

September 16, 2025

MEMORANDUM

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.

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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
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70	Councilmember Kettle	Increasing FAR for densest development and stacked flats		18
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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.

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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
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cc: Ben Noble, Director

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.

HB Harper
Select Committee on the Comprehensive Plan
7/1/25
D1

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.

Lish Whitson
Select Committee on the Comprehensive Plan
July 31, 2025
D#1

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 <u>1.6</u> , except that it is 1.4 <u>1.8</u> 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.

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 <u>major</u> 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)) 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)) <u>2.0</u>	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 <u>2.7.</u>		

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)) <u>nonresidential</u> uses other than institutions		
Use		Minimum parking required
* * *		
II. ((Non-residential)) <u>Nonresidential</u> use requirements for specific areas		
I.	((Non-residential)) <u>Nonresidential</u> uses in urban centers or the Station Area Overlay District ⁵	No minimum requirement
J.	((Non-residential)) <u>Nonresidential</u> uses in urban villages that are not within an urban center or ((the)) a Station Area Overlay District, if the ((non-residential)) <u>nonresidential</u> use is located within a frequent <u>major</u> transit service area ⁵	No minimum requirement
K.	((Non-residential)) <u>Nonresidential</u> uses permitted in MR and HR zones pursuant to Section 23.45.504	No minimum requirement
L.	((Non-residential)) <u>Nonresidential</u> uses permitted in II zones	No minimum requirement
Footnotes for Table A for 23.54.015 * * * <p>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)) <u>nonresidential</u> 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)) <u>nonresidential</u> 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.</p> * * *		

Table B for 23.54.015 Required parking for residential uses		
Use	Minimum parking required	
* * *		
II. Residential use requirements for specific areas ¹		
((L.)) <u>G.</u>	All residential uses within urban centers or within ((the)) a Station Area Overlay District ⁽⁽²⁾⁾	No minimum requirement
((M.)) <u>H.</u>	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.	<u>All residential uses within a major transit service area</u>	<u>No minimum requirement</u>
((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
<p>¹ ((For each moderate income unit and each low income unit, no minimum amount of parking is required.</p> <p>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)).</p> <p style="text-align: center;">* * *</p>	

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-)) <u>O.</u>	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((+)) <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>	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 <u>major</u> transit service area ¹²	
Footnotes to Table C for 23.54.015 <div style="text-align: center;">* * *</div> ((+)) 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.

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.

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. ~~CB~~;

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. ~~CB~~;

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. ~~EB~~;

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.

~~E.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.~~DC~~.

~~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.~~DC~~.4 and 23.44.160.~~DC~~.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. ~~BA~~,BA,

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.~~ 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.~~CB~~.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.~~

~~e. 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 ~~((curb cuts))~~ 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((,))₁~~

~~b. Motion picture theaters((,))₁~~

~~c. Offices((,))₁ 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.~~

~~F. 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)) <u>nonresidential</u> uses other than institutions				
Use				Minimum parking required
I. General ((non-residential)) <u>nonresidential</u> uses (other than institutions)				
A.	AGRICULTURAL USES⁺			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 below²		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 uses²	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)) <u>Neighborhood Residential and multifamily zones</u>, 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 centers⁴
			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)) <u>nonresidential</u> 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)) <u>Nonresidential</u> use requirements for specific areas				
I.	((Non-residential)) Nonresidential uses in urban centers or the Station Area Overlay District⁵			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 area⁵	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
<p>Footnotes for Table A for 23.54.015</p> <p>¹No parking is required for urban farms or community gardens in residential zones.</p> <p>²Required 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.</p>		

Table A for 23.54.015 Required parking for ((non-residential)) <u>nonresidential</u> uses other than institutions	
Use	Minimum parking required
² For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((1)) <u>one</u> 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)) <u>nonresidential</u> 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)) <u>nonresidential</u> 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.	

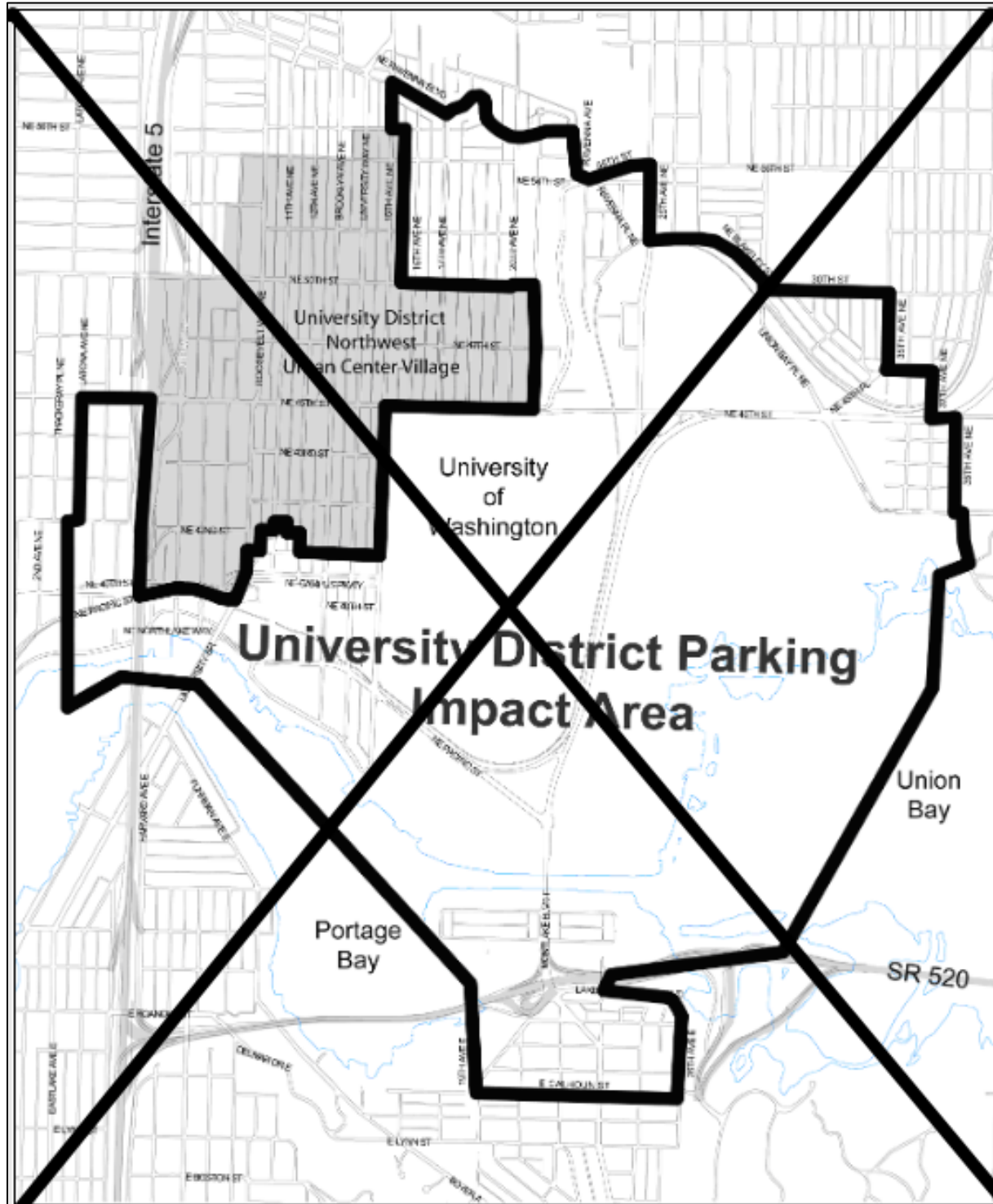
Table B for 23.54.015 Required parking for residential uses		
Use		Minimum parking required
I. General residential uses^{1,2,3}		
((A:))	Adult family homes	1 space for each dwelling unit
B.)) A:	Artist's studio/dwellings	1 space for each <u>2</u> dwelling units
((C:)) B:	Assisted living facilities	1 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 <u>2</u> 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 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^{((1,2)) 4,5}	1 space for each 2 dwelling units
H. Residential use requirements for specific areas⁺		
((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

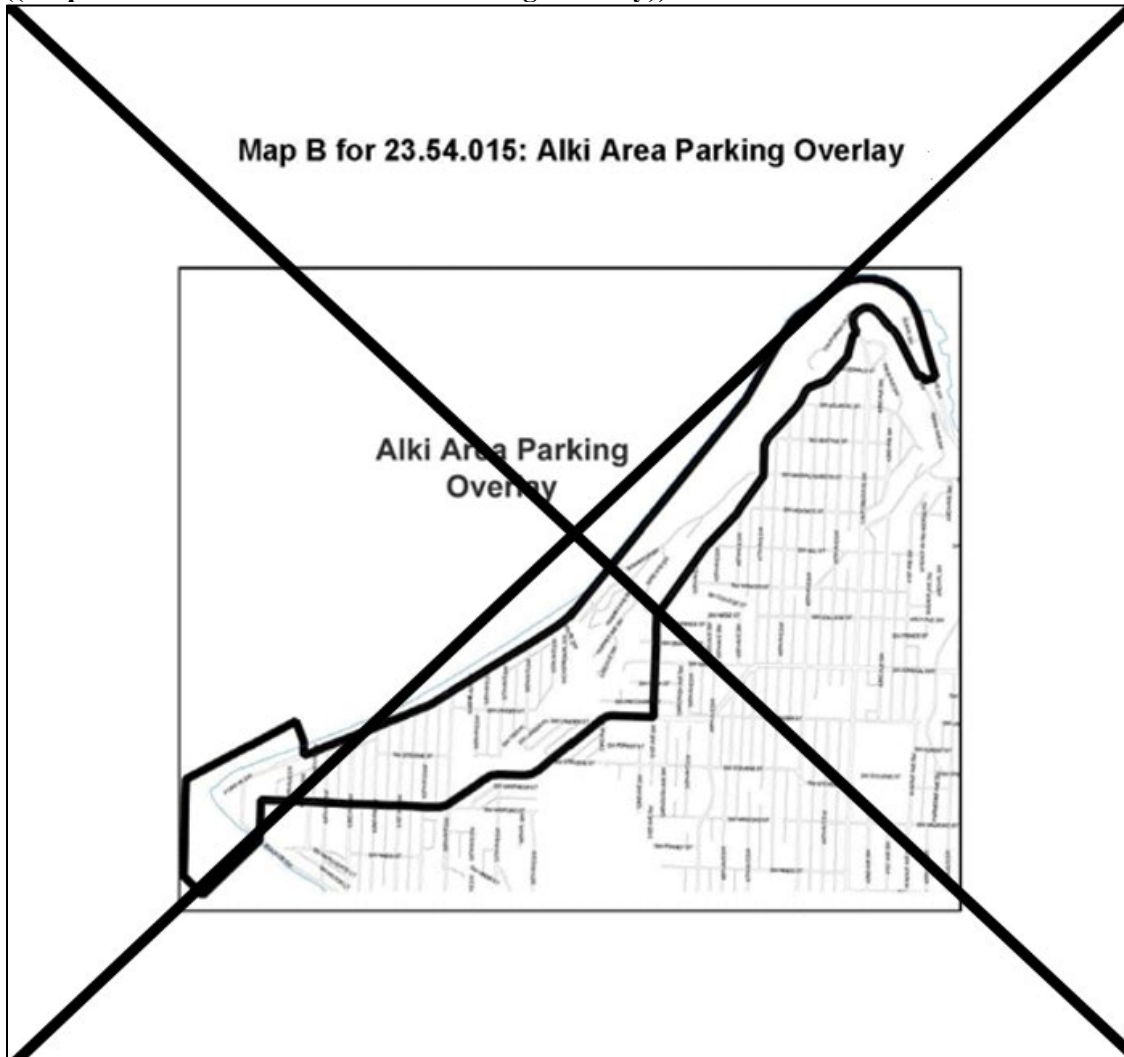
Table B for 23.54.015 Required parking for residential uses		
Use		Minimum parking required
I.	All residential uses within a major transit service area	No minimum requirement
((N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015²	1 space 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 23.54.015²	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
<p>Footnotes to Table B for 23.54.015</p> <p>¹((For each moderate income unit and each low income unit, no minimum amount of parking is required.</p> <p>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)).</p> <p>² For each moderate income unit and each low income unit, no minimum amount of parking is required.</p> <p>² 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.</p> <p>⁴ No parking is required for ((single family residential uses)) accessory dwelling units.</p> <p>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</p>		

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: (“Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 4 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[†]	
A.	Adult care centers ⁽⁽¹⁾⁾²⁻² 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.)) I.	Institutes for advanced study in ((neighborhood residential)) Neighborhood Residential zones (existing) +	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.)) J.	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.)) K.	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.)) L.	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.)) M.	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 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 ^{((+)) 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	
<p>Footnotes to Table C for 23.54.015</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	

Table C for 23.54.015
Required parking for public uses and institutions

Use	Minimum parking required
	<p>combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>⁽¹⁰⁾ 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.</p> <p>⁽¹⁰⁾ ¹¹ ((Development)) For public schools, development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter</p>

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.~~

~~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~~

~~e.)) 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 or 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 through 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.~~

~~I. 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.F.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;~~

~~e. 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

~~e. 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.

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 ~~4,500~~ 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((,))₁~~

~~b. Motion picture theaters((,))₁~~

~~c. Offices((,))₁ 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)) <u>nonresidential</u> uses other than institutions				
Use			Minimum parking required	
I. General ((non-residential)) <u>nonresidential</u> 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 <u>500</u> 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, <u>or 1 space for each 500 square feet of total floor area in entertainment use, whichever is less</u>
		B.3.a.	Adult cabarets	1 space for each 250 <u>500</u> 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)) <u>nonresidential</u> 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 <u>or 1 space for each 500 square feet of total floor area in lodging use, whichever is less;</u> For bed and breakfast facilities in ((neighborhood residential)) <u>Neighborhood Residential</u> and multifamily zones, 1 space for each <u>2 dwelling units</u> , plus 1 space for each 2 guest rooms, <u>or 1 space for each 500 square feet of total floor area in lodging use, whichever is less</u>
	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, <u>1 space for each 500 square feet</u> 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)) <u>Nonresidential</u> use requirements for specific areas			

Table A for 23.54.015 Required parking for ((non-residential)) <u>nonresidential</u> uses other than institutions		
Use		Minimum parking required
I.	((Non-residential)) <u>Nonresidential</u> uses in urban centers or the Station Area Overlay District ⁵	No minimum requirement
J.	((Non-residential)) <u>Nonresidential</u> uses in urban villages that are not within an urban center or ((the)) a Station Area Overlay District, if the ((non-residential)) <u>nonresidential</u> use is located within a frequent transit service area ⁵	No minimum requirement
K.	((Non-residential)) <u>Nonresidential</u> uses permitted in MR and HR zones pursuant to Section 23.45.504	No minimum requirement
L.	((Non-residential)) <u>Nonresidential</u> 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)) <u>nonresidential</u> uses other than institutions	
Use	Minimum parking required
<p>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.</p> <p>³ For indoor sports and recreation uses that exceed 25,000 square feet in size in a Manufacturing Industrial Center, the minimum requirement is ((+)) <u>one</u> space for each 2,000 square feet.</p> <p>⁴ The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.</p> <p>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)) <u>nonresidential</u> 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)) <u>nonresidential</u> 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.</p>	

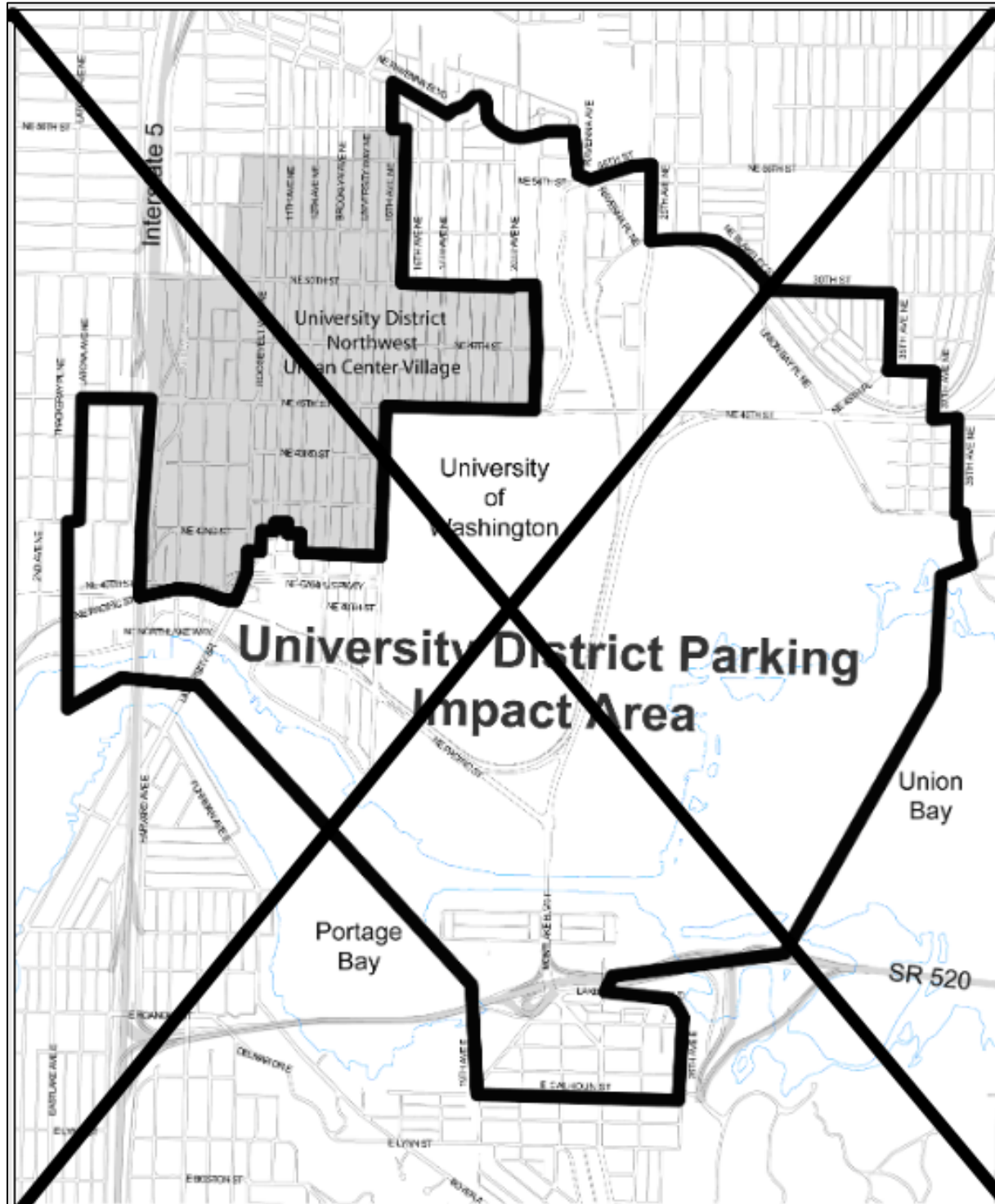
Table B for 23.54.015 Required parking for residential uses		
Use		Minimum parking required
I. General residential uses ^{1, 2, 3}		
((A-))	Adult family homes	1 space for each dwelling unit
B-)) <u>A.</u>	Artist's studio/dwellings	1 space for each <u>2</u> dwelling units
((C-)) <u>B.</u>	Assisted living 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 <u>No parking required</u>
((D.)) <u>C.</u>	Caretaker's quarters	1 space for each <u>2</u> dwelling units
((E.)) <u>D.</u>	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.)) <u>E.</u>	Mobile home parks	1 space for each <u>2</u> 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.)) <u>F.</u>	((Single family dwelling units)) <u>Housing</u> ^{((+3)) 4, 5}	1 space for each <u>2</u> dwelling units
II. Residential use requirements for specific areas ¹		
((L.)) <u>G.</u>	All residential uses within urban centers or within ((the)) <u>a</u> Station Area Overlay District ⁽⁽²⁾⁾	No minimum requirement

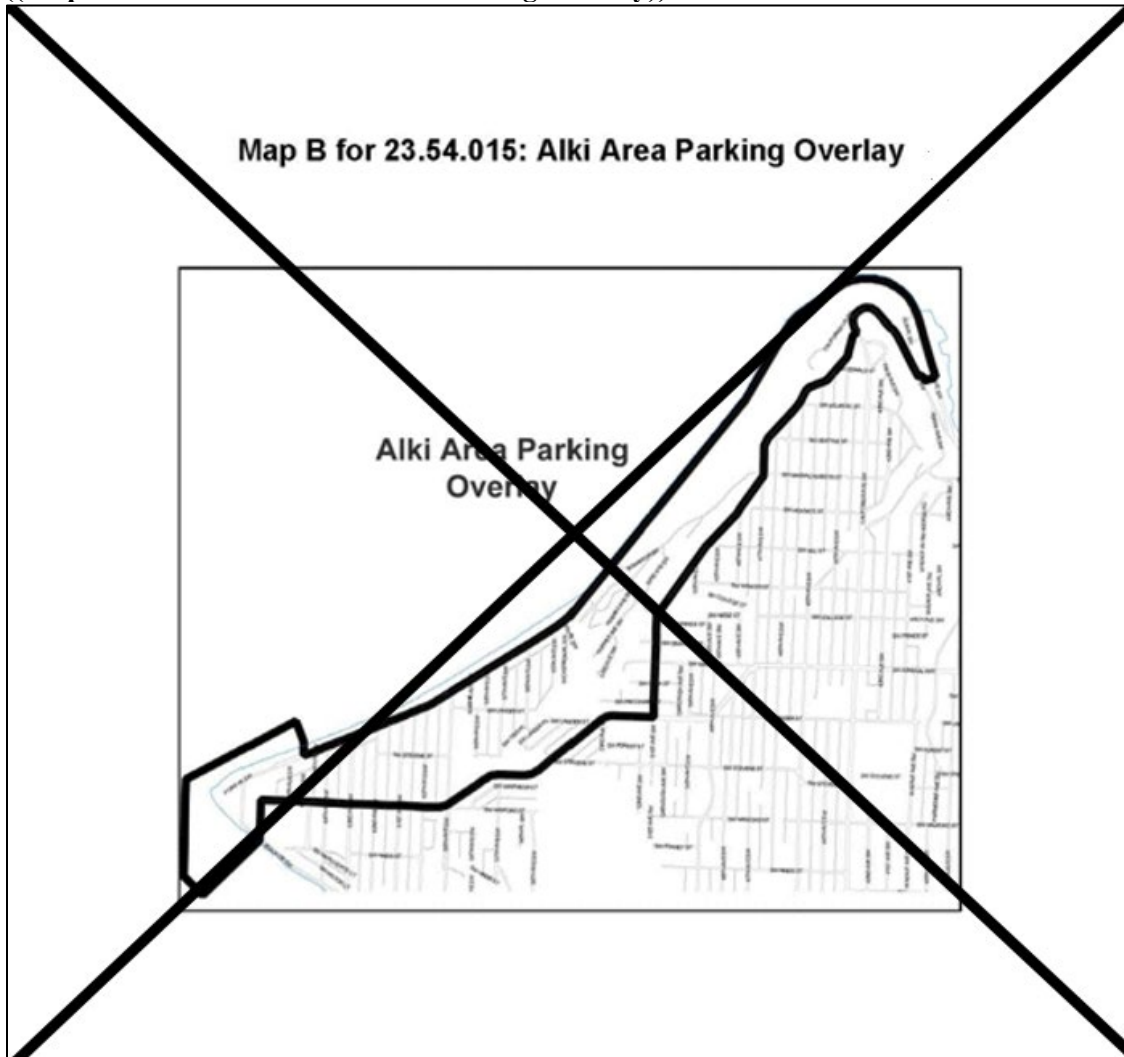
Table B for 23.54.015 Required parking for residential uses		
Use		Minimum parking required
((M.)) <u>H.</u>	All residential uses (((in commercial, RSL, and multifamily zones))) within urban villages that are not within an urban center or ((the)) a Station Area Overlay District ((;)) if the residential use is located within a frequent transit or major transit service area ^{((2,-4))}	No minimum requirement
<u>I.</u>	<u>All residential uses within a major transit service area</u>	<u>No minimum requirement</u>
((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.)) <u>J.</u>	Congregate residences located within ((one-half mile walking distance of a major transit stop)) a frequent transit service area	No minimum requirement
<u>III. Residential use requirements for specific unit types or sizes ¹</u>		
<u>K.</u>	<u>Dwelling units and congregate residences that are less than 1,200 square feet in size</u>	<u>No minimum requirement</u>
<u>L.</u>	<u>Housing, Low-income</u>	<u>No minimum requirement</u>
<u>M.</u>	<u>Residential structures serving seniors or persons with disabilities</u>	<u>No minimum requirement</u>

Table B for 23.54.015 Required parking for residential uses	
Use	Minimum parking required
<p>Footnotes to Table B for 23.54.015</p> <p>¹ ((For each moderate-income unit and each low-income unit, no minimum amount of parking is required--</p> <p>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)).</p> <p>² <u>For each moderate-income unit and each low-income unit, no minimum amount of parking is required.</u></p> <p>³ <u>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.</u></p> <p>⁴ No parking is required for ((single-family residential uses)) <u>accessory dwelling units.</u></p> <p>⁵ <u>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.</u></p> <p>((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.))</p>	

((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 ^{((+)) 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) ⁽⁽¹⁷⁾⁾ 6	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs ⁽⁽⁷⁾⁾ and community centers not owned and operated by SPR ^{((17, 57))} 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.)) <u>H.</u>	Institutes for advanced study in ((neighborhood residential)) <u>Neighborhood Residential</u> 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.)) <u>I.</u>	Libraries ^{((+,-)) 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.)) <u>J.</u>	Museums ⁽⁽⁺⁾⁾	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.)) <u>K.</u>	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.)) <u>L.</u>	Religious facilities ⁽⁽⁺⁾⁾	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 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
Θ-)) <u>M.</u>	Schools, ((public)) elementary and secondary ^{7, ((9-)) 10, 11}	1 space for each 80 square feet of all auditoria ((Θ-)) and 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>Q.</u>	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ((+)) ¹²	No minimum requirement
((R-)) <u>P.</u>	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
<u>Neighborhood Residential</u> 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
<p>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.</p> <p>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.</p> <p>⁸ <u>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.</u></p> <p>² 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.</p> <p>((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 ((40)) <u>ten</u> percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.</p>	

Table C for 23.54.015 Required parking for public uses and institutions	
Use	Minimum parking required
<p>((40)) 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.</p> <p>((4+)) 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.</p> <p>((42)) 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.))</p> <p>((K. Bicycle parking.))</p>	

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 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 <u>1.8</u> for stacked dwelling units <u>that meet the requirements of 23.44.050.D. located within a frequent transit service area on lots 6,000 square feet or larger</u>

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.

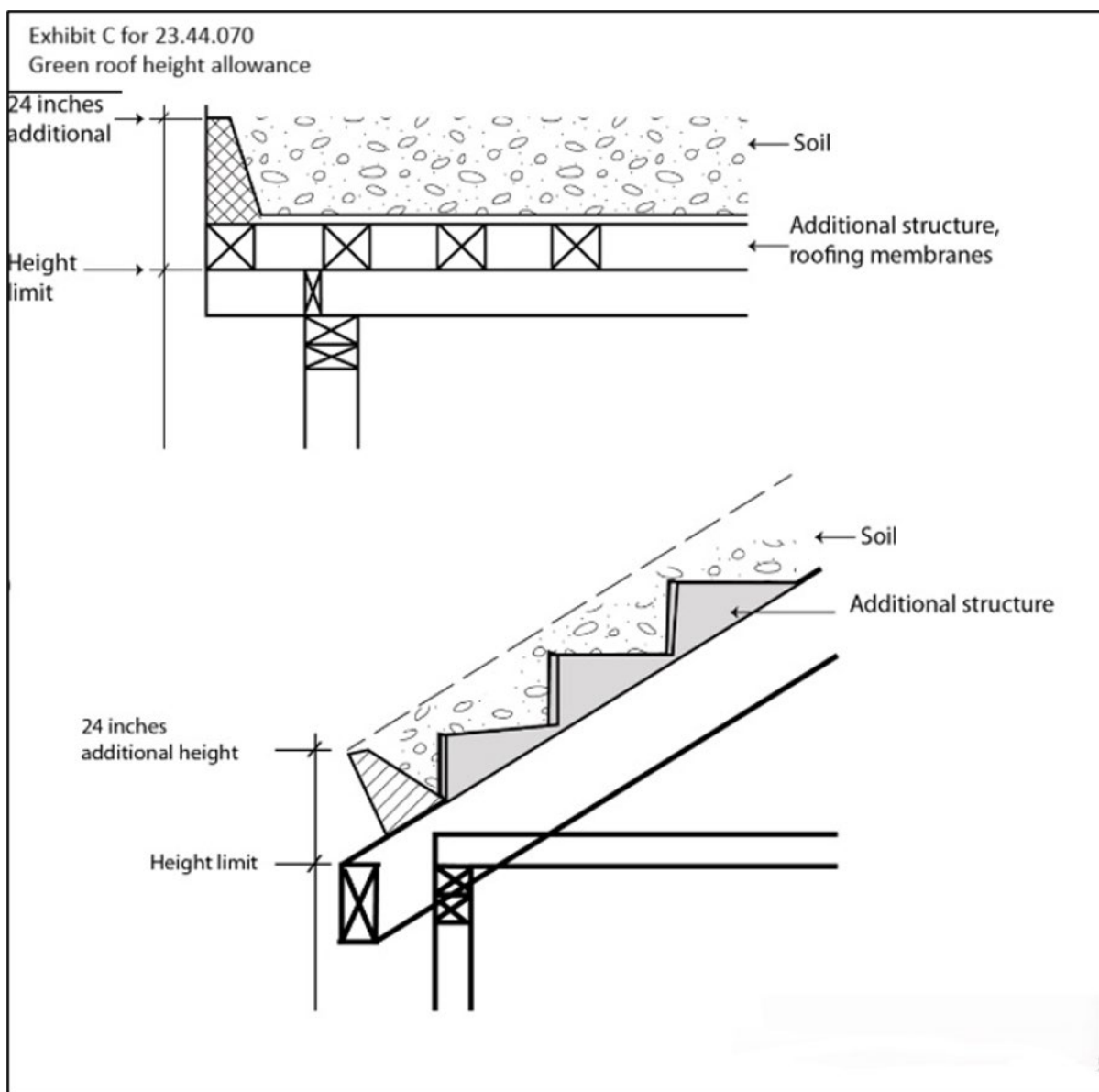
2. Open railings, planters, greenhouses not dedicated to food production, parapets, and firewalls may extend 4 feet above the height limit in subsection 23.44.070.A.

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.

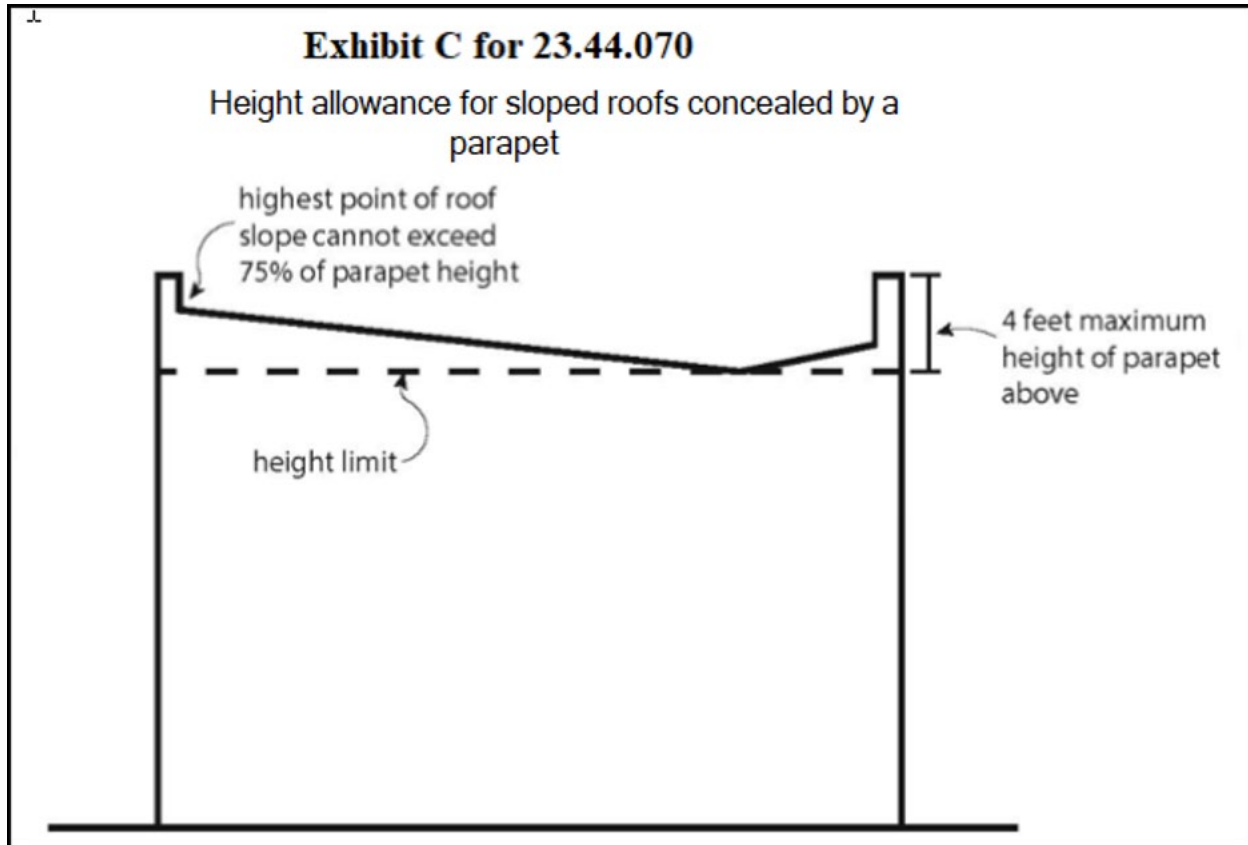
8. Buildings existing prior to the effective date of this ordinance are permitted to extend up to 8 inches above the height limit in subsection 23.44.070.A or a pitched roof allowed in subsection 23.44.070.B solely for the purpose of adding insulation to an existing roof.

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.

Ketil Freeman
Select Committee on the Comprehensive Plan
7/1/25
D1

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 1.42.0 for stacked dwelling units <u>that meet the requirements of 23.44.050.D. located within a frequent transit service area on lots 6,000 square feet or larger</u>

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.

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, <u>except that it is 5 feet if at least one Tier 2 tree is preserved</u>
Rear	5 feet for accessory dwelling units and 10 feet for other structures, <u>except that it is 5 feet for other structures if at least one Tier 2 tree is preserved.</u> 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

<u>Table C for 23.44.120</u> <u>Minimum Required Planting Area per Tree</u>	
<u>Tree size category</u>	<u>Minimum required planting area per tree¹</u>
<u>Small</u>	<u>60 square feet, with a minimum dimension of 6 feet by 10 feet</u>
<u>Small / Medium</u>	<u>100 square feet with a minimum dimension of 10 feet by 10 feet</u>
<u>Medium / Large</u>	<u>160 square feet, with a minimum dimension of 10 feet by 16 feet</u>
<u>Large</u>	<u>220 square feet, with a minimum dimension of 11 feet by 20 feet</u>
<u>Footnote to Table C for 23.44.120</u> <u>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.</u>	

C. Required tree planting areas shall have a minimum 30-inch soil depth.

~~€ 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.

Ketil Freeman
Select Committee on the Comprehensive Plan
September 10, 2025
D#

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 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.)) <u>A.</u>	Artist's studio/dwellings	1 space for each <u>2</u> dwelling units
((C.)) <u>B.</u>	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.)) <u>C.</u>	Caretaker's quarters	1 space for each <u>2</u> dwelling units
((E.)) <u>D.</u>	Congregate residences	1 space for each 4 sleeping rooms
((F.))	Cottage housing developments ⁴	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.)) <u>E.</u>	Mobile home parks	1 space for each <u>2</u> 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)) <u>Housing</u> ^{((4,3)) 4, 5}	1 space for each <u>2</u> dwelling units
II. Residential use requirements for specific areas ¹		
((L.)) <u>G.</u>	All residential uses within urban centers or within ((the)) <u>a Station Area Overlay District</u> ⁽⁽²⁾⁾	No minimum requirement
((M.)) <u>H.</u>	All residential uses ((in commercial, RSL, and multifamily zones)) within urban villages that are not within <u>an</u> urban center or ((the)) <u>a Station Area Overlay District</u> ^{((;))} if the residential use is located within a frequent transit or <u>major transit</u> service area ^{((2,4))}	No minimum requirement
<u>I.</u>	<u>All residential uses within a major transit service area</u>	<u>No minimum requirement</u>
((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 23.54.015²	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
<p>Footnotes to Table B for 23.54.015</p> <p>¹ ((For each moderate-income unit and each low-income unit, no minimum amount of parking is required.</p> <p>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)).</p> <p>² <u>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.</u></p> <p>³ <u>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.</u></p> <p>⁴ No parking is required for ((single-family residential uses)) <u>accessory dwelling units.</u></p> <p>⁵ <u>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.</u></p>		

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.

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 ^{*2}
Footnote ^s for Table A for 23.44.090	
¹ <u>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.</u>	

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.))	

<u>Table A for 23.45.518</u> <u>Required setbacks in LR zones</u>	
<u>Front</u>	<u>7 feet average, 5 feet minimum¹</u>
<u>Rear</u>	<u>If rear lot line abuts an alley, 0 feet</u> <u>Otherwise, 7 feet average, 5 feet minimum</u>
<u>Side</u>	<u>5 feet</u>
<u>Footnote for Table A for 23.45.518</u> ¹ <u>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.</u>	

* * *

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 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.

* * *

Lish Whitson
Select Committee on the Comprehensive Plan
July 31, 2025
D#1

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 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.F 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.~~

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.

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 ~~basie~~ 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 ~~basie~~ tree protection area, as follows:

1) Calculate the ~~basie~~ tree protection area on the lot. For the purposes of this subsection 25.11.070.B, the ~~basie~~ 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 ~~basie~~ tree protection area and the area of any portions of the lot between a property line and ~~basie~~ tree protection area when the portion of the lot is 15 feet or less measured from a lot line to a ~~basie~~ 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 ~~basie~~ 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 vehicles 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.

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.

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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.

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

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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.

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 tree's 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.

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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 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.

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.

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 <u>Lots with one or two dwelling units: 15 feet;</u> <u>Lots with three or more dwelling units: 10 feet</u>
Rear	5 feet for accessory dwelling units; and <u>15 feet for lots with one or two dwelling units not abutting an alley; 10 feet for lots with three or more dwelling units not abutting an alley;</u> other structures except that, if the rear setback abuts an alley, no rear setback is required ⁺
Side	5 feet; except that no side setback is required from a side lot line that abuts an alley⁺
Footnote for Table A for 23.44.090 ⁺ 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.