible parking spaces, rounded up to the next whole number, are allowed to be included in the total number of electric vehicle parking spaces required under 23.54.030.L.1. and 23.54.030.L.2.

7. Nothing in this subsection 23.54.030.L shall be construed to modify the minimum number of off-street motor vehicle parking spaces required for specific uses or the

maximum number of parking spaces allowed, as set forth in Section 23.54.015 or elsewhere in this Title 23.

8. This Section 23.54.030 does not require EV supply equipment, as defined by Article 100 of the Seattle Electrical Code, to be installed.

Section 29. Section 23.84A.010 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.84A.010 "E"

* * *

"Essential public facilities" within the City of Seattle means airports, sewage treatment plants, jails, light rail transit systems, and power plants.

"EV-ready" means a minimum 40-ampere dedicated 208- or 240-volt branch circuit (32-amp load) terminated at a junction box or receptacle outlet in close proximity to a parking space.

* * *

Section 30. Section 23.84A.025 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.025 "M"

* * *

"Major retail store" means a structure or portion of a structure that provides adequate space of at least eighty thousand (80,000) square feet to accommodate the merchandising needs of a major new retailer with an established reputation, and providing a range of merchandise and services, including both personal and household items, to anchor downtown shopping activity

around the retail core, thereby supporting other retail uses and the area's vitality and regional draw for customers.

"Major transit stop" means:

1. Stops on a bus route operated by Sound Transit;

2. Commuter rail stops;

3. Stops on light rail, street car, or trolley bus systems;

4. Stops on bus rapid transit routes; and

5. Any future stop on a bus rapid transit route funded for development and projected for construction within an applicable six-year transit plan under RCW 35.58.2795.

* * *

"Mid-block corridor" means an amenity feature that provides open space and publicly accessible connections across extremely long blocks to mitigate transportation impacts of new development by improving pedestrian circulation in high density areas, including but not limited to the South Lake Union Urban Center, the University Community Urban Center west of 15th Avenue NE, the Uptown Urban Center, the Northgate Urban Center, and the Downtown Urban Center east of Interstate 5.

"Middle housing" means any of the following residential uses, provided that they are located in structures that do not exceed a height limit of 32 feet not including roofs or rooftop features allowed in the underlying zone, as measured in Section 23.86.006:

1. Accessory dwelling unit

2. Adult family home

3. Apartment

4. Carriage house

5. Congregate residence

6. Cottage housing development

7. Low-income housing

8. Mobile home

9. Multifamily residential use

10. Permanent supportive housing

11. Rowhouse development

12. Single-family dwelling unit

13. Townhouse development

* * *

Section 31. Section 23.84A.036 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.84A.036 "S"

* * *

"Short subdivision" means the division or redivision of land into nine (((~~9~~))) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, development, or financing.

"Short subdivision, zero lot line" means a short subdivision that conforms to the unit lot subdivision standards in Section 23.24.045.

* * *

"Subdivision" means the division or redivision of land into ten (((~~10~~))) or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, zero lot line" means a subdivision that conforms to the unit lot subdivision standards in Section 23.22.062.

* * *

Section 32. Section 25.09.240 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

25.09.240 Short subdivisions and subdivisions

* * *

D. Development standards for new lots in neighborhood residential zones. If new lots are created in neighborhood residential zones by short subdivision or subdivision, the following development standards apply based on the area of each new lot that is outside the environmentally critical areas listed in subsection 25.09.240.A, plus environmentally critical areas in which development is allowed pursuant to subsections 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3:

1. Lot coverage and lot coverage exceptions according to subsections 23.44.010.C and 23.44.010.D.

2. Height limits according to Section 23.44.012((~~, including the requirements of subsection 23.44.012.A.3~~)) if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the new lot outside the environmentally critical areas is less than 3,200 square feet.

* * *

Section 33: The City Council requests that the Seattle Department of Construction and Inspections (SDCI) report to the Council on changes made by the Washington State Building Code Council (SBCC) to the types of projects that are reviewed under the Washington Residential Code. The Council requests that SDCI report back to Council the later of January

2026 or after the SBCC makes final decisions on what changes the SBCC has made, and the City's work program to incorporate those changes into the Seattle Residential Code.

Section 34. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 35. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070 or on June 30, 2025, whichever is later.

Passed by the City Council the 27th day of May, 2025, and signed by me in open session in authentication of its passage this 27th day of May, 2025.

Sara Nelson

President _____ of the City Council

☑ Approved / ☐ returned unsigned / ☐ vetoed this 28th day of May, 2025.

Bruce A. Harrell

Bruce A. Harrell, Mayor

Filed by me this 28th day of May, 2025.

Scheereen Dedman, City Clerk

(Seal)

Attachments:

1. City Council Topics for Permanent Legislation to implement State Land Use Regulations

City Council Topics for Permanent Legislation to implement State Land Use Regulations

The City Council understands the long-term importance of permanent legislation to implement Washington State's land use mandates and intends to carefully consider the implications of the legislation on the City's ability to be a welcoming, accessible, affordable, livable and safe city. In pursuit of those goals, the City will consider the following concepts in its review of the Comprehensive Plan and permanent legislation:

1. Supporting measures to reduce displacement pressure, such as:
    a. Supporting a variety of housing types, to address the needs of households of different sizes, people with different accessibility requirements, and families at different income levels;
    b. Supporting lot splitting;
    c. Considering opportunities to support utility connections;
    d. Incorporating strategies to help protect homeowners from predatory developers; and
    e. Considering bonuses for community land trusts;
2. Considering whether residential densities should be based on the number of units on a lot or the square footage per unit;
3. Considering whether Accessory Dwelling Units should be counted toward determining the density of development on a lot;
4. Considering consistent and appropriate thresholds for street, alley, driveway, and pedestrian improvements;
5. Clarifying "designated non-disturbance areas in steep slopes" and reviewing density limits and development standards for properties with steep slope critical areas;
6. Considering adjustments to setbacks and amenity area regulations to maximize tree protection and support retention of existing trees during development and support flexibility in design to address neighborhood needs and provide buffers along major thoroughfares;
7. Considering whether to extend the City's Mandatory Housing Affordability program (Chapter 23.58C Seattle Municipal Code) to Neighborhood Residential zones; such consideration would be informed by information, analyses, and policy proposals that are currently being developed for permanent legislation by the Mayor and Council;
8. Supporting a diversity of housing options near public amenities, goods, and services;
9. Considering the modification of off-street parking requirements to support City goals for neighborhoods accessible by pedestrians, people with disabilities, bicyclists, transit users, and others who do not drive; and
10. Clarifying that the scope of provisions for NR zones do not preclude regulation of cladding materials for qualifying historic districts and landmarks pursuant to SB 5571.

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Office of Planning & Community Development (OPCD)	Brennon Staley	Christie Parker

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; implementing a major update of Neighborhood Residential zones and modifying development standards in other zones to comply with various state laws; amending Chapter 23.32 of the Seattle Municipal Code at pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map; amending Chapters 6.600, 14.08, 14.09, 15.32, 21.49, 22.214, 22.801, 22.907, 23.22, 23.24, 23.28, 23.30, 23.34, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.50, 23.51A, 23.51B, 23.53, 23.54, 23.58C, 23.60A, 23.66, 23.72, 23.75, 23.76, 23.80, 23.84A, 23.86, 23.90, 23.91, 25.09, and 25.11 of the Seattle Municipal Code; renumbering existing subsection 23.54.015.K of the Seattle Municipal Code as Section 23.54.037 and further amending the section; renumbering existing subsections 23.54.030.F, 23.54.030.G, 23.54.030.K, and 23.54.030.L as Sections 23.54.031, 23.54.032, 23.54.033, and 23.54.034 and further amending the sections; repealing Chapter 23.44 and Sections 23.34.010, 23.34.012, 23.34.013, 23.34.072, 23.42.130, 23.45.512, 23.45.531, 23.86.010, and 25.09.260 of the Seattle Municipal Code; adding a new Chapter 23.44 and new Sections 23.42.024, 23.42.132, 23.45.519, 23.80.006, 23.80.008, 23.80.010, 25.09.055, and 25.11.025 to the Seattle Municipal Code; and repealing Ordinance 127219.

Summary and Background of the Legislation:

This legislation would implement a comprehensive update of Neighborhood Residential zones to comply with Washington State House Bill 1110 and to meet other goals. House Bill 1110 (also known as the "Middle Housing bill") requires cities to allow a wider variety of housing types such as duplexes, triplexes, and stacked flats in primarily single-family zones, and places limits on the regulation of middle housing.

This legislation would also implement changes to comply with:

- House Bill 1293 which requires that design standards be "clear and objective"
- Senate Bill 6015 which places limits on requirements for off-street parking
- House Bill 1287 which establishes requirements for electric vehicle charging in new development

This legislation would replace interim regulations currently being considered by City Council to comply with a June 30, 2025, deadline to implement HB 1110.

A summary of the key development standards are shown below:

Maximum density	1 unit per 1,250 square feet of lot area except that, consistent with state law, at least four units are allowed on all lots, regardless of lot size, and six units within a quarter-mile walk of major transit or if two units are affordable
Floor area ratio (FAR)	The amount of floor area allowed is equal to the lot size times the FAR. Proposed FARs are: • 0.6 FAR for density below 1/4,000 sq ft (e.g., one unit on a 5,000 sq ft lot) • 0.8 FAR for density between 1/4,000 and 1/2,200 sq ft (e.g., two units on a 5,000 sq ft lot) • 1.0 FAR for density between 1/2,200 and 1/1,600 sq ft (e.g., three units on a 5,000 sq ft lot) • 1.2 FAR for density of at least 1/1,600 sq ft (e.g., four units on a 5,000 sq ft lot)
Lot coverage	50 percent
Height limit	32 feet plus a 5 foot pitched roof bonus
Minimum Amenity area requirement	• 20 percent of lot area • The minimum dimension for amenity area is 8 feet or, if the open space includes a circulation pathway serving multiple buildings, 11 feet • Amenity area may be private or shared • At least half of the amenity area must be at ground level. Only half of amenity area not at ground level counts toward this requirement.
Minimum setbacks and separations	• Front: 10 feet • Rear: 10 feet without an alley, 5 feet for ADUs, and zero feet with an alley • Side: 5 feet • Separation between buildings within property: 6 feet
Accessory dwelling units	Accessory dwelling units (ADUs) would count toward the density and floor area limits shown above and be subject to the same standards as principal dwelling units except for a maximum size limit of 1,000 square feet plus 250 square feet of garage.
Alternative standards for stacked flats	Stacked flats located on lots 6,000 square feet or greater and within ¼ mile of frequent transit are subject to an FAR of 1.4 and a density of 1 unit per 650 square feet.

Alternative standards for low-income housing	Low-income housing located on lots 6,000 square feet or greater and within ¼ mile of frequent transit are subject to an FAR of 1.8, a height of 42 feet, a density of 1 unit per 400 square feet and a lot coverage of 60%.

The legislation would also amend standards in other zones to comply with other state requirements.

Background
The City of Seattle has been working since 2022 to update our Comprehensive Plan. We are calling the updated plan the One Seattle Plan. The Plan is a roadmap for where and how Seattle will grow and invest in communities over the next 20 years, toward becoming a more equitable, livable, sustainable, and resilient city.

In 2023, the Washington State legislature passed a suite of bills that were intended to increase the production of housing and address our housing affordability crisis. These bills include:

- HB 1110 (also known as the "Middle Housing bill") which requires cities to allow 4 to 6 units on residentially-zoned lots and a wider variety of housing types such as duplex, triplexes, and stacked flats as well as placing limits on the regulation of middle housing
- HB 1337 which places limits on the regulation of accessory dwelling units
- HB 1293 which places limits on design review processes and requires that design standards be "clear and objective"

The Mayor's Recommended Plan was transmitted to Council in March 2025. Legislation to implement the Recommended Plan through zoning changes will be transmitted in two phases. This legislation would update development standards in Neighborhood Residential zones and make changes to comply with state law. A second piece of legislation (called "Centers and Corridors") to implement rezones in neighborhood centers, regional and urban center expansions, and frequent transit routes would be transmitted separately.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ **Yes** ☒ **No**

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☒ **Yes** ☐ **No**

This legislation will not have any direct impacts to expenditures, revenues, or positions. However, it would have the following indirect impacts:

Tax Base
The legislation is likely to increase the construction of housing in Neighborhood Residential zones. Increased housing construction would bring in additional tax revenue directly through increased construction sales tax and REET tax and indirectly through an increase in property taxes and the number of residents in Seattle. While we don't have an estimate of likely increases

in housing and population, the Environmental Impact Statement for this legislation and the Centers and Corridors legislation analyzed the impact of 40,000 additional homes over 20 years. About half of these homes were in Neighborhood Residential zones.

Permit Review
This legislation is likely to increase the number of permits for housing that the City has to review but would also make changes to simplify the existing code. Increased permit review would be paid for by the permit fees on the additional volume of permits.

Information Technology, Education, & Outreach
Implementation of this legislation will require updating of zoning maps, GIS layers, websites, director's rules, and other public materials as well as minor changes to the software tracking tools such as Accela to account for new zone names. It is expected that this work will be accomplished using existing staff resources; however, if implementation occurs after June 30, 2025 when SDCI staffing resources will significantly decrease due to budget cuts, SDCI may seek to hire a short-term employee to assist with the implementation process and a separate budget request may be necessary. A memo prepared by SDCI is attached to this document with greater detail and cost estimates. Technology update costs outlined in the memo would be paid by SDCI from existing permit fees through an existing MOU with IT. Language translation costs outlined in the memo would be paid by SDCI permit fees most likely to DON through an existing process. Material update costs outlined in the memo would be paid for by SDCI permit fees.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.

Fiscal impacts, described herein, are primarily on permitting departments including the Seattle Department of Construction and Inspections (SDCI), Department of Transportation (DOT), Seattle Public Utilities, (SPU), Seattle City Light (SCL), Seattle Fire Department (SFD), and the Department of Neighborhoods (DON).

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.

The legislation will apply to Neighborhood Residential Zones throughout Seattle. Neighborhood Residential zones represent about 2/3rds of Seattle. It would also have minor impacts on development regulations in other areas.

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

This legislation would help address multiple equity issues by:

- reducing the cost of housing by increasing the supply of housing in order to address the competition for housing which is driving price increases
- allow for more home ownership opportunities in parts of Seattle where only detached homes and accessory dwelling units are currently allowed
- implement an affordable housing bonus in NR zones to support the development of this type of housing in areas where affordable housing is lacking.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation. A summary of racial equity analysis is attached.

iii. What is the Language Access Plan for any communications to the public?
SDCI will provide a summary of the updated standards in the languages specified in their office's language access plan.

d. Climate Change Implications

i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.

This legislation will tend to encourage housing within Seattle compared to areas outside of Seattle. Consequently, it will help to reduce carbon emissions from transportation by locating new households in areas of transit, employment, and amenities.

ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

This legislation is not expected to substantially affect Seattle's resiliency.

e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?

This legislation would implement the Mayor's proposed One Seattle Plan. No new initiative or major programmatic expansion is proposed.

5. CHECKLIST

☒ **Is a public hearing required?**

☒ **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**

☐ **If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

☐ **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments:
Summary Attachment 1 - SDCI Implementation Cost Memo
Summary Attachment 2 - One Seattle Plan RET Summary Report

Seattle Department of Construction & Inspections

MEMO

DATE: January 28, 2025

TO: Brennon Staley, Strategic Advisor, OPCD
Geoff Wentlandt, Manager, OPCD

FROM: Lisa Rutzick, Product Manager, SDCI

RE: Implementation Costs for Proposed 2025 Seattle Comprehensive Plan Legislation & Rezone Phase I

EXECUTIVE SUMMARY

SDCI has collaborated with Seattle IT to review the proposed legislation and identify costs needed to support implementation of the new zoning changes outlined in the anticipated 2025 Comprehensive Plan and related legislation. This memo identifies the additional technology, outreach and education resources needed to implement the proposed legislation within the timeline outlined and is intended to inform the fiscal notes that accompany the legislative packages.

ANTICIPATED COSTS

Based on our initial analysis and assumption of a 30-day effective date, SDCI expects the technology costs associated with the implementation of the Comp Plan legislation and Rezone Phase 1* to total approximately **$20,875**. Additionally, SDCI anticipates the costs associated with outreach materials to be **between $5,000 and $10,000**, depending on the outreach work undertaken by OPCD. Finally, if adoption and implementation is significantly delayed beyond June 30, 2025, supplementary staff capacity to assist with updating public information would cost approximately $25,500. More detailed information about the anticipated technology, education and outreach work is provided below.

TECHNOLOGY

The proposed legislation requires numerous updates to GIS zoning maps, data layers, as well as updates to SDCI's permit tracking system, Accela. We expect this new work will be primarily handled by SDCI's dedicated IT GIS liaison; the single existing resource dedicated to all GIS work at SDCI, with assistance from an additional analyst as available in the IT GIS workplan. Estimates for the time and costs necessary to implement this technology work are provided below in more detail:

*Please note that SDCI is not assessing implementation needs for the Phase 2 Rezone at this time.

Seattle Department of Construction & Inspections

Technology Updates: Implementation Costs

	Proposed Phases of Legislation	Estimated Costs w/ Added Staffing Resources **
1	Comp Plan Legislation Updates (Expected May/June 2025)* • Develop new Major Transit Service Area Layer • Update Frequent Transit Service Area Layer • Propagate layer updates • Update GIS SDCI reports • Coordination/quality assurance for updates to Accela script • Potential new layer/items • Project planning/management	(167 hours)
2	Phase 1 Rezone (Expected May/June 2025)* • Update zoning layers & zoning view layers, as well as other zoning derived layers • Update GIS SDCI reports • Coordination/quality assurance for updates to two Accela scripts • Communications/outreach to stakeholders • Project planning/management • Update Muni Code maps • Update IT GIS tree tracking data	$20,875
*The estimated implementation time assumes these pieces of legislation are adopted at the same time, with a 30-day effective date. **Technology estimates shown here assume in-house development at loaded IT rate of $125/hour.		

EDUCATION & OUTREACH

Along with staff training, thoughtful outreach aimed at educating Seattle residents on zoning changes and requirements is critical to successful compliance and ultimately, the success of the Comprehensive Plan. SDCI will rely heavily on OPCD's significant outreach efforts throughout the development of the Comprehensive Plan.

SDCI education and outreach is anticipated to include activities such as:

- Publicizing a phone line for in-language translation capability to answer questions and direct customers to informational resources.
- Content creation and updates to numerous references on the Seattle.gov web site, multiple public resources documents such as Tips, as well as the creation of new information materials. Potentially including translation of certain content.
- Development of staff training materials.
- Use of OPCD's press-release content to publicize adopted legislation on SDCI newsletter, list serve and social media, as well as coordination with DON to publish in their newsletter.
- Working with DON to publicize to the ethnic media sites and outlets.

Seattle Department of Construction & Inspections

With the exception of language translation, SDCI believes that it currently has in-house capacity to support the work to support the necessary outreach and education efforts. This resourcing may change, however, depending on the timing of the legislation adoption. Should the timeline deviate from the currently expected timeline, SDCI may require temporary staffing resources to update and make current our public facing information**. This assessment is based on our best estimates with the information available and the bill as drafted in December 2024. Updates or amendments could impact these estimates.

Outreach & Education Costs

Public Outreach	Estimated Costs	Notes
Translated content for webpage, informational materials and language line	$5,000-$10,000	• Offer informational resources in languages other than English, including the 'Top Tier' languages: traditional Chinese (Mandarin and Cantonese), Spanish, Vietnamese, Somali, Amharic, Korean, and Tagalog • Provision of education and accessible information required for the successful implementation of legislation
**Update public information materials	$25,500	• 3-month temporary Permit Specialist 1 FTE needed to support the updates if adoption and implementation is significantly delayed beyond June 30, 2025.

Thank you for your consideration and please do not hesitate to reach out with any questions.

One Seattle Plan Comprehensive Plan Update

Racial Equity Toolkit Summary

May 2025

Background

The City of Seattle is updating its Comprehensive Plan, a roadmap for where and how Seattle will grow and invest in communities over the next 20 years and beyond. Seattle last engaged in a citywide process to update its Comprehensive Plan a decade ago. This major update, the One Seattle Plan (Plan), sets a refreshed vision and charts a new roadmap for the future. Central to that vision is working toward a city where current and future residents can benefit from and experience racially equitable outcomes — a city where someone's race or ethnicity does not impact health, wellbeing, or access to opportunity, including housing.

A Racial Equity Toolkit (RET) is a process to guide the development of the goals and policies in this Plan in order to further racial equity. Conducting a RET is an iterative process of community engagement, analysis, policy development, and evaluation, with each step informing the next. With guidance from the Seattle Office of Civil Rights (SOCR), the Office of Planning and Community Development (OPCD) employed a RET process in developing the Mayor's Recommended One Seattle Plan.

This work included an analysis of the existing Seattle 2035 Comprehensive Plan, extensive racial equity data and analysis published in the One Seattle Plan Housing appendix, analysis of racial equity impacts in an Environmental Impact Statement, and enhanced public engagement with communities that have historically been marginalized from policy processes like a major update of the Comprehensive Plan. More complete documentation of each of these components of the RET can be found via the links provided.

Finally, the RET has resulted in key changes and additions to the City's policies that will guide actions by multiple departments over the next 20 years, including a new growth strategy and policies that promote racial equity added throughout the Plan.

Racial Equity Analysis of Seattle 2035 and Urban Village Strategy (2021)

A Statement of Legislative Intent (29-4-B-1-2019) adopted by City Council in 2019 requested that the OPCD, in consultation with the Department of Neighborhoods (DON) and SOCR, "prepare a racial equity analysis of Seattle's strategy for accommodating growth" as part of "pre-planning work in anticipation of the next major update to the Comprehensive Plan." To accomplish this work, OPCD contracted with PolicyLink, a national research and action institute dedicated to advancing racial and economic equity.

The project involved targeted outreach to historically marginalized communities and included a series of focus groups and a larger citywide stakeholder workshop in fall 2020. Participants included community members, organizations active in community development and advocacy around racial equity issues, and City boards and commissions. A community engagement summary report from this process can be found here.

PolicyLink's evaluation of the current Comprehensive Plan was informed by input from this public outreach and was also informed by a review of data analysis and documents related to the Comprehensive Plan and its implementation.

A final report from this process includes findings and recommendations from PolicyLink on what changes should be made in the Comprehensive Plan and how implementation can achieve more equitable outcomes. Topic areas included: housing supply and affordability, housing and neighborhood choice, jobs and economy, displacement, and community engagement. The final report can be found here.

Equitable Community Engagement

Beginning with the official launch of the One Seattle Plan process in spring 2022, OPCD engaged the public through several phases of community and stakeholder input oriented around key milestones in the Comprehensive Plan update process. These included early engagement and scoping for the Environmental Impact Statement (EIS) in 2022, engagement around key policy topics in the Plan in 2022 and 2023, feedback on the draft Plan and Draft EIS in spring 2024, and feedback on draft zoning changes in fall 2024.

Foundational community engagement goals for the One Seattle Plan were:

- Provide additional opportunities for communities that have been historically underrepresented in the City's planning and engagement processes, especially Black, Indigenous, and People of Color communities.
- Create opportunities for interaction and co-creation with community and stakeholders.

Equitable community engagement included a range of new and expanded strategies:

- DON Community Liaisons assisted with outreach to cultural communities, conducted focus groups, and provided translation services as needed.
- OPCD ensured language access to communities speaking all 7 of Seattle's Tier 1 languages through translated materials for community events, translation tools on project websites, and interpretation at key community engagement events.
- OPCD contracted with 8 community-based organizations (CBOs) to conduct tailored engagement with the members of communities they serve and produce reports of findings and recommendations for the Comprehensive Plan. The CBOs included Asian Pacific American Labor Alliance (APALA), Capitol Hill Eco District, Duwamish Valley Sustainability Association/ Duwamish Valley Youth Vision Project, Estelita's Library, Khmer Community of Seattle/King County/ Noio Pathways/ KIMYUNITY, Wa Na Wari/ CACE 21, and sləpiləbəxʷ (Rising Tides). Reports from each of the CBOs are available here.
- OPCD worked with key City boards and commissions for input on the Plan, including the Equitable Development Initiative Advisory Board, sləpiləbəxʷ (Rising Tides) Indigenous Planning Group, Green New Deal Oversight Board, Mayor's Council on African American Elders, and Seattle Immigrant and Refugee Commission, among others.
- Between June and July of 2023, OPCD facilitated stakeholder interviews with representatives from over 40 organizations working to address displacement in their communities.

A complete description of community engagement for the One Seattle Plan can be found here.

Data Analysis

The Comprehensive Plan update was informed by several rounds of data analysis that identified, quantified, and mapped equity related factors including historical and ongoing racial disparities, displacement risk, and racial outcomes associated with alternative growth scenarios.

One outcome of the last major Comprehensive Plan update, Seattle 2035, was the creation of the Equitable Development Initiative (EDI). In coordination with EDI, OPCD has analyzed and reported on data that show how the city is progressing toward equitable outcomes across neighborhoods and racial and cultural communities. The resulting Equitable Development Monitoring Program (link) was established to fulfill this role, publishing several reports and data dashboards in the years leading up to the One Seattle Plan process. As stated in the Plan's Introduction, it is OPCD's intent after adoption of the One Seattle Plan to continue similar monitoring work focusing on implementation and outcomes that impact racial equity.

The Community Indicators Report was released in 2020. This report contains data on housing, community and neighborhood access to opportunity, transportation, and access to education and economic opportunities, which collectively show ongoing disparities among demographic groups and areas of the city.

The Comprehensive Plan update process that led to the adoption of Seattle 2035 in 2015 and 2016 used a newly developed Displacement Risk Index map to inform growth strategy and anti-displacement policies. Alongside the Community Indicators Report, OPCD also produced a new data dashboard of Heightened Displacement Risk Indicators that complement the map. The One Seattle Plan update process built upon this prior work with an updated map (included in the Housing Appendix) and early work to update the dashboard and initiate a multi-departmental and data-informed effort to track and improve upon the City's existing anti-displacement toolbox.

The Plan update was informed by new and more complete documentation of a long history of racial discrimination in Seattle. The Housing Appendix includes a new section, Historical Context of Racist Housing and Land Use Practices, that details this history from initial colonization through highly discriminatory housing policies in the 20th century to conditions today that continue to result in racially disparate outcomes in housing and access to opportunity.

The Housing Appendix includes additional data and analysis explicitly directed at identifying racial disparities. Data on households shows ongoing differences across racial and cultural communities in income, homeownership, and housing cost burden. A Geographic Analysis of Racial and Social Equity in Housing explores patterns of segregation within the city and neighborhood disparities in housing affordability and access to opportunities that intersect with race.

Racial equity was also incorporated into environmental review for the One Seattle Plan. As part of the scoping process in Fall 2022, OPCD identified equity metrics that were to be addressed in the Environmental Impact Statement analysis. The One Seattle Comprehensive Plan EIS evaluated six growth strategy alternatives for potential impacts to the built and natural environment. Elements of the environment that were studied included earth and water quality, air quality/GHG, plants and animals, energy and natural resources, noise, land use patterns, historic resources, population, employment and housing, transportation, and public services and utilities. For each element historical inequities related to each topic area are documented. Where environmental impacts for

any of the alternatives are identified, consideration is given to whether there are racial disparities in how these impacts are experienced and mitigation measures are identified.

Goals and Policies in the One Seattle Plan

The RET process informed and shaped the final Mayor's Recommended One Seattle Plan, with goals, policies, and implementation approaches that are explicitly designed to promote equity and opportunity broadly and specifically address the impacts of historical racism and persistent racial disparities.

The Introduction to the Plan describes four "key moves" which include housing and affordability, equity and opportunity, community and neighborhoods, and climate and sustainability, all of which describe the broad objectives of the Plan to foster a more equitable city as we grow and invest in the future.

A centerpiece of the Plan is the newly revised growth strategy, which provides direction on the types and locations of development, particularly housing, to meet our needs for housing supply, diversity, and affordability over the next 20 years. The proposed growth strategy addresses the legacy of racially exclusive zoning through implementation of HB 1110 (the new state "middle housing" requirement) and with proposed locations for denser housing, including more affordable rental housing, in more places across the city, including new Neighborhood Centers and transit corridors located in areas with high access to opportunity and few housing options now. These changes were designed to reduce market pressures that are contributing to high housing costs and displacement of low income and communities of color and to promote opportunities and incentives for affordable housing development.

In addition to the Growth Strategy element, the proposed One Seattle Plan includes significant changes to 10 topical policy elements, changes that include adding and strengthening goals and policies that promote racial equity and anti-displacement strategies. Highlights include:

- In the Transportation element, a new Creating an Equitable Transportation System section with policies on transportation equity, including promotion of affordability, equitable access, and investments in underserved areas of the city.
- In the Housing element, a new Housing Security and Stable Communities section with expanded goals and policies on anti-displacement.
- In the Housing element, new and expanded policies underscoring the role of community ownership of land, proactive involvement of groups historically excluded from and burdened by housing policies, and support for lower- and moderate-income homeowners to achieve stability and wealth creation through development on their properties.
- In the Capital Facilities element, a new Equitable Capital Facilities and Service section
- In the Utilities element, expanded policies on equitable service provision to address all utilities as well as specific issues, such as affordability and community impacts.
- In the Economic Development element, policies promoting small business ownership, particularly among historically marginalized communities.
- In the Climate and Environment element, a Carbon Pollution Reduction subelement that emphasizes strategies consistent with a just transition away from fossil fuels.

- In the Climate and Environment element, a Healthy, Resilient Communities and Environment subelement that promotes strategies to achieve an equitable distribution of investments to mitigate climate impacts.
- In the Parks and Open Space element, new policies emphasizing equitable access and community partnerships, enhancing and indigenous culture and practice
- In the Arts and Culture element, new narrative and policies recognizing and promoting Indigenous arts and culture.
- In the Community Involvement element, a strong orientation around equitable engagement with goals and policies related to partnerships, community capacity building, and engagement with Indigenous communities.

SEATTLE CITY COUNCIL
CENTRAL STAFF

September 15, 2025

M E M O R A N D U M

To: Select Committee on the Comprehensive Plan
From: Council Central Staff
Subject: Process for Select Committee decision-making in the week of September 15

The Select Committee on the Comprehensive Plan is scheduled to meet to discuss and vote on the Comprehensive Plan and related legislation on September 17, 18 and 19.

The Committee will be considering three pieces of legislation:

1. Council Bill (CB) 120985, which adopts a new One Seattle Comprehensive Plan and amends the Seattle Municipal Code (SMC) to reflect changes to the Plan;
2. CB 120993, which amends the SMC to update zoning in Neighborhood Residential Areas and other land use regulations to implement the requirements of Washington State House Bill 1110 and other State-required regulatory changes; and
3. A Resolution (Draft Attached), to be introduced on September 16, which will adopt a docket of potential Comprehensive Plan amendments to be considered in 2026 and will request additional work by the Executive on issues that the Council has identified through its review of CBs 120985 and 120993.

This memorandum (1) supplements the Central Staff memo dated September 10, 2025, which describes the voting process for amendments; (2) lists, for each bill, those amendments for the consent agenda and those for individual votes; and (3) describes changes in a proposed substitute version to CB 120993.

CB 120985 – One Seattle Comprehensive Adoption and Associated Amendments to the SMC

The Chair proposes for a single vote, as a consent agenda, 28 amendments. Those amendments are listed below by primary sponsor and amendment title in Table 1. *Items removed from the consent agenda will be considered for individual votes.*

Table 1. CB 120985 Proposed Consent Agenda for a Single Vote

#	Sponsor	Amendment Title
1	Councilmember Rinck	Incorporate childcare into the Comprehensive Plan
2	Councilmember Rinck	Add a policy to the Comprehensive Plan to support anti-displacement and equitable development pilots
3	Chair Hollingsworth	Amend Comprehensive Plan discussion of industrial areas to highlight importance of maritime industrial employment lands
4	Councilmember Saka	Amend the Comprehensive Plan to limit housing in the Stadium District

Table 1. CB 120985 Proposed Consent Agenda for a Single Vote		
#	Sponsor	Amendment Title
5	Councilmember Strauss	Amend the Comprehensive Plan to support grocery stores in food deserts
6	Councilmember Strauss	Amend the Comprehensive Plan to support multigenerational housing
9	Chair Hollingsworth	Amend Comprehensive Plan policy related to priority for freight movement
10	Councilmember Saka	Amend the Comprehensive Plan to add a policy on transit security
11	Councilmember Saka	Amend the Comprehensive Plan to revise a policy on missing sidewalks
12	Councilmember Saka	Amend the Comprehensive Plan to add a policy on transportation infrastructure
13	Councilmember Saka	Amend the Comprehensive Plan to revise a policy on electric vehicle charging
14	Councilmember Saka	Amend the Comprehensive Plan to add policies on pavement and bridge condition
15	Councilmember Saka	Amend the Comprehensive Plan to add a pothole policy
16	Councilmember Saka	Amend the Comprehensive Plan to revise policy on low-carbon/low-pollution neighborhoods
17	Councilmember Rinck	Reference social housing in the Comprehensive Plan
18	Chair Hollingsworth	Amend the Comprehensive Plan to provide policy direction regarding housing and healthy environments
19	Chair Hollingsworth	Amend the Comprehensive Plan to add a goal for multi-bedroom units
20	Councilmember Strauss	Amend the Comprehensive Plan to support cultural housing for seniors
21	Councilmembers Saka and Solomon	Amend the Comprehensive Plan to discourage concentration of human service use
23	Councilmember Saka	Amend the Comprehensive Plan to expand policy on balancing utility infrastructure costs
25	Councilmember Strauss	Amend the Comprehensive Plan to voice support for the smallest locally-owned businesses
26	Chair Hollingsworth	Amend the Comprehensive Plan to provide policy direction for sustainable public and private open space, tree, and vegetation management

Table 1. CB 120985 Proposed Consent Agenda for a Single Vote		
#	Sponsor	Amendment Title
27	Chair Hollingsworth	Amend the Comprehensive Plan to provide policy direction regarding food access
28	Councilmember Strauss	Amend the Climate and Environment Element to highlight trees, bees, salmon, orca and herons
29	Councilmember Strauss	Amend the Comprehensive Plan to support the development of parks in regional urban centers
30	Councilmember Strauss	Amend the Comprehensive Plan to support the development of community centers in regional and urban centers
31	Councilmember Strauss	Amend the Comprehensive Plan to support the creation of cultural gathering places
32	Councilmember Kettle	Add a Public Safety Element to the Comprehensive Plan

There are 24 amendments that are not proposed for the consent agenda. Those amendments are listed below by primary sponsor and amendment title in Table 2.

Table 2. CB 120985 Amendments Proposed for Individual Votes		
#	Sponsor	Amendment Title
7	Councilmember Rinck	Amend Comprehensive Plan policies to remove parking requirements citywide
8	Councilmember Strauss	Amend the Comprehensive Plan to apply maximum parking limits in regional centers
24	Councilmember Saka	Amend Comprehensive Plan policies related to workforce development and economic self-sufficiency
33	Councilmember Strauss	Amend Comprehensive Plan policies to allow taller buildings in Neighborhood Centers
34	Councilmember Rinck	Add eight Neighborhood Centers
35	Councilmember Saka	Rename the Endolyne Neighborhood Center to Fauntleroy and amend the boundaries
36	Councilmember Saka	Amend the boundary of the High Point Neighborhood Center
37	Councilmember Saka	Amend the boundary of the Morgan Junction Urban Center
38	Chair Hollingsworth	Amend the boundary of the Madrona Neighborhood Center
39	Councilmember Rivera	Amend the boundary of the Bryant Neighborhood Center

Table 2. CB 120985 Amendments Proposed for Individual Votes		
#	**Sponsor**	**Amendment Title**
40	Councilmember Rivera	Amend the boundary of the Ravenna Neighborhood Center
41	Councilmember Rivera	Amend the boundary of the Wedgwood Neighborhood Center
42	Councilmember Strauss	Add an East Ballard Neighborhood Center
43	Councilmember Strauss	Establish the boundaries for a single new Magnolia Neighborhood Center
44	Councilmember Strauss	Amend the boundary of the Magnolia Village Neighborhood Center
45	Councilmember Strauss	Amend the boundary of the North Magnolia Neighborhood Center
46	Councilmember Strauss	Amend the boundary of the Phinney Ridge Neighborhood Center
47	Councilmember Strauss	Amend the boundary of the Tangletown Neighborhood Center
48	Councilmember Strauss	Amend the boundary of the Upper Fremont Neighborhood Center
49	Councilmember Strauss	Amend the boundary of the West Green Lake Neighborhood Center
50	Councilmember Kettle	Add a North Queen Anne/Nickerson Neighborhood Center
51	Councilmember Kettle	Remove areas north of Roy Street from the Uptown Regional Center and add them to the Upper Queen Anne Urban center
53	Councilmember Saka	Threshold for pedestrian improvements in centers
111	Chair Hollingsworth	Restore the boundaries of the First Hill/Capitol Hill Regional Center and Central District Urban Center and rename the Judkins Park Urban Center the South Central District Urban Center

CB 120993 – Implementation of House Bill 1110 and Other State-required Regulatory Changes

Substitute to CB 120993

Prior to a vote on items for a consent agenda or items for individual votes, the Committee must first consider a substitute to CB 120993. That substitute amends CB 120993, as introduced, as follows:

- To update changes to the SMC made through Ordinance 127228, which amended the process for review of light rail transit facilities as essential public facilities, and passed after introduction of CB 120993 (pages 280-286 of the proposed substitute); and
- Restores a bonus for development by religious organization in NR zones that was inadvertently omitted from CB 120993, but which is legally required by RCW 36.70A.545[1] (page 82 of the proposed substitute).

Consent Agenda

The Chair proposes for a single vote, as a consent item, 18 amendments. Those amendments are listed below by primary sponsor and amendment title in Table 1. *Items removed from the consent agenda will be considered for individual votes.*

Table 3. CB 120993 Proposed Consent Agenda for a Single Vote

#	Sponsor	Amendment Title
59	Councilmember Rinck	Exempt ADUs from Mandatory Housing Affordability
61	Councilmember Kettle	Expanding affordable housing bonus and extending bonus to social housing
63	Council President Nelson	Expand affordable housing bonus FAR in LR zones
65	Council President Nelson	Allowing stores to be located anywhere in neighborhood residential
68	Chair Hollingsworth	Waiving development standards for internal conversions
69	Councilmember Rinck	Minimum floor area for development on small lots
71	Councilmember Rinck	Clarifying density allowances
73	Councilmember Strauss	Parcel Rounding
74	Council President Nelson	Increase Neighborhood Residential and Lowrise 1 Height Limits
75	Chair Hollingsworth	Require indoor air quality and noise improvements for development near interstates, highways, major truck streets, or railroad rights-of-way

[1] Among other things, RCW 36.70A.545(1) requires that local jurisdictions, "must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on property owned or controlled by a religious organization…"

Table 3. CB 120993 Proposed Consent Agenda for a Single Vote		
#	Sponsor	Amendment Title
77	Councilmember Saka	Cottage housing incentive
78	Chair Hollingsworth	Family Housing Bonus Near Schools
79	Chair Hollingsworth	Bonus for Accessible Units
80	Chair Hollingsworth	Incentivizing balconies on apartment buildings
83	Councilmember Solomon	Rezone a block in Columbia City to Lowrise 2, rather than Lowrise 1
87	Councilmember Rinck	Tree Protection Parking Waiver
90	Councilmember Kettle	Expanding Stacked Flat Bonus
95	Councilmember Rinck	Reduce setbacks on small lots near transit

There are 21 amendments that are not proposed for the consent agenda. Those amendments are listed below by primary sponsor and amendment title in Table 4.

Table 4. CB 120993 Amendments Proposed for Individual Votes		
#	Sponsor	Amendment Title
55	Councilmember Rinck	Increase ADU size for legacy homeowners in certain zones
66	Councilmember Rinck	Allowing more commercial uses in more locations in neighborhoods
70	Councilmember Kettle	Increasing FAR for densest development and stacked flats
77	Councilmember Saka	Cottage housing incentive
81	Councilmember Rivera	Design standards for historic districts
84	Councilmember Rinck	Remove off-street parking requirements citywide
85	Councilmember Rinck	Amend parking requirements to implement State law
91	Council President Nelson	Expanding Stacked Flat Bonus for Trees or Green Factor

Table 4. CB 120993 Amendments Proposed for Individual Votes		
#	Sponsor	Amendment Title
92	Councilmember Strauss	Expanding Stacked Flat Bonus for Trees
93	Councilmember Rivera	NR tree canopy requirements
94	Councilmember Kettle	Tree Retention Bonus
95	Councilmember Rinck	Reduce setbacks on small lots near transit
97	Councilmember Kettle	Require larger setbacks on Queen Anne Blvd
98	Councilmember Rinck	Reduce required building separations
99	Councilmember Kettle	Eliminate NR amenity areas
100	Councilmember Strauss	Provide at least one tree per 2,500 square feet of lot area
102	Councilmember Rivera	Tree Protections: Alternative Site Plan Authority and SDCI procedural discretion for development that encroaches on tree protection areas
103	Councilmember Strauss	Do not allow the removal of Tier 1 and Tier 2 trees near corners of lots
104	Councilmember Strauss	Provide greater flexibility when trees are protected
106	Councilmember Strauss	Define tree protection areas as the drip line of the tree
110	Councilmember Saka	Require mailed notice of area-wide rezones

Next Steps

Additional environmental review may be required for amendments to CB 120985 and CB 120993. Council action on either or both bills may be deferred while that environmental review is ongoing.

Some Comprehensive Plan amendments that are offered, but do not pass, may be docketed for future consideration by the Council through inclusion in the docket-setting resolution.

Attachment: Draft Docket-setting Resolution
cc: Ben Noble, Director

Jasmine Marwaha
LEG One Seattle Plan Comprehensive Plan Update RES
D1h

CITY OF SEATTLE

RESOLUTION _____

..title
A RESOLUTION relating to the One Seattle Plan Comprehensive Plan update; calling for additional measures by City departments to further advance the goals of the One Seattle Plan; and requesting that the Office of Planning and Community Development and other City departments develop additional amendments to the Comprehensive Plan in 2026.
..body
WHEREAS, The City of Seattle adopted its Comprehensive Plan with Ordinance 117221 in 1994, pursuant to the provisions of the Growth Management Act, chapter 36.70A RCW; and

WHEREAS, the City has made amendments to its Comprehensive Plan most years through its annual update or major update process, as authorized by the Growth Management Act; and

WHEREAS, in April 2021 the Office of Planning and Community Development published a Market Rate Housing Needs and Supply Analysis that found that housing supply was not keeping pace with demand, housing costs were increasing faster than incomes, market development was producing few new homeownership units, the City lacked sufficient development capacity for middle housing, the supply of affordable rental units did not meet the needs of lower income households, and many lower income households commuted long distances from communities outside the City to reach their jobs; and

WHEREAS, in July 2021 the Office of Planning and Community Development published a Racial Equity Analysis of Seattle 2035 and Urban Village Strategy that identified ongoing racial disparities in housing and access to opportunity and made recommendations to advance racial equity in the next update of the Comprehensive Plan; and

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WHEREAS, the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2022 a series of programs and events, under the title One Seattle Plan, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the One Seattle Plan Public Participation Program and documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in July 2022 the Seattle City Council adopted Resolution 32059 confirming the City's intent to address climate change and improve resiliency as part of the One Seattle update to the Comprehensive Plan; and

WHEREAS, in March 2024 the Office of Planning and Community Development published a Draft Environmental Impact Statement analyzing the potential effects of five different growth alternatives in the City through 2044, conducted two public hearings on April 17, 2024 and April 22, 2024, and received comments from the public on this document; and

WHEREAS, in March 2024 the Office of Planning and Community Development published a Draft Comprehensive Plan Update rooted in a deliberate approach to creating more housing, encouraging density near amenities and frequent transit, and mitigating displacement; and

WHEREAS, in January 2025 the Office of Planning and Community Development published a Final Environmental Impact Statement that included analysis of a preferred growth strategy alternative, with the same growth and employment numbers as alternative five in the Draft Environmental Impact Statement; and

WHEREAS, the City reviewed applicable adopted statutes for cities planning under the Growth Management Act passed subsequent to the City's last major update of the Comprehensive

Plan in 2016 and incorporated or addressed all relevant provisions into the One Seattle Comprehensive Plan; and

WHEREAS, the City Council has considered public testimony made at public hearings and other pertinent materials regarding the proposed One Seattle Comprehensive Plan; and

WHEREAS, various City Councilmembers have proposed a range of amendments to the Proposed One Seattle Plan that may require additional environmental review and staff recommendations on such amendments; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The City Council (Council) recognizes the significance of the Comprehensive Plan as the roadmap for where and how the City will grow and invest in our communities over the next 20 years. The Council intends for the One Seattle Comprehensive Plan and its related work to advance the following goals and outcomes:

A. Welcoming and Inclusive. New growth should welcome newcomers while preventing the displacement of Black, Indigenous, and people of color communities, members of the LGBTQIA+ community, and under-resourced households. The Plan is intended to help communities thrive in place and provide opportunities for former residents who have been displaced to return.

B. Affordable. The City's growth strategy supports housing options that work for all families and increase housing supply, including but not limited to the development of duplexes, triplexes, stacked flats, Accessory Dwelling Units (ADUs) and unit conversions. The Plan should make it easier for multigenerational households to live together and stay rooted in their communities. Furthermore, the Council encourages additional housing supply in areas of the city that have historically been exclusionary in their zoning, to reduce market pressure resulting in

displacement of Black, Indigenous, and people of color communities, members of the LGBTQIA+ community, and under-resourced households.

C. Accessible. Council encourages the design of homes and public spaces that meet ADA standards, support aging in place, and create child-friendly environments. New growth should build with mobility and independence in mind, so everyone, regardless of ability or age, can navigate their neighborhood and live comfortably.

D. Livable. The Plan advances our climate goals, reducing dependence on cars and fostering vibrant communities where walking is easy, enjoyable, and part of daily life with access to restaurants, grocery stores, transit, and everyday essentials. Council intends to continue to invest in outdoor spaces, parks, and shared areas that bring people together and make neighborhoods feel welcoming, connected, and resilient.

E. Safe. The Plan prioritizes safety through a new Public Safety Element and supports well-lit streets, safe sidewalks, active public spaces, and community-driven planning.

Section 2. Departmental Work Program for 2026 and associated environmental review. The Council requests that the Office of Planning and Community Development (OPCD), the Seattle Department of Construction and Inspections (SDCI), and any other relevant departments add the following items to their 2026 Work Program:

A. Accessory Dwelling Units (ADUs). Conduct SEPA analysis and make recommendations to the Council on amendments to regulations for Accessory Dwelling Units (ADUs), including:

1. Allowing ADUs that share a common wall with the principal unit to be subdivided onto a separate unit lot from the principal unit they are accessory to.

2. Removing ADUs from calculations of floor area ratio.

3. Increasing the maximum size of ADUs with three or more bedrooms to 1,200 square feet.

4. Excluding ADUs from being counted toward maximum density regulations.

B. Environmentally Critical Areas. Conduct SEPA analysis and make recommendations to the Council on legislation to allow areas of a lot located in specified environmentally critical areas to count in density calculations.

C. Frequent Transit Service. Conduct SEPA analysis and make recommendations to Council on legislation to amend the definition of major transit service to include frequent transit service.

D. Parking Requirements. Conduct SEPA analysis and make recommendations to Council on legislation to remove parking requirements citywide for all land uses in all zones.

E. Tree protection.

1. Conduct SEPA analysis and make recommendations to Council on updates to the City's tree regulations, particularly focused on improving regulations regarding tree protection areas.

2. Continue to protect Tier 1 trees as well as development sites, such as the Sequoia House in West Seattle, from development that is harmful to Seattle's heritage trees.

F. Incentives. As part of the City's planned review of the Mandatory Housing Affordability program, consider incentives for the provision of required inclusionary housing on-site through modifications to program requirements, such as home-ownership affordability levels, term of affordability limitations, and other incentives.

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G. Vacant Sites Downtown. Undertake efforts to spur development of vacant sites in Downtown Seattle, in particular the block bounded by James Street, 3rd Avenue, Cherry Street and 4th Avenue, and consider appropriate penalties for leaving property vacant.

H. Anti-Displacement Strategies. Develop proposals for new zoning in regional centers, urban centers, and neighborhood centers in areas that were historically redlined or have experienced significant displacement, and report to Council on the potential displacement impacts of any proposed zoning changes. Include strategies in these proposals to reduce displacement pressure on existing homeowners in these areas, and to incorporate strategies that provide opportunities for displaced families to return to areas that have seen significant displacement.

Section 3. Comprehensive Plan annual amendments to be considered in 2026. The Council requests that OPCD and other relevant departments develop the following proposed amendments to the One Seattle Comprehensive Plan, including conducting public engagement and new or additional environmental reviews. The Council also requests that OPCD present its analyses and the Mayor's recommendations to the Seattle Planning Commission and to the Council as part of that planning effort.

A. Building Heights in Neighborhood Centers. Analyze and make recommendations for changes to the Comprehensive Plan to allow building heights greater than six stories in Neighborhood Centers near major transit stations, especially light rail stations, or near existing concentrations of amenities and services.

B. Additional Neighborhood Centers. Analyze and make recommendations for changes to the Comprehensive Plan and the Official Land Use Map to add nine additional neighborhood centers, described below and included in maps attached to this resolution:

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1. Alki: generally located west of 59th Avenue S, north of SW Hinds Street and south and east of Alki Avenue SW (Council District 1).

2. Broadview: generally located between N 130th Street on the north, Linden Avenue N/Interurban Trail on the west, N 122nd Street and N 125th Street on the south, and Palatine Ave N and 1st Ave NW on the west (Council District 5).

3. Dawson: generally located around the intersection of S Dawson Street and Wilson Avenue S in the Seward Park neighborhood (Council District 2).

4. Gasworks: generally located between N 38th Street, N Northlake Way and Ashworth Avenue N and north of Gas Works Park touching the Fremont Urban Center on its west end between N 35th Street and N 36th Street (Council District 4).

5. Loyal Heights: generally located between NW 85th Street and NW 75th Street on the north and south. The boundary on the west side of the village would run along 28th Avenue NW between NW 85th Street and NW 83rd Street, and 27th Avenue NW south of NW 83rd Street. The boundary on the east would abut the Crown Hill Urban Center for one block along 21st Avenue NW between N 85th Street and NW 83rd Street and then run along 22nd Avenue NW south of NW 83rd Street (Council District 6).

6. Roanoke: generally located between Interstate 90 and E Howe Street, Harvard Avenue E, and 12th Avenue E in the North Capitol Hill neighborhood. It would be located across Interstate 5 from the Eastlake Urban Center (Council District 3).

7. South Wedgwood: generally located between NE 70th Street and NE 60th Street, west of 37th Avenue NE and east of 30th Avenue NE located adjacent to the proposed Wedgwood Neighborhood Center, which is located north of NE 70th Street (Council District 4).

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8. North Queen Anne/Nickerson: generally located between 3rd Avenue N and 4th Avenue NE, south of the ship canal, with an irregular southern border running along W Dravus Street, Etruria Street, Florentia Street and Fulton Street. The proposed Center would include the eastern edge of the Seattle Pacific University campus (Council District 7).

9. East Ballard: generally located between NW 70th Street and NW 63rd Street on the north and south, and between 6th Avenue NW and 9th Avenue NW on the east and west. (Council District 6).

C. Analyze and make recommendations for changes to the Comprehensive Plan and the Official Land Use Map to modify the following neighborhood centers, as shown in Attachment 2 to this resolution: Tangletown, Upper Fremont, Magnolia Village, North Magnolia, and West Green Lake.

D. Additional Amendments. Analyze and make recommendations for changes to the Comprehensive Plan that may be initiated by the Executive, including potential amendments to the plan and appendices that may be necessary to comply with new state requirements that have future deadlines for full compliance, and including subarea plans for regionally designated centers and/or high-capacity transit station areas.

DRAFT

Adopted by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its adoption this _____ day of _____, 2025.

_____

President _____ of the City Council

Filed by me this _____ day of _____, 2025.

_____

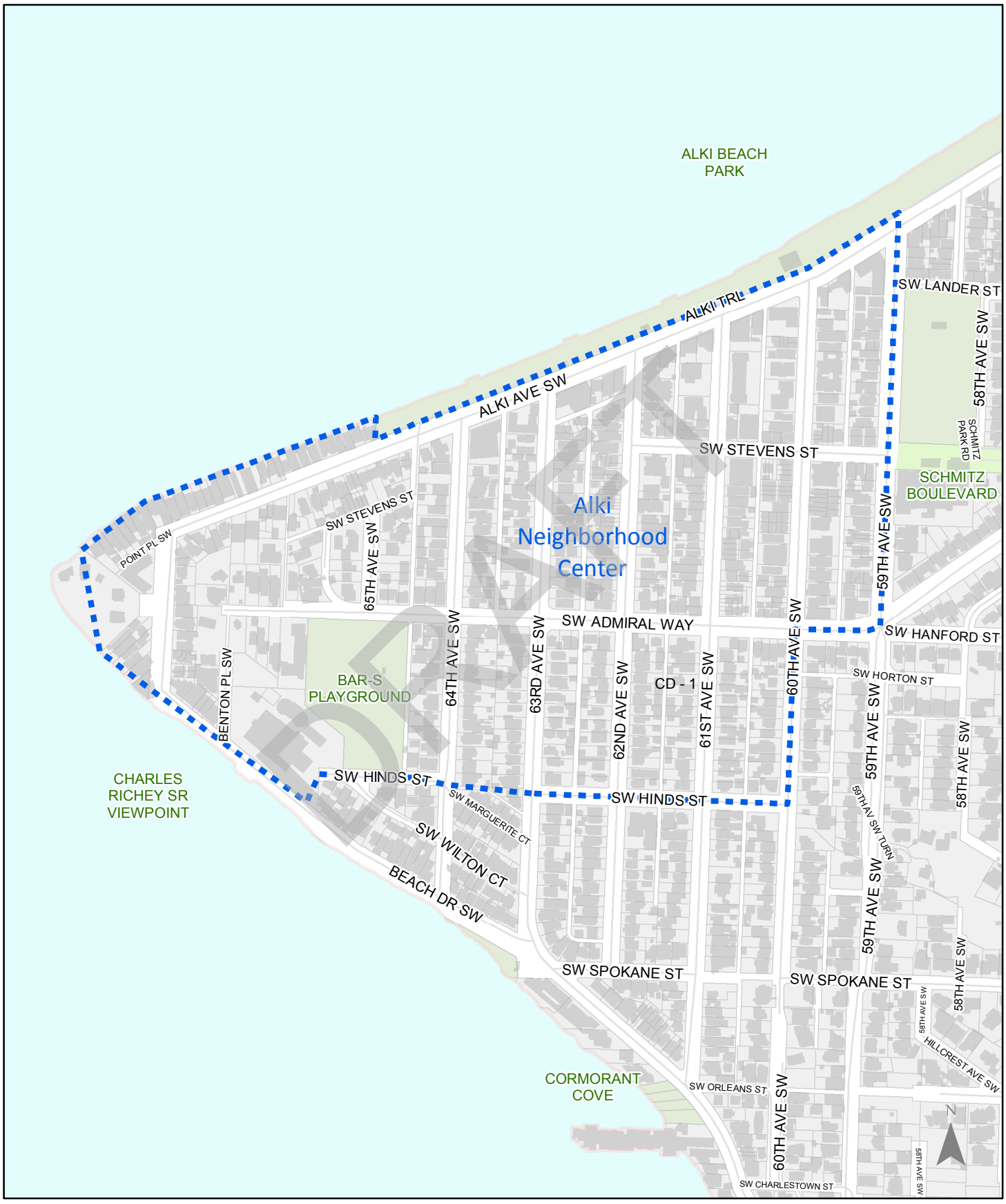
Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment 1 – Potential Neighborhood Center Boundary Maps
Attachment 2 – Proposed Neighborhood Center Boundary Map Modifications

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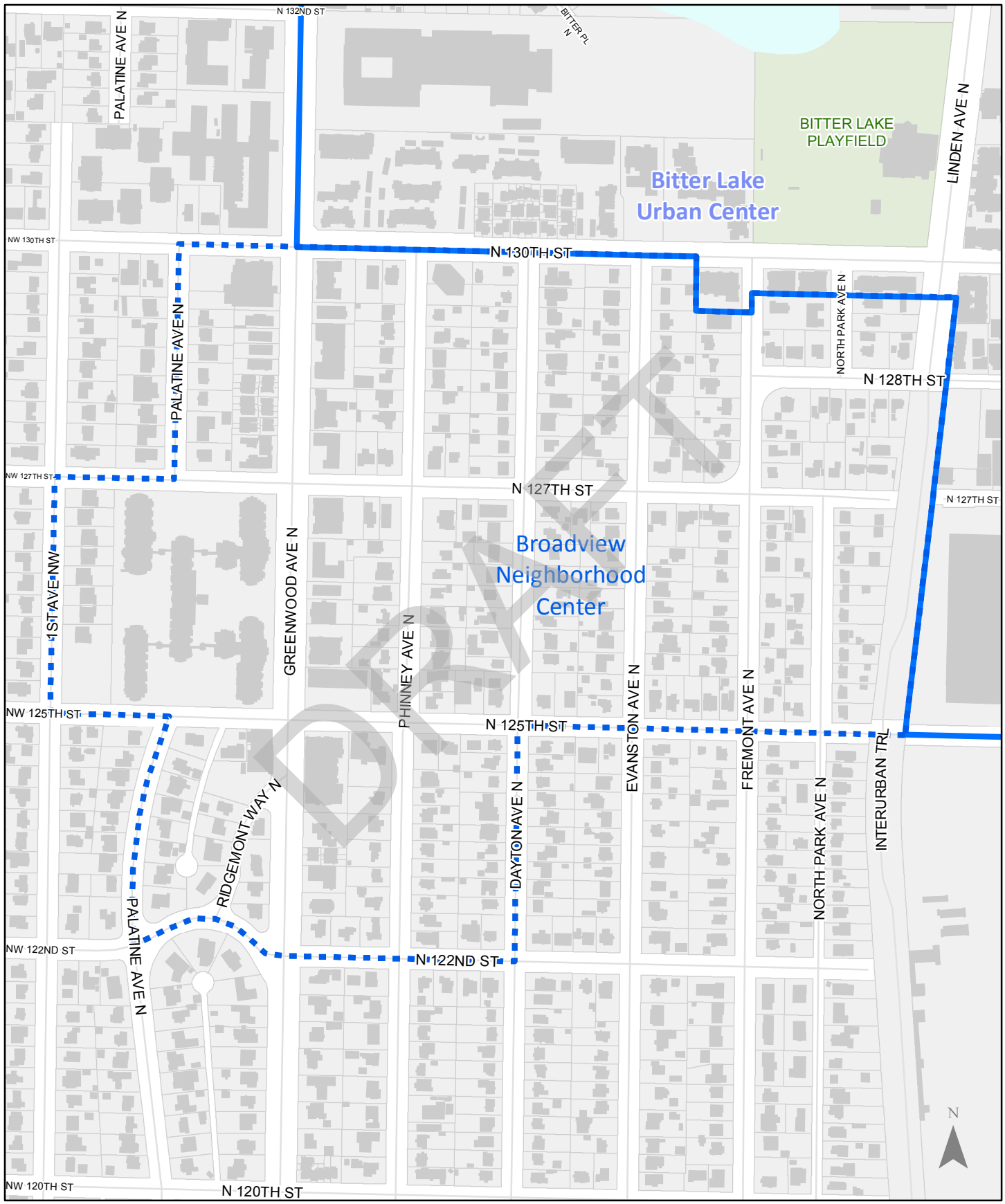
Alki Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

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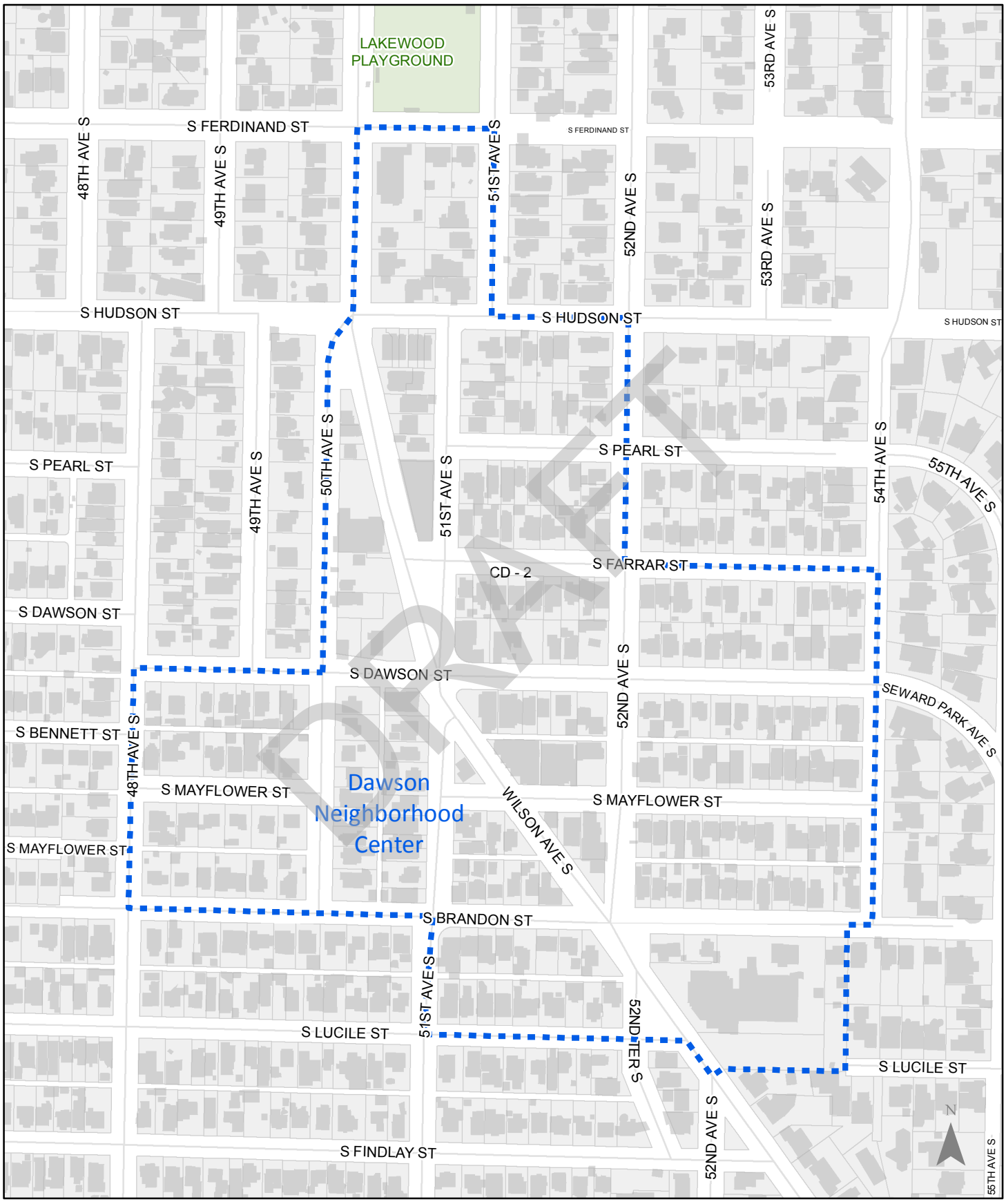
Broadview Neighborhood Center
V2



New Center Boundary Urban Center

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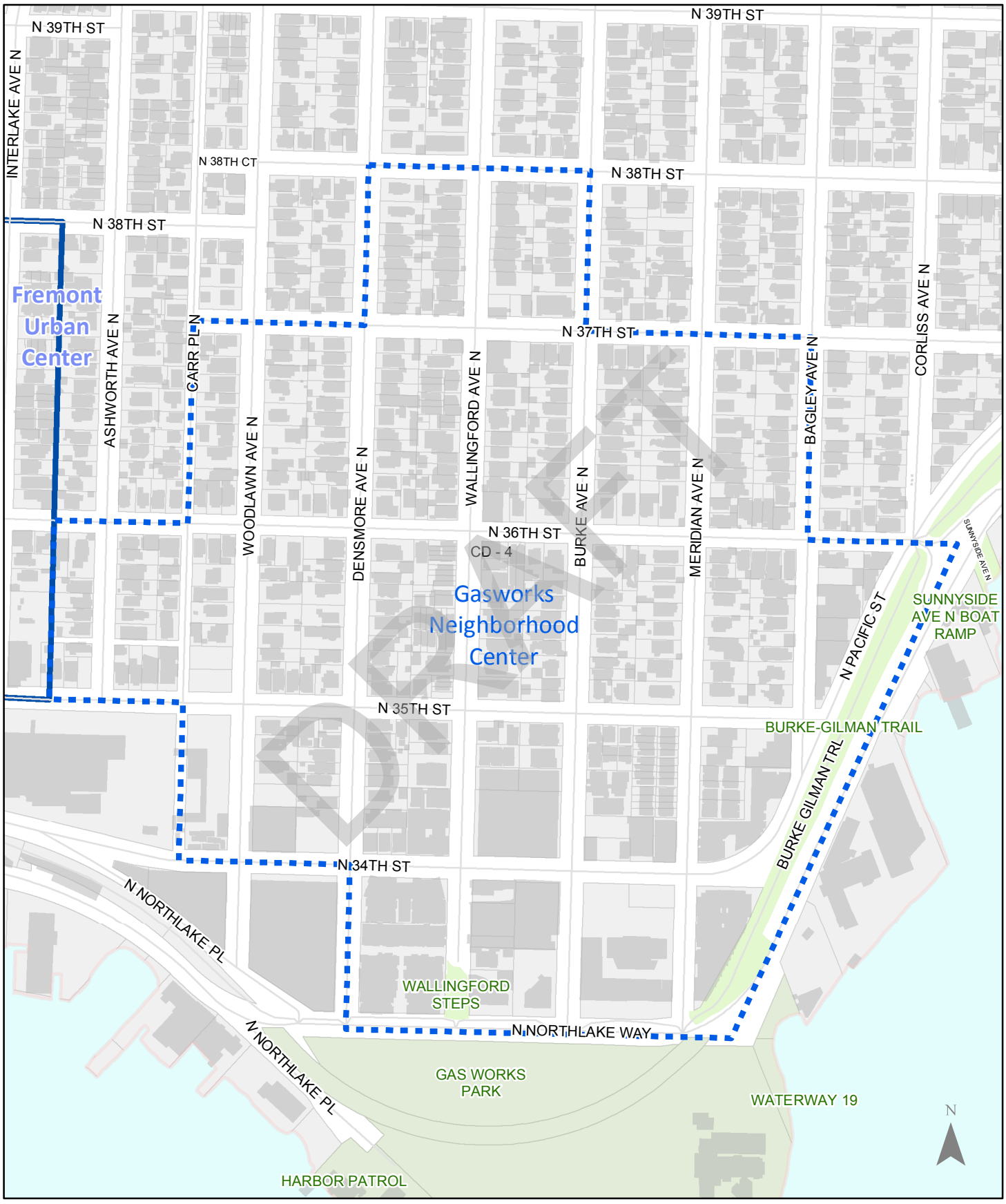
Dawson Neighborhood Center
V1



New Neighborhood Center Boundary

0 100 200 400 Feet

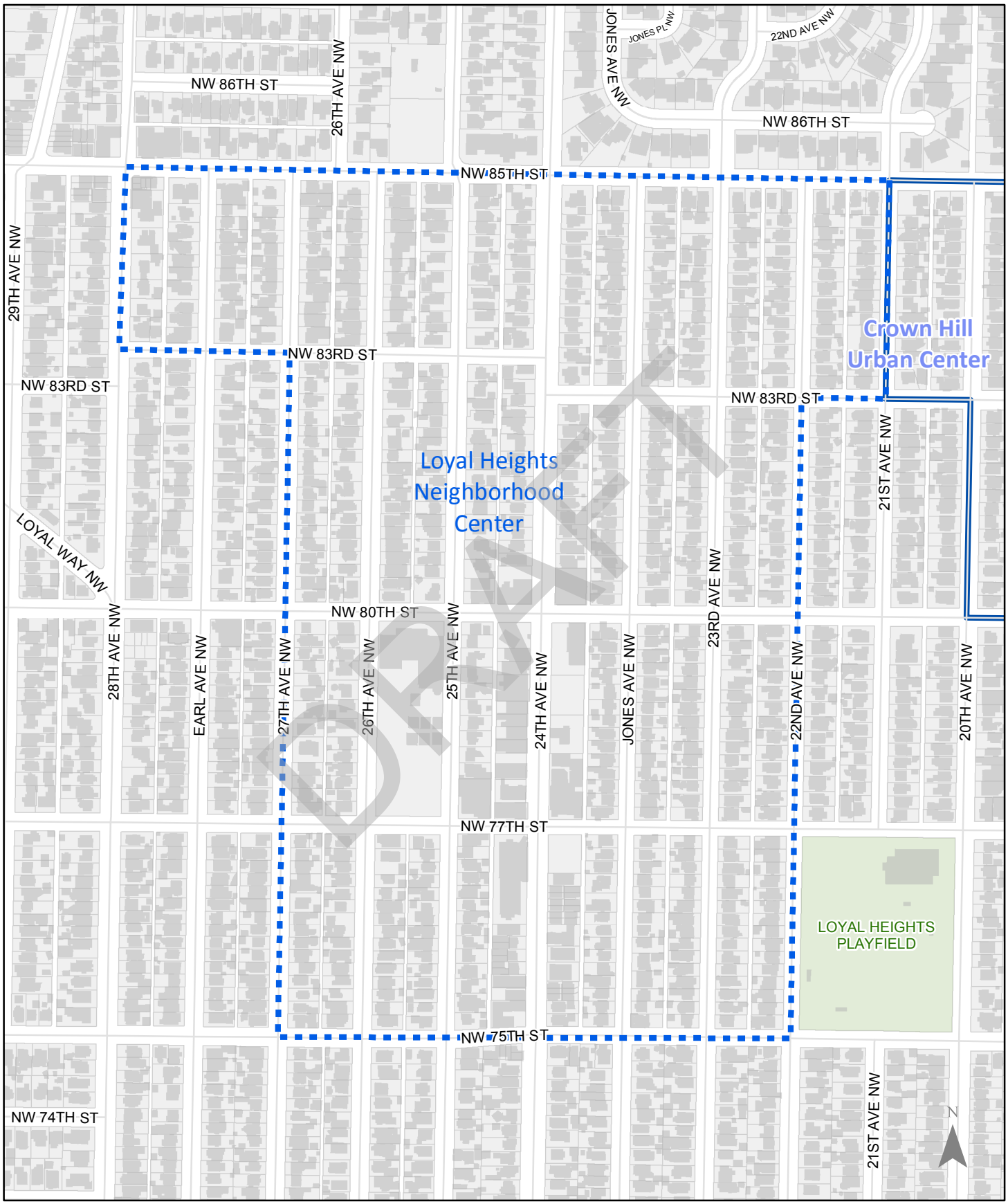
Gasworks Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 100 200 400 Feet

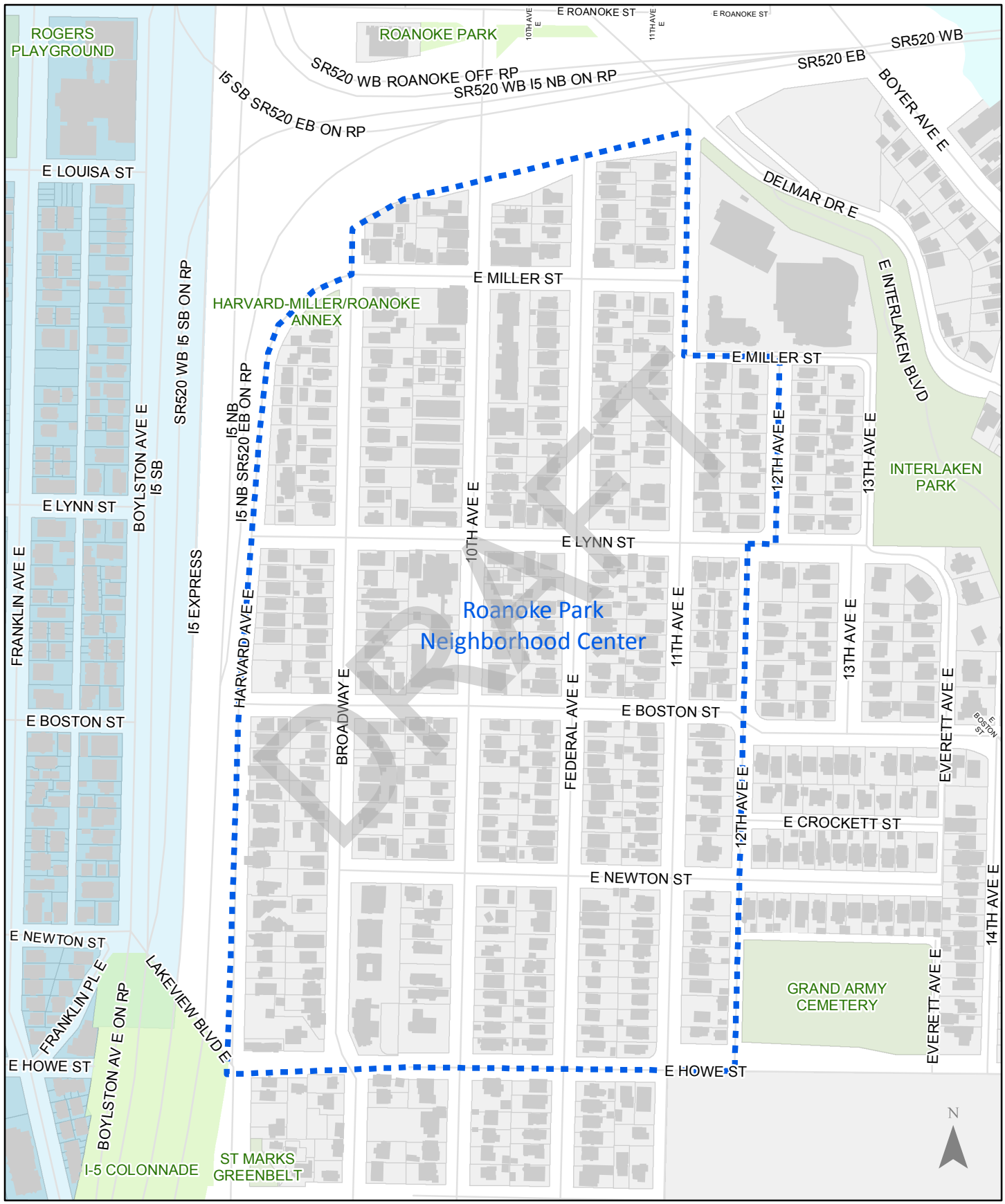
Loyal Heights Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 100 200 400 Feet

Roanoke Park Neighborhood Center
V1

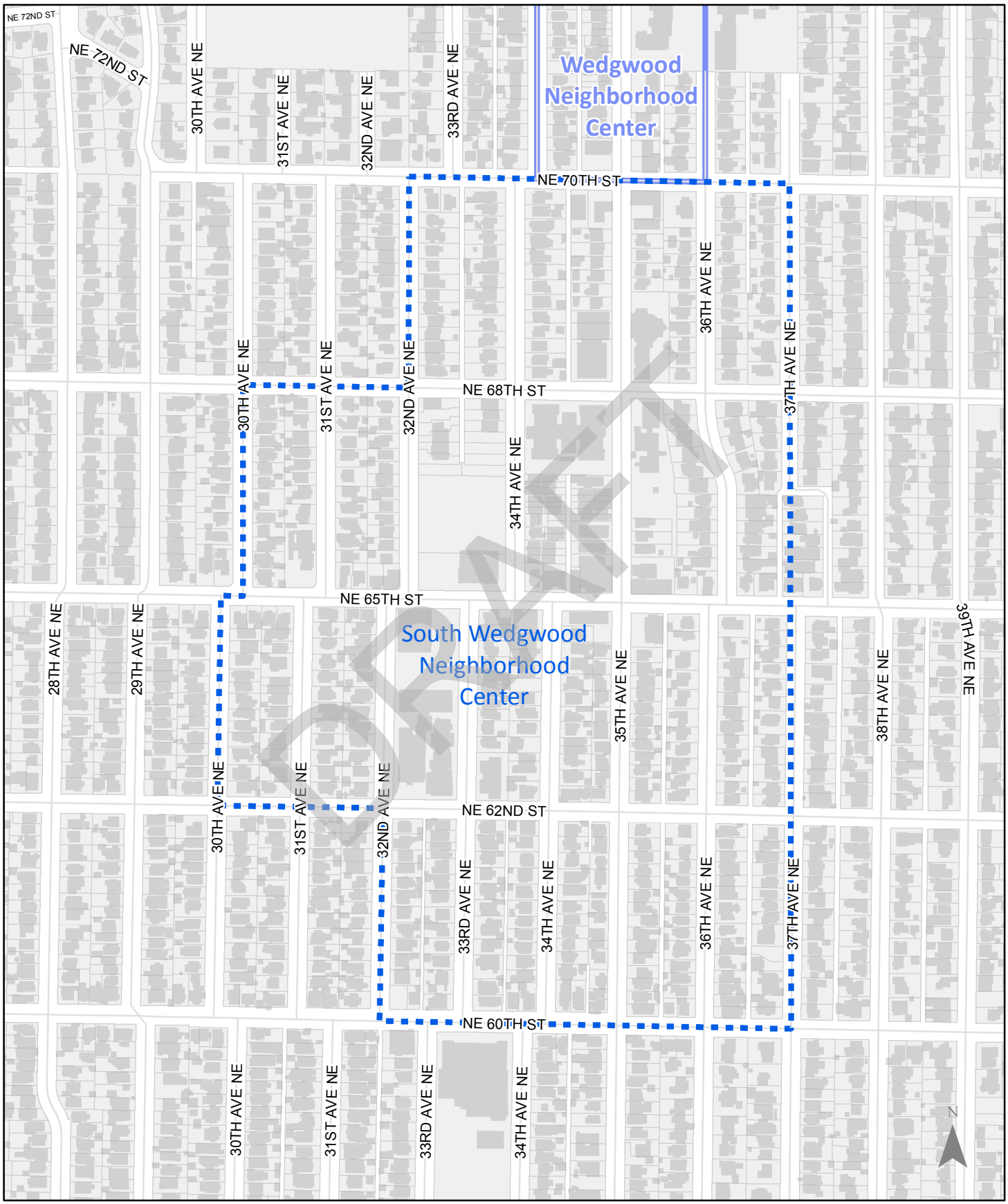


DRAFT

New Neighborhood Center Boundary Urban Center

0 125 250 500 Feet

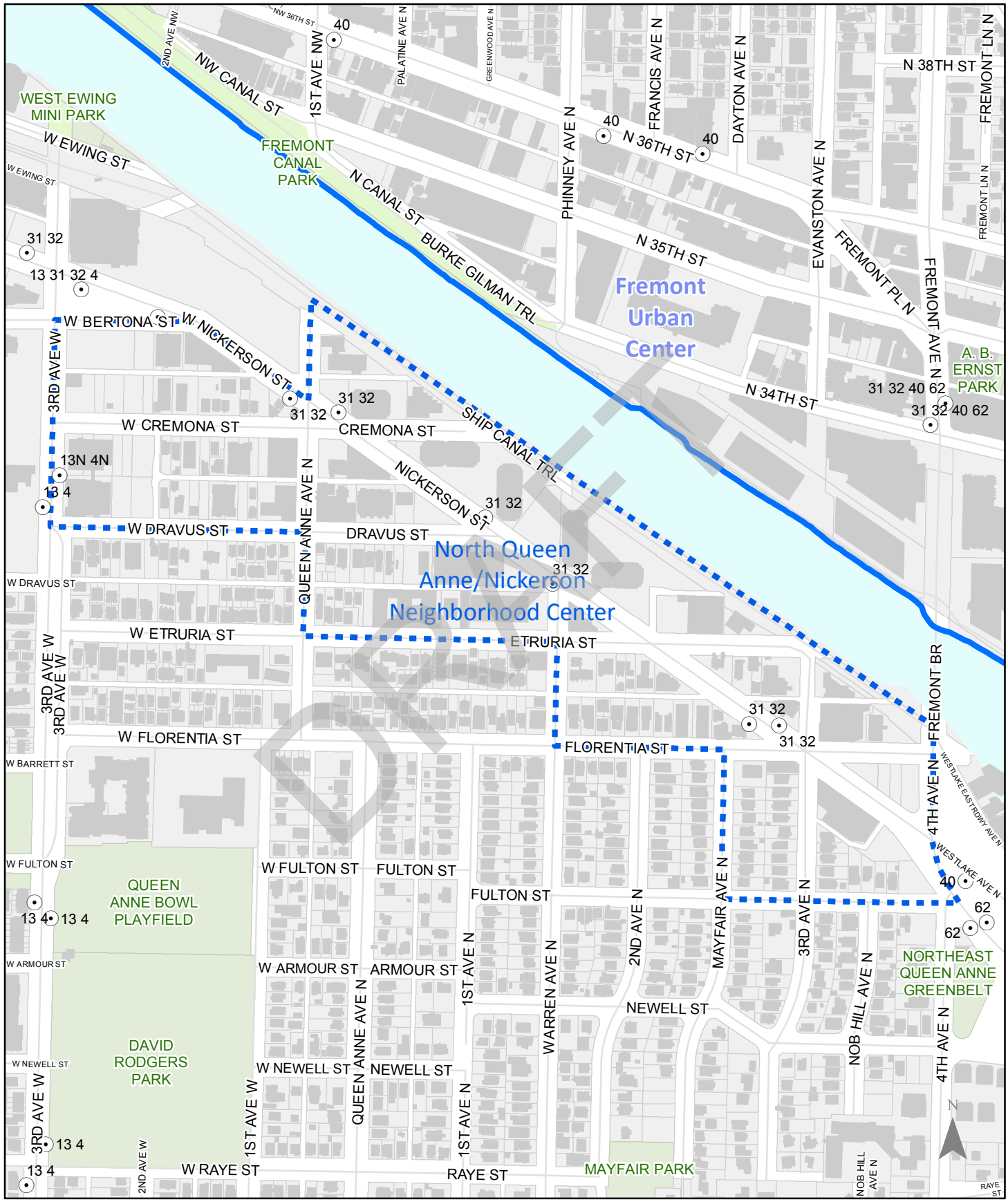
South Wedgwood Neighborhood Center
V1



New Neighborhood Center Boundary Neighborhood Center in Plan

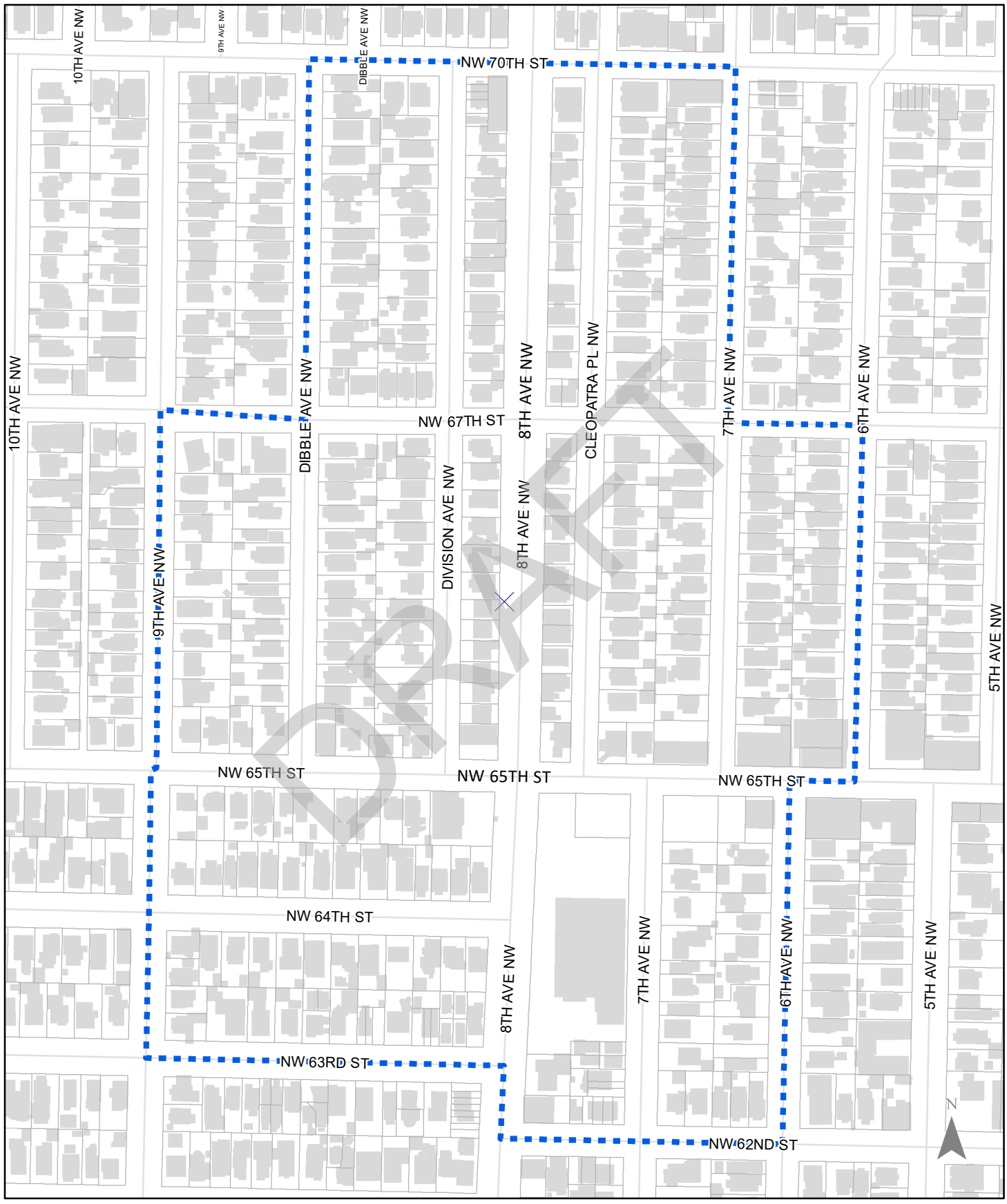
0 100 200 400 Feet

New North Queen Anne/ Nickerson Street Neighborhood Center
V1



New Neighborhood Center Boundary | Urban Centers | Neighborhood Centers

East Ballard Neighborhood Center
V1



New Neighborhood Center Boundary

0 100 200 400 Feet

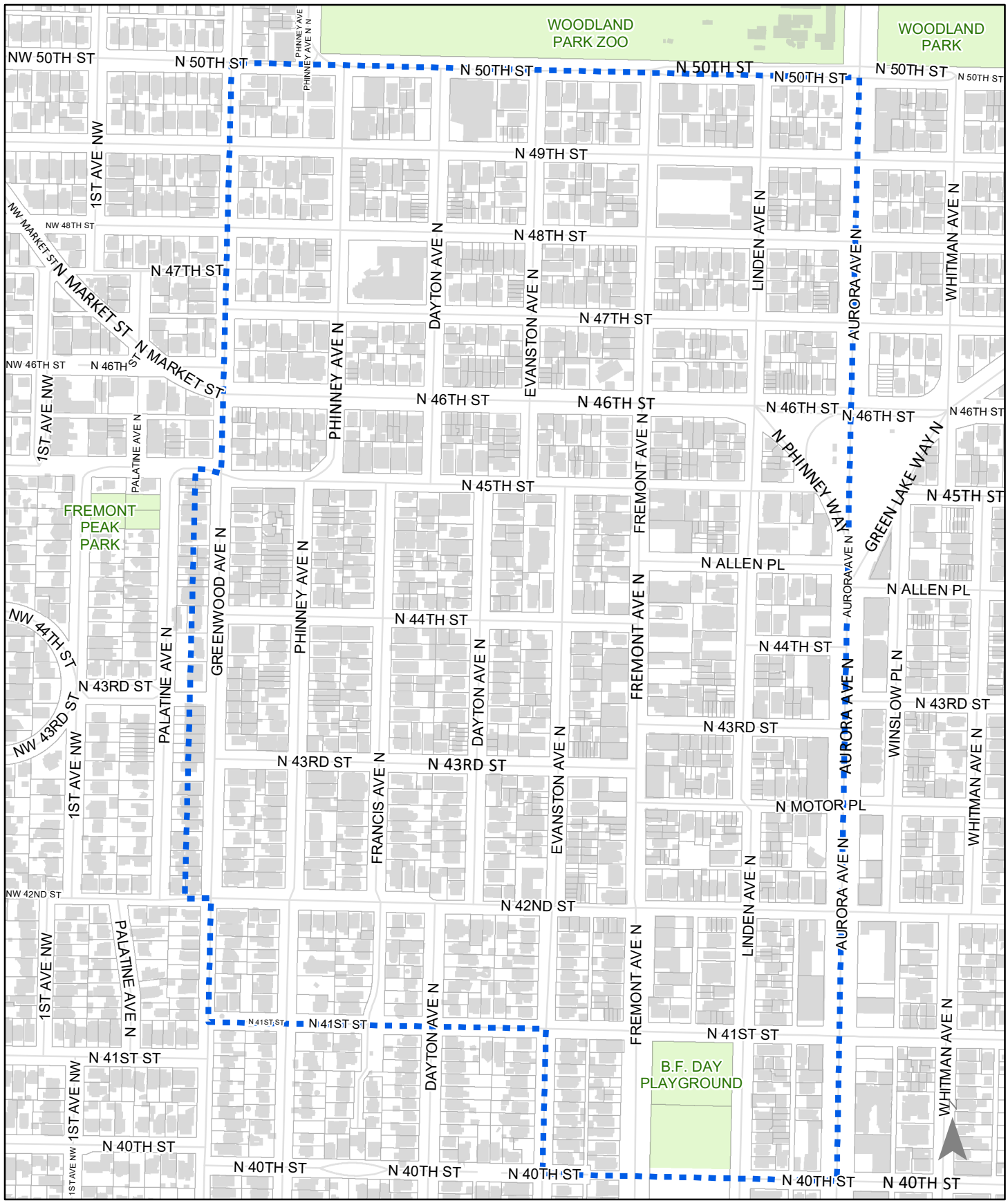
Tangletown Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

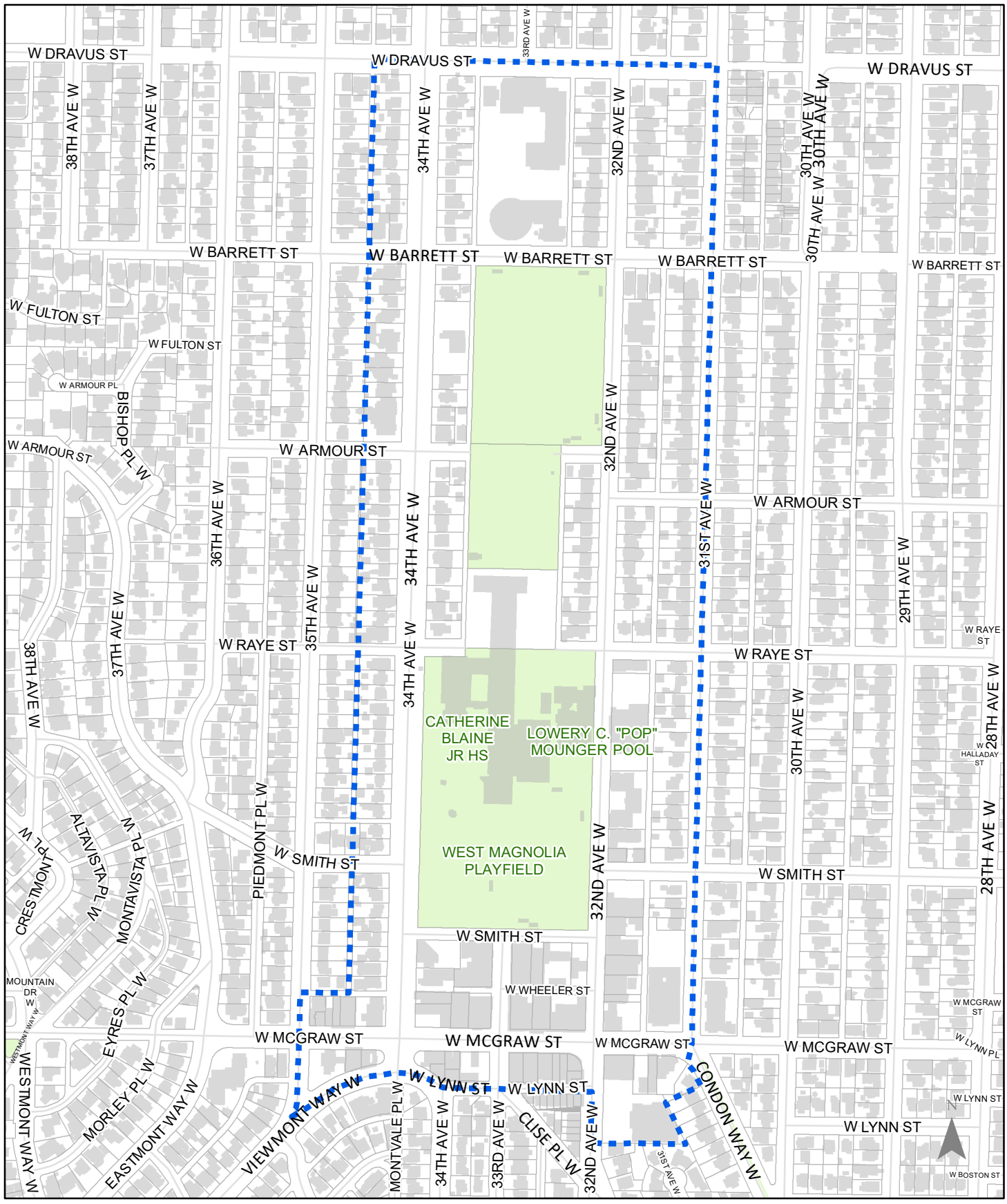
Upper Fremont Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

Magnolia Village Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

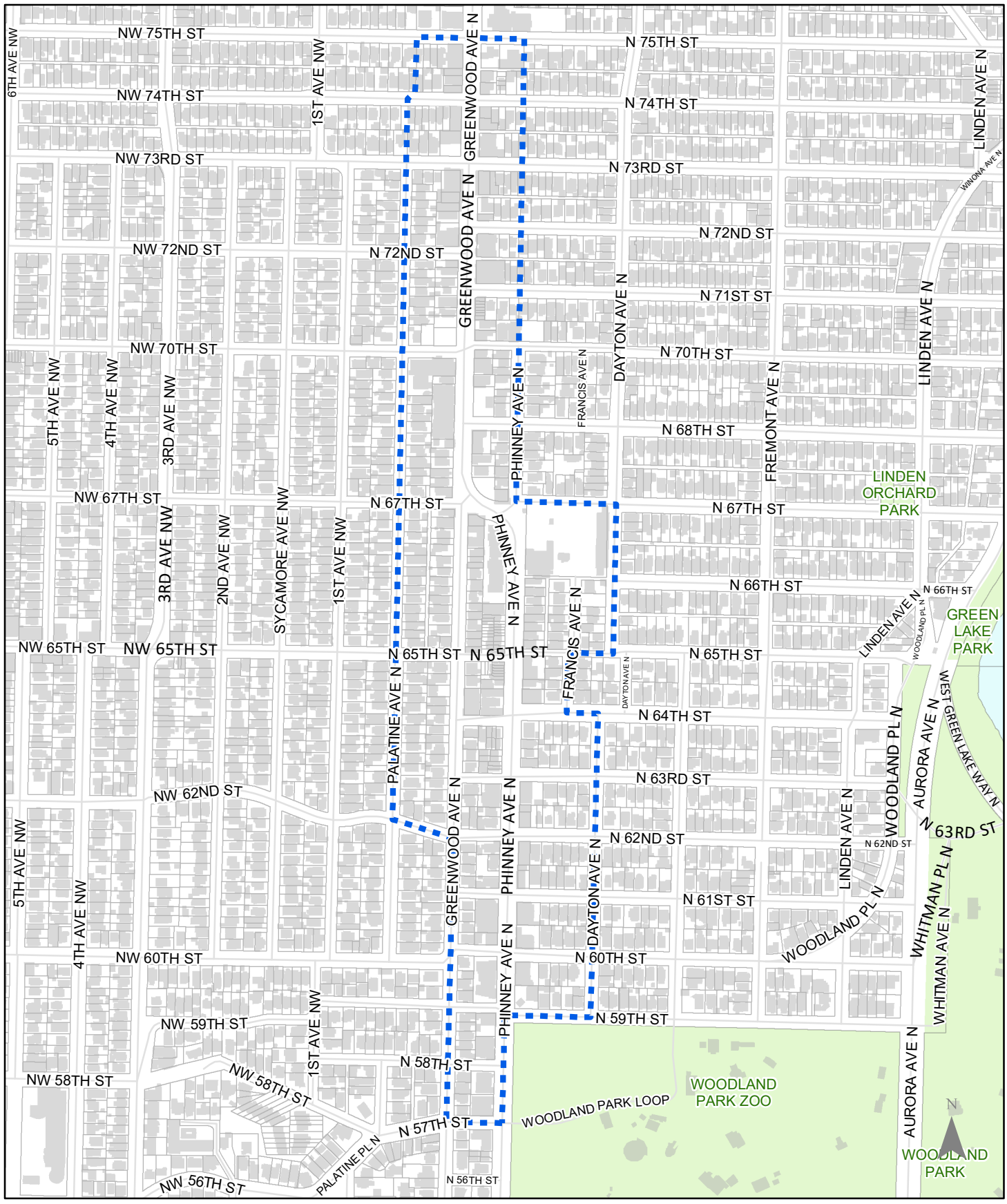
North Magnolia Village Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100200 400 Feet

Phinney Ridge Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100200 4

West Green Lake Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; implementing a major update of Neighborhood Residential zones and modifying development standards in other zones to comply with various state laws; amending Chapter 23.32 of the Seattle Municipal Code at pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map; amending Chapters 6.600, 14.08, 14.09, 15.32, 21.49, 22.214, 22.801, 22.907, 23.22, 23.24, 23.28, 23.30, 23.34, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.50, 23.51A, 23.51B, 23.53, 23.54, 23.58C, 23.60A, 23.66, 23.72, 23.75, 23.76, 23.80, 23.84A, 23.86, 23.90, 23.91, 25.09, and 25.11 of the Seattle Municipal Code; renumbering existing subsection 23.54.015.K of the Seattle Municipal Code as Section 23.54.037 and further amending the section; renumbering existing subsections 23.54.030.F, 23.54.030.G, 23.54.030.K, and 23.54.030.L as Sections 23.54.031, 23.54.032, 23.54.033, and 23.54.034 and further amending the sections; repealing Chapter 23.44 and Sections 23.34.010, 23.34.012, 23.34.013, 23.34.072, 23.42.130, 23.45.512, 23.45.531, 23.86.010, and 25.09.260 of the Seattle Municipal Code; adding a new Chapter 23.44 and new Sections 23.42.024, 23.42.132, 23.45.519, 23.80.~~006~~010, 23.80.~~008~~012, 23.80.~~010~~014, 25.09.055, and 25.11.025 to the Seattle Municipal Code; and repealing Ordinance 127219.

..body

WHEREAS, the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2022 a series of programs and events, under the title One Seattle Plan, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the One Seattle Plan Public Participation Plan and documented in the One Seattle Plan Public Engagement Report; and

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WHEREAS, in April 2021, the Washington State Legislature passed Chapter 300, Laws of 2021 (also known as House Bill 1287), which directed the Building Code Council to adopt rules for electric vehicle infrastructure requirements; and

WHEREAS, the Office of Planning and Community Development held a scoping period for the Environmental Impact Statement from June 23 to August 22, 2022; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 322, Laws of 2023 (also known as House Bill 1110), which amended the Growth Management Act to require certain cities, including Seattle, to allow the development of "middle housing" in all residential areas, including at least four units on each lot and at least six units per lot near transit or when at least two units are affordable; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 333, Laws of 2023 (also known as House Bill 1293), which imposes limits on design review and requires that design standards be clear and objective; and

WHEREAS, in April 2023, the Washington State Legislature passed Chapter 334, Laws of 2023 (also known as House Bill 1337), which requires cities to remove regulatory barriers to accessory dwelling units; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 152, Laws of 2024 (also known as House Bill 2321), which clarified standards implemented through House Bill 1110; and

WHEREAS, in March 2024, the Washington State Legislature passed Chapter 274, Laws of 2024 (also known as Senate Bill 6015), which imposes restrictions on parking requirements; and

Substitute CB 120093

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Environmental Impact Statement analyzing the potential effects of five different growth alternatives in the city through 2044 and a "no action" alternative, conducted two public hearings, and received comments from the public on this document; and

WHEREAS, in March 2024, the Office of Planning and Community Development published a Draft Comprehensive Plan rooted in a deliberate approach to creating more housing, encouraging density near amenities and frequent transit, and preventing displacement; and

WHEREAS, in Spring 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community groups over a two-month public comment period on the draft plan and an initial proposal for updating Neighborhood Residential zones as documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in Fall 2024, the Office of Planning and Community Development held open houses across all seven council districts and received input from residents and community groups over a two-month public comment period on a revised proposal for updating Neighborhood Residential zones and draft legislation as documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in January 2025, the Office of Planning and Community Development published a Final Environmental Impact Statement that included analysis of a preferred growth strategy alternative that increased potential housing supply in the city by doubling residential development capacity and that promoted housing supply, variety, and

Substitute CB 120993

affordability by adding new and expanded areas for growth in neighborhoods across the city; and

WHEREAS, on March 27, 2025, the Office of Planning and Community Development transmitted legislation to the City Council which would adopt the One Seattle Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone properties on pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 102, 103, 104, 105, 106, 107, 111, 112, 113, 114, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 216, 217, 219, 220, and 221 of the Official Land Use Map as follows:

A. Properties identified for rezones as shown on Attachment 1 to this ordinance are rezoned as shown in those maps.

B. Except for properties identified to be rezoned as shown on Attachment 1 to this ordinance, all areas identified as "existing zoning" in Table A for Section 1 are rezoned as shown under the "New zoning" column in Table A for Section 1.

Table A for Section 1 Standard zoning changes	
Existing zoning	**New zoning**
RSL (M)	LR1 (M)
NR1	NR
NR2	NR
NR3	NR
NR3-PUD	NR

1. Where the existing zoning includes a Major Institution Overlay, the underlying zoning shall be modified as stated in this subsection 1.B and the Major Institution Overlay shall continue to apply.

2. The rezones in this subsection 1.B shall not remove any existing suffixes other than PUD suffixes.

Section 2. Section 6.600.080 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

6.600.080 Bed and breakfast operator general provisions

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

* * *

C. If operating within a ((~~neighborhood residential~~)) Neighborhood Residential zone, comply with all standards provided in ((~~Section 23.44.051~~)) subsection 23.44.020.C. If operating within a ((~~multi-family~~)) multifamily zone, comply with all standards provided in subsection ((~~23.45.545.G~~)) 23.45.504.I.

* * *

Substitute CB 120093

Section 3. Section 14.08.020 of the Seattle Municipal Code, last amended by Ordinance 126767, is amended as follows:

14.08.020 Definitions

Definitions as used in this Chapter 14.08, unless additional meaning clearly appears from the context, shall have the meanings subscribed:

"Accessory dwelling unit" has the meaning defined in ((~~Chapter 23.84A.032's definition of "Residential use."~~)) Section 23.84A.008.

* * *

((~~"Detached accessory dwelling unit" has the meaning defined in Chapter 23.84A.032's definition of "Residential use".~~))

* * *

Section 4. Section 14.09.010 of the Seattle Municipal Code, last amended by Ordinance 126080, is amended as follows:

14.09.010 Definitions

"Accessory dwelling unit" has the meaning defined in Section ((~~23.84A.032's definition of "Residential use."~~)) 23.84A.008.

* * *

((~~"Detached accessory dwelling unit" has the meaning defined in Section 23.84A.032's definition of "Residential use".~~))

* * *

"Single family dwelling unit" has the meaning as defined in Section 22.204.200.A.

* * *

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Section 5. Section 15.32.200 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

15.32.200 At-grade communication cabinets

* * *

F. The applicant for a new at-grade communication cabinet proposal that is more than 36 inches in height including footings or bases as measured from the grade of the surrounding public place, or has a maximum volume of more than 18 cubic feet, shall: (1) send notice of a Seattle Department of Transportation application by first-class mail to all business entities, property owners, and residents located within a 100-foot radius from where the communication cabinet is proposed to be located; and (2) post notice of the new application at the proposed site. The notice shall be displayed towards the nearest public place that abuts the site and is viewable by the public and shall be maintained on the site for the duration of the public notice period.

1. If the new at-grade communication cabinet proposal is more than 36 inches in height including footings or bases as measured from the grade of the surrounding public place, or has a maximum volume of more than 18 cubic feet, and is abutting a lot zoned ((~~NR1, NR2, NR3, RSL,~~)) NR, LR1, LR2, or LR3 as these zoning designations are defined under subsection 23.30.010.A and the abutting zoning does not have an RC classification as shown on the Official Land Use Map, Chapter 23.32 ("residentially zoned parcels"), the communication cabinet shall be fully screened from the public place and abutting private property. If it is not feasible to install mitigation screening due to physical site constraints, the applicant shall provide an alternative mitigation proposal within 200 feet of the project. If the alternative mitigation cannot be located within 200 feet of the project, the applicant shall propose an alternative location that the Director shall review and may approve. All mitigation screening shall comply with setback standards in

Section 15.32.250 and remain the permittee's sole responsibility to maintain so long as the communication cabinet or accessory equipment occupies the public place. As determined by the Director, mitigation screening may include landscaping, fencing, or visual treatment to the cabinet surface. Visual treatment to the cabinet may include paint, decals, vinyl wraps, photos, or other surface treatments. A cabinet shall be considered fully screened for visual treatment purposes when the treatment is applied to all communication cabinet vertical surfaces.

2. The applicant shall send and post all required notices at least three calendar days before the start of the public notice period. The mailing and on-site notice shall be on a form provided by the Seattle Department of Transportation and shall include: a description of the proposed location and installations, comment period dates, information on how the public can submit comments to the Seattle Department of Transportation, and how to request a reconsideration of a Street Use permit decision. If the proposal is abutting a residentially zoned parcel, the mailing and on-site notice shall include a visual and narrative description of the proposed mitigation screening required in subsection 15.32.200.F.1.

3. Written comments concerning the application shall be postmarked or emailed to the Director of the Seattle Department of Transportation within ten business days after the first day of the public notice period.

4. The applicant shall provide the Director of the Seattle Department of Transportation with a mailing list containing the individuals the notice was mailed to, the recipient's mailing address, and date the notice was mailed to each recipient.

* * *

Section 6. Section 15.32.250 of the Seattle Municipal Code, last amended by Ordinance 126732, is amended as follows:

15.32.250 Communication cabinet standards and setbacks

* * *

C. If the at-grade communication cabinet is to be installed in a planting strip it shall be placed in proximity to and in line with existing utility or street light poles, street signs, or other existing structures within the planting strip in order to create a physical and visual alignment. The communication cabinet shall not impair the line of sight for vehicles exiting adjacent alleys, streets, or driveways as provided in ((~~subsection 23.54.030.G~~)) Section 23.54.032 or other sight triangle requirements adopted by City code or rule.

* * *

Section 7. Section 21.49.110 of the Seattle Municipal Code, last amended by Ordinance 125171, is amended as follows:

21.49.110 Electric service connection provisions

* * *

E. Prohibition of master metering((~~.~~))

1. The Department shall not supply electricity for any new service to a duplex or multiple-dwelling building for the purpose of master metering the energy usage of the dwelling units, a central space heating system or HVAC system, or a central domestic water heating system. The Department shall not supply electricity for any larger service to an existing duplex or multiple-dwelling building for the purpose of master metering new central or individual space heating or HVAC systems. The existence of alternative laundry or dining arrangements for residents of multiple-dwelling buildings (such as central kitchens and dining rooms where

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residents can buy or eat their meals, or a central laundry), in addition to the availability of cooking and/or laundry facilities within the individual dwelling units, will not be considered grounds for an exemption from the prohibition of master metering.

2. This prohibition does not apply to multiple-dwelling buildings such as transitional housing, student dormitories and residences for religious orders, the elderly or the disabled, in which the residents do not live independently.

3. In situations with a mix of living accommodations where some residents live independently and some do not, those buildings or portions of buildings which provide non-transient independent dwelling units will not be eligible for master metering.

4. Accessory housing exception. ((~~An owner-occupied dwelling unit also containing an additional "accessory housing unit" meeting all provisions as defined in Chapter 23.44 and approved by the City~~)) A structure that only contains one principal dwelling unit and one accessory dwelling unit shall be exempt from the master metering provisions of this Chapter 21.49.

5. Other exceptions. Exemption from the master metering prohibition for residential dwelling situations not covered in the provisions of this Chapter 21.49 may be granted on a case-by-case basis by the Department.

* * *

Section 8. Section 22.214.020 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended as follows:

22.214.020 Definitions

For purposes of this Chapter 22.214, the following words or phrases have the meaning prescribed below:

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"Accessory dwelling unit" or "ADU" ((~~means an "Accessory dwelling unit" or a "Detached accessory dwelling unit" or "DADU" as~~)) has a meaning defined ((~~under "Residential use"~~)) in Section ((~~23.84A.032~~)) 23.84A.008.

* * *

Section 9. Section 22.801.200 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

22.801.200 "S"

* * *

"Sidewalk" means "sidewalk" as defined in Section 23.84A.036.

"Sidewalk project" means a project for the creation of a new sidewalk or replacement of an existing sidewalk, including any associated planting strip, apron, curb ramp, curb, or gutter, and necessary roadway grading and repair. If the total new plus replaced hard surface in the roadway exceeds 10,000 square feet, the entire project is a roadway project.

"Single-family residential project" means a project that constructs one ((~~Single-family Dwelling Unit~~)) principal detached or attached dwelling unit as defi

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ned in ((~~subsection 23.84A.032~~)) 23.84A.008 and any associated accessory dwelling unit located in land classified as being Neighborhood Residential ((~~1 (NR1), Neighborhood Residential 2 (NR2), or Neighborhood Residential 3 (NR3)~~)) pursuant to Section 23.30.010, and the total new plus replaced hard surface is less than 5,000 square feet.

* * *

Section 10. Section 22.907.030 of the Seattle Municipal Code, last amended by Ordinance 125873, is amended as follows:

22.907.030 Notice of proposed sale of low-income multi-family rental building

A. Except as provided in this Section 22.907.030, an owner of a ((~~multifamily rental housing~~)) building ((~~as defined in Section 23.84A.032,~~)) having two or more housing rental units, excluding congregate residences as defined in Section 23.84A.032, any one of which rents for an amount that is affordable to households at or below 80 percent of area median income, as most recently determined by the United States Department of Housing and Urban Development

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for the Seattle metropolitan statistical area, shall notify the Seattle Office of Housing (OH) and the Seattle Housing Authority (SHA) of the owner's intent to sell the building. The notice shall be in writing and include the owner's name, phone number, and the address of the rental housing building that will be offered for sale. At the same time, the owner shall submit to OH a declaration signed under penalty of perjury, affirming that the owner has complied with the notice requirements of this Section 22.907.030. The notice and declaration shall be submitted no later than 90 days prior to the building being listed with any real estate listing service or advertised for sale in a printed newspaper or on a website. For the purposes of this Section 22.907.030, a building is "listed" when an owner has signed a listing agreement with a real estate agent.

* * *

Section 11. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.22.062 Unit lot subdivisions

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones.

* * *

te CB 12093

Section 12. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.24.045 Unit lot subdivisions

A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones.

* * *

Section 13. Section 23.28.030 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.28.030 Criteria for approval

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

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

2. No lot contains insufficient area and dimensions to meet the minimum requirements for development as calculated under the development standards of the zone in which the lots affected are situated((~~, except as provided in Section 23.44.010,~~)) and under any applicable regulations for siting development on parcels with riparian corridors, wetlands, wetland buffers, or steep slopes in Chapter 25.09 or Section 23.60A.156. Adjusted lots shall

continue to be regarded as existing lots for purposes of Chapter 25.09. Any required nondisturbance area shall be legibly shown and described on the site plan, and a covenant shall be required as set out in Section 25.09.335;

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

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

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

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

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

4. Modification. The standards of subsection 23.28.030.A.3 may be modified if at least one of the following criteria applies:

a. One or more of the existing lots prior to the lot boundary adjustment is irregular in shape;

b. Topography, natural obstructions, configuration of existing lot lines prior to lot line adjustment, existing platting patterns, or street alignment prevent the reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3;

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

d. Location of existing easements or feasibility of access to portions of the property prevents the reconfiguration of lot lines that meet the standards of subsection 23.28.030.A.3; or

e. The lot boundary adjustment establishes an irregular lot line that resulted from an adverse possession claim.

5. No adjusted lot shall be approved for development without a determination that it is capable of being served by existing or extended infrastructure for drainage; a determination that the lot has water supply and sanitary sewage disposal; and a determination that there is access for vehicles, utilities, and fire protection;

6. The lot boundary adjustment is consistent with applicable provisions of this Title 23 including, for lots in the Shoreline District, conformance with the applicable provisions of Section 23.60A.168.

* * *

Section 14. Section 23.30.010 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.30.010 Classifications for the purpose of this Subtitle III

A. General zoning designations. The zoning classification of land shall include one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC," the classification shall include both "RC" and one additional multifamily zone designation in this subsection 23.30.010.A.

Zones	**Abbreviated**
Residential, Neighborhood ((~~1~~))	NR((~~1~~))
((~~Residential, Neighborhood 2~~	~~NR2~~
~~Residential, Neighborhood 3~~	~~NR3~~
~~Residential, Neighborhood, Small Lot~~	~~RSL~~))
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
Residential, Multifamily, Midrise	MR
Residential, Multifamily, Highrise	HR
Residential-Commercial	RC
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Master Planned Community—Yesler Terrace	MPC-YT
Seattle Mixed—South Lake Union	((~~SMU-SLU~~)) SM-SLU
Seattle Mixed—Dravus	SM-D

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Zones	Abbreviated
Seattle Mixed—North Rainier	SM-NR
Seattle Mixed - Rainier Beach	SM-RB
Seattle Mixed—University District	SM-U
Seattle Mixed—Uptown	SM-UP
Seattle Mixed—Northgate	SM-NG
Commercial 1	C1
Commercial 2	C2
Downtown Office Core 1	DOC1
Downtown Office Core 2	DOC2
Downtown Retail Core	DRC
Downtown Mixed Commercial	DMC
Downtown Mixed Residential	DMR
Pioneer Square Mixed	PSM
International District Mixed	IDM
International District Residential	IDR
Downtown Harborfront 1	DH1
Downtown Harborfront 2	DH2
Pike Market Mixed	PMM
General Industrial 1	IG1
General Industrial 2	IG2
Industrial Buffer	IB

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Zones	Abbreviated
Industrial Commercial	IC
Maritime Manufacturing and Logistics	MML
Industry and Innovation	II
Urban Industrial	UI

* * *

Section 15. Section 23.34.010 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~**23.34.010 Designation of NR1, NR2, and NR3 zones**~~

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

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

Section 16. Section 23.34.011 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.34.011 ((~~NR1, NR2, and NR3 zones~~)) <u>NR zone</u>, function((~~,~~)) and locational criteria

A. Function. An area that provides ((~~predominantly detached single-family structures on lot sizes compatible with the existing pattern of development and the character of neighborhood residential areas~~)) <u>for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit</u>.

B. Locational criteria. An ((~~NR1, NR2, or NR3~~)) NR zone designation is most appropriate in areas that are ((~~outside of urban centers and villages and meet the following criteria~~)) generally characterized by the following conditions:

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

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

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

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

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

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

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

1. The area is located outside of an urban center, urban village, or Station Area Overlay District;

2. The area is characterized by residential structures of generally three stories or less; and

3. One or more of the following conditions are present:

a. The area is not located near a major transit stop or on streets abutting frequent transit routes where higher density development might be more appropriate;

b. A significant portion of the area contains environmentally critical areas; or

c. The area is characterized by limited local access and circulation that make the area less suitable for higher density development.

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

~~1. The area proposed for rezone should comprise 15 contiguous acres or more, or should abut existing NR1, NR2, or NR3 zones.~~

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

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

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

~~e. That the area's location is topographically and environmentally suitable for single-family structures, or~~

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

~~D. Half-blocks at the edges of NR1, NR2, or NR3 zones which have more than 50 percent single-family structures, not including detached accessory dwelling units, or portions of blocks on an arterial which have a majority of single-family structures, not including detached accessory dwelling units, shall generally be included. This shall be decided on a case-by-case basis, but the policy is to favor including them.~~))

Section 17. Section 23.34.012 of the Seattle Municipal Code, last amended by Ordinance 126855, is repealed:

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

~~A. Function. An area within an urban village that provides for the development of homes on small lots that may be more affordable compared to detached homes on larger lots and appropriate for households with children.~~

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

~~1. The area is similar in character to neighborhood residential zones;~~

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

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

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

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

~~6. The area would provide a gradual transition between neighborhood residential zoned areas and multifamily or neighborhood commercial zoned areas; and~~

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

Section 18. Section 23.34.013 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~**23.34.013 Designation of multifamily zones**~~

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

Section 19. Section 23.34.014 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

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

A. Function. The function of the LR1 zone is to provide opportunities ((~~for low-density multifamily housing, primarily rowhouse and townhouse developments, through infill development that is compatible with single-family dwelling units, or through the conversion of existing single-family dwelling units to duplexes or triplexes~~)) for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit at a higher intensity than Neighborhood Residential zones.

B. Locational ((~~Criteria~~)) criteria. The LR1 zone is most appropriate in areas generally characterized by the following conditions:

1. ((~~The area is similar in character to neighborhood residential zones;~~

~~2.~~)) The area is ((~~either~~)):

a. ((~~located~~)) Located outside of an urban center, urban village, or Station Area Overlay District;

b. ((~~a~~)) A limited area within an urban center, urban village, or Station Area Overlay District that would provide opportunities for a diversity of housing types within these denser environments; or

c. ((~~located~~)) Located on a collector or minor arterial;

((~~3.~~)) 2. The area is characterized by ((~~a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as rowhouse and townhouse developments, and single-family dwelling units that have been converted to multifamily residential use or are well-suited to conversion~~)) residential structures of generally three stories or less;

((~~4.~~)) 3. The area is characterized by local access and circulation that can accommodate low density ((~~multifamily~~)) development ((~~oriented to the ground level~~)) and the

street, and/or by narrow roadways, lack of alleys, and/or irregular street patterns that make local access and circulation less suitable for higher density ((~~multifamily~~)) development;

((~~5. The area would provide a gradual transition between neighborhood residential zoned areas and multifamily or neighborhood commercial zoned areas; and~~

~~6.~~)) 4. The area is supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers.

Section 20. Section 23.34.072 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~23.34.072 Designation of commercial zones.~~

~~A. The encroachment of commercial development into residential areas shall be discouraged.~~

~~B. Areas meeting the locational criteria for a neighborhood residential designation may be designated as certain neighborhood commercial zones as provided in Section 23.34.010.~~

~~C. Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections 23.34.010 and 23.34.011 of the Seattle Municipal Code.~~

~~D. Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas.~~

~~E. The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.~~))

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

Substitute CB 120

A. ((~~Attached and detached accessory~~)) Accessory dwelling units are ((~~permitted~~)) allowed as a housing use in all zones where ((~~single-family dwelling units are permitted~~)) housing uses are allowed. In the Shoreline District, accessory dwelling units shall comply with Chapter 23.60A.

((~~B. A maximum of two accessory dwelling units may be located on the same lot as a principal dwelling unit. Either or both accessory dwelling units may be attached or detached. Two detached accessory dwelling units may be located in one structure.~~))

B. Accessory dwelling units may not be accessory to residential uses other than housing uses.

C. No lot may have more than two accessory dwelling units.

D. Accessory dwelling units may be attached, detached, or stacked.

E. Unless otherwise provided in the standards of the underlying zone, accessory dwelling units shall be subject to the same standards as principal dwelling units.

F. Accessory dwelling units must be located on the same lot as the principal dwelling unit.

((~~C. Floor area limit in all zones and floor area ratio in Neighborhood Residential zones~~))

G. Maximum size

1. The gross floor area of an accessory dwelling unit may not exceed 1,000 square feet.

2. The following are not included in the gross floor area limit:

a. Up to 250 square feet of gross floor area in an attached garage;

b. ((~~Exterior-only-accessed storage areas;~~

~~c.~~)) All stories, or portions of stories, that are underground; and

Substitute CB 120993

((~~d.~~)) c. Up to 35 square feet of gross floor area dedicated to long-term bicycle parking.

((~~3. In NR1, NR2, and NR3 zones, gross floor area in an accessory dwelling unit is exempt from FAR limits.~~

~~D. Permitted height~~

~~1. Neighborhood Residential zones. The maximum permitted height for accessory dwelling units is the permitted height for a principal dwelling unit.~~

~~2. Lowrise zones. The maximum permitted height for accessory dwelling units is the permitted height for rowhouse and townhouse development in the applicable zone.~~

~~3. All zones other than Neighborhood Residential or Lowrise. For zones with height limits of 40 feet or less, accessory dwelling units are subject to the permitted height of the zone for principal dwelling units. For zones with height limits greater than 40 feet, accessory dwelling units are subject to the permitted height for rowhouse and townhouse development in the LR3 zone, whichever height limit is applicable.~~

~~4. In all zones, accessory dwelling units associated with cottage developments are subject to the permitted height for cottage housing developments for the applicable zone.~~

~~5. In all zones, allowances above the maximum height limit for pitched roofs, including shed and butterfly roofs, and exemptions for rooftop features are permitted per the applicable zone.~~

~~E. In all zones, accessory dwelling units and appurtenant architectural elements including architectural details, bay windows, and other projections, such as covered porches, patios, decks, and steps, are subject to the yard and setback provisions for principal dwelling units in the underlying zone, except as follows:~~

Substitute CB 120993

~~1. In all zones detached accessory dwelling units have no required setback from any lot line that abuts an alley.~~

~~2. Neighborhood Residential zones~~

~~a. A detached accessory dwelling unit and appurtenant architectural elements may be located in the rear yard so long as the structure is no closer than 5 feet to any lot line that does not abut an alley. When a detached accessory dwelling unit is located within a rear yard, the following features may also be located within 5 feet of any lot line:~~

~~1) External architectural details with no living area, such as chimneys, eaves, cornices, and columns, may be located no closer than 3 feet from a property line.~~

~~2) Bay windows no more than 8 feet in width may be located no closer than 3 feet from a property line.~~

~~3) Other projections that include interior space, such as garden windows, may be located no closer than 3.5 feet from a property line starting a minimum of 30 inches above furnished floor, and with maximum dimensions of 6 feet in height and 8 feet in width.~~

~~b. On a through lot, when yards or setbacks cannot be determined, the Director shall designate a rear yard or rear setback for the purpose of allowing an accessory dwelling. In designating a rear yard or rear setback, the Director shall consider factors including but not limited to the location of the yards and setbacks for adjacent structures on the same block face, vehicular and pedestrian access, platting patterns in the vicinity, and topography.~~

Substitute CB 120093

~~3. Lowrise zones. Detached accessory dwelling units are excluded from setback averaging provisions and are subject to the minimum setback provision for a principal dwelling unit.~~

~~F. Rooftop decks that are portions of an accessory dwelling unit are allowed up to the applicable height limit, including additions allowed to a detached accessory dwelling unit under subsection 23.44.014.C.4.~~

~~G.~~)) H. Conversions of existing structures

1. For purposes of this subsection ((~~23.42.022.G~~)) 23.42.022.H, the term "conversion" means keeping an existing structure intact, adding to or altering an existing structure, or removing and rebuilding an existing structure, provided that any expansion or relocation of the structure complies with the development standards for accessory dwelling units in this Section 23.42.022 and the provisions of the applicable zone, unless otherwise allowed by this subsection ((~~23.42.022.G~~)) 23.42.022.H.

Substitute CB 120993

2. For the purposes of this subsection ((~~23.42.022.G~~)) 23.42.022.H, the term "existing accessory structure" means an accessory structure existing prior to July 23, 2023 or an accessory structure existing prior to July 23, 2023 that was subsequently replaced to the same configuration.

3. Existing accessory structures. An existing accessory structure may be converted into a detached accessory dwelling unit if it meets the following:

a. To facilitate the conversion of and additions to an existing accessory structure, the Director may allow waivers and modifications as a Type I decision to the provisions for accessory dwelling units in this Section 23.42.022 and the development standards of the applicable zone.

b. Conversion of an existing accessory structure to a detached accessory dwelling unit is permitted notwithstanding applicable lot coverage or yard or setback provisions in this Section 23.42.022 or the applicable zone. The converted accessory structure shall comply with the minimum standards set forth in Sections 22.206.020 through 22.206.140.

4. Existing principal structures. The gross floor area of an attached accessory dwelling unit may exceed 1,000 square feet if the portion of the structure in which the attached accessory dwelling unit is located existed as of July 23, 2023.

((~~H. Building separation~~

~~1. Neighborhood Residential zones. A detached accessory dwelling unit shall be separated from its principal dwelling unit by a minimum of 5 feet measured from eave to eave. To be considered attached, an accessory dwelling unit must be connected to the principal dwelling unit by an enclosed space that is at least 3 feet wide, 3 feet tall, and 3 feet long.~~

Substitute CB 120093

~~2. All other zones. A detached accessory dwelling unit shall be separated from its principal dwelling unit by a minimum of 3 feet measured from eave to eave. To be considered attached, an accessory dwelling unit must be connected to a principal dwelling unit by an enclosed space that is at least 3 feet wide, 3 feet tall, and 3 feet long.~~))

I. No off-street motor vehicle parking is required for an accessory dwelling unit.

J. When calculating density, the number of dwelling units shall include both accessory dwelling units and principal dwelling units.

((~~J.~~)) K. Title 23 shall not be interpreted or applied to prohibit the sale or other conveyance of a condominium unit on the grounds that the condominium unit was originally built as an accessory dwelling unit.

((~~K.~~)) L. Unless provided otherwise in this Section 23.42.022, the provisions of the applicable zone and overlay district apply. In the event of conflict with provisions elsewhere in Title 23 other than Chapter 23.60A, this Section 23.42.022 shall prevail.

Section 22. A new Section 23.42.024 is added to the Seattle Municipal Code as follows:

23.42.024 Adult family homes

Adult family homes are allowed as a home occupation in all zones where housing uses are allowed.

Section 23. Section 23.42.050 of the Seattle Municipal Code, last amended by Ordinance 126845, is amended as follows:

23.42.050 Home occupations

A home occupation of a person residing in a dwelling unit is permitted outright in all zones as an accessory use to any residential use permitted outright or to a permitted residential conditional use, subject to the following requirements:

Substitute CB 120993

* * *

G. A maximum of three passenger vehicles, vans, and similar vehicles, associated with the home occupation, each not exceeding a gross vehicle weight of 10,000 pounds are permitted to be at the home occupation site, independent of commercial deliveries and pickups. For lots developed with a ((~~single-family~~)) residential dwelling unit in NR zones, this limit is in addition to the outdoor parking limit in subsection ((~~23.44.016.C.3~~)) 23.44.160.E.

* * *

Section 24. Section 23.42.106 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.42.106 Expansion of nonconforming uses

* * *

B. In addition to the standards in subsection 23.42.106.A, a structure in a ((~~neighborhood residential~~)) Neighborhood Residential zone occupied by a nonconforming residential use may be allowed to expand subject to the following:

1. The number of dwelling units shall not be increased, except as may be allowed pursuant to Section 23.40.040.

2. For a nonconforming residential use that is not a multifamily use, except as may be allowed pursuant to Section 23.40.040; if originally permitted by conditional use, the number shall not be allowed to increase above the number permitted by the conditional use approval.

3. An expansion of no more than 500 square feet of gross floor area, meeting the development standards for ((~~single-family~~)) residential construction in Chapter 23.44 and not exceeding the average height of the closest principal structures on either side, is allowed.

Substitute CB 120093

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

a. Architectural character;

b. Existing streetscape and pattern of ((~~yards~~)) setbacks; and

c. Scale and proportion of principal structures.

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

* * *

D. A nonconforming nonresidential use shall not be expanded or extended, except as follows:

1. A structure occupied by a nonconforming nonresidential use may be maintained, repaired, renovated, or structurally altered but shall not be expanded or extended except as otherwise required by law, as necessary to improve access for the elderly or disabled or as specifically permitted elsewhere in this Code.

2. In ((~~the~~)) Seattle Mixed zones, general manufacturing uses exceeding 25,000 square feet of gross floor area and heavy manufacturing uses may be expanded or extended by an amount of gross floor area not to exceed 20 percent of the existing gross floor area of the use, provided that this exception may be applied only once to any individual business establishment.

Substitute CB 120093

3. The Seattle Asian Art Museum building and use located in Volunteer Park, as it exists on January 1, 2017, may be expanded subject to the following development standards:

a. Except as provided in this subsection 23.42.106.D.3, the development standards of Chapter 23.44 do not apply.

b. The building may be expanded one or more times but the gross floor area of all expansions combined and occurring after January 1, 2017, may not exceed 15,000 square feet.

c. No expansion may be located in a freestanding building that lacks a common wall with the building either as it existed on January 1, 2017, or as subsequently expanded.

d. No expansion may exceed the elevation of the highest point of the building as it existed on January 1, 2017.

e. Parking and loading for the proposed expansion is required as provided in Sections 23.54.015 and 23.54.035. As a Type I decision, the Director may reduce parking and loading requirements to an amount not less than the amount needed to provide adequate parking and loading facilities, as demonstrated to the satisfaction of the Director by a parking and loading study prepared by a licensed professional engineer and submitted to the Director by the applicant.

f. Bicycle parking for the proposed expansion shall be provided in accordance with ((~~subsection 23.54.015.K~~)) Section 23.54.037.

g. The street and sidewalk requirements of Chapter 23.53 do not apply.

h. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.

Substitute CB 120093

i. Nothing in this Section 23.42.106 alters the authority of the Landmarks Preservation Board pursuant to the City's Landmarks Preservation Ordinance.

* * *

Section 25. Section 23.42.110 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.42.110 Change from one nonconforming use to another nonconforming use

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

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

~~B.~~)) The proposed new use must be no more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following factors:

1. The zones in which both the existing use and the proposed new use are allowed;

2. The number of employees and clients associated or expected with the proposed use;

3. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.

((~~C~~)) B. The existence of a single residential unit, such as a caretaker's or proprietor's unit, accessory to a nonconforming commercial use shall not be treated as having established a

residential use, and such a unit may be converted or changed provided that it is the only residential use in the structure and comprises less than half of the total floor area of the structure.

((~~D~~)) C. Parking requirements for the proposed use shall be determined by the Director.

((~~E~~)) D. If the new use is permitted, the Director may require mitigation measures, including but not limited to landscaping, sound barriers or fences, mounding or berming, adjustments to ((~~yards~~)) setback or parking standards, design modification, or limiting hours of operation.

Section 26. Section 23.42.124 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.42.124 Light and glare standards nonconformity

When nonconforming exterior lighting is replaced, new lighting shall conform to the requirements of the light and glare standards of the respective zone. See ((~~subsection 23.44.008.H~~)) Section 23.44.150 for ((~~neighborhood residential~~)) Neighborhood Residential zones; Section 23.45.534 for multifamily zones; Section 23.46.020 for residential-commercial zones; Section 23.47A.022 for C zones or NC zones; Section 23.48.075 for SM zones; Section 23.49.025 for downtown zones; and Section 23.50.046 for IB and IC zones.

Section 27. Section 23.42.130 of the Seattle Municipal Code, last amended by Ordinance 127099, is repealed:

((~~**23.42.130 Nonconforming solar collectors**~~

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

~~A. In neighborhood residential zones, pursuant to subsection 23.44.046.B;~~

~~B. In multifamily zones, pursuant to subsection 23.45.545.E;~~

~~C. In NC zones or C zones, pursuant to subsection 23.47A.012.E.~~))

Section 28. A new Section 23.42.132 is added to the Seattle Municipal Code as follows:

23.42.132 Columbariums, garden wall crypts, and mausoleums

Columbariums, garden wall crypts, and mausoleums are permitted only as accessory to existing cemeteries, except that columbariums and garden wall crypts may also be accessory to religious facilities. In addition, no interment openings shall abut or be directly across the street from property other than cemetery property. For columbariums, garden wall crypts, and mausoleums accessory to existing cemeteries, any border between structures and the property line shall be landscaped and maintained by the owner in good condition.

Section 29. Chapter 23.44 of the Seattle Municipal Code, last amended by Ordinance 127099, is repealed as shown in Attachment 2 to this ordinance.

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

23.44.010 Scope of provisions

A. This Chapter 23.44 establishes regulations for the Neighborhood Residential (NR) zone.

B. Some land in these zones may be regulated by Subtitle III, Division 3, Overlay Districts, of this Title 23 in addition to the standards of this Chapter 23.44.

C. Other regulations may apply to development proposals, including but not limited to general use provisions (Chapter 23.42); transportation concurrency and transportation impact mitigation (Chapter 23.52); requirements for streets, alleys, and easements (Chapter 23.53); standards for access, off-street parking, and solid waste storage (Chapter 23.54); sign

regulations (Chapter 23.55); communication regulations (Chapter 23.57); shoreline regulations (Chapter 23.60A); and environmental protection and historic preservation (Title 25).

D. Congregate residences are subject to additional requirements as specified in Section 23.42.049.

23.44.020 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.44.020 and this Section 23.44.020. Uses not referred to in Table A for 23.44.020 are prohibited, unless otherwise indicated in this Chapter 23.44 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to this Chapter 23.44 and Chapter 23.57. Public facilities are subject to Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.44.

Table A for 23.44.020
Permitted and prohibited uses

Uses	**Permitted and prohibited uses**
A. Residential uses except as listed below	P
A.1. Assisted living facilities	X
A.2. Caretaker's quarters	X
A.3. Congregate residences	X/P[1]
B. Institutions except as listed below	P/CU[2]
B.1. Adult care centers	X

Table A for 23.44.020 Permitted and prohibited uses	
Uses	**Permitted and prohibited uses**
B.2. Colleges	X
B.3. Hospitals	X
B.4. Institutes for advanced study	X
B.5. Museums	X
B.6. Private clubs	X/CU/P[3]
B.7. Vocational or fine arts schools	X
C. Uses in existing or former public schools	
C.1. Preschools, public or private schools, colleges, and community centers in existing or former public schools	P
C.2. Uses not otherwise permitted in existing or former public schools	P[4]
D. Parks and open space uses	P
E. Ground-floor commercial uses	P[5]
F. Human service uses	X
G. Cemeteries	P/X[6]
H. Community gardens	P
I. Rail transit facilities and railroads	P
J. Park and ride facilities	CU[7]
K. Commercially operating horse farms in existence before July 1, 2000	P[8]

Table A for 23.44.020 Permitted and prohibited uses	
Uses	**Permitted and prohibited uses**
L. Uses not otherwise permitted if located in Landmark structures	CU[9]
M. Uses not otherwise permitted if located in structures unsuited to permitted uses	CU[10]
N. All other uses	X

Key to Table A for 23.44.020
P = Permitted outright
CU = Permitted as an administrative conditional use
X = Prohibited
Footnotes to Table A for 23.44.020
[1] Congregate residences are allowed within a major transit service area and prohibited in other areas.
[2] Institutions meeting development standards including but not limited to Section 23.44.180 are permitted outright. Public schools that do not meet development standards are regulated by Chapter 23.51B and Chapter 23.79. Institutions other than public schools that do not meet development standards may be permitted as administrative conditional uses pursuant to Section 23.44.030.
[3] New private clubs are prohibited. Existing private clubs are permitted provided that the use is not expanded. Existing private clubs may be expanded as a conditional use only if the expansion would not result in the gross floor area or the number of surface parking spaces exceeding the amount existing on the effective date of this ordinance by more than 25%.
[4] Pursuant to procedures in Chapter 23.78.
[5] Ground-floor commercial uses are only allowed if they meet the standards of subsection 23.44.020.E.
[6] Pursuant to subsection 23.44.020.D
[7] Pursuant to subsection 23.44.030.F.
[8] Provided that they are located on lots greater than 10 acres and conform to the limits on the number and location of farm animals and structures containing them set forth in Section 23.42.052.
[9] Pursuant to subsection 23.44.030.D.
[10] Pursuant to subsection 23.44.030.E.

C. Accessory uses

1. Except as otherwise provided in this subsection 23.44.020.C, accessory uses customarily incidental to principal uses permitted outright are permitted outright.

2. All accessory uses and structures, except for urban farms and structures in urban farm use, must be located on the same lot as the principal use or structure unless otherwise specifically provided.

3. Urban farms with planting area not more than 4,000 square feet are permitted outright as an accessory use. Urban farms with more than 4,000 square feet of planting area may be permitted as an administrative conditional use accessory to any principal use permitted outright or as a conditional use, pursuant to Section 23.42.051.

4. Piers and floats are permitted, provided they comply with Chapter 23.60A.

5. Bed and breakfast uses are permitted outright if:

a. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;

b. The bed and breakfast use is operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator;

c. There is no evidence of the bed and breakfast use visible from the exterior of the dwelling unit except for a sign permitted by subsection 23.55.020.D.1; and

d. The bed and breakfast use has no more than five guest rooms, provided that this limitation does not apply to bed and breakfast uses that were established on or before April 1, 1987.

6. Accessory dwelling units are permitted, provided they comply with Section 23.42.022.

7. Human service uses accessory to institutional uses are permitted outright.

D. Existing cemeteries are permitted and are prohibited from expanding. New cemeteries are prohibited. For purposes of this Section 23.44.020, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that:

1. The change does not increase the net land area occupied by the cemetery;

2. The land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and

3. The use of the land being added to the cemetery will not result in the loss of housing.

E. All ground-floor commercial uses permitted pursuant to this Section 23.44.020 shall meet the following conditions:

1. The commercial use is located on a corner lot or on a lot that abuts both a street and an alley;

2. The commercial use is limited to the following:

a. Food processing and craft work;

b. General sales and services; and

c. Restaurants;

3. The gross floor area of commercial uses does not occupy more than 2,500 square feet of gross floor area;

4. The commercial use is located only on or below the ground floor of a structure;

5. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air conditioning,

refrigeration) shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent;

6. Drive-in businesses are prohibited as a principal or accessory use;

7. Outdoor sales of food or beverages must be located at least 50 feet from adjacent lots;

8. Outdoor service of food or beverages must be located at least 50 feet from adjacent lots; and

9. Businesses may not be open between the hours of 10 p.m. and 6 a.m.

23.44.030 Administrative conditional uses

A. Uses permitted as administrative conditional uses in Section 23.44.020 may be permitted by the Director when the provisions of Section 23.42.042 and this Section 23.44.030 are met.

B. Unless otherwise specified in this Chapter 23.44, conditional uses shall meet the development standards for uses permitted outright. If an existing structure is nonconforming to development standards, no conditional use is required for any alterations that do not increase the nonconformity.

C. Institutions other than public schools that do not meet the development standards of this Chapter 23.44, including Major Institution uses as provided in Chapter 23.69, and the expansion of existing private clubs may be permitted subject to the following:

1. Bulk and siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards. In determining whether to allow such

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modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

2. Noise, Light and Glare. The Director may condition the permit in order to mitigate potential noise, light and glare impacts. Measures the Director may require for this purpose include, but are not limited to the following: visual screening, landscaping, sound barriers, fences, berms, adjustments to setbacks or the location of refuse storage areas, location of parking areas and access, structural design modifications, limiting exterior lighting fixture type, location and height to mitigate light trespass, and regulating hours of use.

3. Transportation plan. A transportation plan is required for proposed new institutions and for those institutions proposing to expand larger than 4,000 square feet of gross floor area and/or to provide 20 or more new parking spaces. The Director may condition a permit to mitigate potential traffic and parking impacts pursuant to a Transportation Management Plan or Program as described in Director's rules governing such plans or programs. The Director will determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution.

D. A use not otherwise permitted in a Neighborhood Residential zone within a structure designated as a Seattle Landmark that is subject to controls and incentives imposed by a designating ordinance, when the owner of the Landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board providing for the restoration and maintenance of the historically significant features of the structure, may be permitted subject to the following:

1. The use is compatible with the existing design and/or construction of the structure without significant alteration;

2. Uses permitted by the zone are impractical because of structure design and/or that no permitted use can provide adequate financial support necessary to sustain the structure in reasonably good physical condition; and

3. The use shall not be detrimental to other properties in the zone or vicinity or to the public interest.

E. Uses in structures unsuited to uses permitted outright

1. A use not otherwise permitted in a Neighborhood Residential zone may be permitted as an administrative conditional use in structures unsuited to uses permitted outright in Neighborhood Residential zones. The determination that a use may be permitted shall be based on the following factors:

a. The design of the structure is not suitable for conversion to a use permitted outright in a Neighborhood Residential zone;

b. The structure contains more than 4,000 square feet; and

c. The proposed use will provide a public benefit.

2. Parking requirements for uses permitted under this subsection 23.44.030.E shall be determined by the Director.

3. The Director may require measures to mitigate impacts such as noise, odor, parking, or traffic impacts. Mitigating measures may include but are not limited to landscaping, sound barriers, fences, mounding or berming, adjustments to development standards, design modifications, or setting hours of operation.

4. In the case of an existing or former public school, permissible uses other than those permitted outright in the zone and their development standards including parking

requirements shall be established only pursuant to procedures for establishing criteria for joint use or reuse of public schools in Chapter 23.78.

F. A park and ride facility under the management of a public agency responsible for commuter pooling efforts may be permitted if the Director determines that:

1. It is to be located on an existing parking lot;

2. That parking proposed for the park and ride facility is not needed by the principal use or its accessory uses during the hours proposed for park and ride use; and

3. The park and ride use shall not interfere or conflict with the peak-hour activities associated with the principal use and its accessory uses. The Director may control the number and location of parking spaces to be used.

G. Any use that was previously authorized by a conditional use permit but which has been discontinued shall not be re-established or re-commenced except pursuant to a new conditional use permit, provided that such permit is required for the use at the time re-establishment or re-commencement is proposed. Vacant property, except for dead storage of materials or equipment of the conditional use, shall not be considered as being devoted to the authorized conditional use. The expiration of licenses necessary for the conditional use shall be evidence that the property is not being devoted to the conditional use. A conditional use in a residential structure or a multitenant commercial structure shall not be considered as discontinued unless all units are either vacant or devoted to another use. The following shall constitute conclusive evidence that the conditional use has been discontinued:

1. A permit to change the use of the property has been issued and the new use has been established; or

2. The property has not been devoted to the authorized conditional use for more than 24 consecutive months.

H. Minor structural work that does not increase usable gross floor area or seating capacity and that does not exceed the development standards applicable to the use shall not be considered an expansion and does not require approval as a conditional use unless the work would exceed the height limit of the zone for uses permitted outright. Such work includes but is not limited to roof repair or replacement and construction of uncovered decks and porches, facilities for barrier-free access, bay windows, dormers, and eaves.

23.44.040 General provisions

A. An exception from one specific standard does not relieve the applicant from compliance with any other standard.

B. Any structure occupied by a permitted principal use other than residential use may be converted to residential use even if the structure does not conform to the development standards for residential uses in the Neighborhood Residential zone.

C. Assisted living facilities, congregate residences, and structures containing ground floor commercial uses shall meet the development standards for stacked dwelling units unless otherwise specified.

D. If more than one category of residential use is located on a lot, and if different development standards apply to the different categories of use, then each category's percentage of the total limit imposed by the development standard shall be calculated based on each category's percentage of total structure footprint area as follows:

1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, "footprint" is defined as the horizontal area enclosed by the exterior walls of the structure.

2. Calculate the total square feet of the footprint of all categories of residential uses on the lot.

3. Divide the square footage of the footprint for each category of residential structure in subsection 23.44.040.D.1 by the total square feet of the footprint of all residential uses in subsection 23.44.040.D.2.

4. Multiply the percentage calculated in subsection 23.44.040.D.3 for each housing category by the area of the lot. The result is the area of the lot devoted to each housing category.

5. The total limit for each category of residential use is the applicable limit for that use multiplied by the percentage calculated in subsection 23.44.040.D.4.

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050 Floor area ratio (FAR) in NR zones	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is 1.4 for stacked dwelling units located within a frequent transit service area on lots 6,000 square feet or larger

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

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

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

3. Common walls separating individual attached dwelling units.

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a frequent transit service area, one dwelling unit per 650 square feet of lot area;

2. For all other dwelling units, one dwelling unit per 1,250 square feet of lot area.

B. The minimum lot size for lots created after the effective date of this ordinance is 5,000 square feet.

C. Maximum density exceptions

1. At least one dwelling unit is allowed on all lots in existence as of the effective date of this ordinance.

2. A lot that is less than 5,000 square feet may be developed with up to four dwelling units provided that the lot does not contain any riparian corridors; wetlands and their

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buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

3. A lot that is less than 7,500 square feet and within one-quarter mile walking distance of a stop on a major transit service may be developed with up to six dwelling units if the lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

4. A lot that is less than 7,500 square feet and located more than one-quarter mile walking distance from a stop on a major transit service may be developed with up to six dwelling units if the lot meets the following criteria:

a. The lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes;

b. At least two principal dwelling units are low-income units subject to a regulatory agreement, covenant, or other legal instrument enforceable by The City of Seattle;

c. The low-income units are generally distributed throughout the development and have substantially the same functionality as unrestricted units in the development;

d. To the extent practicable, the low-income units are comparable to unrestricted units in terms of square footage and number of bedrooms and bathrooms;

e. The tenure (i.e., rental or ownership) of low-income units and unrestricted units is the same;

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f. The regulatory agreement, covenant, or other legal instrument contains criteria and policies to maintain public benefit if the property is demolished or converted to a non-residential use;

g. For ownership housing, the low-income units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.060.C.4 means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

1) Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

2) Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

h. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit organization (for ownership housing) agrees to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.060.C.4 and the regulatory agreement, covenant, or other legal instrument.

5. For lots that contain any riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes, applicants may choose to develop the lot with the number of dwelling units

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provided in the density limits in subsection 23.44.060.A or with the number of dwelling units calculated as follows:

a. Determine the number of units that would be allowed under subsections 23.44.060.C.1 through 23.44.060.C.4 if no environmentally critical areas were located on the lot;

b. Determine the percentage of the lot that is not covered by riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes; and

c. Calculate the number of dwelling units by multiplying the number of units determined in subsection 23.44.060.C.5.a by the percentage of the lot calculated in subsection 23.44.060.C.5.b.

D. Measurement of minimum lot size and maximum density

1. When calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.

2. Congregate residence sleeping rooms shall be treated as one-fourth of a dwelling unit for purposes of calculating density.

3. In the case of a development within a unit lot subdivision, the density limit shall be applied to the parent lot as a whole.

4. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

5. When calculating density, the number of dwelling units shall include both accessory dwelling units and principal dwelling units.

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6. Areas not counted in calculating the lot size. The following areas shall not be counted in calculating the area of lots for the purpose of calculating the maximum density and the minimum lot size:

a. Riparian corridors;

b. Wetlands and their buffers;

c. Submerged lands and areas within the shoreline setback; and

d. Designated non-disturbance area in steep slopes.

E. For the purpose of this Section 23.44.060, designated non-disturbance area in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090; and

3. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet.

2. The height limit for accessory structures that are located in required setbacks is 12 feet, except as follows:

a. The ridge of a pitched roof may extend up to 3 feet above the 12-foot height limit provided that all parts of the roof above the height limit shall be pitched at a rate of

not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

b. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

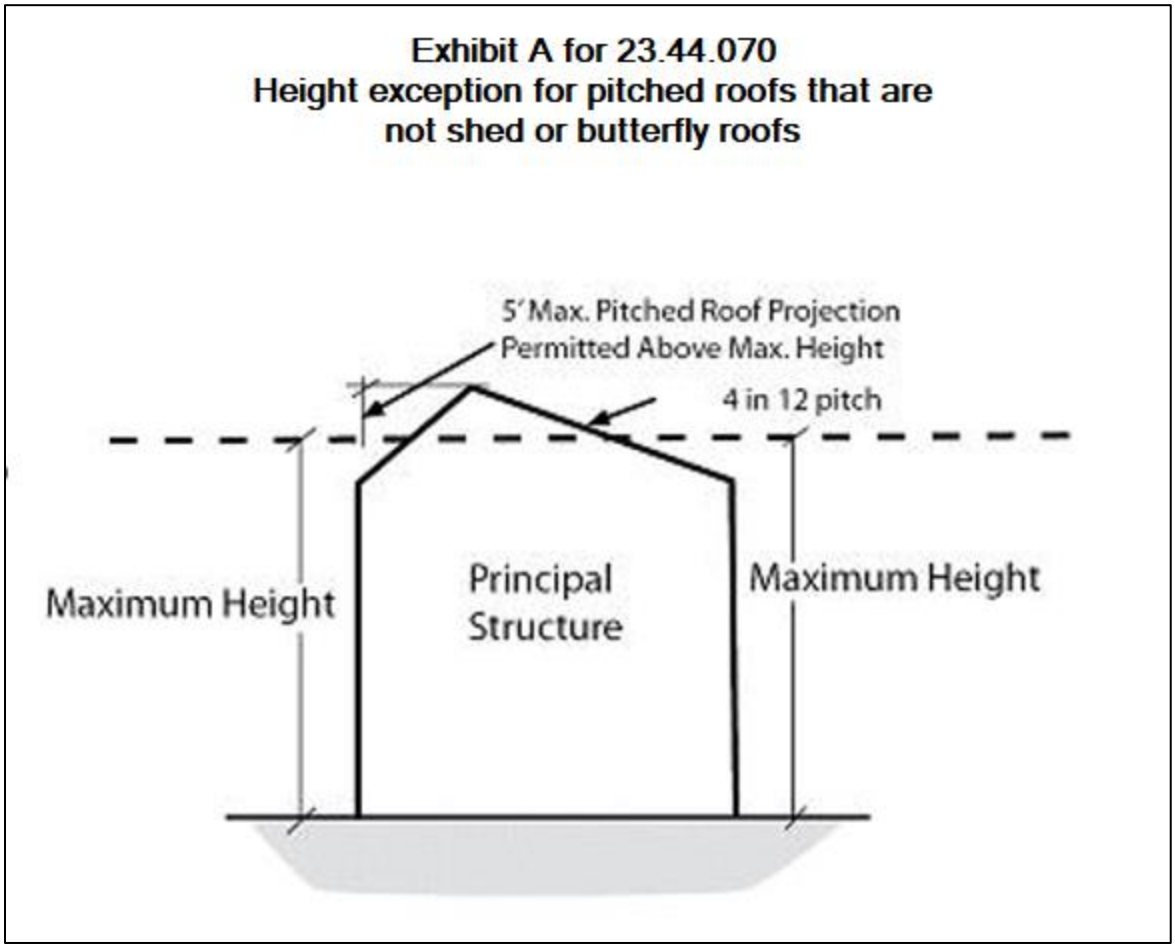
B. Standards for pitched roofs

1. The ridge of a pitched roof that is not a shed or butterfly roof may extend up to 5 feet above the maximum height limit, as determined under subsection 23.44.070.A. All parts of the roof above the height limit must be pitched at a rate of not less than 4:12 (see Exhibit A for 23.44.070).

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Exhibit A for 23.44.070

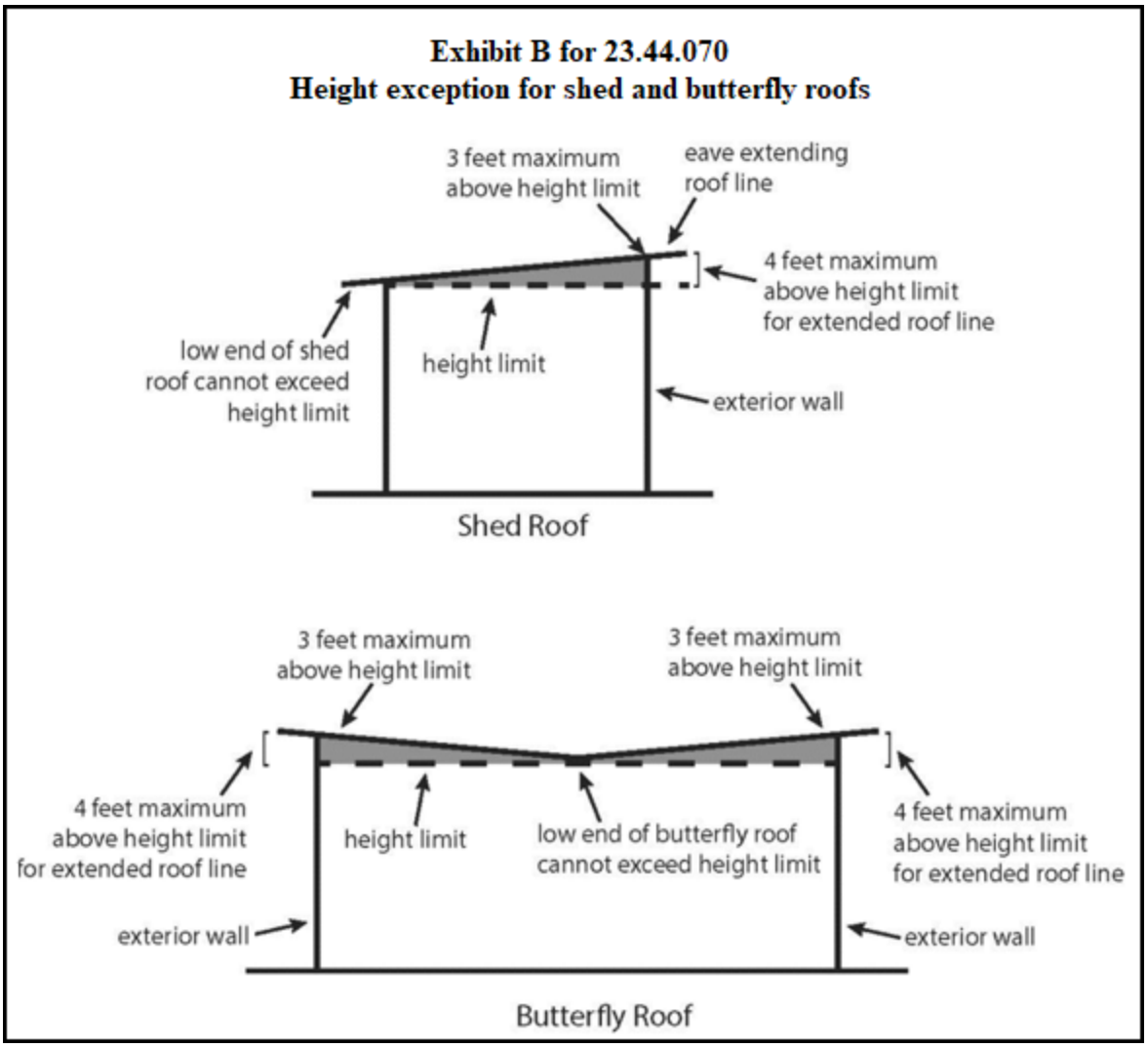
Height exception for pitched roofs that are not shed or butterfly roofs



2. The high side(s) of a shed or butterfly roof may extend 3 feet above the maximum height limit, as determined under subsection 23.44.070.A, provided that the low side(s) of the shed or butterfly roof are no higher than the height limit (see Exhibit B for 23.44.070). The roof line of a shed or butterfly roof may be extended in order to accommodate eaves, provided that the highest point of the roof extension is no more than 4 feet above the height limit.

Exhibit B for 23.44.070

Height exception for shed and butterfly roofs



C. Height limit exceptions

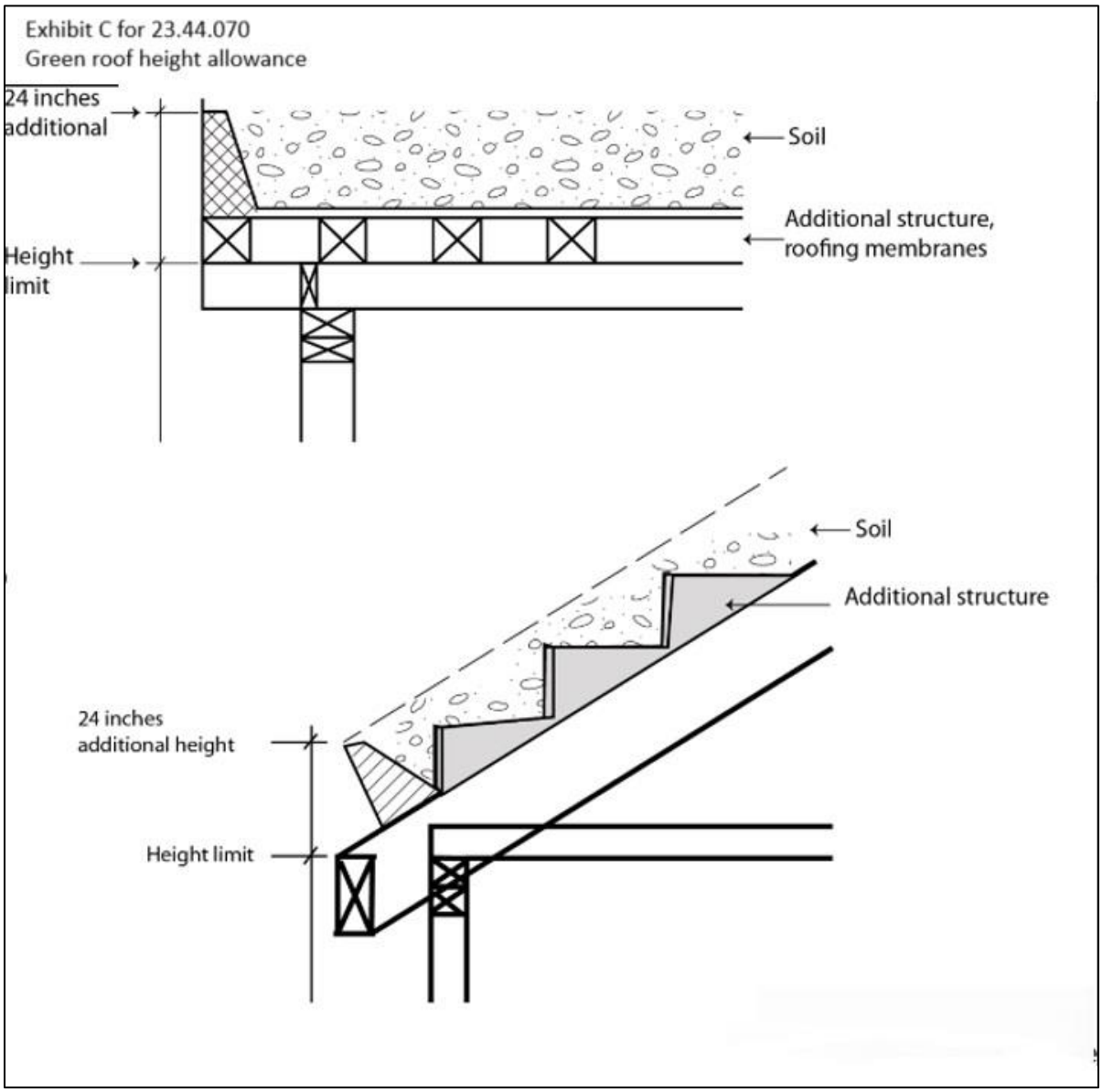
1. Except in the Airport Height Overlay District, flagpoles are exempt from height limits, provided that they are no closer to any adjoining lot line than 50 percent of their height above existing grade, or, if attached only to a roof, no closer than 50 percent of their height above the roof portion where attached.

2. Open railings, planters, greenhouses not dedicated to food production, parapets, and firewalls may extend 4 feet above the height limit in subsection 23.44.070.A. Planters on flat roofs shall not be located within 4 feet of more than 25 percent of the perimeter of the roof.

3. Green roofs may extend 2 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

Exhibit C for 23.44.070

Green roof height allowance



4. Solar collectors may extend 4 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

5. For nonresidential principal uses, the following rooftop features may extend up to 10 feet above the height limit in subsection 23.44.070.A, as long as the combined total coverage of all features listed in this subsection 23.44.070.C.5 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened or enclosed mechanical equipment:

a. Stair and elevator penthouses;

b. Mechanical equipment;

c. Wind-driven power generators; or

d. Chimneys.

6. Devices for generating wind power may extend up to 10 feet above the height limit in subsection 23.44.070.A, provided that the combined total coverage of all features does not exceed 15 percent of the roof area.

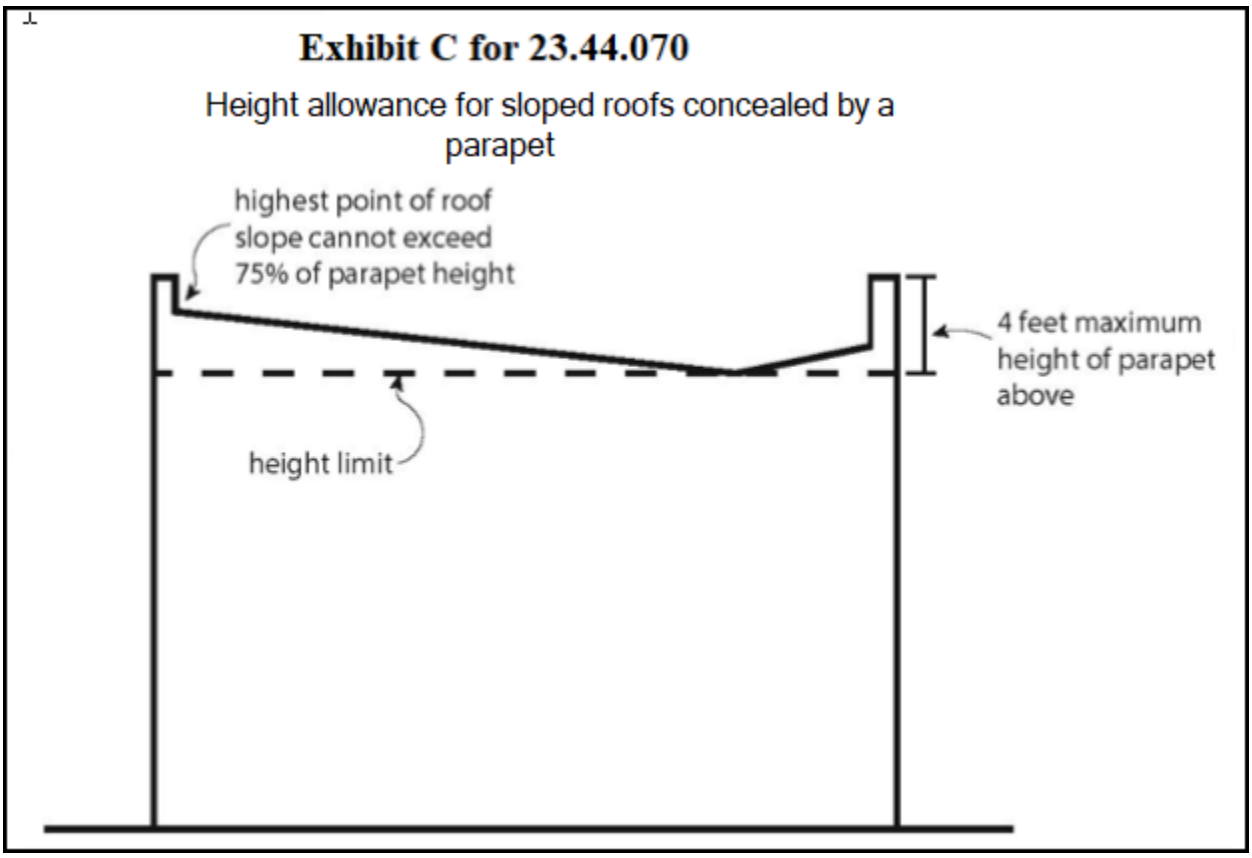
7. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.010.

8. Buildings existing prior to the effective date of this ordinance are permitted to extend up to 8 inches above the height limit in subsection 23.44.070.A or a pitched roof allowed in subsection 23.44.070.B solely for the purpose of adding insulation to an existing roof.

9. Roofs enclosed by a parapet. Roof surfaces that are completely surrounded by a parapet may exceed the applicable height limit to allow for a slope, provided that the height of the highest elevation of the roof surface does not exceed 75 percent of the parapet height, and provided that the lowest elevation of the roof surface is no higher than the applicable height limit. See Exhibit C for 23.44.070.

Exhibit C for 23.44.070

Height allowance for sloped roofs concealed by a parapet



23.44.080 Lot coverage

A. Except as otherwise provided in this Section 23.44.080, the maximum lot coverage allowed for structures is 50 percent.

B. The following areas shall not be counted in calculating the lot size for the purpose of calculating lot coverage in this Section 23.44.080:

1. Riparian corridors;

2. Wetlands and their buffers;

3. Submerged lands and areas within the shoreline setback; and

4. Designated non-disturbance area in steep slopes.

C. Structures not counted. The following structures and portions of structures are not counted in lot coverage calculations:

1. Underground structures;

2. The first 36 inches of architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features that project from principal and accessory structures;

3. Decks or parts of a deck that are 36 inches or less above existing grade;

4. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower; and

5. Unenclosed structures that meet the standards of subsection 23.44.090.H.

D. The lot coverage allowed on lots containing areas listed in subsection 23.44.080.B shall not be less than 625 square feet or an amount of lot coverage approved by the Director through an environmentally critical area reduction, waiver, or modification pursuant to Chapter 25.09, whichever is greater.

E. For the purpose of this Section 23.44.080, designated non-disturbance area in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090; and

3. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

23.44.090 Setbacks

A. Required setbacks for the NR zones are shown in Table A for 23.44.090.

Table A for 23.44.090 Required setbacks in Neighborhood Residential zones	
Front	10 feet
Rear	5 feet for accessory dwelling units and 10 feet for other structures except that, if the rear setback abuts an alley, no rear setback is required [1]
Side	5 feet, except that no side setback is required from a side lot line that abuts an alley [1]
Footnote for Table A for 23.44.090 [1] On a reversed corner lot, the setback on the side street lot line shall be 10 feet and the rear setback is 5 feet.	

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B. Through lots. In the case of a through lot, each setback abutting a street, shall be a front setback.

C. Other setback requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53.

D. Underground structures. Underground structures, measured from existing or finished grade, whichever is lower, may be located within setbacks.

E. Projections from an enclosed structure allowed in required setbacks

1. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features may project into required setbacks a maximum of 2 feet if they are no closer than 3 feet to any lot line.

2. Garden windows and other similar features that do not provide floor area may project a maximum of 18 inches into required setbacks if they:

a. Are a minimum of 30 inches above the finished floor;

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

c. Combined with bay windows and other similar features that provide floor area, make up no more than 30 percent of the area of the facade.

3. Bay windows and other similar features that provide floor area may project a maximum of 2 feet into required front and rear setbacks if they:

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

b. Are no more than 10 feet in width; and

c. Combined with garden windows and other projections included in subsection 23.44.090.E.2, make up no more than 30 percent of the area of the facade.

4. Unenclosed porches and steps

a. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower, may extend to within 5 feet of a street lot line and 3 feet of a side lot line.

b. Porches or steps may be covered, provided that:

1) No portions of the cover-structure, including any supports, are closer than 5 feet to any lot line;

2) The height of the roof over unenclosed porch or steps shall not exceed 15 feet above existing or finished grade, whichever is lower;

3) The roof over such porches or steps shall not be used as a deck; and

4) The total area of porches attached to any individual dwelling unit and located in the setback is not more than 60 square feet.

F. Structures with ground-floor commercial uses. The ground floor of a structure containing a ground-floor commercial use may extend into one front setback provided it is not located closer than 2 feet from a front lot line.

G. Garages and carports

1. Garages and carports may be located in a setback where parking is allowed in a setback as provided in subsections 23.44.160.D.4 and 23.44.160.D.5.

2. Garages and carports may be located in a required side setback that abuts the rear or side setback of another lot if:

a. The garage or carport is a detached structure and extends only into that portion of a side setback that is either within 40 feet of the centerline of an alley or within 25 feet of any rear lot line that is not an alley lot line; or

b. An agreement between the owners of record of the abutting properties, authorizing the garage or carport in that location, is executed and recorded with the King County Recorder's Office.

3. Garages and carports may be located in the rear setback provided they are not located within 5 feet of the rear property line.

4. Garages and carports allowed in required setbacks shall comply with all of the following standards:

a. The area of a garage or carport in front setbacks, is limited to 300 square feet with 14-foot maximum width if one space is provided, and 600 square feet with 24-foot maximum width if two spaces are provided.

b. Roof eaves and gutters that project up to 2 feet are excluded from the maximum coverage and size limits.

c. The roof shall not be used as a balcony or deck in rear or side setbacks.

H. Other unenclosed structures allowed in setbacks

1. All unenclosed structures not more than 18 inches above existing or finished grade, whichever is lower, are allowed in any required setback including but not limited to decks, swimming pools, and hot tubs.

2. Barrier-free access. Access facilities for the disabled and elderly, are allowed in any required setback.

3. Freestanding signs, bike racks, play structures, and similar unenclosed structures that are 6 feet or less in height above existing or finished grade, whichever is lower, are allowed in any required setback, provided that:

a. Signs meet the provisions of Chapter 23.55;

b. Structures located in a side setback allow a 2.5-foot-wide pathway through the side setback; and

c. Structures located within 5 feet of a front lot line are not more than 4 feet in height.

4. Fences

a. Fences no greater than 6 feet in height are allowed in any required setback, except that fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined height is limited to 9.5 feet.

b. Except for fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines, up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is allowed if the architectural features are predominately open.

c. Fence height may be averaged along sloping grades for each 6-foot-long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height when the height allowed by subsection 23.44.090.H.4.a is 6 feet, or 6 feet in height when the height allowed by subsection 23.44.090.H.4.a is 4 feet.

5. Bulkheads and retaining walls

a. Bulkheads and retaining walls used to raise grade are allowed in any required setback if they are limited to 6 feet in height, measured above existing grade.

b. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet measured from the finished grade on the low side, whichever is greater. Any fence shall be set back a minimum of 3 feet from such a bulkhead or retaining wall.

6. Mechanical equipment. Heat pumps, charging devices for electric vehicles, and similar mechanical equipment, not including incinerators, are allowed in required setbacks if they are not located within 3 feet of any lot line.

7. Access bridges. Uncovered, unenclosed access bridges are allowed as follows:

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

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

8. Unenclosed structures are allowed in the rear setback provided that the structure is:

a. Not located within 5 feet of a rear lot line that is not an alley lot line;

b. Not more than 12 feet in height; and

c. Separated from a dwelling unit by at least 3 feet, eave to eave.

9. Above-grade stormwater management features, such as bioretention planters and cisterns, are allowed in setbacks if:

a. No feature, excluding piping, is more than:

1) Twelve feet tall if located in a portion of the rear setback that is not also a side setback; or

2) Six and a half feet tall, if located in other setbacks.

b. No feature greater than 4.5 feet tall is located within 10 feet of the front lot line, excluding piping, unless it is integrated into a bulkhead or retaining wall that is allowed in subsection 23.44.090.H.5;

c. No feature greater than 6 inches tall is located within 2.5 feet of the side lot line; and

d. The total storage capacity of all above-grade cisterns located in setbacks is no greater than 1,250 gallons.

10. Guardrails or handrails no more than 42 inches are allowed on unenclosed stairs, decks, access bridges, bulkheads, and retaining walls.

I. Other enclosed structures allowed in setbacks

1. Any accessory structure that is not a dwelling unit may be constructed in a side or rear setback that abuts the rear or side setback of another lot upon recording with the King County Recorder's Office an agreement to this effect between the owners of record of the abutting properties.

2. Enclosed structures that are not dwelling units are allowed in the rear setback provided that:

a. They are not located within 5 feet of a rear lot line that is not an alley lot line;

b. They are not more than 12 feet in height; and

c. They are separated from a dwelling unit by at least 3 feet, eave to eave.

J. Certain additions. An addition to an existing dwelling unit may extend into a required side setback if:

1. The existing dwelling unit is already nonconforming with respect to that setback;

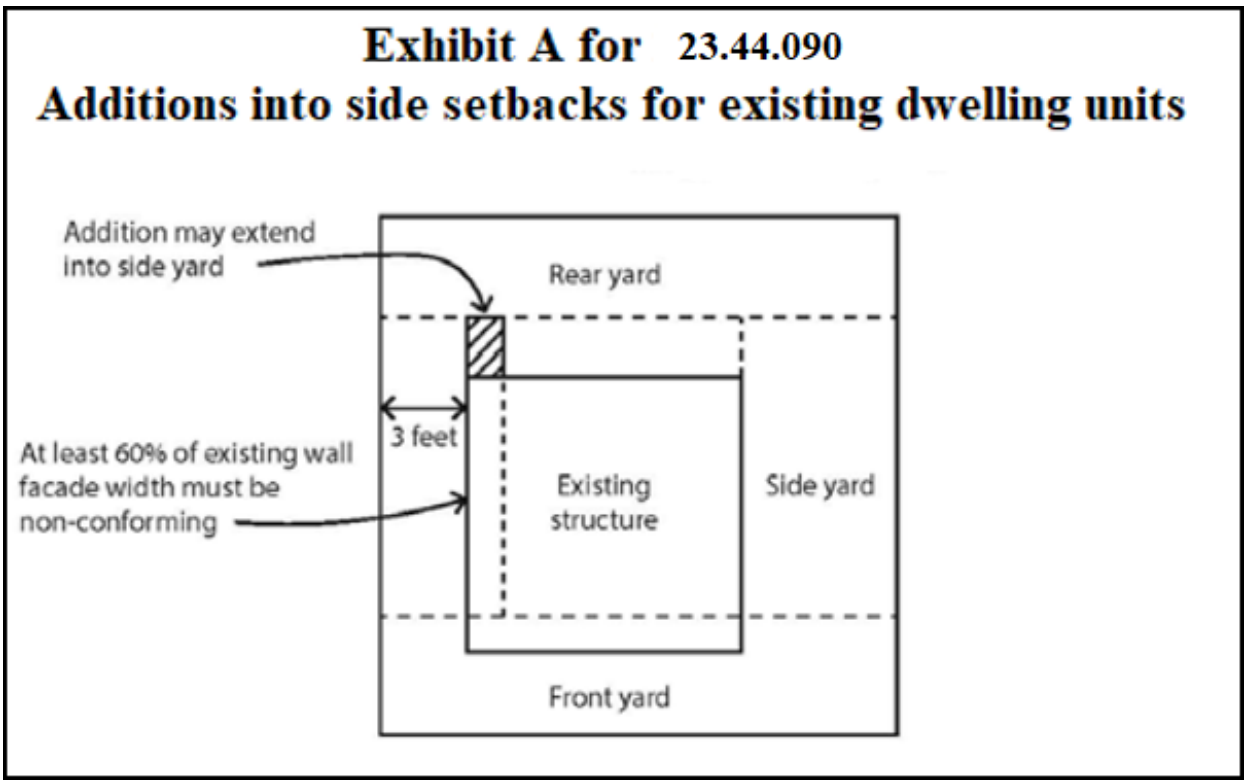
2. The portion of the dwelling unit that is presently nonconforming is at least 60 percent of the total width of the respective facade of the structure prior to the addition;

3. The addition would not be located within 3 feet of a side lot line; and

4. The addition would not be located any closer to the side lot line than the closest part of the existing structure.

Exhibit A for 23.44.090

Additions into side setbacks for existing dwelling units



K. A structure may be permitted to extend into front and rear setbacks as necessary to protect Tier 1 and Tier 2 trees pursuant to Section 25.11.070.

23.44.100 Separations between structures

A. The minimum required separation between structures containing floor area is 6 feet except that if the structures are separated by a driveway or parking aisle, the minimum required separation between the structures is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less.

B. If structures containing floor area are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

C. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2 feet. Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

23.44.110 Amenity area

A. The amount of required amenity area is equal to 20 percent of the lot area.

B. All dwelling units shall have access to either a common or private amenity area.

C. For attached and detached dwelling units, required ground-level amenity areas may be provided as either private or common space. For stacked dwelling units, at least half of the amenity area shall be provided as common space.

D. A minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade. In calculating the total amount of amenity area, only half of the amenity area that is not provided at ground level or within 4 feet of existing grade shall count toward the required amenity area.

E. Amenity area shall not be enclosed within a structure.

F. Each amenity area shall be at least 120 square feet in area and have a minimum width and depth of 8 feet.

G. Features in amenity areas

1. The following features are not allowed in amenity areas:

a. Vehicular parking areas, vehicular access easements, and driveways;

b. Required bike parking;

c. Solid waste and recyclable material storage area; and

d. Enclosed structures.

2. Pathways serving multiple dwelling units are not allowed in private amenity areas.

3. Decks, porches, and steps; swimming pools, spas, and hot tubs; stormwater management features, including but not limited to bioretention planters and cisterns; play equipment; and similar features are allowed in amenity areas.

4. Amenity areas may be covered by weather protection.

5. Projections that do not provide floor area may extend into an amenity area if they meet the standards for projections into setbacks in subsection 23.44.090.E and if garden windows and other similar features are at least 8 feet above finished grade.

6. Rooftop areas located within 8 feet of minor communication utilities and accessory communication devices do not qualify as amenity areas.

H. Areas in environmentally critical areas and their buffers, including but not limited to steep slopes, may count toward amenity areas.

I. No amenity area is required for one new dwelling unit added to a dwelling unit existing as of January 1, 1982, or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001.

23.44.120 Tree requirements

A. Development containing one or more new dwelling units must plant or retain trees to achieve the number of tree points listed in Table A for 23.44.120.

Table A for 23.44.120
Number of tree points required

Density (dwelling units per lot size)	**Tree points required per lot area [1]**
Less dense than 1 unit / 4,000 square feet	1 point / 500 square feet
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	1 point / 600 square feet
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1 point / 675 square feet

Table A for 23.44.120 Number of tree points required	
Density (dwelling units per lot size)	**Tree points required per lot area [1]**
1 unit / 1,600 square feet or denser	1 point / 750 square feet
Footnote to Table A for 23.44.120 [1] For purposes of this Section 23.44.120, lot area shall not include submerged lands.	

B. Individual trees preserved during construction or planted as part of construction, excluding street trees, count toward the tree score according to Table B for 23.44.120. Trees required under Section 25.11.090 shall count toward this standard. All required trees shall meet standards promulgated by the Director to provide for the long-term health and viability of plantings. These standards may include but are not limited to tree selection, invasive species, planting specification, soil and mulch amendment, and protection practices during construction.

Table B for 23.44.120
Tree points

Type of tree	Tree species	Points for deciduous trees	Points for evergreen trees
Trees planted as part of construction	Small	1 point	1.25 point
	Small/medium	2 points	2.5 points
	Medium/large	3 points	3.75 points
	Large	4 points	5 points
Trees preserved during construction	Small	0.4 point per inch of diameter	0.5 point per inch of diameter
	Small/medium	0.8 point per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 point per inch of diameter	1.4 point per inch of diameter

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Table B for 23.44.120 Tree points			
Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
	Large	1.6 point per inch of diameter	1.8 point per inch of diameter

C. Tree protection areas shall be designated in accordance with Section 25.11.060 for all trees that are proposed to be preserved to receive points under subsection 23.44.120.B, regardless of tree tier.

D. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City, and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

E. Tree measurements

1. New trees planted to meet this requirement shall meet the following size standards:

a. Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.

b. Multi-stemmed deciduous trees must have at least three stems and be at least 6 feet tall.

c. Evergreen trees must be at least 4 feet tall.

2. Existing trees shall be measured 4.5 feet above the ground.

F. Tree location. New trees planted to meet this requirement shall not be planted:

1. For small species trees, within 2 feet of a dwelling unit;

2. For small/medium species trees, within 4 feet of a dwelling unit;

3. For medium/large species trees, within 6 feet of a dwelling unit;

4. For large species trees, within 8 feet of a dwelling unit; and

5. For all trees, within 2 feet of a sidewalk located in the right-of-way.

G. Street tree requirements

1. Street trees are required for development that would add one or more principal dwelling units on a lot, except as provided in subsection 23.44.120.G.2 and Section 23.53.015. Existing street trees shall be retained unless the Director of the Seattle Department of Transportation approves their removal. The Director, in consultation with the Director of the Seattle Department of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:

a. Improve public safety;

b. Promote compatibility with existing street trees;

c. Match trees to the available space in the planting strip;

d. Maintain and expand the urban forest canopy;

e. Encourage healthy growth through appropriate spacing;

f. Protect utilities; and

g. Allow access to the street, buildings, and lot.

2. Exceptions to street tree requirements

a. If a lot borders an unopened right-of-way, the Director may reduce or waive the street tree requirement along that right-of-way as a Type I decision if, after consultation with the Director of the Seattle Department of Transportation, the Director determines that the right-of-way is unlikely to be opened or improved.

b. If it is not feasible to plant street trees in a right-of-way planting strip, a 5-foot setback shall be planted with trees along the street lot line that abuts the required front

setback, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Seattle Department of Transportation. If a 5-foot setback or landscaped planting strip is not feasible, the Director may reduce or waive this requirement as a Type I decision.

23.44.130 Structure width limits

Structure width for each building containing residential uses in Neighborhood Residential zones may not exceed 90 feet. Measurement of structure width is provided in Section 23.86.014.

23.44.140 Design standards

A. Application of provisions.

1. The provisions of this Section 23.44.140 apply to development that includes the construction of new dwelling units, except for new dwelling units added within existing structures.

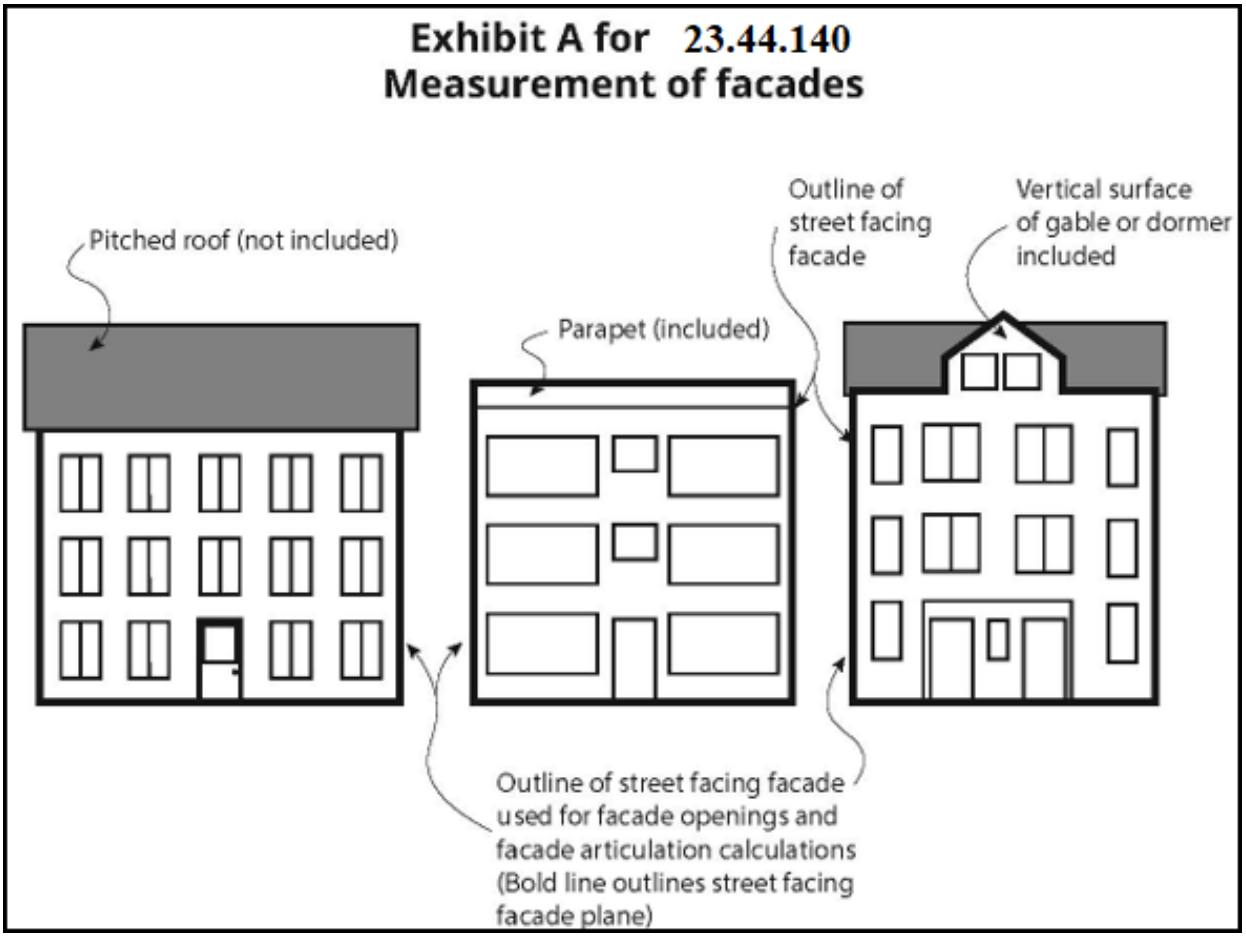
2. For the purposes of this Section 23.44.140, requirements for street-facing facades shall only apply to structures located within 40 feet of a street lot line or a vehicle access easement serving ten or more residential units. For structures located within 40 feet of a vehicle access easement serving ten or more residential units but not within 40 feet of a street lot line, the facade that faces the vehicle access easement shall be considered a street-facing facade for the purpose of this Section 23.44.140. If multiple facades face vehicle access easements, the applicant may decide which facade facing a vehicle access easement is considered the street-facing facade.

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B. Measurement of street-facing facades. For the purposes of this Section 23.44.140, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.44.140.

Exhibit A for 23.44.140

Measurement of facades



C. Pedestrian access. Each dwelling unit shall have pedestrian access at least 3 feet in width to the sidewalk or, if no sidewalk exists, the front lot line. This pedestrian access may be shared or private. This pedestrian access may cross any required setbacks or interior separation. This pedestrian access may be part of a driveway.

D. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on that street-facing facade meeting the requirements of subsections 23.44.140.D.1 through

23.44.140.D.4. For attached and detached dwelling units, the pedestrian entry may be located on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a covered porch or recessed entry that also abuts the street-facing facade.

1. For stacked dwelling units, at least one pedestrian entry shall be required for the structure as a whole.

2. For attached and detached dwelling units, each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall have at least one pedestrian entry on the street-facing facade.

3. For structures or dwelling units with multiple street-facing facades, a pedestrian entry is required on only one of the street-facing facades.

4. Required pedestrian entry on street-facing facades shall have weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in width and 4 feet in depth for stacked dwelling units.

E. Windows and doors. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors. If front and side facades are street-facing, the two facades shall be combined for the purpose of this calculation. Windows count toward the requirement for facade openings in this subsection 23.44.140.E only if they are transparent. Windows composed of garage doors and doors to utility and service areas do not count.

23.44.150 Light and glare standards

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

B. To prevent vehicle lights from affecting adjacent properties, driveways and parking areas for more than two vehicles shall be screened from abutting properties by a fence or wall

between 5 feet and 6 feet in height, or a solid evergreen hedge or landscaped berm at least 5 feet in height. If the elevation of the lot line is different from the finished elevation of the driveway or parking surface, the difference in elevation may be measured as a portion of the required height of the screen so long as the screen itself is a minimum of 3 feet in height. The Director may waive the requirement for the screening if it is not needed due to changes in topography, agreements to maintain an existing fence, or the nature and location of adjacent uses.

23.44.160 Parking location and access

A. Parking quantity. Off-street parking is required pursuant to Section 23.54.015.

B. Parking on same lot. Any required parking shall be located on the same lot as the principal use, except that parking accessory to a floating home, floating on-water residence, house barge, or vessel with a dwelling unit may be located on another lot if within 600 feet of the lot on which the floating home, floating on-water residence, house barge, or vessel with a dwelling unit is located.

C. Access to parking

1. Vehicular access to parking from an improved street, alley, or easement is required if parking is provided.

2. Access to parking is permitted from a street only if the Director determines that one of the following conditions exists:

a. There is no alley improved to the standards of subsection 23.53.030.B, and there is no unimproved alley in common usage that currently provides access to parking on the lot or to parking on adjacent lots in the same block;

b. Existing topography does not permit alley access;

c. At least 50 percent of alley frontage abuts property in a nonresidential zone;

d. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard;

e. Parking access must be from the street in order to provide access to a parking space that complies with Chapter 11 of the Seattle Building Code; or

f. Providing alley access would require removal of a tree on private property that is a Tier 1 or Tier 2 tree and all other applicable criteria for tree protection in Chapter 25.11 are met.

D. Location of parking. Except as provided below, parking is not allowed within 20 feet of a front lot line or within 5 feet of a side street lot line:

1. If access to required parking passes through a required setback, automobiles, motorcycles, and similar vehicles may be parked on the open access located in a required setback.

2. If access is taken directly from an alley, surface parking may be located within 20 feet of a street lot line if it is located within 28 feet of an alley lot line and is no closer than 7 feet to any street lot line.

3. For lots at least 40 feet in width, up to two surface parking spaces are allowed within 20 feet of a street lot line provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The parking spaces are located perpendicular to the street lot line from which they are accessed;

c. On corner lots, the parking spaces are not located within 20 feet of the street lot line parallel to the parking spaces;

d. No other parking spaces or driveways are located on the lot;

e. The parking spaces are not located within 10 feet of a street lot line; and

f. The combined width of the parking spaces shall not exceed 20 feet.

4. Lots with uphill setbacks abutting streets. Parking may be located in a required setback abutting a street provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The existing grade of the lot slopes upward from the street lot line an average of at least 6 feet above sidewalk grade at a line that is 10 feet from the street lot line;

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

d. No other parking spaces or driveways are located on the lot;

e. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

f. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

5. Lots with downhill setbacks abutting streets. Parking may be located in a required setback abutting a street if the following conditions are met:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.C;

b. The existing grade slopes downward from the street lot line that the parking faces;

c. For parking located in a front setback, the lot has a vertical drop of at least 6 feet in the first 10 feet, measured along a line from the midpoint of the front lot line to the midpoint of the rear lot line;

d. Parking is not located in required side setbacks abutting a street;

e. No other parking spaces or driveways are located on the lot;

f. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

g. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

E. No more than three vehicles may be parked outdoors per dwelling unit on a lot.

F. Trailers, boats, recreational vehicles, and similar equipment shall not be parked in required setbacks, unless fully enclosed in a structure otherwise allowed in a required setback by subsection 23.44.160.D.

G. The total combined horizontal width of all garage entrances that are located on front facades may not be more than 50 percent of the horizontal width of the street-level front facades or 10 feet, whichever is greater. No dwelling unit may have a garage entrance on both a front facade and a side facade.

H. Except as provided in subsections 23.44.160.D.4 and 23.44.160.D.5, garage entrances facing the street shall be set back at least 20 feet from the street lot line.

23.44.170 Alternative standards for development of low-income housing

A. Development of low-income housing that meets all of the following criteria may meet the alternative development standards in subsection 23.44.170.B:

1. The lot is located within a frequent transit service area;

2. The restricted units are generally distributed throughout the development and have substantially the same functionality as unrestricted units, if any, in the development;

3. To the extent practicable, the restricted units are comparable to unrestricted units, if any, in terms of square footage and number of bedrooms and bathrooms;

4. The tenure (i.e., rental or ownership) of restricted units and unrestricted units, if any, is the same;

5. For ownership housing, the restricted units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.170.A means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

a. Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

b. Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

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6. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit organization (for ownership housing) agree to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.170.A and the regulatory agreement, covenant, or other legal instrument.

B. Proposed development on a lot meeting the criteria in subsection 23.44.170.A may elect to meet the following development standards in lieu of the standards in subsections 23.44.050.B (floor area), 23.44.060.B (density), and 23.44.070.A (structure height), and Section 23.44.080 (lot coverage):

1. The maximum floor area ratio (FAR) limit is 1.8. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

2. The maximum density limit is one unit per 400 square feet.

3. The maximum height limit is 42 feet.

4. The maximum lot coverage is 60 percent.

23.44.175 Alternative standards for development of affordable units on property owned or controlled by a religious organization

In lieu of meeting development standards contained in subsection 23.44.050.B (floor area), 23.44.060.A (density), 23.44.070.A (structure height), and 23.44.080.A (lot coverage), a proposed development that meets the requirements of Section 23.42.055 and subsection 23.44.175.A may elect to meet the alternative development standards in subsection 23.44.175.B.

A. Development on a lot that meets one of the following criteria may meet the alternative development standards in subsection 23.44.175.B:

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1. The lot has or abuts a lot with a religious facility or other use accessory to a religious facility; or

2. The lot area is 10,000 square feet or greater.

B. Proposed development on lots meeting the criteria in subsection 23.44.175.A may meet the following development standards:

1. The minimum lot area per dwelling unit is 450 square feet.

2. The maximum lot coverage allowed for structures is 60 percent of lot area.

3. The maximum FAR limit is 1.8. The FAR limit applies to the total chargeable floor area of all structures on the lot.

4. The maximum height for any structure is 42 feet.

23.44.180 Institutions

A. Institutions located in a Neighborhood Residential zone shall meet the development standards of this Section 23.44.180 and other sections of Chapter 23.44 except as provided in Section 23.44.030, Chapter 23.51B, Chapter 23.69, or Chapter 23.79. In the event of conflict between the standards in this Section 23.44.180 and other sections of Chapter 23.44, the standards in this Section 23.44.180 shall control.

B. Height limits

1. The height limit for institutions shall be 32 feet, except as provided in subsection 23.44.180.B.2.

2. For gymnasiums, auditoriums, and wood shops that are accessory to an institution, the maximum permitted height is 35 feet if all portions of the structure above the height limit of the zone are set back at least 20 feet from all lot lines. Pitched roofs on the

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auditorium, gymnasium, or wood shop with a slope of not less than 4:12 may extend 10 feet above the 35-foot height limit. No portion of a shed roof on a gymnasium, auditorium, or wood shop is permitted to extend beyond 35 feet.

C. Landscaping

1. Landscaping that achieves a Green Factor score of 0.3 or greater, pursuant to Section 23.86.019, is required for any lot with:

a. Development, either a new structure or an addition to an existing structure, containing more than 4,000 new square feet of non-residential uses; or

b. Any parking lot containing more than 20 new parking spaces for automobiles.

2. All required trees shall meet standards promulgated by the Director to provide for the long-term health, viability, and coverage of plantings. These standards may include, but are not limited to, the type and size of plants, spacing of plants, depth, and quality of soil, access to light and air, and protection practices during construction.

D. Parking

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

2. Screening of surface parking areas. Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

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

b. Screening shall consist of a fence, solid evergreen hedge, or wall at least 3 feet in height.

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E. Odors. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent.

F. Light and glare

1. Exterior lighting for institutions shall be shielded or directed away from residential structures on adjacent lots.

2. Poles for freestanding exterior lighting are permitted up to a maximum height of 32 feet. Light poles for illumination of athletic fields on new and existing public school sites will be allowed to exceed 30 feet pursuant to Chapter 23.51B.

G. The Director may allow, as a Type I decision, higher fencing in a required setback when necessary for sports fields.

23.44.190 Parks and open space

A. The following accessory uses shall be permitted in public parks when within a structure or on a terrace abutting the structure, provided that when the use is within 100 feet of another lot in a residential zone the use is completely enclosed:

1. The sale and consumption of beer and wine during daylight hours;

2. The sale and consumption of alcoholic beverages under a Class H liquor license at municipal golf courses during established hours of operation.

B. The sale and consumption of beer and wine with meals served in a restaurant facility within the boundaries of Woodland Park shall be permitted. The use shall be permitted in only one facility located no closer than 100 feet from any lot in a residential zone and separated from other public activity areas and zoo buildings by at least 50 feet.

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

1. Any active play area shall be located 30 feet or more from any lot in a Neighborhood Residential zone;

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

Section 31. Section 23.45.502 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.45.502 Scope of provisions

* * *

D. Other regulations((~~,~~)) may apply to development proposals including but not limited to general use provisions (Chapter 23.42); transportation concurrency and transportation impact mitigation (Chapter 23.52); requirements for streets, alleys, and easements (Chapter 23.53); standards for access, off-street parking, ((~~quantity, access, and design~~)) and solid waste storage (Chapter 23.54); ((~~standards for solid waste storage (Chapter 23.54)~~)); ((~~signs~~)) sign regulations (Chapter 23.55); communication regulations (Chapter 23.57); ((~~and methods for measurements (Chapter 23.86), may apply to development proposals~~)) shoreline regulations (Chapter 23.60A); and environmental protection and historic preservation (Title 25).

E. Congregate residences are subject to additional requirements as specified in Section 23.42.049.

Section 32. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 127098, is amended as follows:

23.45.504 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to ((~~the regulations in~~)) this Chapter 23.45 and ((~~additional regulations in~~)) Chapter 23.57. Public facilities are subject to ((~~the regulations in~~)) Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

Table A for 23.45.504
Permitted and prohibited uses

Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
* * *		
C. Uses not otherwise permitted in existing or former public schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
((~~C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses in existing or former public schools~~	~~P~~	~~P~~

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Table A for 23.45.504 **Permitted and prohibited uses**		
Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
~~C.2. Other non-school uses in existing or former public schools~~	~~Permitted pursuant to procedures established in Chapter 23.78~~	~~Permitted pursuant to procedures established in Chapter 23.78~~))
* * *		
E. Parks and ((~~playgrounds including customary~~)) open space uses	P	P
F. Ground-floor commercial uses	RC/P [4]	RC/P ((~~4.~~)) [5]
* * *		
L. Heat recovery incinerators	CU	CU
M. Human service uses	P	P
((~~L.~~)) N. All other uses	X	X

Key to Table A for 23.45.504
P = Permitted outright
CU = Permitted as an administrative conditional use
RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46
X = Prohibited

Footnotes to Table A for 23.45.504

[1] Institutions meeting development standards including but not limited to the standards in Section 23.45.570 are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.

[2] Prohibited in Station Area Overlay Districts (SAODs); otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506 on surface parking existing as of January 1, 2017.

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Table A for 23.45.504 **Permitted and prohibited uses**		
Uses	**Permitted and prohibited uses by zone**	
	LR1, LR2, and LR3	**MR and HR**
[3] Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted outright in LR3, MR, HR, and LR3/RC zones, except prohibited in ((~~the~~)) a SAOD. [4] ((~~Permitted in development that meets~~)) For lots located in a zone that does not include an RC designation, ground-floor commercial uses are allowed if they meet the requirements of Section 23.42.055 and Chapter 23.46 or the standards of subsection 23.45.504.D ((~~even if it is not located in a zone that includes an RC designation~~)). [5] ((~~Subject to subsection 23.45.504.E except in zones that include an RC designation.~~)) For lots located in a zone that does not include an RC designation, ground-floor commercial uses are allowed if they meet the standards of subsection 23.45.504.E and Section 23.45.532. [6] Subject to subsections 23.45.504.G and 23.45.506.F. [7] Subject to subsection 23.45.504.F. [8] Prohibited in LR1 and LR2 zones. Permitted outright in all other multifamily zones as surface parking on surface parking lots existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026. ((~~P = Permitted outright~~ ~~CU = Permitted as an Administrative Conditional Use~~ ~~RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46~~ ~~X = Prohibited~~))		

C. Accessory uses. The following accessory uses are permitted in all multifamily zones, subject to ((~~the standards in~~)) Section 23.45.545, if applicable:

1. Private garages and carports;

2. Private, permanent swimming pools, hot tubs, and other similar uses;

3. Solar collectors, including solar greenhouses;

4. ((~~Open wet moorage accessory to residential structures;~~)) Piers and floats, provided they comply with Chapter 23.60A;

5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;

6. Bed and breakfasts in a dwelling unit that is at least five years old, provided they comply with subsection 23.45.504.I;

7. Recycling collection stations;

8. Urban farms with planting area not more than 4,000 square feet. Urban farms with greater than 4,000 square feet of planting area may be allowed as an administrative conditional use to any use permitted outright or as a conditional use. The Director may grant, condition, or deny a conditional use permit in accordance with subsection 23.42.051.B; and

9. Accessory dwelling units provided they comply with Section 23.42.022.

D. ((~~Heat recovery incinerators may be permitted as accessory administrative conditional uses, pursuant to Section 23.45.506.~~)) Ground-floor commercial use in Lowrise zones without an RC suffix are allowed if they comply with the following:

1. The commercial use is located on a corner lot or on a lot that abuts both a street and an alley.

2. The commercial use is limited to the following:

a. Food processing and craft work;

b. General sales and services; and

c. Restaurants.

3. The commercial uses do not occupy more than 2,500 square feet of gross floor area.

4. The commercial use is permitted only on or below the ground floor of a structure.

5. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air conditioning, or

refrigeration) shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent.

6. Drive-in businesses are prohibited as a principal or accessory use.

7. Outdoor sales of food or beverages must be located at least 50 feet from adjacent lots.

8. Outdoor service of food or beverages must be located at least 50 feet from adjacent lots.

9. Businesses may not be open between the hours of 10 p.m. and 6 a.m.

E. Ground-floor commercial use in Midrise and Highrise zones without an RC suffix are allowed if they comply with the following:

1. Drive-in businesses are prohibited((~~,~~)) as either a principal or accessory use.

2. ((~~The following uses are permitted as ground-floor commercial uses in MR and HR zones pursuant to Section 23.45.532:~~)) The commercial use is limited to the following:

a. Business support services;

b. Food processing and craft work;

c. General sales and services;

d. Medical services;

e. Offices;

f. Restaurants; and

g. Live-work units with one of the uses permitted in this subsection 23.45.504.E as the permitted commercial use.

3. The ground-floor commercial uses meet the requirements of Section 23.45.532.

F. Existing cemeteries are permitted to continue in use. New cemeteries are prohibited and existing cemeteries are prohibited from expanding. For purposes of this Section 23.45.504, a change in a cemetery boundary is not considered an expansion in size and is permitted provided that:

1. The change does not increase the net land area occupied by the cemetery;

2. The land being added to the cemetery is contiguous to the existing cemetery and is not separated from the existing cemetery by a public street or alley whether or not improved; and

3. The use of the land being added to the cemetery will not result in the loss of housing.

G. Except as provided in subsections 23.45.504.G.1 and 23.45.504.G.2 ((~~below~~)), medical service uses other than permitted ground-floor commercial uses are prohibited.

1. Medical service uses in HR zones may be permitted as administrative conditional uses pursuant to subsection 23.45.506.F.

2. Medical service uses meeting the development standards for institutions are permitted outright on property conveyed by a deed from the City that, at the time of conveyance, restricted the property's use to a health care or health-related facility.

H. Fences and free-standing walls of utility services uses shall be set back from the street lot line by an average of 7 feet and be no less than 5 feet from the street lot line at any point. Landscaping shall be provided between the fence or wall and the street lot line. The Director may reduce this setback after finding that the reduced setback will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include

changes in the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

I. Bed and breakfast uses. A bed and breakfast use may be operated in a principal dwelling unit or an accessory dwelling unit under the following conditions:

1. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;

2. The bed and breakfast use is operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator; and

3. There is no evidence of a bed and breakfast use visible from the exterior of the dwelling unit other than a sign permitted by subsection 23.55.022.D.1.

Section 33. Section 23.45.508 of the Seattle Municipal Code, last amended by Ordinance 127098, is amended as follows:

23.45.508 General provisions

A. Except for structures related to an urban farm, a structure occupied by a permitted use other than a residential use may be partially or wholly converted to a residential use even if the structure does not conform to the development standards for residential uses in multifamily zones.

B. ((~~Off street parking shall be provided pursuant to Section 23.54.015, and as permitted by provisions of Sections 23.45.504 and 23.45.506, if applicable.~~

~~C.~~)) Expansions of nonconforming converted structures and conversions of structures occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

((~~D. Methods for measurements are provided in Chapter 23.86. Requirements for streets, alleys, and easements are provided in Chapter 23.53. Standards for parking and access and design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.~~

~~E.~~)) C. Assisted living facilities, congregate residences, nursing homes, and structures containing ground floor commercial uses as allowed by Chapter 23.46 in RC zones shall meet the development standards for ((~~apartments~~)) stacked dwelling units unless otherwise specified.

((~~F. Single-family dwelling units. In LR zones, single-family dwelling units shall meet the development standards for townhouse developments, except as otherwise provided. In MR and HR zones, single-family dwelling units shall meet the development standards of the zone.~~

~~G. Proposed uses in all multifamily zones are subject to the transportation concurrency level-of-service standards prescribed in Chapter 23.52.~~

~~H.~~)) D. Lots with no street frontage. For purposes of structure width, depth, and setbacks, multifamily zoned lots that have no street frontage are subject to the following:

1. For lots that have only one alley lot line, the alley lot line shall be treated as a front lot line.

2. For lots that have more than one alley lot line, the Director shall determine which alley lot line shall be treated as the front lot line.

3. For lots that have no alley lot lines, the applicant may choose the front lot line provided that the selected front lot line length is at least 50 percent of the width of the lot.

((~~I.~~)) E. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is not entitled to a permit for any use or development on a lot in an LR zone that would be inconsistent with any term, condition, or restriction contained either in any recorded agreement that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1, L2, L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to LDT, L1, L2, L3, or L4 conditioned on a recorded agreement prior to April 19, 2011.

((~~J.~~)) F. If more than one category of residential use is located on a lot, and if different development standards apply to the different categories of use, then each category's percentage of the total limit imposed by the development standard shall be calculated based on each category's percentage of total structure footprint area, as follows:

1. Calculate the footprint, in square feet, for each category of residential use. For purposes of this calculation, "footprint" is defined as the horizontal area enclosed by the exterior walls of the structure.

2. Calculate the total square feet of footprint of all categories of residential uses on the lot.

3. Divide the square footage of the footprint for each category of residential structure in subsection ((~~23.45.508.J.1~~)) 23.45.508.F.1 by the total square feet of footprints of all residential uses in subsection ((~~23.45.508.J.2~~)) 23.45.508.F.2.

4. Multiply the percentage calculated in subsection ((~~23.45.508.J.3~~)) 23.45.508.F.3 for each housing category by the area of the lot. The result is the area of the lot devoted to each housing category.

5. The total limit for each category of residential use is the applicable limit for that use multiplied by the percentage calculated in subsection ((~~23.45.508.J.4~~)) 23.45.508.F.4.

((~~K.~~)) G. Unless otherwise specified, the development standards of each zone shall be applied in that zone, and may not be used in any other zone, except that if both zones have the same development standards, the development standard shall be applied to the lot as a whole. If a lot or development site includes more than one zoning designation and a development standard is based on lot area, the lot area used in applying the development standard shall be the portion of the contiguous area with the corresponding zoning designation.

Section 34. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.510 Floor area

A. Gross floor area. In multifamily zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation((~~, and ground level walking paths,~~)) are not considered gross floor area.

B. Floor area ratio (FAR) limits in LR and MR zones. FAR limits apply in LR and MR zones as shown in Table A for 23.45.510((-)), provided that if the LR zone designation includes an incentive zoning suffix, then gross floor area may exceed the base FAR as identified in the suffix designation, up to the limits shown in Table A for 23.45.510, if the applicant complies

with Chapter 23.58A, Incentive Provisions. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.45.510
FAR limits in LR and MR zones

Zone	Zones with an MHA suffix	Zones without an MHA suffix
LR1	1.3, except 1.5 for stacked dwelling units	1.0
LR2	1.4, except 1.6 for stacked dwelling units [1]	1.1
LR3 outside urban centers and urban villages	1.8	1.2, except 1.3 for ((~~apartments~~)) stacked dwelling units
LR3 inside urban centers and urban villages	2.3	1.2, except 1.5 for ((~~apartments~~)) stacked dwelling units
MR	4.5	3.2

Footnote to Table A for 23.45.510
[1] Except that the FAR is ((~~1.6~~)) 1.8 for ((~~apartments~~)) stacked dwelling units that provide one or more outdoor amenity areas meeting the requirements of Section 23.45.522 and the following provisions are met:
1. The total amount of((~~,~~)) outdoor amenity area is equal to at least 35 percent of the lot area;
2. No part of such amenity area has a width or depth of less than 20 feet; and
3. The outdoor amenity area is located at ground level or within 4 feet of finished grade.

* * *

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

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

2. The floor area in a Landmark structure subject to controls and incentives imposed by a designating ordinance, if the owner of the Landmark has executed and recorded

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an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential (TDP) has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A.

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

a. ((~~All residential structures in LR zones, except as provided in subsection 23.45.510.D.4.b;~~)) No other principal structure is located between the existing residential structure and the street lot line along at least one street frontage. If the existing residential structure is moved on the lot, the floor area of the existing residential structure remains exempt if it continues to meet this subsection 23.45.510.D.3.a; and

b. ((~~Single family, cottage housing, rowhouse, and townhouse developments in LR zones, provided that all parking is located at the rear of the structure or is enclosed in structures with garage entrances located on the rear facade; and~~)) The exemption is limited to the gross floor area that existed on January 1, 1982 and does not include any additions to floor area made to the residential structure after January 1, 1982.

4. Portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, excluding access, (see Exhibit A for 23.45.510), in the following circumstances:

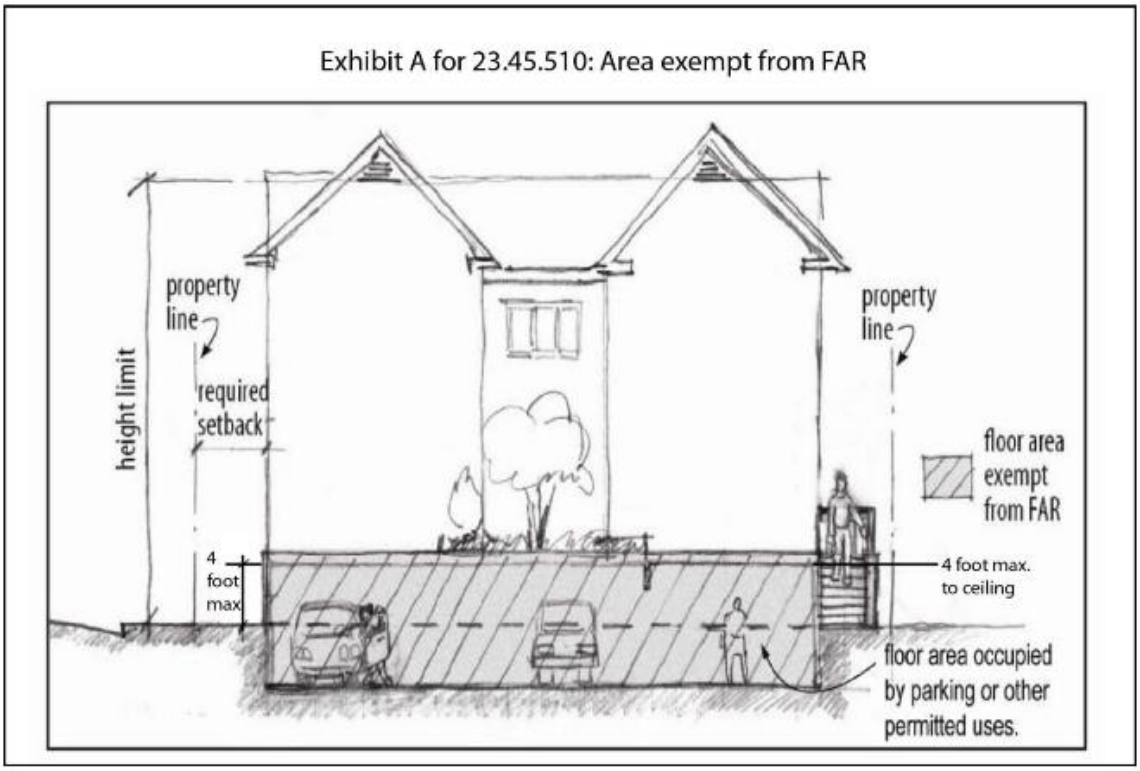
a. ((~~All residential structures~~)) Stacked dwelling units in LR zones ((~~except as provided in subsection 23.45.510.D.4.b~~));

b. ((~~Single family, cottage housing, rowhouse, and townhouse developments~~)) Attached and detached dwelling units in LR zones, provided that all parking is located at the rear of the structure or is enclosed in structures with garage entrances located on the rear facade; and

c. All ((~~multifamily structures~~)) dwelling units in MR and HR zones.

Exhibit A for 23.45.510

Area exempt from FAR



5. For ((~~rowhouse and townhouse developments and apartments~~)) attached and stacked dwelling units, floor area within a story, or portion of a story, that is partially above grade if all of the following conditions are met:

a. The story, or portion of the story, that is partially above grade is used for parking or other accessory uses and has no additional stories above;

b. The average height of the exterior walls enclosing the floor area does not exceed one story, measured from existing or finished grade, whichever is lower;

c. The roof area above the exempt floor area is predominantly flat, is used as amenity area, and meets the standards for amenity area at ground level in Section 23.45.522; and

d. At least 25 percent of the perimeter of the amenity area on the roof above the floor area is not enclosed by the walls of the structure.

6. Enclosed common amenity area in HR zones.

7. As an allowance for mechanical equipment, in any structure more than 85 feet in height, 3.5 percent of the gross floor area that is not otherwise exempt under this subsection 23.45.510.D.

8. In HR zones, ground floor commercial uses meeting the requirements of Section 23.45.532, if the street level of the structure containing the commercial uses has a minimum floor-to-floor height of 13 feet and a minimum depth of 15 feet.

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

10. Common walls separating individual ((~~rowhouse and townhouse~~)) attached dwelling units.

11. In the Northgate Urban Center, up to 15,000 square feet of floor area in residential use in a structure built prior to 1990 that is located on a split-zoned lot of at least 40,000 square feet in size.

12. In MR and HR zones, all gross floor area in child care centers.

13. In low-income housing, all gross floor area for accessory human service uses.

E. If TDP is transferred from a lot pursuant to Section 23.58A.042, the amount of non-exempt floor area that may be permitted is ((~~an~~)) a FAR of 7, plus any net amount of TDP previously transferred to the lot, minus the sum of the existing non-exempt floor area on the lot and the amount of TDP transferred.

Section 35. Section 23.45.512 of the Seattle Municipal Code, last amended by Ordinance 127211, is repealed:

((~~**23.45.512 Density limits and family-size unit requirements – LR zones**~~

~~A. Density limits~~

~~1. Except according to subsection 23.45.512.A.4, the following developments must meet the density limits described in this subsection 23.45.512.A:~~

~~a. In LR1 zones, rowhouse development on interior lots and all townhouse development; and~~

~~b. All development in Lowrise zones that do not have a mandatory housing affordability suffix.~~

~~2. Development described in subsection 23.45.512.A.1 shall not exceed a density of one dwelling unit per 1,150 square feet of lot area, except that apartments in LR3~~

~~zones that do not have a mandatory housing affordability suffix shall not exceed a density limit of one dwelling unit per 800 square feet.~~

~~3. When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.~~

~~4. Low income housing shall have a maximum density of one dwelling unit per 400 square feet of lot area.~~

~~B. Family sized unit requirements in LR1 zones~~

~~1. Apartment developments in LR1 zones with four or more units shall provide at least one unit with two or more bedrooms and a minimum net unit area of 850 square feet for every four units in the structure.~~

~~2. One unit with three or more bedrooms and a minimum net unit area of 1,050 square feet may be provided in place of any two units required to include two bedrooms and a minimum net unit area of 850 square feet.~~

~~C. Nursing homes, congregate housing, assisted living facilities, and accessory dwelling units that meet the standards of Section 23.45.545 are exempt from the density limit set in subsection 23.45.512.A and the requirements in subsection 23.45.512.B.~~

~~D. Dwelling unit(s) located in structures built prior to January 1, 1982, as single family dwelling units that will remain in residential use are exempt from density limits.~~

~~E. If dedication of right of way is required, permitted density shall be calculated before the dedication is made.~~

~~F. Adding units to existing structures~~

~~1. One additional dwelling unit may be added to an existing residential structure regardless of the density restrictions in subsection 23.45.512.A and the requirements in subsection 23.45.512.B. An additional unit is allowed only if the proposed additional unit is to be located entirely within an existing structure, and no additional floor area to accommodate the new unit is proposed to be added to the existing structure.~~

~~2. For the purposes of this subsection 23.45.512.F, "existing residential structures" are those that were established under permit as of October 31, 2001, or for which a permit has been granted and the permit has not expired as of October 31, 2001.~~))

Section 36. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.45.514 Structure height

A. Subject to the additions and exceptions allowed as set forth in this Section 23.45.514, the height limits for structures in LR zones are as shown on Table A for 23.45.514.

Table A for 23.45.514
Structure height for LR zones (in feet)

((~~Housing~~)) Dwelling unit type	LR1	LR2	LR3 outside urban centers, urban villages, and Station Area Overlay Districts	LR3 in urban centers, urban villages, and Station Area Overlay Districts
((~~Cottage housing developments~~	~~22~~	~~22~~	~~22~~	~~22~~
~~Rowhouse and townhouse developments~~)) Attached and detached dwelling units	((~~30~~)) 32	40 [1]	40 [1]	50 [1]
((~~Apartments~~)) Stacked dwelling units	((~~30~~)) 32	40 [1]	40 [1]	50 [2]

Table A for 23.45.514 Structure height for LR zones (in feet)				
((~~Housing~~)) Dwelling unit type	**LR1**	**LR2**	**LR3 outside urban centers, urban villages, and Station Area Overlay Districts**	**LR3 in urban centers, urban villages, and Station Area Overlay Districts**
Footnotes for Table A for 23.45.514 [1] Except that the height limit is ((~~30~~)) 32 feet in zones without a mandatory housing affordability suffix. [2] Except that the height limit is 40 feet in zones without a mandatory housing affordability suffix.				

* * *

C. The height limit for accessory structures other than accessory dwelling units that are located in required setbacks or separations is 12 feet, except as follows:

1. Garages and carports are limited to 12 feet in height as measured on the facade containing the vehicle entrance. Open rails may extend an additional 3 feet above the roof of the garage or carport if any portion of the roof is within 4 feet of existing grade. The ridge of a pitched roof on a garage located in a required setback may extend up to 3 feet above the 12-foot height limit. All parts of the roof above the height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

2. ((~~The height limit for an accessory dwelling unit is provided in subsection 23.42.022.D.~~

~~3.~~)) Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls((~~,~~)) except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

* * *

F. For ((~~apartments in LR2 zones, and for all residential uses in LR3~~)) stacked dwelling units in LR zones, the applicable height limit is increased 4 feet above the height shown on Table A for 23.45.514 for a structure that includes a story that is partially below-grade, provided that:

1. This height exception does not apply to portions of lots that are within 50 feet of a ((~~neighborhood residential~~)) Neighborhood Residential zone boundary line, unless the lot in the LR zone is separated from a ((~~neighborhood residential~~)) Neighborhood Residential zoned lot by a street;

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

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

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

* * *

Section 37. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.45.518 Setbacks ((~~and separations~~))

A. LR zones

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

((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

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

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((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

~~All LR zones~~	~~Category of residential use~~			
~~Side setback for facades greater than 40 feet in length [3]~~	~~5 minimum~~	~~0 where abutting another rowhouse development [2]; otherwise 3.5, except that on side lot lines that abut a neighborhood residential zone, the setback is 7 average; 5 minimum~~	~~7 average; 5 minimum~~	~~7 average; 5 minimum~~

~~Footnotes to Table A for 23.45.518~~
~~[1] Additions to existing nonconforming structures built prior to April 11, 2011, shall be set back a sufficient distance so that the addition complies with setback standards. For any portion of a structure built before April 11, 2011, the average setback applies only to a new addition built after that date. If an addition is to a side wall extended vertically, the existing side wall line may be continued by the addition, provided that the average setback of 7 feet or the 5 foot minimum setback is met.~~
~~[2] If the side facades of rowhouse developments on abutting lots are not joined, then a 3.5 foot setback is required, except the side setback may be reduced to zero if the abutting lot contains a rowhouse development and an easement is provided along the shared lot line of the abutting lot sufficient to leave a 3.5 foot separation between the principal structures of the abutting rowhouse developments.~~
~~[3] Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are not considered part of the facade length for the purposes of determining the side setback requirement.~~))

Table A for 23.45.518
Required setbacks in LR zones

Front	7 feet average, 5 feet minimum
Rear	If rear lot line abuts an alley, 0 feet Otherwise, 7 feet average, 5 feet minimum
Side	5 feet

2. Upper-level setbacks in LR2 and LR3 zones

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

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

2) Fifty-four feet for zones with a height limit of 50 feet.

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

c. Projections allowed in subsection ((~~23.45.518.H~~)) 23.45.518.G are allowed in upper-level setbacks.

d. Structures allowed in subsection ((~~23.45.518.I~~)) 23.45.518.H are not allowed in upper-level setbacks.

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

1) A pitched roof, other than a shed roof or butterfly roof, is allowed in the upper-level setback if all parts of the roof are pitched at a rate of not less than 6:12 and not more than 12:12.

2) Open railings may extend up to 4 feet above the height at which the setback begins.

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

* * *

D. Through lots. In the case of a through lot, each setback abutting a street ((~~except a side setback~~)) shall be a front setback. Rear setback requirements shall not apply to the through lot.

E. Other setback requirements. Additional structure setbacks may be required in order to meet the provisions of Chapter 23.53((~~, Requirements for Streets, Alleys, and Easements~~)).

F. ((~~Separations between multiple structures~~

~~1. In LR and MR zones, the minimum required separation between principal structures at any two points on different interior facades is 10 feet, except for cottage housing developments, and principal structures separated by a driveway or parking aisle.~~

~~2. In LR and MR zones, if principal structures are separated by a driveway or parking aisle, the minimum required separation between the principal structures is 2 feet greater than the required width of the driveway or parking aisle, provided that the separation is not required to be any greater than 24 feet. If principal structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.~~

~~3. Cottage housing developments in LR and MR zones:~~

~~a. The minimum required separation between principal structures at any two points on different interior facades is 6 feet, unless there is a principal entrance on an interior facade, in which case the minimum separation required from that facade is 10 feet.~~

~~b. Facades of principal structures shall be separated from facades of accessory structures by a minimum of 3 feet.~~

~~G.~~)) Front and rear setbacks ((~~and all separations~~)) on lots containing certain environmentally critical areas or buffers may be reduced pursuant to Sections 25.09.280 and 25.09.300.

((~~H.~~)) G. Projections permitted in required setbacks ((~~and separations~~))

1. ((~~Cornices~~)) Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other ((~~forms of weather protection~~)) similar features may project into required setbacks ((~~and separations~~)) a maximum of 4 feet if they are no closer than 3 feet to any lot line.

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

a. Are a minimum of 30 inches above the finished floor;

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

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

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

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

b. Are no more than 10 feet in width; and

c. Combined with garden windows and other ((~~features~~)) projections included in subsection ((~~23.45.518.H.2~~)) 23.45.518.G.2, make up no more than 30 percent of the area of the facade.

4. Unenclosed decks up to 18 inches above existing or finished grade, whichever is lower, may project into required setbacks ((~~or separations~~)).

5. Unenclosed porches or steps

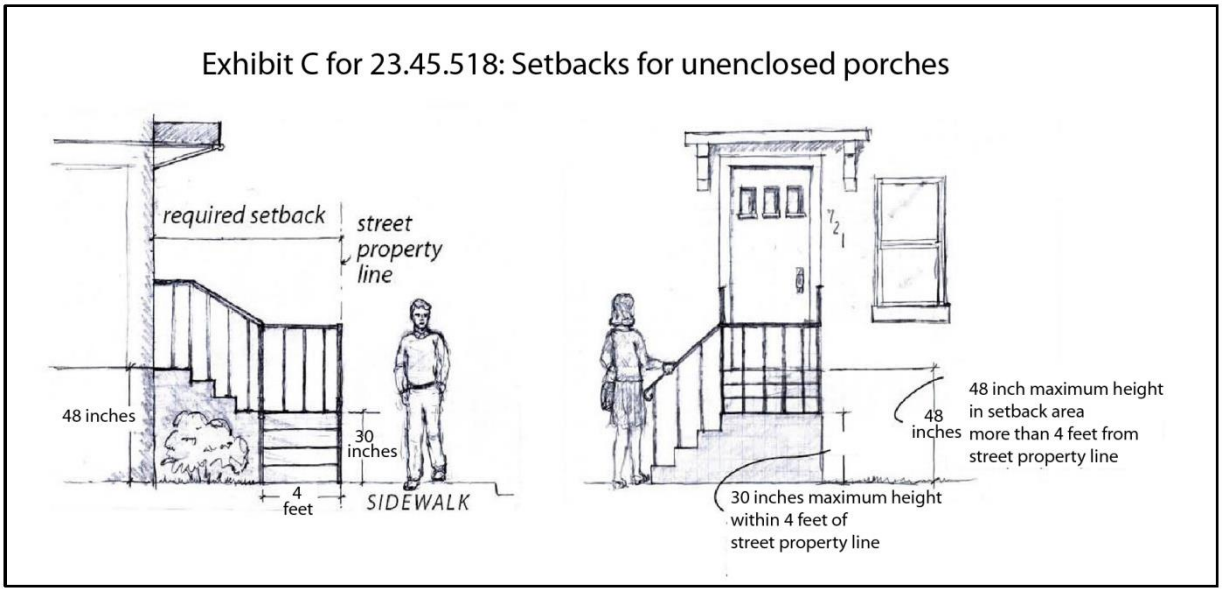
a. Unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at the street lot line closest to the porch, whichever is lower, may extend to within 4 feet of a street lot line, except that portions of entry stairs or stoops not more than 2.5 feet in height from existing or finished grade, whichever is lower, ((~~excluding guard rails or hand rails,~~)) may extend to a street lot line. See Exhibit C for 23.45.518.

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

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

Exhibit C for 23.45.518

Setbacks for unenclosed porches



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

6. Fireplaces and chimneys may project up to 18 inches into required setbacks ((~~or separations~~)).

7. Unenclosed decks and balconies may project a maximum of 4 feet into required setbacks if each one is:

a. No closer than 5 feet to any lot line;

b. No more than 20 feet wide; and

c. Separated from other decks and balconies on the same facade of the structure by a distance equal to at least 1/2 the width of the projection.

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

((~~I.~~)) H. Structures in required setbacks ((~~or separations~~)), except upper-level setbacks

1. Detached garages, carports, or other accessory structures that are not accessory dwelling units are allowed in ((~~required separations and~~)) required rear or side setbacks, subject to the following requirements:

a. Any accessory structure located between a principal structure and a side lot line shall provide the setback required for the principal structure;

b. Any portion of an accessory structure located more than 25 feet from a rear lot line shall be set back at least 5 feet from the side lot line;

c. Accessory structures shall be set back at least 7 feet from any lot line that abuts a street; and

d. Accessory structures shall be separated by at least 3 feet from all principal structures, including the eaves, gutters, and other projecting features of the principal structure.

2. Ramps or other devices necessary for access for the disabled and elderly that meet the Seattle Residential Code((~~, Chapter 3,~~)) or Seattle Building Code((~~, Chapter 11, Accessibility,~~)) are allowed in any required setback ((~~or separation~~)).

3. Uncovered, unenclosed pedestrian bridges, necessary for access and 5 feet or less in width, are allowed in any required setback ((~~or separation~~)).

4. Underground structures are allowed in any required setback ((~~or separation~~)).

5. Solar collectors are allowed in any required setback ((~~or separation~~)), pursuant to the provisions of Section 23.45.545.

6. Freestanding signs, bike racks, and similar unenclosed structures that are 6 feet or less in height above existing or finished grade, whichever is lower, are allowed in any required setback ((~~or separation~~)), provided that signs meet the provisions of Chapter 23.55((~~, Signs~~)).

7. Fences

a. Fences no greater than 6 feet in height are allowed in any required setback ((~~or separation~~)), except that fences in the required front setback extended to side lot lines or in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height. Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined height is limited to 9.5 feet.

b. Up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is allowed((~~,~~)) if the architectural features are predominately open.

c. Fence height may be averaged along sloping grades for each 6-foot-long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height when the height allowed by subsection ((~~23.45.518.I.7.a~~)) 23.45.518.H.7.a is 6 feet, or 6 feet in height when the height allowed by subsection ((~~23.45.518.I.7.a~~)) 23.45.518.H.7.a is 4 feet.

8. Bulkheads and retaining walls

a. Bulkheads and retaining walls used to raise grade are allowed in any required setback if they are limited to 6 feet in height, measured above existing grade. ((~~A guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing as of January 3, 1997.~~))

b. Bulkheads and retaining walls used to protect a cut into existing grade may not exceed the minimum height necessary to support the cut or 6 feet measured from the finished grade on the low side, whichever is greater. ((~~If the bulkhead is measured from the low side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or retaining wall.~~)) Any fence shall be set back a minimum of 3 feet from such a bulkhead or retaining wall.

((~~9. Arbors are allowed in any required setback or separation under the following conditions:~~

~~a. In each required setback or separation, an arbor may be erected with no more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of~~

~~eaves, to a maximum height of 8 feet. At least 50 percent of both the sides and the roof of the arbor shall be open, or, if latticework is used, there shall be a minimum opening of 2 inches between crosspieces.~~

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

~~10. Above grade green stormwater infrastructure (GSI) features are allowed in any required setback or separation if:~~

~~a. Each above grade GSI feature is no more than 4.5 feet tall, excluding piping;~~

~~b. Each above grade GSI feature is no more than 4 feet wide; and~~

~~c. The total storage capacity of all above grade GSI features is no greater than 600 gallons.~~

~~11. Above grade GSI features larger than what is allowed in subsection 23.45.518.I.10 are allowed in any required setback or separation if:~~

~~a. Above grade GSI features do not exceed ten percent coverage of any one setback or separation area;~~

~~b. No portion of an above grade GSI feature is located closer than 2.5 feet from a side lot line; and~~

~~c. No portion of an above grade GSI feature projects more than 5 feet into a front or rear setback area.~~))

9. Guardrails or handrails that are no more than 42 inches in height are allowed on unenclosed stairs, decks, access bridges, bulkheads, and retaining walls.

10. Above-grade stormwater management features, such as bioretention planters and cisterns, are allowed in setbacks if:

a. No feature, excluding piping, is more than:

1) Twelve feet tall if located in a portion of the rear setback that is not also a side setback; or

2) Six and one half feet tall, if located in other setbacks;

b. No feature greater than 4.5 feet tall is located within 10 feet of the front lot line, excluding piping, unless it is integrated into a bulkhead or retaining wall that is allowed in subsection 23.45.518.H.8;

c. No feature greater than 6 inches tall is located within 2.5 feet of the side lot line; and

d. The total storage capacity of all above-grade cisterns is no greater than 1,250 gallons.

((~~12.~~)) 11. Mechanical equipment. Heat pumps and similar mechanical equipment, not including incinerators, are allowed in any required setback if they comply with the requirements of Chapter 25.08. No heat pump or similar equipment shall be located within 3 feet of any lot line. Charging devices for electric cars are considered mechanical equipment and are allowed in any required setbacks if not located within 3 feet of any lot line.

((~~13.~~)) 12. Detached, unenclosed structures accessory to ((~~townhouses~~)) attached or detached dwelling units that are up to 8 feet in height and used exclusively for bike parking are allowed in any required setback ((~~or separation~~)).

((~~14. Detached structures accessory to townhouses that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.~~))

13. Private, permanent swimming pools, hot tubs, and other similar uses are permitted in any required setback, provided that:

a. No part of any swimming pools, hot tubs, and other similar uses projects more than 18 inches above existing grade in a required front setback; and

b. No swimming pool is placed closer than 5 feet to any front or side lot line.

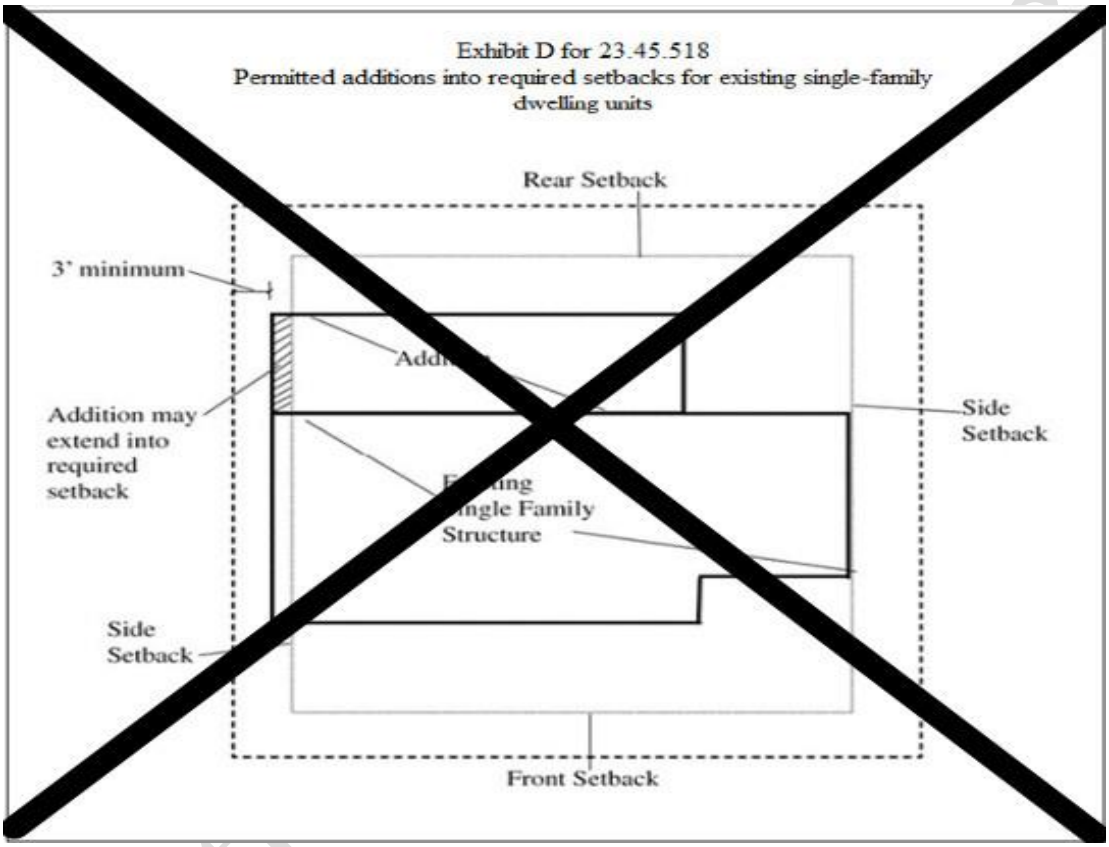
((~~J.~~)) I. Exceptions for existing ((~~single family~~)) structures. ((~~1.~~)) In all multifamily zones, certain additions to a ((~~single family dwelling unit~~)) residential structure may extend into a required side setback if the structure is already nonconforming with respect to that setback,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

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

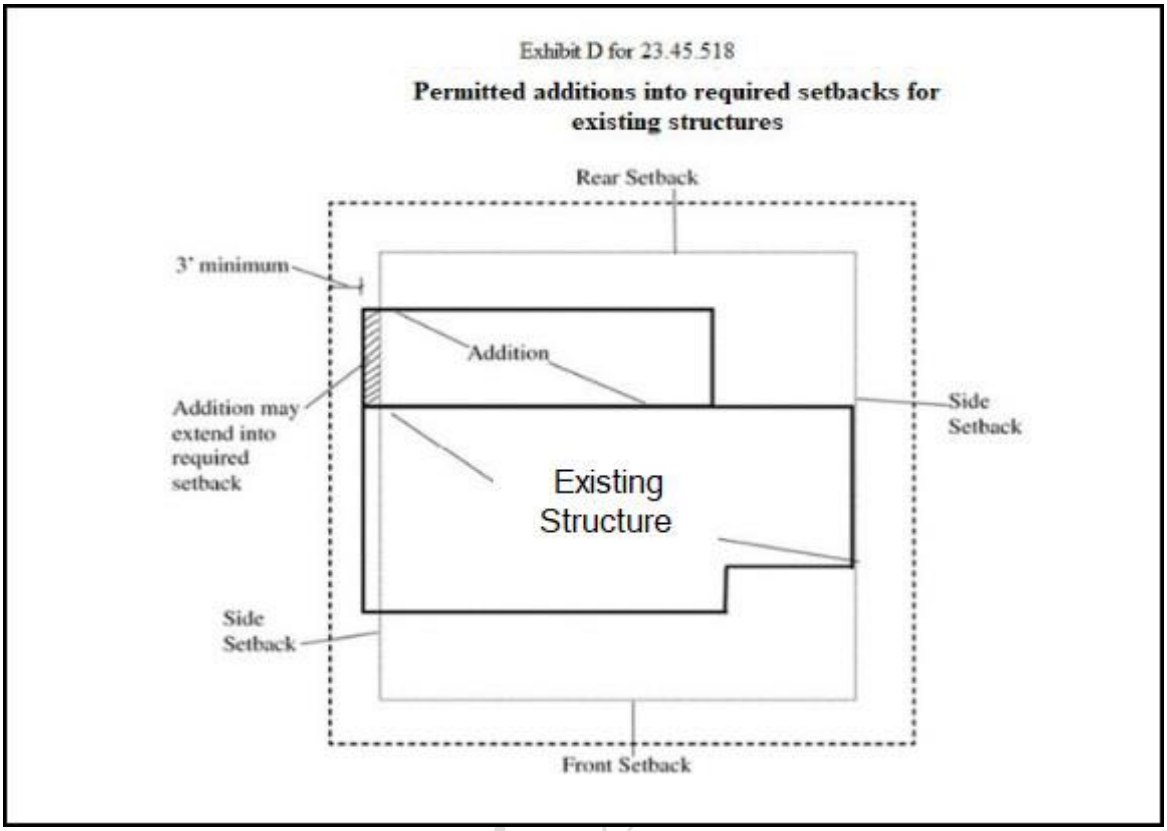
Exhibit D for 23.45.518

Permitted additions into required setbacks for existing ((~~single-family dwelling units~~))

structures



Substitute



Section 38. A new Section 23.45.519 is added to the Seattle Municipal Code as follows:

23.45.519 Separations between structures

A. In LR and MR zones, the minimum required separation between structures containing floor area is 6 feet except that, if the structures are separated by a driveway or parking aisle, the minimum required separation between structures containing floor area is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less. If the structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

B. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2 feet. Unenclosed structures allowed in side setbacks are allowed in the minimum separation.

Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

Section 39. Section 23.45.522 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.45.522 Amenity area

A. Amount of amenity area ((~~required for rowhouse and townhouse developments and apartments in LR zones~~))

1. The ((~~required~~)) amount of required amenity area ((~~for rowhouse and townhouse developments and apartments~~)) in LR zones is equal to ((~~25~~)) 20 percent of the lot area.

((~~2. A minimum of 50 percent of the required amenity area shall be provided at ground level, except that amenity area provided on the roof of a structure that meets the provisions of subsection 23.45.510.D.5 may be counted as amenity area provided at ground level.~~

~~3. For rowhouse and townhouse developments, amenity area required at ground level may be provided as either private or common space.~~

~~4. For apartments, amenity area required at ground level shall be provided as common space.~~

~~B. Amenity area requirements for cottage housing developments in all multi-family zones~~

~~1. A minimum of 300 square feet of amenity area is required for each cottage.~~

~~2. A minimum of 150 square feet of amenity area is required for each carriage house.~~

~~3. The required quantity shall be allocated as follows:~~

~~a. Half of the amenity area required for each cottage, and all of the amenity area required for each carriage house, shall be provided as common amenity area; and~~

~~b. Half of the amenity area required for each cottage shall be provided as private amenity area for that unit.~~

~~4. The required common amenity area may be divided into no more than two separate areas and shall:~~

~~a. have cottages or carriage houses abutting on at least two sides;~~

~~b. be in a location central to the cottage housing development; and~~

~~c. have no horizontal dimension of less than 10 feet.~~

~~5. Carriage houses shall have stairs that provide access to the common amenity area.~~

~~C. Amount of amenity area required in MR and HR zones.~~)) 2. The ((~~required~~)) amount of required amenity area in MR and HR zones is equal to ((~~5~~)) five percent of the total gross floor area of a residential structure. ((~~in residential use, except that cottage housing developments shall meet the standards in subsection 23.45.522.B.~~

~~D. General requirements. Required amenity areas shall meet the following conditions:~~

~~1. All units~~)) B. Attached and detached dwelling units shall have access to either a common or private amenity area. Stacked dwelling units shall have access to a common amenity area.

C. In LR zones, a minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade. Amenity area used to meet the requirements of this subsection 23.45.522.C may not be covered by any projections that provide floor area.

((~~2.~~)) D. Enclosed amenity areas

((~~a. In LR zones, an amenity area shall not be enclosed within a structure.~~

~~b. In MR and HR zones, except for cottage housing, no~~)) 1. No more than 50 percent of the amenity area may be enclosed, and this enclosed area shall be provided as common amenity area.

2. Enclosed amenity areas must be provided in a room used exclusively for this purpose or in an area on the ground floor that can be accessed directly from the building lobby or an outdoor amenity space and does not include any of the following:

a. Internal circulation hallways between outside doors and elevators or stairs;

b. Mailrooms;

c. Bike parking;

d. Solid waste and recyclable materials storage; and

e. Laundry facilities.

((~~3. Projections into amenity areas. Structural projections that do not provide floor area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least 8 feet above finished grade.~~))

E. Amenity area size

((~~4.~~)) 1. Private amenity areas. ((~~a. There is no minimum dimension for private amenity areas, except that if a private amenity area is located between the structure and a side lot line that is not a side street lot line, the minimum horizontal dimension shall be measured from the side lot line and is required to be a minimum of 10 feet.~~

~~b. An unenclosed porch that is a minimum of 60 square feet in size and that faces a street or a common amenity area may be counted as part of the private amenity area for the rowhouse, townhouse, or cottage to which it is attached.~~)) Each private amenity area shall be at least 60 square feet in area and have a minimum width and depth of 6 feet.

((~~5.~~)) 2. Common amenity areas. ((~~for rowhouse and townhouse developments and apartments shall meet the following conditions: a. No~~)) Each common amenity area shall be ((~~less than~~)) at least 250 square feet ((~~in area, and common amenity areas shall~~)) and have a minimum ((~~horizontal dimension~~)) width and depth of 10 feet.

((~~b. Common amenity areas shall be improved as follows:~~

~~1) At least 50 percent of a common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities, and/or trees.~~

~~2) Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features, shall be provided.~~

~~c. The common amenity area required at ground level for apartments shall be accessible to all apartment units.~~

~~6. Parking areas, vehicular access easements, and driveways do not qualify as amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity~~

~~area if the design of the woonerf is approved through a design review process pursuant to Chapter 23.41.~~

~~7. Swimming pools, spas, and hot tubs may be counted toward meeting the amenity area requirement.~~

~~8. Rooftop areas excluded because they are near minor communication utilities and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not qualify as amenity areas.~~))

F. Features in amenity areas

1. The following features are not allowed in amenity areas:

a. Vehicular parking areas, vehicular access easements, and driveways;

b. Required bike parking;

c. Solid waste and recyclable material storage area; and

d. Enclosed structures.

2. Pathways serving multiple dwelling units are not allowed in private amenity areas.

3. Decks, porches, and steps; swimming pools, spas, and hot tubs; stormwater management features, including but not limited to bioretention planters and cisterns; play equipment; and similar features are allowed in amenity areas.

4. Amenity areas may be covered by weather protection.

5. Projections that do not provide floor area may extend into an amenity area if they meet the standards for projections into setbacks in subsection 23.45.518.G and if garden windows and other similar features are at least 8 feet above finished grade.

6. Rooftop areas located within 8 feet of minor communication utilities and accessory communication devices do not qualify as amenity areas.

G. Common amenity areas shall be improved as follows:

1. At least 35 percent of a common amenity area provided at ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities, and/or trees.

2. Elements that enhance the usability and livability of the space for residents, such as seating, outdoor lighting, weather protection, art, or other similar features, shall be provided.

H. Areas in environmentally critical areas and their buffers, including but not limited to steep slopes, may count toward amenity areas. No amenity area enhancement elements shall be placed in the environmentally critical areas and their buffers non disturbance area.

((~~E.~~)) I. No amenity area is required for ((~~a~~)) one dwelling unit added to a ((~~single-family dwelling unit~~)) residential structure existing as of January 1, 1982, ((~~or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001~~)) provided that no dwelling units have been added since that date.

Section 40. Section 23.45.527 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.45.527 Structure width ((~~and façade length~~)) limits in LR zones

((~~A.~~)) Structure width ((~~in LR zones~~)) for buildings containing residential uses may not exceed ((~~the width indicated on Table A for 23.45.527~~)) 90 feet in LR1 and LR2 zones and 150 feet in LR3 zones.

((~~Table A for 23.45.527: Maximum Structure Width in LR zones in feet~~

~~Zone~~	~~Width in feet by Category of Residential Use~~		
	~~Cottage Housing and Rowhouse Developments~~	~~Townhouse Developments~~	~~Apartments~~
~~LR1~~	~~No limit~~	~~60~~	~~45~~
~~LR2~~	~~No limit~~	~~90~~	~~90~~
~~LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~120~~	~~120~~
~~LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts~~	~~No limit~~	~~150~~	~~150~~

~~B. Maximum façade length in Lowrise zones.~~

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

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

Section 41. Section 23.45.529 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.529 Design standards

((~~A. Intent. The intent of the design standards in this Section 23.45.529 is to:~~

~~1. Enhance street-facing and side facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street or adjacent residential property;~~

~~2. Foster a sense of community by integrating new pedestrian-oriented multifamily development with the neighborhood street environment and promoting designs that allow easy surveillance of the street by area residents;~~

~~3. Promote livability in multifamily areas by providing a sense of openness and access to light and air; and~~

~~4. Encourage the compatibility of a variety of housing types with the scale and character of neighborhoods where new multifamily development occurs.~~

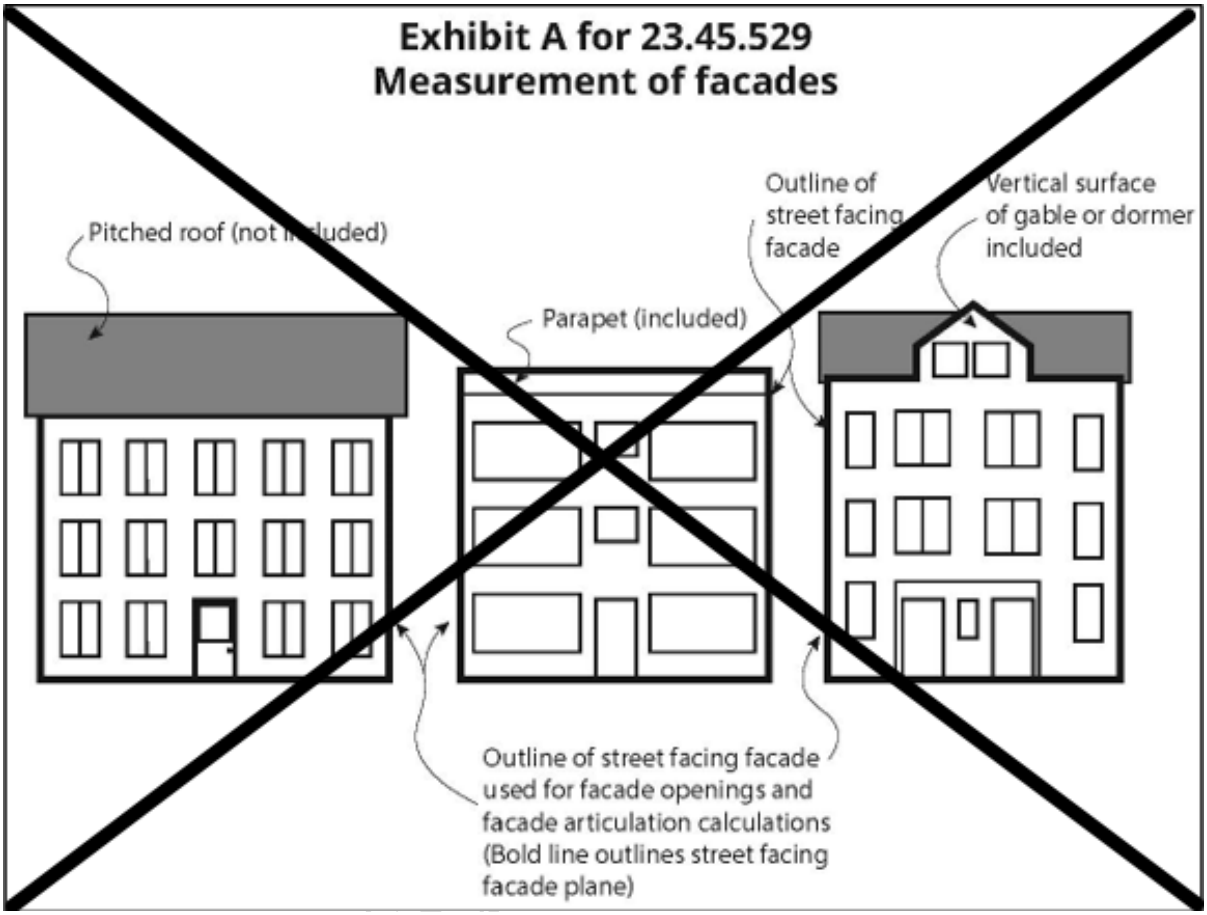
~~B. Application of provisions. The provisions of this Section 23.45.529 apply to all residential uses that do not undergo any type of design review pursuant to Chapter 23.41, except single-family dwelling units.~~

~~C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.~~

Substitute

~~**Exhibit A for 23.45.529**~~

~~**Measurement of facades**~~



~~1. Facade openings~~

~~a. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors, except as provided in subsection 23.45.529.C.1.b. If a front and side facade are street-facing, the two facades may be combined for the purpose of this calculation.~~

~~b. For any rowhouse or townhouse dwelling unit that has both a front and a side facade that are street-facing, the percentage of the side street-facing facade required to consist of windows and/or doors is reduced to ten percent for the portion of the facade associated with that dwelling unit. This reduction to ten percent is not allowed if the facades~~

~~are combined for the purpose of this standard pursuant to subsection 23.45.529.C.1.a or if any of the exceptions in subsection 23.45.529.C.3 are applied.~~

~~e. Windows count toward the requirement for facade openings in this subsection 23.45.529.C.1 only if they are transparent. Windows composed of glass blocks or opaque glass, garage doors, and doors to utility and service areas do not count.~~

~~2. Facade articulation~~

~~a. If a street-facing facade or portion of a street-facing facade is not vertical, the Director shall determine whether the facade is substantially vertical and required to comply with this subsection 23.45.529.C.~~

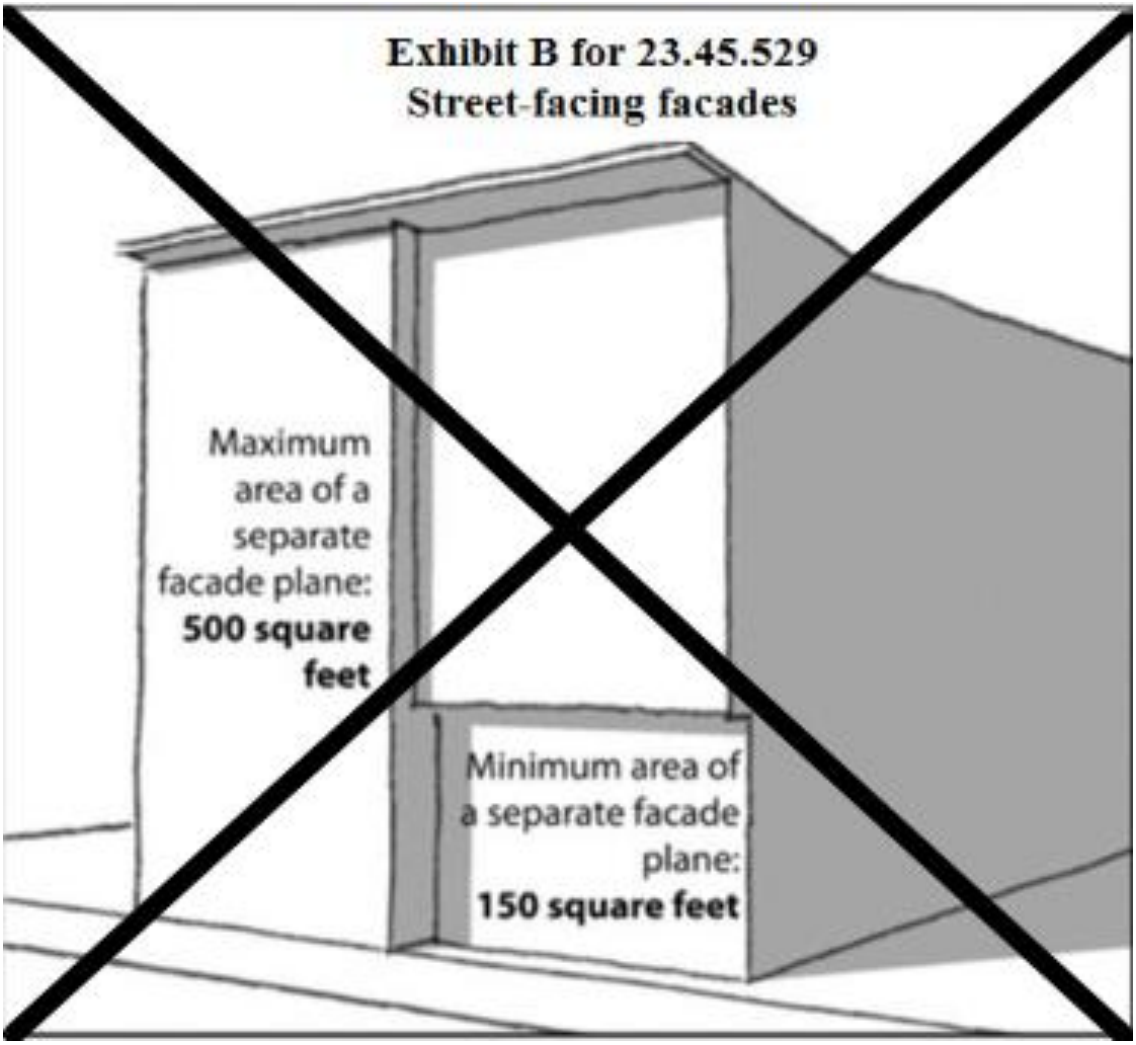
~~b. If the street-facing facade of a structure exceeds 750 square feet in area, division of the facade into separate facade planes is required (see Exhibit B for 23.45.529).~~

~~c. In order to be considered a separate facade plane for the purposes of this subsection 23.45.529.C.2, a portion of the street-facing facade shall have a minimum area of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed from abutting facade planes by a minimum depth of 18 inches.~~

~~d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is required to mark roof lines, porches, windows, and doors on all street-facing facades.~~

~~**Exhibit B for 23.45.529**~~

~~**Street-facing facades**~~



~~3. The Director may allow exceptions to the facade opening requirements in subsection 23.45.529.C.1 and the facade articulation requirements in subsection 23.45.529.C.2, if the Director determines that the street-facing facade will meet the intent of subsection 23.45.529.A.1 for all housing types, and, as applicable, the intent of subsections 23.45.529.E.2, 23.45.529.F.3, and 23.45.529.G.4 for cottage housing developments, rowhouse developments, and townhouse developments, respectively, through one or more of the following street-facing facade treatments:~~

~~a. Variations in building materials and/or color, or both, that reflect the stacking of stories or reinforce the articulation of the facade;~~

~~b. Incorporation of architectural features that add interest and dimension to the facade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or balconies;~~

~~c. Special landscaping elements provided to meet Green Factor requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls covering a minimum of 25 percent of the facade surface;~~

~~d. Special fenestration treatment, including an increase in the percentage of windows and doors to at least 25 percent of the street-facing facade(s).~~

~~D. Treatment of side facades that are not street-facing. For the purposes of this subsection 23.45.529.D, a side facade that is not street-facing includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529, if located within 10 feet of a side lot line.~~

~~1. If the side facade of a structure that is not street-facing exceeds 1,000 square feet in area, one of the following must be met:~~

~~a. A portion of the side facade with a minimum area of 250 square feet and a maximum area of 750 square feet shall project or be recessed from abutting facade planes by a minimum depth of 18 inches; or~~

~~b. The side facade shall include vertical or horizontal variations in building materials or color, covering a minimum of 25 percent of the facade surface.~~

~~2. Structures shall be designed to maintain the privacy of dwelling units by minimizing placement of proposed windows where they would directly align with windows on~~

~~the side facade of a structure on an abutting lot located within 20 feet of the side property line or by use of fencing, screening, landscaping, or translucent windows to create privacy between buildings.~~

~~E. Design standards for cottage housing developments~~

~~1. Pedestrian entry. Each cottage with a street-facing facade that is located within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the use of covered stoops, porches, or other architectural entry features. For cottages on corner lots that have more than one street-facing facade within 10 feet of the street lot line, a visually prominent pedestrian entry is required on only one of the street-facing facades. Access to these entrances may be through a required private amenity area that abuts the street.~~

~~2. Architectural expression. Cottage housing developments shall include architectural details that reduce the visual scale of the units. Each cottage shall employ one or more of the following design techniques to reduce visual scale of the units:~~

~~a. Attached covered porch;~~

~~b. Roofline features such as dormers or clerestories;~~

~~c. Bay windows;~~

~~d. Variation in siding texture and materials; and~~

~~e. Other appropriate architectural techniques demonstrated by the applicant to reduce the visual scale of cottages.~~

~~F. Design standards for rowhouse developments~~

~~1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the street-facing facade that is designed to be visually prominent through the use of covered~~

~~stoops, porches, or other architectural entry features. For rowhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~2. Front setback. Design elements to provide a transition between the street and the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in the front setback.~~

~~3. Architectural expression. The street-facing facade of a rowhouse unit shall provide architectural detail or composition to visually identify each individual rowhouse unit as seen from the street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual rowhouse units.~~

~~G. Design standards for townhouse developments~~

~~1. Building orientation. Townhouse developments shall maximize the orientation of individual units to the street by complying with one of the following conditions:~~

~~a. When multiple buildings are located on a lot, at least 50 percent of the townhouse units shall be located so that there is no intervening principal structure between the unit and the street, unless the intervening principal structure was established under permit as of October 31, 2001, or was granted a permit on October 31, 2001, and the permit has not expired; or~~

~~b. All townhouse units without a street-facing facade shall have direct access to a common amenity area meeting the requirements of Section 23.45.522 that either abuts the street or is visible and accessible from the street by a clear pedestrian pathway.~~

~~2. Pedestrian pathway. A clear pedestrian pathway from the street to the entrance of each townhouse unit shall be provided. The pedestrian pathway may be part of a driveway, provided that the pathway is differentiated from the driveway by pavement color, texture, or similar technique. Signage identifying townhouse unit addresses and the directions to the unit entrance(s) from the street shall be provided.~~

~~3. Pedestrian entry. Each townhouse unit with a street-facing facade shall have a pedestrian entry on the street-facing facade that is designed to be a visually prominent feature through the use of covered stoops, porches, or other architectural entry features. For townhouse units on corner lots, a visually prominent pedestrian entry is required on only one of the street-facing facades.~~

~~4. Architectural expression. Architectural detail or composition shall be provided to visually identify each individual townhouse unit, as seen from the public street. Design elements such as trim or molding, modulation, massing, color and material variation, or other similar features may be used to achieve visual identification of individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be used to visually identify individual townhouse units.~~

~~H. Building entry orientation standards for apartments~~

~~1. For each apartment structure, a principal shared pedestrian entrance is required that faces either a street or a common amenity area, such as a landscaped courtyard, that abuts and has direct access to the street. Additional pedestrian entrances to individual units are permitted.~~

~~2. If more than one apartment structure is located on a lot, each apartment structure separated from the street by another principal structure shall have a principal entrance that is accessible from a common amenity area with access to the street.~~

~~3. The shared entrance of each apartment structure shall have a pedestrian entry that is designed to be visually prominent, through the use of covered stoops, overhead weather protection, a recessed entry, or other architectural entry features.~~))

A. Application of provisions

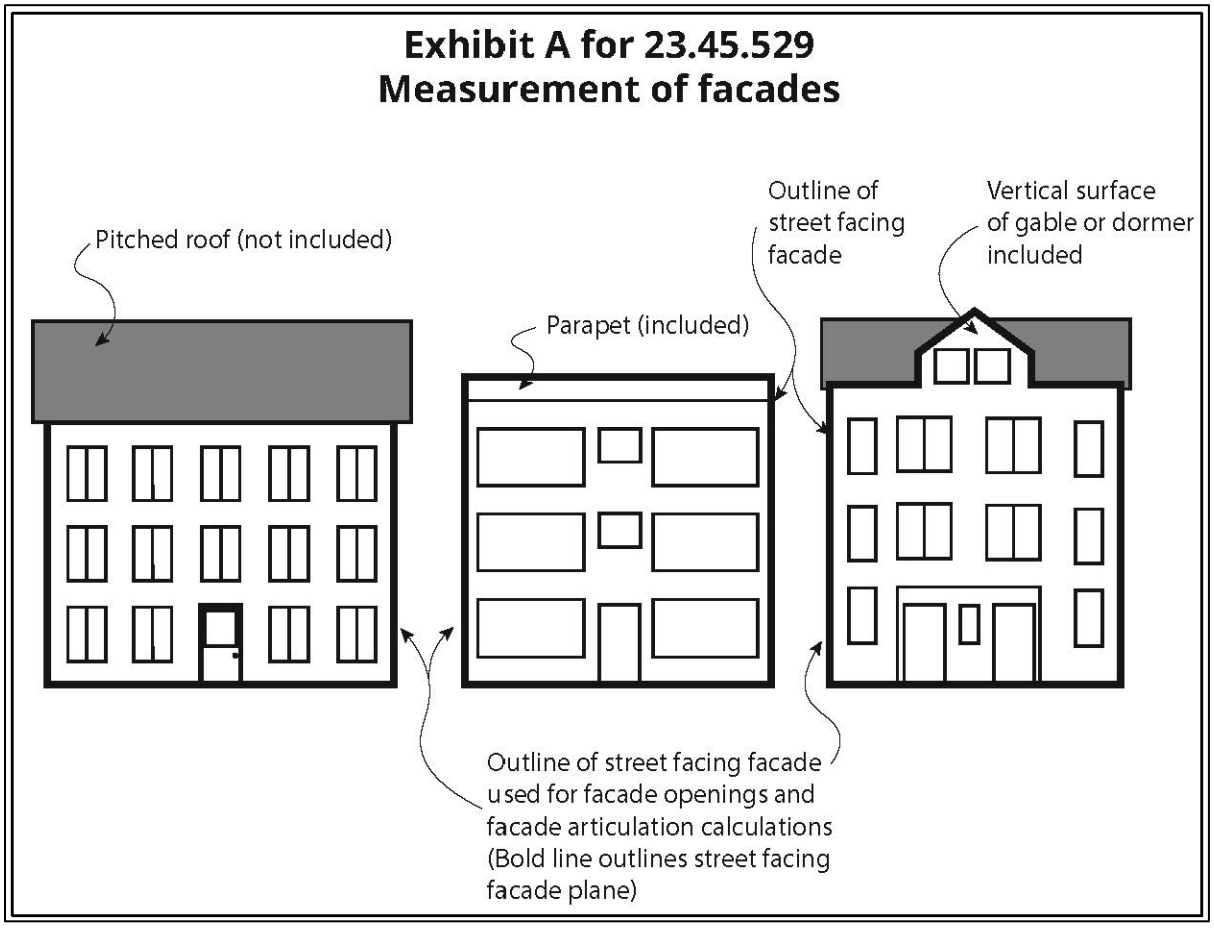
1. The provisions of this Section 23.45.529 apply to development that includes the construction of new dwelling units, except for new dwelling units added within existing structures.

2. For the purposes of this Section 23.45.529, requirements for street-facing facades shall only apply to structures located within 40 feet of a street lot line or a vehicle access easement serving ten or more residential units. For structures located within 40 feet of a vehicle access easement serving ten or more residential units but not within 40 feet of street lot line, the facade that faces the vehicle access easement shall be considered a street-facing facade for the purpose of this Section 23.45.529. If multiple facades face vehicle access easements, the applicant may decide which facade facing a vehicle access easement is considered the street-facing facade.

B. Measurement of street-facing facades. For the purposes of this Section 23.45.529, a street-facing facade includes all vertical surfaces enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529.

Exhibit A for 23.45.529

Measurement of facades



C. Pedestrian access. Each dwelling unit shall have pedestrian access at least 3 feet in width to the sidewalk or, if no sidewalk exists, the front lot line. This pedestrian access may be shared or private. This pedestrian access may cross any required setbacks or interior separation. This pedestrian access may be part of a driveway.

D. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on that street-facing facade meeting the requirements of subsections 23.44.140.D.1 through 23.44.140.D.4. For attached and detached dwelling units, the pedestrian entry may be located on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a covered porch or recessed entry that also abuts the street-facing facade.

1. For stacked dwelling units, at least one pedestrian entry shall be required for the structure as a whole.

2. For attached and detached dwelling units, each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall have at least one pedestrian entry on the street-facing facade.

3. For structures or dwelling units with multiple street-facing facades, a pedestrian entry is required on only one of the street-facing facades.

4. Required pedestrian entry on street-facing facades shall have weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in width and 4 feet in depth for stacked dwelling units.

E. Windows and doors. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors. If front and side facades are street-facing, the two facades shall be combined for the purpose of this calculation. Windows count toward the requirement for facade openings in this subsection 23.45.529.E only if they are transparent. Windows composed of garage doors and doors to utility and service areas do not count. For the purpose of this Section 23.45.529, a window shall include the glass pane, window frame, and internal components such as sashes, mullions, grilles, muntins, and stiles.

Section 42. Section 23.45.531 of the Seattle Municipal Code, enacted by Ordinance 123495, is repealed:

((~~23.45.531 Development standards for cottage housing developments and carriage house structures~~

~~A. Size limit for dwelling units.~~

~~1. The maximum gross floor area of each cottage in a cottage housing development is 950 square feet.~~

~~2. The maximum gross floor area of a carriage house is 600 square feet.~~

~~B. Size limit for garages. The maximum gross floor area for a shared garage structure in a cottage housing development is 1,200 square feet, and the garage shall contain no more than four parking spaces.~~

~~C. Carriage house structures. A carriage house structure is permitted in a cottage housing development subject to the following standards:~~

~~1. The maximum number of dwelling units permitted in carriage house structures is one-third of the total number of units in the cottage housing development on the lot.~~

~~2. The maximum gross floor area of the ground floor of a carriage house structure is 1,200 square feet.~~

~~D. Existing single-family dwelling units in a cottage housing development. Existing single-family dwelling units that are non-conforming with respect to the standards for a cottage housing development are permitted to remain, provided that the extent of the nonconformity shall not be increased.~~))

Section 43. Section 23.45.536 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.45.536 Parking location, access, and screening

* * *

D. Screening of parking

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

a. The street-facing facade of a structure;

b. Garage doors;

c. A fence or wall; or

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

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

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

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

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

* * *

Section 44. Section 23.45.545 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.45.545 Standards for ((~~certain accessory uses~~)) solar collectors

A. ((~~Private, permanent swimming pools, hot tubs and other similar uses are permitted in any required setback, provided that:~~

~~1. No part of any swimming pools, hot tubs and other similar uses shall project more than 18 inches above existing grade in a required front setback; and~~

~~2. No swimming pool shall be placed closer than 5 feet to any front or side lot line.~~

~~B. Solar greenhouses, greenhouses and solariums~~

~~1. Solar greenhouses, greenhouses and solariums, in each case that are attached to and integrated with the principal structure and no more than 12 feet in height are permitted in a required rear setback, subject to subsection 23.45.545.B.3, and may extend a maximum of 6 feet into required front and side setbacks, subject to subsection 23.45.545.B.2.~~

~~2. An attached solar greenhouse, greenhouse or solarium, in a required setback, shall be no closer than 3 feet from side lot lines and 8 feet from front lot lines.~~

~~3. A solar greenhouse, greenhouse or solarium allowed pursuant to subsection 23.45.545.B.1 shall not be closer than 5 feet to the rear lot line, except that it may abut an alley if it is no taller than 10 feet along the rear lot line, is of no greater average height than 12 feet for a depth of 15 feet from the rear lot line, and is no wider than 50 percent of lot width for a depth of 15 feet from the rear lot line.~~

~~C. Solar~~)) General standards for solar collectors

1. Solar collectors are permitted in required setbacks, subject to the following:

a. Detached solar collectors are permitted in required rear setbacks, no closer than 5 feet to any other principal or accessory structure.

b. Detached solar collectors are permitted in required side setbacks, no closer than 5 feet to any other principal or accessory structure, and no closer than 3 feet to the side lot line.

2. Sunshades that provide shade for solar collectors that meet minimum written energy conservation standards administered by the Director may project into southern front or rear setbacks. Those that begin at 8 feet or more above finished grade may be no closer than 3 feet from the lot line. Sunshades that are between finished grade and 8 feet above finished grade may be no closer than 5 feet to the lot line.

3. Solar collectors on roofs. Solar collectors that are located on a roof are permitted as follows:

a. In LR zones up to 4 feet above the maximum height limit or 4 feet above the height of stair or elevator penthouse(s), whichever is higher; and

b. In MR and HR zones up to 10 feet above the maximum height limit or 10 feet above the height of stair or elevator penthouse(s), whichever is higher.

c. If the solar collectors would cause an existing structure to become nonconforming, or increase an existing nonconformity, the Director may permit the solar collectors as a special exception pursuant to Chapter 23.76. Solar collectors may be permitted under this subsection ((~~23.45.545.C.3.c~~)) 23.45.545.A.3.c even if the structure exceeds the height limits established in this subsection ((~~23.45.545.C.3~~)) 23.45.545.A.3, if the following conditions are met:

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

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

((~~D. [Reserved.]~~

~~E. Nonconforming solar collectors.~~)) B. Special exceptions. The Director may permit the installation of solar collectors that meet minimum energy standards and that increase an existing nonconformity as a special exception pursuant to Chapter 23.76. Such an installation may be permitted even if it exceeds the height limits established in this Section 23.45.545 and Section 23.45.514 when the following conditions are met:

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

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

((~~F. Open wet moorage facilities for residential uses are permitted as an accessory use pursuant to Chapter 23.60A, Shoreline District, if only one slip per residential unit is provided.~~

~~G. Bed and breakfast uses. A bed and breakfast use may be operated under the following conditions:~~

~~1. The bed and breakfast use has a valid business license tax certificate issued by the Department of Finance and Administrative Services;~~

~~2. All operators of bed and breakfast uses who use a short-term rental platform for listing the bed and breakfast shall have a valid short-term rental operator's license issued by the Department of Finance and Administrative Services.~~

~~3. The bed and breakfast use shall be operated by the primary resident of the dwelling unit where the bed and breakfast is located or the resident operator;~~

~~4. There shall be no evidence of a bed and breakfast use visible from the exterior of the dwelling unit other than a sign permitted by subsection 23.55.022.D.1; and~~

~~5. A bed and breakfast use may be located in a dwelling unit or an accessory dwelling unit.~~

~~H. Heat recovery incinerators, located on the same lot as the principal use, may be permitted by the Director as accessory administrative conditional uses, pursuant to Section 23.45.506.~~

~~I. Accessory dwelling units are allowed pursuant to Section 23.42.022.~~

~~J. Urban farms are subject to the standards in Section 23.42.051 and the conditional use requirement in subsection 23.45.504.C.8.~~))

Section 45. Section 23.45.550 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.45.550 Alternative ((~~Standards~~)) standards for development of ((~~affordable~~)) low-income units ((~~on property owned or controlled by a religious organization~~))

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

A. Development on a lot that meets the requirements of Section 23.42.055 may elect to meet the development standards in subsections 23.45.550.B and 23.45.550.C in lieu of the

standards in subsection 23.45.510.C (floor area) and subsections 23.45.514.A and 23.45.514.B (height).

((~~A.~~)) B. Floor area

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

Table A for 23.45.550
FAR limits for development permitted pursuant to Section 23.42.055

Zone	Base FAR	Maximum additional exempt FAR [1]
LR1	1.5 [2]	0.3
LR2	((~~1.8~~)) 2.0	0.3
LR3 outside urban centers and urban villages	2.5	0.5
LR3 inside urban centers and urban villages	3.25	0.5
MR	5.0	0.5
HR	16	1.0

Footnotes to Table A for 23.45.550
[1] Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt from FAR calculations up to this amount.
[2] Except that lots in LR1 zones that have previously been zoned RSL have a base FAR of 2.7.

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

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

b. Floor area of a religious facility; ((~~and~~))

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

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

3. Split-zoned lots

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

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

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

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

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

((~~B.~~)) C. Maximum height

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

Table B for 23.45.550 **Structure height for development permitted pursuant to Section 23.42.055**	
Zone	**Height limit (in feet)**
LR1	((~~40~~)) 50
LR2	50
LR3 outside urban centers and urban villages	55
LR3 inside urban centers and urban villages	65
MR	95
HR	480

2. Split-zoned lots

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

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

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

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

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

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

Section 46. Table A for Section 23.47A.004 of the Seattle Municipal Code, which section was last amended by Ordinance ~~127099~~127228, is amended as follows:

23.47A.004 Permitted and prohibited uses

* * *

Table A for 23.47A.004 **Uses in ((~~Commercial~~)) commercial zones**					
	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**
* * *					
E. ((~~INSTITUTIONS~~)) HUMAN SERVICE AND INSTITUTIONAL USES					
E.1. ((~~Institutions~~)) Human service and institutional uses not listed below	10	25	P	P	P
E.2. Major institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
E.3. Religious facilities	P	P	P	P	P
E.4. Schools, elementary or secondary	P	P	P	P	P
E.5. Child care centers	P	P	P	P	P
* * *					
I. PUBLIC FACILITIES					
I.1. Jails					
I.1.a. Youth ((~~Service Centers~~)) service centers	X	X	P [13]	X	X
I.1.b. All other jails	X	X	X	X	X

Table A for 23.47A.004
Uses in ((~~Commercial~~)) commercial zones

Uses	Permitted and prohibited uses by zone [1]				
	NC1	**NC2**	**NC3**	**C1**	**C2**
I.2. Work-release centers	CCU-10	CCU-25	CCU	CCU	CCU
J. RESIDENTIAL USES [14]	P	P	P	P	CU [15]
((~~J.1. Residential uses not listed below~~	~~P~~	~~P~~	~~P~~	~~P~~	~~CU [15]~~
~~J.2. Caretaker's quarters~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~
~~J.3. Congregate residence~~	~~P~~	~~P~~	~~P~~	~~P~~	~~CU [15]~~
~~J.4. Low-income housing~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~))

* * *

((~~KEY~~)) Key to Table A for 23.47A.004
A = Permitted as an accessory use only
CU = Administrative ((~~Conditional Use~~)) conditional use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
CCU = Council ((~~Conditional Use~~)) conditional use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
P = Permitted
S = Permitted in shoreline areas only
X = Prohibited
CU-25 = Conditionally permitted; use is limited to 25,000 square feet, pursuant to Section 23.47A.010
10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010
20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010
25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010
35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010
40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section

Table A for 23.47A.004
Uses in ((~~Commercial~~)) commercial zones

	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**
23.47A.010 50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010					

Footnotes to Table A for 23.47A.004

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

[2] In addition to the provisions in this Chapter 23.47A, uses that entail major cannabis activity are subject to the requirements of Section 23.42.058.

[3] For commercial uses with drive-in lanes, see Section 23.47A.028.

[4] Subject to subsection 23.47A.004.H.

[5] Permitted at Seattle Center.

[6] Bed and breakfasts in existing structures are permitted outright with no maximum size limit.

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

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

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

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

[11] Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 square feet in size.

[12] Subject to subsection 23.47A.004.G.

[13] Permitted pursuant to subsection 23.47A.004.D.7.

[14] Residential uses may be limited to 20 percent of a street-level street-facing facade

Table A for 23.47A.004 **Uses in ((~~Commercial~~)) commercial zones**					
	Permitted and prohibited uses by zone [1]				
Uses	**NC1**	**NC2**	**NC3**	**C1**	**C2**

pursuant to subsection 23.47A.005.C.

[15] Residential uses are conditional uses in C2 zones ((~~under~~)) subject to subsection 23.47A.006.A.3, except that low-income housing is allowed outright or as otherwise provided ((~~above in Table A for 23.47A.004 or~~)) in subsection 23.47A.006.A.3.

[16] Permitted at Seattle Center; see Section 23.47A.011.

[17] Flexible-use parking is subject to Section 23.54.026. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.

[18] Permitted as surface parking only on surface parking lots existing as of January 1, 2017. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.

[19] Permitted outright, except prohibited in ((~~the~~)) a SAOD.

[20] See Chapter 23.57, Communications regulations, for regulation of communication utilities.

[21] A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7.

Section 47. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

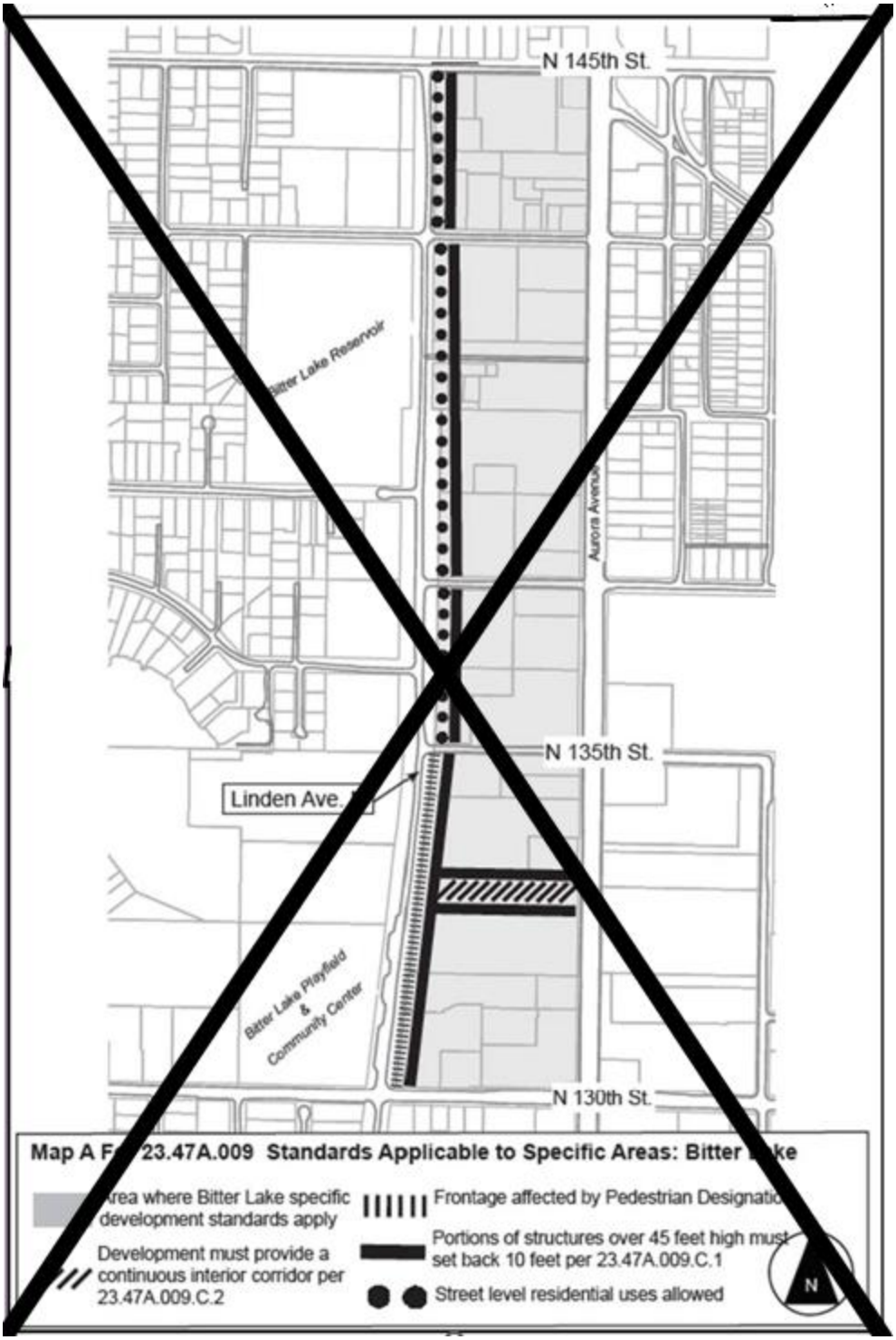
23.47A.009 Standards applicable to specific areas

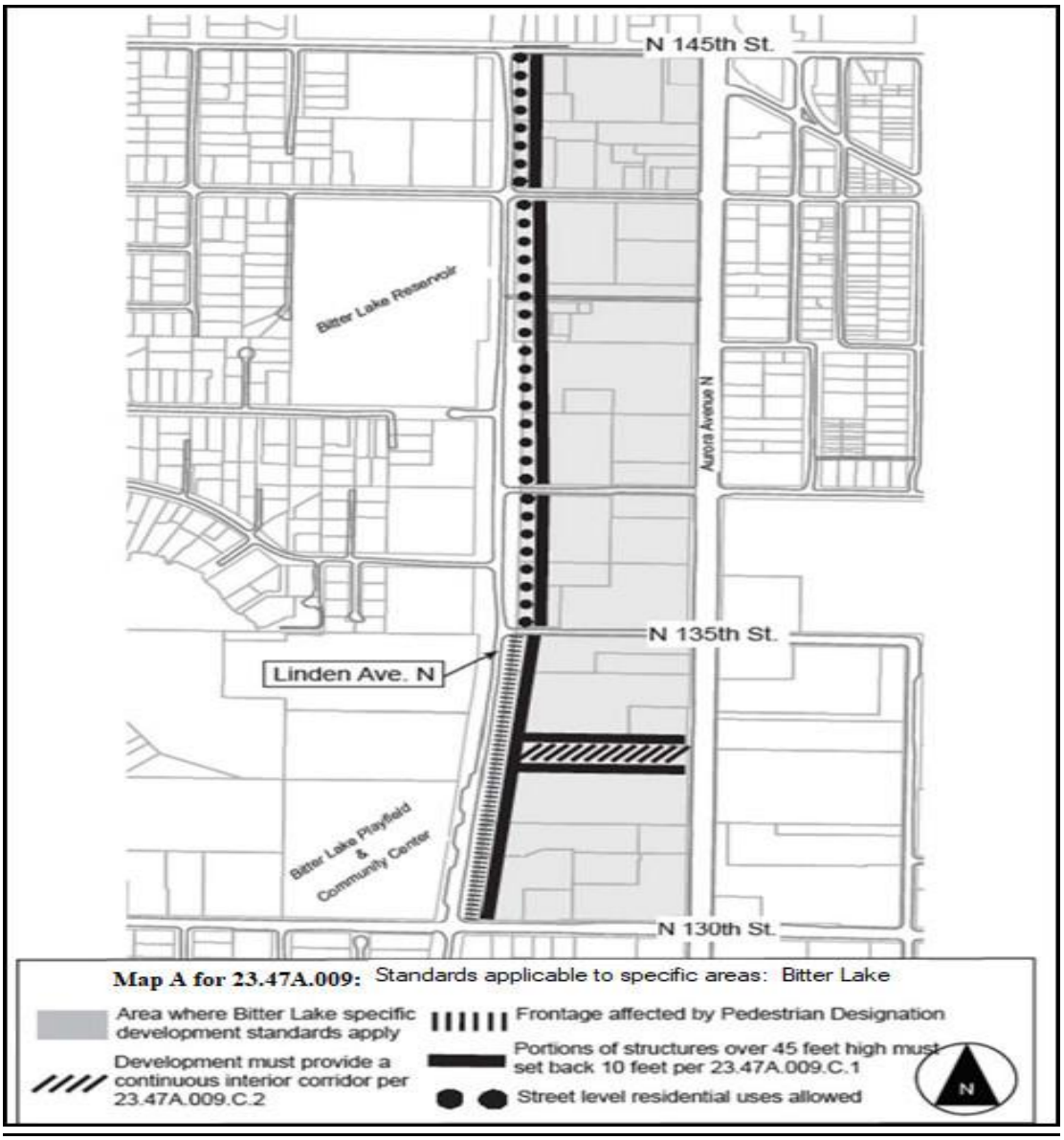
* * *

C. Bitter Lake Village Hub Urban Village. Development on lots designated on Map A for 23.47A.009 shall meet the following requirements:

Map A for 23.47A.009

Standards ((~~Applicable~~)) applicable to ((~~Specific Areas~~)) specific areas: Bitter Lake





1. Upper-level setback requirement. The following standards apply to development on lots abutting the east side of Linden ((~~Ave~~)) Avenue North or along both sides of the corridor required in subsection 23.47A.009.C.2.

a. Any portion of a structure greater than 45 feet in height, measured from the finished grade along the street property line that abuts Linden Avenue North or along the access corridor required in subsection 23.47A.009.C.2, measured from the finished grade along the edge of the access corridor, shall set back an average of 10 feet from the lot line abutting

Linden Avenue North or from the edge of the access corridor as measured according to Section 23.86.012. The maximum depth of a setback that can be used for calculating the average setback is 20 feet.

b. Structures permitted in required setbacks are subject to subsection 23.47A.014.G.

2. Corridor requirement. An access corridor shall be provided on lots over 8 acres that abut Linden Avenue North and Aurora Avenue North, to connect Linden Avenue North and Aurora Avenue North. The location of the proposed corridor shall be clearly shown on the site plan that is submitted with the permit application.

a. The corridor shall have a minimum width of 40 feet and a maximum width of 60 feet.

b. The point at which the corridor intersects Linden Avenue North and Aurora Avenue North shall be at least 335 feet south of the south boundary of the North 135th Street right-of-way, and 700 feet north of the north boundary of the North 130th Street right-of-way, as illustrated by example in Map A for 23.47A.009.

c. The corridor shall include a minimum of one walkway, at least 6 feet wide, extending between Linden Avenue North and Aurora Avenue North. If vehicle access is provided within the corridor, the corridor shall include walkways at least 6 feet wide along both sides of the vehicle access.

d. Landscaping shall be provided along the corridor. If vehicle access is provided within the corridor, trees shall be provided between the walkways and vehicle travel lanes. The Director will determine the number, type, and placement of trees to be provided in order to:

1) Match trees to the available space;

2) Complement existing or planned street trees on abutting streets; and

3) Encourage healthy growth through appropriate spacing.

e. Pedestrian-scaled lighting shall be provided along the corridor.

f. The corridor shall not include any features or structures except the following:

1) Vehicle access, not more than one lane in each direction and meeting the standards of Section 23.54.030.

2) Parking meeting the standards of Section 23.54.030 is allowed along vehicle access lanes within the corridor. Such parking is in addition to the maximum number of spaces allowed under subsection 23.54.015.C.2. The requirements of subsection 23.47A.032.A do not apply to access to parking from the corridor.

3) Overhead horizontal building projections of an architectural or decorative character such as cornices, eaves, sills, and gutter, provided that they project no more than 18 inches from the structure facade.

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

5) Stairs or ramps to accommodate changes in grade.

6) Underground structures.

7) Unenclosed porches or steps for residential units no higher than 4 feet above the finished grade of the corridor are permitted to project no more than 4 feet into the corridor.

8) Green stormwater infrastructure.

9) Features required elsewhere in this subsection 23.47A.009.C.2.

10) The Director may approve other features or structures, such as overhead weather protection, signage, and art, that do not impede safe access from the site to Linden Avenue North and Aurora Avenue North, and that enhance pedestrian comfort and safety of the corridor.

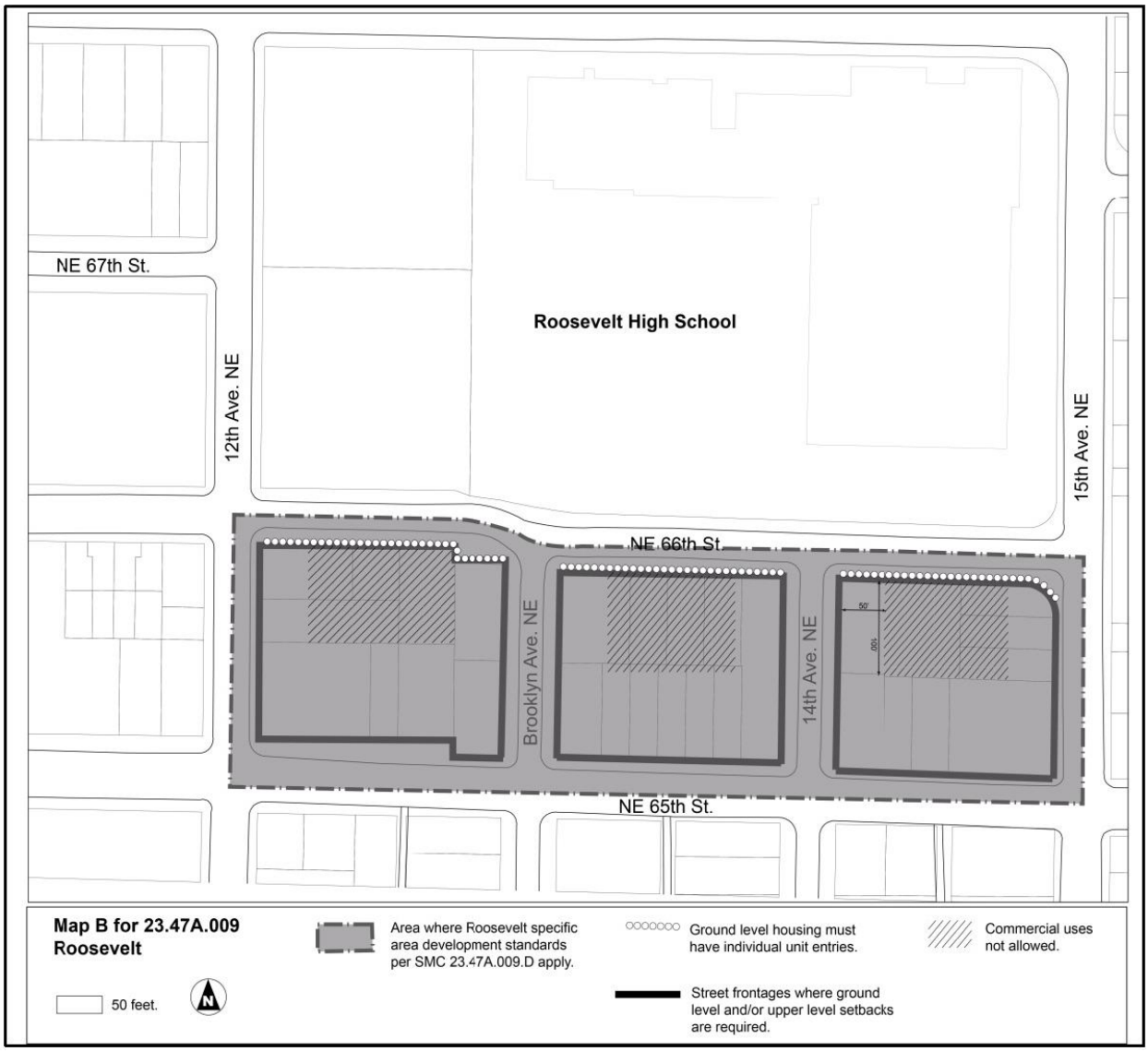
g. If the area proposed for development on a site meeting the size threshold for this subsection 23.47A.009.C.2 is less than the full lot, the Director may waive or modify the access corridor requirement, if the applicant submits a site plan demonstrating how Linden Avenue North and Aurora Avenue North will be connected by an access corridor when the remainder of the lot is developed.

D. Roosevelt Urban Village. The following provisions apply within the area shown on Map B for 23.47A.009.

Substitute

Map B for 23.47A.009

Roosevelt



1. Setback requirements

a. The following setbacks are required from the listed street property lines:

1) Northeast 66th Street. An average ground-level setback of 10 feet along the length of the street property line and a minimum upper-level setback of 4 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback

at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

2) Brooklyn Avenue Northeast. An average ground-level setback of 5 feet along the length of the street property line and a minimum upper-level setback of 4 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

3) 14th Avenue Northeast. An average ground-level setback of 15 feet and a minimum ground-level setback of 5 feet along the length of the street property line and a minimum upper-level setback of 3 feet. The minimum upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

4) 15th Avenue Northeast. A minimum ground-level setback of 5 feet along the length of the street property line and an average upper-level setback of 7 feet. The average upper-level setback shall be provided in addition to the required ground-level setback at all points along the length of the street property line at 45 feet of height and above, as measured from average finished grade.

5) Northeast 65th Street and 12th Avenue Northeast. An average ground-level setback of 8 feet shall be provided, and the setback may include pedestrian access and circulation.

b. Structures permitted in required setbacks are subject to subsection 23.47A.014.G, except that:

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

2) Stoops or porches providing direct access to individual housing units may project up to 5 feet into the required ground-level setback area, except that portions of stoops or porches not more than 2.5 feet in height from existing or finished grade, whichever is lower, may extend to a street lot line. The 2.5-foot height limit for stoops or porches does not apply to guard rails or hand rails. Such stoops or porches shall cover no more than 20 percent of the total ground-level setback area.

3) Fences no greater than 4 feet in height are permitted in the required ground-level setback, and up to 2 feet of additional height for architectural features such as arbors or trellises on the top of a fence is permitted. Fence height may be averaged along sloping grades for each 4-foot-long segment of the fence, but in no case may any portion of the fence exceed 6 feet in height.

c. Where required setbacks may be averaged, measurement shall be pursuant to subsection ((~~23.86.012.A~~)) 23.86.012.B and the following:

1) Where a building is set back more than 30 feet from a lot line at ground level, 30 feet shall be used as the ground-level setback amount for averaging purposes.

2) Where averaging is allowed for a required upper-level setback, the measurement shall be taken horizontally from points directly above the lot line to the facade of the structure at the height where the upper-level setback is required.

2. Landscaping. Required ground-level setbacks shall be landscaped, and may include paving and lighting to enhance pedestrian safety and comfort. Sidewalks, plazas, and

other amenities or landscaped areas approved by the Director are permitted in required ground-level setbacks.

3. Limit on commercial uses. Commercial uses are prohibited within 80 feet of the street property line of Northeast 66th Street, except within 50 feet of the intersections of Northeast 66th Street with Brooklyn Avenue Northeast, 14th Avenue Northeast, 12th Avenue Northeast, and 15th Avenue Northeast, as shown on Map B for 23.47A.009.

4. Housing units on the ground floor. All housing units with a facade that faces Northeast 66th Street with no intervening housing units or commercial uses between the housing unit and the Northeast 66th Street lot line, and located on the first floor of a building, shall have the primary pedestrian entrance to each housing unit directly accessible from the exterior of the structure rather than a primary pedestrian entry through a common entrance hallway.

5. Underground parking. Parking shall be located below grade, except a portion of a below-grade garage may extend up to 4 feet above existing or finished grade, whichever is lower, provided that the parking that extends above grade is fully screened from direct street view by the street-facing facade of the structure or by landscaping.

* * *

Section 48. Section 23.47A.013 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.47A.013 Floor area ratio

* * *

B. The following gross floor area is not counted toward FAR:

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

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

3. Gross floor area of a transit station, including all floor area open to the general public during normal hours of station operation but excluding retail or service establishments to which public access is limited to customers or clients, even where such establishments are primarily intended to serve transit riders;

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

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

b. All of the following conditions are met:

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

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

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

4) The amount of gross floor area exempted by this subsection 23.47A.013.B.4.b does not exceed 25 percent of the area of the lot in zones with a height limit

less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater; ((~~and~~))

5. Rooftop greenhouse areas meeting the standards of subsections 23.47A.012.C.4, 23.47A.012.C.5, and 23.47A.012.C.6;

6. Bicycle commuter shower facilities required by subsection ((~~23.54.015.K.8~~)) 23.54.037.H;

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

8. All gross floor area in child care centers; and

9. In low-income housing, all gross floor area for accessory human service uses.

* * *

Section 49. Section 23.47A.032 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.47A.032 Parking location and access

A. Access to parking

1. NC zones. The following rules apply in NC zones, except as provided under subsections 23.47A.032.A.2 and 23.47A.032.D:

a. Access to parking shall be from the alley if the lot abuts an alley improved to the standards of subsection 23.53.030.C, or if the Director determines that alley

access is feasible and desirable to mitigate parking access impacts. If alley access is infeasible, the Director may allow street access.

b. If access is not provided from an alley and the lot abuts only one street, access is permitted from the street, and limited to one two-way curb cut.

c. If access is not provided from an alley and the lot abuts two or more streets, access is permitted across one of the side street lot lines pursuant to subsection 23.47A.032.C, and curb cuts are permitted pursuant to ((~~subsection 23.54.030.F.2.a.1~~)) Section 23.54.031.

d. For each permitted curb cut, street-facing facades may contain one garage door, not to exceed the maximum width allowed for curb cuts.

2. In addition to the provisions governing NC zones in subsection 23.47A.032.A.1, the following rules apply in pedestrian-designated zones, except as may be permitted under subsection 23.47A.032.D:

a. If access is not provided from an alley and the lot abuts two or more streets, access to parking shall be from a street that is not a principal pedestrian street.

b. If access is not provided from an alley and the lot abuts only a principal pedestrian street or streets, access is permitted from the principal pedestrian street, and limited to one two-way curb cut.

3. In C1 and C2 zones, access to off-street parking may be from a street, alley, or both when the lot abuts an alley. However, structures in C zones with residential uses, structures in C zones with pedestrian designations, and structures in C zones across the street from residential zones shall meet the requirements for parking access for NC zones as provided in subsection 23.47A.032.A.1. If two or more structures are located on a single site, then a single

curb cut shall be provided according to the standards in ((~~Sections~~)) subsections 23.47A.032.A.1((~~,~~)) and 23.47A.032.A.2((~~,~~)) and ((~~23.54.030.F.2~~)) Section 23.54.031.

4. In the event of conflict between the standards for curb cuts in this subsection 23.47A.032.A and the provisions of ((~~subsection 23.54.030.F~~)) Section 23.54.031, the standards in ((~~subsection 23.54.030.F~~)) Section 23.54.031 shall control.

* * *

Section 50. Section 23.48.020 of the Seattle Municipal Code, last amended by Ordinance 127198, is amended as follows:

23.48.020 Floor area ratio (FAR)

* * *

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

1. All underground stories or portions of stories.

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

3. As an allowance for mechanical equipment, in any structure 65 feet in height or more, 3.5 percent of the total chargeable gross floor area in a structure is exempt from FAR calculations. Calculation of the allowance includes the remaining gross floor area after all exempt space allowed in this subsection 23.48.020.B has been deducted. Mechanical equipment located on the roof of a structure, whether enclosed or not, is not included as part of the calculation of total gross floor area.

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

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5. Bicycle commuter shower facilities required by ((~~subsection 23.54.015.K.8~~)) Section 23.54.037.

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

7. Child care centers.

8. In low-income housing, all gross floor area for accessory human service uses.

9. Other uses permitted by interim street activation provisions in Section 23.42.041.

* * *

Section 51. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 125815, is amended as follows:

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

The regulations in this Section 23.49.019 do not apply to the Pike Market Mixed zones.

A. Parking quantity requirements

1. No parking, either long-term or short-term, is required for uses on lots in ((~~Downtown~~)) downtown zones, except as follows:

a. In the International District Mixed and International District Residential zones, parking requirements for restaurants, motion picture theaters, and other entertainment uses are as prescribed by Section 23.66.342.

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b. In the International District Mixed and International District Residential zones, the Director of the Department of Neighborhoods, upon the recommendation of the International District Special Review District Board, may waive or reduce required parking according to the provisions of Section 23.66.342, Parking and access.

c. Bicycle parking is required as specified in ((~~subsection 23.54.015.K~~)) Section 23.54.037.

2. Reduction or elimination of parking required by permits. A property owner may apply to the Director for the reduction or elimination of parking required by any permit issued under this Title 23 or Title 24, except for a condition contained in or required pursuant to any Council conditional use, contract rezone, planned community development, or other Type IV decision. The Director may grant reduction or elimination of required parking as a Type I decision, either as part of a Master Use Permit for the establishment of any new use or structure, or as an independent application for reduction or elimination of parking required by permit. Parking for bicycles may not be reduced or eliminated under this subsection 23.49.019.A.2. Any Transportation Management Plan (TMP) required by permit for the development for which a parking reduction or elimination is proposed shall remain in effect, except that the Director may change the conditions of the TMP to reflect current conditions and to mitigate any parking and traffic impacts of the proposed changes. If any bonus floor area was granted for the parking, then reduction or elimination shall not be permitted except in compliance with applicable provisions regarding the elimination or reduction of bonus features. If any required parking that is allowed to be reduced or eliminated under this subsection 23.49.019.A.2 is the subject of a recorded parking covenant, the Director may authorize modification or release of the covenant.

* * *

C. Maximum parking limits

1. Except as provided in subsections 23.49.019.C.2 and 23.66.342.B, parking for ((~~non-residential~~)) nonresidential uses is limited to a maximum of one parking space per 1,000 square feet.

2. In the area east of Interstate 5, parking for general sales and service uses and for eating and drinking establishments is limited to a maximum of two parking spaces per 1,000 square feet.

D. Ridesharing and transit incentive program requirements. The following requirements apply to all new structures containing more than 10,000 square feet of new ((~~non-residential~~)) nonresidential use, and to structures where more than 10,000 square feet of ((~~non-residential~~)) nonresidential use is proposed to be added.

1. The building owner shall establish and maintain a transportation coordinator position for the proposed structure and designate a person to fill this position, or the building owner may contract with an area-wide transportation coordinator acceptable to the Department. The transportation coordinator shall devise and implement alternative means for employee commuting. The transportation coordinator shall be trained by the Seattle Department of Transportation or by an alternative organization with ridesharing experience, and shall work with the Seattle Department of Transportation and building tenants. The coordinator shall disseminate ridesharing information to building occupants to encourage use of public transit, carpools, vanpools, and flextime; administer the in-house ridesharing program; and aid in evaluation and monitoring of the ridesharing program by the Seattle Department of Transportation. The transportation coordinator in addition shall survey all employees of building tenants once a year to determine commute mode percentages.

2. The Seattle Department of Transportation, in conjunction with the transportation coordinator, shall monitor the effectiveness of the ridesharing/transit incentive program on an annual basis. The building owner shall allow a designated Seattle Department of Transportation or rideshare representative to inspect the parking facility and review operation of the ridesharing program.

3. The building owner shall provide and maintain a transportation information center, which has transit information displays including transit route maps and schedules and Seattle ridesharing program information. The transportation display shall be located in the lobby or other location highly visible to employees within the structure, and shall be established prior to issuance of a certificate of occupancy.

E. Bicycle parking is required according to ((~~subsection 23.54.015.K~~)) Section 23.54.037.

F. Reserved.

* * *

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

1. Curb cut location

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

b. If a lot does not abut an alley and abuts more than one right-of-way, the location of access is determined by the Director as a Type I decision after consulting with the

Director of the Seattle Department of Transportation. Unless the Director otherwise determines under subsection 23.49.019.H.1.c, access is allowed only from a right-of-way in the category, determined by the classifications shown on Map 1B and Map 1F of the Downtown Overlay Maps or another map identified in a note to Map 1F, that is most preferred among the categories of rights-of-way abutting the lot, according to the ranking set forth below, from most to least preferred (a portion of a street that is included in more than one category is considered as belonging only to the least preferred of the categories in which it is included):

1) Access street;

2) Class II pedestrian street/Minor arterial;

3) Class II pedestrian street/Principal arterial;

4) Class I pedestrian street/Minor arterial;

5) Class I pedestrian street/Principal arterial;

6) Principal transit street;

7) Designated green street.

c. The Director may allow or require access from a right-of-way other than one indicated by subsection 23.49.019.H.1.a or 23.49.019.H.1.b if, after consulting with the Director of the Seattle Department of Transportation on whether and to what extent alternative locations of access would enhance pedestrian safety and comfort, facilitate transit operations, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize hazards, and, for hotel use, improve passenger loading safety or increase visibility of vehicular access for guests arriving by car, the Director finds that an exception to the general policy is warranted. The Director may approve an exception for hotel use and impose conditions to minimize any adverse impacts to the pedestrian environment or

street operations, including but not limited to allowing one-way driveways that are less than the minimum width otherwise required. Curb cut controls on designated green streets shall be evaluated on a case-by-case basis, but generally access from green streets is not allowed if access from any other right-of-way is possible.

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

2. Curb cut width and number. The width and number of ((~~curbcuts~~)) curb cuts shall comply with Section ((~~23.54.030, Parking space standards~~)) 23.54.031.

I. Screening and landscaping of surface parking areas

1. Screening. Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

a. Screening is required along each street lot line.

b. Screening shall consist of:

1) A view-obscuring fence or wall at least 3 feet in height; or

2) A landscaped area with vegetation at least 3 feet in height.

Landscaped areas may include bioretention facilities or landscaped berms, provided that the top of the vegetation is at least 3 feet above the grade abutting the facility or berm.

c. A landscaped strip on the street side of the fence or wall shall be provided if a fence or wall is used for screening. The strip shall be an average of 3 feet from the property line, but at no point less than 1.5 feet wide. Each landscaped strip shall be planted with sufficient shrubs, grass, and/or evergreen groundcover so that the entire strip, excluding

driveways, will be covered in three years. Each landscaped strip may be a bioretention facility, at grade, or a raised berm.

d. Sight triangles shall be provided in accordance with Section ((~~23.54.030, Parking space standards~~)) 23.54.032.

2. Landscaping. Surface parking areas for 20 or more vehicles, except temporary surface parking areas, shall be landscaped according to the following requirements:

a. The amount of landscaped area required is shown on Table B for 23.49.019:

Table B for 23.49.019
Required landscaping for surface parking areas with 20 or more parking spaces

Total number of parking spaces	**Minimum required landscaped area**
20 to 50	18 square feet per parking space
51 to 99	25 square feet per parking space
100 or more spaces	35 square feet per parking space

b. The minimum size of a required landscaped area is 100 square feet. Berms provided to meet the screening standards in subsection 23.49.019.I.1 may be counted as part of a landscaped area. No part of a landscaped area shall be less than 4 feet in any dimension except those dimensions reduced by turning radii or angles of parking spaces.

c. The landscaped area may include bioretention facilities.

d. No parking stall shall be more than 60 feet from a required landscaped area.

e. One tree per every five parking spaces is required.

f. Each tree shall be at least 3 feet from any curb of a landscaped area or edge of the parking area.

g. Permanent curbs or structural barriers shall protect landscaped areas.

h. Sufficient hardy evergreen groundcover shall be planted to cover each landscaped area completely within three years. Trees shall be selected from the Seattle Department of Transportation's list for parking area planting.

J. Transportation management programs

1. When a development is proposed that is expected to generate 50 or more employees single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

a. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.

b. Compliance with this ((~~section~~)) Section 23.49.019 does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

2. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent

with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

3. Each owner subject to the requirements of this ((~~section~~)) Section 23.49.019 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

4. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the Downtown Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.

K. Electric vehicle charging infrastructure. Off-street parking spaces shall be designed according to the standards of ((~~subsection 23.54.030.L~~)) Section 23.54.034.

Section 52. Section 23.50.028 of the Seattle Municipal Code, last amended by Ordinance 126864, is amended as follows:

23.50.028 Floor area

* * *

B. Exemptions from FAR calculations

1. The following areas are exempt from FAR calculations in all industrial zones:

a. All stories, or portions of stories, that are underground;

b. All gross floor area used for accessory parking, except as provided in subsection 23.50.028.D;

c. All gross floor area located on the rooftop of a structure and used for any of the following: mechanical equipment, stair and elevator penthouses, and communication equipment and antennas;

d. All gross floor area used for covered rooftop recreational space of a building existing as of December 31, 1998, in an IG1 or IG2 zone, if complying with subsection 23.50.012.D; and

e. Bicycle commuter shower facilities required by subsection ((~~23.54.015.K.8~~)) 23.54.037.H.

2. In addition to areas exempt from FAR calculations in subsection 23.50.028.B.1, within IG1 and IG2 zones, the gross floor area of rooftop recreational space accessory to office use meeting the standards of subsection 23.50.012.D is exempt from FAR calculations.

Section 53. Section 23.51A.002 of the Seattle Municipal Code, last amended by Ordinance ~~126685~~127228, is amended as follows:

23.51A.002 Public facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones

A. Except as provided in subsections ~~((B, D and E of this Section 23.51A.002))~~ 23.51A.002.B, 23.51A.002.D, 23.51A.002.E, 23.51A.002.F, and 23.51A.002.~~F~~G, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under Chapter 23.44 are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use. The ~~City~~ Council may waive or modify applicable development standards or administrative conditional use criteria according to the

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provisions of Chapter 23.76, Subchapter III, ~~((Council Land Use Decisions,))~~ with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

B. Permitted ((~~Uses~~)) uses in ((~~Public Facilities Requiring~~)) public facilities requiring City Council ((~~Approval~~)) approval. The following uses in public facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones may be permitted by the City Council, according to the provisions of Chapter 23.76((~~, Procedures for Master Use Permits and Council Land Use Decisions~~)):

1. Police precinct station;

2. Fire station;

3. Public boat moorage;

4. Utility services use; and

5. Other similar use.

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a ((~~neighborhood residential~~)) Neighborhood Residential zone. The public facility use shall be developed according to the development standards for institutions (Section ((~~23.44.022~~)) 23.44.180), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, ((~~Council Land Use Decisions,~~)) with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

* * *

D. Sewage treatment plants. The expansion or reconfiguration (which term shall include reconstruction, redevelopment, relocation on the site, or intensification of treatment capacity) of

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existing sewage treatment plants in ((~~neighborhood residential~~)) Neighborhood Residential zones may be permitted if there is no feasible alternative location in a zone where the use is permitted and the conditions imposed under subsections 23.51A.002.D.3 and 23.51A.002.D.4 are met.

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

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

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

b. The determination of feasibility may be the subject of a separate application for a Council land use decision prior to submission of an application for a project-specific approval if the Director determines that the expansion or reconfiguration proposal is complex, involves the phasing of programmatic and project-specific decisions, or affects more than one site in a ((~~neighborhood residential~~)) Neighborhood Residential zone.

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

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

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

3) Information on the overall sewage treatment system that outlines the interrelationship of facilities in ((~~neighborhood residential~~)) Neighborhood Residential zones and in zones where establishment of the use is permitted;

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

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

3. Conditions for ((~~Approval~~)) approval of ((~~Proposal.~~)) proposal

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

b. The expansion of a facility does not result in a concentration of institutions or facilities that would create or appreciably aggravate impacts that are incompatible with single-family residences.

c. A facility management and transportation plan is required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale

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of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control, and hours of operation. Increased traffic and parking expected to occur with use of the facility shall not create a serious safety problem or a blighting influence on the neighborhood.

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

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

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

g. The bulk of facilities shall be compatible with the surrounding community. Public facilities that do not meet bulk requirements may be located in ((~~neighborhood residential~~)) Neighborhood Residential zones if there is a public necessity for their location there.

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

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

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

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

b. Conditions included in the feasibility determination are met.

E. Prohibited ((~~Uses~~)) uses. ((~~The~~)) Unless determined to be an essential public facility under Chapter 23.80, the following public facilities are prohibited in ((~~neighborhood residential~~)) Neighborhood Residential zones:

1. Jails;

2. Metro operating bases;

3. Park and ride lots;

4. Establishment of new sewage treatment plants;

5. Solid waste transfer stations;

6. Animal control shelters;

7. Post Office distribution centers; and

8. Work-release centers.

F. Essential ~~((Public Facilities))~~ public facilities except for light rail transit facilities. ((~~Permitted essential~~)) Essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80~~((, Essential Public Facilities))~~.

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* * *

Section 54. Section 23.51B.002 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.51B.002 Public schools in residential zones

* * *

C. Lot ((~~Coverage~~)) coverage in Neighborhood Residential ((~~Zones~~)) zones

1. For new public school construction on new public school sites, the maximum lot coverage permitted for all structures is ((~~45 percent of the lot area for one-story structures or 35 percent of the lot area if any structure or portion of a structure has more than one story~~)) as provided in Section 23.44.080.

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

a. The lot coverage ((~~permitted in subsection 23.51B.002.C.1~~)) provided in Section 23.44.080; or

b. The lot coverage of the former school structures on the site, provided that the height of the new structure or portion of structure is no greater than that of the former structures when measured according to ((~~Section 23.86.006.F~~)) subsection 23.86.006.E, and at least 50 percent of the footprint of the new principal structure is constructed on a portion of the lot formerly occupied by the footprint of the former principal structure.

3. Departures from lot coverage limits may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79. ((~~Up to 55 percent lot coverage may be allowed for single-story structures, and up to 45 percent lot coverage for structures of more than~~

~~one story.~~)) Lot coverage restrictions may be waived by the Director as a Type I decision when waiver would contribute to reduced demolition of residential structures.

((~~4. The exceptions to lot coverage set forth in subsection 23.44.010.D apply.~~))

D. Height

1. Neighborhood Residential and ((~~Lowrise Zones~~)) lowrise zones

a. For new public school construction on new public school sites, the maximum permitted height is ((~~30~~)) 32 feet plus 5 feet for a pitched roof. For gymnasiums and auditoriums that are accessory to the public school, the maximum permitted height is 35 feet plus 10 feet for a pitched roof if all portions of the structure above 30 feet are set back at least 20 feet from all lot lines. All parts of a pitched roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof on a gymnasium or auditorium is permitted to extend above the 35-foot height limit under this ((~~provision~~)) subsection 23.51B.002.D.1.a.

b. For new public school construction on existing public school sites, the maximum permitted height is 35 feet plus 15 feet for a pitched roof. All parts of the roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 35-foot height limit under this ((~~provision~~)) subsection 23.51B.002.D.1.b.

c. For additions to existing public schools on existing public school sites, the maximum height permitted is the height of the existing school or 35 feet plus 15 feet for a pitched roof, whichever is greater. When the height limit is 35 feet, the ridge of the pitched roof on a principal structure may extend up to 15 feet above the height limit, and all parts of the roof above the height limit must be pitched at a rate of not less than 4:12. No portion of a shed roof is

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permitted to extend beyond the 35-foot limit under this ((~~provision~~)) subsection 23.51B.002.D.1.c.

2. Midrise and ((~~Highrise Zones~~)) highrise zones. The maximum permitted height for any public school located in a MR or HR zone is the base height permitted in that zone for multifamily structures.

3. In ((~~Lowrise~~)) lowrise zones, departures from height limits may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79. For construction of new structures on new and existing public school sites to the extent not otherwise permitted outright, the maximum height that may be granted as a development standard departure is 35 feet plus 15 feet for a roof pitched at a rate of not less than 4:12 for elementary schools and 60 feet plus 15 feet for a roof pitched at a rate of not less than 4:12 for secondary schools. No departures may be granted for a portion of a shed roof to extend beyond 35 feet in height under this ((~~provision~~)) subsection 23.51B.002.D.3.

4. Height maximums in all residential zones may be waived by the Director as a Type I decision when the waiver would contribute to reduced demolition of residential structures.

5. The provisions of subsection ((~~B of Section 23.44.012~~)) 23.44.070.B and the exemptions of subsection ((~~C of Section 23.44.012~~)) 23.44.070.C apply.

6. Light ((~~Standards~~)) standards

a. Light standards for illumination of athletic fields on new and existing public school sites may be allowed to exceed the maximum permitted height, up to a maximum height of 100 feet, if the Director determines that the additional height is necessary to ensure adequate illumination and that impacts from light and glare are minimized to the greatest extent

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practicable. The applicant must submit an engineer's report demonstrating that impacts from light and glare are minimized to the greatest extent practicable. When proposed light standards are reviewed as part of a project being reviewed pursuant to Chapter 25.05, ((~~Environmental Policies and Procedures,~~)) and requiring a SEPA determination, the applicant must demonstrate that the additional height contributes to a reduction in impacts from light and glare.

b. When proposed light standards are not included in a proposal being reviewed pursuant to Chapter 25.05, the Director may permit the additional height as a special exception subject to Chapter 23.76((~~, Procedures for Master Use Permits and Council Land Use Decisions~~)).

1) When seeking a special exception for taller light standards, the applicant must submit an engineer's report demonstrating that the additional height contributes to a reduction in impacts from light and glare. When the proposal will result in extending the lighted area's duration of use, the applicant must address and mitigate potential impacts, including but not limited to, increased duration of noise, traffic, and parking demand. The applicant also shall conduct a public workshop for residents within 1/8 ((~~of a~~)) mile of the affected school in order to solicit comments and suggestions on design as well as potential impacts.

2) The Director may condition a special exception to address negative impacts from light and glare on surrounding areas, and conditions may also be imposed to address other impacts associated with increased field use due to the addition of lights, including, but not limited to, increased noise, traffic, and parking demand.

E. Setbacks

1. General requirements

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a. No setbacks are required for new public school construction or for additions to existing public school structures for that portion of the site across a street or an alley or abutting a lot in a nonresidential zone. If any portion of the site is across a street or an alley from or abuts a lot in a residential zone, setbacks are required for areas facing or abutting residential zones, as provided in subsections ((~~E.2 through E.5 of this Section 23.51B.002~~)) 23.51B.002.E.2 through 23.51B.002.E.5. Setbacks for sites across a street or alley from or abutting lots in Residential-Commercial (RC) zones are based upon the residential zone classification of the RC lot.

b. The minimum setback requirement may be averaged along the structure facade with absolute minimums for areas abutting lots in residential zones as provided in subsections ((~~E.2.b, E.3.b and E.4.b of this Section 23.51B.002~~)) 23.51B.002.E.2.b, 23.51B.002.E.3.b, and 23.51B.002.E.4.b.

c. Trash disposals, operable windows in a gymnasium, main entrances, play equipment, kitchen ventilators, or other similar items shall be located at least 30 feet from any ((~~neighborhood residential~~)) Neighborhood Residential zoned lot and 20 feet from any multi-family zoned lot.

d. The exceptions of subsections ((~~23.44.014.C.5, 23.44.014.C.6, 23.44.014.C.7, 23.44.014.C.8, 23.44.014.C.9, 23.44.014.C.10, 23.44.014.C.11, and 23.44.014.C.12~~)) 23.44.090.D, 23.44.090.E, 23.44.090.G, 23.44.090.H, and 23.44.090.I apply.

2. New public school construction on new public school sites((~~.~~))

a. New public school construction on new public school sites across a street or alley from lots in residential zones shall provide minimum setbacks according to the

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height of the school and the designation of the facing residential zone, as shown in Table A for 23.51B.002((÷)) .

((~~Table A for 23.51B.002: Minimum Setbacks for a New Public School Site Located Across a Street or Alley from a Residential Zone~~))

Table A for 23.51B.002 **Average setbacks for a new public school site located across a street or alley from a residential zone (in feet)**				
	((~~Minimum Setbacks Across a Street or Alley from the Following Zones (in feet):~~)) Zone across street or alley and average setback			
((~~Height~~)) Facade height	**((~~NR/L1~~)) NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	15	10	5	0
Greater than 20 up to 35	15	10	5	0
Greater than 35 up to 50	20	15	5	0
Greater than 50	35	20	10	0

b. New public school construction on new public school sites abutting lots in residential zones shall provide minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table B for 23.51B.002((÷)) .

((~~Table B for 23.51B.002: Minimum Setbacks for a New Public School Site Abutting a Residential Zone~~))

Table B for 23.51B.002 **Setbacks for a new public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks Abutting the Following Zones (in feet):~~)) Abutting zone and setbacks			
((~~Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	20(10)	15(10)	10(5)	0(0)
Greater than 20 up to 35	25(10)	15(10)	10(5)	0(0)
Greater than 35 up to 50	25(10)	20(10)	10(5)	0(0)
Greater than 50	30(15)	25(10)	15(5)	0(0)

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Table B for 23.51B.002 **Setbacks for a new public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks Abutting the Following Zones (in feet):~~)) Abutting zone and setbacks			
((~~Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
Footnote to Table B for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

3. New public school construction on existing public school sites((~~.~~))

a. New public school construction on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the ((~~I~~)) height of the school and the designation of the facing residential zone as shown in Table C for 23.51B.002, whichever is less((~~:~~)) .

((~~Table C for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Located Across a Street or Alley from a Residential Zone~~))

Table C for 23.51B.002 **Setbacks for new construction on an existing public school site located across a street or alley from a residential zone (in feet)**				
	((~~Minimum Setbacks If Across a Street or Alley from the Following Zones (in feet):~~)) Zone across street or alley and average setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	10	5	5	0
Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

b. New public school construction on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or

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minimum setbacks according to the height of the school and the designation of the abutting residential zone, as shown in Table D for 23.51B.002, whichever is less((:)) .

((~~Table D for 23.51B.002: Minimum Setbacks for New Construction on an Existing Public School Site Abutting a Residential Zone~~))

Table D for 23.51B.002 **Setbacks for new construction on an existing public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks Abutting the Following Zones (in feet):~~)) Abutting zone and setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	15(10)	10(5)	10(5)	0(0)
Greater than 20 up to 35	20(10)	15(10)	10(5)	0(0)
Greater than 35 up to 50	25(10)	20(10)	10(5)	0(0)
Greater than 50	30(15)	25(10)	15(5)	0(0)
Footnote to Table D for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

4. Additions to ((~~Existing Public School Structures~~)) existing public school structures on ((~~Existing Public School Sites.~~)) existing public school sites

a. Additions to existing public school structures on existing public school sites across a street or alley from lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the facing residential zone as shown in Table E for 23.51B.002, whichever is less((:)) .

((~~Table E for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Located Across a Street or Alley~~))

Table E for 23.51B.002

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Setbacks for additions on an existing public school site located across a street or alley from a residential zone (in feet)				
	((~~Minimum Setbacks (in feet) If Located Across a Street or Alley from:~~)) Zone across street or alley and average setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average~~))			
20 or less	5	5	5	0
Greater than 20 up to 35	10	5	5	0
Greater than 35 up to 50	15	10	5	0
Greater than 50	20	15	10	0

b. Additions to public schools on existing public school sites abutting lots in residential zones shall provide either the setback of the previous structure on the site or minimum setbacks according to the height of the school and the designation of the abutting residential zone as shown in Table F for 23.51B.002, whichever is less ((~~:~~)) .

((~~Table F for 23.51B.002: Minimum Setbacks for Additions on an Existing Public School Site Abutting a Residential Zone~~))

Table F for 23.51B.002 **Setbacks for additions on an existing public school site abutting a residential zone (in feet)**				
	((~~Minimum Setbacks by Abutting Zone (in feet):~~)) Abutting zone and setback			
((~~Façade Height~~)) Facade height	**NR/LR1**	**LR2/LR3**	**MR**	**HR**
	((~~Average (minimum)~~))			
20 or less	10(5)	10(5)	10(5)	0(0)
Greater than 20 up to 35	15(5)	10(5)	10(5)	0(0)
Greater than 35 up to 50	20(10)	20(10)	10(5)	0(0)
Greater than 50	25(10)	25(10)	15(5)	0(0)
Footnote to Table F for 23.51B.002 Average setbacks are shown outside of the parentheses and minimum setbacks are shown in parentheses.				

5. Departures from setback requirements may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 as follows:

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a. The minimum average setback may be reduced to 10 feet and the minimum setback to 5 feet for structures or portions of structures across a street or alley from lots in residential zones.

b. The minimum average setback may be reduced to 15 feet and the minimum setback to 5 feet for structures or portions of structures abutting lots in residential zones.

c. The limits in subsections ((~~E.5.a and E.5.b of this Section 23.51B.002~~)) 23.51B.002.E.5.a and 23.51B.002.E.5.b may be waived by the Director if a waiver would contribute to reduced demolition of residential structures.

F. Structure ((~~Width.~~)) width

1. When a new public school structure is built on a new public school site or on an existing public school site, the maximum width of a structure is 66 feet unless either the modulation option in subsection 23.51B.002.F.1.a ((~~below~~)) or the landscape option in subsection 23.51B.002.F.1.b ((~~below~~)) is met.

a. Modulation ((~~Option~~)) option. Facades shall be modulated according to the following provisions:

1) The minimum depth of modulation is 4 feet.

2) The minimum width of modulation is 20 percent of the total structure width or 10 feet, whichever is greater.

b. Landscape ((~~Option~~)) option. The ((~~yards provided by the required~~)) setbacks shall be landscaped as follows:

1) One tree and three shrubs are required for each 300 square feet of ((~~required yard~~)) setback area.

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2) Trees and shrubs that already exist in the required planting area or have their trunk or center within 10 feet of the area may be substituted for required plantings on a one-tree-to-one-tree or one-shrub-((-))to-one-shrub basis. In order to qualify, a tree must be 6 inches or greater in diameter, measured 4.5 feet above the ground.

3) The planting of street trees may be substituted for required trees on a one-to-one basis. All street trees shall be planted according to City of Seattle tree planting standards.

4) Each setback required to be landscaped shall be planted with shrubs, grass, and/or evergreen ground cover.

5) Landscape features such as decorative paving are permitted to a maximum of 25 percent of each required landscaped area.

6) A plan shall be filed showing the layout of the required landscaping.

7) The School District shall maintain all landscape material and replace any dead or dying plants.

2. There is no maximum width limit for additions to existing public school structures on existing public school sites. The Director may require landscaping to reduce the appearance of bulk.

3. Departures from the modulation and landscaping standards may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to permit other techniques to reduce the appearance of bulk. Techniques to reduce the appearance of bulk may be waived by the Director as a Type I decision when the waiver would contribute to reduced demolition of residential structures.

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G. Parking ((~~Quantity~~)) quantity. Parking shall be required as provided in Chapter 23.54.

H. Parking ((~~Location~~)) location. Parking may be located:

1. Within the principal structure; or

2. On any portion of the lot except the front setback, provided that the parking is separated from streets and from abutting lots in residential zones by an area with a minimum depth of 5 feet that is landscaped with trees and ground cover determined by the Director, as a Type I decision, as adequate to soften the view of the parking from adjacent properties. In the case of a through lot, parking may also be located in one front setback when landscaped as described in this subsection 23.51B.002.H.2;

3. Departures may be granted or required pursuant to the procedures set forth in Chapter 23.79 to permit parking location anywhere on the lot and to reduce required landscaping. Landscaping may be waived in whole or in part if the topography of the site or other circumstances result in the purposes of landscaping being served, as, for example, when a steep slope shields parking from the view of abutting properties. This test may be waived by the Director, as a Type I decision, when waiver would contribute to reduced demolition of residential structures.

I. Bus and ((~~Truck Loading~~)) truck loading and ((~~Unloading.~~)) unloading

1. Unless subsection ((~~I.4 of this section 23.51B.002~~)) 23.51B.002.I.4 applies, an off-street bus loading and unloading area of a size reasonable to meet the needs of the school shall be provided and may be located in any required ((~~yard~~)) setback. The bus loading and unloading area may be permitted in landscaped areas provided under subsection 23.51B.002.F.1.b if the Director determines that landscaping around the loading and unloading area softens the impacts of its appearance on abutting properties.

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2. One off-street truck loading berth that is 13 feet wide and 40 feet long is required for new public school construction.

3. Departures from the requirements and standards for bus and truck loading and unloading areas and berths may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 only when departure would contribute to reduced demolition of residential structures.

4. When a public school is remodeled or rebuilt at the same site, an existing on-street bus loading area is allowed if the following conditions are met:

a. The school site is not proposed to be expanded;

b. The student capacity of the school is not being expanded by more than 25 percent; and

c. The location of the current on-street bus loading remains the same.

J. Noise, ((~~Odor, Light~~)) odor, light, and ((~~Glare~~)) glare. The development standards for small institutions set forth in Section 23.45.570 apply. Departures from these standards may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 only when departure would contribute to reduced demolition of residential structures.

Section 55. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.006 Pedestrian access and circulation

* * *

F. Exceptions. The following exceptions to pedestrian access and circulation requirements and standards apply:

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1. Projects exempt from requirements. Pedestrian access and circulation improvements are not required for the following types of projects:

a. Change of use;

b. Alterations to existing structures;

c. Additions to existing structures that are exempt from environmental review;

d. Construction of a detached structure that does not contain a dwelling unit and is accessory to ((~~a single-family~~)) an existing dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office;

e. Construction of ((~~a single-family~~)) one dwelling unit on a lot in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County ((~~Recorder~~)) Recorder's Office, and if at least one of the following conditions is met:

1) The lot is on a block front where there are no existing pedestrian access and circulation improvements within 100 feet of the lot; or

2) Construction of pedestrian access and circulation improvements is not necessary because, for example, the existing right-of-way has suitable width and surface treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and potential vehicular traffic; or the Director anticipates limited, if any,

additional development near the lot because the development near the lot is at or near zoned capacity under current zoning designations;

f. Construction of accessory dwelling units;

((~~f.~~)) g. Expansions of surface parking, outdoor storage, outdoor sales and outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or display area, or number of parking spaces;

((~~g.~~)) h. In the MML zone, the addition of:

1) Fewer than ten artist's studio dwellings;

2) Less than 750 square feet of gross floor area of major and minor vehicle repair uses and multipurpose retail sales; ((~~and~~)) or

3) Less than 4,000 square feet of gross floor area of ((~~non-residential~~)) nonresidential uses not listed in subsection ((~~23.53.006.F.1.g.2~~)) 23.53.006.F.1.h.2; and

((~~h.~~)) i. Construction of a new ((~~non-residential~~)) nonresidential structure of up to 4,000 square feet of gross floor area if the structure is at least 50 feet from any lot line abutting an existing street that does not have pedestrian access and circulation improvements.

2. Waiver or modification of pedestrian access and circulation requirements. The Director, in consultation with the Director of Transportation, may waive or modify pedestrian access and circulation requirements when one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing pedestrian access and circulation.

a. Location in an environmentally critical area or buffer makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

b. The existence of a bridge, viaduct, or structure such as a substantial retaining wall in proximity to the project site makes installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically infeasible;

c. Sidewalk, curb, and/or curb ramp construction would result in undesirable disruption of existing drainage patterns, or disturbance to or removal of natural features such as significant trees or other valuable and character-defining mature vegetation; or

d. Sidewalk, curb, and/or curb ramp construction would preclude vehicular access to the lot, for example on project sites where topography would render driveway access in excess of the maximum 15 percent slope.

3. Notwithstanding any provision of Section 23.76.026, the applicant for a Master Use Permit or a building permit to which ((~~the Land Use Code~~)) Title 23 in effect prior to October 30, 2009, applies may, by written election, use the exemptions in subsections 23.53.006.F.1 and 23.53.006.F.2.

Section 56. Section 23.53.025 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.53.025 Access easement standards

If access by easement has been approved by the Director, the easement shall meet the following standards. Surfacing of easements, pedestrian walkways required within easements, and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements Manual.

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A. Vehicle access easements serving one or two ((~~single-family~~)) dwelling units ((~~or one multifamily residential use with a maximum of two units~~)) shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. No maximum easement length shall be set. If easement length is more than 150 feet, a vehicle turnaround shall be provided.

3. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

B. Vehicle access easements serving at least three but fewer than ((~~five single-family~~)) ten dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 10 feet.

2. The easement shall provide a hard-surfaced roadway at least 10 feet wide.

3. No maximum easement length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director.

4. A turnaround shall be provided unless the easement extends from street to street.

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety and access.

C. ((~~Vehicle access easements serving at least five but fewer than ten single-family dwelling units, or at least three but fewer than ten multifamily dwelling units~~

~~1. Easement width, surfaced width, length, turn-around, and curbcut width shall be as required in subsection 23.53.025.B.~~

~~2. No single-family structure shall be closer than 5 feet to the easement, except that structural features allowed to extend into required yards under subsection 23.44.014.C.6 are also allowed to extend into the 5-foot setback from an easement.~~

~~D.~~)) Vehicle ((~~Access Easements Serving Ten~~)) access easements serving ten or more ((~~Residential Units.~~)) dwelling units shall meet the following standards:

1. Easement width shall be a minimum of 32 feet((~~;~~)) .

2. The easement shall provide a surfaced roadway at least 24 feet wide, except in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet((~~;~~)) .

3. No maximum length shall be set. If the easement is over 600 feet long, a fire hydrant may be required by the Director((~~;~~)) .

4. A turnaround shall be provided unless the easement extends from street to street((~~;~~)) .

5. ((~~Curbcut~~)) Curb cut width from the easement to the street shall be the minimum necessary for safety access((~~;~~)) .

6. No ((~~single-family structure;~~)) detached dwelling unit shall be located closer than ((~~10~~)) 5 feet to an easement, except that architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other similar features shall not be located closer than 3 feet to a required easement.

7. One pedestrian walkway shall be provided, extending the length of the easement.

((~~E. Vehicle Access Easements Serving Nonresidential or Live-work Uses.~~

~~1.~~)) D. For nonresidential or live-work uses providing fewer than ten ((~~(10)~~)) parking spaces, the easement shall meet the requirements of subsection ((~~C~~)) 23.53.025.B.

((~~2~~)) E. For nonresidential or live-work uses providing ten ((~~(10)~~)) or more parking spaces, the easement shall meet the requirements of subsection ((~~D~~)) 23.53.025.C.

F. Pedestrian ((~~Access Easements~~)) access easements. Where a lot proposed for a residential use abuts an alley but does not abut a street and the provisions of the zone require access by vehicles from the alley, or where the alley access is an exercised option, an easement providing pedestrian access to a street from the lot shall be provided meeting the following standards:

1. Easement width shall be a minimum of ((~~five (~~)) 5 ((~~)~~)) feet;

2. Easements serving one ((~~(1)~~)) or two ((~~(2)~~)) dwelling units shall provide a paved pedestrian walkway at least ((~~three (~~)) 3 ((~~)~~)) feet wide;

3. Easements serving three ((~~(3)~~)) or more dwelling units shall provide a paved pedestrian walkway at least ((~~five (~~)) 5 ((~~)~~)) feet wide;

4. Easements over ((~~one hundred (~~)) 100 ((~~)~~)) feet in length shall provide lighting at intervals not to exceed ((~~fifty (~~)) 50 ((~~)~~)) feet. Lighting placement shall not exceed ((~~fifteen (~~)) 15 ((~~)~~)) feet in height;

5. Pedestrian access easements shall not exceed ((~~two hundred (~~)) 200 ((~~)~~)) feet in length.

G. Vertical ((~~Clearance Above Easements~~)) clearance above easements. When an easement serves fewer than ten ((~~(10)~~)) residential units and crosses a residentially zoned lot, portions of structures may be built over the easement provided that a minimum vertical clearance of ((~~sixteen and one half (16 ½)~~)) 16.5 feet is maintained above the surface of the easement roadway and a minimum turning path radius in accordance with ((~~Section 23.54.030 C~~)) subsection 23.54.030.D is maintained. (((~~See~~)) Exhibit ((~~23.53.025 A~~)) A for 23.53.025.)

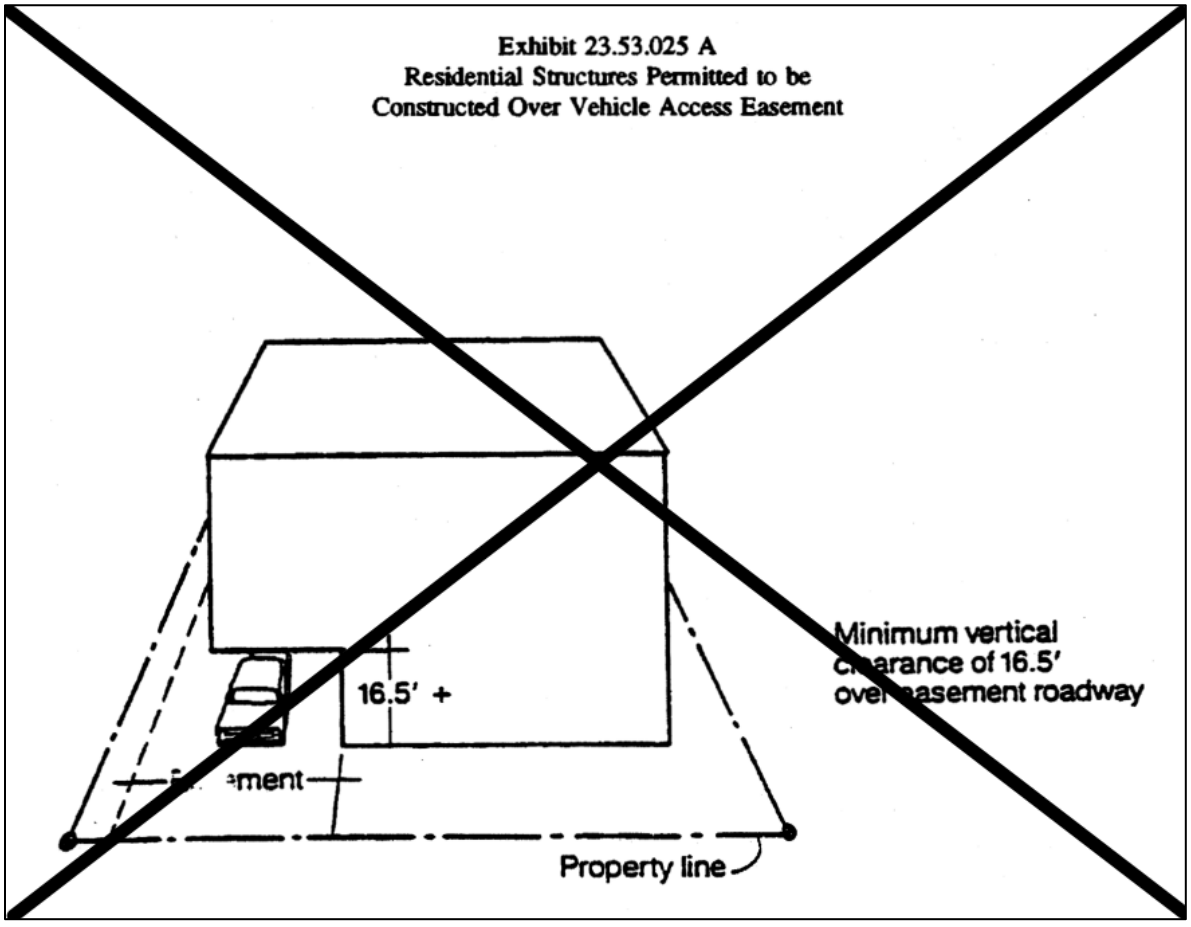
H. Exceptions ((~~From Access Easement Standards~~)) from access easement standards. The Director, in consultation with the Fire Chief, may modify the requirements for easement width and surfacing for properties located in environmentally critical areas or their buffers when it is determined that:

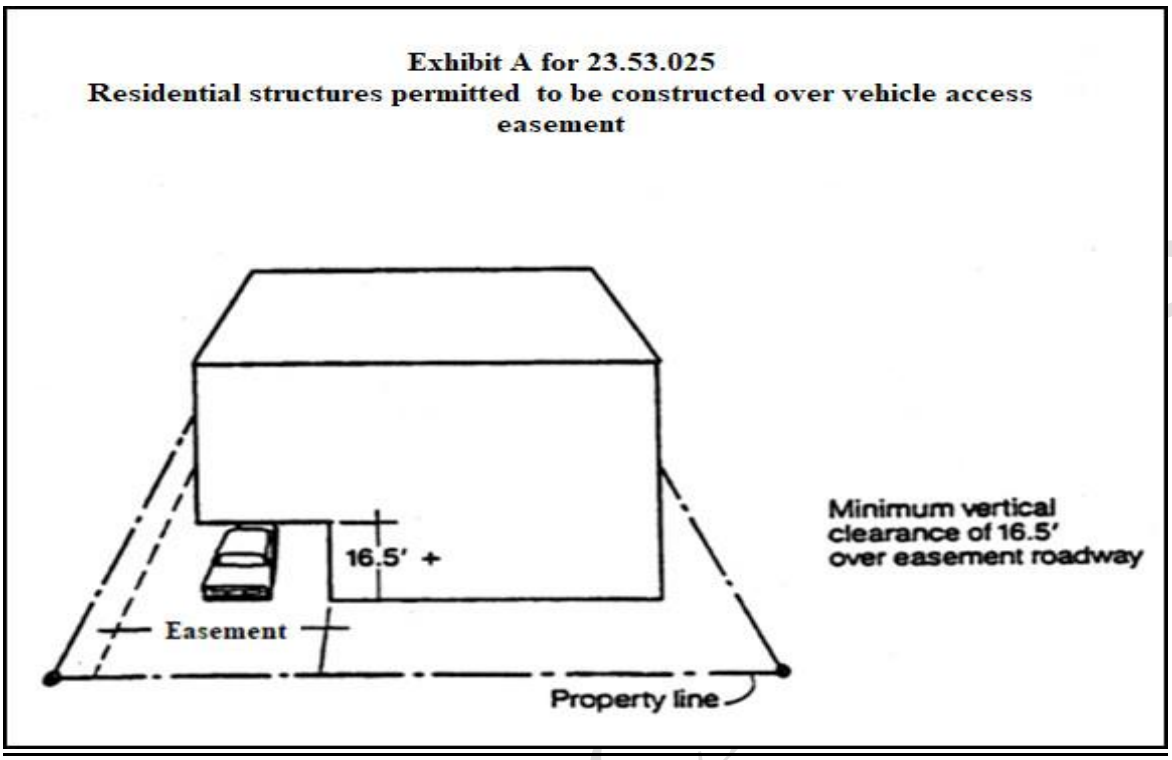
1. Such modification(s) would reduce adverse effects to identified environmentally critical areas or buffers; and

2. Adequate access and provisions for fire protection can be provided for structures served by the easement.

Exhibit A for 23.53.025

Residential structures permitted to be constructed over vehicle access easement





Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance ~~127099~~127228, is amended as follows:

23.54.015 Required vehicular parking and maximum vehicular parking limits

A. Required parking. The minimum number of off-street motor vehicle parking spaces required for specific uses is set forth in Table A for 23.54.015 for ((~~non-residential~~)) nonresidential uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for 23.54.015 for institutional uses, except as otherwise provided in this Chapter 23.54. Required parking is based upon gross floor area of a use within a structure minus gross floor area in parking uses, and the square footage of a use when located outside of an enclosed structure, or as otherwise specified. Maximum parking limits for specific uses and specific areas are set forth in subsection 23.54.015.C. Exceptions to motor vehicle parking requirements set forth in this Section 23.54.015 are provided in((:)) subsections 23.54.015.B

and 23.54.015.C((~~;~~)) and in Section 23.54.020 ((~~unless otherwise specified~~)). This Chapter 23.54 does not apply to parking for construction activity, which is regulated by Section 23.42.044.

B. Required parking for specific zones and areas

1. Parking in downtown zones is regulated by Chapters 23.49 and 23.66, and not by this Section 23.54.015.

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

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

4. The Director shall adopt by rule a map of frequent transit and major transit service areas based on proximity to a transit station or stop served by a frequent transit route or a major transit service. The determination whether a proposed development site is in a scheduled frequent transit or major transit service area shall be based on the ((~~frequent transit service area~~)) map adopted by rule that exists on the date a project vests according to the standards of Section 23.76.026, provided that a rule that takes effect on a date after the project vests may be applied to determine whether the site is in a scheduled frequent transit or major transit service area, at the election of the project applicant in accordance with subsection 23.76.026.~~E~~F.

C. Maximum parking limits for specific zones or areas

1. In the Stadium Transition Area Overlay District certain uses are subject to a maximum parking ratio pursuant to subsection 23.74.010.A.1.b. When there are multiple uses

on a lot, the total parking requirement for all uses subject to a maximum ratio cannot exceed the aggregate maximum for those uses under Section 23.74.010.

2. In all commercial zones, except C2 zones outside of urban villages, no more than 145 spaces per lot may be provided as surface parking or as flexible-use parking.

3. In all Neighborhood Residential and multifamily zones, commercial uses are limited to no more than ten parking spaces per business establishment.

4. In the Northgate Overlay District, the Director may permit parking to exceed applicable maximum parking limits as a Type I decision pursuant to Chapter 23.76 if:

a. The parking is provided in a structure according to a joint-use parking agreement with King County Metro Transit; and

b. It can be demonstrated to the satisfaction of the Director through a parking demand study that the spaces are only needed to meet evening and weekend demand or as overflow on less than ten percent of the weekdays in a year, and the spaces shall otherwise be available for daytime use by the general public.

5. Notwithstanding the minimum parking requirements set out in Table A for 23.54.015, in the Industry and Innovation zones, the maximum parking ratio for all uses is one space per 1,000 square feet of gross floor area.

D. Parking waivers for ((~~non-residential~~)) nonresidential uses

1. In all commercial zones, no parking is required for the first 1,500 square feet of each business establishment or the first 15 fixed seats for motion picture and performing arts theaters.

2. In all other zones, no parking is required for the first 2,500 square feet of gross floor area of ((~~non-residential~~)) nonresidential uses in a structure, except for the following:

a. Structures or portions of structures occupied by restaurants with drive-in lanes((~~,~~)) ;

b. Motion picture theaters((~~,~~)) ;

c. Offices((~~,~~)) ; or

d. Institution uses, including Major Institution uses.

When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver is prorated based on the area occupied by the ((~~non-residential~~)) nonresidential uses for which the parking waiver is permitted.

E. Fleet vehicles. Notwithstanding any other provisions of this ((~~section~~)) Section 23.54.015, off-street parking shall be provided for all fleet vehicles and those parking spaces will not be counted toward the parking requirements of Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015.

F. Use and reuse of schools. For non-school uses permitted to locate in a former or existing public school, parking requirements will be determined by school use pursuant to criteria adopted according to Chapter 23.78((~~, Establishment of Criteria for Joint Use or Reuse of Schools~~)).

G. New ((~~non-residential~~)) nonresidential uses in existing structures in commercial and industrial zones. Up to 20 required parking spaces are waived for a new ((~~non-residential~~)) nonresidential use established in an existing structure or the expansion of an existing ((~~non-residential~~)) nonresidential use entirely within an existing structure. Existing required parking

shall remain. For purposes of this Section 23.54.015, "existing structure" means a structure that was established under permit, or for which a building permit has been granted and has not expired, at least two years prior to the application to establish the new use or expand the use. Parking spaces required for loading and unloading of passengers are not eligible for the waiver under this subsection 23.54.015.G.

H. Uses not shown on parking tables. In the case of a use not shown on Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015, the requirements for off-street parking will be determined by the Director based on the requirements for the most comparable use. Where, in the judgment of the Director, none of the uses on Table A for 23.54.015, Table B for 23.54.015, and Table C for 23.54.015 are comparable to a proposed use, the Director may base ((~~his or her~~)) a determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

I. Uses in multiple parking table categories. If an entire use or structure, or the same portion of a use or structure, falls under more than one category in Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015 then, unless otherwise specified, the category requiring the smallest number of parking spaces applies except as expressly set forth on such tables.

J. Existing parking deficits. Existing legal parking deficits of legally established uses are allowed to continue even if a change of use occurs. This subsection 23.54.015.J will not be construed to permit a parking deficit caused by the failure to satisfy conditions of a reduced parking requirement for any use or structure.

Table A for 23.54.015 **Required parking for ((~~non-residential~~)) nonresidential uses other than institutions**				
Use				**Minimum parking required**
I. General ((~~non-residential~~)) nonresidential uses (other than institutions)				
* * *				
B.	COMMERCIAL USES			
	B.1.	Animal shelters and kennels		1 space for each 2,000 square feet
	B.2.	Eating and drinking establishments		1 space for each 250 square feet
	B.3.	Entertainment uses, general, except as noted below [2]		For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
		B.3.a.	Adult cabarets	1 space for each 250 square feet
		B.3.b.	Sports and recreation uses [3]	1 space for each 500 square feet
	B.4.	Food processing and craft work		1 space for each 2,000 square feet
	B.5.	Laboratories, research and development		1 space for each 1,500 square feet
	B.6.	Lodging uses		1 space for each 4 rooms; For bed and breakfast facilities in ((~~neighborhood residential~~)) Neighborhood Residential and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
	B.7.	Medical services		1 space for each 500 square feet
	B.8.	Offices		1 space for each 1,000 square feet
	B.9.	Sales and services, automotive		1 space for each 2,000 square feet

Table A for 23.54.015 **Required parking for ((~~non-residential~~)) nonresidential uses other than institutions**				
Use				**Minimum parking required**
	B.10.	Sales and services, general, except as noted below		1 space for each 500 square feet
		B.10.a.	Pet daycare centers [4]	1 space for each 10 animals or 1 space for each staff member, whichever is greater, plus 1 loading and unloading space for each 20 animals
	B.11.	Sales and services, heavy		1 space for each 2,000 square feet
	B.12.	Sales and services, marine		1 space for each 2,000 square feet
* * *				
II. ((~~Non-residential~~)) Nonresidential use requirements for specific areas				
I.	((~~Non-residential~~)) Nonresidential uses in urban centers or the Station Area Overlay District [5]			No minimum requirement
J.	((~~Non-residential~~)) Nonresidential uses in urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District, if the ((~~non-residential~~)) nonresidential use is located within a frequent transit service area [5]			No minimum requirement
K.	((~~Non-residential~~)) Nonresidential uses permitted in MR and HR zones pursuant to Section 23.45.504			No minimum requirement
L.	((~~Non-residential~~)) Nonresidential uses permitted in II zones			No minimum requirement
Footnotes for Table A for 23.54.015 [1] No parking is required for urban farms or community gardens in residential zones. [2] Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during				

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use	Minimum parking required
the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded. [3] For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((~~1~~)) one space for each 2,000 square feet. [4] The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. [5] The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a ((~~non-residential~~)) nonresidential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of ((~~non-residential~~)) nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [1, 2, 3]		
((~~A.~~	~~Adult family homes~~	~~1 space for each dwelling unit~~
~~B.~~)) A.	Artist's studio/dwellings	1 space for each 2 dwelling units
((~~C.~~)) B.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
((~~D.~~)) C.	Caretaker's quarters	1 space for each 2 dwelling units
((~~E.~~)) D.	Congregate residences	1 space for each 4 sleeping rooms
((~~F.~~	~~Cottage housing developments~~ [1]	~~1 space for each dwelling unit~~
~~G.~~	~~Floating homes~~	~~1 space for each dwelling unit~~
~~H.~~)) E.	Mobile home parks	1 space for each 2 mobile home lots as defined in Chapter 22.904
((~~I.~~	~~Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015~~ [1, 2]	~~1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units~~
~~J.~~	~~Nursing homes~~	~~1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds~~
~~K.~~)) F.	((~~Single family dwelling units~~)) Housing ((~~1, 3~~)) [4, 5]	1 space for each 2 dwelling units

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
II. Residential use requirements for specific areas [1]		
((~~L.~~)) G.	All residential uses within urban centers or within ((~~the~~)) a Station Area Overlay District ((~~2~~))	No minimum requirement
((~~M.~~)) H.	All residential uses ((~~in commercial, RSL, and multifamily zones~~)) within urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District((~~,~~)) if the residential use is located within a frequent transit or major transit service area ((~~2, 4~~))	No minimum requirement
I.	All residential uses within a major transit service area	No minimum requirement
((~~N.~~	~~Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015~~ [2]	~~1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms~~
~~O.~~	~~Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015~~ [2]	~~1.5 spaces for each dwelling unit~~))
~~P.~~)) J.	Congregate residences located within ((~~one half mile walking distance of a major transit stop~~)) a frequent transit service area	No minimum requirement

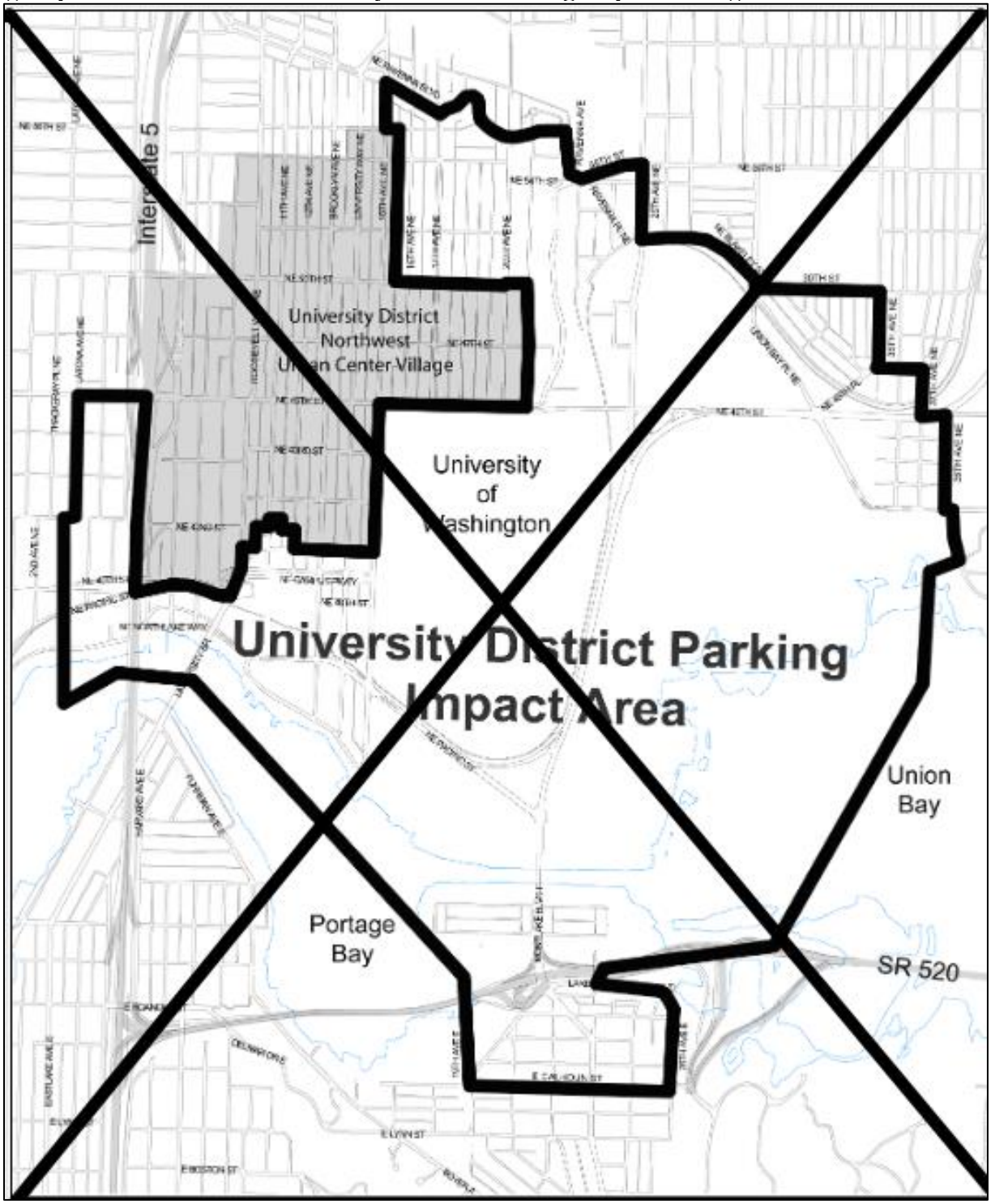
Footnotes to Table B for 23.54.015
[1] ((~~For each moderate income unit and each low income unit, no minimum amount of parking is required.~~
~~2~~)) The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a ((~~greater or a~~)) lesser amount of minimum parking, including no parking, under any other provision of this Section

Table B for 23.54.015
Required parking for residential uses

Use	Minimum parking required
23.54.015. If more than one provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)). [2] For each moderate-income unit and each low-income unit, no minimum amount of parking is required. [3] A reduction or waiving of parking requirements may be permitted if the Director finds that the reduction or waiver is necessary in order to protect a Tier 2 or Tier 3 tree as defined in Chapter 25.11. [4] No parking is required for ((~~single family residential uses~~)) accessory dwelling units. [5] No parking is required for principal dwelling units 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~~)) 23.44.160.F.2, 23.45.536.C.2, or 23.45.536.C.3. ((~~4. Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.~~))	

Substitute O

((~~Map A for 23.54.015: University District Parking Impact Area~~))



((~~Map B for 23.54.015: Alki Area Parking Overlay~~))

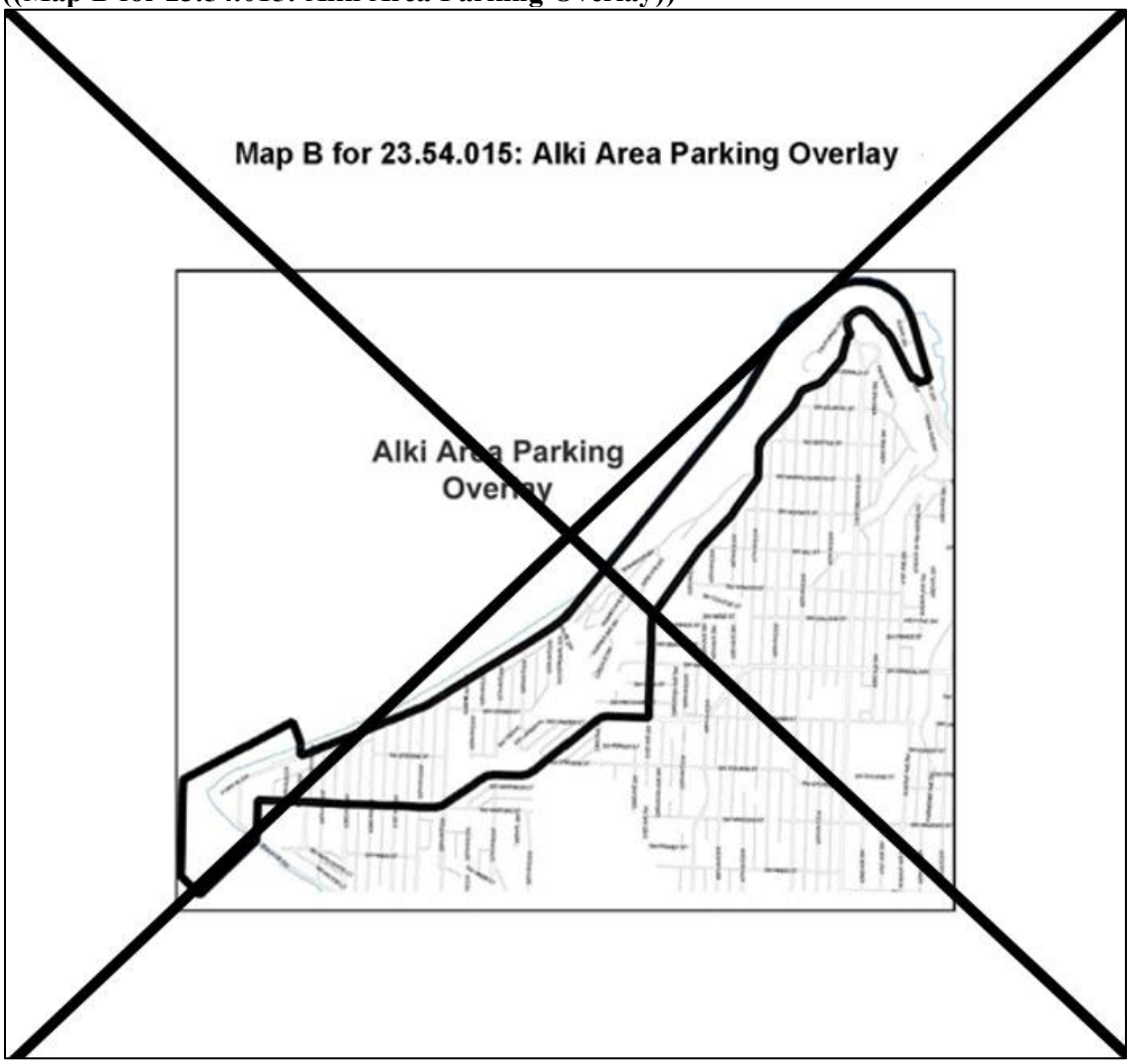


Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
I. General public uses and institutions [1]		
A.	Adult care centers ((~~1~~)) [2, 3]	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
B.	Child care centers [2, 3, 4, 5] ((~~12~~))	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) ((~~1,~~)) 6	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs((~~,~~)) and community centers not owned and operated by SPR ((~~1, 5,~~)) 7, 8	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms containing fixed seats; plus 1 space for each 350 square feet of all other indoor areas
F.	Community farms ((~~5~~)) 8	1 space plus 1 space for each 10,000 square feet of site area, or 10 spaces, whichever is less
G.	Hospitals	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
((~~H.~~	~~Institutes for advanced study, except in neighborhood residential zones~~	~~1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100~~

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
		~~square feet of public assembly area not containing fixed seats~~))
((~~I.~~)) H.	Institutes for advanced study in ((~~neighborhood residential~~)) Neighborhood Residential zones (existing) [1]	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
((~~J.~~)) I.	Libraries ((~~1, 5,~~)) 8. 9	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms containing fixed seats; plus 1 space for each 500 square feet of floor area of all other areas
((~~K.~~)) J.	Museums ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
((~~L.~~)) K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
((~~M.~~)) L.	Religious facilities ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms
((~~N.~~	~~Schools, private elementary and secondary~~ ((~~1~~))	~~1 space for each 80 square feet of all auditoria and public assembly rooms, or if~~

Substitute

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
		~~no auditorium or assembly room, 1 space for each staff member~~
~~O.~~)) M.	Schools, ((~~public~~)) elementary and secondary [7, ((~~9,~~)) 10, 11]	1 space for each 80 square feet of all auditoria ((~~or~~)) and public assembly rooms without fixed seats, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats((~~, for new public schools on a new or existing public school site~~
~~P.~~)) N.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate
II. General public uses and institutions for specific areas		
((~~Q.~~)) O.	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((~~11~~)) 12	No minimum requirement
((~~R.~~)) P.	General public uses and institutions, except hospitals, including institutes for advanced study in ((~~neighborhood residential~~)) Neighborhood Residential zones, within urban villages that are not within the Station Area Overlay	No minimum requirement

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	District, if the use is located within a frequent transit service area	

Footnotes to Table C for 23.54.015

[1] ((~~When this use is permitted in a neighborhood residential zone as a conditional use, the~~)) The Director may modify the parking requirements in this Table A for 23.54.015 for institutions in Neighborhood Residential and multifamily zones pursuant to the conditional uses provisions in Section ((~~23.44.022~~)) 23.44.030 ((~~; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to~~)) and Section 23.45.570.

[2] The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.

[3] As a Type I decision, the Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.

[4] A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

[5] ((~~When this use is permitted outright in a neighborhood residential or multifamily zone, the Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~)) The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.

[6] When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.

[7] Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one

Table C for 23.54.015
Required parking for public uses and institutions

Use	Minimum parking required

parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.

[8] The Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.080 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.

[9] When a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.

((~~9~~)) [10] For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown in this Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ((~~10~~)) ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.

((~~10~~)) [11] ((~~Development~~)) For public schools, development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.

((~~11~~)) [12] The general requirements of lines A through P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this

Table C for 23.54.015 **Required parking for public uses and institutions**	
Use	**Minimum parking required**
Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ((~~[12] The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.~~))	

((~~K. Bicycle parking.~~))

23.54.037 Bicycle parking

A. Number of spaces

1. The minimum number of parking spaces for bicycles required for specified uses is set forth in Table ((~~D for 23.54.015~~)) A for 23.54.037.

2. Long-term parking for bicycles shall be for bicycles parked four or more hours. Short-term parking for bicycles shall be for bicycles parked less than four hours. In the case of a use not shown on Table ((~~D for 23.54.015~~)) A for 23.54.037, one bicycle parking space per 10,000 gross square feet of either short- or long-term bicycle parking is required((~~, except single-family residential use is exempt from bicycle parking requirements~~)) .

3. The minimum requirements are based upon gross floor area of the use in a structure minus gross floor area in parking uses, or the square footage of the use when located outside of an enclosed structure, or as otherwise specified.

((~~1.~~)) 4. Rounding. For long-term bicycle parking, calculation of the minimum requirement shall round up the result to the nearest whole number. For short-term bicycle

parking, calculation of the minimum requirement shall round up the result to the nearest whole even number.

((~~2.~~)) B. Performance standards. Provide bicycle parking in a highly visible, safe, and convenient location, emphasizing user convenience and theft deterrence, based on rules promulgated by the Director of the Seattle Department of Transportation that address the considerations in this subsection ((~~23.54.015.K.2~~)) 23.54.037.B.

((~~a.~~)) 1. Provide secure locations and arrangements of long-term bicycle parking, with features such as locked rooms or cages and bicycle lockers. The bicycle parking should be installed in a manner that avoids creating conflicts with automobile accesses and driveways.

((~~b.~~)) 2. For a garage with bicycle parking and motor vehicle parking for more than two dwelling units, provide pedestrian and bicycle access to long-term bicycle parking that is separate from other vehicular entry and egress points or uses the same entry or egress point but has a marked walkway for pedestrians and bicyclists.

((~~c.~~)) 3. Provide adequate lighting in the bicycle parking area and access routes to it.

((~~d.~~)) 4. If short-term bicycle parking facilities are not clearly visible from the street or sidewalk or adjacent on-street bicycle facilities, install directional signage in adequate amounts and in highly visible locations in a manner that promotes easy wayfinding for bicyclists.

((~~e.~~)) 5. Provide signage to long-term bicycle parking that is oriented to building users.

((~~f.~~)) 6. Long-term bicycle parking shall be located where bicyclists are not required to carry bicycles on exterior stairs with more than five steps to access the parking. The Director, as a Type I decision, may allow long-term bicycle parking for rowhouse and townhouse development to be accessed by stairs with more than five steps, if the slope of the lot makes access with five or fewer steps infeasible.

((~~g.~~)) 7. Where practicable, long-term bicycle parking shall include a variety of rack types to accommodate different types of bicycles.

((~~h.~~)) 8. Install bicycle parking hardware so that it can perform to its manufacturer's specifications and any design criteria promulgated by the Director of the Seattle Department of Transportation, allowing adequate clearance for bicycles and their riders.

((~~i.~~)) 9. Provide full weather protection for all required long-term bicycle parking.

((~~3.~~)) C. Location of bicycle parking

((~~a.~~)) 1. Long-term bicycle parking required for residential uses shall be located on-site except as provided in subsection ((~~23.54.015.K.3.e~~)) 23.54.037.C.3.

((~~b.~~)) 2. Short-term bicycle parking may be provided on the lot or in an adjacent right-of-way, subject to approval by the Director of the Seattle Department of Transportation, or as provided in subsection ((~~23.54.015.K.3.e~~)) 23.54.037.C.3.

((~~c.~~)) 3. Both long-term and short-term bicycle parking for residential uses may be provided off-site if within 600 feet of the residential use to which the bicycle parking is accessory and if the site of the bicycle parking is functionally interrelated to the site of the residential use to which the bicycle parking is accessory, such as within a unit lot subdivision

or if the sites are connected by access easements, or if a covenant or similar property right is established to allow use of the off-site bicycle parking.

((~~4.~~)) D. Long-term bicycle parking required for small efficiency dwelling units and congregate residence sleeping rooms is required to be covered for full weather protection. If the required, covered long-term bicycle parking is located inside the building that contains small efficiency dwelling units or congregate residence sleeping rooms, the space required to provide the required long-term bicycle parking shall be exempt from floor area ratio (FAR) limits. Covered long-term bicycle parking that is provided beyond the required bicycle parking shall not be exempt from FAR limits.

((~~5.~~)) E. Bicycle parking facilities shared by more than one use are encouraged.

((~~6.~~)) F. Except as provided in subsection ((~~23.54.015.K.7~~)) 23.54.015.G, bicycle parking facilities required for ((~~non-residential~~)) nonresidential uses shall be located:

((~~a.~~)) 1. On the lot; or

((~~b.~~)) 2. For a functionally interrelated campus containing more than one building, in a shared bicycle parking facility within 600 feet of the lot; or

((~~c.~~)) 3. Short-term bicycle parking may be provided in an adjacent right-of-way, subject to approval by the Director of the Seattle Department of Transportation.

((~~7.~~)) G. For ((~~non-residential~~)) nonresidential uses on a functionally interrelated campus containing more than one building, both long-term and short-term bicycle parking may be located in an off-site location within 600 feet of the lot, and short-term public bicycle parking may be provided in a right-of-way, subject to approval by the Director of the Seattle Department of Transportation. The Director of the Seattle Department of Transportation may

consider whether bicycle parking in the public place shall be sufficient in quality to effectively serve bicycle parking demand from the site.

((~~8.~~)) H. Bicycle commuter shower facilities. Structures containing 100,000 square feet or more of office use floor area shall include shower facilities and clothing storage areas for bicycle commuters. Two showers shall be required for every 100,000 square feet of office use. They shall be available in a manner that results in equal shower access for all users. The facilities shall be for the use of the employees and occupants of the building, and shall be located where they are easily accessible to bicycle parking facilities, which may include in places accessible by elevator from the bicycle parking location.

((~~9.~~)) I. Bicycle parking spaces within dwelling units or on balconies do not count toward the bicycle parking requirement, except if the bike parking spaces are located:

((~~a.~~)) 1. In a private garage; or

((~~b.~~)) 2. Within the ground floor of a dwelling unit in ((~~a townhouse or rowhouse development~~)) an attached dwelling unit.

Table ((~~D for 23.54.015~~)) A for 23.54.037
Parking for bicycles [1]

((~~USE~~)) Use		**Bike parking requirements**	
		Long-term	**Short-term**
* * *			
D. RESIDENTIAL USES [3]			
D.1	Assisted living facility	None	None
((~~D.1~~)) D.2	Congregate residences [4, 5]	1 per 4 sleeping rooms	1 per 80 sleeping rooms. 2 spaces minimum

Table ((~~D for 23.54.015~~)) A for 23.54.037 Parking for bicycles [1]			
((~~USE~~)) Use		**Bike parking requirements**	
		Long-term	**Short-term**
((~~D.2~~	~~Multifamily structures other than townhouse and rowhouse developments~~ ~~[4, 5]~~	~~1 per dwelling unit~~	~~1 per 20 dwelling units~~
~~D.3~~	~~Single family residences~~	~~None~~	~~None~~
~~D.4~~	~~Townhouse and rowhouse developments~~ ~~[5]~~	~~1 per dwelling unit~~	~~None~~))
D.3	Permanent supportive housing	None	None
D.4	Other residential uses [4, 5]	1 per dwelling unit [6]	1 per 20 dwelling units, except none for projects with less than 20 dwelling units
E. TRANSPORTATION FACILITIES			
E.1((~~.~~))	Park and ride facilities on surface parking lots	At least 20 ((~~6~~)) [7]	At least 10
E.2((~~.~~))	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3((~~.~~))	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto spaces	None
E.4((~~.~~))	~~Rail transit facilities and p~~Passenger terminals	Spaces for 5 percent of projected AM	Spaces for 2 percent of projected AM

Sub-to the CB 120 Leg.

Table ((~~D for 23.54.015~~)) A for 23.54.037
Parking for bicycles [1]

((~~USE~~)) Use		Bike parking requirements	
		Long-term	**Short-term**
		peak period daily ridership ((~~6~~)) 7	peak period daily ridership ((~~6~~)) 7
E.5	Light rail transit stations	Regulated by subsections 23.80.008.L	Regulated by subsection 23.80.008.L

Footnotes to Table ((~~D for 23.54.015~~)) A for 23.54.037

[1] Required bicycle parking includes long-term and short-term amounts shown in this Table ((~~D for 23.54.015~~)) A for 23.54.037.

[2] The Director may reduce short-term bicycle parking requirements for theaters and spectator sports facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.

[3] For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table ((~~D for 23.54.015~~)) A for 23.54.037.

[4] For ((~~congregate residences or multifamily~~)) residential structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle.

[5] In low-income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage).

[6] Long-term bike parking is not required in NR zones.

((~~6~~)) 7 The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

1

Section 58. Section 23.54.016 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.54.016 Major Institutions—((~~parking~~)) Parking and transportation

Except in the MPC-YT zone, Major Institution uses are subject to the following transportation and parking requirements:

* * *

B. Parking ((~~Quantity Required.~~)) quantity required

1. In urban centers and the Station Area Overlay District, no parking is required for Major Institution uses, except for hospitals.

2. For all other Major Institutions the minimum number of parking spaces required is as follows:

a. Long-term ((~~Parking.~~)) parking

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to 80 percent of hospital-based doctors; plus 25 percent of staff doctors; plus 30 percent of all other employees present at peak hour;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to 15 percent of the maximum students present at peak hour, excluding resident students; plus 30 percent of employees present at peak hour; plus 25 percent of the resident unmarried students; plus one space for each married student apartment unit.

b. Short-term ((~~Parking.~~)) parking

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to one space per six beds; plus one space per five average daily outpatients;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to five percent of the maximum students present at peak hour excluding resident students.

c. Additional ((~~Short-term Parking Requirements~~)) short-term parking requirements. When one of the following uses is a Major Institution use, the following additional short-term parking requirements shall be met. Such requirements may be met by joint use of parking areas and facilities if the Director determines that the uses have different hours of operation according to subsection 23.54.020.G:

1) Museum. One space for each 250 square feet of public floor area;

2) Theater, ((~~Auditorium~~)) auditorium, or ((~~Assembly Hall~~)) assembly hall. One space for each 200 square feet of audience assembly area not containing fixed seats, and one space for every ((~~10~~)) ten seats for floor area containing fixed seats;

3) Spectator ((~~Sports Facility Containing Fewer~~)) sports facility containing fewer than 20,000 ((~~Seats~~)) seats. One space for each ((~~10~~)) ten permanent seats and one space for each 100 square feet of spectator assembly area not containing fixed seats;

4) Spectator ((~~Sports Facility Containing~~)) sports facility containing 20,000 or ((~~More Seats~~)) more seats. One space for each ((~~10~~)) ten permanent seats and one bus space for each 300 permanent seats.

d. Bicycle ((~~Parking~~)) parking. Bicycle parking meeting the development standards of subsections ((~~23.54.015.K.2~~)) 23.54.037.B through ((~~23.54.015.K.6~~)) 23.54.037.G and subsection 23.54.016.D.2 shall be provided in the following quantities:

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to two percent of employees, including doctors, present at peak hour;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to ((~~10~~)) ten percent of the maximum students present at peak hour plus five percent of employees.

If at the time of application for a master use permit, the applicant can demonstrate that the bicycle parking requirement is inappropriate for a particular institution because of topography, location, nature of the users of the institution or other reasons, the Director may modify the bicycle parking requirement.

3. Parking ((~~Deficits~~)) deficits. In addition to providing the minimum required parking for a new structure, five percent of any vehicular or bicycle parking deficit as determined by the minimum requirements of this subsection 23.54.016.B, existing on ((~~the effective date of the ordinance codified in this section~~)) May 2, 1990, shall be supplied before issuance of a certificate of occupancy.

* * *

Section 59. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.54.020 Parking quantity exceptions

The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all zones except downtown zones, which are regulated by Section 23.49.019, and Major Institution zones, which are regulated by Section 23.54.016.

A. Adding ((~~Units~~)) units to ((~~Existing Structures~~)) existing structures in Multifamily and Commercial ((~~Zones.~~)) zones

Substitute

1. For the purposes of this Section 23.54.020, "existing structures" means those structures that were established under permit, or for which a permit has been granted and has not expired as of the applicable date, as follows:

a. In multifamily zones, August 10, 1982;

b. In commercial zones, June 9, 1986.

2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:

a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception permitted in subsection 23.54.020.A.2, if the ((~~conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:~~

~~a. The~~)) only use of the structure will be residential((~~;~~)) and one of the following conditions is met:

Substitute CB 120093

((~~b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and~~

~~c.~~)) a. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

((~~d.~~)) b. The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

B. Tandem ((~~Parking~~)) parking in ((~~Multifamily Structures~~)) multifamily structures.

((~~1.~~)) Off-street parking required for multifamily structures may be provided as tandem parking, as defined in Section 23.54.030. ((~~A tandem parking space counts as one and one-half parking spaces, except as provided in subsection 23.54.020.B.2 below, and must meet the minimum size requirements of subsection 23.54.030.A.~~

~~2. When a minimum of at least one parking space per dwelling unit in a multifamily structure is required, the total number of parking spaces provided, counting each tandem parking space as one space, may not be less than the total number of dwelling units.~~)) A tandem parking space counts at a rate of one space for every 20 linear feet of depth excluding required access aisles.

* * *

Section 60. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.030 Parking space and access standards

All parking spaces provided, whether required by Section 23.54.015 or not, and required barrier-free parking, shall meet the standards of this Section 23.54.030.

A. Parking space dimensions

1. "Large vehicle" means the minimum size of a large vehicle parking space shall be ((~~8.5~~)) 8 feet in width and 19 feet in length.

2. "Medium vehicle" means the minimum size of a medium vehicle parking space shall be 8 feet in width and 16 feet in length.

3. "Small vehicle" means the minimum size of a small vehicle parking space shall be 7.5 feet in width and 15 feet in length.

4. "Barrier-free parking" means a parking space meeting the following standards:

a. Parking spaces shall not be less than 8 feet in width and shall have an adjacent access aisle not less than 5 feet in width. Van-accessible parking spaces shall have an adjacent access aisle not less than 8 feet in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that aisles will not be used as parking space.

b. A minimum length of 19 feet or when more than one barrier-free parking space is provided, at least one shall have a minimum length of 19 feet, and other spaces may be the lengths of small, medium, or large spaces in approximate proportion to the number of each size space provided on the lot.

5. "Tandem parking" means a parking space equal to the width and two times the length of the vehicle size standards in subsections 23.54.030.A.1, 23.54.030.A.2, and 23.54.030.A.3 for the size of the vehicle to be accommodated.

6. No wall, post, guardrail, or other obstruction, or lot line, is permitted within the area for car door opening. Columns or other structural elements may encroach into the parking space a maximum of 6 inches on a side, except in the area for car door opening 5 feet from the longitudinal centerline, or 4 feet from the transverse centerline of a parking space (see Exhibit A for 23.54.030).

7. If the parking space is next to a lot line and the parking space is parallel to the lot line, the minimum width of the space is 9 feet.

Substitute CB 120

Exhibit A for 23.54.030

Encroachments ((~~Into Required Parking Space~~)) into required parking

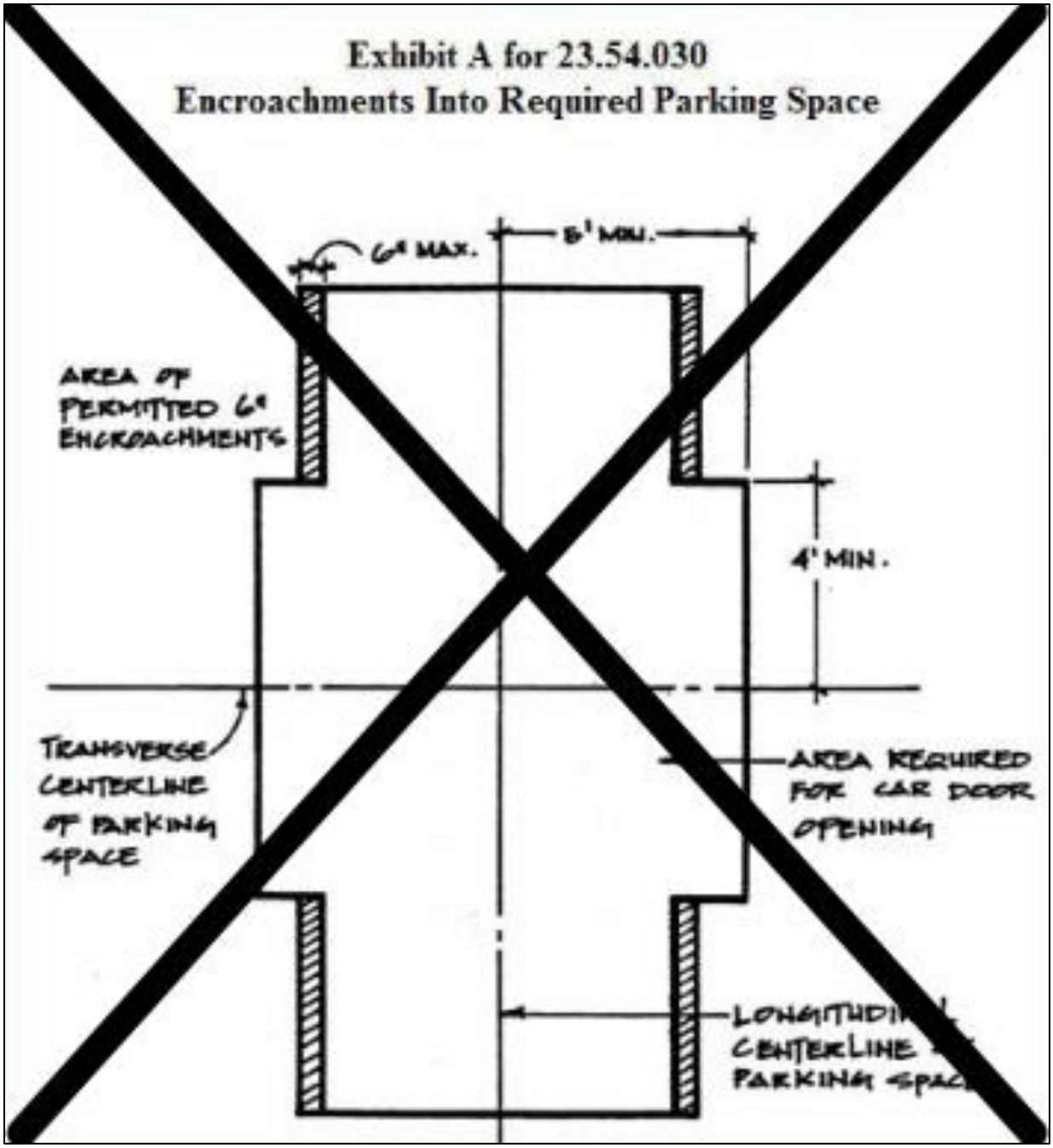
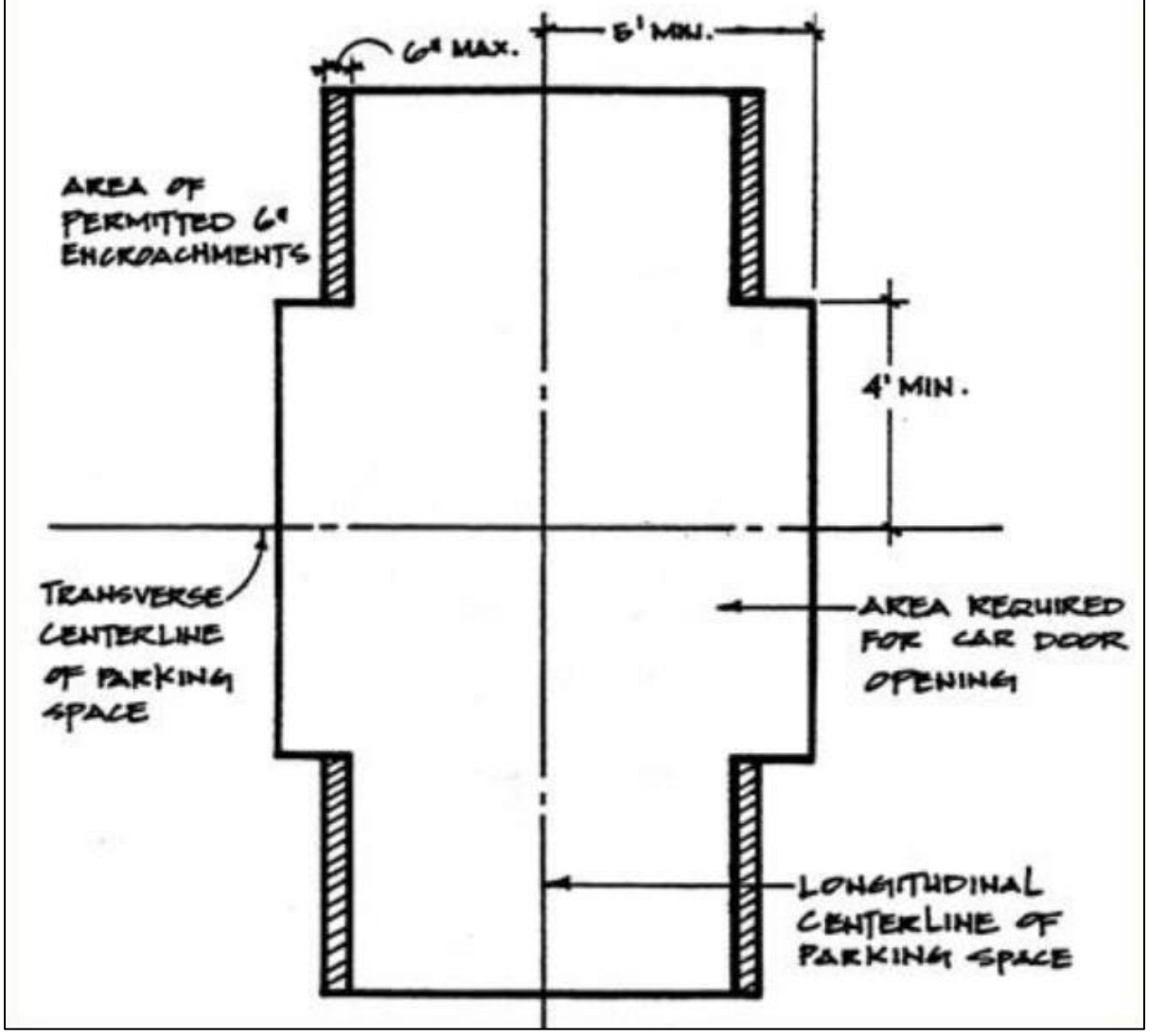


Exhibit A for 23.54.030
Encroachments into required parking



B. Parking space requirements. The required size of parking spaces shall be determined by whether the parking is for a residential, live-work, or ((~~non-residential~~)) nonresidential use. In structures containing residential uses and also containing either ((~~non-residential~~)) nonresidential uses or live-work units, parking that is clearly set aside and reserved for residential or live-work use shall meet the standards of subsection 23.54.030.B.1. Parking for

all other uses within the structure shall meet the standards of subsection 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Seattle Building Code or the Seattle Residential Code.

1. Residential uses

a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.2, except as provided in subsection 23.54.030.B.1.d.

b. When more than five parking spaces are provided, a minimum of 60 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent of the parking spaces may be striped for any size category in subsection 23.54.030.A, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted living facilities. Parking spaces shall be provided as in subsections 23.54.030.B.1.a and 23.54.030.B.1.b, except that a minimum of two spaces shall be striped for a large vehicle.

d. ((~~Townhouse units.~~)) For an individual garage serving ((~~a townhouse~~)) an individual dwelling unit, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.

2. ((~~Non-residential~~)) Nonresidential uses

a. When ten or fewer parking spaces are provided, a maximum of 25 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the spaces shall be striped for large vehicles.

b. When between 11 and 19 parking spaces are provided, a minimum of 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

c. When 20 or more parking spaces are provided, a minimum of 35 percent of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at least one floor, and there shall be at least one direct entrance that is at least 6 feet 9 inches in height for all parking garages accessory to ((~~non-residential~~)) nonresidential uses and live-work units and for all flexible-use parking garages.

3. Live-work uses. The first required parking space shall meet the parking standards for residential use. Additional required parking for a live-work use shall meet the parking standards for ((~~non-residential~~)) nonresidential use.

C. Backing ((~~Distances~~)) distances and ((~~Moving Other Vehicles.~~)) moving other vehicles

1. Adequate ingress to and egress from all parking spaces shall be provided without having to move another vehicle, except in the case of multiple spaces provided for a ((~~single-family~~)) dwelling unit ((~~or an accessory dwelling unit associated with a single-family~~

~~dwelling,~~)) or in the case of tandem parking authorized under ((~~Section~~)) subsection 23.54.020.B.

2. Except for lots with fewer than three parking spaces, ingress to and egress from all parking spaces shall be provided without requiring backing more than 50 feet.

D. Driveways. Driveway requirements for residential and nonresidential uses are described below. When a driveway is used for both residential and nonresidential parking, it shall meet the standards for nonresidential uses described in subsection 23.54.030.D.2.

1. Residential uses((~~.~~))

a. Driveway width. Driveways less than 100 feet in length that serve 30 or fewer parking spaces shall be a minimum of 10 feet in width for one-way or two-way traffic.

b. Except for driveways serving one ((~~single family~~)) dwelling unit, driveways more than 100 feet in length that serve 30 or fewer parking spaces shall either:

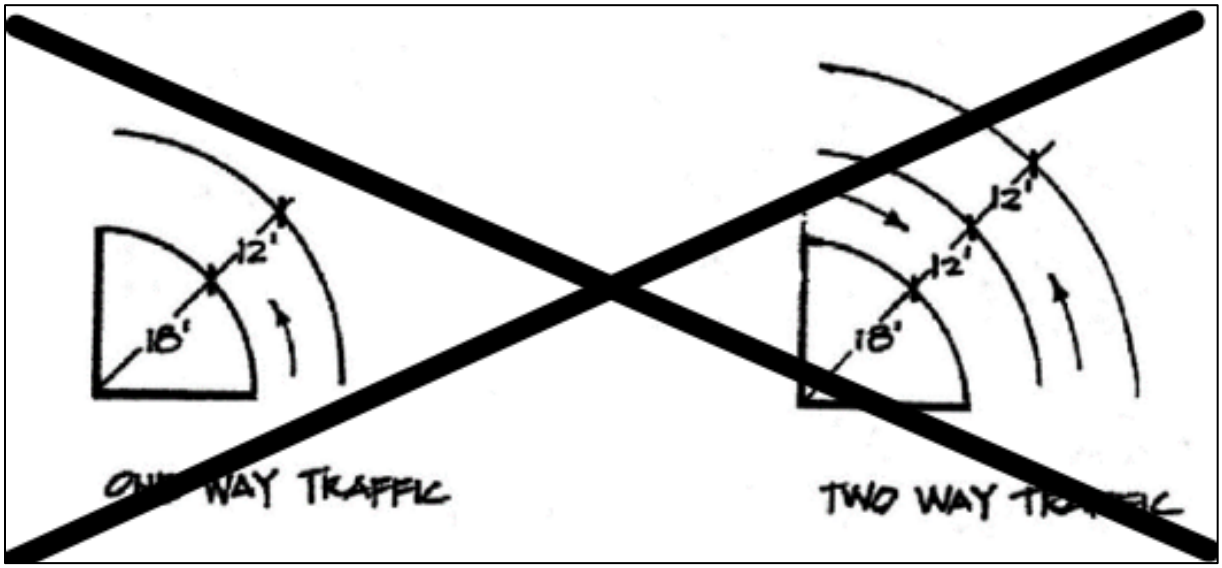
1) ((~~be~~)) Be a minimum of 16 feet wide, tapered over a 20 foot distance to a 10 foot opening at the lot line; or

2) ((~~be~~)) Be a minimum of 10 feet wide and provide a passing area at least 20 feet wide and 20 feet long. The passing area shall begin 20 feet from the lot line, with an appropriate taper to meet the 10-foot opening at the lot line. If a taper is provided at the other end of the passing area, it shall have a minimum length of 20 feet.

c. Driveways of any length that serve more than 30 parking spaces shall be at least 10 feet wide for one-way traffic and at least 20 feet wide for two-way traffic.

d. Driveways for two attached ((~~rowhouse or townhouse~~)) dwelling units may be paired so that there is a single curb cut providing access. The maximum width of the paired driveway is 18 feet.

e. Driveways with a turning radius of more than 35 degrees shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

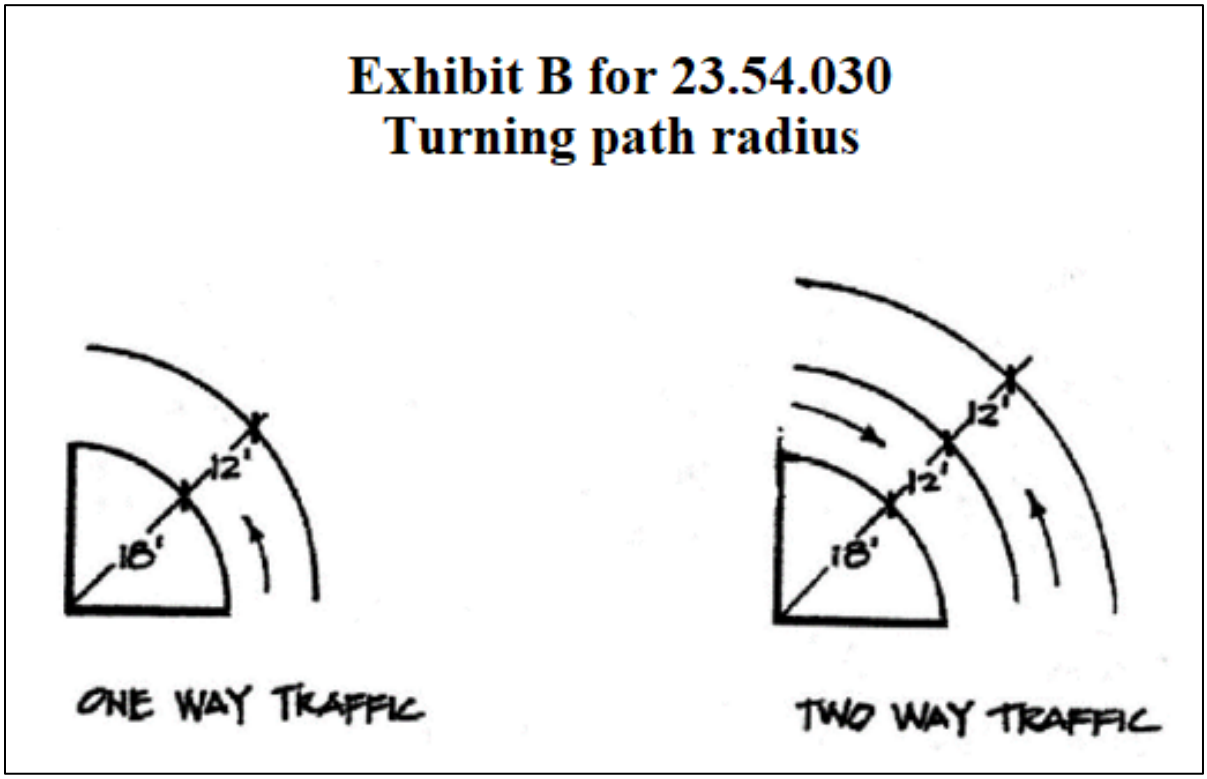


((~~Exhibit B for 23.54.030: Turning Path Radius~~))

Substitute C

Exhibit B for 23.54.030

Turning path radius



f. Vehicles may back onto a street from a parking area serving five or fewer vehicles, provided that either:

1) The street is not an arterial as defined in Section 11.18.010; or

2) For a lot with one ((~~single family~~)) dwelling unit or one parking space, the Director may permit backing onto an arterial based on a safety analysis that addresses visibility, traffic volume, and other relevant issues.

g. Nonconforming driveways. The number of parking spaces served by an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall not be increased. This prohibition may be waived by the Director after consulting with the Director of the Seattle Department of Transportation, based on a safety analysis.

2. Nonresidential ((~~Uses.~~)) uses

a. Driveway ((~~Widths.~~)) widths

1) The minimum width of driveways for ((~~one-way~~)) one-way traffic shall be 12 feet and the maximum width shall be 15 feet.

2) The minimum width of driveways for ((~~two-way~~)) two-way traffic shall be 22 feet and the maximum width shall be 25 feet.

b. Driveways shall conform to the minimum turning path radius shown in Exhibit B for 23.54.030.

c. For driveways that provide access to a solid waste management use the Director may allow both a maximum driveway width greater than the limits set in subsection 23.54.030.D.2.a and appropriate turning path radii, as determined necessary for truck maneuvering.

3. Driveway slope for all uses. No portion of a driveway, whether located on a lot or on a right-of-way, shall exceed a slope of 15 percent, except as provided in this subsection 23.54.030.D.3. The maximum 15 percent slope shall apply in relation to both the current grade of the right-of-way to which the driveway connects, and to the proposed finished grade of the right-of-way if it is different from the current grade. The ends of a driveway shall be adjusted to accommodate an appropriate crest and sag. The Director may permit a driveway slope of more than 15 percent if it is found that:

a. The topography or other special characteristic of the lot makes a 15 percent maximum driveway slope infeasible;

b. The additional amount of slope permitted is the least amount necessary to accommodate the conditions of the lot; and

c. The driveway is still useable as access to the lot.

E. Parking aisles

1. Parking aisles shall be provided according to the requirements of Table A for 23.54.030 and Exhibit C for 23.54.030.

Table A for 23.54.030
Parking aisle dimensions

Parking angle	Stall width	Stall length (in feet)	Aisle width (in feet)[1]	Curb depth per car (in feet)	Unit width (in feet)[2]	Curb length per car (in feet)
0°	Small	18	10	7.5	25	18
	Medium	20	10	8	26	20
	Large	24	12	8	28	24
45°	Small	15	11	15.91	42.82	10.61
	Medium	16	13	16.97	46.94	11.3
	Large	19	13	19.09	51.18	11.3
60°	Small	15	13	16.74	46.48	8.66
	Medium	16	15	17.86	50.72	9.24
	Large	19	17.5	20.45	58.41	9.24
75°	Small	15	16.5	16.43	49.36	7.76
	Medium	16	18.5	17.52	53.55	8.25
	Large	19	20	20.42	60.84[2]	8.25
90°	Small	15	20	15	50	7.5
	Medium	16	22	16	54	8
	Large	19	24[3]	19	62[2]	8

Footnotes for Table A for 23.54.030
[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.
[2] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9 feet.
[3] For lots 44 feet in width or less, the Director may reduce the aisle width to as low as 20 feet if large parking spaces are provided at 90 degrees as long as the spaces are 9 feet wide.

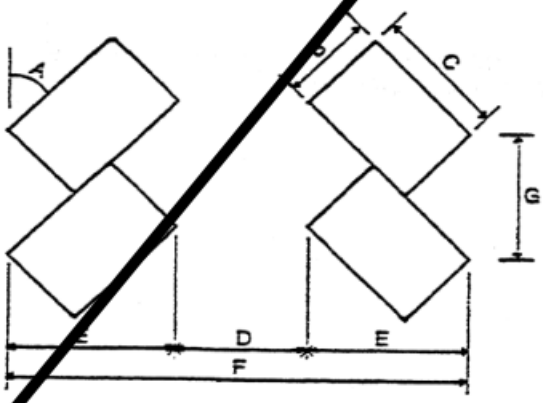
Submitted CB 120093

A Parking Angle	B Stall Width	C Stall Length	D Aisle Width [1]	E Curb Depth Per Car	F Unit Width [3]	G Curb Length Per Car
0°	7.5	18.0	10.0	7.5	25.0	18.0
	8.0	20.0	10.0	8.0	26.0	20.0
	8.5	24.0	12.0	8.5	29.0	24.0
45°	7.5	15.0	11.0	15.91	42.82	10.61
	8.0	16.0	13.0	16.97	46.90	11.3
	8.5	19.0	13.0	19.44	51.88	12.02
60°	7.5	15.0	13.0	16.74	46.48	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
	8.5	19.0	17.5	20.70	59.90	9.82
75°	7.5	15.0	16.5	16.43	49.36	7.76
	8.0	16.0	18.5	17.52	53.54	8.25
	8.5	19.0	20.0	20.55	61.10 [3]	8.80
90°	7.5	15.0	20.0	15.0	50.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0
	8.5	19.0 [2]	24.0 [2]	19.0	62.0 [3]	8.5

[1] Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.

[2] When lot width is less than 43 feet, 40 feet may be substituted for a two-way aisle and a single row of cars at 90° to the aisle, provided that the minimum width of the parking stalls shall be 9½ feet.

[3] 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9½ feet.



The following equations may be used to compute dimensions for parking angles other than those provided in the chart above:

$E = C \sin A + B \cos A$

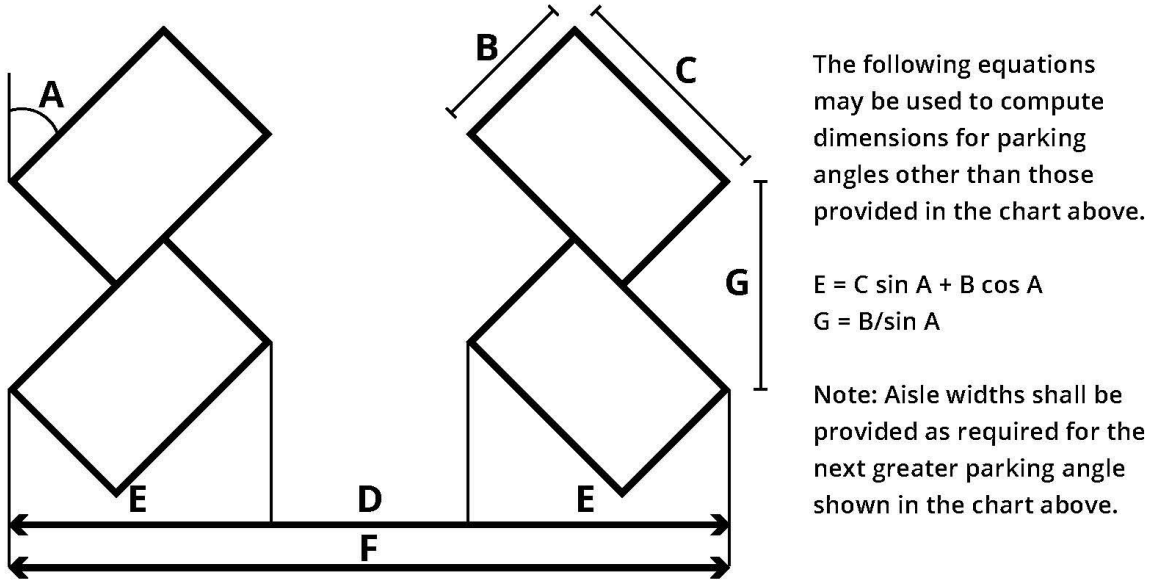
$G = B/\sin A$

NOTE: Aisle widths shall be provided as required for the next greater parking angle shown in the chart above.

((~~Exhibit C for 23.54.030: Parking Aisle Dimensions~~))

Exhibit C for 23.54.030

Parking aisle dimension measurement



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2. Minimum aisle widths shall be provided for the largest vehicles served by the aisle.

3. Turning and maneuvering areas shall be located on private property, except that alleys may be credited as aisle space.

4. Aisle slope shall not exceed 17 percent provided that the Director may permit a greater slope if the criteria in subsections 23.54.030.D.3.a, 23.54.030.D.3.b, and 23.54.030.D.3.c are met.

* * *

((~~H~~)) F. Attendant ((~~Parking~~)) parking. In downtown zones, any off-street parking area or structure providing more than ((~~5~~)) five parking spaces where automobiles are parked solely by attendants employed for that purpose shall have parking spaces at least 8 feet in width, and 15 feet in length. Subsections ((~~A, B, C, D and E of this Section 23.54.030~~)) 23.54.030.A, 23.54.030.B, 23.54.030.C, 23.54.030.D, and 23.54.030.E shall not apply, except that the grade curvature of any area used for automobile travel or storage shall not exceed that specified in subsection 23.54.030.D.3. Should attendant operation be discontinued, the provisions of subsections ((~~23.54.030 A, B, C, D and E~~)) 23.54.030.A, 23.54.030.B, 2054.030.C, 23.54.030.D, and 23.54.030.E shall apply to the parking.

((~~I~~)) G. Off-street ((~~Bus Parking~~)) bus parking. Bus parking spaces, when required, shall be 13 feet in width and 40 feet in length. Buses parked ((~~en masse~~)) together shall not be required to have adequate ingress and egress from each parking space.

((~~J~~)) H. The Director may, as a Type I decision, modify any required dimension or distribution percentage of parking spaces identified in subsections 23.54.030.A or 23.54.030.B to allow more efficient use of a surface parking area or parking garage, when the parking area or parking garage provides adequate and safe circulation.

* * *

Section 61. Subsections 23.54.030.F and 23.54.030.G of the Seattle Municipal Code, which section was last amended by Ordinance 127099, are amended as follows:

* * *

23.54.031 Curb cuts

((~~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.~~)) A. Residential uses

((~~a.~~)) 1. Number of curb cuts

((~~1~~)) a. For lots not located on a principal arterial as designated by the Seattle Department of Transportation, curb cuts are permitted according to Table A for ((~~23.54.030~~)) 23.54.031:

Table A for ((~~23.54.030~~)) 23.54.031
Curb cuts for lots not located on a principal arterial or easement frontage

Street or easement frontage of the lot	**Number of curb cuts permitted**
80 feet or less	1
Greater than 80 feet up to 160 feet	2
Greater than 160 feet up to 240 feet	3
Greater than 240 feet up to 320 feet	4
For lots with frontage in excess of 320 feet, the pattern established above continues.	

((~~2~~)) b. For lots on principal arterials as designated by the Seattle Department of Transportation, curb cuts are permitted according to Table B for ((~~23.54.030~~)) 23.54.031:

Table B for ((~~23.54.030~~)) 23.54.031
Curb cuts for principal arterial street frontage

Street or easement frontage of the lot	**Number of curb cuts permitted**
160 feet or less	1

Table B for ((~~23.54.030~~)) 23.54.031 Curb cuts for principal arterial street frontage	
Street or easement frontage of the lot	**Number of curb cuts permitted**
Greater than 160 feet up to 320 feet	2
Greater than 320 feet up to 480 feet	3
For lots with street frontage in excess of 480 feet, the pattern established above continues.	

((~~3~~)) c. On a lot that has both principal arterial and non-principal arterial street frontage, the total number of curb cuts on the principal arterial is calculated using only the length of the street lot line on the principal arterial.

((~~4~~)) d. If two adjoining lots share a common driveway, the combined frontage of the two lots will be considered as one in determining the maximum number of permitted curb cuts.

((~~b.~~)) 2. Curb cut width. Curb cuts shall not exceed a maximum width of 10 feet except that:

((~~1~~)) a. For lots on principal arterials as designated by the Seattle Department of Transportation, the maximum curb cut width is 23 feet;

((~~2~~)) b. One curb cut greater than 10 feet but in no case greater than 20 feet in width may be substituted for each two curb cuts permitted by subsection ((~~23.54.030.F.1.a~~)) 23.54.031.A.1;

((~~3~~)) c. A greater width may be specifically permitted by the development standards in a zone;

((~~4~~)) d. If subsection 23.54.030.D requires a driveway greater than 10 feet in width, the curb cut may be as wide as the required width of the driveway; and

((~~5~~)) e. A curb cut may be less than the maximum width permitted but shall be at least as wide as the minimum required width of the driveway it serves.

((~~c.~~)) 3. Distance between curb cuts

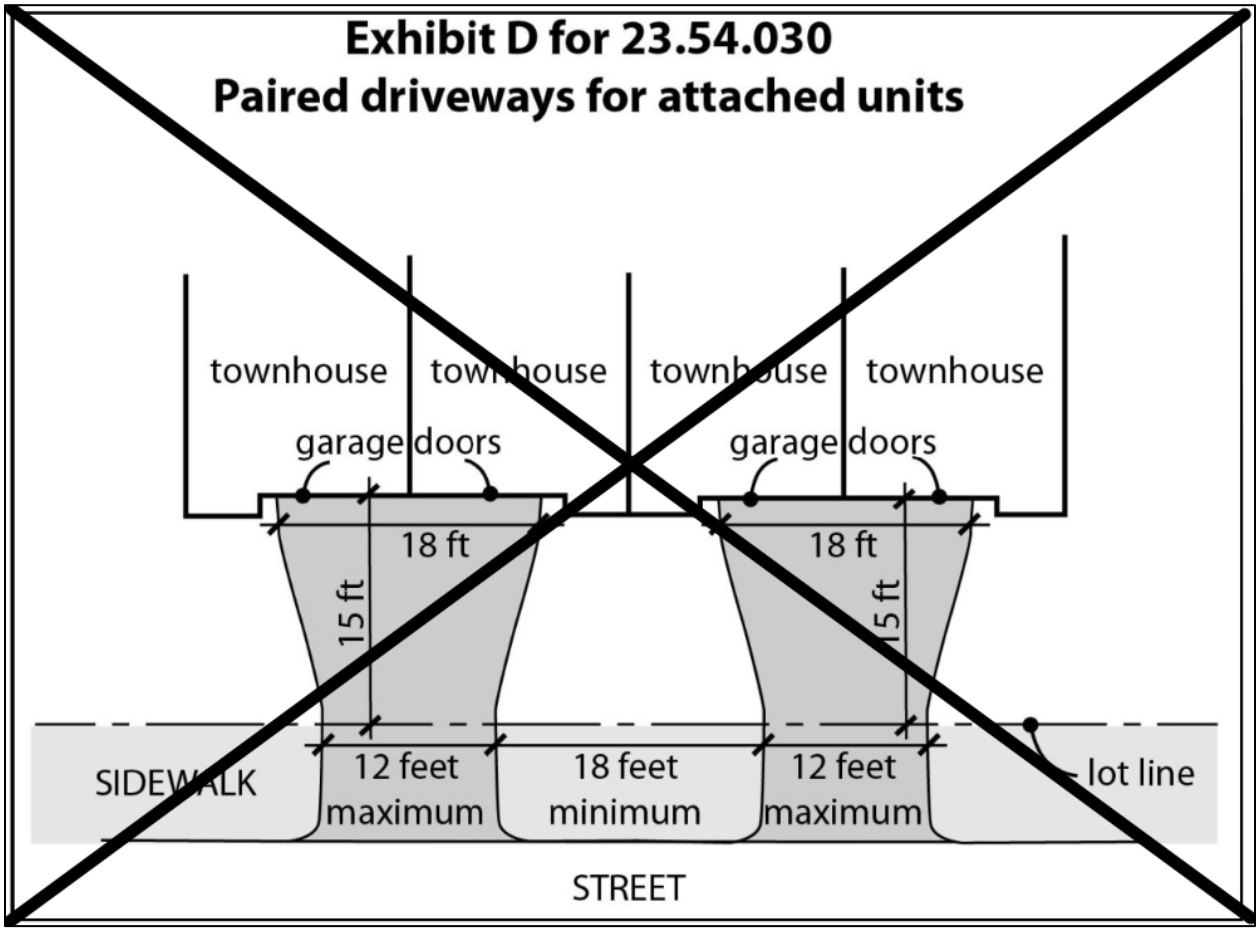
((~~1~~)) a. The minimum distance between any two curb cuts located on a lot is 30 feet, except as provided in subsection ((~~23.54.030.F.1.c.2~~)) 23.54.031.A.3.b.

((~~2~~)) b. For ((~~rowhouse and townhouse developments~~)) attached dwelling units, the minimum distance between curb cuts is 18 feet (See Exhibit ((~~D for 23.54.030~~)) A for 23.54.031). For ((~~rowhouse and townhouse developments~~)) attached dwelling units located on abutting lots, the minimum distance between curb cuts is 18 feet.

Substitute CB

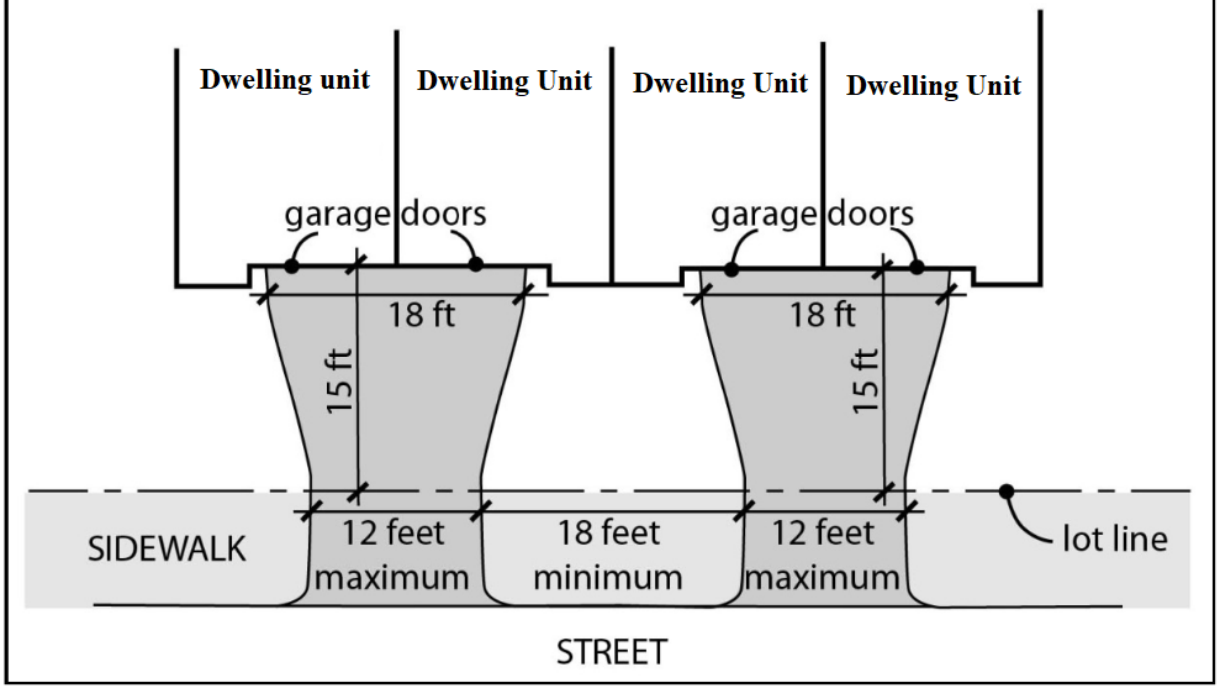
Exhibit ((~~D for 23.54.030~~)) A for 23.54.031

Paired driveways for attached units



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Exhibit A for 23.54.031
Paired driveways for attached units



((~~2.~~)) B. Nonresidential uses in all zones except industrial zones

((~~a.~~)) 1. Number of curb cuts

((~~1~~)) a. In all residential zones, RC zones, and within the Major Institution Overlay District, two-way curb cuts are permitted according to Table C for ((~~23.54.030~~)) 23.54.031:

Table C for ((~~23.54.030~~)) 23.54.031
Number of curb cuts in residential zones, RC zones, and the Major Institution Overlay District

Street frontage of the lot	Number of curb cuts permitted
80 feet or less	1

Table C for ((~~23.54.030~~)) 23.54.031 Number of curb cuts in residential zones, RC zones, and the Major Institution Overlay District	
Street frontage of the lot	**Number of curb cuts permitted**
Greater than 80 feet up to 240 feet	2
Greater than 240 feet up to 360 feet	3
Greater than 360 feet up to 480 feet	4
For lots with frontage in excess of 480 feet, one curb cut is permitted for every 120 feet of street frontage.	

((~~2~~)) b. The Director may allow two one-way curb cuts to be substituted for one two-way curb cut, after determining, as a Type I decision, that there would not be a significant conflict with pedestrian traffic.

((~~3~~)) c. The Director shall, as a Type I decision, determine the number and location of curb cuts in C1 and C2 zones and the location of curb cuts in SM zones.

((~~4~~)) d. In downtown zones, a maximum of two curb cuts for one-way traffic at least 40 feet apart, or one curb cut for two-way traffic, are permitted on each street front where access is permitted by subsection 23.49.019.H. No curb cut shall be located within 40 feet of an intersection. These standards may be modified by the Director as a Type I decision on lots with steep slopes or other special conditions, to the minimum extent necessary to provide vehicular and pedestrian safety and facilitate a smooth flow of traffic.

((~~5~~)) e. For public schools, the Director shall permit, as a Type I decision, the minimum number of curb cuts that the Director determines is necessary.

((~~6~~)) f. In NC zones, curb cuts shall be provided according to subsection 23.47A.032.A, or, when subsection 23.47A.032.A does not specify the maximum number of curb cuts, according to subsection ((~~23.54.030.F.2.a.1~~)) 23.54.031.B.1.a.

((~~7~~)) g. For police and fire stations the Director shall permit the minimum number of curb cuts that the Director determines is necessary to provide adequate maneuverability for emergency vehicles and access to the lot for passenger vehicles.

((~~b.~~)) 2. Curb cut widths

((~~1~~)) a. For one-way traffic, the minimum width of curb cuts is 12 feet, and the maximum width is 15 feet.

((~~2~~)) b. For two-way traffic, the minimum width of curb cuts is 22 feet, and the maximum width is 25 feet, except that the maximum width may be increased to 30 feet if truck and auto access are combined.

((~~3~~)) c. For public schools, the maximum width of a curb cut is 25 feet. Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79.

((~~4~~)) d. For fire and police stations, the Director may allow curb cuts up to, and no wider than, the minimum width necessary to provide access for official emergency vehicles that have limited maneuverability and that must rapidly respond to emergencies. Curb cuts for fire and police stations are considered curb cuts for two-way traffic.

((~~5~~)) e. If one of the following conditions applies, the Director may require a curb cut of up to 30 feet in width, if it is found that a wider curb cut is necessary for safe access:

((~~i.~~)) 1) The abutting street has a single lane on the side that abuts the lot; or

((~~ii.~~)) 2) The curb lane abutting the lot is less than 11 feet wide; or

((~~iii.~~)) 3) The proposed development is located on an arterial with an average daily traffic volume of over 7,000 vehicles; or

((~~iv.~~)) 4) Off-street loading berths are required according to Section 23.54.035.

((~~c.~~)) 3. The entrances to all garages accessory to nonresidential uses or live-work units and the entrances to all flexible-use parking garages shall be at least 6 feet 9 inches high.

((~~3.~~)) C. All uses in industrial zones

((~~a.~~)) 1. Number and location of curb cuts. The number and location of curb cuts will be determined by the Director.

((~~b.~~)) 2. Curb cut width. Curb cut width in ((~~Industrial~~)) industrial zones shall be as follows:

((~~1~~)) a. Except as set forth in subsection ((~~23.54.030.F.3.b.4~~)) 23.54.031.C.2.d, if the curb cut provides access to a parking area or structure, it must be a minimum of 15 feet wide and a maximum of 30 feet wide.

((~~2~~)) b. If the curb cut provides access to a loading berth, the maximum width may be increased to 50 feet.

((~~3~~)) c. Within the minimum and maximum widths established by this subsection ((~~23.54.030.F.3~~)) 23.54.031.C, the Director shall determine the size of the curb cuts.

((~~4~~)) d. If the curb cut provides access to a solid waste management use, the Director may determine the maximum width of the curb cut.

((~~4.~~)) D. Curb cuts for access easements

((~~a.~~)) 1. If a lot is crossed by an access easement serving other lots, the curb cut serving the easement may be as wide as the easement roadway.

((~~b.~~)) 2. The curb cut serving an access easement shall not be counted against the number or amount of curb cuts permitted to a lot if the lot is not itself served by the easement.

((~~5.~~)) E. Curb cut flare. A flare with a maximum width of 2.5 feet is permitted on either side of curb cuts in any zone.

((~~6.~~)) F. Replacement of unused curb cuts. When a curb cut is no longer needed to provide access to a lot, the curb and any planting strip must be replaced.

((~~7.~~)) G. Curb cuts are not allowed on streets if alley access to a lot is feasible but has not been provided.

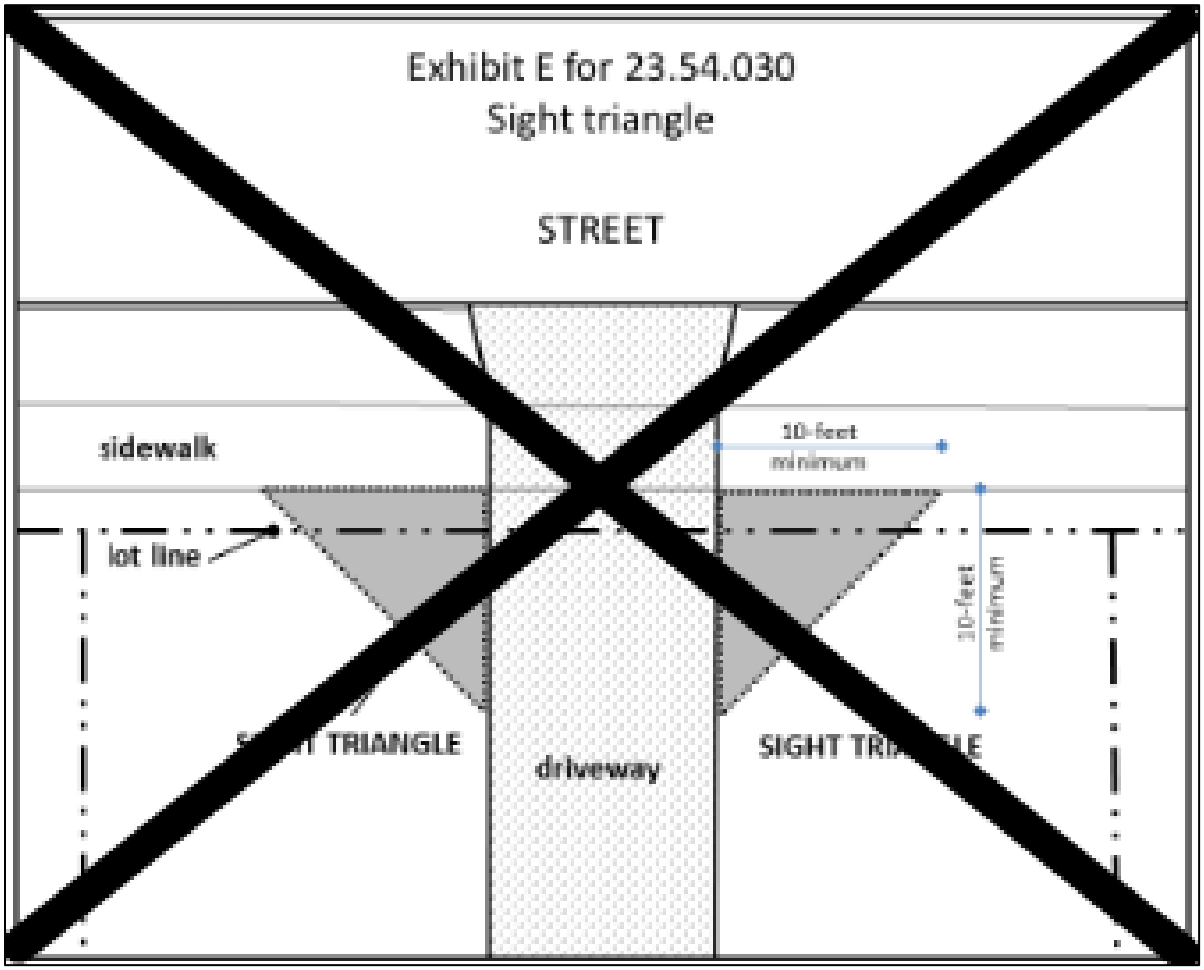
23.54.032 Sight triangles

((~~G. Sight triangle~~

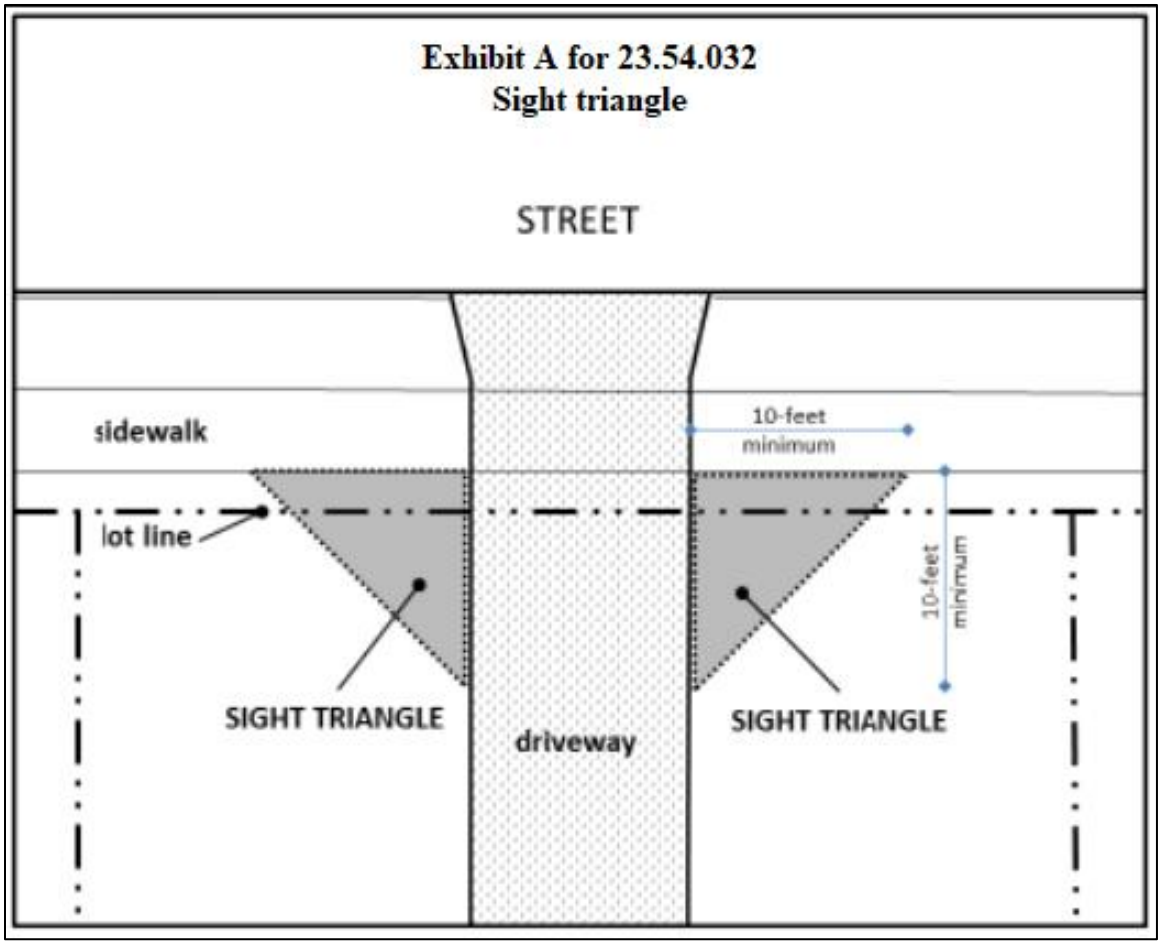
~~1.~~)) A. For exit-only driveways and easements, and two-way driveways and easements less than 22 feet wide, a sight triangle on both sides of the driveway or easement shall be provided, and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk, or curb intersection if there is no sidewalk, as depicted in Exhibit ((~~E for 23.54.030~~)) A for 23.54.032.

Exhibit ((~~E for 23.54.030~~)) A for 23.54.032

Sight triangle



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

((~~3.~~)) C. The sight triangle shall also be kept clear of obstructions in the vertical spaces between 32 inches and 82 inches from the ground.

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

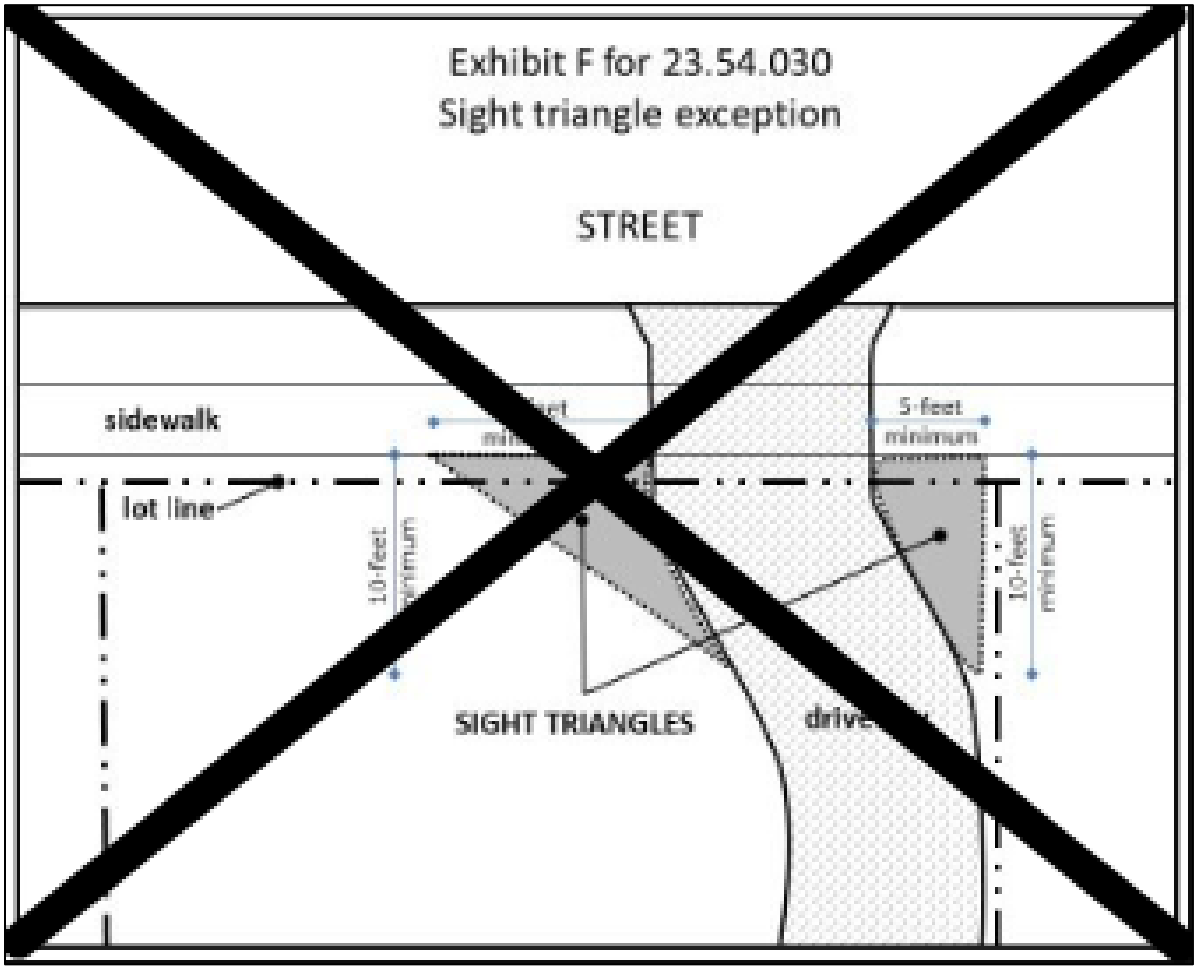
((~~a.~~)) 1. An easement may be provided sufficient to maintain the sight triangle. The easement shall be recorded with the King County Recorder's Office; or

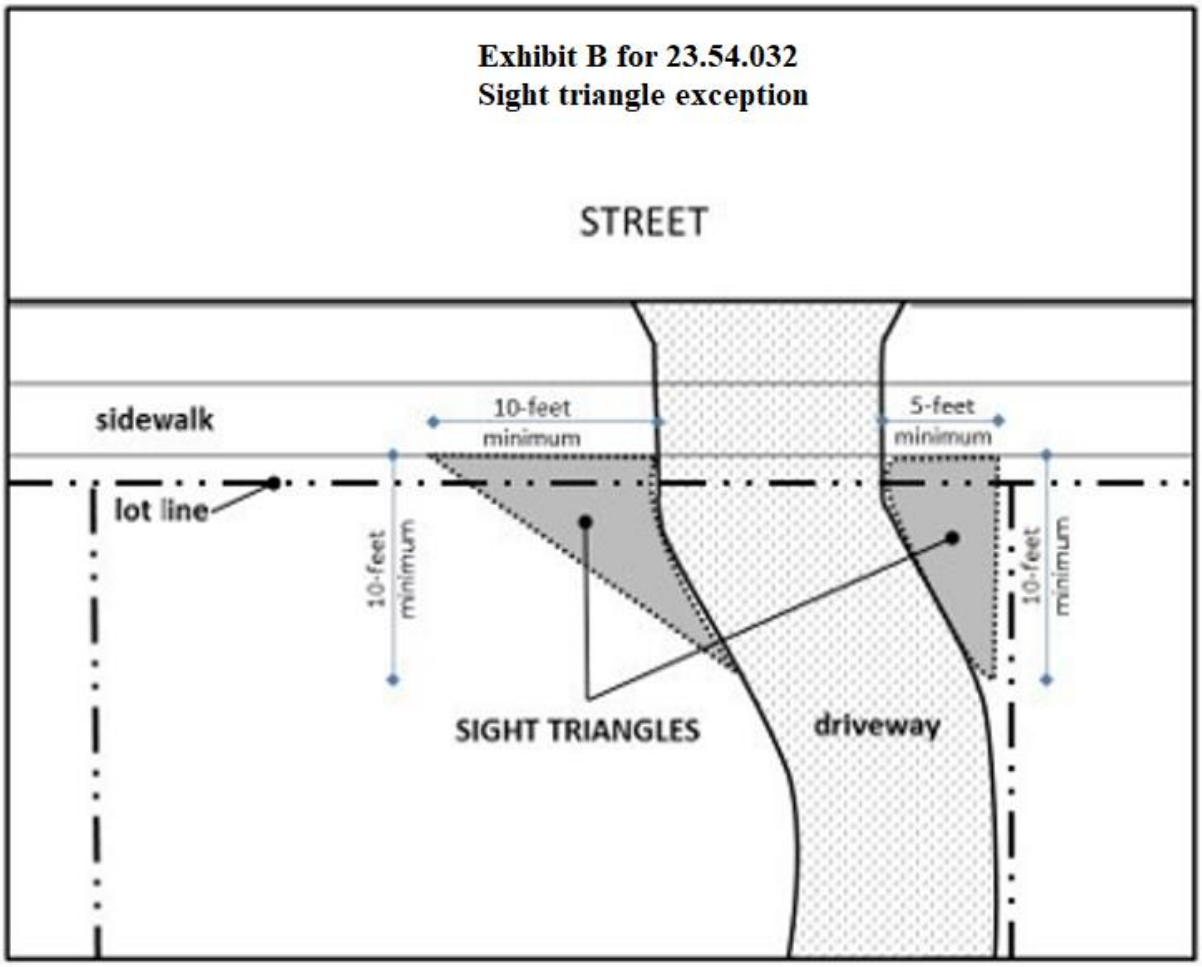
((~~b.~~)) 2. The driveway may be shared with a driveway on the neighboring lot; or

((~~c.~~)) 3. The driveway or easement may begin 5 feet from the lot line, as depicted in Exhibit ((~~F for 23.54.030~~)) B for 23.54.032.

Exhibit ((~~F for 23.54.030~~)) B for 23.54.032

Sight triangle exception





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

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

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

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

* * *

Section 62. Subsections 23.54.030.K and 23.54.030.L of the Seattle Municipal Code, which section was last amended by Ordinance 127099, are amended as follows:

* * *

23.54.033 Pedestrian access to garage

((~~K. Pedestrian access to garage.~~)) For new structures that include a garage, in a zone where flexible-use parking is permitted, at least one pedestrian access walkway or route shall be provided between a garage and a public right-of-way, which may be an alley, including a side-hinged door for pedestrian use. A fire exit door, or other access through lobbies, may serve this purpose if the access route and doors are accessible for ingress and egress by garage users.

23.54.034 Electric vehicle (EV) charging infrastructure

((~~L. Electric vehicle (EV) charging infrastructure.~~)) New parking spaces provided on a lot when a new building is constructed shall be ((")EV-ready(")) as specified in this ((~~subsection 23.54.030.L~~)) Section 23.54.034. The required number of EV-ready parking spaces shall be determined by whether the parking is for a residential or nonresidential use. Parking that is clearly set aside and reserved for residential use shall meet the standards of subsection ((~~23.54.030.L.1~~)) 23.54.034.A; parking for all other uses within the structure shall meet the standards of subsection ((~~23.54.030.L.2~~)) 23.54.034.B.

((~~1.~~)) A. Residential uses

((~~a.~~)) 1. Private parking for individual ((~~residential~~)) dwelling units. When parking for any individual dwelling unit is provided in a private garage, carport, or parking

area, separate from any parking facilities serving other units, at least one parking space for each unit in that garage, carport, or surface parking area shall be EV-ready.

((~~b.~~)) 2. Surface parking for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a surface parking area serving multiple ((~~residences~~)) dwelling units, the number of parking spaces that shall be EV-ready shall be as follows:

((~~1) When between one and six parking spaces are provided, each of those parking spaces shall be EV-ready;~~

~~2) When between seven and 25 parking spaces are provided, a minimum of six of those parking spaces shall be EV-ready; and~~

~~3) When more than 25 parking spaces are provided, a minimum of 20 percent of those parking spaces shall be EV-ready.~~))

a. When up to 25 parking spaces are provided, the first 12 parking spaces shall be EV-ready; and

b. When more than 25 parking spaces are provided, 45 percent of all parking spaces shall be EV-ready.

((~~c.~~)) 3. Parking garages for multiple ((~~residences~~)) dwelling units. When parking for ((~~multifamily residential uses~~)) multiple dwelling units is provided in a parking garage serving multiple ((~~residences~~)) dwelling units, a minimum of ((~~20~~)) 45 percent of those parking spaces shall be EV-ready.

((~~d. Other residential uses. When parking is provided for all other residential uses, a minimum of 20 percent of those spaces shall be EV-ready.~~

~~2.~~)) B. Nonresidential uses((~~.~~))

1. When parking is provided for nonresidential uses, a minimum of ((~~ten~~)) 30 percent of those spaces shall be EV-ready((~~.~~)), except as provided in subsection 23.54.034.B.2 and subsection 23.54.034.B.3.

2. For the uses listed in subsection 23.54.034.B.3, the following requirements apply:

a. Where fewer than ten parking spaces are provided for the use, one EV-ready space is required.

b. Where ten or more parking spaces are provided for the use, 10 percent of parking spaces shall be EV-ready.

3. The following uses are subject to the alternative requirements in 23.54.034.B.2:

a. The following institutional uses:

1. Community club or center;

2. Child care center;

3. Community farm;

4. Library;

5. Museum;

6. Private club;

7. Religious facility; and

8. School, elementary or secondary;

b. Entertainment uses;

c. Eating and drinking establishments;

d. Automotive sales and services;

e. Multipurpose retail sales;

f. Heavy sales and services, except heavy commercial services; and

g. Marine sales and services.

((~~3.~~)) C. Rounding. When calculating the number of required EV-ready parking spaces, any fraction or portion of an EV-ready parking space required shall be rounded up to the nearest whole number.

((~~4.~~)) D. Reductions

((~~a.~~)) 1. The Director may, in consultation with the Director of Seattle City Light, reduce the requirements of this ((~~subsection 23.54.030.L~~)) Section 23.54.034 as a Type I decision ((~~where~~)) if there is substantial evidence ((~~substantiating~~)) that the added electrical load that can be attributed to meeting the requirements will:

((~~1~~)) a. Alter the local utility infrastructure design requirements on the utility side of the legal point of service, so as to require on-property power transformation; or

((~~2~~)) b. Require an upgrade to an existing residential electrical service.

((~~b.~~)) 2. In cases where the provisions of subsection ((~~23.54.030.L.4.a~~)) 23.54.034.D.1 have been met, the maximum quantity of EV charging infrastructure required to be installed shall be reduced to the maximum service size that would not require the changes to transformation or electrical service in subsection ((~~23.54.030.L.4.a~~)) 23.54.034.D.1. The Director may first reduce the required level of EV infrastructure at EV-ready parking spaces from 40-amp to 20-amp circuits. If necessary, the Director may also then reduce the number of required EV-ready parking spaces or otherwise reduce the level of EV infrastructure at EV-ready parking spaces.

((~~c.~~)) 3. The Director may establish by rule the procedures and documentation required for a reduction request.

((~~5.~~)) E. All EV charging infrastructure shall be installed in accordance with the Seattle Electrical Code. Where EV-ready surface parking spaces are located more than 4 feet from a building, raceways shall be extended to a pull box or stub in the vicinity of the designated space and shall be protected from vehicles.

((~~6.~~)) F. Accessible parking. Where new EV-ready parking spaces and new accessible parking are both provided, parking facilities shall be designed so that at least ((~~one~~)) 20 percent of the accessible parking spaces or two accessible parking spaces, whichever is greater, shall be EV-ready. The accessible parking EV-ready infrastructure may also serve adjacent parking spaces not designated as accessible parking. The EV-ready accessible parking spaces, rounded up to the next whole number, are allowed to be included in the total number of electric vehicle parking spaces required under 23.54.034.A. and 23.54.034.B.

((~~7.~~)) G. Nothing in this ((~~subsection 23.54.030.L~~)) Section 23.54.034 shall be construed to modify the minimum number of off-street motor vehicle parking spaces required for specific uses or the maximum number of parking spaces allowed, as set forth in Section 23.54.015 or elsewhere in this Title 23.

((~~8.~~)) H. This Section ((~~23.54.030~~)) 23.54.034 does not require EV supply equipment, as defined by Article 100 of the Seattle Electrical Code, to be installed.

Section 63. Section 23.60A.156 of the Seattle Municipal Code, last amended by Ordinance 124750, is amended as follows:

23.60A.156 Standards for environmentally critical areas in the Shoreline District

* * *

K. Subdivisions and short subdivisions

1. The standards for short subdivisions and subdivisions in Section 25.09.240 incorporated by reference into this Chapter 23.60A apply to short subdivisions and subdivisions in the Shoreline District, except as provided in subsections 23.60A.156.K.2 and 23.60A.156.K.3.

2. Subsection 25.09.240.B does not apply. Parcels shall be divided so that each lot contains an area for the principal structure, all accessory structures, and necessary walkways and access for this area that are outside the riparian corridor, wetlands, wetland buffers, and steep slope areas and buffers, except as follows:

a. Development on upland lots may be located on steep slope areas that have been created through previous legal grading activities, including rockeries or retaining walls resulting from rights-of-way improvements, if steep slope erosion is not increased as determined by the Director based on a geotechnical report; and

b. Development on upland lots may be located on steep slope areas that are less than 20 feet in vertical rise and that are 30 feet or more from other steep slope areas, if steep slope erosion is not increased as determined by the Director based on a geotechnical report.

3. Subsection ((~~25.09.240.E~~)) 25.09.240.D does not apply. In computing the number of lots a parcel in a single-family zone may contain, the Director shall exclude easements and/or fee simple property used for shared vehicular access to proposed lots that are required under Section 23.53.005.

L. ((~~Environmentally critical areas administrative conditional use. The provisions of Section 25.09.260 do not apply in the Shoreline District.~~)) Reserved.

* * *

Substitute CB 120093

Section 64. Subsection 23.66.030.D of the Seattle Municipal Code, which section was last amended by Ordinance 126760, is amended as follows:

23.66.030 Certificates of Approval – Application, review, and appeals

* * *

D. Review

1. Review when no special review board is established

a. When there is no special review board, the Department of Neighborhoods Director shall, within 30 days of a determination that an application for a certificate of approval is complete, determine whether the proposed action is consistent with the use and development standards for the district and shall, within 15 additional days, issue, issue with conditions, or deny the requested certificate of approval.

b. A copy of the Department of Neighborhoods Director's decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the Director's decision also shall be provided to any person who, prior to the rendering of the decision, made a written request to receive notice of the decision or submitted written substantive comments on the application.

2. Review when special review board is established

a. When a special review board has been established, the board shall hold a public meeting to receive comments on certificate of approval applications.

b. Notice of the board's public meeting shall be posted in two prominent locations in the district at least three days prior to the meeting.

c. The board, after reviewing the application and considering the information received at the public meeting, shall make a written recommendation to the

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Department of Neighborhoods Director to grant, grant with conditions, or deny the certificate of approval application based upon the consistency of the proposed action with the requirements of this Chapter 23.66, the district use and development standards, and the purposes for creating the district. The board shall make its recommendation within 30 days of the receipt of a completed application by the board staff, except that the applicant may waive the deadlines in writing for the special review board to make a recommendation or the Director of the Department of Neighborhoods to make a decision, if the applicant also waives any deadlines on the review or issuance of related permits that are under review by the Seattle Department of Construction and Inspections.

d. The Department of Neighborhoods Director shall, within 15 days of receiving the board's recommendation, issue or deny a certificate of approval or issue an approval with conditions.

e. A copy of the decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the decision shall be provided to any person who, prior to the rendering of the decision, made a written request for notice of the decision, or submitted substantive written comments on the application.

3. Notwithstanding any contrary provision of Section 23.66.020 or Title 23, applications for certificates of approval for the following items shall be subject to the process in subsection 23.66.030.D.1 rather than the process in subsection 23.66.030.D.2:

a. The installation, removal, or alteration of: fire escapes, ducts, conduits, HVAC vents, grilles, pipes, panels (including photovoltaic panels), weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, or telecommunication elements necessary for the normal operation of the site, building, or structure.

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b. Installation, removal, or alteration((~~, or removal~~)) of minor communication utility equipment on rooftops or streetlight poles, when the location does not have impacts on other historic resources and otherwise complies with the City Design Guidelines for minor communication utilities.

c. Installation, removal, or alteration of exterior light fixtures, exterior security lighting, ((~~and~~)) or security system equipment.

d. Installation, removal, or alteration of exterior or interior signage.

e. Installation, removal, or alteration of awnings or canopies.

f. Installation, removal, or alteration((~~, or removal~~)) of window treatments, including but not limited to blinds, curtains, shades, or window film.

g. Alterations to storefront systems, if the proposed alterations are sympathetic to and do not destroy historic building materials.

h. Alteration to exterior paint colors and other finishes when painting a previously painted or otherwise finished material.

i. Installation, removal, or alteration of the following landscape elements: shrubs; perennials; annuals; and similar low-lying plantings.

j. Installation, removal, or alteration of the following site furnishings: benches; movable tables and seating; movable planters; movable water features; trash/recycling receptacles; and bike racks.

k. Installation, removal, or alteration of fences, gates, and barriers.

l. Right-of-way alterations, including but not limited to alterations to sidewalks, curbs, and the roadway.

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m. Repaving and restriping of existing asphalt paved areas not within public rights-of-way.

n. Installation of improvements for accessibility compliance.

o. Installation, removal, or alteration of fire and life safety equipment.

p. Temporary emergency alterations, if the proposed replacement material used is compatible with the historic building fabric.

q. Change of use, establishment of a new use, or expansion of use, if use is a preferred use per Chapter 23.66 or applicable district rules.

r. Replacement of non-original doors and windows within original openings, when the design intent is consistent with the Secretary of the Interior's Standards for Rehabilitation.

s. Revisions to a previously approved ((~~Certificate~~)) certificate of ((~~Approval~~)) approval, where the design revisions are sympathetic to and do not destroy historic building materials.

t. Alterations or changes to accommodate seismic improvements.

4. A decision denying a certificate of approval shall state the specific reasons for the denial and explain why the proposed changes are inconsistent with the requirements of this Subchapter I and adopted use and development standards for the district.

5. Essential public facilities. No certificate of approval may be denied or conditioned in a manner that would preclude the siting of an essential public facility as provided in Chapter 23.80.

* * *

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Section 65. Section 23.72.008 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.72.008 Uses permitted in specified areas within the Sand Point Overlay District

* * *

B. Uses ((~~Permitted Within Portions~~)) permitted within portions of Subarea B depicted on Map A for 23.72.008((~~.~~))

1. Principal ((~~Uses Permitted Outright~~)) uses permitted outright. In addition to the principal uses permitted by the provisions of Section ((~~23.44.006~~)) 23.44.020, the following principal uses are permitted outright in Subarea B as depicted on Map A for 23.72.004, subject to subsection ((~~B4.~~)) 23.72.008.B.4:

a. Custom and craft work;

b. Dry boat storage, limited to storage of non-motorized, hand-launchable boats such as kayaks, canoes, and sail boats;

c. Indoor and outdoor sports and recreation;

d. Institutions, except hospitals;

e. Lecture and meeting halls;

f. Motion picture theater not to exceed 500 seats within Building 47;

g. Offices, limited to a total of 86,000 gross square feet in the entire subarea;

h. Performing arts theaters;

i. Research and development laboratories;

j. Restaurants without drive-in lanes, limited to no more than 2,500 square feet per business establishment;

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k. Storage of fleet vehicles including accessory service and repair;

l. Warehouses; and

m. General retail sales and service, up to 6,000 square feet per business establishment.

2. Accessory ((~~Uses~~)) uses. Accessory uses that meet the following standards and that are customarily incidental to the principal uses permitted outright, are permitted outright:

a. The area devoted to the accessory use is limited no more than 20 percent of the gross floor area of the principal use it serves;

b. Only principal uses permitted by this ((~~section~~)) Section 23.72.008 and by the applicable provisions of Chapter 23.60A are allowed as accessory uses.

3. When not in use as a motion picture studio, a structure with an established use as a motion picture studio as of July 18, 1997, may be used for indoor and outdoor sports and recreation.

4. Any area not occupied by structures in existence as of July 18, 1997, paved parking areas in existence as of July 18, 1997, or rights-of-way in existence as of July 18, 1997, is limited to open space, dry boat storage or recreation uses.

* * *

Section 66. Section 23.75.180 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

23.75.180 Parking

A. Parking is regulated by this Section 23.75.180 and not by Sections 23.54.015((,)) or 23.54.016((,)) or subsections 23.54.030.A((,)) or 23.54.030.B, except for bicycle parking, which is required pursuant to ((~~subsection 23.54.015.K~~)) Section 23.54.037. Parking maximums in this

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Section 23.75.180 do not include parking for dwelling units existing as of January 1, 2012, so long as those units exist.

B. There is no minimum requirement for parking spaces for motor vehicles. Maximum motor vehicle parking space limits are as follows:

1. For the NW Sector, parking shall not exceed 1,350 spaces, plus 0.7 spaces per dwelling unit or live-work unit in the sector, except that up to an additional 450 parking spaces may be permitted as a special exception pursuant to Chapter 23.76. When deciding whether to grant a special exception, the Director shall consider evidence of parking demand for nonresidential uses and alternative means of transportation, including but not limited to the following:

a. Whether the additional parking will substantially encourage the use of single occupancy vehicles;

b. Characteristics of the work force and employee hours, such as multiple shifts that end when transit service is not readily available;

c. Proximity of transit lines to the lot and headway times of those lines;

d. Whether the additional parking will adversely affect vehicular and pedestrian circulation in the area; and

e. Potential for shared use of additional parking as residential or short-term parking.

2. For the NE, SE, and SW Sectors, Table A for 23.75.180 establishes maximum parking allowed based on the uses on a lot, subject to any transfer of unused parking allowance between lots in the same sector under Section 23.75.040.

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((~~Table A for 23.75.180~~

~~Maximum motor vehicle parking limits for NE, SE, and SW Sectors~~))

Table A for 23.75.180
Maximum motor vehicle parking limits for NE, SE, and SW sectors

Use	Maximum parking allowed [1]
Residential	0.7 spaces/dwelling unit or live-work unit [2]
Office	1 space/1,000 square feet of gross floor area
All other uses	1 space/500 square feet of gross floor area

Footnote to Table A for 23.75.180
[1] Based on the development of one or more uses on the lot where the parking is located, subject to any transfer of unused allowance between lots in the same sector under Section 23.75.040.
[2] One additional space beyond this maximum limit shall be allowed for each dwelling unit with ((~~3~~)) three or more bedrooms.

C. Barrier-free parking is required consistent with Seattle Building Code requirements.

D. For purposes of this Section 23.75.180, all parking is classified as "surface parking," as defined in Section 23.84A.030, or as "aboveground," "partially underground," or "underground," as shown in Exhibit A for 23.75.180 and described as follows:

1. "Aboveground parking" means any portion of a parking garage where:

a. ((~~the~~)) The structure projects more than 4 feet in height above finished grade within 30 feet of a build-to line or reduced setback area; or

b. ((~~the~~)) The structure projects more than 6 feet in height above finished grade in any other location.

2. "Partially underground parking" means any portion of a parking garage where:

a. ((~~the~~)) The structure projects 4 feet or less in height above finished grade within 30 feet of a build-to line or reduced setback area; or

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b. ((~~the~~)) The structure projects 6 feet or less in height above finished grade along any other location where the grade along the boundary has a slope of less than ((~~6~~)) six percent; or

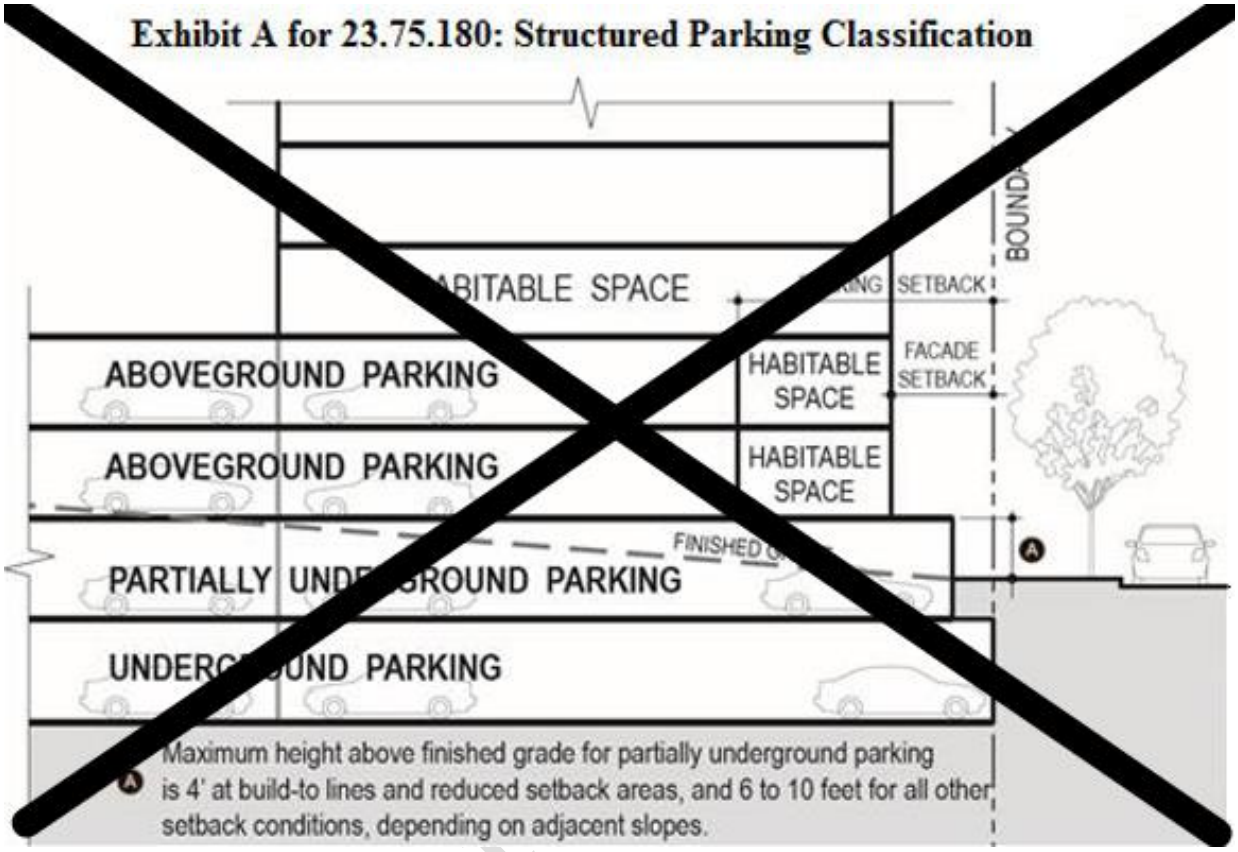
c. ((~~the~~)) The structure projects 10 feet or less in height above finished grade along any other location where the grade along the boundary has a slope of ((~~6~~)) six percent or greater.

3. "Underground parking" means a story of parking garage where all floor area, walls, and ceiling structure are entirely below finished grade, excluding access.

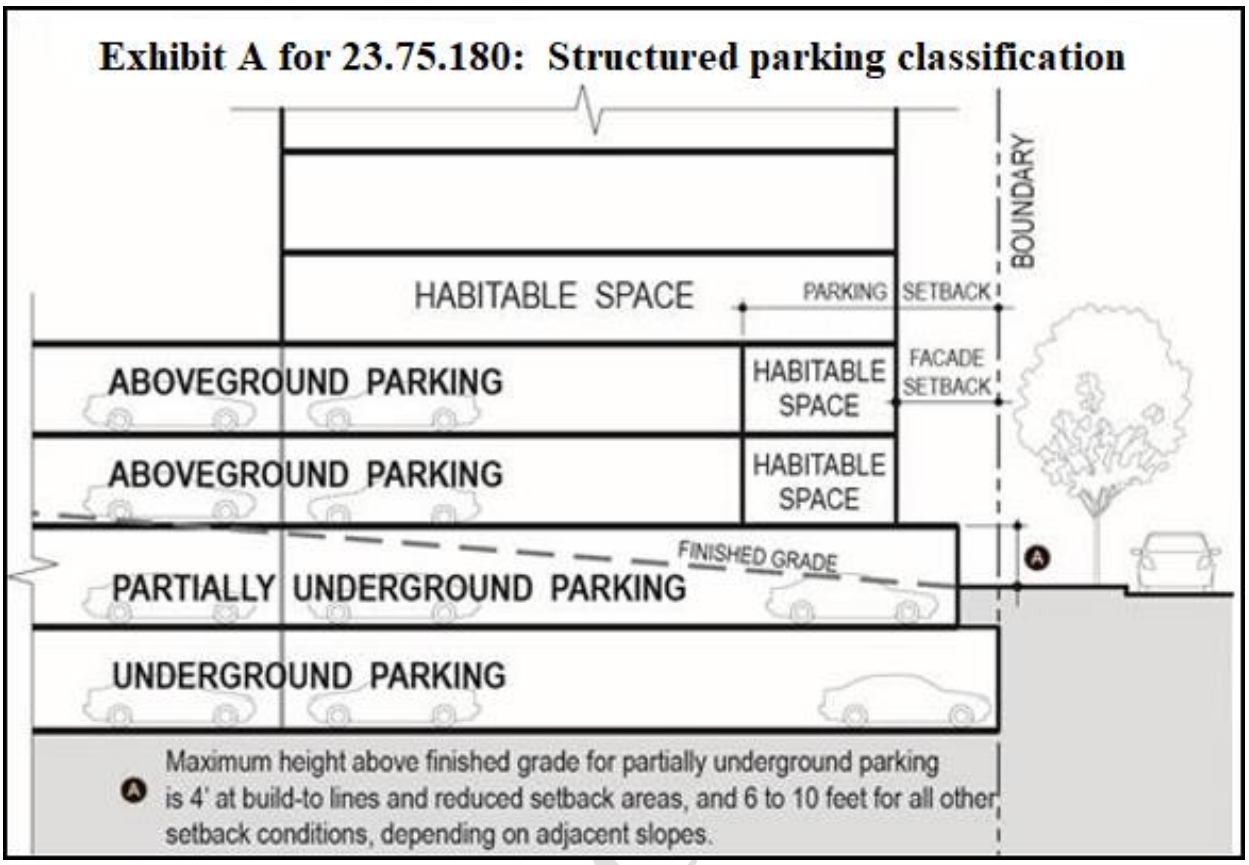
Substitute CB 120095

Exhibit A for 23.75.180

Structured ((~~Parking Classification~~)) parking classification



Substitute



* * *

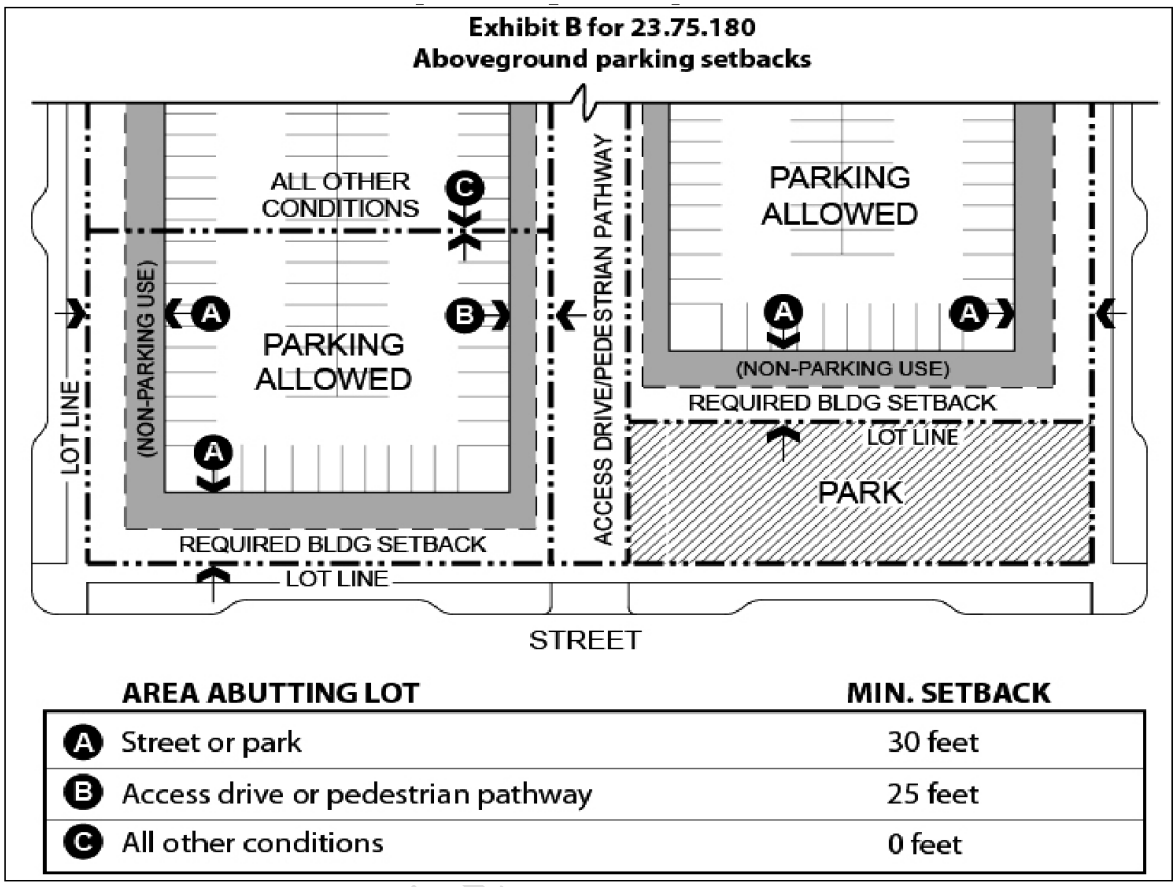
F. Aboveground parking is subject to the following requirements((.)) :

1. Minimum setbacks for aboveground parking are established in Exhibit B for 23.75.180. No parking setbacks are required from lot lines abutting the Interstate 5 right-of-way.

Substitute

Exhibit B for 23.75.180

Aboveground parking setbacks



AREA ABUTTING LOT	MIN. SETBACK
A Street or park	30 feet
B Access drive or pedestrian pathway	25 feet
C All other conditions	0 feet

2. Parking within 50 feet of a street, park that is open to the public, access drive, or pedestrian pathway may not exceed three levels of aboveground parking.

3. Aboveground parking and loading areas shall be separated from each regulated facade by a normally occupied use along at least 80 percent of the width of the regulated facade, except where parking access and/or loading access occurs. The remaining part of the ((~~façade~~)) facade shall include architectural detailing, artwork, vegetated walls, or other landscape features, with an opaque screen at least 3.5 feet high on each story.

4. If aboveground parking or an aboveground loading area abuts any ((~~façade~~)) facade other than a regulated ((~~façade~~)) facade, that ((~~façade~~)) facade shall be enhanced with

architectural detailing, artwork, vegetated walls, or other landscape features. Each story shall have an opaque screen at least 3.5 feet high.

G. Partially underground parking is subject to the following requirements:

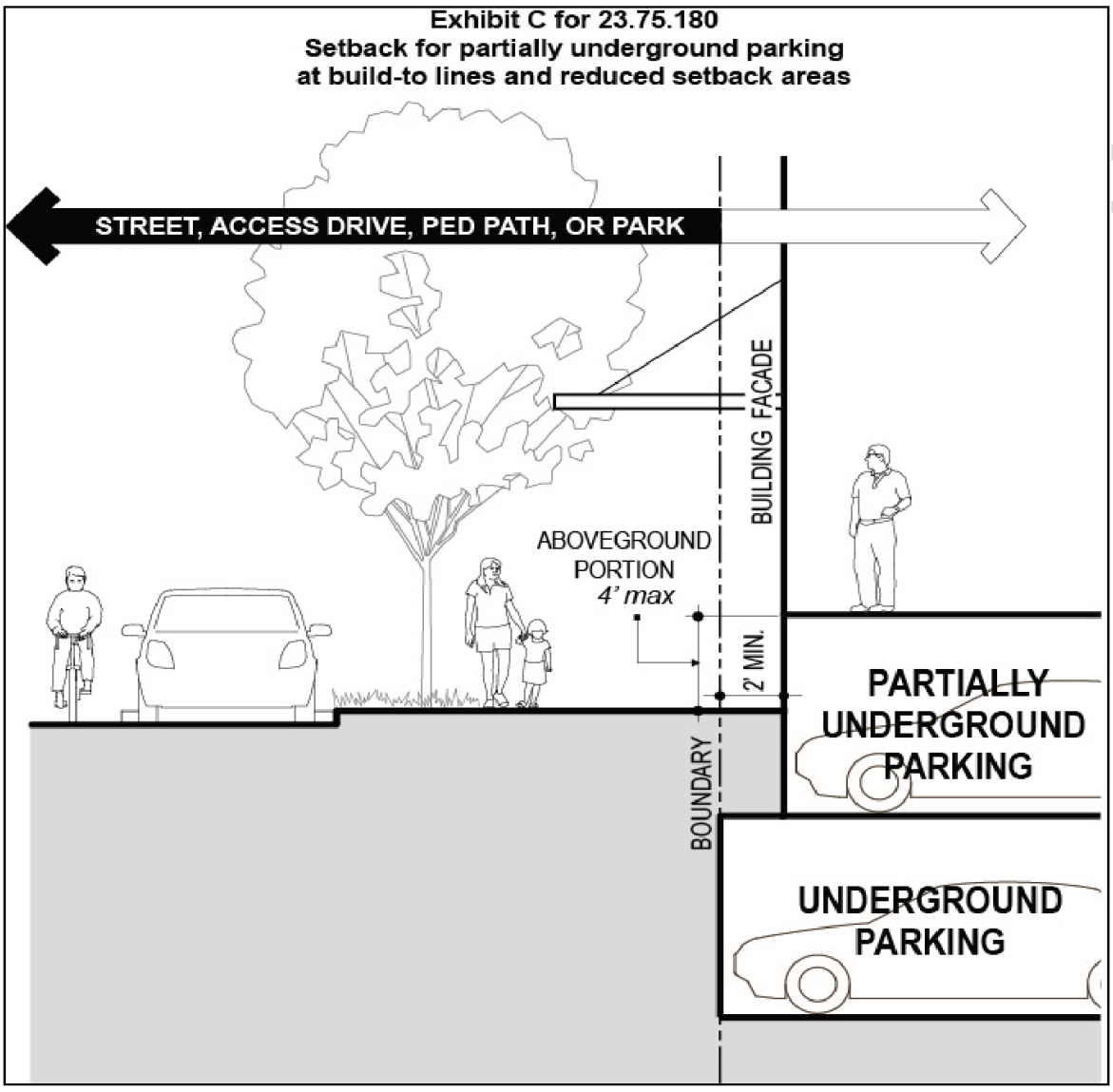
1. At build-to lines and in reduced setback areas as depicted in Exhibit C for 23.75.140, partially underground parking is required to be set back at least 2 feet from the boundary, as shown in Exhibit C for 23.75.180. In these locations, the aboveground portion of the parking garage is not allowed to exceed 4 feet above finished grade.

2. Along boundaries that do not abut a street, park that is open to the public, pedestrian pathway, or access drive, no setback is required for partially underground parking.

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Exhibit C for 23.75.180

Setback for partially underground parking at build-to lines and reduced setback areas



3. Along boundaries that abut a street, park that is open to the public, pedestrian pathway, or access drive and are not subject to a build-to line or reduced setback area, partially underground parking is required to be set back at least 4 feet from the boundary, as shown in Exhibit D for 23.75.180, and must meet the following standards:

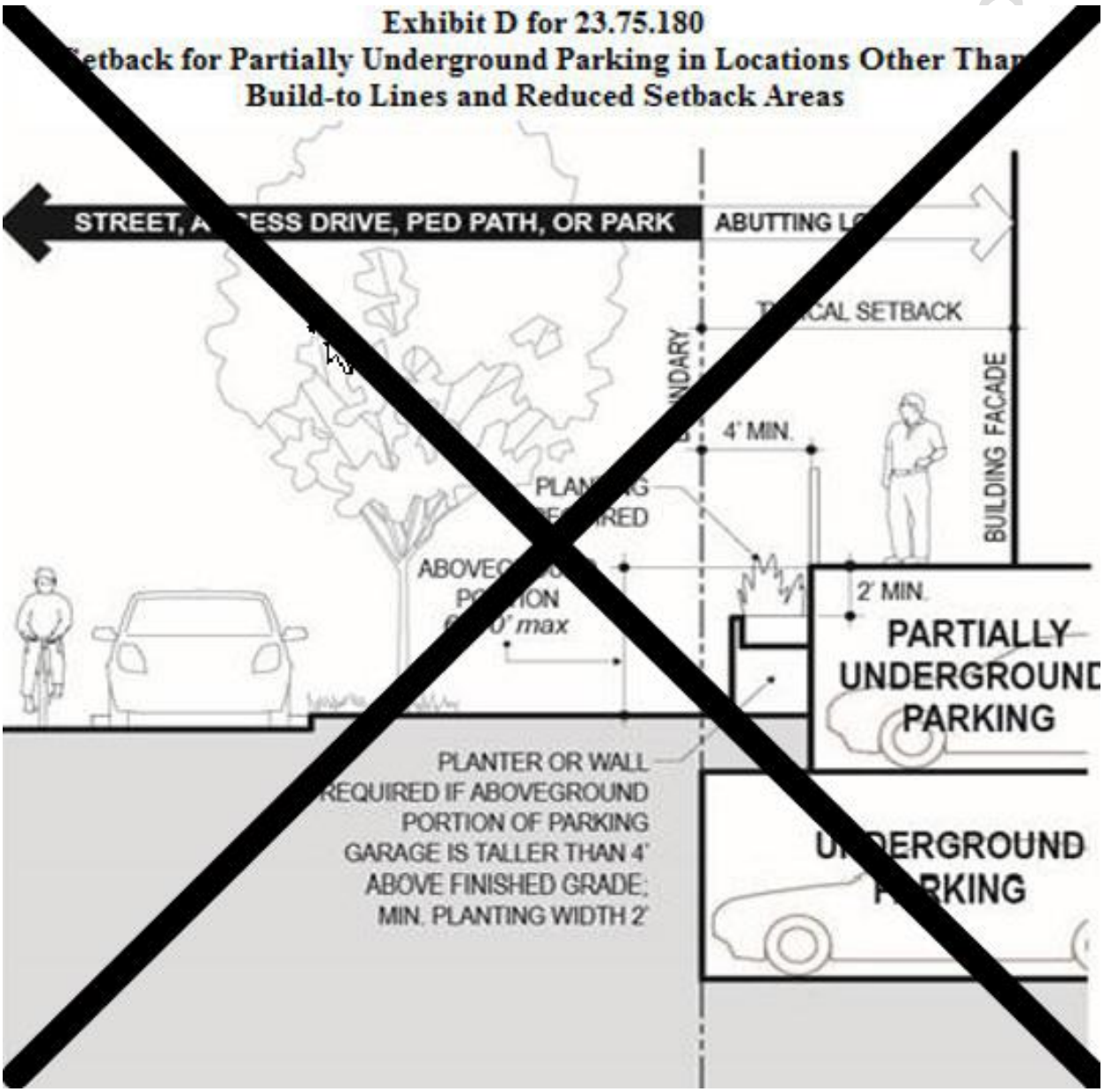
a. The aboveground portion is required to be no higher than 6 feet above the finished grade at the boundary.

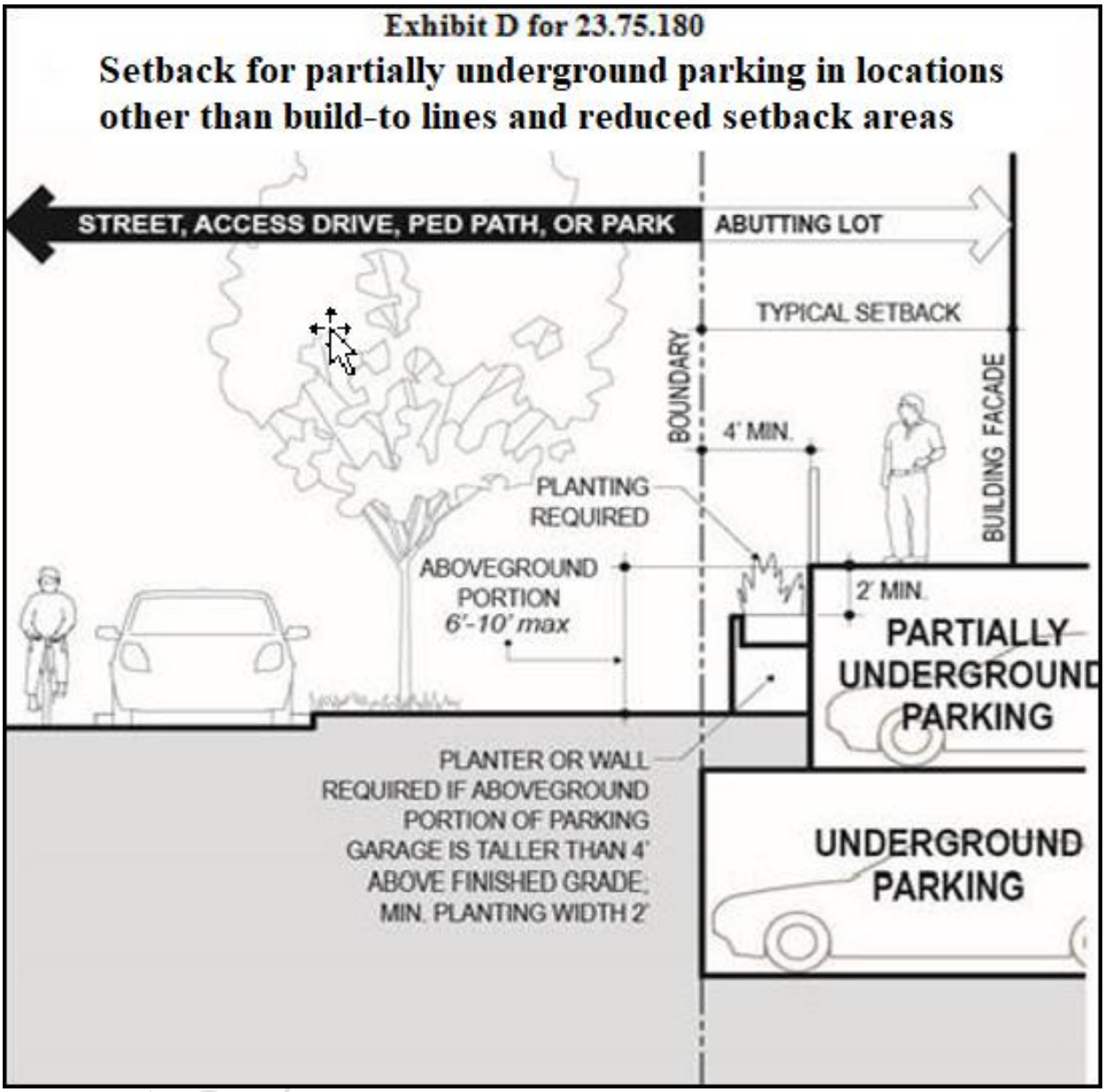
b. If the aboveground portion of the parking garage is taller than 4 feet above finished grade, a wall or planter shall be provided between the parking garage and the boundary, as illustrated in Exhibit D for 23.75.180. The top of this wall or planter shall be at least ((~~two~~)) 2 feet below the top of the aboveground portion of the parking garage, and the planting area shall be at least 2 feet in width. Vegetation shall be provided at the top of this wall or planter.

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Exhibit D for 23.75.180

Setback ((~~for Partially Underground Parking in Locations Other Than Build-to Lines and Reduced Setback Areas~~)) for partially underground parking in locations other than build-to lines and reduced setback areas





* * *

I. Parking and loading access

1. Access for parking and for loading is required to meet the following requirements:

a. Access is not allowed within 40 feet of the curb line of an intersection.

b. Access is not allowed within 20 feet of a structure corner that includes a regulated ((~~façade~~)) facade on one or both sides.

2. Each access drive is required to include a dedicated pedestrian area along at least one side of the length of the drive. The dedicated pedestrian area is required to:

a. ((~~include~~)) Include a walking surface at least 6 feet wide along the length of the access drive; and

b. ((~~be~~)) Be separated from the access drive roadway by a raised curb, bollards, landscaping, or textured paving details.

3. Curb cuts are required to meet the standards of ((~~subsections 23.54.030.F and 23.54.030.G~~)) Section 23.54.031.

4. Driveways are required to meet the standards of subsection 23.54.030.D.

Section 67. Section 23.76.064 of the Seattle Municipal Code, last amended by Ordinance 118672, is amended as follows:

23.76.064 Approval of City facilities((~~.~~))

A. Concept ((~~Approval~~)) approval for City ((~~Facilities.~~)) facilities

1. In acting on the proposed siting or expansion of a City facility, the Council shall decide whether to approve in concept the facility. If concept approval is granted, the Council may impose terms and conditions, including but not limited to design criteria and conditions relating to the size and configuration of the proposed facility.

2. Following Council approval, final plans for a City facility shall be submitted to the Director. If the Director determines that the project is consistent with the Council's concept approval, the Director shall issue the necessary permits for the facility.

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3. No further Council action is required for a City facility unless the Director determines that the final plans represent a major departure from the terms of the original Council concept approval, in which case the final plan shall be submitted to the Council for approval in the same manner as the original application.

B. City ((~~Facilities Not Meeting Development Standards~~)) facilities not meeting development standards. The Council may waive or modify applicable development standards, accessory use requirements, special use requirements, or conditional use criteria for City facilities. If a waiver or modification of a development regulation is sought because the development regulation would otherwise preclude the siting of an essential public facility, then the decision to waive or modify shall be made pursuant to Chapter 23.80 and not this Section 23.76.064.

Section 68. Subsection 23.80.004.B of the Seattle Municipal Code, which section was last amended by Ordinance ~~124105~~127228, is amended as follows:

23.80.004 Review criteria((.))

* * *

B. ((~~If~~)) Except as provided in subsection 23.80.004.C, if the decisionmaker determines that attaching conditions to the permit approval will facilitate project siting in light of the considerations identified above, the decisionmaker may establish conditions for the project for that purpose. However, the decisionmaker may waive or modify development regulations only to the extent that a waiver or modification is approved pursuant to Section 23.80.~~010~~014.

* * *

Section 69. Section 23.80.008 of the Seattle Municipal Code, enacted by Ordinance 127228, is amended as follows:

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23.80.008 Development standards for light rail transit facilities

* * *

K. Access, street improvements, and motor vehicle parking((.))

1. The Director shall consult with the Director of Transportation to determine the required location for motor vehicle access from a right-of-way to a light rail transit facility. The access location shall enhance pedestrian safety and comfort, facilitate transit operations and maintenance, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, and minimize hazards.

2. Light rail transit stations and ancillary facilities, including but not limited to venting structures and traction power substations, shall be subject to Chapter 23.53. Light rail transit stations and ancillary facilities may not utilize the street and alley improvement exceptions in Chapter 23.53 that are based on minimum gross floor area thresholds for non-residential uses and expansions of outdoor storage or parking supply.

3. Light rail transit facilities, including motor vehicle, transit, pedestrian, bicycle, and shared micromobility facilities for operation of new light rail transit facilities, shall demonstrate a right-of-way design consistent with Chapter 23.53 and the Streets Illustrated Right-of-Way Improvements Manual or successor rule unless otherwise allowed by the Director of Transportation. Where such facilities cannot be accommodated in the right-of-way, they shall be provided on the station site. Site and right-of-way design shall be reviewed in consultation with the Director of Transportation.

4. Pedestrian lighting shall be provided in the right-of-way adjacent to light rail transit facilities.

5. Light rail transit facilities' vehicle and pedestrian access outside of the rights-of-way shall meet the following requirements unless the requirements are waived or modified by the Director to enhance pedestrian safety and comfort, facilitate transit operations and maintenance, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize hazards:

a. A maximum of two vehicle travel lanes may be provided to connect light rail transit facilities to the right-of-way. Vehicle travel lanes have a maximum width of 9 feet, except vehicle travel lanes used by buses or freight vehicles have a maximum width of 11 feet. Lanes for bus loading and unloading and bus layover are not considered travel lanes.

b. Curb cuts for one-way traffic shall be a minimum of 12 feet and a maximum of 15 feet, and curb cuts for two-way traffic shall be a minimum of 22 feet and a maximum of 25 feet.

c. Vehicle travel lanes shall meet sight triangle requirements of ((~~subsection 23.54.030.G~~)) Section 23.54.032.

d. Pedestrian walkways shall be provided adjacent to vehicle travel lanes and have a minimum unobstructed width of 8 feet except that the minimum pedestrian walkway width shall be 18 feet adjacent to station entries and the minimum unobstructed multiuse path width shall be 12 feet where the pedestrian walkway is shared with bicycles and other mobility devices. Where pedestrian walkways and paths for bicycles and other mobility devices are separated, the paths for bicycles and other mobility devices shall comply with the minimum requirements of the Streets Illustrated Right-of-Way Improvements Manual or successor rule.

e. Pedestrian walkways shall include a horizontal or vertical separation between the walkway and a vehicle travel lane.

f. Curb ramps are required where a pedestrian walkway crosses a vehicle travel lane or right-of-way.

g. Lighting shall be provided along all travel lanes, pedestrian walkways, multiuse pathways, and bicycle facilities.

6. Vehicle parking provided at light rail transit facilities shall comply with Section 23.54.030.

L. Bicycle parking and shared micromobility device parking for light rail transit stations((~~,~~))

1. Definitions. For the purposes of this subsection 23.80.008.L:

"Bicycles-on-board ratio" is the assumed proportion of bicycle riders that will take their bicycles with them on a train trip, which is 50 percent.

"Central stations" are stations located within the Downtown Urban Center with greater than 10,000 projected daily boardings.

"Daily total boardings" is the projected horizon year daily passenger boarding volume at a station, as defined in a final EIS for a link extension, or other subsequent documentation if prepared for a future system expansion.

"Horizon year" means the year used in projecting the highest analyzed level of future ridership.

"Local stations" are those stations located in intermediate vicinities that are not served by central stations, mid-center stations, or terminus stations.

"Mid-center stations" are those located within one-half mile of the Downtown Urban Center or stations within the Downtown Urban Center with less than 10,000 projected daily boardings.

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"Morning peak passenger ridership" is assumed as one-third of daily total boardings at a station projected for the horizon year, based on boarding volumes documented in a final EIS for a link extension, or other subsequent documentation if prepared for a future system expansion. Daily boardings generated by riders transferring to and from trains on other light rail link segments shall not be included in the daily total boardings.

"Planned bicycle mode share" is defined as an estimated proportion of a station's total boardings that will made by persons using bicycles as their primary means of accessing a light rail station.

"Shared micromobility" refers to fleets of small, low-speed vehicles designed for personal transport, including but not limited to bicycles and scooters, and operated as a network by for-profit, non-profit, or government entity. They are available for membership to the general public on a pay-per-use or pass basis.

"Terminus stations" are those stations located at the end of a light rail system route in the City of Seattle.

2. Bicycle parking demand "D" is calculated as the morning peak passenger ridership multiplied by the planned bicycle mode share percentages in Table A for 23.80.008, which is then multiplied by 0.5 (the bicycles-on-board ratio).

3. To serve the bicycle parking demand "D" for opening day of service, the required minimum number of bicycle parking spaces shall be provided as follows:

a. The minimum bicycle parking amount required at opening day of service at a light rail station shall be calculated using the "day-of-opening" planned bicycle travel mode share percentages in Table A for 23.80.008;

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b. Two-thirds of the minimum bicycle parking shall be long-term bicycle parking;

c. One-third of the minimum bicycle parking shall be short-term bicycle parking;

d. If the bicycle parking demand "D" is less than 54 total spaces, a minimum number of 54 bicycle parking spaces shall be provided, which shall be allocated two-thirds to long-term spaces and one-third to short-term spaces;

e. Bicycle parking to meet day-of-opening requirements shall be provided on the light rail transit station site, or may be located within the right-of-way if approved by the Director of Transportation.

Table A for 23.80.008 Planned bicycle mode percentages for light rail station types

Station type	Day-of-opening	In-reserve
Terminus	5.5%	1.5%
Local	4%	3%
Mid-center	2%	2%
Central	1%	1%

4. If average use of the bicycle parking at a light rail transit facility exceeds 85 percent of capacity at a future date, measured using methods that the Director shall adopt by rule, additional bicycle parking shall be required. The amount of additional required bicycle parking, described as the "in-reserve requirement," shall be calculated using the planned bicycle travel mode shares for the "in-reserve requirement" in Table A for 23.80.008. In-reserve required bicycle parking may be provided on the light rail transit station site, or within 200 feet of the site, or in right-of-way if approved by the Director of Transportation.

5. The Director may require more or fewer than the minimum number of bicycle parking spaces and micromobility space requirements based on the following: area topography; pattern and volume of expected bicycle users; nearby residential and employment density;

Substitute B 12093

proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information. Prior to adjusting the minimum number of parking spaces for bicycles, the Director shall consult with the Director of Transportation.

6. The minimum space for shared micromobility device parking shall be: 240 square feet for terminus stations and 120 square feet for other station types.

7. Bicycle and micromobility device parking locations shall be located as close to station entrances as feasible and may be located within the right-of-way if approved by the Director of Transportation.

8. Bicycle parking shall meet the following performance standards: subsections ((~~23.54.015.K.2.a, 23.54.015.K.2.c, 23.54.015.K.2.d, 23.54.015.K.2.e, 23.54.015.K.2.h, and 23.54.015.K.2.i.~~)) 23.54.037.B.1, 23.54.037.B.3, 23.54.037.B.4, 23.54.037.B.5, 23.54.037.B.8, and 23.54.037.B.9.

9. Parking locations shall be provided with level-entry routes, and, if bicycle parking is located above or below the surface level, it shall be served by features such as elevators sized to accommodate bicycles and runnels on stairs to aid bicycle movement.

10. The applicant shall demonstrate bicycle parking design will accommodate a variety of bicycle types, including but not limited to, electric bikes and cargo bikes.

11. Shared micromobility device parking shall be clearly delineated, located at ground level, be without access obstructions and not encroach on pedestrian access paths, include adequate lighting, and include directional signage to promote easy wayfinding.

* * *

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Section ~~69~~70. A new Section 23.80.~~006~~010 is added to the Seattle Municipal Code as follows:

23.80.~~006~~010 Identifying new types of essential public facilities

The Director may, as a Type I decision, determine that a facility not otherwise listed in the definition of an essential public facility in Section 23.84A.010 is an essential public facility if:

A. The facility provides or is necessary to provide a public service; and

B. Any of the following conditions exist:

1. The public facility needs a specific type of site of such a size, location, or availability of public services for which there are few choices;

2. The public facility needs to be located near another public facility or is an expansion of an essential public facility at an existing location;

3. The public facility has significant adverse impacts that make it difficult to site;

4. Use of the normal development review process would effectively preclude the siting of an essential public facility; or

5. Development regulations require the proposed facility to use an essential public facility siting process.

Section ~~70~~71. A new Section 23.80.~~008~~012 is added to the Seattle Municipal Code as follows:

23.80.~~008~~012 Review is supplementary

Review of an essential public facility, except for light rail facilities, under this Chapter 23.80, including a decision to condition approval of a project or to waive or modify a development regulation as authorized by this Chapter 23.80, is part of the decision to approve or deny a permit application and is not a separate or distinct regulatory decision. If the underlying decision is

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subject to administrative appeal, then decisions made under this Chapter 23.80 are subject to review on administrative appeal of the underlying decision. If the underlying decision is not subject to administrative appeal, then decisions made under this Chapter 23.80 are not subject to review on administrative appeal of the underlying decision.

Section ~~71~~72. A new Section 23.80.~~010~~ 014 is added to the Seattle Municipal Code as follows:

23.80.~~010~~ 014 Waiver or modification of development regulation

A. Application for waiver or modification. If the applicant for approval of an essential public facility seeks the waiver or modification of a development regulation, the applicant shall include in the application:

1. The specific identification of each development regulation sought to be waived or modified;

2. A detailed explanation of the manner in which each development regulation is believed to preclude the siting of the essential public facility; and

3. A detailed description of any mitigation measures the applicant proposes to take to avoid or mitigate the adverse effects that may result from the proposed waiver or modification of the development regulation.

B. Decision to waive or modify. If the decisionmaker determines that application of a development regulation will preclude the siting of an essential public facility, the decisionmaker shall waive or modify the application of the development regulation to the extent necessary to allow siting the facility. The decisionmaker shall consider the provisions of WAC 365-196-550 when deciding whether a development regulation precludes the siting of the facility.

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C. Mitigation. If the decisionmaker waives or modifies a development regulation, the decisionmaker may require the applicant to comply with conditions that avoid or mitigate adverse effects that the decisionmaker believes may result from waiver or modification of the development regulation. If the development regulation to be waived or modified is contained in Chapter 23.60A or Chapter 25.09, and the waiver or modification would result in a net loss of ecological function, the decisionmaker shall impose mitigation conditions to achieve no net loss of ecological functions as a result of granting the waiver or modification.

D. Relationship to other provisions authorizing exceptions, variances, exemptions, and other forms of relief

1. Except as provided in subsection 23.80.~~010~~014.D.2, regardless of any other provision of this Title 23~~, Chapter 25.09,~~ or Chapter 25.11, if an applicant seeks the waiver or modification of a development regulation under this Section 23.80.~~010~~014, the applicant is not required to also seek relief from the application of the development regulation pursuant to any other form of relief afforded by the Seattle Municipal Code, including procedures for exceptions, variances, exemptions, and similar procedures. However, an applicant is not precluded from seeking such other relief in addition to relief under this Section 23.80.~~010~~014.

2. When the waiver or modification sought under this Section 23.80.~~010~~ 014 is of a development regulation contained in Chapter 23.60A or Chapter 25.09, the applicant must seek relief from the development regulation pursuant to the procedures set forth in Chapter 23.60A or Chapter 25.09. In the event that relief cannot be granted under those procedures, the development regulation may be waived or modified under this Section 23.80.~~010~~014. The Director's decision shall include a determination on the criteria in Chapter 23.60A or Chapter

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25.09 when granting a waiver or modification to development regulations under this Section 23.80.014.

E. Exemption for light rail facilities. This Section 23.80.~~010~~ 014 does not apply to light rail facilities. Development standards for light rail facilities may be waived or modified pursuant to subsection 23.80.004.C.

Section ~~72~~73. Section 23.84A.002 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.84A.002 "A"

* * *

"Adult family home((.))" ((~~See "Residential use."~~)) means the occupation of a dwelling unit by an adult family home defined and licensed as such by the State of Washington under chapter 70.128 RCW.

* * *

Section ~~73~~74. Section 23.84A.006 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.006 "C"

* * *

((~~"Carriage House" See "Residential use."~~

~~"Carriage House structure" See "Residential use".~~))

* * *

((~~"Cottage, backyard." See "detached accessory dwelling unit" under the definition of "Residential use" in Section 23.84A.032.~~))

* * *

Section ~~74~~75. Section 23.84A.008 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.008 "D"

* * *

((~~"Duplex" means a single structure containing only two dwelling units, neither of which is a legally established accessory dwelling unit.~~))

"Dwelling unit" means a room or rooms located within a structure that are configured to meet the standards of Section 23.42.048 ((~~and that are occupied or intended to be occupied by not more than one household as living accommodations independent from any other household.~~)) , providing independent living facilities for one household, including permanent provisions for sleeping, food preparation, and sanitation.

"Dwelling unit, accessory((~~.~~))" ((~~See "Residential use."~~)) means a dwelling unit that:

1. Is located within the same structure as a principal dwelling unit or within an accessory structure on the same lot as a principal dwelling unit; and

2. Is designed and arranged to be occupied as living facilities independent from any other dwelling unit.

"Dwelling unit, attached" means a dwelling unit that:

1. Occupies space from the ground to the roof of the structure in which it is located; and

2. Is attached to another dwelling unit. Dwelling units are considered attached if they share a common or party wall or have walls containing floor area that are located within 2 feet of each other.

"Dwelling unit, detached" means a dwelling unit that:

1. Occupies space from the ground to the roof of the structure in which it is located; and

2. Is not attached to any other dwelling unit.

((~~"Dwelling unit, detached accessory." Also known as a backyard cottage. See "detached accessory dwelling unit" under the definition of "Residential use" in Section 23.84A.032.~~))

"Dwelling unit, principal" means a dwelling unit that is not accessory to another dwelling unit.

"Dwelling unit((–)), small efficiency" means a dwelling unit with an amount of square footage less than the minimum amounts specified for Efficiency Dwelling Units in the Seattle Building Code, and that meets the standards prescribed in Section 23.42.048.

"Dwelling unit, stacked" means dwelling units that are located above or below other dwelling units such as apartments or condominium buildings.

Section ~~75~~76. Section 23.84A.010 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.84A.010 "E"

* * *

"Essential public facilities" ((~~within the City of Seattle~~)) means ((~~airports,~~)) sewage treatment plants, ((~~jails,~~)) light rail transit systems, ((~~and~~)) power plants, any facilities identified as an essential public facility in RCW 36.70A.200, and any facility determined to be an essential public facility pursuant to Section 23.80.~~006~~010.

"EV-ready" means a minimum 40-ampere dedicated 208- or 240-volt branch circuit (32-amp load) terminated at a junction box or receptacle outlet in close proximity to a parking space.

* * *

Section ~~76~~77. Section 23.84A.016 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.016 "H"

* * *

"Housing, low-income" means a structure or structures for which:

1. An application for public funding for the capital costs of development or rehabilitation of the structure(s) has been or will be submitted; and

2. ((~~Public~~)) A written notice of public funding ((~~is awarded~~)) award, including terms, is received prior to issuance of the ((~~first~~)) building permit, which for development projects shall be the first building permit that includes the structural frame for each structure, and such funding is conditioned on one or more regulatory agreements, covenants, or other legal instruments, recorded on the title of the property and enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency, if approved by the Director of Housing, ((~~being executed and recorded on the title of the property that includes the low-income housing and such legal instruments either:~~

~~a. For a minimum period of 40 years, require rental of at least 40 percent of the dwelling units, small efficiency dwelling units, or congregate residence sleeping rooms as restricted units with rent and income limits no higher than 60 percent of median income; or~~

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~~b. For a minimum period of 50 years, require at least 40 percent of the dwelling units as restricted units sold to buyers with incomes no higher than 80 percent of median income at prices (initial sale and resale) to allow modest growth in homeowner equity while maintaining long-term affordability for income-eligible buyers, all as determined by the Director of Housing~~)) that ensure at least 50 percent of total dwelling units shall be low-income units.

* * *

Section ~~77~~78. Section 23.84A.018 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.84A.018 "I"

* * *

"Institution" means ((~~structures(s)~~)) structures and related grounds used by organizations for the provision of educational, medical, cultural, social, and/or recreational services to the community, including but not limited to the following uses:

1. "Adult care center" means an institution that regularly provides care to a group of adults for less than 24 hours a day, whether for compensation or not.

2. "College" means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor, and/or graduate degrees.

3. "Community club or center" means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, social gatherings, educational programming, gardens, and art exhibits((~~,~~)).

a. "Community center" means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

b. "Community club" means a community club or center use((~~,~~ ~~membership~~)) to which membership is open to the general public on an equal basis.

4. "Child care center" means an institution that regularly provides care to a group of children for less than 24 hours a day, whether for compensation or not. Preschools, cooperative child care exchanges, and drop-in centers where children receive care by the day ((~~shall be~~)) are considered to be child care centers.

5. "Community farm" means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

6. ((~~"Family support center" means an institution that offers support services and instruction to families, such as parenting classes and family counseling, and is co-located with a Department of Parks and Recreation community center.~~

~~7.~~)) "Hospital" means an institution other than a nursing home that provides accommodations, facilities, and services over a continuous period of 24 hours or more, for observation, diagnosis, and care of individuals who are suffering from illness, injury, deformity, or abnormality or from any condition requiring obstetrical, medical, or surgical services, or alcohol or drug detoxification.

((~~8.~~)) 7. "Institute for advanced study" means an institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

((~~9.~~)) 8. "Library" means an institution where literary, musical, artistic, or reference materials are kept for use but not generally for sale.

((~~10.~~)) 9. "Museum" means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

((~~11.~~)) 10. "Private club" means an institution used for athletic, social, or recreational purposes and operated by a private nonprofit organization, ((~~membership~~)) to which membership is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is generally restricted to members and their guests.

((~~12.~~)) 11. "Religious facility" means an institution, such as a church, temple, mosque, synagogue, or other structure, together with its accessory structures, used primarily for religious worship.

((~~13.~~)) 12. "School, elementary or secondary" means an institution operated by a public or nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

((~~14.~~)) 13. "School, vocational or fine arts" means an institution that teaches trades, business courses, hairdressing, and similar skills on a post-secondary level, or that teaches fine arts such as music, dance, or painting to any age group, whether operated for nonprofit or profit-making purposes, except businesses that provide training, instruction, or lessons exclusively on an individual basis, which are classified as general retail sales and service uses, and except those businesses accessory to an indoor participant sports use.

((~~15.~~)) 14. "University." See "College."

Section ~~78~~79. Section 23.84A.024 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.84A.024 "L"

* * *

"Lot line, front" means: ((~~, in the case of a lot with frontage on a single street, the lot line separating the lot from the street, and in the case of a lot with frontage on more than one street other than a through lot, the lot line separating the lot from any abutting street, provided the other lot line(s) that abut streets are considered to be either side street lot line(s) or the rear lot line according to the definitions of those terms. In the case of a through lot, the lot lines separating the lot from the streets that are parallel or within 15 degrees of parallel to each other are both front lines. For new development on a lot with no street frontage, the front lot line shall be the lot line designated by the project applicant in accordance with Section 23.86.010. If the area of the front yard based on a front lot line determined according to this definition is~~

~~less than 20 percent of the total lot area and is less than 1,000 square feet in area, the Director may designate a different lot line as the front lot line in order to provide structural setbacks, building separations, and open space that are more consistent with those of other lots that are within 100 feet of the property.~~))

1. For a lot with frontage on a single street, the lot line separating the lot from the street;

2. For a through lot, all lot lines separating the lot from the streets that are parallel or within 15 degrees of parallel to each;

3. For a lot with frontage on more than one street other than a through lot, a lot line determined by the Director based on the existing pattern of lots and buildings on the block; and

4. For a lot with no street frontage:

a. On a lot that has only one alley lot line, the alley lot line;

b. On a lot that has more than one alley lot line, one alley lot line determined by the Director based on existing pattern of lots and buildings on the alleys; and

c. On a lot that has no alley lot lines, a lot line chosen by the applicant, provided that the selected front lot line length is at least 50 percent of the width of the lot.

* * *

Section ~~79~~80. Section 23.84A.025 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.025 "M"

* * *

"Major retail store" means a structure or portion of a structure that provides adequate space of at least ((~~eighty thousand (~~)) 80,000 ((~~)~~)) square feet to accommodate the merchandising needs of a major new retailer with an established reputation, and providing a range of merchandise and services, including both personal and household items, to anchor downtown shopping activity around the retail core, thereby supporting other retail uses and the area's vitality and regional draw for customers.

"Major transit service." See "Transit service, major."

"Major transit stop." See "Transit stop, major."

* * *

((~~"Multifamily residential structure" means a structure containing only multifamily residential uses and permitted uses accessory to the multifamily residential uses.~~

~~"Multifamily structure." See "Residential use."~~))

* * *

Section ~~80~~81. Section 23.84A.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.030 "P"

* * *

"Permanent supportive housing." ((~~means low-income housing that is paired with on or off-site voluntary human services to support people living with complex and disabling behavioral health or physical health conditions and experiencing homelessness or at imminent risk of homelessness prior to moving into such housing.~~)) See "Residential use, permanent supportive housing."

* * *

((~~"Planned community development (PCD)" means a zoning process that authorizes exceptions from certain development standards for structures on large tracts of land in certain downtown zones. A PCD is developed as a single entity through a public process.~~

~~"Planned residential development (PRD)" means a zoning mechanism that allows for flexibility in the grouping, placement, size and use of structures on a fairly large tract of land. A PRD is developed as a single entity, using a public process that incorporates design review.~~))

* * *

Section ~~81~~82. Section 23.84A.032 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.032 "R"

* * *

"Residential use" means ((~~any one or more of~~)) a use in one or more structures, including interior and exterior accessory spaces, in which people primarily live including the following uses:

1. ((~~"Accessory dwelling unit" means a dwelling unit that:~~

~~a. Is located within or attached to a structure containing a principal dwelling unit or within an accessory structure on the same lot as principal dwelling unit(s); and~~

~~b. Is designed, arranged, and intended to be occupied as living facilities independent from any other dwelling unit.~~

~~2. "Attached accessory dwelling unit" means an accessory dwelling unit that is within or attached to a structure containing a principal dwelling unit.~~

~~3. "Adult family home" means an adult family home defined and licensed as such by the State of Washington in a dwelling unit.~~

~~4. "Apartment" means a multifamily residential use that is not a cottage housing development, rowhouse development, or townhouse development.~~

~~5.~~)) "Artist's studio/dwelling" means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

((~~6.~~)) 2. "Assisted living facility" means a ((~~use licensed by the State of Washington as a~~)) boarding home licensed by the State of Washington that contains at least two assisted living units for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer (e.g., moving from bed to chair or chair to bath), and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes. See "Assisted living unit."

((~~7. "Carriage house" means a dwelling unit in a carriage house structure.~~

~~8. "Carriage house structure" means a structure within a cottage housing development, in which one or more dwelling units are located on the story above an enclosed parking garage at ground level that either abuts an alley and has vehicle access from that alley, or is located on a corner lot and has access to the parking in the structure from a driveway that abuts and runs parallel to the rear lot line of the lot. See also "Carriage house."~~

~~9.~~)) 3. "Caretaker's quarters" means a ((~~use accessory to a non-residential use consisting of a~~)) dwelling unit not exceeding 800 square feet of living area ((~~and~~)) that is occupied by a caretaker or watchperson and accessory to a nonresidential use.

((~~10.~~)) 4. "Congregate residence" means a use in which sleeping rooms are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities and other common elements with other residents in a building.

((~~11. "Cottage housing development" means a use consisting of cottages arranged on at least two sides of a common open space or a common amenity area. A cottage housing development may include a carriage house structure. See "Cottage," "Carriage house," and "Carriage house structure."~~

~~12. "Detached accessory dwelling unit" means an accessory dwelling unit in an accessory structure.~~

~~13. "Domestic violence shelter" means a structure or portion of a structure managed by a nonprofit organization, which unit provides housing at a confidential location and support services for victims of domestic violence.~~

~~14. "Floating home" means a dwelling unit constructed on a float that is moored, anchored, or otherwise secured in the water.~~

~~15. "Low income housing."~~))

5. “Housing” means one or more dwelling units with permanent foundations or moorage at a marina that are not defined as another type of residential use in this definition.

((~~16.~~)) 6. "Mobile home" means a structure that is designed and constructed to be transportable in one or more sections and built on a permanent chassis, designed to be used as a dwelling unit without a permanent foundation, and connected to utilities that include plumbing, heating, and electrical systems. A structure that was transportable at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable.

((~~17. "Mobile home park" means a tract of land that is rented for the use of more than one mobile home occupied as a dwelling unit.~~

~~18. "Multifamily residential use" means a use consisting of two or more dwelling units in a structure or portion of a structure, excluding accessory dwelling units, or a congregate residence.~~

~~19. "Nursing home" means a use licensed by the State of Washington as a nursing home, that provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves, but that does not provide care for the acutely ill or surgical or obstetrical services. This definition excludes hospitals or sanitariums.~~

~~20.~~)) 7. "Permanent supportive housing((~~.~~))" means low-income housing that is paired with on- or off-site voluntary human services to support people living with complex and disabling behavioral health or physical health conditions and experiencing homelessness or at imminent risk of homelessness prior to moving into such housing.

((~~21. "Rowhouse development" means a multifamily residential use in which all principal dwelling units on the lot meet the following conditions:~~

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

~~b. No portion of a dwelling unit, except for an accessory dwelling unit or shared parking garage, occupies space above or below another dwelling unit;~~

~~c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line;~~

~~d. The front of each dwelling unit faces a street lot line;~~

~~e. Each dwelling unit provides pedestrian access directly to the street that it faces; and~~

~~f. No portion of any other dwelling unit, except for an attached accessory dwelling unit, is located between any dwelling unit and the street faced by the front of that unit.~~

~~22. "Single-family dwelling unit" means a detached principal structure having a permanent foundation, containing one dwelling unit, except that the structure may also contain one or two attached accessory dwelling units where expressly authorized pursuant to this Title 23. A detached accessory dwelling unit is not considered a single-family dwelling unit for purposes of this Chapter 23.84A.~~

~~23. "Townhouse development" means a multifamily residential use that is not a rowhouse development, and in which:~~

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

~~b. No portion of a dwelling unit occupies space above or below another dwelling unit, except for an attached accessory dwelling unit and except for dwelling units constructed over a shared parking garage, including shared parking garages that project up to 4 feet above grade; and~~

~~c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line.~~))

* * *

Section ~~82~~83. Section 23.84A.036 of the Seattle Municipal Code, last amended by Ordinance ~~126157~~127285, is amended as follows:

23.84A.036 "S"

* * *

"Short subdivision" means the division or redivision of land into nine ((~~(9)~~)) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, development, or financing.

"Short subdivision, zero lot line" means a short subdivision that conforms to the unit lot subdivision standards in Section 23.24.045.

* * *

"Solar collector" means ((~~any~~)) a device used to collect direct sunlight for use in the heating or cooling of a structure, domestic hot water, ((~~or~~)) swimming pool, or the generation of electricity, including photovoltaic panels and solar thermal panels.

((~~"Solar greenhouse" means a solar collector that is a structure or portion of a structure utilizing glass or similar glazing material to collect direct sunlight for space heating purposes.~~))

* * *

"Structure, accessory." See "Accessory structure."

"Structure, attached" means a structure that shares a common or party wall with another structure or have walls containing floor area that are located within 2 feet of another structure.

"Structure, detached" means a structure ((~~having no common or party wall with another structure~~)) that is not attached to any other structure.

* * *

"Subdivision" means the division or redivision of land into ten ((~~(10)~~)) or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, zero lot line" means a subdivision that conforms to the unit lot subdivision standards in Section 23.22.062.

* * *

Section ~~83~~84. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance ~~127211~~127228, is amended as follows:

23.84A.038 "T"

* * *

"Transit route, frequent" means a transit route or segment of a transit route providing frequent transit service in each direction. Segments of overlapping routes that are co-scheduled and together provide frequent transit service shall be considered to provide frequent transit service, and segments of these routes that do not overlap or do not meet these frequencies will not be considered to provide frequent transit service.

"Transit service, frequent" means transit service with scheduled service in a typical week meeting or exceeding the following scheduled frequencies:

1. On weekdays from 6 a.m. to 7 p.m., 15 minutes on average (i.e., 52 trips between 6 a.m. and 6:59 p.m., inclusive), and no individual hour with fewer than three scheduled trips in each direction;

2. On weekdays from 7 p.m. to 12 a.m., 30 minutes on average (i.e., ten trips between 7 p.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction; and

3. On weekends from 6 a.m. to 12 a.m., 30 minutes on average (i.e., 36 trips between 6 a.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction.

4. For the purposes of this definition, "individual hour" means the 60-minute period beginning at the top of each hour; e.g., 6 a.m. to 6:59 a.m., inclusive, or 3 p.m. to 3:59 p.m., inclusive.

"Transit service, major" means the following transit services:

1. Commuter rail;

2. Light rail or street car systems; and

3. Bus rapid transit routes that are in operation or are funded for development and projected for construction within an applicable six-year transit plan under RCW 35.58.2795.

"Transit service area, frequent" means an area within 1,320 feet walking distance of a bus stop served by a frequent transit route or an area within 2,640 feet walking distance of a rail transit station, as shown on a map adopted by Director's Rule.

"Transit service area, major" means an area within 2,640 feet walking distance of a stop served by a major transit service, as shown on a map adopted by Director's Rule.

"Transit station, light rail." See "Rail transit facility" under "Transportation facility."

"Transit station access easement" means an easement for a pedestrian route or connection to provide direct access from street level to transit tunnel stations and concourses and/or light rail transit facilities.

"Transit station access, grade-level" means a pedestrian connection that provides direct access from street level to transit tunnel stations or concourses and/or light rail transit facilities at approximately the same level as the station mezzanine.

"Transit station access, mechanical" means a pedestrian connection that incorporates a mechanical device, such as an escalator, to provide direct access from street level to transit tunnel stations and concourses and/or light rail transit facilities.

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"Transit stop, major" means a stop on a major transit service.

* * *

((~~"Triplex" means a single structure containing three dwelling units, none of which is a legally established accessory dwelling unit.~~))

* * *

Section ~~84~~85. Section 23.84A.040 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.84A.040 "U"

* * *

"Unit, low-income" means a ((~~dwelling~~)) restricted unit that, for a minimum period of at least 50 years, is ((~~a restricted unit~~)) affordable to and reserved solely for ((~~families~~)) households with annual incomes not to exceed 60 percent of median income for rental units or 80 percent of median income for ownership units ((~~according to one or more regulatory agreements, covenants, or other legal instruments that, as a condition to issuance of the first building permit that includes the structural frame for the structure that includes the low-income unit, shall be executed and recorded on the title of the property and are enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency if approved by the Director of Housing~~)).

"Unit, moderate-income" means a ((~~dwelling~~)) restricted unit that, for a minimum period of at least 50 years, is ((~~a restricted unit~~)) affordable to and reserved solely for ((~~families~~)) households with annual incomes not to exceed 80 percent of median income for rental units or 100 percent of median income for ownership units ((~~according to one or more regulatory agreements, covenants, or other legal instruments that, as a condition to issuance of the first~~

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~~building permit that includes the structural frame for the structure that includes the moderate-income unit, shall be executed and recorded on the title of the property and are enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency if approved by the Director of Housing~~)).

"Unit, restricted" means a dwelling unit ((~~on a property~~)) subject to ((~~a recorded agreement with the~~)) one or more regulatory agreements, covenants, or other legal instruments recorded on the title of the property and enforceable by The City of Seattle, King County, State of Washington, Washington State Housing Finance Commission, or other public agency, if approved by the Director of Housing, that for a specified number of years limits ((~~both the unit's rent or sale price, as applicable, and eligible residents' annual income at a specified percentage of median income. For purposes of each restricted unit, eligible residents shall be a "family" according to 24 CFR Section 5.403 or successor provision, and the family's "annual income" shall be determined according to 24 CFR Section 5.609 or successor provision, unless otherwise approved in writing by the Director of Housing~~)) housing costs for income-eligible households, specified as a percentage of median income, as follows:

1. For renter-occupied housing, rental housing costs for each restricted unit shall not exceed 30 percent of the income limit; and

2. For owner-occupied housing, the initial sale price of each restricted unit shall be affordable to income-eligible households and resale prices must allow modest growth in homeowner equity while maintaining long-term affordability for subsequent eligible homebuyers, all as determined by the Director of Housing, consistent with Council-adopted Housing Funding Policies if funded by the Office of Housing or subsections 23.58C.050.C.7.a and 23.58C.050.C.7.b if not funded by the Office of Housing.

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* * *

Section ~~85~~86. Section 23.84A.046 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.84A.046 "Y"

((~~"Yard." See "Yard, front," "Yard, side" and "Yard, rear."~~

~~"Yard, front" means an area from the ground upward between the side lot lines of a lot, extending from the front lot line to a line on the lot parallel to the front lot line, the horizontal depth of which is specified for each zone. The front yard includes all portions of the lot that are within the specified distance from the street along which the front lot line extends, even if separated from the street by an intervening lot. In the case of an irregularly shaped lot, the front yard shall be a portion of the property as determined according to Section 23.86.010.~~

~~"Yard, rear" means an area from the ground upward between the side lot lines of a lot, extending from the rear lot line to a line on the lot parallel to the rear lot line, the horizontal depth of which is specified for each zone. In the case of an irregularly shaped lot, the rear yard shall be a portion of the property adjacent to the rear lot line as determined according to subsection 23.86.010.C.~~

~~"Yard, side" means an area from the ground upward between the front yard (or front lot line if no front yard is required); and the rear yard (or rear lot line if no rear yard is required); and extending from a side lot line to a line on the lot, parallel to the side lot line, the horizontal depth of which is specified for each zone.~~))

* * *

Section ~~86~~87. Section 23.84A.048 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.84A.048 "Z"

* * *

((~~"Zone, neighborhood residential" means a zone with a classification that includes any of the following: NR1, NR2, NR3, and RSL.~~))

* * *

"Zone, residential" means a zone with a classification that includes any of the following: ((~~NR1, NR2, NR3, RSL~~)) NR, LR1, LR2, LR3, MR, HR, RC, DMR, IDR, SM/R, SM-SLU/R, and SM-U/R which classification also may include one or more suffixes((~~, but not including any zone with an RC designation~~)).

((~~"Zone, single-family" means a zone with a classification that includes any of the following: Neighborhood Residential 1 (NR1), Neighborhood Residential 2 (NR2), Neighborhood Residential 3 (NR3), and Residential Small Lot (RSL).~~))

Section ~~87~~88. Section 23.86.002 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.86.002 General provisions

* * *

B. Fractions

1. Unless otherwise indicated, if any measurement technique for determining the number of items required or allowed, including but not limited to motor vehicle parking, or required trees or shrubs, results in fractional requirements, any fraction up to and including 0.5 of the applicable unit of measurement shall be disregarded and fractions over 0.5 shall require the next higher full unit of measurement.

Substitute

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

3. ((~~Except within Lowrise and RSL zones, if density calculations result in a fraction of a unit, any fraction up to and including 0.5 constitutes zero additional units, and any fraction over 0.5 constitutes one additional unit. Within Lowrise zones, the effect of a density calculation that results in a fraction of a unit is as described in Section 23.45.512. Within RSL zones, the effect of a density calculation that results in a fraction of a unit is as described in Section 23.44.017. This provision may not be applied to density calculations that result in a quotient less than one.~~)) When calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.

* * *

Section ~~88~~89. Section 23.86.006 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.86.006 Structure height measurement

* * *

B. Within the South Lake Union Urban Center, at the applicant's option, structure height shall be measured either as provided for in subsection 23.86.006.A ((~~, 23.86.006.E~~)) or 23.86.006.D, or under provisions of this subsection 23.86.006.B. Structure height shall be measured for all portions of the structure. All measurements shall be taken vertically from existing or finished grade, whichever is lower, to the highest point of the structure located

directly above each point of measurement. Existing or finished grade shall be established by drawing straight lines between the corresponding elevations at the perimeter of the structure. The straight lines will be existing or finished grade for the purpose of height measurement. When a contour line crosses a facade more than once, that contour line will be disregarded when establishing existing or finished grade.

C. ((~~Height averaging for neighborhood residential zones. In a neighborhood residential zone, when expanding an existing structure occupied by a nonconforming residential use per Section 23.42.106, the following measurement shall be used to determine the average height of the closest principal structures on either side:~~

~~1. Each structure used for averaging shall be on the same block front as the lot for which a height limit is being established. The structures used shall be the nearest single-family structure on each side of the lot, and shall be within 100 feet of the side lot lines of the lot.~~

~~2. The height limit for the lot shall be established by averaging the elevations of the structures on either side in the following manner:~~

~~a. If the nearest structure on either side has a roof with at least a 4:12 pitch, the elevation to be used for averaging shall be the highest point of that structure's roof minus 5 feet.~~

~~b. If the nearest structure on either side has a flat roof, or a roof with a pitch of less than 4:12, the elevation of the highest point of the structure's roof shall be used for averaging.~~

~~c. Rooftop features which are otherwise exempt from height limitations according to subsection 23.44.012.C, shall not be included in elevation calculations.~~

~~d. The two elevations obtained from subsection 23.86.006.B.2.a and/or subsection 23.86.006.B.2.b shall be averaged to derive the height limit for the lot. This height limit shall be the difference in elevation between the midpoint of a line parallel to the front lot line at the required front setback and the average elevation derived from subsection 23.86.006.B.2.a and/or subsection 23.86.006.B.2.b.~~

~~e. The height measurement technique used for the lot shall then be the City's standard measurement technique, subsection 23.86.006.A.~~

~~3. If there is no single-family structure within 100 feet of a side lot line, or if the nearest single-family structure within 100 feet of a side lot line is not on the same block front, the elevation used for averaging on that side shall be 30 feet plus the elevation of the midpoint of the front lot line of the abutting vacant lot.~~

~~4. If the lot is a corner lot, the height limit may be the highest elevation of the nearest structure on the same block front, provided that the structure is within 100 feet of the side lot line of the lot and that both front yards face the same street.~~

~~5. In no case shall the height limit established according to these height averaging provisions be greater than 40 feet.~~

~~6. Lots using height averaging to establish a height limit shall be eligible for the pitched roof provisions of subsection 23.44.012.B.~~

~~D.~~)) Stories or portions of stories of a structure that are underground are not analyzed for purposes of structure height measurement.

((~~E.~~)) D. Height measurement techniques in downtown zones and in the South Lake Union Urban Center

1. Determine the major street lot line, which shall be the lot's longest street lot line. When the lot has two or more street lot lines of equal length, the applicant shall choose the major street lot line.

2. Determine the slope of the lot along the entire length of the major street lot line.

3. ((~~The~~)) Measure the maximum height ((~~shall be measured~~)) as follows:

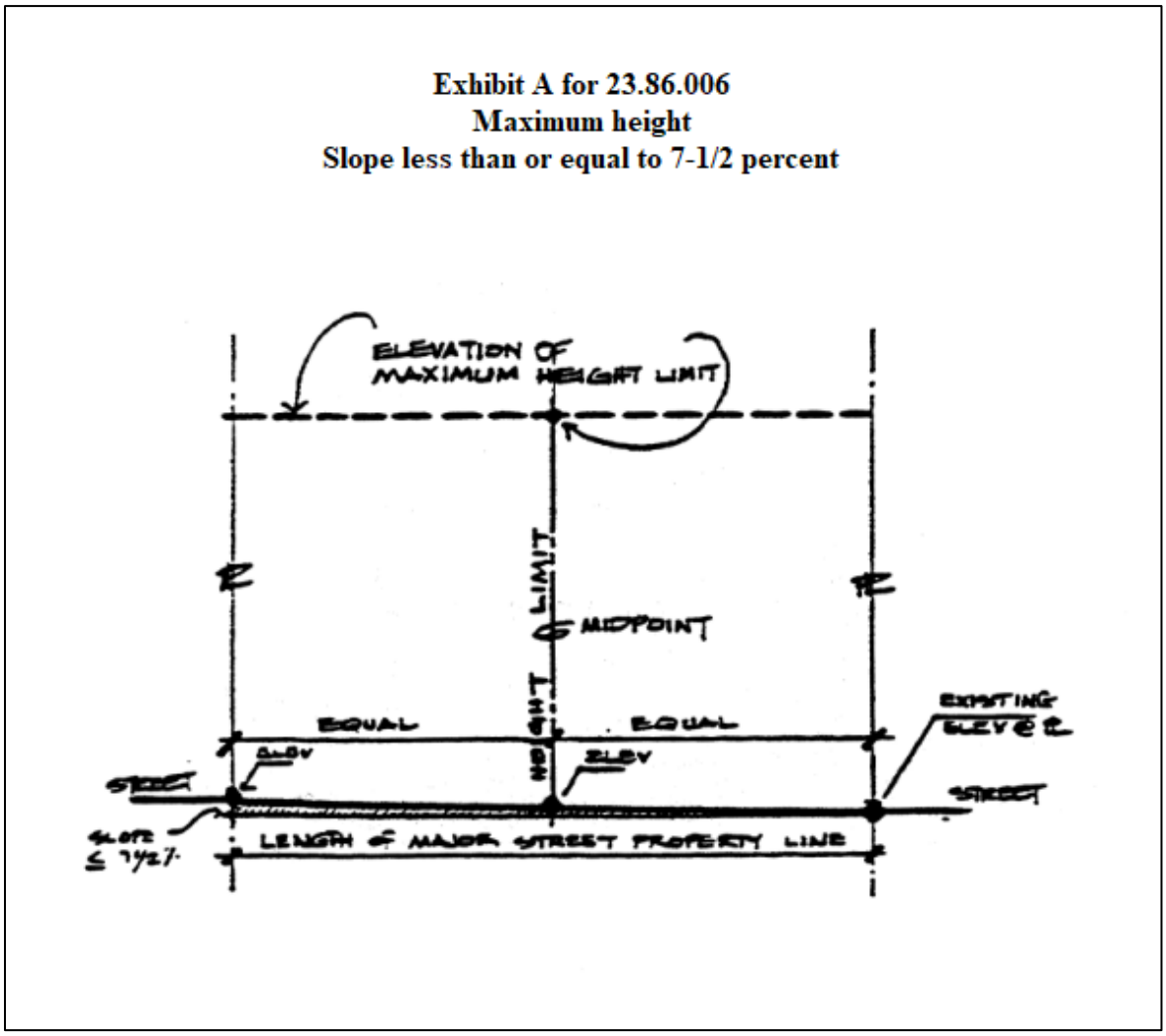
a. When the slope of the major street lot line is less than or equal to 7.5 percent, the elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of the major street lot line. On a through-lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street lot line. On the other half of a through-lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street lot line as depicted in Exhibit ((~~B~~)) A for 23.86.006.

Substitute

Exhibit A for 23.86.006

Maximum height

Slope Less than or equal to 7-1/2 percent



b. When the slope of the major street lot line exceeds 7.5 percent, the major street lot line shall be divided into four or fewer equal segments no longer than 120 feet in length. The elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of each segment. On a through-lot, the elevation of maximum height shall apply only to the half of the lot nearest the major

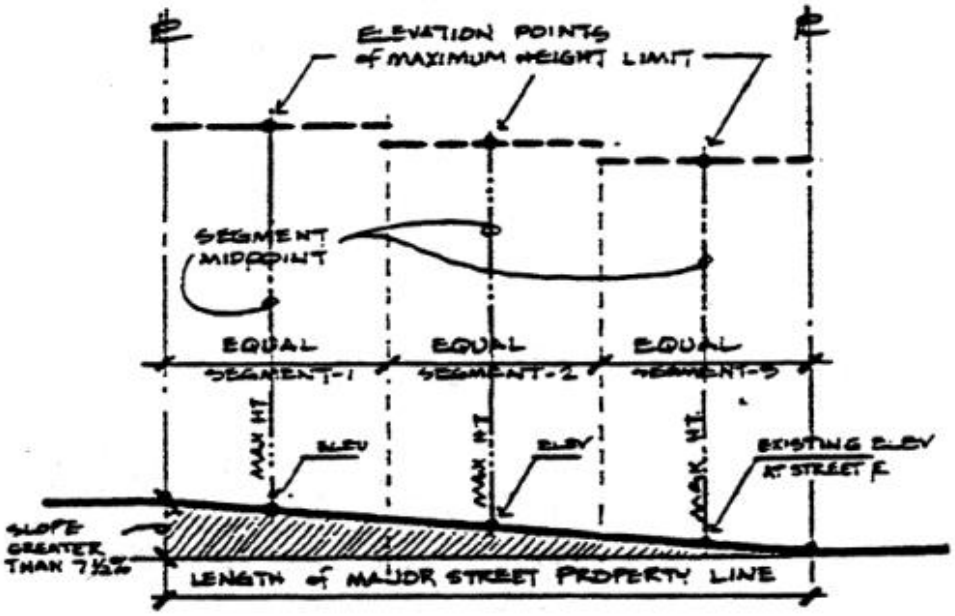
street lot line. On the other half of a through-lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street lot line, as depicted in Exhibit ((~~C~~)) B for 23.86.006.

Exhibit B for 23.86.006

Maximum height

Slope greater than 7-1/2 percent

Exhibit B for 23.86.006
Maximum height
Slope greater than 7-1/2 percent



c. For lots with more than one street frontage, where there is no street lot line that is essentially parallel to the major street lot line, when a measurement has been made for the portion of the block containing the major street lot line, the next measurement shall be taken from the remaining street lot line that is opposite and most distant from the major street lot line.

((~~F.~~)) E. Determining the height of existing public school structures. When the height of the existing public school structure is measured for purposes of determining the permitted height or lot coverage of a public school structure, either of the following measurement methods may be used:

1. If all parts of the new roof are pitched at a rate of not less than 4:12, the ridge of the new roof may extend to the highest point of the existing roof. A shed roof does not qualify for this option; or

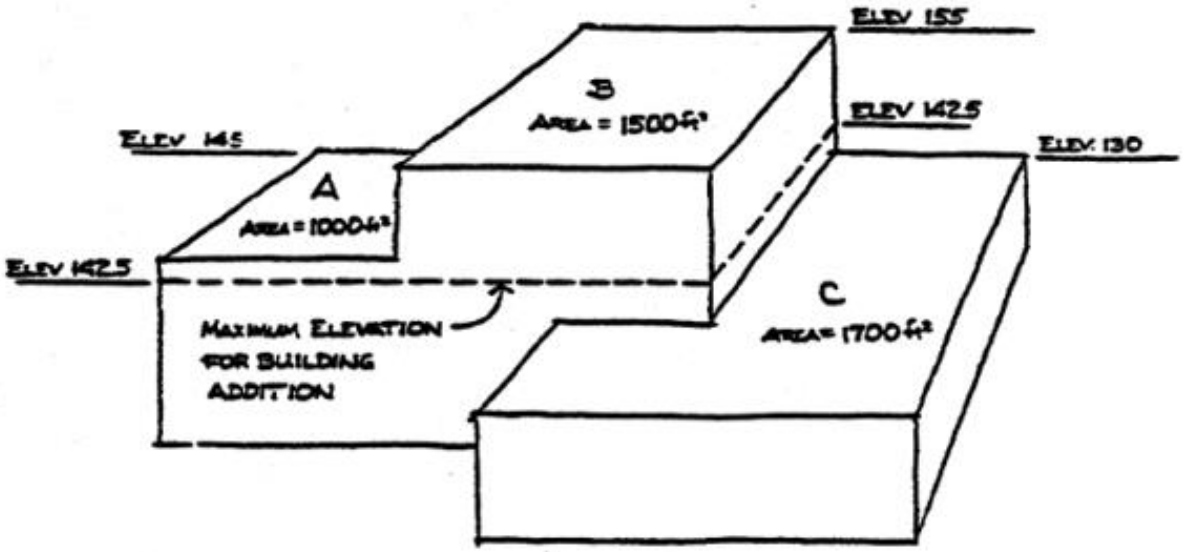
2. If all parts of the new roof are not pitched at a rate of not less than 4:12, then the elevation of the new construction may extend to the average height of the existing structure. The average height shall be determined by measuring the area of each portion of the building at each height and averaging those areas, as depicted in Exhibit ((~~D~~)) C for 23.86.006.

Exhibit C for 23.86.006

Maximum elevations for additions to public schools

Exhibit C for 23.86.006

Maximum elevations for additions to public schools



ROOF LEVEL	AREA	×	ELEV.	=	PRODUCT
A	1000	×	145	=	145,000
B	1500	×	155	=	232,500
C	1700	×	130	=	221,000
	4200				598,500

$$\text{PERMITTED ROOF ELEVATION FOR BUILDING ADDITION} = \frac{\text{TOTAL PRODUCT}}{\text{TOTAL AREA}} = \text{MAXIMUM ELEVATION}$$

$$= \frac{598{,}500}{4{,}200} = 142.5$$

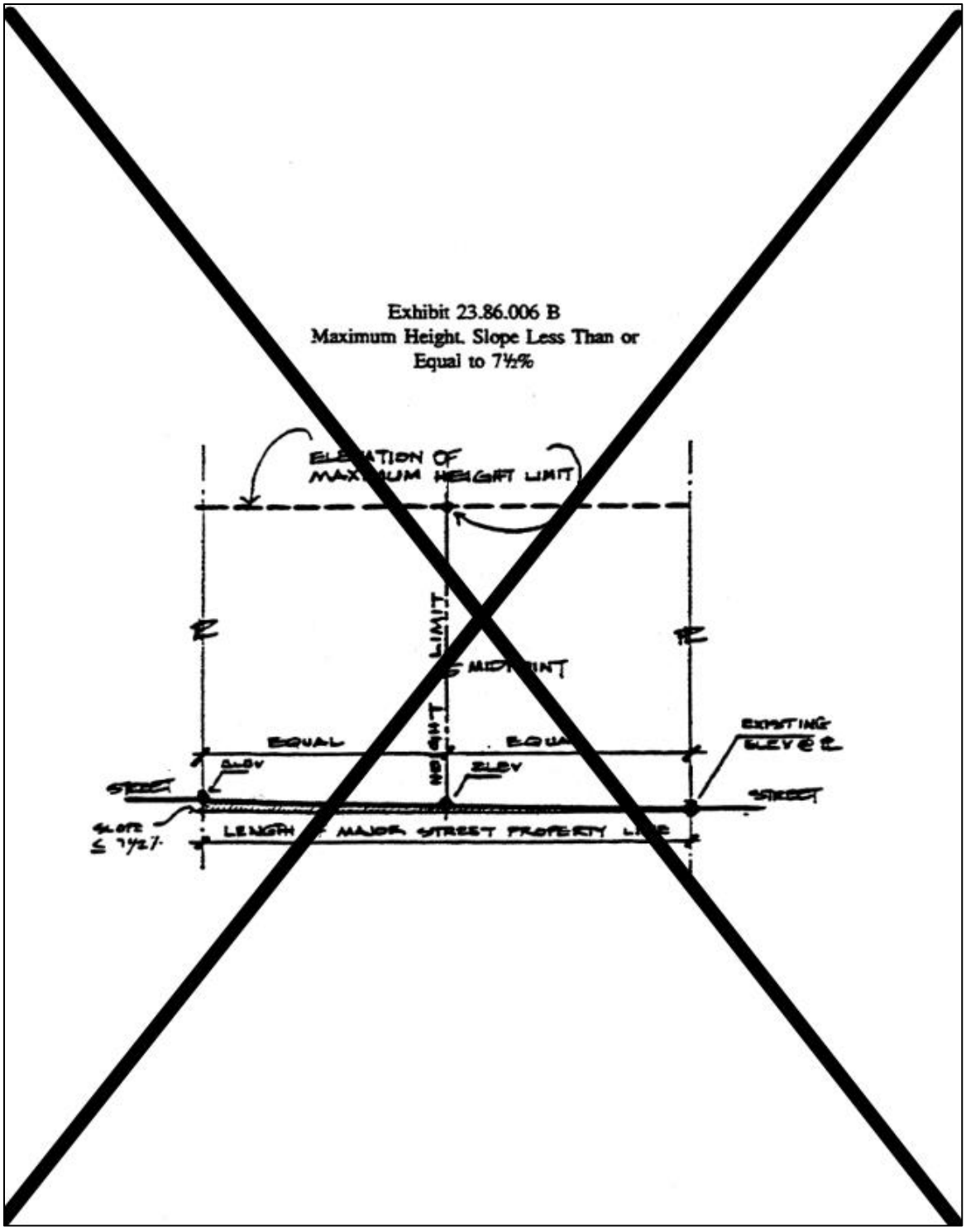
((~~G.~~)) F. Height measurement technique for structures located partially within the Shoreline District. When any portion of the structure falls within the Shoreline District,

structure height for the entire structure shall be measured according to Section 23.60A.952 ((~~, Height~~)).

((~~H.~~)) G. For projects accepted into the Living Building Pilot Program authorized pursuant to Section 23.40.060, the applicant may choose either the height definition of Chapter 2 of the Seattle Building Code or the height measurement method described in this Section 23.86.006.

Substitute CB 120

Exhibit 23.86.006 B
Maximum Height. Slope Less Than or Equal to 7½%



1

Exhibit 23.86.006 C
Maximum Height, Slope Greater Than 7-½%

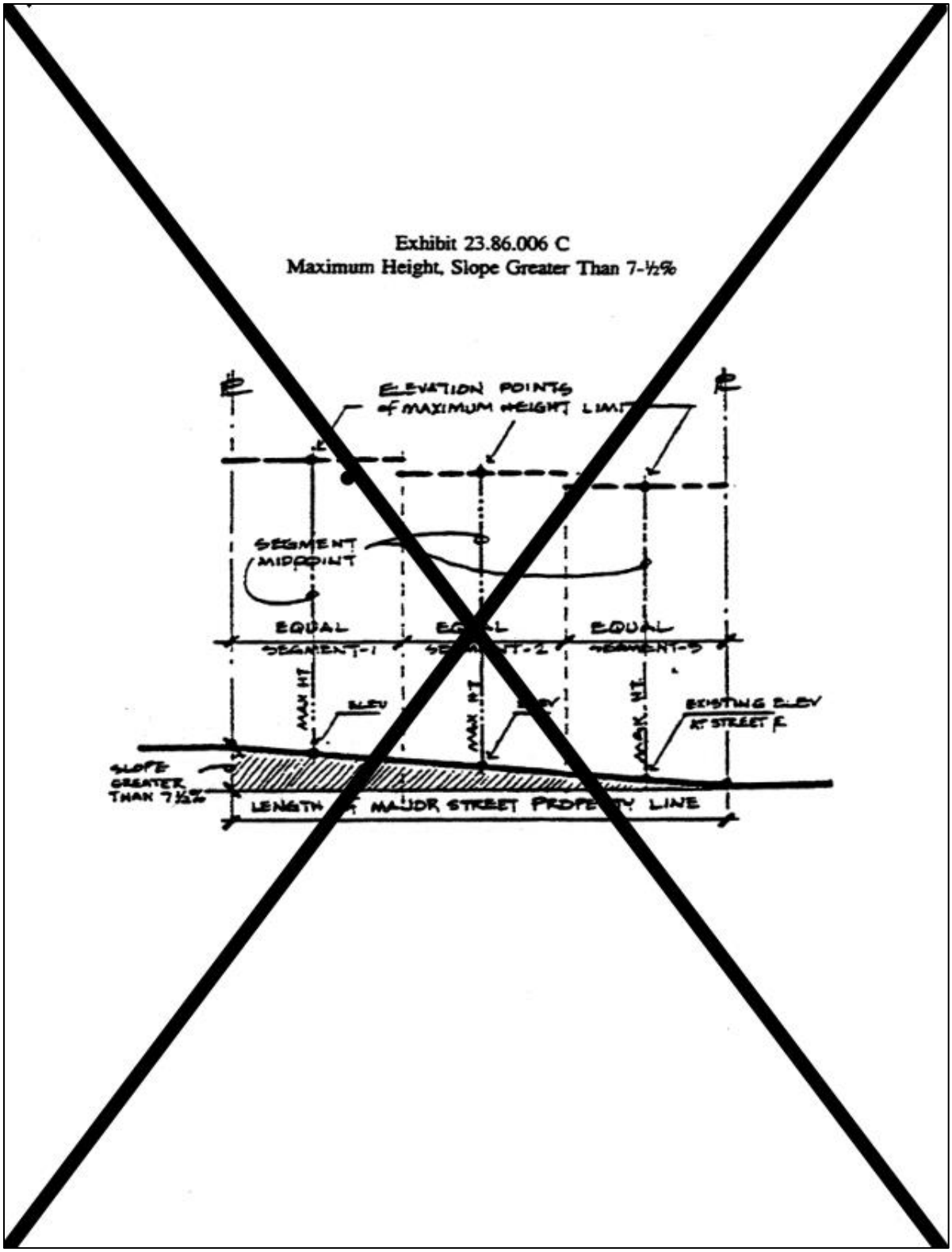
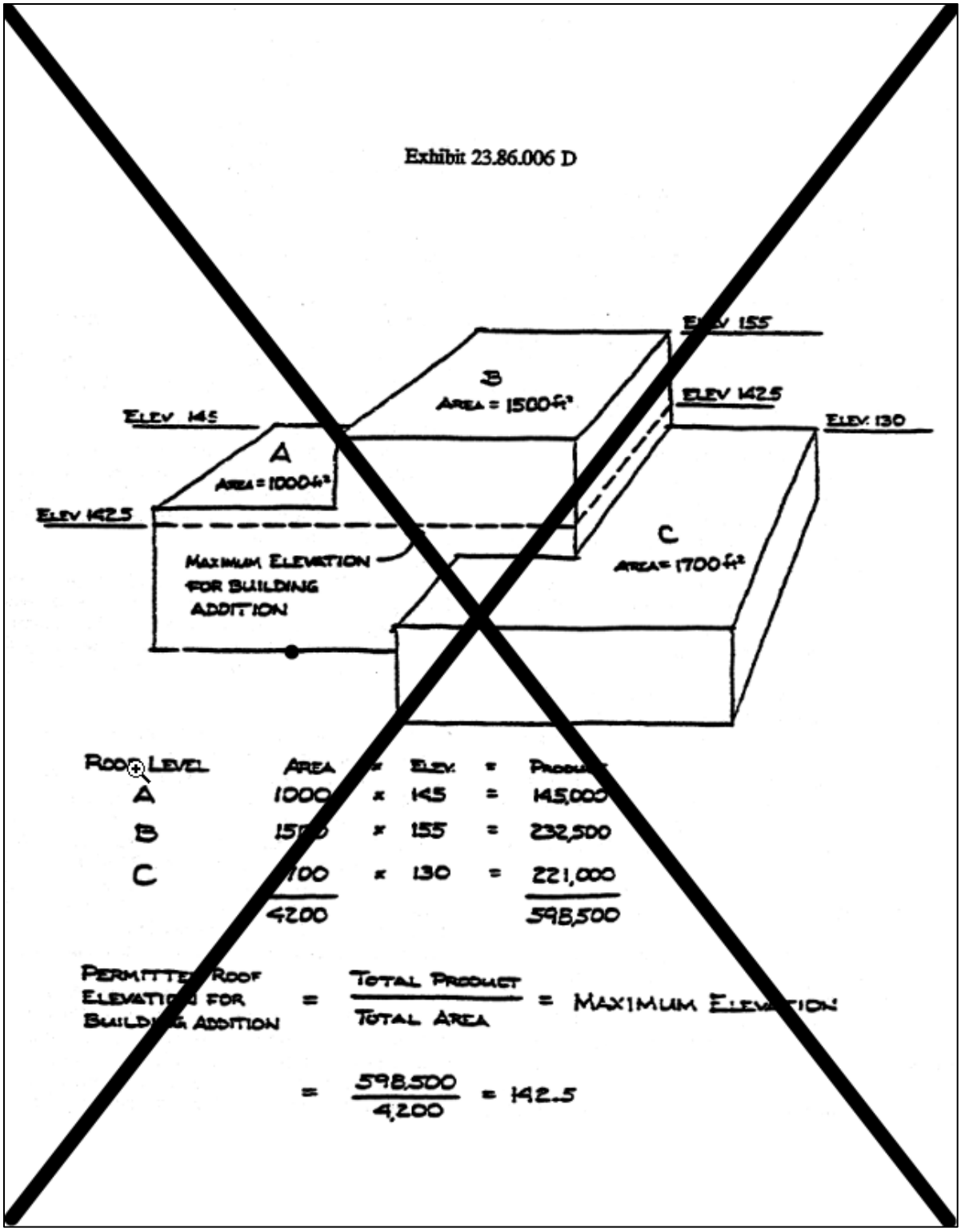


Exhibit 23.86.006 D



ROOF LEVEL	AREA		ELEV.	=	PRODUCT
A	1000	x	145	=	145,000
B	1500	x	155	=	232,500
C	1700	x	130	=	221,000
	4200				598,500

PERMITTED ROOF ELEVATION FOR BUILDING ADDITION = $\frac{\text{TOTAL PRODUCT}}{\text{TOTAL AREA}}$ = MAXIMUM ELEVATION

$= \frac{598,500}{4,200} = 142.5$

Section ~~89~~90. Section 23.86.007 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.86.007 Floor area and floor area ratio (FAR) measurement

A. Gross floor area. Except where otherwise expressly provided in this Title 23, gross floor area shall be as defined in Chapter 23.84A and as measured in this Section 23.86.007. The following are included in the measurement of gross floor area in all zones:

1. Floor area contained in stories above and below grade;

2. The area of stair penthouses, elevator penthouses, and other enclosed rooftop features;

3. The area of motor vehicle and bicycle parking that is enclosed; and

4. The area of motor vehicle parking that is covered by a structure or portion of a structure containing enclosed floor area, excluding motor vehicle parking in ((~~neighborhood residential~~)) Neighborhood Residential and multifamily zones that is only covered by one of the following:

a. Projections containing enclosed floor area of up to 4 feet; or

b. Projections containing enclosed floor area of up to 6 feet for the area of parking accessed from an alley and located directly adjacent to an alley.

* * *

D. Pursuant to subsections ((~~23.44.011.C, 23.44.018.A,~~)) 23.44.050.C, 23.45.510.D, and 23.47A.013.B, and Section 23.48.020, for certain structures in ((~~neighborhood residential~~)) Neighborhood Residential, multifamily, commercial, and Seattle Mixed zones, portions of a story that extend no more than 4 feet above existing or finished grade, whichever is lower, are exempt from calculation of gross floor area. The exempt gross floor area of such partially below-grade stories is measured as follows:

Substitute CB 120993

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

2. Determine the points along the exterior wall of the story where the elevation determined in subsection 23.86.007.D.1 intersects the abutting corresponding existing or finished grade elevation, whichever is lower;

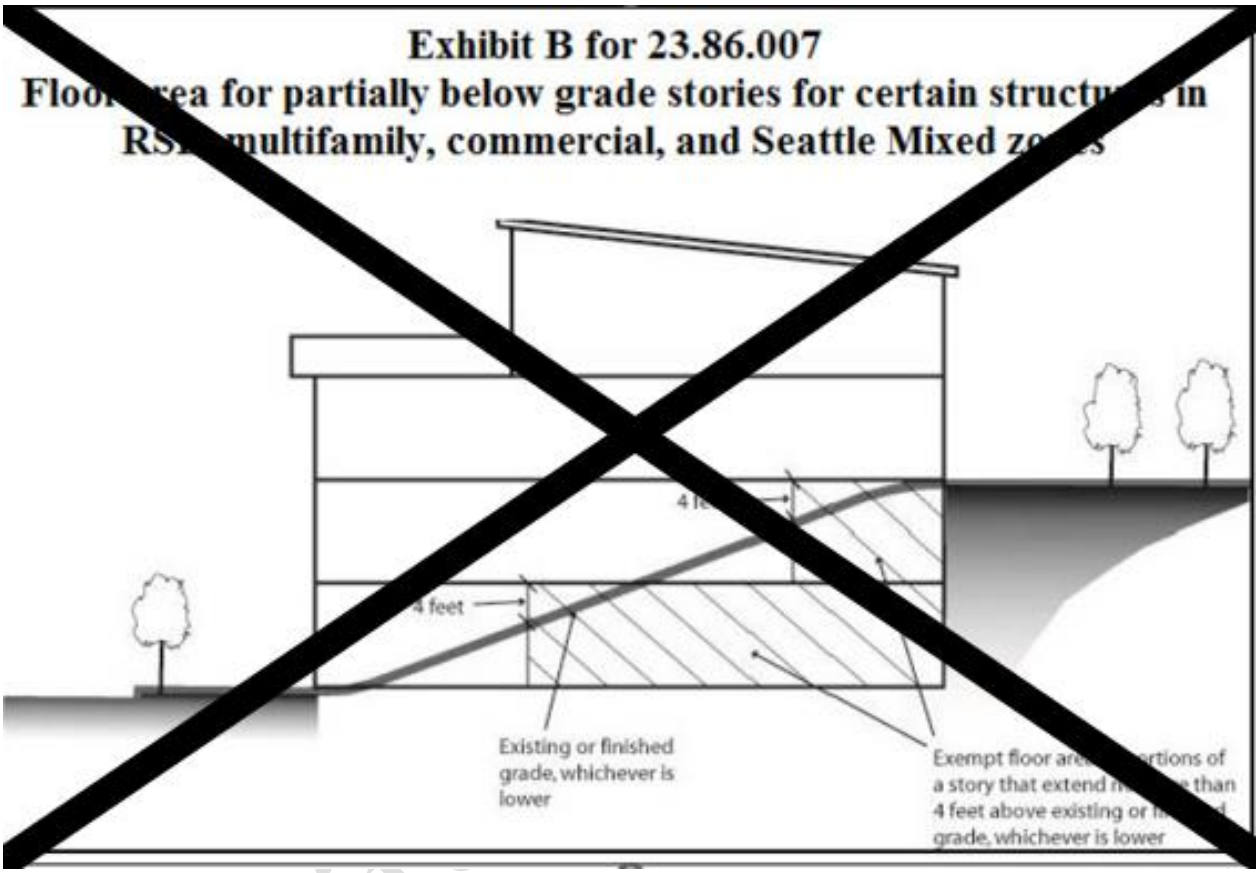
3. Draw a straight line across the story connecting the two points on the exterior walls; and

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

Substitute CB 120093

Exhibit B for 23.86.007

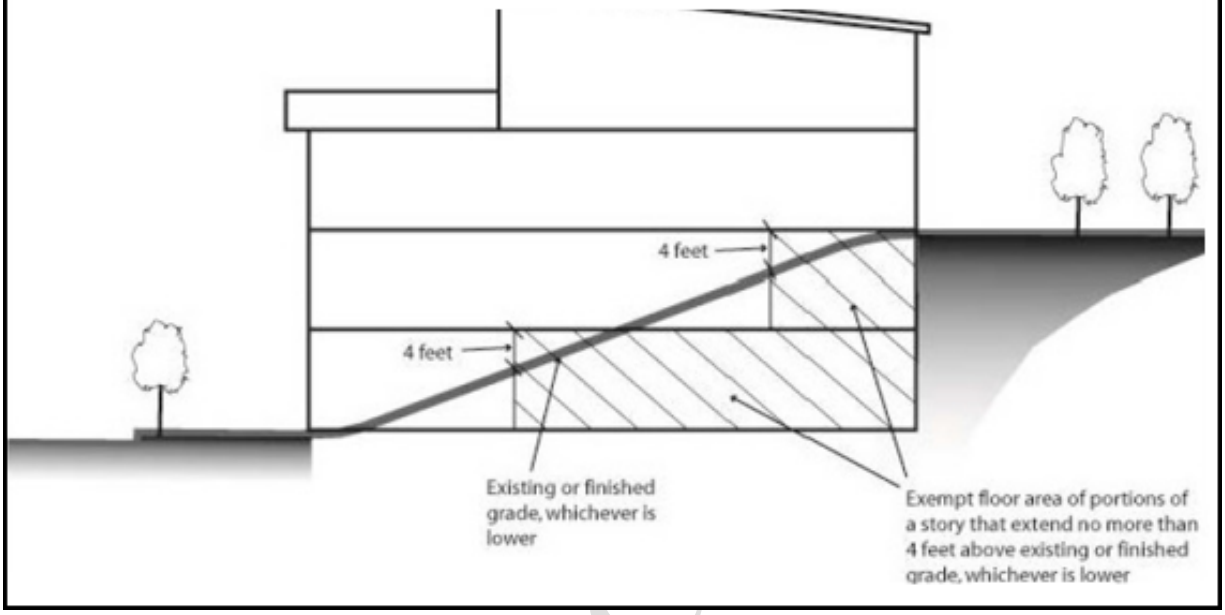
Floor area for partially below grade stories for certain structures in ((~~RSL~~)) Neighborhood Residential, multifamily, commercial, and Seattle Mixed zones



Substitute

Exhibit B for 23.86.007

Floor area for partially below grade stories for certain structures in Neighborhood Residential, multifamily, commerical, and Seattle Mixed zones



* * *

Section ~~9~~~~90.~~1. Section 23.86.008 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.86.008 Lot ((~~coverage,~~)) width ((~~and depth.~~)) in Neighborhood Residential zones

((~~A. Lot coverage shall be calculated in accordance with Exhibit 23.86.008 A.~~

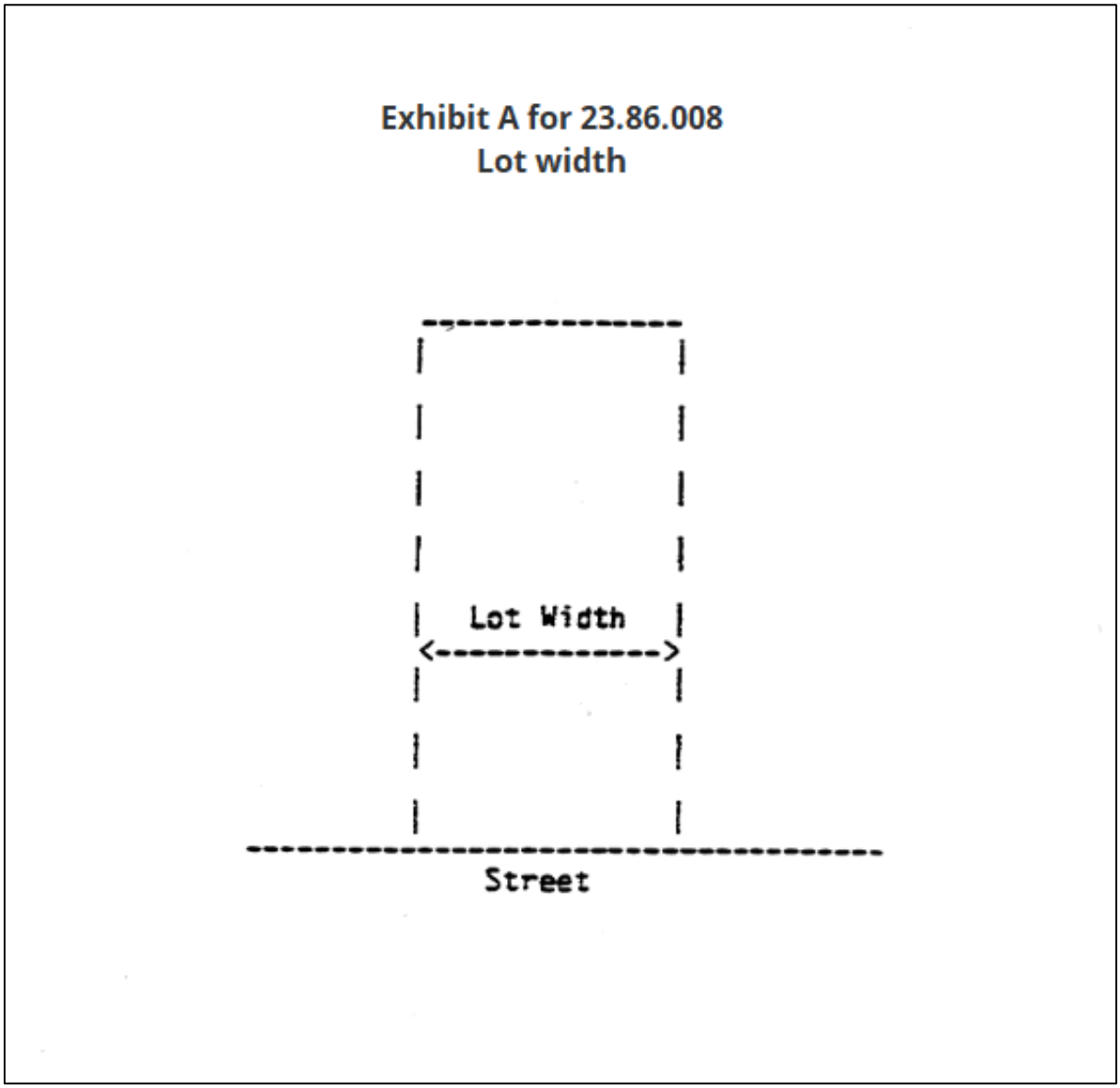
~~B. In neighborhood residential zones, lot depth shall be the length of the line extending between the front lot line or front lot line extended, and the rear lot line or lines, or in the case of a through lot, between the two (2) front lot lines or lines extended. This line shall be perpendicular to the front lot line or front lot line extended. Where an alley abuts the rear of the property, one-half (½) of the width of the alley shall be included as a portion of the lot for determining lot depth.~~

~~C. Lot Width in Neighborhood Residential Zones:~~

~~1.~~)) A. When a lot is essentially rectangular, the lot width ((~~shall be~~)) is the mean horizontal distance between side lot lines measured at right angles to lot depth ((~~(Exhibit 23.86.008 B)~~)) Exhibit A for 23.86.008.

Exhibit A for 23.86.008

Lot width



((~~2. In the case of~~)) B. For a lot with more than one (((~~1~~))) rear lot line (((~~Exhibits 23.86.008 C and 23.86.008 D~~))) (Exhibit B for 23.86.008 and Exhibit C for 23.86.008), the lot width shall be measured according to the following:

Substitute CB 120993

Exhibit B for 23.86.008

Lots with more than one rear lot line, and where the distance between the rear lot line is less than 50 percent of lot depth

Exhibit B for 23.86.008
Lots with more than one rear lot line, and where the distance between the rear lot line is less than 50 percent of lot depth

Where A + B is less than 50% of D, the lot width shall be W.

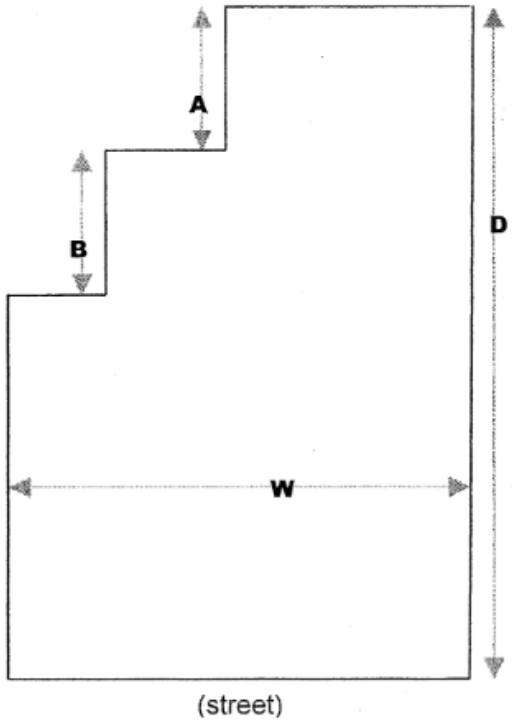
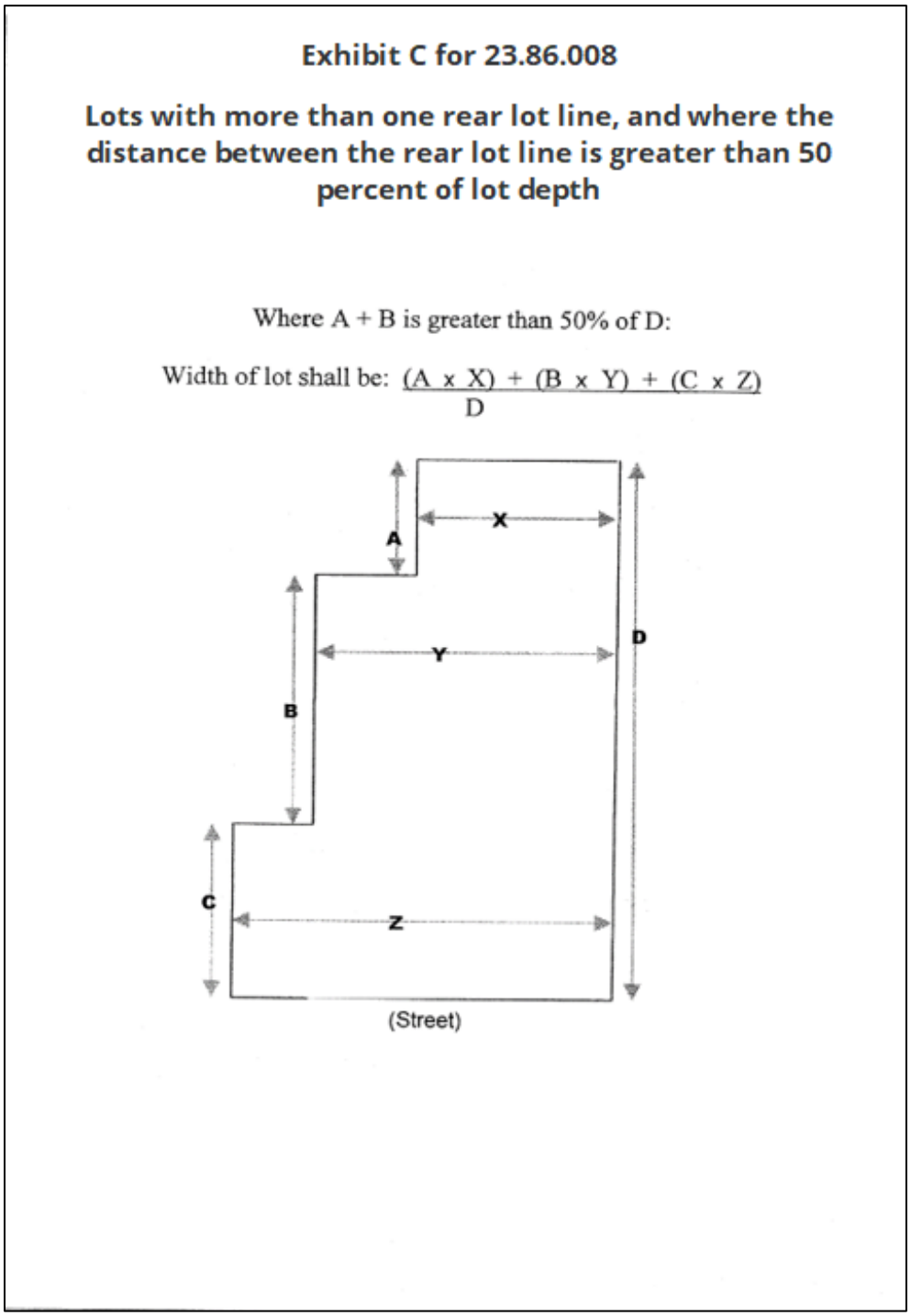


Exhibit C for 23.86.008

Lots with more than one rear lot line, and where the distance between the rear lot line is greater than 50 percent of lot depth

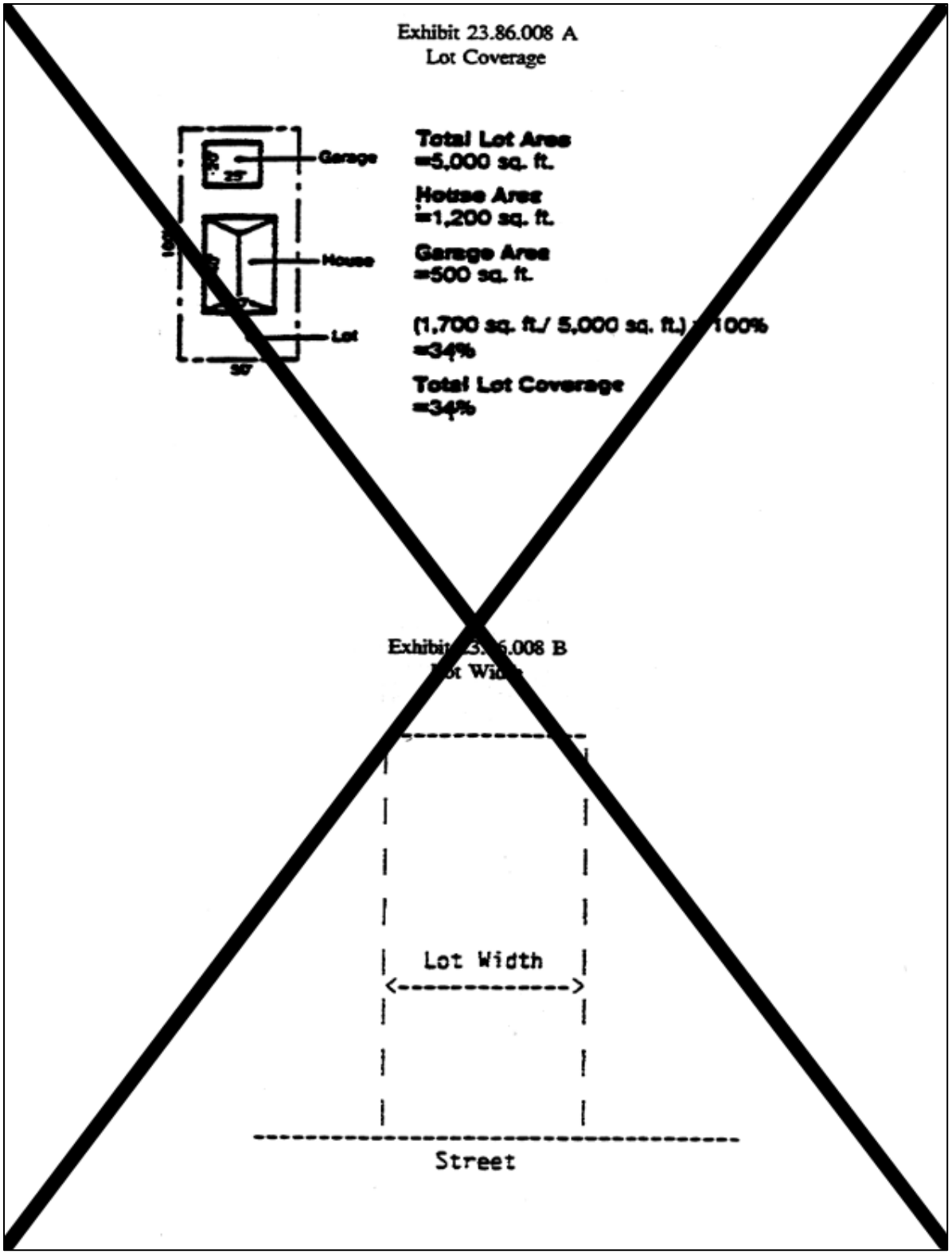


((~~a.~~)) 1. If the distance between the rear lot lines is ((~~fifty (~~)) 50 ((~~)~~)) percent or less of the lot depth, the lot width shall be measured parallel to the front lot line and shall be the greatest distance between the side lot lines ((~~(Exhibit 23.86.008 C)~~)) Exhibit B for 23.86.008; or

((~~b.~~)) 2. If the distance between the rear lot lines is greater than ((~~fifty (~~)) 50 ((~~)~~)) percent of the lot depth, the lot width shall be determined by measuring average lot width according to ((~~Exhibit 23.86.008 D~~)) Exhibit C for 23.86.008.

((~~3.~~)) C. For irregular lots not meeting the conditions of subsections ((~~C1 or C2~~)) 23.86.008.A or 23.86.008.B, the Director shall determine the measurement of lot width.

Substitute CB



((~~Exhibits 23.86.008A, 23.86.008B~~))

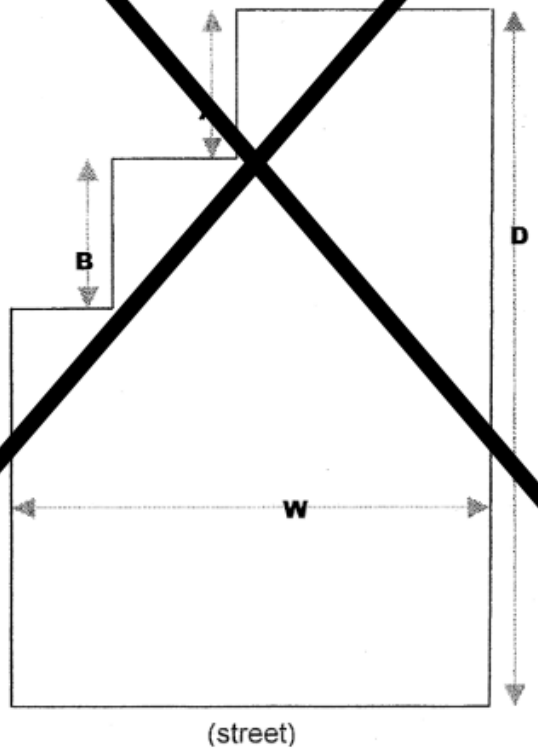
Exhibit 23.86.008 C

Lots With More Than One Rear Lot Line,

And Where The Distance Between The Rear

Lot Line Is Less Than 50% Of Lot Depth

Where A + B is less than 50% of D, the lot width shall be W.



((~~Exhibit 23.86.008C~~))

Exhibit 23.86.008 D

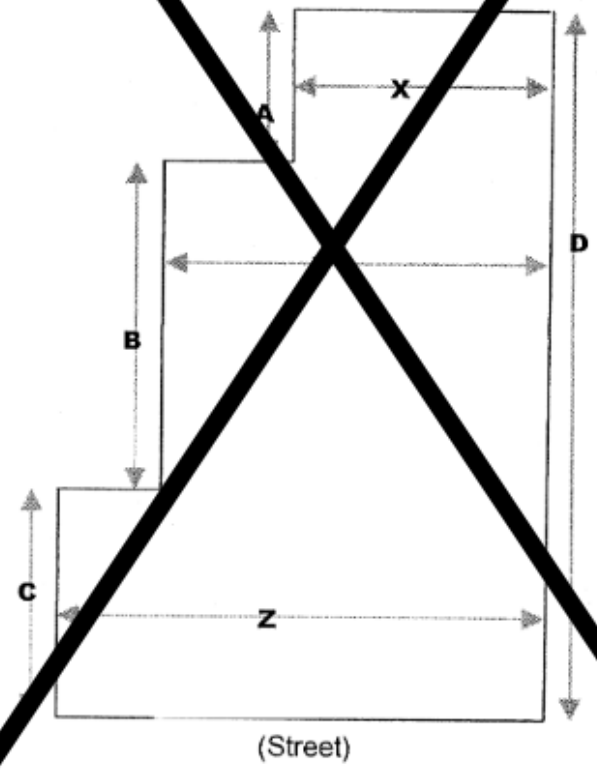
Lots with More Than One Rear Lot Line, And Where

The Distance Between the Rear Lot Line

Is Greater than 50% Of Lot Depth

Where A + B is greater than 50% of D

Width of lot shall be: $\frac{(A \times X) + (B \times Y) + (C \times Z)}{D}$



Section ~~91~~92. Section 23.86.010 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~23.86.010 Yards~~

~~A. Measuring required yards. Required yard dimensions shall be horizontal distances, measured perpendicular to the appropriate lot lines (Exhibit A for 23.86.010). For lots with no street frontage, the applicant may designate the front lot line, provided that under the resulting orientation, the area of the front yard is at least 20 percent of the area of the lot or 1,000 square feet whichever is less. If a lot with frontage on more than one street is developed with an existing principal structure, the orientation of the lot for the purpose of current yard requirements shall be the orientation under which the existing structure is most conforming to current yard standards.~~

~~B. Front Yards.~~

~~1. Determining Front Yard Requirements. Front yard requirements are presented in the development standards for each zone. Where the minimum required front yard is to be determined by averaging the setbacks of structures on either side of a lot, the following provisions apply:~~

~~a. The required depth of the front yard shall be the average of the distance between single-family structures and front lot lines of the nearest single-family structures on each side of the lot (Exhibit B for 23.86.010). If the front facade of the single-family structure is not parallel to the front lot line, the shortest distance from the front lot line to the structure shall be used for averaging purposes (Exhibit C for 23.86.010).~~

~~b. The yards used for front yard averaging shall be on the same block front as the lot, and shall be the front yards of the nearest single-family structures within 100 feet of the side lot lines of the lot.~~

~~c. For averaging purposes, front yard depth shall be measured from the front lot lines to the wall nearest to the street or, where there is no wall, the plane between supports, which comprises 20 percent or more of the width of the front facade of the single-family structure. Enclosed porches shall be considered part of the single-family structure for measurement purposes. Attached garages or carports permitted in front yards under 23.44.016.D, decks, uncovered porches, eaves, attached solar collectors, and other similar parts of the structure shall not be considered part of the structure for measurement purposes.~~

~~d. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes the amount of the dedication shall be subtracted from the front yard depth of the structures on either side.~~

~~e. If the first single-family structure within 100 feet of a side lot line of the lot is not on the same block front, or does not provide its front yard on the same street, or if there is no single-family structure within 100 feet of the side lot line, the yard depth used for averaging purposes on that side shall be 20 feet (Exhibits D and E for 23.86.010).~~

~~f. If the front yard of the first single-family structure within 100 feet of the side lot line of the lot exceeds 20 feet, the yard depth used for averaging purposes on that side shall be 20 feet (Exhibit F for 23.86.010).~~

~~g. In cases where the street is very steep or winding, the Director shall determine which adjacent single-family structures should be used for averaging purposes.~~

~~2. Sloped Lots in Neighborhood Residential Zones. For a lot in a neighborhood residential zone, reduction of the required front yard is permitted at a rate of 1 foot for every percent of slope in excess of 35 percent. For the purpose of this provision the slope shall be measured along the centerline of the lot. In the case of irregularly shaped lots, the Director shall determine the line along which slope is calculated.~~

~~C. Rear yards. Rear yard requirements are presented in the standard development requirements for each zone. In determining how to apply these requirements, the following provisions shall apply:~~

~~1. The rear yard shall be measured horizontally from the rear lot line if the lot has a rear lot line that is essentially parallel to the front lot line for its entire length.~~

~~2. If the front lot line is essentially parallel to portions of the rear property line, as with a stepped rear property line, each portion of the rear property line that is opposite and essentially parallel to the front lot line is considered to be a rear lot line for the purpose of establishing a rear yard.~~

~~3. On a lot with a rear property line, part of which is not essentially parallel to any part of the front lot line, the rear yard is measured from a line or lines drawn from side lot line(s) to side lot line(s), at least 10 feet in length, parallel to and at a maximum distance from the front lot line. If an alley abuts the rear of the property, 1/2 the width of the alley, between the side lot lines extended, is considered to be part of the lot for drawing this line. For those portions of the rear lot line that are essentially parallel to the front lot line, subsection 23.86.010.C.2 above shall apply. The lot depth is then measured perpendicularly from this 10 foot long line extended as needed to the point on the actual front lot line that is the furthest~~

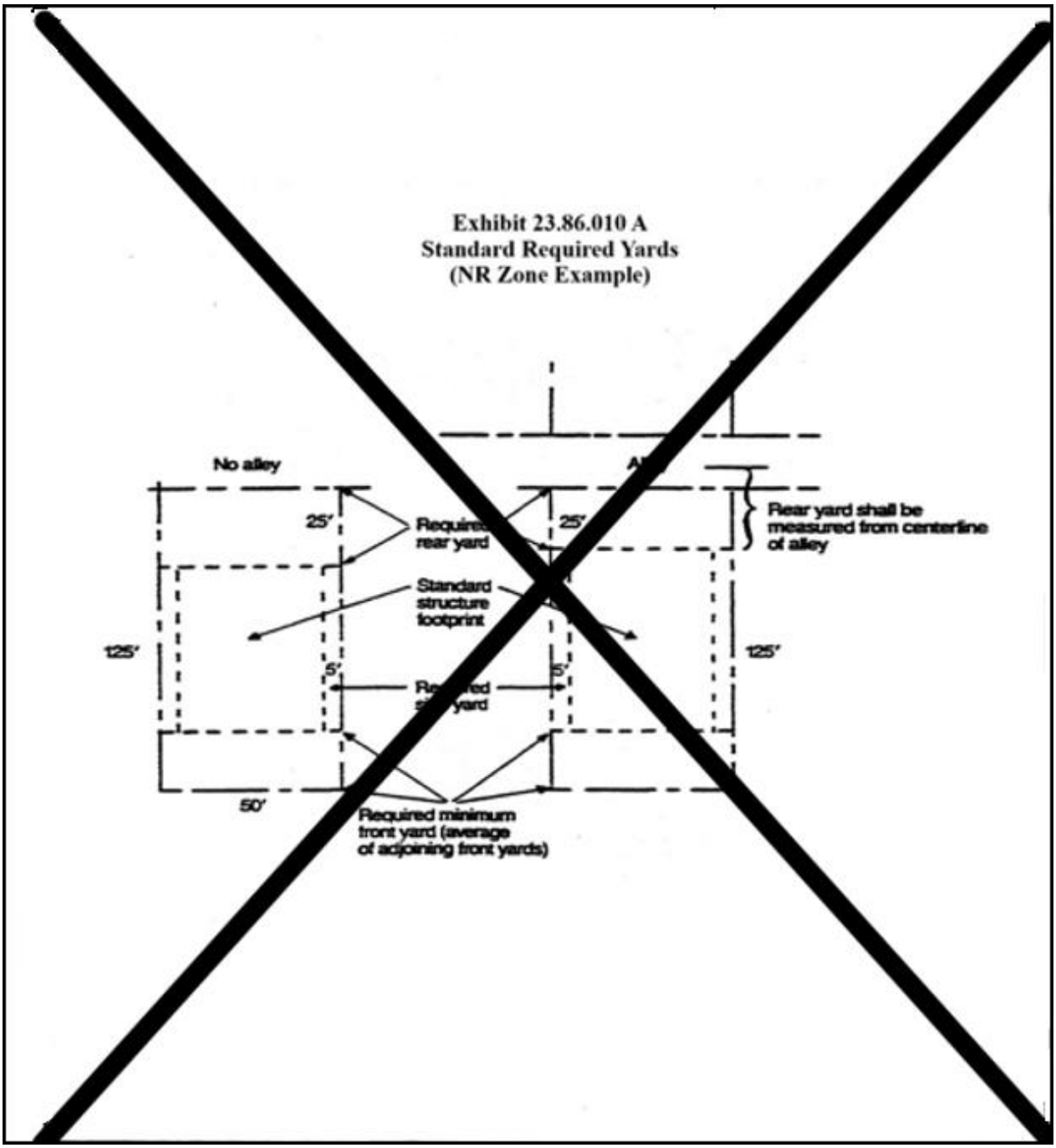
~~distance away. This establishes lot depth, which then may be used to determine the required rear yard depth.~~

~~4. For a lot with a curved front lot line, the rear yard is measured from a line at least 10 feet in length, parallel to and at a maximum distance from a line drawn between the endpoints of the curve. The lot depth is then measured perpendicularly from this 10 foot long line extended as needed to the point on the actual front lot line that is the furthest distance away. This establishes lot depth, which then may be used to determine the required rear yard depth.~~

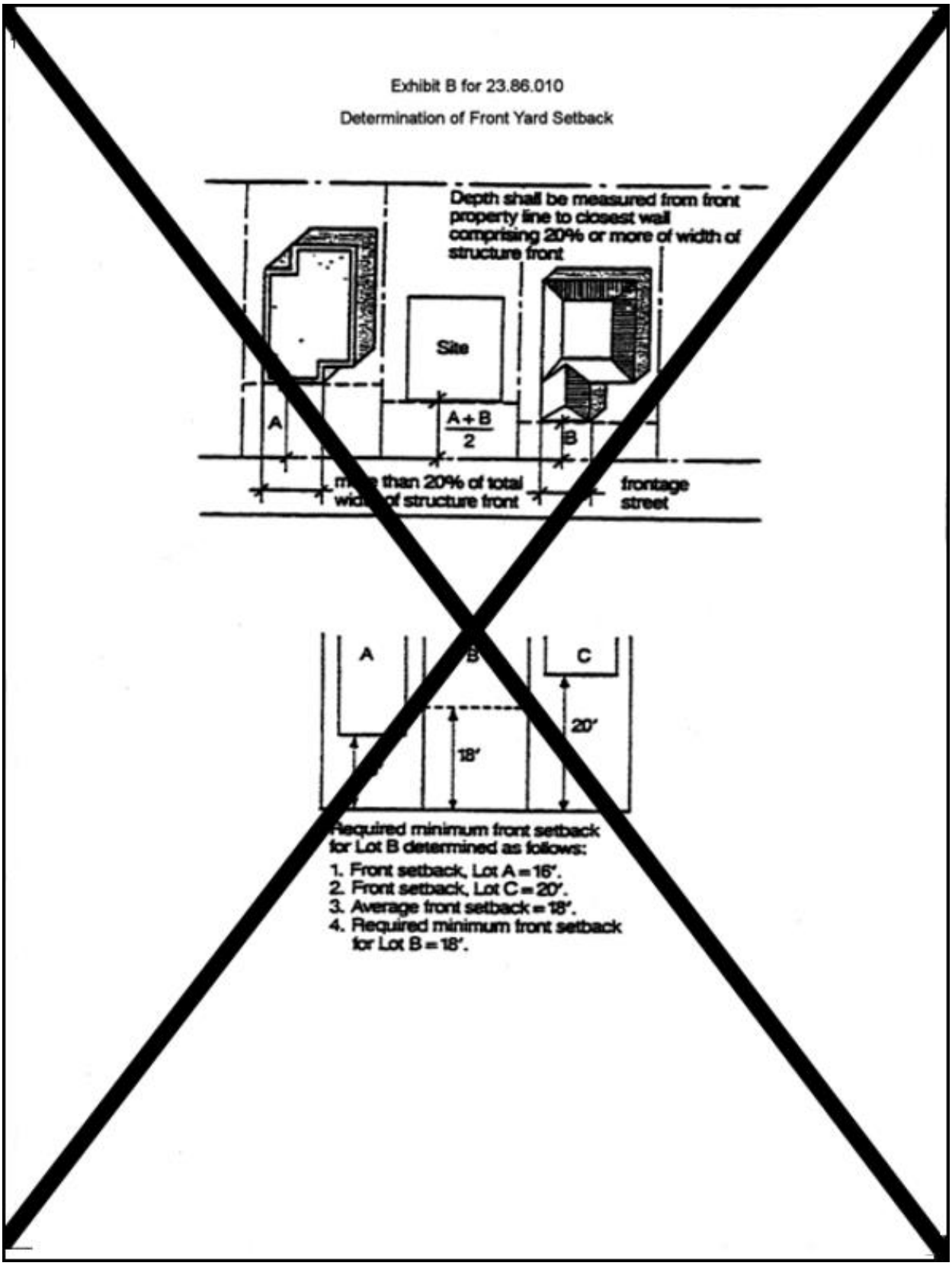
~~5. For a lot with an irregular shape or with an irregular front lot line not meeting conditions of subsections 23.86.010.C.1 through 23.86.010.C.4, the Director shall determine the measurement of the rear yard.~~

~~D. Side Yards.~~

~~1. Side Yard Averaging. Side yard requirements are presented in the standard development requirements for each zone. In certain cases where specifically permitted, the side yard requirement may be satisfied by averaging the distance from side lot line to structure facade for the length of the structure. In those cases the side yard shall be measured horizontally from side lot line to the side facade of the structure.~~))


Exhibit 23.86.010 A
Standard Required Yards
(NR Zone Example)
No alley
25'
Required rear yard
25'
Rear yard shall be measured from centerline of alley
Standard structure footprint
125'
125'
5'
5'
50'
Required minimum front yard (average of adjoining front yards)

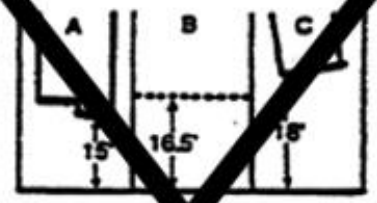
1


Exhibit B for 23.86.010
Determination of Front Yard Setback
Depth shall be measured from front property line to closest wall comprising 20% or more of width of structure front
Site
A
A+B
2
B
frontage
street
A
B
C
20'
18'
Required minimum front setback for Lot B determined as follows:
1. Front setback, Lot A = 16'.
2. Front setback, Lot C = 20'.
3. Average front setback = 18'.
4. Required minimum front setback for Lot B = 18'.

1

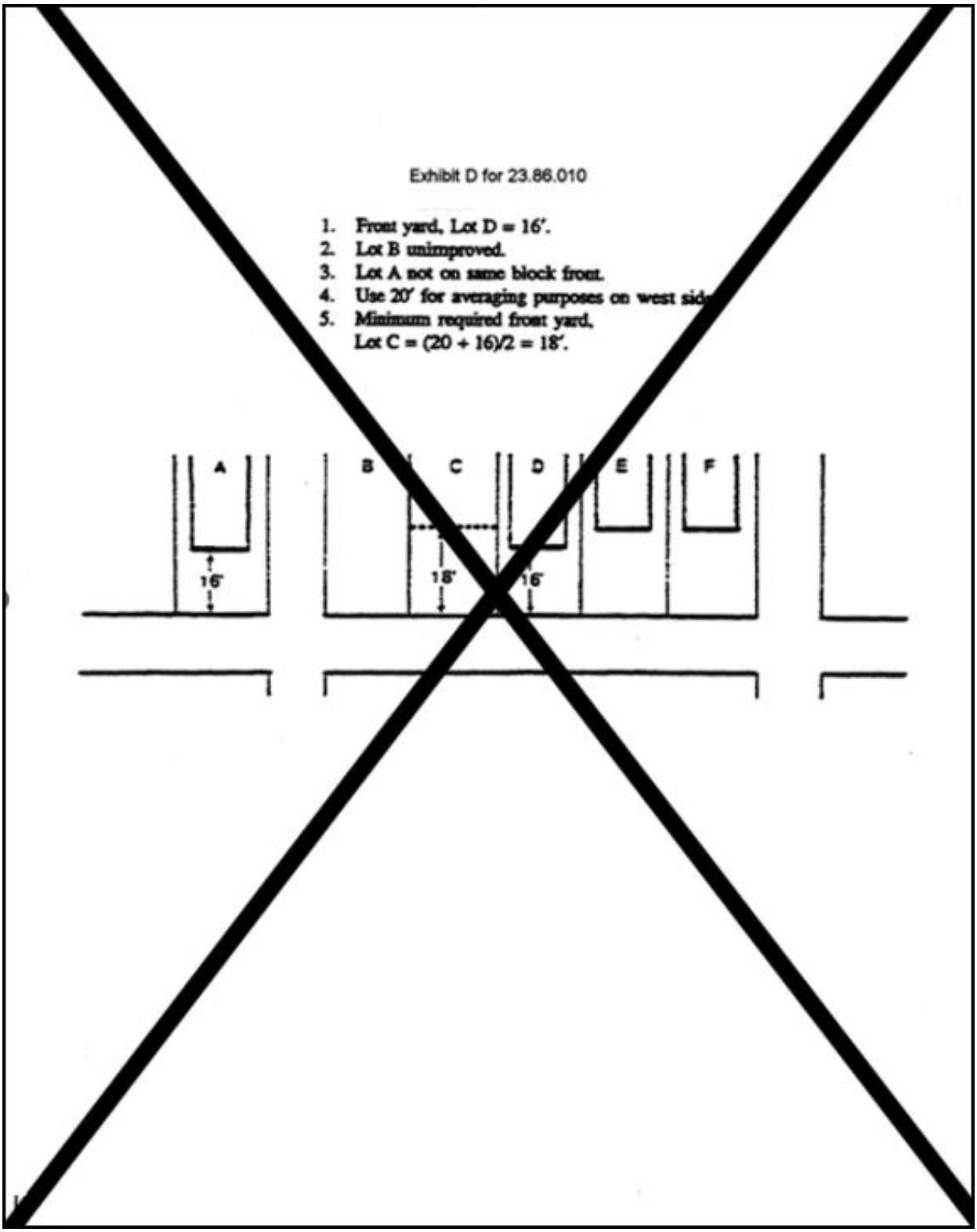
Exhibit C for 23.86.010

Calculating Minimum Required Front Yard
Unusual Front Walls



Minimum required front yard for Lot B:

1. Front yard, Lot A = 15'.
2. Front yard, Lot C = 18'.
3. Average front yard = 16.5'.
4. Required minimum front yard for lot B = 16.5'


Exhibit D for 23.86.010
1. Front yard, Lot D = 16'.
2. Lot B unimproved.
3. Lot A not on same block front.
4. Use 20' for averaging purposes on west side
5. Minimum required front yard,
Lot C = (20 + 16)/2 = 18'.
A
B
C
D
E
F
16'
18'
16'

1

Exhibit E for 23.86.010

Minimum Required Front Yards, Adjoining Lots Unimproved

1. Front yard, Lot F = 18'.
2. Lots B, C, D unimproved.
3. Use 20' for averaging purposes on west side.
4. Minimum required front yard,
   Lot E = (20 + 18)/2 = 19'.

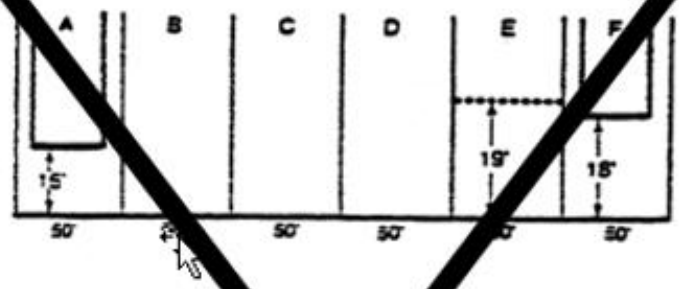
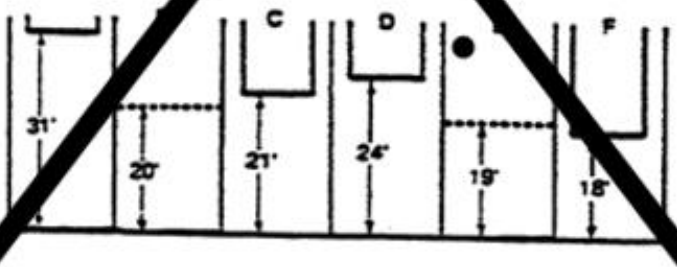


Exhibit F [illegible].86.010

1. Minimum req[illegible]t yard,
   Lot B = (2[illegible] 20)/2 = [illegible]0'.
2. Minimum [illegible]quired fron[illegible]rd,
   Lot E = [illegible]0 + 18)/2 = 19



Section ~~92~~93. Section 23.86.012 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.86.012 ((~~Multifamily and commercial zone setback~~)) Setback and separations measurement

A. For purposes of setback and separation standards, measurement shall be taken to the outside of building foundations and exterior walls rather than to exterior finishing provided that exterior finishes extend no more than 8 inches into a required setback.

B. Setback averaging. In multifamily and commercial zones, certain required setbacks may be averaged. In such cases ((~~the following provisions apply~~)):

1. The average front and rear setbacks are calculated based on the entire width of the structure;

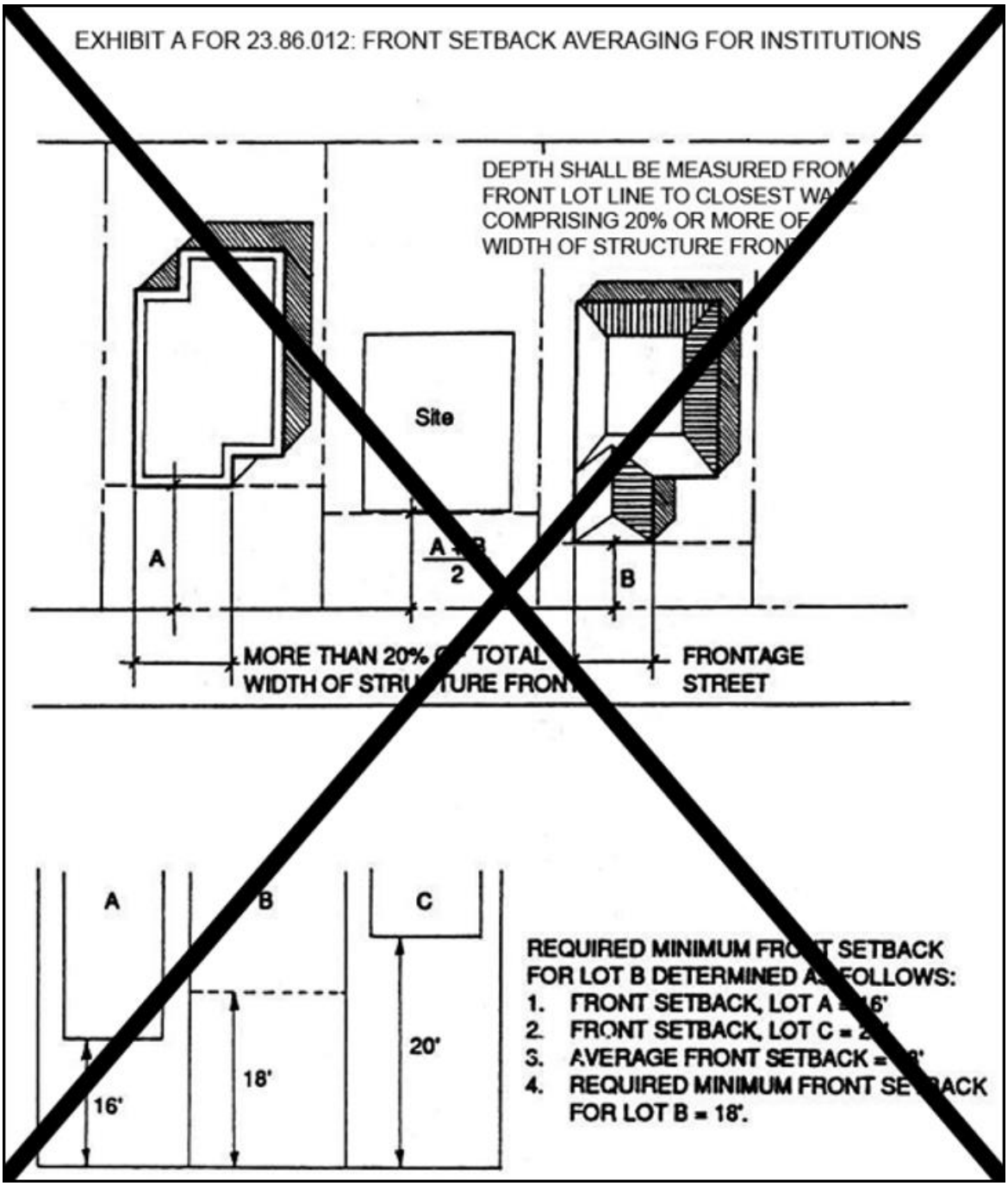
2. The average side setbacks are calculated based on the entire depth of the structure;

3. Setbacks are measured horizontally from the lot line to the facade of the structure. The facade(s) used in calculating the average and minimum setback requirements shall be those facades that are nearest to that lot line except that any features allowed to project into the setback are excluded.

((~~B. Determining front setbacks for institutions. In LR zones, the minimum required front setback for institutions is determined by averaging the setbacks of structures on either side of the subject lot, as follows:~~

~~1. The required front setback is the average of the distances between principal structures and front lot lines of the nearest principal structures on each side of the subject lot if~~

~~each of those structures is on the same block front as the subject lot and is within 100 feet of the side lot lines of the subject lot (Exhibit A for 23.86.012).~~



~~2. If the first principal structure within 100 feet of a side lot line of the subject lot is not on the same block front or there is no principal structure within 100 feet of the side lot line, the setback depth used for averaging purposes on that side is 7 feet.~~

~~3. For averaging purposes, the front setback is the shortest distance from the front lot line to the nearest wall or, where there is no wall, the plane between supports that span 20 percent or more of the width of the front facade of the principal structure. Attached garages and enclosed porches are considered part of the principal structure for measurement purposes. Decks less than 18 inches above existing grade, uncovered porches, eaves, attached solar collectors and other similar parts of the structure are not considered part of the principal structure.~~

~~4. If there is a dedication of street right-of-way to bring the street abutting the lot closer to the minimum widths established in Section 23.53.015, for averaging purposes the amount of dedication is subtracted from the front setbacks of the structures on either side.~~

~~5. If the front setback of the first principal structure within 100 feet of the side lot line of the subject lot exceeds 20 feet, the setback depth used for averaging purposes on that side is 20 feet.~~

~~6. In cases where the street is very steep or winding, the Director will determine which adjacent structures should be used for averaging purposes.~~

~~7. In the case of a through lot, the front setback is determined independently for each street frontage. The measurement techniques of this section 23.86.012 apply to each street frontage separately.~~

~~8. For multiple structures on the same lot, the front setback of a principal structure on the same lot may be used for averaging purposes.~~))

* * *

Section ~~93~~94. Section 23.86.017 of the Seattle Municipal Code, enacted by Ordinance 123495, is amended as follows:

23.86.017 Amenity area measurement

((~~Certain zones require a minimum amount of amenity area to be provided on the lot.~~)) If amenity area is required, the following provisions shall apply:

A. If the applicable development standards specify a minimum contiguous amenity area, areas smaller than the minimum contiguous area are not to be counted toward fulfilling amenity area requirements.

1. Driveways and vehicular access easements, whether paved or unpaved, shall be considered to separate the amenity areas they bisect((~~, except for woonerfs permitted to qualify as required amenity area~~)).

2. Pedestrian access areas shall not be considered to break the contiguity of amenity area on each side.

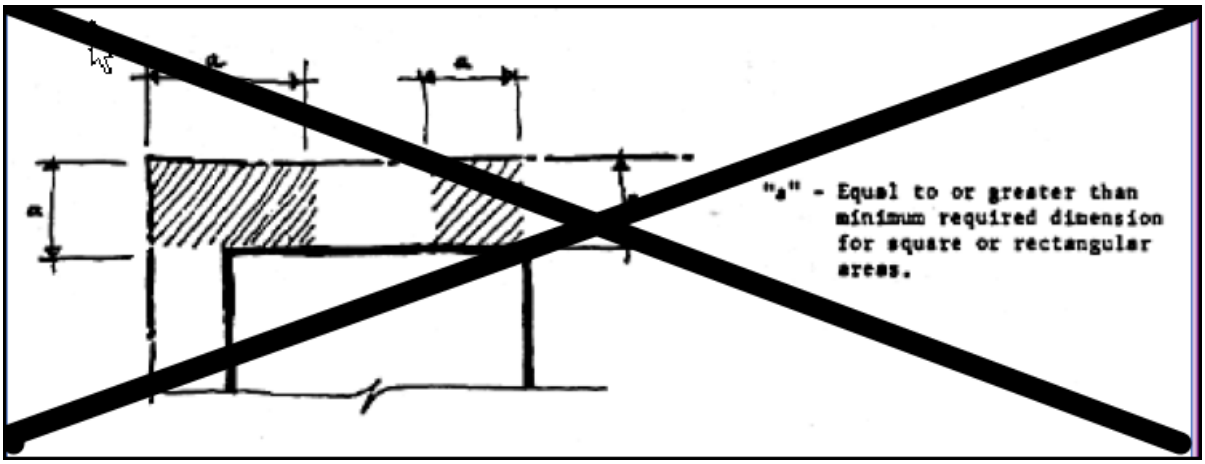
B. In shoreline areas, when determining the amount of amenity area required or provided, no land waterward of the ordinary high water mark shall be included in the calculation.

C. In cases where the shape or configuration of the amenity area is irregular or unusual, the Director shall determine whether amenity area requirements have been met, notwithstanding the following provisions, based on whether the proposed configuration would result in amenity area that is truly usable for normal residential recreational purposes. For the purpose of measuring the minimum horizontal dimension of the amenity area, if one is specified, the following provisions shall apply:

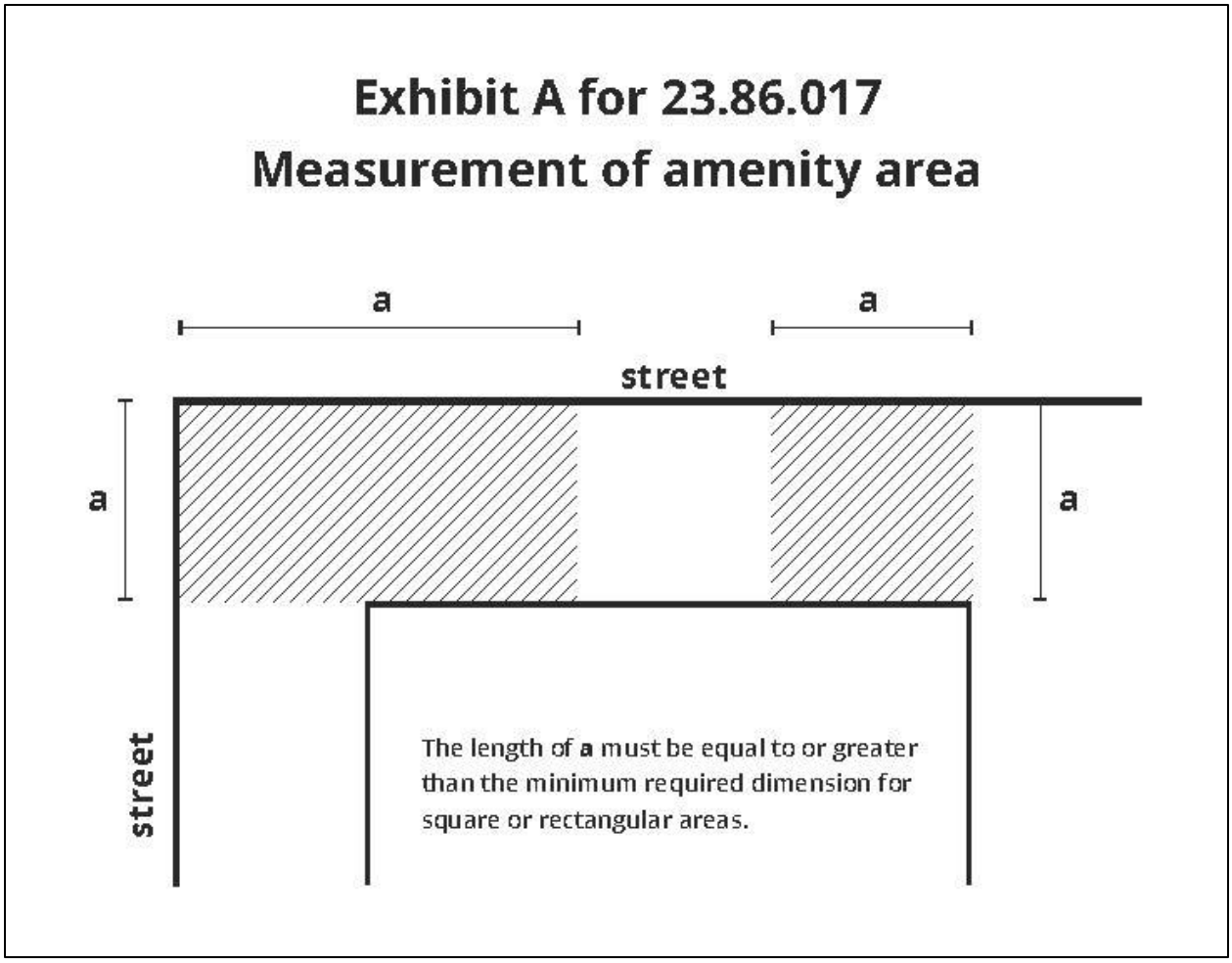
1. For rectangular or square areas, each exterior dimension of the area shall meet the minimum dimension (Exhibit A for 23.86.017).

Exhibit A for ((~~Section~~)) 23.86.017((~~: Measurement of Regular Amenity Area~~))

Measurement of amenity area



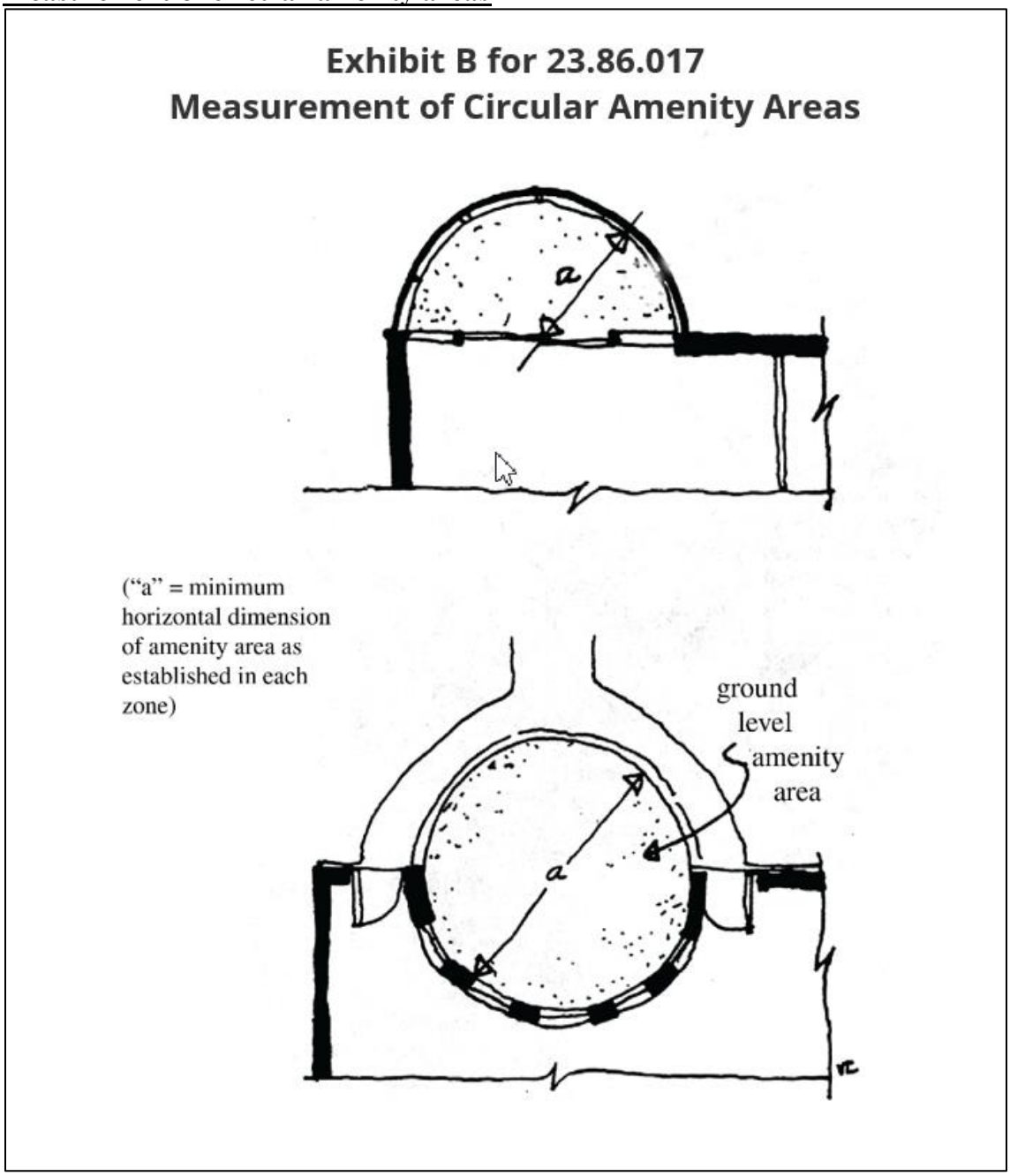
Substitute C



2. For circular areas, the diameter of the circle shall meet the minimum dimension((~~; for~~)) . For semicircular areas, the radius of the area shall meet the minimum dimension (Exhibit B for 23.86.017).

Exhibit B for 23.86.017((~~: Measurement of Circular Amenity Areas~~))

Measurement of circular amenity areas



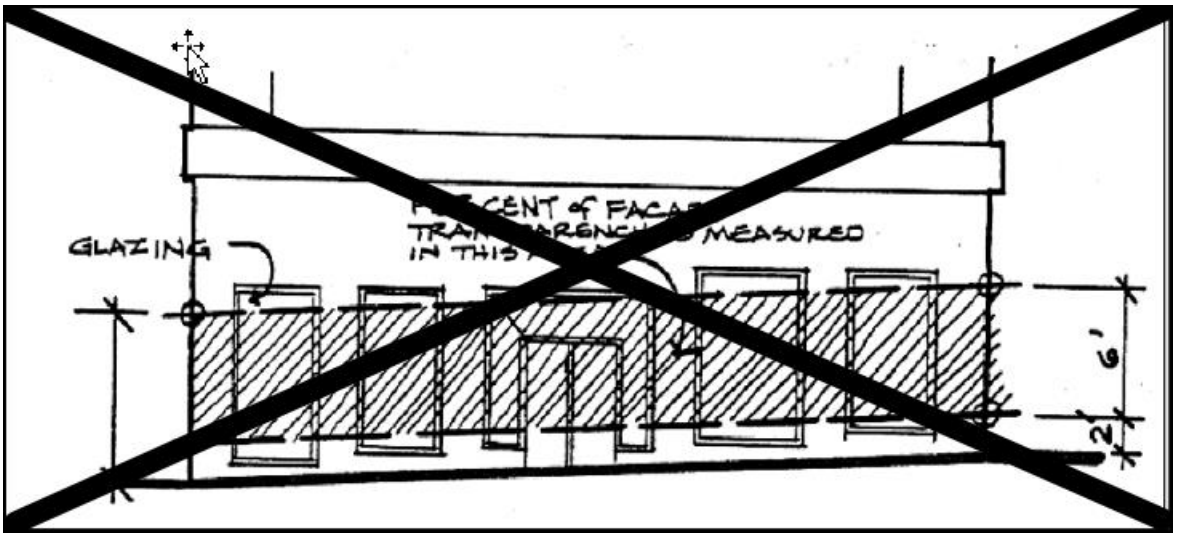
Section ~~94~~95. Section 23.86.026 of the Seattle Municipal Code, last amended by Ordinance 124503, is amended as follows:

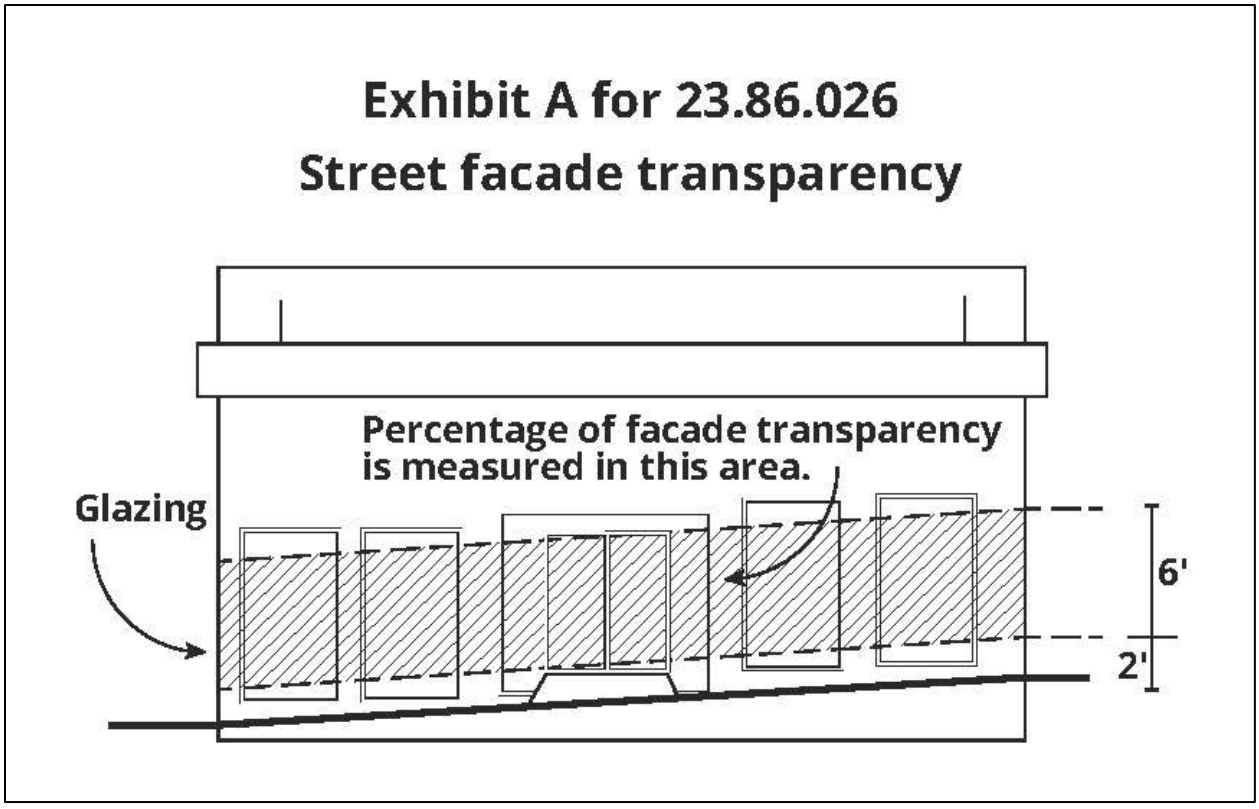
23.86.026 Facade transparency

A. In zones, other than Neighborhood Residential or Lowrise zones, where a certain percentage of the street-facing facade is required to be transparent, transparency shall be measured in an area between 2 feet and 8 feet above the elevation of the lot line at the sidewalk, as depicted in Exhibit A for 23.86.026, unless a different area is specified in the development standards applicable to the lot. Areaways, stairways, and other excavations at the lot line shall not be considered in measuring the elevation of the street lot line. When sidewalk widening is required according to Section 23.49.022, the elevation of the lines establishing the new sidewalk width shall be used rather than the street lot line.

Exhibit A for 23.86.026

Street ((~~Facade Transparency~~)) facade transparency





B. When transparency is required for facades that abut bonused public open spaces, the measurement of facade transparency shall be from the elevation of the public open space.

C. The full length of ((~~landmark~~)) Landmark designated structures, and character structures retained according to Section 23.73.015, shall not be counted in determining the required transparency.

Section ~~95~~96. Section 23.90.019 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.90.019 Civil penalty for unauthorized dwelling units ((~~in neighborhood residential zones~~))

In addition to any other sanction or remedial procedure that may be available, the following penalties apply to unauthorized dwelling units ((~~in neighborhood residential zones in violation of Section 23.44.006~~)). An owner of a ((~~neighborhood residential zoned~~)) lot ((~~that has more than~~

~~one single-family dwelling unit and~~)) who is issued a notice of violation for an unauthorized dwelling unit((~~,~~)) is subject to a civil penalty of $5,000 for each ((~~additional~~)) unauthorized dwelling unit((~~, unless the additional unit is an authorized dwelling unit in compliance with Section 23.42.022, is a legal non-conforming use, or is approved as part of an administrative conditional use permit pursuant to Section 25.09.260~~)). Penalties for ((~~violation of Sections 23.44.006 and 23.44.022 except for those violations subject to subsection 23.90.018.B,~~)) unauthorized dwelling units in this Section 23.90.019 shall be reduced from $5,000 to $500 if, prior to the compliance date stated on the notice of violation for an unauthorized dwelling unit, the dwelling unit is removed or authorized ((~~, is a legal non-conforming use, or is approved as part of an administrative conditional use permit pursuant to Section 25.09.260~~)).

Section ~~96~~97. Section 23.91.002 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.91.002 Scope of this Chapter 23.91

A. Violations of the following provisions of this Title 23 shall be enforced under the citation or criminal provisions set forth in this Chapter 23.91:

1. Junk storage in residential zones (((~~Chapter 23.44, Chapter 23.45, Chapter 23.46, Chapter 23.49 Subchapter IV, and Chapter 23.49 Subchapter VII~~))), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A and a notice of violation has been issued requiring compliance with subsection 22.206.200.F;

2. Construction or maintenance of structures in required ((~~yards or~~)) setbacks in residential zones (((~~Chapter 23.44, Chapter 23.45, Chapter 23.46, Chapter 23.49 Subchapter IV, and Chapter 23.49 Subchapter VII~~)));

3. Parking of vehicles in a ((~~neighborhood residential~~)) Neighborhood Residential zone (Section ((~~23.44.016~~)) 23.44.160), unless the lot contains a vacant structure subject to the vacant building maintenance standards contained in subsection 22.206.200.A;

4. Keeping of animals (Section 23.42.052); and

((~~[5. Reserved.]~~

~~6.~~)) 5. The following violations of ((~~the Shoreline District,~~)) Chapter 23.60A:

a. Discharging, leaking, or releasing solid or liquid waste and untreated effluent, oil, chemicals, or hazardous materials into the water (subsection 23.60A.152.R);

b. Releasing debris and other waste materials from construction, maintenance, repair, or in operation or management of a property, into any water body (subsections 23.60A.152.H, 23.60A.152.I, 23.60A.152.T, and 23.60A.152.U);

c. Conducting activity in or over water outside the allowed work windows (subsection 23.60A.152.J); and

d. Closing required public access (Section 23.60A.164).

B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect, limit, or preclude any previous, pending, or subsequent enforcement action or proceeding taken pursuant to Chapter 23.90.

Section ~~97~~98. Section 25.09.052 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

25.09.052 Replacing structures in environmentally critical areas and buffers

* * *

B. Replacing a ((~~single-family residence~~)) detached dwelling unit voluntarily in wetlands, wetland buffers, and fish and wildlife habitat conservation areas

1. Replacing a ((~~single-family residence~~)) detached dwelling unit and its appurtenant structures and access is allowed in wetlands, wetland buffers, and fish and wildlife habitat conservation areas if the replacement complies with the following:

a. The replacement is in substantially the same location as the original development;

b. The area of the footprint of the replacement does not exceed that of the original development;

c. The proposed access does not exceed the width and length of necessary access;

d. Lot size

1) Riparian watercourse and wetlands. For a ((~~single-family residence~~)) detached dwelling unit located over a riparian watercourse or built in a wetland, the replaced ((~~residence~~)) dwelling unit and necessary access meets wetland buffer or riparian management area requirements to the maximum extent feasible; or

2) For all other property, the lot does not have sufficient area to site a ((~~residence~~)) dwelling unit with the same area of footprint as existed on May 14, 2017, plus necessary access, consistent with the regulations for the applicable environmentally critical area and buffer, including reducing the ((~~yard and~~)) front and/or rear setback requirements ((~~for front and rear yards in Title 23~~)) allowed under Section 25.09.280, except subsection 25.09.280.B.2, to the minimum necessary to accommodate the ((~~residence~~)) dwelling unit and necessary access; and

e. The site for the ((~~residence~~)) dwelling unit, necessary access, and utilities has the least impact on the functions and values of the environmentally critical area.

2. A structure that is replaced and activities related to replacing the structure shall:

a. Comply with restrictions on flood hazard areas reconstruction, if the structure is located in a flood-prone area; and

b. Comply with the development standards for the environmentally critical area and buffer in which it is located to the maximum extent feasible, including requirements for access and shall comply with the standards in Sections 25.09.060, 25.09.065, and 25.09.070; and

c. Mitigate impacts to the functions and values of the environmentally critical area and buffers, in compliance with Section 25.09.065, including any impacts caused by removing the ((~~residence~~)) dwelling unit from its original location, runoff from impervious surfaces, and/or replacing any portion of the ((~~residence~~)) dwelling unit within the environmentally critical area or buffer.

Section ~~98~~99. A new Section 25.09.055 is added to the Seattle Municipal Code as follows:

25.09.055 Essential public facilities

If an essential public facility as defined in Section 23.84A.010 is proposed within an environmentally critical area as defined in Section 25.09.020, review of the proposed facility is subject to the provisions of Chapter 23.80.

Section ~~99~~100. Section 25.09.240 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

25.09.240 Short subdivisions and subdivisions

* * *

C. Application submittal requirements. All short subdivision and subdivision applications, in addition to the application submittal requirements included in Title 23 and this Chapter 25.09,

shall include on the surveyed site plan the information required by this Section 25.09.240 ((~~and Section 25.09.260~~)), as applicable.

((~~D. Development standards for new lots in neighborhood residential zones. If new lots are created in neighborhood residential zones by short subdivision or subdivision, the following development standards apply based on the area of each new lot that is outside the environmentally critical areas listed in subsection 25.09.240.A, plus environmentally critical areas in which development is allowed pursuant to subsections 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3:~~

~~1. Lot coverage and lot coverage exceptions according to subsections 23.44.010.C and 23.44.010.D.~~

~~2. Height limits according to Section 23.44.012, including the requirements of subsection 23.44.012.A.3 if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the new lot outside the environmentally critical areas is less than 3,200 square feet.~~

~~E.~~)) D. Lots shall be configured to preserve the environmentally critical areas and buffers identified in subsection 25.09.240.A by:

1. Establishing a separate buffer tract or lot with each owner having an undivided interest; or

2. Establishing non-disturbance areas on individual lots.

((~~F.~~)) E. The environmentally critical areas and buffers identified in subsection 25.09.240.A, except for areas qualifying for development under subsections 25.09.240.B.1, 25.09.240.B.2, and 25.09.240.B.3, shall be designated non-disturbance areas on the final plat. A statement that these non-disturbance areas are located on the lots and the definition of "non-

disturbance area" shall be recorded in the King County Recorder's Office along with the final plat in a form approved by the Director. At the same time, a covenant protecting non-disturbance areas shall be recorded as set out in Section 25.09.335.

((~~G. In computing the number of lots a parcel in a neighborhood residential zone may contain, the Director shall exclude the following areas:~~

~~1. The environmentally critical areas and buffers identified in subsection 25.09.240.A, unless:~~

~~a. The environmentally critical areas and buffers are on a lot that meets the provisions of subsection 25.09.240.B; or~~

~~b. The applicant obtains an administrative conditional use under Section 25.09.260, if it is not practicable to meet the requirements of subsection 25.09.240.B considering the parcel as a whole.~~))

Section ~~100~~101. Section 25.09.260 of the Seattle Municipal Code, last amended by Ordinance 126509, is repealed:

((~~25.09.260 Environmentally critical areas administrative conditional use~~

~~A. Administrative conditional use~~

~~1. In neighborhood residential zones the Director is authorized to approve an environmentally critical areas administrative conditional use pursuant to Section 23.42.042 and this Section 25.09.260 for one or both of the following purposes:~~

~~a. In calculating the maximum number of lots and units allowed on the entire parcel under subsection 25.09.240.G, the Director may count environmentally critical areas and/or buffers, except the open water area of a wetland or riparian corridor, that would~~

~~otherwise be excluded, if an applicant is unable to demonstrate compliance with the requirements of subsection 25.09.240.B for the entire parcel proposed to be subdivided.~~

~~b. For the entire parcel proposed to be subdivided, the Director may approve development of single family residences that meet the development standards of subsection 25.09.260.B.3 and the platting conditions in subsections 25.09.260.B.1 and 25.09.260.C.2.b. Except as specifically superseded by the development standards of subsection 25.09.260.B.3 and the platting conditions of subsection 25.09.260.C.2.b, all applicable regulations of Title 23 shall also apply to the entire parcel. The entire parcel is designated as the site.~~

~~2. Process. If an administrative conditional use application includes an application to authorize development in a steep slope erosion hazard area or buffer, the application is not required to include an application for the variances allowed under Sections 25.09.280 or 25.09.290, but the application must address the criteria listed in subsection 25.09.260.B.1.c.~~

~~B. Criteria. An application under this Section 25.09.260 shall provide information sufficient to demonstrate that the proposal meets the following criteria:~~

~~1. Environmental impacts on environmentally critical areas and buffers~~

~~a. No development is allowed in a biodiversity area or corridor, riparian corridor, wetland, or wetland buffer.~~

~~b. No riparian management area or wetland buffer is reduced.~~

~~c. No development is on a steep slope erosion hazard area or its buffer unless either the proposed development meets the criteria of subsections 25.09.090.B.2.a, 25.09.090.B.2.b, or 25.09.090.B.2.c or the property is a lot in existence as a legal building site~~

~~prior to October 31, 1992, is predominantly characterized by steep slope erosion hazard areas, and the following criteria are met:~~

~~1) The proposed development shall be located away from steep slope erosion hazard areas and buffers to the extent practicable.~~

~~2) The Director shall require clear and convincing evidence that the provisions of this subsection 25.09.260.B are met if development is located on steep slope erosion hazard areas and buffers with these characteristics:~~

~~a) A wetland over 1,500 square feet in size or a watercourse designated part of a riparian corridor;~~

~~b) An undeveloped area over 5 acres characterized by steep slope erosion hazard areas; or~~

~~c) Areas designated by the Washington Department of Fish and Wildlife (WDFW) as biodiversity areas and corridors, or areas identified by the Director with significant tree and vegetation cover providing wildlife habitat.~~

~~3) If the application includes a proposal to develop in a steep slope erosion hazard area or buffer, the development in the steep slope erosion hazard area or buffer shall be the minimum necessary to achieve the number of single family dwelling units that would be allowed on the original entire parcel according to the calculation for subdivision required under subsection 25.09.240.G in the following order of priority:~~

~~a) The proposal reduces the front and/or rear yards pursuant to subsection 25.09.260.B.3.b.1 and complies with the building separation standards of subsections 25.09.260.B.3.b.2 and 25.09.260.B.3.b.3;~~

~~b) The proposal reduces the steep slope erosion hazard area buffer; and~~

~~c) The proposal intrudes into not more than 30 percent of the steep slope erosion hazard area.~~

~~d. The proposal protects WDFW priority species and maintains wildlife habitat.~~

~~e. The proposal does not result in unmitigated negative environmental impacts pursuant to Section 25.09.065, including drainage and water quality, erosion, loss of trees and vegetation, and slope stability on the identified environmentally critical area and buffer.~~

~~f. The proposal promotes expansion, restoration, or enhancement of the identified environmentally critical area and buffer.~~

~~2. General environmental impacts and site characteristics~~

~~a. The proposal minimizes potential negative effects of the development on the undeveloped portion of the site and preserves topographic features.~~

~~b. The proposal retains and protects trees and vegetation on designated non-disturbance areas, protects stands of mature trees, minimizes tree removal, removes noxious weeds and non-native vegetation and replaces this vegetation with native trees and vegetation, and protects the visual continuity of treed and vegetated areas and tree canopy.~~

~~3. Development standards~~

~~a. The total number of single-family dwelling units permitted through the environmentally critical areas conditional use regulations shall not exceed the number that would be allowed based on compliance with the use regulations of Section 23.44.008, and the minimum lot area standards of the underlying neighborhood residential zone, and shall be established only~~

~~on the site comprised of the original entire parcel, with subdivision of the original entire parcel allowed only as unit lots approved through the unit lot subdivision process in Section 25.09.260.C.2.b.2.~~

~~b. Single-family dwelling units shall be the sole type of principal use permitted through the environmentally critical areas conditional use regulations and shall meet the development standards of Chapter 23.44, except that the following standards apply instead of the standards in Chapter 23.44, as applicable:~~

~~1) Front and rear yards required by subsections 23.44.014.A and 23.44.014.B may be reduced to no less than 10 feet each and 30 feet for the sum of both yards if the reduction would minimize or eliminate any intrusion into the steep slope erosion hazard area or required buffer;~~

~~2) Front and rear building separations between proposed single family residences shall be a minimum of 25 feet;~~

~~3) Side building separations shall be a minimum of 10 feet;~~

~~4) The maximum lot coverage shall be calculated by deducting required non-disturbance areas from total lot size; and~~

~~5) Front, rear, and side separations shall be determined by the Director, based on location of the building in relation to other buildings and the front lot line.~~))

~~C. Conditions~~

~~1. In authorizing an administrative conditional use, mitigation pursuant to Section 25.09.065 shall apply to protect and mitigate negative impacts to biodiversity areas and corridors, priority habitat and setbacks, riparian corridors, wetlands, wetland buffers, and steep slope erosion hazard areas and buffers, and the Director may impose additional conditions to~~

~~protect other properties that could be adversely affected in the zone or vicinity in which the property is located.~~

~~2. In addition to any conditions imposed under subsection 25.09.260.C.1, the following conditions apply to all administrative conditional uses approved under this Section 25.09.260:~~

~~a. Replacement and establishment of native trees and vegetation shall be required where it is not possible to save trees and vegetation and shall comply with Section 25.09.070.~~

~~b. If a subdivision or short subdivision is proposed, the following standards apply:~~

~~1) The development as a whole shall meet development standards under Title 23 and this Chapter 25.09 applicable at the time the application is vested.~~

~~2) A unit lot short subdivision or unit lot subdivision proposal shall be required to ensure that the development standards of subsection 25.09.260.B.3 are implemented for development. New unit lots created under this Section 25.09.260 shall be approved through the unit lot subdivision regulations of Sections 23.22.062 and 23.24.045 and by compliance with this Section 25.09.260. Development on individual unit lots, except as otherwise set forth in this Section 25.09.260, may be nonconforming as to some or all of the development standards.~~

~~3) Subsequent platting actions or additions or modifications to structures may not create or increase any nonconformity of the development as a whole to this Chapter 25.09, and this shall be noted on the document creating the new unit lots that is recorded with the King County Recorder's Office.~~

~~4) Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space, and other similar features and be recorded with the King County Recorder's Office.~~

~~D. The Director shall issue written findings of fact and conclusions to support the Director's decision. The process and procedures for notice of decision and appeal of this administrative conditional use shall be as prescribed for Type II land use decisions in Chapter 23.76.~~))

Section ~~101~~102. Section 25.09.300 of the Seattle Municipal Code, last amended by Ordinance ~~125292~~127228, is amended as follows:

25.09.300 Environmentally critical area exception

A. Types of exceptions

1. General. An applicant for a City permit to develop real property that is located in an environmentally critical area or buffer may apply to the Director for an exception to modify environmentally critical area development standards, provided that an applicant cannot apply for an exception to allow development ((~~or to obtain development credit under subsection 25.09.240.G~~)) or to relocate lot lines under Section 23.28.030. An applicant seeking relief under this Section 25.09.300 shall demonstrate that no other applicable administrative remedies in this Chapter 25.09 or Title 23 will provide sufficient relief.

2. Public projects. If development in an environmentally critical area or buffer is necessary to accommodate a public facility or public utility, the Director may grant an exception permitting the public facility or public utility using the following criteria in lieu of subsections 25.09.300.C and 25.09.300.D:

a. No reasonable alternative location will accommodate the facility or utility, as demonstrated by an analysis of appropriate alternative locations provided by the applicant or the Director;

b. Mitigation sequencing under Section 25.09.065 is applied to the siting, design, and construction of the facility or utility; ~~and~~

c. All requirements of subsections 25.09.300.A.1, 25.09.300.B, 25.09.300.E, and 25.09.300.F apply~~((~~; ~~and~~

~~((d. In granting an exception to the development standards in Sections 25.09.090, 25.09.160, and 25.09.200 the Director shall apply the mitigation standards in Section 25.09.065 when imposing any conditions~~; and

~~e.~~)) d. A light rail transit facility within a light rail transit system with the alignment, transit station locations, and maintenance base locations approved by the Council by ordinance or resolution is exempt from subsection 25.09.300.A.2.a. For mitigation sequencing under Section 25.09.065, the light rail transit facility is exempt from subsection 25.09.065.B.1.a and the Director shall consider subsection 25.09.065.B.1.b, prioritize subsections 25.09.065.B.1.c, 25.09.065.B.1.e, and 25.09.065.B.1.f, and prioritize the extent to which the proposal creates improved ecological function. If mitigation for a light rail transit facility will change the location of a wetland and wetland buffer and/or riparian management area, the wetland buffer and riparian management area shall not extend into or past an improved right-of-way unless that portion of the riparian management area provides significant biological or hydrological function in relation to the wetland or riparian watercourse. The light rail transit facility is exempt from the submittal requirements of subsections 25.09.300.B.1.d and 25.09.300.B.1.e.~~))~~.

In granting an exception to the development standards in Sections 25.09.090, 25.09.160, and 25.09.200, the Director shall apply the mitigation standards in Section 25.09.065 when imposing any conditions.

* * *

Section ~~102~~103. Section 25.09.520 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

25.09.520 Definitions

* * *

"Department" means the Seattle Department of Construction and Inspections or its successor department.

"Detached dwelling unit" means a detached dwelling unit as defined in Section 23.84A.008.

* * *

((~~"Single-family residence" means single-family dwelling unit as defined in Section 23.84A.032 in the definition of "residential use."~~))

* * *

Section ~~103~~104. A new Section 25.11.025 is added to the Seattle Municipal Code as follows:

25.11.025 Essential public facilities

If this Chapter 25.11 applies to a proposal for an essential public facility as defined in Section 23.84A.010, review of the proposed facility is subject to the provisions of Chapter 23.80.

Section ~~104~~105. Section 25.11.090 of the Seattle Municipal Code, last amended by Ordinance 126821, is amended as follows:

25.11.090 Tree replacement, maintenance, and site restoration

A. In all zones, Tier 1, Tier 2, and Tier 3 trees removed in association with development or because they are hazardous, infested by insects, pests, or pathogens, or an invasive or nuisance tree, or in accordance with the removal criteria in subsection 25.11.050.D, shall be replaced by one or more new trees, the size and species of which shall be determined by the Director; the tree replacement required shall be designed to result, upon maturity, in a canopy cover that is at least roughly proportional to the canopy cover prior to tree removal. Site restoration where there is on-site tree replacement in association with development shall include the removal of all invasive vegetation and shall prohibit replacement with invasive species. When on-site replacement is proposed, such trees count toward the Green Factor under ((~~SMC~~)) Section 23.86.019 and private property tree point requirements under Section 23.44.120. When off-site replacement is proposed, preference for the location shall be on public property.

* * *

Section ~~105~~106. Ordinance 127219, implementing interim controls to comply with various state laws and attached to this ordinance as Attachment 3, is repealed. This ordinance shows Seattle Municipal Code sections common to both ordinances as if the repealed ordinance did not take effect.

Substitute

Section ~~106~~107. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its passage this _____ day of _____, 2025.

_____

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

_____

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2025.

_____

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment 1 – Map of Specific Rezone Areas
Attachment 2 – Repealed Text of Chapter 23.44
Attachment 3 – Ordinance 127219

Substitute CB 120993

SEATTLE CITY COUNCIL
CENTRAL STAFF

September 16, 2025

M E M O R A N D U M

To: Select Committee on the Comprehensive Plan
From: Council Central Staff
Subject: Amendments to Council Bill 120993 for Individual Votes

On Thursday, September 18, the Select Committee on the Comprehensive Plan will consider amendments to Council Bill 120993 that are not included in the Consent Package. Sponsors are expected to move the amendments listed below.

Please note that four amendments have been added and one removed since a list of amendments was published on Monday.[1] There are now 24 amendments attached to this memorandum that we anticipate will be offered, although Councilmembers may choose to move amendments not on this list or may decide not to move amendments that are listed below.

Where a Version 2 of an amendment is listed, that amendment has been revised since amendments were originally published in August. There are two new amendments, Amendments 112 and 113, that were not previously published.

#	Sponsor	Amendment Title	Version	Page
54	Councilmember Rinck	Allow unit lot subdivisions for Accessory Dwelling Units		3
55	Councilmember Rinck	Increase ADU size for legacy homeowners in certain zones		5
56	Councilmember Rinck	Exclude ADUs from floor area ratio limits		7
57	Councilmember Rinck	Allowing larger maximum size for ADUs		10
58	Councilmember Rinck	Exclude ADUs from density calculations	2	11
66	Councilmember Rinck	Allowing more commercial uses in more locations in neighborhoods		16
70	Councilmember Kettle	Increasing FAR for densest development and stacked flats		18
76	Councilmember Rinck	Amend the definition of Major Transit Service to include frequent transit service		20

[1] Amendments 54, 56, 57, 58, and 76 were inadvertently left off Monday's list of amendments being considered for individual amendments. Amendments 77 and 95, which were on the list for individual, are included in the Consent Package for a vote on Wednesday.

#	Sponsor	Amendment Title	Version	Page
81	Councilmember Rivera	Design standards for historic districts		32
84	Councilmember Rinck	Remove off-street parking requirements citywide		34
85	Councilmember Rinck	Amend parking requirements to implement State law		119
91	Council President Nelson	Expanding Stacked Flat Bonus for Trees or Green Factor		136
92	Councilmember Strauss	Expanding Stacked Flat Bonus for Trees		143
93	Councilmember Rivera	NR tree canopy requirements	2	146
94	Councilmember Kettle	Tree Retention Bonus		154
97	Councilmember Kettle	Require larger setbacks on Queen Anne Blvd	2	160
98	Councilmember Rinck	Reduce required building separations		164
99	Councilmember Kettle	Eliminate NR amenity areas		167
100	Councilmember Strauss	Provide at least one tree per 2,500 square feet of lot area		170
102	Councilmember Rivera	Tree Protections: Alternative Site Plan Authority and SDCI procedural discretion for development that encroaches on tree protection areas	2	175
103	Councilmember Strauss	Do not allow the removal of Tier 1 and Tier 2 trees near corners of lots		186
104	Councilmember Strauss	Provide greater flexibility when trees are protected		192
106	Councilmember Strauss	Define tree protection areas as the drip line of the tree		198
110	Councilmember Saka	Require mailed notice of area-wide rezones	2	202
112	Chair Hollingsworth	Allow increased height for development with larger setbacks	New	205
113	Councilmember Rivera	Adopt State model code requirements for setbacks	New	207

cc: Ben Noble, Director

Lish Whitson
Select Committee on the Comprehensive Plan
July 1, 2025
D#2

Amendment 54 Version #1 to OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Allow unit lot subdivisions for Accessory Dwelling Units

Effect: This amendment would allow Detached Accessory Dwelling Units (DADUs) and Attached Accessory Dwelling Units (AADUs) that share a common wall with the principal unit to be subdivided onto a separate unit lot from the principal unit they are accessory to. Currently, if ADUs are to be under separate ownership, a condominium ownership structure is required. The amendment would not apply to AADUs that are classified as stacked dwelling units. For example, an ADU located in the basement of a house would be considered a stacked dwelling unit and could not be subdivided onto a separate lot.

Because ADUs are accessory to a principal unit, there may be some downstream impacts to this change that should be explored. For example, many ADUs receive their electrical, water, and wastewater service through the principal unit. This means that the principal units, even if the ADUs are subdivided, will be required to have an ongoing management relationship to the ADU.

Amend Section 11 of Council Bill 120993, as follows:

Section 11. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.22.062 Unit lot subdivisions

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones. The provisions of this Section 23.22.062 apply to accessory dwelling units and structures containing accessory dwelling units,

provided that they do not apply to individual stacked accessory dwelling units separate from the principal dwelling unit.

* * *

~~G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a different unit lot than the unit lot of the associated principal dwelling unit.~~

Amend Section 12 of Council Bill 120993, as follows:

Section 12. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.24.045 Unit lot subdivisions

A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for residential development including ((~~single-family dwelling units, townhouse, rowhouse, and cottage housing developments,~~)) attached and detached dwelling units and existing ((~~apartment~~)) structures containing stacked dwelling units built prior to January 1, 2013, but not individual ((~~apartment~~)) stacked dwelling units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones. The provisions of this Section 23.22.062 apply to accessory dwelling units and structures containing accessory dwelling units, provided that they do not apply to individual stacked accessory dwelling units separate from the principal dwelling unit.

* * *

~~G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a different unit lot than the unit lot of the associated principal dwelling unit.~~

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 55 Version #1 to OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Allowing larger maximum size for ADUs for Legacy Homeowners

Effect: This amendment would increase the maximum size of accessory dwelling units (ADUs) to 1,500 square feet for legacy homeowners in low rise zones near transit. As transmitted, the proposed legislation limits ADUs to a maximum size of 1,000 square feet. This amendment would allow ADUs to be larger for lots that are both in low rise zones and frequent transit service areas, if the lot has not been sold for 20 years.

Amend Section 21 as follows:

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

***

G. Maximum size

1. The gross floor area of an accessory dwelling unit may not exceed 1,000 square feet. The gross floor area of an accessory dwelling may not exceed 1,500 square feet if the following requirements are met:

a. The lot is located in a LR zone;

b. The lot is located in a frequent transit service area; and

c. The lot has not been purchased for value in the past 20 years.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 56 Version #1 to OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Exempting ADUs from counting toward floor area ratio calculations

Effect: This amendment would remove accessory dwelling units from calculations of floor area ratio.

Amend section 21 as follows:

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

***

G. Maximum size

***

3. ~~((In NR1, NR2, and NR3 zones, g))~~ Gross floor area in an accessory dwelling unit is exempt from FAR limits.

Amend section 30 as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.050 Floor area

***

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

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

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

3. Common walls separating individual attached dwelling units.

4. All floor area contained in accessory dwelling units.

***

Amend section 34 as follows:

Section 34. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.45.510 Floor area

***

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

***

14. Accessory dwelling units.

Amend section 89 as follows:

Section 89. Section 23.86.007 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.86.007 Floor area and floor area ratio (FAR) measurement

***

E. The floor area of accessory dwelling units is exempt from FAR limits.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 57 Version 1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Allowing larger maximum size for ADUs

Effect: This amendment would increase the maximum size of accessory dwelling units (ADUs) with three or more bedrooms to 1,200 square feet. As transmitted, the proposed legislation would allow ADUs to be up to 1,000 square feet. This amendment would increase the maximum size for only those ADUs that contain three or more bedrooms.

Amend Section 21 as follows:

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

***

G. Maximum size

1. The gross floor area of an accessory dwelling unit with up to two bedrooms may not exceed 1,000 square feet. The gross floor area of an accessory dwelling unit with three or more bedrooms may not exceed 1,200 square feet.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 58 Version 1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Exclude ADUs from density calculations

Effect: This amendment would exclude accessory dwelling units (ADUs) from being counted toward maximum density regulations. As transmitted, the proposed legislation would count all dwelling units (principal or accessory) toward maximum density. This amendment would only count principal dwelling units toward the maximum density allowance, allowing ADUs to be built in addition to that maximum density.

Amend section 21 as follows:

Section 21. Section 23.42.022 of the Seattle Municipal Code, enacted by Ordinance 127211, is amended as follows:

23.42.022 Accessory dwelling units

***

J. When calculating density, the number of dwelling units shall not include ~~both~~ accessory dwelling units. ~~and principal dwelling units.~~

((~~J.~~)) K. Title 23 shall not be interpreted or applied to prohibit the sale or other conveyance of a condominium unit on the grounds that the condominium unit was originally built as an accessory dwelling unit.

((~~K.~~)) L. Unless provided otherwise in this Section 23.42.022, the provisions of the applicable zone and overlay district apply. In the event of conflict with provisions elsewhere in Title 23 other than Chapter 23.60A, this Section 23.42.022 shall prevail.

Amend Section 30 as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a frequent transit service area, one dwelling unit per 650 square feet of lot area;

2. For all other principal dwelling units, one dwelling unit per 1,250 square feet of lot area.

B. The minimum lot size for lots created after the effective date of this ordinance is 5,000 square feet.

C. Maximum density exceptions

1. At least one principal dwelling unit is allowed on all lots in existence as of the effective date of this ordinance.

2. A lot that is less than 5,000 square feet may be developed with up to four principal dwelling units provided that the lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

3. A lot that is less than 7,500 square feet and within one-quarter mile walking distance of a stop on a major transit service may be developed with up to six principal dwelling units if the lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes.

4. A lot that is less than 7,500 square feet and located more than one-quarter mile walking distance from a stop on a major transit service may be developed with up to six principal dwelling units if the lot meets the following criteria:

a. The lot does not contain any riparian corridors; wetlands and their buffers; submerged lands and areas within the shoreline setback; or designated non-disturbance area in steep slopes;

b. At least two principal dwelling units are low-income units subject to a regulatory agreement, covenant, or other legal instrument enforceable by The City of Seattle;

c. The low-income units are generally distributed throughout the development and have substantially the same functionality as unrestricted units in the development;

d. To the extent practicable, the low-income units are comparable to unrestricted units in terms of square footage and number of bedrooms and bathrooms;

e. The tenure (i.e., rental or ownership) of low-income units and unrestricted units is the same;

f. The regulatory agreement, covenant, or other legal instrument contains criteria and policies to maintain public benefit if the property is demolished or converted to a non-residential use;

g. For ownership housing, the low-income units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.060.C.4 means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

1) Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

2) Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

h. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit

organization (for ownership housing) agrees to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.060.C.4 and the regulatory agreement, covenant, or other legal instrument.

5. For lots that contain any riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes, applicants may choose to develop the lot with the number of principal dwelling units provided in the density limits in subsection 23.44.060.A or with the number of dwelling units calculated as follows:

a. Determine the number of principal units that would be allowed under subsections 23.44.060.C.1 through 23.44.060.C.4 if no environmentally critical areas were located on the lot;

b. Determine the percentage of the lot that is not covered by riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance area in steep slopes; and

c. Calculate the number of principal dwelling units by multiplying the number of units determined in subsection 23.44.060.C.5.a by the percentage of the lot calculated in subsection 23.44.060.C.5.b.

D. Measurement of minimum lot size and maximum density

1. When calculation of the number of principal dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.

2. Congregate residence sleeping rooms shall be treated as one-fourth of a principal dwelling unit for purposes of calculating density.

3. In the case of a development within a unit lot subdivision, the density limit shall be applied to the parent lot as a whole.

4. If dedication of right-of-way is required, permitted density shall be calculated before the dedication is made.

5. When calculating density, the number of dwelling units shall include ~~both accessory dwelling units and~~ only principal dwelling units. Accessory dwelling units shall not count toward density.

6. Areas not counted in calculating the lot size. The following areas shall not be counted in calculating the area of lots for the purpose of calculating the maximum density and the minimum lot size:

a. Riparian corridors;

b. Wetlands and their buffers;

c. Submerged lands and areas within the shoreline setback; and

d. Designated non-disturbance area in steep slopes.

E. For the purpose of this Section 23.44.060, designated non-disturbance area in steep slopes shall include all portions of steep slope hazard areas except the following:

1. Areas that are granted relief from the prohibition of development according to Section 25.09.090;

2. Areas where development is allowed under a small project waiver according to Section 25.09.090; and

3. Areas where intrusion into the steep slope erosion hazard area and buffer is allowed by steep slope erosion hazard area variance according to Section 25.09.290.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 66 Version 1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Allowing more commercial uses in more locations in neighborhoods

Effect: This amendment would allow stores with a wider variety of commercial uses to be located on any lot in neighborhood residential zones, with no size maximum. As transmitted, the proposed legislation would allow commercial uses including food processing, general sales, and restaurants on corner lots in neighborhood residential zones with a maximum size of 2,500 square feet. The amendment would remove the size restriction and the requirement that the use be located on a corner lot; the list of allowed commercial uses was also expanded to include all eating and drinking establishments.

Amend Section 30 as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.020 Permitted and prohibited uses

***

E. All ground-floor commercial uses permitted pursuant to this Section 23.44.020 shall meet the following conditions:

~~1. The commercial use is located on a corner lot or on a lot that abuts both a street and an alley;~~

~~2.~~1. The commercial use is limited to the following:

a. Food processing and craft work;

b. General sales and services; and

~~c. Restaurants;~~

c. Eating and drinking establishments.

~~3. The gross floor area of commercial uses does not occupy more than 2,500 square feet of gross floor area;~~

~~4.~~2. The commercial use is located only on or below the ground floor of a structure;

~~5.~~3. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air conditioning, refrigeration) shall be at least 10 feet above finished sidewalk grade and directed away to the extent possible from residential uses within 50 feet of the vent;

~~6.~~4. Drive-in businesses are prohibited as a principal or accessory use;

~~7.~~5. Outdoor sales of food or beverages must be located at least 50 feet from adjacent lots;

~~8.~~6. Outdoor service of food or beverages must be located at least 50 feet from adjacent lots; and

~~9. Businesses may not be open between the hours of 10 p.m. and 6 a.m.~~

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 70 Version 1 of CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Kettle

Increasing FAR for densest development and stacked flats

Effect: This amendment would increase allowed development in neighborhood residential (NR) zones for dense development and stacked flats. As transmitted, the densest developments in NR zones would have a maximum floor area ratio (FAR) of 1.2, except that it would be 1.4 for stacked dwelling units on larger lots within frequent transit service areas. This amendment would increase FAR to 1.6 for all developments, except that it would be 1.8 for stacked dwelling units on larger lots within frequent transit service areas.

Amend Section 30 as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050 **Floor area ratio (FAR) in NR zones**	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	~~1.2~~1.6, except that it is ~~1.4~~1.8 for stacked dwelling units located within a frequent transit service area on lots 6,000 square feet or larger

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

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

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

3. Common walls separating individual attached dwelling units.

Lish Whitson
Select Committee on the Comprehensive Plan
July 15, 2025
D#1

Amendment 76 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmembers Rinck

Amend the definition of Major Transit Service to include frequent transit service

Effect: This amendment would amend the definition of major transit service to include frequent transit service and would amend CB 120993 to remove other references to frequent transit service areas. Frequent transit service areas are defined as areas within a quarter mile of a bus stop served by routes with headways of 15 minutes or less during the weekday, and 30 minutes or less on weekends or in the evening. Major transit service is currently defined as stops serving a train or a bus rapid transit line.

By adding frequent transit service to the definition of major transit service, areas within a half mile of frequent transit service stops would be eligible for bonuses that would be provided to stacked dwelling units, low-income housing, and low-income housing on property owned by religious institutions. In addition, this change would exempt all areas within a half mile of a bus stop with frequent transit form parking requirements. Under CB 120993 as proposed, only areas within regional centers, station area overlays, or within urban centers if located within a quarter mile of stops with frequent transit service would be exempt from residential parking requirements.

Amend Section 30 of CB 120993 to amend Table A for 23.44.050, as follows:

Table A for 23.44.050 **Floor area ratio (FAR) in NR zones**	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is 1.4 for stacked dwelling units located within a ~~frequent~~ major transit service area on lots 6,000 square feet or larger

Amend Section 30 of CB 120993 to amend Section 23.44.060, as follows:

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a ~~frequent~~ major transit service area, one dwelling unit per 650 square feet of lot area;

2. For all other dwelling units, one dwelling unit per 1,250 square feet of lot area.

* * *

Amend Section 30 of CB 120993 to amend Section 23.44.170, as follows:

23.44.170 Alternative standards for development of low-income housing

A. Development of low-income housing that meets all of the following criteria may meet the alternative development standards in subsection 23.44.170.B:

1. The lot is located within a ~~frequent~~ major transit service area;

2. The restricted units are generally distributed throughout the development and have substantially the same functionality as unrestricted units, if any, in the development;

3. To the extent practicable, the restricted units are comparable to unrestricted units, if any, in terms of square footage and number of bedrooms and bathrooms;

4. The tenure (i.e., rental or ownership) of restricted units and unrestricted units, if any, is the same;

5. For ownership housing, the restricted units are stewarded by a qualified non-profit organization, which for purposes of this subsection 23.44.170.A means a non-profit organization that the Office of Housing determines as experienced in the development and stewardship of permanently affordable homes, including:

a. Pre-purchase verification of income and other requirements for eligible households, affordable sale price calculations for approval by the Office of Housing, and execution of legal restrictions on the property; and

b. Post-purchase support for homeowners by facilitating resales, monitoring compliance with financial, owner occupancy, and other legal requirements, and clear communication of program guidelines and restrictions; and

6. At such times as may be required by the Director of Housing but no less than annually, the property owner (for rental housing) or the qualified non-profit organization (for ownership housing) agree to file property reports with the Office of Housing, verified upon oath or affirmation, which shall contain such information as the Office of Housing may deem necessary to determine compliance with this subsection 23.44.170.A and the regulatory agreement, covenant, or other legal instrument.

* * *

Amend Section 45 of CB 120993 to amend Section 23.45.550, as follows:

Section 45. Section 23.45.550 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.45.550 Alternative ((~~Standards~~)) <u>standards</u> for development of ((~~affordable~~)) <u>low-income</u> units ((~~on property owned or controlled by a religious organization~~))

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

<u>A. Development on a lot that meets the requirements of Section 23.42.055 may elect to meet the development standards in subsections 23.45.550.B and 23.45.550.C in lieu of the</u>

standards in subsection 23.45.510.C (floor area) and subsections 23.45.514.A and 23.45.514.B (height).

((~~A.~~)) B. Floor area

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

Table A for 23.45.550
FAR limits for development permitted pursuant to Section 23.42.055

Zone	Base FAR	Maximum additional exempt FAR [1]
LR1	1.5 [2]	0.3
LR2	((~~1.8~~)) 2.0	0.3
LR3 outside urban centers and urban villages	2.5	0.5
LR3 inside urban centers and urban villages	3.25	0.5
MR	5.0	0.5
HR	16	1.0

Footnotes to Table A for 23.45.550
[1] Gross floor area for uses listed in subsection 23.45.550.B.2 are exempt from FAR calculations up to this amount.
[2] Except that lots in LR1 zones that have previously been zoned RSL have a base FAR of 2.7.

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

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

b. Floor area of a religious facility; ((~~and~~))

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

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

3. Split-zoned lots

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

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

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

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

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

* * *

Amend Section 57 of CB 120993 to amend Section 23.54.150, as follows:

Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required vehicular parking and maximum vehicular parking limits

* * *

B. Required parking for specific zones and areas

1. Parking in downtown zones is regulated by Chapters 23.49 and 23.66, and not by this Section 23.54.015.

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

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

4. The Director shall adopt by rule a map of ~~frequent transit and~~ major transit service areas based on proximity to a transit station or stop served by a frequent transit route or a major transit service. The determination whether a proposed development site is in a scheduled ~~frequent transit or~~ major transit service area shall be based on the ((~~frequent transit service area~~)) map adopted by rule that exists on the date a project vests according to the standards of Section 23.76.026, provided that a rule that takes effect on a date after the project vests may be applied to determine whether the site is in a scheduled ~~frequent transit or~~ major transit service area, at the election of the project applicant in accordance with subsection 23.76.026.E.

* * *

Table A for 23.54.015 **Required parking for ((~~non-residential~~)) nonresidential uses other than institutions**		
Use		**Minimum parking required**
* * *		
II. ((~~Non-residential~~)) Nonresidential use requirements for specific areas		
I.	((~~Non-residential~~)) Nonresidential uses in urban centers or the Station Area Overlay District [5]	No minimum requirement
J.	((~~Non-residential~~)) Nonresidential uses in urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District, if the ((~~non-residential~~)) nonresidential use is located within a ~~frequent~~ major transit service area [5]	No minimum requirement
K.	((~~Non-residential~~)) Nonresidential uses permitted in MR and HR zones pursuant to Section 23.45.504	No minimum requirement
L.	((~~Non-residential~~)) Nonresidential uses permitted in II zones	No minimum requirement
Footnotes for Table A for 23.54.015 * * * [5] The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a ((~~non-residential~~)) nonresidential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of ((~~non-residential~~)) nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.		

* * *

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
* * *		
II. Residential use requirements for specific areas [1]		
((~~L.~~)) G.	All residential uses within urban centers or within ((~~the~~)) a Station Area Overlay District ((~~2~~))	No minimum requirement
~~((M.))~~ ~~H.~~	~~All residential uses ((in commercial, RSL, and multifamily zones)) within urban villages that are not within an urban center or ((the)) a Station Area Overlay District((,)) if the residential use is located within a frequent transit or major transit service area ((2, 4))~~	~~No minimum requirement~~
~~I.~~H.	All residential uses within a major transit service area	No minimum requirement
((~~N.~~	~~Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 2~~	~~1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms~~
~~O.~~	~~Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 2~~	~~1.5 spaces for each dwelling unit~~))
~~P.))~~	~~Congregate residences located within ((one-half mile walking distance of a major transit stop)) a frequent transit service area~~	~~No minimum requirement~~
Footnotes to Table B for 23.54.015		

Table B for 23.54.015 **Required parking for residential uses**	
Use	**Minimum parking required**
[1] ((~~For each moderate-income unit and each low-income unit, no minimum amount of parking is required.~~ [2])) 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 provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)).	
* * *	

Table C for 23.54.015 **Required parking for public uses and institutions**		
Use		**Minimum parking required**
* * *		
II. General public uses and institutions for specific areas		
((~~Q.~~)) O.	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((~~11~~)) 12	No minimum requirement
((~~R.~~)) P.	General public uses and institutions, except hospitals, including institutes for advanced study in ((~~neighborhood residential~~)) Neighborhood Residential	No minimum requirement

Table C for 23.54.015 **Required parking for public uses and institutions**		
Use		**Minimum parking required**
	zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a ~~frequent~~ major transit service area[12]	
Footnotes to Table C for 23.54.015 * * * ((~~11~~)) 12 The general requirements of lines A through P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ((~~12 The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.~~))		

Amend Section 83 of Council Bill (CB) 120993 to delete the definitions of "Frequent Transit Service Area" and amend the definition of "Major Transit Service" as follows:

Section 83. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.84A.038 "T"

* * *

"Transit route, frequent" means a transit route or segment of a transit route providing frequent transit service in each direction. Segments of overlapping routes that are co-scheduled and together provide frequent transit service shall be considered to provide frequent transit service, and segments of these routes that do not overlap or do not meet these frequencies will not be considered to provide frequent transit service.

"Transit service, frequent" means transit service with scheduled service in a typical week meeting or exceeding the following scheduled frequencies:

1. On weekdays from 6 a.m. to 7 p.m., 15 minutes on average (i.e., 52 trips between 6 a.m. and 6:59 p.m., inclusive), and no individual hour with fewer than three scheduled trips in each direction;

2. On weekdays from 7 p.m. to 12 a.m., 30 minutes on average (i.e., ten trips between 7 p.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction; and

3. On weekends from 6 a.m. to 12 a.m., 30 minutes on average (i.e., 36 trips between 6 a.m. and 11:59 p.m., inclusive), and no individual hour with fewer than one scheduled trip in each direction.

4. For the purposes of this definition, "individual hour" means the 60-minute period beginning at the top of each hour; e.g., 6 a.m. to 6:59 a.m., inclusive, or 3 p.m. to 3:59 p.m., inclusive.

"Transit service, major" means the following transit services:

1. Commuter rail;

2. Light rail or street car systems; ~~and~~

3. Bus rapid transit routes that are in operation or are funded for development and projected for construction within an applicable six-year transit plan under RCW 35.58.2795; and

4. Frequent transit service.

~~"Transit service area, frequent" means an area within 1,320 feet walking distance of a bus stop served by a frequent transit route or an area within 2,640 feet walking distance of a rail transit station, as shown on a map adopted by Director's Rule.~~

"Transit service area, major" means an area within 2,640 feet walking distance of a stop served by a major transit service, as shown on a map adopted by Director's Rule.

* * *

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 15, 2025
D#1

Amendment 81 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rivera

Design standards for historic districts

Effect: This amendment would authorize the Seattle Department of Construction and Inspections and the Department of Neighborhoods to develop Director's Rules regarding appropriate siding in City and National Historic Districts, consistent with State Law.

Amend Section 30 of Council Bill 120993, to amend Seattle Municipal Code Section 23.44.140, as follows:

23.44.140 Design standards

A. Application of provisions.

1. The provisions of this Section 23.44.140 apply to development that includes the construction of new dwelling units, except for new dwelling units added within existing structures.

2. For the purposes of this Section 23.44.140, requirements for street-facing facades shall only apply to structures located within 40 feet of a street lot line or a vehicle access easement serving ten or more residential units. For structures located within 40 feet of a vehicle access easement serving ten or more residential units but not within 40 feet of a street lot line, the facade that faces the vehicle access easement shall be considered a street-facing facade for the purpose of this Section 23.44.140. If multiple facades face vehicle access easements, the applicant may decide which facade facing a vehicle access easement is considered the street-facing facade.

* * *

F. The Director, in consultation with the Director of the Department of Neighborhoods, is authorized to adopt rules governing exterior cladding for structures located within a Seattle Historic District or a Historic District on the National Register of Historic Places. Any rules shall apply objective design standards that are consistent with the Secretary of the Interior's Standards for Rehabilitation, any guidelines adopted for the District, and the historic character of the area.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 30, 2025
D#1

Amendment 84 Version 1 to Council Bill 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Remove off-street parking requirements citywide

Effect: This amendment would amend the City's Land Use Code to remove parking requirements citywide for all land uses in all zones. In order to maintain consistency between the Comprehensive Plan and the City's zoning regulations, the Committee must also adopt Amendment 7, which amends the One Seattle Comprehensive Plan to change policy direction and remove policies supportive of off-street parking.

Currently, the City applies parking requirements to various uses based on their anticipated demand for parking. In many areas of the city, for example in denser neighborhoods like Downtown Seattle or the University District, no parking is required in most circumstances. In these areas, developers decide how much parking is appropriate based on their anticipated tenant mix.

For example, residential buildings with small units near transit tend to have fewer parking spaces because smaller households, lower-income households, and households in transit-rich areas tend to have fewer cars on average. Residential buildings with larger units or units with multiple bedrooms targeted at families tend to include more parking spaces because families with children, larger households, and wealthier households tend to have more cars on average. In some cases, developers may choose to provide fewer parking spaces than their anticipated tenant mix would indicate would be appropriate. In this case, tenants may choose to park on the street, increasing on-street parking congestion.

Amend Section 11 of Council Bill 120993, to amend Section 23.22.062 of the Seattle Municipal Code (SMC), as follows:

Section 11. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.22.062 Unit lot subdivisions

* * *

E. Within the parent lot, ~~required~~ parking accessory to ~~for~~ a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the King County Recorder.

* * *

Amend Section 12 of Council Bill 120993, to amend Section 23.24.045 of the Seattle Municipal Code (SMC), as follows:

Section 12. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance 127211, is amended as follows:

23.24.045 Unit lot subdivisions

* * *

E. Within the parent lot, ~~required~~ parking accessory to ~~for~~ a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the King County Recorder.

* * *

Amend Section 24 of Council Bill 120993, to amend Section 23.42.106 of the Seattle Municipal Code (SMC), as follows:

Section 24. Section 23.42.106 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.42.106 Expansion of nonconforming uses

* * *

B. In addition to the standards in subsection 23.42.106.A, a structure in a ((~~neighborhood residential~~)) Neighborhood Residential zone occupied by a nonconforming residential use may be allowed to expand subject to the following:

1. The number of dwelling units shall not be increased, except as may be allowed pursuant to Section 23.40.040.

2. For a nonconforming residential use that is not a multifamily use, except as may be allowed pursuant to Section 23.40.040; if originally permitted by conditional use, the number shall not be allowed to increase above the number permitted by the conditional use approval.

3. An expansion of no more than 500 square feet of gross floor area, meeting the development standards for ((~~single-family~~)) residential construction in Chapter 23.44 and not exceeding the average height of the closest principal structures on either side, is allowed.

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

a. Architectural character;

b. Existing streetscape and pattern of ((~~yards~~)) setbacks; and

c. Scale and proportion of principal structures.

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

* * *

Amend Section 24 of Council Bill 120993, to amend SMC Section 23.42.110, as follows:

Section 25. Section 23.42.110 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.42.110 Change from one nonconforming use to another nonconforming use

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

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

~~B.~~)) The proposed new use must be no more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following factors:

1. The zones in which both the existing use and the proposed new use are allowed;

2. The number of employees and clients associated or expected with the proposed use;

3. The relative ~~parking,~~ traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.

((~~C~~)) B. The existence of a single residential unit, such as a caretaker's or proprietor's unit, accessory to a nonconforming commercial use shall not be treated as having established a

residential use, and such a unit may be converted or changed provided that it is the only residential use in the structure and comprises less than half of the total floor area of the structure.

((~~D~~)) ~~C. Parking requirements for the proposed use shall be determined by the Director.~~

((~~E~~)) ~~D.~~C. If the new use is permitted, the Director may require mitigation measures, including but not limited to landscaping, sound barriers or fences, mounding or berming, adjustments to ((~~yards~~)) setback ~~or parking~~ standards, design modification, or limiting hours of operation.

Amend Section 30 of Council Bill 120993, to amend SMC Section 23.44.030, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

* * *

23.44.030 Administrative conditional uses

* * *

E. Uses in structures unsuited to uses permitted outright

1. A use not otherwise permitted in a Neighborhood Residential zone may be permitted as an administrative conditional use in structures unsuited to uses permitted outright in Neighborhood Residential zones. The determination that a use may be permitted shall be based on the following factors:

a. The design of the structure is not suitable for conversion to a use permitted outright in a Neighborhood Residential zone;

b. The structure contains more than 4,000 square feet; and

c. The proposed use will provide a public benefit.

2. ~~Parking requirements for uses permitted under this subsection 23.44.030.E shall be determined by the Director.~~

~~3.~~ The Director may require measures to mitigate impacts such as noise, odor, ~~parking,~~ or traffic impacts. Mitigating measures may include but are not limited to landscaping, sound barriers, fences, mounding or berming, adjustments to development standards, design modifications, or setting hours of operation.

~~4.~~ 3. In the case of an existing or former public school, permissible uses other than those permitted outright in the zone and their development standards ~~including parking requirements~~ shall be established only pursuant to procedures for establishing criteria for joint use or reuse of public schools in Chapter 23.78.

* * *

Amend Section 30 of Council Bill 120993, to amend SMC Section 23.44.160, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

* * *

23.44.160 Parking location and access

A. ~~Parking quantity. Off-street parking is required pursuant to Section 23.54.015.~~

~~B.~~ Parking on same lot. Any ~~required~~ accessory parking shall be located on the same lot as the principal use, except that parking accessory to a floating home, floating on-water residence, house barge, or vessel with a dwelling unit may be located on another lot if within

600 feet of the lot on which the floating home, floating on-water residence, house barge, or vessel with a dwelling unit is located.

~~C.~~B. Access to parking

1. Vehicular access to parking from an improved street, alley, or easement is required if parking is provided.

2. Access to parking is permitted from a street only if the Director determines that one of the following conditions exists:

a. There is no alley improved to the standards of subsection 23.53.030.B, and there is no unimproved alley in common usage that currently provides access to parking on the lot or to parking on adjacent lots in the same block;

b. Existing topography does not permit alley access;

c. At least 50 percent of alley frontage abuts property in a nonresidential zone;

d. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard;

e. Parking access must be from the street in order to provide access to a parking space that complies with Chapter 11 of the Seattle Building Code; or

f. Providing alley access would require removal of a tree on private property that is a Tier 1 or Tier 2 tree and all other applicable criteria for tree protection in Chapter 25.11 are met.

~~D.~~C. Location of parking. Except as provided below, parking is not allowed within 20 feet of a front lot line or within 5 feet of a side street lot line:

1. If access to ~~required~~ parking passes through a required setback, automobiles, motorcycles, and similar vehicles may be parked on the open access located in a required setback.

2. If access is taken directly from an alley, surface parking may be located within 20 feet of a street lot line if it is located within 28 feet of an alley lot line and is no closer than 7 feet to any street lot line.

3. For lots at least 40 feet in width, up to two surface parking spaces are allowed within 20 feet of a street lot line provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.~~C~~B;

b. The parking spaces are located perpendicular to the street lot line from which they are accessed;

c. On corner lots, the parking spaces are not located within 20 feet of the street lot line parallel to the parking spaces;

d. No other parking spaces or driveways are located on the lot;

e. The parking spaces are not located within 10 feet of a street lot line; and

f. The combined width of the parking spaces shall not exceed 20 feet.

4. Lots with uphill setbacks abutting streets. Parking may be located in a required setback abutting a street provided:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.~~C~~B;

b. The existing grade of the lot slopes upward from the street lot line an average of at least 6 feet above sidewalk grade at a line that is 10 feet from the street lot line;

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

d. No other parking spaces or driveways are located on the lot;

e. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

f. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

5. Lots with downhill setbacks abutting streets. Parking may be located in a required setback abutting a street if the following conditions are met:

a. Access to parking is allowed through the required setback abutting the street by subsection 23.44.160.~~C~~B;

b. The existing grade slopes downward from the street lot line that the parking faces;

c. For parking located in a front setback, the lot has a vertical drop of at least 6 feet in the first 10 feet, measured along a line from the midpoint of the front lot line to the midpoint of the rear lot line;

d. Parking is not located in required side setbacks abutting a street;

e. No other parking spaces or driveways are located on the lot;

f. If no garage is provided, the combined width of the parking spaces shall not exceed 20 feet. If a garage is provided, the width of a garage structure shall not exceed 24 feet; and

g. The total width of parking spaces and garages is not more than 60 percent of the width of the lot.

~~E.~~D. No more than three vehicles may be parked outdoors per dwelling unit on a lot.

~~F.~~E. Trailers, boats, recreational vehicles, and similar equipment shall not be parked in required setbacks, unless fully enclosed in a structure otherwise allowed in a required setback by subsection 23.44.160.~~D~~C.

~~G.~~F. The total combined horizontal width of all garage entrances that are located on front facades may not be more than 50 percent of the horizontal width of the street-level front facades or 10 feet, whichever is greater. No dwelling unit may have a garage entrance on both a front facade and a side facade.

~~H.~~G. Except as provided in subsections 23.44.160.~~D~~C.4 and 23.44.160.~~D~~C.5, garage entrances facing the street shall be set back at least 20 feet from the street lot line.

Amend Section 43 of Council Bill 120993, to amend SMC Section 23.45.536, as follows:

Section 43. Section 23.45.536 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

23.45.536 Parking location, access, and screening

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

~~B.~~Location of parking

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

2. Surface parking

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

1) In the required front setback;

2) In the required side street side setback as extended from side lot line to side lot line; and

3) Within 20 feet of any street lot line.

b. If access is taken directly from an alley, surface parking may be located anywhere within 28 feet from an alley lot line provided it is no closer than 7 feet to any street lot line. Additionally, for lots with only alley frontage, surface parking may be located within the front setback.

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

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

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

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

a. The lot is not located in a neighborhood residential zone; and

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

~~C.~~ B. Access to parking

1. Alley access required. Except as otherwise expressly required or permitted in subsections 23.45.536.~~C~~B. or 23.45.536.~~D~~C, access to parking shall be from the alley if the lot abuts an alley and one of the conditions in this subsection 23.45.536.~~C~~B.1 is met:

a. The alley is improved to the standards of subsection 23.53.030.C; or

b. The Director determines that alley access is feasible and desirable to mitigate parking access impacts, improve public safety, and/or maintain on-street parking capacity.

2. Street access required. Access to parking shall be from the street if:

a. The lot does not abut an alley.

b. The lot abuts an alley, and the Director determines that the alley should not be used for access for one or more of the following reasons:

1) Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard;

2) Topography makes alley access infeasible; or

3) The alley is on the uphill side of a steeply sloping lot, and the following conditions are met:

a) Access from the street is to a common parking garage in or under the structure, located a maximum of 4 feet above grade.

b) The siting of development results in an increased Green Factor score, larger ground-level amenity areas, and/or reduced surface parking area than if alley access is used.

3. On corner lots, if street access is permitted pursuant to subsection 23.45.536.~~C~~B.2, the applicant may determine the street from which access is taken, unless the Director determines that the use of the street chosen by the applicant would create a significant safety hazard.

4. On steeply sloping lots, the Director may permit the use of both an alley and a street for access, provided that the following conditions are met:

a. Access from the street is to a common parking garage in or under the structure, that is underground or extends no more than 4 feet above grade.

b. The siting of development results in an increased Green Factor score, larger ground-level amenity areas, and/or reduced surface parking area than if alley access alone is used.

5. Access to required barrier-free parking spaces that meet the standards in the Seattle Residential Code, Section R320, or the Seattle Building Code, Chapter 11, may be from the street where alley access would otherwise be required if providing access from an alley would reduce accessibility to a dwelling unit for persons with disabilities.

6. If the alley is used for access, the alley shall be improved according to the standards in subsections 23.53.030.E and 23.53.030.F.

7. If the lot does not abut an improved alley or street, access may be permitted from an easement that meets the provisions of Chapter 23.53, Requirements for Streets, Alleys, and Easements.

8. If street access is required, either:

a. Driveways that provide access from the street to garages opening on a street-facing facade of individual townhouse or rowhouse units shall be paved with permeable materials; or

b. Access to a majority of garages opening on street-facing facades of individual townhouse or rowhouse units shall be provided by shared driveways.

~~D.~~C. Screening of parking

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

a. The street-facing facade of a structure;

b. Garage doors;

c. A fence or wall; or

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

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

a. The fence, wall, or vegetation in the landscaped area shall be at least 3 feet tall measured from the elevation of the curb, or from the elevation of the street if no curb is present. If the elevation of the ground at the base of the fence, wall, or landscaped area is higher than the finished elevation of the parking surface, the difference in elevation may be measured as a portion of the required height of the screen, so long as the fence, wall, or

vegetation in the landscaped area is at least 3 feet in height. If located in a setback, the fence or wall shall meet the requirements of subsection ((~~23.45.518.I.7~~)) 23.45.518.H.7.

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

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

~~E.~~D. Other provisions. Garage doors in LR zones and MR zones facing the street shall be set back at least 18 feet from the street lot line, and shall be no closer to the street lot line than the street-facing facade of the structure.

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.45.570, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.45.570 of the Seattle Municipal Code, last amended by Ordinance 126858, is amended as follows:

23.45.570 Institutions

* * *

G. Parking

1. Parking quantity. ~~Parking~~ Bicycle parking and loading is required pursuant to ~~Section 23.54.015, except as modified by Section 23.54.020~~ Chapter 23.54.

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

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

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

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

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

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

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

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

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

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

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.47A.030, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.47A.030 of the Seattle Municipal Code, enacted by Ordinance 122311, is amended as follows:

23.47A.030 Required parking and loading. Loading

A. ~~Off-street parking spaces~~ Bicycle parking may be required as provided in Section ~~23.54.015, Required parking~~ 23.54.037 Bicycle parking.

B. Loading berths are required for certain commercial uses according to the requirements of Section 23.54.035.

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.48.080, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.48.080 of the Seattle Municipal Code, enacted by Ordinance 124883, is amended as follows:

23.48.080 Required parking and loading

A. ~~Off-street parking spaces and bicycle parking are required according to Section 23.54.015, Required parking~~ Bicycle parking may be required as provided in Section 23.54.037 Bicycle parking.

* * *

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.48.280, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.48.280 of the Seattle Municipal Code, last amended by by Ordinance 125558, is amended as follows:

23.48.280 ~~Required parking~~ Parking in South Lake Union Urban Center

A. ~~Off-street parking spaces and bicycle parking are required according to Section 23.54.015 unless modified by this Section 23.48.280.~~ Bicycle parking may be required as provided in Section 23.54.037 Bicycle parking

B. Maximum parking limits for motor vehicles

1. Except as provided in subsections 23.48.280.B.2 and 23.48.280.B.3, the amount of parking reserved for or accessory to non-residential uses is limited to one parking space per every 1,000 square feet of gross floor area in non-residential use minus gross floor area in parking uses.

2. If, on or before September 1, 2012, a lot is providing legal off-site parking for another lot, by means such as a recorded parking easement or off-site accessory parking covenant on the subject lot, then the number of such off-site parking spaces is allowed on the off-site lot in addition to one space per 1,000 square feet for non-residential uses minus gross floor area in parking uses on the subject lot.

3. A lot in the SM-SLU 85/65-160 zone may exceed the maximum parking limits in this subsection 23.48.280.B without approval of a special exception pursuant to subsection 23.48.280.B.2 when, prior to issuance of a Master Use Permit for the lot that exceeds the maximum parking limit, the fee owners of both the property subject to the Master Use Permit for the lot that exceeds the maximum parking limit and the fee owners of the property subject to the Master Use Permit execute a restrictive covenant that is recorded in the King County real property records that limits the amount of parking that can be provided on other lot(s), such that

the total quantity of parking provided as part of the Master Use Permit together with the parking to be provided on the other lot(s) subject to the restrictive covenant does not exceed the maximum parking limits in subsection 23.48.280.B.

C. Parking at street level within structures. Parking is permitted in a story that is partially above street level and partially below street level in a structure permitted in a setback area under the provisions of subsection 23.48.240.C.2.b.

Add a new Section XX to Council Bill 120993 to amend the title of SMC Section 23.48.780, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. The title of Section 23.48.780 of the Seattle Municipal Code, enacted by Ordinance 125432, is amended as follows:

23.48.780 ~~Required parking~~ Parking in Uptown Urban Center

* * *

Amend Section 51 of Council Bill 120993, to amend SMC Section 23.49.019, as follows:

Section 51. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 125815, is amended as follows:

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

The regulations in this Section 23.49.019 do not apply to the Pike Market Mixed zones.

A. Parking quantity requirements

1. No parking for motor vehicles, either long-term or short-term, is required for uses on lots in ((~~Downtown~~)) downtown zones~~, except as follows:~~

~~a. In the International District Mixed and International District Residential zones, parking requirements for restaurants, motion picture theaters, and other entertainment uses are as prescribed by Section 23.66.342.~~

~~b. In the International District Mixed and International District Residential zones, the Director of the Department of Neighborhoods, upon the recommendation of the International District Special Review District Board, may waive or reduce required parking according to the provisions of Section 23.66.342, Parking and access~~.

~~c.~~ Bicycle parking is required as specified in ((~~subsection 23.54.015.K~~)) Section 23.54.037.

2. Reduction or elimination of parking required by permits. A property owner may apply to the Director for the reduction or elimination of parking required by any permit issued under this Title 23 or Title 24, except for a condition contained in or required pursuant to any Council conditional use, contract rezone, planned community development, or other Type IV decision. The Director may grant reduction or elimination of required parking as a Type I decision, either as part of a Master Use Permit for the establishment of any new use or structure, or as an independent application for reduction or elimination of parking required by permit. Parking for bicycles may not be reduced or eliminated under this subsection 23.49.019.A.2. Any Transportation Management Plan (TMP) required by permit for the development for which a parking reduction or elimination is proposed shall remain in effect, except that the Director may change the conditions of the TMP to reflect current conditions and to mitigate any parking and traffic impacts of the proposed changes. If any bonus floor area was granted for the parking, then reduction or elimination shall not be permitted except in compliance with applicable provisions regarding the elimination or reduction of bonus features. If any required parking that is allowed

to be reduced or eliminated under this subsection 23.49.019.A.2 is the subject of a recorded parking covenant, the Director may authorize modification or release of the covenant.

* * *

C. Maximum parking limits

1. Except as provided in subsections 23.49.019.C.2 and 23.66.342.B, parking for ((~~non-residential~~)) nonresidential uses is limited to a maximum of one parking space per 1,000 square feet.

2. In the area east of Interstate 5, parking for general sales and service uses and for eating and drinking establishments is limited to a maximum of two parking spaces per 1,000 square feet.

D. Ridesharing and transit incentive program requirements. The following requirements apply to all new structures containing more than 10,000 square feet of new ((~~non-residential~~)) nonresidential use, and to structures where more than 10,000 square feet of ((~~non-residential~~)) nonresidential use is proposed to be added.

1. The building owner shall establish and maintain a transportation coordinator position for the proposed structure and designate a person to fill this position, or the building owner may contract with an area-wide transportation coordinator acceptable to the Department. The transportation coordinator shall devise and implement alternative means for employee commuting. The transportation coordinator shall be trained by the Seattle Department of Transportation or by an alternative organization with ridesharing experience, and shall work with the Seattle Department of Transportation and building tenants. The coordinator shall disseminate ridesharing information to building occupants to encourage use of public transit, carpools, vanpools, and flextime; administer the in-house ridesharing program; and aid in evaluation and

monitoring of the ridesharing program by the Seattle Department of Transportation. The transportation coordinator in addition shall survey all employees of building tenants once a year to determine commute mode percentages.

2. The Seattle Department of Transportation, in conjunction with the transportation coordinator, shall monitor the effectiveness of the ridesharing/transit incentive program on an annual basis. The building owner shall allow a designated Seattle Department of Transportation or rideshare representative to inspect the parking facility and review operation of the ridesharing program.

3. The building owner shall provide and maintain a transportation information center, which has transit information displays including transit route maps and schedules and Seattle ridesharing program information. The transportation display shall be located in the lobby or other location highly visible to employees within the structure, and shall be established prior to issuance of a certificate of occupancy.

E. Bicycle parking is required according to ((~~subsection 23.54.015.K~~)) Section 23.54.037.

F. Reserved.

* * *

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

1. Curb cut location

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

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

1) Access street;

2) Class II pedestrian street/Minor arterial;

3) Class II pedestrian street/Principal arterial;

4) Class I pedestrian street/Minor arterial;

5) Class I pedestrian street/Principal arterial;

6) Principal transit street;

7) Designated green street.

c. The Director may allow or require access from a right-of-way other than one indicated by subsection 23.49.019.H.1.a or 23.49.019.H.1.b if, after consulting with the Director of the Seattle Department of Transportation on whether and to what extent alternative locations of access would enhance pedestrian safety and comfort, facilitate transit operations, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance

vehicular safety, or minimize hazards, and, for hotel use, improve passenger loading safety or increase visibility of vehicular access for guests arriving by car, the Director finds that an exception to the general policy is warranted. The Director may approve an exception for hotel use and impose conditions to minimize any adverse impacts to the pedestrian environment or street operations, including but not limited to allowing one-way driveways that are less than the minimum width otherwise required. Curb cut controls on designated green streets shall be evaluated on a case-by-case basis, but generally access from green streets is not allowed if access from any other right-of-way is possible.

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

2. Curb cut width and number. The width and number of ((~~curbcuts~~)) curb cuts shall comply with Section ((~~23.54.030, Parking space standards~~)) 23.54.031.

I. Screening and landscaping of surface parking areas

1. Screening. Surface parking areas for more than five vehicles shall be screened in accordance with the following requirements:

a. Screening is required along each street lot line.

b. Screening shall consist of:

1) A view-obscuring fence or wall at least 3 feet in height; or

2) A landscaped area with vegetation at least 3 feet in height.

Landscaped areas may include bioretention facilities or landscaped berms, provided that the top of the vegetation is at least 3 feet above the grade abutting the facility or berm.

c. A landscaped strip on the street side of the fence or wall shall be provided if a fence or wall is used for screening. The strip shall be an average of 3 feet from the property line, but at no point less than 1.5 feet wide. Each landscaped strip shall be planted with sufficient shrubs, grass, and/or evergreen groundcover so that the entire strip, excluding driveways, will be covered in three years. Each landscaped strip may be a bioretention facility, at grade, or a raised berm.

d. Sight triangles shall be provided in accordance with Section ((~~23.54.030, Parking space standards~~)) 23.54.032.

2. Landscaping. Surface parking areas for 20 or more vehicles, except temporary surface parking areas, shall be landscaped according to the following requirements:

a. The amount of landscaped area required is shown on Table B for 23.49.019:

Table B for 23.49.019
Required landscaping for surface parking areas with 20 or more parking spaces

Total number of parking spaces	**Minimum required landscaped area**
20 to 50	18 square feet per parking space
51 to 99	25 square feet per parking space
100 or more spaces	35 square feet per parking space

b. The minimum size of a required landscaped area is 100 square feet. Berms provided to meet the screening standards in subsection 23.49.019.I.1 may be counted as

part of a landscaped area. No part of a landscaped area shall be less than 4 feet in any dimension except those dimensions reduced by turning radii or angles of parking spaces.

c. The landscaped area may include bioretention facilities.

d. No parking stall shall be more than 60 feet from a required landscaped area.

e. One tree per every five parking spaces is required.

f. Each tree shall be at least 3 feet from any curb of a landscaped area or edge of the parking area.

g. Permanent curbs or structural barriers shall protect landscaped areas.

h. Sufficient hardy evergreen groundcover shall be planted to cover each landscaped area completely within three years. Trees shall be selected from the Seattle Department of Transportation's list for parking area planting.

J. Transportation management programs

1. When a development is proposed that is expected to generate 50 or more employees single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.

a. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.

b. Compliance with this ((~~section~~)) Section 23.49.019 does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.

2. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

3. Each owner subject to the requirements of this ((~~section~~)) Section 23.49.019 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

4. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the Downtown Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.

K. Electric vehicle charging infrastructure. Off-street parking spaces shall be designed according to the standards of ((~~subsection 23.54.030.L~~)) Section 23.54.034.

Amend Section 54 of Council Bill 120993, to amend SMC Section 23.51B.002, as follows:

Section 54. Section 23.51B.002 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.51B.002 Public schools in residential zones

* * *

G. ~~Parking ((Quantity)) quantity. Parking shall be required as provided in Chapter 23.54.~~ [RESERVED]

* * *

Add a new Section XX to Council Bill 120993, to amend SMC Section 23.53.015, and renumber the subsequent sections as appropriate, as follows:

Section XX. Section 23.53.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.015 Improvement requirements for existing streets in residential and commercial zones

* * *

D. Exceptions for streets with existing curbs

1. Streets with right-of-way greater than or equal to the minimum right-of-way width. If a street with existing curbs abuts a lot and the existing right-of-way is greater than or equal to the minimum width established in subsection 23.53.015.A.6, but the roadway width is less than the minimum established in the Right-of-Way Improvements Manual, the following requirements shall be met:

a. All structures on the lot shall be designed and built to accommodate the grade of the future street improvements.

b. A no-protest agreement to future street improvements is required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the King County Recorder.

c. Pedestrian access and circulation are required as specified in Section 23.53.006.

2. Streets with less than the minimum right-of-way width. If a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum width established in subsection 23.53.015.A.6, the following requirements shall be met:

a. Setback requirement. A setback equal to half the difference between the current right-of-way width and the minimum right-of-way width established in subsection 23.53.015.A.6 is required; provided, however, that if a setback has been provided under this provision, other lots on the block shall provide the same setback. The area of the setback may be used to meet any development standard, except that ~~required~~ parking may not be in the setback. Underground structures that would not prevent the future widening and improvement of the right-of-way may be permitted in the required setback by the Director after consulting with the Director of Transportation. Encroachments into this setback shall not be considered structural building overhangs, but the encroachment is limited to the standards set forth in Section 23.53.035. In all residential zones except Highrise zones, an additional 3-foot setback is also required.

b. Grading requirement. If a setback is required, all structures on the lot shall be designed and built to accommodate the grade of the future street, as specified in the Right-of-Way Improvements Manual.

c. No-protest agreement requirement. A no-protest agreement to future street improvements is required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the King County Recorder.

d. Pedestrian access and circulation are required as specified in Section 23.53.006.

* * *

Add a new Section XX to Council Bill 120993, to amend SMC Section 23.53.020, and renumber the subsequent sections as appropriate, as follows:

Section XX. Section 23.53.020 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.020 Improvement requirements for existing streets in industrial zones

* * *

C. General Industrial 1 and General Industrial 2 (IG1 and IG2 zones) and Maritime, Manufacturing, and Logistics (MML) zone. Except as provided in subsection 23.53.020.E, the following improvements shall be required in IG1, IG2, and the MML zones, in addition to the pedestrian access and circulation requirements of Section 23.53.006. Further improvements may be required on streets designated in subsection 23.53.020.B.

1. Setback requirement. When the right-of-way abutting a lot has less than the minimum width established in subsection 23.53.020.A.6, a setback equal to half the difference between the current right-of-way width and the minimum right-of-way width established in subsection 23.53.020.A.6 is required; provided, however, that if a setback has been provided under this subsection 23.53.020.C.1, other lots on the block shall provide the same setback. The area of the setback may be used to meet any development standard, except that ~~required~~ parking

may not be in the setback. Underground structures that would not prevent the future widening and improvement of the right-of-way may be permitted in the required setback by the Director after consulting with the Director of Seattle Department of Transportation.

2. Grading requirement. When an existing street abutting a lot is less than the width established in subsection 23.53.020.A.6, all structures shall be designed and built to accommodate the grade of the future street improvements.

3. Fire apparatus access. If the lot does not have vehicular access from a street or private easement that meets the regulations for fire apparatus access roads in Chapter 22.600, such access shall be provided. When an existing street does not meet these regulations, the Chief of the Fire Department may approve an alternative that provides adequate emergency vehicle access.

4. Dead-end streets. Streets that form a dead end at the property to be developed shall be improved with a cul-de-sac or other vehicular turnaround as specified in the Streets Illustrated Right-of-Way Improvements Manual or successor. The Director, after consulting with the Director of the Seattle Department of Transportation, shall determine whether the street has the potential for being extended or whether it forms a dead end because of topography and/or the layout of the street system.

5. No-protest agreement requirement. When a setback is required by subsection 23.53.020.C.1, or a pedestrian walkway is required as specified in Section 23.53.006, a no-protest agreement to future street improvements shall be required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the King County Recorder.

* * *

E. Exceptions

1. Streets with existing curbs

a. Streets with right-of-way greater than or equal to the minimum right-of-way width. When a street with existing curbs abuts a lot, and improvements would be required by subsections 23.53.020.B or 23.53.020.D, and the existing right-of-way is greater than or equal to the minimum width established in subsection 23.53.020.A.6, but the roadway width is less than the minimum established in the Streets Illustrated Right-of-Way Improvements Manual or successor, the following requirements shall be met:

1) All structures on the lot shall be designed and built to accommodate the grade of the future street improvements.

2) A no-protest agreement to future street improvements is required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the title to the property with the King County Recorder.

3) Pedestrian access and circulation are required as specified in Section 23.53.006.

b. Streets with less than the minimum right-of-way width. When a street with existing curbs abuts a lot and the existing right-of-way is less than the minimum width established in subsection 23.53.020.A.6, the following requirements shall be met:

1) Setback requirement. A setback equal to half the difference between the current right-of-way width and the minimum right-of-way width established in subsection 23.53.020.A.6 is required; provided, however, that if a setback has been provided under this subsection 23.53.020.E.1.b.1, other lots on the block shall provide the same setback. The area of the setback may be used to meet any development standard, except that ~~required~~ parking may not be in the setback. Underground structures that would not prevent the future

widening and improvements of the right-of-way may be permitted in the required setback by the Director after consulting with the Director of Transportation.

2) Grading requirement. When a setback is required, all structures on the lot shall be designed and built to accommodate the grade of the future street, as specified in the Streets Illustrated Right-of-Way Improvements Manual or successor.

3) A no-protest agreement to future street improvements is required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the title to the property with the King County Recorder.

4) If there is no sidewalk, a sidewalk shall be constructed except when an exception set forth in Section 23.53.006 is applicable.

2. Projects with reduced improvement requirements. The following types of projects are exempt from all dedication and improvement requirements of subsections 23.53.020.B, 23.53.020.C, and 23.53.020.D, but shall meet the pedestrian access and circulation requirements specified in Section 23.53.006 and the requirements of subsection 23.53.020.E.1.b if the street right-of-way abutting the lot has less than the minimum right-of-way width established in subsection 23.53.020.A or does not meet the grade of future street improvements.

a. Structures with fewer than ten artist's studio dwellings;

b. The following uses when they are smaller than 750 square feet of gross floor area: major and minor vehicle repair uses, and multipurpose retail sales uses;

c. Nonresidential structures that have less than 4,000 square feet of gross floor area and that do not contain uses listed in subsection 23.53.020.E.2.b that are larger than 750 square feet;

d. Structures containing a mix of artist's studio dwellings and nonresidential uses, if there are fewer than ten artist's studio dwellings, and the square footage of nonresidential use is less than specified in subsections 23.53.020.E.2.b and 23.53.020.E.2.c;

e. Remodeling and use changes within existing structures;

f. Additions to existing structures that are exempt from environmental review; and

g. Expansions of surface parking, outdoor storage, outdoor sales or outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or display area, or number of parking spaces.

3. Exceptions from street improvement requirements. The Director, in consultation with the Director of Transportation, may waive or modify the requirements for paving, dedication, setbacks, grading, no-protest agreements, and landscaping when it is determined that one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing access and circulation.

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

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

c. Widening the right-of-way or improving the street would adversely affect the character of the street, as it is defined in an adopted neighborhood plan, street designations in the Streets Illustrated Right-of-Way Improvements Manual or successor, or adopted City plan for Green Streets, boulevards, or other special right-of-way, or would otherwise conflict with the stated goals of such a plan.

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

e. Widening or improving the right-of-way would preclude vehicular access to an existing lot.

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

g. Widening or improving the right-of-way is impractical because topography would preclude the use of the street for vehicular access to the lot, for example due to an inability to meet the required 15 percent maximum driveway slope.

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

* * *

Add a new Section XX to Council Bill 120993, to amend SMC Section 23.53.030, and renumber the subsequent sections as appropriate, as follows:

Section XX. Section 23.53.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.53.030 Alley improvements in all zones

* * *

F. Existing alleys that do not meet minimum width

1. When an existing alley is used for access to parking spaces, open storage, or loading berths on a lot, and the alley does not meet the minimum width established in subsection 23.53.030.D, except as provided in subsection 23.53.030.G, a dedication equal to half the difference between the current alley right-of-way width and minimum right-of-way width established in subsection 23.53.030.D shall be required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the block shall not be required to dedicate more than that amount of right-of-way. Underground and overhead portions of structures that would not interfere with the functioning of the alley may be allowed by the Director of the Seattle Department of Construction and Inspections after consulting with the Director of Transportation. When existing structures are located in the portion of the lot to be dedicated, that portion of the lot shall be exempt from dedication requirements. The improvements required under subsection 23.53.030.E.1 shall then be installed, depending on the type of project.

2. When an existing alley is not used for access to parking spaces or loading berths on an abutting lot, but the alley does not meet the minimum width established in subsection 23.53.030.D, except as provided in subsection 23.53.030.G, the following requirements shall be met:

a. A setback equal to half the distance between the current alley right-of-way width and the minimum right-of-way width established in subsection 23.53.030.D shall be

required; provided, however, that if a setback has been provided under this provision, other lots on the block shall provide the same setback. The area of the setback may be used to meet any development standards, except that ~~required~~ parking and loading berths may not be located in the setback. Underground and overhead structures which would not prevent the future widening and improvement of the right-of-way may be permitted in the required setback by the Director of the Seattle Department of Construction and Inspections after consulting with the Director of Transportation.

b. All structures shall be designed to accommodate the grade of the future alley right-of-way.

c. A no-protest agreement to future street improvements shall be required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the title to the property with the King County Recorder's Office.

Amend Section 57 of Council Bill 120993, to amend SMC Section 23.54.015, as follows:

Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 ~~Required vehicular~~ Vehicular parking ~~and maximum vehicular parking limits~~

A. Required parking. Notwithstanding other provisions of this Title 23 and except as provided in Section 23.54.015.B, uses within the City of Seattle are not required to provide vehicular parking. ~~The minimum number of off-street motor vehicle parking spaces required for specific uses is set forth in Table A for 23.54.015 for ((non-residential)) nonresidential uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for 23.54.015 for institutional uses, except as otherwise provided in this Chapter 23.54. Required~~

~~parking is based upon gross floor area of a use within a structure minus gross floor area in parking uses, and the square footage of a use when located outside of an enclosed structure, or as otherwise specified. Maximum parking limits for specific uses and specific areas are set forth in subsection 23.54.015.C. Exceptions to motor vehicle parking requirements set forth in this Section 23.54.015 are provided in((:)) subsections 23.54.015.B and 23.54.015.C((;)) and in Section 23.54.020 ((unless otherwise specified)).~~ This Chapter 23.54 does not apply to parking for construction activity, which is regulated by Section 23.42.044.

B. Required parking for specific zones and areas

1. Parking in downtown zones is regulated by Chapters 23.49 and 23.66, and not by this Section 23.54.015.

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

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

4. The Director shall adopt by rule a map of frequent transit and major transit service areas based on proximity to a transit station or stop served by a frequent transit route or a major transit service. The determination whether a proposed development site is in a scheduled frequent transit or major transit service area shall be based on the ((~~frequent transit service area~~)) map adopted by rule that exists on the date a project vests according to the standards of Section 23.76.026, provided that a rule that takes effect on a date after the project vests may be applied to determine whether the site is in a scheduled frequent transit or major transit service area, at the election of the project applicant in accordance with subsection 23.76.026.E.

C. Maximum parking limits for specific zones or areas

1. In the Stadium Transition Area Overlay District certain uses are subject to a maximum parking ratio pursuant to subsection 23.74.010.A.1.b. When there are multiple uses on a lot, the total parking requirement for all uses subject to a maximum ratio cannot exceed the aggregate maximum for those uses under Section 23.74.010.

2. In all commercial zones, except C2 zones outside of urban villages, no more than 145 spaces per lot may be provided as surface parking or as flexible-use parking.

3. In all Neighborhood Residential and multifamily zones, commercial uses are limited to no more than ten parking spaces per business establishment.

4. In the Northgate Overlay District, the Director may permit parking to exceed applicable maximum parking limits as a Type I decision pursuant to Chapter 23.76 if:

a. The parking is provided in a structure according to a joint-use parking agreement with King County Metro Transit; and

b. It can be demonstrated to the satisfaction of the Director through a parking demand study that the spaces are only needed to meet evening and weekend demand or as overflow on less than ten percent of the weekdays in a year, and the spaces shall otherwise be available for daytime use by the general public.

5. Notwithstanding the minimum parking requirements set out in Table A for 23.54.015, in the Industry and Innovation zones, the maximum parking ratio for all uses is one space per 1,000 square feet of gross floor area.

D. ~~Parking waivers for ((non-residential)) nonresidential uses~~

~~1. In all commercial zones, no parking is required for the first 1,500 square feet of each business establishment or the first 15 fixed seats for motion picture and performing arts theaters.~~

~~2. In all other zones, no parking is required for the first 2,500 square feet of gross floor area of ((non-residential)) nonresidential uses in a structure, except for the following:~~

~~a. Structures or portions of structures occupied by restaurants with drive-in lanes((,)) ;~~

~~b. Motion picture theaters((,)) ;~~

~~c. Offices((,)) ; or~~

~~d. Institution uses, including Major Institution uses.~~

~~When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver is prorated based on the area occupied by the ((non-residential)) nonresidential uses for which the parking waiver is permitted.~~

~~E.~~ Fleet vehicles. Notwithstanding any other provisions of this ((~~section~~)) Section 23.54.015, off-street parking shall be provided for all fleet vehicles ~~and those parking spaces will not be counted toward the parking requirements of Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015~~.

~~F. Use and reuse of schools. For non-school uses permitted to locate in a former or existing public school, parking requirements will be determined by school use pursuant to criteria adopted according to Chapter 23.78((, Establishment of Criteria for Joint Use or Reuse of Schools)).~~

~~G. New ((non-residential)) nonresidential uses in existing structures in commercial and industrial zones. Up to 20 required parking spaces are waived for a new ((non-residential)) nonresidential use established in an existing structure or the expansion of an existing ((non-residential)) nonresidential use entirely within an existing structure. Existing required parking shall remain. For purposes of this Section 23.54.015, "existing structure" means a structure that was established under permit, or for which a building permit has been granted and has not expired, at least two years prior to the application to establish the new use or expand the use. Parking spaces required for loading and unloading of passengers are not eligible for the waiver under this subsection 23.54.015.G.~~

~~H. Uses not shown on parking tables. In the case of a use not shown on Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015, the requirements for off-street parking will be determined by the Director based on the requirements for the most comparable use. Where, in the judgment of the Director, none of the uses on Table A for 23.54.015, Table B for 23.54.015, and Table C for 23.54.015 are comparable to a proposed use, the Director may base ((his or her)) a determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.~~

~~I. Uses in multiple parking table categories. If an entire use or structure, or the same portion of a use or structure, falls under more than one category in Table A for 23.54.015, Table B for 23.54.015, or Table C for 23.54.015 then, unless otherwise specified, the category requiring the smallest number of parking spaces applies except as expressly set forth on such tables.~~

~~J. Existing parking deficits. Existing legal parking deficits of legally established uses are allowed to continue even if a change of use occurs. This subsection 23.54.015.J will not be construed to permit a parking deficit caused by the failure to satisfy conditions of a reduced parking requirement for any use or structure.~~

~~Table A for 23.54.015~~
~~Required parking for ((non-residential)) nonresidential uses other than institutions~~

~~Use~~				~~Minimum parking required~~
~~I. General ((non-residential)) nonresidential uses (other than institutions)~~				
~~A.~~	~~AGRICULTURAL USES[1]~~			~~1 space for each 2,000 square feet~~
~~B.~~	~~COMMERCIAL USES~~			
	~~B.1.~~	~~Animal shelters and kennels~~		~~1 space for each 2,000 square feet~~
	~~B.2.~~	~~Eating and drinking establishments~~		~~1 space for each 250 square feet~~
	~~B.3.~~	~~Entertainment uses, general, except as noted below[2]~~		~~For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats~~
		~~B.3.a.~~	~~Adult cabarets~~	~~1 space for each 250 square feet~~
		~~B.3.b.~~	~~Sports and recreation uses[2]~~	~~1 space for each 500 square feet~~

~~Table A for 23.54.015~~
~~Required parking for ((non-residential)) nonresidential uses other than institutions~~

~~Use~~				~~Minimum parking required~~
	~~B.4.~~	~~Food processing and craft work~~		~~1 space for each 2,000 square feet~~
	~~B.5.~~	~~Laboratories, research and development~~		~~1 space for each 1,500 square feet~~
	~~B.6.~~	~~Lodging uses~~		~~1 space for each 4 rooms;~~ ~~For bed and breakfast facilities in ((neighborhood residential)) Neighborhood Residential and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms~~
	~~B.7.~~	~~Medical services~~		~~1 space for each 500 square feet~~
	~~B.8.~~	~~Offices~~		~~1 space for each 1,000 square feet~~
	~~B.9.~~	~~Sales and services, automotive~~		~~1 space for each 2,000 square feet~~
	~~B.10.~~	~~Sales and services, general, except as noted below~~		~~1 space for each 500 square feet~~
		~~B.10.a.~~	~~Pet daycare centers~~ [4]	~~1 space for each 10 animals or 1 space for each staff member, whichever is greater,~~

~~Table A for 23.54.015~~
~~Required parking for ((non-residential)) nonresidential uses other than institutions~~

~~Use~~				~~Minimum parking required~~
				~~plus 1 loading and unloading space for each 20 animals~~
	~~B.11.~~	~~Sales and services, heavy~~		~~1 space for each 2,000 square feet~~
	~~B.12.~~	~~Sales and services, marine~~		~~1 space for each 2,000 square feet~~
~~C.~~	~~HIGH IMPACT USES~~			~~1 space for each 2,000 square feet~~
~~D.~~	~~LIVE-WORK UNITS~~			~~0 spaces for units with 1,500 square feet or less;~~ ~~1 space for each unit greater than 1,500 square feet;~~ ~~1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use~~
~~E.~~	~~MANUFACTURING USES~~			~~1 space for each 2,000 square feet~~
~~F.~~	~~STORAGE USES~~			~~1 space for each 2,000 square feet~~
~~G.~~	~~TRANSPORTATION FACILITIES~~			

~~Table A for 23.54.015~~ **~~Required parking for ((non-residential)) nonresidential uses other than institutions~~**				
~~Use~~				**~~Minimum parking required~~**
	~~G.1.~~	~~Cargo terminals~~		~~1 space for each 2,000 square feet~~
	~~G.2.~~	~~Parking and moorage~~		
		~~G.2.a.~~	~~Flexible-use parking~~	~~None~~
		~~G.2.b.~~	~~Towing services~~	~~None~~
		~~G.2.c.~~	~~Boat moorage~~	~~1 space for each 2 berths~~
		~~G.2.d.~~	~~Dry storage of boats~~	~~1 space for each 2,000 square feet~~
	~~G.3.~~	~~Passenger terminals~~		~~1 space for each 100 square feet of waiting area~~
	~~G.4.~~	~~Rail transit facilities~~		~~None~~
	~~G.5.~~	~~Transportation facilities, air~~		~~1 space for each 100 square feet of waiting area~~
	~~G.6.~~	~~Vehicle storage and maintenance uses~~		~~1 space for each 2,000 square feet~~
~~H.~~	~~UTILITIES~~			~~1 space for each 2,000 square feet~~
~~H. ((Non-residential)) Nonresidential use requirements for specific areas~~				
~~I.~~	~~((Non-residential)) Nonresidential uses in urban centers or the Station Area Overlay District~~ [5]			~~No minimum requirement~~

Table A for 23.54.015
Required parking for ((non-residential)) nonresidential uses other than institutions

Use		Minimum parking required
J.	((Non-residential)) Nonresidential uses in urban villages that are not within an urban center or ((the)) a Station Area Overlay District, if the ((non-residential)) nonresidential use is located within a frequent transit service area [5]	No minimum requirement
K.	((Non-residential)) Nonresidential uses permitted in MR and HR zones pursuant to Section 23.45.504	No minimum requirement
L.	((Non-residential)) Nonresidential uses permitted in II zones	No minimum requirement

Footnotes for Table A for 23.54.015
[1]No parking is required for urban farms or community gardens in residential zones.
[2]Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.

Table A for 23.54.015 **Required parking for ((non-residential)) nonresidential uses other than institutions**	
Use	**Minimum parking required**
[3] For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((1)) one space for each 2,000 square feet. [4] The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. [5] The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a ((non-residential)) nonresidential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of ((non-residential)) nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [1, 2, 3]		
((A.	Adult family homes	1 space for each dwelling unit
B.)) A.	Artist's studio/dwellings	1 space for each 2 dwelling units
((C.)) B.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
((D.)) C.	Caretaker's quarters	1 space for each 2 dwelling units

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
((E.)) D.	Congregate residences	1 space for each 4 sleeping rooms
((F.	Cottage housing developments [1]	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.)) E.	Mobile home parks	1 space for each 2 mobile home lots as defined in Chapter 22.904
((I.	Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015 [1, 2]	1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units
J.	Nursing homes	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.)) F.	((Single-family dwelling units)) Housing ((1, 3)) 1, 5	1 space for each 2 dwelling units
II. Residential use requirements for specific areas [1]		
((L.)) G.	All residential uses within urban centers or within ((the)) a Station Area Overlay District ((2))	No minimum requirement
((M.)) H.	All residential uses ((in commercial, RSL, and multifamily zones)) within urban villages that are not within an urban center or ((the)) a Station Area Overlay District((,)) if the residential use is located within a frequent transit or major transit service area ((2, 4))	No minimum requirement

Table B for 23.54.015
Required parking for residential uses

Use		Minimum parking required
I.	All residential uses within a major transit service area	No minimum requirement
((N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015.[3]	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015.[3]	1.5 spaces for each dwelling unit))
P.)) J.	Congregate residences located within ((one-half mile walking distance of a major transit stop)) a frequent transit service area	No minimum requirement

Footnotes to Table B for 23.54.015

[1] ((For each moderate-income unit and each low-income unit, no minimum amount of parking is required.

[2])) 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 provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015)).

[3] For each moderate-income unit and each low-income unit, no minimum amount of parking is required.

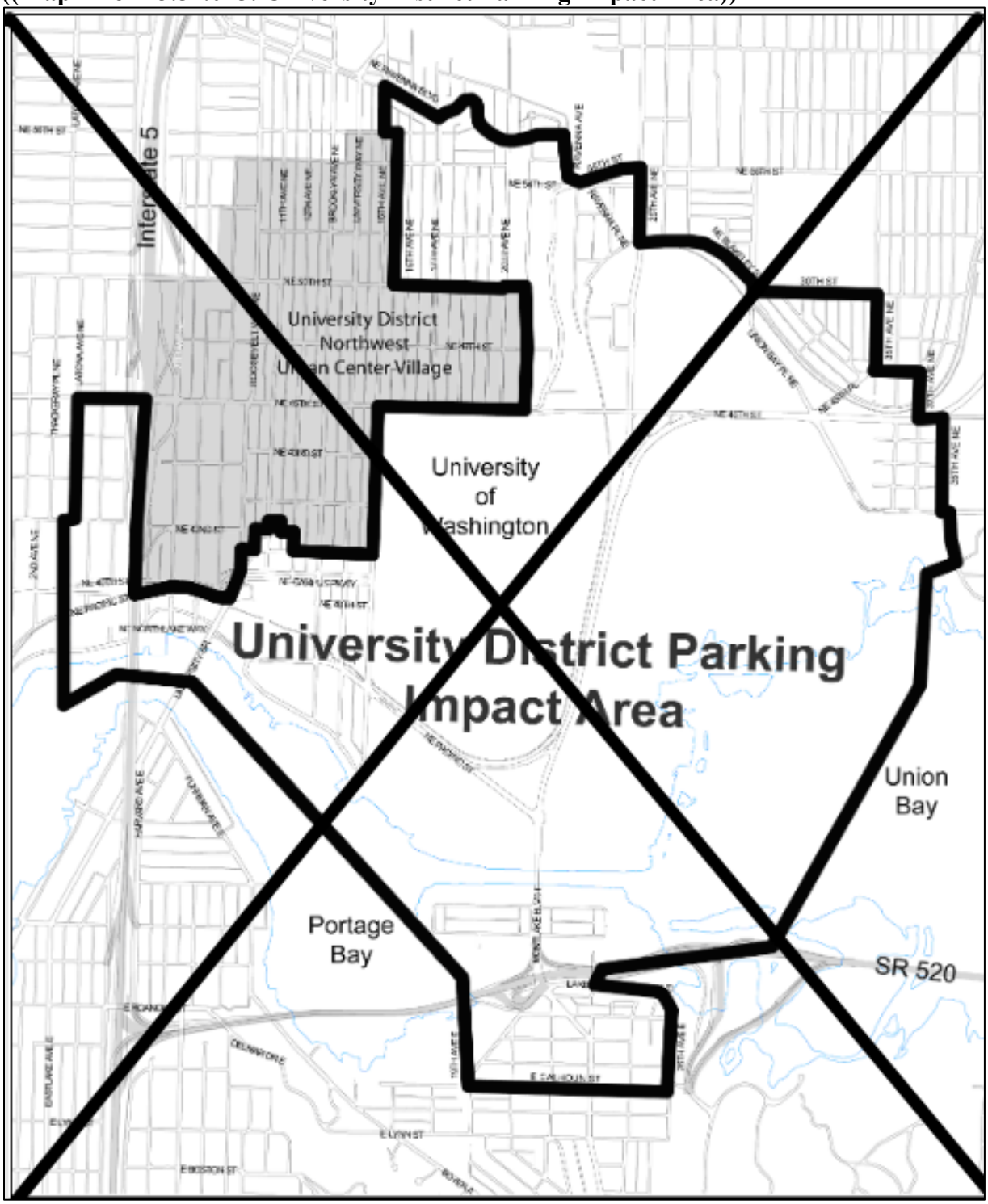
[3] A reduction or waiving of parking requirements may be permitted if the Director finds that the reduction or waiver is necessary in order to protect a Tier 2 or Tier 3 tree as defined in Chapter 25.11.

[4] No parking is required for ((single-family residential uses)) accessory dwelling units.

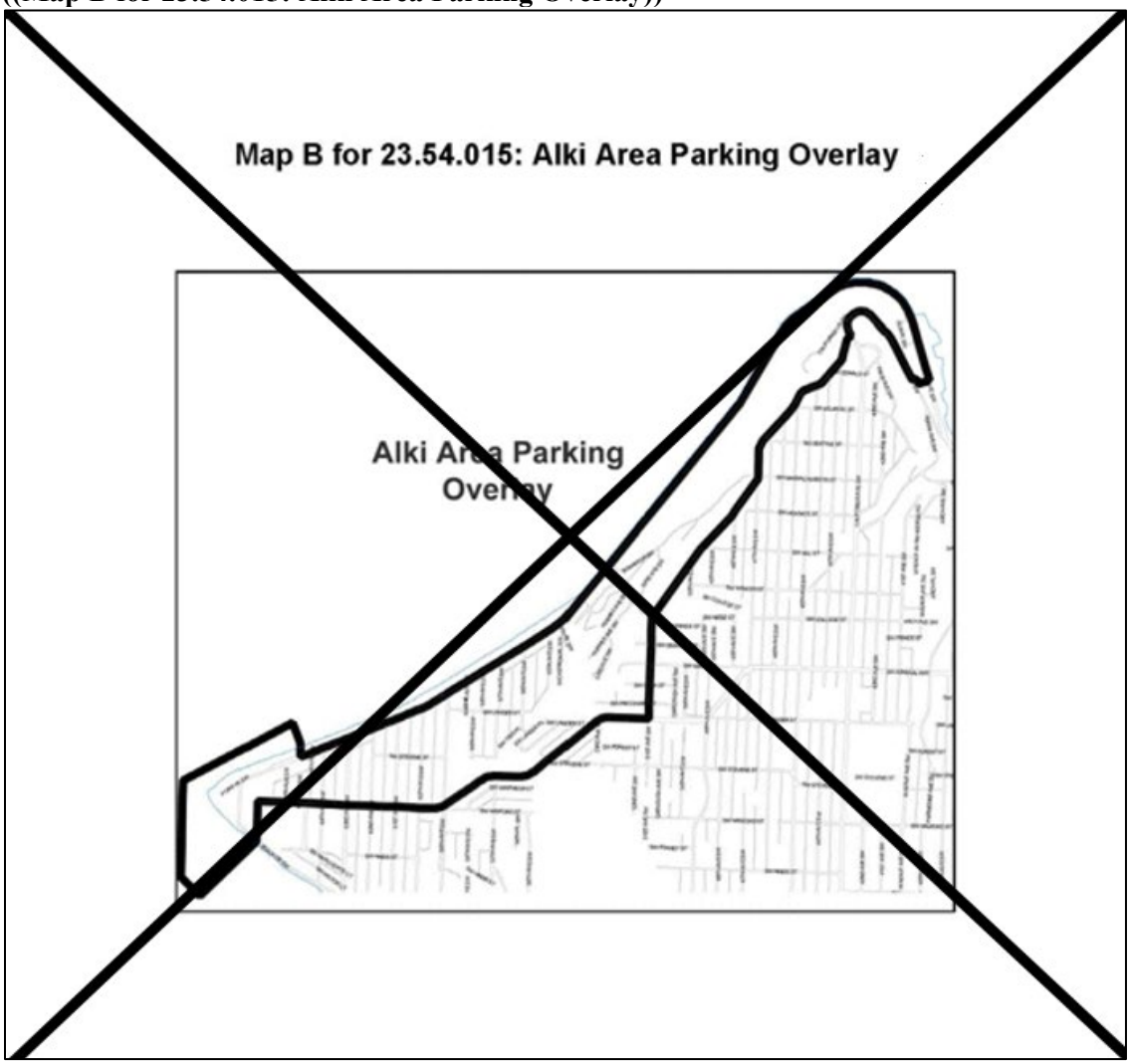
[5] No parking is required for principal dwelling units on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required ((yard or)) setback abutting a street according to the standards

~~Table B for 23.54.015~~ ~~Required parking for residential uses~~	
~~Use~~	~~Minimum parking required~~
~~of subsections ((23.44.016.B.2)) 23.44.160.F.2, 23.45.536.C.2, or 23.45.536.C.3.~~ ~~((4. Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.))~~	

((~~Map A for 23.54.015: University District Parking Impact Area~~))



((~~Map B for 23.54.015: Alki Area Parking Overlay~~))



~~Table C for 23.54.015~~
~~Required parking for public uses and institutions~~

~~Use~~		~~Minimum parking required~~
~~I. General public uses and institutions [1]~~		
~~A.~~	~~Adult care centers ((1,)) 2, 3~~	~~1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)~~

~~Table C for 23.54.015~~
~~Required parking for public uses and institutions~~

~~Use~~		~~Minimum parking required~~
~~B.~~	~~Child care centers~~ ~~2, 3, 4, 5 ((12))~~	~~1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children~~
~~C.~~	~~Colleges~~	~~A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities~~
~~D.~~	~~Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR)~~ ~~((1,)) 6~~	~~1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet~~
~~E.~~	~~Community clubs((,)) and community centers not owned and operated by SPR~~ ~~((1, 5,)) 7, 8~~	~~1 space for each 80 square feet of floor area of all auditoria and public assembly rooms containing fixed seats; plus 1 space for each 350 square feet of all other indoor areas~~
~~F.~~	~~Community farms~~ ~~((5))~~ ~~8~~	~~1 space plus 1 space for each 10,000 square feet of site area, or 10 spaces, whichever is less~~
~~G.~~	~~Hospitals~~	~~1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds~~
~~((H.~~	~~Institutes for advanced study, except in~~	~~1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public~~

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	neighborhood residential zones	assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats))
((I.)) H.	Institutes for advanced study in ((neighborhood residential)) Neighborhood Residential zones (existing) [1]	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
((J.)) I.	Libraries ((1, 5,)) 8, 9	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms containing fixed seats; plus 1 space for each 500 square feet of floor area of all other areas
((K.)) J.	Museums ((1))	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
((L.)) K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
((M.)) L.	Religious facilities ((1))	1 space for each 80 square feet of all auditoria and public assembly rooms

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
((N.	Schools, private elementary and secondary ((1))	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
O.)) M.	Schools, ((public)) elementary and secondary 7, ((9,)) 10, 11	1 space for each 80 square feet of all auditoria ((or)) and public assembly rooms without fixed seats, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats((, for new public schools on a new or existing public school site
P.)) N.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate
H. General public uses and institutions for specific areas		
((Q.)) O.	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((11)) 12	No minimum requirement
((R.)) P.	General public uses and institutions, except hospitals, including institutes for advanced study in ((neighborhood residential))	No minimum requirement

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	Neighborhood Residential zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a frequent transit service area	

Footnotes to Table C for 23.54.015

[1] ((When this use is permitted in a neighborhood residential zone as a conditional use, the)) The Director may modify the parking requirements in this Table A for 23.54.015 for institutions in Neighborhood Residential and multifamily zones pursuant to the conditional uses provisions in Section ((23.44.022)) 23.44.030((, when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to)) and Section 23.45.570.

[2] The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.

[3] As a Type I decision, the Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.

[4] A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

[5] ((When this use is permitted outright in a neighborhood residential or multifamily zone, the Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.)) The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.

[6] When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the

~~Table C for 23.54.015~~
~~Required parking for public uses and institutions~~

~~Use~~	~~Minimum parking required~~
~~combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.~~ ~~[7] Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.~~ ~~[8] The Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.080 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~ ~~[9] When a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~ ~~((9))~~ [10] ~~For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown in this Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ((10)) ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.~~ ~~((10))~~ [11] ~~((Development))~~ ~~For public schools, development~~ ~~standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter~~

~~Table C for 23.54.015~~ ~~Required parking for public uses and institutions~~	
~~Use~~	~~Minimum parking required~~
~~23.79 to reduce the required or permitted number of parking spaces.~~ ~~((11)) 12. The general requirements of lines A through P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.~~ ~~((12 The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.))~~	

((~~K. Bicycle parking.~~))

Amend Section 58 of Council Bill 120993, to amend SMC Section 23.54.016, as follows:

Section 58. Section 23.54.016 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.54.016 Major Institutions—((~~parking~~)) Parking and transportation

Except in the MPC-YT zone, Major Institution uses are subject to the following transportation and parking requirements:

* * *

B. Parking ((~~Quantity Required.~~)) quantity required

1. ~~In urban centers and the Station Area Overlay District, no parking is~~ Parking for vehicles is not required for Major Institution uses~~, except for hospitals~~.

~~2. For all other Major Institutions the minimum number of parking spaces required is as follows:~~

~~a. Long-term ((Parking.)) parking~~

~~1) Medical ((Institutions)) institutions. A number of spaces equal to 80 percent of hospital-based doctors; plus 25 percent of staff doctors; plus 30 percent of all other employees present at peak hour;~~

~~2) Educational ((Institutions)) institutions. A number of spaces equal to 15 percent of the maximum students present at peak hour, excluding resident students; plus 30 percent of employees present at peak hour; plus 25 percent of the resident unmarried students; plus one space for each married student apartment unit~~.

~~b. Short-term ((Parking.)) parking~~

~~1) Medical ((Institutions)) institutions. A number of spaces equal to one space per six beds; plus one space per five average daily outpatients;~~

~~2) Educational ((Institutions)) institutions. A number of spaces equal to five percent of the maximum students present at peak hour excluding resident students~~.

~~c. Additional ((Short-term Parking Requirements)) short-term parking requirements. When one of the following uses is a Major Institution use, the following additional short-term parking requirements shall be met. Such requirements may be met by joint use of parking areas and facilities if the Director determines that the uses have different hours of operation according to subsection 23.54.020.G:~~

~~1) Museum. One space for each 250 square feet of public floor area;~~

~~2) Theater, ((Auditorium)) auditorium, or ((Assembly Hall)) assembly hall. One space for each 200 square feet of audience assembly area not containing fixed seats, and one space for every ((10)) ten seats for floor area containing fixed seats;~~

~~3) Spectator ((Sports Facility Containing Fewer)) sports facility containing fewer than 20,000 ((Seats)) seats. One space for each ((10)) ten permanent seats and one space for each 100 square feet of spectator assembly area not containing fixed seats;~~

~~4) Spectator ((Sports Facility Containing)) sports facility containing 20,000 or ((More Seats)) more seats. One space for each ((10)) ten permanent seats and one bus space for each 300 permanent seats.~~

~~d.~~2. Bicycle ((~~Parking~~)) parking. Bicycle parking meeting the development standards of subsections ((~~23.54.015.K.2~~)) 23.54.037.B through ((~~23.54.015.K.6~~)) 23.54.037.G and subsection 23.54.016.D.2 shall be provided in the following quantities:

1) Medical ((~~Institutions~~)) institutions. A number of spaces equal to two percent of employees, including doctors, present at peak hour;

2) Educational ((~~Institutions~~)) institutions. A number of spaces equal to ((~~10~~)) ten percent of the maximum students present at peak hour plus five percent of employees.

If at the time of application for a master use permit, the applicant can demonstrate that the bicycle parking requirement is inappropriate for a particular institution because of topography, location, nature of the users of the institution or other reasons, the Director may modify the bicycle parking requirement.

3. Parking ((~~Deficits~~)) deficits. In addition to providing the minimum required bicycle parking for a new structure, five percent of any ~~vehicular or~~ bicycle parking deficit as

determined by the minimum requirements of this subsection 23.54.016.B, existing on ((~~the effective date of the ordinance codified in this section~~)) May 2, 1990, shall be supplied before issuance of a certificate of occupancy.

* * *

Amend Section 59 of Council Bill 120993, to repeal SMC Section 23.54.020, as follows:

Section 59. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance 126509, is ~~amended~~ repealed as follows:

~~**23.54.020 Parking quantity exceptions**~~

~~The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all zones except downtown zones, which are regulated by Section 23.49.019, and Major Institution zones, which are regulated by Section 23.54.016.~~

~~A. Adding ((Units)) units to ((Existing Structures)) existing structures in Multifamily and Commercial ((Zones.)) zones~~

~~1. For the purposes of this Section 23.54.020, "existing structures" means those structures that were established under permit, or for which a permit has been granted and has not expired as of the applicable date, as follows:~~

~~a. In multifamily zones, August 10, 1982;~~

~~b. In commercial zones, June 9, 1986.~~

~~2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:~~

a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception permitted in subsection 23.54.020.A.2, if the ((conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:

a. The)) only use of the structure will be residential((;)) and one of the following conditions is met:

((b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

c.)) a. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

((d.)) b. The lot is located in a residential parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than 75 percent for on-street parking within 400 feet of all lot lines.

B. Tandem ((Parking)) parking in ((Multifamily Structures)) multifamily structures.

((1.)) Off-street parking required for multifamily structures may be provided as tandem

~~parking, as defined in Section 23.54.030. ((A tandem parking space counts as one and one-half parking spaces, except as provided in subsection 23.54.020.B.2 below, and must meet the minimum size requirements of subsection 23.54.030.A.~~

~~2. When a minimum of at least one parking space per dwelling unit in a multifamily structure is required, the total number of parking spaces provided, counting each tandem parking space as one space, may not be less than the total number of dwelling units.))~~ ~~A tandem parking space counts at a rate of one space for every 20 linear feet of depth excluding required access aisles.~~

~~*C.* Parking Exception for Landmark Structures. The Director may reduce or waive the minimum accessory off-street parking requirements for a use permitted in a Landmark structure, or when a Landmark structure is completely converted to residential use according to Sections 23.42.108 or 23.45.506, or for a use in a Landmark district that is located in a commercial zone, as a special exception pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.~~

~~1. In making any such reduction or waiver, the Director will assess area parking needs. The Director may require a survey of on- and off-street parking availability. The Director may take into account the level of transit service in the immediate area; the probable relative importance of walk-in traffic; proposals by the applicant to encourage carpooling or transit use by employees; hours of operation; and any other factor or factors considered relevant in determining parking impact.~~

~~2. The Director may also consider the types and scale of uses proposed or practical in the Landmark structure, and the controls imposed by the Landmark designation.~~

~~3. Such a reduction or waiver may be allowed, for conversion of structures to residential use, only if the Director also determine that there is no feasible way to meet parking requirements on the lot.~~

~~D. Expansion of Existing Nonresidential Uses in Commercial Zones. In commercial zones additional parking spaces for nonresidential uses are not required for the expansion of existing structures if the minimum parking requirement would not be increased by more than ten percent. If the minimum parking requirement would be increased by more than ten percent, the parking spaces required for the entire expansion shall be provided. This exception may be used only once for any individual structure.~~

~~E. RESERVED~~

~~F. Reductions to required parking~~

~~1.When parking is required, reductions permitted by this subsection 23.54.020.F will be calculated from the minimum required parking in Section 23.54.015. Total reductions to required parking as provided in this subsection 23.54.020.F may not exceed 50 percent.~~

~~2. Transit reduction~~

~~a. In multifamily and commercial zones, the minimum required parking for all uses is reduced by 50 percent if the property is located within a frequent transit service area, and the property is not located in an Urban Center, Urban Village, or Station Area Overlay District.~~

~~b. In industrial zones, the minimum parking requirement for a nonresidential use is reduced by 15 percent if the use is located within a frequent transit service area.~~

~~3. For new or expanding offices or manufacturing uses that require 40 or more parking spaces, the minimum required parking may be reduced by up to a maximum of 40 percent by the substitution of alternative transportation programs, according to the following provisions:~~

~~a. For every carpool space accompanied by a cash fee, performance bond, or alternative guarantee acceptable to the Director, the total required parking will be reduced by 1.9 spaces, up to a maximum of 40 percent of the parking requirement.~~

~~b. For every vanpool purchased or leased by the applicant for employee use, or equivalent cash fee for purchase of a van by the public ridesharing agency, the total required parking will be reduced by six spaces, up to a maximum of 20 percent of the parking requirement.~~

~~c. If transit or transportation passes are provided with a 50 percent or greater cost reduction to all employees in a proposed structure for the duration of the business establishment(s) within it, or five years, whichever is less, and if transit service is located within one-quarter mile (1,320 feet), the required parking shall be reduced by 10 percent. With a 25 percent to 49 percent cost reduction, and if transit service is located within one-quarter mile (1,320 feet), the parking requirement shall be reduced by five percent.~~

~~d. For every two covered long-term bicycle parking spaces provided, the total parking requirement shall be reduced by one space, up to a maximum of 20 percent of the parking requirement, provided there is access to an arterial over improved streets.~~

~~*G. Reductions in required parking for shared parking*~~

~~1. General provisions for required parking when it is shared parking~~

~~a. Shared parking is allowed between two or more uses to satisfy all or a portion of required off-street parking for those uses as provided in subsections 23.54.020.G.2 and 23.54.020.G.3.~~

~~b. Shared parking to satisfy required parking is allowed between different categories of uses or between uses with different hours of operation, but not both.~~

~~c. A use for which an application is being made for shared parking must be located within 800 feet of the parking.~~

~~d. No reduction to required parking may be made if the proposed uses have already received a reduction through the provisions for cooperative parking, subsection 23.54.020.H.~~

~~e. Reductions to required parking permitted through shared use of parking will be determined as a percentage of the parking requirement as modified by the reductions permitted in subsections 23.54.020.A though 23.54.020.F.~~

~~f. An agreement providing for the shared use of parking to satisfy required parking, executed by the parties involved, must be filed with the Director. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then required parking must be provided as otherwise required by this Chapter 23.54.~~

~~2. Shared required parking for different categories of uses~~

~~a. A business establishment may share required parking according to only one of the subsections 23.54.020.G.2.b, 23.54.020.G.2.c, or 23.54.020.G.2.d.~~

~~b. If an office use shares required parking with one of the following uses, the required parking for the non-office use may be reduced by 20 percent, provided that the reduction will not exceed the minimum required parking for the office use:~~

~~(1) General sales and services;~~

~~(2) Heavy sales and services uses;~~

~~(3) Eating and drinking establishments;~~

~~(4) Lodging uses;~~

~~(5) Entertainment;~~

~~(6) Medical services;~~

~~(7) Animal shelters and kennels;~~

~~(8) Automotive sales and services; or~~

~~(9) Maritime sales and services.~~

~~c. If a residential use shares required parking with one of the following uses, the required parking for the residential use may be reduced by 30 percent, provided that the reduction does not exceed the minimum required parking for the non-residential use:~~

~~(1) General sales and services;~~

~~(2) Heavy sales and services uses;~~

~~(3) Medical services;~~

~~(4) Animal shelters and kennels;~~

~~(5) Automotive sales and services; or~~

~~(6) Maritime sales and services.~~

~~d If an office and a residential use share required off-street parking, the required parking for the residential use may be reduced by 50 percent, provided that the reduction does not exceed the minimum required parking for the office use.~~

~~3. Shared required parking for non-residential uses with different hours of operation~~

~~a. For the purposes of this Section 23.54.020, the following uses will be considered daytime uses:~~

~~(1) Commercial uses, except eating and drinking establishments, lodging uses, and entertainment uses;~~

~~(2) Storage uses;~~

~~(3) Manufacturing uses; and~~

~~(4) Other similar primarily daytime uses, when authorized by the Director.~~

~~b. For the purposes of this Section 23.54.020, the following uses will be considered nighttime or Sunday uses:~~

~~(1) Auditoriums accessory to public or private schools;~~

~~(2) Religious facilities;~~

~~(3) Entertainment uses, such as theaters, bowling alleys, and dance halls;~~

~~(4) Eating and drinking establishments; and~~

~~(5) Other similar primarily nighttime or Sunday uses, when authorized by the Director.~~

~~e. Up to 90 percent of the required parking for a daytime use may be supplied by the off-street parking provided by a nighttime or Sunday use and vice-versa, when authorized by the Director, except that this may be increased to 100 percent when the nighttime or Sunday use is a religious facility.~~

~~d. The applicant must show that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking to satisfy required parking is proposed.~~

~~e. The establishment of a park and ride facility use is permitted subject to use allowances in the zone, provided that it will not use spaces required by another use if there is a substantial conflict in the principal operating hours of the park and ride use and the other use.~~

~~H. Reductions in required parking for cooperative parking~~

~~1. Cooperative parking to satisfy required parking is permitted between two or more business establishments that are commercial uses according to the provisions of this subsection 23.54.020.H.~~

~~2. Up to a 20 percent reduction in the total number of required parking spaces for four or more separate business establishments, 15 percent reduction for three business establishments, and ten percent reduction for two commercial uses may be authorized by the Director under the following conditions:~~

~~a. No reductions to required parking may be made if the proposed business establishments have already received a reduction through the provisions for shared parking in subsection 23.54.020.G.~~

~~b. Each business establishment for which the application is being made for cooperative parking is located within 800 feet of the parking, and the parking is located in a commercial or residential-commercial zone or the Seattle Mixed (SM) zone.~~

~~c. The reductions to required parking permitted through cooperative parking will be determined as a percentage of the minimum parking requirement as modified by the reductions permitted in subsections 23.54.020.A through 23.54.020.F.~~

~~d. An agreement providing for the cooperative use of parking to satisfy required parking must be filed with the Director when the facility or area is established as cooperative parking. Cooperative parking privileges will continue in effect only as long as the agreement to use the cooperative parking remains in force. If the agreement is no longer in force, then required parking, as applicable, must be provided as otherwise required by this Chapter 23.54. New business establishments seeking to meet required parking by becoming part of an existing cooperative arrangement must provide the Director with an amendment to the agreement stating their inclusion in the cooperative parking facility or area.~~

~~I. Reductions to Minimum Parking Requirements for Department of Parks and Recreation (DOPAR) Community Centers.~~

~~1. When family support centers are located within DOPAR community centers, the Director may, upon request by DOPAR, lower the combined parking requirement for the community center and the family support center up to a maximum of fifteen (15) percent.~~

~~2. The parking requirement may be reduced only if the reduction is supported by a recommendation of the Project Advisory Committee formed to review the DOPAR community center, and the Director determines and makes written findings that:~~

~~a. The lower parking requirement is necessary to preserve existing natural features or recreational facilities deemed significant by DOPAR and the Project Advisory Committee formed to review the DOPAR community center, and the reduction is the minimum necessary to preserve such features and/or facilities; and~~

~~b. The surrounding streets can accommodate overflow parking from the combined community center and family support center or, alternatively, any adverse parking impacts on the neighborhood from the combined community center and family support center will be mitigated.~~

~~J. Reductions in required parking for City-recognized car-sharing programs~~

~~1. For any development, one space or up to five percent of the total number of required spaces, whichever is greater, may be used to provide parking for vehicles operated by a car-sharing program. The number of required parking spaces will be reduced by one space for every parking space leased by a car-sharing program.~~

~~2. For any development requiring 20 or more parking spaces under Section 23.54.015 that provides a space for vehicles operated by a car-sharing program, the number of required parking spaces may be reduced by the lesser of three required parking spaces for each car-sharing space or 15 percent of the total number of required spaces. In order to gain this exception, an agreement between the property owner and a car-sharing program must be approved by the Director and the agreement, along with a notice that the agreement is the basis for this exception to the parking requirement, must be recorded with the title to the property before a Master Use Permit is issued.~~

~~K. Peat Settlement-prone Environmentally Critical Areas. Except in Neighborhood Residential and Lowrise zones, the Director may reduce or waive the minimum accessory off-~~

~~street parking requirements to the minimum extent necessary to offset underground parking potential lost to limitations set forth in Section 25.09.110 on development below the annual high static groundwater level in peat settlement-prone areas. In making any such reduction or waiver, the Director will assess area parking needs. The Director may require a survey of on- and off-street parking availability. The Director may take into account the level of transit service in the immediate area; the probable relative importance of walk-in traffic; proposals by the applicant to encourage carpooling or transit use by employees; hours of operation; and any other factor or factors considered relevant in determining parking impact.~~

~~L. Director discretion. As a Type I decision pursuant to Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, the Director may reduce required parking for any proposed uses in any zone, except Downtown zones, to a level not less than the amount needed to serve parking demand to be generated by those uses as demonstrated to the satisfaction of the Director by a parking demand study performed by a licensed professional engineer and submitted by the applicant.~~

Add a new Section XX of Council Bill 120993 to amend SMC Section 23.54.025, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.54.025 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.54.025 Off-site ~~required~~ parking

A. Where allowed

1. Off-site parking ~~**provided to fulfill required parking**~~ may be established by permit on a lot if the parking proposed is otherwise allowed by the provisions of this Title 23 on

the lot where the off-site parking is proposed or is already established by permit on the lot where the off-site parking is proposed.

2. The standards in this Chapter 23.54 that apply to parking accessory to the use for which the parking is required shall be met on the lot where off-site parking is proposed, if new parking spaces are proposed to be developed. Existing parking may be used even if nonconforming to current standards provided it is not required for a use on the lot that is the site of the off-site parking.

3. If parking and parking access, including the proposed off-site parking, are or will be the sole uses of a site, or if surface parking outside of structures will comprise more than one-half of the site area, or if parking will occupy more than half of the gross floor area of all structures on a site, then a permit to establish off-site parking may be granted only if flexible-use parking is a permitted use for the lot on which the off-site parking is located.

B. Development standards

1. Off-site parking shall satisfy the screening and landscaping requirements and other development standards applicable where it is located, except to the extent that it is legally nonconforming to development standards prior to establishment of the off-site parking use. Unless otherwise provided, development standards regarding the relation of parking to structures apply to off-site parking in the same manner as they apply to parking accessory to the uses in such structures.

2. ~~Parking allowed only as temporary surface parking does not qualify as off-site parking.~~

~~3. Parking provided to fulfill required parking shall not be established as off-site parking for more than one use unless authorized to be shared according to the shared parking provisions of this Chapter 23.54.~~

~~4.~~ If maximum parking limits apply to a use, off-site parking permitted for that use shall count against the maximum limit unless otherwise expressly stated in the provisions of this Title 23 applicable to the lot where the use requiring parking is located.

C. Permit requirements.

1. When all or part of the ~~required~~ parking ~~for~~ accessory to a use is to be provided on a lot other than the lot on which the use ~~requiring parking~~ is located, a permit must be obtained to establish off-site parking for the principal use ~~requiring parking~~ as a use on the off-site parking lot.

2. The permit application must be submitted by or on behalf of the owner of the off-site parking lot along with written consent of the owner of the lot on which the principal use ~~requiring parking~~ is located, or such owner's authorized representative.

3. The permit may be issued only after the applicant has demonstrated that the off-site parking complies with all applicable requirements of this Title 23. An application to establish off-site parking, or to change the use for which off-site parking is provided, may be considered as part of the application to establish, expand or change the principal use ~~requiring off-site parking~~.

D. Required notice.

1. When off-site parking is ~~required parking~~ provided for a use on any lot, notice of this off-site parking arrangement shall be recorded with the King County Recorder for both lots. The notice shall:

a. include legal descriptions of both the lots on which the use requiring parking is located and the off-site parking lot; and

b. identify by an attached drawing the number and location of spaces established as off-site parking for the use requiring parking;

2. A copy of the notice, with attached drawing, shall be submitted as part of any permit application for any use for which the off-site parking is to be accessory ~~used to satisfy all or part of the parking requirement~~. Once the permit application is complete in every other respect, a copy of the notice, with attached drawing and a recording number assigned by the King County Recorder, shall be submitted prior to issuance of the permit.

E. Termination, change, or suspension of off-site parking use

1. Except as otherwise provided in subsection 23.54.025.F, a change of use permit is required to terminate any off-site parking use, or to establish a new use for which off-site ~~required~~ parking is to be provided on the off-site parking lot. Such a change of use permit shall not be issued unless~~:~~

~~a.~~ ~~The~~ the owner of the lot on which the use ~~requiring~~ parking is located has been notified in writing of the change of use~~; and~~

~~b. The off-site parking is not required for any reason, which may include one or more of the following:~~

~~1) The use requiring parking has been discontinued or reduced in size;~~

~~2) The parking is no longer required by this Title 23;~~

~~3) Other parking meeting the requirements of Title 23 has been provided for the use requiring parking and, if it is off-site parking, established by permit; or~~

~~4) A variance allowing the use requiring parking to continue without all or part of such off-site parking has been granted~~.

2. ~~If the owner of a lot where off-site parking is established plans to improve the lot and continue to provide off-site parking for the use requiring parking after completion of the improvements, the owners of such lot and the lot on which the use requiring parking is located, or such owners' authorized representatives, may apply for a temporary suspension of the off-site parking use, by submitting to the Director:~~

~~a. A plan, with attached drawings showing the number and location of parking spaces, for providing interim parking for the use requiring parking, satisfying all applicable requirements of this Title 23, until improvements to the off-site parking lot are completed;~~

~~b. A plan, with attached drawings showing the number and location of parking spaces, for the provision of permanent parking for the use requiring parking, satisfying all applicable requirements of this Title 23, when the improvements are completed; and~~

~~c. Such other materials as the Director may require to evaluate the proposal.~~

~~3. If the Director approves the plans for purposes of subsection 23.54.025.E.2, then the Director may authorize the suspension of the off-site parking use pending the completion of the proposed improvements, conditioned upon issuance of a building permit for the proposed improvements, issuance of any permits necessary to establish the interim parking use, and the actual provision of the other off-site parking in accordance with applicable development standards.~~

~~4.~~ If a principal use ~~requiring~~ with permitted off-site parking is suspended as a result of fire, act of nature, or other causes beyond the control of the owners, or for substantial renovation or reconstruction, then subject to the applicable provisions in the zone or district where the off-site parking is located, the Director may approve the temporary use of the off-site parking to serve one or more other uses, or as flexible-use parking, for a period not to exceed 180 days, subject to extensions for not more than 180 days if at the end of the initial period or any extension the principal use ~~requiring parking~~ has not recommenced.

~~5. No permit for the demolition of a structure including off-site parking, established under this Section 23.54.025, or of any portion thereof necessary for such off-site parking, shall be issued, except in case of emergency, unless the off-site parking use has been terminated or temporarily suspended pursuant to this subsection 23.54.025.E. If any such structure, or such portion thereof, is destroyed as a result of fire, act of nature, or other causes beyond the control of the owners, then the owner of the off-site parking lot may obtain a change of use permit. Upon such destruction of off-site parking, the lot with the use requiring parking will be subject to subsection 23.54.025.G.~~

F. Off-site parking established by covenant

1. Off-site parking established by a covenant or other document approved by the Director and recorded in the King County real property records consistent with this Section 23.54.025 as in effect immediately prior to April 19, 2011, if that date is after either the date of vesting under Section 23.76.026 of the Master Use Permit application with which the covenant was submitted or the date when such covenant or other document was approved, may be used as required parking for the use(s) identified in such covenant to the extent consistent with the Master Use Permit and any other conditions of the Director's approval, without compliance with

subsections 23.54.025.C and 23.54.025.D, so long as such off-site parking use is not discontinued for a period of 90 days, and subject to compliance with any applicable development standards. The owner of any such off-site parking spaces and the owner of the use requiring parking are each responsible for notifying the Director should the use of any or all of those spaces as off-site parking for the use requiring parking cease.

2. When maximum parking limits apply to a use requiring off-site parking, off-site parking permitted for that use under this subsection 23.54.025.F shall count against the maximum limit unless otherwise expressly stated in the provisions of this Title 23 that apply to the lot where the use requiring parking is located.

3. Off-site parking established by covenant or other document approved by the Director, and not by permit establishing off-site parking use, is not subject to the requirements of subsection 23.54.025.E.

4. Any replacement off-site parking established by covenant in compliance with subsection 23.54.025.G.1.e shall be considered to have been established as described in subsection 23.54.025.F.1.

G. [Reserved] ~~Effect of loss of required off-site parking~~

~~1. If, for any reason, any off-site parking used to satisfy required parking for any use requiring parking is not available for off-site parking for such use in conformity with the applicable use permit, then it shall be unlawful to continue the use requiring parking unless:~~

~~a. Other parking meeting the requirements of this Title 23 is provided on the same lot as the use requiring parking within 30 days;~~

~~b. Other off-site parking is secured, a permit is applied for to establish the off-site parking use within 30 days, such permit is obtained within 180 days, and the other off-~~

~~site parking is completed in accordance with all applicable requirements and is in use within 180 days unless the Director, upon finding that substantial progress toward completion has been made and that the public will not be adversely affected by the extension, grants an extension in writing;~~

~~c. The loss of off-site parking is caused by damage to or destruction of a structure, and either:~~

~~1) The owners of the off-site parking and of the lot of the use requiring parking apply for a permit to establish other existing spaces on the off-site parking lot as parking for such use within 90 days, and such permit is granted within 180 days; or~~

~~2) The owner of the off-site parking lot applies for any permit necessary to repair or rebuild the structure so as to provide the off-site parking within 90 days, the off-site parking is completed in accordance with all applicable requirements within 180 days, unless the Director, upon finding that substantial progress toward completion has been made and that the public will not be adversely affected by the extension, grants an extension in writing, and if the location on the lot of the off-site parking is modified, the owner executes and records within 180 days an amendment to the notice identifying the location of the off-site parking in the rebuilt or repaired structure; or~~

~~d. A variance is applied for within 30 days and subsequently granted; or~~

~~e. The off-site parking was exempt, under subsection 23.54.025.F, from the requirements of subsections 23.54.025.C, 23.54.025.D, and 23.54.025.E, and within 30 days substitute off-site parking, on a lot where such parking is permitted by the provisions of this Title 23 and consistent with all applicable development standards, is provided and established by recorded parking notice or covenant consistent with the terms of this Section 23.54.025.~~

~~2. Unless a variance is applied for within such 30-day period and not denied, upon the expiration of any applicable period in subsections 23.54.025.G.1.a, 23.54.025.G.1.b, or 23.54.025.G.1.c without the completion of the action or actions required, the use requiring parking shall be discontinued to the extent necessary so that the remaining parking for that use satisfies the applicable minimum parking requirement. Upon the denial of a variance from parking requirements the use requiring parking must be discontinued to that extent, unless the conditions of subsection 23.54.025.G.1.a, 23.54.025.G.1.b, 23.54.025.G.1.c, or 23.54.025.G.1.e are then satisfied. Each period stated in this subsection 23.54.025.G runs from the first date upon which spaces established as off-site parking are not available for use as off-site parking.~~

H. Signage. Signage for off-site parking is required, subject to the applicable restrictions in the zone or district, both on the same lot as the use requiring parking and on the off-site parking lot, as follows:

1. One or more signs, each of a size and at a location to be approved by the Director, must be placed on the same lot as the principal use ~~requiring parking~~ indicating the address of the off-site parking and that it is available to one or more user groups (e.g., customers, employees, residents).

2. One or more signs, each of a size and at a location to be approved by the Director, must be placed on the off-site parking lot identifying the use(s) served by the parking spaces, and sufficient signage shall be provided to clearly specify the spaces that are reserved for each use requiring parking and, if applicable, the days and times when the spaces are so reserved.

3. The Director may allow the use of temporary signage for off-site parking serving spectator sports facilities.

I. Management and operation of off-site parking. If a party other than the owner of the off-site parking lot is responsible for its management and operation, the Director may require verification from the owner of the off-site parking lot that the party responsible for its management and operation has been apprised of the requirements of this section 23.54.025 and any applicable permits.

Amend Section 60 of Council Bill 120993, to amend SMC Section 23.54.030, as follows:

Section 60. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.030 Parking space and access standards

All parking spaces provided~~, whether required by Section 23.54.015 or not,~~ and required barrier-free parking, shall meet the standards of this Section 23.54.030.

* * *

B. Parking space requirements. The required size of parking spaces shall be determined by whether the parking is for a residential, live-work, or non-residential use. In structures containing residential uses and also containing either non-residential uses or live-work units, parking that is clearly set aside and reserved for residential or live-work use shall meet the standards of subsection 23.54.030.B.1. Parking for all other uses within the structure shall meet the standards of subsection 23.54.030.B.2. All uses shall provide barrier-free accessible parking if required by the Seattle Building Code or the Seattle Residential Code.

1. Residential uses

a. When five or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.2, except as provided in subsection 23.54.030.B.1.d.

b. When more than five parking spaces are provided, a minimum of 60 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent of the parking spaces may be striped for any size category in subsection 23.54.030.A, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted living facilities. Parking spaces shall be provided as in subsections 23.54.030.B.1.a and 23.54.030.B.1.b, except that a minimum of two spaces shall be striped for a large vehicle.

d. Townhouse units. For an individual garage serving a townhouse unit, the minimum required size of a parking space shall be for a medium vehicle, as described in subsection 23.54.030.A.

2. Non-residential uses

a. When ten or fewer parking spaces are provided, a maximum of 25 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of the spaces shall be striped for large vehicles.

b. When between 11 and 19 parking spaces are provided, a minimum of 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

c. When 20 or more parking spaces are provided, a minimum of 35 percent of the parking spaces shall be striped for small vehicles. The minimum required size for

small parking spaces shall also be the maximum size. A maximum of 65 percent of the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at least one floor, and there shall be at least one direct entrance that is at least 6 feet 9 inches in height for all parking garages accessory to non-residential uses and live-work units and for all flexible-use parking garages.

3. Live-work uses. The first ~~required~~ parking space provided shall meet the parking standards for residential use. Additional ~~required~~ parking provided for a live-work use shall meet the parking standards for non-residential use.

* * *

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.66.342, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.66.342 of the Seattle Municipal Code, last amended by Ordinance 126157, is amended as follows:

23.66.342 Parking and access

* * *

B. Accessory parking and loading

1. Parking quantity. ~~The number of parking spaces required for any use shall be the number required by the underlying zoning, except that restaurants shall be required to provide one space per 500 square feet for all gross floor area in excess of 2,500 square feet; motion picture theaters shall be required to provide one space per 15 seats for all seats in excess of 150; and other entertainment uses shall be required to provide one space per 400 square feet~~

~~for all gross floor area in excess of 2,500 square feet.~~ Bicycle parking is required pursuant to Section 23.54.037.

2. Exceptions to parking quantity. To mitigate the potential impacts of required accessory parking and loading on the District, the Director of the Department of Neighborhoods, after review and recommendation by the Special Review Board, and after consultation with the Director of Transportation, may waive or reduce required ~~parking~~, loading~~,~~ and bicycle parking, under the following conditions:

a. ~~After incorporating high-occupancy-vehicle alternatives such as carpools and vanpools, required parking spaces exceed the net usable space in all below-grade floors; or~~

~~b.~~ Strict application of the ~~parking,~~ loading~~,~~ or bicycle parking standards would adversely affect desirable characteristics of the District; or

~~c.~~ b. An acceptable parking and loading plan is submitted to meet bicycle parking and loading demands generated by the use. Acceptable elements of the parking and loading plan may include but shall not be limited to the following:

1) ~~Valet parking service;~~

~~2) Validation system;~~

~~3)~~ Lease of ~~parking~~ loading space from parking management company;

~~4) Provision of employee parking~~; and

~~5)~~ 2) Accommodations for commercial deliveries and passenger drop off and pick up.

* * *

Add a new Section XX to Council Bill 120993 to amend SMC Section 23.86.034, as follows, and renumber the subsequent sections of the bill, as appropriate:

Section XX. Section 23.86.034 of the Seattle Municipal Code, enacted by Ordinance 112777, is amended as follows:

23.86.034 Distance to ~~required~~ parking.

When a maximum distance to ~~required~~ parking is specified it shall be the walking distance measured from the nearest point of the parking area or garage to the nearest point of the lot containing the use the parking ~~is required to serve~~ is accessory to.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 31, 2025
D#1

Amendment 85 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Amend parking requirements to implement State law

Effect: This amendment would reduce or eliminate parking requirements for a range of uses in order to implement the provisions of 2025 Engrossed Substitute Senate Bill 5184 (ESSB 5184). ESSB 5184 must be in effect by January 2027. Among the changes required under ESSB 5184 are removal of parking requirements for all residences less than 1,200 square feet in size, removal of parking requirements for child care centers, removal of parking requirements for any business less than 3,000 square feet in size or at the ground floor of a mixed-use building, and limiting all non-residential parking requirements to two spaces per 1,000 square feet or fewer.

Amend Section 57 of Council Bill 120993 to amend Section 23.54.015 of the Seattle Municipal Code, as follows:

Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required vehicular parking and maximum vehicular parking limits

* * *

D. Parking waivers ~~for ((non-residential)) nonresidential uses~~

1. ~~In all commercial zones, no~~ No parking is required for the first ~~1,500~~ 3,000 square feet of each business establishment ~~or the first 15 fixed seats for motion picture and performing arts theaters~~.

2. ~~In all other zones, no parking is required for the first 2,500~~ 3,000 ~~square feet of gross floor area of each ((non-residential)) nonresidential uses in a structure, except for the following:~~

~~a. Structures or portions of structures occupied by restaurants with drive-in lanes((,)) ;~~

~~b. Motion picture theaters((,)) ;~~

~~c. Offices((,)) ; or~~

~~d. Institution uses, including Major Institution uses.~~

~~When two or more uses with different parking ratios occupy a structure, the 2,500 square foot waiver is prorated based on the area occupied by the ((non-residential)) nonresidential uses for which the parking waiver is permitted~~.

No parking is required for ground level nonresidential spaces in mixed-use structures.

* * *

G. Changes of use.

1. New ((~~non-residential~~)) nonresidential uses in existing structures ~~in commercial and industrial zones~~. Except as otherwise provided in this subsection 23.54.015 G, ~~Up~~ up to 20 required parking spaces are waived for a new ((~~non-residential~~)) nonresidential use established in an existing structure or the expansion of an existing ((~~non-residential~~)) nonresidential use entirely within an existing structure. Existing required parking shall remain.

2. Residential uses in existing structures. No parking is required for a change of use from a nonresidential use to a residential use in an existing structure.

3. Commercial uses in existing structures. No parking is required for a change of use to a commercial use in an existing structure.

4. For purposes of this Section 23.54.015, "existing structure" means a structure that was established under permit, or for which a building permit has been granted and has not expired, at least two years prior to the application to establish the new use or expand the use.

5. Parking spaces required for loading and unloading of passengers are not eligible for the waiver under this subsection 23.54.015.G.

* * *

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use				**Minimum parking required**
I. General ((~~non-residential~~)) nonresidential uses (other than institutions)				
* * *				
B.	COMMERCIAL USES			
	B.1.	Animal shelters and kennels		1 space for each 2,000 square feet
	B.2.	Eating and drinking establishments		1 space for each ~~250~~500 square feet
	B.3.	Entertainment uses, general, except as noted below [2]		For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats, or 1 space for each 500 square feet of total floor area in entertainment use, whichever is less
		B.3.a.	Adult cabarets	1 space for each ~~250~~500 square feet
		B.3.b.	Sports and recreation uses [3]	1 space for each 500 square feet
	B.4.	Food processing and craft work		1 space for each 2,000 square feet

Table A for 23.54.015 **Required parking for ((~~non-residential~~)) nonresidential uses other than institutions**				
Use				**Minimum parking required**
	B.5.	Laboratories, research and development		1 space for each 1,500 square feet
	B.6.	Lodging uses		1 space for each 4 rooms or 1 space for each 500 square feet of total floor area in lodging use, whichever is less; For bed and breakfast facilities in ((~~neighborhood residential~~)) Neighborhood Residential and multifamily zones, 1 space for each 2 dwelling units, plus 1 space for each 2 guest rooms, or 1 space for each 500 square feet of total floor area in lodging use, whichever is less
	B.7.	Medical services		1 space for each 500 square feet
	B.8.	Offices		1 space for each 1,000 square feet
	B.9.	Sales and services, automotive		1 space for each 2,000 square feet
	B.10.	Sales and services, general, except as noted below		1 space for each 500 square feet
		B.10.a.	Pet daycare centers [4]	~~1 space for each 10 animals or 1 space for each staff member, whichever is greater,~~ 1 space for each 500 square feet plus 1 loading and unloading space for each 20 animals
	B.11.	Sales and services, heavy		1 space for each 2,000 square feet
	B.12.	Sales and services, marine		1 space for each 2,000 square feet
* * *				
II. ((~~Non-residential~~)) Nonresidential use requirements for specific areas				

Table A for 23.54.015
Required parking for ((~~non-residential~~)) nonresidential uses other than institutions

Use		Minimum parking required
I.	((~~Non-residential~~)) Nonresidential uses in urban centers or the Station Area Overlay District [5]	No minimum requirement
J.	((~~Non-residential~~)) Nonresidential uses in urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District, if the ((~~non-residential~~)) nonresidential use is located within a frequent transit service area [5]	No minimum requirement
K.	((~~Non-residential~~)) Nonresidential uses permitted in MR and HR zones pursuant to Section 23.45.504	No minimum requirement
L.	((~~Non-residential~~)) Nonresidential uses permitted in II zones	No minimum requirement

Footnotes for Table A for 23.54.015
[1] No parking is required for urban farms or community gardens in residential zones.
[2] Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating

Table A for 23.54.015 **Required parking for ((~~non-residential~~)) nonresidential uses other than institutions**	
Use	**Minimum parking required**
capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded. [3] For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((~~1~~)) one space for each 2,000 square feet. [4] The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. [5] The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a ((~~non-residential~~)) nonresidential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of ((~~non-residential~~)) nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

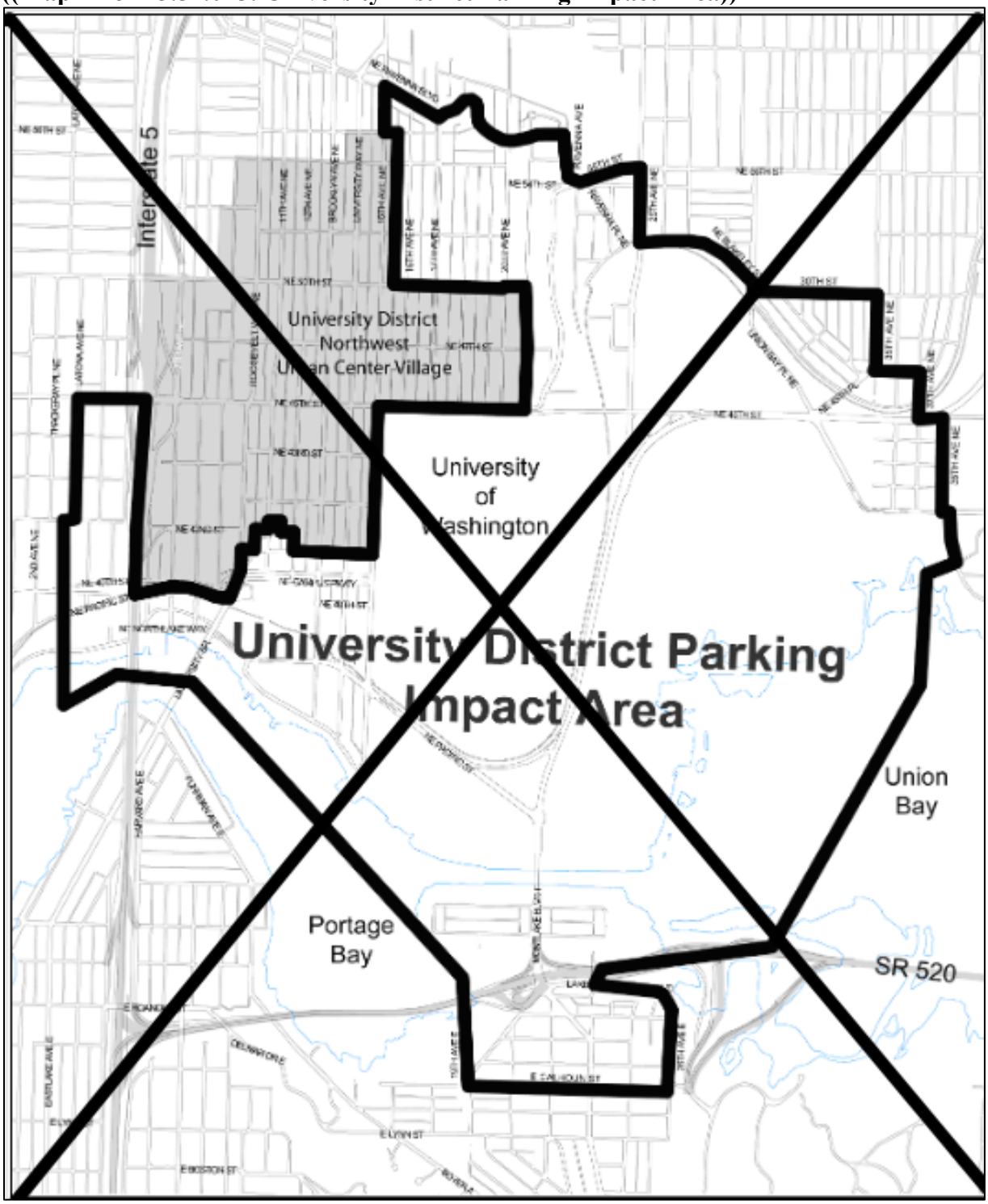
Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [1, 2, 3]		
((~~A.~~	~~Adult family homes~~	~~1 space for each dwelling unit~~
~~B.~~)) A.	Artist's studio/dwellings	1 space for each 2 dwelling units
((~~C.~~)) B.	Assisted living facilities	~~1 space for each 4 assisted living units; plus~~ ~~1 space for each 2 staff members on-site~~

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
		~~at peak staffing time; plus~~ ~~1 barrier-free passenger loading and unloading space~~ No parking required
((~~D.~~)) C.	Caretaker's quarters	1 space for each 2 dwelling units
((~~E.~~)) D.	Congregate residences	1 space for each 4 sleeping rooms
((~~F.~~	~~Cottage housing developments~~ [1]	~~1 space for each dwelling unit~~
~~G.~~	~~Floating homes~~	~~1 space for each dwelling unit~~
~~H.~~)) E.	Mobile home parks	1 space for each 2 mobile home lots as defined in Chapter 22.904
((~~I.~~	~~Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015~~ [1, 2]	~~1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units~~
~~J.~~	~~Nursing homes~~	~~1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds~~
~~K.~~)) F.	((~~Single-family dwelling units~~)) Housing ((~~1, 3~~)) 4, 5	1 space for each 2 dwelling units
II. Residential use requirements for specific areas [1]		
((~~L.~~)) G.	All residential uses within urban centers or within ((~~the~~)) a Station Area Overlay District ((~~2~~))	No minimum requirement

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
((~~M.~~)) H.	All residential uses ((~~in commercial, RSL, and multifamily zones~~)) within urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District((~~,~~)) if the residential use is located within a frequent transit or major transit service area ((~~2, 4~~))	No minimum requirement
I.	All residential uses within a major transit service area	No minimum requirement
((~~N.~~	~~Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015~~ [2]	~~1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms~~
~~O.~~	~~Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015~~ [2]	~~1.5 spaces for each dwelling unit~~))
~~P.~~)) J.	Congregate residences located within ((~~one-half mile walking distance of a major transit stop~~)) a frequent transit service area	No minimum requirement
III. Residential use requirements for specific unit types or sizes [1]		
K.	Dwelling units and congregate residences that are less than 1,200 square feet in size	No minimum requirement
L.	Housing, Low-income	No minimum requirement
M.	Residential structures serving seniors or persons with disabilities	No minimum requirement

Table B for 23.54.015 **Required parking for residential uses**	
Use	**Minimum parking required**
Footnotes to Table B for 23.54.015 [1] ((~~For each moderate-income unit and each low-income unit, no minimum amount of parking is required.~~ ~~2~~)) 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 provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)). [2] For each moderate-income unit and each low-income unit, no minimum amount of parking is required. [3] A reduction or waiving of parking requirements may be permitted if the Director finds that the reduction or waiver is necessary in order to protect a Tier 2 or Tier 3 tree as defined in Chapter 25.11. [4] No parking is required for ((~~single-family residential uses~~)) accessory dwelling units. [5] No parking is required for principal dwelling units 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~~)) 23.44.160.F.2, 23.45.536.C.2, or 23.45.536.C.3. ((~~4~~ ~~Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.~~))	

((~~Map A for 23.54.015: University District Parking Impact Area~~))



((~~Map B for 23.54.015: Alki Area Parking Overlay~~))

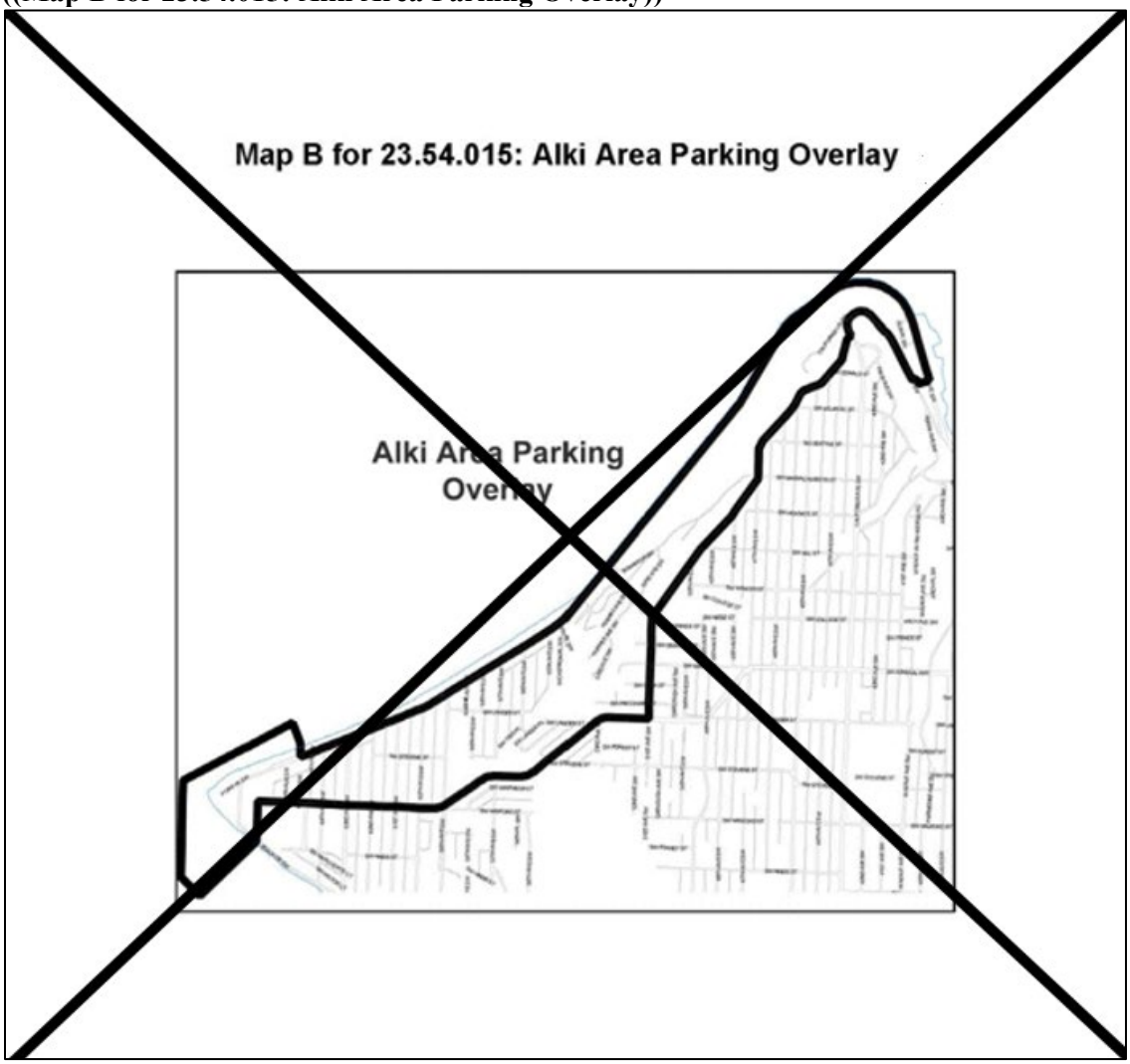


Table C for 23.54.015 **Required parking for public uses and institutions**		
Use		**Minimum parking required**
I. General public uses and institutions [1]		
A.	Adult care centers ((~~1~~)) [2, 3]	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
B.	Child care centers ~~2,~~ 3, 4, ~~5~~ ((~~12~~))	~~1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.~~ No parking
C.	Colleges	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) ((~~1,~~)) 6	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs((~~,~~)) and community centers not owned and operated by SPR ((~~1, 5,~~)) 7, 8	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms containing fixed seats; plus 1 space for each 350 square feet of all other indoor areas
F.	Community farms ((~~5~~)) 8	1 space plus 1 space for each 10,000 square feet of site area, or 10 spaces, whichever is less
G.	Hospitals	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
((~~H.~~	~~Institutes for advanced study, except in~~	~~1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public~~

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	~~neighborhood residential zones~~	~~assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats~~))
((~~I.~~)) H.	Institutes for advanced study in ((~~neighborhood residential~~)) Neighborhood Residential zones (existing) [1]	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
((~~J.~~)) I.	Libraries ((~~1, 5,~~)) 8, 9	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms containing fixed seats; plus 1 space for each 500 square feet of floor area of all other areas
((~~K.~~)) J.	Museums ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
((~~L.~~)) K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
((~~M.~~)) L.	Religious facilities ((~~1~~))	1 space for each 80 square feet of all auditoria and public assembly rooms

Table C for 23.54.015
Required parking for public uses and institutions

Use		**Minimum parking required**
((~~N.~~	~~Schools, private elementary and secondary~~ ~~((1))~~	~~1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member~~
~~O.~~)) M.	Schools, ((~~public~~)) elementary and secondary [7, ((~~9.~~)) 10, 11]	1 space for each 80 square feet of all auditoria ((~~or~~)) and public assembly rooms without fixed seats, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats((~~, for new public schools on a new or existing public school site~~
~~P.~~)) N.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate
II. General public uses and institutions for specific areas		
((~~Q.~~)) O.	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((~~11~~)) 12	No minimum requirement
((~~R.~~)) P.	General public uses and institutions, except hospitals, including institutes for advanced study in ((~~neighborhood residential~~))	No minimum requirement

Table C for 23.54.015
Required parking for public uses and institutions

Use		Minimum parking required
	Neighborhood Residential zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a frequent transit service area	

Footnotes to Table C for 23.54.015

[1] ((~~When this use is permitted in a neighborhood residential zone as a conditional use, the~~)) The Director may modify the parking requirements in this Table A for 23.54.015 for institutions in Neighborhood Residential and multifamily zones pursuant to the conditional uses provisions in Section ((~~23.44.022~~)) 23.44.030 ((~~; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to~~)) and Section 23.45.570.

[2] The amount of required parking is calculated based on the maximum number of staff~~, children,~~ or clients that the center is designed to accommodate on site at any one time. No parking is required for adult care centers that provide housing for clients.

[3] As a Type I decision, the Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.

[4] A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

[5] ((~~When this use is permitted outright in a neighborhood residential or multifamily zone, the Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~)) ~~The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.~~[Reserved]

Table C for 23.54.015
Required parking for public uses and institutions

Use	Minimum parking required
[6] When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I. [7] Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet. [8] The Director may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.080 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied. [9] When a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied. ((~~9~~)) [10] For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown in this Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ((~~10~~)) ten percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.	

Table C for 23.54.015 **Required parking for public uses and institutions**	
Use	**Minimum parking required**
((~~10~~)) 11 ((~~Development~~)) For public schools, development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces. ((~~11~~)) 12 The general requirements of lines A through P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ((~~12 The Director may reduce the minimum parking requirements for a child care center in any zone if a portion of its parking demand can be accommodated in nearby on-street parking.~~))	

((~~K. Bicycle parking.~~))

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
7/1/25
D1

Amendment 91 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Nelson

Expanding Stacked Flat Bonus for Trees or Green Factor

Effect: This amendment would give bonus development standards to stacked flat projects in NR zones that include green infrastructure. FAR would increase for all stacked flat projects from 1.4 to 1.8. Projects that include the following would be allowed up to 2.0 FAR:

1. Retain a Tier 1 tree;
2. Retain two Tier 2 trees; or
3. Meet a Green Factor score of 0.6.

Projects doing one of those three things would also be permitted higher densities (1 unit per 500 square feet of lot area) and higher building heights (up to 42 feet).

Amend Section 30 of CB 120933, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050

Floor area ratio (FAR) in NR zones	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is ~~1.4~~1.8 for stacked dwelling units that meet the requirements of 23.44.050.D. ~~located within a frequent transit service area on lots 6,000 square feet or larger~~

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

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

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

3. Common walls separating individual attached dwelling units.

D. The FAR limit for stacked dwelling units that meet one of the following criteria is 2.0:

1. Retain a Tier 1 tree, as defined in Section 25.11.130;

2. Retain two Tier 2 trees as defined in Section 25.11.130; or

3. Meet a Green Factor score of 0.6 as measured in Section 23.86.019.

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a frequent transit service area, one dwelling unit per 650 square feet of lot area;

2. For stacked dwelling units that meet one of the following criteria, one dwelling unit per 500 square feet of lot area:

a. Retain a Tier 1 tree, as defined in Section 25.11.130;

b. Retain two Tier 2 trees as defined in Section 25.11.130; or

c. Meet a Green Factor score of 0.6 as measured in Section 23.86.019.

***

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet.

2. The height limit for accessory structures that are located in required setbacks is 12 feet, except as follows:

a. The ridge of a pitched roof may extend up to 3 feet above the 12-foot height limit provided that all parts of the roof above the height limit shall be pitched at a rate of not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

b. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

***

C. Height limit exceptions

1. Except in the Airport Height Overlay District, flagpoles are exempt from height limits, provided that they are no closer to any adjoining lot line than 50 percent of their height above existing grade, or, if attached only to a roof, no closer than 50 percent of their height above the roof portion where attached.

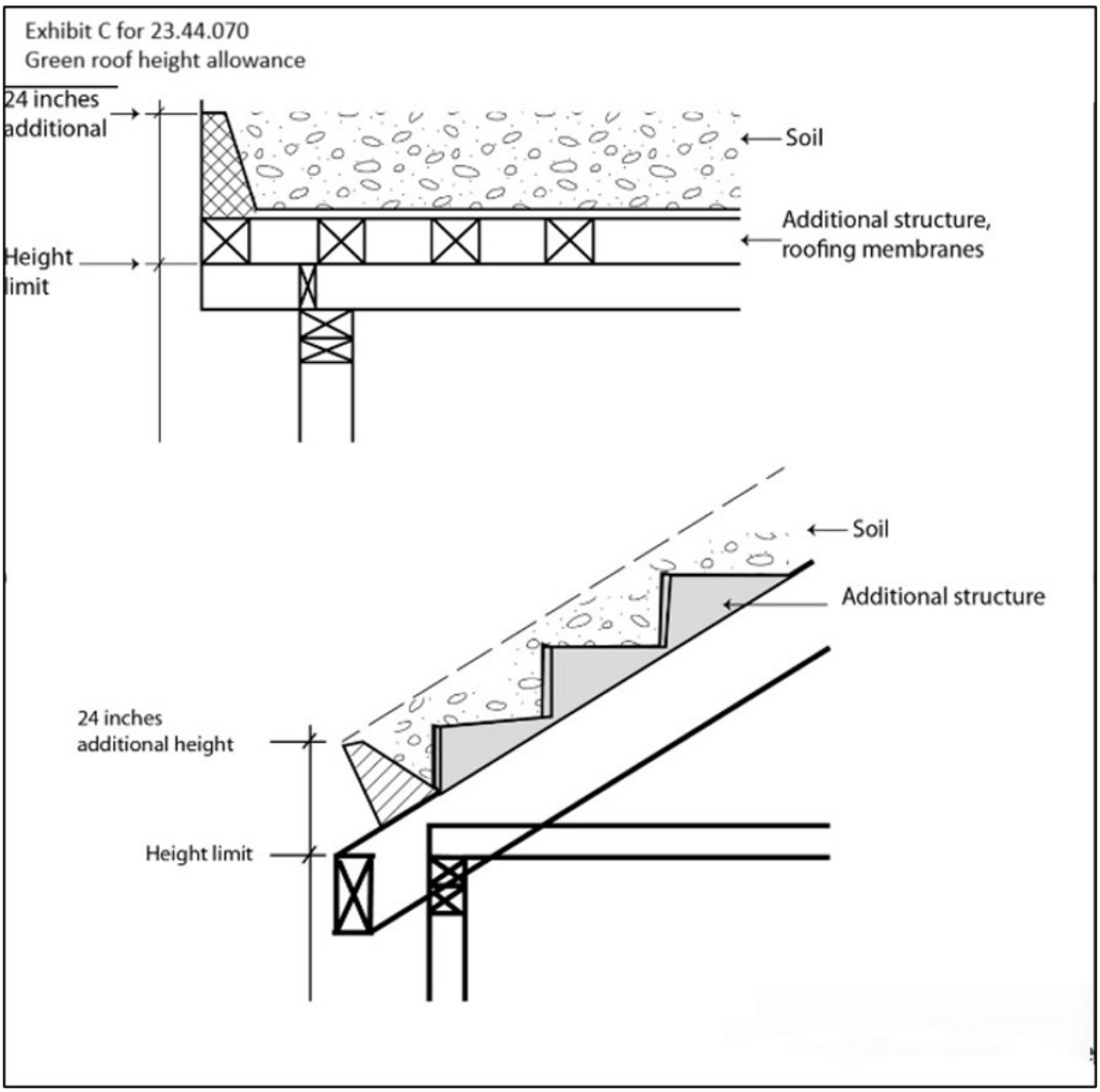
2. Open railings, planters, greenhouses not dedicated to food production, parapets, and firewalls may extend 4 feet above the height limit in subsection 23.44.070.A.

Planters on flat roofs shall not be located within 4 feet of more than 25 percent of the perimeter of the roof.

3. Green roofs may extend 2 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

Exhibit C for 23.44.070

Green roof height allowance



4. Solar collectors may extend 4 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

5. For nonresidential principal uses, the following rooftop features may extend up to 10 feet above the height limit in subsection 23.44.070.A, as long as the combined total coverage of all features listed in this subsection 23.44.070.C.5 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes screened or enclosed mechanical equipment:

a. Stair and elevator penthouses;

b. Mechanical equipment;

c. Wind-driven power generators; or

d. Chimneys.

6. Devices for generating wind power may extend up to 10 feet above the height limit in subsection 23.44.070.A, provided that the combined total coverage of all features does not exceed 15 percent of the roof area.

7. For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.010.

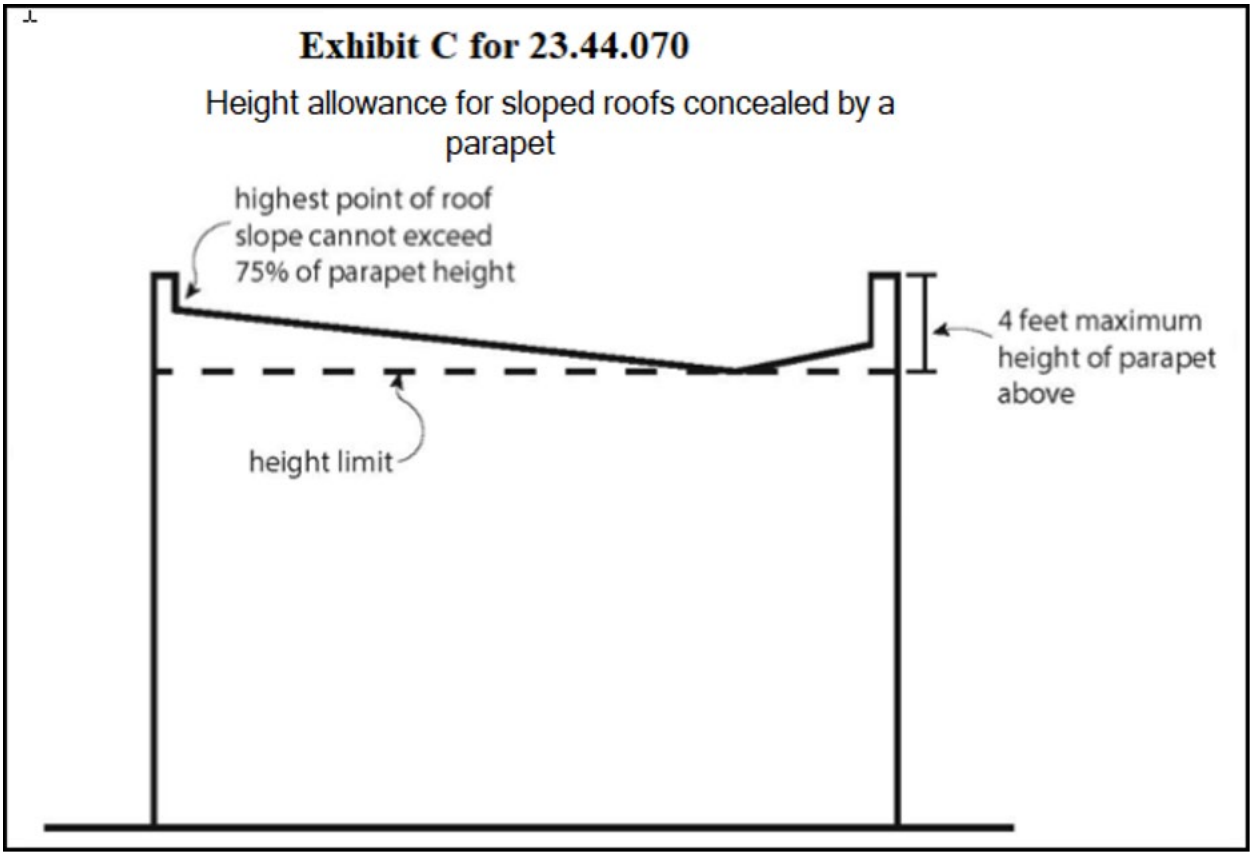
8. Buildings existing prior to the effective date of this ordinance are permitted to extend up to 8 inches above the height limit in subsection 23.44.070.A or a pitched roof allowed in subsection 23.44.070.B solely for the purpose of adding insulation to an existing roof.

9. Roofs enclosed by a parapet. Roof surfaces that are completely surrounded by a parapet may exceed the applicable height limit to allow for a slope, provided that the height of the highest elevation of the roof surface does not exceed 75 percent of the parapet height, and

provided that the lowest elevation of the roof surface is no higher than the applicable height limit. See Exhibit C for 23.44.070.

Exhibit C for 23.44.070

Height allowance for sloped roofs concealed by a parapet



10. The height limit for stacked dwelling units that meet one of the following criteria is 42 feet:

1. Retain a Tier 1 tree, as defined in Section 25.11.130;

2. Retain two Tier 2 trees as defined in Section 25.11.130; or

3. Meet a Green Factor score of 0.6 as measured in Section 23.86.019.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Amendment 92 Version 1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Strauss

Expanding Stacked Flat Bonus for Trees

Effect: This amendment would give bonus development standards to stacked flat projects in NR zones that include green infrastructure. As transmitted, the legislation proposes a maximum floor area ratio standard for higher density projects of 1.2 for attached and detached dwelling units, and 1.4 for stacked dwelling units, with no other specific requirements. As drafted, this amendment would change that higher FAR allowance such that maximum FAR would be 2.0 for stacked dwelling units, if they meet certain requirements related to tree retention.

Amend Section 30 as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050 **Floor area ratio (FAR) in NR zones**	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is ~~1.4~~2.0 for stacked dwelling units that meet the requirements of 23.44.050.D. ~~located within a frequent transit service area on lots 6,000 square feet or larger~~

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

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

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

3. Common walls separating individual attached dwelling units.

D. The FAR limit for stacked dwelling units that meet one of the following criteria is 2.0:

1. Retain a Tier 1 tree, as defined in Section 25.11.130;

2. Retain two Tier 2 trees as defined in Section 25.11.130.

23.44.060 Maximum density and minimum lot size

A. Except as provided in subsection 23.44.060.C, the maximum density is:

1. For stacked dwelling units on lots larger than 6,000 square feet that are located in a frequent transit service area, one dwelling unit per 650 square feet of lot area;

2. For stacked dwelling units that meet one of the following criteria, one dwelling unit per 500 square feet of lot area:

a. Retain a Tier 1 tree, as defined in Section 25.11.130;

b. Retain two Tier 2 trees as defined in Section 25.11.130.

***

23.44.080 Lot coverage

A. Except as otherwise provided in this Section 23.44.080, the maximum lot coverage allowed for structures is 50 percent, except that for stacked dwelling units that meet one of the following criteria, the maximum lot coverage allowed for structures is 60 percent:

1. Retain a Tier 1 tree, as defined in Section 25.11.130;

2. Retain two Tier 2 trees as defined in Section 25.11.130.

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 10, 2025
D#

Amendment 93 Version 2b to Council Bill 120993

Sponsor: Councilmember Rivera

NR tree canopy requirements

Effect: This amendment would modify tree planting requirements to include minimum planting area and soil depth requirements. Additionally, reduced setbacks, additional FAR, and additional height would be granted on lots where at least one Tier 2 tree is preserved.

Amend Section 30 of CB 120933, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

***

23.44.050 Floor area

A. Gross floor area. In Neighborhood Residential zones, gross floor area includes exterior corridors, breezeways, and stairways that provide building circulation and access to dwelling units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling unit or sleeping room and that are not used for common circulation are not considered gross floor area.

B. Floor area ratio (FAR) limits. The FAR limit in Neighborhood Residential zones for lots with residential uses is as shown in Table A for 23.44.050. The FAR limit in Neighborhood Residential zones for lots without residential uses is 1.2. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

Table A for 23.44.050 **Floor area ratio (FAR) in NR zones**	
Density (dwelling units per lot size)	**FAR**
Less dense than 1 unit / 4,000 square feet	0.6
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	0.8
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1.0
1 unit / 1,600 square feet or denser	1.2, except that it is 1.4 for stacked dwelling units located within a frequent transit service area on lots 6,000 square feet or larger

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

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

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

3. Common walls separating individual attached dwelling units.

D. FAR limits shown in Table A for 23.44.050 are increased by 0.2 when at least one Tier 2 tree is preserved on the lot.

***

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet, unless at least one Tier 2 tree is preserved on the lot, in which case it is 42 feet.

***

23.44.090 Setbacks

A. Required setbacks for the NR zones are shown in Table A for 23.44.090.

Table A for 23.44.090 **Required setbacks in Neighborhood Residential zones**	
Front	10 feet, except that it is 5 feet if at least one Tier 2 tree is preserved
Rear	5 feet for accessory dwelling units and 10 feet for other structures, except that it is 5 feet for other structures if at least one Tier 2 tree is preserved. ~~except that, if~~If the rear setback abuts an alley, no rear setback is required [1]
Side	5 feet except that no side setback is required from a side lot line that abuts an alley[1]
Footnote for Table A for 23.44.090 [1] On a reversed corner lot, the setback on the side street lot line shall be 10 feet and the rear setback is 5 feet.	

***

23.44.120 Tree requirements

A. Development containing one or more new dwelling units must plant or retain trees to achieve the number of tree points listed in Table A for 23.44.120.

Table A for 23.44.120 **Number of tree points required**	
Density (dwelling units per lot size)	**Tree points required per lot area [1]**
Less dense than 1 unit / 4,000 square feet	1 point / 500 square feet
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	1 point / 600 square feet
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1 point / 675 square feet
1 unit / 1,600 square feet or denser	1 point / 750 square feet
Footnote to Table A for 23.44.120 [1] For purposes of this Section 23.44.120, lot area shall not include submerged lands.	

B. Individual trees preserved during construction or planted as part of construction, excluding street trees, count toward the tree score according to Table B for 23.44.120, if the planting area the tree is located in meets the minimum size requirements according to Table C for 23.44.120. Trees required under Section 25.11.090 shall count toward this standard. All required trees shall meet standards promulgated by the Director to provide for the long-term health and viability of plantings. These standards may include but are not limited to tree selection, invasive species, planting specification, soil and mulch amendment, and protection practices during construction.

Table B for 23.44.120 Tree points			
Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
Trees planted as part of construction	Small	1 point	1.25 point
	Small/medium	2 points	2.5 points
	Medium/large	3 points	3.75 points
	Large	4 points	5 points
Trees preserved during construction	Small	0.4 point per inch of diameter	0.5 point per inch of diameter
	Small/medium	0.8 point per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 point per inch of diameter	1.4 point per inch of diameter
	Large	1.6 point per inch of diameter	1.8 point per inch of diameter

Table C for 23.44.120 **Minimum Required Planting Area per Tree**	
Tree size category	**Minimum required planting area per tree[1]**
Small	60 square feet, with a minimum dimension of 6 feet by 10 feet
Small / Medium	100 square feet with a minimum dimension of 10 feet by 10 feet
Medium / Large	160 square feet, with a minimum dimension of 10 feet by 16 feet
Large	220 square feet, with a minimum dimension of 11 feet by 20 feet
Footnote to Table C for 23.44.120 [1] For purposes of this Section 23.44.120, the dimensions of required planting areas may be modified by the Director as a Type I decision based on a determination that modified dimensions would not impair tree health and survivability.	

C. Required tree planting areas shall have a minimum 30-inch soil depth.

~~C~~ D. Tree protection areas shall be designated in accordance with Section 25.11.060 for all trees that are proposed to be preserved to receive points under subsection 23.44.120.B~~, regardless of tree tier~~.

~~D~~ E. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City, and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

~~E~~ F. Tree measurements

1. New trees planted to meet this requirement shall meet the following size standards:

a. Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.

b. Multi-stemmed deciduous trees must have at least three stems and be at least 6 feet tall.

c. Evergreen trees must be at least 4 feet tall.

2. Existing trees shall be measured 4.5 feet above the ground.

~~F~~ G. Tree location. New trees planted to meet this requirement shall not be planted:

1. For small species trees, within 2 feet of a dwelling unit;

2. For small/medium species trees, within 4 feet of a dwelling unit;

3. For medium/large species trees, within 6 feet of a dwelling unit;

4. For large species trees, within 8 feet of a dwelling unit; and

5. For all trees, within 2 feet of a sidewalk located in the right-of-way.

***

23.44.170 Alternative standards for development of low-income housing

B. Proposed development on a lot meeting the criteria in subsection 23.44.170.A may elect to meet the following development standards in lieu of the standards in subsections 23.44.050.B (floor area), 23.44.060.B (density), and 23.44.070.A (structure height), and Section 23.44.080 (lot coverage):

1. The maximum floor area ratio (FAR) limit is 1.8, except that it is increased to 2.0, if at least one Tier 2 tree is preserved on the lot. The applicable FAR limit applies to the total chargeable floor area of all structures on the lot.

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
July 15, 2025
D#1

Amendment 94 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Kettle

Tree Retention Bonus

Effect: This amendment would increase structure height limits, waive amenity areas standards, and waive parking requirements for retention of a Tier 2 tree or provision and/or retention of medium to large trees that achieve at least a 10 percent tree canopy coverage at maturity.

Amend Section 30 of Council Bill 120993, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet.

***

C. Height limit exceptions

***

10. The height limit is 42 feet for development that retains a Tier 2 tree, as defined in Section 25.11.130, or achieves a tree point score under Section 23.44.120, through planting or preserving medium and large trees that would result in a 10 percent canopy coverage for the site at tree maturity.

23.44.110 Amenity area

***

I. No amenity area is required for:

1. ~~one~~ One new dwelling unit added to a dwelling unit existing as of January 1, 1982, or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001; or

2. Development that retains a Tier 2 tree, as defined in Section 25.11.130, or achieves a tree point score under Section 23.44.120, through planting or preserving medium and large trees that would result in a 10 percent canopy coverage for the site at tree maturity.

***

Amend Section 57 of Council Bill 120993, as follows:

Section 57. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required vehicular parking and maximum vehicular parking limits

* * *

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
I. General residential uses [1, 2, 3]		
((~~A.~~	~~Adult family homes~~	~~1 space for each dwelling unit~~
~~B.~~)) A.	Artist's studio/dwellings	1 space for each 2 dwelling units
((~~C.~~)) B.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
((~~D.~~)) C.	Caretaker's quarters	1 space for each 2 dwelling units
((~~E.~~)) D.	Congregate residences	1 space for each 4 sleeping rooms
((~~F.~~	~~Cottage housing developments~~ [1]	~~1 space for each dwelling unit~~
~~G.~~	~~Floating homes~~	~~1 space for each dwelling unit~~
~~H.~~)) E.	Mobile home parks	1 space for each 2 mobile home lots as defined in Chapter 22.904
((~~I.~~	~~Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015~~ [1, 2]	~~1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units~~

Table B for 23.54.015 **Required parking for residential uses**		
Use		**Minimum parking required**
~~J.~~	~~Nursing homes~~	~~1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds~~
~~K.~~)) F.	((~~Single-family dwelling units~~)) Housing ((~~1, 3~~)) 4, 5	1 space for each 2 dwelling units
II. Residential use requirements for specific areas [1]		
((~~L.~~)) G.	All residential uses within urban centers or within ((~~the~~)) a Station Area Overlay District ((~~2~~))	No minimum requirement
((~~M.~~)) H.	All residential uses ((~~in commercial, RSL, and multifamily zones~~)) within urban villages that are not within an urban center or ((~~the~~)) a Station Area Overlay District((~~,~~)) if the residential use is located within a frequent transit or major transit service area ((~~2, 4~~))	No minimum requirement
I.	All residential uses within a major transit service area	No minimum requirement
((~~N.~~	~~Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015~~ [2]	~~1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms~~

Table B for 23.54.015
Required parking for residential uses

Use		Minimum parking required
~~O.~~	~~Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015~~ [2]	~~1.5 spaces for each dwelling unit~~))
~~P.~~)) J.	Congregate residences located within ((~~one-half mile walking distance of a major transit stop~~)) a frequent transit service area	No minimum requirement

Footnotes to Table B for 23.54.015

[1] ((~~For each moderate-income unit and each low-income unit, no minimum amount of parking is required.~~ ~~2~~)) 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 provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((~~, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015~~)).

[2] For each moderate-income unit and each low-income unit, no minimum amount of parking is required, or achieves a tree point score under Section 23.44.120, through planting or preserving medium and large trees that would result in a 10 percent canopy coverage for the site at tree maturity.

[3] The Director shall waive parking requirements for any development that retains a Tier 2 tree . A reduction or waiving of parking requirements may be permitted if the Director finds that the reduction or waiver is necessary in order to protect a ~~Tier 2 or~~ Tier 3 tree as defined in Chapter 25.11.

[4] No parking is required for ((~~single-family residential uses~~)) accessory dwelling units.

[5] No parking is required for principal dwelling units 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~~)) 23.44.160.F.2, 23.45.536.C.2, or 23.45.536.C.3.

Table B for 23.54.015 **Required parking for residential uses**	
Use	**Minimum parking required**
((~~4 Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.~~))	

3. Green roofs may extend 2 feet above the height limit in subsection 23.44.070.A or above a pitched roof allowed in subsection 23.44.070.B.

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 10, 2025
D#1

Amendment 97 Version #2 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Kettle

Require larger setbacks on Queen Anne Blvd

Effect: This amendment would require twenty-foot front setbacks in NR and LR zones along landmarked portions of Queen Anne Boulevard. The amendment is intended to preserve and maintain the historic-resource value of the Queen Anne Boulevard.

Amend Section 30 and 37 of Council Bill 120993, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

23.44.090 Setbacks

A. Required setbacks for the NR zones are shown in Table A for 23.44.090.

Table A for 23.44.090 Required setbacks in Neighborhood Residential zones	
Front	10 feet[1]
Rear	5 feet for accessory dwelling units and 10 feet for other structures except that, if the rear setback abuts an alley, no rear setback is required [1]
Side	5 feet, except that no side setback is required from a side lot line that abuts an alley[~~1~~2]

Footnotes for Table A for 23.44.090

[1] For lots abutting landmarked public right-of-way on Queen Anne Boulevard, front setbacks shall be 20 feet or the average of the front setbacks of the structures on abutting lots, whichever is less, except that 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 setback 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 setbacks on the abutting lots.

Table A for 23.44.090 **Required setbacks in Neighborhood Residential zones**
2. On a reversed corner lot, the setback on the side street lot line shall be 10 feet and the rear setback is 5 feet.

* * *

Section 37. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.45.518 Setbacks ((~~and separations~~))

A. LR zones

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

((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

~~All LR zones~~	**~~Category of residential use~~**			
~~Setback~~	**~~Cottage housing developments and single-family dwelling units~~**	**~~Rowhouse developments~~**	**~~Townhouse developments~~**	**~~Apartments~~**
~~Front~~	~~7 average; 5 minimum~~	~~5 minimum~~	~~7 average; 5 minimum~~	~~5 minimum~~
~~Rear~~	~~0 with alley; 7 if no alley~~	~~0 with alley; With no alley: 7 average; 5 minimum~~	~~7 average; 5 minimum~~	~~10 minimum with alley; 15 minimum if no alley~~

((~~Table A for 23.45.518~~
~~Required setbacks in LR zones measured in feet~~

~~All LR zones~~	**~~Category of residential use~~**			
~~Side setback for facades 40 feet or less in length [1]~~	~~5~~	~~0 where abutting another rowhouse development [2]; otherwise 3.5, except that on side lot lines that abut a neighborhood residential zone, the setback is 5~~	~~5~~	~~5~~
~~Side setback for facades greater than 40 feet in length [3]~~	~~5 minimum~~	~~0 where abutting another rowhouse development [2]; otherwise 3.5, except that on side lot lines that abut a neighborhood residential zone, the setback is 7 average; 5 minimum~~	~~7 average; 5 minimum~~	~~7 average; 5 minimum~~

~~Footnotes to Table A for 23.45.518~~
~~[1] Additions to existing nonconforming structures built prior to April 11, 2011, shall be set back a sufficient distance so that the addition complies with setback standards. For any portion of a structure built before April 11, 2011, the average setback applies only to a new addition built after that date. If an addition is to a side wall extended vertically, the existing side wall line may be continued by the addition, provided that the average setback of 7 feet or the 5-foot minimum setback is met.~~
~~[2] If the side facades of rowhouse developments on abutting lots are not joined, then a 3.5-foot setback is required, except the side setback may be reduced to zero if the abutting lot contains a rowhouse development and an easement is provided along the shared lot line of the abutting lot sufficient to leave a 3.5-foot separation between the principal structures of the abutting rowhouse developments.~~
~~[3] Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are~~

~~((Table A for 23.45.518~~ ~~Required setbacks in LR zones measured in feet~~	
~~All LR zones~~	~~Category of residential use~~
~~not considered part of the facade length for the purposes of determining the side setback requirement.~~))	

Table A for 23.45.518 **Required setbacks in LR zones**	
Front	7 feet average, 5 feet minimum[1]
Rear	If rear lot line abuts an alley, 0 feet Otherwise, 7 feet average, 5 feet minimum
Side	5 feet
Footnote for Table A for 23.45.518 [1] For lots abutting landmarked public right-of-way on Queen Anne Boulevard, front setbacks shall be 20 feet or the average of the front setbacks of the structures on abutting lots, whichever is less, except that 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 setback 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 setbacks on the abutting lots.	

* * *

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 31, 2025
D#1

Amendment 98 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rinck

Reduce required building separations

Effect: This amendment would amend the City's Land Use Code to reduce the required width of separations between buildings on a lot from six feet to five feet in both Neighborhood Residential and Lowrise zones. This would provide more flexibility in site design when more than one structure is located on a lot. Below a five feet separation, higher fire protection requirements apply. In addition, it becomes more difficult to maintain the exterior siding of buildings with smaller areas between structures.

Amend Section 30 of Council Bill 120993, to amend Section 23.44.100 of the Seattle Municipal Code (SMC), as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

* * *

23.44.100 Separations between structures

A. The minimum required separation between structures containing floor area is ~~6~~ 5 feet except that if the structures are separated by a driveway or parking aisle, the minimum required separation between the structures is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less.

B. If structures containing floor area are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

C. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2

feet. Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

* * *

Amend Section 30 of Council Bill 120993, to amend Section 23.45.519 of the Seattle Municipal Code (SMC), as follows:

Section 38. A new Section 23.45.519 is added to the Seattle Municipal Code as follows:

23.45.519 Separations between structures

A. In LR and MR zones, the minimum required separation between structures containing floor area is ~~6~~ 5 feet except that, if the structures are separated by a driveway or parking aisle, the minimum required separation between structures containing floor area is 2 feet greater than the required width of the driveway or parking aisle or 24 feet, whichever is less. If the structures are separated by a driveway or parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the required separation if they are at least 8 feet above finished grade.

B. Architectural features such as cornices, eaves, gutters, roofs, fireplaces, chimneys, and other forms of weather protection may project into required separations a maximum of 2 feet. Unenclosed structures allowed in side setbacks are allowed in the minimum separation. Garden windows, bay windows, covered porches and patios, balconies, and enclosed structures are not allowed in the required separation. Detached structures that are up to 10 feet in height and used exclusively for bike parking are allowed in required separations.

* * *

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
July 15, 2025
D#1

Amendment 99 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Kettle

Eliminate NR amenity areas

Effect: This amendment would eliminate amenity area requirements for development in NR zones. As proposed under Council Bill 120993 amenity areas would be equal to 20 percent of the lot area, each residential unit would have access to amenity area, and at least fifty percent of amenity area would be provided at or near ground level. Amenity areas are intended to provide outdoor space where residents are able to recreate on site, under previous versions of neighborhood residential zoning, yards were intended to provide these functions to residents. Under CB 120993, the size of yards would be reduced and a new amenity area requirement, modeled on a requirement in multifamily zones, is added.

Amend Section 30 of Council Bill 120993, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

***

23.44.110 ~~Amenity area~~ Reserved

~~A. The amount of required amenity area is equal to 20 percent of the lot area.~~

~~B. All dwelling units shall have access to either a common or private amenity area.~~

~~C. For attached and detached dwelling units, required ground-level amenity areas may be provided as either private or common space. For stacked dwelling units, at least half of the amenity area shall be provided as common space.~~

~~D. A minimum of 50 percent of the required amenity area shall be provided at ground level or within 4 feet of existing grade. In calculating the total amount of amenity area, only~~

~~half of the amenity area that is not provided at ground level or within 4 feet of existing grade shall count toward the required amenity area.~~

~~E. Amenity area shall not be enclosed within a structure.~~

~~F. Each amenity area shall be at least 120 square feet in area and have a minimum width and depth of 8 feet.~~

~~G. Features in amenity areas~~

~~1. The following features are not allowed in amenity areas:~~

~~a. Vehicular parking areas, vehicular access easements, and driveways;~~

~~b. Required bike parking;~~

~~c. Solid waste and recyclable material storage area; and~~

~~d. Enclosed structures.~~

~~2. Pathways serving multiple dwelling units are not allowed in private amenity areas.~~

~~3. Decks, porches, and steps; swimming pools, spas, and hot tubs; stormwater management features, including but not limited to bioretention planters and cisterns; play equipment; and similar features are allowed in amenity areas.~~

~~4. Amenity areas may be covered by weather protection.~~

~~5. Projections that do not provide floor area may extend into an amenity area if they meet the standards for projections into setbacks in subsection 23.44.090.E and if garden windows and other similar features are at least 8 feet above finished grade.~~

~~6. Rooftop areas located within 8 feet of minor communication utilities and accessory communication devices do not qualify as amenity areas.~~

~~H. Areas in environmentally critical areas and their buffers, including but not limited to steep slopes, may count toward amenity areas.~~

~~I. No amenity area is required for one new dwelling unit added to a dwelling unit existing as of January 1, 1982, or for one new dwelling unit added to a multifamily residential use existing as of October 10, 2001.~~

***

Lish Whitson
Select Committee on the Comprehensive Plan
July 31, 2025
D#1

Amendment 100 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Strauss

Provide at least one tree per 2,500 square feet of lot area

Effect: This amendment would amend the new Neighborhood Residential code to ensure that at least one tree is planted for every 2,500 square feet of lot area in NR zones.

As proposed, CB 120993 would require planting of trees under a tree point system. The number of tree points would vary depending on the density of a residential project, with lower-density projects (fewer units) providing more trees, and higher-density projects providing fewer trees. The tree point system would also encourage the preservation of existing trees by providing more points for existing trees.

Under this amendment, at least one tree would be planted for every 2,500 square feet of lot area, no matter what density the project. The amendment may result in more trees being planted, but may also result in circumstances where the option to preserve trees is not attractive because tree planting under the new rule would be required.

Amend Section 30 of Council Bill 120993, to amend Section 23.44.120 of the Seattle Municipal Code, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

* * *

23.44.120 Tree requirements

A. Development containing one or more new dwelling units must plant or retain trees to either achieve the number of tree points listed in Table A for 23.44.120 or provide at least one new tree for every 2,500 square feet of lot area, whichever results in the greater number of trees.

Table A for 23.44.120 Number of tree points required	
Density (dwelling units per lot size)	**Tree points required per lot area [1]**
Less dense than 1 unit / 4,000 square feet	1 point / 500 square feet
1 unit / 4,000 square feet to 1 unit / 2,201 square feet	1 point / 600 square feet
1 unit / 2,200 square feet to 1 unit / 1,601 square feet	1 point / 675 square feet

Table A for 23.44.120 **Number of tree points required**	
Density (dwelling units per lot size)	**Tree points required per lot area [1]**
1 unit / 1,600 square feet or denser	1 point / 750 square feet
Footnote to Table A for 23.44.120 [1] For purposes of this Section 23.44.120, lot area shall not include submerged lands.	

B. Individual trees preserved during construction or planted as part of construction, excluding street trees, count toward the tree score according to Table B for 23.44.120. Trees required under Section 25.11.090 shall count toward this standard. All required trees shall meet standards promulgated by the Director to provide for the long-term health and viability of plantings. These standards may include but are not limited to tree selection, invasive species, planting specification, soil and mulch amendment, and protection practices during construction.

Table B for 23.44.120 **Tree points**			
Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
Trees planted as part of construction	Small	1 point	1.25 point
	Small/medium	2 points	2.5 points
	Medium/large	3 points	3.75 points
	Large	4 points	5 points
Trees preserved during construction	Small	0.4 point per inch of diameter	0.5 point per inch of diameter
	Small/medium	0.8 point per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 point per inch of diameter	1.4 point per inch of diameter

Table B for 23.44.120 Tree points			
Type of tree	**Tree species**	**Points for deciduous trees**	**Points for evergreen trees**
	Large	1.6 point per inch of diameter	1.8 point per inch of diameter

C. Tree protection areas shall be designated in accordance with Section 25.11.060 for all trees that are proposed to be preserved to receive points under subsection 23.44.120.B, regardless of tree tier.

D. The owner of the subject lot is required to ensure that the trees planted remain healthy for at least five years after inspection by the City, and the owner of the subject lot shall be responsible for replacing any trees that do not remain healthy after inspection by the City.

E. Tree measurements

1. New trees planted to meet this requirement shall meet the following size standards:

a. Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.

b. Multi-stemmed deciduous trees must have at least three stems and be at least 6 feet tall.

c. Evergreen trees must be at least 4 feet tall.

2. Existing trees shall be measured 4.5 feet above the ground.

F. Tree location. New trees planted to meet this requirement shall not be planted:

1. For small species trees, within 2 feet of a dwelling unit;

2. For small/medium species trees, within 4 feet of a dwelling unit;

3. For medium/large species trees, within 6 feet of a dwelling unit;

4. For large species trees, within 8 feet of a dwelling unit; and

5. For all trees, within 2 feet of a sidewalk located in the right-of-way.

G. Street tree requirements

1. Street trees are required for development that would add one or more principal dwelling units on a lot, except as provided in subsection 23.44.120.G.2 and Section 23.53.015. Existing street trees shall be retained unless the Director of the Seattle Department of Transportation approves their removal. The Director, in consultation with the Director of the Seattle Department of Transportation, shall determine the number, type, and placement of additional street trees to be provided in order to:

a. Improve public safety;

b. Promote compatibility with existing street trees;

c. Match trees to the available space in the planting strip;

d. Maintain and expand the urban forest canopy;

e. Encourage healthy growth through appropriate spacing;

f. Protect utilities; and

g. Allow access to the street, buildings, and lot.

2. Exceptions to street tree requirements

a. If a lot borders an unopened right-of-way, the Director may reduce or waive the street tree requirement along that right-of-way as a Type I decision if, after consultation with the Director of the Seattle Department of Transportation, the Director determines that the right-of-way is unlikely to be opened or improved.

b. If it is not feasible to plant street trees in a right-of-way planting strip, a 5-foot setback shall be planted with trees along the street lot line that abuts the required front setback, or landscaping other than trees shall be provided in the planting strip, subject to approval by the Director of the Seattle Department of Transportation. If a 5-foot setback or landscaped planting strip is not feasible, the Director may reduce or waive this requirement as a Type I decision.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 4, 2025
D#2

Amendment 102 Version #2 to CB 120993 OPCD Permanent State Zoning Compliance ORD
Sponsor: Councilmember Rivera
Tree Protections: SDCI alternative site plan authority and procedural discretion for development that encroaches on tree protection areas

Effect: This amendment would amend Council Bill 120993 to (1) expand the purpose and intent of Chapter 25.11; (2) authorize the SDCI Director to require alternative site plans to demonstrate that trees can be retained, (3) expand the grounds for modifications of the tree protection area (4) revise the definition of "tree protection area," and (5) Allow expansion in front or rear yards to retain Tier 1, Tier 2, Tier 3 or Tier 4 trees.

Add a new section XX to CB 120993 to amend Section 25.11.010 of the Seattle Municipal Code, as follows:

Section XX: section 25.11.010 of the Seattle Municipal Code, last amended by Ordinance 126821, is amended as follows:

25.11.010 Purpose and intent

The purpose and intent of this Chapter 25.11 is to:

A. Implement the goals and policies of Seattle's Comprehensive Plan, especially those in the Environment Element dealing with protection of the urban forest while balancing other citywide priorities such as housing production;

B. Preserve and enhance the City's physical and aesthetic character by preventing untimely unnecessary and indiscriminate removal or destruction of trees;

C. Protect trees on undeveloped sites that are not undergoing development by not allowing tree removal except in hazardous situations, to prevent premature loss of trees so their retention may be considered during the development review and approval process;

D. Facilitate tree protection efforts by granting flexibility for certain development standards, and promote site planning and horticultural practices that are consistent with the reasonable use of property;

E. Protect Tier 2 and Tier 3 trees and other trees that because of their unique historical, ecological, public health or aesthetic value constitute an important community resource, and require flexibility in design to protect these trees;

F. Provide the option of modifying development standards to protect Tier 2 trees;

G. Encourage retention of trees through SDCI Director review and rule promulgation, through the design review and other processes for larger projects, through education concerning the value of retaining existing trees, and by not permitting their removal on undeveloped land prior to development permit review;

H. Support the goals and policies of the City of Seattle Urban Forest Management Plan, specifically those related to existing Citywide policies that commit the City to realize its vision of racial equity and environmental justice; and

I. Increase Seattle's climate resilience and reduce urban heat islands in the City.

Add a new section XX to CB 120993, as follows:

Section XX. Section 25.11.060 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.060 Requirements for trees when development is proposed

A. Tree protection area

1. A tree protection area is required for all existing Tier 1, Tier 2, and Tier 3 trees that are not removed during development, as well as any tree relocated offsite if on private property or any tree planted onsite as part of required mitigation pursuant to this Chapter 25.11.

2. The tree protection area for Tier 1, Tier 2, and Tier 3 trees shall be determined by the Director pursuant to this subsection 25.11.060.A and any rules promulgated by the Director.

3. The tree protection area may be modified ~~from the basic tree protection area~~ based on species tolerance; expected impacts of construction activities; tree size, age, and health; and soil conditions not to exceed the area of the feeder root zone. The Director may require Master Use Permits or building permits to include measures to protect tree(s) during construction, including within the feeder root zone.

4. The tree protection area may be reduced by the Director pursuant to the provisions of Title 23 and this Chapter 25.11, as follows, provided that the Director may approve further modifications from those listed that are shown not to interfere with the overall health and stability of the retained tree:

a. Any new encroachment into the tree protection area may not be closer than one half of the tree protection radius. Existing encroachments closer than one half of the tree protection radius may remain or be replaced if no appreciable damage to the tree will result.

b. The tree protection area shall not be reduced more than 35 percent of the outer half of the tree protection radius unless an alternative tree protection area or construction method will provide equal or greater tree protection and result in long-term retention and viability of the tree as determined by a certified arborist.

c. Existing encroachments do not count toward the reduction.

d. The tree protection area may be temporarily reduced in size during a specific construction activity that is not likely to cause appreciable damage to the tree. Appropriate mitigation measures shall be implemented per ANSI A300 standards or their successor, and the tree protection area shall be returned to its permanent size after the specific construction activity is complete.

5. The tree protection area is required to include fencing, signage, and other safety requirements as required in the Seattle Department of Construction and Inspections Tree and Vegetation Protection Detail.

***

C. The Director may require a tree protection report prepared by a certified arborist to confirm accuracy of the tree protection area. The report must use ANSI A300 standards or their successor and be prepared by a certified arborist. Tree protection evaluation and requirements may include but are not limited to the following:

1. A tree evaluation with respect to its size, age, general health, damage, danger of falling, species tolerance to construction impacts, location of structural roots, existing soil conditions, proximity to existing or proposed structures, extent of proposed grade changes (e.g., soil cut and fill), and/or utility services;

2. An evaluation of the anticipated effects of proposed construction on the viability of the tree and project narrative explaining how the design is compatible with Section 25.11.070;

3. A hazardous tree risk assessment, if applicable;

4. A plan that documents required tree protection or tree replacement measures including payment in lieu pursuant to Section 25.11.110;

5. A plan that describes post-construction site inspection and evaluation measures;

6. A certified arborist's description of the method(s) selected to determine the tree protection area. Methodologies may include exploratory root excavations for individual trees together with a case-by-case description; and

7. The life expectancy of regulated trees shall be determined by the Director pursuant to this subsection 25.11.060.C and any rules promulgated by the Director. The Director shall determine the likelihood that a tree will live to maturity due to factors including but not limited to:

a. Health and physical condition;

b. Development site constraints such as proximity to existing or proposed development, access and utilities, soil conditions, and exposure to sunlight; and

c. Environmental conditions external to the development site such as the likely occurrence of a disease or an insect infestation, a landslide, or presence of a high water table.

***

Add a new section XX to CB 120993, as follows:

Section XX. Section 25.11.070 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.070 Tree protection on sites undergoing development in Neighborhood Residential, Lowrise, Midrise, commercial and Seattle Mixed zones

A. Neighborhood Residential zones

1. Tier 2 trees may be removed only if:

a. The maximum lot coverage permitted on the site pursuant to Title 23 cannot be achieved without extending into the ~~basic~~ tree protection area as modified or reduced pursuant to 25.11.060 ~~or into a required front and/or rear yard to an extent greater than provided for in subsection 25.11.070.A.2~~ and no alternative site plans that would provide a comparable number of dwelling units or structure size are feasible.

b. Avoiding development in the ~~basic~~ tree protection area would result in a portion of a principal dwelling unit, or an accessory dwelling unit, being less than ~~15~~ 10 feet in width; or

c. Tree removal is necessary for the construction of new structures; required vehicle access, ~~and~~ required pedestrian access, utilities, Director-required retaining wall, or other similar improvements associated with development, and no alternative design solutions that could provide a similar use are feasible.

2. For purposes of retaining an existing on-site and off-site Tier 1, Tier 2, Tier 3, or Tier 4 tree, extension into front or rear ~~yards~~ setbacks is permitted but limited to an area equal to the amount of the tree protection area of those trees not located within required ~~yards~~ setbacks. The maximum projection into the required front or rear ~~yards~~ setback shall be 50 percent of the ~~yards~~ setback requirement.

3. ~~If the maximum lot coverage permitted on the site can be achieved or a structure will be less than 15 feet in width without extending into required front and/or rear yards, then no such extension into required yards shall be permitted.~~ Reserved.

4. For the purposes of this subsection 25.11.070.A:

a. Lot coverage calculation shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback,

wetland, wetland buffer, or steep slope erosion hazard area, unless the Director has approved critical areas reduction, waiver, or modification pursuant to Chapter 25.09; and

b. The ~~basic~~ tree protection area may ~~cannot~~ be modified or reduced by the Director pursuant to subsection 25.11.060.A.3 and subsection 25.11.060.A.4.

c. The Director has the authority to require submittal of alternative site plans, within 30 days of application, if the Director determines that an alternative site plan could feasibly increase the retention of existing healthy trees, advancing the City's canopy, environment, equity, public health, and climate resilience goals.

B. Lowrise, Midrise, commercial, and Seattle Mixed zones

1. Tier 2 trees may be removed as follows:

a. If an otherwise allowable development area of 85 percent cannot be achieved without extending into the ~~basic~~ tree protection area, as follows:

1) Calculate the ~~basic~~ tree protection area on the lot. For the purposes of this subsection 25.11.070.B, the ~~basic~~ tree protection area may ~~cannot~~ be modified by the Director pursuant to subsection 25.11.060.A.3 and subsection 25.11.060.A.4 if no alternative site plans that would provide a comparable number of units or structure size are feasible.

2) Subtract the ~~basic~~ tree protection area and the area of any portions of the lot between a property line and ~~basic~~ tree protection area when the portion of the lot is 15 feet or less measured from a lot line to a ~~basic~~ tree protection area from the lot area. If this number is less than 85 percent of the total lot area, Tier 2 trees may be removed.

3) When multiple Tier 2 trees are located on a lot, the minimum number of trees needed to reach 85 percent may be removed based on the evaluation required by subsection 25.11.060.C.

4) When the ~~basic~~ tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree is located on the lot, this area shall be included in accordance with subsection 25.11.070.B.

5) The Director has the authority to require submittal of alternative site plans, within 30 days of application, if the Director determines that an alternative site plan could feasibly increase the retention of existing healthy trees, advancing the City's canopy, environment, equity, public health, and climate resilience goals.

b. In Midrise, Commercial, and Seattle Mixed zones Tier 2 trees may be removed, if an otherwise allowable development area of 100 percent cannot be achieved without extending into the tree protection area more than allowed pursuant to subsection 25.11.060.A.

c. For the purposes of this subsection 25.11.070.B, allowable development area shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback, wetland, wetland buffer, or steep slope erosion hazard area, unless the Director has approved a critical area reduction, waiver, or modification pursuant to Chapter 25.09.

2. If an applicant chooses to retain Tier 2 trees that would otherwise be allowed to be removed under subsection 25.11.070.B.1 or if encroachment into the tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree cannot otherwise be avoided, modifications to development standards are allowed as follows:

a. For development not subject to design review, the following Type I modifications to standards:

1) Setbacks and separation requirements, if applicable, may be reduced by a maximum of 75 percent;

2) Amenity areas may be reduced by a maximum of 75 percent;

3) Landscaping and screening may be reduced by a maximum of 75 percent; and

4) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of 30 percent.

b. The following Type I modifications to standards are permitted for development that: i) Receives public funding or an allocation of federal low-income housing tax credits; and ii) is subject to a regulatory agreement, covenant, or other legal instrument recorded on the property title and enforceable by The City of Seattle, Washington State Housing Finance Commission, State of Washington, King County, or other similar entity as approved by the Director of Housing; and iii) either: restricts at least 40 percent of rental units to occupancy by households earning no greater than 60 percent of median income, and controls the rents that may be charged for a minimum period of 40 years: or restricts at least 40 percent of ownership dwelling units earning no greater than 80 percent of median income, and controls the sale price of the units for a minimum period of 50 years:

1) Setback, separation, amenity area, landscaping, and screening requirements, if applicable, may be reduced by a maximum of 100 percent; and

2) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of 100 percent.

c. For development subject to design review, the departures permitted in Section 23.41.012.

d. Parking reduction. A reduction in the parking quantity required by Section 23.54.015 and the modification of standards for safe access of any required parking of Section 23.54.030 may be permitted in order to protect a Tier 2 tree, if the reduction would result in a project that would avoid the tree protection area.

e. In Lowrise zones, for a principal structure with a base height limit of 40 feet that is subject to the pitched roof provisions of subsection 23.45.514.D, the Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50 feet if the increase is needed to accommodate, on an additional story, the amount of floor area lost by avoiding development within the tree protection area and the amount of floor area on the additional story is limited to the amount of floor area lost by avoiding development within the tree protection area.

3. Tree removal required for development to achieve the allowable development area according to subsection 25.11.070.B.1 or height limits of the applicable zone includes, but is not limited to, the construction of new structures, required vehicle~~s~~ access, ~~and~~ required pedestrian access, utilities, Director-required retaining wall, or other similar improvement.

Add a new section XX to CB 120993, as follows:

Section XX. Section 25.11.130 of the Seattle Municipal Code, last amended by Ordinance 126281, is amended as follows:

25.11.130 Definitions

***

"Tree protection area" means the area surrounding a tree defined by a specified distance, in which excavation and other construction-related activities must be avoided unless approved by the Director. The tree protection area, delineated using a radius that is equal to one foot for every inch DSH of the tree, varies depending on species, age and health of the tree, soil conditions, and proposed construction.

~~"Tree protection area, basic" means the area surrounding a tree in which excavation and other construction-related activities must be avoided unless approved by the Director. This area is delineated using a radius that is equal to one foot for every inch DSH of the tree.~~

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 15, 2025
D#1

Amendment 103 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Strauss

Do not allow the removal of Tier 1 and Tier 2 trees near corners of lots

Effect: This amendment would require the retention of any Tier 1 or Tier 2 trees located within five feet of the corner of a lot.

Tier 1 trees are defined as heritage trees and generally may not be removed unless deemed hazardous or in need of emergency action with documentation required.

Tier 2 trees include trees that have a diameter of at least 24 inches at 4.5 feet above ground. They may generally be removed as part of an overall development permit, consistent with tree protection requirements under the tree code. Documentation is required for the removal of hazardous Tier 2 trees or Tier 2 trees in need of emergency action.

This amendment may protect some trees that would otherwise be removed, and will provide less flexibility for configuration of development on some sites where a large tree is located in the corner of a lot.

Add a new Section 104 to Council Bill 120993, and amend Section 25.11.070 of the Seattle Municipal Code, as follows:

Section 104. Section 25.11.070 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.070 Tree protection on sites undergoing development in Neighborhood Residential, Lowrise, Midrise, commercial, and Seattle Mixed zones

A. Neighborhood Residential zones

1. Tier 2 trees may be removed only if the provisions of subsection 25.11.070.A.5 do not apply, and:

a. The maximum lot coverage permitted on the site pursuant to Title 23 cannot be achieved without extending into the basic tree protection area or into a required front and/or rear yard to an extent greater than provided for in subsection 25.11.070.A.2;

b. Avoiding development in the basic tree protection area would result in a portion of a principal dwelling unit, or an accessory dwelling unit, being less than 15 feet in width; or

c. Tree removal is necessary for the construction of new structures; vehicle and pedestrian access, utilities, retaining wall, or other similar improvements associated with development.

2. For purposes of retaining an existing on-site and off-site Tier 1, Tier 2, Tier 3, or Tier 4 tree, extension into front or rear yards is permitted but limited to an area equal to the amount of the tree protection area of those trees not located within required yards. The maximum projection into the required front or rear yard shall be 50 percent of the yard requirement.

3. If the maximum lot coverage permitted on the site can be achieved or a structure will be less than 15 feet in width without extending into required front and/or rear yards, then no such extension into required yards shall be permitted.

4. For the purposes of this subsection 25.11.070.A:

a. Lot coverage calculation shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback, wetland, wetland buffer, or steep slope erosion hazard area, unless the Director has approved critical areas reduction, waiver, or modification pursuant to Chapter 25.09; and

b. The basic tree protection area cannot be modified.

5. Tier 2 trees may not be removed if the trunk of the Tier 2 tree is located within five feet of a corner of the lot, unless removal of the tree is necessary for utilities, retaining walls, or to prevent the impairment of future structures.

B. Lowrise, Midrise, commercial, and Seattle Mixed zones

1. Tier 2 trees may be removed ~~as follows~~ only if the provisions of subsection 25.11.070.B.5 do not apply, and:

a. If an otherwise allowable development area of 85 percent cannot be achieved without extending into the basic tree protection area, as follows:

1) Calculate the basic tree protection area on the lot. For the purposes of this subsection 25.11.070.B, the basic tree protection area cannot be modified.

2) Subtract the basic tree protection area and the area of any portions of the lot between a property line and basic tree protection area when the portion of the lot is 15 feet or less measured from a lot line to a basic tree protection area from the lot area. If this number is less than 85 percent of the total lot area, Tier 2 trees may be removed.

3) When multiple Tier 2 trees are located on a lot, the minimum number of trees needed to reach 85 percent may be removed based on the evaluation required by subsection 25.11.060.C.

4) When the basic tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree is located on the lot, this area shall be included in accordance with subsection 25.11.070.B.

b. In Midrise, Commercial, and Seattle Mixed zones Tier 2 trees may be removed, if an otherwise allowable development area of 100 percent cannot be achieved without extending into the basic tree protection area more than allowed pursuant to subsection 25.11.060.A.

c. For the purposes of this subsection 25.11.070.B, allowable development area shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback, wetland, wetland buffer, or steep slope erosion

hazard area, unless the Director has approved a critical area reduction, waiver, or modification pursuant to Chapter 25.09.

2. If an applicant chooses to retain Tier 2 trees that would otherwise be allowed to be removed under subsection 25.11.070.B.1 or if encroachment into the tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree cannot otherwise be avoided, modifications to development standards are allowed as follows:

a. For development not subject to design review, the following Type I modifications to standards:

1) Setbacks and separation requirements, if applicable, may be reduced by a maximum of 75 percent;

2) Amenity areas may be reduced by a maximum of 75 percent;

3) Landscaping and screening may be reduced by a maximum of 75 percent; and

4) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of 30 percent.

b. The following Type I modifications to standards are permitted for development that: i) Receives public funding or an allocation of federal low-income housing tax credits; and ii) is subject to a regulatory agreement, covenant, or other legal instrument recorded on the property title and enforceable by The City of Seattle, Washington State Housing Finance Commission, State of Washington, King County, or other similar entity as approved by the Director of Housing; and iii) either: restricts at least 40 percent of rental units to occupancy by households earning no greater than 60 percent of median income, and controls the rents that may be charged for a minimum period of 40 years: or restricts at least 40 percent of ownership

dwelling units earning no greater than 80 percent of median income, and controls the sale price of the units for a minimum period of 50 years:

1) Setback, separation, amenity area, landscaping, and screening requirements, if applicable, may be reduced by a maximum of 100 percent; and

2) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of 100 percent.

c. For development subject to design review, the departures permitted in Section 23.41.012.

d. Parking reduction. A reduction in the parking quantity required by Section 23.54.015 and the modification of standards for safe access of any required parking of Section 23.54.030 may be permitted in order to protect a Tier 2 tree, if the reduction would result in a project that would avoid the tree protection area.

e. In Lowrise zones, for a principal structure with a base height limit of 40 feet that is subject to the pitched roof provisions of subsection 23.45.514.D, the Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50 feet if the increase is needed to accommodate, on an additional story, the amount of floor area lost by avoiding development within the tree protection area and the amount of floor area on the additional story is limited to the amount of floor area lost by avoiding development within the tree protection area.

3. Tree removal required for development to achieve the allowable development area according to subsection 25.11.070.B.1 or height limits of the applicable zone includes, but is not limited to, the construction of new structures, vehicles and pedestrian access, utilities, retaining wall, or other similar improvement.

4. Tier 2 trees may not be removed if the trunk of the Tier 2 tree is located within five feet of a corner of the lot, unless removal of the tree is necessary for utilities, retaining walls, or to prevent the impairment of future structures.

Renumber all subsequent sections of the bill, as appropriate.

Lish Whitson
Select Committee on the Comprehensive Plan
August 2, 2025
D#1

Amendment 104 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Strauss

Provide greater flexibility when trees are protected

Effect: This amendment would allow structures to be located anywhere within a setback and allow reduced or eliminated amenity area requirements when a tree is protected. Under the current tree protection ordinance, required setbacks can be reduced by fifty percent if a tree is protected.

Under CB 120993, a new amenity area requirement is proposed. At least twenty percent of the lot area would be required to be in amenity area in Neighborhood Residential and lowrise zones.

This amendment allows greater flexibility in site planning when a tree is protected and allows for reduced amenity area in cases where trees are protected.

Add a new Section 104 to Council Bill 120993, and amend Section 25.11.130 of the Seattle Municipal Code, as follows:

Section 104. Section 25.11.070 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.070 Tree protection on sites undergoing development in Neighborhood Residential, Lowrise, Midrise, commercial, and Seattle Mixed zones

A. Neighborhood Residential zones

1. Tier 2 trees may be removed only if:

a. The maximum lot coverage permitted on the site pursuant to Title 23 cannot be achieved without extending into the basic tree protection area or into a required front and/or rear yard to an extent greater than provided for in subsection 25.11.070.A.2;

b. Avoiding development in the basic tree protection area would result in a portion of a principal dwelling unit, or an accessory dwelling unit, being less than 15 feet in width; or

c. Tree removal is necessary for the construction of new structures; vehicle and pedestrian access, utilities, retaining wall, or other similar improvements associated with development.

2. For purposes of retaining an existing on-site and off-site Tier 1, Tier 2, Tier 3, or Tier 4 tree~~;~~:

a. extension into front or rear ~~yards~~ setbacks is permitted but limited to an area equal to the amount of the tree protection area of those trees not located within required ~~yards~~ setbacks. ~~The maximum projection into the required front or rear yard shall be 50 percent of the yard requirement~~.

b. reduction of required amenity areas is permitted but limited to an area equal to the amount of the tree protection area of trees retained.

3. If the maximum lot coverage permitted on the site can be achieved or a structure will be less than 15 feet in width without extending into required front and/or rear yards, then no such extension into required yards shall be permitted.

4. For the purposes of this subsection 25.11.070.A:

a. Lot coverage calculation shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback, wetland, wetland buffer, or steep slope erosion hazard area, unless the Director has approved critical areas reduction, waiver, or modification pursuant to Chapter 25.09; and

b. The basic tree protection area cannot be modified.

B. Lowrise, Midrise, commercial, and Seattle Mixed zones

1. Tier 2 trees may be removed as follows:

a. If an otherwise allowable development area of 85 percent cannot be achieved without extending into the basic tree protection area, as follows:

1) Calculate the basic tree protection area on the lot. For the purposes of this subsection 25.11.070.B, the basic tree protection area cannot be modified.

2) Subtract the basic tree protection area and the area of any portions of the lot between a property line and basic tree protection area when the portion of the lot is 15 feet or less measured from a lot line to a basic tree protection area from the lot area. If this number is less than 85 percent of the total lot area, Tier 2 trees may be removed.

3) When multiple Tier 2 trees are located on a lot, the minimum number of trees needed to reach 85 percent may be removed based on the evaluation required by subsection 25.11.060.C.

4) When the basic tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree is located on the lot, this area shall be included in accordance with subsection 25.11.070.B.

b. In Midrise, Commercial, and Seattle Mixed zones Tier 2 trees may be removed, if an otherwise allowable development area of 100 percent cannot be achieved without extending into the basic tree protection area more than allowed pursuant to subsection 25.11.060.A.

c. For the purposes of this subsection 25.11.070.B, allowable development area shall not include any portion of a parcel containing a biodiversity area or corridor, riparian corridor, priority habitat, priority area setback, wetland, wetland buffer, or steep slope erosion

hazard area, unless the Director has approved a critical area reduction, waiver, or modification pursuant to Chapter 25.09.

2. If an applicant chooses to retain Tier 2 trees that would otherwise be allowed to be removed under subsection 25.11.070.B.1 or if encroachment into the tree protection area of an off-site Tier 1, Tier 2, or Tier 3 tree cannot otherwise be avoided, modifications to development standards are allowed as follows:

a. For development not subject to design review, the following Type I modifications to standards:

1) ~~Setbacks~~ Front and rear setback and separation requirements, if applicable, may be reduced by a maximum of ~~75~~ 100 percent;

2) Amenity areas may be reduced by a maximum of ~~75~~ 100 percent;

3) Landscaping and screening may be reduced by a maximum of ~~75~~ 100 percent; and

4) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of ~~30~~ 50 percent.

b. The following Type I modifications to standards are permitted for development that: i) Receives public funding or an allocation of federal low-income housing tax credits; and ii) is subject to a regulatory agreement, covenant, or other legal instrument recorded on the property title and enforceable by The City of Seattle, Washington State Housing Finance Commission, State of Washington, King County, or other similar entity as approved by the Director of Housing; and iii) either: restricts at least 40 percent of rental units to occupancy by households earning no greater than 60 percent of median income, and controls the rents that may

be charged for a minimum period of 40 years: or restricts at least 40 percent of ownership dwelling units earning no greater than 80 percent of median income, and controls the sale price of the units for a minimum period of 50 years:

1) Setback, separation, amenity area, landscaping, and screening requirements, if applicable, may be reduced by a maximum of 100 percent; and

2) Structure width, structure depth, and facade length limits, if applicable, may be increased by a maximum of 100 percent.

c. For development subject to design review, the departures permitted in Section 23.41.012.

d. Parking reduction. A reduction in the parking quantity required by Section 23.54.015 and the modification of standards for safe access of any required parking of Section 23.54.030 may be permitted in order to protect a Tier 2 tree, if the reduction would result in a project that would avoid the tree protection area.

e. In Lowrise zones, for a principal structure with a base height limit of 40 feet that is subject to the pitched roof provisions of subsection 23.45.514.D, the Director may permit the ridge of a pitched roof with a minimum slope of 6:12 to extend up to a height of 50 feet if the increase is needed to accommodate, on an additional story, the amount of floor area lost by avoiding development within the tree protection area and the amount of floor area on the additional story is limited to the amount of floor area lost by avoiding development within the tree protection area.

3. Tree removal required for development to achieve the allowable development area according to subsection 25.11.070.B.1 or height limits of the applicable zone includes, but is

not limited to, the construction of new structures, vehicles and pedestrian access, utilities, retaining wall, or other similar improvement.

Renumber all subsequent sections of the bill, as appropriate.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
August 2, 2025
D#2

Amendment 106 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Strauss

Define tree protection areas as the drip line of the tree

Effect: This amendment would amend the definition of a basic tree protection area to equal a circle representing a tree's drip line.

Currently, basic tree protection areas are equal to one foot for every inch of diameter of the tree. For Tier 2 trees, which are generally at least 24 inches in diameter at standard height (4.5 feet above the ground), the basic tree protection area is a 24-foot radius from the tree. For a 24-foot tree, this would cover 1,809 square feet. On a standard 5,000 square foot Neighborhood Residential lot, this basic tree protection area would cover a third of the lot.

The drip line is equal to the outer limit of a trees branches. Using the drip line to determine the tree protection area would mean that the tree protection area varies by species, with trees with a more compact form having a smaller tree protection area, and trees with a more open form having a bigger tree protection area.

The amendment would also remove provisions that currently allow the Seattle Department of Construction and Inspections to modify the tree protection area based on species tolerance; expected impacts of construction activities; tree size, age, and health; and soil conditions.

Add a new Section 104 to Council Bill 120993, and amend Section 25.11.060 of the Seattle Municipal Code, as follows:

Section 104. Section 25.11.130 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.060 - Requirements for trees when development is proposed

A. Tree protection area

1. A tree protection area is required for all existing Tier 1, Tier 2, and Tier 3 trees that are not removed during development, as well as any tree relocated offsite if on private property or any tree planted onsite as part of required mitigation pursuant to this Chapter 25.11.

2. The tree protection area for Tier 1, Tier 2, and Tier 3 trees shall be the basic tree protection area as determined by the Director ~~pursuant to this subsection 25.11.060.A and any rules promulgated by the Director~~.

3. ~~The tree protection area may be modified from the basic tree protection area based on species tolerance; expected impacts of construction activities; tree size, age, and health; and soil conditions not to exceed the area of the feeder root zone.~~ The Director may require Master Use Permits or building permits to include measures to protect tree(s) during construction, including within the feeder root zone.

4. ~~The tree protection area may be reduced by the Director pursuant to the provisions of Title 23 and this Chapter 25.11, as follows:~~

~~a. Any new encroachment into the tree protection area may not be closer than one half of the tree protection radius. Existing encroachments closer than one half of the tree protection radius may remain or be replaced if no appreciable damage to the tree will result.~~

~~b. The tree protection area shall not be reduced more than 35 percent of the outer half of the tree protection radius unless an alternative tree protection area or construction method will provide equal or greater tree protection and result in long-term retention and viability of the tree as determined by a certified arborist.~~

~~c. Existing encroachments do not count toward the reduction.~~

~~d.~~ The tree protection area may be temporarily reduced in size during a specific construction activity that is not likely to cause appreciable damage to the tree. Appropriate mitigation measures shall be implemented per ANSI A300 standards or their successor, and the tree protection area shall be returned to its permanent size after the specific construction activity is complete.

5. The tree protection area is required to include fencing, signage, and other safety requirements as required in the Seattle Department of Construction and Inspections Tree and Vegetation Protection Detail.

Add a new Section 105 to Council Bill 120993, and amend Section 25.11.130 of the Seattle Municipal Code, as follows:

Section 105. Section 25.11.130 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.130 Definitions

* * *

"Drip line" means an area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree's branch tips down to the ground. The drip line may be irregular in shape to reflect variation in branch outer limits.

* * *

"Tree protection area" means the area surrounding a tree defined by a specified distance, in which excavation and other construction-related activities must be avoided unless approved by the Director. The tree protection area is variable depending on species, age and health of the tree, soil conditions, and proposed construction.

"Tree protection area, basic" means the area surrounding a tree in which excavation and other construction-related activities must be avoided unless approved by the Director. This area ~~is delineated using a radius that is equal to one foot for every inch DSH of the tree~~ shall be the drip line of the tree.

* * *

Renumber all subsequent sections of the bill, as appropriate.

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Lish Whitson
Select Committee on the Comprehensive Plan
July 22, 2025
D#2

Amendment 110 Version #2 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Saka

Require mailed notice of area-wide rezones

Effect: This amendment would add a new section to the Seattle Municipal Code requiring mailed notice of area-wide rezones.

Mailed notice is defined as "notice mailed by the Director to such property owners, commercial lessees, building managers, and residents of properties including and within 300 feet of the boundaries of a specific site as can be determined from the records of the King County Department of Assessments, the City Master Address File, and such additional references as may be identified by the Director."

Providing mailed notice to all property owners, residents, commercial lessees, and building managers for a citywide rezone could cost approximately $500,000 for printing and mailing costs, more than the total public outreach budget for the Comprehensive Plan. Consequently, this amendment only requires that notice be mailed to some portion of the affected area.

Amend Council Bill 120993, to add a new section XX amending Section 23.76.062, as follows:

Section XX. Section 23.76.062 of the Seattle Municipal Code, las amended by Ordinance 123913, is amended as follows:

23.76.062 Type V Council land use decisions

A. Notice ((~~of application~~)).

1. For Major Institution designations and revocations of Major Institution designations, concept approvals for the location or expansion of City facilities requiring Council land use approval, and waivers or modifications of development standards for City facilities, notice of application shall be provided pursuant to Section 23.76.012.

2. For area-wide rezones, the party requesting an area-wide rezone shall mail notice to some or all of the owners, residents, property managers or commercial tenants of properties within the area to be rezoned. The party requesting the rezone shall determine the

appropriate persons to receive the mailing, and failure of any person or business to receive a mailing shall not be determined to be inconsistent with this subsection 23.76.062.A. Mailed notice shall be provided at least 30 days before the first public meeting on the rezone or public hearing on the rezone, whichever is first. The notice should include the following information: the area to be rezoned; the intended goals of the rezone; a description of the current and proposed zoning within the area to be rezoned; the date, time and location of any meeting regarding the rezone; the location of any additional information regarding the rezone; and a statement that persons who desire to submit comments on the rezone or who request notification of the final rezone proposal may so inform the director in writing. The mailed notice should be designed to attract the attention of recipients of the notice.

B. Public Hearing. The Council shall conduct a public hearing for each Type V Council land use decision except that no public hearing is required for an emergency amendment to the text of the Land Use Code. The Council may also appoint a hearing officer to conduct an additional fact-finding hearing to assist the Council in gathering information. Any hearing officer so appointed shall transmit written Findings of Fact to the Council within ten days of the additional hearing.

C. Notice of Hearings.

1. Notice of a required Council hearing on a Type V Council land use decision shall be provided by the Director at least 30 days prior to the hearing in the following manner:

a. Inclusion in the Land Use Information Bulletin; and

b. Publication in the City's official newspaper.

2. Additional notice shall be provided by the Director for public hearings on concept approvals for the location or expansion of City facilities, waiver or modification of

development standards for City facilities, Major Institution designations, and revocation of Major Institution designations, as follows:

a. Mailed notice; and

b. One land use sign posted visible to the public at each street frontage abutting the site, except that if there is no street frontage or the site abuts an unimproved street, the Director shall either post more than one sign and/or select an alternative posting location so that notice is clearly visible to the public. For hearings on Major Institution designations and revocations of Major Institution designations, the Director shall post one land use sign at each street frontage abutting the site but not to exceed ten land use signs.

D. Council Decision. In making a Type V Council land use decision, the Council shall consider the oral and written testimony presented at the public hearing, as well as any required report of the Director. The City Council shall not act on any Type V Council land use decision until the end of the appeal period for any applicable determination of nonsignificance (DNS) or final EIS or, if an appeal is filed, until the Hearing Examiner issues a decision affirming the Director's DNS or EIS decision.

Renumber subsequent sections of the bill, as appropriate.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 12, 2025
D#1

Amendment 112 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Hollingsworth

Allow increased height for development with larger setbacks

Effect: This amendment would set a height limit of 42 feet for development with three or more principal dwelling units in NR zones that maintains a front setback of 20 feet or more.

As proposed, Council Bill 120993 would set a height limit of 32 feet for development in NR zones. Pitched roofs and other elements of a building, like parapets, green roofs, elevator overruns, and chimneys can exceed height limits subject to limits.

Amend Section 30 of Council Bill 120993, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

23.44.070 Structure height

A. Maximum height established

1. Subject to the exceptions allowed in this Section 23.44.070, the height limit for any structure in NR zones is 32 feet.

2. The height limit for development with three or more principal dwelling units and a front setback of at least 20 feet is 42 feet.

~~2.~~ 3. The height limit for accessory structures that are located in required setbacks is 12 feet, except as follows:

a. The ridge of a pitched roof may extend up to 3 feet above the 12-foot height limit provided that all parts of the roof above the height limit shall be pitched at a rate of

not less than 4:12. No portion of a shed roof is permitted to extend beyond the 12-foot height limit.

b. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls except as regulated in Chapter 23.64, provided they are no closer to any lot line than 50 percent of their height above existing grade.

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 16, 2025
D#1

Amendment 113 Version #1 to CB 120993 OPCD Permanent State Zoning Compliance ORD

Sponsor: Councilmember Rivera

Adopt State model code requirements for setbacks

Effect: This amendment would require setbacks for middle housing consistent with development standards suggested by the State model code.

A comparison of current standards, model code standards, and those proposed in CB 120993 are in the table below.

Setbacks	Current NR regulations	Proposed for CB 120993	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

Amend Section 30 of Council Bill 120993, as follows:

Section 30. A new Chapter 23.44 is added to the Seattle Municipal Code as follows:

Chapter 23.44 NEIGHBORHOOD RESIDENTIAL

23.44.090 Setbacks

A. Required setbacks for the NR zones are shown in Table A for 23.44.090.

Table A for 23.44.090 **Required setbacks in Neighborhood Residential zones**	
Front	~~10 feet~~ Lots with one or two dwelling units: 15 feet; Lots with three or more dwelling units: 10 feet
Rear	~~5 feet for accessory dwelling units;~~ ~~and~~ 15 feet for lots with one or two dwelling units not abutting an alley; 10 feet for lots with three of more dwelling units not abutting an alley; ~~other structures except that,~~ if the rear setback abuts an alley, no rear setback is required~~[1]~~
Side	5 feet~~, except that no side setback is required from a side lot line that abuts an alley~~~~[1]~~
~~Footnote for Table A for 23.44.090~~ ~~[1] On a reversed corner lot, the setback on the side street lot line shall be 10 feet and the rear setback is 5 feet.~~	

***

Note: Multiple amendments may amend the same sections or subsections. Following Committee action on all amendments, Central Staff will reconcile language and renumber and re-letter sections and subsections as needed in the amended bill.

File #: Res 32183, **Version:** 1

CITY OF SEATTLE

RESOLUTION _____

A RESOLUTION relating to the One Seattle Plan Comprehensive Plan update; calling for additional measures by City departments to further advance the goals of the One Seattle Plan; and requesting that the Office of Planning and Community Development and other City departments develop additional amendments to the Comprehensive Plan in 2026.

WHEREAS, The City of Seattle adopted its Comprehensive Plan with Ordinance 117221 in 1994, pursuant to the provisions of the Growth Management Act, chapter 36.70A RCW; and

WHEREAS, the City has made amendments to its Comprehensive Plan most years through its annual update or major update process, as authorized by the Growth Management Act; and

WHEREAS, in April 2021 the Office of Planning and Community Development published a Market Rate Housing Needs and Supply Analysis that found that housing supply was not keeping pace with demand, housing costs were increasing faster than incomes, market development was producing few new homeownership units, the City lacked sufficient development capacity for middle housing, the supply of affordable rental units did not meet the needs of lower income households, and many lower income households commuted long distances from communities outside the City to reach their jobs; and

WHEREAS, in July 2021 the Office of Planning and Community Development published a Racial Equity Analysis of Seattle 2035 and Urban Village Strategy that identified ongoing racial disparities in housing and access to opportunity and made recommendations to advance racial equity in the next update of the Comprehensive Plan; and

WHEREAS, the Office of Planning and Community Development, in cooperation with other City agencies including the Seattle Planning Commission, began in 2022 a series of programs and events, under the

title One Seattle Plan, to engage the public in discussions about potential changes to the Comprehensive Plan, consistent with the One Seattle Plan Public Participation Program and documented in the One Seattle Plan Public Engagement Report; and

WHEREAS, in July 2022 the Seattle City Council adopted Resolution 32059 confirming the City's intent to address climate change and improve resiliency as part of the One Seattle update to the Comprehensive Plan; and

WHEREAS, in March 2024 the Office of Planning and Community Development published a Draft Environmental Impact Statement analyzing the potential effects of five different growth alternatives in the City through 2044, conducted two public hearings on April 17, 2024 and April 22, 2024, and received comments from the public on this document; and

WHEREAS, in March 2024 the Office of Planning and Community Development published a Draft Comprehensive Plan Update rooted in a deliberate approach to creating more housing, encouraging density near amenities and frequent transit, and mitigating displacement; and

WHEREAS, in January 2025 the Office of Planning and Community Development published a Final Environmental Impact Statement that included analysis of a preferred growth strategy alternative, with the same growth and employment numbers as alternative five in the Draft Environmental Impact Statement; and

WHEREAS, the City reviewed applicable adopted statutes for cities planning under the Growth Management Act passed subsequent to the City's last major update of the Comprehensive Plan in 2016 and incorporated or addressed all relevant provisions into the One Seattle Comprehensive Plan; and

WHEREAS, the City Council has considered public testimony made at public hearings and other pertinent materials regarding the proposed One Seattle Comprehensive Plan; and

WHEREAS, various City Councilmembers have proposed a range of amendments to the Proposed One Seattle Plan that may require additional environmental review and staff recommendations on such amendments;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. The City Council (Council) recognizes the significance of the Comprehensive Plan as the roadmap for where and how the City will grow and invest in our communities over the next 20 years. The Council intends for the One Seattle Comprehensive Plan and its related work to advance the following goals and outcomes:

A. Welcoming and Inclusive. New growth should welcome newcomers while preventing the displacement of Black, Indigenous, and people of color communities, members of the LGBTQIA+ community, and under-resourced households. The Plan is intended to help communities thrive in place and provide opportunities for former residents who have been displaced to return.

B. Affordable. The City's growth strategy supports housing options that work for all families and increase housing supply, including but not limited to the development of duplexes, triplexes, stacked flats, Accessory Dwelling Units (ADUs) and unit conversions. The Plan should make it easier for multigenerational households to live together and stay rooted in their communities. Furthermore, the Council encourages additional housing supply in areas of the city that have historically been exclusionary in their zoning, to reduce market pressure resulting in displacement of Black, Indigenous, and people of color communities, members of the LGBTQIA+ community, and under-resourced households.

C. Accessible. Council encourages the design of homes and public spaces that meet ADA standards, support aging in place, and create child-friendly environments. New growth should build with mobility and independence in mind, so everyone, regardless of ability or age, can navigate their neighborhood and live comfortably.

D. Livable. The Plan advances our climate goals, reducing dependence on cars and fostering vibrant communities where walking is easy, enjoyable, and part of daily life with access to restaurants, grocery stores, transit, and everyday essentials. Council intends to continue to invest in outdoor spaces, parks, and shared areas

that bring people together and make neighborhoods feel welcoming, connected, and resilient.

E. Safe. The Plan prioritizes safety through a new Public Safety Element and supports well-lit streets, safe sidewalks, active public spaces, and community-driven planning.

Section 2. Departmental Work Program for 2026 and associated environmental review. The Council requests that the Office of Planning and Community Development (OPCD), the Seattle Department of Construction and Inspections (SDCI), and any other relevant departments add the following items to their 2026 Work Program:

A. Accessory Dwelling Units (ADUs). Conduct SEPA analysis and make recommendations to the Council on amendments to regulations for Accessory Dwelling Units (ADUs), including:

1. Allowing ADUs that share a common wall with the principal unit to be subdivided onto a separate unit lot from the principal unit they are accessory to.

2. Removing ADUs from calculations of floor area ratio.

3. Increasing the maximum size of ADUs with three or more bedrooms to 1,200 square feet.

4. Excluding ADUs from being counted toward maximum density regulations.

B. Environmentally Critical Areas. Conduct SEPA analysis and make recommendations to the Council on legislation to allow areas of a lot located in specified environmentally critical areas to count in density calculations.

C. Frequent Transit Service. Conduct SEPA analysis and make recommendations to Council on legislation to amend the definition of major transit service to include frequent transit service.

D. Parking Requirements. Conduct SEPA analysis and make recommendations to Council on legislation to remove parking requirements citywide for all land uses in all zones.

E. Tree protection.

1. Conduct SEPA analysis and make recommendations to Council on updates to the City's tree regulations, particularly focused on improving regulations regarding tree protection areas.

2. Continue to protect Tier 1 trees as well as development sites, such as the Sequoia House in West Seattle, from development that is harmful to Seattle's heritage trees.

F. Incentives. As part of the City's planned review of the Mandatory Housing Affordability program, consider incentives for the provision of required inclusionary housing on-site through modifications to program requirements, such as home-ownership affordability levels, term of affordability limitations, and other incentives.

G. Vacant Sites Downtown. Undertake efforts to spur development of vacant sites in Downtown Seattle, in particular the block bounded by James Street, 3rd Avenue, Cherry Street and 4th Avenue, and consider appropriate penalties for leaving property vacant.

H. Anti-Displacement Strategies. Develop proposals for new zoning in regional centers, urban centers, and neighborhood centers in areas that were historically redlined or have experienced significant displacement, and report to Council on the potential displacement impacts of any proposed zoning changes. Include strategies in these proposals to reduce displacement pressure on existing homeowners in these areas, and to incorporate strategies that provide opportunities for displaced families to return to areas that have seen significant displacement.

Section 3. Comprehensive Plan annual amendments to be considered in 2026. The Council requests that OPCD and other relevant departments develop the following proposed amendments to the One Seattle Comprehensive Plan, including conducting public engagement and new or additional environmental reviews. The Council also requests that OPCD present its analyses and the Mayor's recommendations to the Seattle Planning Commission and to the Council as part of that planning effort.

A. Building Heights in Neighborhood Centers. Analyze and make recommendations for changes to the Comprehensive Plan to allow building heights greater than six stories in Neighborhood Centers near major transit stations, especially light rail stations, or near existing concentrations of amenities and services.

B. Additional Neighborhood Centers. Analyze and make recommendations for changes to the

Comprehensive Plan and the Official Land Use Map to add nine additional neighborhood centers, described below and included in maps attached to this resolution:

1. Alki: generally located west of 59th Avenue S, north of SW Hinds Street and south and east of Alki Avenue SW (Council District 1).

2. Broadview: generally located between N 130th Street on the north, Linden Avenue N/Interurban Trail on the west, N 122nd Street and N 125th Street on the south, and Palatine Ave N and 1st Ave NW on the west (Council District 5).

3. Dawson: generally located around the intersection of S Dawson Street and Wilson Avenue S in the Seward Park neighborhood (Council District 2).

4. Gasworks: generally located between N 38th Street, N Northlake Way and Ashworth Avenue N and north of Gas Works Park touching the Fremont Urban Center on its west end between N 35th Street and N 36th Street (Council District 4).

5. Loyal Heights: generally located between NW 85th Street and NW 75th Street on the north and south. The boundary on the west side of the village would run along 28th Avenue NW between NW 85th Street and NW 83rd Street, and 27th Avenue NW south of NW 83rd Street. The boundary on the east would abut the Crown Hill Urban Center for one block along 21st Avenue NW between N 85th Street and NW 83rd Street and then run along 22nd Avenue NW south of NW 83rd Street (Council District 6).

6. Roanoke: generally located between Interstate 90 and E Howe Street, Harvard Avenue E, and 12th Avenue E in the North Capitol Hill neighborhood. It would be located across Interstate 5 from the Eastlake Urban Center (Council District 3).

7. South Wedgwood: generally located between NE 70th Street and NE 60th Street, west of 37th Avenue NE and east of 30th Avenue NE located adjacent to the proposed Wedgwood Neighborhood Center, which is located north of NE 70th Street (Council District 4).

8. North Queen Anne/Nickerson: generally located between 3rd Avenue N and 4th Avenue NE,

south of the ship canal, with an irregular southern border running along W Dravus Street, Etruria Street, Florentia Street and Fulton Street. The proposed Center would include the eastern edge of the Seattle Pacific University campus (Council District 7).

9. East Ballard: generally located between NW 70th Street and NW 63rd Street on the north and south, and between 6th Avenue NW and 9th Avenue NW on the east and west. (Council District 6).

C. Analyze and make recommendations for changes to the Comprehensive Plan and the Official Land Use Map to modify the following neighborhood centers, as shown in Attachment 2 to this resolution: Tangletown, Upper Fremont, Magnolia Village, North Magnolia, Phinney Ridge, and West Green Lake.

D. Additional Amendments. Analyze and make recommendations for changes to the Comprehensive Plan that may be initiated by the Executive, including potential amendments to the plan and appendices that may be necessary to comply with new state requirements that have future deadlines for full compliance, and including subarea plans for regionally designated centers and/or high-capacity transit station areas.

Adopted by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its adoption this _____ day of _____, 2025.

_____

President _____ of the City Council

Filed by me this _____ day of _____, 2025.

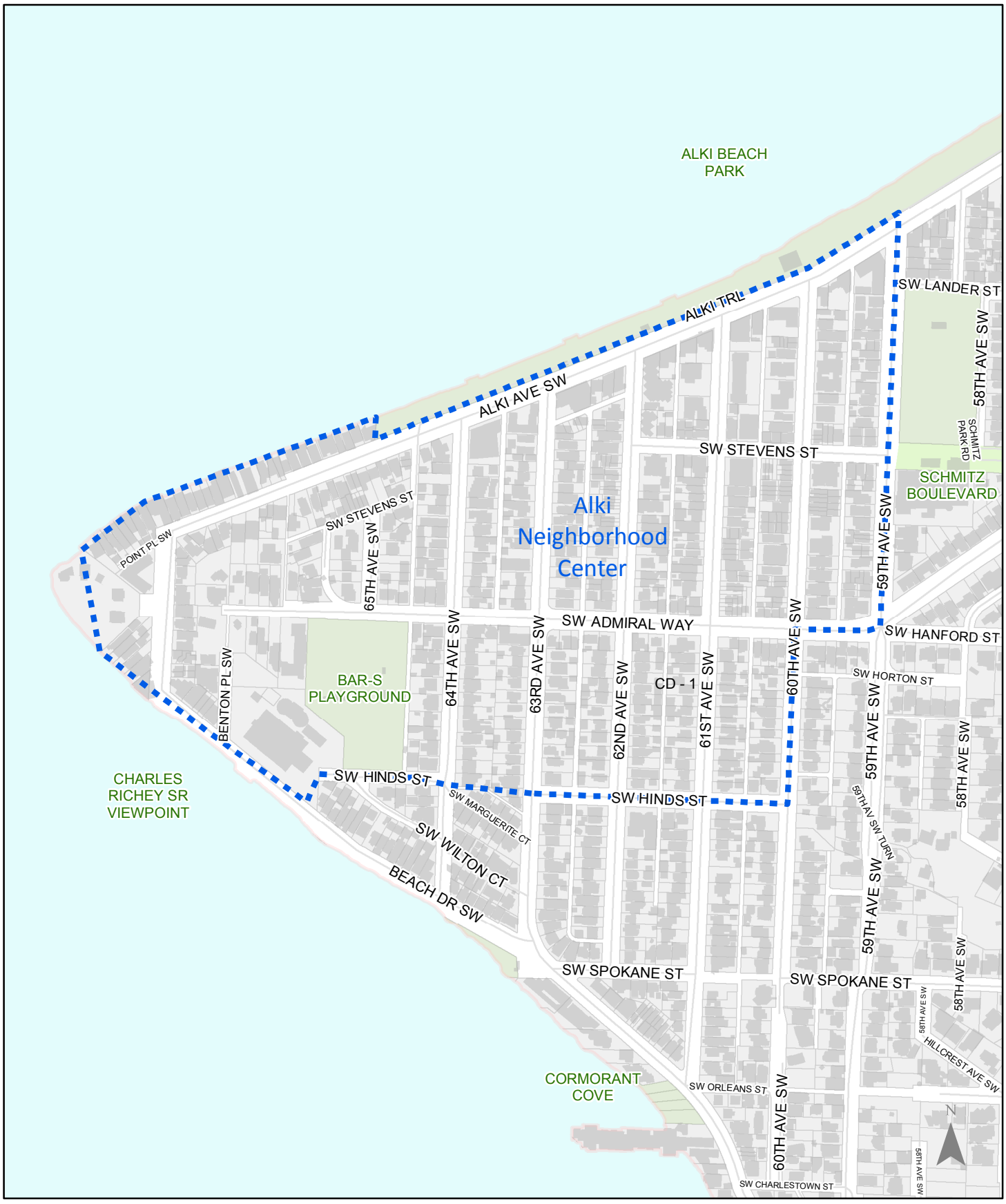
_____

Scheereen Dedman, City Clerk

(Seal)

Attachments:
Attachment 1 - Potential Neighborhood Center Boundary Maps
Attachment 2 - Proposed Neighborhood Center Boundary Map Modifications

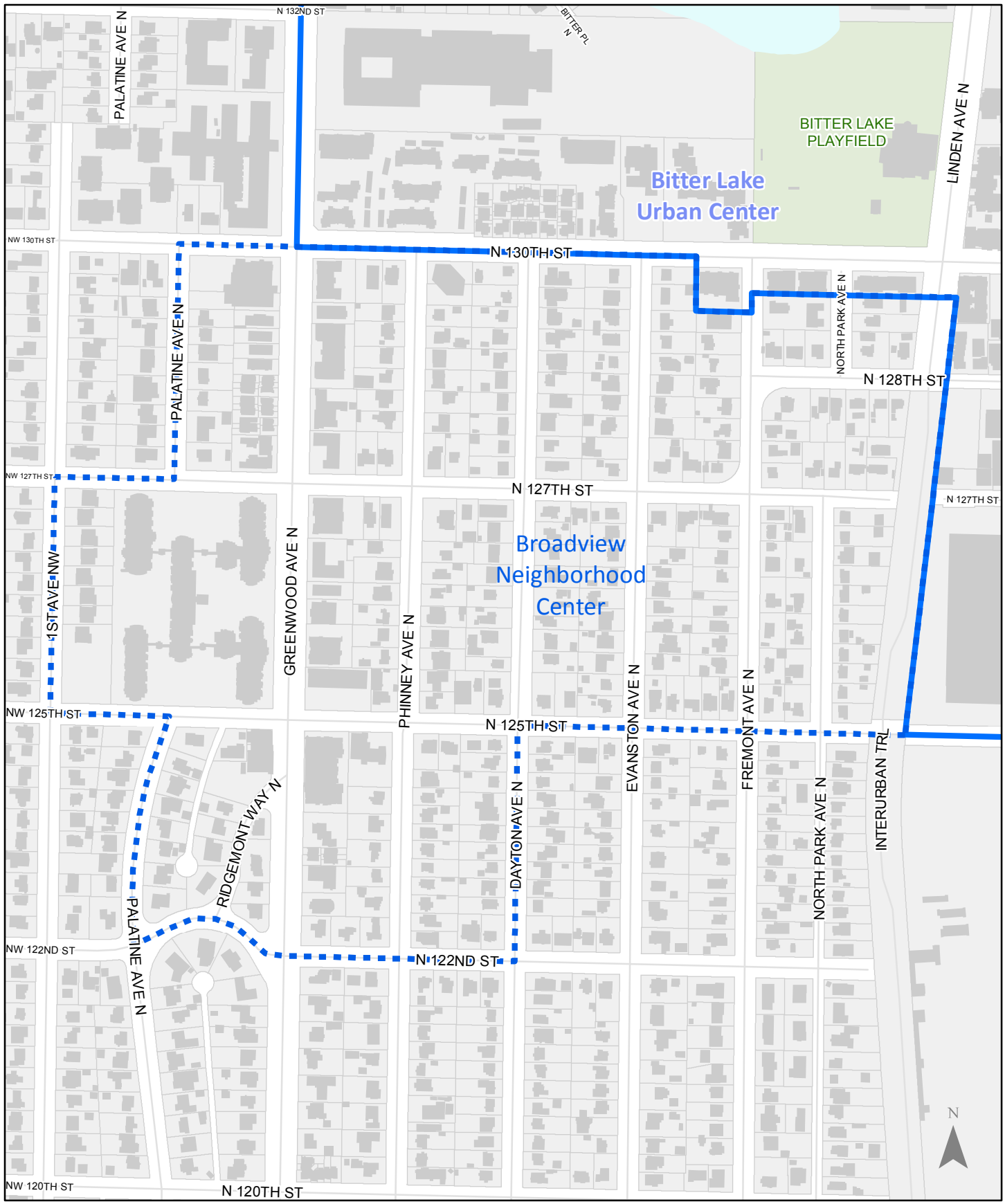
Alki Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 100 200 400 Feet

Broadview Neighborhood Center
V2



New Center Boundary Urban Center

0 100 200 400 Feet

Dawson Neighborhood Center
V1



New Neighborhood Center Boundary

0 100 200 400 Feet

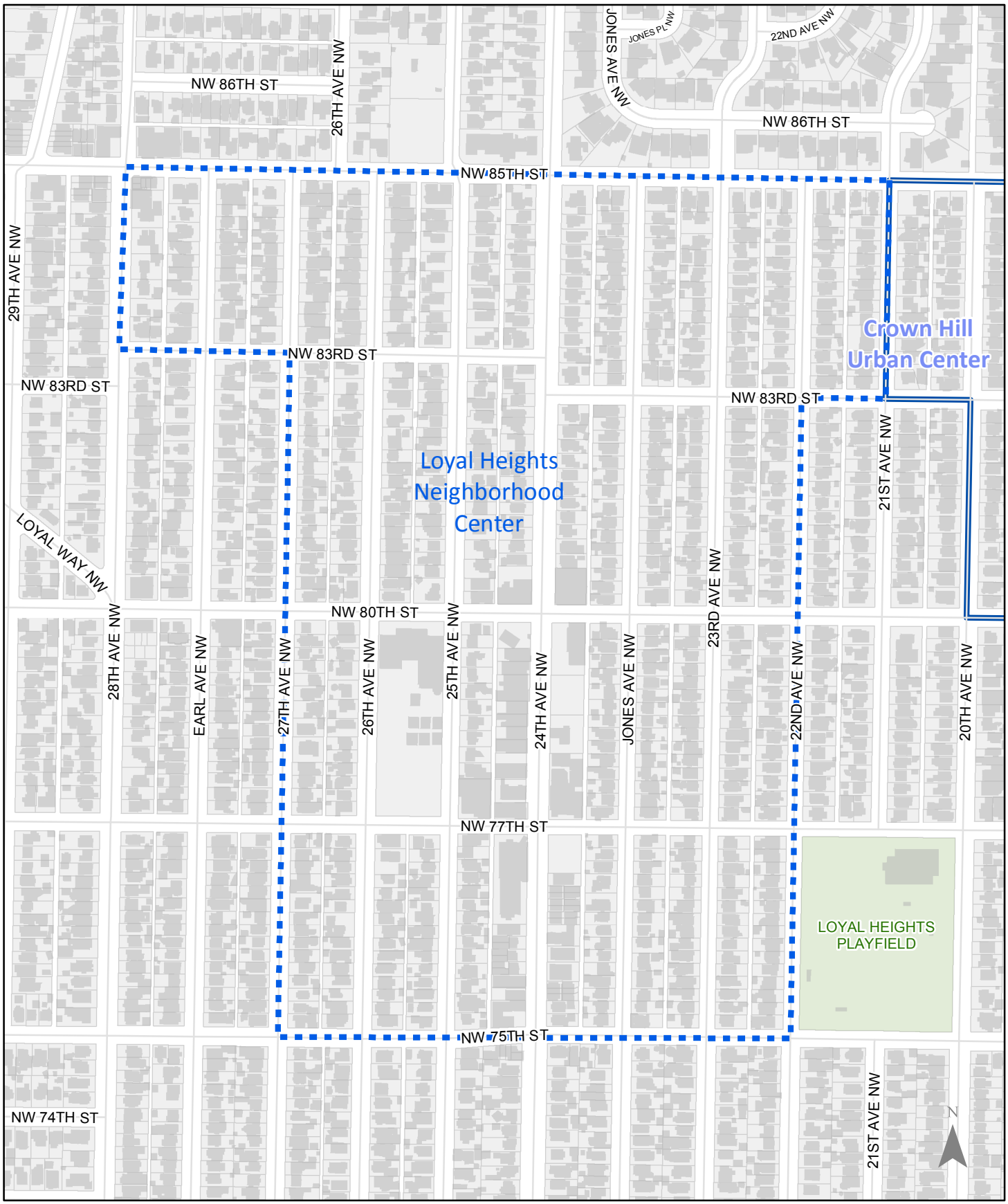
Gasworks Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 100 200 400 Feet

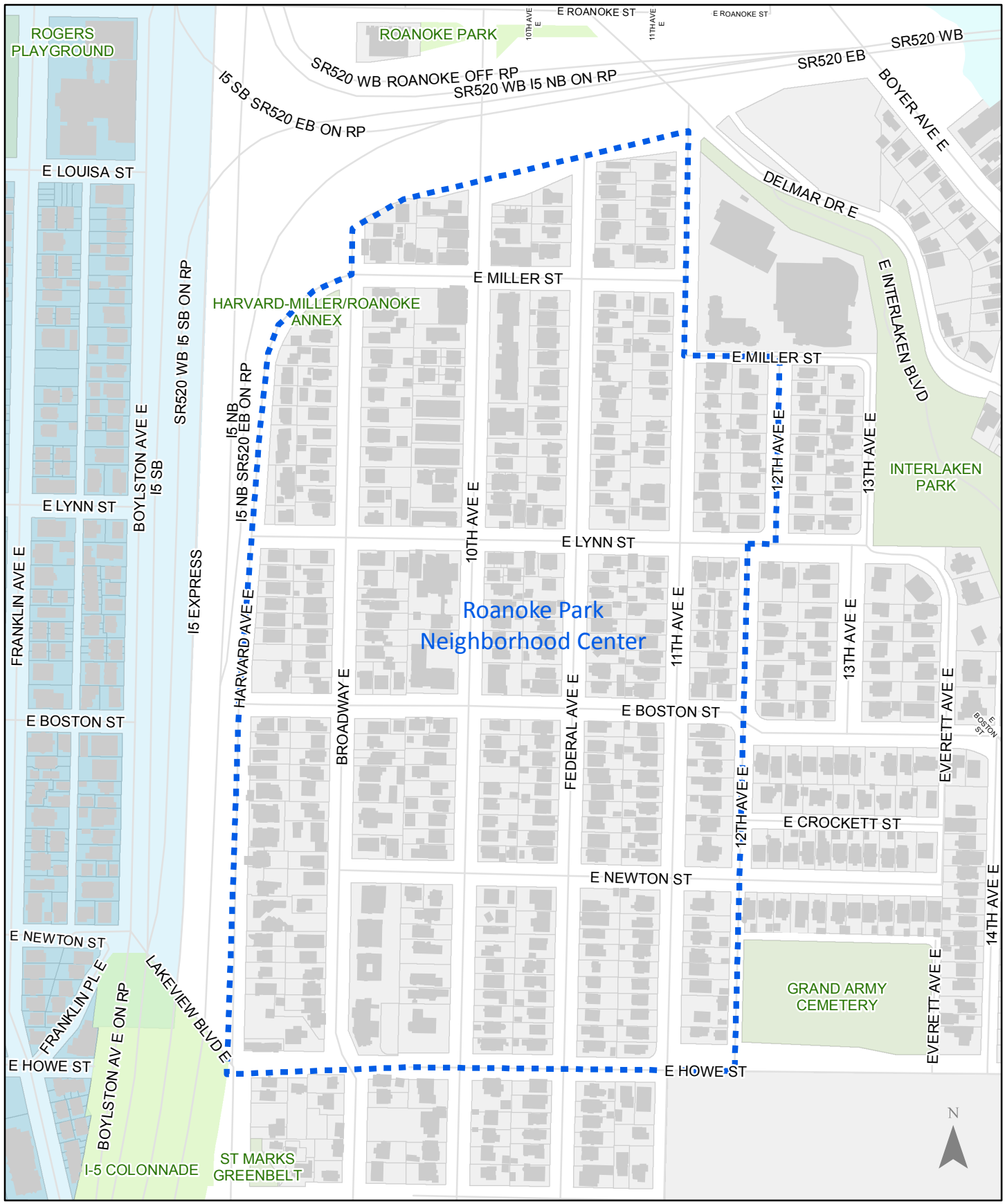
Loyal Heights Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 100 200 400 Feet

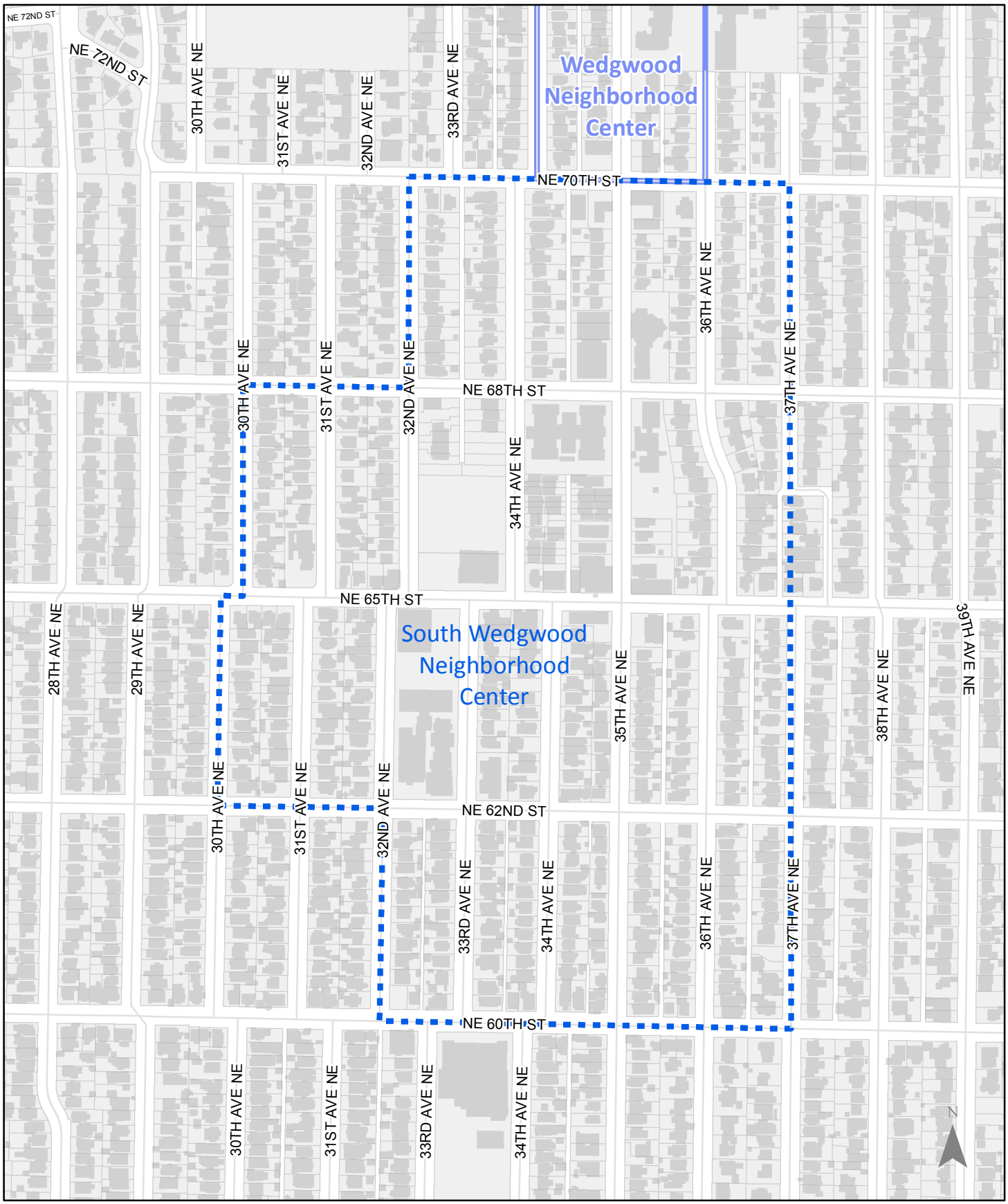
Roanoke Park Neighborhood Center
V1



New Neighborhood Center Boundary Urban Center

0 125 250 500 Feet

South Wedgwood Neighborhood Center
V1



New Neighborhood Center Boundary Neighborhood Center in Plan

0 100 200 400 Feet

New North Queen Anne/ Nickerson Street Neighborhood Center
V1



East Ballard Neighborhood Center
V1



New Neighborhood Center Boundary

0 100 200 400 Feet

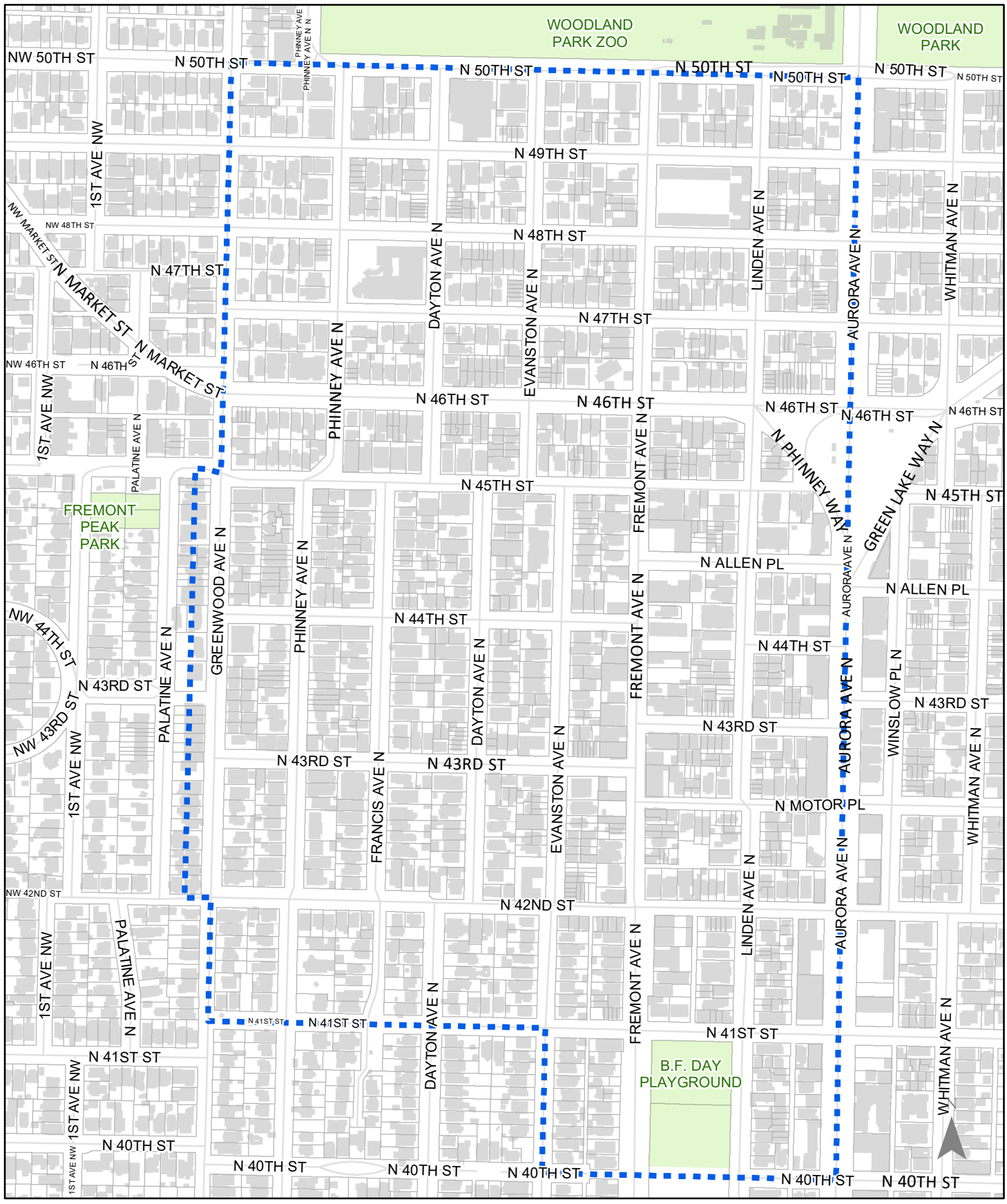
Tangletown Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

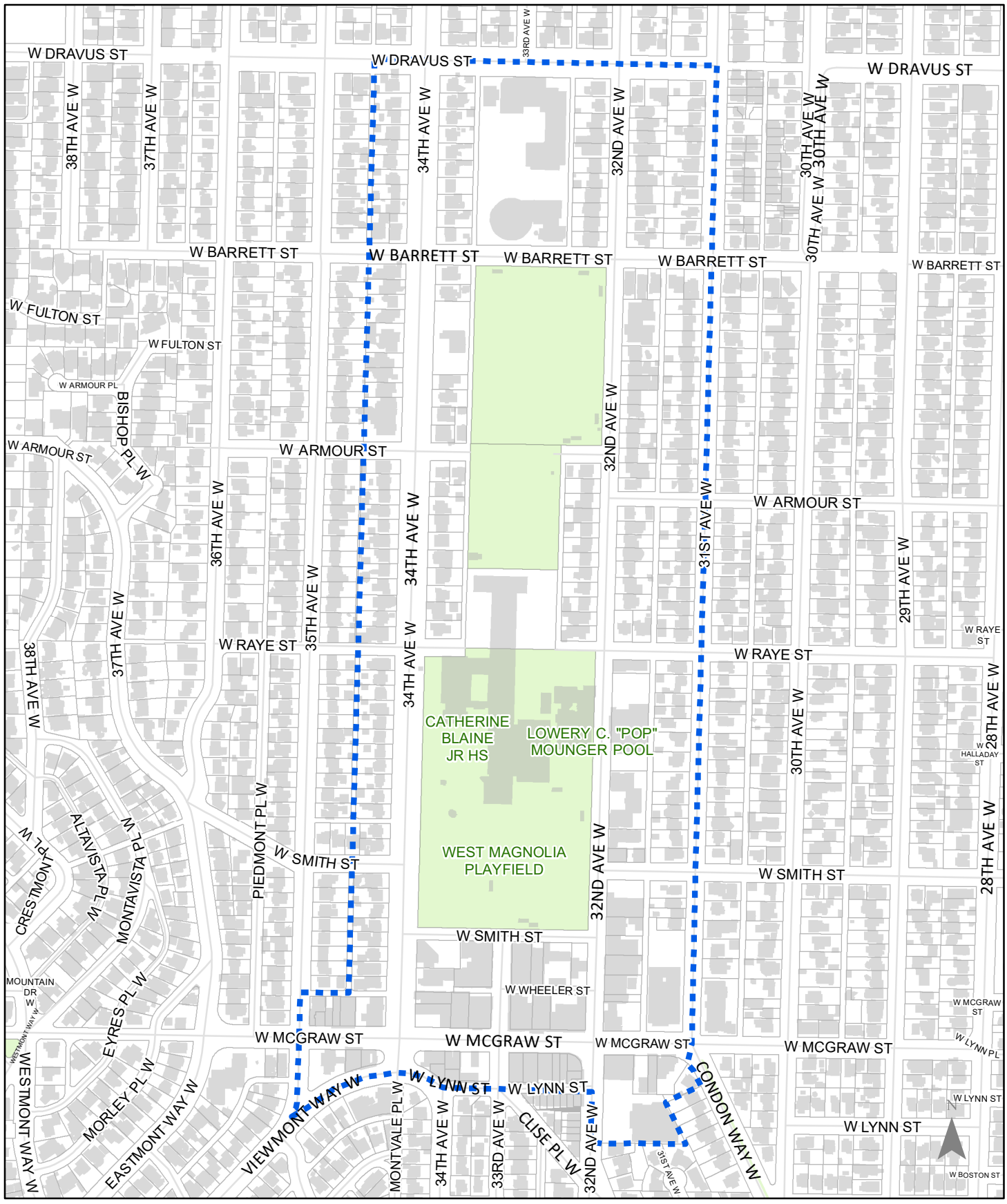
Upper Fremont Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

Magnolia Village Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

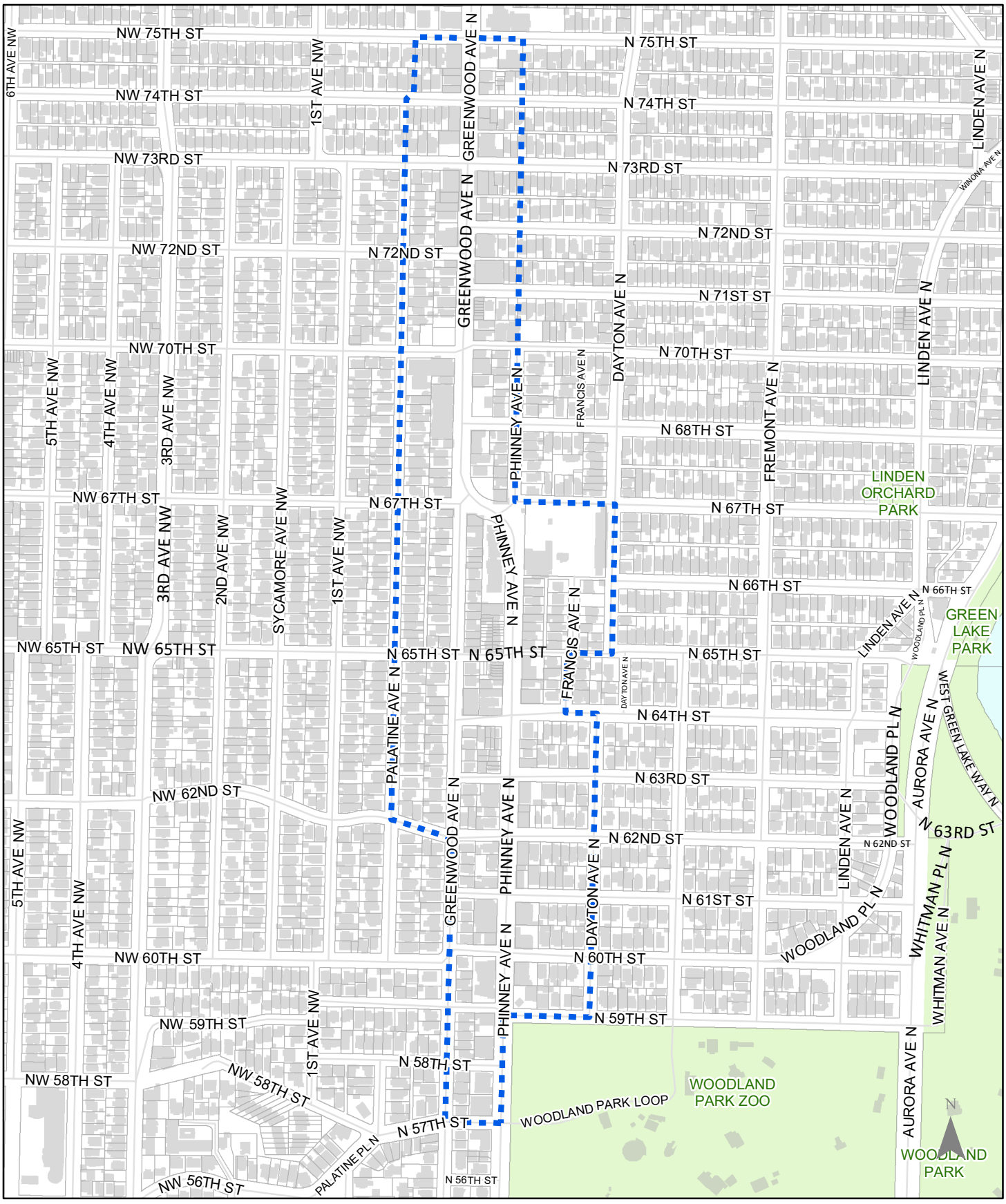
North Magnolia Village Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100200 400 Feet

Phinney Ridge Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100200 4

West Green Lake Neighborhood Center boundaries for docket



New Neighborhood Center Boundary

0 100 200 400 Feet

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
LEG	Jasmine Marwaha	N/A

1. BILL SUMMARY

Legislation Title: A RESOLUTION relating to the One Seattle Plan Comprehensive Plan update; calling for additional measures by City departments to further advance the goals of the One Seattle Plan; and requesting that the Office of Planning and Community Development and other City departments develop additional amendments to the Comprehensive Plan in 2026.

Summary and Background of the Legislation:
The resolution is intended to be a companion to the One Seattle Comprehensive Plan Update (Plan), outlining goals and outcomes Seattle Plan, requesting that relevant departments add items to their 2026 Work Program to advance the goals of the Plan, and requesting OPCD and other relevant departments develop proposed amendments to the Plan for 2026.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ **Yes** ☒ **No**

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☐ **Yes** ☒ **No**

If there are no projected changes to expenditures, revenues, or positions, please delete the table below.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

The legislation would request that departmental staff add items to their workplan for next year, which may incur indirect costs to be absorbed within existing operations.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

This legislation would require OPCD and other relevant departments to absorb this body of work in their work plans for 2026, and may result in staff deprioritizing other work.

Please describe any financial costs or other impacts of *not* implementing the legislation.

N/A.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.
This legislation would require OPCD and other relevant departments to absorb this body of work in their work plans for 2026.

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.
N/A

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

Addressing race, social justice, and equity was a major goal of the Comprehensive Plan update process. This Resolution intends to reaffirm that goal and request additional departmental work to further race and social justice. For example, the Resolution requests OPCD and other relevant departments to report on the potential displacement impacts of any forthcoming proposed zoning changes as well as include strategies to reduce displacement pressures.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.

N/A

iii. What is the Language Access Plan for any communications to the public?

The relevant departments are expected to conduct outreach in accordance with language access best practices and their ongoing departmental language access plans.

d. Climate Change Implications

i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.

The One Seattle Comprehensive Plan advances our climate goals, reducing dependence on cars and fostering vibrant communities where walking is easy, enjoyable, and part of daily life with access to restaurants, grocery stores, transit, and everyday essentials. Proposed work plan items and potential changes to the Plan requested for 2026 are intended to further these climate goals.

ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The Resolution expresses Council intent to continue to invest in outdoor spaces, parks, and shared areas that bring people together and make neighborhoods feel welcoming, connected, and resilient.

e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?

5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.

☐ **Is a public hearing required?**

☐ **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**

☐ **If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

☐ **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**
If yes, please review requirements in Resolution 31203 for applicability and complete and attach "Additional risk analysis and fiscal analysis for non-utility partner projects" form.

6. ATTACHMENTS

Summary Attachments: