Permanent State Zoning Compliance Legislation

DIRECTOR'S REPORT

MAY 2025



City of Seattle

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Overview

This legislation would implement a comprehensive update of Seattle's Neighborhood Residential (NR) zones to comply with Washington State House Bill 1110 and meet other goals. House Bill (HB) 1110 requires cities to allow a wider variety of "middle" housing types, including duplexes, triplexes, and stacked flats, in single-family zones. It also places limits on the regulation of middle housing.

This legislation would also implement changes to comply with:

- HB 1293, requiring design standards be "clear and objective"
- Senate Bill (SB) 6015, placing limits on off-street parking requirements
- HB 1287, establishing requirements for electric vehicle (EV) charging in new development



This legislation would replace interim regulations currently being considered by the City Council to comply with a June 30, 2025, deadline to implement HB 1110.

Updating NR zones is a critical step towards addressing our current and future housing needs and increasing access in neighborhoods that have been primarily comprised of single-family homes. Historically, many Seattle neighborhoods had racially restrictive covenants that explicitly prohibited people of color from owning or occupying property. Though ruled legally unenforceable in 1948, racial covenants cemented a pattern of racial segregation and exclusion that Seattle's restrictive zoning has sustained over time. Limiting the type of development that can happen in these neighborhoods also contributes to the high cost of housing, which continues to limit who can live in these neighborhoods and worsens affordability in Seattle overall. The median sales price of a detached home now exceeds $1 million. Rising housing prices force people to move away from communities they love and make many neighborhoods with access to large parks and schools accessible only to high-income households.

This legislation is intended to mitigate these issues by increasing the supply and diversity of housing in NR zones. The proposed changes would increase opportunities for more infill development, allowing for additional middle housing types that could create lower-cost homeownership opportunities. By increasing the diversity of housing, we can make it possible for a wider range of people to live in these neighborhoods and for existing residents to find a range of housing types that can allow them to age in place in their neighborhoods.

Background

In recent years, the Washington State Legislature has adopted several bills to support the production of more housing and related objectives. Below is a summary of the bills that inform this legislation.

HB 1110 (MIDDLE HOUSING)

Adopted in 2023, HB 1110 requires certain cities in Washington to allow a wider variety of housing in predominantly single-family zones. Minor changes to the language in HB 1110 were adopted in 2024 in HB 2321 and in 2025 in HB 1491. These pieces of legislation require Seattle to:

- Allow in all residentially zoned areas at least six of nine middle housing types (duplex, triplex, fourplex, fiveplex, sixplex, courtyard apartments, cottage housing, townhouses, stacked flats)
- Allow in all residential areas four dwelling units per lot or six units per lot within a quarter-mile walking distance of a major transit stop or if at least two units on the lot are affordable; lots with Environmentally Critical Areas (ECAs) may be partially exempted from this requirement; major transit stops include stops on light rail, rapid transit, street car, commuter rail, and Sound Transit bus routes. This requirement applies both to existing lots and to any new lots created by subdivision.
- Allow unit lot subdivision, which facilitates fee-simple ownership of attached or detached dwelling units
- Limit Design Review for middle housing to administrative processes
- Remove any standards for middle housing that are more restrictive than those required for detached single-family residences
- Apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences
- Remove off-street parking requirements for middle housing within half-mile walking distance of a major transit stop
- Limit off-street parking requirements for middle housing in other areas to more than one off-street parking space per unit

HB 1293 (CLEAR AND OBJECTIVE DESIGN STANDARDS)

HB 1293 requires that cities may have only "clear and objective" design standards and places limits on design review processes. In Seattle, design standards apply in two ways:

1. The City administers a Design Review program in which staff or Design Review boards review large projects against adopted design guidelines.

2. The Land Use Code has design standards that apply to projects not subject to Design Review.

The Design Review process, including the design guidelines, is proposed to be updated through separate legislation. This legislation would address changes to design standards in Neighborhood Residential and Lowrise zones. The deadline for compliance with these requirements is June 30,2025.

SB 6015 (OFF-STREET PARKING)

SB 6015 requires cities to implement various changes related to off-street parking. Seattle's existing code already complies with most of these provisions; however, this law would require the City to:

1. Reduce the minimum width of the largest required parking space from 8.5 feet to 8 feet

2. Allow tandem parking to count as two spaces

This bill was adopted in March 2024, and its provisions took effect at that time. Including these changes in the legislation will bring City code into compliance with state law.

HOUSE BILL 1287 (ELECTRIC VEHICLE CHARGING)

HB 1287 increases the proportion of parking spaces in new development that must be "EV-ready." An EV-ready parking space must have electric service that is terminated at a junction box or receptacle outlet nearby. This level of infrastructure allows a charger to be installed without laying new electrical lines or reopening the wall. Changes to meet this requirement were already made to Seattle's Electrical Code, but changes to the Land Use Code are also required to implement this law. This bill became effective July 1, 2024.

Proposal summary

While it would primarily affect NR zones, this legislation would also make changes to other zones and certain citywide standards. This summary is divided into four sections: changes to NR zoning, changes to Residential Small Lot (RSL) zoning, changes to Lowrise (LR) zoning, and changes that affect multiple zones.

Changes to Neighborhood Residential zoning

This legislation would repeal in its entirety the City code chapter that contains standards for NR zones (Chapter 23.44) and replaces it with a new chapter. This represents the first comprehensive update of NR zoning since 1982. The following sections address the various changes included in the proposed legislation.

DEVELOPMENT STANDARDS

Maximum density	The number of dwelling units allowed on a lot would be the greater of: • 1 unit per 1,250 square feet; • 4 units; or • 6 units if the lot is located within one half-mile of a major transit stop or if at least two units are affordable. ADUs count toward the density limits. Density on lots with ECAs would be reduced in portion to percentage of lot that contains ECAs.
Minimum lot size	New lots smaller than 5,000 square feet could not be created. This provision would discourage lot splitting to get around the maximum density limit. To comply with state legislation passed in April 2025, OPCD and SDCI will produce legislation in 2026 allowing lot splitting if certain conditions are met and the lot spliting does not increase the number of dwelling units allowed.
Floor area ratio (FAR)	The FAR would vary based on the density of the lot as follows: • 0.6 FAR for density below 1 unit/4,000 square feet • 0.8 FAR for density between 1 unit/4,000 sq ft and 1 unit/2,201 sq ft • 1.0 FAR for density between 1 unit/2,200 sq ft and 1 unit/1,601 sq ft • 1.2 FAR for density of 1 unit/1,600 sq ft or greater
Maximum height	32 feet plus allowances for pitched roofs
Front setback	10 feet
Rear setback	10 feet, except 5 feet for accessory dwelling units and 0 feet if the rear setback abuts an alley[1]
Side setback	5 feet, except 0 feet if the side setback abuts an alley[1]
Minimum separation between buildings	6 feet
Maximum lot coverage	50 percent

[1] Except that for reversed corner lots, the side street setback is 10 feet and the rear setback is 5 feet.

ACCESSORY DWELLING UNITS

Most changes needed to comply with new state guidance on accessory dwelling units (ADUs) codified in HB 1337 will be made through separate legislation (CB 120949). This legislation, however, would clarify that ADUs would count towards density and floor area limits 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 for garages and a rear yard setback of 5 feet (compared to the rear yard setback of 10 feet for principal dwelling units).

BONUS FOR STACKED FLATS

Stacked flats is a term that describes apartment or condominium buildings. During public engagement in spring 2024, many community members urged the City to support the development of stacked flats, especially on quieter streets where rental housing and lower-cost ownership options are scarce. Comments focused on the benefits of stacked flats in allowing residents to live on one floor. This type of housing can be especially helpful for older adults wishing to stay in place and for people who require accessible units. Stacked housing can also offer a lower-cost alternative to detached and attached housing, like townhomes.

This legislation includes additional floor area (1.8 FAR) and density (1 unit per 650 square feet of lot area) for stacked flats in NR zones on all lots 6,000 square feet and greater that are located within a quarter-mile of frequent transit routes. On a 6,000 square foot lot, this would mean nine units could be built (HB 1110 only mandates six units on lots within a quarter mile of major transit stops). The number of units allowed would increase with lot size.

BONUS FOR LOW-INCOME HOUSING

Achieving more racial and economic inclusion in NR zones — a central objective of the One Seattle Plan — requires proactive policies that encourage creation of housing affordable to low-income people in all neighborhoods. The proposed plan includes additional development capacity for affordable housing projects on all lots within a quarter mile of frequent transit. On a 5,000 square foot lot, this would mean 12 units could be built. The number of units allowed would increase with lot size.

Affordability requirement[1]	At least half of units must be offered at prices affordable to households making 60 percent of area median income (AMI) for rental units or 80 percent of AMI for ownership units
Maximum height	4 stories
Maximum lot coverage	60 percent
Maximum density	1 unit per 400 square feet of lot area
Maximum FAR	1.8

AMENITY AREA

Amenity areas on lots in NR zones can create spaces for residents to be outside and for trees and vegetation. This legislation would require 20 percent of the lot to be set aside as an amenity area. The amenity area would not include building footprints, driveways, and parking stalls. It must have a width and depth of at least 8 feet and be at least 120 square feet in size. The amenity area may be shared between multiple units. At least half of the amenity area must be at ground level, and only half of an amenity area that is not at ground level would count toward the requirement. Examples of how projects might meet this standard are shown in the development examples at the end of this document.

1 RCW 36.70A.540 establishes that cities may set the AMI levels for rental units at 50 percent of AMI or at a higher level if needed to address local housing market conditions. The AMI levels for rental units are proposed to be set at 60 percent due to higher rents and construction costs in Seattle compared to other areas in the state. The AMI thresholds of 60 percent for rental housing is also consistent with Mandatory Housing Affordability (MHA) requirements. Average rents for apartments in Seattle are not affordable to households with incomes of 60 percent of AMI.

TREES & VEGETATION

Trees in NR zones are protected by multiple regulations:

- The **Tree Protection Code** limits the number, size, and type of trees that can be removed on private property and establishes requirements for replacing trees cut down.
- **Tree planting requirements** require planting of trees as part of development.
- **Street tree requirements** limit removal of street trees and require planting of new street trees as part of development.
- **Environmentally critical areas (ECA) and Shoreline regulations** protect trees and vegetation around shorelines, creeks, wetlands, and steep slopes.

In May 2023, the City updated its tree protection and street tree requirements to lower size thresholds, strengthen protections, require mitigation for trees removed, and require street trees as part of development. This legislation updates tree planting requirements in NR zones, which were not updated in May 2023, to help meet citywide tree canopy goals in the context of new middle housing development in these areas. The proposed tree planting requirements, which are similar to those currently applied in Residential Small Lot zones, would encourage the planting of larger tree species.

Currently, development in NR1, NR2, and NR3 zones requires the planting of two caliper inches of tree — roughly the width of a new tree's trunk — per 1,000 square feet of lot area. On a 5,000-square-foot lot, this requires planting five new two-caliper-inch small or large species trees or transplanting one 10-caliper-inch tree. Absent an incentive to plant larger species trees, developers generally opt for smaller species.

Under the new requirements in this legislation, a point system would encourage retention of existing trees and the planting of larger tree species and conifers. The number of points required would vary based on the number of homes on a lot. New development with a density of 4 homes on a 5,000 square foot lot would need to achieve one point per 750 square feet lot area while a single home on the same lot would have to achieve one point per 500 square feet of lot. The table below shows how tree points could be achieved.

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 points per inch of diameter	0.5 points per inch of diameter
	Small/medium	0.8 points per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 points per inch of diameter	1.4 points per inch of diameter
	Large	1.6 points per inch of diameter	1.8 points per inch of diameter

DESIGN STANDARDS

No design standards currently apply in NR zones. This legislation would implement the following new design standards:

- **Access:** Each unit must have a pedestrian access pathway at least 3 feet in width between the entrance and the street.
- **Entries:** Each street-facing facade must have a pedestrian entry with weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet in both width and depth.
- **Windows and doors:** At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors.

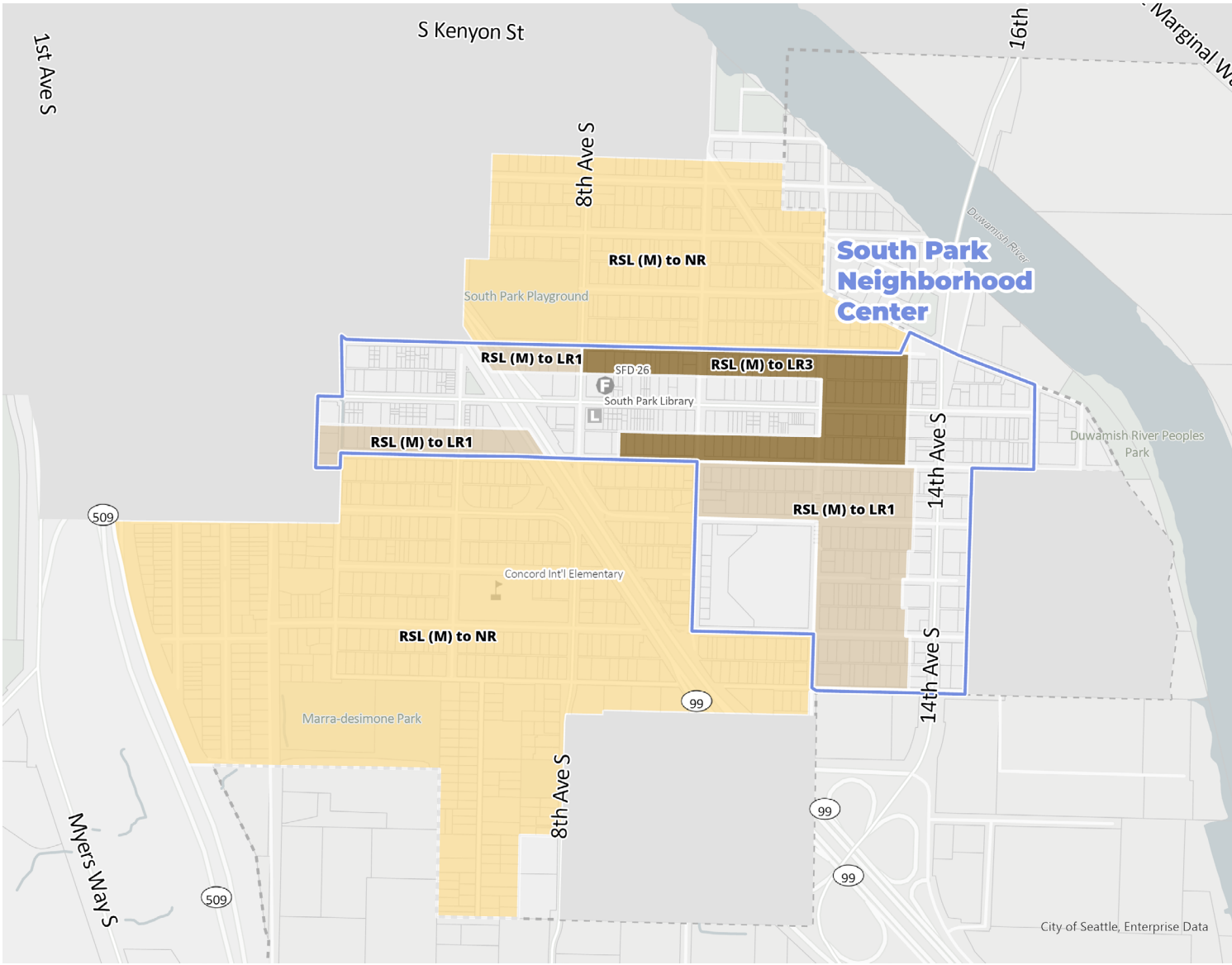
INSTITUTIONS

Under existing rules, religious facilities and private schools are treated differently than other institutions. These institutions can be approved only as a conditional use, cannot be located near existing institutions, and are subject to additional requirements around bulk and siting. The proposed legislation would make religious facilities subject to the same rules as non-religious facilities, and private schools would be subject to the same rules as public schools. The only exception to this rule is that departures from development standards for public schools would continue to operate through a process facilitated by the Department of Neighborhoods.

Changes to Residential Small Lot zoning

Residential Small Lot (RSL) is one of four existing Neighborhood Residential zones (along with NR1, NR2, and NR3 zones). This zone exists only within designated Urban and Regional Centers. Its density limit is similar to Lowrise 1 (LR1) zones, but its FAR limit is lower than in LR1 zones. Given the FAR increases proposed across all NR zones, the RSL zone would resemble LR1 even more closely. This legislation would eliminate the RSL zone altogether and rezone areas currently zoned RSL to LR1.

The only exception to this approach is in South Park, shown below, where RSL zones located outside the boundaries of the new South Park Neighborhood Center would instead be rezoned to NR.



Changes to Lowrise zoning

Below is a summary of changes that are proposed for Lowrise zones. These changes are proposed to comply with new state laws, increase consistency between standards in different zones, and to meet other city goals. Many of these changes address regulations that currently vary by building type to comply with the requirement in HB 1110 that development standards for middle housing, including attached and stacked dwelling units, cannot be stricter than development standards for detached housing.

- Setbacks would be updated to comply with HB 1110. Currently, setbacks vary by different building types. This legislation would apply the setbacks that currently apply to townhouse development to all building types. These proposed setbacks are:
  - » Front setback: 7 feet average, 5 feet minimum
  - » Rear setback: 7 feet average, 5 feet minimum, except 0 feet if alley
  - » Side setback: 5 feet
- Density limits for would be removed in Lowrise Zones. The existing density limit already does not apply to: all development in Lowrise 2 and Lowrise 3 zones with MHA suffixes, stacked flats, congregate housing, rowhouse development on corner lots, accessory dwelling units, low-income housing, assisted living facilities, and existing dwelling units. Under HB 1491, all lots created through subdivision must be allowed to have 4 to 6 units. Since Lowrise zones don't have minimum lot sizes, developers could simply avoid the remaining density limits by subdividing their lots. Consequently, a density limits would not limit density in practice and could result in bad design outcomes if developers subdivide their lot to avoid the limits.
- Maximum structure widths would be modified to comply with HB 1110 requirements. Currently, these requirements vary by building type. This legislation would apply a uniform requirement of 90 feet for LR1 and LR2 zones and 150 feet for LR3 zones.
- Stricter facade length requirements for rowhouses would be removed.
- Stacked housing would be exempted from the existing facade length requirement since it cannot easily be separated into multiple buildings. Removing this requirement helps encourage stacked flats in these zones.
- Design standards would be updated to comply with HB 1293 requirements that design standards must be clear and objective and to improve design outcomes. Under this legislation, new development would be required to meet the same design standards as NR zones.
- An additional 0.2 FAR would be allowed for stacked flats in LR1 and LR2 zones, consistent with proposed bonus in NR zones.
- The amenity area standard would be updated to be more consistent with NR zones and to reduce instances where roof decks are required as follows:
  - » Amenity area would be reduced from 25 percent to 20 percent consistent with NR zones. Currently, most projects must include roof decks to meet the amenity area requirement, which adds significant additional cost to projects. Reducing this requirement would allow many projects to meet the requirement without requiring roof decks.
  - » Amenity areas would be required to be at least 60 square feet in area and a minimum width and depth of 6 feet.
- Separations requirements between buildings would be simplified and the minimum separation would be reduced from 10 feet to 6 feet to provide more flexibility in site layout and to discourage outcomes where most open space is in separations between buildings.

Additional changes affecting multiple zones

The following sections describe provisions of the legislation that affect multiple zones.

PARKING

Off-street parking requirements can have significant impacts on the design and cost of housing and increase car usage and greenhouse gas emissions. Off-street parking can reduce competition for parking on the street and create more capacity for electric vehicle charging. However, it also increases the cost of construction; reduces the amount of space available for housing, open space, and trees; increases hardscape and runoff; and encourages vehicle ownership and use with resulting impacts on climate and the environment. On small lots, driveways, maneuvering areas, and parking stalls can take up a substantial portion of the site and dictate the layout of everything else on the site. In many cases, these areas end up occupying the entire interior of a site, leaving only small areas of open space at the front and rear.

This legislation would remove off-street parking requirements for development within a half-mile walking distance of a stop on light rail, commuter rail, or bus rapid transit in compliance with HB 1110. It would also reduce parking requirements in all other residential areas from the current standard of one parking space per principal dwelling unit to one parking space per two principal dwelling units. Off-street parking is not required for ADUs.

The legislation would also add a provision that parking requirements can be reduced or waived to preserve a type 2 or 3 tree.

CORNER STORES

One goal of the One Seattle Plan is to create neighborhoods where people can walk and bike to everyday needs. Corner stores help to achieve this goal by providing services and retail in primarily residential areas that may be far from larger business districts. Allowing small commercial uses in residential zones also allows entrepreneurs to start small businesses that contribute to neighborhood vibrancy and cohesion.

This legislation would allow limited commercial uses on corner lots and on lots abutting both a street and an alley in NR and LR zones. Allowed uses would be limited to retail, restaurants, food processing, and craft work. Food processing and craft work includes small-scale preparation of foods or crafts such as making jams, sewing clothes, or woodworking. Commercial uses would be limited to the ground floor and basements, although ancillary uses such as storage and office spaces could be allowed on the upper floors. Rules would apply regarding hours of operation, delivery, noise, odor, and the location and screening of solid waste and other outdoor activities. No parking would be required for corner stores since commercial uses in residential areas less than 2,500 square feet in size are already exempt from parking requirements.

Development with commercial uses on corner lots would have to meet all NR standards with the following exceptions:

Setback and separations	Reduced setback of two feet from street lot lines for commercial spaces on the ground floor Upper floors required to set back 10 feet
Height and noise	Two additional feet of height for the ground floor to allow for taller ceilings and additional soundproofing for residential use above


Credit: Joe W. Rogers

OTHER CHANGES TO DEVELOPMENT STANDARDS

This legislation would also make the following changes affecting development in multiple zones.

- Rezone criteria for NR and LR1 zones would be updated to reflect the updated purpose of NR zoning and the difference between NR and LR1 zones.
- The residential use definitions would be signficanty updated to simplify the code and address existing problems. Changes include renaming certain uses, combining townhouse and rowhouse definitions, removing uses like nursing home or carriage house that are no longer used, and moving some definitions such as adult family homes or accessory dwelling units that are not regulated as separate uses.
- Adult family homes would be allowed in all zones that allow residential uses as a home occupation as required by state law.
- Parking space size and tandem parking requirements would be updated to comply with SB 6015 as follows:
  - » The minimum width of the largest required parking space would be reduced from 8.5 feet to 8 feet.
  - » Tandem parking would count as two spaces.
- Parking access requirements would be modified so they are based on number of units rather than type of unit to comply with HB 1110.
- Standards for essential public facilities would be updated to address new state guidance.

Next steps

This legislation was transmitted to City Council in May 2025. City Council will review the legislation and consider amendments before adopting final legislation. The legislation will be effective 30 days after the Mayor signs it. More information on Council's process is available on the website for the Select Committee on the Comprehensive Plan.

Visual examples

The following pages show examples of development that could occur under the proposed development standards. Each example provides data on unit size, building size, and building coverage and illustrates how the amenity area requirement would be achieved. While actual development may vary substantially given the various lot configurations, existing buildings, and market characteristics that exist throughout Seattle, these examples show some likely outcomes on lots of a typical size and shape.



SEMI-ATTACHED HOMES WITH AUTOCOURT

A detached home and a side-by-side duplex, with two surface parking spaces and one garage space accessed from the street.

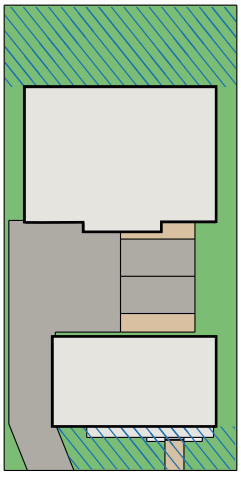


Street-level view

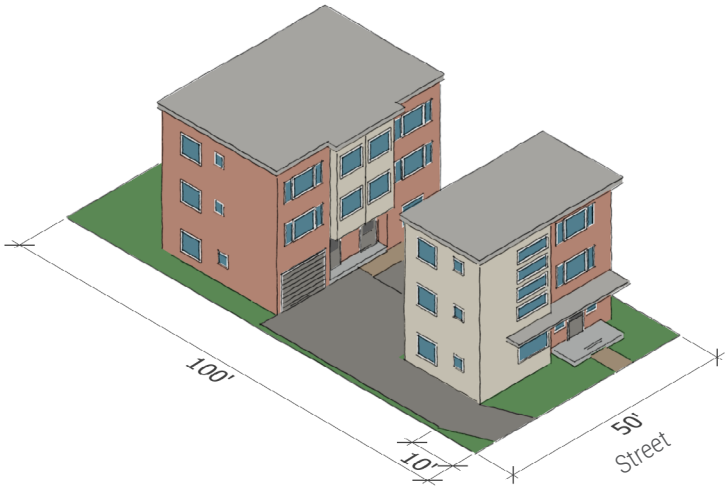


Existing precedent

Total units	3
Floor area ratio (FAR)	1.0
Average unit size	1,667
Stories	3
Lot size	5,000
Building coverage	33%
Usable open space	27%
Building plus paving	59%
Parking spaces	3



Street



TWO DUPLEXES WITH ALLEY ACCESS

Four homes in two side-by-side duplexes with access to surface parking from an alley.

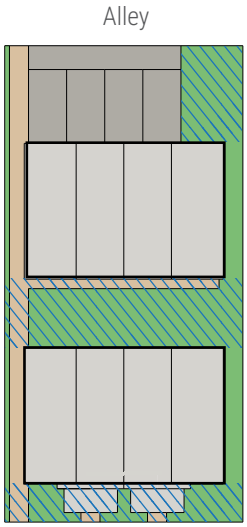


Street-level view



Existing precedent

Total units	4
Floor area ratio (FAR)	1.2
Average unit size	1,500
Stories	3
Lot size	5,000
Building coverage	40%
Usable open space	33%
Building plus paving	66%
Parking spaces	4





TWO DUPLEXES WITHOUT ALLEY ACCESS

Four homes in two side-by-side duplexes with four parking spaces accessed from the street.

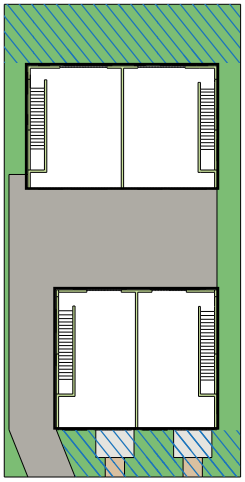


Street-level view

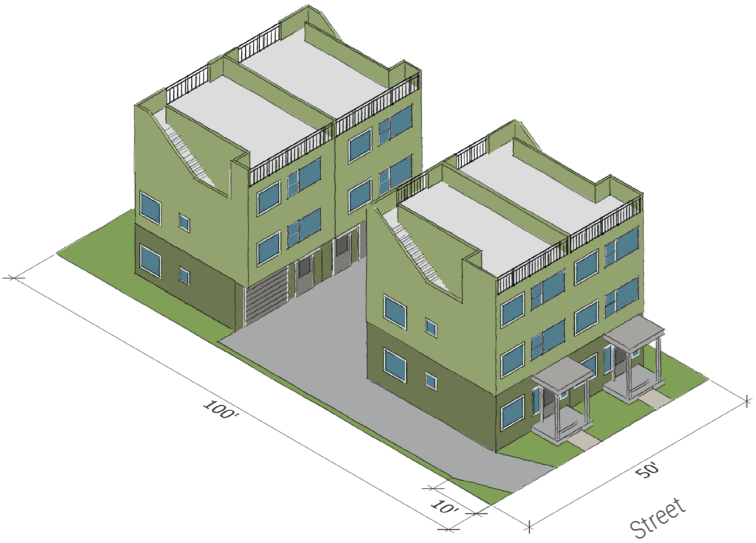


Existing precedent

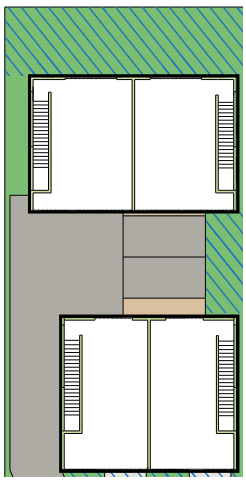
Total units	4
Floor area ratio (FAR)	1.2
Average unit size	1,500
Stories	3
Lot size	5,000
Building coverage	40%
Usable open space	20%
Building plus paving	73%
Parking spaces	4



Street



Total units	4
Floor area ratio (FAR)	1.2
Average unit size	1,500
Stories	3
Lot size	5,000
Building coverage	40%
Usable open space	21%
Building plus paving	72%
Parking spaces	4



Street



TWO DUPLEXES WITHOUT ALLEY ACCESS

Four homes in two duplexes with two surface parking spaces accessed from the street.

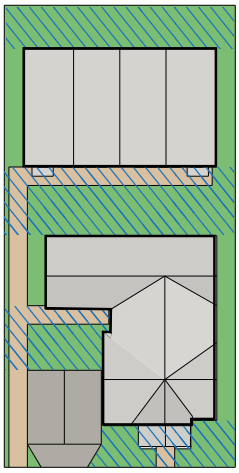


Street-level view



Existing precedent

Total units	4
Floor area ratio (FAR)	1.2
Average unit size	1,500
Stories	3
Lot size	5,000
Building coverage	40%
Usable open space	38%
Building plus paving	58%
Parking spaces	2



Street



TWO DUPLEXES WITHOUT ALLEY ACCESS

Four homes in two side-by-side duplexes without parking.



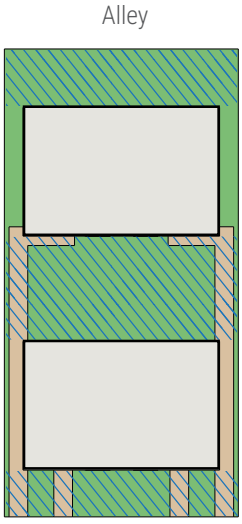
Street-level view



Existing precedent

Total units	4
Floor area ratio (FAR)	1.2
Average unit size	1,500
Stories	3
Lot size	5,000
Building coverage	40%
Usable open space	51%
Building plus paving	56%
Parking spaces[1]	0

[1] This scenario with no parking would be possible only on sites within a half-mile of a major transit stop.



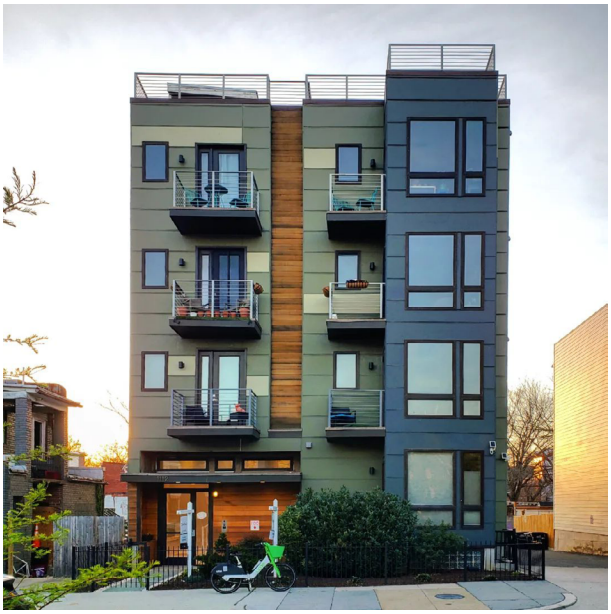


AFFORDABLE HOUSING WITH BONUS

A small building with flats affordable to low-income households. Homes would likely be owned as permanently affordable condominium units. A single stair provides access to each floor.

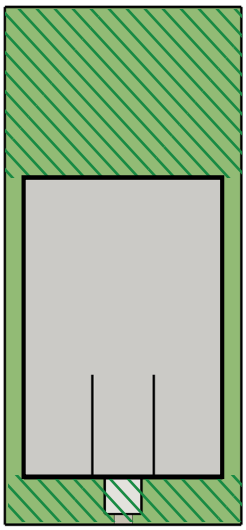


Street-level view

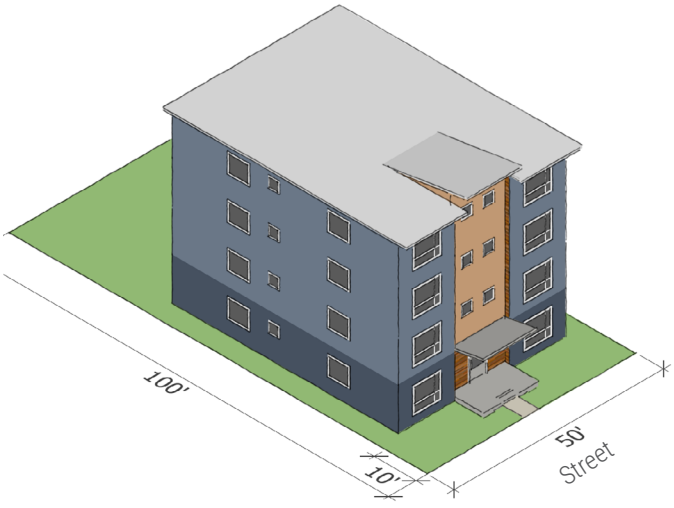


Existing precedent

Total units	8
Floor area ratio (FAR)	1.8
Average unit size	1,125
Stories	4
Lot size	5,000
Building coverage	45%
Usable open space	44%
Building plus paving	47%
Parking spaces	0



Street



STACKED FLATS WITH BONUS

Nine-unit apartment or condo building using the stacked flat bonus to achieve additional floor area and provide more homes.

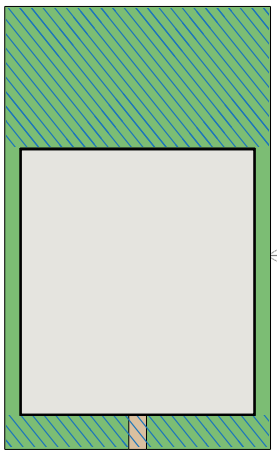


Street-level view

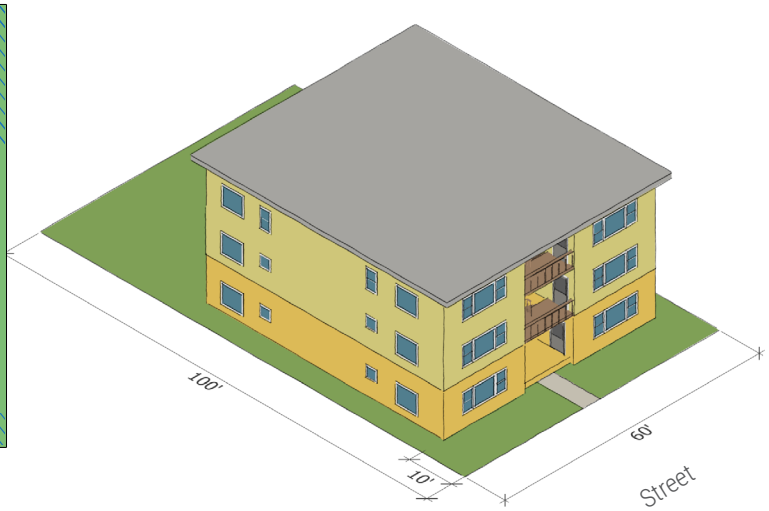


Existing precedent

Total units	9
Floor area ratio (FAR)	1.4
Average unit size	933
Stories	3
Lot size	6,000
Building coverage	47%
Usable open space	42%
Building plus paving	51%
Parking spaces	0



Street



CORNER STORE

A mixed-use building with ground-floor commercial space that serves the surrounding neighborhood and four homes in the two stories above.

The ground floor would be subject to a reduced setback while the upper floors would still need to meet the 10-foot setback requirement. This type of development would be allowed only on corner lots.



Street-level view



Existing precedent

Total units	4
Floor area ratio (FAR)	1.4
Average unit size	1,325
Commercial size	
Stories	3
Lot size	6,000
Building coverage	50%
Usable open space	25%
Building plus paving	63%
Parking spaces	3

