



# SEATTLE CITY COUNCIL

## Land Use Committee

### Agenda

#### Special Meeting - Public Hearing

Thursday, April 17, 2025

2:00 PM

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

Mark Solomon, Chair  
Dan Strauss, Vice-Chair  
Cathy Moore, Member  
Alexis Mercedes Rinck, Member  
Maritza Rivera, Member

Chair Info: 206-684-8802; [Mark.Solomon2@seattle.gov](mailto:Mark.Solomon2@seattle.gov)

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Council Chamber Listen Line: 206-684-8566

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**SEATTLE CITY COUNCIL**  
**Land Use Committee**  
**Agenda**  
**April 17, 2025 - 2:00 PM**  
**Special Meeting - Public Hearing**

**Meeting Location:**

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

**Committee Website:**

<https://www.seattle.gov/council/committees/land-use>

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This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at

<https://www.seattle.gov/council/committees/public-comment>

Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period and Public Hearing. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 30 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period and Public Hearing. Speakers must be registered in order to be recognized by the Chair.

Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Please submit written comments to all Councilmembers four hours prior to the meeting at [Council@seattle.gov](mailto:Council@seattle.gov) or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104.

*Please Note: Times listed are estimated*

**A. Call To Order**

**B. Approval of the Agenda**

**C. Public Comment**

**D. Items of Business**

1. [Appt 03115](#) **Appointment of Raymond W. Gastil as member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

**Briefing, Discussion, and Possible Vote**

**Presenter:** Michael Jenkins, Executive Director, Seattle Design Commission

2. [Appt 03116](#) **Appointment of Shirin Masoudi as member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

**Briefing, Discussion, and Possible Vote**

**Presenter:** Michael Jenkins, Executive Director, Seattle Design Commission

3. [Appt 03117](#) **Reappointment of Phoebe Erin Bogert as member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

**Briefing, Discussion, and Possible Vote**

**Presenter:** Michael Jenkins, Executive Director, Seattle Design Commission

4. [Appt 03118](#) **Reappointment of Ben Gist as member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

**Briefing, Discussion, and Possible Vote**

**Presenter:** Michael Jenkins, Executive Director, Seattle Design Commission

5. [Appt 03119](#) **Reappointment of Kevin O’Neill as chair and member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

**Briefing, Discussion, and Possible Vote**

**Presenter:** Michael Jenkins, Executive Director, Seattle Design Commission

6. [CB 120949](#) **AN ORDINANCE relating to land use and zoning; expanding housing options by easing barriers to the construction and use of accessory dwelling units as required by state legislation; amending Sections 22.205.010, 23.22.062, 23.24.045, 23.44.011, 23.44.014, 23.44.016, 23.44.017, 23.44.046, 23.45.512, 23.45.514, 23.45.545, 23.84A.008, 23.84A.032, 23.84A.038, 23.90.018, and 23.90.019 of the Seattle Municipal Code; repealing Sections 23.40.035 and 23.44.041 of the Seattle Municipal Code; and adding new Sections 23.42.022 and 23.53.003 to the Seattle Municipal Code.**

Attachments: [Full Text: CB 120949 v1](#)

Supporting Documents:

[Summary and Fiscal Note](#)

[Summary Att A - ADU Determination of Non-Significance](#)

[Director's Report](#)

[Presentation \(4/2/25\)](#)

**Public Hearing, Briefing, and Discussion**

**Presenters:** David VanSike, Seattle Department of Construction and Inspections; Lish Whitson, Council Central Staff

7. [CB 120948](#) **AN ORDINANCE relating to Seattle's construction codes; allowing for the extension of certain projects and building permits; amending Sections 106.6.10, 106.9, and 106.10 of the Seattle Building Code, adopted by Ordinance 127108.**

Supporting Documents:

[Summary and Fiscal Note](#)

[Proposed Amendment 1](#)

[Presentation \(4/2/25\)](#)

**Briefing, Discussion, and Possible Vote (10 minutes)**

**Presenters:** Ardel Jala and Micah Chappell, Seattle Department of Construction and Inspections; Lish Whitson, Council Central Staff

**E. Adjournment**





Legislation Text

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**File #:** Appt 03115, **Version:** 1

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Appointment of Raymond W. Gastil as member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Raymond W. Gastil		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Urban Planner
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b>	<b>Term of Position: *</b> 3/1/2025 to 2/28/2027  <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
<b>Residential Neighborhood:</b> Leschi	<b>Zip Code:</b> 98122	<b>Contact Phone No.:</b> [REDACTED]
<p>Ray has been an advocate for planning and urban design for over 30 years. He has served in a variety of positions in government, higher education, and in private practice, including Director for City Planning in Pittsburgh; City Planning Director in Seattle; Director of Manhattan Office, NYC Department of City Planning; Heinz Director for Urban Design and Regional Engagement, Remaking Cities Institute, Carnegie Mellon U.; Executive Director, Van Alen Institute: Projects in Public Architecture, New York.; and Writer and Researcher, Robert A.M. Stern Architects. New York.</p> <p>Ray recently returned to Seattle to start Gastil Works LLC, a planning and urban design consulting firm. Ray is currently involved in a variety of planning work including the Urban Land Institute’s recently convened Technical Advisory Panels concerning transit oriented development opportunities at Sound Transit’s proposed West Seattle to Ballard Light Rail Extension project.</p> <p>Ray recieved his Master’s Degree in Architecture from Princeton University.</p>		
<b>Authorizing Signature (original signature):</b>   Date: March 4 <sup>th</sup> . 2025		<b>Appointing Signatory:</b>  Bruce A. Harrell Mayor of Seattle

\*Term begin and end date is fixed and tied to the position and not the appointment date.

## **RESUME: RAYMOND W. GASTIL AICP LEED AP ND**

Gastilworks Planning & Design LLC - [REDACTED]  
[REDACTED]

### **Positions and Appointments**

- Consultant, Gastilworks Planning & Design LLC. 2023 to present.
- David Lewis/Heinz Director for Urban Design and Regional Engagement, Remaking Cities Institute, Carnegie Mellon U. August 2019 to December 2022.
- Director of City Planning, City of Pittsburgh. April 2014 to July 2019.
- Howard Friedman Visiting Professor, College of Environmental Design, University of California Berkeley. August to December 2013.
- Stuckeman Chair in Design Innovation. Stuckeman School of Architecture and Landscape Architecture, Pennsylvania State U. August 2011 to July 2013.
- City Planning Director, Department of Planning & Development, Seattle. August 2008 to February 2010.
- Director, Manhattan Office, New York City Department of City Planning. January 2005 to July 2008.
- Executive Director, Van Alen Institute: Projects in Public Architecture, New York. August 1995 to December 2004.
- Director, Regional Design and Transit-Friendly Design, Regional Plan Association, New York. December 1991 to July 1995.
- Writer and Researcher, Robert A.M. Stern Archts. New York. 1985 to 1988.

### **Education**

- Princeton University, Master of Architecture, Alpha Rho Chi Award.
- Yale University, Bachelor of Arts, Combined Literature, cum laude, distinction.

### **Committees, Professional Associations and Civic Activity**

- Member, American Planning Association (APA) American Institute of Certified Planners (AICP). 2007 to present.
- APA-Washington Puget Sound Section President-elect. 2025-2026.
- LEED AP ND accredited, 2012 to present.
- University of Washington, Landscape Architecture. Affiliate Faculty.
- Urban Land Institute Northwest. UrbanPlan volunteer. 2024 to present.
- Board, Riverlife, Pittsburgh. 2015 to present. Co-Chair Design Committee 2019 to present. Chair Governance Committee 2023 to present.
- Yale Alumni Schools Committee (ASC) volunteer. 2023 to present.
- Pittsburgh Historic Review Commission. Commissioner. 2014 to 2019.
- APA-Pennsylvania Awards Committee 2019 to 2023.
- Board, City as Living Laboratory (CALL). 2012 to present.
- Executive Committee, New York New Visions. 2000 to 2002.

## **Summary of Position Responsibilities**

### **Gastilworks Planning & Design LLC**

- Seattle-based consulting focused on planning, urban design, and the public realm. GPD is based in Seattle. Current work includes writing and research for transit-oriented development and urban mass timber initiatives.

### **Director, Remaking Cities Institute, Carnegie Mellon University**

- Teaching and advising responsibilities engaged graduate and undergraduate students in architecture, urban design, and policy. Institute leadership engaged study, research, and advising regarding community engagement, future of urbanism and centers, regional resilience, mobility/land use, as well as health, equity, and climate change. Sponsored research included DOT-supported LINC (Linking Our Networked Communities), Better Boulevard Analytics, addressing mobility and urban design in regional corridors. Additional research included Community Building, New Local Mobility, and Resilient Regions and adaptive reuse as an urban practice. Working with other Schools, Colleges, and Centers included affiliation with Traffic21, faculty advisor for the urban and regional economic development concentration in the Master of Public Policy and Management program at Heinz College. As part of the UDream faculty team, secured planning grant for relaunching program designed to engage underserved communities in urban design and architectural education and practice. Produced on-line interview series Remaking Cities By Design.

### **City Planning Director, City of Pittsburgh**

- Planning Department head. Led 50-person department comprising Strategic Planning, Zoning and Development Review, GIS, Sustainability and Resilience, and Civic Design and Public Art, and the ADA Coordinating office. Worked closely with Mayor's Office, City Council, County, and multiple departments. Staffed commissions and advisory boards including City Planning Commission, Zoning Board of Adjustment, Art Commission and Design Advisory Panel. Served on Historic Review Commission. Initiatives included: riverfront zoning; reinitiating neighborhood planning for communities throughout the city; comprehensive planning; cochairing Affordable Housing Task Force; serving on Steering Committee P4 (People, Planet, Performance, Place); Complete Streets initiative; Inclusionary Zoning Committee head; Hays Woods (Open Space) Task Force lead; OnePGH Housing co-lead. Multi-directional management and engagement key to initiatives including working with developers, architects, neighborhoods, and citizen coalitions, as well as City Authorities (Pittsburgh Water and Sewer Authority, Urban Redevelopment Authority, Port Authority), City agencies including Mayor's Office, Parks, Department of Mobility and Infrastructure, and Public Works.

## **City Planning Director, City of Seattle**

- Led 45-member office leading long-range planning for City of Seattle. Key leadership on programs including Central Waterfront redesign and revitalization, Neighborhood Planning Updates initiated along new light rail line; citywide design and planning initiatives; area plans for City Center neighborhoods, and sustainable design. Coordinated with the Department of Neighborhoods, the station-area planning updates reached out to communities historically not engaged in planning process, incorporating a program of outreach liaisons to multiple language and cultural groups.

## **Director, Manhattan Office, New York City Department of City Planning**

- Led 25-person office. Served on the leadership team for plan and rezoning of major projects including West Chelsea/Highline, integrating planning for a revitalized district and innovative public space, the 125th Street Corridor and Manhattanville in West Harlem, and the World Trade Center site and Lower Manhattan, West Side Yards (planning and design guidelines), Penn Station, the East River Waterfront, and Governors Island. Key projects included regulatory approaches to incentivizing affordable housing and the arts.

## **Executive Director, Van Alen Institute: Projects in Public Architecture**

- Founding director of nonprofit institute to improve the design of the public realm through civic interaction with universities, city and state agencies, and design competitions, conferences, exhibitions, and publications.

## **Selected Publications**

- "Value and Equity" Dialogue. *Climate Change and the Design of the Built Environment*. Michael Gamble ed. Kendall Hunt Publishing. 2023.
- "Adaptive Preservation: Lessons Learned from Challenges and Opportunities in Two Large-Scale Pittsburgh Projects." *PER, Journal of National Council for Preservation Education*. Volume 14. December 2021.
- Michael Baker International, Civic Design and Planning LLC (Steve Quick and Ray Gastil), Quaker Valley Council of Governments. "Redefining Regional Highway Corridors: Strategic Design Guide." PennDOT. October 2021.
- "Washington Avenue Waterfront Piers and District: A Resilient Land Use Cohort (RLUC) Virtual Advisory Services Panel, Urban Land Institute. Panelist.
- "Complexity and Contradiction in the Transformation of Pittsburgh's Riverfronts," *River Cities*. Dumbarton Oaks, Harvard, 2018.
- "Promoting Equitable Development in Revitalizing Cities." American Planning Association National Conference. Speaker/Panelist. New York. May 2017.
- *Affordable Housing Task Force Report*. Affordable Housing Task Force with Grounded Solutions Network. Cochair Task Force. 2016.
- "The Good Life by Design: Reconsiderations," editor, special feature, *Arcade Magazine*. Seattle. June 2011.

## **Selected Conference, Panel, and Workshop Participation and Leadership**

- National Urban Design Academic Group Roundtable, University of Texas, Austin, University of Miami. Miami. September 23-24, 2022.
- Bloomberg CityLab Amsterdam 2022. October 10-12.
- Metropolitan Innovation Summit Ruhr 2022. Dortmund, Germany. Speaker on innovation and regional resilience session September 2, Academic Panel September 3, 2022.
- RCI Program. “The Future Life of Sacred Places: Remaking Community Legacies.” Panel Discussion. April 11, 2022. Coordinator.
- RCI Program. Remaking Cities by Design RCI series. Interviews with design leaders. Interviewer/Producer. Instagram. 2022.
- RCI Program. Coordinated David Lewis Lecture on Urban Design and Social Equity by Karina Ricks: “Taking Care: Towards Mobility Justice.” October 2021.
- “Just Transition Platform: Carbon-Intensive Regions Seminar: Transatlantic Dialogue.” Panelist. November 16, 2021.
- “University Community Engagement.” Dialogue on relationship between diverse communities, universities, architecture, and potential for sustainable DEI-system, with HBCU, AIA, and NOMA. As UDream team co-director, contributed to organizing and facilitating. May 13, 2021.
- “Downtowns: Adaptive Reuse Project of the 2020s.” Portland Society for Architecture, COVID-19: One Year Later series. March 5, 2021.
- “The Ecology of Our Public Life: with Walter Hood and Steward Pickett.” Moderator. City as Living Laboratory (CALL). July 30, 2020.
- “Health by Design: Challenges for Urban Transformation” sponsored by Georgetown University’s Global Urban Health Collaborative and Global Cities Initiative. February 25, 2020.
- “Policy and Programs in Pittsburgh.” Intersections 2018: Pursuing Racial Justice through Housing Conference. Grounded Solutions. Pittsburgh. Speaker/Panelist. October 4, 2018.
- “Digital Innovation and the Future of Mobility in Cities.” Urban Land Institute (ULI) Europe Leadership Retreat. Speaker. Rome. September 20-22, 2018.
- “Cape Town Scenarios: Design Urbanism.” Institute for Arts and Humanities City Series Lecture. Pennsylvania State University. January 2013.
- Seattle Center/AIA Seattle, thenext50. Design Competition professional advisor and moderator for public events. Seattle. 2012.
- “Getting to the Tipping Point: How to be Smart.” TechnoAsia, Smart Cities Conf., Keynote. Hong Kong. November 2010.
- “Beyond the Edge: Waterfronts.” U. of Washington, Seattle. April 2004.
- “The Changing Face of Harlem.” The Studio Museum in Harlem and the Doris and Lewis Cullman Center for Scholars and Writers at the New York City Public Library. Panelist. March 2004.
- Connections and Places: City Design/Seattle Design Commission Urban Design Forum, Keynote. June 2000.

# Seattle Design Commission

The Seattle Design Commission advises the Mayor, City Council, and City departments on the design and environmental implications of City funded projects, projects seeking long-term or permanent use of a right of way, or public projects seeking City approval. The Commission is comprised of 10 members, as established by Seattle Municipal Code Section 3.58. Members serve a two-year term and are eligible for two consecutive terms' except the Get Engaged member who will serve a one-year term pursuant to SMC 3.51. All members are appointed by the Mayor and confirmed by the City Council.

A Chair is also appointed on each year. The Chair is selected by Commissioners for appointment by the Mayor and confirmation by the Council for a one year term.

New appointments are bold, reappointments in underline.

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Raymond W. Gastil	3/1/25	2/28/27	1	Mayor
1	F	2	2.	Get Engaged	Caitlin Truong	9/1/24	8/31/25	1	Mayor
6	M	4	3.	Engineer (Civil/Transportation)	Brian Markham	3/1/24	2/28/26	1	Mayor
8	F	3	4.	At-large	Shirin Masoudi	3/1/25	2/28/27	1	Mayor
1	M	3	5.	Architect	Zubin Rao	3/1/24	2/28/26	1	Mayor
<u>6</u>	<u>F</u>	<u>5</u>	<u>6.</u>	<u>Landscape Architect</u>	<u>Phoebe Erin Bogert</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>2</u>	<u>7.</u>	<u>Architect</u>	<u>Ben Gist</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>NB</u>	<u>2</u>	<u>8.</u>	<u>Urban Designer</u>	<u>Molly Spetalnick</u>	<u>3/1/23</u>	<u>2/28/25</u>	<u>1</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>6</u>	<u>9.</u>	<u>Transportation Planner</u>	Kevin O'Neill (Chair appointment for 1 year)	3/1/25 <u>(3/1/25)</u>	2/28/27 <u>(2/28/26)</u>	<u>2</u>	<u>Mayor</u>
6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART

					(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor	5	4		1	2					7		1	
Council													
Other													
<b>Total</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>2</b>					<b>7</b>		<b>1</b>	

## Key:

\*D List the corresponding Diversity Chart number (1 through 9)

\*\*G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

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**File #:** Appt 03116, **Version:** 1

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Appointment of Shirin Masoudi as member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> <i>Shirin Masoudi</i>		
<b>Board/Commission Name:</b> <i>Seattle Design Commission</i>		<b>Position Title:</b> <i>At-large</i>
<input checked="" type="checkbox"/> <b>Appointment</b> OR <input type="checkbox"/> <b>Reappointment</b>		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Fill in appointing authority</i>	<b>Date Appointed:</b>	<b>Term of Position: *</b> <i>3/1/2025</i> <b>to</b> <i>2/28/2027</i> <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>
<b>Residential Neighborhood:</b> First Hill	<b>Zip Code:</b> 98102	<b>Contact Phone No.:</b> 
<p>Shirin is an architect with Genser, a multi-national architecture and design firm with offices in Seattle. Shirin focuses her practice on strategic planning and architecture for a variety of public projects, including projects at Harborview Hospital, Oregon State University, Seattle Housing Authority, and Seattle Public Utilities.</p> <p>In addition to her professional work, Shirin has spent time developing leadership skills and opportunities. She is a 2024 graduate of Leader Flow, a multi-city program that enhances leadership skills for Architecture and Design professionals. She has also served on a variety of mentoring programs focused on emerging professionals.</p> <p>Shirin has her Masters in Architecture from University of Idaho and her Bachelors in Architectural Engineering from Isfahan University, Isfahan, Iran.</p>		
<b>Authorizing Signature (original signature):</b> 		<b>Appointing Signatory:</b> <b>Bruce A. Harrell</b> <b>Mayor of Seattle</b>
<b>Date:</b> March 4 <sup>th</sup> , 2025		

\*Term begin and end date is fixed and tied to the position and not the appointment date.

# SHIRIN MASOUDI

## Designer & Design Manager

Assoc. AIA, NOMA, Fitwel Ambassador

### CONTACT



### EDUCATION

University of Idaho  
M.Arch May 2018  
College of Art & Architecture  
NAAB Accredited  
AIA Henry Adams Medal of Excellence

Esfahan University, Iran  
B.A. Architectural Engineering  
March 2015

### VOLUNTEERISM & ACTIVITIES

LeaderFlow  
2024 Seattle cohort graduate

Gensler  
Community Impact lead  
Community Impact Steering committee member  
NW Region DE&I Champion  
NW Region MENA Co-lead  
Student Design Charrette Program, Mentor, Tuskegee University

Perkins&Will  
Social Purpose Committee  
Service+ Lead

Young Women Empowered  
Engagement Speaker

Facing Homelessness  
Block Captain

### EXPERIENCE

GENSLER | SEATTLE, WA | JUNE 2018 – CURRENT

Designer/Design Manager

Project experience in aviation, workplace, nonprofit & design strategy

- Developed design concepts & technical drawings for JFK Terminal one focusing on passenger journeys & Federal Inspection Services
- Leading Baggage Handling System scope coordination, supporting Employee Engagement plan process & implementation for SFO T3W
- Producing graphic presentations, 3D renderings, and construction drawings
- Designing surveys, planning listening sessions, interviews, and data analysis for community engagement projects
- Managing multiple Bank of America exterior renovation projects in Washington state
- Leading, planning & managing Seattle office Community Impact initiatives, budget and pro-bono projects
- Involved in internal research projects on DE&I Conversation Guide for AEC industry and Digital Engagement Methodologies for Public Participation

PERKINS&WILL | SEATTLE, WA | AUG 2018 – MARCH 2021

Designer

Project experience in Urban & Campus Planning, lab & science technology, high-rise residential & office

- As a member of urban planning team worked on a range of scales to create spaces that support the client's mission and goals, and help users succeed. Developed concepts, strategies, and graphics to convey data analyses, campus systems, design strategies, and campus framework ideas. Led and supported stakeholders' meetings, presentations, and visioning workshops. A few examples of projects: OSU Master Plan, Yesler Open Space Vision Pro Bono Project, and Clover Park Technical College Master Plan Update
- Facilitated and prepared design presentations and produced design options for space programming and site planning through schematic design and design development
- Created construction documents, EDG & DRB packages
- Developed design concepts, technical drawings, and renderings for proposals, project pursuits and design competition entries with an accelerated timeline in collaboration with the marketing department to acquire new project contracts and awards.

UNIVERSITY OF IDAHO | MOSCOW, ID | SUMMER 2018

Studio Instructor

- Taught urban planning, design principles, and strategies to architecture and interior design students

W.R. MCCLURE ARCHITECT | MOSCOW, ID | SUMMER 2017

Architectural Designer Intern

- Produced drawings and design documents for two small scale projects
- Created design presentation boards for clients

UNIVERSITY OF IDAHO | MOSCOW, ID | SEP 2016 - MAY 2018

Teaching Assistant

- Teaching Assistant for several courses such as: Architectural Design, Graphics, Urban Theory, Environmental Control Systems, and Architectural theory

KARNO STUDIO | ESFAHAN, IRAN | JUNE 2013 – DEC 2015

Architectural Designer Intern

- Collaborated on pre-design, schematic, and construction documents of two medium-sized projects: a residential complex and a dental clinic
- Assisted to interior design material and color pallet of the dental clinic

# Seattle Design Commission

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6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART

	Male		Female		Transgender		NB/O/U		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Male	Female	Transgender	NB/O/U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial				
Mayor	5	4		1	2					7		1					
Council																	
Other																	
<b>Total</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>2</b>					<b>7</b>		<b>1</b>					

## Key:

\*D List the corresponding Diversity Chart number (1 through 9)

\*\*G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

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**File #:** Appt 03117, **Version:** 1

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Reappointment of Phoebe Erin Bogert as member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Phoebe Erin Bogert		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Landscape Architect
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: Fill in appointing authority	<b>Date Appointed:</b>	<b>Term of Position:</b> 3/1/2025 to 2/28/2027
<b>Residential Neighborhood:</b> Ballard	<b>Zip Code:</b> 98107	<b>Contact Phone No.:</b> [REDACTED]
<b>Background:</b> Phoebe Erin Bogert is a registered landscape architect and a Principal in the Seattle office of PLACE, a landscape architecture and urban design firm based in Portland, Oregon. Phoebe specializes in landscape architecture and urban design projects in both public and private developments in the Pacific NW. Her recent work includes projects for Seattle Parks and Recreation, City of Tacoma, Portland State University, University of Washington at Tacoma and Seattle and Microsofts' Redmond Campus.  Phoebe has a Masters' degrees in Landscape Architecture from University of Washington, and her Bachelors in Art and Environmental Studies from Pitzer College in Claremont, California. She is also a former member of the NW Seattle Design Review Board, serving from 2019-2023.		
<b>Authorizing Signature (original signature):</b>  <b>Date:</b> March 6 <sup>th</sup> , 2025		<b>Appointing Signatory:</b> Bruce A. Harrell Mayor of Seattle

\*Term begin and end date is fixed and tied to the position and not appointment date or appointee.  
August 30, 2016

Last revised

## **Phoebe Erin Bogert**

Curriculum Vitae 2025

### **Education**

Master of Landscape Architecture University of Washington 2006

The Working River: Green Infrastructures for a Healthy Duwamish Jones and Jones Field School 2004

Bachelors of Arts, Art and Environmental Studies Pitzer College Claremont, California 1998

### **Experience**

PLACE, Principal 2012 – present

Mithun, Associate 2006 –2012

Department of Landscape Architecture, Teaching + Research Assistant, University of Washington 2004, 2005

Artist-in-Residence, Fundacion “La Caixa”, Barcelona, Spain 2001-2002

World Studio Foundation, New York, New York 1999-2000

### **Accreditation**

Registered Landscape Architect in Washington & Oregon

### **Engagement**

Landscape Architect Commissioner, Seattle Design Commission 2023-present

NW Design Review Board Member and Co-chair, 2019-2023

Speaking Engagements: ASLA Conferences, UW College of Built Environments

Public Art Selection Panels, Seattle Office of Arts & Culture

Exhibition Curation, Threshold Gallery

### **Selected Projects**

Des Moines Marina Steps, City of Des Moines | Des Moines, WA

Marra Desimone Play Area, Seattle Parks & Recreation | Seattle, WA

Hirosaki Park, City of Hirosaki, Aomori Prefecture | Hirosaki, Japan

Maple Wood Park, Seattle Parks & Recreation | Seattle, WA

Prairie Line Trail, City of Tacoma/University of Washington | Tacoma, WA

Milgard Hall, University of Washington | Tacoma, WA

Burke Gilman Trail, University of Washington | Seattle, WA

Interdisciplinary Engineering Building, University of Washington | Seattle, WA

Arts and Education Center, University of Oregon | Corvallis, OR

Collaborative Innovation Complex, University of Oregon | Corvallis, OR

Gateway Discovery Park, Portland Parks & Recreation | Portland, OR

Harper’s Playground, Portland Parks & Recreation | Portland, OR

Gemenskap Park, Seattle Parks & Recreation | Seattle, Washington

Summit Slope Park, Seattle Parks & Recreation | Seattle, Washington

Seven Hills Parks, Seattle Parks & Recreation | Seattle, Washington

Washington Park Master Plan, Portland and Parks & Recreation | Portland, OR

Halprin’s Open Space Sequence, Portland Parks & Recreation/Halprin | Portland, OR

Innovation Plaza, Microsoft Buildings 40 + 41, 42 + 43 | Redmond, WA

Totem Lake Urban Center Enhancement Plan & Transportation Network Study | Kirkland, WA

Concord International and Maple Elementary, Seattle Public Schools | Seattle, WA

# Seattle Design Commission

The Seattle Design Commission advises the Mayor, City Council, and City departments on the design and environmental implications of City funded projects, projects seeking long-term or permanent use of a right of way, or public projects seeking City approval. The Commission is comprised of 10 members, as established by Seattle Municipal Code Section 3.58. Members serve a two-year term and are eligible for two consecutive terms' except the Get Engaged member who will serve a one-year term pursuant to SMC 3.51. All members are appointed by the Mayor and confirmed by the City Council.

A Chair is also appointed on each year. The Chair is selected by Commissioners for appointment by the Mayor and confirmation by the Council for a one year term.

New appointments are bold, reappointments in underline.

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Raymond W. Gastil	3/1/25	2/28/27	1	Mayor
1	F	2	2.	Get Engaged	Caitlin Truong	9/1/24	8/31/25	1	Mayor
6	M	4	3.	Engineer (Civil/Transportation)	Brian Markham	3/1/24	2/28/26	1	Mayor
8	F	3	4.	At-large	Shirin Masoudi	3/1/25	2/28/27	1	Mayor
1	M	3	5.	Architect	Zubin Rao	3/1/24	2/28/26	1	Mayor
<u>6</u>	<u>F</u>	<u>5</u>	<u>6.</u>	<u>Landscape Architect</u>	<u>Phoebe Erin Bogert</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>2</u>	<u>7.</u>	<u>Architect</u>	<u>Ben Gist</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>NB</u>	<u>2</u>	<u>8.</u>	<u>Urban Designer</u>	<u>Molly Spetalnick</u>	<u>3/1/23</u>	<u>2/28/25</u>	<u>1</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>6</u>	<u>9.</u>	<u>Transportation Planner</u>	Kevin O'Neill (Chair appointment for 1 year)	3/1/25 <u>(3/1/25)</u>	2/28/27 <u>(2/28/26)</u>	<u>2</u>	<u>Mayor</u>
6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART

	(1)				(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial							
Mayor	5	4		1	2					7		1								
Council																				
Other																				
<b>Total</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>2</b>					<b>7</b>		<b>1</b>								

## Key:

\*D List the corresponding Diversity Chart number (1 through 9)

\*\*G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

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**File #:** Appt 03118, **Version:** 1

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Reappointment of Ben Gist as member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Ben Gist		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Architect
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: Fill in appointing authority	<b>Date Appointed:</b>	<b>Term of Position:</b> 3/1/2025 to 2/28/2027
<b>Residential Neighborhood:</b> Rainier Valley/Columbia City	<b>Zip Code:</b> 98108	<b>Contact Phone No.:</b>
<b>Background:</b> Ben is a Principal in the Seattle office of Carrier Johnson, a national architecture and design firm. Ben has over 20 years experience in the design and execution of mixed use and single purpose residential or commercial developments. Most of Ben’s work has focused on new development in the Puget Sound area, with additional work on residential projects at University of California’s Irvine campus. Ben has a strong commitment to professional development in his service in leadership roles at the Seattle chapter of the American Institute for Architects. Since 2017, Ben has also served on the Downtown Seattle Associations’ Family-friendly downtown taskforce.  Ben has a Masters’ degrees in Architecture and a Bachelors’ in Environmental Design from Montana State University.		
<b>Authorizing Signature (original signature):</b>  <b>Date:</b> March 6 <sup>th</sup> , 2025	<b>Appointing Signatory:</b> Bruce A. Harrell Mayor of Seattle	

\*Term begin and end date is fixed and tied to the position and not appointment date or appointee.  
August 30, 2016

Last revised

**EDUCATION**

Master of Architecture  
Montana State University

Bachelor of Environmental Design  
Montana State University

**LICENSING**

Registered Architect, WA

**PROFESSIONAL AFFILIATIONS AND ACTIVITIES**

- AIA Seattle Housing Task Force, Member 2018-present
- Downtown Seattle Association Family Friendly Downtown Taskforce 2017-present
- Montana State University School of Architecture Advisory Council, Member, 2007-2012
- New Rainier Vista Community Design Review, Board Member, 2007
- AIA Northwest and Pacific Region, Regional Associate Director, 2005
- AIA Seattle Board of Directors, Past Associate Director, 2004-2005
- AIA Seattle Open House Committee, Past Member, 2003-2006

**BEN GIST, AIA**

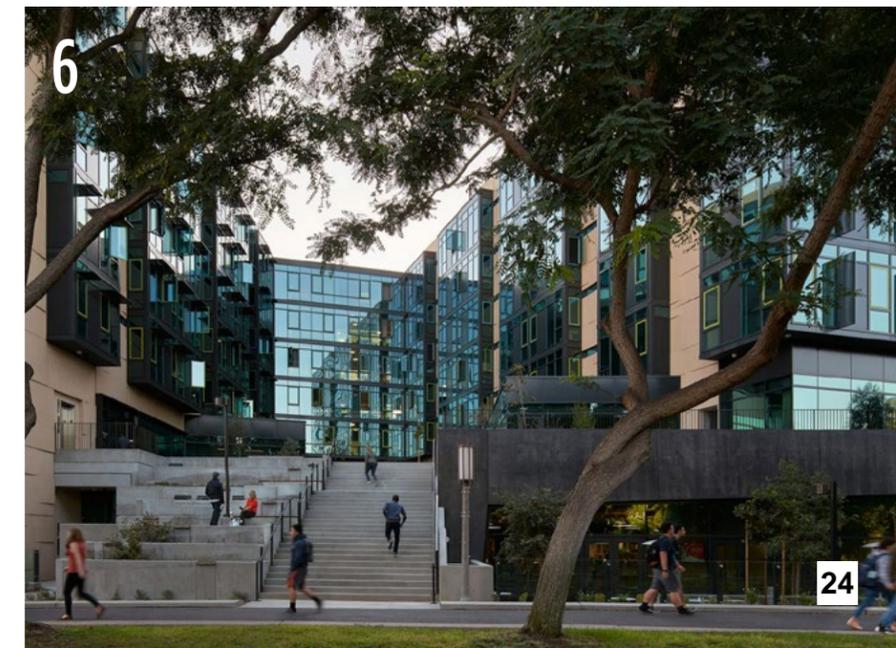
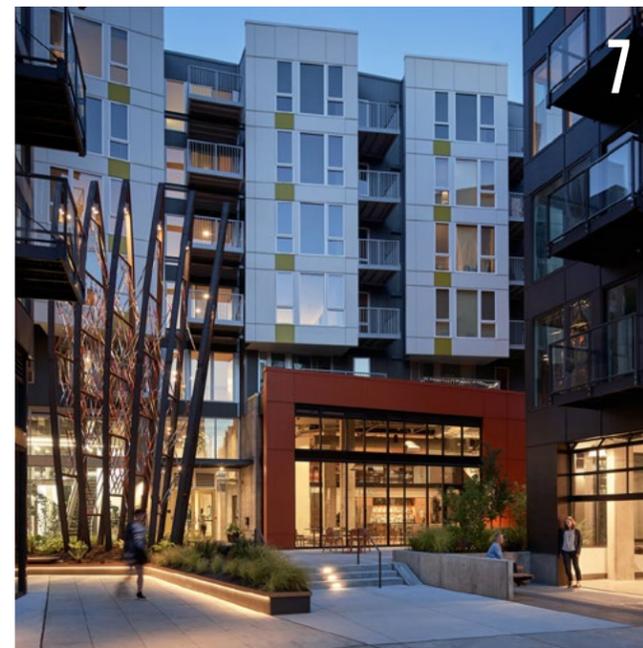
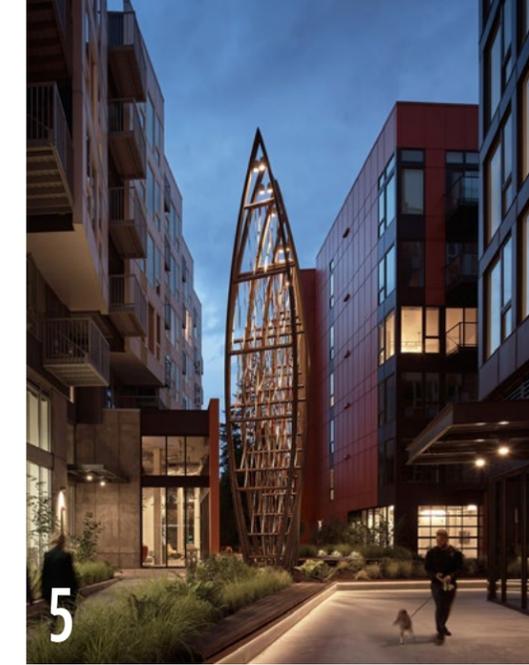
**PRINCIPAL**

With over 20 years of experience owning the full vertical of multi-family and mid-rise housing, Ben Gist has spent his career partnering with clients to find the perfect solutions to their unique challenges. A passionate champion of collaboration and open communication, Ben approaches each new project with a solution-oriented mindset, uniting all stakeholders—regardless of where they sit in the process.

**RELEVANT EXPERIENCE**

1. 1661 Olive Way / Seattle, WA
2. Rose Hill Mixed-Use / Kirkland, WA
3. Everett Riverfront / Everett, WA
4. Pinehurst / Bellingham, WA
5. Arras Apartments\* / Bellevue, WA
6. Middle Earth Towers\* / UC Irvine, CA
7. Juxt\* / Seattle, WA
8. Augusta\* / Seattle, WA
9. The Huxley\* / Seattle, WA

\* Project completed at a previous firm



# Seattle Design Commission

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A Chair is also appointed on each year. The Chair is selected by Commissioners for appointment by the Mayor and confirmation by the Council for a one year term.

New appointments are bold, reappointments in underline.

## Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Raymond W. Gastil	3/1/25	2/28/27	1	Mayor
1	F	2	2.	Get Engaged	Caitlin Truong	9/1/24	8/31/25	1	Mayor
6	M	4	3.	Engineer (Civil/Transportation)	Brian Markham	3/1/24	2/28/26	1	Mayor
8	F	3	4.	At-large	Shirin Masoudi	3/1/25	2/28/27	1	Mayor
1	M	3	5.	Architect	Zubin Rao	3/1/24	2/28/26	1	Mayor
<u>6</u>	<u>F</u>	<u>5</u>	<u>6.</u>	<u>Landscape Architect</u>	<u>Phoebe Erin Bogert</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>2</u>	<u>7.</u>	<u>Architect</u>	<u>Ben Gist</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>NB</u>	<u>2</u>	<u>8.</u>	<u>Urban Designer</u>	<u>Molly Spetalnick</u>	<u>3/1/23</u>	<u>2/28/25</u>	<u>1</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>6</u>	<u>9.</u>	<u>Transportation Planner</u>	Kevin O'Neill (Chair appointment for 1 year)	3/1/25 <u>(3/1/25)</u>	2/28/27 <u>(2/28/26)</u>	<u>2</u>	<u>Mayor</u>
6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor	5	4		1	2					7		1						
Council																		
Other																		
<b>Total</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>2</b>					<b>7</b>		<b>1</b>						

## Key:

\*D List the corresponding Diversity Chart number (1 through 9)

\*\*G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

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**File #:** Appt 03119, **Version:** 1

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Reappointment of Kevin O'Neill as chair and member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



# City of Seattle Boards & Commissions Notice of Appointment

<b>Appointee Name:</b> Kevin O'Neill		
<b>Board/Commission Name:</b> Seattle Design Commission		<b>Position Title:</b> Transportation Planner/Chair
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		<b>Council Confirmation required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appointing Authority:</b> <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: Fill in appointing authority	<b>Date Appointed:</b>	<b>Term of Position:</b> 3/1/2025 to 2/28/2027  <b>Term of Chair:</b> 3/1/2025 - 2/28/2026
<b>Residential Neighborhood:</b> Crown Hill	<b>Zip Code:</b> 98117	<b>Contact Phone No.:</b>
<b>Background:</b> Kevin has an extensive background in Transportation Planning, serving in a variety of leadership roles in the public and private sectors. Kevin was the Transportation Director and Strategic Planning Director in City of Bellevue from 2002-2011. From 2011-2019 he served in the Seattle Department of Transportation as both the Deputy Director and Director of the Street Use Division. From 2019-2022 Kevin was the Planning Manager in the Seattle office of WSP, managing the urban and transportation planning workgroups. In these roles Kevin led workgroups on a variety of projects including Sound Transit's West Seattle to Ballard project, Climate Pledge Arena, and the new Seattle Convention Center's Summit building.  Kevin has a Masters' degrees in both City and Regional Planning and Public Administration from Ohio State University, and a Bachelors' degree from University of Vermont.		
<b>Authorizing Signature (original signature):</b>  <b>Date:</b> March 6 <sup>th</sup> , 2025		<b>Appointing Signatory:</b> Bruce A. Harrell Mayor of Seattle

\*Term begin and end date is fixed and tied to the position and not appointment date or appointee.  
August 30, 2016

Last revised

**KEVIN O'NEILL**

**PROFESSIONAL EXPERIENCE**

**Senior Planning Manager, WSP USA. 10/2019—9/2021**

- Managed the Urban and Transportation Planning team in the Seattle office of WSP. Developed the business and strategic plans for the Planning group.
- Provided oversight for projects led out of the Planning group, with a focus on transit work.
- Engaged in business development and marketing activities.

**Deputy Director, Seattle Department of Transportation. 6/2018—6/2019**

- Provided oversight of the Transportation Operations, Street Use, Interagency Projects and Sound Transit divisions within SDOT.
- Served as a member of the department's Executive Leadership Team.
- Worked with the SDOT director, Chief of Staff, and other deputy directors to provide strategic direction of the department, and engage with elected officials and key community stakeholders.

**Director, Street Use Division, Seattle Department of Transportation. 6/2016—6/2018**

- Directed activities of the Street Use Division, including public space management, development review, plan review and permitting, right-of-way coordination, and developing policies and regulations relating to use of the City's street right-of-way.
- Provided oversight and helped develop the Street Use work program and budget, which was approximately \$40 million annually, and included approximately 140 FTEs.
- Worked with the management team to provide strategic direction for Street Use.
- SDOT lead on major development projects, including Climate Pledge Arena and Washington State Convention Center addition.
- Served as a member of SDOT's Senior Staff, and on various SDOT committees.

**Planning Manager, Seattle Department of Transportation. 11/2011—6/2016**

- Managed a team of planners, strategic advisors, and GIS staff in the Policy & Planning Division to develop citywide and neighborhood transportation and transit plans, department and citywide policies, and strategic plans.
- Managed transportation planning projects, including the Seattle Bicycle Master Plan and Comprehensive Plan Transportation Element update.
- Developed policies for both strategic and long range transportation plans.
- Developed and managed the Planning section work program and budget.

**Transportation Planning Director/Strategic Planning Manager, City of Bellevue. 4/2002 – 11/2011**

- Directed the Planning Division of the Bellevue Transportation Department. Was a member of the Department's Executive Team.
- Provided management oversight to a variety of transportation planning projects and functions, including comprehensive and subarea plan updates, transit planning, the pedestrian/bicycle plan, and the modeling and analysis group.
- Served on the City's executive team for the East Link light rail project.
- Developed and managed division and section work programs and budgets.
- Developed economic development and growth management policies, and managed community development projects (including the Bel-Red Corridor Plan).

**Strategic Advisor, City of Seattle, Washington. 4/2000 – 4/2002**

- Led light rail station area planning efforts in the Northgate area and coordinated the City's environmental review of North Link light rail alignment and station alternatives
- Worked on transportation subarea plans in the South Lake Union and University Districts, which included analysis of developer mitigation payment options.
- Worked on regional growth management and housing issues, including review and evaluation of the city's multi-family tax exemption program.

**Principal Planner/Planner, City of Kent, Washington. 4/1990 – 4/2000**

- Managed the preparation and update of the city's Comprehensive Plan and coordinated the city's overall implementation of the Growth Management Act.
- Staff lead on siting and development of Sound Transit's Sounder commuter rail station in Downtown Kent.
- Managed long-range planning and policy development staff and projects, including major updates of the city's zoning code and shoreline master program.
- Coordinated regional planning activities and inter-jurisdictional relations.
- Worked on land use permitting and development review activities.

**Planner, City of Port Townsend, Washington. 4/1988 - 4/1990.**

- Managed all development review and land use planning activities.
- Provided staff support to Planning Commission and City Council on land use issues.
- Led review of projects pursuant to the State Environmental Policy Act and administration of land use and environmental policies and regulations.

**Community Development Planner, City of St. Louis, Missouri. 6/1985 - 3/1987.**

- Prepared and updated the city's Housing Assistance Plan.
- Managed neighborhood commercial revitalization and parks planning projects.
- Prepared demographic, housing, market, and fiscal impact analyses and reports.

## EDUCATION

Master of City and Regional Planning and Master of Arts in Public Administration, The Ohio State University, Columbus, Ohio, 1985.

Bachelor of Arts, *cum laude*, University of Vermont, Burlington, Vermont, 1982.

## PROFESSIONAL AFFILIATIONS

University of Washington Urban Design and Planning Professionals Council (1998 to 2022; Chair, 2005-2007).

AICP Exam Seminar Instructor, Washington APA (1998-2018).

Professional Development Officer, Washington Chapter APA (1999-2003).

## COMMUNITY INVOLVEMENT AND HONORS

Transportation Planner and Vice-Chair, Seattle Design Commission, 2021-Present

Design Excellence Award (Seattle Bicycle Master Plan), Seattle Design Commission, 2017

Shining Star Award, SDOT, 2014 and 2015

Governor's Smart Communities Award and Vision 2020 Award (Bel-Red Plan), 2010

Host Committee, Washington State Chapter APA Conference, 2005

Steering Committee, "Envisioning 15<sup>th</sup> Avenue NW", Seattle, 2002-2004

Volunteer, Fremont Public Association, Seattle, 1987-2006

Basketball coach, Loyal Heights Community Center, Seattle, 1996-97 and 2004-08

Baseball coach, Ballard Little League, Seattle, 2001 and 2003

Volunteer tutor, Wing Luke Elementary School, Seattle, 2000-01

Volunteer tutor, Kent Elementary School, 1996

City of Kent Employee of the Month, January, 1995

Faculty prize for academic excellence, The Ohio State University, 1984 and 1985

Phi Beta Kappa honor society, University of Vermont, 1982

## REPRESENTATIVE PRESENTATIONS AND PUBLICATIONS

"Rapid Growth: Maintaining Access While Accommodating Construction", National Association of City Transportation Officials Designing Cites Conference, Chicago, 2017

"Smarter Transportation Metrics for Smarter Growth", American Planning Association

National Conference, Seattle, 2015.

"Complete Streets in Constrained Corridors", National Association of City Transportation Officials Designing Cities Conference, San Francisco, 2014.

"Riding Seattle's Bicycle Master Plan", RailVolution Conference mobile workshop, Seattle, October, 2013.

Volume 1 (*Citywide and Regional Trends*) and Volume 2 (*Neighborhood Patterns*), City of Bellevue Census Report, 2003.

Several free-lance book reviews, *Columbus Dispatch*, 1999-2004.

"Solar Access Zoning", *Journal of Planning Literature*, Vol. 1, No. 2, Spring, 1986.

Assistant Editor, *Journal of Planning Literature*, 1984-1985.

**SKILLS**

Strategic planning and policy analysis  
Work program management and project development  
Working and communicating effectively with citizens and elected/appointed officials  
Technical report writing and data analysis and forecasting  
Knowledge and proficiency with several computer software programs.

*References available upon request.*

# Seattle Design Commission

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*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
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8	F	3	4.	At-large	Shirin Masoudi	3/1/25	2/28/27	1	Mayor
1	M	3	5.	Architect	Zubin Rao	3/1/24	2/28/26	1	Mayor
<u>6</u>	<u>F</u>	<u>5</u>	<u>6.</u>	<u>Landscape Architect</u>	<u>Phoebe Erin Bogert</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>2</u>	<u>7.</u>	<u>Architect</u>	<u>Ben Gist</u>	<u>3/1/25</u>	<u>2/28/27</u>	<u>2</u>	<u>Mayor</u>
<u>6</u>	<u>NB</u>	<u>2</u>	<u>8.</u>	<u>Urban Designer</u>	<u>Molly Spetalnick</u>	<u>3/1/23</u>	<u>2/28/25</u>	<u>1</u>	<u>Mayor</u>
<u>6</u>	<u>M</u>	<u>6</u>	<u>9.</u>	<u>Transportation Planner</u>	Kevin O'Neill (Chair appointment for 1 year)	3/1/25 <u>(3/1/25)</u>	2/28/27 <u>(2/28/26)</u>	<u>2</u>	<u>Mayor</u>
6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

## SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor	5	4		1	2					7		1						
Council																		
Other																		
<b>Total</b>	<b>5</b>	<b>4</b>		<b>1</b>	<b>2</b>					<b>7</b>		<b>1</b>						

## Key:

\*D List the corresponding Diversity Chart number (1 through 9)

\*\*G List gender, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

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**File #:** CB 120949, **Version:** 1

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AN ORDINANCE relating to land use and zoning; expanding housing options by easing barriers to the construction and use of accessory dwelling units as required by state legislation; amending Sections 22.205.010, 23.22.062, 23.24.045, 23.44.011, 23.44.014, 23.44.016, 23.44.017, 23.44.046, 23.45.512, 23.45.514, 23.45.545, 23.84A.008, 23.84A.032, 23.84A.038, 23.90.018, and 23.90.019 of the Seattle Municipal Code; repealing Sections 23.40.035 and 23.44.041 of the Seattle Municipal Code; and adding new Sections 23.42.022 and 23.53.003 to the Seattle Municipal Code.

The full text of this legislation is attached to the file.

**CITY OF SEATTLE**

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

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

..title

AN ORDINANCE relating to land use and zoning; expanding housing options by easing barriers to the construction and use of accessory dwelling units as required by state legislation; amending Sections 22.205.010, 23.22.062, 23.24.045, 23.44.011, 23.44.014, 23.44.016, 23.44.017, 23.44.046, 23.45.512, 23.45.514, 23.45.545, 23.84A.008, 23.84A.032, 23.84A.038, 23.90.018, and 23.90.019 of the Seattle Municipal Code; repealing Sections 23.40.035 and 23.44.041 of the Seattle Municipal Code; and adding new Sections 23.42.022 and 23.53.003 to the Seattle Municipal Code.

..body

WHEREAS, in 2023 the State legislature passed House Bill 1337, containing new sections codified as RCW 36.70A.680 and 36.70A.681, imposing certain requirements upon cities and counties planning under the Growth Management Act with respect to accessory dwelling units within urban growth areas; and

WHEREAS, The City of Seattle is subject to certain obligations under said House Bill 1337, including the obligation to revise and amend certain provisions of its land use code that pertain to the construction and development of accessory dwelling units; and

WHEREAS, this proposed action would address housing capacity, housing affordability, and mitigate displacement; and

WHEREAS, the City intends to promote and encourage the creation of accessory dwelling units as a means to address the need for varying housing options throughout the City; NOW,

THEREFORE,

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

Section 1. Section 22.205.010 of the Seattle Municipal Code, last amended by Ordinance 126075, is amended as follows:

**22.205.010 Reasons for termination of tenancy**

1 Pursuant to provisions of the Washington State Residential Landlord-Tenant Act (RCW  
2 59.18.290), an owner may not evict a residential tenant without a court order, which can be  
3 issued by a court only after the tenant has an opportunity in a show cause hearing to contest the  
4 eviction (RCW 59.18.380). An owner of a housing unit shall not evict or attempt to evict any  
5 tenant, or otherwise terminate or attempt to terminate the tenancy of any tenant, unless the owner  
6 can prove in court that just cause exists. Regardless of whether just cause for eviction may exist,  
7 an owner may not evict a residential tenant from a rental housing unit if: the unit is not registered  
8 with the Seattle Department of Construction and Inspections if required by Section 22.214.040;  
9 the landlord has failed to comply with subsection 7.24.030.J as required and the reason for  
10 terminating the tenancy is that the tenancy ended at the expiration of a specified term or period;  
11 or if Sections 22.205.080, 22.205.090, or 22.205.110 provide the tenant a defense to the eviction.  
12 An owner is in compliance with the registration requirement if the rental housing unit is  
13 registered with the Seattle Department of Construction and Inspections before issuing a notice to  
14 terminate tenancy. The reasons for termination of tenancy listed below, and no others, shall  
15 constitute just cause under this Chapter 22.205:

16 \* \* \*

17 M. The owner seeks to discontinue use of ~~((an))~~ a legally established accessory dwelling  
18 unit for which a permit has been obtained pursuant to ~~((Sections 23.44.041 and 23.45.545))~~ Title  
19 23 after receipt of a notice of violation of the development standards provided in those sections.

20 The owner is required to pay relocation assistance to the tenant household residing in such a unit  
21 at least two weeks prior to the date set for termination of the tenancy, at the rate of:

- 22 1. \$2,000 for a tenant household with an income during the past 12 months at or  
23 below 50 percent of the county median income, or



1 amenity area for each dwelling unit shall be provided on the same unit lot as the dwelling unit it  
2 serves.

3 \* \* \*

4 G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a  
5 different unit lot than the unit lot of the associated principal dwelling unit.

6 Section 3. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance  
7 126157, is amended as follows:

8 **23.24.045 Unit lot subdivisions**

9 \* \* \*

10 B. (~~Except for any lot for which a permit has been issued pursuant to Sections 23.44.041~~  
11 ~~or 23.45.545 for a detached accessory dwelling unit, lots)) Lots developed or proposed to be  
12 developed with uses described in subsection 23.24.045.A may be subdivided into individual unit  
13 lots. The development as a whole shall meet development standards applicable at the time the  
14 permit application is vested. As a result of the subdivision, development on individual unit lots  
15 may be nonconforming as to some or all of the development standards based on analysis of the  
16 individual unit lot, except that any private, usable open space or private amenity area for each  
17 dwelling unit shall be provided on the same unit lot as the dwelling unit it serves.~~

18 \* \* \*

19 G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a  
20 different unit lot than the unit lot of the associated principal dwelling unit.

21 Section 4. Section 23.40.035 of the Seattle Municipal Code, enacted by Ordinance  
22 123939, is repealed:

23 ~~((23.40.035 Location of accessory dwelling units on through lots~~

1 ~~On a through lot, when yards cannot be determined pursuant to Section 23.40.030, the Director~~  
2 ~~shall designate a rear yard for the purpose of allowing a detached accessory dwelling. In~~  
3 ~~designating a rear yard, the Director shall consider factors including but not limited to the~~  
4 ~~location of existing structures, vehicular and pedestrian access, platting patterns in the vicinity~~  
5 ~~and topography.))~~

6 Section 5. A new Section 23.42.022 is added to the Seattle Municipal Code as follows:

7 **23.42.022 Accessory dwelling units**

8 A. Attached and detached accessory dwelling units are permitted in all zones where  
9 single-family dwelling units are permitted. In the Shoreline District, accessory dwelling units  
10 shall comply with Chapter 23.60A.

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

14 C. Floor area limit in all zones and floor area ratio in Neighborhood Residential zones

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

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

- 18 a. Up to 250 square feet of gross floor area in an attached garage;
- 19 b. Exterior-only accessed storage areas;
- 20 c. All stories, or portions of stories, that are underground; and
- 21 d. Up to 35 square feet of gross floor area dedicated to long-term bicycle  
22 parking.

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

3                   D. Permitted height

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

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

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

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

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

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

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

1                           2. Neighborhood Residential zones

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

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

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

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

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

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

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

4 G. Conversions of existing structures

5 1. For purposes of this subsection 23.42.022.G, the term "conversion" means  
6 keeping an existing structure intact, adding to or altering an existing structure, or removing and  
7 rebuilding an existing structure, provided that any expansion or relocation of the structure  
8 complies with the development standards for accessory dwelling units in this Section 23.42.022  
9 and the provisions of the applicable zone, unless otherwise allowed by this subsection  
10 23.42.022.G.

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

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

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

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



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

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

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

5 3. In NR1, NR2, and NR3 zones:

6 a. Any floor area contained in an accessory dwelling unit;

7 b. Either up to 500 additional square feet of floor area in any accessory  
8 structure that is not a detached accessory dwelling unit, or up to 250 square feet of floor area in  
9 an attached garage.

10 4. In RSL zones, 50 percent of the chargeable floor area contained in structures  
11 built prior to January 1, 1982, as single-family dwelling units that will remain in residential use,  
12 regardless of the number of dwelling units within the existing structure, provided the exemption  
13 is limited to the gross square footage in the single-family dwelling unit as of January 1, 1982.

14 \* \* \*

15 Section 7. Section 23.44.014 of the Seattle Municipal Code, last amended by Ordinance  
16 127099, is amended to read as follows:

17 **23.44.014 Yards**

18 \* \* \*

19 C. Exceptions from standard yard requirements. No structure shall be placed in a required  
20 yard except as follows:

21 1. Garages. Attached and detached garages may be located in a required yard  
22 subject to the standards of Section 23.44.016.

23 2. Certain accessory structures in side and rear yards

1                   a. Except for detached accessory dwelling units, any accessory structure  
2 that complies with the requirements of Section 23.44.040 may be constructed in a side yard that  
3 abuts the rear or side yard of another lot, or in that portion of the rear yard of a reversed corner  
4 lot within 5 feet of the key lot and not abutting the front yard of the key lot, upon recording with  
5 the King County Recorder's Office an agreement to this effect between the owners of record of  
6 the abutting properties.

7                   b. Except for detached accessory dwelling units, any detached accessory  
8 structure that complies with the requirements of Section 23.44.040 may be located in a rear yard,  
9 provided that on a reversed corner lot, no accessory structure shall be located in that portion of  
10 the required rear yard that abuts the required front yard of the adjoining key lot, nor shall the  
11 accessory structure be located closer than 5 feet from the key lot's side lot line unless the  
12 provisions of subsections 23.44.014.C.2.a or 23.44.016.D.9 apply.

13                   ~~((e. A detached accessory dwelling unit may be located in a rear yard  
14 subject to the requirements of subsection 23.44.014.C.))~~

15                   3. A principal ~~((residential))~~ structure ~~((or a detached))~~ with or without an  
16 accessory dwelling unit, and/or a detached accessory dwelling unit may extend into one side yard  
17 if an easement is provided along the side or rear lot line of the abutting lot, sufficient to leave a  
18 10-foot separation between that structure and any principal structure or detached accessory  
19 dwelling unit on the abutting lot. The 10-foot separation shall be measured from the wall of the  
20 ~~((principal))~~ structure ~~((or the wall of the detached accessory dwelling unit that is))~~ proposed to  
21 extend into a side yard to the wall of the ~~((principal))~~ structure ~~((or the wall of the detached~~  
22 ~~accessory dwelling unit))~~ on the abutting lot.

1 a. No structure or portion of a structure may be built on either lot within  
2 the 10-foot separation, except as provided in this Section 23.44.014.

3 b. ~~((Accessory structures and features))~~ Features of and projections from  
4 ~~((principal))~~ structures such as porches, eaves, and chimneys, are permitted in the 10-foot  
5 separation area required by this subsection 23.44.014.C.3 if otherwise allowed in side yards by  
6 this subsection 23.44.014.C. For purposes of calculating the distance a structure or feature may  
7 project into the 10-foot separation, assume the property line is 5 feet from the wall of the  
8 ~~((principal))~~ structure ~~((or detached accessory dwelling unit))~~ proposed to extend into a side yard  
9 and consider the 5 feet between the wall and the assumed property line to be the required side  
10 yard.

11 c. Notwithstanding subsection 23.44.014.C.3.b, no portion of any  
12 structure, including eaves or any other projection, shall cross the actual property line.

13 d. The easement shall be recorded with the King County Recorder's  
14 Office. The easement shall provide access for normal maintenance activities to ~~((the principal))~~  
15 structures on the lot with less than the required 5-foot side yard.

16 4. ~~((Certain additions.))~~ Certain additions to structures may be permitted. ~~((an))~~  
17 An existing single-family structure ~~((, or an existing accessory structure, if being converted to a~~  
18 ~~detached accessory dwelling unit,))~~ may extend into a required yard if the existing ~~((single-~~  
19 ~~family structure or existing accessory))~~ structure is already nonconforming with respect to that  
20 yard. The presently nonconforming portion must be at least 60 percent of the total width of the  
21 respective facade of the structure prior to the addition. The line formed by the existing  
22 nonconforming wall of the structure is the limit to which any additions may be built, except as  
23 described in subsections 23.44.014.C.4.a through 23.44.014.C.4.e. Additions may extend up to

1 the height limit and may include basement additions. New additions to the nonconforming wall  
2 or walls within required yards shall comply with the following requirements (~~((Exhibit A for~~  
3 ~~23.44.014))~~):

4 a. Side yard. If the addition is a side wall, the existing wall line may be  
5 continued by the addition except that in no case shall the addition be closer than 3 feet to the side  
6 lot line;

7 b. Rear yard. If the addition is a rear wall, the existing wall line may be  
8 continued by the addition except that in no case shall the addition be closer than 20 feet to the  
9 rear lot line or centerline of an alley abutting the rear lot line (~~((or, in the case of an existing~~  
10 ~~accessory structure being converted to a detached accessory dwelling unit, 3 feet to the rear lot~~  
11 ~~line))~~);

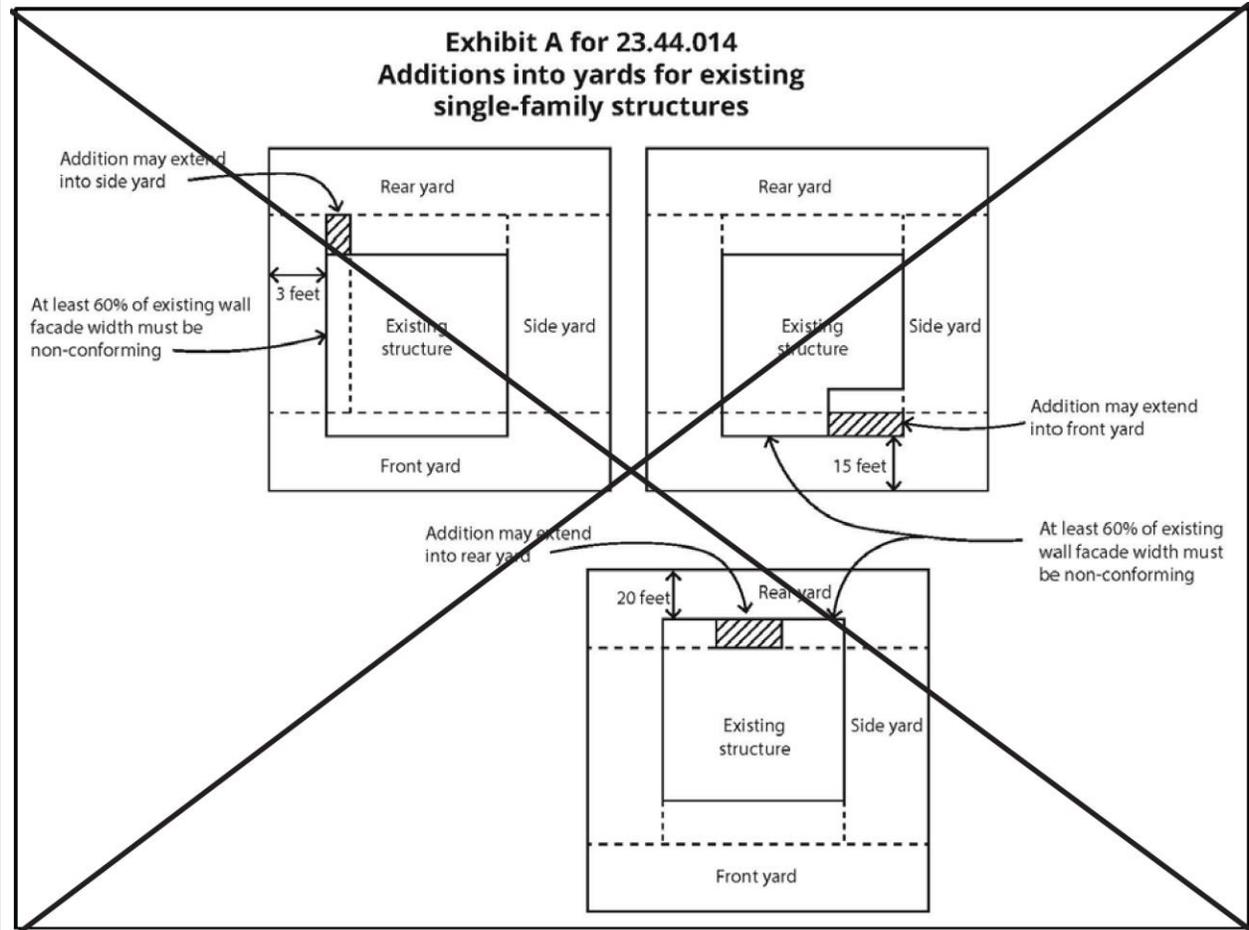
12 c. Front yard. If the addition is a front wall, the existing wall line may be  
13 continued by the addition except that in no case shall the addition be closer than 15 feet to the  
14 front lot line;

15 d. If the nonconforming wall of the (~~(single family)~~) structure is not  
16 parallel or is otherwise irregular, relative to the lot line, then the Director shall determine the  
17 limit of the wall extension, except that the wall extension shall not be located closer than  
18 specified in subsections 23.44.014.C.4.a, 23.44.014.C.4.b, and 23.44.014.C.4.c.

19 e. Roof eaves, gutters, and chimneys on such additions may extend an  
20 additional 18 inches into a required yard, but in no case shall such features be closer than 2 feet  
21 to the side lot line.

22 ~~((Exhibit A for 23.44.014~~

23 ~~Additions into yards for existing single-family structures))~~



5. Uncovered porches or steps. Uncovered, unenclosed porches or steps may project into any required yard, if the surface of porches or steps are no higher than 4 feet above existing grade, no closer than 3 feet to any side lot line, and has a width and depth no greater than 6 feet within the required yard. For each entry to a ((principal)) structure, one uncovered, unenclosed porch and/or associated steps are permitted in each required yard.

6. Certain features of a structure. Unless otherwise provided elsewhere in this Chapter 23.44 or Section 23.42.022, certain features of a principal or accessory structure((; except for detached accessory dwelling units,)) may extend into required yards if they comply with the following:

1 a. External architectural details with no living area, such as chimneys,  
2 eaves, cornices, and columns, may project no more than 18 inches into any required yard;

3 b. Bay windows are limited to 8 feet in width and may project no more  
4 than 2 feet into a required front, rear, and street side yard;

5 c. Other projections that include interior space, such as garden windows,  
6 may extend no more than 18 inches into any required yard, starting minimum of 30 inches above  
7 furnished floor, and with maximum dimensions of 6 feet in height and 8 feet in width; and

8 d. The combined area of features permitted by subsections  
9 23.44.014.C.6.b and 23.44.014.C.6.c may comprise no more than 30 percent of the area of the  
10 facade, except that no limit applies to detached accessory dwelling units.

11 7. Covered, unenclosed decks and roofs over patios. Covered, unenclosed decks  
12 and roofs over patios, if attached to a principal structure, may extend into the required rear yard,  
13 but shall not be within 12 feet of the centerline of any alley, or within 5 feet of any rear lot line  
14 that is not an alley lot line, or closer to any side lot line in the required rear yard than the side  
15 yard requirement of the principal structure along that side, or closer than 5 feet to any accessory  
16 structure. The height of the roof over unenclosed decks and patios shall not exceed 12 feet above  
17 existing or finished grade, whichever is lower. The roof over such decks or patios shall not be  
18 used as a deck.

19 8. Access bridges. Uncovered, unenclosed access bridges are permitted as  
20 follows:

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

1                                    b. A driveway access bridge is permitted in the required yard abutting the  
2 street if necessary for access to parking. The vehicular access bridge shall be no wider than 12  
3 feet for access to one parking space or 18 feet for access to two or more parking spaces and of  
4 any height necessary for access. The driveway access bridge may not be located closer than 5  
5 feet to an adjacent property line.

6                                    9. Barrier-free access. Access facilities for the disabled and elderly that comply  
7 with the Seattle Building Code, Chapter 11, are permitted in any required yard.

8                                    10. Freestanding structures and bulkheads

9                                    a. Fences, freestanding walls, bulkheads, signs, and similar structures 6  
10 feet or less in height above existing or finished grade, whichever is lower, may be erected in any  
11 required yard. The 6-foot height may be averaged along sloping grade for each 6-foot-long  
12 segment of the fence, but in no case may any portion of the fence exceed 8 feet. Architectural  
13 features may be added to the top of the fence or freestanding wall above the 6-foot height if the  
14 features comply with the following: horizontal architectural feature(s), no more than 10 inches  
15 high, and separated by a minimum of 6 inches of open area, measured vertically from the top of  
16 the fence, are permitted if the overall height of all parts of the structure, including post caps, is  
17 no more than 8 feet. Averaging the 8-foot height is not permitted. Structural supports for the  
18 horizontal architectural feature(s) may be spaced no closer than 3 feet on center.

19                                    b. The Director may allow variation from the development standards listed  
20 in subsection 23.44.014.C.10.a, according to the following:

- 21                                    1) No part of the structure may exceed 8 feet; and  
22                                    2) Any portion of the structure above 6 feet shall be predominately  
23 open, such that there is free circulation of light and air.

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

6 d. Bulkheads and retaining walls used to protect a cut into existing grade  
7 may be placed in any required yard when limited to the minimum height necessary to support the  
8 cut. If the bulkhead or retaining wall is measured from the low side and it exceeds 6 feet, an open  
9 guardrail of no more than 42 inches meeting Seattle Building Code requirements may be placed  
10 on top of the bulkhead or retaining wall. If the bulkhead or retaining wall is 6 feet or less, a fence  
11 may be placed on top up to a maximum combined height of 9.5 feet for both fence and bulkhead  
12 or retaining wall.

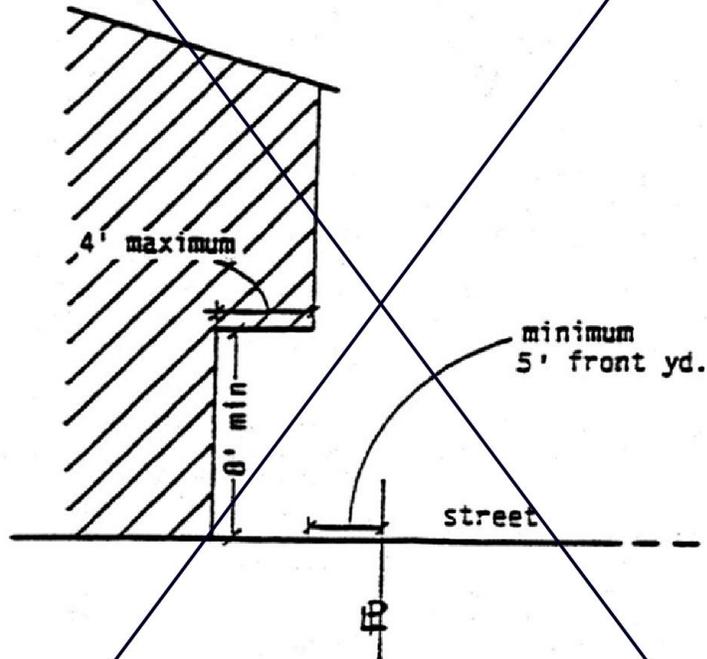
13 e. If located in shoreline setbacks or in view corridors in the Shoreline  
14 District as regulated in Chapter 23.60A, structures shall not obscure views protected by Chapter  
15 23.60A, and the Director shall determine the permitted height.

16 11. Decks in yards. Except for decks (~~allowed as a part of~~) attached to a  
17 detached accessory dwelling unit, decks no higher than 18 inches above existing or finished  
18 grade, whichever is lower, may extend into required yards.

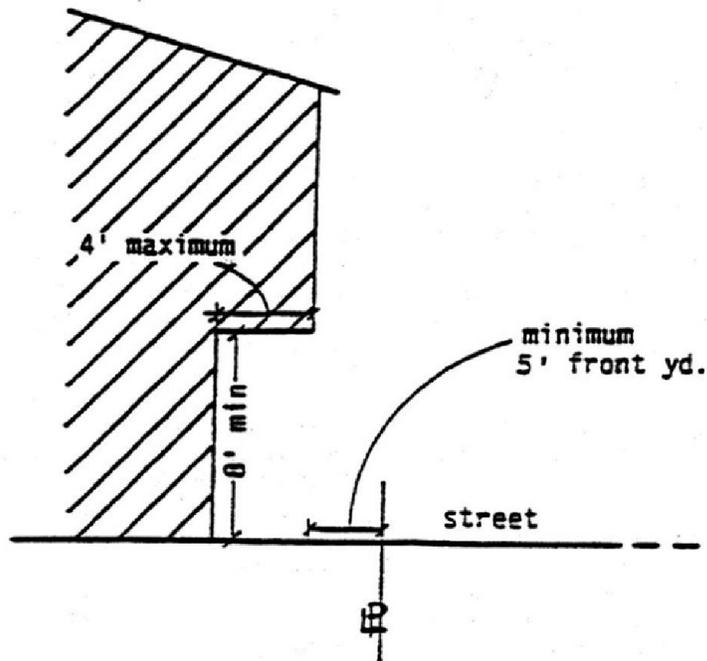
19 12. Mechanical equipment. Heat pumps and similar mechanical equipment, not  
20 including incinerators, are permitted in required yards if they comply with the requirements of  
21 Chapter 25.08. Any heat pump or similar equipment shall not be located within 3 feet of any lot  
22 line. Charging devices for electric cars are considered mechanical equipment and are permitted  
23 in required yards if not located within 3 feet of any lot line.



**Exhibit B for 23.44.014**  
**Front yard projections permitted for structures on lots 30 feet or less in width**



**Exhibit A for 23.44.014**  
**Front yard projections permitted for structures on lots 30 feet or less in width**



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15. Front and rear yards may be reduced by 25 percent, but no more than 5 feet, if the site contains a required environmentally critical area buffer or other area of the property that cannot be disturbed pursuant to subsection 25.09.280.A.

16. Arbors. Arbors may be permitted in required yards under the following conditions:

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

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

17. Stormwater management

a. Above-grade green stormwater infrastructure (GSI) features are allowed without yard restrictions if:

- 1) Each above-grade GSI feature is no more than 4.5 feet tall, excluding piping;
- 2) Each above-grade GSI feature is no more than 4 feet wide; and
- 3) The total storage capacity of all above-grade GSI features is no greater than 600 gallons.

- 1                                   b. Above-grade GSI features larger than what is allowed in subsection  
2 23.44.014.C.17.a are allowed within a required yard if:
- 3                                   1) Above-grade GSI features do not exceed ten percent coverage of  
4 any one yard area;
- 5                                   2) No portion of an above-grade GSI feature is located closer than  
6 3 feet from a side lot line;
- 7                                   3) No portion of an above-grade GSI feature is located closer than  
8 20 feet from a rear lot line or centerline of an alley abutting the rear lot line; and
- 9                                   4) No portion of an above-grade GSI feature is located closer than  
10 15 feet from the front lot line.

11                               18. A structure may be permitted to extend into front and rear yards as  
12 necessary to protect a Tier 1 or 2 Tier 2 tree, as defined in Section 25.11.130.

13                               19. Below grade structures. Structures below grade, measured from  
14 existing or finished grade, whichever is lower, may be located below required yards.

15                               D. Additional standards for structures if allowed in required yards. Structures in required  
16 yards shall comply with the following:

17                               1. Accessory structures, attached garages, and portions of a principal structure  
18 shall not exceed a maximum combined coverage of 40 percent of the required rear yard, except  
19 that ~~((a detached accessory dwelling unit))~~ , when a detached accessory structure is proposed, the  
20 structures may cover an additional 20 percent of the rear yard provided that the increased rear  
21 yard coverage does not require removal of a Tier 1 or Tier 2 tree, as defined in Section  
22 25.11.130. In the case of a rear yard abutting an alley, rear yard coverage shall be calculated  
23 from the centerline of the alley.



1                   2. Parking and garages shall not be located in a required side yard abutting a street  
2 or the first 10 feet of a required rear yard abutting a street except as provided in subsections  
3 ~~((23.44.016.D.7, 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12))~~  
4 23.44.016.D.6, 23.44.016.D.8, 23.44.016.D.9, 23.44.016.D.10, and 23.44.016.D.11.

5                   3. Garages shall not be located in a required side yard that abuts the rear or side  
6 yard of another lot or in that portion of the rear yard of a reversed corner lot within 5 feet of the  
7 key lot's side lot line unless:

8                   a. The garage is a detached garage and extends only into that portion of a  
9 side yard that is either within 35 feet of the centerline of an alley or within 25 feet of any rear lot  
10 line that is not an alley lot line; or

11                   b. An agreement between the owners of record of the abutting properties,  
12 authorizing the garage in that location, is executed and recorded, pursuant to subsection  
13 23.44.014.C.2.a.

14                   4. ~~((Detached garages with vehicular access facing an alley shall not be located  
15 within 12 feet of the centerline of the alley except as provided in subsections 23.44.016.D.9,  
16 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.~~

17                   ~~5. Attached garages))~~ Garages with vehicular access facing an alley, shall not be  
18 located within 12 feet of the centerline of any alley, nor within 12 feet of any rear lot line that is  
19 not an alley lot line, except as provided in subsections 23.44.016.D.8, 23.44.016.D.9,  
20 23.44.016.D.10, and 23.44.016.D.11, ((and 23.44.016.D.12)) or the Director may waive or  
21 modify this standard as a Type I decision provided the applicant can demonstrate that adequate  
22 turning and maneuvering areas can be provided.

1                    ~~((6-))~~ 5. On a reversed corner lot, no garage shall be located in that portion of the  
2 required rear yard that abuts the required front yard of the adjoining key lot unless the provisions  
3 of subsection ~~((23.44.016.D.9))~~ 23.44.016.D.8 apply.

4                    ~~((7-))~~ 6. If access to required parking passes through a required yard, automobiles,  
5 motorcycles, and similar vehicles may be parked on the open access located in a required yard.

6                    ~~((8-))~~ 7. Trailers, boats, recreational vehicles, and similar equipment shall not be  
7 parked in required front and side yards or the first 10 feet of a rear yard measured from the rear  
8 lot line, or measured 10 feet from the centerline of an alley if there is an alley adjacent to the rear  
9 lot line, unless fully enclosed in a structure otherwise allowed in a required yard by this  
10 subsection 23.44.016.D.

11                   ~~((9-))~~ 8. Lots with uphill yards abutting streets. In NR1, NR2, and NR3 zones,  
12 parking for one two-axle or one up to four-wheeled vehicle may be established in a required yard  
13 abutting a street according to subsection ~~((23.44.016.D.9.a or 23.44.016.D.9.b))~~ 23.44.016.D.8.a  
14 or 23.44.016.D.8.b only if access to parking is permitted through that yard pursuant to subsection  
15 23.44.016.B.

16                                   a. Open parking space

17   1) The existing grade of the lot slopes upward from the street lot  
18 line an average of at least 6 feet above sidewalk grade at a line that is 10 feet from the street lot  
19 line; and

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



1 a. The existing grade slopes downward from the street lot line that  
2 the parking faces;

3 b. For front yard parking, the lot has a vertical drop of at least 20  
4 feet in the first 60 feet, measured along a line from the midpoint of the front lot line to the  
5 midpoint of the rear lot line;

6 c. Parking is not permitted in required side yards abutting a street;

7 d. Parking in a rear yard complies with subsections 23.44.016.D.2,  
8 ~~((23.44.016.D.5 and 23.44.016.D.6))~~ 23.44.016.D.4 and 23.44.016.D.5; and

9 e. Access to parking is permitted through the required yard  
10 abutting the street by subsection 23.44.016.B.

11 ~~((11.))~~ 10. Through lots. On through lots less than 125 feet in depth in NR1, NR2,  
12 and NR3 zones, parking, either open or enclosed in an attached or detached garage, for one two-  
13 axle or one up to four-wheeled vehicle may be located in one of the required front yards. The  
14 front yard in which the parking may be located shall be determined by the Director based on the  
15 location of other garages or parking areas on the block. If no pattern of parking location can be  
16 determined, the Director shall determine in which yard the parking shall be located based on the  
17 prevailing character and setback patterns of the block.

18 ~~((12.))~~ 11. Lots with uphill yards abutting streets or downhill or through lot front  
19 yards fronting on streets that prohibit parking. In NR1, NR2, and NR3 zones, parking for two  
20 two-axle or two up to four-wheeled vehicles may be located in uphill yards abutting streets or  
21 downhill or through lot front yards as provided in subsections 23.44.016.D.8, 23.44.016.D.9, or  
22 23.44.016.D.10~~((, or 23.44.016.D.11))~~ if, in consultation with the Seattle Department of  
23 Transportation, it is found that uninterrupted parking for 24 hours is prohibited on at least one

1 side of the street within 200 feet of the lot line over which access is proposed. The Director may  
2 authorize a curb cut wider than would be permitted under Section 23.54.030 if necessary, for  
3 access.

4 \* \* \*

5 Section 9. Section 23.44.017 of the Seattle Municipal Code, last amended by Ordinance  
6 126685, is amended as follows:

7 **23.44.017 Density limits**

8 A. In NR1, NR2, and NR3 zones, only one single-family dwelling unit is allowed per lot,  
9 except that (~~up to two~~) accessory dwelling units may also be approved pursuant to  
10 Section (~~23.44.041~~) 23.42.022, and except as approved as part of an administrative conditional  
11 use permit under Section 25.09.260, a clustered housing planned development under  
12 Section 23.44.024, or a planned residential development under Section 23.44.034.

13 B. The following provisions apply in RSL zones:

- 14 1. The minimum lot area per principal dwelling unit is 2,000 square feet.
- 15 2. Except as provided in subsection 23.44.017.B.3, when calculation of the  
16 number of principal dwelling units allowed according to subsection 23.44.017.B.1 results in a  
17 fraction of a unit, any fraction up to and including 0.85 constitutes zero additional principal  
18 dwelling units, and any fraction over 0.85 constitutes one additional principal dwelling unit.
- 19 3. For lots in existence on April 19, 2019, if the number of principal dwelling  
20 units allowed according to subsection 23.44.017.B.1 equals less than two, two units are allowed.
- 21 4. Accessory dwelling units are allowed pursuant to Section 23.42.022.

22 Section 10. Section 23.44.041 of the Seattle Municipal Code, last amended by Ordinance  
23 127099, is repealed:

1 ~~((23.44.041 Accessory dwelling units~~

2 ~~A. General provisions. The Director may authorize an accessory dwelling unit, and that~~  
3 ~~dwelling unit may be used as a residence, only under the following conditions:~~

4 ~~1. In an NR1, NR2, and NR3 zone, a lot with or proposed for a principal single-~~  
5 ~~family dwelling unit may have up to two accessory dwelling units, provided that the following~~  
6 ~~conditions are met:~~

7 ~~a. No more than one accessory dwelling unit is a detached accessory~~  
8 ~~dwelling unit; and~~

9 ~~b. A second accessory dwelling unit is allowed only if:~~

10 ~~1) Floor area within an existing structure is converted to create the~~  
11 ~~second accessory dwelling unit; or~~

12 ~~2) The applicant commits that an attached accessory dwelling unit~~  
13 ~~in a new principal structure or a new detached accessory dwelling unit will meet a green building~~  
14 ~~standard and shall demonstrate compliance with that commitment, all in accordance with~~  
15 ~~Chapter 23.58D; or~~

16 ~~3) The second accessory dwelling unit is a low income unit.~~

17 ~~2. In an RSL zone, each principal dwelling unit may have no more than one~~  
18 ~~accessory dwelling unit.~~

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

22 ~~4. In NR1, NR2, and NR3 zones, accessory dwelling units are subject to the tree~~  
23 ~~requirements in subsection 23.44.020.A.2.~~

1                   5. ~~No off-street parking is required for accessory dwelling units.~~

2                   6. ~~An existing required parking space may not be eliminated to accommodate an~~  
3 ~~accessory dwelling unit unless it is replaced elsewhere on the lot.~~

4                   ~~B. Attached accessory dwelling units. Attached accessory dwelling units are subject to~~  
5 ~~the following additional conditions:~~

6                   1. ~~The gross floor area of an attached accessory dwelling unit may not exceed~~  
7 ~~1,000 square feet, excluding garage area, unless the portion of the structure in which the attached~~  
8 ~~accessory dwelling unit is located existed as of December 31, 2017.~~

9                   2. ~~In an NR1, NR2, and NR3 zone, only one entrance to the structure may be~~  
10 ~~located on each street-facing facade of the structure, unless multiple entrances on the street-~~  
11 ~~facing facade existed on January 1, 1993, or unless the Director determines that topography,~~  
12 ~~screening, or another design solution is effective in de-emphasizing the presence of an additional~~  
13 ~~entrance.~~

14                   ~~C. Detached accessory dwelling units. Detached accessory dwelling units are subject to~~  
15 ~~the following additional conditions:~~

16                   1. ~~Detached accessory dwelling units are required to meet the additional~~  
17 ~~development standards set forth in Table A for 23.44.041.~~

<b>Table A for 23.44.041</b>	
<b>Development standards for detached accessory dwelling units<sup>1,2</sup></b>	
a. Minimum lot size	3,200 square feet
b. Minimum lot width	25 feet
c. Minimum lot depth	70 feet <sup>3</sup>
d. Maximum lot coverage	<del>Detached accessory dwelling units are subject to the requirements governing maximum lot coverage and lot coverage exceptions in subsections 23.44.010.C and 23.44.010.D.</del>

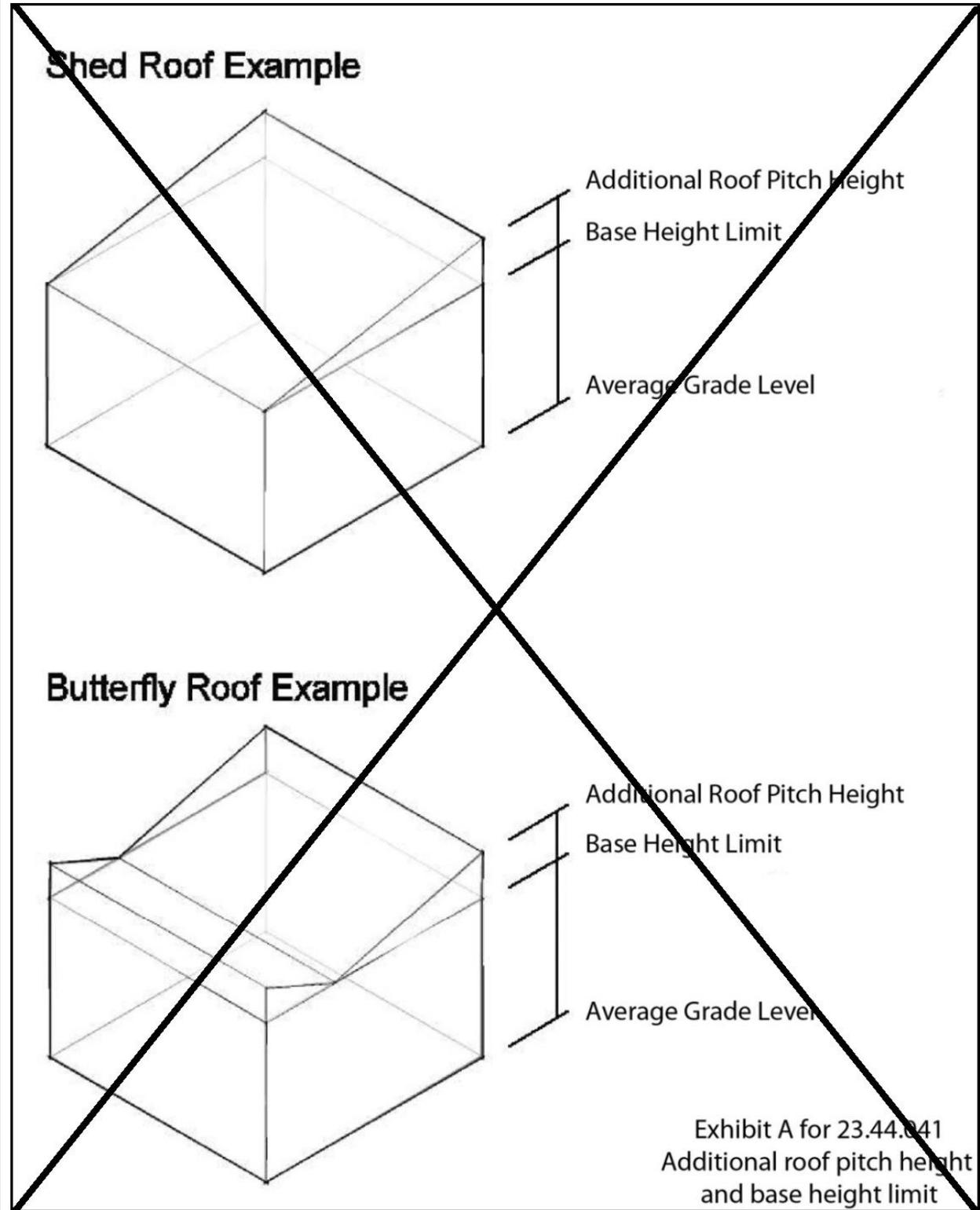
e. Maximum rear yard coverage	Detached accessory dwelling units, together with any other accessory structures and other portions of the principal structure, are subject to the requirements governing maximum rear yard coverage exceptions in subsections 23.44.014.D.			
f. Maximum size	The gross floor area of a detached accessory dwelling unit may not exceed 1,000 square feet excluding garage and exterior-only accessed storage areas, covered porches and covered decks that are less than 25 square feet in area, and gross floor area that is underground. Up to 35 square feet of floor area dedicated to long-term bicycle parking shall be exempt from the gross floor area calculation for a detached accessory dwelling unit.			
g. Front yard	A detached accessory dwelling unit may not be located within the front yard required by subsection 23.44.014.B, except on a through lot pursuant to Section 23.40.030 or Section 23.40.035.			
h. Minimum side yard	A detached accessory dwelling unit may not be located within the side yard required by subsection 23.44.014.B except as provided in subsection 23.44.014.C.3 or 23.44.014.C.4. <sup>4</sup>			
i. Minimum rear yard	A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line. <sup>4, 5, 6, 11</sup>			
j. Location of entry	If the entrance to a detached accessory dwelling unit is located on a facade facing a side lot line or a rear lot line, the entrance may not be within 10 feet of that lot line unless that lot line abuts an alley or other public right-of-way.			
k. Maximum height limits <sup>7, 8, 9</sup>	Lot width (feet)			
	Less than 30	30 up to 40	40 up to 50	50 or greater
(1) Base structure height limit (in feet) <sup>10, 11</sup>	14	16	18	18
(2) Height allowed for pitched roof above base structure height limit (in feet)	3	7	5	7
(3) Height allowed for shed or butterfly roof above base structure height limit (in feet); see Exhibit A for 23.44.041	3	4	4	4

<p>1. Minimum separation from principal structure</p>	<p>5 feet including eaves and gutters of all structures</p>
<p>Footnotes to Table A for 23.44.041</p> <p><sup>1</sup>—The Director may allow an exception to standards a through f and h through k pursuant to subsection 23.44.041.C.2, for converting existing accessory structures to a detached accessory dwelling unit, including additions to an existing accessory structure.</p> <p><sup>2</sup>—The Director may allow an exception to standards i and j if the exception allows for the preservation of a Tier 1 or Tier 2 tree, as defined in Section 25.11.130.</p> <p><sup>3</sup>—For lots that do not meet the lot depth requirement but have a greater width than depth and an area greater than 5,000 square feet, a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.</p> <p><sup>4</sup>—Except for properties with a rear lot line adjacent to an alley, external architectural details with no living area, such as chimneys, eaves, cornices, and columns, may project no closer than 3 feet from any lot line. Bay windows are limited to 8 feet in width and may project no closer than 3 feet from any lot line. Other projections that include interior space, such as garden windows, must start a minimum of 30 inches above the finished floor, have a maximum dimension of 6 feet in height and 8 feet in width, and project no closer than 3 feet from any lot line.</p> <p><sup>5</sup>—If the lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within 12 feet of the centerline of the alley.</p> <p><sup>6</sup>—On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.</p> <p><sup>7</sup>—Features such as chimneys, antennas, and flagpoles may extend up to 4 feet above the maximum allowed height.</p> <p><sup>8</sup>—Projections that accommodate windows and result in additional interior space, including dormers, clerestories, and skylights, may extend no higher than the ridge of a pitched roof permitted pursuant to standard k if all conditions of subsection 23.44.012.C.3 are satisfied.</p> <p><sup>9</sup>—Any structure with a green roof or other features necessary to meet a green building standard, as defined by the Director by rule, may extend up to 2 feet above the maximum allowed height.</p> <p><sup>10</sup>—Open railings that accommodate roof decks may extend 4 feet above the base structure height limit.</p> <p><sup>11</sup>—Attached decks that are portions of a detached accessory dwelling unit are allowed in the required rear yard and up to the applicable height limit, including additions allowed to a detached accessory dwelling unit under subsection 23.44.014.C.4.</p>	

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**Exhibit A for 23.44.041**

**Additional roof pitch height and base height limit**



1  
2  
3

~~2. Conversion of accessory structures. An existing accessory structure that is not located in a required front yard, or that is located in a front yard where Section 23.40.030 or~~

1 ~~23.40.035 applies, may be converted into a detached accessory dwelling unit if the structure~~  
2 ~~complies with the minimum standards set forth in Sections 22.206.020 through 22.206.140 and~~  
3 ~~with the Seattle Residential Code, if work requiring a permit is performed on the structure or has~~  
4 ~~previously been performed without a permit. To allow the conversion of an existing accessory~~  
5 ~~structure, the Director may allow an exception to one or more of the development standards for~~  
6 ~~accessory dwelling units contained in standards a through f, and h through k, listed in Table A~~  
7 ~~for 23.44.041. These exceptions also apply to any additions to an existing accessory structure.~~  
8 ~~An existing accessory structure may be converted if the applicant can demonstrate that the~~  
9 ~~accessory structure existed prior to December 31, 2017, as an accessory structure. If an accessory~~  
10 ~~structure existing prior to December 31, 2017, was replaced to the same configuration in~~  
11 ~~accordance with the standards of Section 23.42.112, then the replacement structure also qualifies~~  
12 ~~for conversion under this subsection 23.44.041.C.2. For purposes of this subsection~~  
13 ~~23.44.041.C.2, the term "conversion" means either keeping the accessory structure intact or~~  
14 ~~removing and rebuilding the accessory structure.~~

15 ~~D. Single family status unaffected. A neighborhood residential lot with any number of~~  
16 ~~accessory dwelling units shall be considered a single family dwelling unit for purposes of rezone~~  
17 ~~criteria (Section 23.34.011).))~~

18 Section 11. Section 23.44.046 of the Seattle Municipal Code, last amended by Ordinance  
19 126600, is amended as follows:

20 **23.44.046 Solar collectors**

21 A. Solar collectors are permitted outright as an accessory use to any principal use  
22 permitted outright or to a permitted conditional use and accessory dwelling units subject to the  
23 following development standards:



1           A. Density limits((τ))

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

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

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

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

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

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

17           B. Family-sized unit requirements in LR1 zones

18                   1. Apartment developments in LR1 zones with four or more principal dwelling  
19 units shall provide at least one unit with two or more bedrooms and a minimum net unit area of  
20 850 square feet for every four principal dwelling units in the structure.

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

1 C. Nursing homes, congregate housing, assisted living facilities, and accessory dwelling  
2 units that meet the standards of Section ((~~23.45.545~~)) 23.42.022 are exempt from the density  
3 limit set in subsection 23.45.512.A and the requirements in subsection 23.45.512.B.

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

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

8 F. Adding units to existing structures

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

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

17 Section 13. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance  
18 126685, is amended as follows:

19 **23.45.514 Structure height**

20 \* \* \*

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



1                   1. ~~One accessory dwelling unit is allowed for each single family, rowhouse, or~~  
2 ~~townhouse unit that is a "principal unit." A "principal unit" is a dwelling unit that is not an~~  
3 ~~accessory dwelling unit.~~

4                   2. ~~The height limit for a detached accessory dwelling unit is 20 feet, except that~~  
5 ~~the ridge of a pitched roof on a detached accessory dwelling unit may extend up to 3 feet above~~  
6 ~~the 20-foot height limit. All parts of the roof above the height limit shall be pitched at a rate of~~  
7 ~~not less than 4:12. No portion of a shed roof is permitted to extend beyond the 20-foot height~~  
8 ~~limit.~~

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

13                   4. ~~An accessory dwelling unit shall be located completely within the same~~  
14 ~~structure as the principal unit or in an accessory structure located between the single family,~~  
15 ~~rowhouse, or townhouse unit and the rear lot line.~~

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

- 18                   a. ~~Through the primary entry to the principal unit; or~~  
19                   b. ~~Through a secondary entry on a different facade than the primary entry~~  
20 ~~to the principal unit; or~~  
21                   c. ~~Through a secondary entry on the same facade as the primary entry to~~  
22 ~~the principal unit that is smaller and less visually prominent than the entry to the principal unit,~~  
23 ~~and does not have a prominent stoop, porch, portico or other entry feature.~~



\* \* \*

Section 17. Section 23.84A.032 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

**23.84A.032 “R”**

\* \* \*

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

1. "Accessory dwelling unit" means ~~((one or more rooms))~~ a dwelling unit that:

a. ~~((Are))~~ Is located within or attached to a structure containing a principal dwelling unit or within an accessory structure on the same lot as ~~((a))~~ principal dwelling unit(s); and

b. ~~((Meet the standards of Section 23.44.041, Section 23.45.545, or Chapter 23.47A, as applicable;~~

~~e. Are))~~ Is designed, arranged, and intended to be occupied as living facilities independent from any other dwelling unit. ~~((by not more than one household as living accommodations independent from any other household; and~~

~~d. Are so occupied or vacant.))~~

2. "Attached accessory dwelling unit" means an accessory dwelling unit that is within or attached to a structure containing a principal dwelling unit.

\* \* \*

Section 18. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

**23.84A.038 “T”**

\* \* \*

1 "Triplex" means a single structure containing three dwelling units, none of which is ~~((an))~~  
2 a legally established accessory dwelling unit ~~((authorized under Section 23.44.041))~~.

3 Section 19. Section 23.90.018 of the Seattle Municipal Code, last amended by Ordinance  
4 126157, is amended as follows:

5 **23.90.018 Civil enforcement proceedings and penalties**

6 \* \* \*

7 B. Specific violations

8 1. Violations of Section 23.71.018 are subject to penalty in the amount specified  
9 in subsection 23.71.018.H.

10 2. ~~((Violations of the requirements of subsection 23.44.041.C are subject to a civil~~  
11 ~~penalty of \$5,000, which shall be in addition to any penalty imposed under subsection~~  
12 ~~23.90.018.A. Falsely certifying to the terms of the covenant required by subsection~~  
13 ~~23.44.041.C.3 or failure to comply with the terms of the covenant is subject to a penalty of~~  
14 ~~\$5,000, in addition to any criminal penalties.~~

15 3.)) Violation of Chapter 23.58D with respect to a failure to timely submit the  
16 report required by subsection 23.58D.004.B or to demonstrate compliance with a commitment to  
17 meet the green building standard is subject to a penalty in an amount determined by subsection  
18 23.58D.006.

19 ~~((4.))~~ 3. Violation of subsection 23.40.007.B with respect to failure to demonstrate  
20 compliance with a waste diversion plan for a structure permitted to be demolished under  
21 subsection 23.40.006.D is subject to a penalty in an amount determined as follows:

22 
$$P = SF \times .02 \times RDR,$$
  
23

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where:

P is the penalty;

SF is the total square footage of the structure for which the demolition permit was issued; and

RDR is the refuse disposal rate, which is the per ton rate established in Chapter 21.40, and in effect on the date the penalty accrues, for the deposit of refuse at City recycling and disposal stations by the largest class of vehicles.

~~((5.))~~ 4. Violation of subsections 23.55.030.E.3.a.3, 23.55.030.E.3.b, 23.55.034.D.2.a, and 23.55.036.D.3.b, or, if the Seattle Department of Construction and Inspections has issued an on-premises sign permit for a particular sign and the actual sign is not being used for on-premises purposes or does not meet the definition of an on-premises sign as defined in Chapter 23.84A, are subject to a civil penalty of \$1,500 per day for each violation from the date the violation begins until compliance is achieved.

~~((6.))~~ 5. In zones where outdoor storage is not allowed or where the use has not been established as either accessory to the primary use or as part of the primary use and there continues to be a violation of these provisions after enforcement action has been taken pursuant to this Chapter 23.90, the outdoor storage activity is declared a nuisance and shall be subject to abatement by the City in the manner authorized by law.

\* \* \*

E. Use of penalties. An account shall be established in the City's General Fund to receive revenue from penalties under subsection ~~((23.90.018.B.5))~~ 23.90.018.B.4, which shall annually be directed to the Seattle Department of Construction and Inspections' Operations Division, after

1 ten percent of the gross receipts are paid to the Park and Recreation Fund as required by Article  
2 XI, Section 3 of the Charter.

3 Section 20. Section 23.90.019 of the Seattle Municipal Code, last amended by Ordinance  
4 126509, is amended as follows:

5 **23.90.019 Civil penalty for unauthorized dwelling units in neighborhood residential zones**

6 In addition to any other sanction or remedial procedure that may be available, the following  
7 penalties apply to unauthorized dwelling units in neighborhood residential zones in violation of  
8 Section 23.44.006. An owner of a neighborhood residential zoned lot that has more than one  
9 single-family dwelling unit and who is issued a notice of violation for an unauthorized dwelling  
10 unit, is subject to a civil penalty of \$5,000 for each additional dwelling unit, unless the additional  
11 unit is an authorized dwelling unit in compliance with Section ~~((23.44.041))~~ 23.42.022, is a legal  
12 non-conforming use, or is approved as part of an administrative conditional use permit pursuant  
13 to Section 25.09.260. Penalties for violation of Sections 23.44.006 and ~~((23.44.041, except for~~  
14 ~~violations of subsection 23.44.041.C))~~ 23.42.022 ~~((or))~~ except for those violations subject to  
15 subsection 23.90.018.B, shall be reduced from \$5,000 to \$500 if, prior to the compliance date  
16 stated on the notice of violation for an unauthorized dwelling unit, the dwelling unit is removed  
17 or authorized ~~((in compliance with Section 23.44.041))~~, is a legal non-conforming use, or is  
18 approved as part of an administrative conditional use permit pursuant to Section 25.09.260.

1 Section 21. This ordinance shall take effect as provided by Seattle Municipal Code  
2 Sections 1.04.020 and 1.04.070.

3 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2024,  
4 and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2024.

6 \_\_\_\_\_  
7 President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

8 \_\_\_\_\_  
9 Bruce A. Harrell, Mayor

10 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

11 \_\_\_\_\_  
12 Scheereen Dedman, City Clerk

13 (Seal)

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
SDCI	Mike Podowski	Christie Parker

### 1. BILL SUMMARY

**Legislation Title:** AN ORDINANCE relating to land use and zoning; expanding housing options by easing barriers to the construction and use of accessory dwelling units as required by state legislation; amending Sections 22.205.010, 23.22.062, 23.24.045, 23.44.011, 23.44.014, 23.44.016, 23.44.017, 23.44.046, 23.45.512, 23.45.514, 23.45.545, 23.84A.008, 23.84A.032, 23.84A.038, 23.90.018, and 23.90.019 of the Seattle Municipal Code; repealing Sections 23.40.035 and 23.44.041 of the Seattle Municipal Code; and adding new Sections 23.42.022 and 23.53.003 to the Seattle Municipal Code.

**Summary and Background of the Legislation:** During the 2023 session, the State legislature passed House Bill 1337, which requires Seattle and other cities and counties planning under the Growth Management Act (GMA) to meet certain requirements when regulating accessory dwelling units (ADUs). These requirements are codified at Revised Code of Washington (RCW) 36.70A.680 and .681. The Seattle Department of Construction and Inspections (SDCI) is proposing amendments to the land use code for development of ADUs in order to comply with state law. Carrying out these state mandates is intended to promote and encourage the creation of accessory dwelling units as a means to address the need for varying and more housing options throughout the city.

This legislation:

1. Updates provisions related to ADUs, including adding a new code section (SMC 23.42.022) to contain commonly applied standards for ADU development in all zones that allow single-family homes to be constructed.
  - a. Eligible zones include: Neighborhood Residential (NR); multifamily (Lowrise (LR), Midrise (MR), and Highrise (HR); Neighborhood Commercial (NC), Seattle Mixed (various SM designations), and downtown (various zones).
  - b. Overlay provisions in the Shoreline and historic districts are maintained with no changes.
2. Allows two ADUs to be constructed per lot that contains a principal dwelling unit, which includes the option of developing two detached accessory dwelling units (DADUs).
3. Updates standards including height limits, parking, and street improvements; and
4. Clarifies provisions related to condo ownership of ADUs.

### 2. CAPITAL IMPROVEMENT PROGRAM

**Does this legislation create, fund, or amend a CIP Project?**

Yes  No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

Yes  No

#### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

As Seattle is largely compliant with the HB 1337, the main change in development standards is the allowed height for ADUs in the NR and LR zones. In addition, the legislation simplifies provisions for appurtenances allowed for ADUs such as porches and decks. Thus, the legislation is not anticipated to significantly change the number of permit applications nor the complexity of the reviews of permits for ADU construction. Costs from the legislation would result from the need to train staff on the new provisions and updates to informational material including: websites, Director's Rules, and TIPs. These costs can be absorbed within existing operations as SDCI includes such activities in yearly staff training, overhead, and operations costs.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

The City does not have a choice about implementing the legislation and no costs are associated with not implementing it. If the City does not conform its code by the state deadline, non-compliant provisions of the code would not be enforceable. This legislation would put the City in compliance with House Bill 1337 in advance of the State's deadline tied to the required date of adoption for updates to the City's Comprehensive Plan, June 30, 2025.

### 4. OTHER IMPLICATIONS

**a. Please describe how this legislation may affect any departments besides the originating department.**

SDCI has direct responsibility for implementation and enforcement of the proposed legislation. Other departments have a supporting role in reviewing permit applications for ADU development, including the Seattle Department of Transportation, Seattle City Light, and Seattle Public Utilities. SDCI has consulted with representatives of those departments and no costs are anticipated.

**b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

No, this legislation does not affect a specific piece of property. This legislation affects property in several zones across the city where single family homes are permitted. ADU development occurs primarily in Neighborhood Residential and Lowrise zones.

**c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

This legislation is proposed to comply with state requirements by updating and clarifying provisions for ADU development. This may help people of color and others have access to more diverse housing types. Also, this legislation helps support opportunities for first-time homeowners and multigenerational living. King County Assessor data and a survey of ADU owners and occupants found that examples of benefits from ADUs include:

- Condo-owned ADUs in Seattle cost about 40% less than a single-family house on the same parcel
- ADUs rent for about 25% less than the median for a one-bedroom apartment in Seattle
- Approximately 12% of ADUs have a short-term (STR) license; and according to the American Association of Retired People, high returns on STRs spur the construction of more ADUs and *“these ADUs typically, over time, convert into long-term rentals and other uses.”*

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.** A RET was not prepared as the state directs the amendments in the legislation.

- iii. What is the Language Access Plan for any communications to the public?**

SDCI will provide translation services for communications to the public if requested as part of the legislative process. Additionally, social media posts, online and in-person education and training will follow adoption of the legislation, including SDCI’s annual Seattle Home Fair.

**d. Climate Change Implications**

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

ADUs tend to be smaller and use less energy than traditional single-family homes. Additionally, ADUs use existing infrastructure such as sewer, water and streets which are an effective way to help accommodate increases in population.

- ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

This legislation encourages aging-in-place, multigenerational living citywide to reduce vehicular traffic through the construction of smaller housing units that use less energy than traditional single-family homes.

- e. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

The legislation does not include a new initiative or program expansion.

## 5. CHECKLIST

- Is a public hearing required?** Yes, a public hearing will be held by the Council’s Land Use Committee.
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?** Yes, the public hearing notice will be published in the DJC.
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

## 6. ATTACHMENTS

### Summary Attachments:

- A. ADU Determination of Non-Significance



# City of Seattle

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**Seattle Department of Construction and Inspections**

Nathan Torgelson, Director

## **CITY OF SEATTLE**

### **ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

#### **SEPA Threshold Determination Accessory Dwelling Unit Compliance Legislation**

- Project Sponsor:** City of Seattle Department of Construction and Inspections
- Location of Proposal:** The changes apply throughout the City, excluding Industrial Zoning Districts and Shoreline Zoning districts.
- Scope of Proposal:** A legislative action to make changes to the Land Use Code to comply with Engrossed Substitute House Bill 1337.
- No Appeal Opportunity:** Actions taken by a city to comply with the requirements of Engrossed Substitute House Bill 1337 are not subject to legal challenge under chapter 36.70A or chapter 43.21C RCW.

## **BACKGROUND**

### **Proposal Description and Background**

The Department of Construction and Inspections proposes to edit the text of the Land Use Code (Seattle Municipal Code Title 23) to implement Washington State Engrossed Substitute House Bill 1337 from the 2023 legislative session in which the legislature amended the Growth Management Act to address a housing affordability crisis by mandating certain minimum standards for Accessory Dwelling Units.

Specifically, HB 1337 prohibits municipalities from: establishing height limits less than 24 feet in most cases; imposing set-back requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units; prohibiting the sale or other conveyance of a condominium unit independently of a principal unit; requiring public street improvements as a condition of permitting ADUs; and imposing other limitations not relevant to this proposal.

### Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be accepted during the 14-day SEPA comment period and during future Council hearings. This legislation directly implements Engrossed Substitute House Bill 1337. During the 2023 state legislative session the state legislature received public comment relevant to this proposed legislation.

### **ANALYSIS - OVERVIEW**

The following describes the analysis conducted to determine if the proposal is likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- \* the copy of the proposed Ordinance;
- \* the information contained in the *SEPA checklist* (dated August 27, 2024);
- \* information in relevant policy and regulatory documents including the Comprehensive Plan, the City's SMC Title 25 and Title 23;
- \* Washington State House Bill 1337 and associated documents; and
- \* the experience of SDCI analysts in reviewing similar documents and actions.

### **SUMMARY OF CHANGES TO THE LAND USE CODE**

The following list summarizes the changes in the proposal:

1. **Location.** The permitted locations for accessory dwelling units (ADUs) would be the same as the current code. ADUs are permitted in all zones where single-family homes are permitted including: Neighborhood Residential (NR); multifamily (Lowrise (LR), Midrise (MR), and Highrise (HR)); Neighborhood Commercial (NC), Seattle Mixed (various SM designations), and downtown (various zones).
2. **Number.** The existing code permits two ADUs in the NR zones with only one of the two permitted as a detached accessory dwelling unit (DADU). To comply with state law, SDCI's proposal would allow two DADUs per lot in the NR zones and newly allow two ADUs where only one was permitted in all other zones. In all

cases, this would include any combination of types of ADUs including two DADUs in one structure.

3. **Size.** The proposal for the maximum permitted size of an ADU would be the same as the current code, 1,000 square feet, for the NR zones, and increase the limit from 650 square feet to 1,000 square feet in the LR zones. The proposed 1,000 square foot allowance for ADUs includes existing exceptions for areas used for parking and storage.
4. **Conversion of existing accessory structures.** Provisions for the conversion of existing accessory structures are maintained for the NR zones and proposed to apply more broadly to all zones, which allows additions and alterations to these structures (see proposed SMC 23.42.022.G).
5. **Height.** The existing height standards do not meet the state law mandate that requires ADUs to have the same height limit as the principal dwelling unit. The following are the existing and proposed height limits:
  - **Neighborhood Residential (NR) zone.** Existing height allowance ranges for DADUs are from 14 to 18 feet depending on the width of the lot (see existing SMC 23.44.041) with an additional 3 to 7 feet allowed for a pitched roof. SDCI recommends updating height standards to generally allow 30 feet plus existing allowances for pitched roofs and rooftop features. This would match the allowances for a principal dwelling unit.
  - **Lowrise (LR) zone.** Existing height allowance for DADUs is 20 feet with an additional 3 feet for a pitched roof that is not a shed roof (see existing SMC 23.45.545.I.2). More specifically, the following height provisions apply to principal dwelling units in Lowrise multifamily zones and are proposed (see proposed SMC 23.42.022.D) as the height limits for ADUs as follows:
    - 30 feet in LR1 zone.
    - 30 to 40 feet in LR2 zones (existing height limit is the lower of the two listed when Mandatory Housing Affordability (MHA) does not apply).
    - 30 to 40 feet in LR3 zones outside growth areas. (Growth areas are urban centers, urban villages, and station area overlay districts. Also, the existing height limit is the lower of the two listed when MHA does not apply.)
    - 40 to 50 feet in LR3 zones inside growth areas. (Growth areas are urban centers, urban villages, and station area overlay districts. Also, the existing height limit is the lower of the two listed when MHA does not apply.)
  - **All other zones where single-family homes are permitted.** The proposal would apply the height limits for principal dwellings for zones with heights at 40 feet or under to ADUs; in zones with height limits over 40 feet, the proposal would apply the height for rowhouses and townhouses for the Lowrise 3 zone.

- Additional allowances are proposed for pitched roofs, as well as allowances for roof-top features consistent with what is currently allowed for principal dwellings.
2. **Lot Coverage.** The proposed requirement for the maximum permitted lot coverage of an ADU in Neighborhood Residential zones would be the same as the current code for principal dwelling units and as allowed for DADUs in required rear yards. Only the NR zones use lot coverage limits as a development standard (see proposed SMC 23.42.022.E).
  3. **Setbacks.** The proposed requirement for ADUs for minimum yards and property-line setbacks, including an exception for alley lot lines, would be the same as applies to principal dwellings as well as maintaining allowances for ADUs in the NR and LR zones (see proposed 23.42.022.F).
  4. **Building Separations.** The proposed separations between buildings on the same lot are the same as existing provisions in the applicable zones ranging from 5 feet in NR zones and 10 feet in LR and other zones (see proposed SMC 23.42.022).
  5. **Parking.** State law does not allow parking to be required for ADUs near transit stops. Currently the code requires no parking for ADUs in any area or zone. SDCI recommends updating the parking standards (see proposed SMC 23.42.022.I) to make it clear that parking is not required for ADUs, consistent with existing code.
  6. **Condo Ownership.** State law does not allow cities to prohibit condo ownership of ADUs. SDCI recommends updating the code (see proposed SMC 23.42.022.J) to make it clear that condo ownership of ADUs is allowed in all situations, which is consistent with current regulations.
  7. **Miscellaneous/Additional Code Clarifications.** SDCI recommends various updates and clarifications in association with the changes as outlined in this checklist.

## ELEMENTS OF THE ENVIRONMENT

### Short -Term Impacts

As a non-project action, the proposal will not have any short-term adverse impact on the environment. No project specific action is proposed.

### Long-Term Impacts

As a non-project action, the proposal is anticipated to have minor long-term impacts on the environment. Future development affected by this legislation will be reviewed under existing laws. Although the legislation revises ADU regulations to be consistent with

state law, other existing code requirements on development would continue to apply, as would other existing procedures and aspects of the land use code.

The primary effect of this legislation over the long term is that it could expand housing options by easing barriers to the construction and use of ADUs, which could in turn incrementally increase the total amount of residential development.

## **Natural Environment**

The natural environment includes potential impacts to earth, air, water, plants/animals/fisheries, energy, natural resources, environmentally sensitive areas, noise, releases of toxic or hazardous materials. Adoption of the proposed legislation is not anticipated to result in adverse impacts on any of these elements of the natural environment compared to development that might occur under existing regulations; mitigation requirements provided in the existing regulation of critical areas would remain in full effect. Due to the City's existing robust ADU regulations, a significant increase in the demand for ADUs is not anticipated. It is also not anticipated that the legislation would materially increase capacity for ADUs, or vary their geographical spread. It is also not expected that any potential increase in ADU construction would materially increase the profile of impacts to earth, air, water, plants/animals/fisheries, energy, natural resources, environmentally sensitive areas, noise, or releases of toxic or hazardous materials.

## **Built Environment**

Impacts to the built environment could include those related to land and shoreline use, height/bulk/scale, housing, and historic preservation. While there will be an increase to standards for items such as ADU height, and to floor area allowances in multifamily zones, the increases are not inconsistent with residential development standards for primary dwelling units, and thus, are not expected to cause any adverse impacts on the built environment. Below is a discussion of the relationship between the proposal and built environment:

### *Land Use*

The proposal would not encourage uses incompatible with the City's Comprehensive Plan, Shoreline Master Program or other adopted plans. The proposal concerns changes to existing ADU regulations to be compliant with state law. Areas affected most directly are the city's NR, and Lowrise zones, which are where ADUs are

commonly built; however, the proposal does not restrict the development of ADUs in other zones where residential uses are allowed. If the change incrementally increases the intensity of activity and use patterns stemming from a greater number of residents living in an area, the impact could be experienced as a greater volume of people using services and parks or visiting businesses and stores. This could cause some congestion or cause some incremental increase in wait times to access services or park facilities or other features of a community. The proposal does not allow or encourage incompatible uses with the City's Comprehensive Plan because the locations affected are already planned for and allow ADUs and other types of residential uses.

### *Housing*

The proposed legislation could have an incremental and minor impact on housing if the legislation encourages the construction of more ADUs than would otherwise occur. This is considered by the City to be a positive impact on housing because increasing housing supply is a policy goal for the city.

With the City experiencing a housing affordability issues, the proposal also has potential to increase supply of lower-cost housing typology that provides more affordable housing options to residents who might otherwise struggle to obtain housing. Additionally, providing housing options in expensive, high-opportunity neighborhoods will give more families access to schools, parks, and other public amenities. With these noted benefits, as well as others identified by the State Legislature, the City does not consider there to be any potential adverse impact on housing.

### *Height/Bulk/Scale, Shadows, and Views*

Consistent with state law, there will be an increase to height allowances, and to floor area in multifamily zones. If the changes incrementally increase the production of ADUs, the impact could be experienced as somewhat larger structures in rear yards and setbacks, potentially creating a perception of additional densification.

In Neighborhood Residential zones, current height regulations for DADUs range from a base height of 14 feet to 18 feet with an additional 3 to 7 feet for a pitched roof, depending on the width of a property. Attached accessory dwelling units are currently allowed at the height of the principal dwelling unit. A notable change under the proposed legislation is that DADUs would be permitted to be constructed to the allowed height of a principal dwelling unit.

While the proposed changes change some existing standards for ADUs, the changes do not exceed what would otherwise be allowed for principal dwelling units, so they would not create development that is out of scale with the respective zone in which an ADU could be constructed. There would be no substantial change to the height/bulk/scale, shadow or view effects because standards regulating the overall size or scale of development would be consistent with any height/bulk/scale, shadow and view standards already present. As a result, ADUs would still be proportionate to surrounding development.

### *Historic Preservation*

The proposed legislation does not alter historic review processes for structures in a Seattle historic district, or for any designated historic landmark. If the legislation incrementally encourages ADU development in the future, it is likely that some historic-aged structures and properties in a landmark district or historic landmark structures could be affected. However, since the existing procedures concerning historic preservation are maintained, any potential for impact would not be more than moderate.

### *Noise, Light & Glare, Environmental Health*

The proposed legislation does not alter the applicability of several standards concerning noise, light and glare and environmental health. The proposal could incrementally increase noise if a greater number or density of people could live in ADUs compared to other residential development that might otherwise be built. The increment of noise would be attributed to living activities such as talking, recreating and playing music and cooking as well as entering and leaving homes. In the context of an urban environment these incremental impacts are common and customary and are not more than moderate.

### *Transportation*

The proposal is not anticipated to result in any direct adverse impacts on transportation. The proposal could incrementally encourage the development of ADUs instead of other forms of residential use, which could cause an increased density of persons living in an area. The proposal could theoretically have a minor adverse impact on transportation if the proposal incrementally increases the likelihood of ADU development. It is not expected that the magnitude of these changes would notably affect the capacity of local roadways, bicycle networks or sidewalks when compared with the scenario that would occur in the absence of the legislation. As a result of the factors described above no

adverse impact that is more than moderate is anticipated from the proposed action on transportation.

### *Public Services and Utilities*

Adoption of the proposal will not directly result in an increased need for public services. The proposal could incrementally increase the intensity or density of residential uses in an area if the proposed legislation incrementally increases the likelihood of ADU development. This could theoretically indirectly lead to an increased need for public services associated with residential use, such as an increased number of residents needing emergency services, or visiting nearby public facilities such as libraries and parks.

The affected areas of the proposal are places where ADUs are already an allowed use, and these areas are already well served by the full suite of utility services, including natural gas, electricity, broadband, stormwater and sewer. The degree of change compared to what might occur under existing regulations would not adversely impact the ability of existing utilities to serve anticipated development. Due to the factors discussed in this section and other information above, we determine that there would be no adverse impact that is more than moderate as a result of the proposed legislation.

## DECISION – SEPA

Adoption of the proposed ordinance would have no short-term impacts on the environment and would not have more than moderate adverse long-term impacts on elements of the natural or built environment.

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: \_\_\_[On File]\_\_\_\_\_

Travis Saunders, Land Use Policy and Technical Planner  
Department of Construction and Inspections

Date: September 16, 2024

## **Director's Report and Recommendation Accessory Dwelling Unit Amendments – Implementing HB 1337**

### **Proposal Summary**

During the 2023 session, the State legislature passed House Bill 1337, which requires Seattle and other cities and counties planning under the Growth Management Act (GMA) to meet certain requirements when regulating accessory dwelling units (ADUs). These requirements are codified at Revised Code of Washington (RCW) 36.70A.680 and .681. The Seattle Department of Construction and Inspections (SDCI) is proposing amendments to the land use code for development of ADUs in order to comply with state law and clarify existing provisions.

Carrying out these state mandates is intended to promote and encourage the creation of accessory dwelling units as a means to address the need for varying and more housing options throughout the city.

This legislation would:

1. Update provisions related to ADUs, including adding a new code section (SMC 23.42.022) to contain commonly applied standards for ADU development in all zones that allow single-family homes to be constructed.
  - a. Eligible zones include: Neighborhood Residential (NR); multifamily (Lowrise (LR), Midrise (MR), and Highrise (HR); Neighborhood Commercial (NC), Seattle Mixed (various SM designations), and downtown (various zones).
  - b. Overlay provisions in the Shoreline and historic districts are maintained with no changes.
2. Allow two ADUs to be constructed per lot that contains a principal dwelling unit, which would include the option of developing two detached accessory dwelling units (DADUs).
3. Update standards including height limits, parking, and street improvements; and
4. Update provisions related to condo ownership of ADUs.

Adopting this legislation would help address the need for housing in the city.

### **Proposal and Analysis**

#### **Summary of State Mandates (HB 1337)**

The Land Use Code already partly aligns with the state mandate. The amendments described above are intended to fully comply with the explicit direction as well as the spirit and intent of

the legislature. The following list details what is needed for full compliance and what is included in the proposal.

- Must allow two ADUs per lot in zones that allow single family dwellings
- Must allow any combination of two attached and/or detached ADUs
- May not set maximum gross floor area for ADUs below 1,000 square feet
- May not limit ADU height below the allowed height of the principal units or 24 feet, whichever is smaller
- May not impose stricter design/development standards than those applied to principal units
- Must allow conversion of existing structures
- May not require ADUs to provide public street improvements
- May not interfere with condominium ownership of an ADU

The list below outlines the proposal:

1. **Location.** The permitted locations for accessory dwelling units (ADUs) would be the same as the current code. ADUs are permitted in all zones where single-family homes are permitted including: Neighborhood Residential (NR); multifamily (Lowrise (LR), Midrise (MR), and Highrise (HR); Neighborhood Commercial (NC), Seattle Mixed (various SM designations), and downtown (various zones).
2. **Number.** The existing code permits two ADUs in the NR zones with only one of the two permitted as a detached accessory dwelling unit (DADU). SDCI's proposal would change the existing limit allow two DADUs per lot in the NR zones and newly allow two ADUs where only one was permitted in all other zones to comply with the state law mandate. In all cases, this would include any combination of types of ADUs including two DADUs in one structure.
3. **Size.** The proposal for the maximum permitted size of an ADU would be the same as the current code, 1,000 square feet, for the NR zones, and increase the limit from 650 square feet to 1,000 square feet in the LR zones. The proposed 1,000 square foot allowance for ADUs includes existing exceptions for areas used for parking and storage.
4. **Conversion of existing accessory structures.** Provisions for the conversion of existing accessory structures are maintained for the NR zones and proposed to apply more broadly to all zones, which allows additions and alterations to these structures (see proposed SMC 23.42.022.G).
5. **Height.** The existing height standards do not meet the state law mandate that requires ADUs to have the same height limit as the principal dwelling unit. The following are the existing and proposed height limits:
  - **Neighborhood Residential (NR) zone.** Existing height allowance ranges from 14 to 18 feet depending on the width of the lot (see existing SMC 23.44.041) with an additional 3 to 7 feet allowed for a pitched roof. SDCI recommends updating height standards to generally allow 30 feet plus existing allowances for pitched roofs and rooftop features. This would match the allowances for a principal dwelling unit.

- **Lowrise (LR) zone.** Existing height allowance for DADUs is 20 feet with an additional 3 feet for a pitched roof that is not a shed roof (see existing SMC 23.45.545.I.2). More specifically, the following height provisions apply to principal dwelling units in Lowrise multifamily zones and are proposed (see proposed SMC 23.42.022.D) as the height limits for ADUs as follows:
    - 30 feet in LR1 zone.
    - 30 to 40 feet in LR2 zones (existing height limit is the lower of the two listed when Mandatory Housing Affordability (MHA) does not apply);
    - 30 to 40 feet in LR3 zones outside growth areas (Growth areas are urban centers, urban villages, and station area overlay districts. Also, the existing height limit is the lower of the two listed when MHA does not apply).
    - 40 to 50 feet in LR3 zones inside growth areas (Growth areas are urban centers, urban villages, and station area overlay districts. Also, the existing height limit is the lower of the two listed when MHA does not apply).
  - **All other zones where single-family homes are permitted.** The proposal would apply the height limits to ADUs for principal dwellings for zones with heights at 40 feet or under; in zones with height limits over 40 feet, the proposal would apply the height for rowhouses and townhouses for the Lowrise 3 zone.
  - Additional allowances are proposed for pitched roofs, as well as allowances for roof-top features, including solar panels, consistent with what is currently allowed for principal dwellings.
6. **Lot Coverage.** The proposed requirement for the maximum permitted lot coverage of an ADU in Neighborhood Residential zones would be the same as the current code for principal dwelling units and as allowed for DADUs in required rear yards. Only the NR zones use lot coverage limits as a development standard (see proposed SMC 23.42.022.E).
  7. **Setbacks.** The proposed requirement for ADUs for minimum yards and property-line setbacks, including an exception for alley lot lines, would be the same as applies to principal dwellings as well as maintaining allowances for ADUs in the NR and LR zones (see proposed 23.42.022.F).
  8. **Building Separations.** The proposed separations between buildings on the same lot are the same as existing provisions in the applicable zones ranging from 5 feet in NR zones and 10 feet in LR and other zones (see proposed SMC 23.42.022).
  9. **Parking.** State law does not allow parking to be required for ADUs near transit stops. Currently the code requires no parking for ADUs in any area or zone. SDCI recommends updating the parking standards (see proposed SMC 23.42.022.I) to make it clear that parking is not required for ADUs, consistent with existing code.
  10. **Condo Ownership.** State law mandate does not allow cities to prohibit condo ownership of ADUs. SDCI recommends updating the code (see proposed SMC 23.42.022.J) to make it clear that condo ownership of ADUs is allowed in all situations, which is consistent with current regulations.

**11. Miscellaneous/Additional Code Clarifications.** SDCI recommends various updates and clarifications in association with the changes as outlined in this report.

**Changes in Development standards**

*Neighborhood Residential (NR) Zones.* The base height of homes (principal structures) is 30 feet above average grade (existing SMC 23.44.012). On lots 30 feet or less in width, the base height is limited to 25 feet. The ridge of a pitched roof on a principal structure may extend up to 5 feet above the base height limit as long as the pitch of the roof is at least 4 to 12. There are exemptions for rooftop features in the existing code for things such as antennae and elevator and stair penthouses. The proposal is to apply these same standards to attached ADUs and DADUs. While attached ADUs in principal houses are allowed the same height as the house itself, DADUs are currently limited to 14 to 18 feet in height plus an additional 3 to 7 feet for roofs of different shapes.

The proposal would result in additional structure height on lots and in the required rear yards compared to existing code for DADUs in the NR zones. The additional height would range from approximately 12 to 16 feet depending on the width of the lots. The other standards in NR zones that manage lot coverage, rear yard coverage, property line setbacks, and separations between structures are largely the same as existing provisions.

*Lowrise Zones.* The existing height allowance for DADUs is 20 feet with an additional 3 feet for a pitched roof that is not a shed roof (existing SMC 23.42.022.D). The proposal would allow ADUs to be 30, 40, or 50 feet in height depending on the zone, plus 3 to 5 feet for roofs and exemptions for rooftop features. The additional height allowance would range from 20 to 30 feet depending on the zone. However, building code requirements and the practical limits on the number of floors that can be easily accessed by stairs means that ADUs are not expected to exceed the 3 to 4 floors currently experienced, even in zones where higher height limits are used. The other standards in LR zones that manage the scale of buildings: floor area ratio, which limits building area based on the size of the lot, property line setbacks, and separations between structures are largely the same as existing provisions.

*All Other Zones.* These zones include: Midrise (MR), and Highrise (HR); Neighborhood Commercial (NC), Seattle Mixed (various SM designations), and downtown (various zones). With the exception of the NC zones, which include some zones with height limits of 30 and 40 feet, all of these zones generally allow tall tower-like structures with higher densities than the housing units typically found in the Neighborhood Residential (NR) and Lowrise (LR) zones. The existing height limits for these zones range from 60 to hundreds of feet. The proposal would apply the height limits for rowhouses and townhouses for the LR3 zone, which is 40 or 50 feet depending on whether the Mandatory Housing Affordability program applies. The proposed height for ADUs in these zones is similar to what is built in these zones for ground related housing today, in the rare instances when tower-like development is not undertaken.

**Change in the number of ADUs anticipated**

As noted in this report, Seattle is largely compliant with the state requirements now. The allowed heights for ADU construction are the main area of change. Therefore, it is not anticipated that adoption of the proposal would significantly change the number of ADUs to be built in the city. Using data compiled by SDCI since the City Council adopted legislation to promote ADU construction in 2019, ADU construction after an initial jump in activity, settled into production in the mid- to high-900 dwellings per year as seen in the results for 2022 and 2023. Due to the relatively minor changes under this proposal, ADU production is not anticipated to change significantly in the future, perhaps in the amount of up to about 5 percent, or 50 ADUs per year. This increase would be consistent with the intent of the state legislature to increase housing production in the state and City of Seattle and would help address the need for housing.

### **Role of ADUs in housing supply**

ADUs offer important opportunities for first-time homeownership and multigenerational living. Information from the City's Office of Planning and Community Development recent report on ADUs, which includes King County Assessor data and a survey of ADU owners and occupants, found the majority of Seattle ADUs are used for long-term housing. They also found:

- Condo-ized ADUs in Seattle cost about 40% less than a single-family house on the same parcel.
  - 44% of ADUs were condo-ized in 2022, the most recent full year for which we have complete data.
- ADUs rent for about 25% less than the median for a one-bedroom apartment in Seattle.
- Approximately 12% of Seattle ADUs are occupied by family or friends rent-free.
- 12% of ADUs have a short-term rental (STR) license; Seattle already regulates STRs, including prohibiting property owners from operating more than two units as STRs.
  - According to the American Association of Retired People, high returns on STRs spur the construction of more ADUs and “these ADUs typically, over time, convert into long-term rentals or other uses.”

### **Comprehensive Plan Goals and Policies**

The proposal is consistent with relevant goals and policies in the *Seattle 2035* Comprehensive Plan including:

- **Goal H G2** - Help meet current and projected regional housing needs of all economic and demographic groups by increasing Seattle's housing supply.
- **Goal H G5** - Make it possible for households of all income levels to live affordably in Seattle, and reduce over time the unmet housing needs of lower-income households in Seattle.

- **Policy LU 9.6** - Encourage housing in mixed-use developments in pedestrian-oriented commercial/mixed-use areas to provide additional opportunities for residents to live in neighborhoods where they can walk to transit, services, and employment.

## **Recommendation**

The Director of SDCI recommends that the City Council adopt the proposed legislation to help facilitate development of accessory dwelling units in Seattle, consistent with the Comprehensive Plan and with recently adopted state law directing the adoption of proposed land use code amendments.

A panoramic view of the Seattle skyline under a clear blue sky. The Space Needle is the central focus, surrounded by various high-rise buildings. In the foreground, there are green trees and a residential building with a flat roof.

# Accessory Dwelling Units – HB 1337 Compliance

Photo by John Skelton



**Seattle** Department of  
Construction & Inspections

City Council - Land Use Committee

April 2, 2025 **98**

# SDCI PURPOSE AND VALUES

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## Our Purpose

Helping people build a safe, livable, and inclusive Seattle.

## Our Values

- Equity
- Respect
- Quality
- Integrity
- Service

# ACCESSORY DWELLING UNITS (ADUs)

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- Secondary dwelling units on the same lot as a principal unit (the main house, typically a single-family house or townhouse):
  - Attached ADUs (AADUs) are within or connected to a principal unit
  - Detached ADUs (DADUs) are stand-alone buildings
- Mostly located in Neighborhood Residential (NR) and Lowrise (LR) zones
- ADUs offer opportunities for multigenerational living, first-time homeownership, and flexible living spaces

# HOUSE BILL 1337

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- Compliance required by June 2025
- Standardizes ADU provisions across residential zones
- Impact on housing production expected to be modest

# RELATIONSHIP BETWEEN HB 1337 & HB 1110

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- Both passed in 2023 with the intent of requiring cities to allow a wider variety of housing types (duplexes, triplexes, stacked flats) in primarily single-family zones and reduce regulatory barriers to middle housing
- The Legislature was clear that both options to bolster middle housing were intended to be utilized
  - OPCD is bringing forward interim legislation to change zoning requirements, as required by HB 1110
  - This legislation builds on and consolidates the City's existing ADU code
  - Both are necessary to ensure the City complies with state regulations by the June 30, 2025 deadline

# SEATTLE LARGELY COMPLIES WITH HB 1337

New statewide ADU requirements	NR zone - compliance	Other zones - compliance
Must allow ADUs to be sold as condo units separately from the principal unit	✓	✓
May not impose owner occupancy requirements	✓	✓
May not require off-street parking within a half mile of a major transit stop	✓	✓
Must allow DADUs to abut most public alley lot lines	✓	✓
Must allow existing structures to be converted to ADUs even if nonconforming	✓	✗
May not set maximum gross floor area for each ADU below 1,000 SF	✓	✗
May not require ADUs to provide public street improvements	—	—
Must allow two ADUs per lot in any zone that allows single family housing	—	✗
Must allow any combination of two attached and/or detached ADUs	✗	✗
May not set ADU height limit below 24' or the height limit for the principal unit	✗	✗
May not impose stricter standards than applied to principal units	✗	✗

# Conversion of Existing Structures

## What are we doing currently?

- NR zones allow for conversions of nonconforming structures
- No specific conversion provisions in other zones

## What's needed for full compliance?

- Align other zones with NR conversion approach, which allows additions and alterations to these structures



# Maximum Gross Floor Area (GFA)

## What are we doing currently?

- 1,000 SF GFA limit in NR zones
- 650 SF GFA limit in LR zones

## What's needed for full compliance?

- Align other zones with NR size limits
- Update Seattle's GFA definition to match State's



# Street Improvement Requirements

## What are we doing currently?

- SDOT generally requires fewer street improvements for projects with under 10 units
  - ADUs are not counted toward this requirement

## What's needed for full compliance?

- Clarify ADUs are exempt from street improvements
  - Street improvements must still be restored to pre-existing state if damaged by construction



# Two ADUs per Lot in Residential Zones

## What are we doing currently?

- NR zones allow a second ADU under certain conditions
- LR, RSL zones only allow one ADU per principal unit

## What's needed for full compliance?

- Allow a second ADU outright in all zones that allow single-family houses



# Any Configuration of Two AADUs or DADUs

## What are we doing currently?

- Where two ADUs are allowed, Seattle does not allow both to be DADUs, aka backyard cottages

## What's needed for full compliance?

- Allow two DADUs in all residential zones citywide
  - DADUs can be attached to each other (a DADU duplex) or two separate structures



# Height Limits

## What are we doing currently?

- **NR zone height limits:**
  - 14' to 18' for ADUs, depending on lot width
  - 30' for single-family houses
  - Additional height allowed for pitched roofs and rooftop features
- **LR zone height limits:**
  - 20' for ADUs
  - 30' to 50' for principal units, depending on zone and location
  - Additional height allowed for pitched roofs and rooftop features

## What's needed for full compliance?

- NR and LR zones - adjust ADU height limits to match underlying zone in NR and LR zones
- Other zones with height limits up to 40' – same as underlying zone
- Other zones with height limits over 40' – same height allowed for rowhouses and townhouses in LR3 zones

# Design/Development Standards

## What are we doing currently?

- NR, LR zones require de-emphasized ADU entry doors
- RSL zones prohibit DADUs but not principal units on lots under 3,200 SF

## What's needed for full compliance?

- Update code to bring ADU lot size minimums, entry door requirements, appurtenances, etc. in line with underlying zone



# QUESTIONS?

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David VanSike

SDCI Land Use Policy Technical Lead

[David.VanSike@seattle.gov](mailto:David.VanSike@seattle.gov)





Legislation Text

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File #: CB 120948, Version: 1

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CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

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

AN ORDINANCE relating to Seattle’s construction codes; allowing for the extension of certain projects and building permits; amending Sections 106.6.10, 106.9, and 106.10 of the Seattle Building Code, adopted by Ordinance 127108.

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

Section 1. Section 106.6.10 of the Seattle Building Code, enacted by Ordinance 127108, is amended as follows:

**106.6.10 Extensions prior to permit issuance.** At the discretion of the *building official*, applications for projects that require more than 12 months to review and approve may be extended for a period that provides reasonable time to complete the review and approval, but in no case longer than 24 months from the date of the original application. No application may be extended more than once. After cancellation, the applicant shall submit a new application and pay a new fee to restart the permit process.

Notwithstanding other provisions of this code, applications may be extended where issuance of the permit is delayed by litigation, preparation of environmental impact statements, appeals, strikes or other causes related to the application that are beyond the applicant’s control, or while the applicant is making progress toward issuance of a master use permit.

Notwithstanding other provisions of this code, if an applicant requests an extension prior to November 12, 2024 for an application subject to a version of the Seattle Building Code based on amendments to the 2015 or 2018 International Building Code, and the applicant claims a hardship related to securing construction or permanent financing, the *building official* shall extend the application for 24 months in addition to any

extensions authorized under this Section 106.6.10.

Section 2. Section 106.9 of the Seattle Building Code, enacted by Ordinance 127108, is amended as follows:

**106.9 Expiration of permits.** Authority to do the work authorized by a permit expires 18 months from the date of issuance. ~~((An))~~ Except as provided in Item 3.4 of Section 106.10, an *approved* renewal extends the life of a permit for an additional 18 months from the prior expiration date. An *approved* reestablishment extends the life of the permit for 18 months from the date the permit expired.

**Exceptions:**

1. Initial permits for major construction projects that require more than 18 months to complete may be issued for a period that provides reasonable time to complete the work, according to an *approved* construction schedule. The *building official* may authorize a permit expiration date not to exceed three years from the date of issuance, except when there is an associated Shoreline Substantial Development permit in which case the *building official* may authorize an expiration date not to exceed the life of the Shoreline permit.
2. The *building official* may issue permits which expire in less than 18 months if the *building official* determines a shorter period is appropriate to complete the work.

This section is subject to the limitations in Seattle Municipal Code Section 22.800.100, Stormwater Code.

Section 3. Section 106.10 of the Seattle Building Code, enacted by Ordinance 127108, is amended as follows:

**106.10 Renewal of permits.** Permits may be renewed and renewed permits may be further renewed by the *building official* if the following conditions are met:

1. Application for renewal is made within the 30-day period immediately preceding the date of expiration of the permit; and
2. If the project has had an associated discretionary Land Use review, the land use approval has not

expired; and

3. If an application for renewal is made more than 18 months after the date of mandatory compliance with a new or revised edition of the Seattle Building Code, the permit shall not be renewed unless:

3.1. The *building official* determines that the permit complies, or is modified to comply, with the Seattle Building, Mechanical, Fuel Gas, Energy, Stormwater, Side Sewer and Grading codes in effect on the date of application for renewal; or

3.2. The work authorized by the permit is substantially underway and progressing at a rate approved by the *building official*. “Substantially underway” means that normally required building inspections have been *approved* for work such as foundations, framing, mechanical, insulation and finish work that is being completed on a continuing basis; or

3.3. Commencement or completion of the work authorized by the permit is delayed by litigation, appeals, strikes, or other extraordinary circumstances related to the work authorized by the permit, beyond the permit holder’s control, subject to the approval of the *building official*; or

3.4. The permit was issued under a version of the Seattle Building Code based on amendments to the 2015 or 2018 International Building Code, application for renewal is made prior to November 12, 2024, and the applicant claims a hardship related to securing construction or permanent financing, in which case the *building official* shall renew the permit for an additional 24 months; and

4. The permit shall not be renewed unless: (a) the *building official* determines that the permit complies, or is modified to comply, with the Seattle Stormwater Code in effect on the date of application for renewal; or (b) construction has started. For purposes of this provision, “started construction” means the site work associated with and directly related to the *approved* project has begun. For example, grading the project site to final grade or utility installation constitutes the start of construction; simply clearing the project site does not.

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by  
me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

Scheereen Dedman, City Clerk

(Seal)

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Mayor's Office	Kye Lee	Christie Parker

### 1. BILL SUMMARY

**Legislation Title:** AN ORDINANCE relating to Seattle's construction codes; allowing for the extension of certain projects and building permits; amending Sections 106.6.10, 106.9, and 106.10 of the Seattle Building Code, adopted by Ordinance 127108.

**Summary and Background of the Legislation:** This legislation allows building permit applicants an additional 24-month extension on existing permit applications and issued permits for projects vested to the 2015 or 2018 Seattle Building Code requirements. Projects with permit applications vested to the 2015 or 2018 codes would need significant redesign should their applications or permits expire and more recent Seattle Building Code provisions be applied to the project; the redesign could add significant cost to the project.

The Seattle Building Code aims to ensure the health, safety, and well-being of occupants and the public. It and other codes are updated from time to time to address new technologies, safety improvements, and construction methods.

Currently, projects working through the process have 24 months to complete the review and approval process before they must restart, unless additional extensions are granted for causes that are beyond the applicants' control. Similarly, once permits are issued, they are valid for 18 months and may be renewed for an additional 18 months.

In order for vested projects to be eligible for extension under this legislation, property owners must attest that the project has been stalled due to financing issues and must have requested an extension prior to November 12, 2024 (the effective date of the 2024 Seattle Building Code per Ordinance 127108). There are more than 3,000 distinct project addresses with projects vested to the 2015 and 2018 codes that could be extended by this legislation. These projects include an estimated 34,000 housing units. The Mayor's Office is aware of 15 projects, mostly located downtown, that could move forward if this legislation were to pass.

### 2. CAPITAL IMPROVEMENT PROGRAM

**Does this legislation create, fund, or amend a CIP Project?**  Yes  No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

**Does this legislation have financial impacts to the City?**  Yes  No

See note on City revenues in Section 3.b below.

### 3.a. Appropriations

- This legislation adds, changes, or deletes appropriations.

### 3.b. Revenues/Reimbursements

- This legislation adds, changes, or deletes revenues or reimbursements.

**Revenue/Reimbursement Notes:** The Mayor’s Office is aware of approximately 15 projects that vested under prior codes that could potentially move forward if they were to receive additional permit extensions. These projects represent approximately \$13.4 million of sales tax revenue to the City and an estimated maximum of \$75 million in mandatory housing affordability (MHA) fees; they could also produce additional but undetermined incentive zone payments as well as real estate excise tax and business and occupation tax revenue. MHA payments are adjusted annually for inflation and are assessed at the time the project vests. The extension could result in MHA revenues due to having projects continue rather than being cancelled. Although fee adjustments may have led to higher revenues if a project(s) reapplied for a new permit in the future, there is a low likelihood that projects would move forward without the extension provided by this legislation and in that event, the City would receive no revenue from cancelled projects. Extending the permitting timeline will increase the chances of these projects being constructed.

### 3.c. Positions

- This legislation adds, changes, or deletes positions.

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

No.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

N/A

**Please describe any financial costs or other impacts of *not* implementing the legislation.**  
See note on City revenues in Section 3.b. above.

#### 4. OTHER IMPLICATIONS

**a. Please describe how this legislation may affect any departments besides the originating department.**

The Seattle Department of Construction and Inspections manages the review and approval process for construction permitting.

The Office of Housing coordinates with developers to ensure compliance with the MHA Program.

**b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

No, this legislation does not affect a particular piece of property.

**c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

**i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

There are projects vested to the 2015 and 2018 codes for housing that serve these communities that would be costly to update to the 2021 code. The updated costs could increase the cost of housing which would be passed onto these communities. However, updating projects to current codes would ensure that those communities benefit from enhanced accessibility requirements, electric vehicle charging requirements, and seismic design standards as required by current code.

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

**iii. What is the Language Access Plan for any communications to the public?**

N/A

**d. Climate Change Implications**

**i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

This legislation will increase carbon emissions since some building decarbonization methods would not be incorporated on projects vested to the 2015 or 2018 codes; however, these buildings would still be efficient by national standards. Bringing housing to city centers plays a crucial role in reducing emissions by promoting proximity between where people live, work, and access services.

- ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

For those projects vested to the 2015 or 2018 codes, this legislation will decrease Seattle’s ability to adapt to climate change through the increased energy efficient construction standards; however, resiliency is unlikely to be materially impacted by this legislation.

- e. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

## 5. CHECKLIST

- Is a public hearing required?
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?

## 6. ATTACHMENTS

Summary Attachments: None.

## Amendment 1 Version #1 to CB 120948 – Date Correction

**Sponsor:** Councilmember Solomon

Date Correction

**Effect:** Council Bill (CB) 120948 would allow an applicant for eligible projects to request an extension or renewal of 24 months for a building permit based on a claim that development is precluded by financial hardship.

This amendment would correct an error in the legislation that set a date for requesting the extension or renewal of November 12, 2024. The amendment would change that date to November 1, 2026, which was the intended date. November 1, 2026, is the targeted date for the next update to Seattle’s construction codes.

Amend Sections 1 and 3 of CB 120948 as follows:

Section 1. Section 106.6.10 of the Seattle Building Code, enacted by Ordinance 127108, is amended as follows:

**106.6.10 Extensions prior to permit issuance.** At the discretion of the *building official*, applications for projects that require more than 12 months to review and approve may be extended for a period that provides reasonable time to complete the review and approval, but in no case longer than 24 months from the date of the original application. No application may be extended more than once. After cancellation, the applicant shall submit a new application and pay a new fee to restart the permit process.

Notwithstanding other provisions of this code, applications may be extended where issuance of the permit is delayed by litigation, preparation of environmental impact statements, appeals,

Ketil Freeman  
Land Use Committee  
March 28, 2025  
D#1a

strikes or other causes related to the application that are beyond the applicant's control, or while the applicant is making progress toward issuance of a master use permit.

Notwithstanding other provisions of this code, if an applicant requests an extension prior to November 1~~2~~, ~~2024~~ 2026 for an application subject to a version of the Seattle Building Code based on amendments to the 2015 or 2018 International Building Code, and the applicant claims a hardship related to securing construction or permanent financing, the *building official* shall extend the application for 24 months in addition to any extensions authorized under this Section 106.6.10.

Section 3. Section 106.10 of the Seattle Building Code, enacted by Ordinance 127108, is amended as follows:

**106.10 Renewal of permits.** Permits may be renewed and renewed permits may be further renewed by the *building official* if the following conditions are met:

1. Application for renewal is made within the 30-day period immediately preceding the date of expiration of the permit; and
2. If the project has had an associated discretionary Land Use review, the land use approval has not expired; and
3. If an application for renewal is made more than 18 months after the date of mandatory compliance with a new or revised edition of the Seattle Building Code, the permit shall not be renewed unless:

3.1. The *building official* determines that the permit complies, or is modified to comply, with the Seattle Building, Mechanical, Fuel Gas, Energy, Stormwater, Side Sewer and Grading codes in effect on the date of application for renewal; or

3.2. The work authorized by the permit is substantially underway and progressing at a rate approved by the *building official*. “Substantially underway” means that normally required building inspections have been *approved* for work such as foundations, framing, mechanical, insulation and finish work that is being completed on a continuing basis; or

3.3. Commencement or completion of the work authorized by the permit is delayed by litigation, appeals, strikes, or other extraordinary circumstances related to the work authorized by the permit, beyond the permit holder’s control, subject to the approval of the *building official*; or

3.4. The permit was issued under a version of the Seattle Building Code based on amendments to the 2015 or 2018 International Building Code, application for renewal is made prior to November 1~~2~~, ~~2024~~ 2026, and the applicant claims a hardship related to securing construction or permanent financing, in which case the *building official* shall renew the permit for an additional 24 months; and

4. The permit shall not be renewed unless: (a) the *building official* determines that the permit complies, or is modified to comply, with the Seattle Stormwater Code in effect on the date of application for renewal; or (b) construction has started. For purposes of this provision, “started construction” means the site work associated with and directly related to the *approved* project has begun. For example, grading the project site to final grade or utility installation constitutes the start of construction; simply clearing the project site does not.

# Building Permit Extension Legislation



Photo by Tim Durkan



**Seattle** Department of  
Construction & Inspections

Land Use Committee Briefing  
April 2, 2025

# SDCI VISION, PURPOSE, AND VALUES

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- **Our vision is** to set the standard for awesome local government service.
- **Our purpose is** helping people build a safe, livable, and inclusive Seattle.
- **Our values** are equity, respect, quality, integrity, and service.

# SUMMARY OF LEGISLATION

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- Proposal would amend the 2021 Seattle Building Code (SBC) to extend permits for projects vested under 2015 and 2018 codes
- This would allow projects delayed due to economic conditions to proceed
- Similar legislation was passed in 2023 to extend Master Use Permit (MUP) lifespans by a year



# PROPOSAL

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- This legislation would amend the 2021 SBC to permit projects vested under the 2015 and 2018 codes that are experiencing financial hardship by:
  - Providing an additional 24-months to a permit application from the date of the extension request for projects still in review. ~1,100 permits would be able to take advantage of this extension. Without this legislation, they would be subject to cancellation.
  - Allowing a permit to renew for an additional 24-months from the date of the extension request for issued permits. ~1,300 issued permits that will expire prior to Nov 1, 2026 would be able to take advantage of this extension. ~330 permits have had no activity since the end of 2023. Without this legislation, these permits would expire
- This legislation would also create a sunset clause tied to the next Construction Code updates planned for November 2026.

# BACKGROUND

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- There are 15 projects, mostly downtown, that are delayed due to financing.
- These projects represent:
  - \$13.4M in estimated sales tax revenue
  - \$75M in estimated Mandatory Housing Affordability (MHA) Program fees
  - Thousands of housing units
  - Jobs across a variety of trades

**Without this legislation, the permit applications for these projects could be cancelled and the projects abandoned, losing critical housing and tax revenue. Providing the permit extension to these and other SBC permit holders experiencing financial hardship should stimulate development.**

# BUILDING CODE UPDATES

- The Seattle Building Code (SBC) is updated every three years to improve safety and efficiency.
- Changes include:
  - **2018:** Enhanced seismic safety and energy requirements, changes to size of efficiency dwelling units
  - **2021:** Changes to accessibility standards, allowing a broader use of mass timber, elevator out of service and decommissioning requirements, and greater flexibility in the energy code for existing buildings.

***While these updates are important, buildings constructed and vested under the older codes remain safe.***

## 2021 Seattle Building Code

2021 International Building Code®  
as AMENDED by the City of Seattle



# IMPACT & JUSTIFICATION

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- Ensures feasibility of projects, aligning with the Mayor's Downtown Activation Plan.
- Prevents potential loss of critical housing (29,000+ units in progress/approved).
- Provides certainty to developers while maintaining safety standards.

# QUESTIONS?

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Ardel Jala - Building Official, SDCI

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Micah Chappell - Technical Code Development Manager, SDCI

[Micah.Chappell@seattle.gov](mailto:Micah.Chappell@seattle.gov)