



SEATTLE CITY COUNCIL

Select Committee on the Comprehensive Plan Agenda

Wednesday, April 16, 2025

2:00 PM

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

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

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

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SEATTLE CITY COUNCIL
Select Committee on the Comprehensive Plan
Agenda
April 16, 2025 - 2:00 PM

Meeting Location:

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

Committee Website:

<https://www.seattle.gov/council/issues/2025-comprehensive-plan>

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

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 during the meeting. 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 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. 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 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. [CB 120969](#) **AN ORDINANCE relating to land use and zoning; implementing interim controls to comply with various state laws; establishing findings and adopting a workplan for permanent legislation; amending Sections 23.22.062, 23.24.045, 23.34.011, 23.44.006, 23.44.010, 23.44.011, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.044, 23.45.512, 23.45.514, 23.45.518, 23.45.522, 23.45.527, 23.45.529, 23.53.006, 23.53.025, 23.54.015, 23.54.020, 23.54.030, 23.84A.010, 23.84A.025, 23.84A.036, and 25.09.240 of the Seattle Municipal Code.**

Attachments: [Full Text: CB 120969 v1](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Director's Report](#)
[Presentation](#)
[Central Staff Memo \(4/16/25\)](#)

Briefing and Discussion (120 minutes)

Presenters: Asha Venkataraman, Jennifer LaBrecque, and Lish Whitson, Council Central Staff

E. Adjournment



Legislation Text

File #: CB 120969, **Version:** 1

AN ORDINANCE relating to land use and zoning; implementing interim controls to comply with various state laws; establishing findings and adopting a workplan for permanent legislation; amending Sections 23.22.062, 23.24.045, 23.34.011, 23.44.006, 23.44.010, 23.44.011, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.044, 23.45.512, 23.45.514, 23.45.518, 23.45.522, 23.45.527, 23.45.529, 23.53.006, 23.53.025, 23.54.015, 23.54.020, 23.54.030, 23.84A.010, 23.84A.025, 23.84A.036, and 25.09.240 of the Seattle Municipal Code.

The full text of the bill is attached to the legislative file.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; implementing interim controls to comply with various state laws; establishing findings and adopting a workplan for permanent legislation; amending Sections 23.22.062, 23.24.045, 23.34.011, 23.44.006, 23.44.010, 23.44.011, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.044, 23.45.512, 23.45.514, 23.45.518, 23.45.522, 23.45.527, 23.45.529, 23.53.006, 23.53.025, 23.54.015, 23.54.020, 23.54.030, 23.84A.010, 23.84A.025, 23.84A.036, and 25.09.240 of the Seattle Municipal Code.

..body

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

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

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

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

4 WHEREAS, in March 2024, the Washington State Legislature passed Chapter 152, Laws of
5 2024 (also known as House Bill 2321), which clarified standards implemented through
6 House Bill 1110; and

7 WHEREAS, in March 2024, the Washington State Legislature passed Chapter 274, Laws of
8 2024 (also known as Senate Bill 6015), which imposes restrictions on parking
9 requirements; and

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

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

18 WHEREAS, in Spring 2024, the Office of Planning and Community Development held open
19 houses across all seven council districts and received input from residents and community
20 groups over a two-month public comment period on the draft plan and an initial proposal
21 for updating Neighborhood Residential zones; and

22 WHEREAS, in Fall 2024, the Office of Planning and Community Development held open
23 houses across all seven council districts and received input from residents and community

1 groups over a two-month public comment period on a revised proposal for updating
2 Neighborhood Residential zones and draft legislation; and

3 WHEREAS, in January 2025, the Office of Planning and Community Development published a
4 Final Environmental Impact Statement that included analysis of a preferred growth
5 strategy alternative that increased potential housing supply in the city by doubling
6 residential development capacity and that promoted housing supply, variety, and
7 affordability by adding new and expanded areas for growth in neighborhoods across the
8 city;

9 WHEREAS, in February 2025, the Final Environmental Impact Statement was appealed to the
10 Hearing Examiner; NOW, THEREFORE,

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

12 Section 1. The City Council makes the following legislative findings of fact and declares
13 as follows:

14 A. Chapter 322, Laws of 2023, Chapter 333, Laws of 2023, and Chapter 152, Laws of
15 2024, establish a deadline for local jurisdiction compliance of six months after its next periodic
16 comprehensive plan update required under RCW 36.70A.130. The Washington State Department
17 of Commerce has interpreted this deadline to be six months after the statutory deadline
18 established in RCW 36.70A.130. Consistent with this guidance, a compliance deadline for The
19 City of Seattle would be June 30, 2025. The requirements of Chapter 300, Laws of 2021, and
20 Chapter 274, Laws of 2024, are currently in effect.

21 B. The Land Use Code does not fully comply with Chapter 300, Laws of 2021, Chapter
22 322, Laws of 2023, Chapter 333, Laws of 2023, Chapter 152, Laws of 2024, and Chapter 274,
23 Laws of 2024, necessitating amendment of the code to ensure consistency with State law.

1 C. In October 2024, the Washington State Department of Commerce released an updated
2 model ordinance for local implementation of Chapter 322, Laws of 2023.

3 D. Chapter 322, Laws of 2023, stipulates that if a jurisdiction fails to enact development
4 regulations that comply with its requirements by the deadline, that the model ordinance
5 supersedes any non-compliant local development regulations for the purpose of issuance of
6 permits for middle housing development.

7 E. The Final Environmental Impact Statement (FEIS) released by the Office of Planning
8 and Community Development in January 2025 includes analysis of a preferred alternative that
9 implements Chapter 300, Laws of 2021, Chapter 322, Laws of 2023, Chapter 333, Laws of 2023,
10 Chapter 152, Laws of 2024, and Chapter 274, Laws of 2024 through amendments to the City's
11 Comprehensive Plan and zoning regulations.

12 F. Following a 14-day appeal period, six separate appeals of the adequacy of the FEIS
13 were submitted and are currently being considered by the City's Hearing Examiner.

14 G. Consistent with subsection 23.76.062.D and Sections 25.05.055 and 25.05.070 of the
15 Seattle Municipal Code, the City Council may not take action to approve legislation enacting a
16 proposal that is subject to an appeal under the State Environmental Policy Act (SEPA).

17 Resolution of all appeals of the Comprehensive Plan FEIS is not expected until after June 30,
18 2025, which would delay the ability of the City Council to amend the Comprehensive Plan and
19 pass implementing development regulations.

20 H. If the City does not enact interim legislation to meet the requirements of Chapter 322,
21 Laws of 2023, by June 30, 2025, any denial of a permit for development of middle housing that
22 is inconsistent with current development regulations is subject to challenge on the basis that State
23 model code would supersede the City's development regulations. The City would also be subject

1 to potential challenge to any permitting decision related to the requirements of other State
2 legislation cited in subsection 1.B of this ordinance.

3 I. Adopting interim legislation at this time, as an alternative to allowing the State model
4 code to apply automatically, is necessary to ensure that the requirements governing approval of
5 permits for middle housing meet the minimum requirements of Chapter 322, Laws of 2023, and
6 to ensure that regulations for middle housing development are sufficiently clear and complete for
7 the issuance of permits by the City. Interim legislation will also ensure compliance with other
8 new State requirements cited in subsection 1.B of this ordinance.

9 Section 2. The interim development regulations set forth in this ordinance shall be in
10 effect for a period of one year from the effective date of this ordinance and shall automatically
11 expire after the one-year period unless the same is extended as provided by statute, or unless
12 terminated sooner by the City Council.

13 Section 3. Pursuant to RCW 36.70A.390, the Council will hold a public hearing prior to
14 adoption or within 60 days of adoption of this interim zoning legislation to take public testimony
15 and to consider adopting further findings.

16 Section 4. Under RCW 36.70A.390, the Council approves the following work plan for
17 the development of permanent regulations to address the issues in this ordinance and directs the
18 Office of Planning and Community Development to transmit proposed legislation to the Council
19 for adoption after resolution of any appeals under SEPA.

Mayor Transmits Legislation to Council	Anticipated May 2025
Council Deliberations and Public Hearing on Proposed Permanent Controls	Anticipated June through August 2025
Permanent Controls Effective	Anticipated September 2025, subject to date of resolution of SEPA appeals

1 Section 5. Based on the authority of RCW 36.70A.390 and the findings in Section 1 of
2 this ordinance, Section 23.76.062 of the Seattle Municipal Code is waived for the adoption of
3 this ordinance.

4 Section 6. Based on the findings of fact set forth in Section 1 of this ordinance, the City
5 Council may renew these interim regulations for one or more six-month periods in accordance
6 with RCW 36.70A.390.

7 Section 7. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance
8 126157, is amended as follows:

9 **23.22.062 Unit lot subdivisions**

10 * * *

11 G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a
12 different unit lot than the principal unit with which the accessory dwelling unit is associated.

13 Section 8. Section 23.24.045 of the Seattle Municipal Code, last amended by Ordinance
14 126157, is amended as follows:

15 **23.24.045 Unit lot subdivisions**

16 * * *

17 G. Unit lot subdivision shall not result in an accessory dwelling unit that is located on a
18 different unit lot than the principal unit with which the accessory dwelling unit is associated.

19 Section 9. Section 23.34.011 of the Seattle Municipal Code, last amended by Ordinance
20 126509, is amended as follows:

21 **23.34.011 NR1, NR2, and NR3 zones, function, and locational criteria**

22 A. Function. An area that provides (~~predominantly detached single-family structures~~
23 ~~on lot sizes compatible with the existing pattern of development and the character of~~

neighborhood residential areas)) for the development of detached, attached, and stacked dwelling units within a predominately three-story height limit.

* * *

Section 10. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance 126858, is amended as follows:

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in neighborhood residential zones:

A. Single-family dwelling unit;

B. ~~((In RSL zones, apartments))~~ Apartments, carriage houses, cottage housing development, rowhouse development, and townhouse developments;

* * *

Section 11. Section 23.44.010 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.44.010 Minimum lot area and lot coverage

* * *

C. ~~((Maximum lot coverage 1.))~~ The maximum lot coverage permitted for principal and accessory structures is ~~((as provided in Table B for 23.44.010))~~ 50 percent.

((Table B for 23.44.010 Maximum lot coverage		
Zone	Lot size	Maximum lot coverage
NR1, NR2, and NR3	Less than 5,000 square feet	1,000 square feet plus 15 percent of lot area
	5,000 square feet or more	35 percent of lot area
RSL	All lots	50 percent of lot area

~~2. For purposes of computing maximum lot coverage, only those portions of a lot that measure at least 10 feet in all directions shall be included in lot coverage calculations, except~~

1 ~~for portions of a lot that are used for access or that are granted a waiver under subsections~~
2 ~~23.22.100.D, 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.))~~

3 * * *

4 Section 12. Section 23.44.011 of the Seattle Municipal Code, last amended by Ordinance
5 126685, is amended as follows:

6 **23.44.011 Floor area in neighborhood residential zones**

7 A. Gross floor area. In neighborhood residential zones, gross floor area includes exterior
8 corridors, breezeways, and stairways that provide building circulation and access to dwelling
9 units or sleeping rooms. Balconies, patios, and decks that are associated with a single dwelling
10 unit or sleeping room and that are not used for common circulation, and ground-level walking
11 paths, are not considered gross floor area.

12 B. Floor area ratio (FAR) limits.

13 ~~((1. The FAR limit on lots developed with a single family dwelling unit as the~~
14 ~~principal use in NR1, NR2, and NR3 zones, is 0.5, except that lots with less than 5,000 square~~
15 ~~feet of lot area can include up to 2,500 square feet of total chargeable floor area. The applicable~~
16 ~~FAR limit applies to the total chargeable floor area of all structures on the lot.~~

17 ~~2. The FAR limit in RSL zones is 0.75. The applicable FAR limit applies to the~~
18 ~~total chargeable floor area of all structures on the lot.)) The FAR limit in neighborhood
19 residential zones for lots with residential uses is as shown in Table A for 23.44.011. The
20 applicable FAR limit applies to the total chargeable floor area of all structures on the lot.~~

<u>Table A for 23.44.011</u>	
<u>Floor area ratio (FAR) in neighborhood residential zones</u>	
<u>Density (dwelling units per lot size)</u>	<u>FAR</u>
<u>Less dense than 1 unit / 4,000 square feet</u>	<u>0.6 in NR1, NR2, and NR3 zones</u> <u>0.75 in RSL zones</u>
<u>1 unit / 4,000 square feet to 1 unit / 2,201 square feet</u>	<u>0.8</u>

Table A for 23.44.011	
Floor area ratio (FAR) in neighborhood residential zones	
Density (dwelling units per lot size)	FAR
<u>1 unit / 2,200 square feet to 1 unit / 1,601 square feet</u>	<u>1.0</u>
<u>1 unit / 1,600 square feet or denser</u>	<u>1.2</u>

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 3. Common walls separating individual attached dwelling units.

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

15 ~~((D. In NR1, NR2, and NR3 zones, additions to a single family dwelling unit existing on~~
16 ~~the effective date of the ordinance introduced as Council Bill 119544 may exceed the FAR limit~~
17 ~~in subsection 23.44.011.B.1 if the addition adds floor area equal to or less than 20 percent of the~~
18 ~~floor area that existed on the effective date of the ordinance introduced as Council Bill 119544.~~
19 ~~Only one addition to any single family dwelling unit may be exempted under this subsection~~
20 ~~23.44.011.D.))~~

1 Section 13. Section 23.44.012 of the Seattle Municipal Code, last amended by Ordinance
2 126600, is amended as follows:

3 **23.44.012 Height limits**

4 A. Maximum height established. The provisions of this Section 23.44.012 apply in
5 neighborhood residential zones, except as provided elsewhere in the Land Use Code for specific
6 types of structures or structures in particular locations.

7 ~~((1. Except as provided in subsections 23.44.012.A.2 and 23.44.012.A.3, the))~~

8 The maximum permitted height for any structure not located in a required yard is ~~((30))~~ 32 feet.

9 ~~((2. In NR1, NR2, and NR3 zones, the maximum permitted height for any
10 structure on a lot 30 feet or less in width is 25 feet.~~

11 ~~3. In NR1, NR2, and NR3 zones, for a lot or unit lot of any width, if the area of
12 the largest rectangle or other quadrilateral that can be drawn within the lot lines of the lot or unit
13 lot is less than 3,200 square feet the maximum permitted height for any structure on that lot shall
14 be 18 feet. Additional height shall be allowed, subject to the limit that would otherwise apply
15 under subsections 23.44.012.A.1 and 23.44.012.A.2, provided that the elevation at the top of the
16 exterior walls of the structure, exclusive of pitched roofs, does not exceed the average of the
17 elevations at the tops of the walls of single-family residences on abutting lots within the same
18 zone. The limit of this subsection 23.44.012.A.3 shall not apply to additions to single-family
19 residences existing as of February 1, 2013, that do not exceed the greater of 1,000 square feet of
20 new gross floor area or the amount of gross floor area on any one floor of the existing house.))~~

* * *

Section 14. Section 23.44.014 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.44.014 Yards

A. General

1. Yards are required for every lot in a neighborhood residential zone.

2. In the case of a through lot, each yard abutting a street, except a side yard, shall be a front yard. Rear yard provisions shall not apply to the through lot, except pursuant to Section 23.40.030 or 23.40.035.

3. Setbacks from a street or alley may be required in order to meet the provisions of Section 23.53.015.

4. Setbacks from access easements may also be required for principal structures according to the standards in ((subsections ~~23.53.025.C.2 and 23.53.025.D.6~~) subsection 23.53.025.C.6).

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

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

Footnotes to Table A for 23.44.014
¹ – If the natural gradient or slope (as measured from the front line of the lot for a distance of 60 feet or the full depth of the lot, whichever is less) is in excess of 35 percent, the required front yard depth shall be the lesser of: 20 feet less 1 foot for each one percent of gradient or

~~slope in excess of 35 percent; or the average of the front yards on either side.
² If the rear lot line abuts an alley, the centerline of the alley between the side lot lines extended shall be assumed to be the rear lot line for purposes of the provision of rear yard and the determination of lot depth; provided, that at no point shall the principal structure be closer than 5 feet to the alley.
³ In the case of a reversed corner lot, the key lot of which is in a neighborhood residential zone, the width of the side yard on the street side of the reversed corner lot shall not be less than 10 feet.
⁴ If any side street lot line is a continuation of the front lot line of an abutting neighborhood residential zoned lot, whether or not separated by an alley, the width of the street side yard shall not be less than 10 feet.
⁵ No side yard is required from a side lot line that abuts an alley.))~~

1

Table A for 23.44.014
Required yards in neighborhood residential zones

<u>Front</u>	<u>10 feet</u>
<u>Rear</u>	<u>10 feet except that if the rear yard abuts an alley, no rear yard is required ¹</u>
<u>Side</u>	<u>5 feet, except that if the side yard abuts an alley, no side yard is required ¹</u>

Footnote for Table A for 23.44.090

¹ On a reversed corner lot in a neighborhood residential zone, the yard on the side street lot line shall be 10 feet and the rear yard is 5 feet.

2

3

* * *

4

Section 15. Section 23.44.016 of the Seattle Municipal Code, last amended by Ordinance

5

127099, is amended as follows:

6

23.44.016 - Parking and garages

7

* * *

8

D. Parking and garages in required yards. Parking and garages are regulated as described

9

in subsections 23.44.016.D.1 through 23.44.016.D.12. Unless otherwise specified, the terms

1 "garage" or "garages" as used in this subsection 23.44.016.D refer to both attached and detached
2 garages.

3 1. Parking and garages shall not be located (~~(in the required front yard)~~) within 20
4 feet of a front lot line except as provided in subsections 23.44.016.D.7, 23.44.016.D.9,
5 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

6 2. Parking and garages shall not be located in a required side yard abutting a street
7 or the first 10 feet of a required rear yard abutting a street except as provided in subsections
8 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.

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

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

15 b. An agreement between the owners of record of the abutting properties,
16 authorizing the garage in that location, is executed and recorded, pursuant to subsection
17 23.44.014.C.2.a.

18 4. Detached garages with vehicular access facing an alley shall not be located
19 within 12 feet of the centerline of the alley except as provided in subsections 23.44.016.D.9,
20 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

21 5. Attached garages shall not be located within 12 feet of the centerline of any
22 alley, nor within 12 feet of any rear lot line that is not an alley lot line, except as provided in
23 subsections 23.44.016.D.9, 23.44.016.D.10, 23.44.016.D.11, and 23.44.016.D.12.

1 6. 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 apply.

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

11 9. Lots with uphill yards abutting streets. In NR1, NR2, and NR3 zones, parking
12 for one two-axle or one up to four-wheeled vehicle may be established in a required yard

1 abutting a street according to subsection 23.44.016.D.9.a or 23.44.016.D.9.b only if access to
2 parking is permitted through that yard pursuant to subsection 23.44.016.B.

3 a. Open parking space

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

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

10 3) The parking space shall be no wider than 10 feet for one parking
11 space at the parking surface and no wider than 20 feet for two parking spaces if permitted as
12 provided in subsection 23.44.016.D.12.

13 b. Terraced garage

14 1) The height of a terraced garage is limited to no more than 2 feet
15 above existing or finished grade, whichever is lower, for the portions of the garage that are 10
16 feet or more from the street lot line. The ridge of a pitched roof on a terraced garage may extend
17 up to 3 feet above this 2-foot height limit. All parts of the roof above the 2-foot height limit shall
18 be pitched at a rate of not less than 4:12. No portion of a shed roof shall be permitted to extend

1 beyond the 2-foot height limit of this provision. Portions of a terraced garage that are less than 10
2 feet from the street lot line shall comply with the height standards in subsection 23.44.016.E.2;

3 2) The width of a terraced garage structure shall not exceed 14 feet
4 for one two-axle or one up to four-wheeled vehicle, or 24 feet if permitted to have two two-axle
5 or two up to four-wheeled vehicles as provided in subsection 23.44.016.D.12;

6 3) All above ground portions of the terraced garage shall be
7 included in lot coverage; and

8 4) The roof of the terraced garage may be used as a deck and shall
9 be considered to be a part of the garage structure even if it is a separate structure on top of the
10 garage.

11 10. Lots with downhill yards abutting streets. In NR1, NR2, and NR3 zones,
12 parking, either open or enclosed in an attached or detached garage, for one two-axle or one up to

1 four-wheeled vehicle may be located in a required yard abutting a street if the following
2 conditions are met:

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

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

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

9 d. Parking in a rear yard complies with subsections 23.44.016.D.2,
10 23.44.016.D.5 and 23.44.016.D.6; and

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

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

20 12. Lots with uphill yards abutting streets or downhill or through lot front yards
21 fronting on streets that prohibit parking. In NR1, NR2, and NR3 zones, parking for two two-axle
22 or two up to four-wheeled vehicles may be located in uphill yards abutting streets or downhill or
23 through lot front yards as provided in subsections 23.44.016.D.9, 23.44.016.D.10, or

1 23.44.016.D.11 if, in consultation with the Seattle Department of Transportation, it is found that
2 uninterrupted parking for 24 hours is prohibited on at least one side of the street within 200 feet
3 of the lot line over which access is proposed. The Director may authorize a curb cut wider than
4 would be permitted under Section 23.54.030 if necessary, for access.

5 * * *

6 Section 16. Section 23.44.017 of the Seattle Municipal Code, last amended by Ordinance
7 126685, is amended as follows:

8 **23.44.017 Density limits**

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

14 B. The following provisions apply in RSL zones:

15 1. The minimum lot area per principal dwelling unit is 2,000 square feet.

16 2. (~~Except as provided in subsection 23.44.017.B.3, when calculation of the~~
17 ~~number of dwelling units allowed according to subsection 23.44.017.B.1 results in a fraction of a~~
18 ~~unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over~~
19 ~~0.85 constitutes one additional unit.~~

20 3.)) For lots in existence on April 19, 2019, if the number of dwelling units
21 allowed according to subsection 23.44.017.B.1 equals less than two, two units are allowed.

22 C. Lot density exceptions for lots that do not contain any riparian corridors; wetlands and
23 their buffers; submerged lands and areas within the shoreline setback; or designated non-

1 disturbance area in steep slopes. For the purposes of this subsection 23.44.017.C, dwelling units
2 include both principal and accessory dwelling units.

3 1. A lot located more than one-quarter mile walking distance away from a major
4 transit stop may be developed with up to four dwelling units if the lot meets the following
5 criteria:

6 a. The lot was in existence as a legal building site prior to March 28,
7 2025;

8 b. The lot has not been divided through a subdivision or short
9 subdivision since March 28, 2025; and

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

13 2. A lot located within one-quarter mile walking distance of a major transit stop
14 may be developed with up to six units if the lot meets the following criteria:

15 a. The lot was in existence prior to March 28, 2025;

16 b. The lot has not been divided through a subdivision or short
17 subdivision since March 28, 2025; and

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

21 3. Notwithstanding subsection 23.44.017.C.1, a lot located more than one-quarter
22 mile walking distance away from a major transit stop may be developed with up to six units if
23 the lot meets the following criteria:

1 a. The lot was in existence as a legal building site prior to March 28,
2 2025;

3 b. The lot has not been divided through a subdivision or short
4 subdivision since March 28, 2025;

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

8 d. A regulatory agreement, covenant, or other legal instrument, recorded
9 on the title of the property and enforceable by the City of Seattle, ensures affordability for
10 income-eligible households for 50 years in at least two dwelling units as follows:

11 1) For rental housing, restricted units serving households with
12 incomes no higher than 60 percent of median income at initial occupancy and with rents not
13 exceeding 30 percent of 60 percent of median income; or

14 2) For ownership housing, restricted units sold to households with
15 incomes no higher than 80 percent of median income at prices (initial sale and resale) that allow
16 modest growth in homeowner equity while maintaining long-term affordability for income-
17 eligible buyers, as determined by the Director of Housing;

18 e. The low-income units must be generally distributed throughout the
19 development and have substantially the same functionality as unrestricted units in the
20 development;

21 f. To the extent practicable, the low-income units must be comparable to
22 the unrestricted units in terms of square footage and number of bedrooms and bathrooms;

1 g. Tenure (i.e., rental or ownership) of low-income units and unrestricted
2 units must be the same;

3 h. The regulatory agreement, covenant, or other legal instrument must
4 contain criteria and policies to maintain public benefit if the property is demolished or converted
5 to a non-residential use;

6 i. For ownership developments, the low-income units must be stewarded
7 by a qualified non-profit organization including:

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

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

14 j. For purposes of this subsection 23.44.017.C.3, qualified non-profit
15 organization means a non-profit organization that the Office of Housing determines as
16 experienced in the development and stewardship of permanently affordable homes;

17 k. At such times as may be required by the Director of Housing but no less
18 than annually, the property owner for rental housing or the qualified non-profit organization for
19 ownership housing must file property reports with the Office of Housing, verified upon oath or
20 affirmation, which shall contain such information as the Office of Housing may deem necessary
21 to determine compliance with this subsection 23.44.017.C.3 and the regulatory agreement,
22 covenant, or legal instrument according to subsection 23.44.017.C.3.e; and

1 1. In RSL zones that have a mandatory housing affordability suffix, the
2 dwelling units for which the regulatory agreement, covenant, or other legal instrument required
3 by subsection 23.44.017.C.3.e ensures affordability as required by that subsection shall be
4 counted towards any obligation to provide MHA-R units according to subsection 23.58C.050.A.

5 D. Lot density exceptions for lots that do contain any riparian corridors; wetlands and
6 their buffers; submerged lands and areas within the shoreline setback; or designated non-
7 disturbance area in steep slopes. For lots that contain any riparian corridors, wetlands and their
8 buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance
9 area in steep slopes, applicants may choose to develop the lot with the number of dwelling units
10 provided in the density limits in subsections 23.44.017.A and 23.44.017.B or with the number of
11 principal and accessory dwelling units calculated as follows:

12 1. Determine the number of units that would be allowed under subsection
13 23.44.017.C if no environmentally critical areas were located on the lot;

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

17 3. Calculate the number of dwelling units by multiplying the number of units
18 determined in subsection 23.44.017.D.1 by the percentage of the lot calculated in subsection
19 23.44.017.D.2.

20 E. Measurement of minimum lot size and maximum density

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

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

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

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

7 F. For the purpose of this Section 23.44.017, designated non-disturbance area in steep
8 slopes shall include all portions of steep slope hazard areas except the following:

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

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

13 3. Areas where development is allowed under an administrative conditional use
14 according to Section 25.09.260; and

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

17 Section 17. Section 23.44.044 of the Seattle Municipal Code, last amended by Ordinance
18 124378, is amended as follows:

19 **23.44.044 Swimming pools**

20 Private, permanent swimming pools, hot tubs and other similar uses are permitted as accessory
21 uses to a ~~((single family))~~ residential structure subject to the following specific development
22 standards:

1 A. Private, permanent swimming pools, hot tubs and other similar uses over 18 inches
2 above existing grade are subject to the development standards for accessory uses.

3 B. Private, permanent swimming pools, hot tubs and other similar uses projecting not
4 more than 18 inches above existing grade shall not be counted in lot coverage.

5 C. Private, permanent swimming pools, hot tubs and other similar uses may be placed in
6 a required front or rear yard, provided that:

7 1. No part of the structure shall project more than 18 inches above existing lot
8 grade in a required front yard; and

9 2. No part of the structure shall be placed closer than 5 feet to any front or side lot
10 line.

11 Section 18. Section 23.45.512 of the Seattle Municipal Code, last amended by Ordinance
12 126855, is amended as follows:

13 **23.45.512 Density limits and ~~((family-size unit requirements))~~ minimum lot size —LR zones**

14 A. Density limits

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

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

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

21 ~~2. Development described in subsection 23.45.512.A.1))~~

22 1. Except as provided in subsection 23.45.512.A.2 and 23.45.512.C, attached
23 and detached dwelling units in LR1 zones and all units in LR zones that do not have a

1 mandatory housing affordability suffix shall not exceed a density of one dwelling unit per
2 1,150 square feet of lot area(~~(, except that apartments in LR3 zones that do not have a~~
3 ~~mandatory housing affordability suffix shall not exceed a density limit of one dwelling unit per~~
4 ~~800 square feet)).~~

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

8 4.)) 2. Low-income housing shall have a maximum density of one dwelling unit
9 per 400 square feet of lot area.

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

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

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

17 B. The minimum lot size for lots created through a subdivision process is the lot size
18 necessary to allow a density of one unit.

19 C. Exceptions to density limit. For the purposes of this subsection 23.45.512.C, dwelling
20 units include both principal and accessory dwelling units.

21 1. At least one unit is allowed on all lots existing as of March 28, 2025.

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

4 ~~((D.))~~ 3. Dwelling unit(s) located in structures built prior to January 1, 1982~~((;~~
5 ~~as single-family dwelling units))~~ that will remain in residential use are exempt from the density
6 ~~((limits))~~ limit described in subsection 23.45.512.A.

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

9 4. A lot that does not meet the minimum size necessary for four dwelling units
10 under subsection 23.45.512.A may be developed with up to four dwelling units if:

11 a. The lot was in existence as a legal building site prior to March 28,
12 2025;

13 b. The lot has not been divided through a subdivision or short
14 subdivision since March 28, 2025; and

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

18 5. Notwithstanding subsection 23.45.512.C.4, a lot that does not meet the
19 minimum size necessary for six units under subsection 23.45.512.A may be developed with up
20 to six units if the lot meets the following criteria:

21 a. The lot is located within one-quarter mile walking distance of a major
22 transit stop;

1 b. The lot was in existence as a legal building site prior to March 28,
2 2025;

3 c. The lot has not been divided through a subdivision or short
4 subdivision since March 28, 2025; and

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

8 6. Notwithstanding subsection 23.45.512.C.4, a lot that does not meet the
9 minimum size necessary for six units under subsection 23.45.512.A may be developed with up
10 to six units if the lot meets the following criteria:

11 a. The lot is located more than one-quarter mile walking distance of a
12 major transit stop;

13 b. The lot was in existence as a legal building site prior to March 28,
14 2025;

15 c. The lot has not been divided through a subdivision or short
16 subdivision since March 28, 2025;

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

20 e. A regulatory agreement, covenant, or other legal instrument, recorded
21 on the title of the property and enforceable by The City of Seattle, ensures affordability for
22 income-eligible households for 50 years in at least two dwelling units as follows:

1 1) For rental housing, restricted units serving households with
2 incomes no higher than 60 percent of median income at initial occupancy and with rents not
3 exceeding 30 percent of 60 percent of median income; or

4 2) For ownership housing, restricted units sold to households with
5 incomes no higher than 80 percent of median income at prices (initial sale and resale) that allow
6 modest growth in homeowner equity while maintaining long-term affordability for income-
7 eligible buyers, all as determined by the Director of Housing;

8 f. The low-income units must be generally distributed throughout the
9 development and have substantially the same functionality as unrestricted units in the
10 development;

11 g. To the extent practicable, the low-income units must be comparable to
12 unrestricted units in terms of square footage and number of bedrooms and bathrooms;

13 h. Tenure (i.e., rental or ownership) of low-income units and unrestricted
14 units must be the same;

15 i. The regulatory agreement, covenant, or other legal instrument must
16 contain criteria and policies to maintain public benefit if the property is demolished or converted
17 to a non-residential use;

18 j. For ownership developments, the low-income units must be stewarded
19 by a qualified non-profit organization including:

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

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

4 k. For purposes of this subsection 23.45.512.C.6, qualified non-profit
5 organization means a non-profit organization that the Office of Housing determines as
6 experienced in the development and stewardship of permanently affordable homes;

7 l. At such times as may be required by the Director of Housing but no less
8 than annually, the property owner for rental housing or the qualified non-profit organization for
9 ownership housing must file property reports with the Office of Housing, verified upon oath or
10 affirmation, which shall contain such information as the Office of Housing may deem necessary
11 to determine compliance with this subsection 23.45.512.C.6 and the regulatory agreement,
12 covenant, or legal instrument according to subsection 23.45.512.C.6.e; and

13 m. In zones that have a mandatory housing affordability suffix, the
14 dwelling units for which the regulatory agreement, covenant, or other legal instrument required
15 by subsection 23.45.512.C.6.e ensures affordability as required by that subsection shall be
16 counted towards any obligation to provide MHA-R units according to subsection 23.58C.050.A.

17 7. For lots that contain any riparian corridors, wetlands and their buffers,
18 submerged lands and areas within the shoreline setback, or designated non-disturbance area in
19 steep slopes, applicants may choose the density limits in subsection 23.45.512.A or develop the
20 lot with the number of principal and accessory dwelling units as follows:

21 a. Determine the number of units that would be allowed under
22 subsections 23.45.512.C.4 through 23.45.512.C.6 if no environmentally critical areas were
23 located on the lot;

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

4 c. Calculate the number of dwelling units by multiplying the number of
5 units determined in subsection 23.45.512.C.7.a by the percentage of the lot calculated in
6 subsection 23.45.512.C.7.b.

7 ~~((F.))~~ 8. Adding units to existing structures

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

13 ~~((2.))~~ b. For the purposes of this subsection (~~23.45.512.F))~~
14 23.45.512.C.8, "existing residential structures" are those that were established under permit as
15 of October 31, 2001, or for which a permit has been granted and the permit has not expired as
16 of October 31, 2001.

17 D. Measurement of minimum lot size and maximum density

18 1. When density calculations result in a fraction of a unit, any fraction up to and
19 including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one
20 additional unit.

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

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

3 4. When calculating maximum density, the number of dwelling units shall
4 include accessory dwelling units and principal dwelling units.

5 E. For the purpose of this Section 23.45.512, designated non-disturbance area in steep
6 slopes shall include all portions of steep slope hazard areas except the following:

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

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

11 3. Areas where development is allowed under an administrative conditional use
12 according to Section 25.09.260; and

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

15 Section 19. Section 23.45.514 of the Seattle Municipal Code, last amended by Ordinance
16 126685, is amended as follows:

17 **23.45.514 - Structure height**

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

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

Housing type	LR1	LR2	LR3 outside urban centers, urban villages, and Station Area Overlay Districts	LR3 in urban centers, urban villages, and Station Area Overlay Districts
Cottage housing developments	22	22	22	22
Rowhouse and townhouse developments	((30)) <u>32</u>	40 ¹	40 ¹	50 ¹
Apartments	((30)) <u>32</u>	40 ¹	40 ¹	50 ²

Footnotes for Table A for 23.45.514

¹ Except that the height limit is ~~((30))~~ 32 feet in zones without a mandatory housing affordability suffix.

² Except that the height limit is 40 feet in zones without a mandatory housing affordability suffix.

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* * *

Section 20. Section 23.45.518 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.45.518 Setbacks (~~and separations~~)

A. LR zones

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

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

All LR zones	Category of residential use			
Setback	Cottage housing developments and single-family dwelling units	Rowhouse developments	Townhouse developments	Apartments
Front	7 average; 5 minimum	5 minimum	7 average; 5 minimum	5 minimum
Rear	0 with alley; 7 if no alley	0 with alley; With no alley: 7 average; 5 minimum	7 average; 5 minimum	10 minimum with alley; 15 minimum if no alley
Side setback for facades 40 feet or less in length ¹	5	0 where abutting another rowhouse development ² ; otherwise 3.5; except that on side lot lines that abut a neighborhood residential zone, the setback is 5	5	5
Side setback for facades greater than 40 feet in length ³	5 minimum	0 where abutting another rowhouse development ² ; otherwise 3.5; except that on side lot lines that abut a neighborhood residential zone, the setback is 7 average; 5 minimum	7 average; 5 minimum	7 average; 5 minimum

Footnotes to Table A for 23.45.518

¹—Additions to existing nonconforming structures built prior to April 11, 2011, shall be set back a sufficient distance so that the addition complies with setback standards. For any portion of a structure built before April 11, 2011, the average setback applies only to a new addition

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

All LR zones	Category of residential use
-------------------------	--

~~built after that date. If an addition is to a side wall extended vertically, the existing side wall line may be continued by the addition, provided that the average setback of 7 feet or the 5-foot minimum setback is met.~~

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

~~³ Portions of structures that qualify for the FAR exemption in subsection 23.45.510.D.5 are not considered part of the facade length for the purposes of determining the side setback requirement.))~~

1

**Table A for 23.45.518
 Required setbacks in LR zones**

<u>Front</u>	<u>7 feet average, 5 feet minimum</u>
<u>Rear</u>	<u>If rear lot line abuts an alley, 0 feet Otherwise, 7 feet average, 5 feet minimum</u>
<u>Side</u>	<u>5 feet</u>

2

2. Upper-level setbacks in LR2 and LR3 zones

3

a. An upper-level setback of 12 feet from the front lot line is required for

4

all portions of a structure above the following height:

5

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

6

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

7

b. An upper-level setback of 12 feet from each side or rear lot line that

8

abuts a lot zoned (~~(single-family))~~ neighborhood residential is required for all portions of the

9

structure above 34 feet in height.

1 c. Projections allowed in subsection 23.45.518.H are allowed in upper-
2 level setbacks.

3 d. Structures allowed in subsection 23.45.518.I are not allowed in upper-
4 level setbacks.

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

7 1) A pitched roof, other than a shed roof or butterfly roof, is
8 allowed in the upper-level setback if all parts of the roof are pitched at a rate of not less than
9 6:12 and not more than 12:12.

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

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

14 * * *

15 F. Separations between multiple structures

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

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

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

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

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

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

9 * * *

10 J. Exceptions for existing ~~((single-family))~~ structures

11 1. In all multifamily zones, certain additions to a ~~((single-family dwelling unit))~~
12 residential structure may extend into a required side setback if the structure is already
13 nonconforming with respect to that setback, and if the presently nonconforming section is at
14 least 60 percent of the total width of the respective facade of the structure prior to the addition.
15 The line formed by the nonconforming wall of the structure shall be the limit to which any
16 additions may be built, which may extend up to the height limit and may include basement
17 additions (Exhibit D for 23.45.518), provided that additions shall be at least 3 feet from the
18 side lot line.

19 2. An existing single-family dwelling unit in a LR zone may be converted to a
20 multifamily use without conforming to setback standards ~~((for apartments))~~ in subsection
21 23.45.518.A, provided that the building envelope is not changed. For the purposes of this
22 subsection 23.45.518.J.2, "existing single-family dwelling unit" is one that was established

1 under permit as of October 31, 2001, or for which a permit has been granted and the permit has
2 not expired on October 31, 2001.

3 * * *

4 Section 21. Section 23.45.522 of the Seattle Municipal Code, last amended by Ordinance
5 126157, is amended as follows:

6 **23.45.522 Amenity area**

7 A. Amount of amenity area (~~required for rowhouse and townhouse developments and~~
8 ~~apartments in LR zones~~))

9 1. The required amount of amenity area (~~for rowhouse and townhouse~~
10 ~~developments and apartments~~)) in LR zones is equal to 25 percent of the lot area.

11 (~~2. A minimum of 50 percent of the required amenity area shall be provided at~~
12 ~~ground level, except that amenity area provided on the roof of a structure that meets the~~
13 ~~provisions of subsection 23.45.510.D.5 may be counted as amenity area provided at ground~~
14 ~~level.~~

15 3. ~~For rowhouse and townhouse developments, amenity area required at ground~~
16 ~~level may be provided as either private or common space.~~

17 4. ~~For apartments, amenity area required at ground level shall be provided as~~
18 ~~common space.~~))

19 2. In LR zones, a minimum of 50 percent of the required amenity area shall be
20 provided at ground level or within 4 feet of existing grade.

21 (~~B. Amenity area requirements for cottage housing developments in all multi-family~~
22 ~~zones~~

23 1. ~~A minimum of 300 square feet of amenity area is required for each cottage.~~

1 ~~2. A minimum of 150 square feet of amenity area is required for each carriage~~
2 ~~house.~~

3 ~~3. The required quantity shall be allocated as follows:~~

4 ~~a. Half of the amenity area required for each cottage, and all of the~~
5 ~~amenity area required for each carriage house, shall be provided as common amenity area; and~~

6 ~~b. Half of the amenity area required for each cottage shall be provided as~~
7 ~~private amenity area for that unit.~~

8 ~~4. The required common amenity area may be divided into no more than two~~
9 ~~separate areas and shall:~~

10 ~~a. have cottages or carriage houses abutting on at least two sides;~~

11 ~~b. be in a location central to the cottage housing development; and~~

12 ~~c. have no horizontal dimension of less than 10 feet.~~

13 ~~5. Carriage houses shall have stairs that provide access to the common amenity~~
14 ~~area.~~

15 ~~C. Amount of amenity area required in MR and HR zones.))~~ The required amount of
16 amenity area in MR and HR zones is equal to ~~((5))~~ five percent of the total gross floor area of a
17 residential structure ~~((in residential use, except that cottage housing developments shall meet~~
18 ~~the standards in subsection 23.45.522.B.~~

19 ~~D.))~~ B. General requirements. Required amenity areas shall meet the following
20 conditions:

21 1. All units shall have access to a common or private amenity area.

22 2. Enclosed amenity areas

23 a. In LR zones, an amenity area shall not be enclosed within a structure.

1 b. In MR and HR zones, (~~except for cottage housing,~~) no more than 50
2 percent of the amenity area may be enclosed, and this enclosed area shall be provided as
3 common amenity area.

4 3. Projections into amenity areas. Structural projections that do not provide floor
5 area, such as garden windows, may extend up to 2 feet into an amenity area if they are at least
6 8 feet above finished grade.

7 4. Private amenity areas

8 a. There is no minimum dimension for private amenity areas, except that
9 if a private amenity area is located between the structure and a side lot line that is not a side
10 street lot line, the minimum horizontal dimension shall be measured from the side lot line and
11 is required to be a minimum of 10 feet.

12 b. An unenclosed porch that is a minimum of 60 square feet in size and
13 that faces a street or a common amenity area may be counted as part of the private amenity
14 area for the (~~rowhouse, townhouse, or cottage~~) residential structure to which it is attached.

15 5. Common amenity areas (~~for rowhouse and townhouse developments and~~
16 ~~apartments~~) shall meet the following conditions:

17 a. No common amenity area shall be less than 250 square feet in area,
18 and common amenity areas shall have a minimum horizontal dimension of 10 feet.

19 b. Common amenity areas shall be improved as follows:

20 1) At least 50 percent of a common amenity area provided at
21 ground level shall be landscaped with grass, ground cover, bushes, bioretention facilities,
22 and/or trees.

1 2) Elements that enhance the usability and livability of the space
2 for residents, such as seating, outdoor lighting, weather protection, art, or other similar
3 features, shall be provided.

4 c. The common amenity area (~~required~~) at ground level (~~for~~
5 ~~apartments~~) shall be accessible to all (~~apartment~~) dwelling units.

6 6. Parking areas, vehicular access easements, and driveways do not qualify as
7 amenity areas, except that a woonerf may provide a maximum of 50 percent of the amenity
8 area if the design of the woonerf is approved through a design review process pursuant to
9 Chapter 23.41.

10 7. Swimming pools, spas, and hot tubs may be counted toward meeting the
11 amenity area requirement.

12 8. Rooftop areas excluded because they are near minor communication utilities
13 and accessory communication devices, pursuant to subsection 23.57.011.C.1, do not qualify as
14 amenity areas.

15 ~~((E.))~~ C. No amenity area is required for ~~((a))~~ one dwelling unit added to a ~~((single-~~
16 ~~family dwelling unit))~~ residential structure existing as of January 1, 1982, ~~((or for one new~~
17 ~~dwelling unit added to a multifamily residential use existing as of October 10, 2001))~~ provided
18 that no dwelling units have been added since that date.

19 Section 22. Section 23.45.527 of the Seattle Municipal Code, last amended by Ordinance
20 126509, is amended as follows:

21 **23.45.527 Structure width and façade length limits in LR zones**

22 A. Structure width in LR zones may not exceed ~~((the width indicated on Table A for~~
23 ~~23.45.527))~~ 90 feet in LR1 and LR2 zones and 150 feet in LR3 zones.

1 ~~((Table A for 23.45.527: Maximum Structure Width in LR zones in feet~~

Zone	Width in feet by Category of Residential Use		
	Cottage Housing and Rowhouse Developments	Townhouse Developments	Apartments
LR1	No limit	60	45
LR2	No limit	90	90
LR3 outside Urban Villages, Urban Centers or Station Area Overlay Districts	No limit	120	120
LR3 inside Urban Villages, Urban Centers or Station Area Overlay Districts	No limit	150	150))

2 B. Maximum façade length in Lowrise zones. ~~((1-))~~ The maximum combined length of
 3 all portions of façades within 15 feet of a lot line that is neither a rear lot line nor a street or
 4 alley lot line shall not exceed 65 percent of the length of that lot line ~~((, except as specified in~~
 5 ~~subsection 23.45.527.B.2.~~

6 ~~2. For a rowhouse development on a lot that abuts the side lot line of a lot in a~~
 7 ~~neighborhood residential zone, the maximum combined length of all portions of façades within~~
 8 ~~15 feet of the abutting side lot line is 40 feet)).~~

9 Section 23. Section 23.45.529 of the Seattle Municipal Code, last amended by Ordinance
 10 127099, is amended as follows:

11 **23.45.529 Design standards**

12 A. Intent. The intent of the design standards in this Section 23.45.529 is to:

1 1. Enhance street-facing and side facades to provide visual interest, promote
2 new development that contributes to an attractive streetscape, and avoid the appearance of
3 blank walls along a street or adjacent residential property;

4 2. Foster a sense of community by integrating new pedestrian-oriented
5 multifamily development with the neighborhood street environment and promoting designs
6 that allow easy surveillance of the street by area residents;

7 3. Promote livability in multifamily areas by providing a sense of openness and
8 access to light and air; and

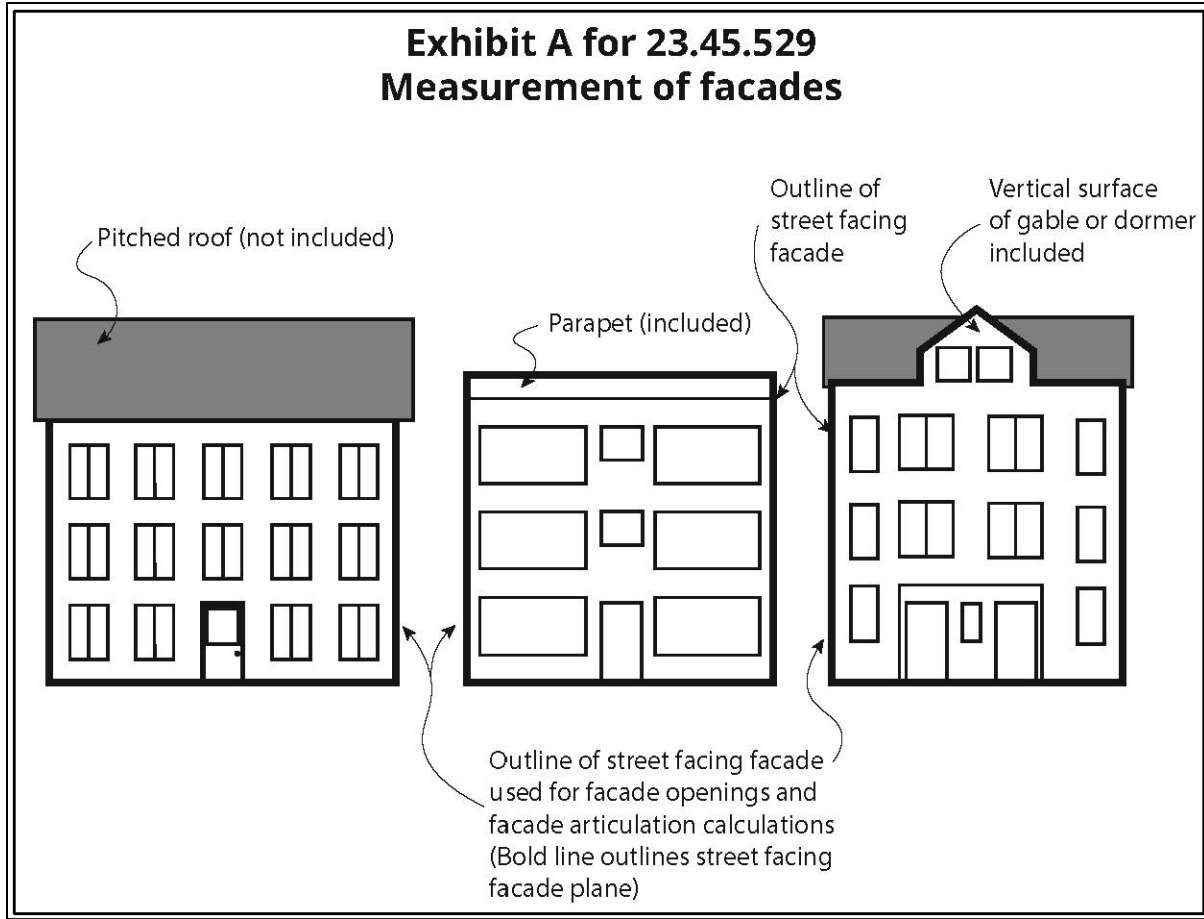
9 4. Encourage the compatibility of a variety of housing types with the scale and
10 character of neighborhoods where new multifamily development occurs.

11 B. Application of provisions. The provisions of this Section 23.45.529 apply to all
12 residential uses that do not undergo any type of design review pursuant to Chapter 23.41 ((;
13 ~~except single family dwelling units~~)).

14 C. Treatment of street-facing facades. For the purposes of this subsection 23.45.529.C,
15 a street-facing facade includes all vertical surfaces enclosing interior space, including gables
16 and dormers, as shown in Exhibit A for 23.45.529.

17 **Exhibit A for 23.45.529**

18 **Measurement of facades**



1

2 ~~((1.))~~ D. Facade openings

3

4

~~((a.))~~ 1. At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors, except as provided in subsection ~~((23.45.529.C.1.b))~~ 23.45.529.D.2.

5

6

If a front and side facade are street-facing, the two facades may be combined for the purpose of this calculation.

7

8

~~((b.))~~ 2. For any rowhouse or townhouse dwelling unit that has both a front and a side facade that are street-facing, the percentage of the side street-facing facade required to consist of windows and/or doors is reduced to ten percent for the portion of the facade

9

10

associated with that dwelling unit. This reduction to ten percent is not allowed if the facades

1 are combined for the purpose of this standard pursuant to subsection ~~((23.45.529.C.1.a))~~
2 23.45.529.D.1 ~~((or if any of the exceptions in subsection 23.45.529.C.3 are applied)).~~

3 ~~((e.))~~ 3. Windows count toward the requirement for facade openings in this
4 subsection ~~((23.45.529.C.1))~~ 23.45.529.D only if they are transparent. Windows composed of
5 glass blocks or opaque glass, garage doors, and doors to utility and service areas do not count.

6 ~~((2. Facade articulation~~

7 ~~a. If a street-facing facade or portion of a street-facing facade is not~~
8 ~~vertical, the Director shall determine whether the facade is substantially vertical and required~~
9 ~~to comply with this subsection 23.45.529.C.~~

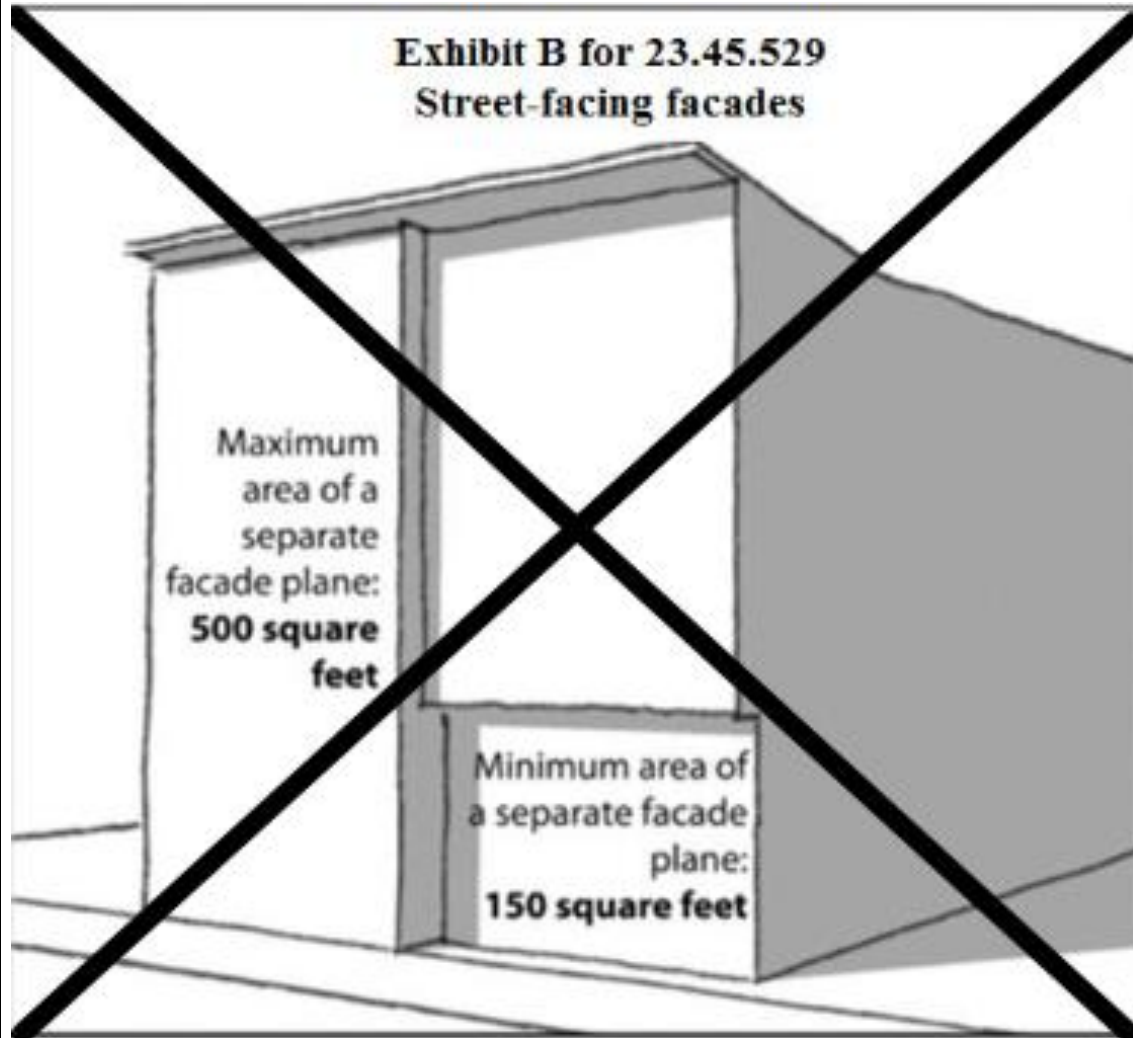
10 ~~b. If the street-facing facade of a structure exceeds 750 square feet in~~
11 ~~area, division of the facade into separate facade planes is required (see Exhibit B for~~
12 ~~23.45.529).~~

13 ~~c. In order to be considered a separate facade plane for the purposes of~~
14 ~~this subsection 23.45.529.C.2, a portion of the street-facing facade shall have a minimum area~~
15 ~~of 150 square feet and a maximum area of 500 square feet, and shall project or be recessed~~
16 ~~from abutting facade planes by a minimum depth of 18 inches.~~

17 ~~d. Trim that is a minimum of 0.75 inches deep and 3.5 inches wide is~~
18 ~~required to mark roof lines, porches, windows, and doors on all street-facing facades.~~

1 ~~Exhibit B for 23.45.529~~

2 ~~Street-facing facades~~



3
4 3. The Director may allow exceptions to the facade opening requirements in
5 subsection 23.45.529.C.1 and the facade articulation requirements in subsection 23.45.529.C.2,
6 if the Director determines that the street-facing facade will meet the intent of subsection
7 23.45.529.A.1 for all housing types, and, as applicable, the intent of subsections 23.45.529.E.2,
8 23.45.529.F.3, and 23.45.529.G.4 for cottage housing developments, rowhouse developments,
9 and townhouse developments, respectively, through one or more of the following street-facing
10 facade treatments:

1 a. ~~Variations in building materials and/or color, or both, that reflect the~~
2 ~~stacking of stories or reinforce the articulation of the facade;~~

3 b. ~~Incorporation of architectural features that add interest and dimension~~
4 ~~to the facade, such as porches, bay windows, chimneys, pilasters, columns, cornices, and/or~~
5 ~~balconies;~~

6 c. ~~Special landscaping elements provided to meet Green Factor~~
7 ~~requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated~~
8 ~~walls covering a minimum of 25 percent of the facade surface;~~

9 d. ~~Special fenestration treatment, including an increase in the percentage~~
10 ~~of windows and doors to at least 25 percent of the street-facing facade(s).))~~

11 ((D-)) E. Treatment of side facades that are not street-facing. For the purposes of this
12 subsection 23.45.529.D, a side facade that is not street-facing includes all vertical surfaces
13 enclosing interior space, including gables and dormers, as shown in Exhibit A for 23.45.529, if
14 located within 10 feet of a side lot line. ((4-)) If the side facade of a structure that is not street-
15 facing exceeds 1,000 square feet in area, one of the following must be met:

16 ((a-)) 1. A portion of the side facade with a minimum area of 250 square feet and
17 a maximum area of 750 square feet shall project or be recessed from abutting facade planes by
18 a minimum depth of 18 inches; or

19 ((b-)) 2. The side facade shall include vertical or horizontal variations in
20 building materials or color, covering a minimum of 25 percent of the facade surface.

21 ((2- Structures shall be designed to maintain the privacy of dwelling units by
22 minimizing placement of proposed windows where they would directly align with windows on
23 the side facade of a structure on an abutting lot located within 20 feet of the side property line

1 ~~or by use of fencing, screening, landscaping, or translucent windows to create privacy between~~
2 ~~buildings.~~

3 ~~E. Design standards for cottage housing developments~~

4 ~~1. Pedestrian entry. Each cottage with a street-facing facade that is located~~
5 ~~within 10 feet of the street lot line shall have a visually prominent pedestrian entry through the~~
6 ~~use of covered stoops, porches, or other architectural entry features. For cottages on corner lots~~
7 ~~that have more than one street-facing facade within 10 feet of the street lot line, a visually~~
8 ~~prominent pedestrian entry is required on only one of the street-facing facades. Access to these~~
9 ~~entrances may be through a required private amenity area that abuts the street.~~

10 ~~2. Architectural expression. Cottage housing developments shall include~~
11 ~~architectural details that reduce the visual scale of the units. Each cottage shall employ one or~~
12 ~~more of the following design techniques to reduce visual scale of the units:~~

- 13 ~~a. Attached covered porch;~~
- 14 ~~b. Roofline features such as dormers or clerestories;~~
- 15 ~~c. Bay windows;~~
- 16 ~~d. Variation in siding texture and materials; and~~
- 17 ~~e. Other appropriate architectural techniques demonstrated by the~~
18 ~~applicant to reduce the visual scale of cottages.~~

19 ~~F. Design standards for rowhouse developments~~

20 ~~1. Pedestrian entry. Each rowhouse unit shall have a pedestrian entry on the~~
21 ~~street-facing facade that is designed to be visually prominent through the use of covered~~
22 ~~stoops, porches, or other architectural entry features. For rowhouse units on corner lots, a~~
23 ~~visually prominent pedestrian entry is required on only one of the street-facing facades.~~

1 ~~2. Front setback. Design elements to provide a transition between the street and~~
2 ~~the rowhouse units, such as landscaping, trees, fences, or other similar features, are required in~~
3 ~~the front setback.~~

4 ~~3. Architectural expression. The street-facing facade of a rowhouse unit shall~~
5 ~~provide architectural detail or composition to visually identify each individual rowhouse unit~~
6 ~~as seen from the street. Design elements such as trim or molding, modulation, massing, color~~
7 ~~and material variation, or other similar features may be used to achieve visual identification of~~
8 ~~individual units. Rooftop features, such as dormers or clerestories, or roofline variation may be~~
9 ~~used to visually identify individual rowhouse units.~~

10 ~~G. Design standards for townhouse developments~~

11 ~~1. Building orientation. Townhouse developments shall maximize the~~
12 ~~orientation of individual units to the street by complying with one of the following conditions:~~

13 ~~a. When multiple buildings are located on a lot, at least 50 percent of the~~
14 ~~townhouse units shall be located so that there is no intervening principal structure between the~~
15 ~~unit and the street, unless the intervening principal structure was established under permit as of~~
16 ~~October 31, 2001, or was granted a permit on October 31, 2001, and the permit has not~~
17 ~~expired; or~~

18 ~~b. All townhouse units without a street-facing facade shall have direct~~
19 ~~access to a common amenity area meeting the requirements of Section 23.45.522 that either~~
20 ~~abuts the street or is visible and accessible from the street by a clear pedestrian pathway.~~

21 ~~2. Pedestrian pathway. A clear pedestrian pathway from the street to the~~
22 ~~entrance of each townhouse unit shall be provided. The pedestrian pathway may be part of a~~
23 ~~driveway, provided that the pathway is differentiated from the driveway by pavement color,~~

1 ~~texture, or similar technique. Signage identifying townhouse unit addresses and the directions~~
2 ~~to the unit entrance(s) from the street shall be provided.~~

3 ~~3. Pedestrian entry. Each townhouse unit with a street facing facade shall have a~~
4 ~~pedestrian entry on the street facing facade that is designed to be a visually prominent feature~~
5 ~~through the use of covered stoops, porches, or other architectural entry features. For townhouse~~
6 ~~units on corner lots, a visually prominent pedestrian entry is required on only one of the street-~~
7 ~~facing facades.~~

8 ~~4. Architectural expression. Architectural detail or composition shall be~~
9 ~~provided to visually identify each individual townhouse unit, as seen from the public street.~~
10 ~~Design elements such as trim or molding, modulation, massing, color and material variation, or~~
11 ~~other similar features may be used to achieve visual identification of individual units. Rooftop~~
12 ~~features, such as dormers or clerestories, or roofline variation may be used to visually identify~~
13 ~~individual townhouse units.~~

14 ~~H. Building entry orientation standards for apartments~~

15 ~~1. For each apartment structure, a principal shared pedestrian entrance is~~
16 ~~required that faces either a street or a common amenity area, such as a landscaped courtyard,~~
17 ~~that abuts and has direct access to the street. Additional pedestrian entrances to individual units~~
18 ~~are permitted.~~

19 ~~2. If more than one apartment structure is located on a lot, each apartment~~
20 ~~structure separated from the street by another principal structure shall have a principal entrance~~
21 ~~that is accessible from a common amenity area with access to the street.~~

1 3. ~~The shared entrance of each apartment structure shall have a pedestrian entry~~
2 ~~that is designed to be visually prominent, through the use of covered stoops, overhead weather~~
3 ~~protection, a recessed entry, or other architectural entry features.))~~

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

8 G. Entrances. Each structure with a street-facing facade shall have a pedestrian entry on
9 that street-facing facade meeting the following:

10 1. For apartments, at least one pedestrian entry shall be required for the structure
11 as a whole.

12 2. For single-family dwelling units, cottage housing, rowhouses, and townhouses,
13 each individual dwelling unit with a street-facing facade within 40 feet of the street lot line shall
14 have at least one pedestrian entry on the street-facing facade.

15 3. For structures or dwelling units on corner lots, a pedestrian entry is required
16 on only one of the street-facing facades.

17 4. Required pedestrian entry on street-facing facades shall have weather
18 protection, such as a covered porch, canopy, recessed entry or similar feature, measuring at least
19 3 feet by 3 feet in width and depth for attached and detached dwelling units and at least 6 feet in
20 width and 4 feet in depth for stacked dwelling units.

21 5. For attached and detached dwelling units, the pedestrian entry may be located
22 on a wall perpendicular to the street-facing facade provided that the pedestrian entry abuts a
23 covered porch or recessed entry that is a portion of the street-facing facade.

1 Section 24. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance
2 127099, is amended as follows:

3 **23.53.006 Pedestrian access and circulation**

4 * * *

5 F. Exceptions. The following exceptions to pedestrian access and circulation
6 requirements and standards apply:

7 1. Projects exempt from requirements. Pedestrian access and circulation
8 improvements are not required for the following types of projects:

9 a. Change of use;

10 b. Alterations to existing structures;

11 c. Additions to existing structures that are exempt from environmental
12 review;

13 d. Construction of a detached structure accessory to ~~((a single family))~~
14 an existing dwelling unit in any zone, if the property owner enters into a no-protest agreement,
15 as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements
16 and that agreement is recorded with the King County ~~((Recorder))~~ Recorder's Office;

17 e. Construction of ~~((a single family))~~ one dwelling unit on a lot in any
18 zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43
19 RCW, to future pedestrian access and circulation improvements and that agreement is recorded
20 with the King County ~~((Recorder))~~ Recorder's Office, and if at least one of the following
21 conditions is met:

22 1) The lot is on a block front where there are no existing
23 pedestrian access and circulation improvements within 100 feet of the lot; or

2) Construction of pedestrian access and circulation

improvements is not necessary because, for example, the existing right-of-way has suitable width and surface treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and potential vehicular traffic; or the Director anticipates limited, if any, additional development near the lot because the development near the lot is at or near zoned capacity under current zoning designations;

f. Expansions of surface parking, outdoor storage, outdoor sales and outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or display area, or number of parking spaces;

g. In the MML zone, the addition of:

1) Fewer than ten artist's studio dwellings;

2) Less than 750 square feet of gross floor area of major and minor vehicle repair uses and multipurpose retail sales; ~~((and))~~ or

3) Less than 4,000 square feet of gross floor area of ~~((non-residential))~~ nonresidential uses not listed in subsection 23.53.006.F.1.g.2; and

h. Construction of a new ~~((non-residential))~~ nonresidential structure of up to 4,000 square feet of gross floor area if the structure is at least 50 feet from any lot line abutting an existing street that does not have pedestrian access and circulation improvements.

2. Waiver or modification of pedestrian access and circulation requirements.

The Director, in consultation with the Director of Transportation, may waive or modify pedestrian access and circulation requirements when one or more of the following conditions are met. The waiver or modification shall provide the minimum relief necessary to accommodate site conditions while maximizing pedestrian access and circulation.

1 a. Location in an environmentally critical area or buffer makes
2 installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically
3 infeasible;

4 b. The existence of a bridge, viaduct, or structure such as a substantial
5 retaining wall in proximity to the project site makes installation of a sidewalk, curb, and/or
6 curb ramp structurally impracticable or technically infeasible;

7 c. Sidewalk, curb, and/or curb ramp construction would result in
8 undesirable disruption of existing drainage patterns, or disturbance to or removal of natural
9 features such as significant trees or other valuable and character-defining mature vegetation; or

10 d. Sidewalk, curb, and/or curb ramp construction would preclude
11 vehicular access to the lot, for example on project sites where topography would render
12 driveway access in excess of the maximum 15 percent slope.

13 3. Notwithstanding any provision of Section 23.76.026, the applicant for a
14 Master Use Permit or a building permit to which (~~the Land Use Code~~) Title 23 in effect prior
15 to October 30, 2009, applies may, by written election, use the exemptions in subsections
16 23.53.006.F.1 and 23.53.006.F.2.

17 Section 25. Section 23.53.025 of the Seattle Municipal Code, last amended by Ordinance
18 126682, is amended as follows:

19 **23.53.025 Access easement standards**

20 If access by easement has been approved by the Director, the easement shall meet the
21 following standards. Surfacing of easements, pedestrian walkways required within easements,
22 and turnaround dimensions shall meet the requirements of the Right-of-Way Improvements
23 Manual.

1 A. Vehicle access easements serving one or two (~~single family~~) dwelling units (~~or~~
2 ~~one multifamily residential use with a maximum of two units~~) shall meet the following
3 standards:

4 1. Easement width shall be a minimum of 10 feet.

5 2. No maximum easement length shall be set. If easement length is more than
6 150 feet, a vehicle turnaround shall be provided.

7 3. (~~Curbeut~~) Curb cut width from the easement to the street shall be the
8 minimum necessary for safety and access.

9 B. Vehicle access easements serving at least three but fewer than (~~five single family~~)
10 ten dwelling units shall meet the following standards:

11 1. Easement width shall be a minimum of 10 feet.

12 2. The easement shall provide a hard-surfaced roadway at least 10 feet wide.

13 3. No maximum easement length shall be set. If the easement is over 600 feet
14 long, a fire hydrant may be required by the Director.

15 4. A turnaround shall be provided unless the easement extends from street to
16 street.

17 5. (~~Curbeut~~) Curb cut width from the easement to the street shall be the
18 minimum necessary for safety and access.

19 C. (~~Vehicle access easements serving at least five but fewer than ten single family~~
20 ~~dwelling units, or at least three but fewer than ten multifamily dwelling units~~)

21 1. ~~Easement width, surfaced width, length, turn around, and curbeut width shall~~
22 ~~be as required in subsection 23.53.025.B.~~

1 2. ~~No single family structure shall be closer than 5 feet to the easement, except~~
2 ~~that structural features allowed to extend into required yards under subsection 23.44.014.C.6~~
3 ~~are also allowed to extend into the 5 foot setback from an easement.~~

4 ~~D.))~~ Vehicle ~~((Access Easements Serving Ten))~~ access easements serving ten or more
5 ~~((Residential Units.))~~ dwelling units shall meet the following standards:

6 1. Easement width shall be a minimum of 32 feet;

7 2. The easement shall provide a surfaced roadway at least 24 feet wide, except
8 in the MPC-YT zone, where the minimum surfaced roadway width is 20 feet;

9 3. No maximum length shall be set. If the easement is over 600 feet long, a fire
10 hydrant may be required by the Director;

11 4. A turnaround shall be provided unless the easement extends from street to
12 street;

13 5. ~~((Curbcut))~~ Curb cut width from the easement to the street shall be the
14 minimum necessary for safety access;

15 6. No ~~((single family structure))~~ detached dwelling unit shall be located closer
16 than ~~((10))~~ 5 feet to an easement, except that architectural features such as cornices, eaves,
17 gutters, roofs, fireplaces, chimneys, and other similar features shall not be located closer than 3
18 feet to a required easement;

19 7. One pedestrian walkway shall be provided, extending the length of the
20 easement.

21 ~~((E. Vehicle Access Easements Serving Nonresidential or Live work Uses.~~

22 ~~4.))~~ D. For nonresidential or live-work uses providing fewer than ten ~~((10))~~ parking
23 spaces, the easement shall meet the requirements of subsection ~~((E))~~ 23.53.025.B.

1 ~~((2))~~ E. For nonresidential or live-work uses providing ten ~~((10))~~ or more parking
2 spaces, the easement shall meet the requirements of subsection ~~((D))~~ 23.53.025.C.

3 F. Pedestrian ~~((Access Easements))~~ access easements. Where a lot proposed for a
4 residential use abuts an alley but does not abut a street and the provisions of the zone require
5 access by vehicles from the alley, or where the alley access is an exercised option, an easement
6 providing pedestrian access to a street from the lot shall be provided meeting the following
7 standards:

8 1. Easement width shall be a minimum of ~~((five-))~~ 5 ~~(())~~ feet;

9 2. Easements serving one ~~((1))~~ or two ~~((2))~~ dwelling units shall provide a
10 paved pedestrian walkway at least ~~((three-))~~ 3 ~~(())~~ feet wide;

11 3. Easements serving three ~~((3))~~ or more dwelling units shall provide a paved
12 pedestrian walkway at least ~~((five-))~~ 5 ~~(())~~ feet wide;

13 4. Easements over ~~((one hundred-))~~ 100 ~~(())~~ feet in length shall provide
14 lighting at intervals not to exceed ~~((fifty-))~~ 50 ~~(())~~ feet. Lighting placement shall not exceed
15 ~~((fifteen-))~~ 15 ~~(())~~ feet in height;

16 5. Pedestrian access easements shall not exceed ~~((two hundred-))~~ 200 ~~(())~~ feet
17 in length.

18 G. Vertical ~~((Clearance Above Easements))~~ clearance above easements. When an
19 easement serves fewer than ten ~~((10))~~ residential units and crosses a residentially zoned lot,
20 portions of structures may be built over the easement provided that a minimum vertical
21 clearance of ~~((sixteen and one half (16 1/2))~~ 16.5 feet is maintained above the surface of the
22 easement roadway and a minimum turning path radius in accordance with ~~((Section 23.54.030~~
23 €)) subsection 23.54.030.D is maintained. ~~((See))~~ Exhibit ~~((23.53.025 A))~~ A for 23.53.025.)

1 H. Exceptions (~~(From Access Easement Standards)~~) from access easement standards.

2 The Director, in consultation with the Fire Chief, may modify the requirements for easement
3 width and surfacing for properties located in environmentally critical areas or their buffers
4 when it is determined that:

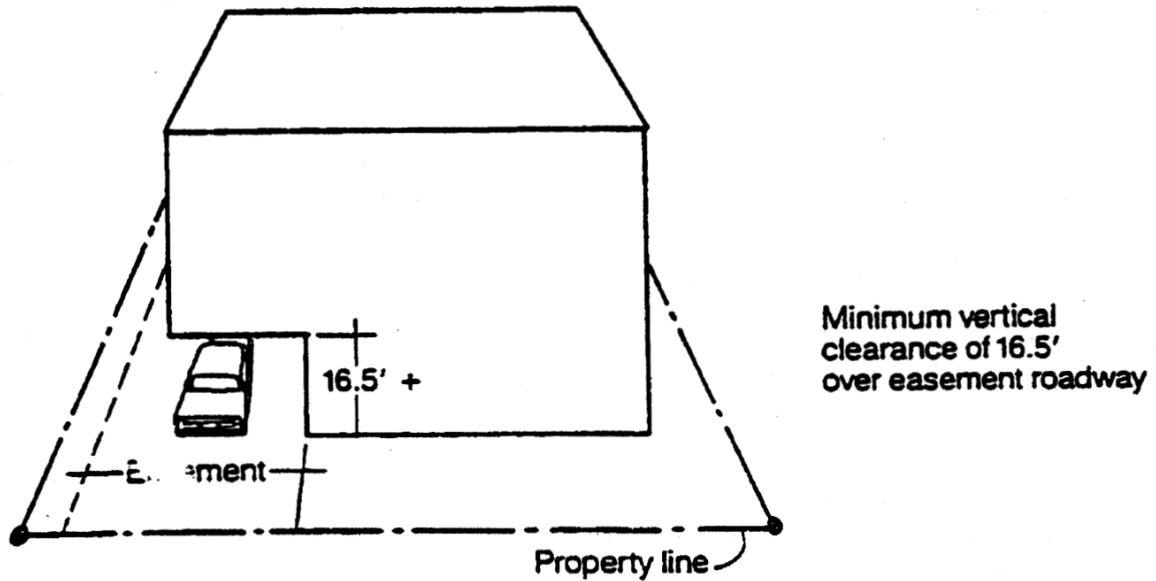
5 1. Such modification(s) would reduce adverse effects to identified
6 environmentally critical areas or buffers; and

7 2. Adequate access and provisions for fire protection can be provided for
8 structures served by the easement.

1 **Exhibit A for 23.53.025**

2 **Residential structures permitted to be constructed over vehicle access easement**

**Exhibit 23.53.025 A
Residential Structures Permitted to be
Constructed Over Vehicle Access Easement**



3

4

5 Section 26. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance
6 127099, is amended as follows:

7 **23.54.015 Required parking and maximum parking limits**

8

* * *

**Table B for 23.54.015
 Required parking for residential uses**

Use	Minimum parking required
I. General residential uses ²	
A.	Adult family homes 1 space for each dwelling unit
B.	Artist's studio/dwellings 1 space for each dwelling units
C.	Assisted living facilities 1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters 1 space for each dwelling unit
E.	Congregate residences ¹ 1 space for each 4 sleeping rooms
F.	Cottage housing developments ^{1,3,4} 1 space for each dwelling unit
G.	Floating homes 1 space for each dwelling unit
H.	Mobile home parks 1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses((, except as otherwise provided in this Table B for 23.54.015)) ^{1, ((2)) 3,4} 1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units
J.	Nursing homes 1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units ^{1, 3,4} 1 space for each dwelling unit
II. Residential use requirements for specific areas ²	

**Table B for 23.54.015
 Required parking for residential uses**

Use		Minimum parking required
L.	All residential uses within urban centers or within the Station Area Overlay District ⁽²⁾	No minimum requirement
M.	All residential uses in commercial, RSL, and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area ^(2,4)	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ⁽²⁾	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ⁽²⁾	1.5 spaces for each dwelling unit
P.	Congregate residences located within one-half mile walking distance of a major transit stop <u>or a frequent transit stop</u>	No minimum requirement
Q.	<u>Middle housing, as defined in Section 23.84A.025, located within one-half mile walking distance of a major transit stop</u>	<u>No minimum requirement</u>

Footnotes to Table B for 23.54.015

¹ For each moderate-income unit and each low-income unit, no minimum amount of parking is required.

² The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a greater or a lesser amount of minimum parking, including no parking, under any other provision of this Section

**Table B for 23.54.015
 Required parking for residential uses**

Use	Minimum parking required
<p>23.54.015. If more than one provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies((, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015)).)</p> <p>³ No parking is required for ((single family residential uses)) <u>accessory dwelling units.</u></p> <p>⁴ <u>No parking is required for principal dwelling units</u> on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3.</p> <p>((⁴Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.)))</p>	

* * *

**Table D for 23.54.015
 Parking for bicycles ¹**

(USE) <u>Use</u>	Bike parking requirements	
	Long-term	Short-term

* * *

D. RESIDENTIAL USES ³

D.1	Congregate residences ^{4, 5, 6}	1 per 4 sleeping rooms	1 per 80 sleeping rooms. 2 spaces minimum
D.2	Multifamily structures other than townhouse and rowhouse developments ^{4, 5, 6}	1 per dwelling unit	1 per 20 dwelling units
D.3	Single-family residences	None	None
D.4	Townhouse and rowhouse developments ^{5, 6}	1 per dwelling unit	None

**Table D for 23.54.015
 Parking for bicycles ¹**

((USE)) Use		Bike parking requirements	
		Long-term	Short-term
E. TRANSPORTATION FACILITIES			
E.1((-))	Park and ride facilities on surface parking lots	At least 20 ^{((6)) 7}	At least 10
E.2((-))	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3((-))	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto spaces	None
E.4((-))	Rail transit facilities and passenger terminals	Spaces for 5 percent of projected AM peak period daily ridership ^{((6)) 7}	Spaces for 2 percent of projected AM peak period daily ridership

Footnotes to Table D for 23.54.015

¹ Required bicycle parking includes long-term and short-term amounts shown in this Table D for 23.54.015.

² The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.

³ For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table D for 23.54.015.

⁴ For congregate residences or multifamily structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle.

**Table D for 23.54.015
 Parking for bicycles ¹**

((USE)) Use	Bike parking requirements	
	Long-term	Short-term

⁵ In low-income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage).

⁶ No bike parking is required for middle housing as defined in Section 23.84A.025.

~~((6))~~⁷ The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

1
 2 Section 27. Section 23.54.020 of the Seattle Municipal Code, last amended by Ordinance
 3 126509, is amended as follows:

4 **23.54.020 Parking quantity exceptions**

5 The motor vehicle parking quantity exceptions set forth in this Section 23.54.020 apply in all
 6 zones except downtown zones, which are regulated by Section 23.49.019, and Major
 7 Institution zones, which are regulated by Section 23.54.016.

8 A. Adding ~~((Units))~~ units to ~~((Existing Structures))~~ existing structures in Multifamily
 9 and Commercial ~~((Zones.))~~ zones

10 1. For the purposes of this Section 23.54.020, "existing structures" means those
 11 structures that were established under permit, or for which a permit has been granted and has
 12 not expired as of the applicable date, as follows:

13 a. In multifamily zones, August 10, 1982;

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b. In commercial zones, June 9, 1986.

2. In locations in a multifamily or commercial zone where there is a minimum parking requirement, one dwelling unit may either be added to an existing structure or may be built on a lot that contains an existing structure without additional parking if both of the following requirements are met:

a. Either the existing parking provided on the lot meets development standards, or the lot area is not increased and existing parking is screened and landscaped to the greatest extent practical; and

b. Any additional parking shall meet all development standards for the zone.

3. In locations in a multifamily or commercial zone where there is a minimum parking requirement, the Director may authorize a reduction or waiver of the parking requirement as a Type I decision when dwelling units are proposed to be added either to an existing structure or on a lot that contains an existing structure, in addition to the exception permitted in subsection 23.54.020.A.2, if the conditions in subsections 23.54.020.A.3.a and b below are met, and either of the conditions in subsections 23.54.020.A.3.c or d below are met:

a. The only use of the structure will be residential; and

b. The lot is not located in either the University District Parking Overlay Area (Map A for 23.54.015) or the Alki Area Parking Overlay (Map B for 23.54.015); and

c. The topography of the lot or location of existing structures makes provision of an off-street parking space physically infeasible in a conforming location; or

1 ~~4.~~ The lot is located in a residential parking zone (RPZ) and a current
2 parking study is submitted showing a utilization rate of less than 75 percent for on-street
3 parking within 400 feet of all lot lines.

4 B. Tandem ~~((Parking))~~ parking in ~~((Multifamily Structures))~~ multifamily structures.
5 ~~((4.))~~ Off-street parking required for multifamily structures may be provided as tandem
6 parking, as defined in Section 23.54.030. ~~((A tandem parking space counts as one and one-half~~
7 ~~parking spaces, except as provided in subsection 23.54.020.B.2 below, and must meet the~~
8 ~~minimum size requirements of subsection 23.54.030.A.~~

9 ~~2. When a minimum of at least one parking space per dwelling unit in a~~
10 ~~multifamily structure is required, the total number of parking spaces provided, counting each~~
11 ~~tandem parking space as one space, may not be less than the total number of dwelling units.))~~
12 A tandem parking space counts at a rate of one space for every 20 linear feet of depth
13 excluding required aisles.

14 * * *

15 Section 28. Section 23.54.030 of the Seattle Municipal Code, last amended by Ordinance
16 127099, is amended as follows:

17 **23.54.030 Parking space and access standards**

18 All parking spaces provided, whether required by Section 23.54.015 or not, and required
19 barrier-free parking, shall meet the standards of this Section 23.54.030.

20 A. Parking space dimensions

21 1. "Large vehicle" means the minimum size of a large vehicle parking space
22 shall be ~~((8.5))~~ 8 feet in width and 19 feet in length.

1 2. "Medium vehicle" means the minimum size of a medium vehicle parking
2 space shall be 8 feet in width and 16 feet in length.

3 3. "Small vehicle" means the minimum size of a small vehicle parking space
4 shall be 7.5 feet in width and 15 feet in length.

5 4. "Barrier-free parking" means a parking space meeting the following
6 standards:

7 a. Parking spaces shall not be less than 8 feet in width and shall have an
8 adjacent access aisle not less than 5 feet in width. Van-accessible parking spaces shall have an
9 adjacent access aisle not less than 8 feet in width. Where two adjacent spaces are provided, the
10 access aisle may be shared between the two spaces. Boundaries of access aisles shall be
11 marked so that aisles will not be used as parking space.

12 b. A minimum length of 19 feet or when more than one barrier-free
13 parking space is provided, at least one shall have a minimum length of 19 feet, and other
14 spaces may be the lengths of small, medium, or large spaces in approximate proportion to the
15 number of each size space provided on the lot.

16 5. "Tandem parking" means a parking space equal to the width and two times
17 the length of the vehicle size standards in subsections 23.54.030.A.1, 23.54.030.A.2, and
18 23.54.030.A.3 for the size of the vehicle to be accommodated.

19 6. No wall, post, guardrail, or other obstruction, or lot line, is permitted within
20 the area for car door opening. Columns or other structural elements may encroach into the
21 parking space a maximum of 6 inches on a side, except in the area for car door opening 5 feet
22 from the longitudinal centerline, or 4 feet from the transverse centerline of a parking space (see
23 Exhibit A for 23.54.030).

1 7. If the parking space is next to a lot line and the parking space is parallel to the
2 lot line, the minimum width of the space is 9 feet.

3 **Exhibit A for 23.54.030**

4 **Encroachments ((~~Into Required Parking Space~~)) into required parking**

5

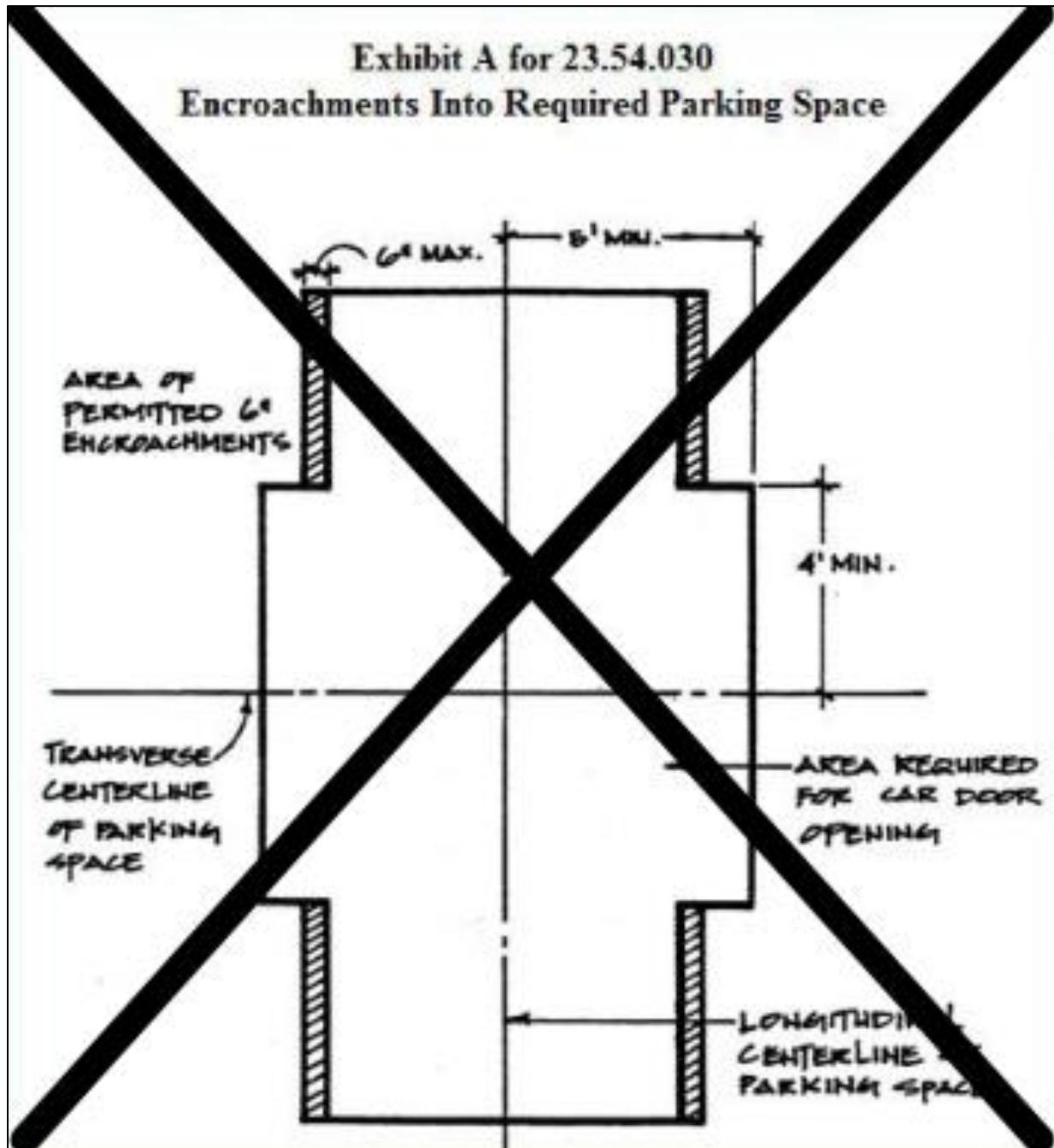
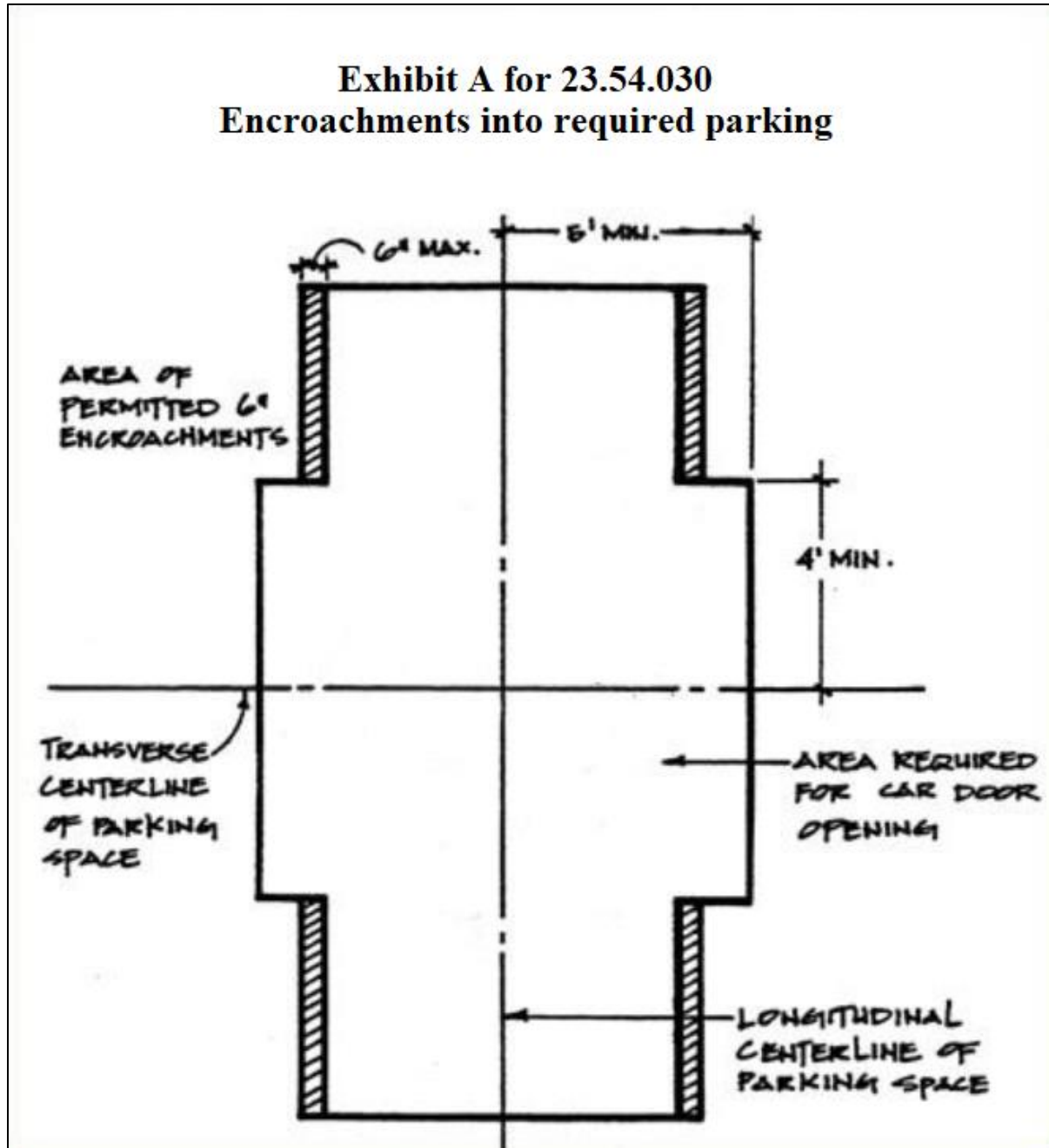


Exhibit A for 23.54.030 Encroachments into required parking



1
2 B. Parking space requirements. The required size of parking spaces shall be determined
3 by whether the parking is for a residential, live-work, or ((non residential)) nonresidential use.
4 In structures containing residential uses and also containing either ((non residential))
5 nonresidential uses or live-work units, parking that is clearly set aside and reserved for
6 residential or live-work use shall meet the standards of subsection 23.54.030.B.1. Parking for

1 all other uses within the structure shall meet the standards of subsection 23.54.030.B.2. All
2 uses shall provide barrier-free accessible parking if required by the Seattle Building Code or
3 the Seattle Residential Code.

4 1. Residential uses

5 a. When five or fewer parking spaces are provided, the minimum
6 required size of a parking space shall be for a medium vehicle, as described in subsection
7 23.54.030.A.2, except as provided in subsection 23.54.030.B.1.d.

8 b. When more than five parking spaces are provided, a minimum of 60
9 percent of the parking spaces shall be striped for medium vehicles. The minimum size for a
10 medium parking space shall also be the maximum size. Forty percent of the parking spaces
11 may be striped for any size category in subsection 23.54.030.A, provided that when parking
12 spaces are striped for large vehicles, the minimum required aisle width shall be as shown for
13 medium vehicles.

14 c. Assisted living facilities. Parking spaces shall be provided as in
15 subsections 23.54.030.B.1.a and 23.54.030.B.1.b, except that a minimum of two spaces shall
16 be striped for a large vehicle.

17 d. ~~((Townhouse units.))~~ For an individual garage serving ~~((a townhouse))~~
18 an individual dwelling unit, the minimum required size of a parking space shall be for a
19 medium vehicle, as described in subsection 23.54.030.A.

20 2. ~~((Non-residential))~~ Nonresidential uses

21 a. When ten or fewer parking spaces are provided, a maximum of 25
22 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent of
23 the spaces shall be striped for large vehicles.

1 b. When between 11 and 19 parking spaces are provided, a minimum of
2 25 percent of the parking spaces shall be striped for small vehicles. The minimum required size
3 for these small parking spaces shall also be the maximum size. A maximum of 65 percent of
4 the parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces
5 shall be striped for large vehicles.

6 c. When 20 or more parking spaces are provided, a minimum of 35
7 percent of the parking spaces shall be striped for small vehicles. The minimum required size
8 for small parking spaces shall also be the maximum size. A maximum of 65 percent of the
9 parking spaces may be striped for small vehicles. A minimum of 35 percent of the spaces shall
10 be striped for large vehicles.

11 d. The minimum vehicle clearance shall be at least 6 feet 9 inches on at
12 least one floor, and there shall be at least one direct entrance that is at least 6 feet 9 inches in
13 height for all parking garages accessory to (~~non-residential~~) nonresidential uses and live-
14 work units and for all flexible-use parking garages.

15 3. Live-work uses. The first required parking space shall meet the parking
16 standards for residential use. Additional required parking for a live-work use shall meet the
17 parking standards for (~~non-residential~~) nonresidential use.

18 C. Backing (~~Distances~~) distances and (~~Moving Other Vehicles~~) moving other
19 vehicles

20 1. Adequate ingress to and egress from all parking spaces shall be provided
21 without having to move another vehicle, except in the case of multiple spaces provided for (~~a~~
22 ~~single-family~~) one dwelling unit (~~or an accessory dwelling unit associated with a single-~~

1 ~~family dwelling~~)) or in the case of tandem parking authorized under ((~~Section~~)) subsection
2 23.54.020.B.

3 2. Except for lots with fewer than three parking spaces, ingress to and egress
4 from all parking spaces shall be provided without requiring backing more than 50 feet.

5 D. Driveways. Driveway requirements for residential and nonresidential uses are
6 described below. When a driveway is used for both residential and nonresidential parking, it
7 shall meet the standards for nonresidential uses described in subsection 23.54.030.D.2.

8 1. Residential uses((-))

9 a. Driveway width. Driveways less than 100 feet in length that serve 30
10 or fewer parking spaces shall be a minimum of 10 feet in width for one-way or two-way traffic.

11 b. Except for driveways serving one ((~~single-family~~)) dwelling unit,
12 driveways more than 100 feet in length that serve 30 or fewer parking spaces shall either:

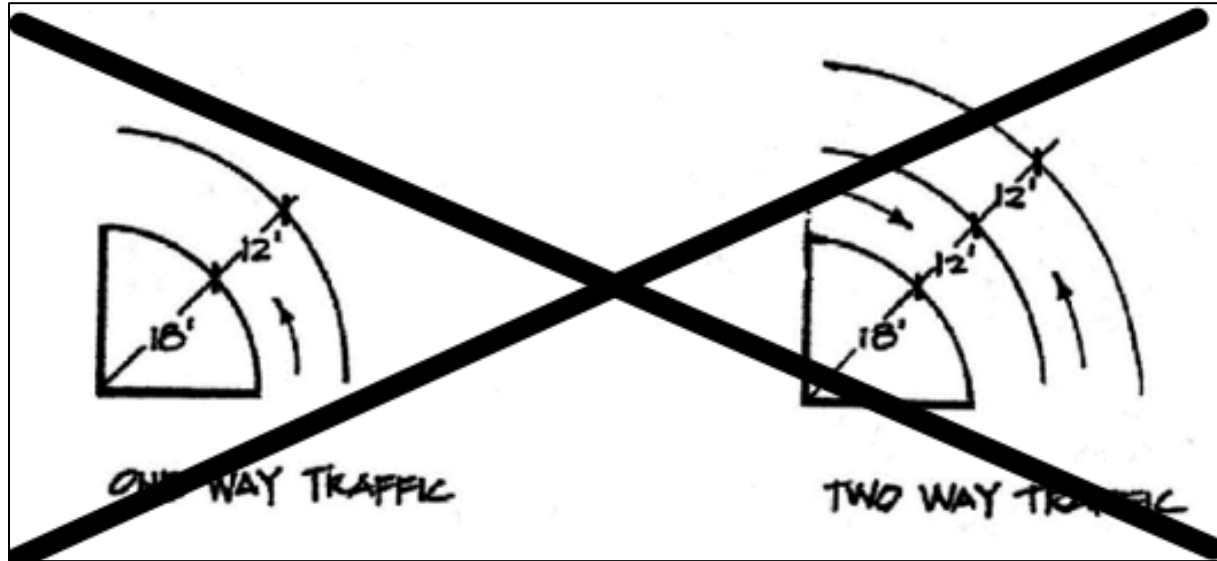
13 1) ((~~be~~)) Be a minimum of 16 feet wide, tapered over a 20 foot
14 distance to a 10 foot opening at the lot line; or

15 2) ((~~be~~)) Be a minimum of 10 feet wide and provide a passing
16 area at least 20 feet wide and 20 feet long. The passing area shall begin 20 feet from the lot
17 line, with an appropriate taper to meet the 10-foot opening at the lot line. If a taper is provided
18 at the other end of the passing area, it shall have a minimum length of 20 feet.

19 c. Driveways of any length that serve more than 30 parking spaces shall
20 be at least 10 feet wide for one-way traffic and at least 20 feet wide for two-way traffic.

21 d. Driveways for two attached ((~~rowhouse or townhouse~~)) dwelling units
22 may be paired so that there is a single curb cut providing access. The maximum width of the
23 paired driveway is 18 feet.

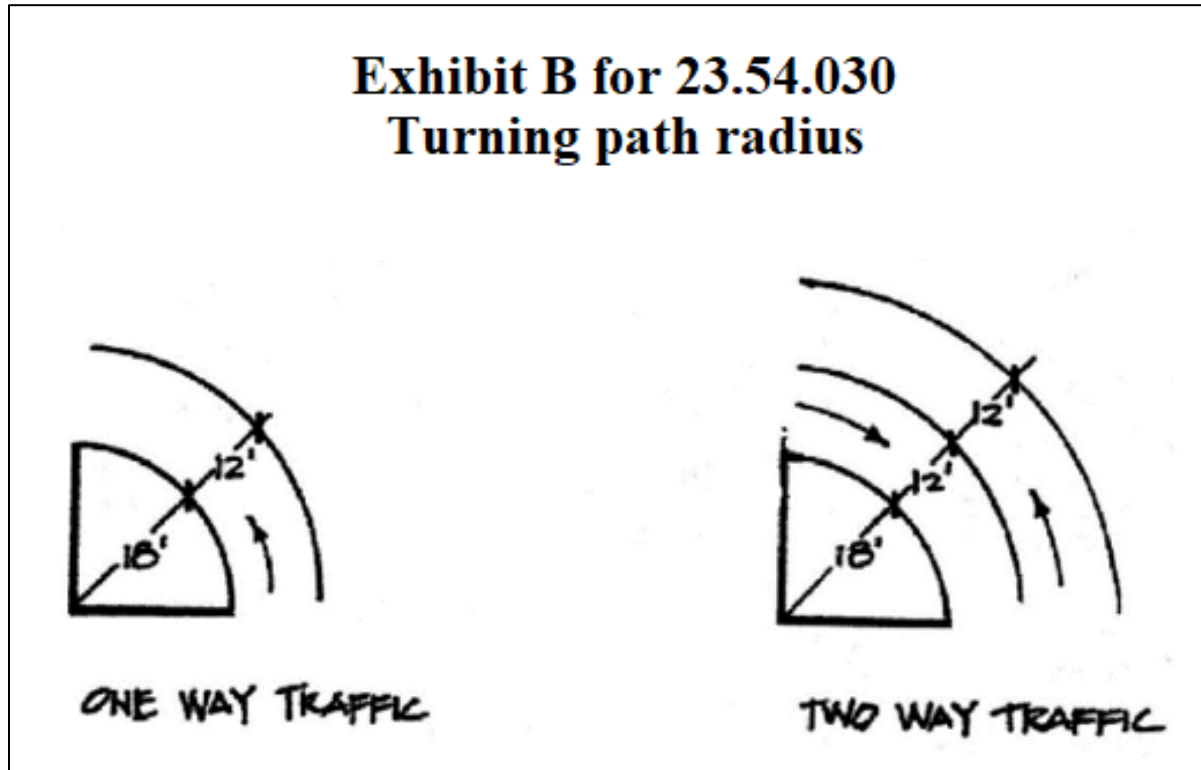
- 1 e. Driveways with a turning radius of more than 35 degrees shall
- 2 conform to the minimum turning path radius shown in Exhibit B for 23.54.030.



- 3
- 4 ((Exhibit B for 23.54.030: Turning Path Radius))

1 **Exhibit B for 23.54.030**

2 **Turning path radius**



3

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f. Vehicles may back onto a street from a parking area serving five or

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fewer vehicles, provided that either:

6

1) The street is not an arterial as defined in Section 11.18.010; or

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2) For lot with one ((~~single family~~)) dwelling unit or one

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parking space, the Director may permit backing onto an arterial based on a safety analysis that addresses visibility, traffic volume, and other relevant issues.

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g. Nonconforming driveways. The number of parking spaces served by

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an existing driveway that does not meet the standards of this subsection 23.54.030.D.1 shall

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not be increased. This prohibition may be waived by the Director after consulting with the

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Director of the Seattle Department of Transportation, based on a safety analysis.

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2. Nonresidential ((~~Uses~~)) uses

1 a. Driveway (~~Widths~~) widths

2 1) The minimum width of driveways for (~~one-way~~) one-way
3 traffic shall be 12 feet and the maximum width shall be 15 feet.

4 2) The minimum width of driveways for (~~two-way~~) two-way
5 traffic shall be 22 feet and the maximum width shall be 25 feet.

6 b. Driveways shall conform to the minimum turning path radius shown
7 in Exhibit B for 23.54.030.

8 c. For driveways that provide access to a solid waste management use
9 the Director may allow both a maximum driveway width greater than the limits set in
10 subsection 23.54.030.D.2.a and appropriate turning path radii, as determined necessary for
11 truck maneuvering.

12 3. Driveway slope for all uses. No portion of a driveway, whether located on a
13 lot or on a right-of-way, shall exceed a slope of 15 percent, except as provided in this
14 subsection 23.54.030.D.3. The maximum 15 percent slope shall apply in relation to both the
15 current grade of the right-of-way to which the driveway connects, and to the proposed finished
16 grade of the right-of-way if it is different from the current grade. The ends of a driveway shall
17 be adjusted to accommodate an appropriate crest and sag. The Director may permit a driveway
18 slope of more than 15 percent if it is found that:

19 a. The topography or other special characteristic of the lot makes a 15
20 percent maximum driveway slope infeasible;

21 b. The additional amount of slope permitted is the least amount
22 necessary to accommodate the conditions of the lot; and

23 c. The driveway is still useable as access to the lot.

E. Parking aisles

1. Parking aisles shall be provided according to the requirements of Table A for 23.54.030 and Exhibit C for 23.54.030.

Table A for 23.54.030
Parking aisle dimensions

<u>Parking angle</u>	<u>Stall width</u>	<u>Stall length (in feet)</u>	<u>Aisle width (in feet)¹</u>	<u>Curb depth per car (in feet)</u>	<u>Unit width (in feet)²</u>	<u>Curb length per car (in feet)</u>
0°	<u>Small</u>	<u>18</u>	<u>10</u>	<u>7.5</u>	<u>25</u>	<u>18</u>
	<u>Medium</u>	<u>20</u>	<u>10</u>	<u>8</u>	<u>26</u>	<u>20</u>
	<u>Large</u>	<u>24</u>	<u>12</u>	<u>8</u>	<u>28</u>	<u>24</u>
45°	<u>Small</u>	<u>15</u>	<u>11</u>	<u>15.91</u>	<u>42.82</u>	<u>10.61</u>
	<u>Medium</u>	<u>16</u>	<u>13</u>	<u>16.97</u>	<u>46.94</u>	<u>11.3</u>
	<u>Large</u>	<u>19</u>	<u>13</u>	<u>19.09</u>	<u>51.18</u>	<u>11.3</u>
60°	<u>Small</u>	<u>15</u>	<u>13</u>	<u>16.74</u>	<u>46.48</u>	<u>8.66</u>
	<u>Medium</u>	<u>16</u>	<u>15</u>	<u>17.86</u>	<u>50.72</u>	<u>9.24</u>
	<u>Large</u>	<u>19</u>	<u>17.5</u>	<u>20.45</u>	<u>58.41</u>	<u>9.24</u>
75°	<u>Small</u>	<u>15</u>	<u>16.5</u>	<u>16.43</u>	<u>49.36</u>	<u>7.76</u>
	<u>Medium</u>	<u>16</u>	<u>18.5</u>	<u>17.52</u>	<u>53.55</u>	<u>8.25</u>
	<u>Large</u>	<u>19</u>	<u>20</u>	<u>20.42</u>	<u>60.84²</u>	<u>8.25</u>
90°	<u>Small</u>	<u>15</u>	<u>20</u>	<u>15</u>	<u>50</u>	<u>7.5</u>
	<u>Medium</u>	<u>16</u>	<u>22</u>	<u>16</u>	<u>54</u>	<u>8</u>
	<u>Large</u>	<u>19</u>	<u>24³</u>	<u>19</u>	<u>62²</u>	<u>8</u>

Footnotes for Table A for 23.54.030

¹ Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.

² 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9 feet.

³ For lots 44 feet in width or less, the Director may reduce the aisle width to as low as 20 feet if large parking spaces are provided at 90 degrees as long as the spaces are 9 feet wide.

A Parking Angle	B Stall Width	C Stall Length	D Aisle Width ¹	E Curb Depth Per Car	F Unit Width ³	G Curb Length Per Car
0°	7.5	18.0	10.0	7.5	25.0	18.0
	8.0	20.0	10.0	8.0	26.0	20.0
	8.5	24.0	12.0	8.5	29.0	24.0
45°	7.5	15.0	11.0	15.91	42.82	10.61
	8.0	16.0	13.0	16.97	46.90	11.3
	8.5	19.0	13.0	19.44	51.88	12.02
60°	7.5	15.0	13.0	16.74	46.48	8.66
	8.0	16.0	15.0	17.86	50.72	9.24
	8.5	19.0	17.5	20.70	57.90	9.82
75°	7.5	15.0	16.5	16.43	49.35	7.76
	8.0	16.0	18.5	17.52	53.54	8.25
	8.5	19.0	20.0	20.55	61.10 ³	8.80
90°	7.5	15.0	20.0	15.0	50.0	7.5
	8.0	16.0	22.0	16.0	54.0	8.0
	8.5	19.0 ²	24.0 ²	19.0	62.0 ³	8.5

¹ Required aisle width is for one-way traffic only. If two-way traffic is proposed, then the minimum aisle width shall be 20 feet or greater.

² When lot width is less than 43 feet, 40 feet may be substituted for a two-way aisle and a single row of cars at 90° to the aisle, provided that the minimum width of the parking stalls shall be 9½ feet.

³ 60 feet may be substituted for required unit width on lots where the available width is in 60-foot whole multiples, provided that the minimum width of the parking stalls shall be 9½ feet.

The following equations may be used to compute dimensions for parking angles other than those provided in the chart above:

$$E = C \sin A + B \cos A$$

$$G = B / \sin A$$

NOTE: Aisle widths shall be provided as required for the next greater parking angle shown in the chart above.

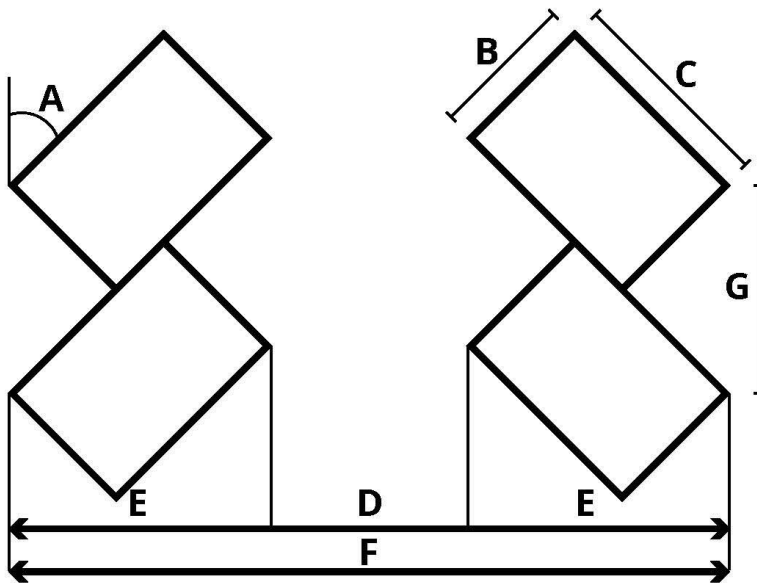
1

2 ((Exhibit C for 23.54.030: Parking Aisle Dimensions))

1 **Exhibit C for 23.54.030**

2 **Parking aisle dimension measurement**

Exhibit C for 23.54.030
Parking aisle dimension measurement



The following equations may be used to compute dimensions for parking angles other than those provided in the chart above.

$$E = C \sin A + B \cos A$$

$$G = B / \sin A$$

Note: Aisle widths shall be provided as required for the next greater parking angle shown in the chart above.

3

4 2. Minimum aisle widths shall be provided for the largest vehicles served by the
5 aisle.

6 3. Turning and maneuvering areas shall be located on private property, except
7 that alleys may be credited as aisle space.

8 4. Aisle slope shall not exceed 17 percent provided that the Director may permit
9 a greater slope if the criteria in subsections 23.54.030.D.3.a, 23.54.030.D.3.b, and
10 23.54.030.D.3.c are met.

11

* * *

1 L. Electric vehicle (EV) charging infrastructure. New parking spaces provided on a lot
2 when a new building is constructed shall be "EV-ready" as specified in this subsection
3 23.54.030.L. The required number of EV-ready parking spaces shall be determined by whether
4 the parking is for a residential or nonresidential use. Parking that is clearly set aside and
5 reserved for residential use shall meet the standards of subsection 23.54.030.L.1; parking for
6 all other uses within the structure shall meet the standards of subsection 23.54.030.L.2.

7 1. Residential uses

8 a. Private parking for individual residential units. When parking for any
9 individual dwelling unit is provided in a private garage, carport, or parking area, separate from
10 any parking facilities serving other units, at least one parking space for each unit in that garage,
11 carport, or surface parking area shall be EV-ready.

12 b. Surface parking for multiple ~~((residences))~~ dwelling units. When
13 parking for ~~((multifamily residential uses))~~ multiple dwelling units is provided in a surface
14 parking area serving multiple ~~((residences))~~ dwelling units, the number of parking spaces that
15 shall be EV-ready shall be as follows:

16 ~~((1) When between one and six parking spaces are provided, each
17 of those parking spaces shall be EV-ready;~~

18 ~~2) When between seven and 25 parking spaces are provided, a
19 minimum of six of those parking spaces shall be EV-ready; and~~

20 ~~3) When more than 25 parking spaces are provided, a minimum
21 of 20 percent of those parking spaces shall be EV-ready.)~~

22 1) When up to 25 parking spaces are provided, the first 12
23 parking spaces shall be EV-ready; and

1 2) When more than 25 parking spaces are provided, 45 percent of
2 all parking spaces shall be EV-ready.

3 c. Parking garages for multiple (~~(residences)~~) dwelling units. When
4 parking for (~~(multifamily residential uses)~~) multiple dwelling units is provided in a parking
5 garage serving multiple (~~(residences)~~) dwelling units, a minimum of (~~(20)~~) 45 percent of those
6 parking spaces shall be EV-ready.

7 (~~(d. Other residential uses. When parking is provided for all other~~
8 ~~residential uses, a minimum of 20 percent of those spaces shall be EV ready.)~~)

9 2. Nonresidential uses.

10 a. When parking is provided for nonresidential uses, a minimum of
11 (~~(ten)~~) 30 percent of those spaces shall be EV-ready(~~(-)~~), except as provided in subsection
12 23.54.030.L.2.b and subsection 23.54.030.L.2.c.

13 b. For the uses listed in subsection 23.54.030.L.2.c, the following
14 requirements apply:

15 1) Where less than ten parking spaces are provided for the use,
16 one EV-ready space is required.

17 2) Where ten or more parking spaces are provided for the use, ten
18 percent of parking spaces shall be EV-ready.

19 c. The following uses are subject to the alternative requirements in
20 23.54.030.L.2.b:

21 1) The following institutional uses:

22 a) Community club or center;

23 b) Child care center;

1 c) Community farm;

2 d) Library;

3 e) Museum;

4 f) Private club;

5 g) Religious facility; and

6 h) School, elementary or secondary;

7 2) Entertainment uses;

8 3) Eating and drinking establishments;

9 4) Automotive sales and services;

10 5) Multipurpose retail sales;

11 6) Heavy sales and services, except heavy commercial services;

12 and

13 7) Marine sales and services.

14 3. Rounding. When calculating the number of required EV-ready parking
15 spaces, any fraction or portion of an EV-ready parking space required shall be rounded up to
16 the nearest whole number.

17 4. Reductions

18 a. The Director may, in consultation with the Director of Seattle City
19 Light, reduce the requirements of this subsection 23.54.030.L as a Type I decision (~~where~~) if
20 there is substantial evidence (~~substantiating~~) that the added electrical load that can be
21 attributed to meeting the requirements will:

22 1) Alter the local utility infrastructure design requirements on the
23 utility side of the legal point of service, so as to require on-property power transformation; or

1 2) Require an upgrade to an existing residential electrical service.

2 b. In cases where the provisions of subsection 23.54.030.L.4.a have been
3 met, the maximum quantity of EV charging infrastructure required to be installed shall be
4 reduced to the maximum service size that would not require the changes to transformation or
5 electrical service in subsection 23.54.030.L.4.a. The Director may first reduce the required
6 level of EV infrastructure at EV-ready parking spaces from 40-amp to 20-amp circuits. If
7 necessary, the Director may also then reduce the number of required EV-ready parking spaces
8 or otherwise reduce the level of EV infrastructure at EV-ready parking spaces.

9 c. The Director may establish by rule the procedures and documentation
10 required for a reduction request.

11 5. All EV charging infrastructure shall be installed in accordance with the
12 Seattle Electrical Code. Where EV-ready surface parking spaces are located more than 4 feet
13 from a building, raceways shall be extended to a pull box or stub in the vicinity of the
14 designated space and shall be protected from vehicles.

15 6. Accessible parking. Where new EV-ready parking spaces and new accessible
16 parking are both provided, parking facilities shall be designed so that at least ~~((one))~~ 20 percent
17 of the accessible parking spaces shall be EV-ready with no fewer than two EV-ready spaces.
18 The accessible parking EV-ready infrastructure may also serve adjacent parking spaces not
19 designated as accessible parking. The EV-ready accessible parking spaces, rounded up to the
20 next whole number, are allowed to be included in the total number of electric vehicle parking
21 spaces required under 23.54.030.L.1. and 23.54.030.L.2.

22 7. Nothing in this subsection 23.54.030.L shall be construed to modify the
23 minimum number of off-street motor vehicle parking spaces required for specific uses or the

1 maximum number of parking spaces allowed, as set forth in Section 23.54.015 or elsewhere in
2 this Title 23.

3 8. This Section 23.54.030 does not require EV supply equipment, as defined by
4 Article 100 of the Seattle Electrical Code, to be installed.

5 Section 29. Section 23.84A.010 of the Seattle Municipal Code, last amended by
6 Ordinance 126685, is amended as follows:

7 **23.84A.010 “E”**

8 * * *

9 "Essential public facilities" within the City of Seattle means airports, sewage treatment
10 plants, jails, light rail transit systems, and power plants.

11 “EV-ready” means a minimum 40-ampere dedicated 208- or 240-volt branch circuit
12 (32-amp load) terminated at a junction box or receptacle outlet in close proximity to a parking
13 space.

14 * * *

15 Section 30. Section 23.84A.025 of the Seattle Municipal Code, last amended by
16 Ordinance 127099, is amended as follows:

17 **23.84A.025 “M”**

18 * * *

19 “Major retail store” means a structure or portion of a structure that provides adequate
20 space of at least eighty thousand (80,000) square feet to accommodate the merchandising needs
21 of a major new retailer with an established reputation, and providing a range of merchandise and
22 services, including both personal and household items, to anchor downtown shopping activity

1 around the retail core, thereby supporting other retail uses and the area's vitality and regional
2 draw for customers.

3 “Major transit stop” means:

4 1. Stops on a bus route operated by Sound Transit;

5 2. Commuter rail stops;

6 3. Stops on light rail, street car, or trolley bus systems;

7 4. Stops on bus rapid transit routes; and

8 5. Any future stop on a bus rapid transit route funded for development and
9 projected for construction within an applicable six-year transit plan under RCW 35.58.2795.

10 * * *

11 "Mid-block corridor" means an amenity feature that provides open space and publicly
12 accessible connections across extremely long blocks to mitigate transportation impacts of new
13 development by improving pedestrian circulation in high density areas, including but not
14 limited to the South Lake Union Urban Center, the University Community Urban Center west
15 of 15th Avenue NE, the Uptown Urban Center, the Northgate Urban Center, and the
16 Downtown Urban Center east of Interstate 5.

17 “Middle housing” means any of the following residential uses, provided that they are
18 located in structures that do not exceed a height limit of 32 feet not including roofs or rooftop
19 features allowed in the underlying zone, as measured in Section 23.86.006:

20 1. Accessory dwelling unit

21 2. Adult family home

22 3. Apartment

23 4. Carriage house

1 5. Congregate residence

2 6. Cottage housing development

3 7. Low-income housing

4 8. Mobile home

5 9. Multifamily residential use

6 10. Permanent supportive housing

7 11. Rowhouse development

8 12. Single-family dwelling unit

9 13. Townhouse development

10 * * *

11 Section 31. Section 23.84A.036 of the Seattle Municipal Code, last amended by
12 Ordinance 126157, is amended as follows:

13 **23.84A.036 “S”**

14 * * *

15 "Short subdivision" means the division or redivision of land into nine (~~((9))~~) or fewer
16 lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, development, or financing.

17 “Short subdivision, zero lot line” means a short subdivision that conforms to the unit lot
18 subdivision standards in Section 23.24.045.

19 * * *

20 "Subdivision" means the division or redivision of land into ten (~~((10))~~) or more lots,
21 tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

22 “Subdivision, zero lot line” means a subdivision that conforms to the unit lot
23 subdivision standards in Section 23.22.062.

1 * * *

2 Section 32. Section 25.09.240 of the Seattle Municipal Code, last amended by Ordinance
3 126509, is amended as follows:

4 **25.09.240 Short subdivisions and subdivisions**

5 * * *

6 D. Development standards for new lots in neighborhood residential zones. If new lots are
7 created in neighborhood residential zones by short subdivision or subdivision, the following
8 development standards apply based on the area of each new lot that is outside the
9 environmentally critical areas listed in subsection 25.09.240.A, plus environmentally critical
10 areas in which development is allowed pursuant to subsections 25.09.240.B.1, 25.09.240.B.2,
11 and 25.09.240.B.3:

12 1. Lot coverage and lot coverage exceptions according to subsections 23.44.010.C
13 and 23.44.010.D.

14 2. Height limits according to Section 23.44.012(~~(, including the requirements of~~
15 ~~subsection 23.44.012.A.3)) if the area of the largest rectangle or other quadrilateral that can be~~
16 drawn within the lot lines of the new lot outside the environmentally critical areas is less than
17 3,200 square feet.

18 * * *

19 Section 33. The provisions of this ordinance are declared to be separate and severable.
20 The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this
21 ordinance, or the invalidity of its application to any person or circumstance, does not affect the
22 validity of the remainder of this ordinance or the validity of its application to other persons or
23 circumstances.

1 Section 34. This ordinance shall take effect as provided by Seattle Municipal Code
2 Sections 1.04.020 and 1.04.070 or by June 30, 2025, whichever is later.

3 Passed by the City Council the _____ day of _____, 2025,
4 and signed by me in open session in authentication of its passage this _____ day of
5 _____, 2025.

6 _____
7 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

8 _____
9 Bruce A. Harrell, Mayor

10 Filed by me this _____ day of _____, 2025.

11 _____
12 Scheereen Dedman, City Clerk

13 (Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Office of Planning & Community Development (OPCD)	Brennon Staley/4-4625	Christie Parker/206-684-5211

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; implementing interim controls to comply with various state laws; establishing findings and adopting a workplan for permanent legislation; amending Sections 23.22.062, 23.24.045, 23.34.011, 23.44.006, 23.44.010, 23.44.011, 23.44.012, 23.44.014, 23.44.016, 23.44.017, 23.44.044, 23.45.512, 23.45.514, 23.45.518, 23.45.522, 23.45.527, 23.45.529, 23.53.006, 23.53.025, 23.54.015, 23.54.020, 23.54.030, 23.84A.010, 23.84A.025, 23.84A.036, and 25.09.240 of the Seattle Municipal Code.

Summary and Background of the Legislation:

The primary purpose of this legislation is to implement interim changes to zoning regulations necessary to comply with Washington State House Bill 1110. House Bill 1110 (also known as the “Middle Housing bill”) requires cities to allow a wider variety of housing types such as duplex, triplexes, and stacked flats in primarily single-family zones and places limits on the regulation of middle housing.

This legislation would also implement changes to comply with:

- House Bill 1293 which requires that design standards be “clear and objective”
- Senate Bill 6015 which places limits on requirements for off-street parking
- House Bill 1287 which establishes requirements for electric vehicle charging in new developments

Specifically, this legislation would make the following changes to the existing code:

Changes to Neighborhood Residential (NR) zoning

Below is a summary of the proposed updated development standards for NR zones and how they would compare to the permanent legislation and state’s model code, which would become effective if interim legislation is not adopted.

	Interim legislation
Uses	Multifamily uses are allowed

Density	Four units are allowed per lot except that six units are allowed per lot if within 1/4-mile walking distance of a major transit stop or at least two units on the lot are affordable. ADUs count toward the density limits. Density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to percentage of lot that contains ECAs
FAR	1 unit on a lot: 0.6 2 units on a lot: 0.8 3 units on a lot: 1.0 4 or more units on a lot: 1.2
Height	32 feet plus pitched roofs
Front setback	10 feet
Rear setback	10 feet, except 0 feet if the rear setback abuts an alley
Side Setback	5 feet, except 0 feet if the side setback abuts an alley
Garage setback	20 feet
Lot coverage	50 percent

Changes to Residential Small Lot (RSL) zoning

- Update density limits in RSL zones to comply with the requirement to allow at least 4 units on all lots and 6 units within ¼ mile of major transit stops or if two units are affordable; similar to NR zones, density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to the percentage of lot that contains ECAs
- Increase height in RSL zones from 30 feet to 32 feet similar to NR zones
- Increase the floor area ratio (FAR) so it would be equal to the proposed FAR in NR zones on lots with 2 or more units

Changes to Lowrise (LR) zoning

- Update density limits in LR1 zones to comply with the requirement to allow at least 4 units on all lots and 6 units within ¼ mile of major transit stops or if two units are affordable; similar to NR zones, density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to the percentage of lot that contains ECAs
- Increase height in LR1 zones from 30 feet to 32 feet similar to NR zones
- Shift from setbacks that vary by different building types into a single set of setbacks that apply to all projects in order to comply with HB 1110 standards that development standards can't be more strict for middle housing than for single-family residences, as summarized below:
 - Front setback: 7 feet average, 5 feet minimum
 - Rear setback: 7 feet average, 5 feet minimum, except 0 feet if alley

- Side setback: 5 feet
- Shift from maximum structure widths that vary by different building types into single maximum structure width of 90 feet for LR1 and LR2 zones and 150 feet for LR3 in order to comply with HB 1110 standards that development standards for middle housing can't be more strict than for single-family residences
- Remove certain design standards relating to façade articulation and location of windows to comply with the requirement of HB 1293 that design standards must be clear and objective
- Consolidate design standards that vary by housing type into a single set of standards relating to pedestrian pathways and entrances.

Additional changes affecting multiple zones

- Remove residential parking requirements for middle housing within ½ mile of major transit stops
- Modify parking space size and tandem parking requirements to comply with SB 6015 as follows:
 - Reduce minimum width of largest required parking space from 8.5 feet to 8 feet
 - Allow tandem parking to count as two spaces
- Modify standards for pedestrian access and circulation and access easements requirements so they are based on number of units rather than type of unit to comply with HB 1110 requirement that development standards for middle housing can't be more strict than for single-family residences
- Exempt middle housing from bike parking requirements to comply with HB 1110 standards that development standards for middle housing can't be more strict than for single-family residences
- Update EV charging requirements to meeting requirements in HB 1287

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

This legislation will not have any direct impacts to expenditures, revenues, or positions. However, it would have the following indirect impacts:

Tax Base

The legislation is likely to slightly increase the construction of housing in Neighborhood Residential zones. Increased housing construction would bring in additional tax revenue directly through increased construction sales tax and REET tax and indirectly through an increase in property taxes and the number of residents in Seattle.

Permit Review

This legislation is likely to increase the number of permits for housing that the City has to review but would also make changes to simplify the existing code. Increased permit review would be paid for by the permit fees on the additional volume of permits.

Information Technology, Education, & Outreach

Implementation of this legislation will require updating of zoning maps, GIS layers, websites, director's rules, and other public materials as well as minor changes to the software tracking tools such as Accela to account for new zone names. It is expected that this work will be accomplished using existing staff resources. Technology update costs would be paid by SDCI from existing permit fees through an existing MOU with IT. Material update costs outlined in the memo would be paid for by SDCI permit fees.

4. OTHER IMPLICATIONS

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

Fiscal impacts, described herein, are primarily on permitting departments including the Seattle Department of Construction and Inspections (SDCI), Department of Transportation (DOT), Seattle Public Utilities, (SPU), Seattle City Light (SCL), Seattle Fire Department (SFD), and the Department of Neighborhoods (DON).

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

The legislation will apply to Neighborhood Residential Zones throughout Seattle. Neighborhood Residential zones represent about 2/3rds of Seattle. It would also have minor impacts on development regulations in other residential 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 would help address multiple equity issues by:

- reducing the cost of housing by increasing the supply of housing in order to address the competition for housing which is driving price increases
- allow for more home ownership opportunities in parts of Seattle where only detached homes and accessory dwelling units are currently allowed
- implement an affordable housing bonus in NR zones to support the development of this type of housing in areas where affordable housing is lacking.

ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.** No racial equity analyses were conducted for the interim legislation, but a racial equity toolkit was conducted for permanent legislation which is planned to replace this legislation.

iii. **What is the Language Access Plan for any communications to the public?**
None.

d. Climate Change Implications

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

This legislation will tend to encourage housing within Seattle compared to areas outside of Seattle. Consequently, it will help to reduce carbon emissions from transportation by locating new households in areas of transit, employment, and amenities.

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

This legislation is not expected to substantially affect Seattle’s resiliency.

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

This legislation would allow the City to temporarily comply with state legislation. Permanent legislation to implement the One Seattle Plan will follow later this year.

5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.

Is a public hearing required?

Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?

If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?

Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?

6. ATTACHMENTS

Summary Attachments:

Director's Report

One Seattle Plan Zoning Update

Interim State Zoning Compliance Legislation Summary

March 26, 2025

Overview

The primary purpose of this legislation is to implement interim changes to zoning regulations necessary to comply with Washington State House Bill 1110. House Bill 1110 (also known as the “Middle Housing bill”) requires cities to allow a wider variety of housing types such as duplex, triplexes, and stacked flats in primarily single-family zones and places limits on the regulation of middle housing.

This legislation would also implement changes to comply with:

- House Bill 1293 which requires that design standards be “clear and objective”
- Senate Bill 6015 which places limits on requirements for off-street parking
- House Bill 1287 which establishes requirements for electric vehicle charging in new developments

Background

The Washington State Legislature has adopted numerous bills in recent sessions to support the production of housing and other objectives. Below is a brief summary of the bills that are relevant to this legislation.

HB 1110 (Middle Housing)

[HB 1110](#) requires cities throughout Washington state to allow a wider variety of housing in predominantly single-family zones. Minor changes to the language in HB 1110 were passed the following year as [HB 2321](#). Under these pieces of legislation, the following changes are required:

- Cities must allow in all residentially zoned areas six of nine types of housing (duplex, triplex, fourplex, fiveplex, sixplex, courtyard apartments, cottage housing, townhouses, stacked flats)
- Cities must allow in all residential areas four dwelling units per lot or six units per lot if within 1/4-mile walking distance of a major transit stop or at least two units on the lot are affordable; lots with ECAs may be partially exempted from this requirement
- Cities must allow unit lot subdivision, which facilitates fee-simple ownership of attached dwelling units
- Design review for middle housing may only be administrative
- Cities must not have any standards for middle housing that are more restrictive than those required for detached single-family residences
- Cities must apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences

- Cities must not require off-street parking as a condition of middle housing within one-half mile walking distance of a major transit stop
- Cities must not require more than one off-street parking space per unit as a condition of middle housing on lots smaller than 6,000 square feet

Cities are required to adopt changes to development standards to meet these requirements by June 30, 2025. If they do not meet this timeline, a state-developed “model ordinance” will supersede non-compliant local regulations. The state requirements include both requirements that are clearly defined (like the number of units required to be allowed) and others that are open to interpretation (such as the requirement that standards for middle housing may not be more restrictive than those required for detached single-family residences). Consequently, the model ordinance contains specific standards for height, floor area, setbacks, and other standards as well as less well defined guidance that certain types of standards would be invalid. Without interim legislation, it would be very difficult to review projects against the model ordinance and it is likely that the City would have to defend against lawsuits over our interpretation of the model ordinance.

House Bill 1293 (Clear and objective design standards)

[HB 1293](#) requires that cities may only have “clear and objective” design standards and places limits on design review processes. In Seattle, design standards occur in two places:

1. The City implements a design review program in which city staff or design review boards reviews larger projects against adopted design guidelines.
2. The Land Use code has design standards that apply to projects that don't go through design review.

The design review process, including the design guidelines, is proposed to be updated through a separate piece of legislation. This interim legislation would address changes to design standards in SMC 23.45.529. The deadline for compliance with these requirements is June 30, 2025.

Senate Bill 6015 (off-street parking)

[SB 6015](#) requires cities to implement a variety of changes around off-street parking. Seattle's existing code is already compliant with most of these provisions; however, this law would require us to:

1. Reduce the minimum width of largest required parking space from 8.5 feet to 8 feet
2. Allow tandem parking to count as two spaces

This bill was adopted in March of 2024 and the provisions when into effect at that time.

House Bill 1287 (electric vehicle charging)

[HB 1287](#) increases the portion of parking spaces in new development that must be “EV-ready.” EV-ready means that an electric service that is terminated at a junction box or receptacle outlet is provided in close proximity to a parking space. This level of infrastructure would allow a charger to be installed without laying new electrical lines or reopening the wall. Changes to meet this requirement were already made to Seattle's Electrical Code, but changes to the Land Use Code are also required to implement this law. This bill became effective July 1, 2024.

Approach to Legislation

This legislation only modifies standards that are addressed in the state’s Model Ordinance or that are required to be updated to comply with state law. Where the State’s Model Ordinance and proposed permanent legislation are generally similar, the legislation would implement the specific standards proposed in the draft permanent legislation.

The legislation also includes sections that are necessary for interim legislation including findings, the length of time the interim legislation would be in effect, and a workplan for preparing permanent legislation.

Summary of Legislation

This legislation would make the following changes to the existing code:

Changes to **Neighborhood Residential (NR)** zoning

Below is a summary of the proposed updated development standards for NR zones and how they would compare to the permanent legislation and state’s model code, which would become effective if interim legislation is not adopted.

	Interim legislation	Permanent legislation	State Model Ordinance
Uses	Multifamily uses are allowed	Same as interim	Same as interim
Density	Four units are allowed per lot except that six units are allowed per lot if within 1/4-mile walking distance of a major transit stop or at least two units on the lot are affordable. ADUs count toward the density limits. Density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to percentage of lot that contains ECAs	Implements a density limit of 1 unit per 1,250 square feet Otherwise, same as interim	Same as interim legislation except ADUs would not count toward density limit
FAR	1 unit on a lot: 0.6 2 units on a lot: 0.8 3 units on a lot: 1.0 4 or more units on a lot: 1.2	Same as interim	1 unit on a lot: 0.6 2 units on a lot: 0.8 3 units on a lot: 1.0 4 units on a lot: 1.2 5 units on a lot: 1.4 6 units on a lot: 1.6
Height	32 feet plus pitched roofs	Same as interim	35 feet plus pitched roofs.

Front setback	10 feet	Same as interim	15 feet, except 10 feet for lots with a unit density of three or more.
Rear setback	10 feet, except 0 feet if the rear setback abuts an alley	Same as interim	15 feet, except 10 feet for lots with a unit density of three or more and 0 feet if the rear setback abuts an alley
Side Setback	5 feet, except 0 feet if the side setback abuts an alley	Same as interim	5 feet
Garage setback	20 feet	Same as interim	Same as interim
Lot coverage	50 percent	Same as interim	55 percent for lots with 6 units 50 percent for lots with 4 or 5 units 45 percent for lots 3 or less units

Changes to **Residential Small Lot (RSL)** zoning

- Update density limits in RSL zones to comply with the requirement to allow at least 4 units on all lots and 6 units within ¼ mile of major transit stops or if two units are affordable; similar to NR zones, density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to the percentage of lot that contains ECAs
- Increase height in RSL zones from 30 feet to 32 feet similar to NR zones
- Increase the floor area ratio (FAR) so it would be equal to the proposed FAR in NR zones on lots with 2 or more units

Changes to **Lowrise (LR)** zoning

- Update density limits in LR1 zones to comply with the requirement to allow at least 4 units on all lots and 6 units within ¼ mile of major transit stops or if two units are affordable; similar to NR zones, density on lots with Environmentally Critical Areas (ECAs) would be reduced in portion to the percentage of lot that contains ECAs
- Increase height in LR1 zones from 30 feet to 32 feet similar to NR zones
- Shift from setbacks that vary by different building types into a single set of setbacks that apply to all projects in order to comply with HB 1110 standards that development standards can't be more strict for middle housing than for single-family residences, as summarized below:
 - Front setback: 7 feet average, 5 feet minimum
 - Rear setback: 7 feet average, 5 feet minimum, except 0 feet if alley

- Side setback: 5 feet
- Shift from maximum structure widths that vary by different building types into single maximum structure width of 90 feet for LR1 and LR2 zones and 150 feet for LR3 in order to comply with HB 1110 standards that development standards for middle housing can't be more strict than for single-family residences
- Remove certain design standards relating to façade articulation and location of windows to comply with the requirements of HB 1293 that design standards must be clear and objective
- Consolidate design standards that vary by housing type into a single set of standards relating to pedestrian pathways and entrances

Additional changes affecting **multiple zones**

- Remove residential parking requirements for middle housing within ½ mile of major transit stops
- Modify parking space size and tandem parking requirements to comply with SB 6015 as follows:
 - Reduce minimum width of largest required parking space from 8.5 feet to 8 feet
 - Allow tandem parking to count as two spaces
- Modify standards for pedestrian access and circulation and access easements requirements so they are based on number of units rather than type of unit to comply with HB 1110 requirement that development standards for middle housing can't be more strict than for single-family residences
- Exempt middle housing from bike parking requirements to comply with HB 1110 standards that development standards for middle housing can't be more strict than for single-family residences
- Update EV charging requirements to meeting requirements in HB 1287

Topics Not Included in Interim Legislation

In addition to complying with state law, the permanent legislation would implement a broad range of changes to improve the clarify and predictability of the code, encourage better design outcomes, and address other city goals. Below is a list of topics that are proposed to be addressed by the permanent legislation but are not included in the interim legislation:

- Consolidation of NR zones
- Rezones from NR to RSL
- Bonuses for stacked flats and low-income housing
- Corner store allowance
- Amenity Area
- Building separation requirements
- Accessory dwelling units
- Tree planting requirements and tree preservation incentives
- Allowances for stormwater features
- Parking location and screening
- Parking requirements outside of major transit areas
- Facade length
- New design standards
- Institutions
- Essential public facilities
- Adult family homes
- Numerous edits to improve clarity and accuracy



SEATTLE CITY COUNCIL
CENTRAL STAFF

CB 120969: Interim State Zoning Compliance Bill

ASHA VENKATARAMAN, JENNIFER LABRECQUE AND LISH WHITSON, COUNCIL CENTRAL STAFF

SELECT COMMITTEE ON THE COMPREHENSIVE PLAN

APRIL 16, 2025

OUTLINE

1. STATE MANDATES COVERED BY CB 120969
2. MIDDLE HOUSING TYPES
3. RESIDENTIAL DENSITIES
4. DEVELOPMENT STANDARDS
5. AFFORDABLE HOUSING
6. PARKING AND STREET IMPROVEMENTS
7. NEXT STEPS

OUTLINE

- 1. STATE MANDATES COVERED BY CB 120969**
2. MIDDLE HOUSING TYPES
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STATE MANDATES

- 2023 House Bill 1110 requires that the City allow middle housing in all residential zones
- House Bill 1293 requires that design standards be “clear and objective”
- Senate Bill 6015 places limits on requirements for off-street parking
- House Bill 1287 establishes requirements for electric vehicle charging in new developments

Council Bill 120969 has been drafted to implement these five bills.

It would be in effect for up to one year.

OUTLINE

1. STATE MANDATES COVERED BY CB 120969
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MIDDLE HOUSING TYPES

HB 1110 requires Seattle to allow six of nine middle housing types in residential areas.

CB 120969 would allow all nine.



Photos: MAKERS for the Washington State Department of Commerce

MIDDLE HOUSING DEFINITION

The following housing types would be defined as middle housing – if they are in a structure that is less than 32 feet tall:

- Accessory Dwelling Unit
- Adult Family Home
- Apartment
- Carriage House
- Congregate Residence
- Cottage Housing Development
- Low-income Housing
- Mobile home
- Multifamily residential use
- Permanent supportive housing
- Rowhouse development
- Single-family dwelling unit
- Townhouse development

The only other code section to use this definition is in exemptions from motor vehicle and bicycle parking requirements.

STACKED FLATS

Stacked flats (apartments and condominiums) would be allowed in all residential zones

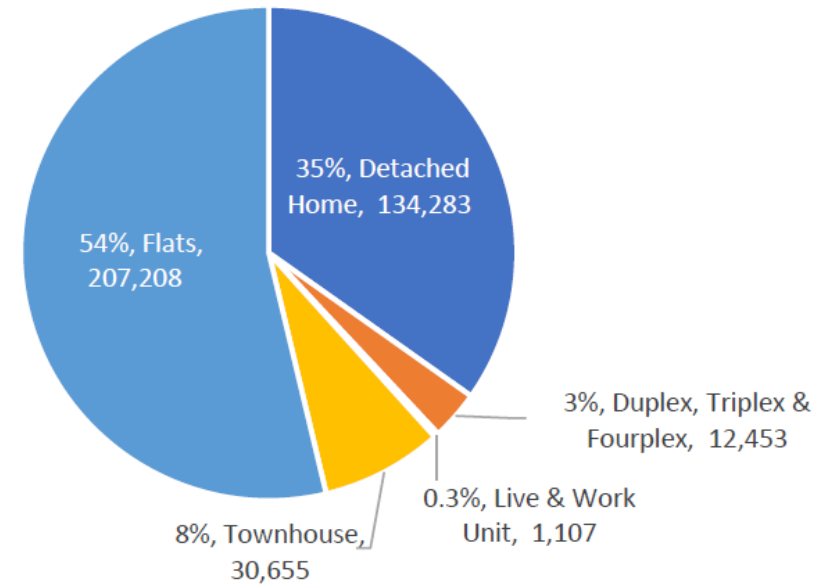
Majority of units currently in the City can be classified as “flats”

ECONorthwest analysis determined stacked flats are less likely to be built under than townhouses, due to:

- Increased construction costs
- If owner-occupied, requires a condominium

Stacked flats are likely to be less expensive than new single-family or townhouse units

Figure A-65
Seattle's Housing Supply by Housing Type



STACKED FLATS INCENTIVES

The One Seattle Plan Zoning Update Draft “Phase 1” Legislation included an incentive to build stacked flats on lots greater than 6,000 square feet:

- Increased floor area ratio
- Double the density (units per square foot of lot area)

CB 120969 does not include an incentive for stacked flats.

Council could apply the highest FAR limits included in CB 120969 to stacked flat projects, regardless of the number of units in the project.

This could incentivize the development of some stacked flat projects.

Units in these projects would be large and likely more expensive.

LEGACY HOMEOWNER INCENTIVES

Council funded \$3 million in 2024 to support homeowner stabilization services in communities at high risk of displacement.

The City's regulations related to ADUs may provide models for ways to support retention of existing houses with some development. The ADU regulations:

- Do not count ADUs toward the maximum FAR allowed on a site;
- Do not trigger requirements for street improvements;
- Allow additional units to be located in rear yards;
- Exempt new units from off-street parking requirements; and
- Support development of pre-approved designs.

OUTLINE

1. STATE MANDATES COVERED BY CB 120969
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RESIDENTIAL DENSITIES

CB 120969 uses two main tools to regulate density:

Density Limits:

- Number of units permitted per lot, or
- Square feet of lot area per unit

Floor Area Ratio Limits:

- Ratio of square foot of space within structures to square foot of lot area
- Examples:
 - 2,500 square foot building on a 5,000 square foot lot = 0.5 FAR
 - 6,000 square foot building on a 5,000 square foot lot = 1.2 FAR

DENSITY LIMITS

Minimum Lot Area Depends on the Zone:

- Neighborhood Residential 1 (NR1) = 9,600 square feet
- Neighborhood Residential 2 (NR2) = 7,200 square feet
- Neighborhood Residential 3 (NR3) = 5,000 square feet
- Residential Small Lot (RSL) = 2,000 square feet

Existing lots and lots on blocks with smaller lot sizes can still be developed.

DENSITY LIMITS – UNITS PER LOT

4 units per lot in all areas that allow single-family houses

6 units per lot within a quarter mile of major transit stops

6 units per lot for projects with at least 2 affordable housing units

DENSITY LIMITS – ECA EXCEPTIONS

Number of possible units reduced by the percentage of a lot in environmentally critical areas:

- Riparian corridors
- Wetlands and their buffers
- Submerged lands and areas within the shoreline setback
- Designated no-disturbance area in steep slopes

Can always build one principal unit per lot in NR zones, or one unit per 2,000 square feet in RSL zones.

DENSITY LIMITS – FLOOR AREA RATIOS

Zone	Current	Proposed								
NR1, NR2, NR3	0.5 FAR or 2,500 sq. ft., whichever is more	<table border="0"> <tr> <td data-bbox="1100 435 1905 478">< 1 unit/4,000 square feet:</td> <td data-bbox="2058 435 2211 478">0.6 FAR</td> </tr> <tr> <td data-bbox="1100 496 1905 539">1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:</td> <td data-bbox="2058 496 2211 539">0.8 FAR</td> </tr> <tr> <td data-bbox="1100 558 1905 601">1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:</td> <td data-bbox="2058 558 2211 601">1.0 FAR</td> </tr> <tr> <td data-bbox="1100 619 1905 662">≥ 1 unit/1,600 sq. ft.:</td> <td data-bbox="2058 619 2211 662">1.2 FAR</td> </tr> </table>	< 1 unit/4,000 square feet:	0.6 FAR	1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:	0.8 FAR	1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:	1.0 FAR	≥ 1 unit/1,600 sq. ft.:	1.2 FAR
< 1 unit/4,000 square feet:	0.6 FAR									
1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:	0.8 FAR									
1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:	1.0 FAR									
≥ 1 unit/1,600 sq. ft.:	1.2 FAR									
RSL	0.75 FAR	<table border="0"> <tr> <td data-bbox="1100 745 1905 788">< 1 unit/4,000 square feet:</td> <td data-bbox="2058 745 2237 788">0.75 FAR</td> </tr> <tr> <td data-bbox="1100 806 1905 849">1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:</td> <td data-bbox="2058 806 2211 849">0.8 FAR</td> </tr> <tr> <td data-bbox="1100 868 1905 911">1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:</td> <td data-bbox="2058 868 2211 911">1.0 FAR</td> </tr> <tr> <td data-bbox="1100 929 1905 972">≥ 1 unit/1,600 sq. ft.:</td> <td data-bbox="2058 929 2211 972">1.2 FAR</td> </tr> </table>	< 1 unit/4,000 square feet:	0.75 FAR	1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:	0.8 FAR	1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:	1.0 FAR	≥ 1 unit/1,600 sq. ft.:	1.2 FAR
< 1 unit/4,000 square feet:	0.75 FAR									
1 unit/4,000 sq. ft. to 1 unit/2,201 sq. ft.:	0.8 FAR									
1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.:	1.0 FAR									
≥ 1 unit/1,600 sq. ft.:	1.2 FAR									

DENSITY LIMITS – ADUs

CB 120969 counts ADUs toward the maximum density limit.

CB 120949, currently in front of the Land Use Committee, would not count ADUs toward the unit density limit.

Because it will be adopted later, CB 120969 will prevail while it is in effect.

The two bills will need to be reconciled.

DENSITY LIMITS – MINIMUM FLOOR AREA

The current code allows a minimum of 2,500 square feet of development in NR zones, no matter how small the lot (provided it meets minimum size requirements)

CB 120969 increases the FAR allowed on a lot, but removes this provision

For example, a single-family house on a 3,750 square foot lot in an NR3 zone:

Current	Proposed
2,500 square feet	2,250 square feet

DENSITY LIMITS – ROUNDING

Decisions about rounding will have an impact on the margins in terms of how many units can be built on a lot.

Standard provisions: Round up for more than 0.5, round down for 0.5 or below

Existing LR & RSL: Round up for more than 0.85 units, round down for 0.85 or below

CB 120969 for NR & RSL: Round down any fraction below 1.0

OUTLINE

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DEVELOPMENT STANDARDS

Aside from density and FAR, CB 120969 also regulates the following standards:

- Structure height
- Setbacks/yards
- Lot coverage
- Structure width

HEIGHT LIMITS

Zone	Current Code	CB 120969	Model Code
NR	30 ft.; except 25 ft. if the structure width is less than 30 ft.; and 18 ft. if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the lot or unit lot is less than 3,200 sq. ft.	32 ft. plus height of pitched roof	35 ft. can be measured to height of pitched roof
RSL	30 ft.	32 ft. plus height of pitched roof	35 ft. can be measured to height of pitched roof
LR1	30 ft.	32 ft. plus height of pitched roof	Not applicable (N/A)
LR2 w/o MHA	30 ft.	32 ft. plus height of pitched roof	N/A
LR3 w/o MHA	30 ft.	32 ft. plus height of pitched roof	N/A

^[1] Height limits for LR2 with MHA are 40 feet and LR3 zones with MHA are 40 or 50 feet. These would be unchanged under CB 120969.

YARD LIMITS

Location	Current Code in NR zones	Current Code in RSL Zone	CB 120969	Model Code
Front	Lesser of 20 ft. or average of adjacent single-family structures on each side	10 ft.	10 ft.	15 feet, except 10 feet for lots with a unit density of three or more.
Rear	Lesser of 25 ft. or 20% of lot depth, min. 10 ft.	10 ft., unless the rear yard abuts an alley, then no rear yard required	10 ft., unless the rear yard abuts an alley, then no rear yard required	15 feet, except 10 feet for lots with a unit density of three or more and 0 feet if the rear setback abuts an alley
Side	5 ft. unless the side lot line abuts an alley, then no side yard required	5 ft. unless the side lot line abuts an alley, then no side yard required	5 ft. unless the side yard abuts an alley, then no side yard required	5 feet
Garage	Not in front yard	Not in front yard	20 ft. from front lot line	20 ft.

SETBACK LIMITS

Location	Current Code	CB 120969
Front	<u>Cottage housing, townhouses</u> : 7 ft. average, 5 ft. minimum <u>Rowhouses, apartments</u> : 5 ft. minimum	7 ft. average 5 ft. minimum
Rear	<u>Cottage housing</u> : 7 ft. w/o alley, 0 ft. w/ alley <u>Rowhouses</u> : 7 ft. average, 5 ft. minimum w/o alley, 0 ft. w/ alley <u>Townhouses</u> : 7 ft. average, 5 ft. minimum <u>Apartments</u> : 10 ft. w/ alley, 15 ft. minimum w/o alley	7 ft. average 5 ft. minimum w/o alley 0 ft. minimum w/ alley
Side	<u>Cottage housing</u> : 5 ft. <u>Rowhouses</u> : 0 ft. if abutting another; 3.5 ft. or 5 ft. if abutting SF zone <u>Townhouses, apartments</u> : 7 ft. average, 5 ft. minimum; 5 ft. minimum for facades more than 40 ft.	5 ft.

LOT COVERAGE

- Existing NR zone maximum lot coverage:
 - For a lot with less than 5,000 sq. ft.: 1,000 sq. ft + 15 percent of lot area
 - For a lot with 5,000 sq. ft.: 35 percent
- CB 120969: increases to 50 percent regardless of lot size
- Unchanged in RSL zones at 50 percent
- Model Code:
 - 55 percent for lots with 6 units,
 - 50 percent for lots with 4 or 5 units
 - 45 percent for lots 3 or less units

STRUCTURE WIDTH

- Existing LR zone structure width:
 - No limits for cottage and row housing
 - 60 ft. maximum width for townhouses
 - 45 ft. maximum for apartments
- CB 120969: Change to 90 feet maximum regardless of structure type

DEVELOPMENT STANDARD IMPACTS

The Council may want to consider:

- If these development standards allow for the types of housing the Council would like to see in the interim period;
- How CB 120969's proposed increase in maximum lot coverage in NR zones will impact tree retention and whether it meets the Council's tree retention goals;
- How CB 120969's proposed changes to setbacks, structure width, and heights in LR1 zones impact the flexibility allowed in the current code to retain trees and whether to amend any development standards relating to amenity areas or open space.

OUTLINE

1. STATE MANDATES COVERED BY CB 120969
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HB 1110 AFFORDABLE HOUSING BONUS

- CB 120969 includes a provision from HB 1110 to allow six units per lot in NR zones, if at least two are affordable to low-income households.
- Affordable housing bonus is voluntary, not required.
- Non-profit developers are most likely to utilize the density bonus, due to the delta between an affordable price and a market-rate price.
- Council could exempt projects from MHA if they meet the density bonus requirements currently included in CB 120969.

MANDATORY HOUSING AFFORDABILITY (MHA)

- While CB 120969 would increase development capacity in NR zones, CB 120969 does not apply MHA to NR zones
- The Executive's proposal for permanent legislation to implement HB 1110 also would not apply MHA requirements to NR zones.
- HB 1110 allows jurisdictions to apply inclusionary zoning requirements in NR zones.
- Policy consideration for Council on whether to extend MHA to NR zones.

MHA DATA

Recent MHA evaluation found that for the model scenarios, MHA had negative impact on townhome feasibility in some low-rise (LR) zones

Since MHA inception:

- About 900 projects with 10 units or less that have made an MHA contribution in LR zones.
- About 220 projects with 10 units or less that have made an MHA contribution in RSL zones.

According to 2021 report by Grounded Solutions, out of 550 inclusionary housing programs: 17 percent had no unit threshold, 27 percent had a unit threshold between 2-5 units, 35 percent had a unit threshold between 6-10 units and eight percent had a unit threshold of 11 or more units.

MIDDLE HOUSING FEASIBILITY ANALYSIS (ECONorthwest)

- Middle housing would be feasible on about 19 percent of the NR lots, or about 19,000 lots, based on the NR zoning proposal released by the Executive in October 2024.
- NR upzones would result in 36,400 units over a 20-year period, as compared to 13,700 that would be created under existing zoning, for a net increase of 22,700 units.
- If costs increased by \$18,600 per unit, 25 percent of the projects would no longer be feasible and if development costs increased by \$41,900, then 50 percent of the projects would no longer be feasible.

MHA OUTCOMES

- Since inception, MHA has generated about \$300 million in affordable housing revenue. Over 30% of revenue has been from projects with 10 units or less in LR or Residential Small Lot (RSL) zones.
- Low-rise housing production has shifted to neighborhood residential zones following adoption of MHA and, subsequently, a change in ADU regulations. If the City implements NR upzones without MHA, that trend could continue, which could have an impact on MHA revenue.
- MHA has supported the production of 4,702 units since inception, through the Office of Housing's notice of funding availability process.
- 404 new income and rent restricted units have been created through the performance option. Only three projects with ten units or less have chosen the performance option.

MHA POLICY CONSIDERATIONS

- Under state law, an inclusionary zoning program can only be implemented at the same time that a development benefit, such as a density increase, is conveyed.
- MHA involves multiple policy choices: fee amount, performance amount, owner-occupancy exemption, unit threshold, timing of fee payment, i.e.
- If Council wanted to apply MHA to NR zones without impeding housing production in the near term, it would need to calibrate the requirement appropriately
- One option for Council to consider could be imposing a small fee in NR zones. As an illustrative example, it is estimated that 33,000 new units could be developed in NR areas over next 20 years. If an MHA fee of \$5,000 per unit were applied and those units were developed, that could potentially result in \$165 million over 20 years.

MHA POLICY CONSIDERATIONS

- If Council wanted to apply MHA to NR zones, it could do so in either the interim or permanent legislation.
- Waiting for the permanent legislation would allow Council to have more information.
- Law recommends that if Council intends to consider implementing MHA in NR zones in the permanent legislation, it state that policy intention when approving the interim legislation.

OUTLINE

1. STATE MANDATES COVERED BY CB 120969
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RESIDENTIAL PARKING REQUIREMENTS

Currently one off-street space is required per unit

However, no parking is required:

- In Urban Centers,
- In Station Area Overlays,
- Within urban villages in LR or RSL zones near frequent transit,
- For low or moderate-income single-family houses or multifamily units,
- For Accessory Dwelling Units

RESIDENTIAL PARKING REQUIREMENTS – CB 120969

One off-street space is required per unit.

However, no parking is required:

- In Urban Centers,
- In Station Area Overlays,
- Within urban villages in LR or RSL zones near frequent transit,
- For low or moderate-income single-family houses or multifamily units,
- For Accessory Dwelling Units,
- For middle housing within a half mile of a major transit stop

PEDESTRIAN INFRASTRUCTURE REQUIREMENTS

Sidewalks, curbs, and curb ramps are required when:

Location	Type of Residential Development*
Within Urban Centers and Urban Villages	New lots, other than unit lots, are created or development is proposed
Outside Urban Centers and Urban Villages	
On arterials	New lots, other than unit lots, are created or development is proposed
NR zones	10+ lots are created, or 10+ units are developed
Most other zones	Six or more lots are created, or six or more dwelling units are developed
	750 square feet of vehicle repair and multi-purpose retail sales are developed
	4,000 square feet or more of other non-residential uses

* Exception currently available for single-family houses will apply to development of one unit under CB 120969

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- 7. NEXT STEPS**

NEXT STEPS

Wednesday, April 30	Briefing
Wednesday, May 7	Discuss Possible Amendments to CB 120969
Monday, May 19	Public Hearing
Wednesday, May 21	Committee Votes
Tuesday, May 27	Council Vote

Questions?

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Council Central Staff
Subject: Policy Considerations for CB 120969

On April 16, the Select Committee on the Comprehensive Plan (Committee) will begin its deliberations on Council Bill (CB) 120969, interim zoning provisions to maintain consistency with Washington State law, particularly [Engrossed Second Substitute House Bill \(HB\) 1110](#). CB 120969 would amend regulations, on an interim basis, related to residential development in order to support the development of “missing middle” housing in the City’s residential zones. Many of the provisions of CB 120969 are derived from a “[Model Code](#)” developed by the Washington State Department of Commerce, which will go into effect if the Council does not adopt CB 120969. The interim provisions in CB 120969 would be in effect for one year, assuming the Council passes permanent regulations to implement compliance with HB 1110 effective before the end of that year period.

Council Central Staff have prepared five memoranda on key issues for Council to consider in its deliberations on the bill, as follows:

1. Middle Housing Types
2. Residential Densities
3. Development Standards
4. Mandatory Housing Affordability
5. Parking and Street Improvements

Most issues identified in the memoranda also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

On April 16, Central Staff will discuss these topics. We anticipate discussing possible amendments to CB 120969 on May 7, and a public hearing on CB 120969 is scheduled for May 19. The Council will need to adopt CB 120969 in sufficient time for it to go into effect on June 30.

Attachments:

1. CB 120969: Middle Housing Types
2. CB 120969: Residential Densities
3. CB 120969: Development Standards
4. CB 120969: Mandatory Housing Affordability
5. CB 120969: Parking and Street Improvements

cc: Ben Noble, Director

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Lish Whitson, Analyst
Subject: CB 120969: Middle Housing Types

Council Bill (CB) 120969 implements Washington State’s [Engrossed Second Substitute House Bill 1110 \(HB 1110\)](#),¹ which requires that the City allow middle housing on lots zoned predominantly for residential uses.

Middle housing, according to Revised Code of Washington (RCW) Section [36.70A.030](#), means “buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes.” Under HB 1110, the City must allow at least six of the following “missing middle housing types” on lots zoned predominantly for residential uses:

1. Duplexes,
2. Triplexes,
3. Fourplexes,
4. Fiveplexes,
5. Sixplexes,
6. Townhouses,
7. Stacked flats,¹
8. Courtyard apartments, and
9. Cottage housing.

CB 120969 implements that requirement by 1) allowing middle housing types in all residential zones; 2) allowing higher densities in residential zones, consistent with the requirements of HB 1110; and 3) applying development standards consistently across housing types.

This topic paper describes how CB 120969 would implement the requirements of HB 1110 to allow the nine middle housing types and discusses options to incentivize stacked flats and support legacy homeowners in adding density while remaining in their homes.

Most policy considerations identified here also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

¹ HB 1110 has been codified as Revised Code of Washington (RCW) section [36.70A.635](#).

¹ Stacked flat is defined in [RCW 36.70A.030](#) as: “dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.” In other words, stacked flats are apartments or condominiums.

Middle Housing Types

CB 120969 includes a definition of “middle housing” that goes beyond the requirements of HB 1110. Under CB 120969, middle housing would be limited to buildings no more than 32 feet tall. It would include the following housing types that cover the State’s definition of middle housing: apartment, cottage housing development, multifamily residential use, rowhouse development, and townhouse development. The definition of middle housing in CB 120969 would also add: accessory dwelling units, adult family homes, carriage houses, congregate residences, low-income housing, mobile homes, single-family dwelling units, and permanent supportive housing to the list of middle housing types. The only code provisions that would use this definition are an exemption from off-street parking space requirements near major transit stops and an exemption from bicycle parking requirements for middle housing.

Currently, Seattle’s Neighborhood Residential 1, 2 and 3 (NR1, NR2, and NR3) zones allow detached single-family homes, accessory dwelling units (ADUs), floating homes, nursing homes, and adult family homes. The Residential Small Lot (RSL) zone, also classified as a Neighborhood Residential zone, allows those residential housing types plus apartments (aka stacked flats), carriage houses, cottage houses, rowhouses and townhouses. Seattle’s multifamily zones allow a similar range of housing types.

CB 120969 would amend the Neighborhood Residential code to allow all uses permitted in RSL zones in the NR1, NR2 and NR3 zones. As a result, throughout the City’s residential areas, all nine housing middle housing types would be permitted if density limits would allow that housing. This will not always be the case. For example, on many lots only four units will be allowed, consistent with the requirements of HB 1110. This means that fiveplex and sixplex projects would not be permitted in those areas. However, in areas where six units are allowed, those types of projects may be built.

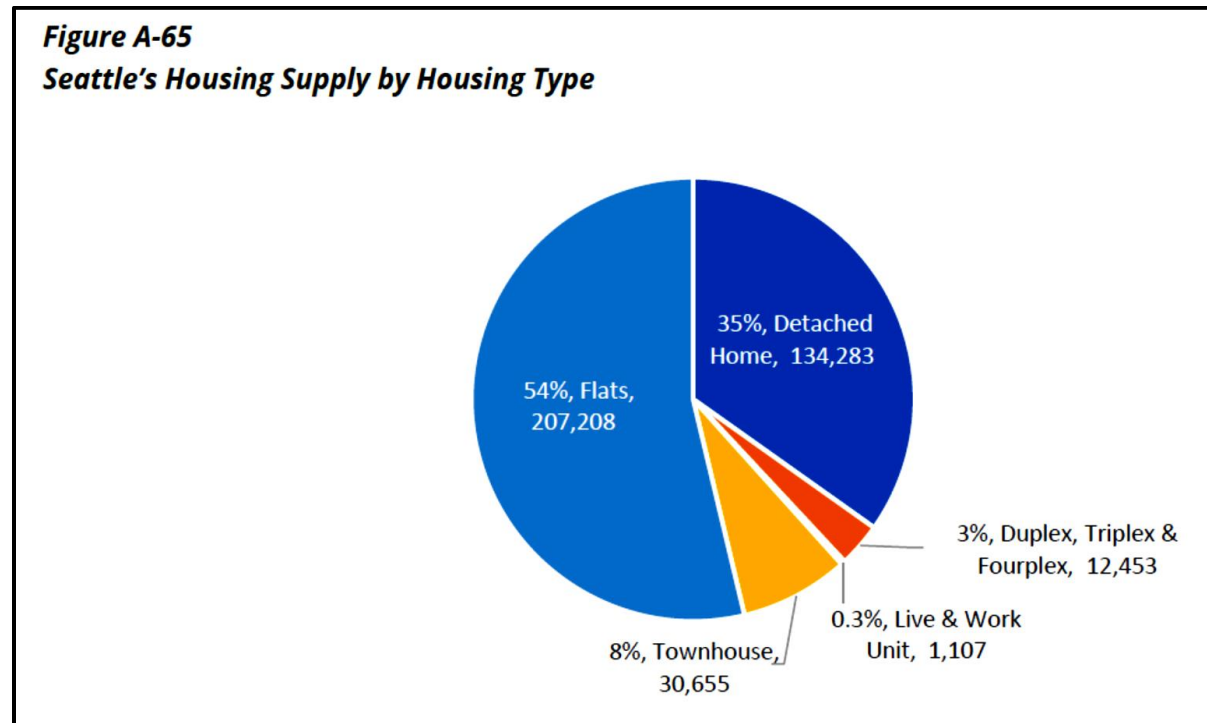
Stacked Flats

In recent years, most new housing in Seattle has been built as flats, generally in larger mixed-use buildings.¹ As of 2022, 54 percent of units in the city were in flats. The next largest share of housing, 35 percent of units, is in detached homes. Middle housing type projects, as defined under HB 1110, comprise a small share of existing units with eight percent of units in townhouses, and three percent of units in duplexes, triplexes, and fourplexes.²

¹ OPCD, Development and Growth Information, Data as of July 8, 2022, https://www.seattle.gov/documents/Departments/OPCD/Demographics/AboutSeattle/Citywide_Permit_Report.pdf, accessed April 8, 2025.

² Mayor Harrell’s One Seattle Plan Comprehensive Plan Update, Housing Appendix, Page A-134. This does not include housing types such as ADUS, mobile homes, and congregate residences, proposed through CB 120969 to be defined as middle housing.

Figure 1. Fig. A-65 Seattle's Housing Supply by Housing Type from Comprehensive Plan Update



The Office of Planning and Community Development (OPCD) hired ECONorthwest to undertake a feasibility analysis of middle housing to implement HB 1110. They found that middle housing would be feasible on roughly 19 percent of properties in the NR zone.³ Most of that development potential is in townhouses and other housing types that allow homeowners to own their unit outright, rather than requiring a condominium or other cooperative ownership. In particular, ECONorthwest determined that stacked middle housing is less feasible than other housing types for the following reasons:

- Building more than two stacked units triggers commercial building code requirements, increasing construction costs;
- Stacked flats require shared ownership of the building as condominiums;
- In Washington State, condominiums are subject to construction defect liability regulations which result in higher insurance costs;
- Condominiums also require condominium association dues and co-management of the property, which increase costs and decrease the appeal of units.

They did determine that stacked flats would be much more affordable than either single-family dwelling units or townhouse type development.

³ ECONorthwest, "Updating Seattle's Neighborhood Residential Zones: Middle Housing Feasibility Analysis," February 2025, <https://www.seattle.gov/documents/Departments/OPCD/SeattlePlan/OneSeattlePlanMiddleHousingReportECONorthwest.pdf>, retrieved April 7, 2025. Note that some key provisions of the proposal analyzed by ECONorthwest are different from the proposal under CB 120969. For example, in current NR 1 and NR2 zones, density limits would be different, and the proposal analyzed by ECONorthwest would allow more development on any lot.

Figure 2. Exhibit 13, Median Prices of Feasible Middle Housing Prototypes

Exhibit 3: Median Prices of Feasible Middle Housing Prototypes	
PROTOTYPE	UNIT PRICE
SFD	\$1,420,000
SF + AADU + DADU	SF: \$1,350,000
	AADU: \$581,000
	DADU: \$835,000
Attached Housing with Garage Parking	\$829,000
Attached Housing with Surface Parking	\$945,000
Attached Housing with No Off-Street Parking	\$919,000
Stacked Flats (Condos) with Surface Parking	\$506,000
Stacked Flats (Condos) with No Off-Street Parking	\$493,000

Source: ECOnorthwest
Note: Values are rounded.

Note: the source report incorrectly titles Exhibit 13 as Exhibit 3.

Policy Considerations

1. Incentives for Stacked Flats

Councilmembers and members of the public have indicated a preference for stacked flats over other middle housing types, like townhouses. Reasons for supporting stacked flats include relative affordability and accessibility. Approximately 20 percent of units in buildings with less than 20 units are stacked flats.

Because CB 120969 has been carefully drafted to hew closely to HB 1110 and does not increase development capacity beyond what HB 1110 requires, bonuses for any development type will be difficult to incorporate into the bill. A stacked flat bonus that was included in draft zoning regulations published in the fall of 2024 is not part of CB 120969. The Council has few options for incentivizing stacked flats under CB 120969.

One option to incentivize stacked flats would be to allow lower-density stacked flat projects to access floor area ratios (FAR) that otherwise would be limited to projects with more units. CB 120969 sets the FAR based on the number of units per square foot of lot area in a project. Projects with less than one unit per 4,000 square foot have a limit of 0.6 FAR. Projects with at least 1 unit per 1,600 square feet have an FAR limit of 1.2. The Council could apply the higher FAR limit to any project containing stacked flats, no matter how many units are included. The result would likely be more stacked flats that are both larger and more expensive than the stacked flats that might be built under CB 120969. It is unclear how much this change would shift the market for stacked flats compared to other housing types.

2. Incentives for Homeownership Retention

Councilmembers and members of the public have also voiced an interest in providing more support for long-term homeowners to increase density on their property while remaining in their houses. During the 2024 budget cycle, \$3,000,000 was allocated to the Office of Housing for outreach and engagement, and homeowner stabilization services in communities at high risk of displacement, to address this need.

The City's primary tool to support homeowners in creating additional units on their property has been through Accessory Dwelling Units (ADUs). ADUs are exempt from a number of regulations, making it relatively easy to add a unit to an existing project. Among the exemptions that apply are:

- ADUs are not counted toward the maximum FAR allowed on a site;
- ADUs do not trigger requirements for street improvements that apply to other housing types;
- ADUs are allowed to be located in rear yards; and
- ADUs are not required to provide an off-street parking space.

The Council could apply some of these provisions to the addition of new principal dwelling units on lots where an existing structure is retained. Such incentives might provide a long-term homeowner intending to remain in their home with more leverage in negotiations with development partners.

As with stacked flats, the Council could also increase permitted FARs on sites where existing houses would remain. The result in this case, may be more and smaller units than would otherwise be built. Given the issues described above, units would likely be attached townhouse-type development.

Other options for supporting existing homeowners in increasing density on their property that are not land use code-related include providing financial support to low-income homeowners or homeowners who agree to maintain new units as low-income; funding design or financial advice; or supporting the creation of model designs for backyard units that can result in reduced architectural costs to homeowners.

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Lish Whitson, Analyst
Subject: CB 120969: Residential Densities

Council Bill (CB) 120969 implements Washington State’s [Engrossed Second Substitute House Bill 1110 \(HB 1110\)](#), which requires, on lots zoned predominantly for residential use:

1. At least four units on every lot;
2. At least six units on every lot within one-quarter mile of a major transit stop; and
3. At least six units on every lot with at least two affordable housing units.

In setting these densities, the Executive has made some policy decisions that the Council may want to examine. Many of the provisions of CB 120969 are derived from a “[Model Code](#)” developed by the Washington State Department of Commerce, which will go into effect if the Council does not adopt CB 120969.

This topic paper describes the various ways that CB 120969 would regulate density and provides policy considerations for the Council to consider regarding treatment of ADUs and floor area ratio limits for development under CB 120969. Most policy considerations identified here also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

Density measures

There are two primary tools that CB 120969 would use to regulate the density of development:

- Density limits measured as the number of units per lot or as square feet of lot area per unit; and
- Floor Area Ratio (FARs) limits, measured as a ratio of floor space in a building to the lot area.

Density limits

One of the biggest changes required by HB 1110 is the allowance of multiple units on every lot that allows a single-family house. Zoning limits on the number of units allowed on a lot serve to provide consistency in terms of the total number of households that may live in an area. Where there is strong demand for housing, density limits may mean that the market is not able to produce sufficient housing to meet that demand, increasing the value of existing units and the cost of housing for homebuyers and renters. One of the primary purposes of HB 1110 is to require that jurisdictions are able to accommodate demand for housing. This requires changing how Seattle regulates density in its residential areas. Table 1 compares current density limits for Neighborhood Residential (NR), Residential Small Lot (RSL), and Lowrise Multifamily (LR) zones and the limits included in CB 120969 to comply with HB 1110.

Table 1: Comparison of Current Land Use Code Density Limits and CB 120969 Density Limits

Zone	Current Density Limit	CB 120969 Density Limit
NR1	1 unit per 9,600 sq. ft.	4 units per 9,600 sq. ft. 6 units per 9,600 sq. ft. within ¼ mile of a major transit stop 6 units per 9,600 sq. ft. if two units are low-income housing
NR2	1 unit per 7,200 sq. ft.	4 units per 7,200 sq. ft. 6 units per 7,200 sq. ft. within ¼ mile of a major transit stop 6 units per 7,200 sq. ft. if two units are low-income housing
NR3	1 unit per 5,000 sq. ft.	4 units per 5,000 sq. ft. 6 units per 5,000 sq. ft. within ¼ mile of a major transit stop 6 units per 5,000 sq. ft. if two units are low-income housing
RSL	1 unit per 2,000 sq. ft.	4 units per 2,000 sq. ft. 6 units per 2,000 sq. ft. within ¼ mile of a major transit stop 6 units per 2,000 sq. ft. if two units are low-income housing
LR1 with a Mandatory Housing Affordability (MHA) suffix	Single-family dwelling units, rowhouses on interior lots, and townhouses: 1 unit per 1,150 sq. ft. or 1 unit per 400 sq. ft. for low-income units All other housing types: no density limit	<u>All housing types:</u> 1 unit per 1,150 sq. ft.; 1 unit per 400 sq. ft. for low-income housing <u>For lots existing in June 2024:</u> 4 units per lot, 6 units per lot within ¼ mile of a major transit stop or 6 units per lot if two units are low-income housing
LR2 with MHA	No density limit	No density limit
LR3 with MHA	No density limit	No density limit
LR1 or LR2 without MHA	1 unit per 1,150 sq. ft. or 1 unit per 400 sq. ft. for low-income units	Same as LR1 with MHA
LR3 without MHA	Apartments: 1 unit per 800 sq. ft. Low-income units: 1 unit per 400 sq. ft. All other housing: 1 unit per 1,150 sq. ft.	Same as LR1 with MHA
Notes:	<ul style="list-style-type: none"> • Density limits do not include Accessory Dwelling Units (ADUs), which are permitted in addition to the number of units listed above. • In NR zones, development may be allowed on lots smaller than the densities listed on this table if the surrounding lots are also smaller than the base density limit. • In LR zones, one additional unit may be added to buildings built before 2001. 	<ul style="list-style-type: none"> • The applicable density limit that results in the most dwelling units applies. • Density limits include ADUs, which are counted in the total number of units on the lot. • Only one unit per lot is permitted within riparian corridors, wetlands and their buffers, submerged lands and areas within the shoreline setback, or designated non-disturbance areas in steep slopes. Other Environmentally Critical Areas (ECAs) are included in areas where additional units may be built. HB 1110, codified as Revised Code of Washington (RCW) Section 36.70A.635, allows the City to exempt “any areas subject to sea level rise, increased flooding, susceptible to wildfires or geological hazards over the next 100 years” from the requirements to allow at least four units on every residential lot.

Generally, the density limits in CB 120969 will allow more dwelling units on each lot than current regulations. The exception is in LR1 zones, where some housing types, like stacked flats, that do not currently have density limits would have limits on the number of units per lot.

HB 1110 allows the City to count ADUs toward the required density limit, and CB 120969 would count ADUs toward the maximum permitted density. On an NR lot more than a quarter of a mile from a major transit stop, a developer would have the option to build a duplex and two ADUs, a triplex and one ADU, or a fourplex. The other option would be to not count ADUs toward the maximum density limit. In that case, a developer would be able to build a fourplex plus two ADUs on an NR lot.

Floor Area Ratios (FAR)

CB 120969 would continue to apply FARs to development in NR, RSL and LR zones. Floor Area Ratio limits, limit the floor space in buildings based on a ratio to the size of the lot the buildings are located on. Four 1,250 square foot townhouses on a 5,000 square foot lot would have an FAR of 1.0:

$$4 \times 1,250 \text{ sq. ft.} = 5,000 \text{ sq. ft. total in structures}$$

$$5,000 \text{ sq. ft. in structures} \div 5,000 \text{ sq. ft. of lot area} = 1.0 \text{ FAR}$$

Under the current Land Use Code, in NR zones, there is a set FAR that applies to all zones. Under CB 120969, that would be replaced with a system that increases the FAR as the density of a project increases. Under this system, on a 5,000 square foot lot, a single-family house would be limited to 0.6 FAR, or 3,000 square feet. A fourplex would be permitted 1.2 FAR, or 6,000 square feet, allowing an average of 1,500 square feet per unit.

HB 1110 is silent on FAR limits. The Washington State Model Code would include FAR limits that increase with the number of units on a lot, regardless of lot size, as shown in Table 2:

Table 2: FAR Limits in the Washington State Model Code to implement HB 1110

Units on a lot (including ADUs)	Maximum floor area ratio (FAR)
1	0.6
2	0.8
3	1.0
4	1.2
5	1.4
6	1.6

Table 3 compares the FAR limits under Seattle’s current zoning and CB 120969.

Table 3: Current Land Use Code FAR limits and CB 120969 FAR Limits

Zone	Current FAR Limit	CB 120969 FAR Limit
NR1, NR2 and NR3	0.5 FAR or 2,500 sq. ft., whichever is more	Less than 1 unit/4,000 square feet: 0.6 FAR Between 1 unit/4,000 sq. ft. and 1 unit/2,201 sq. ft.: 0.8 FAR Between 1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.: 1.0 FAR 1 unit/1,600 sq. ft. or more: 1.2 FAR
RSL	0.75 FAR, plus 50 percent of floor area in structures built before 1982	Less than 1 unit/4,000 square feet: 0.75 FAR Between 1 unit/4,000 sq. ft. and 1 unit/2,201 sq. ft.: 0.8 FAR Between 1 unit/2,200 sq. ft. to 1 unit/1,601 sq. ft.: 1.0 FAR 1 unit/1,600 sq. ft. or more: 1.2 FAR Plus 50 percent of floor area in structures built before 1982
LR1	With MHA: 1.3 FAR; Without MHA: 1.0 FAR	With MHA: 1.3 FAR; Without MHA: 1.0 FAR
LR2	With MHA: 1.4 FAR; Without MHA: 1.1 FAR	With MHA: 1.4 FAR; Without MHA: 1.1 FAR
LR3	With MHA: 1.8 to 2.3 FAR; Without MHA: 1.2 to 1.5 FAR	With MHA: 1.8 to 2.3 FAR; Without MHA: 1.2 to 1.5 FAR
Notes:	<ul style="list-style-type: none"> • Floor area in ADUs is exempt from the FAR limit. ADUs are limited to 1,000 square feet per unit. • In NR zones either 250 sq. ft. in garages attached to Detached ADUs, or 500 sq. ft. of other detached structures is exempt from the FAR limit. • In RSL zones there is a maximum unit size limit of 2,200 square feet, separate from the FAR limit. • In the Lowrise 3 zone, higher FAR limits apply to areas with MHA inside urban centers and villages and apartments in areas without MHA. 	<ul style="list-style-type: none"> • ADUs do not count toward FAR limits in NR zones under CB 120949. ADUs are limited to 1,000 square feet per unit. • No changes are proposed to FAR limits in LR zones under CB120969 • In the Lowrise 3 zone, higher FAR limits apply to areas with MHA inside urban centers and villages and apartments in areas without MHA.

A single-family house with two ADUs on a 5,000 square foot NR-zoned lot would be permitted up to 4,500 square feet under current zoning and 5,000 square feet under CB 120969.

Policy Considerations

1. Accessory Dwelling Units

The Land Use Committee is currently considering CB 120949, which would update ADU regulations to implement HB 1337, a separate State bill that is also required to be implemented by the City by June 30. Under CB 120949, ADUs would differ from principal dwelling units in a number of ways:

- ADUs are not counted toward the number of units on a lot.
- The size of ADUs would be capped at 1,000 square feet;
- ADUs and attached garages would not count toward the maximum FAR permitted on the lot.
- Off-street parking would not be required;
- ADUs can be located within rear yards, and have higher lot coverage limits within the rear yard;
- ADUs are exempt from street improvement or tree planting requirements.

CB 120969 would include a provision, which would count ADUs toward project density limits, in opposition to CB 120949. Both ADUs and principal units would count toward the total number of units on a lot. Floor area within an ADU would be counted under the total project FAR. Continuing to not count ADUs toward the number of units permitted on a lot would allow for more units to be built on an NR, RSL or LR1 lot. It would, however, be inconsistent with the Mayor's draft permanent legislation and environmental review that counted ADUs toward the maximum density limit.

Because CB 120949 amends some of the same sections of the Land Use Code that would be amended by CB 120969, CB 120969 will need to be amended to reflect changes made by CB 120949 prior to adoption. Central Staff will prepare amendments for Council consideration.

See also the topic paper on middle housing types.

2. Minimum Floor Area on Small Lots

Current NR regulations allow a minimum of 2,500 square feet of development on lots under 5,000 square feet.¹ On lots that are above 5,000 square feet, an 0.5 FAR limit applies. CB 120969 removes the 2,500 minimum project size and applies a range of FARs depending on the number of units on a lot. For a 3,750 square foot lot, that would result in a reduction in permitted floor area allowed in a single-family house from 2,500 square feet to 2,250 square feet.

Does the Council want to retain a minimum floor area allowance for development on small lots?

¹ While the code provides a general minimum lot area of 5,000 square feet for NR3 zones, 7,200 square feet for NR2 zones, and 9,600 square feet for NR1 zones, there are exceptions provided for small lots that share a block face with other small lots. See SMC [23.44.010.B](#).

3. Rounding

Current Neighborhood Residential density limits in [SMC 23.44.017](#) allow one principal dwelling unit per lot. Standard Land Use Code provisions in [SMC 23.86.002](#) allow for rounding up fractions that are more than 0.5, and rounding down fractions that are 0.5 or less.

Existing [lowrise](#) and [RSL](#) regulations use a rounding convention to determine permitted residential densities that states that “when density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.” CB 120969 would amend these provisions for NR and RSL zones. Proposed section 23.44.017.E.1 would state: “when calculation of the number of dwelling units allowed results in a fraction of a unit, any fraction shall be rounded down.”

Does the Council want to retain the 0.85 rounding limit for determining how many units are permitted on a lot, or accept the Executive’s proposal to round any fraction below 1.0 down?

cc: Ben Noble, Director

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Asha Venkataraman, Analyst
Subject: CB 120969: Development Standards

Council Bill (CB) 120969 implements Washington State’s [Engrossed Second Substitute House Bill 1110](#) (HB 1110), which requires, on lots zoned predominantly for residential use:

1. At least four units on every lot;
2. At least six units on every lot within one-quarter mile of a major transit stop; and
3. At least six units on every lot with at least two affordable housing units.

In setting these densities, the Executive has made some policy decisions that the Council may want to examine. Many of the provisions of CB 120969 are derived from a “[Model Code](#)” developed by the Washington State Department of Commerce, which will go into effect if the Council does not adopt CB 120969. The interim provisions in CB 120969 would be in effect for one year, assuming the Council passes permanent regulations to implement compliance with HB 1110 effective before the end of that year period.

CB 120969 proposes to regulate a variety of development standards including density, floor area ratio (FAR), structure height, setbacks/yards, lot coverage, and structure width in Neighborhood Residential (NR), Residential Small Lot (RSL), and Lowrise Multifamily (LR) zones. Density limits and FAR are discussed in the density topic paper. This topic paper describes the various ways that CB 120969 would regulate the remaining development standards and provides policy considerations regarding the choices for proposed development standards in CB 120969 and tree retention.

Most policy considerations identified in the memoranda also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

Development Standards

CB 120969 would increase maximum building heights, decrease or maintain setback/yard limits, and increase lot coverage requirements, which is, in combination with changes to density and FAR limits, intended to increase a developer’s ability to construct a wider range of housing than single family homes. In general, the intent of regulating these standards is to balance built space with open space, creating specific aesthetic and environmental characteristics that allow for light, air, and space between structures and the right-of-way. The requirements of HB 1110 increase density on lots currently zoned predominantly for single-family residential use, resulting in the need for different development standards to accommodate spaces containing a higher density of units.

The following tables summarize current development standards for NR, RSL, and LR zones and compare them to the limits included in CB 120969 to comply with HB 1110 and the proposal in the Model Code as appropriate.

Table 1: Height Limits in Current Land Use Code, CB 120969 and the Model Code for NR, RSL, & LR Zones

Zone ¹	Current Code	CB 120969	Model Code
NR	30 ft.; except 25 ft. if the structure width is less than 30 ft.; and 18 ft. if the area of the largest rectangle or other quadrilateral that can be drawn within the lot lines of the lot or unit lot is less than 3,200 sq. ft.	32 ft. plus height of pitched roof	35 ft. can be measured to height of pitched roof
RSL	30 ft.	32 ft. plus height of pitched roof	35 ft. can be measured to height of pitched roof
LR1	30 ft.	32 ft. plus height of pitched roof	Not applicable (N/A)
LR2 w/o MHA	30 ft.	32 ft. plus height of pitched roof	N/A
LR3 w/o MHA	30 ft.	32 ft. plus height of pitched roof	N/A

Table 2: Yard Limits in the Current Land Use Code, CB 120969, and the Model Code in NR and RSL Zones

Location	Current Code in NR zones	Current Code in RSL Zone	CB 120969	Model Code
Front	Lesser of 20 ft. or average of adjacent single-family structures on each side	10 ft.	10 ft.	15 feet, except 10 feet for lots with a unit density of three or more.
Rear	Lesser of 25 ft. or 20% of lot depth, min. 10 ft.	10 ft., unless the rear yard abuts an alley, then no rear yard required	10 ft., unless the rear yard abuts an alley, then no rear yard required	15 feet, except 10 feet for lots with a unit density of three or more and 0 feet if the rear setback abuts an alley
Side	5 ft. unless the side lot line abuts an alley, then no side yard required	5 ft. unless the side lot line abuts an alley, then no side yard required	5 ft. unless the side yard abuts an alley, then no side yard required	5 feet
Garage	Not in front yard	Not in front yard	20 ft. from front lot line	20 ft.

¹ Height limits for LR2 with MHA are 40 feet and LR3 zones with MHA are 40 or 50 feet. These would be unchanged under CB 120969.

Table 3: Setback Limits in the Current Land Use Code and in CB 120969 in LR zones

	Current Code	CB 120969
Front	<u>Cottage housing, townhouses</u> : 7 ft. ave., 5 ft. min <u>Rowhouses, apartments</u> : 5 ft. min.	7 ft. ave. 5 ft. min
Rear	<u>Cottage housing</u> : 7 ft. w/o alley, 0 ft. w/ alley <u>Rowhouses</u> : 7 ft. ave., 5 ft. min w/o alley, 0 ft. w/ alley <u>Townhouses</u> : 7 ft. ave., 5 ft. min <u>Apartments</u> : 10 ft. w/ alley, 15 ft. min w/o alley	7 ft. ave., 5 ft. min w/o alley, 0 ft. w/ alley
Side	<u>Cottage housing</u> : 5 ft. <u>Rowhouses</u> : 0 ft. if abutting another; 3.5 ft. or 5 ft. if abutting SF zone <u>Townhouses, apartments</u> : 7 ft. ave., 5 ft. min; 5 ft. min for facades more than 40 ft.	5 ft.

CB 120969 would also increase maximum lot coverage in NR zones to 50 percent, a change from the current standard that a lot with less than 5,000 sq. ft. may have maximum lot coverage of 1,000 sq. ft + 15 percent of lot area and that a lot with 5,000 sq. ft. or more may have maximum lot coverage of 35 percent. The lot coverage limit in RSL zones would remain 50 percent. The Model Code provides for a maximum lot coverage of 55 percent for lots with 6 units, 50 percent for lots with 4 or 5 units, and 45 percent for lots 3 or less units.

In LR zones, CB 120969 would also standardize structure width to a maximum of 90 ft., a change from the current standard that had no limits for cottage and row housing, a maximum width of 60 ft. for townhouses, and 45 ft. for apartments.

Policy Considerations

1. Development standard impacts on middle housing

The Council may want to consider whether the standards proposed in CB 120969 will result in construction of the amount and types of middle housing it wants to see developed. The proposed standards would provide flexibility for developers to build many of the types of middle housing described in HB 1110 during the interim period during which CB 120969 will apply. However, with permanent legislation the Council may consider modifications to these standards to encourage development types contemplated by HB 1110 that, while allowed in some zones, are not delivered by the market.

However, because CB 120969 has been drafted to match the Model Code and HB 1110 as closely as possible, development capacity beyond what HB 1110 requires is not incorporated in the bill. Therefore, while the Council can consider whether to take actions like adding bonuses to the development standards for certain types of housing, such bonuses may be limited to minor incentives that match more closely HB 1110 and have been included in environmental review.

For example, CB 120969 increases maximum height in NR zones from 30 ft. to 32 ft. with a five foot allowance for pitched roofs. The model code uses a maximum height of 35 ft.; the Council could choose to increase allowable height by that additional three feet as a bonus.

2. Development standard impacts on trees

CB 120969 would increase maximum lot coverage, change maximum structure heights, and adjust front and rear yard sizes in NR and RSL zones and adjust setbacks and structure widths in LR zones, in addition to density and FAR limit changes. These changes will alter the footprint of buildings compared to the structures currently being built and thus change the amount of open space available for tree retention. The Council may want to consider whether to adjust any of these development standards to account for impacts on tree retention and/or change current thresholds for waiving development standards for tree retention. Again, because CB 120969 has been drafted to match the model code and HB 1110 as closely as possible, development capacity beyond what HB 1110 requires is not incorporated in the bill. Therefore, while the Council can consider whether to make changes, the scope of such changes or incentives may be limited to those that are in accordance with HB 1110 and included in environmental review.

Development under CB 120969 would be subject to tree protection requirements in the Tree Code. Currently, the code allows departures from development standards for a lot undergoing development if it would allow for the retention of trees in certain circumstances. In NR zones, removal of a Tier 2 tree² is only allowed if the size of the basic tree protection area (TPA) makes achieving maximum lot coverage impossible. While no principal development is usually allowed in a yard on a lot where a front and/or rear yard is required, that restriction can be modified to retain a Tier 2 tree. In those cases, development can extend into the yard by a specific amount, either (1) the amount of the TPA, excluding any portions of the TPA located with the required yard(s); or (2) 50 percent of the yard, whichever area is smaller. If this modification still does not achieve maximum lot coverage, SDCI will permit tree removal. If maximum lot coverage can be achieved without extending into the required yard(s), no extension is permitted.

The Council may want to consider how CB 120969's proposed increase in maximum lot coverage in NR zones will impact tree retention and whether it meets the Council's tree retention goals.

Additionally, in LR zones, development standards for lots undergoing development can be modified if an applicant chooses to retain Tier 2 trees that would otherwise be removed or if encroachment into the TPA of an off-site Tier 1, Tier 2, or Tier 3 tree cannot otherwise be avoided. For development not subject to design review,³ which would include all development in NR zones, setback and separation requirements, amenity areas, and landscaping and screening requirements can decrease up to 75 percent. Structure width, depth, and façade length limits can increase up to 30 percent.⁴ A reduction in the amount of parking required by Section 23.54.015 and the modification of standards for safe access of any required parking in Section 23.54.030 is allowed to protect a Tier 2 tree, as long as the reduction would result in a project that would avoid the TPA. In addition, for a principal structure with a base height limit of 40 feet that is subject to the pitched roof provisions of subsection 23.45.514.D, the Director of the Seattle Department of Construction and Inspections (SDCI) may

² Section 25.11 defines the following tiers of trees: Tier 1 – designated heritage trees; Tier 2 – trees 24 inches diameter at standard height (DSH) or greater and certain species less than 24 inches DSH, as designated by Director's Rule (DR) 7-2023; Tier 3 – trees 12 inches or greater but less than 24 inches DSH; and Tier 4 – trees six inches or greater but less than 12 inches DSH.

³ For development that is subject to design review under Section [23.41.012](#), the SDCI Director may waive or modify application of a development standard if the Director decides that waiver or modification would result in a development that better meets the intent of adopted design guidelines.

⁴ Generally, structure height and floor area ratio limits are not subject to waivers or modification through design review.

permit some pitched roofs to extend up to a height of 50 feet if the increase is needed to accommodate, in an additional story, the amount of floor area lost by avoiding development within the TPA.

The Council may want to consider how CB 120969's proposed changes to setbacks, structure width, and heights in LR1 zones impact the flexibility allowed in the current code to retain trees and whether to amend any development standards relating to amenity areas or open space. The Environmental Impact Statement for the Comprehensive Plan did analyze changes to open space and amenity area requirements, so in considering permanent legislation to implement HB 1110 and the updated Comprehensive Plan, the Council may consider whether to make changes to open spaces and amenity areas.

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Jennifer LaBrecque & Ketil Freeman, Analysts
Subject: CB 120969: Affordable Housing

The purpose of this memo is to identify policy considerations related to Council Bill (CB) 120969, Interim Zoning Legislation to implement [Engrossed Second Substitute House Bill 1110 \(HB 1110\)](#), and housing affordability programs, particularly Mandatory Housing Affordability (MHA). Most policy considerations identified here also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

MHA is the City's inclusionary zoning program. Under the program, in areas where changes to zoning provide additional development capacity, new residential and commercial development must provide a percentage of lower income units, referred to as performance, or make an in-lieu fee payment. The amount of performance or payment depends on the zone and location. MHA does not apply in most industrial zones and Neighborhood Residential (NR) zones. However, it does apply in RSL zones, which is a type of NR zoning within urban village boundaries.

While CB 120969 would increase development capacity in NR zones, CB 120969 does not apply MHA to NR zones; the Executive's proposal for permanent legislation to implement HB 1110 also would not apply MHA requirements to NR zones.

This memo covers the following topics:

1. HB 1110 affordability bonus provisions and their relation to MHA
2. Two reports prepared by the Executive related to middle housing feasibility and MHA
3. MHA program outcomes
4. Policy considerations related to MHA in NR zones

HB 1110 Affordability Bonus

CB 120969 includes a provision from HB 1110 to allow six units per lot in NR zones, even if they are not within a quarter mile walking distance of a major transit stop, if at least two are affordable to low-income households. (Lots within a quarter mile of a major transit stop must have a minimum density of six units, with no affordability requirement.) Affordable means a sale price affordable to households at or below 80 percent Area Median Income (AMI) for owner-occupied units and at or below 60 percent AMI for rental units. The two bonus units must be affordable for 50 years, must be distributed throughout the development, must be provided in a range of sizes comparable to other units in the development, and, to the extent practicable, must have the same number of bedrooms as other units in the project.

The affordability bonus under HB 1110 is voluntary; developers can choose whether or not to provide two affordable units in return for the additional density. Non-profit developers are most likely to utilize the density bonus, because the difference between the affordable price and the market-rate price will likely make the density bonus infeasible for market-rate developers. For example, the maximum sales price for an affordable townhome would be somewhere between \$210,000-\$405,000, depending on the number of bedrooms. Redfin reports that the average townhome sales price in Seattle in January 2025 was \$722,000. If MHA were applied in NR zones, Council could exempt projects from MHA if they meet the density bonus requirements currently included in CB 120969.

Overview of the reports prepared for the Executive

The Executive has released two reports related to the MHA program. Below is an overview of the reports, with additional context provided by Central Staff.

[Seattle Mandatory Housing Affordability Five Year Evaluation](#), Berk and Heartland, March 2025

- The MHA evaluation generally found that for mid-rise and high-rise types of developments, the MHA fee is a relatively small share of development cost, but it could impact “go/no-go” decisions on more marginal projects. However, the evaluation found that MHA had a pronounced negative impact on townhome production in some LR zones. In Berk’s model townhome scenario, MHA made townhome projects infeasible, especially those located in medium fee areas, even in 2019 when market conditions were much more favorable than today.
- Because BERK’s analysis was a model scenario, it should not be construed to mean that townhome development subject to MHA has not occurred. Central Staff’s analysis found that there were about 900 projects with 10 units or less that have made an MHA contribution in LR zones. Most small projects in LR areas are townhomes. Seventy percent of those projects were in medium fee areas. Additionally, there have been 220 projects with 10 units or less that have made an MHA contribution in RSL zones.
- The MHA evaluation looked at some peer cities and other cities and towns in the Seattle Metropolitan Region to determine if they have a minimum unit threshold before their inclusionary zoning requirements apply. Seattle has no threshold for residential development. The majority of comparison jurisdictions in the report had unit thresholds ranging from 4-30 units. According to a separate 2021 report by Grounded Solutions,¹ out of 550 inclusionary housing programs: 17 percent had no unit threshold, 27 percent had a unit threshold between 2-5 units, 35 percent had a unit threshold between 6-10 units, eight percent had a unit threshold of 11 or more units, 13 percent used another measure besides the number of units for a threshold.
- In our review, Central Staff found several examples where the report could have provided further information. For example, it could have explored if the lessons learned on the impact of MHA on townhome feasibility in LR zones was totally applicable to NR zones, given that the NR upzones will likely have more economic value for some lots than the LR upzones did for townhome development.² It could also have explored other reasons why low-rise development moved from LR zones to NR zones, after Accessory Dwelling Unit (ADU) reform was enacted, outside of the fact that MHA exists in LR zones but not NR zones³.

¹ [Inclusionary Housing US v1_0.pdf](#) (page 31) - https://groundedsolutions.org/wp-content/uploads/2021-01/Inclusionary_Housing_US_v1_0.pdf

² For example, the unit and FAR increases under CB 120969 are equivalent to approximately 33 percent in the NR3 zone. Increases to LR1 zones under the MHA upzones were approximately 10 percent. LR upzones provided a fourth floor to townhomes but there was limited demand for townhomes with four floors while NR upzones will provide additional units on some lots.

³ For example, the evaluation mentions that ADUs are permitted much faster than townhomes. Additionally, the NR zones where ADUs are primarily developed comprise approximately two-thirds of the city, while LR zones comprise approximately 5 percent.

[Updating Seattle’s Neighborhood Residential Zones: Middle Housing Feasibility Analysis](#), ECONorthwest, February 2025.

- This study analyzed feasibility on about 100,000 lots in NR zones across the city. The study estimated that middle housing would be feasible on about 19 percent of the NR lots, or about 19,000 lots, based on the NR zoning proposal released by the Executive in October 2024.⁴ The feasibility analysis found that under existing NR zoning, which allows a principal residence plus one ADU and one DADU, only about 3 percent of NR lots are feasible for redevelopment. The feasibility analysis estimates that the NR upzones would result in 36,400 units over a 20-year period, as compared to 13,700 that would be created under existing zoning, for a net increase of 22,700 units.
- The report provides a sensitivity analysis related to increased costs, finding that if costs increased by \$18,600 per unit, 25 percent of the projects would no longer be feasible and if development costs increased by \$41,900, then 50 percent of the projects would no longer be feasible. There is no sensitivity analysis in the other direction, to provide information on how more favorable conditions, such as lower interest rates, could increase the number of feasible projects.

MHA Affordable Housing Outcomes

Since inception, MHA has generated about \$300 million in affordable housing revenue. Projects with 10 units or less in LR zones have generated about \$97 million in fees and projects with 10 units or less in RSL zones have generated about \$12 million in fees, together representing over 30% percent of total revenue since MHA inception.

The 2025 MHA evaluation found that low-rise housing production shifted to neighborhood residential zones following adoption of MHA and, subsequently, a change in ADU regulations. If the City implements NR upzones without MHA, one could expect the same trend to continue, with developers choosing to develop outside of MHA areas. As noted above, smaller projects in LR and RSL zones have generated over 30 percent of all MHA revenue, so this continued trend could have an impact on MHA revenue.

The Office of Housing (OH) distributes MHA revenue through its notice of funding availability process to non-profit and for-profit affordable housing developers. MHA has supported the production of 4,702 units since inception. Consistent with the MHA Director’s Rule issued in 2018, MHA units are leveraged with other fund sources such as Low-Income Housing Tax Credits and State Housing Trust Fund dollars⁵.

Since MHA inception, 404 new income and rent restricted units have been created through the performance option. Only three projects with ten units or less have chosen the performance option.

⁴ The October 2024 proposal is largely consistent with the Mayor’s proposed permanent zoning proposal.

⁵ [Directors Report MHA Citywide.pdf](#)

(https://www.seattle.gov/Documents/Departments/HALA/Policy/Directors_Report_MHA_Citywide.pdf)

Policy Considerations

1. Does Council want to apply MHA to NR zones and, if so, at what level?

HB 1110 allows jurisdictions to apply inclusionary zoning requirements in NR zones. Under state law, an inclusionary zoning program must offer both a payment and performance option.

MHA is not a monolithic policy; there are multiple policy levers that could be pulled in creating a program for NR zones. The major policy levers are around the fee and performance amount.

Other policy choices include whether to offer an exemption for owner-occupied lots being re-developed by long-time owners, applying a unit threshold below which MHA would not apply, and the timing of fee payment.

One factor in establishing MHA requirements is the impact of project feasibility. As indicated in the MHA evaluation discussed above, MHA costs do have an impact on investment returns. Depending on the specific circumstances, including market conditions and value of the offsetting upzone to the development, the MHA requirement may or may not bring a return below the threshold needed for viability. If Council wanted to apply MHA to NR zones but do so in a way that did not impede housing production in the near term, it would need to calibrate the requirement to reduce the possibility that a requirement would preclude development from occurring under current market conditions. This is more challenging to do when market conditions are unfavorable, as is the case currently. Additionally, as the Middle Housing Feasibility Analysis shows, middle housing projects may be highly sensitive to increased costs.

One option for Council to consider could be imposing a small fee in NR zones, such as a set amount per unit. As an illustrative example, the Middle Housing Feasibility Analysis shows that there would be an estimated 33,000 new units developed in NR areas over 20 years, as a result of the upzones proposed by the Executive in October 2024. If an MHA fee of \$5,000 per unit were applied and those units were developed, that could potentially result in \$165 million over 20 years.

While not required under state law for residential inclusionary zoning programs, a nexus study⁶ can also help inform the design of an inclusionary zoning program like MHA. Councilmember Moore has commissioned a nexus study regarding the application of MHA in NR zones and Community Attributes Incorporated has been engaged. The study is anticipated to be complete this summer.

⁶ A residential nexus study is a study that determines the causal relationship (nexus) between new market rate residential development and the need for additional housing affordable to lower income households. A nexus study also quantifies the roughly proportional amount of housing affordable to lower income households that would be needed to mitigate the demand caused by development of market rate housing for higher income households

2. If Council wants to apply MHA to NR zones, should it amend the interim zoning legislation or the permanent zoning legislation?

Council is currently considering interim zoning legislation to achieve compliance with HB 1110. CB 120969 does not include MHA, and does not amend sections of the Land Use Code that would need to be amended to apply MHA. Permanent legislation will be considered after the environmental review appeals process is completed. The interim legislation does the minimum needed to achieve compliance with HB 1110; permanent legislation will likely exceed the minimum density requirements for HB 1110, at least for larger lots.

Under state law, an inclusionary zoning program can only be implemented at the same time that a development benefit, such as a density increase, is conveyed. If Council wanted to apply MHA to NR zones, it could do so in either the interim or permanent legislation. Waiting for the permanent legislation would allow Council to have more information, including the results of the nexus study and an understanding of what the Executive's final permanent legislation proposal is and any changes that Council itself is likely to make. If Council wants to defer consideration of MHA to decision-making on permanent legislation, Law recommends stating its policy intention to do so when approving the interim legislation (for example through a companion resolution or uncodified section of the interim legislation.)

April 11, 2025

MEMORANDUM

To: Select Committee on the Comprehensive Plan
From: Lish Whitson, Analyst
Subject: CB 120969: Parking and Street Improvements

Council Bill (CB) 120969 implements Washington State’s [Engrossed Second Substitute House Bill 1110 \(HB 1110\)](#), which requires, on lots zoned predominantly for residential use:

1. At least four units on every lot;
2. At least six units on every lot within one-quarter mile of a major transit stop; and
3. At least six units on every lot with at least two affordable housing units.

In setting these densities, the Executive has made some policy decisions that the Council may want to examine. Many of the provisions of CB 120969 are derived from a “[Model Code](#)” developed by the Washington State Department of Commerce, which will go into effect if the Council does not adopt CB 120969.

This topic paper describes the various ways that CB 120969 would regulate street improvements and parking and provides policy considerations for the Council to consider regarding treatment of parking and infrastructure for development under CB 120969. Most policy considerations identified here also apply to permanent legislation implementing HB 1110 and are discussed here because of Council interest. Depending on the issue, potential policy choices identified here may be better addressed through permanent regulations because of procedural State Environmental Policy Act (SEPA) limitations or because they invoke issue areas that are appropriate to the Comprehensive Plan or future Comprehensive Plan implementation phases.

Parking

Overall, 74,000 Seattle households, including approximately one third of renter households, do not own a motor vehicle.¹ The median household in Seattle owns one car. Because the easy accessibility of parking is correlated with increases in car trips, the City has generally reduced parking requirements for multifamily housing in areas where other modes of transportation are readily available.

Seattle’s current policies regarding parking indicate that the City will “Establish parking requirements where appropriate for both single-occupant vehicles and their alternatives at levels that further this Plan’s goal to increase the use of public transit, car pools, walking, and bicycles as alternatives to the use of single-occupant vehicles.”² The Mayor’s Recommended Plan would include a policy that states the City will “Use minimum parking requirements where appropriate to balance the goals of allowing accessibility, reducing competition for on-street spaces, discouraging underused parking facilities,

¹ U.S. Census Bureau, “Tenure by Vehicles Available,” American Community Survey 1-Year Estimates Subject Tables, Table B25044, 2023, <https://data.census.gov/table/ACSDT1Y2023.B25044?q=tenure+vehicles+available+seattle>, accessed on Apr 6, 2025.

² Seattle 2035, 2022, Policy LU 6.1, page 49

providing for electric vehicle charging, minimizing impacts to the cost of housing, and increasing the use of public transit, carpools, walking, and bicycles as alternatives to the use of single-occupant vehicles.”³

Seattle currently requires at least one parking space for each residential unit. Exceptions are provided for development in areas with frequent transit service where residents are able to make most necessary trips on foot or with a wheelchair, by bicycle, or by using transit. In those areas, there is no residential parking requirement, but developers are allowed to include parking in the project. The City’s experience has been that developers will provide parking for condominiums, projects with larger units, and projects in areas that are relatively less accessible. Rental projects in closer-in locations, and particularly low-income housing units are not built with on-site parking, unless the project includes multiple bedrooms and is designed to serve families with children.

HB 1110 requires that the City amend its parking regulations to remove requirements for off-street parking stating that Cities:

- May not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop;
- May not require more than one off-street parking space per unit on lots smaller than 6,000 square feet; and
- May not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

Other provisions of the Growth Management Act (GMA) prohibit the City from requiring more than one parking space per four congregate housing units, or from requiring any parking for Accessory Dwelling Units (ADUs). One section of the GMA (RCW [36.70A.622](#)) includes development standards for parking, stating for example, that Cities must allow gravel parking areas.

CB 120969 would implement these requirements by removing residential parking requirements for middle housing within one half mile of major transit stops. It would modify parking space requirements to comply with [RCW 36.70A.622](#) by reducing the minimum width of largest required parking space from 8.5 feet to 8 feet. As required, the bill would allow tandem parking to count as two spaces. Finally, it would exempt middle housing from bike parking requirements to comply with HB 1110 directives that development standards for middle housing may not be stricter than the standards that apply to single-family residences.

³ Mayor Harrell’s One Seattle Comprehensive Plan – Mayor’s Recommended Draft, April 2025, Policy LU 5.2, page 31

Street Improvements

Section 23.53.006 lays out the requirements for when sidewalks, pedestrian walkways, curbs, curb ramps, and accessible crossings are required to be included as part of a development project, as shown in Table 1:

Table 1. Summary of Current Street Improvement Requirements

Location	Type of Development	Requirement
Within Urban Centers and Urban Villages		
Within Urban Centers and Urban Villages	New lots, other than unit lots, are created	Sidewalks, curbs, and curb ramps
Outside Urban Centers and Urban Villages		
Any zone with a pedestrian designation	New lots, other than unit lots, are created	Sidewalks, curbs, and curb ramps
Industrial zones	New lots are created or development is proposed	Sidewalks, curbs, and curb ramps
On arterials	New lots, other than unit lots, are created or development is proposed	Sidewalks, curbs, and curb ramps
Neighborhood Residential zones	Ten or more lots are created, or ten or more dwelling units are developed	Sidewalks, curbs, and curb ramps
Other zones	Six or more lots are created, or six or more dwelling units are developed	Sidewalks, curbs, and curb ramps
	750 square feet of vehicle repair and multi-purpose retail sales are developed	Sidewalks, curbs, and curb ramps
	4,000 square feet or more of other non-residential uses	Sidewalks, curbs, and curb ramps

Exceptions to these requirements include:

- Construction of ADUs, and
- Construction of a single-family dwelling unit on blocks without existing sidewalks, curbs, and curb ramps within a hundred feet or otherwise determined by the Seattle Departments of Transportation and Construction and Inspections not to be necessary.

Waivers may be given:

- In environmentally critical areas,
- Where a sidewalk, curb, or curb ramp would be impracticable or infeasible,
- Where a sidewalk, curb or curb would disrupt existing drainage patterns or significant trees, or
- Where sidewalk, curb or curb ramp construction would restrict vehicular access to the lot.

CB 120969 would amend these provisions by exempting one dwelling unit, rather than a “single-family dwelling unit” from sidewalk, curb, and curb ramp construction.

Other amendments in CB 120969 would align regulations between single-family development and multifamily development for vehicle access easements (driveways) consistent with requirements in HB 1110 that middle housing not be treated differently from single-family development.

Policy Considerations

1. Parking requirements for development in NR zones

CB 120969 implements the minimum required changes to parking requirements included in HB 1110. The Environmental Impact Statement for the Comprehensive Plan did include additional reductions in parking under some of the alternatives. In considering permanent legislation to implement HB 1110 and the updated Comprehensive Plan, the Council should consider whether parking requirements should be adjusted beyond the minimum changes made in CB 120969.

2. Street Improvements

CB 120969 and permanent regulations implementing HB 1110 would authorize development densities in all areas zoned neighborhood residential that exceed allowable densities currently allowed in the least intense zone, the RSL zone, within Urban Villages. In those RSL zones, street improvement thresholds are set to deliver sidewalks and other pedestrian amenities consistent with a fully urbanized environment. In considering permanent legislation to implement HB 1110 and the updated Comprehensive Plan, the Council should consider whether the street improvement threshold requirements for middle housing are appropriate to deliver pedestrian-serving infrastructure in densifying neighborhoods.