

Ordinance No. 123939

Council Bill No. 117430

AN ORDINANCE related to land use, zoning and environmental review, amending Sections 23.40.006, 23.42.040, 23.42.050, 23.44.014, 23.44.041, 23.45.504, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.526, 23.45.527, 23.45.529, 23.45.532, 23.45.545, 23.47A.005, 23.47A.008, 23.54.015, 23.54.016, 23.54.020, 23.55.022, 23.76.004, 23.76.006, 23.84A.032, 23.91.002, 25.05.800 and Chapter 23.52 of the Seattle Municipal Code, and adding new Sections 23.40.035 and 23.52.008 to carry out proposals for regulatory reform.

Related Legislation File:

Date Introduced and Referred: 3.26.12	To: (committee): Planning, Land Use + Sustainability
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 7.23.12	Date Presented to Mayor: 7.24.12
Date Signed by Mayor: 8/1/12	Date Returned to City Clerk: 8/1/12
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin

Committee Action:

Date	Recommendation	Vote
6.13.12	Pass as Amended	3-0-2 (RC, SB, TR) (SC, NE)

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
7.23.12	Pass as Amended	8-0 excused: SC

Law Department

ORDINANCE 123939

AN ORDINANCE related to land use, zoning and environmental review, amending Sections 23.40.006, 23.42.040, 23.42.050, 23.44.014, 23.44.041, 23.45.504, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.526, 23.45.527, 23.45.529, 23.45.532, 23.45.545, 23.47A.005, 23.47A.008, 23.54.015, 23.54.016, 23.54.020, 23.55.022, 23.76.004, 23.76.006, 23.84A.032, 23.91.002, 25.05.800 and Chapter 23.52 of the Seattle Municipal Code, and adding new Sections 23.40.035 and 23.52.008 to carry out proposals for regulatory reform.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.40.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.40.006 Demolition of housing

No demolition permit for a structure containing a dwelling unit shall be issued unless one of the following conditions is satisfied, and provided that no permit for demolition of a structure containing a dwelling unit may be issued if the new use is for non-required parking:

A. The structure is a residential use in a single family zone (~~that was last occupied as rental housing and has been unoccupied~~) and was not occupied as rental housing ((for at least)) during the prior 12 ((consecutive)) months, unless such demolition aids expansion of ((a)) an adjacent non-residential use; or

B. A permit or approval has been issued by the Director according to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, to change the use of the structure or the premises; or

C. A permit or approval has been issued by the Director to relocate the structure containing a dwelling unit to another lot, whether within the City limits or outside the City limits, to be used, on the new lot, as a dwelling unit; or



1 Section 2. A new Section 23.40.035 of the Seattle Municipal Code is adopted to read as
2 follows:

3 **23.40.035 Location of accessory dwelling units on through lots**

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

9 Section 3. Section 23.42.040 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 123565, is amended as follows:

11 **23.42.040 Intermittent, temporary and interim uses**

12 The Director may grant, deny or condition applications for the following intermittent,
13 temporary or interim uses not otherwise permitted or not meeting development standards in the
14 zone.

15 **A. Intermittent Uses.**

16 1. A Master Use Permit for a time period of up to one year may be authorized for
17 any use that occurs no more than two days per week and does not involve the erection of a
18 permanent structure, provided that:

19 a. The use ~~((shall))~~ is not ~~((be))~~ materially detrimental to the public
20 welfare; and

21 b. The use ~~((shall))~~ does not result in substantial injury to the property in
22 the vicinity; and

23 c. The use ~~((shall-be))~~ is consistent with the spirit and purpose of the Land
24 Use Code.



1 B. Temporary Four Week Use. A Master Use Permit for a time period of up to four
2 weeks may be authorized for any use that does not involve the erection of a permanent structure
3 and that meets the requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.c.

4 C. Temporary Uses for Up to Six Months. A Master Use Permit for a time period of up to
5 six months may be authorized for any use that does not involve the erection of any permanent
6 structure and that meets the requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.c.

7 ***

8 Section 4. Section 23.42.050 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 123649, is amended as follows:

10 **23.42.050 Home occupations**

11 A home occupation of a person residing in a dwelling unit is permitted outright (~~in that~~
12 ~~dwelling unit~~) in all zones as an accessory use to any residential use permitted outright or to a
13 permitted residential conditional use, (~~in each case~~) subject to the following requirements:
14 (~~standards of this section~~)

15 A. The occupation (~~shall be~~) is clearly incidental to the use of the dwelling unit as a
16 dwelling.

17 B. Commercial deliveries and pickups to the dwelling unit (~~shall be~~) are limited to one
18 per day Monday through Friday. No commercial deliveries or pickups (~~shall be~~) are permitted
19 on Saturday, Sunday or federal holidays.

20 (~~C. To discourage drop in traffic, the address of the home occupation shall not be given~~
21 ~~in any advertisement, including but not limited to commercial telephone directories, newspapers,~~
22 ~~magazines, signs, flyers, radio, television or other media. Addresses may be listed on business~~
23 ~~cards, but a statement must be included to the effect that business is by appointment only.~~)

24 C. Customer visits are by appointment only.

25 D. The occupation (~~shall~~) may be conducted (~~only~~) within (~~the principal~~) any legal
26 principal or accessory dwelling unit or structure, (~~or in an accessory dwelling unit~~) provided



1 that licensed child care may be conducted only in the principal structure or in an accessory
2 dwelling unit. Home occupations may be conducted by residents of a principal dwelling unit
3 and/or an accessory dwelling unit. The presence of one home occupation does not preclude a
4 resident of another legally established dwelling unit on the property from also conducting a home
5 occupation.

6 E. Parking of vehicles associated with the home occupation ((shall be)) is permitted
7 anywhere that parking is permitted on the lot.

8 ~~((E-))~~ F. To preserve the residential appearance of the dwelling unit, there shall be no
9 evidence of the home occupation visible from the exterior of the structure(;;), provided that:

10 1.((ø))Outdoor play areas for licensed child care programs and outdoor activities
11 customarily incidental to the residential use ((shall be)) are permitted((-));

12 2. Interior and exterior alterations and additions that comply with the development
13 standards of the zone are permitted;

14 3. Alterations and additions that are required by licensing or construction codes
15 for licensed child care programs are permitted; and

16 4. Signs identifying the home occupation are permitted subject to compliance with
17 Chapter 23.55, Signs.

18 G. No outdoor storage ((shall be)) is permitted in connection with a home occupation.

19 ~~((F. To preserve the residential character and use of the dwelling unit, only internal~~
20 ~~alterations customary to residential use shall be permitted, and no external alterations shall be~~
21 ~~permitted to accommodate a home occupation, except as required by licensing or construction~~
22 ~~codes for child care programs.))~~

23 ~~((G-))~~ H. Except for licensed child care programs, ((not)) no more than ((one)) two
24 persons(, whether full-time or part-time, who is not a resident)) who are not residents of ((the)) a
25 dwelling unit on the lot may work in ((the dwelling unit of the)) a home occupation, regardless of
26 whether the persons work full or part-time or are ((whether or not)) compensated. ((This includes



1 persons working off site who come to the site for business purposes at any time as well as
2 persons working on site.))

3 ((H.))L. The home occupation shall not cause ((or add to)) a substantial increase in on-
4 street parking congestion or ((cause)) a substantial increase in traffic ((through residential areas))
5 within the immediate vicinity.

6 ((I.))J. A maximum of two passenger vehicles, vans and similar vehicles each not
7 exceeding a gross vehicle weight of 10,000 pounds ((shall be)) are permitted to operate in
8 connection with the home occupation, independent of commercial deliveries and pickups as
9 provided for in subsection 23.42.050.B.

10 ((J.))K. The home occupation shall be conducted so that noise, odor, smoke, dust, light
11 and glare, and electrical interference and other similar impacts are not detectable by sensory
12 perception at or beyond the property line of the lot where the home occupation is located.

13 ((K. Signs are regulated by Chapter 23.55.))

14 L. Licensed ((C))child care programs in the home of the operator are limited to 12
15 children per day including the children of the operator.

16 Section 5. Section 23.44.014 of the Seattle Municipal Code, which section was last
17 amended by Ordinance 123649, is amended as follows:

18 **23.44.014 Yards**

19 Yards are required for every lot in a single-family zone. A yard that is larger than the
20 minimum size may be provided.

21 A. Front Yards.

22 1. The front yard depth shall be either the average of the front yards of the single-
23 family structures on either side or ((twenty (20))) 20 feet, whichever is less.

24 2. On any lot where the natural gradient or slope, as measured from the front line
25 of the lot for a distance of ((sixty (60))) 60 feet or the full depth of the lot, whichever is less, is in
26 excess of ((thirty five (35))) 35 percent, the required front yard depth shall be either ((twenty



1 ~~(20))~~ 20 feet less one ~~((1))~~ foot for each one ~~((1))~~ percent of gradient or slope in excess of
2 ~~((thirty five (35)))~~ 35 percent, or the average of the front yards on either side, whichever is less.

3 3. In the case of a through lot, each yard abutting a street, except a side yard, shall
4 be a front yard. Rear yard ~~((requirements))~~ provisions shall not apply to the lot, except pursuant
5 to Section 23.40.030 or 23.40.035.

6 4. A larger yard may be required in order to meet the provisions of Section
7 23.53.015, Improvement requirements for existing streets in residential and commercial zones.

8 ***

9 Section 6. Section 23.44.041 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 123649, is amended as follows:

11 **23.44.041 Accessory Dwelling Units**

12 ***

13 B. Accessory dwelling units, detached, additional provisions. ~~((A detached accessory~~
14 ~~dwelling unit is also known as a backyard cottage.))~~ The Director may authorize a detached
15 accessory dwelling unit, also known as a backyard cottage, ~~((and that unit may be used as a~~
16 ~~residence, only under))~~ if the unit meets the ~~((conditions set forth in))~~ requirements of subsection
17 23.44.041.A and the following additional ~~((conditions))~~ requirements:

18 1. Detached accessory dwelling units are not permitted on a lot if any portion of
19 the lot is within the Shoreline District established pursuant to Section 23.60.010.

20 2. ~~((Detached accessory dwelling units are required to meet the additional))~~ The
21 development standards set forth in Table B for 23.44.041:

22

Table B for 23.44.041	
Development Standards for Detached Accessory Dwelling Units¹	
a. Minimum Lot Size	4,000 sq. ft.
b. Minimum Lot Width	25 feet
c. Minimum Lot Depth	70 feet ²
d. Maximum Lot Coverage	The provisions of Section 23.44.010 apply.

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**Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹**

e. Maximum Rear Yard Coverage	A detached accessory dwelling unit, together with any other accessory structures and other portions of the principal structure, is limited to a maximum combined coverage of 40% of the rear yard.				
f. Maximum Gross Floor Area	800 sq. ft. including garage and storage area but excluding areas below grade, measured as set forth in Section 23.86.007.				
g. Front Yard	A detached accessory dwelling unit may not be located within the front yard required by subsection 23.44.014.A, <u>except on a through lot pursuant to Section 23.40.030 or Section 23.40.035 and row i of this Table B for 23.44.041.</u>				
h. Minimum Side Yard	The provisions of subsection 23.44.014.C apply. ⁷				
i. Minimum Rear Yard	A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line. ^{3,4}				
j. Location of Entry	Entrances to detached accessory dwelling units may not be located on facades facing the nearest side lot line or the rear lot line unless the nearest side lot line or rear lot line abuts an alley or other public right-of-way.				
((k. Maximum Height Limits ⁵))	((The roof peak of the detached accessory dwelling unit may not extend more than 15 feet above the roof peak of the principal dwelling unit and must comply with the height limits set forth in the table below.))				
k. Maximum Height Limits ⁵	Lot Width (feet)				
	Less than 30	30 or greater up to 35	Above 35 up to 40	Above 40 up to 50 ⁶	Greater than 50 ((or greater ⁶))



**Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹**

(1) Maximum <u>Base</u> Structure Height (feet)	12	14	15	16	16
(2) Maximum Structure Height with Pitched Roof (feet) ⁸	15	21	22	22	23
(3) Maximum Structure Height with Shed or Butterfly Roof (feet); see Exhibit A for 23.44.041.	15	18	19	20	20
1. Minimum Separation from Principal Structure	5 feet				

Footnotes:

1. The Director may allow an exception to standards ((±)) a-f, h, i and j pursuant to subsection 23.44.041.B.3, for converting existing accessory structures.
2. For lots that do not meet the lot depth requirement, but have a greater width than depth and an area greater than 5,000 sq. ft., a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.
3. If the lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within 12 feet of the centerline of the alley.
4. On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.
5. Features such as chimneys, antennas, and flagpoles may extend up to 4 feet above the maximum allowed height. ~~((The additional height for sloped lots permitted by subsection 23.44.012.B does not apply.))~~
6. Detached accessory dwelling units on lots that have a width greater than 40 feet up to 50 feet may ~~((also))~~ be built to the maximum height limit ~~((s))~~ applicable in the column for lots greater than 50 feet ~~((listed in this column if both of))~~ when ~~((the following conditions are met: a))~~ the detached accessory dwelling unit is located on a lot with a rear lot line that is adjacent to an alley, ~~((; and b) the width of the lot is 40 feet or greater.))~~
7. The exceptions from standard yard requirements in subsection 23.44.014.D.6.a shall also apply.
8. All parts of the roof above the applicable base height shall be pitched at a rate of not less than 3:12.

3. Conversion of accessory structures. An existing accessory structure that is not located in a required front yard, or that is located in a front yard where Section 23.40.030 or 23.40.035 applies, may be converted into a detached accessory dwelling unit if the structure complies with the minimum standards set forth in Sections 22.206.010 through 22.206.140 of the Housing and Building Maintenance Code and with the Seattle Residential Code, if work requiring a permit is performed on the structure or has previously been performed without a permit. The Director may allow an exception to one or more of the development standards for



1 accessory dwelling units contained in subsections 23.44.041.A.4 and standards a-f, h, i and j
2 listed in Table B for ((23.044.041)) 23.44.041, provided the conversion does not increase the
3 structure's nonconformity with the standard and the applicant can demonstrate that the accessory
4 structure was constructed prior to June 1, 1999, as an accessory structure.

5 ***

6 Section 7. Section 23.45.504 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123547, is amended as follows:

8 **23.45.504 Permitted and prohibited uses**

9 A. All uses are permitted outright, prohibited or permitted as a conditional use according
10 to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for
11 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A,
12 23.51B, or 23.57. Communication utilities and accessory communication devices, except as
13 exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional
14 regulations in Chapter 23.57. Public facilities are subject to the regulations in Section
15 23.51A.004.

16 ***

17 E. Ground floor commercial use.

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

19 2. The following uses are permitted as ground-floor commercial uses in Midrise
20 and Highrise zones pursuant to Section 23.45.532:

- 21 a. Business support services;
- 22 b. Food processing and craft work;
- 23 c. General sales and services;
- 24 d. Medical services;
- 25 e. Offices;
- 26 f. Restaurants; and



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

3 ~~((2. In MR zones, ground-floor commercial uses are permitted only on a lot that is
4 within 800 feet of a neighborhood commercial zone.))~~

5 ***

6 Section 8. Section 23.45.526 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123495, is amended as follows:

8 **23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards**

9 A. Applicants for all new development gaining extra residential floor area, pursuant to
10 this Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510(~~(;~~
11 ~~except additions and alterations,)) shall make a commitment that the structure will meet green
12 building performance standards by earning a Leadership in Energy and Environmental Design
13 (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King
14 and Snohomish Counties, except: ~~((that))~~~~

15 1. This commitment is not required for building additions and alterations; and

16 2. ((a))An applicant who is applying for funding from the Washington State
17 Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing, as
18 defined in subsection 23.45.526.D, may elect to meet green building performance standards by
19 meeting the Washington Evergreen Sustainable Development Standards (ESDS).

20 ***

21 Section 9. Section 23.45.532 of the Seattle Municipal Code, which section was last
22 amended by Ordinance 123209, is amended as follows:

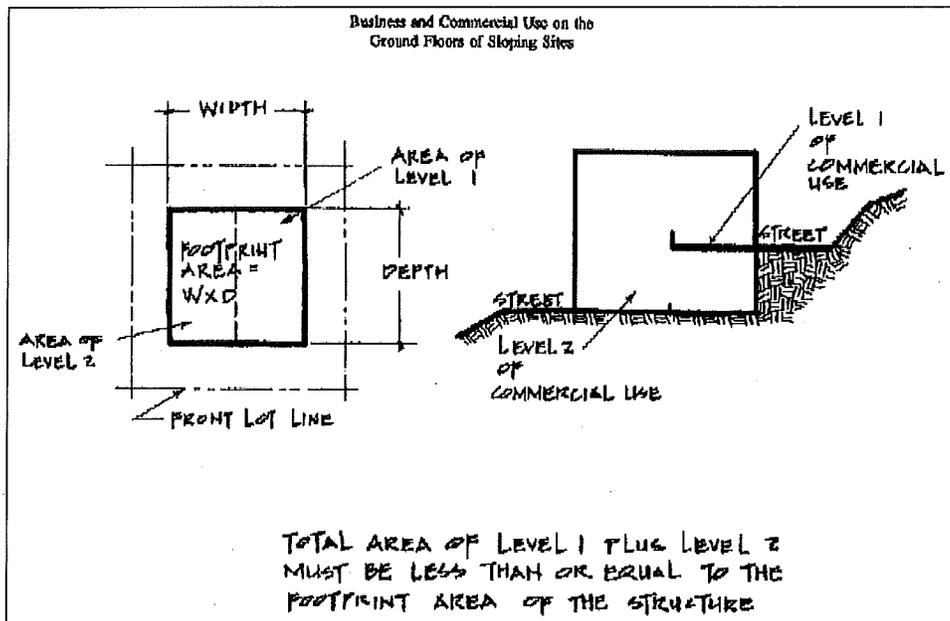


1 **23.45.532 Standards for ground floor commercial uses in MR and HR zones**

2 A. All ground-floor commercial uses permitted pursuant to Section 23.45.504, except
3 medical service uses permitted pursuant to Section 23.45.506, shall meet the following
4 conditions:

5 1. The commercial use is permitted only on the ground floor of a structure. On
6 sloping lots, the commercial use may be located at more than one level within the structure as
7 long as the floor area in commercial use does not exceed the area of the structure's footprint. See
8 Exhibit A for 23.45.532.

9 **Exhibit A for 23.45.532**



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19 2. The ((gross floor area)) maximum size of use of any one business establishment
20 ((can be no greater than)) is 4,000 square feet, except that the ((gross floor area)) maximum size
21 of use of a multi-purpose retail sales establishment ((may be up to)) is 10,000 square feet.

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25 3. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat
26 exchangers and other similar devices (e.g., related to ventilation, air-conditioning, refrigeration)

1 shall be at least 10 feet above finished sidewalk grade, and directed away to the extent possible
2 from residential uses within 50 feet of the vent.

3 B. No loading berths are required for ground-floor commercial uses. If provided, loading
4 berths shall be located so that access to residential parking is not blocked.

5 C. Identifying business signs are permitted pursuant to Chapter 23.55, Signs.

6 Section 10. Section 23.45.545 of the Seattle Municipal Code, which section was enacted
7 by Ordinance 123495, is amended as follows:

8 **23.45.545 Standards for certain accessory uses**

9 * * *

10 I. In Lowrise zones, ~~((lots that include rowhouse and townhouse units may include))~~
11 accessory dwelling units are allowed, in rowhouse and townhouse units, as follows:

12 1. ~~((No more than one accessory dwelling unit shall be located on a lot.))~~ One
13 accessory dwelling unit is allowed for each rowhouse or townhouse unit that is a "principal unit."

14 A "principal unit" is a dwelling unit that is not an accessory dwelling unit.

15 ~~((2. The principal structure on the lot shall include one and only one dwelling unit~~
16 ~~other than the accessory dwelling unit, which other dwelling unit is referred to in this subsection~~
17 ~~23.45.545.I as the "principal unit".))~~

18 ~~((3.))~~ 2. The owner of ~~((the lot))~~ a principal unit shall comply with the owner
19 occupancy requirements of subsection 23.44.041.C.

20 ~~((4.))~~ 3. ~~((Maximum gross floor area: a.))~~ The maximum gross floor area of an
21 accessory dwelling unit is 650 square feet, ~~((;))~~ provided that ((b-F)) the total gross floor area of
22 the accessory dwelling unit ((may))does not exceed 40 percent of the total gross floor area in
23 residential use on the lot or unit lot, if present, exclusive of garages, storage sheds, and other
24 non-habitable spaces.



1 1. (~~Residential uses are generally permitted anywhere in a structure in NC1,~~
2 ~~NC2, NC3 and C1 zones, except as provided in subsections 23.47A.005.C.2 and~~
3 ~~23.47A.005.C.3.))~~

4 ~~((2.))~~ In all neighborhood commercial and C1 zones, ((R))residential uses may
5 ~~((not))~~ occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade
6 in the following circumstances or locations:

7 a. In a pedestrian-designated zone, facing a designated principal pedestrian
8 street; or

9 b. Within the Bitter Lake Village Hub Urban Village; or

10 c. Within the Lake City Hub Urban Village, except as provided in
11 subsection 23.47A.005.C.~~((4))~~2; or

12 d. Within a zone that has a height limit of 85 feet or higher, except as
13 provided in subsection 23.47A.005.C.2; or

14 e. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2;
15 or

16 f. Within the Northgate Overlay District, except as provided in 23.71.044;
17 or

18 g. In areas shown on Maps 1 through 60 in Map Book A at the end of this
19 Chapter.

20 2. (~~3. Residential uses may not exceed, in the aggregate, 20 percent of the street-~~
21 ~~level street-facing facade if facing an arterial or within a zone that has a height limit of 85 feet or~~
22 ~~higher, except that there is no limit on residential uses in the following circumstances or~~
23 ~~locations:))~~ Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the location of
24 residential uses in the following circumstances:



1 a. Within a very low-income housing project existing as of May 1, 2006,
2 or within a very low-income housing project replacing a very low-income housing project
3 existing as of May 1, 2006 on the same site; or ((-))

4 b. The residential use is an assisted living facility or nursing home and
5 private living units are not located at street level; or ((-))

6 c. ~~((Within the Station Area Overlay District, in which case Chapter 23.61
7 applies.))~~

8 ~~((4. Residential uses may occupy 100 percent of the street level street facing
9 façade in a structure if the))~~ Within a structure that:

10 ~~((a.))~~ 1) ((I)) is developed and owned by the Seattle Housing
11 Authority; and

12 ~~((b.))~~ 2) ((I)) is located on a lot zoned NC1 or NC3 that was owned
13 by the Seattle Housing Authority as of January 1, 2009~~((;))~~.

14 ~~((c. Is not located in a pedestrian designated zone or a zone that
15 has a height limit of 85 feet or higher; and))~~

16 ~~((d. Does not face a designated principal pedestrian street.))~~

17 ~~((5))~~ 3. Additions to, or on-site accessory structures for, existing single-family
18 structures are permitted outright.

19 ~~((6))~~ 4. Where residential uses at street level are limited to 20 percent of the street-
20 level street-facing façade, such limits do not apply to residential structures separated from the
21 street lot line by an existing structure meeting the standards of this ~~((s))~~ Section 23.47A.005 and
22 Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

23 ***

24 Section 12. Section 23.47A.008 of the Seattle Municipal Code, which section was last
25 amended by Ordinance 122935, is amended as follows:



1 **23.47A.008 Street-level development standards**

2 A. Basic street-level requirements.

3 1. The provisions of this subsection apply to:

- 4 a. Structures in NC zones;
- 5 b. Structures that contain a residential use in C zones; and
- 6 c. Structures in C zones across the street from residential zones.

7 2. Blank facades.

8 a. For purposes of this section, facade segments are considered blank if
9 they do not include at least one of the following:

- 10 1) Windows;
- 11 2) Entryways or doorways;
- 12 3) Stairs, stoops, or porticos;
- 13 4) Decks or balconies; or
- 14 5) Screening and landscaping on the facade itself.

15 b. Blank segments of the street-facing facade between 2 feet and 8 feet
16 above the sidewalk may not exceed 20 feet in width.

17 c. The total of all blank facade segments may not exceed 40 percent of the
18 width of the facade of the structure along the street.

19 3. Street-level street-facing facades shall be located within 10 feet of the street lot
20 line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided.

21 B. Nonresidential street-level requirements.

22 1. The provisions of this subsection 23.47A.008.B and subsection 23.47A.008.A
23 apply to:

- 24 a. Structures with street-level nonresidential uses in NC zones;
- 25 b. Structures with street-level nonresidential uses that also contain
26 residential uses in C zones; and



1 c. Structures with street-level nonresidential uses in C zones across the
2 street from residential zones.

3 2. Transparency.

4 a. Sixty percent of the street-facing facade between 2 feet and 8 feet above
5 the sidewalk shall be transparent.

6 b. Transparent areas of facades shall be designed and maintained to allow
7 unobstructed views from the outside into the structure or, in the case of live-work units, into
8 display windows that have a minimum 30-inch depth.

9 3. ~~((The following h))~~ Height and depth provisions ~~((apply to))~~ for new structures
10 or new additions to existing structures~~((:))~~. ~~((a.))~~ Nonresidential uses shall extend an average
11 depth of at least 30 feet and a minimum depth of 15 feet ~~((in depth))~~ from the street-level street-
12 facing facade. If the combination of the ~~((street-facing facade))~~ requirements of ~~((subsection))~~
13 Sections 23.47A.005 or 23.47A.008((D.1)) and this depth requirement would result in a
14 requirement that an area greater than 50 percent of the structure's footprint be dedicated to
15 nonresidential use, the Director may modify the street-facing facade or depth requirements, or
16 both, so that no more than 50 percent of the structure's footprint is required to be nonresidential.

17 b. Nonresidential uses at street level shall have a floor-to-floor height of at
18 least 13 feet.

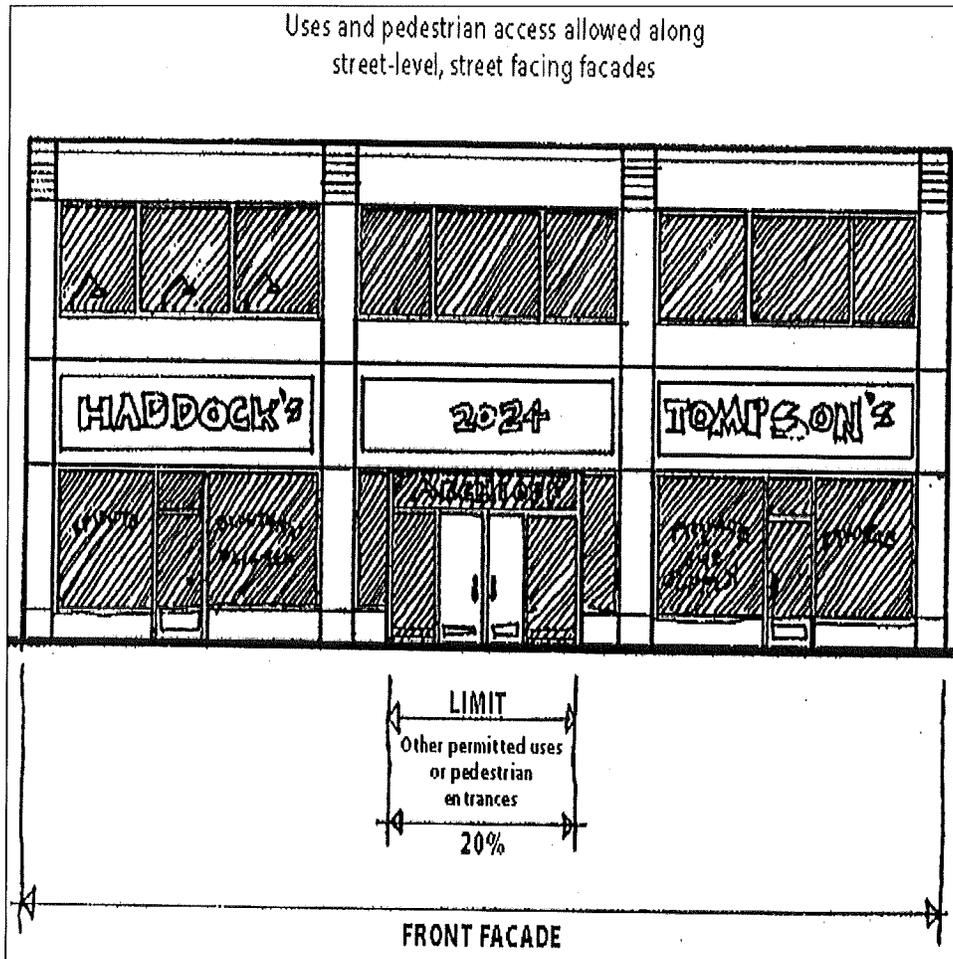
19 C. In pedestrian-designated zones, the provisions of subsections 23.47A.008.A and
20 23.47A.008.B and the following apply:

21 1. A minimum of 80 percent of the width of a structure's street-level street-facing
22 facade that faces a principal pedestrian street shall be occupied by uses listed in subsection
23 23.47A.005.D.1. The remaining 20 percent of the street frontage may contain other permitted
24 uses and/or pedestrian entrances (see Exhibit A for 23.47A.008).

25 **Exhibit A for 23.47A.008**



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2. For purposes of calculating the 80 percent of a structure's street-level facade, the width of a driveway at street level, not to exceed 22 feet, may be subtracted from the width of the street-facing facade if the access cannot be provided from an alley or from a street that is not a designated principal pedestrian street.

3. If the street-facing facade and depth requirements would result in a requirement that an area greater than 50 percent of the structure's footprint be dedicated to the uses in subsection 23.47A.005.D.1, the Director may modify the street-facing facade or depth requirements, or both, so that no more than 50 percent of the structure's footprint is required to be dedicated to the uses in subsection 23.47A.005.D.1.



1 D. ~~((The provisions of this subsection apply to structures with residential uses located~~
2 ~~along a street-level street-facing façade))~~ Where ((1. R)) residential uses are ((limited to 20% of
3 ~~the)) located along a street-level street-facing facade ((under section 23.47.005.D;))~~ the
4 following requirements apply unless exempted by subsection 23.47A.008.G:

5 1. ~~((2.))~~ At least one of the street-level street-facing facades containing a
6 residential use shall have a visually prominent pedestrian entry; and

7 2. ~~((3.))~~ The floor of a dwelling unit located along the street-level street-facing
8 facade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10 feet
9 from the sidewalk.

10 E. When a live-work unit is located on a street-level street-facing facade, the provisions
11 of subsections 23.47A.008.A and 23.47A.008.B apply, and the portion of each such live-work
12 unit in which business is conducted must be located between the principal street and the
13 residential portion of the live-work unit.

14 F. The Director may allow departures from street-level requirements of this section for
15 projects that are not subject to the Design Review process, as a Type I decision, if the Director
16 determines that the project will maintain the safety and aesthetics of the streetscape for
17 pedestrians and will:

- 18 1. maintain pedestrian access to the structure;
- 19 2. maintain urban form consistent with adjacent structures;
- 20 3. maintain the visibility of nonresidential uses;
- 21 4. maintain the privacy of residential uses; or
- 22 5. allow the continued use of an existing structure without substantial renovation.

23 G. In a structure existing on January 1, 2012, an accessory dwelling unit may be
24 established if it is accessory to an existing dwelling unit and if it meets minimum housing
25 standards of Chapter 22.206, even if nonconforming to standards of subsection 23.47A.008.D.



Section 13. A new Subchapter II and a new Section 23.52.008 are added to Chapter 23.52 of the Seattle Municipal Code, the title of Chapter 23.52 is amended, and a new heading for subchapter I is added as follows:

23.52 Transportation Concurrency, ~~((Project Review System))~~ and Transportation Impact

Mitigation

Subchapter I Transportation Concurrency Project Review System

* * *

Subchapter II Transportation Impact Mitigation

23.52.008 Transportation Impact Mitigation

A. Applicability. The requirements of this Section 23.52.008 apply to proposed new development as described in Table A for 23.52.008. Proposed new development that is subject to SEPA environmental review per SMC Chapter 25.05 is exempt from this Subchapter II.

**Table A for 23.52.008
 Development Location and Size Ranges Where the Requirements of Section 23.52.008 Apply**

Applicable Zones, When Located Within an Urban Center or Urban Villages Containing a Station Area Overlay District	Applicable Size Ranges	
	Number of Dwelling Units	Amount of Non-Residential Space (square feet), When Located in a Mixed-Use Development ¹
LR1	7 to 200	4,001 to 30,000
LR2, LR3, NC1, NC2, NC3, C1, C2, MR, HR, SM	31 to 200	12,001 to 30,000
Downtown Zones	81 to 250	12,001 to 30,000

Footnote to Table A for 23.52.008

¹ This size range applies to a development that contains at least one dwelling unit.

B. Impact Analysis Required .

Applicants for proposed development shall prepare and submit with the development permit application an analysis of potential transportation impacts that may result



1 from the proposed development. For development containing more than 50 dwelling units or
2 12,000 square feet of non-residential floor area or both, the analysis must contain the following
3 information and analysis:

- 4 1. Number of additional daily and peak hour vehicular trips;
- 5 2. Likely distribution of project traffic and effects on traffic operations;
- 6 3. Availability and expected usage of transit;
- 7 4. Existing vehicular, pedestrian, and bicycle conditions, including access
8 and connections to transit and bicycle facilities;
- 9 5. Accident history.

10 For all other development the Director shall determine the scope and level of
11 detail of analysis based on the probable impacts and/or scale of the proposed development. The
12 analysis may include the elements identified above or other elements as determined by the
13 Director.

14 C. Impact Mitigation.

15 Based upon the results of the transportation impact analysis the Director may
16 condition permit approval, as a Type I decision, to mitigate or prevent transportation impacts.
17 Required mitigation may include, but is not limited to:

- 18 1. changes in access;
- 19 2. changes in the location, number and size of curb cuts and driveways;
- 20 3. provision of transit incentives, including transit pass subsidies;
- 21 4. bicycle parking, and shower facilities for bicycle commuters;
- 22 5. signage, including wayfinding;
- 23 6. improvements to vehicular, pedestrian and bicycle traffic facilities or
24 operations including signalization, turn channelization, right-of-way dedication, street widening,
25 pedestrian and bicycle facilities improvements, and lighting;
- 26 7. transportation management plans;



1 8. Parking management strategies including, but not limited to, unbundling
2 parking from building-space leases, reserved parking spaces for vanpools, and reduction in the
3 amount of parking to be provided; and

4 9. Participation in a transportation mitigation payment program or
5 transportation management association, where available.

6 Section 14. Section 23.54.015 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123649, is amended as follows:

8 **23.54.015 Required parking**

9 A. Minimum parking requirements. The minimum number of off-street motor vehicle
10 parking spaces required for specific uses is set forth in Table A for 23.54.015 for nonresidential
11 uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for
12 23.54.015 for institutional uses, except as otherwise provided in this Section 23.54.015 and
13 Section 23.54.020. The minimum parking requirements are based upon gross floor area of a use
14 within a structure and the square footage of a use when located outside of an enclosed structure,
15 or as otherwise specified. Exceptions to the parking requirements set forth in this section are
16 provided in subsection 23.54.015.B and in Section 23.54.020, Parking quantity exceptions,
17 unless otherwise specified. This chapter does not apply to parking for construction activity,
18 which is regulated by ~~((SMC))~~ Section 23.42.044.

19 B. Parking requirements for specific zones.

20 1. Parking in downtown zones is regulated by Section 23.49.019 and not by this
21 Section 23.54.015.

22 2. Parking for major institution uses in the Major Institution Overlay District is
23 regulated by Sections 23.54.015 and 23.54.016 ~~((and not by this Section 23.54.015))~~.

24 3. Parking in the Northgate Overlay District is regulated by Chapter 23.54 except
25 as modified by Section 23.71.016.



4. No parking is required for single-family residential uses in single-family zones on lots less than 3,000 square feet in size or 30 feet in width where access to parking is permitted through a required yard abutting a street according to the standards of subsection 23.44.016.B.2.

5. No parking is required for urban farms or community gardens in residential zones.

**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
I. General Nonresidential Uses (other than institutions)		
A.	AGRICULTURAL USES	1 space for each 2,000 square feet
B.	COMMERCIAL USES	
B.1.	Animal shelters and kennels	1 space for each 2,000 square feet
B.2.	Eating and drinking establishments	1 space for each 250 square feet
B.3.	Entertainment Uses, general, except as noted below (1)	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
B.3.a	Adult cabarets	1 space for each 250 square feet
B.3.b	Sports and recreation uses	1 space for each 500 square feet
B.4.	Food processing and craft work	1 space for each 2,000 square feet
B.5.	Laboratories, research and development	1 space for each 1,500 square feet
B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in single family and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
B.7.	Medical services	1 space for each 500 square feet
B.8.	Offices	1 space for each 1,000 square feet
B.9.	Sales and services, automotive	1 space for each 2,000 square feet
B.10.	Sales and services, general, except as noted below	1 space for each 500 square feet
B.10.a.	Pet Daycare Centers (2)	1 space for each 10 animals or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 animals.
B.11.	Sales and services, heavy	1 space for each 2,000 square feet
B.12.	Sales and services, marine	1 space for each 2,000 square feet
C.	HIGH IMPACT USES	1 space for each 2,000 square feet
D.	LIVE-WORK UNITS	0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square



**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
		feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use
E.	MANUFACTURING USES	1 space for each 2,000 square feet
F.	STORAGE USES	1 space for each 2,000 square feet
G.	TRANSPORTATION FACILITIES	
	G.1. Cargo terminals	1 space for each 2,000 square feet
	G.2. Parking and moorage	
	G.2.a. Principal use parking	None
	G.2.b. Towing services	None
	G.2.c. Boat moorage	1 space for each 2 berths
	G.2.d. Dry storage of boats	1 space for each 2,000 square feet
	G.3. Passenger terminals	1 space for each 100 square feet of waiting area
	G.4. Rail transit facilities	None
	G.5. Transportation facilities, air	1 space for each 100 square feet of waiting area
	G.6. Vehicle storage and maintenance uses	1 space for each 2,000 square feet
H.	UTILITIES	1 space for each 2,000 square feet
II. Nonresidential Use Requirements ((with Locational Criteria)) For Specific Areas		
I.	Nonresidential uses, except hospitals, (((other than institutions))) in urban centers or the Station Area Overlay District (3)	No minimum requirement
J.	Nonresidential uses in urban villages that are not within an urban center or the Station Area Overlay District, if the nonresidential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the nonresidential use. (3)	No minimum requirement
((J))K.	Nonresidential uses (other than institutions) permitted ((in on the ground floor)) in MR and HR zones pursuant to Section 23.45.504.	No minimum requirement

Footnotes for Table A for ((Section)) 23.54.015
 (1) Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An



**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use	Minimum parking required
<p>application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.</p>	
<p>(2) The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.</p>	
<p>(3) The general requirements of lines A through H of Table A for ((Section)) 23.54.015 is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a nonresidential use fits within more than one line in Table A for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.</p>	

**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
I. General Residential Uses	
A. Adult family homes	1 space for each dwelling unit
B. Artist's studio/dwellings	1 space for each dwelling unit
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 space for each 4 residents
F. Cottage housing developments	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 provided in Sections ((B or C))II or III of this Table B for 23.54.015. (1)	1 space per dwelling unit.
J. Nursing homes (2)	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus



**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
	1 space for each 6 beds
K. Single-family dwelling units	1 space for each dwelling unit
II. Residential Use Requirements ((with Location Criteria)) For Specific Areas	
L. <u>All ((R))residential uses ((in commercial and multifamily zones))</u> within urban centers or within the Station Area Overlay District (1)	No minimum requirement
M. <u>All ((R))residential uses in commercial and multifamily zones within urban villages that are not within an urban center or the Station Area Overlay District, if the residential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use. (1)</u>	No minimum requirement
N. Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 (1)	1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus .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 ((Section)) 23.54.015 (1)	1.5 spaces for each dwelling unit
III. Multifamily Residential Use Requirements with Income Criteria	
P. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income (3), for the life of the building (1)	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
Q. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income (3), for the life of the building (1)	0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
R. Low-income disabled multifamily residential uses (1) (3)	1 space for each 4 dwelling units
S. Low-income elderly/low-income disabled multifamily residential uses (1) (4)	1 space for each 5 dwelling units
T. <u>Low-income elderly multifamily residential uses (1) (3) not located in urban centers or within the Station Area Overlay District</u>	1 space for each 6 dwelling units
<p>Footnotes for Table B for ((Section)) 23.54.015:</p> <p>(1) The general requirement of line I of Table B for ((Section)) 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for ((Section)) 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section ((B))II of Table B for ((Section)) 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.</p> <p>(2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can</p>	



**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
<p>demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.</p>	
<p>(3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.</p>	

**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
I. General Public Uses and Institutions	
A.	Adult care centers (1), (2) 1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
B.	Child care centers (1), (2), (3) 1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) (1), (4) 1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by DOPAR (1), (5) 1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
F.	Hospitals 1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
G.	Institutes for advanced study, except in single family zones ((as provided in line H below)) 1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and



**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

	Use	Minimum parking required
		public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
H.	Institutes for advanced study in single family zones (existing) (1)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
I.	Libraries (1) (6)	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
J.	Museums	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
L.	Religious facilities (1)	1 space for each 80 square feet of all auditoria and public assembly rooms
M.	Schools, private elementary and secondary (1)	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
N.	Schools, public elementary and secondary (7) (8)	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
O.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate



**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
II. General Public Uses and Institutions ((with Locational Criteria)) For Specific Areas	
P. General public uses, ((and)) institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District (9)	No minimum requirement

Footnotes for Table C for ((Section)) 23.54.015:

- (1) When this use is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.
- (2) The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.
- (3) A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.
- (4) When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to ((Section)) subsection 23.54.020.I.
- (5) Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.
- (6) When a library is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements according to ((Section)) subsection 23.44.022.L.
- (7) For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.
- (8) Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.
- (9) The general requirement of lines A through O of Table C for ((Section)) 23.54.015 for general public uses, ~~((and))~~ institutions, and requirements of subsection 23.54.016.B for Major Institution uses ~~((is))~~ are superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution or Major ~~((i))~~Institution use fits within more than one line in Table C for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.



1 Section 15. Section 23.54.016 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122311, is amended as follows:

3 **23.54.016 Major Institutions—Parking and transportation~~((=))~~**

4 Major Institution uses are subject to the following transportation and parking
5 requirements:

6 A. General Provisions.

7 1. Minimum requirements for parking quantity are established in subsection
8 23.54.016.B ~~((of this section))~~.

9 2. The maximum number of spaces provided for the Major Institution use shall
10 not exceed ~~((one hundred thirty five ()))~~135~~((=))~~ percent of the minimum requirement, ~~((except))~~
11 unless additional spaces are approved through administrative or Council review as provided in
12 subsection 23.54.016.C ~~((of this section))~~. For a Major Institution use in an urban center or the
13 Station Area Overlay District, the maximum limit shall not exceed 135 percent of the minimum
14 parking requirements calculated pursuant to subsection 23.54.016.B.2.

15 3. Parking requirements for Major Institutions with more than one ~~((1))~~ type of
16 institutional use (for example, a hospital and a university), if applicable, shall be calculated for
17 each use separately, and then added together to derive the total number of required spaces.

18 4. When a permit application is made for new development at an existing Major
19 Institution and the new development is a hospital or located outside an urban center or the
20 Station Area Overlay District, parking requirements shall be calculated both for the entire Major
21 Institution and for the proposed new development. If there is a parking deficit for the entire
22 institution, the institution shall make up a portion of the deficit in addition to the quantity
23 required for the new development, according to the provisions of subsection 23.54.016.B.3~~((5 of~~
24 ~~this section))~~. If there is a parking surplus~~((=))~~ above the maximum allowed number of spaces~~((=))~~
25 for the institution as a whole, ~~((requirements))~~ required amounts of parking for new development



1 will first be applied to the surplus in the required ratio of long-term and short-term spaces.

2 Additional parking shall be permitted only when no surplus remains.

3 5. When determining parking requirements, individuals fitting into more than one
4 ~~((4))~~ category (for example, a student who is also an employee or a faculty member who is also
5 a doctor) shall not be counted twice. The category requiring the greater number of parking spaces
6 shall be used.

7 B. Parking Quantity Required. ~~((The minimum number of parking spaces required for a
8 Major Institution shall be as follows:))~~

9 1. In urban centers and the Station Area Overlay District, no parking is required
10 for Major Institution uses, except for hospitals.

11 2. For all other Major Institutions the minimum number of parking spaces
12 required is as follows:

13 ~~((1.))~~a. Long-term Parking.

14 ~~((a.))~~1) Medical Institutions. A number of spaces equal to ~~((eighty
15))~~80~~(())~~ percent of hospital-based doctors; plus ~~((twenty-five))~~25~~(())~~ percent of staff doctors;
16 plus ~~((thirty))~~30~~(())~~ percent of all other employees present at peak hour;

17 ~~((b.))~~2) Educational Institutions. A number of spaces equal to
18 ~~((fifteen))~~15~~(())~~ percent of the maximum students present at peak hour, excluding resident
19 students; plus ~~((thirty))~~30~~(())~~ percent of employees present at peak hour; plus ~~((twenty-five
20))~~25~~(())~~ percent of the resident unmarried students; plus one ~~((1))~~ space for each married
21 student apartment unit.

22 ~~((2.))~~b. Short-term Parking.

23 ~~((a.))~~1) Medical Institutions. A number of spaces equal to one
24 ~~((1))~~ space per six ~~((6))~~ beds; plus one ~~((1))~~ space per five ~~((5))~~ average daily outpatients;

25 ~~((b.))~~2) Educational Institutions. A number of spaces equal to five
26 ~~((5))~~ percent of the maximum students present at peak hour excluding resident students.



1 ~~((3-))~~c. Additional Short-term Parking Requirements. When one ~~((1))~~ of
2 the following uses is a Major Institution use, the following additional short-term parking
3 requirements shall be met. Such requirements may be met by joint use of parking areas and
4 facilities if the Director determines that the uses have different hours of operation according to
5 ~~((Section))~~ subsection 23.54.020.G:

6 ~~((a.))~~1) Museum. One ~~((1))~~ space for each ~~((two hundred fifty~~
7 ~~))250((1))~~ square feet of public floor area;

8 ~~((b.))~~2) Theater, Auditorium, or Assembly Hall. One ~~((1))~~ space
9 for each ~~((two hundred))200((1))~~ square feet of audience assembly area not containing fixed
10 seats, and one ~~((1))~~ space for every ~~((ten))10((1))~~ seats for floor area containing fixed seats;

11 ~~((c.))~~3) Spectator Sports Facility Containing Fewer than ~~((Twenty~~
12 ~~Thousand))20,000((1))~~ Seats. One ~~((1))~~ space for each ~~((ten))10((1))~~ permanent seats and one
13 ~~((1))~~ space for each ~~((one hundred))100((1))~~ square feet of spectator assembly area not
14 containing fixed seats;

15 ~~((d.))~~4) Spectator Sports Facility Containing ~~((Twenty Thousand~~
16 ~~))20,000((1))~~ or More Seats. One ~~((1))~~ space for each ~~((ten))10((1))~~ permanent seats and one
17 ~~((1))~~ bus space for each ~~((three hundred))300((1))~~ permanent seats.

18 ~~((4.))~~d. Bicycle Parking. Bicycle parking meeting the development
19 standards of subsections 23.54.015.K.2 through 23.54.015.K.~~((--))6~~ and subsection
20 23.54.016.D.2 ~~((of this section))~~ shall be provided in the following quantities:

21 ~~((a.))~~1) Medical Institutions. A number of spaces equal to two
22 ~~((2))~~ percent of employees, including doctors, present at peak hour;

23 ~~((b.))~~2) Educational Institutions. A number of spaces equal to ~~((ten~~
24 ~~))10((1))~~ percent of the maximum students present at peak hour plus five ~~((5))~~ percent of
25 employees.
26
27
28



1 If at the time of application for a master use permit, the applicant can demonstrate that
2 the bicycle parking requirement is inappropriate for a particular institution because of
3 topography, location, nature of the users of the institution or other reasons, the Director may
4 modify the bicycle parking requirement.

5 ~~((5.))~~3. Parking Deficits. In addition to providing the minimum required parking
6 for a new structure, five ~~((5))~~ percent of any vehicular or bicycle parking deficit as determined
7 by the minimum requirements of this subsection 23.54.016.B, existing on the effective date of
8 the ordinance codified in this section, shall be supplied before issuance of a certificate of
9 occupancy.

10 C. Requirement for a Transportation Management Program.

11 1. When a Major Institution proposes parking in excess of ~~((one hundred thirty-~~
12 ~~five-))~~135~~(())~~ percent of the applicable minimum requirement for short-term parking spaces
13 calculated pursuant to subsections 23.54.016.A and 23.54.016.B, or when a Major Institution
14 prepares a master plan or applies for a master use permit for development that would provide
15 ~~((require twenty-))~~20~~(())~~ or more parking spaces or increase the Major Institution's number of
16 parking spaces by ~~((twenty-))~~20~~(())~~ or more above the level existing on May 2, 1990, a
17 transportation management program shall be required or an existing transportation management
18 program shall be reviewed and updated. The Director shall assess the traffic and parking impacts
19 of the proposed development against the general goal of reducing the percentage of the Major
20 Institution's employees, staff and/or students who commute in single-occupancy vehicles (SOV)
21 during the peak period to ~~((fifty-))~~50~~(())~~ percent or less, excluding those employees or staff
22 whose work regularly requires the use of a private vehicle during working hours.

23 2. Transportation management programs ~~((shall be))~~ are prepared and
24 implemented in accordance with the Director's Rule governing Transportation Management
25 Programs. The Transportation Management Program shall be in effect upon Council adoption of
26 the Major Institution master plan.



1
2 4. Through the process of reviewing a new or updated transportation management
3 program in conjunction with reviewing a master plan, the Council may approve in excess of
4 ~~((one hundred thirty five ()))~~135(()) percent of the minimum requirements for long-term parking
5 spaces, or may increase or decrease the required ~~((fifty ()))~~50(()) percent SOV goal, based upon
6 the Major Institution's impacts on traffic and opportunities for alternative means of
7 transportation. Factors to be considered shall include, but not be limited to:

- 8 a. Proximity to a street with ~~((fifteen ()))~~15(()) minute transit service
9 headway in each direction;
10 b. Air quality conditions in the vicinity of the Major Institution;
11 c. The absence of other nearby traffic generators and the level of existing
12 and future traffic volumes in and through the surrounding area;
13 d. The patterns and peaks of traffic generated by Major Institution uses
14 and the availability or lack of on-street parking opportunities in the surrounding area;
15 e. The impact of additional parking on the Major Institution site;
16 f. The extent to which the scheduling of classes or work shifts reduces the
17 transportation alternatives available to employees and/or students or the presence of limited
18 carpool opportunities due to the small number of employees; and
19 g. The extent to which the Major Institution has demonstrated a
20 commitment to SOV alternatives.

21 5. The provision of short-term parking spaces in excess of ~~((one hundred thirty-~~
22 ~~five ()))~~135(()) percent of the minimum requirements established in subsection 23.54.016.B.2
23 ~~((of this section))~~ may be permitted by the Director through preparation or update of a
24 Transportation Management Program. In evaluating whether to allow more than ~~((one hundred~~
25 ~~thirty five ()))~~135(()) percent of the minimum, the Director, in consultation with the Director of
26 ~~((Seattle Department of))~~ Transportation ~~((and Metropolitan King County))~~, shall consider



1 evidence of parking demand and opportunities for alternative means of transportation. Factors to
2 be considered shall include but are not necessarily limited to the criteria contained in subsection
3 23.54.015.D.1.b (~~(of this section)~~) and the following:

4 a. The nature of services provided by Major Institution uses which
5 generate short-term parking demand; and

6 b. The extent to which the Major Institution manages short-term parking to
7 ensure its availability to meet short-term parking needs.

8 Based on this review, the Director shall determine the amount of additional short-term
9 parking to be permitted, if any.

10 ***

11 Section 16. Subsection F of Section 23.54.020 of the Seattle Municipal Code, which
12 section was last amended by Ordinance 123495, is amended as follows:

13 **23.54.020 Parking quantity exceptions**

14 ***

15 F. Reductions to minimum parking requirements.

16 1. When parking is required, ~~((R))~~ reductions to minimum parking requirements
17 permitted by this subsection 23.54.020.F will be calculated from the minimum parking
18 requirements in Section 23.54.015. Total reductions to required parking as provided in this
19 subsection 23.54.020.F may not exceed ~~((40))~~ 50 percent.

20 2. Transit reduction.

21 a. In multifamily and commercial zones, the minimum parking
22 requirement for all uses is reduced by ~~((20))~~ 50 percent if the use is located within 1,320 feet of a
23 street with frequent transit service. This distance will be the walking distance measured from the
24 nearest transit stop to the lot line of the lot containing the use.

25 b. In industrial zones, the minimum parking requirement for a
26 nonresidential use is reduced by 15 percent if the use is located within 1,320 feet of a street with



1 peak transit service headways of 15 minutes or less. This distance will be the walking distance
2 measured from the nearest transit stop to the lot line of the lot containing the use.

3 3. For new or expanding offices or manufacturing uses that require 40 or more
4 parking spaces, the minimum parking requirement may be reduced by up to a maximum of 40
5 percent by the substitution of alternative transportation programs, according to the following
6 provisions:

7 a. For every ~~((certified))~~ carpool space accompanied by a cash fee,
8 performance bond or alternative guarantee acceptable to the Director, the total parking
9 requirement will be reduced by 1.9 spaces, up to a maximum of 40 percent of the parking
10 requirement. ~~((The Director will consult with the Director of the Seattle Department of
11 Transportation in certifying carpool spaces and the location of carpool parking.))~~

12 b. For every ~~((certified))~~ vanpool purchased or leased by the applicant for
13 employee use, or equivalent cash fee for purchase of a van by the public ridesharing agency, the
14 total parking requirement will be reduced by six spaces, up to a maximum of 20 percent of the
15 parking requirement. ~~((Before a certificate of occupancy may be issued, details of the vanpool
16 program shall be specified in a Memorandum of Agreement executed between the proponent, the
17 Director, and the Director of the Seattle Department of Transportation.))~~

18 c. If transit or transportation passes are provided with a 50 percent or
19 greater cost reduction to all employees in a proposed structure for the duration of the business
20 establishment(s) within it, or five years, whichever is less, and if transit service is located within
21 800 feet, the parking requirement shall be reduced by 10 percent. With a 25 percent to 49 percent
22 cost reduction, and if transit service is located within 800 feet, the parking requirement shall be
23 reduced by 5 percent.

24 d. For every four covered bicycle parking spaces provided, the total
25 parking requirement shall be reduced by one space, up to a maximum of 5 percent of the parking
26 requirement, provided that there is access to an arterial over improved streets.



Section 17. Section 23.76.004 of the Seattle Municipal Code, which section was last amended by Ordinance 123913, is amended as follows:

23.76.004 Land use decision framework

**Table A for 23.76.004
LAND USE DECISION FRAMEWORK¹**

DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (Administrative review through land use interpretation as allowed by Section 23.88.020²)
• Compliance with development standards
• Uses permitted outright
• Temporary uses, four weeks or less
• <u>Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments</u>
• Intermittent uses
• Interim use parking authorized under subsection 23.42.040.G
• Uses on vacant or underused lots pursuant to Section 23.42.038
• Certain street uses
• Lot boundary adjustments
• Modifications of features bonused under Title 24
• Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
• Temporary uses for relocation of police and fire stations
• Exemptions from right-of-way improvement requirements
• Special accommodation
• Reasonable accommodation
• Minor amendment to a Major Phased Development Permit
• Determination of public benefit for combined lot FAR
• Determination of whether an amendment to a property use and development agreement is major or minor
• Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are requested
• Shoreline special use approvals that are not part of a shoreline substantial development permit



1	<ul style="list-style-type: none"> • Adjustments to major institution boundaries pursuant to subsection 23.69.023.B • Other Type I decisions that are identified as such in the Land Use Code
2	TYPE II Director's Decision (Appealable to Hearing Examiner or Shorelines Hearing Board³)
3	<ul style="list-style-type: none"> • Temporary uses, more than four weeks, except for temporary relocation of police and fire stations
4	<ul style="list-style-type: none"> • Variances
5	<ul style="list-style-type: none"> • Administrative conditional uses
6	<ul style="list-style-type: none"> • Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit³
7	<ul style="list-style-type: none"> • Short subdivisions
8	<ul style="list-style-type: none"> • Special Exceptions
9	<ul style="list-style-type: none"> • Design review decisions, except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested
10	<ul style="list-style-type: none"> • Light rail transit facilities
11	<ul style="list-style-type: none"> • The following environmental determinations: <ol style="list-style-type: none"> 1. Determination of non-significance (EIS not required) 2. Determination of final EIS adequacy 3. Determinations of significance based solely on historic and cultural preservation 4. A decision to approve, condition or deny a project based on SEPA Policies 5. A decision that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required)
12	
13	
14	<ul style="list-style-type: none"> • Major Phased Developments • Downtown Planned Community Developments
15	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
16	<ul style="list-style-type: none"> • Subdivisions (preliminary plats)
17	COUNCIL LAND USE DECISIONS
18	TYPE IV (Quasi-Judicial) Council Land Use Decisions
19	<ul style="list-style-type: none"> • Amendments to the Official Land Use Map (rezones), except area-wide amendments and correction of errors
20	<ul style="list-style-type: none"> • Public projects that require Council approval
21	<ul style="list-style-type: none"> • Major Institution master plans, including major amendments, renewal of a master plan's development plan component, and master plans prepared pursuant to subsection 23.69.023.C after an acquisition, merger, or consolidation of major institutions.
22	<ul style="list-style-type: none"> • Major amendments to property use and development agreements
23	<ul style="list-style-type: none"> • Council conditional uses
24	TYPE V (Legislative) Council Land Use Decisions
25	<ul style="list-style-type: none"> • Land Use Code text amendments
26	<ul style="list-style-type: none"> • Area-wide amendments to the Official Land Use Map • Corrections of errors on the Official Land Use Map due to cartographic and clerical mistakes



- Concept approvals for the location or expansion of City facilities requiring Council land use approval
- Major Institution designations and revocations of Major Institution designations
- Waivers or modifications of development standards for City facilities
- Planned Action Ordinances

Footnotes for Table A for 23.76.004:

(1) Sections 23.76.006 and 23.76.036 establish the types of land use decisions in each category. This table is intended to provide only a general description of land use decision types.

(2) Type I decisions are subject to administrative review through a land use interpretation pursuant to Section 23.88.020 if the decision is one that is subject to interpretation.

(3) Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit, are appealable to the Shorelines Hearings Board along with all related environmental appeals.

Section 18. Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123913, is amended as follows:

23.76.006 Master Use Permits required

A. Type I, II and III decisions are components of Master Use Permits. Master Use Permits are required for all projects requiring one or more of these decisions.

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;

2. Establishment or change of use for uses permitted outright, interim use parking under subsection 23.42.040.G, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, and temporary uses for four weeks or less not otherwise permitted in the zone, and renewals of temporary uses for up to six months, except temporary uses and facilities for light rail transit facility construction and transitional encampments;~~((, interim use parking under subsection 23.42.040.G, uses allowed under Section 23.42.038, and temporary relocation of police and fire stations for 24 months or less;))~~



1 C. The following are Type II decisions:

2 1. The following procedural environmental decisions for Master Use Permits and
3 for building, demolition, grading and other construction permits are subject to appeal to the
4 Hearing Examiner and are not subject to further appeal to the City Council (supplemental
5 procedures for environmental review are established in Chapter 25.05, Environmental Policies
6 and Procedures):

- 7 a. Determination of Non-significance (DNS), including mitigated DNS;
8 b. Determination that a final environmental impact statement (EIS) is
9 adequate; and
10 c. Determination of Significance based solely on historic and cultural
11 preservation.

12 2. The following decisions are subject to appeal to the Hearing Examiner (except
13 shoreline decisions and related environmental determinations that are appealable to the
14 Shorelines Hearings Board):

15 a. Establishment or change of use for temporary uses more than four
16 weeks not otherwise permitted in the zone or not meeting development standards, including the
17 establishment of temporary uses and facilities to construct a light rail transit system for so long
18 as is necessary to construct the system as provided in subsection 23.42.040.F, but excepting
19 temporary relocation of police and fire stations for 24 months or less;

20 b. Short subdivisions;

21 c. Variances; provided that the decision on variances sought as part of a
22 Council land use decision shall be made by the Council pursuant to Section 23.76.036;

23 d. Special exceptions; provided that the decision on special exceptions
24 sought as part of a Council land use decision shall be made by the Council pursuant to Section
25 23.76.036;



1 e. Design review, including streamlined design review pursuant to Section
2 23.41.018 if departures are requested pursuant to Section 23.41.012;

3 f. Administrative conditional uses, provided that the decision on
4 administrative conditional uses sought as part of a Council land use decision shall be made by
5 the Council pursuant to Section 23.76.036;

6 g. The following shoreline decisions; provided that these decisions shall
7 be made by the Council pursuant to Section 23.76.036 when they are sought as part of a Council
8 land use decision (supplemental procedures for shoreline decisions are established in Chapter
9 23.60):

10 1) Shoreline substantial development permits;

11 2) Shoreline variances; and

12 3) Shoreline conditional uses;

13 h. Major Phased Developments;

14 i. Determination of project consistency with a planned action ordinance
15 and EIS;

16 j. Establishment of light rail transit facilities necessary to operate and
17 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

18 k. Downtown planned community developments; (~~and~~)

19 l. Establishment of temporary uses for transitional encampments; and

20 m. Decisions to approve, condition, or deny based on SEPA policies if
21 such decisions are integrated with the decisions listed in subsections 23.76.006.C.2.a through k;
22 provided that, for decisions listed in subsections 23.76.006.C.2.c, d, f, and g that are made by the
23 Council, integrated decisions to approve, condition, or deny based on SEPA policies are made by
24 the Council pursuant to Section 23.76.036.

25 ***



1 Section 19. Section 23.84A.032 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 123913, is amended as follows:

3 **23.84A.032 "R((+))"**

4 ***

5 "Residential use" means any one or more of the following:

6 1. "Accessory dwelling unit" means one or more rooms that (a) are located within
7 an owner-occupied dwelling unit, or within an accessory structure on the same lot or unit lot as
8 an owner-occupied dwelling unit; (b) meet the standards of Section 23.44.041, ~~((or))~~ 23.45.545,
9 or Chapter 23.47A, as applicable; (c) are designed, arranged, and intended to be occupied by not
10 more than one household as living accommodations independent from any other household; and
11 (d) are so occupied or vacant.

12 ***

13 18. "Rowhouse Development" means a multifamily residential use in which all
14 principal dwelling units on the lot meet the following conditions: (a) each dwelling unit occupies
15 the space from the ground to the roof of the structure in which it is located; (b) no portion of a
16 dwelling unit, ~~((including an accessory dwelling unit, but excluding garages))~~ except for an
17 accessory dwelling unit or shared parking garage, occupies space above or below another
18 dwelling unit; (c) each dwelling unit is attached along at least one common wall to at least one
19 other dwelling unit, or abuts another dwelling unit on a common lot line; (d) the front of each
20 dwelling unit faces a street lot line; (e) each dwelling unit provides pedestrian access directly to
21 the street that it faces; and (f) no portion of any other dwelling unit, except for an attached
22 accessory dwelling unit, is located between any dwelling unit and the street faced by the front of
23 that unit.

24 ***

25 20. "Townhouse Development" means a multifamily residential use that is not a
26 rowhouse development, and in which: (a) each dwelling unit occupies the space from the ground



1 to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space
2 above or below another dwelling unit, except for an attached accessory dwelling unit and except
3 for dwelling units constructed over a shared parking garage; and (c) each dwelling unit is
4 attached along at least one common wall to at least one other dwelling unit, or abuts another
5 dwelling unit on a common lot line.

6 ***

7 Section 20. Section 23.91.002 of the Seattle Municipal Code, which section was last
8 amended by Ordinance 123546, is amended as follows:

9 **23.91.002 Scope of Chapter 23.91**

10 A. Violations of the following provisions of Seattle Municipal Code Title 23 shall be
11 enforced under the citation or criminal provisions set forth in this Chapter 23.91:

12 1. Junk storage in residential zones (Sections 23.44.006 and 23.44.040, and
13 Chapter 23.45), unless the lot contains a vacant structure subject to the vacant building
14 maintenance standards contained in subsection 22.206.200.A;

15 2. Construction or maintenance of structures in required yards or setbacks in
16 residential zones (Sections 23.44.014 and 23.44.040, and Chapter 23.45);

17 3. Parking of vehicles in a single-family zone (Section 23.44.016) unless the lot
18 contains a vacant structure subject to the vacant building maintenance standards contained in
19 subsection 22.206.200.A; and

20 4. Keeping of animals (Section 23.42.050), ~~((; and))~~

21 ~~((5. Home occupations (Section 23.42.052).))~~

22 B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect,
23 limit or preclude any previous, pending or subsequent enforcement action or proceeding taken
24 pursuant to Chapter 23.90.

25 Section 21. Section 25.05.800 of the Seattle Municipal Code, which section was last
26 amended by Ordinance 123495, is amended as follows:



1 **Subchapter IX Categorical Exemptions**

2 **25.05.800 Categorical exemptions**

3 The proposed actions contained in this subchapter are categorically exempt from
4 threshold determination and EIS requirements, subject to the rules and limitations on categorical
5 exemptions contained in Section 25.05.305.

6 A. Minor new construction--- flexible thresholds.

7 1. The exemptions in this subsection 25.05.800.A apply to all licenses required to
8 undertake the construction in question, except when a rezone or any license governing emissions
9 to the air or discharges to water is required. To be exempt under this Section 25.05.800, the
10 project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt
11 level in subsection ~~((A.2 of this Section))~~ 25.05.800.A.2 shall control. If the proposal is located
12 in more than one city or county, the lower of the agencies' adopted levels shall control,
13 regardless of which agency is the lead agency.

14 2. The following types of construction are exempt, except when undertaken
15 wholly or partly on lands covered by water or unless undertaken in environmentally critical areas
16 (Section 25.05.908):

17 a. The construction or location of residential ~~((structures))~~ or mixed-use
18 development containing no more than the number of dwelling units identified in Table A for
19 25.05.800~~((, except for lots located in an Urban Center or a SAOD, if the proposed construction~~
20 ~~or location is on a lot in an LRI or LR2 zone, and if the lot abuts any portion of another lot that is~~
21 ~~zoned SF or RSL, or is across an alley of any width from a lot that is zoned SF or RSL, or is~~
22 ~~across a street from a lot zoned SF or RSL if that street does not meet minimum width~~
23 ~~requirements in Section 23.53.015.A, then the level of exempt construction is 4 dwelling units~~
24 ~~for lots in an LR1 zone, and 6 dwelling units for lots in an LR2 zone));~~



Table A for 25.05.800: Exemptions for Residential Uses

Zone	Residential Uses		
	Number of Exempt Dwelling Units		
	<u>Outside of Urban Centers and Urban Villages Containing SAODs</u>	<u>Within Urban Centers or Urban Villages Containing SAODs</u>	<u>Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded</u>
SF, RSL	4	4	4
LR1	4	((6)) 200 ⁽¹⁾	20
LR2	6	((30)) 200 ⁽¹⁾	20
LR3	8	((30)) 200 ⁽¹⁾	20
NC1, NC2, NC3, C1, C2	4	((30)) 200 ⁽¹⁾	20
MR, HR, SM	20	((30)) 200 ⁽¹⁾	20
Downtown zones	NA	((80)) 250 ⁽¹⁾	20
Industrial zones	4	4	4

Notes for Table A for 25.05.800

SAOD = Station Area Overlay District((s)).

Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

(1) Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed-use development located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined that residential growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, containing no more than the gross floor area listed in ~~((the))~~ Table B for 25.05.800 below:



Table B for 25.05.800: Exemptions for Non-Residential Uses

Zone	Non-Residential Uses		
	Exempt Area of Use (square feet of gross floor area)		
	Outside of Urban Centers and Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded
SF, RSL, LR1 ((LR2, LR3))	4,000	4,000	4,000
LR2, LR3	4,000	12,000 ⁽¹⁾ or 30,000	12,000
MR, HR, NC1, NC2, NC3	4,000	12,000 ⁽¹⁾ or 30,000	12,000
C1, C2, SM((, Industrial)) zones	12,000	12,000 ⁽¹⁾ or 30,000	12,000
Industrial zones	12,000	12,000	12,000
Downtown zones	Not Applicable	12,000 ⁽¹⁾ or 30,000	12,000

Notes for Table B for 25.05.800. SAOD = Station Area Overlay District(s).
 Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
 (1) New nonresidential development that is not part of a mixed-use development and that does not exceed 12,000 square feet is categorically exempt from SEPA. Pursuant to RCW 43.21C.229, new non-residential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined that employment growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

- d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces;
- e. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder;
- f. Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d ((above)), unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see ((Section)) subsection 25.05.305.A.2.b);
- g. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection 25.05.800.A apply.



1 h. For the purposes of this subsection 25.05.800.A, “mixed use
2 development” means development having two or more principal uses, one of which is a
3 residential use comprising 50% or more of the gross floor area.

4 i. To implement the requirements of Tables A and B of this section, the
5 Director shall establish exemption limits by rule for each urban center and each urban village
6 containing a SAOD to assure that proposed development that could cause growth targets in
7 Appendix A of the Comprehensive Plan’s Urban Village Element to be exceeded is subject to
8 SEPA review. The exemption limits must contain a “cushion” to assure that development does
9 not exceed growth targets without SEPA review, provided that the cushion shall be at least 10%
10 of the residential or employment growth targets established in the Comprehensive Plan.

11 j. The Director shall monitor residential and employment growth and
12 publish quarterly a determination of growth for each urban center and urban village containing a
13 SAOD. Residential growth shall include, but need not be limited to, net new units that have
14 been built and net new units in projects that have received a building permit but have not
15 received a certificate of occupancy. If the Director determines that exemption limits have been
16 reached for an urban center or urban village containing a SAOD, subsequent development is not
17 categorically exempt from SEPA review pursuant to RCW 43.21C.229.

18 * * *

19 Section 22. Map Book A attached as Exhibit 1 to this ordinance shall be codified at the
20 end of SMC Chapter 23.47A.

21 Section 23. Severability. The provisions of this ordinance are declared to be separate and
22 severable. The invalidity of any particular provision, or its invalidity as applied in any
23 circumstances, shall not affect the validity of any other provision or the application of the
24 particular provision in other circumstances.



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Section 24. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 23rd day of July, 2012, and signed by me in open session in authentication of its passage this 23rd day of July, 2012.

Sally Bagshaw
President pro tem of the City Council

Approved by me this 1st day of August, 2012.

Michael McGinn
Michael McGinn, Mayor

Filed by me this 1st day of August, 2012.

Monica Martinez Simmons
Monica Martinez Simmons, City Clerk

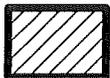
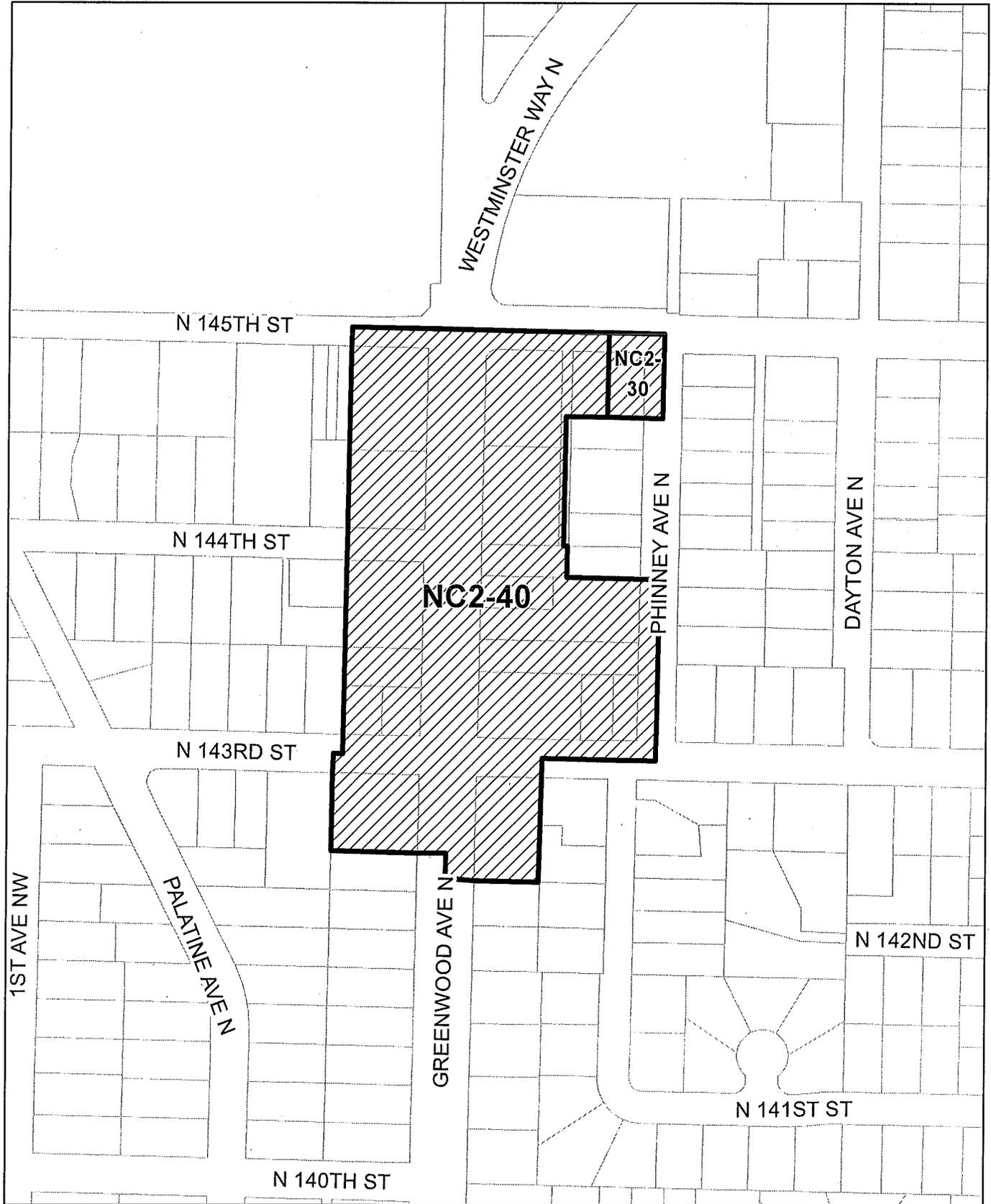
(Seal)

Exhibit 1: Map Book A for Chapter 23.47A



MAP 1 for 23.47A.005.C

Broadview (Greenwood Ave N south of N 145th)



Subject to street-level residential use limits identified in 23.47A.005.C



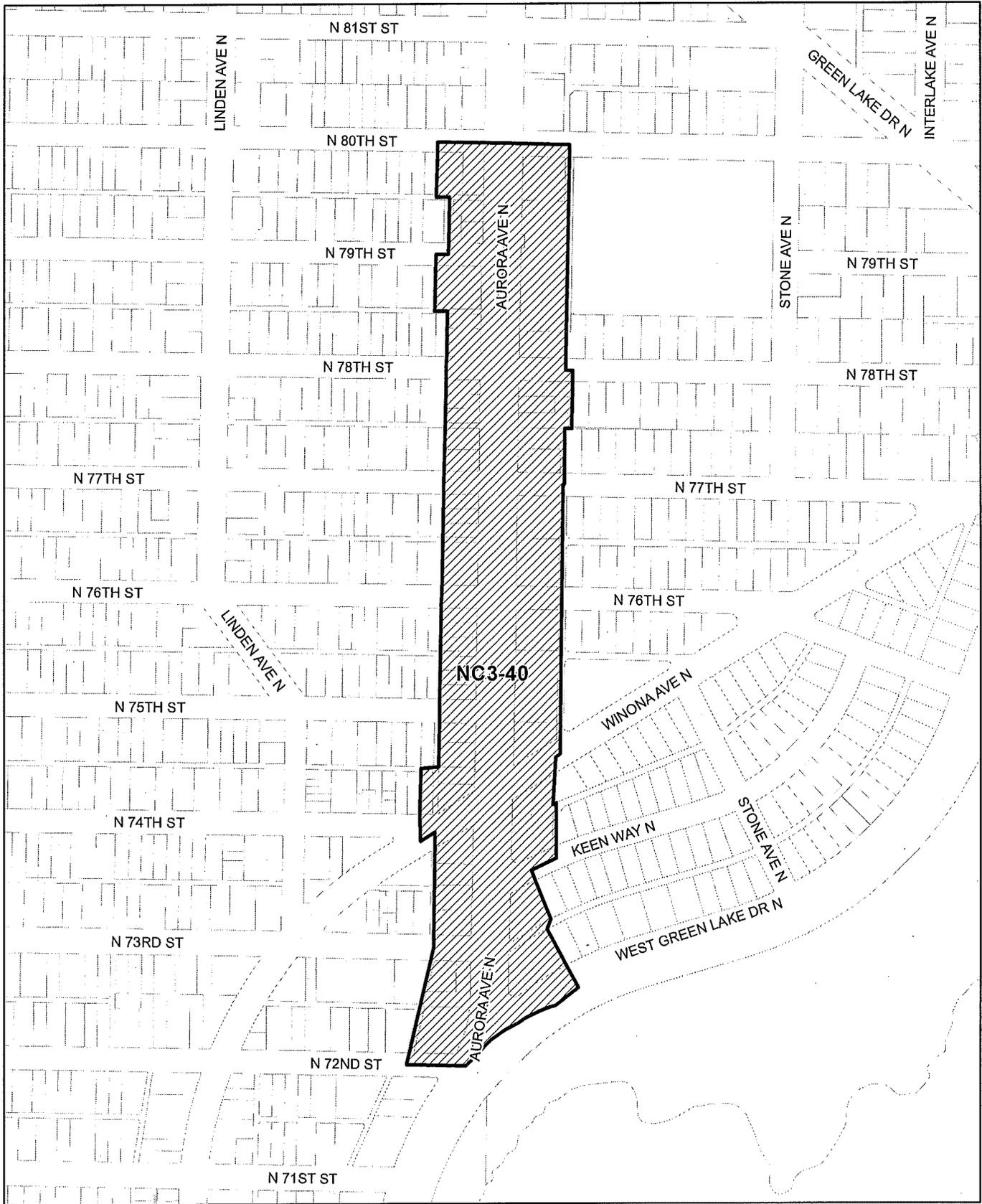
0 55 110 220 Feet

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MAP 2 for 23.47A.005.C

Aurora Ave N south of N 80th St



Subject to street-level residential use limits identified in 23.47A.005.C



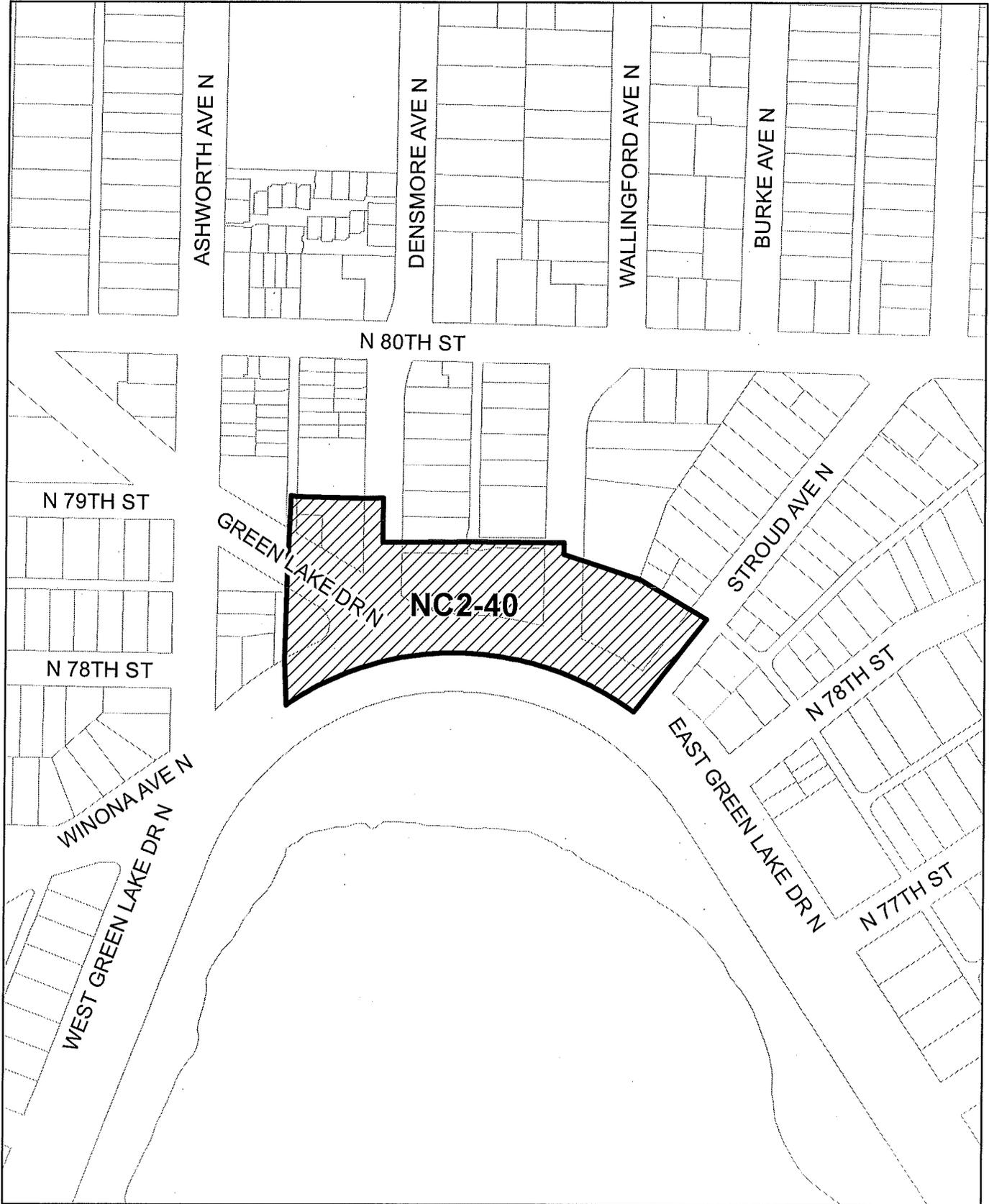
0 85 170 340 Feet

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MAP 3 for 23.47A.005.C

North Green Lake



Subject to street-level residential use limits identified in 23.47A.005.C



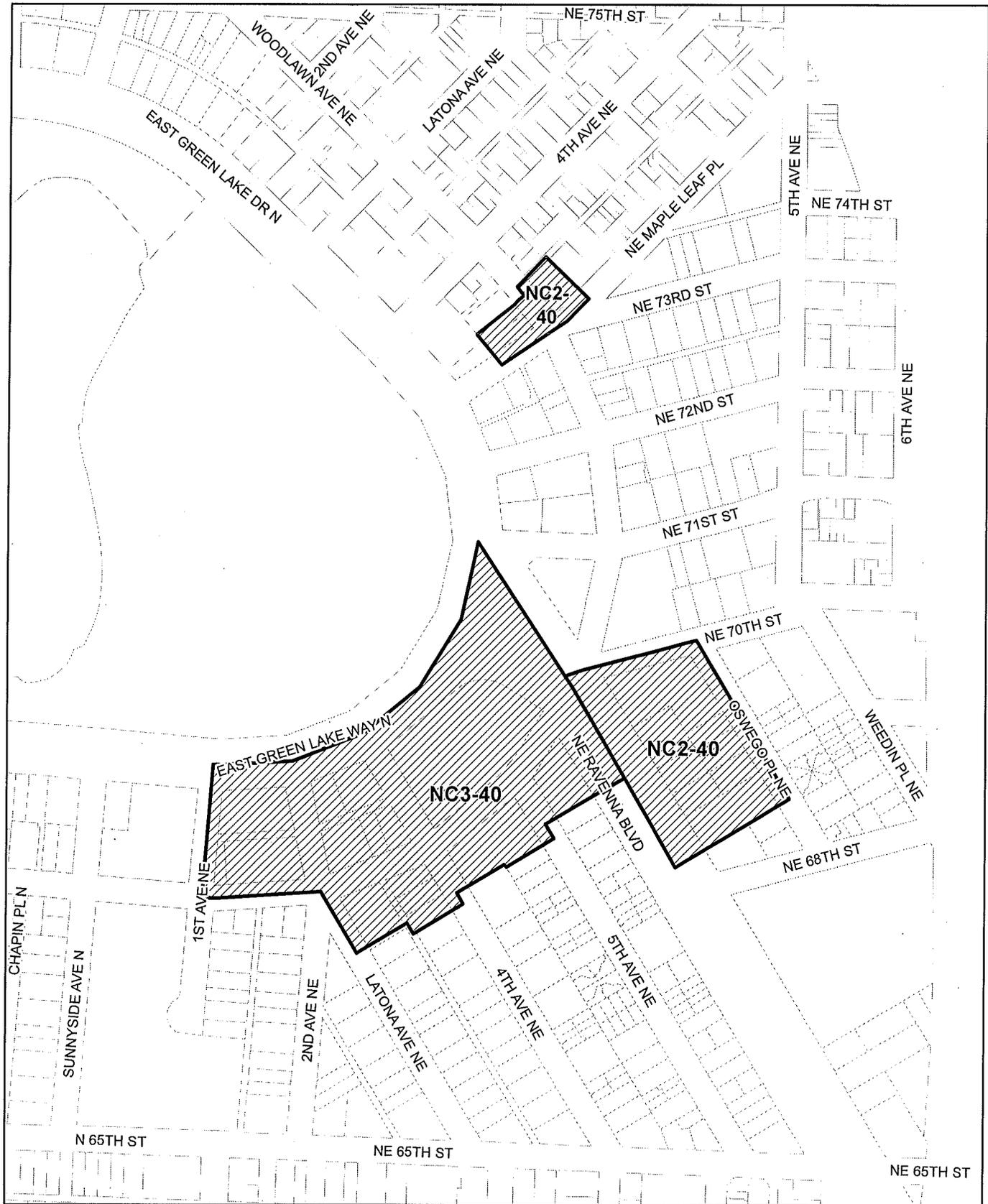
0 55 110 220 Feet

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MAP 4 for 23.47A.005.C

Green Lake



Subject to street-level residential use limits identified in 23.47A.005.C

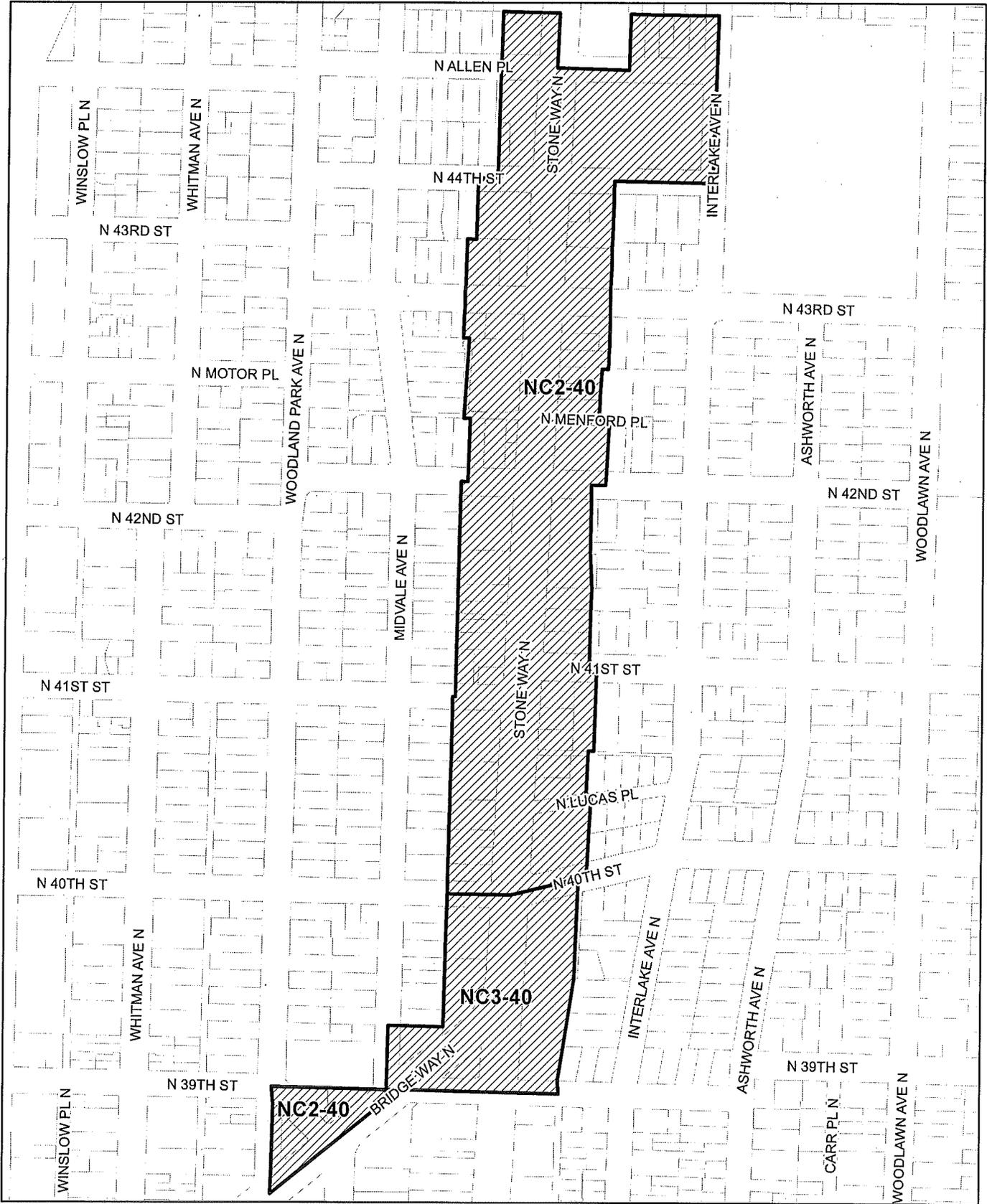


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MAP 5 for 23.47A.005.C

Stone Way N - south of N 45th St



Subject to street-level residential use limits identified in 23.47A.005.C

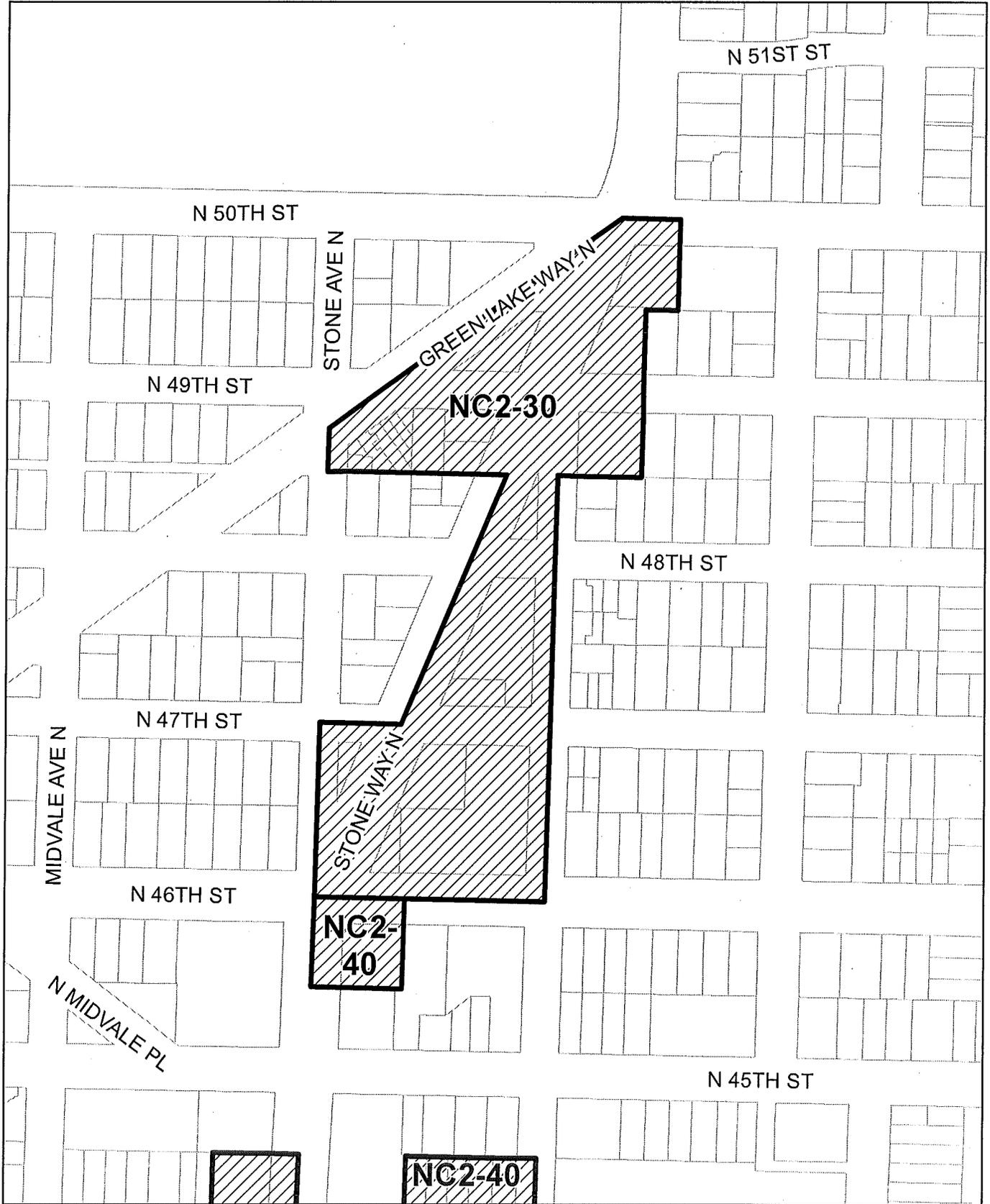


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MAP 6 for 23.47A.005.C

Stone Way N - south of N 50th St



Subject to street-level residential use limits identified in 23.47A.005.C



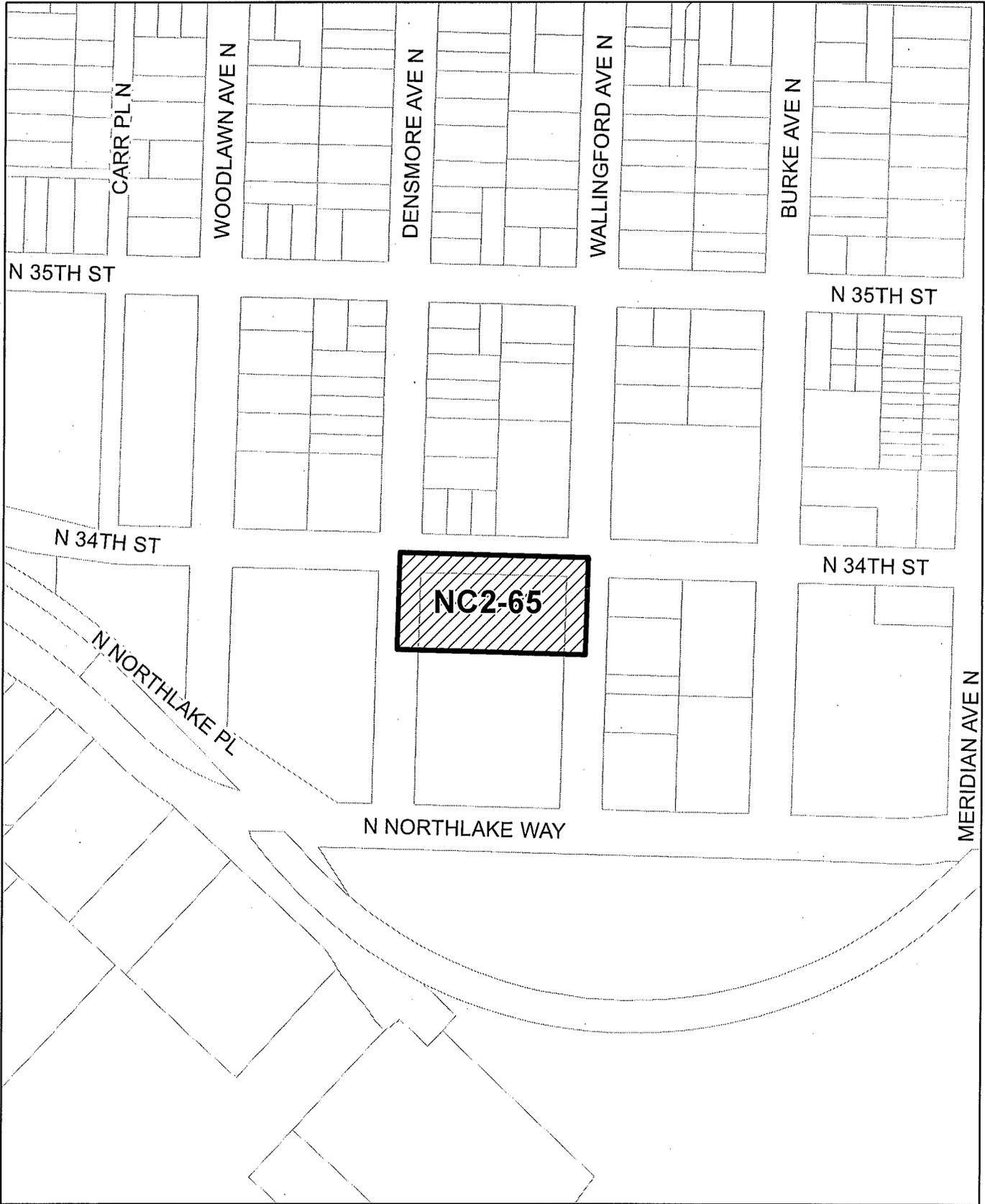
0 55 110 220 Feet

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MAP 7 for 23.47A.005.C

South Wallingford at N 34th St



Subject to street-level residential use limits identified in 23.47A.005.C



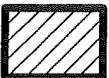
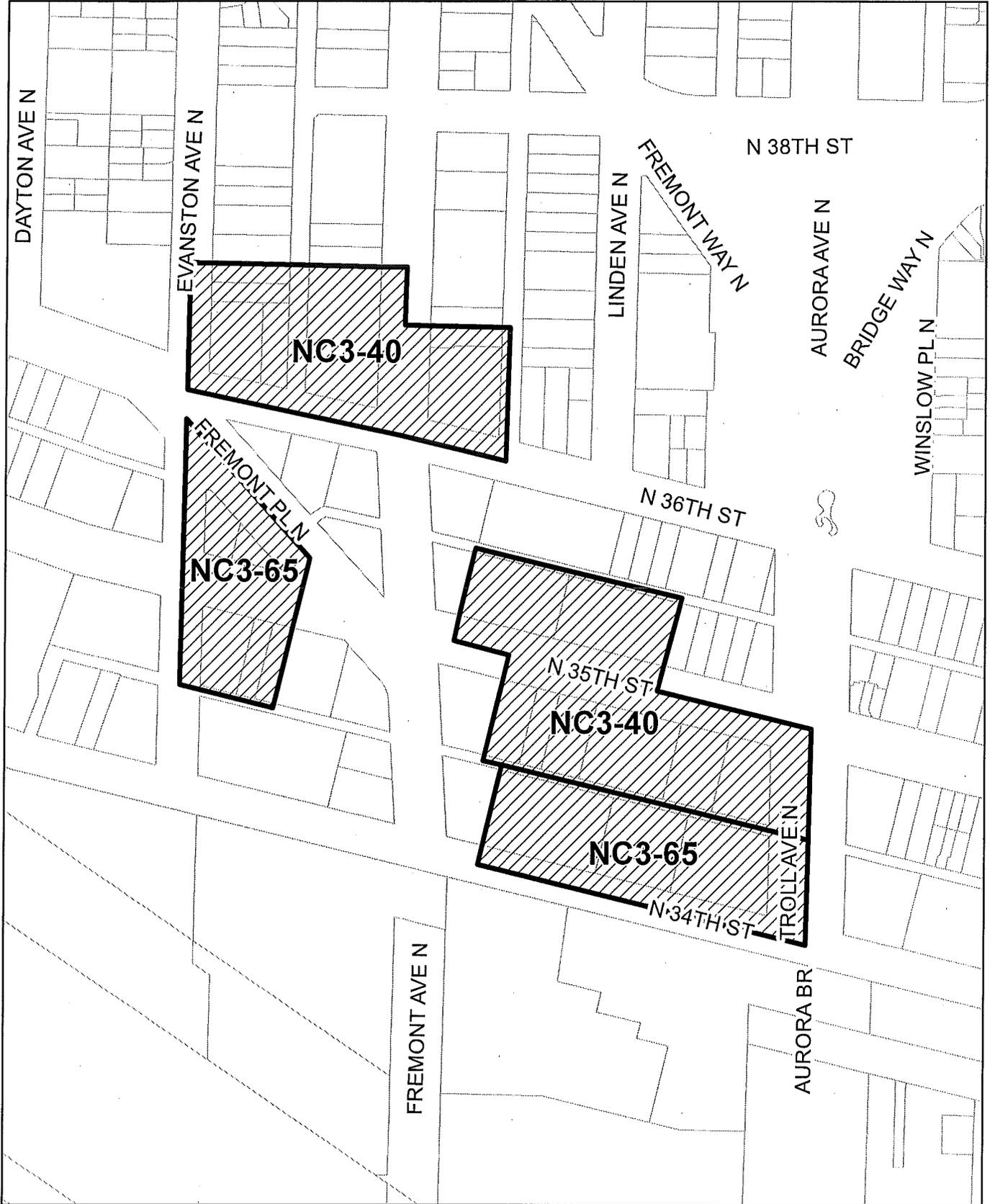
0 55 110 220 Feet

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MAP 8 for 23.47A.005.C

Fremont



Subject to street-level residential use limits identified in 23.47A.005.C



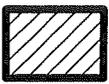
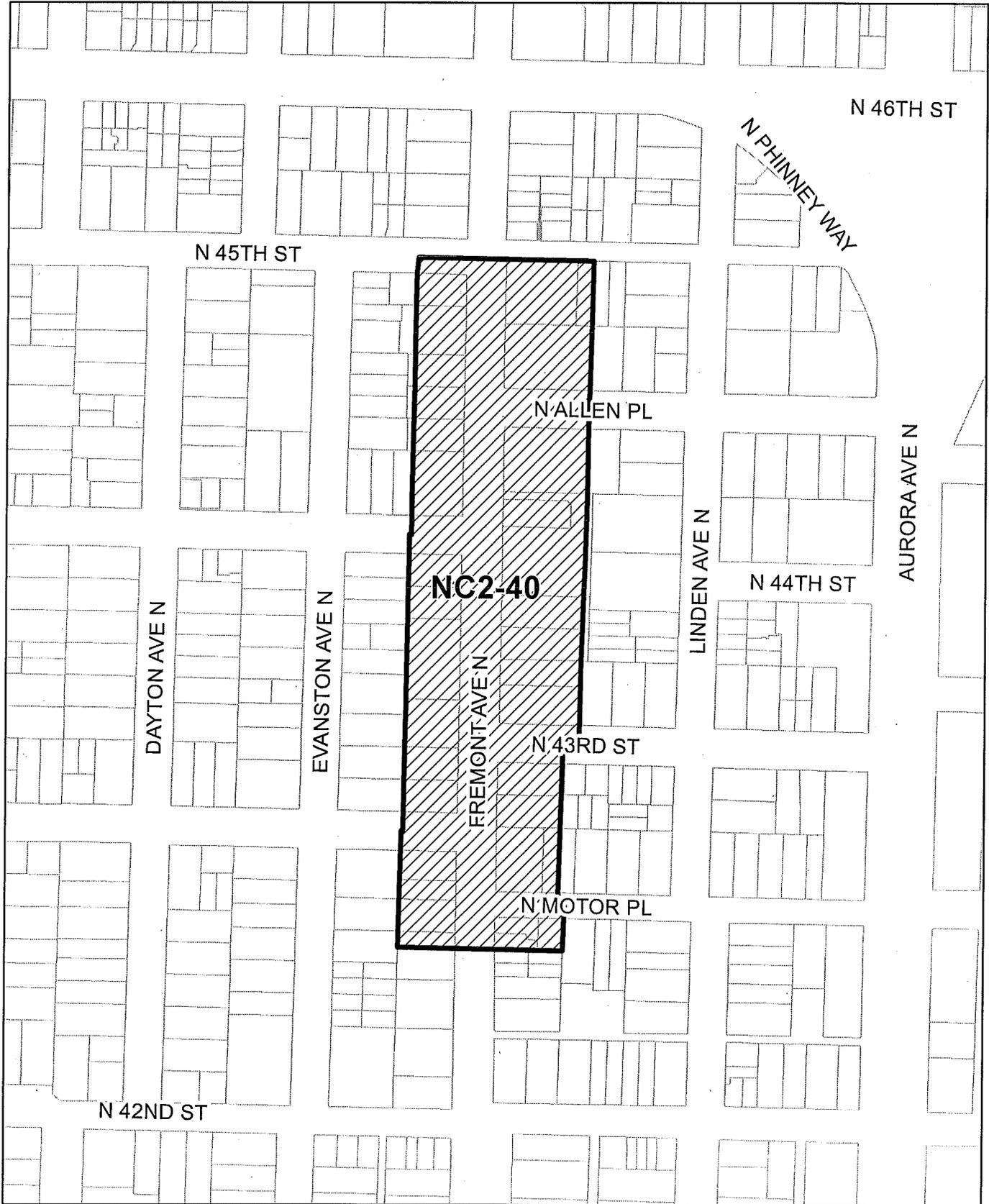
0 55 110 220 Feet

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MAP 9 for 23.47A.005.C

Fremont Ave N - south of N 45th St



Subject to street-level residential use limits identified in 23.47A.005.C



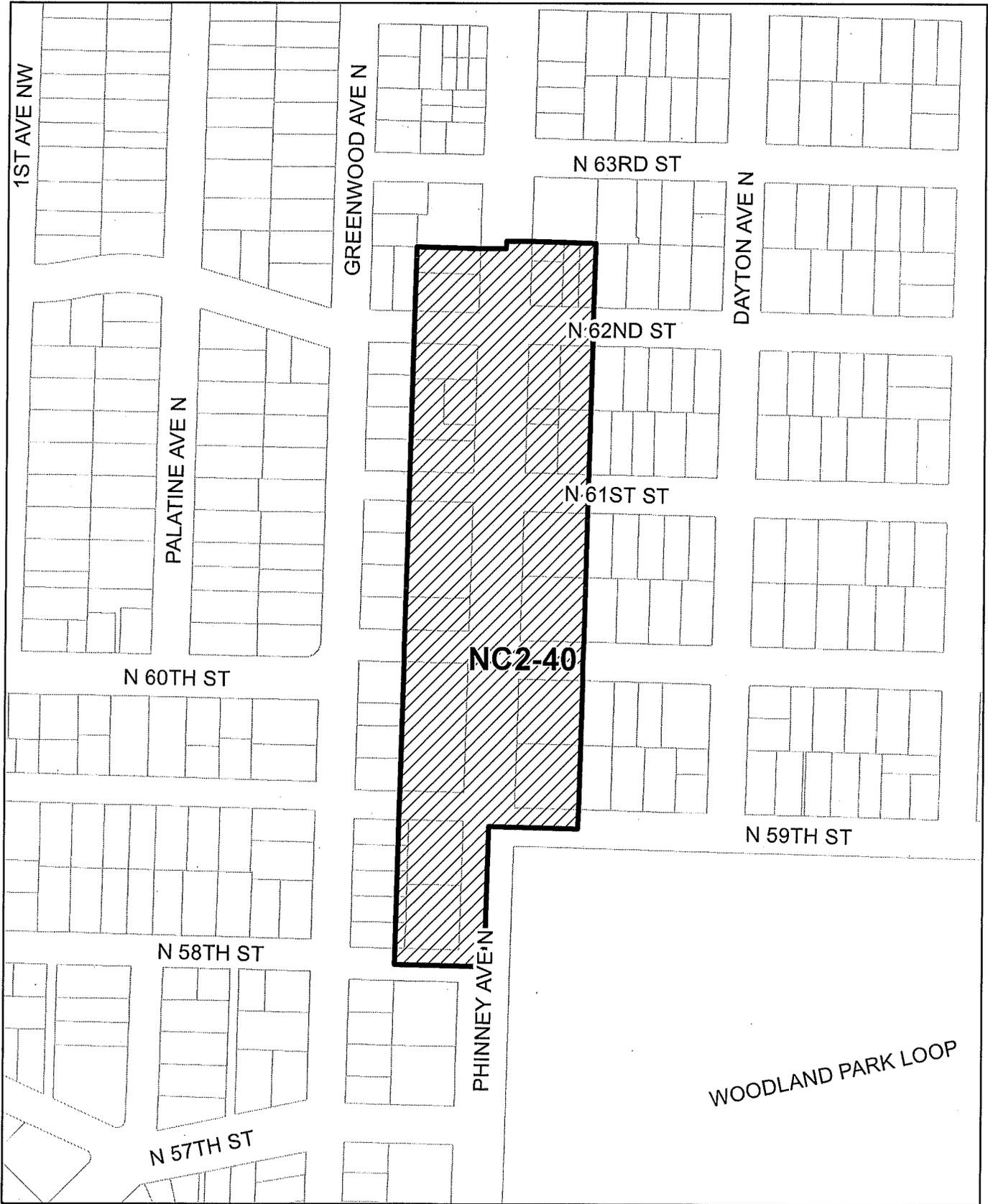
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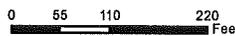


MAP 10 for 23.47A.005.C

Phinney Ridge - north of N 58th St



Subject to street-level residential use limits identified in 23.47A.005.C

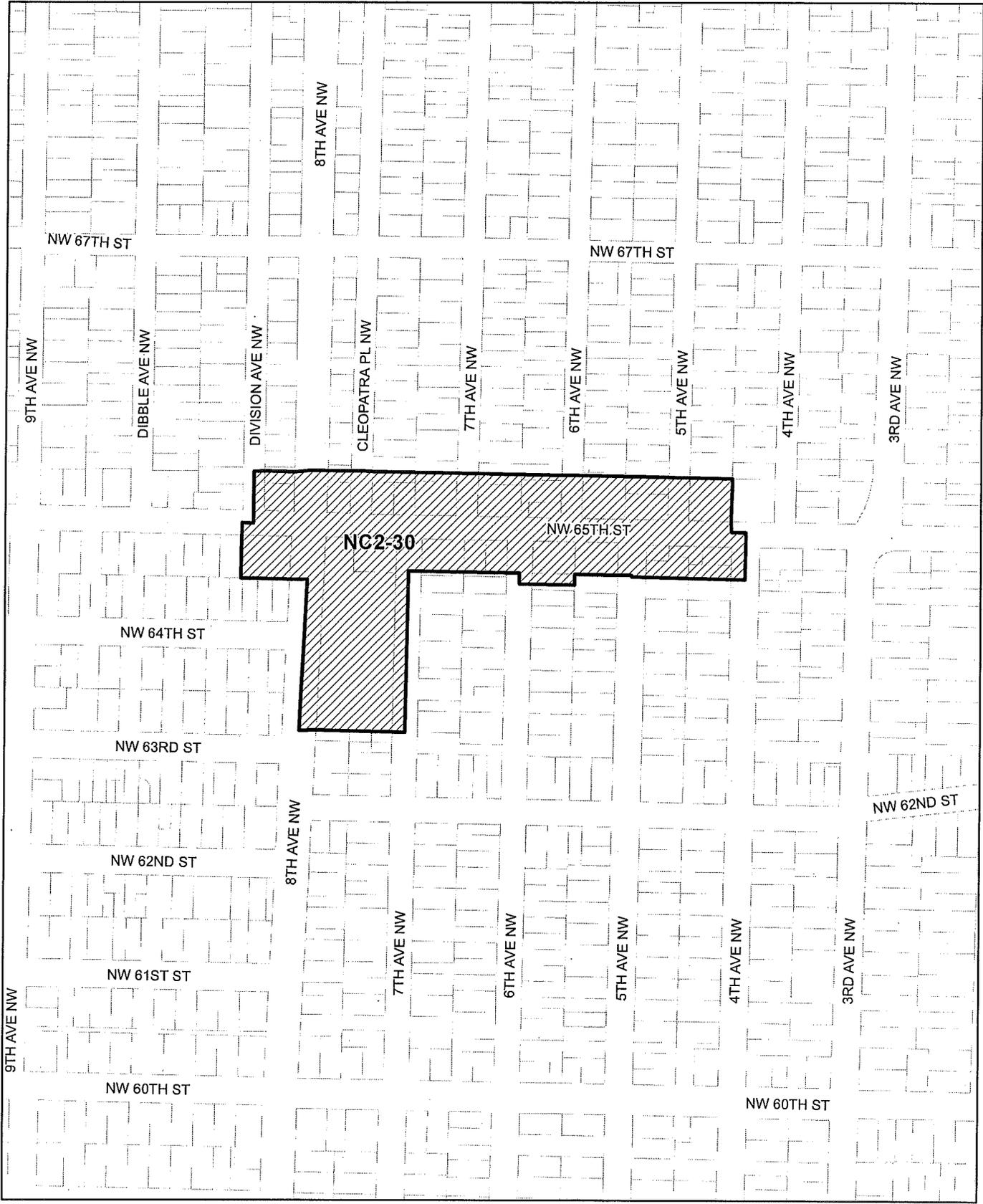


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MAP 11 for 23.47A.005.C

NW 65th St - west of 4th Ave NW



Subject to street-level residential use limits identified in 23.47A.005.C



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MAP 12 for 23.47A.005.C

Downtown Ballard



Subject to street-level residential use limits identified in 23.47A.005.C

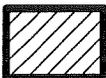
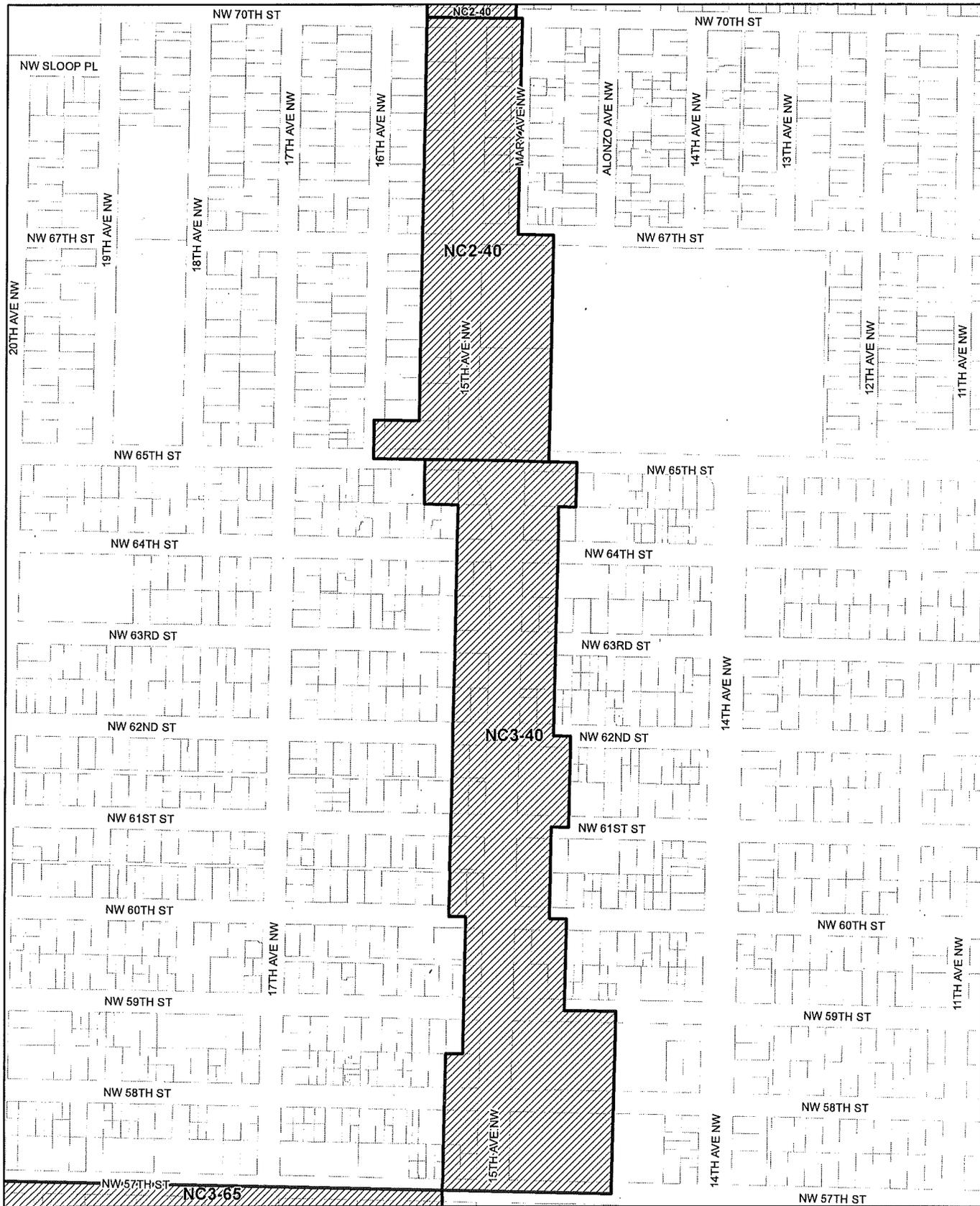


0 120 240 480 Feet



MAP 13 for 23.47A.005.C

15th Ave NW - north of NW 57th St



Subject to street-level residential use limits identified in 23.47A.005.C

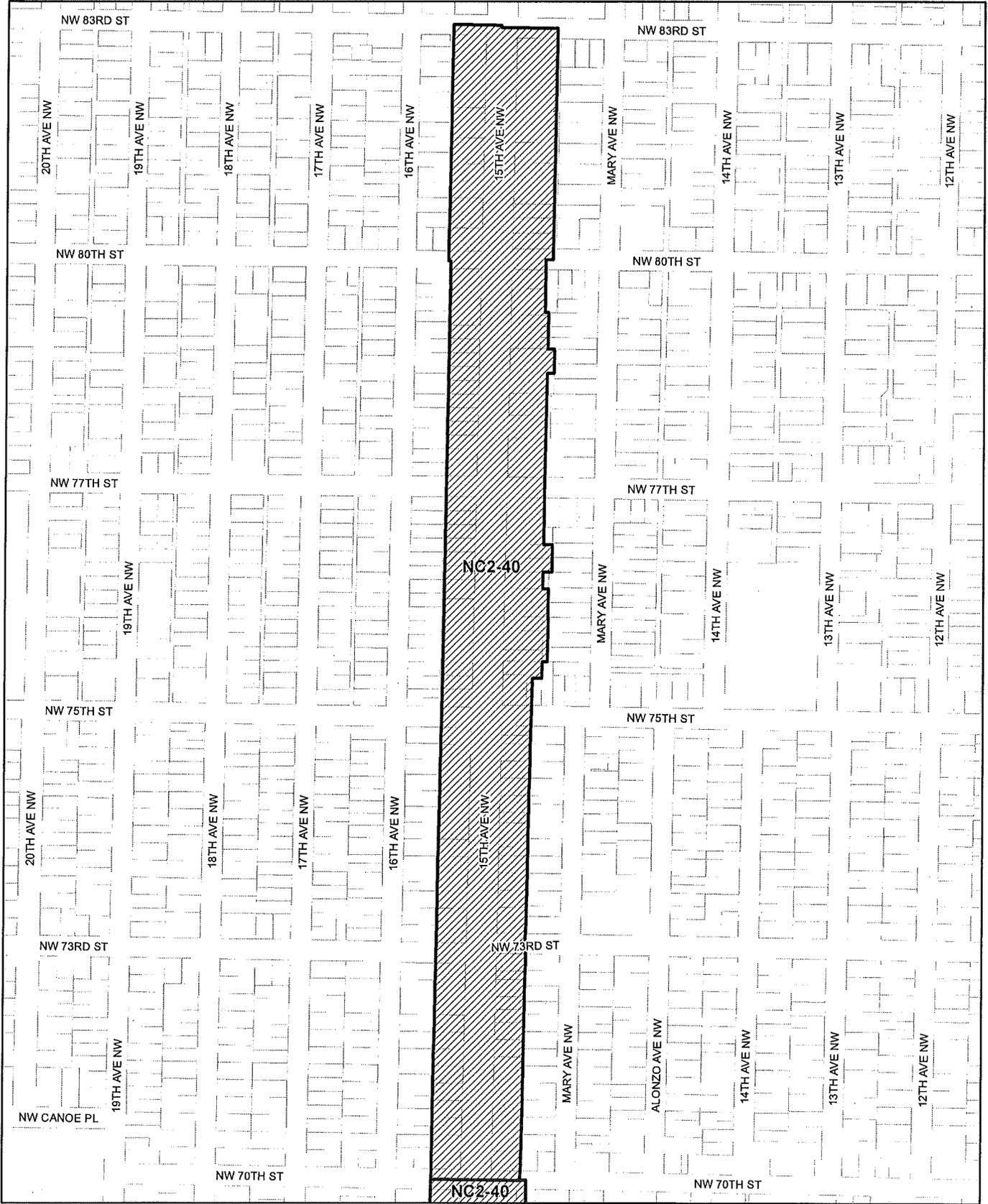


0 105 210 420 Feet



MAP 14 for 23.47A.005.C

15th Ave NW - south of NW 83rd St



Subject to street-level residential use limits identified in 23.47A.005.C

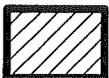
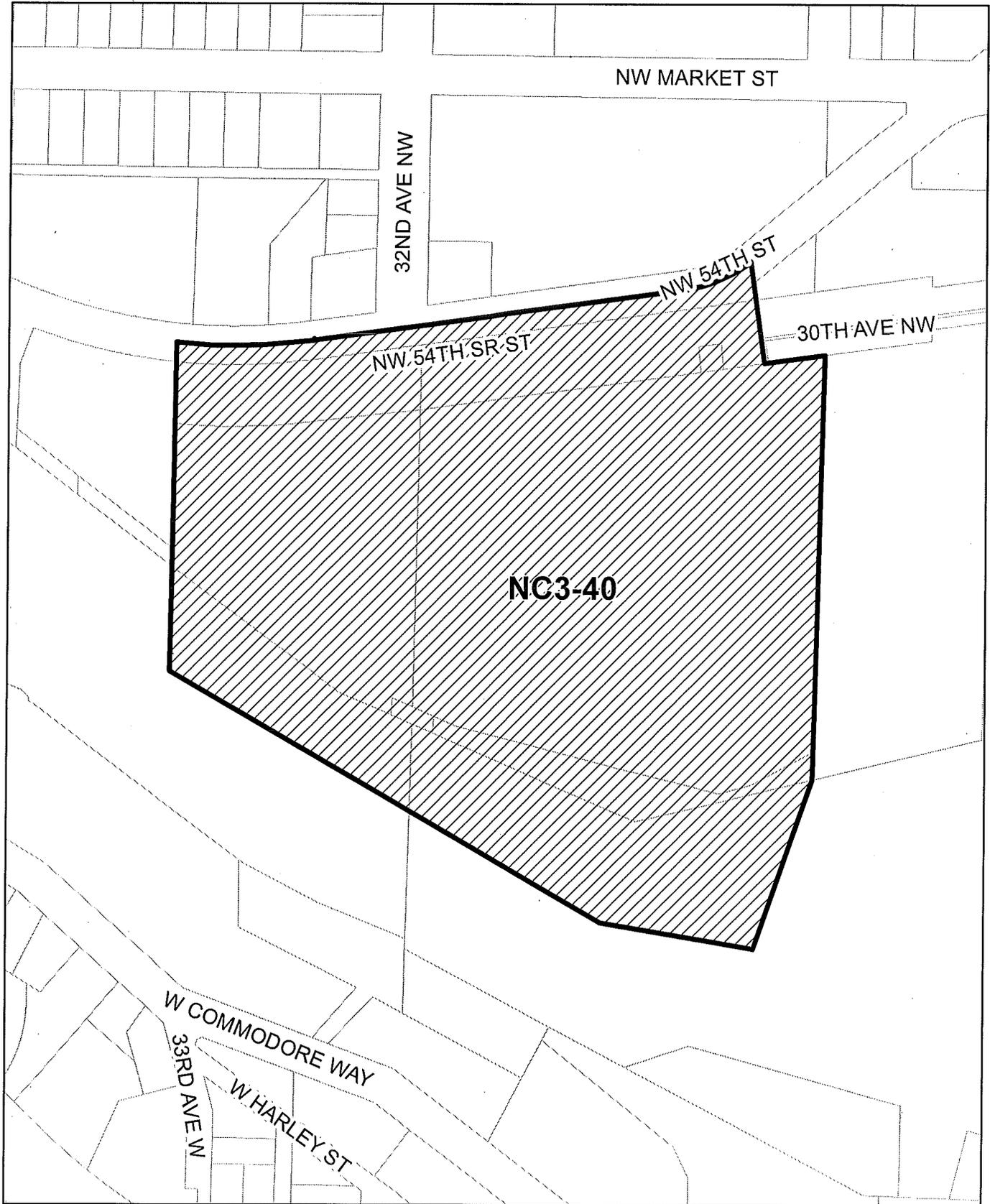


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MAP 15 for 23.47A.005.C

Ballard Locks



Subject to street-level residential use limits identified in 23.47A.005.C



0 55 110 220 Feet

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MAP 16 for 23.47A.005.C

Loyal Heights



Subject to street-level residential use
limits identified in 23.47A.005.C

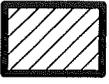
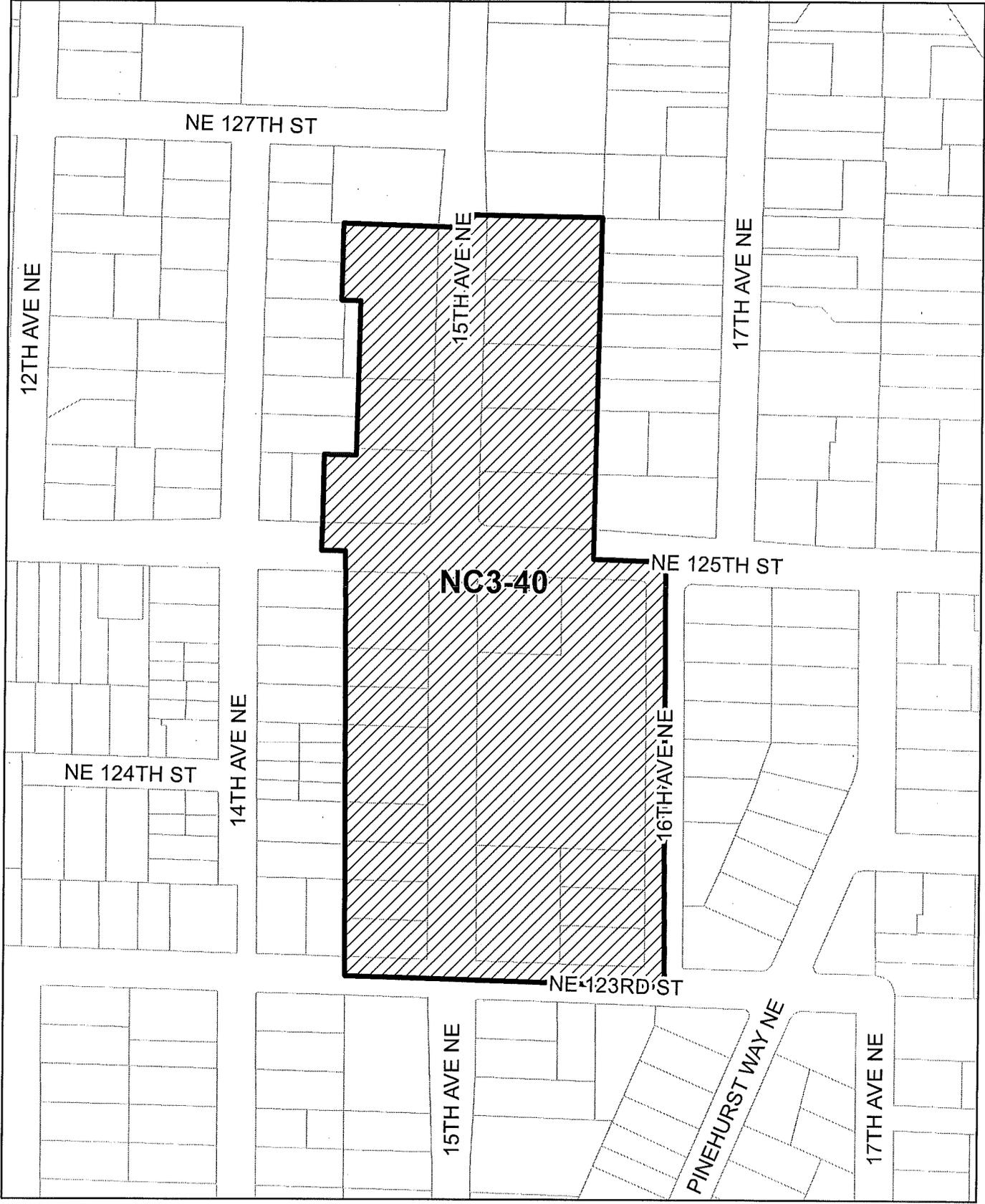


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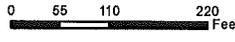


MAP 17 for 23.47A.005.C

15th Ave NE at NE 125th St



Subject to street-level residential use limits identified in 23.47A.005.C

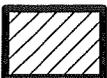
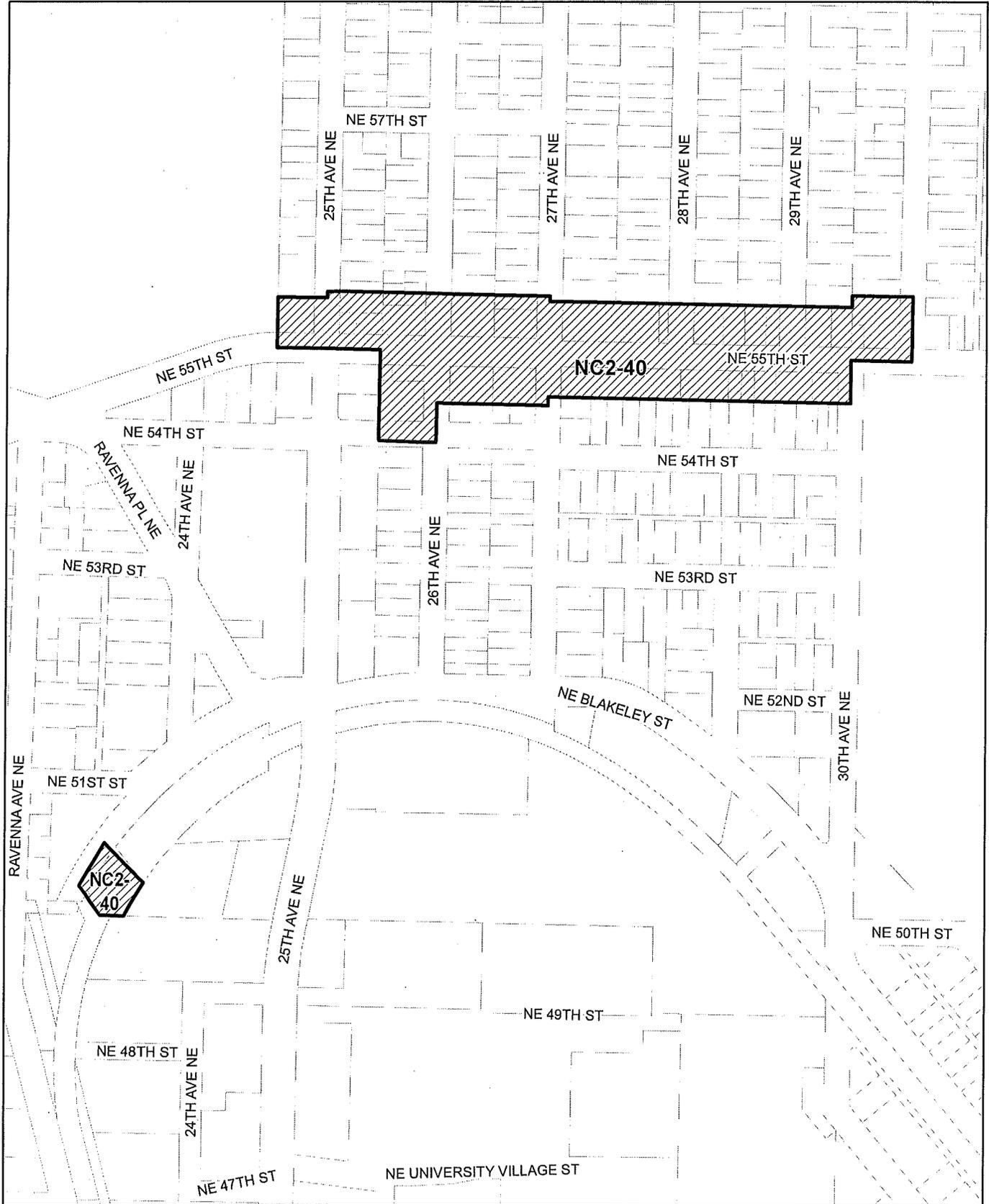


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MAP 18 for 23.47A.005.C

25th Ave NE at NE 55th St



Subject to street-level residential use limits identified in 23.47A.005.C

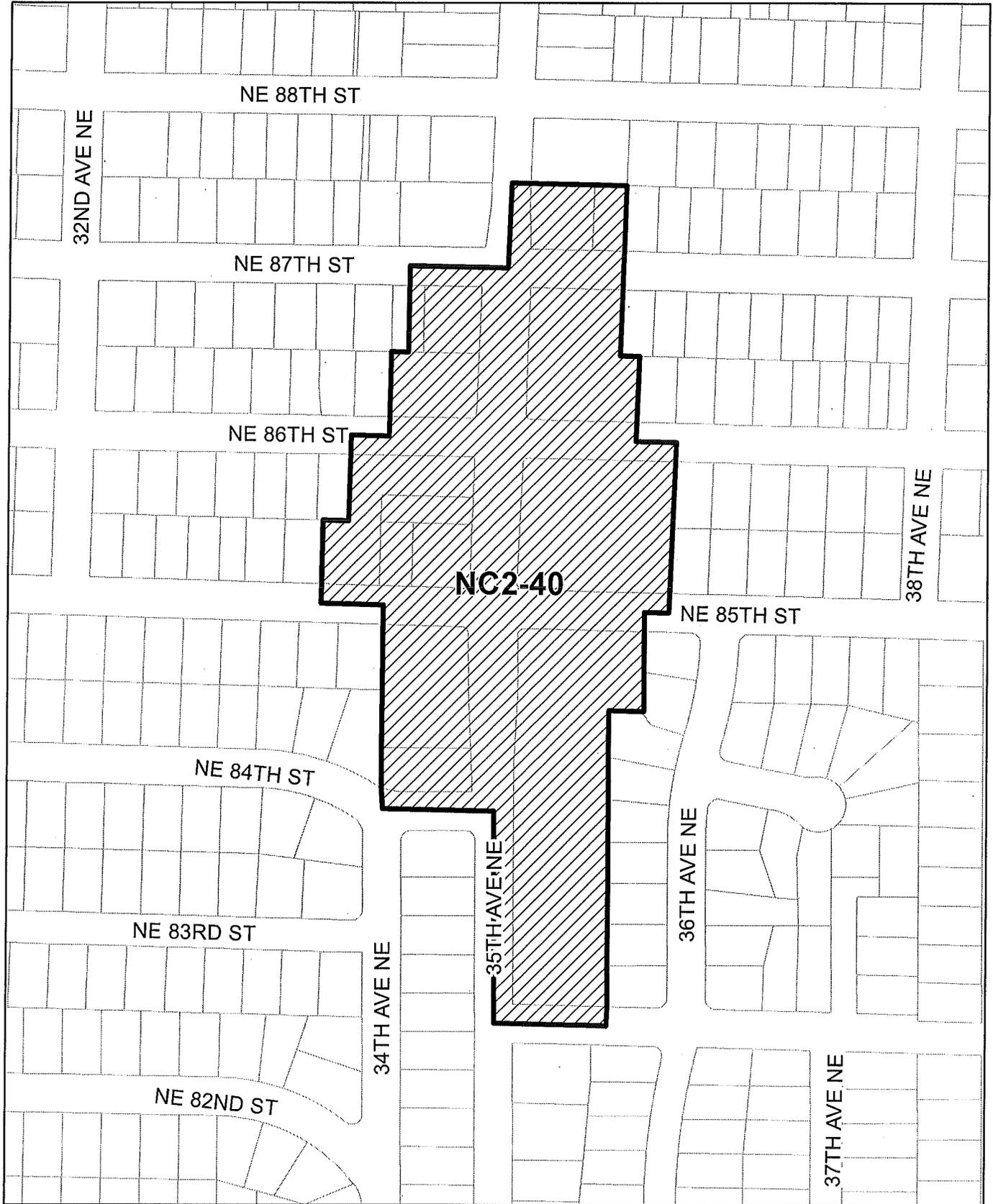


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MAP 19 for 23.47A.005.C

Wedgewood - North



Subject to street-level residential use limits identified in 23.47A.005.C

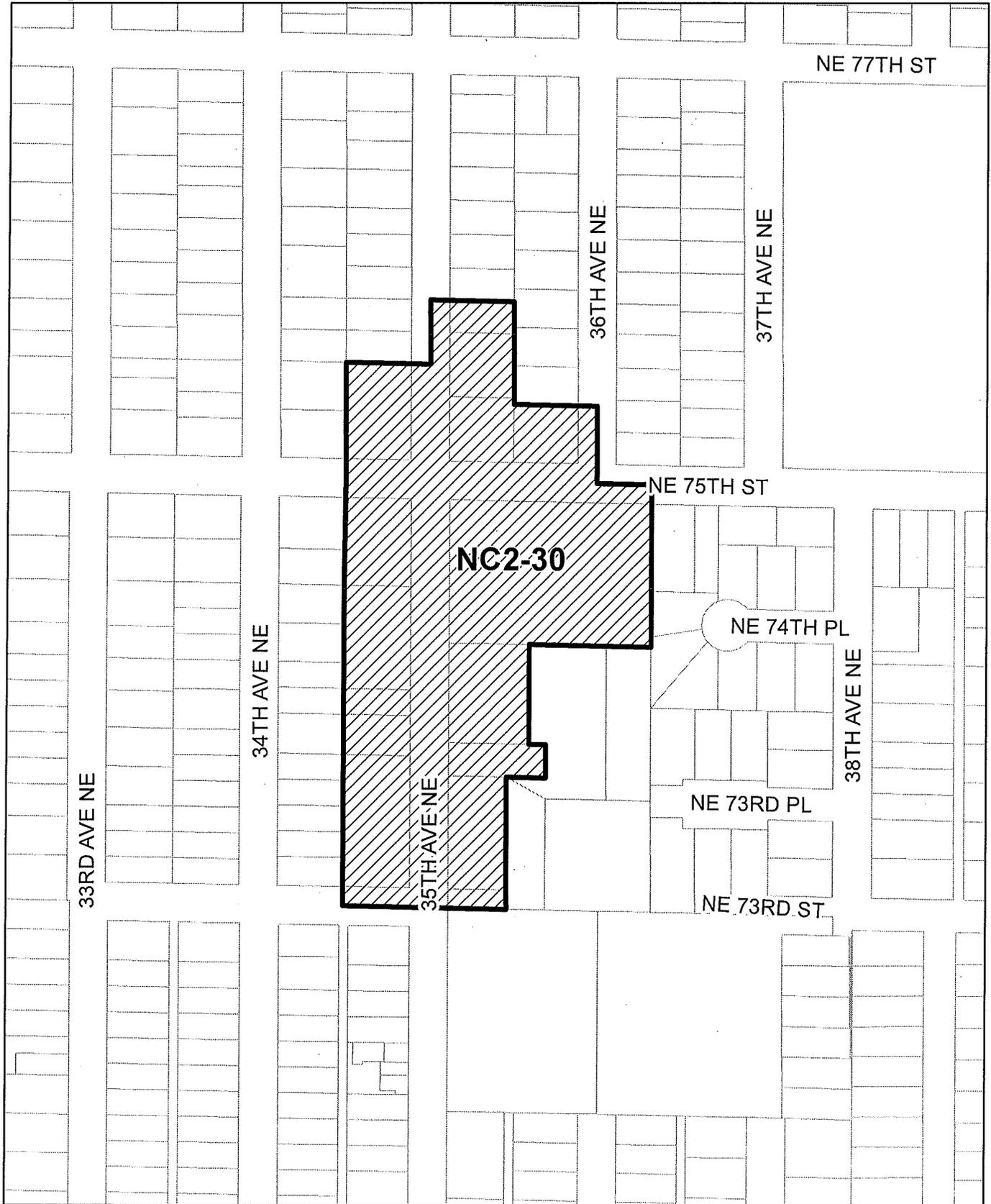


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MAP 20 for 23.47A.005.C

Wedgewood - South



Subject to street-level residential use limits identified in 23.47A.005.C



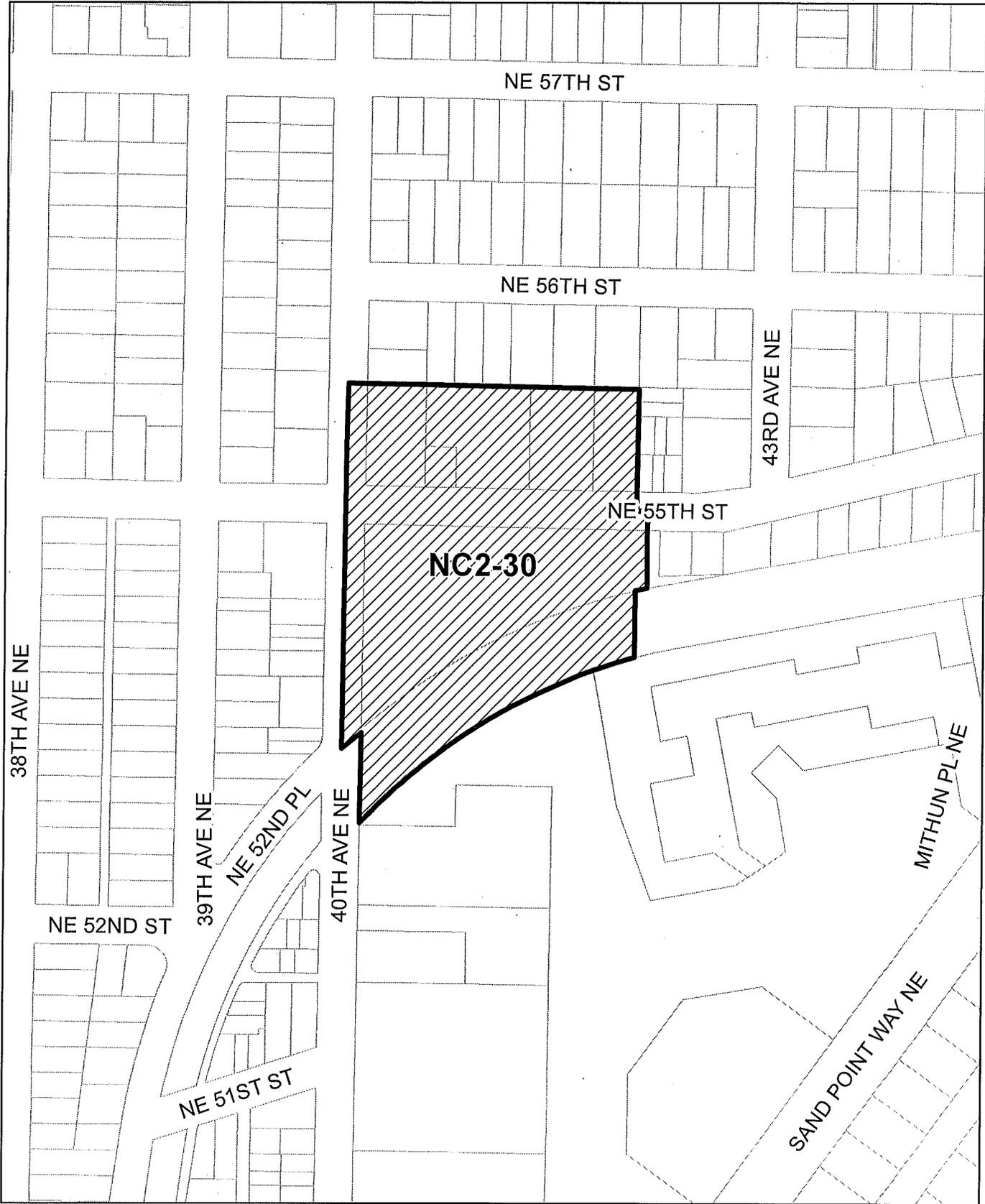
0 55 110 220 Feet

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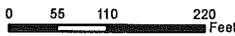


MAP 21 for 23.47A.005.C

40th Ave NE at NE 55th St



Subject to street-level residential use limits identified in 23.47A.005.C

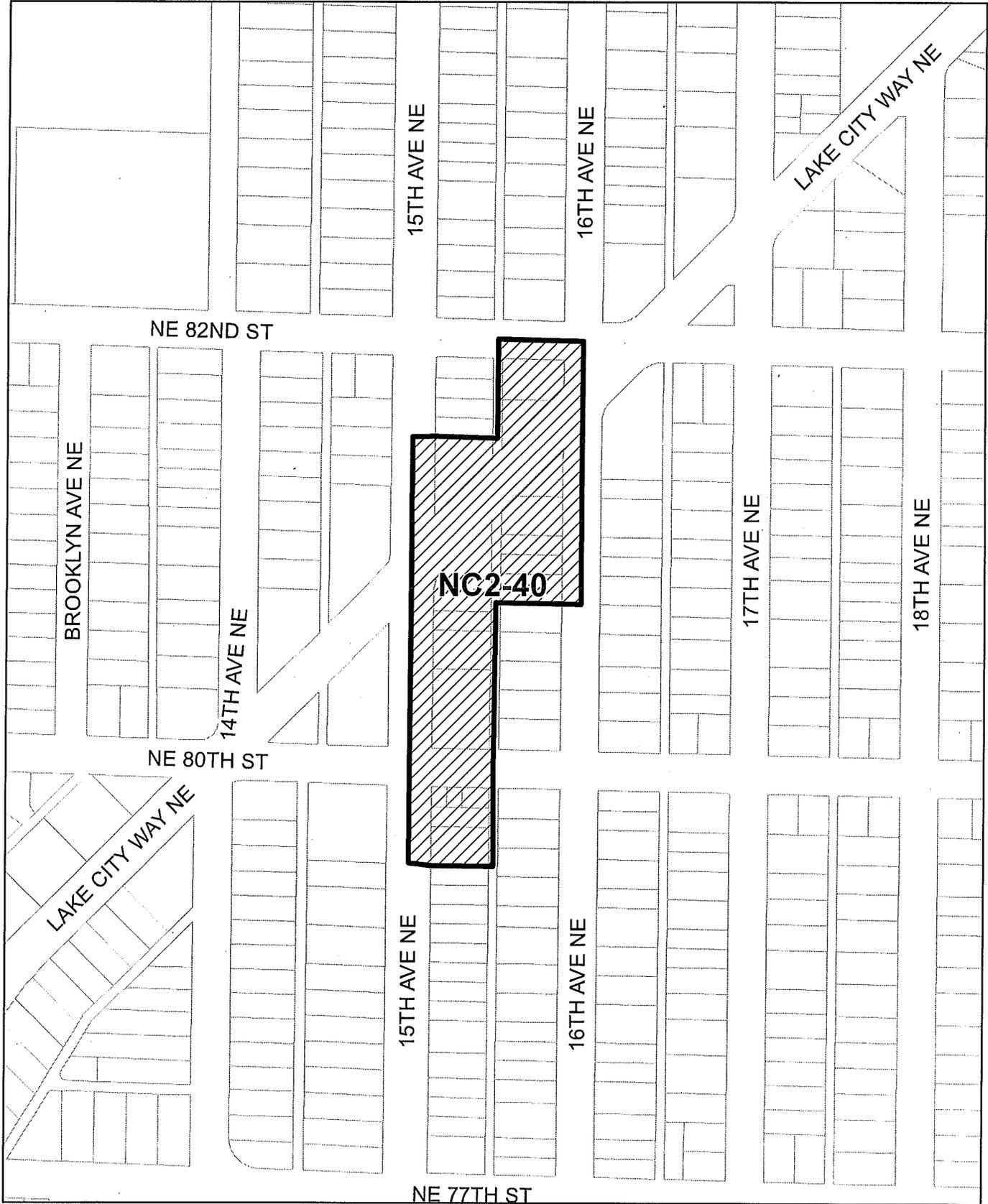


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MAP 22 for 23.47A.005.C

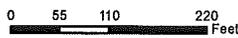
Lake City Way at NE 80th St



NC2-40



Subject to street-level residential use limits identified in 23.47A.005.C

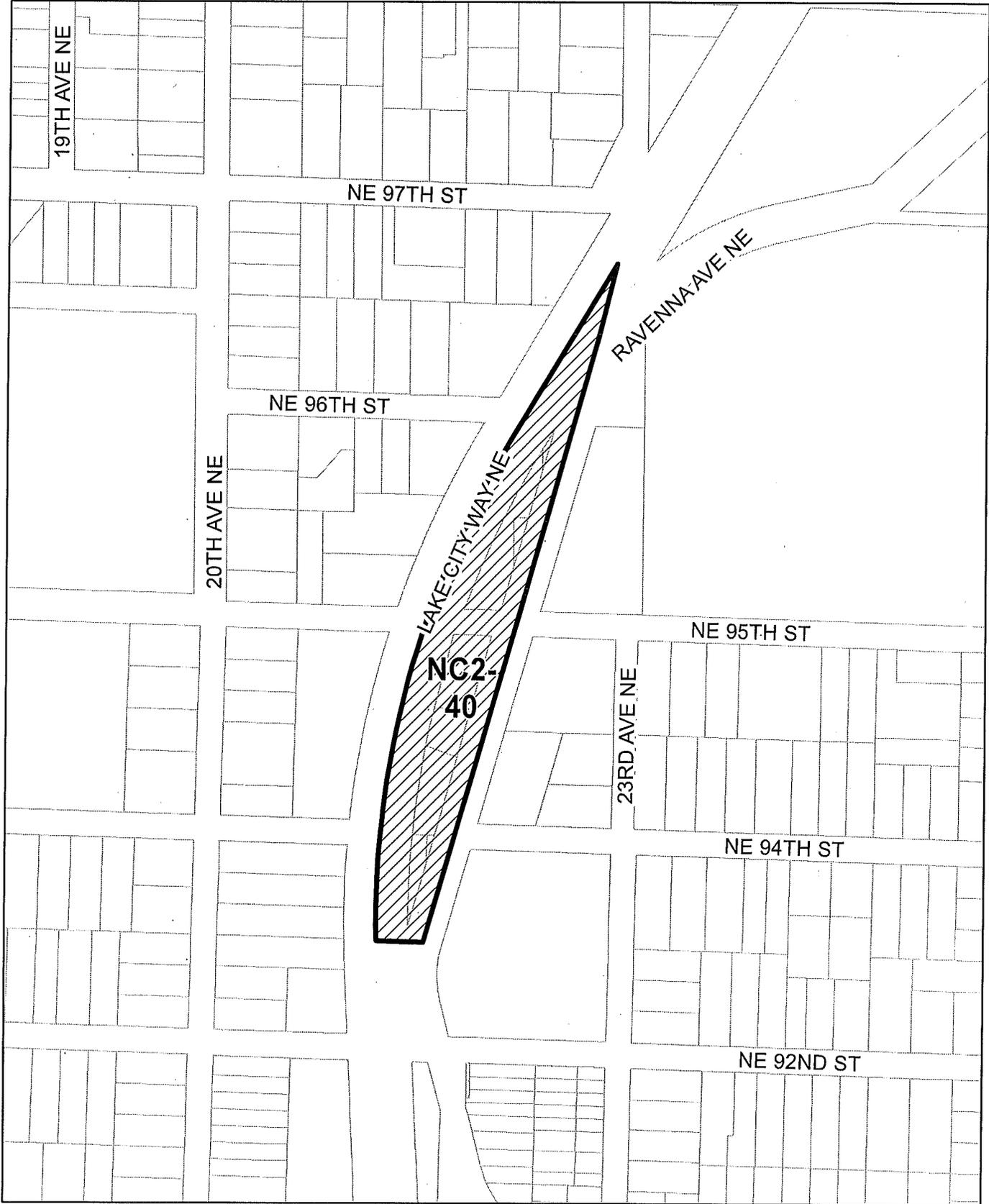


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MAP 23 for 23.47A.005.C

Lake City Way at NE 96th St



Subject to street-level residential use limits identified in 23.47A.005.C

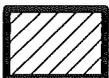
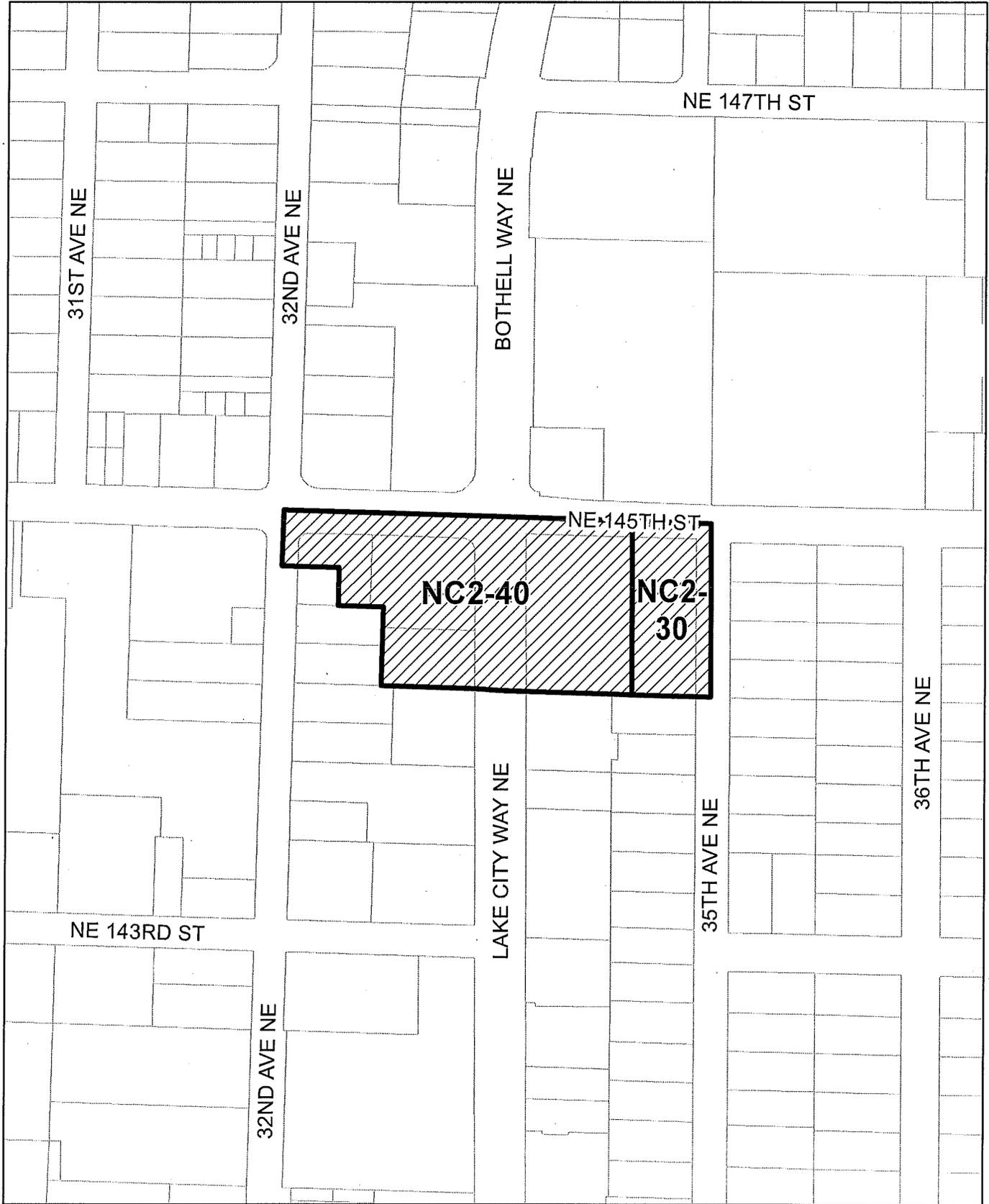


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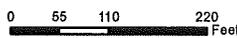


MAP 24 for 23.47A.005.C

Lake City Way at NE 145th St



Subject to street-level residential use limits identified in 23.47A.005.C

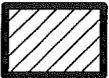


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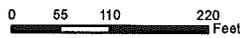


MAP 25 for 23.47A.005.C

Pinehurst Way



Subject to street-level residential use limits identified in 23.47A.005.C

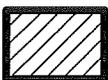
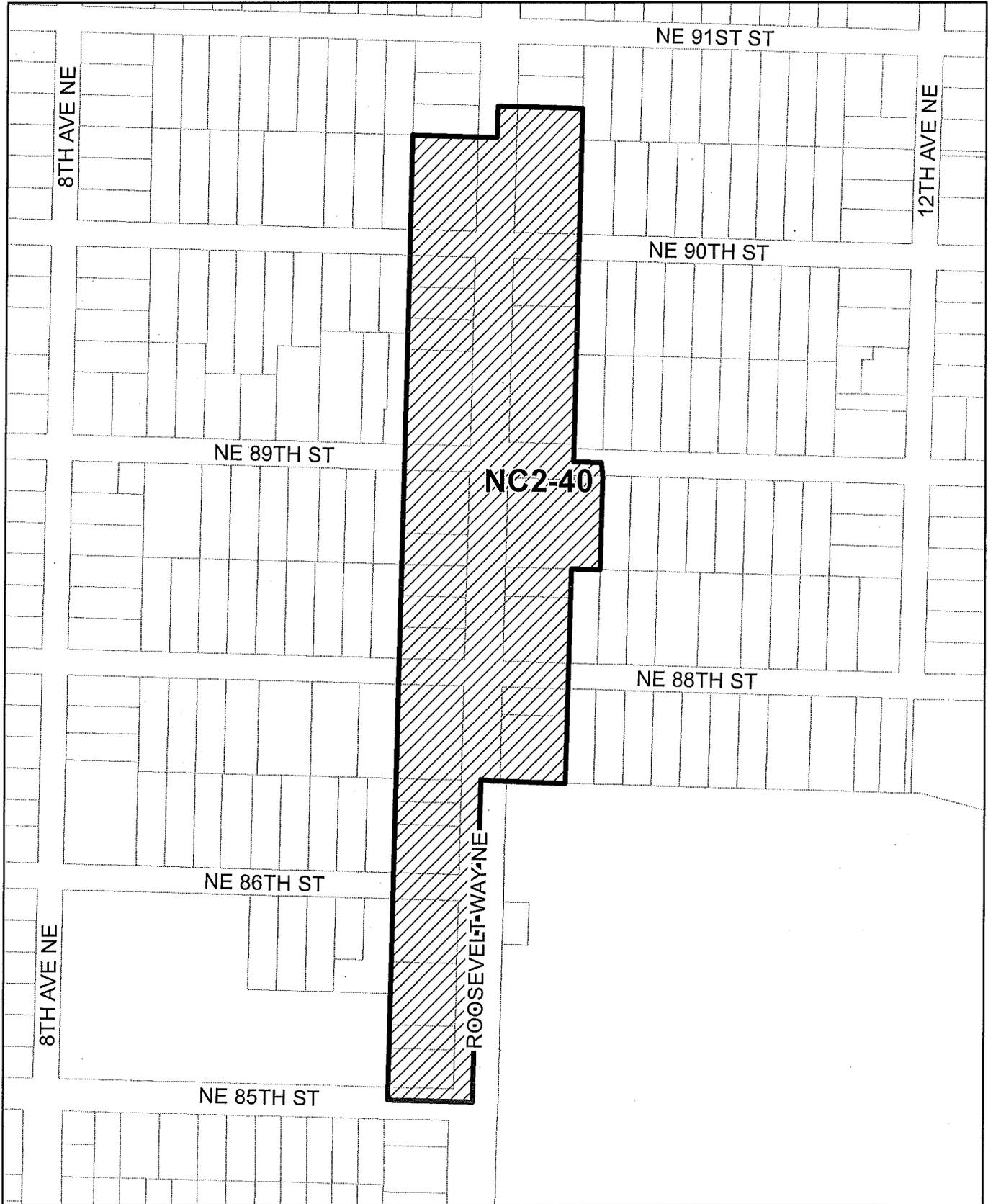


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MAP 26 for 23.47A.005.C

Maple Leaf (Roosevelt Way)



Subject to street-level residential use limits identified in 23.47A.005.C



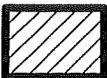
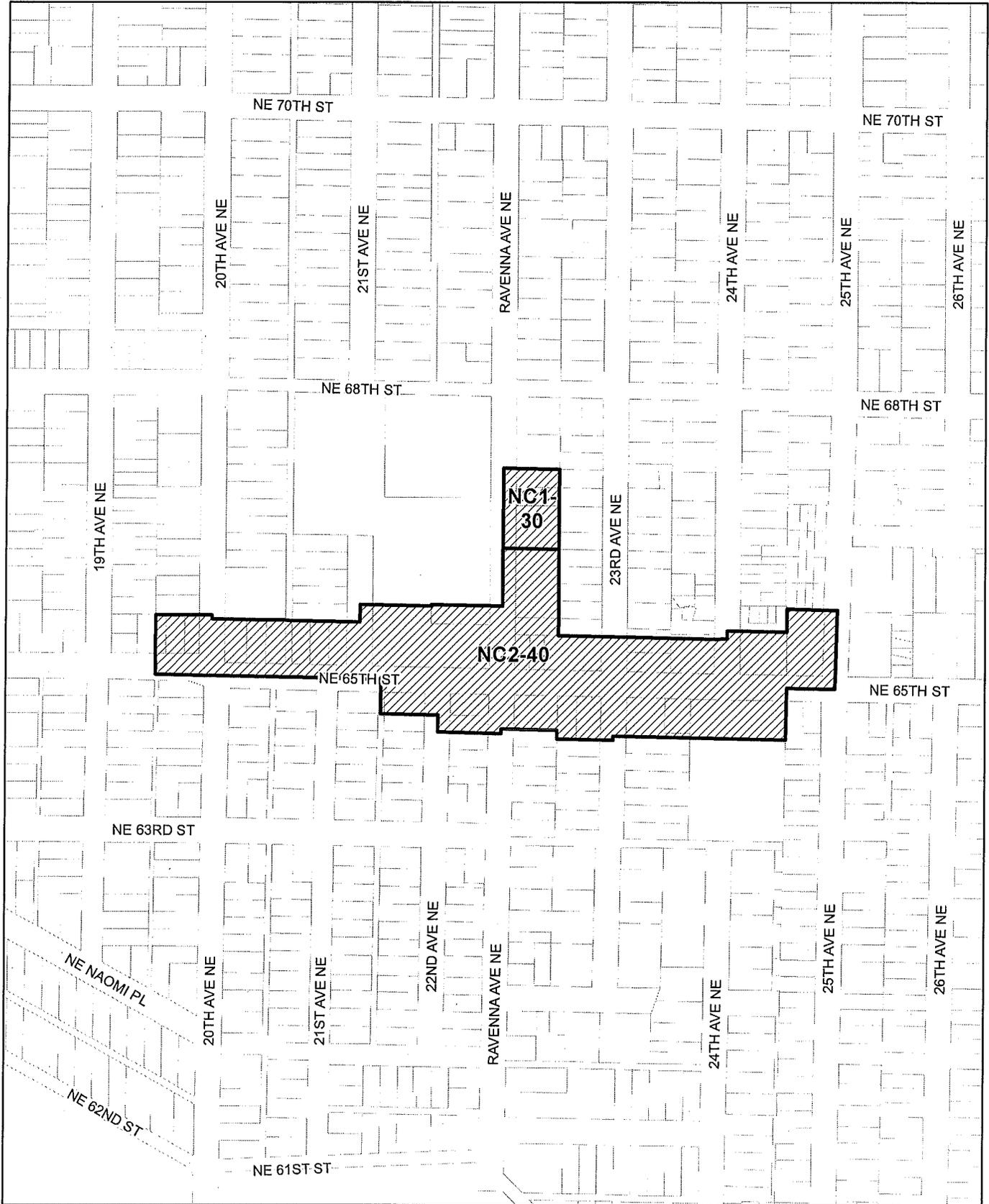
0 55 110 220 Feet

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MAP 27 for 23.47A.005.C

Ravenna (NE 65th St)



Subject to street-level residential use limits identified in 23.47A.005.C

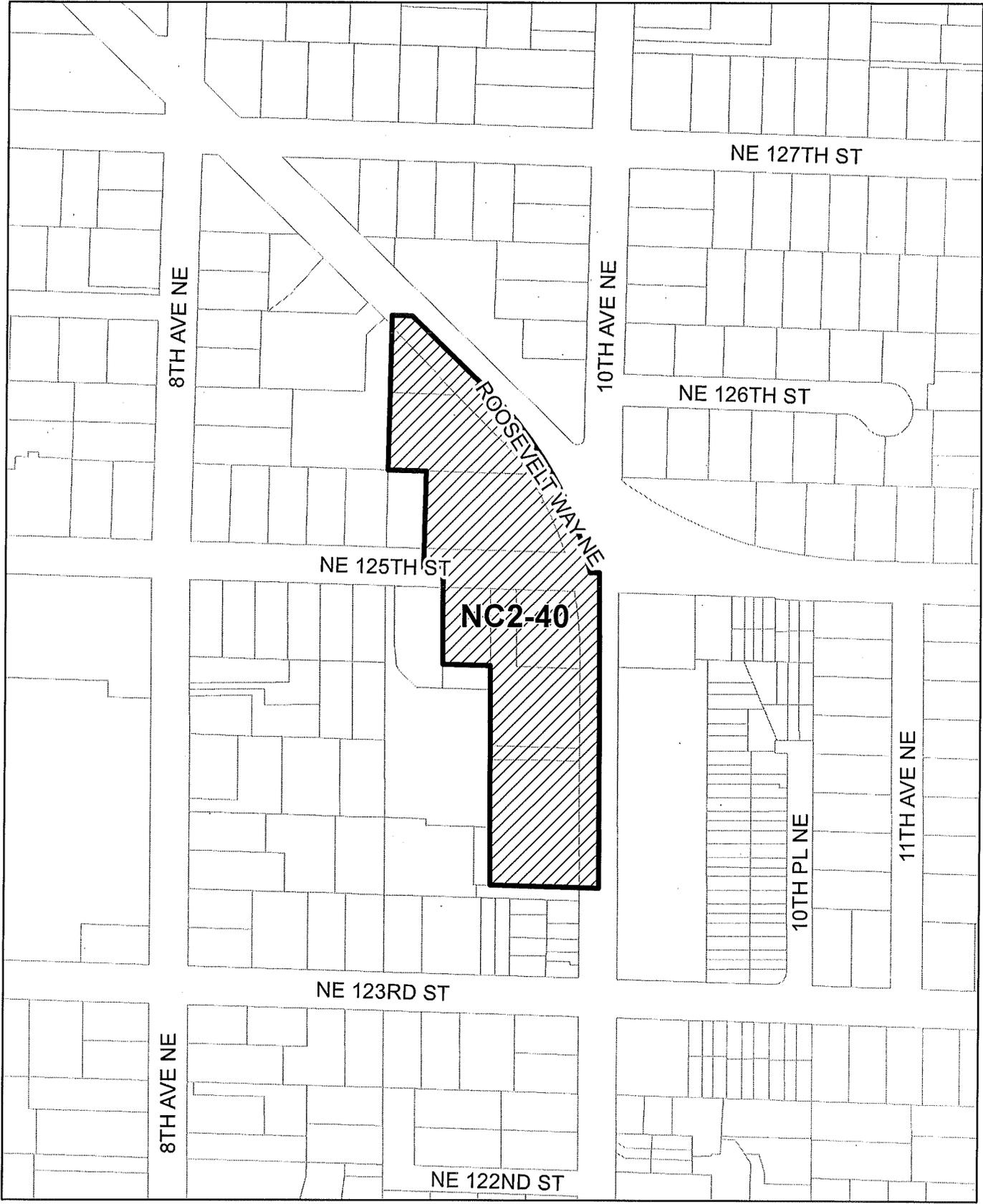


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MAP 28 for 23.47A.005.C

Roosevelt Way NE at NE 125th St



Subject to street-level residential use limits identified in 23.47A.005.C



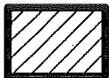
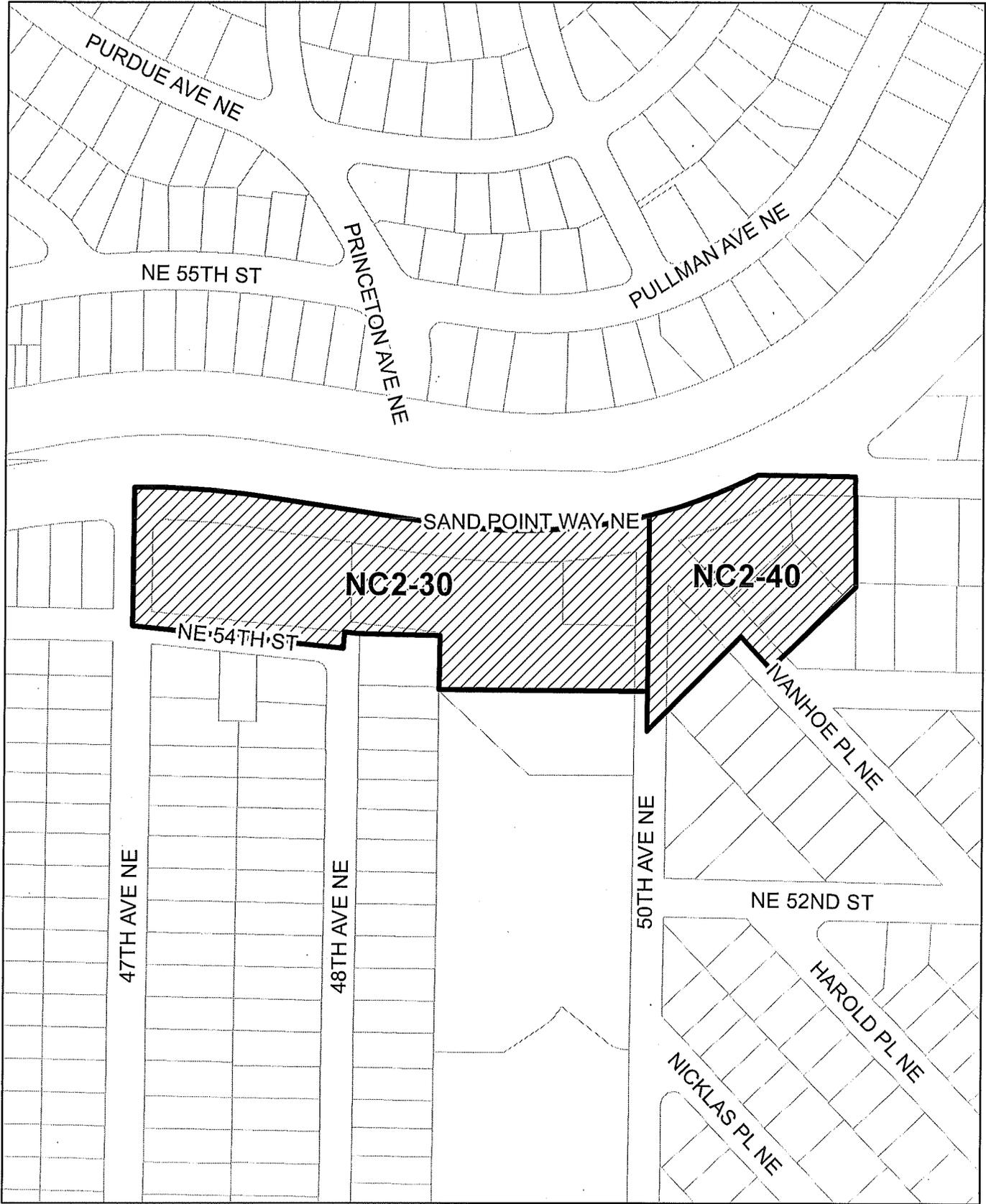
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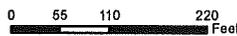


MAP 30 for 23.47A.005.C

Sand Point Way NE at 50th Ave NE



Subject to street-level residential use limits identified in 23.47A.005.C

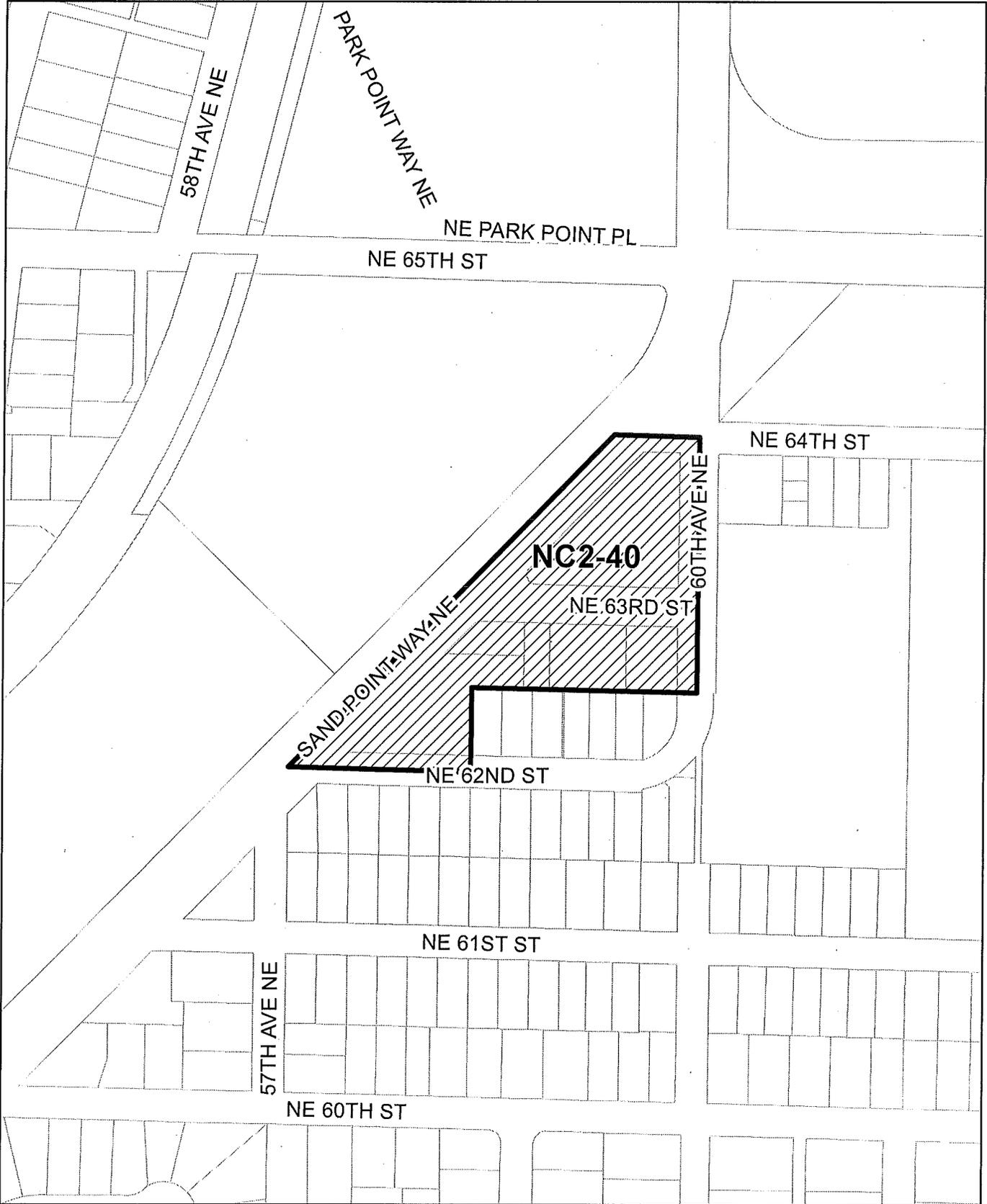


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MAP 31 for 23.47A.005.C

Sand Point Way NE at NE 63rd St



Subject to street-level residential use limits identified in 23.47A.005.C

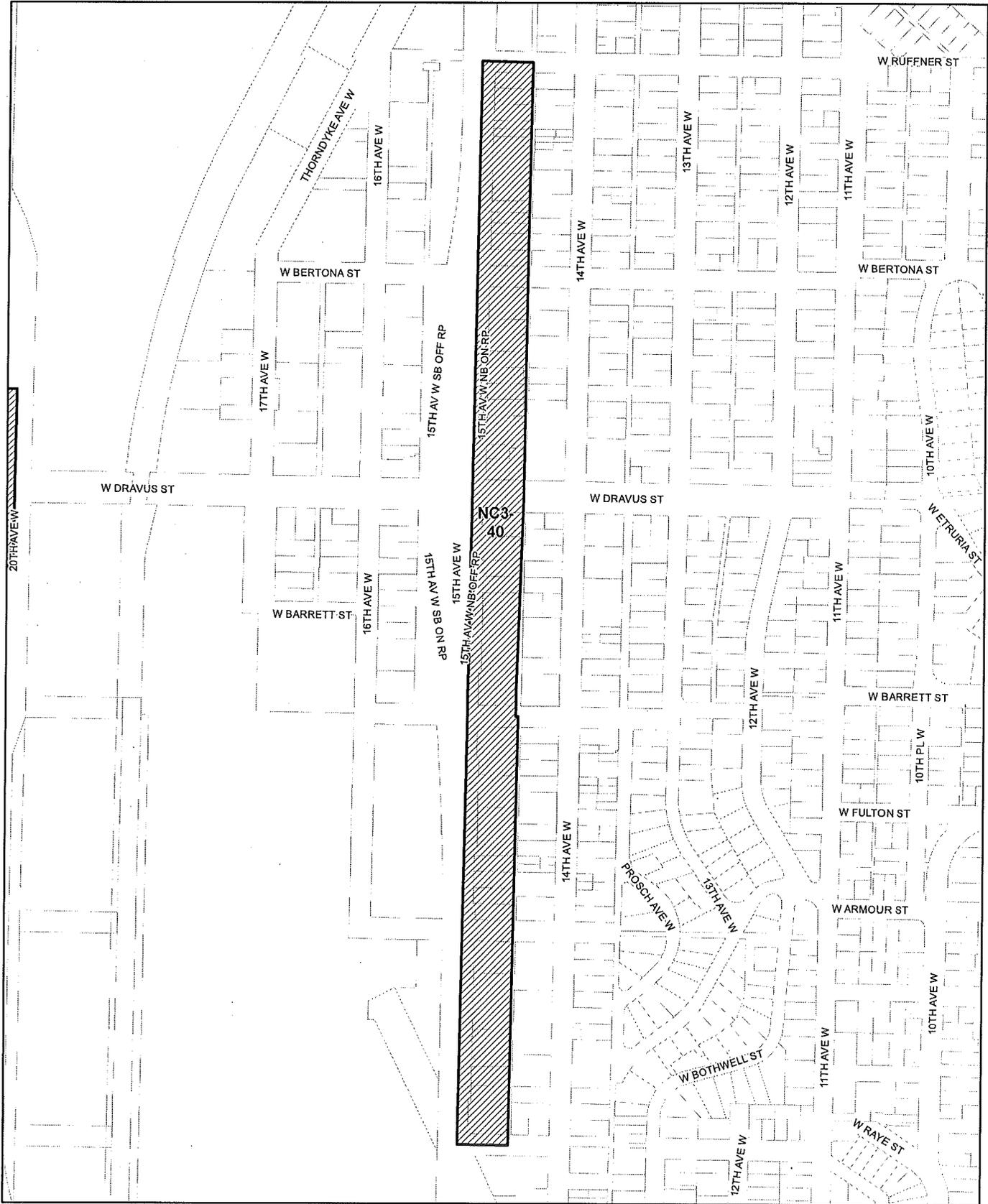


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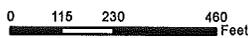


MAP 32 for 23.47A.005.C

15th Avenue West



Subject to street-level residential use limits identified in 23.47A.005.C

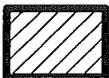
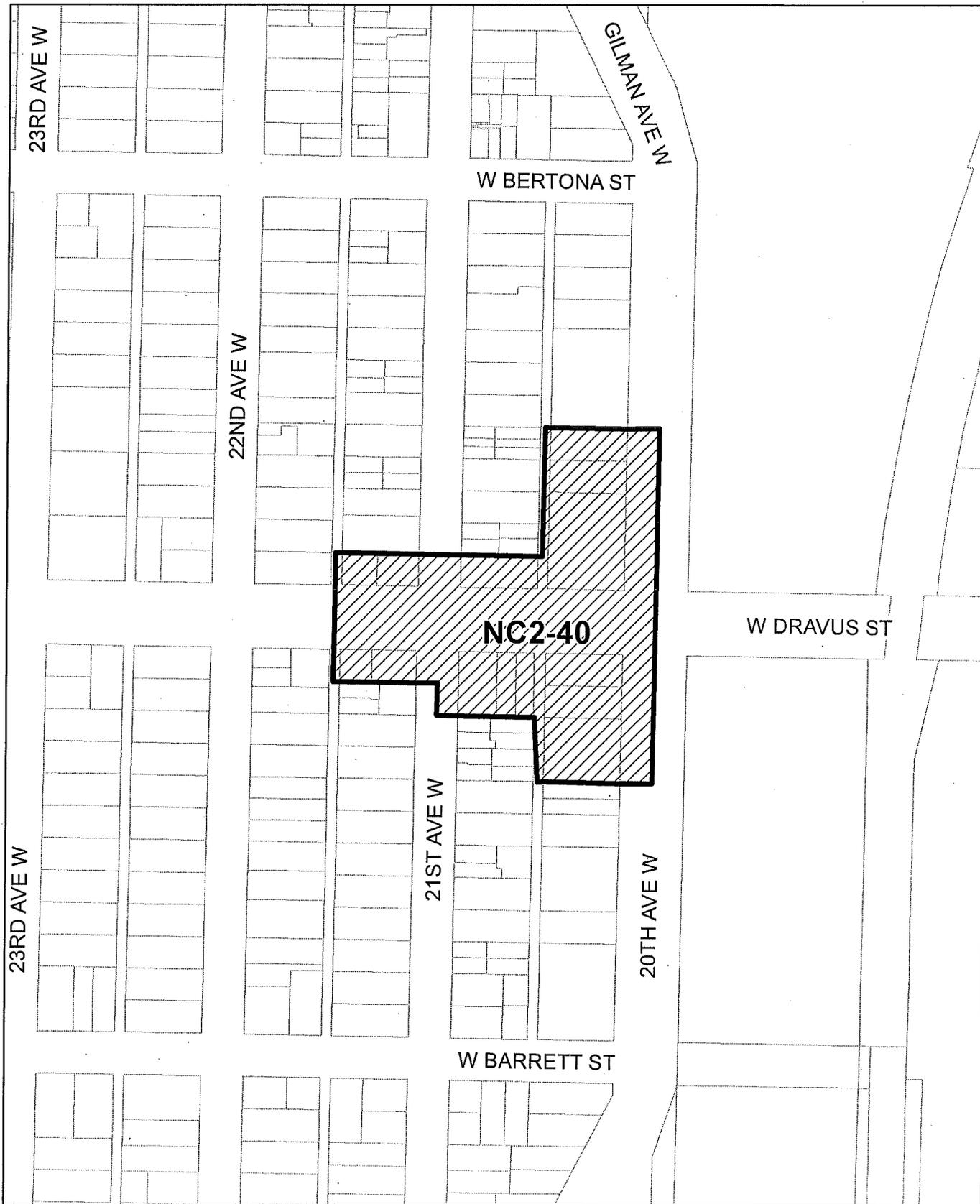


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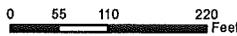


MAP 33 for 23.47A.005.C

21st Ave W and W Dravus St



Subject to street-level residential use limits identified in 23.47A.005.C

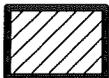
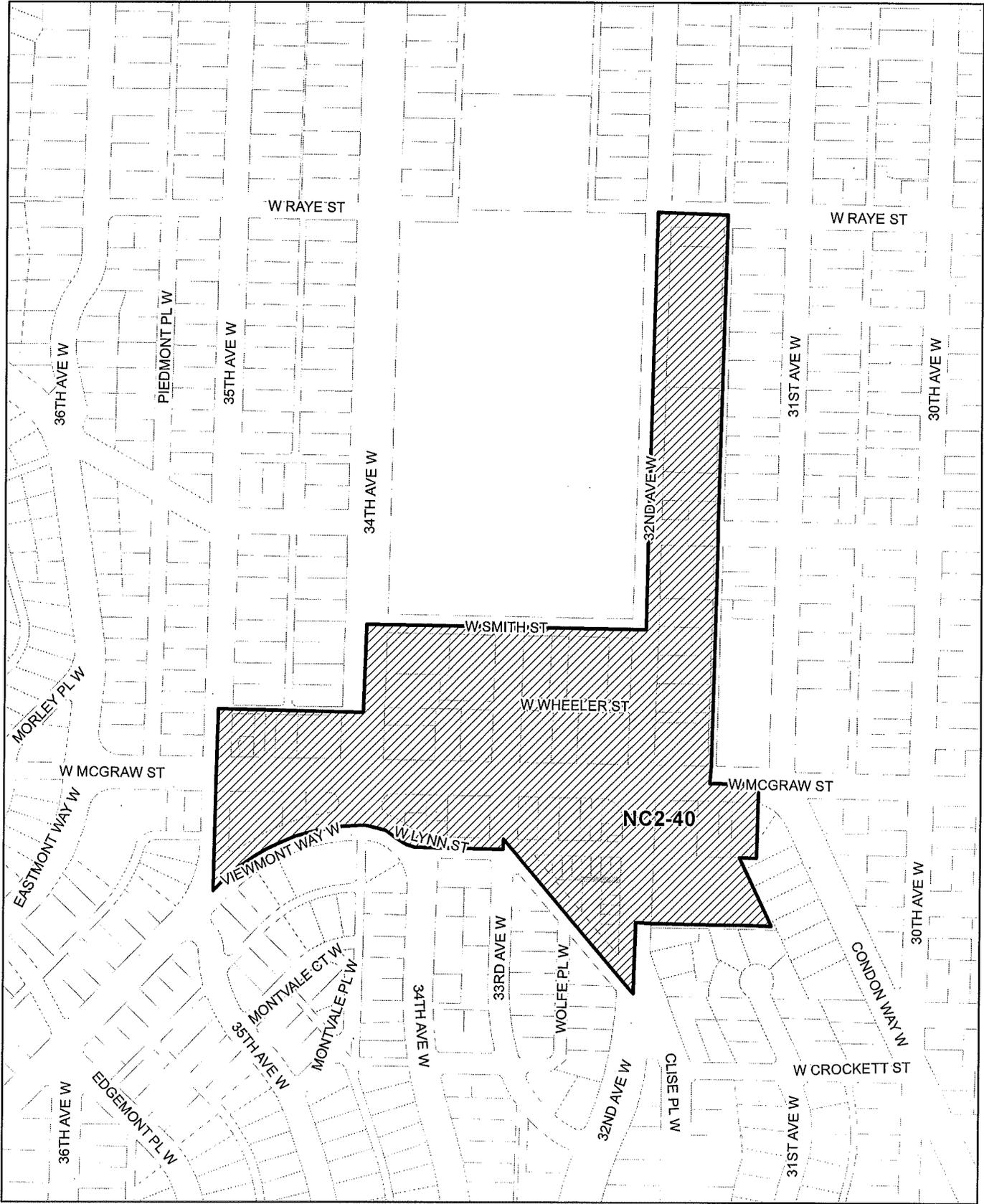


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MAP 34 for 23.47A.005.C

Magnolia



Subject to street-level residential use limits identified in 23.47A.005.C

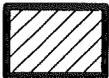


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MAP 35 for 23.47A.005.C

34th Ave W at W Emerson St



Subject to street-level residential use limits identified in 23.47A.005.C

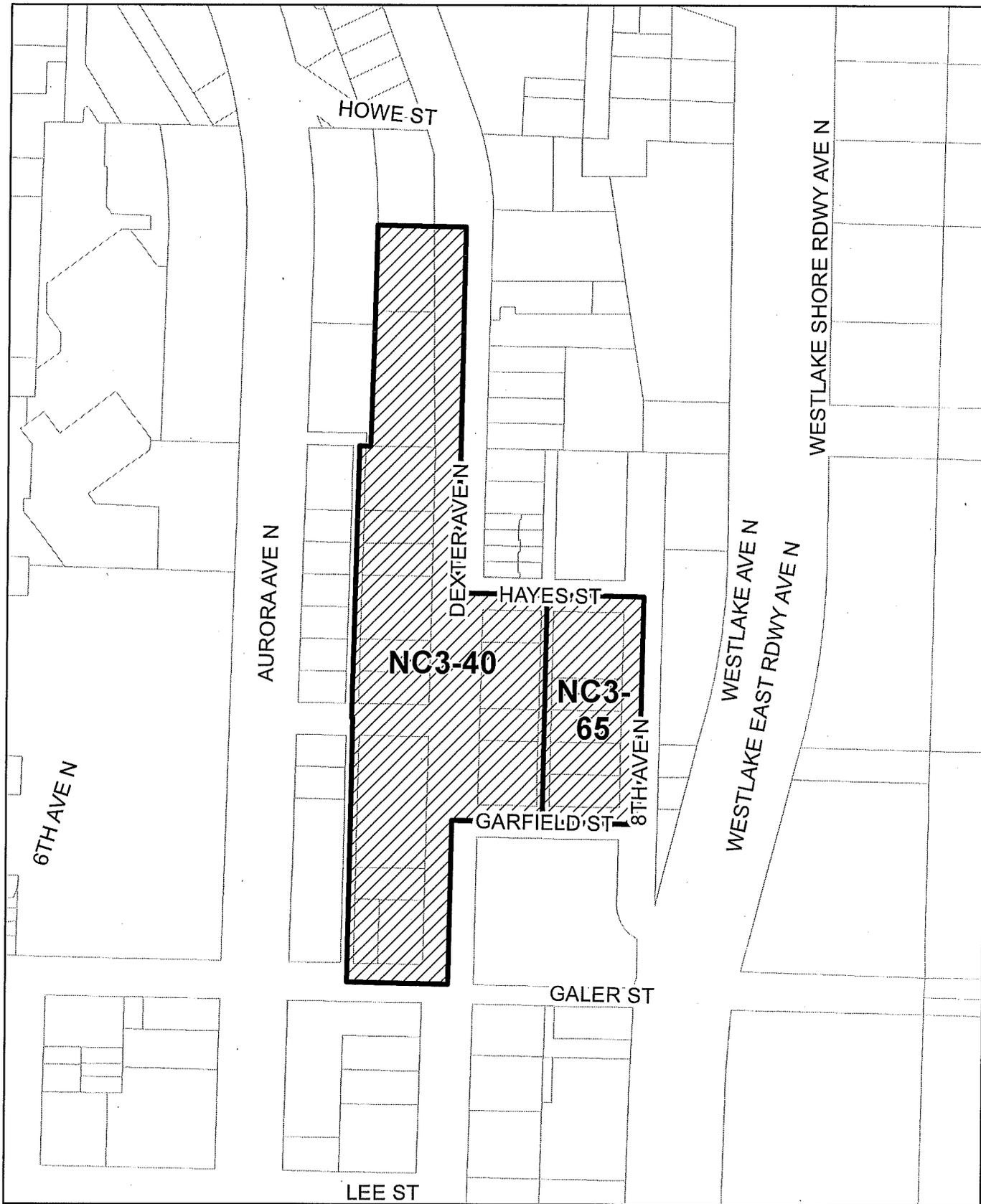


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MAP 36 for 23.47A.005.C

Dexter Ave N at Garfield St

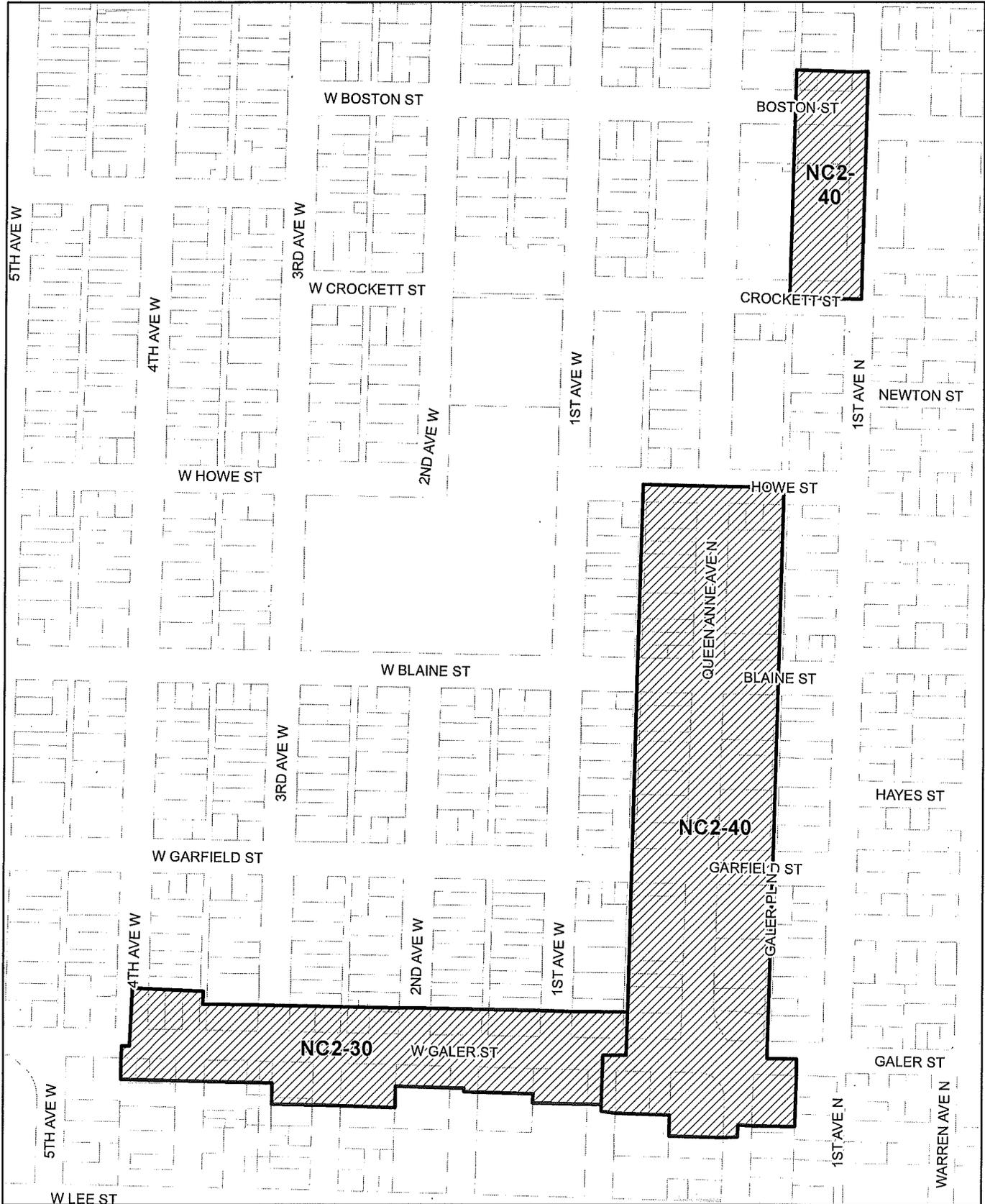


Subject to street-level residential use limits identified in 23.47A.005.C



MAP 37 for 23.47A.005.C

Upper Queen Anne



Subject to street-level residential use limits identified in 23.47A.005.C

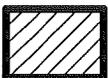
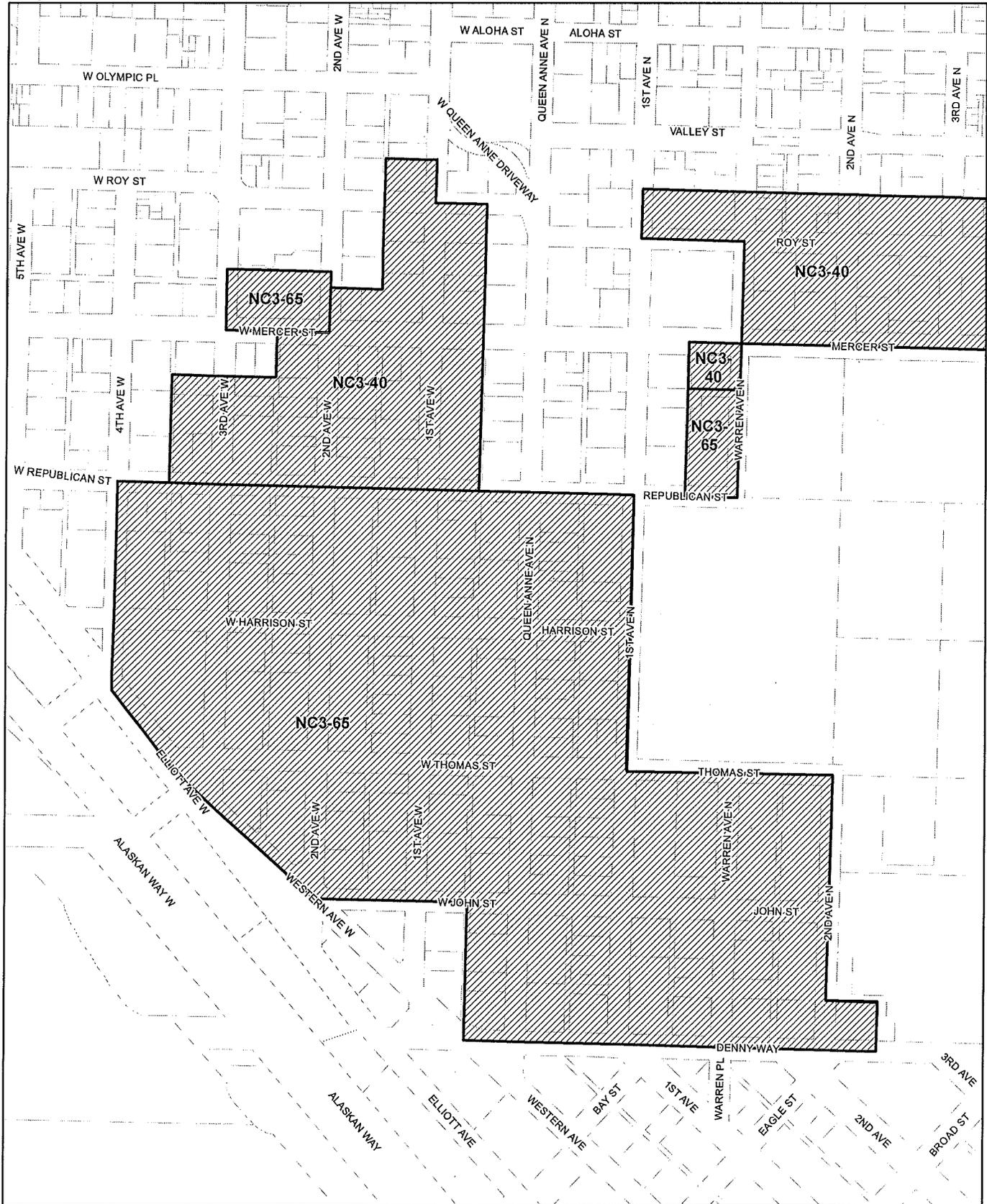


0 85 170 340 Feet



MAP 38 for 23.47A.005.C

Uptown Urban Center West



Subject to street-level residential use limits identified in 23.47A.005.C



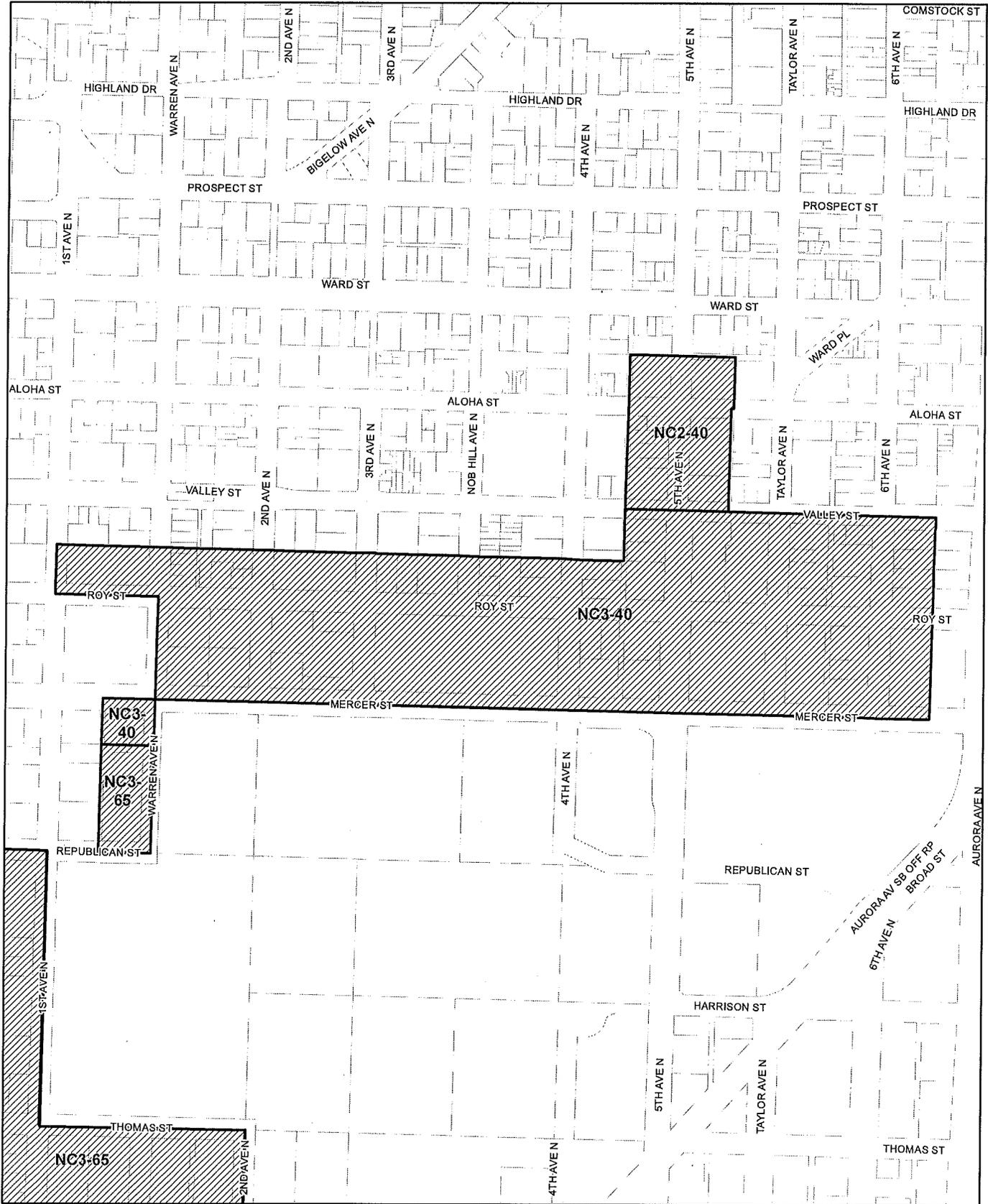
0 115 230 460 Feet

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MAP 39 for 23.47A.005.C

Uptown Urban Center East



Subject to street-level residential use limits identified in 23.47A.005.C



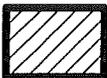
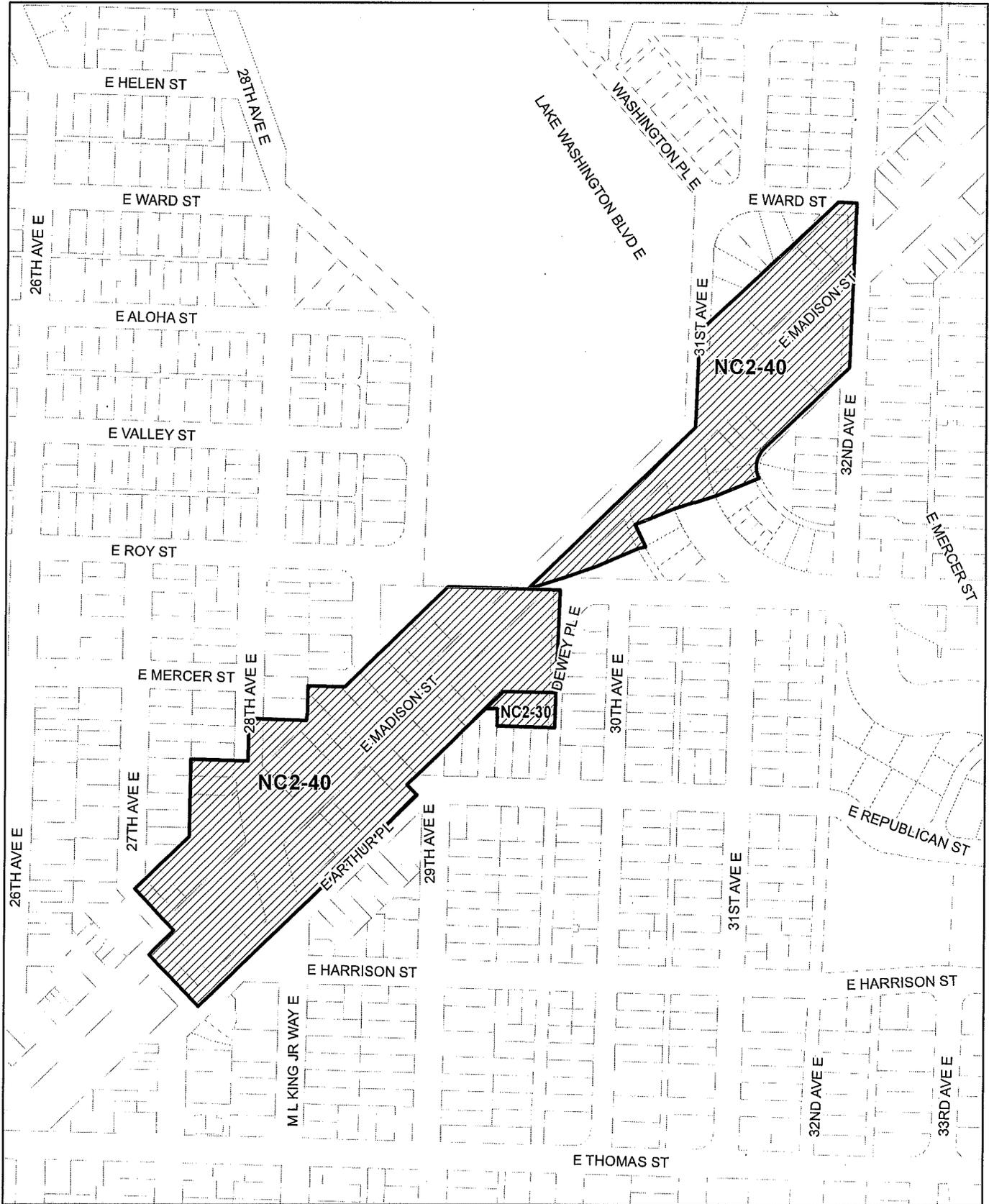
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MAP 40 for 23.47A.005.C

E Madison St



Subject to street-level residential use limits identified in 23.47A.005.C



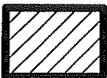
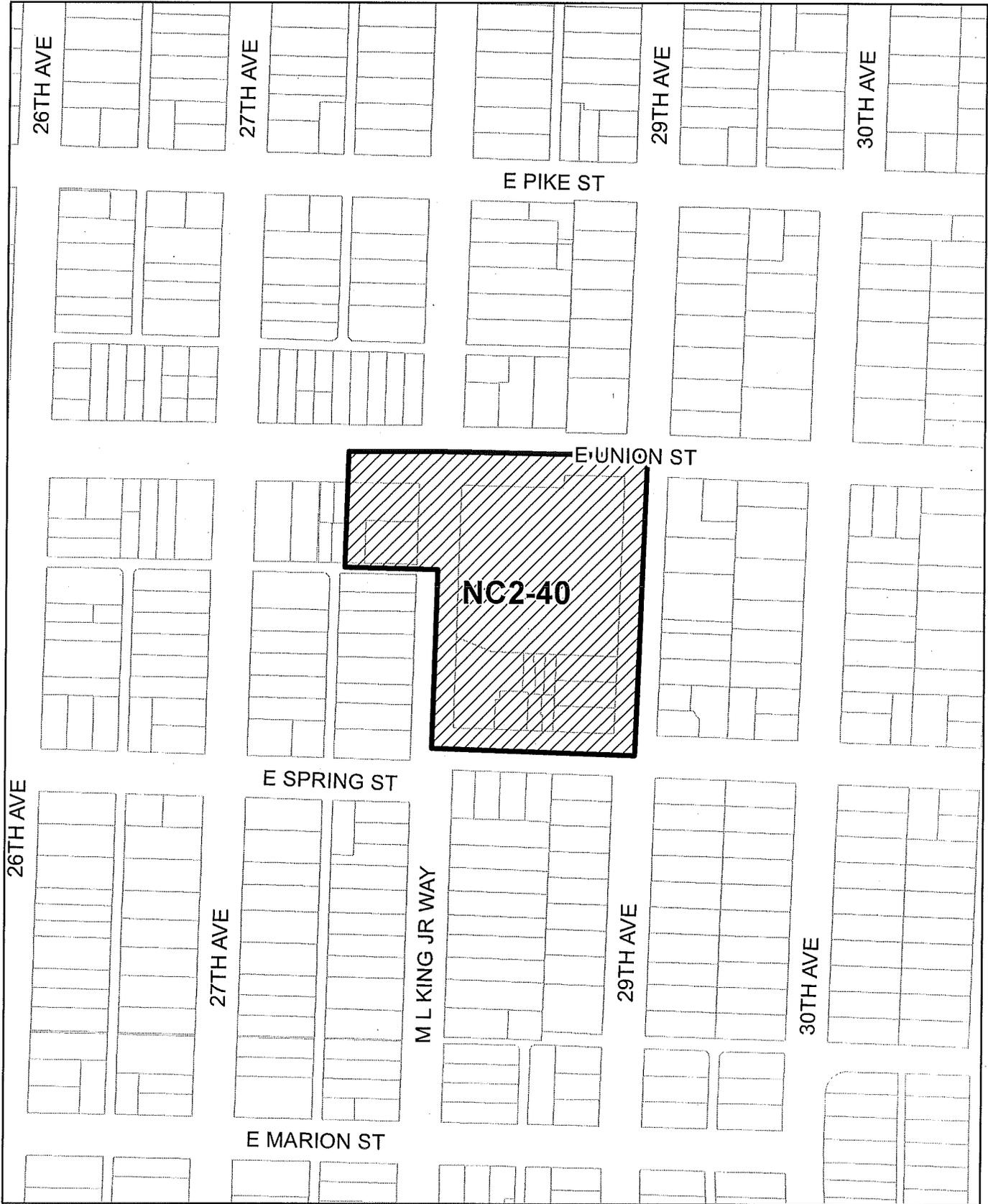
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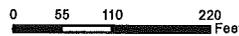


MAP 41 for 23.47A.005.C

Martin Luther King Jr Way at E Union St



Subject to street-level residential use limits identified in 23.47A.005.C

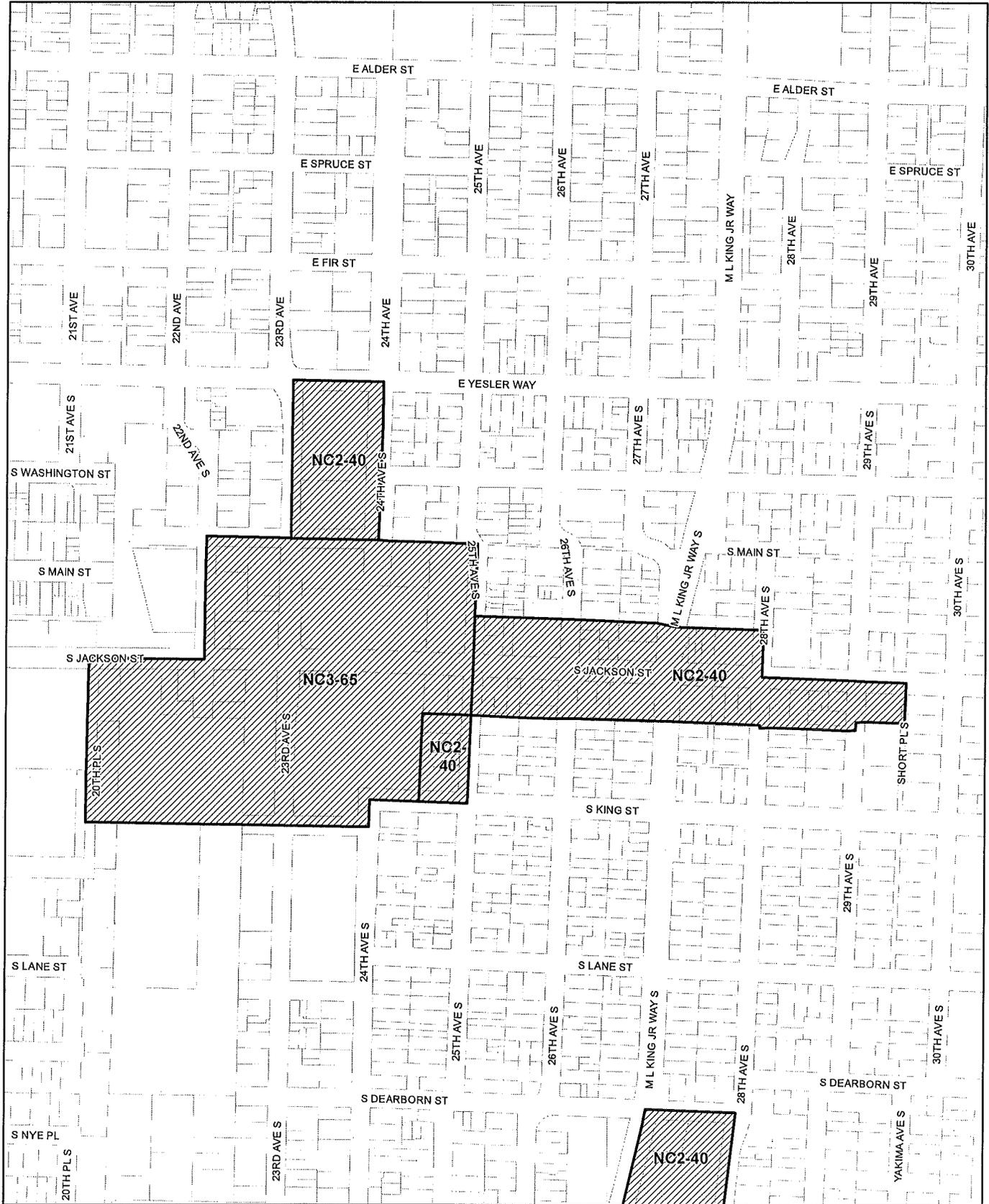


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MAP 43 for 23.47A.005.C

S Jackson St - east of 20th Pl S



Subject to street-level residential use limits identified in 23.47A.005.C



0 115 230 460 Feet

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MAP 44 for 23.47A.005.C

Martin Luther King Jr Way S at S Dearborn St

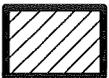
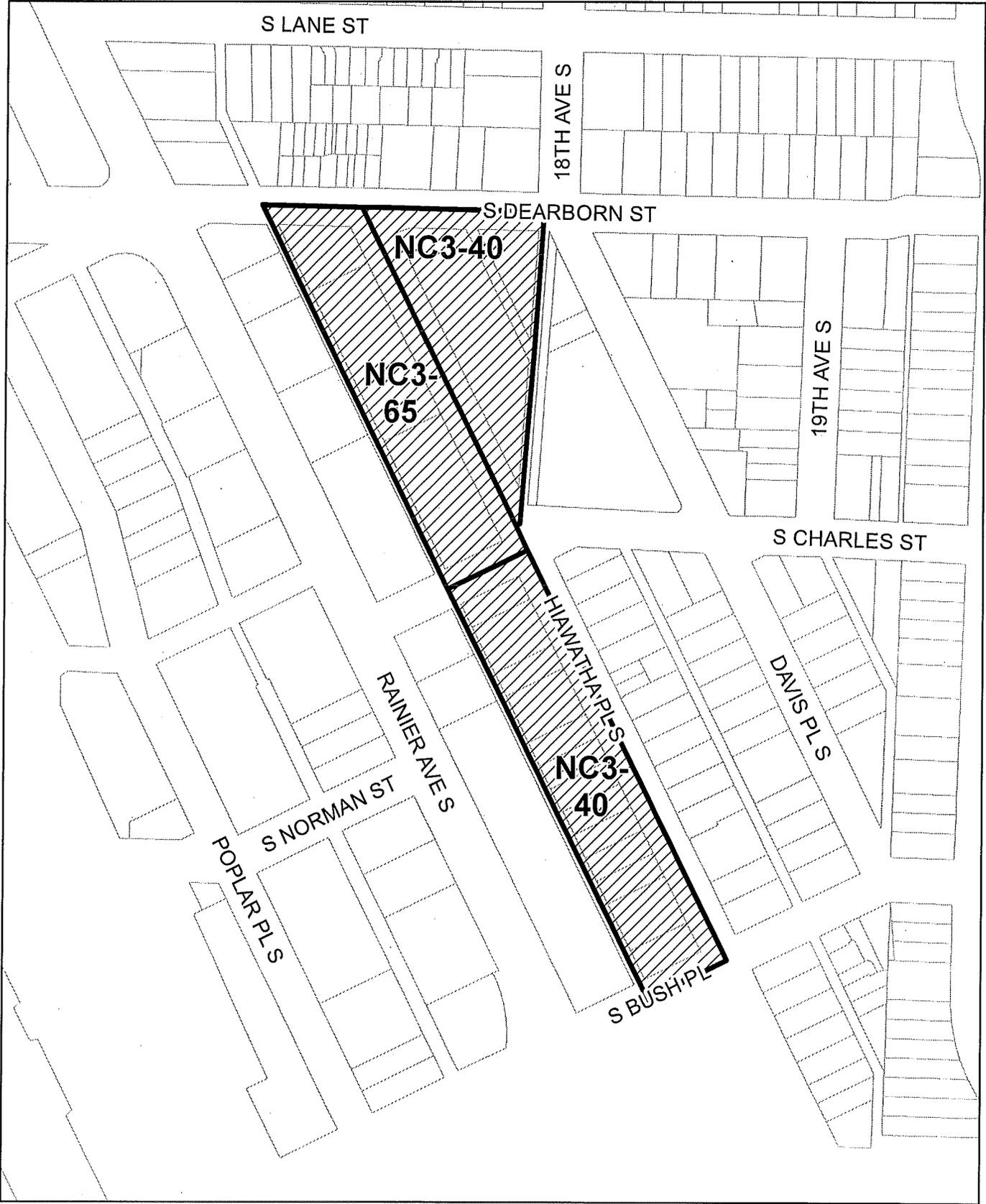


Subject to street-level residential use limits identified in 23.47A.005.C

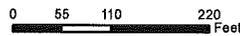


MAP 45 for 23.47A.005.C

Hiawatha Place S at S Dearborn St



Subject to street-level residential use limits identified in 23.47A.005.C

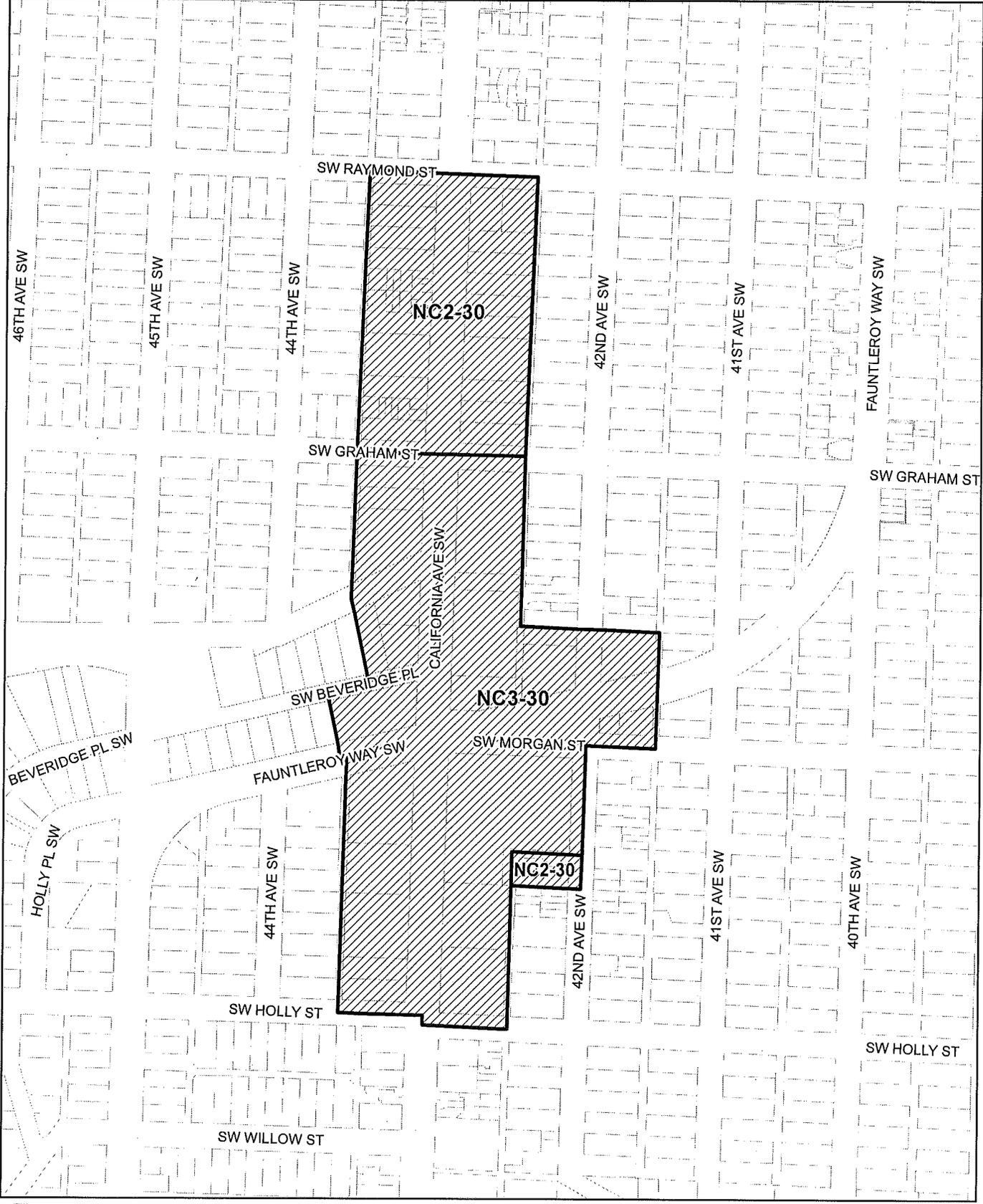


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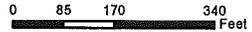


MAP 46 for 23.47A.005.C

Morgan Junction

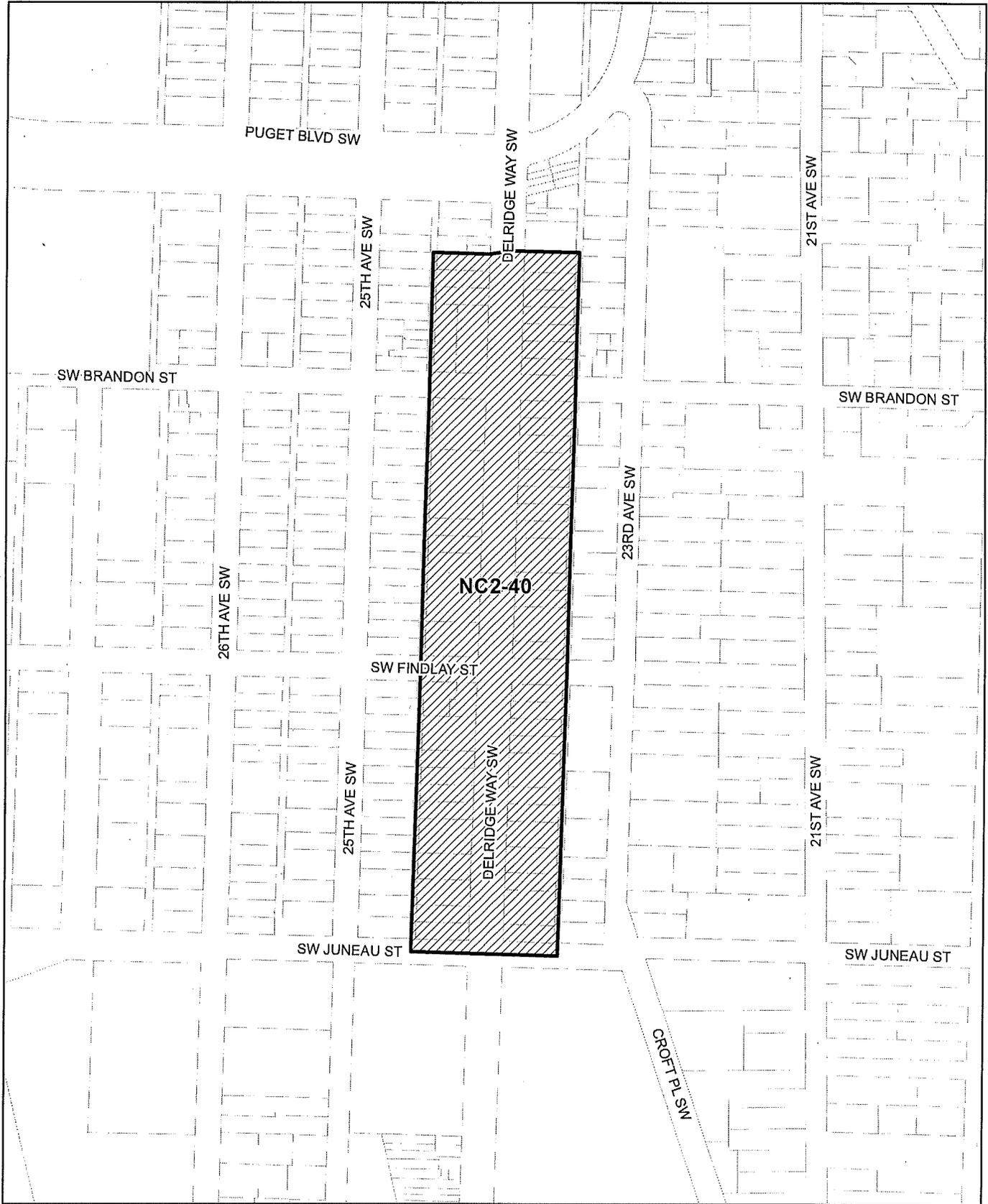


Subject to street-level residential use limits identified in 23.47A.005.C



MAP 47 for 23.47A.005.C

Delridge Way SW between SW Brandon St and SW Juneau St

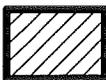
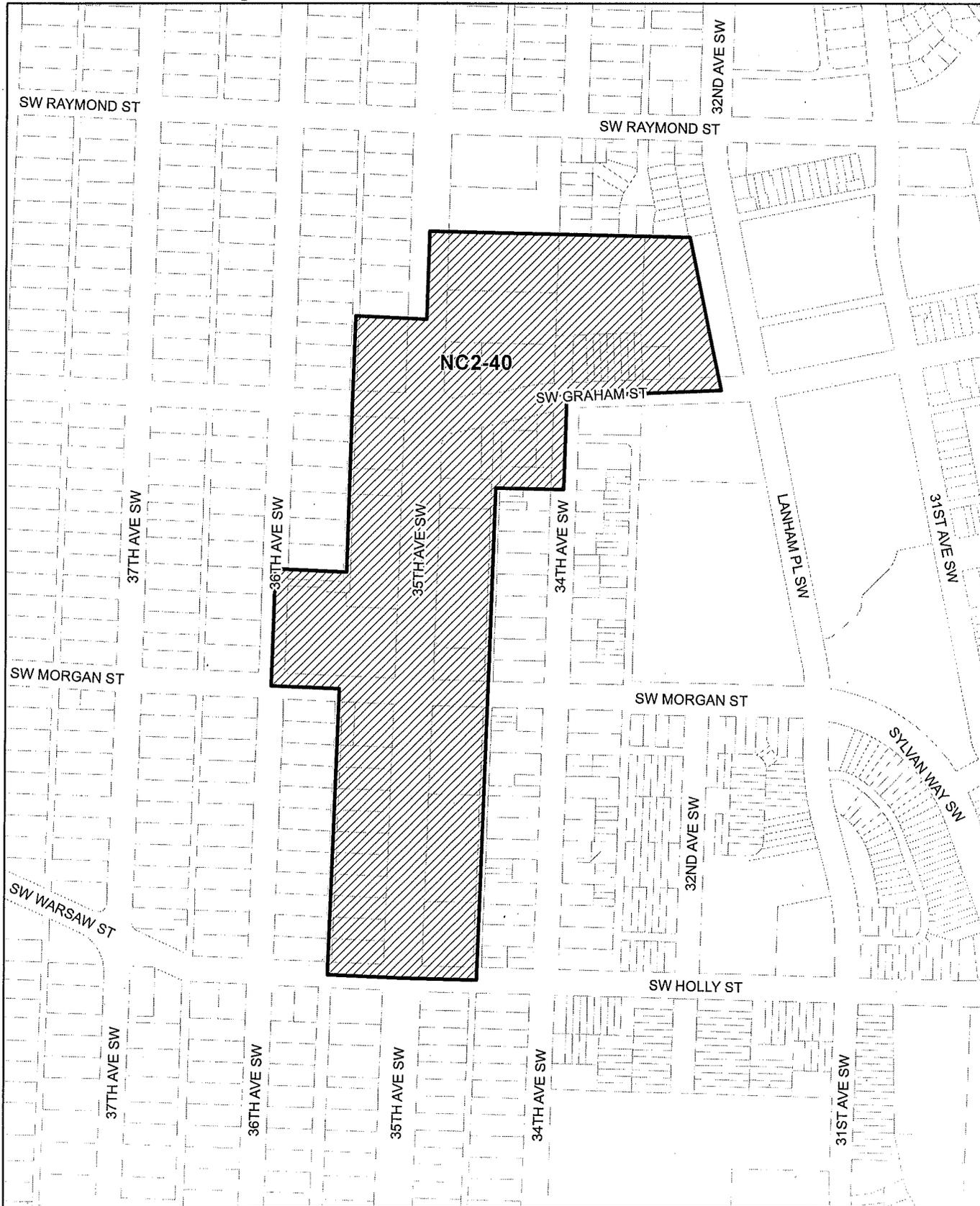


Subject to street-level residential use limits identified in 23.47A.005.C



MAP 48 for 23.47A.005.C

35th Ave SW at SW Morgan St



Subject to street-level residential use limits identified in 23.47A.005.C

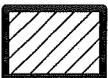
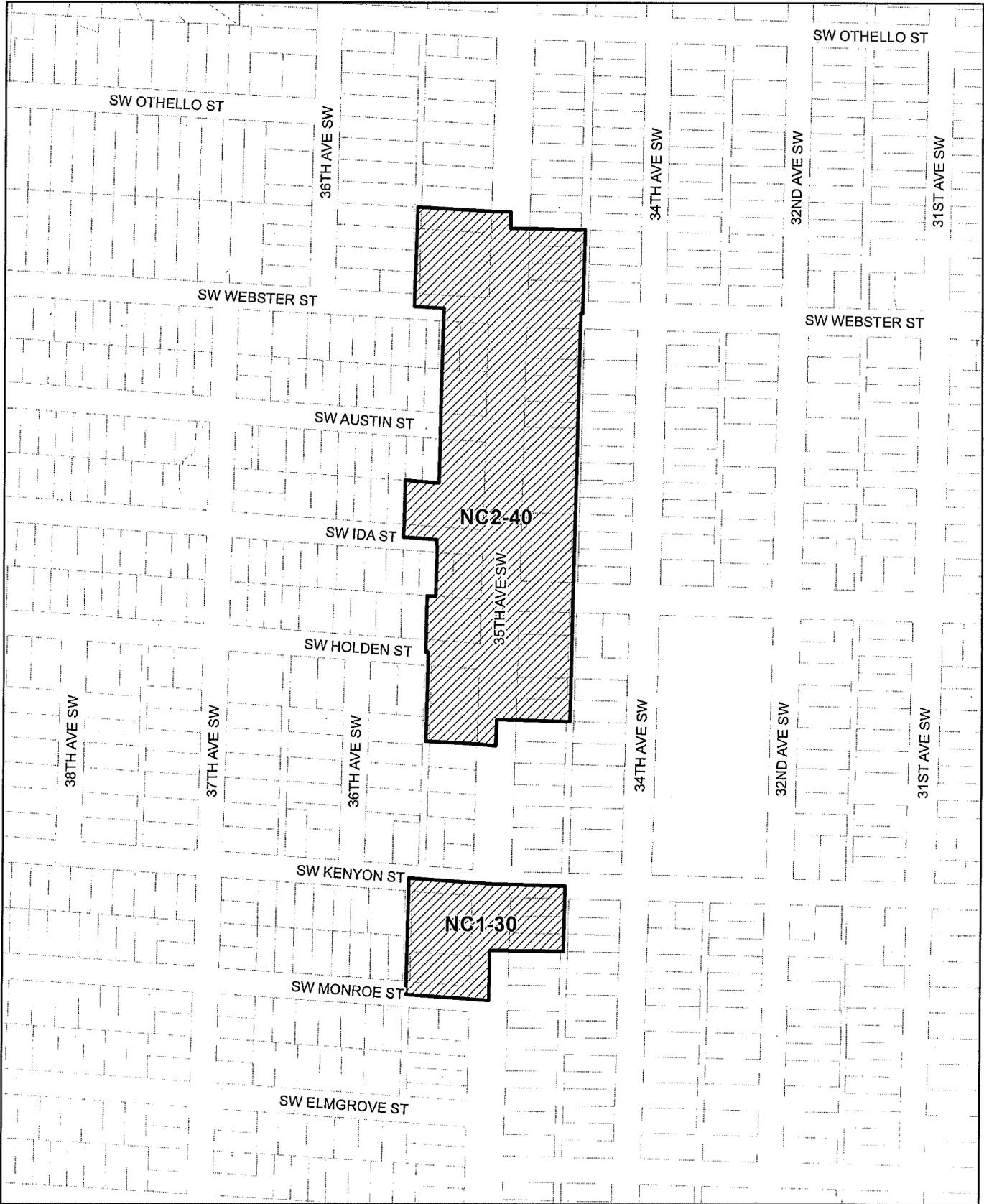


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MAP 49 for 23.47A.005.C

35th Ave SW at SW Holden St



Subject to street-level residential use limits identified in 23.47A.005.C



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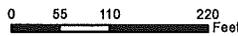


MAP 50 for 23.47A.005.C

35th Ave SW at SW Barton St



Subject to street-level residential use limits identified in 23.47A.005.C

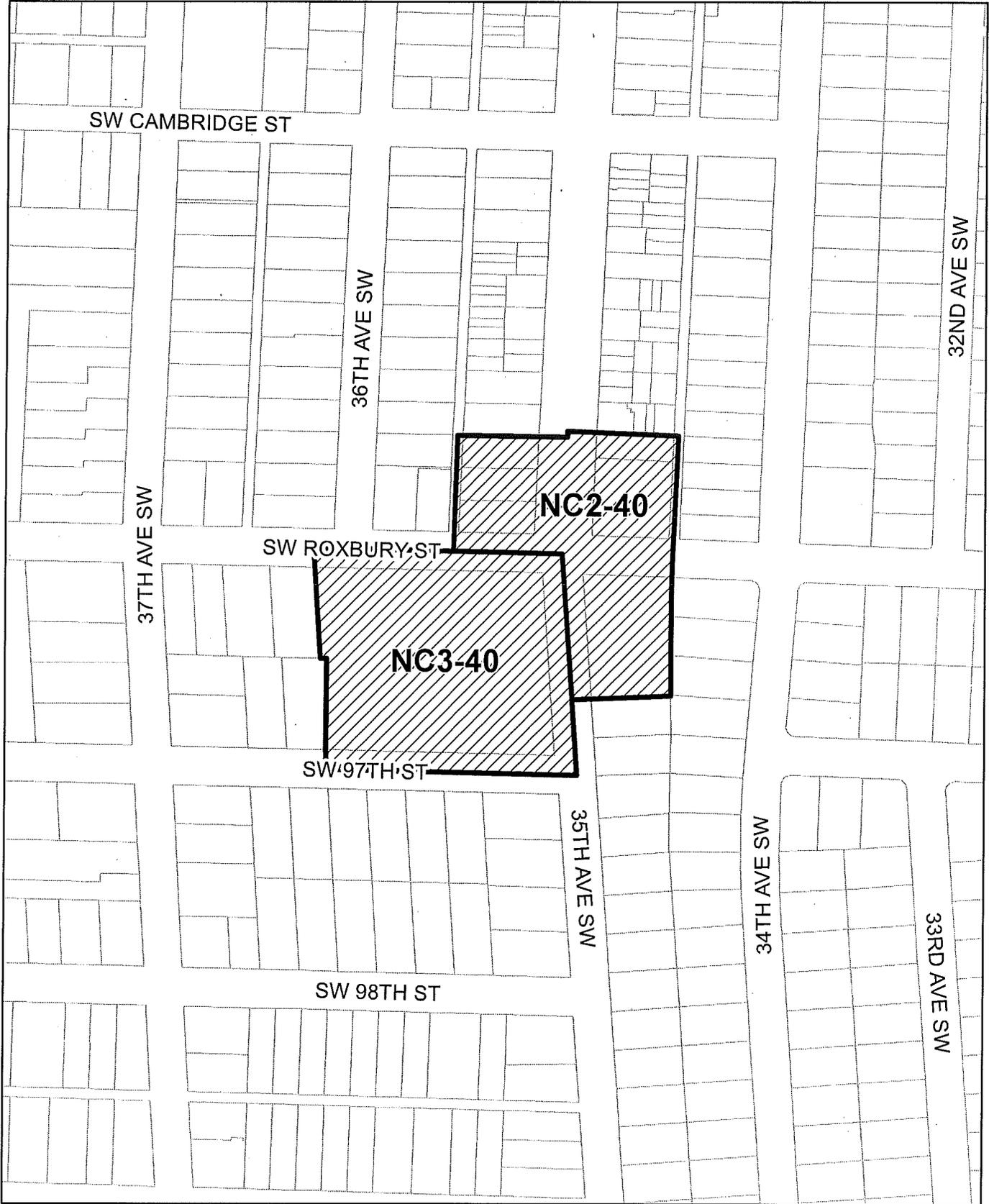


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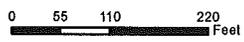


MAP 51 for 23.47A.005.C

35th Ave SW and SW Roxbury St



Subject to street-level residential use limits identified in 23.47A.005.C

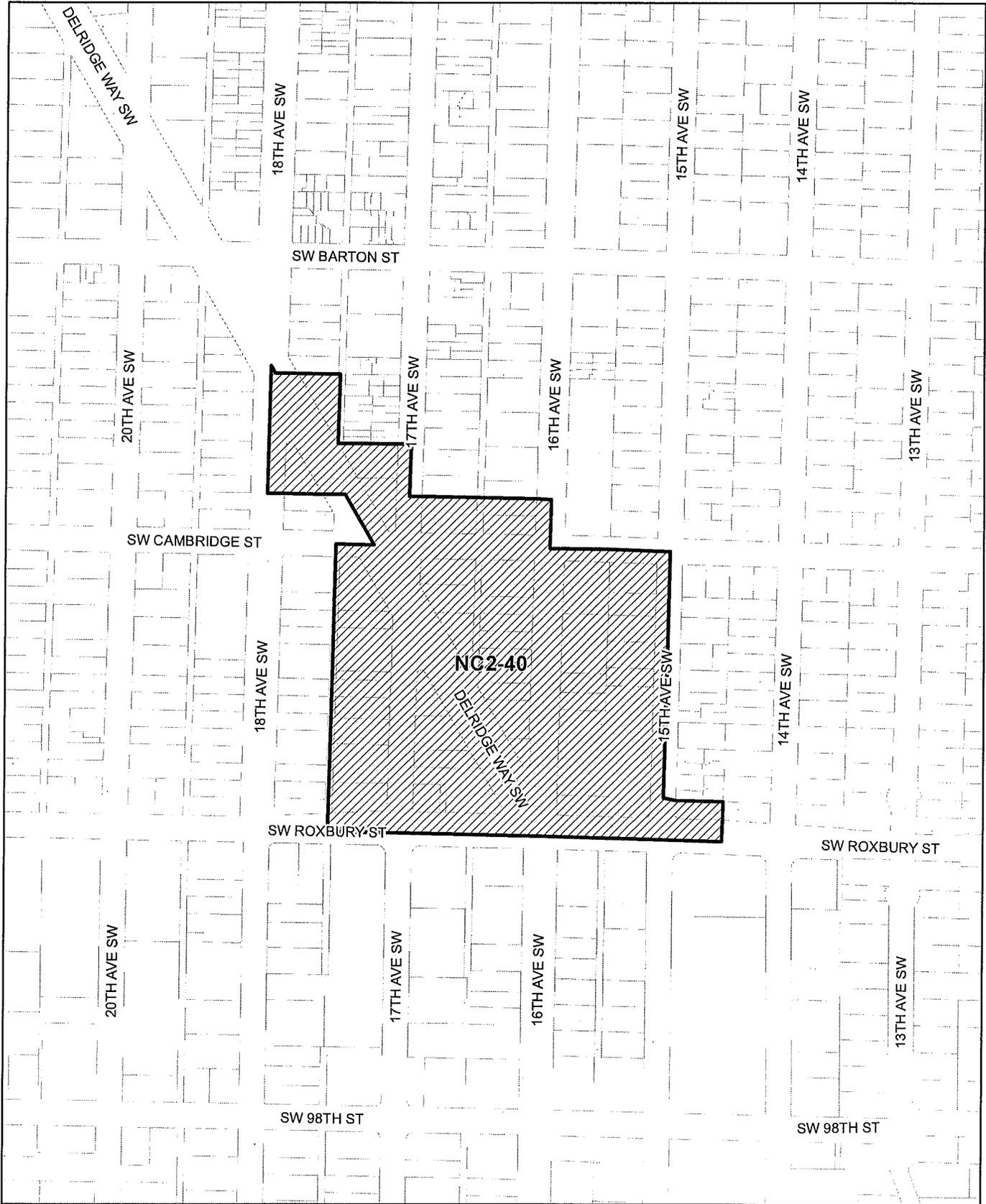


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MAP 52 for 23.47A.005.C

Westwood Park (Delridge Way SW at SW Roxbury St)



Subject to street-level residential use limits identified in 23.47A.005.C

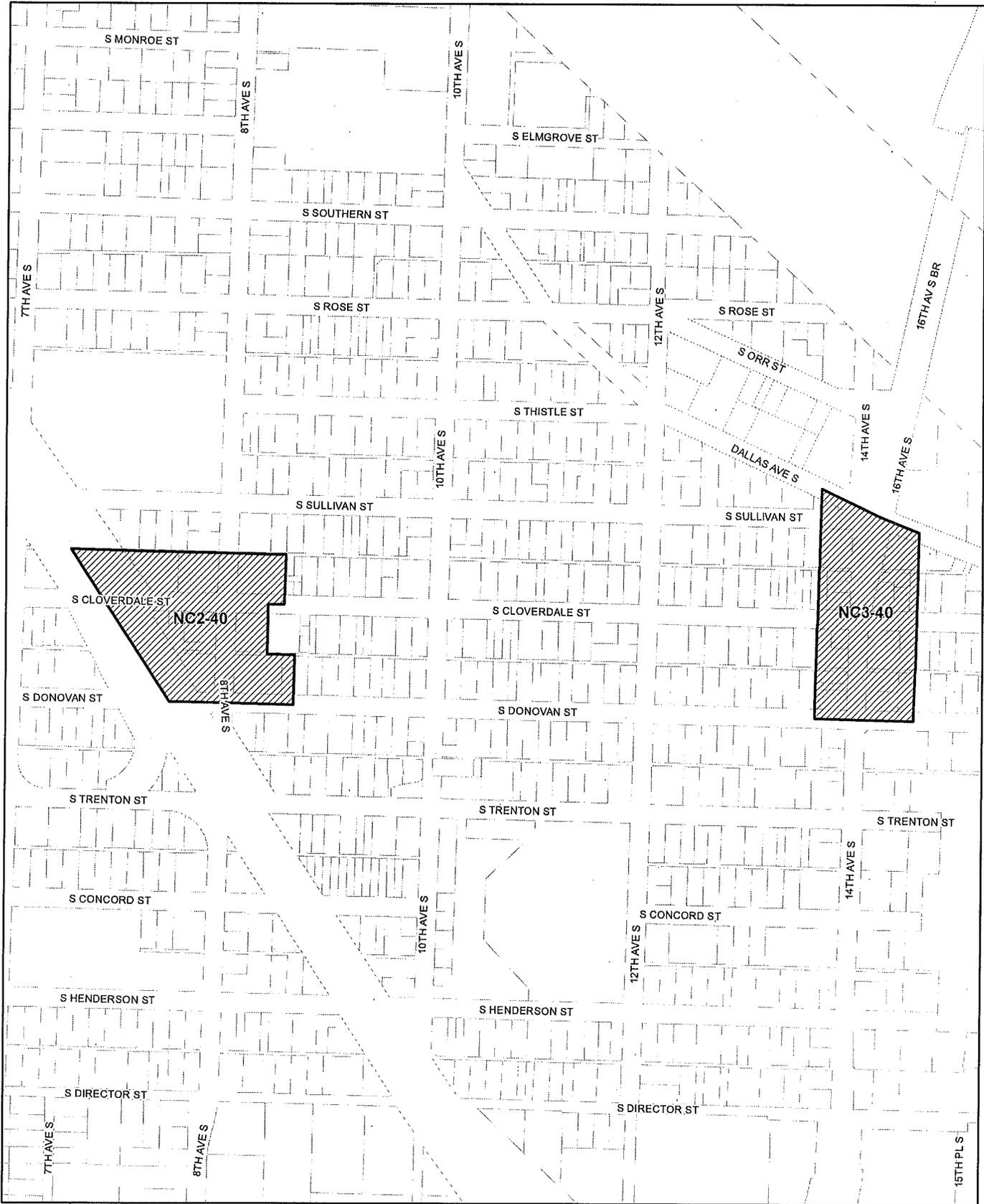


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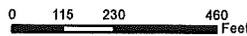


MAP 53 for 23.47A.005.C

South Park



Subject to street-level residential use limits identified in 23.47A.005.C

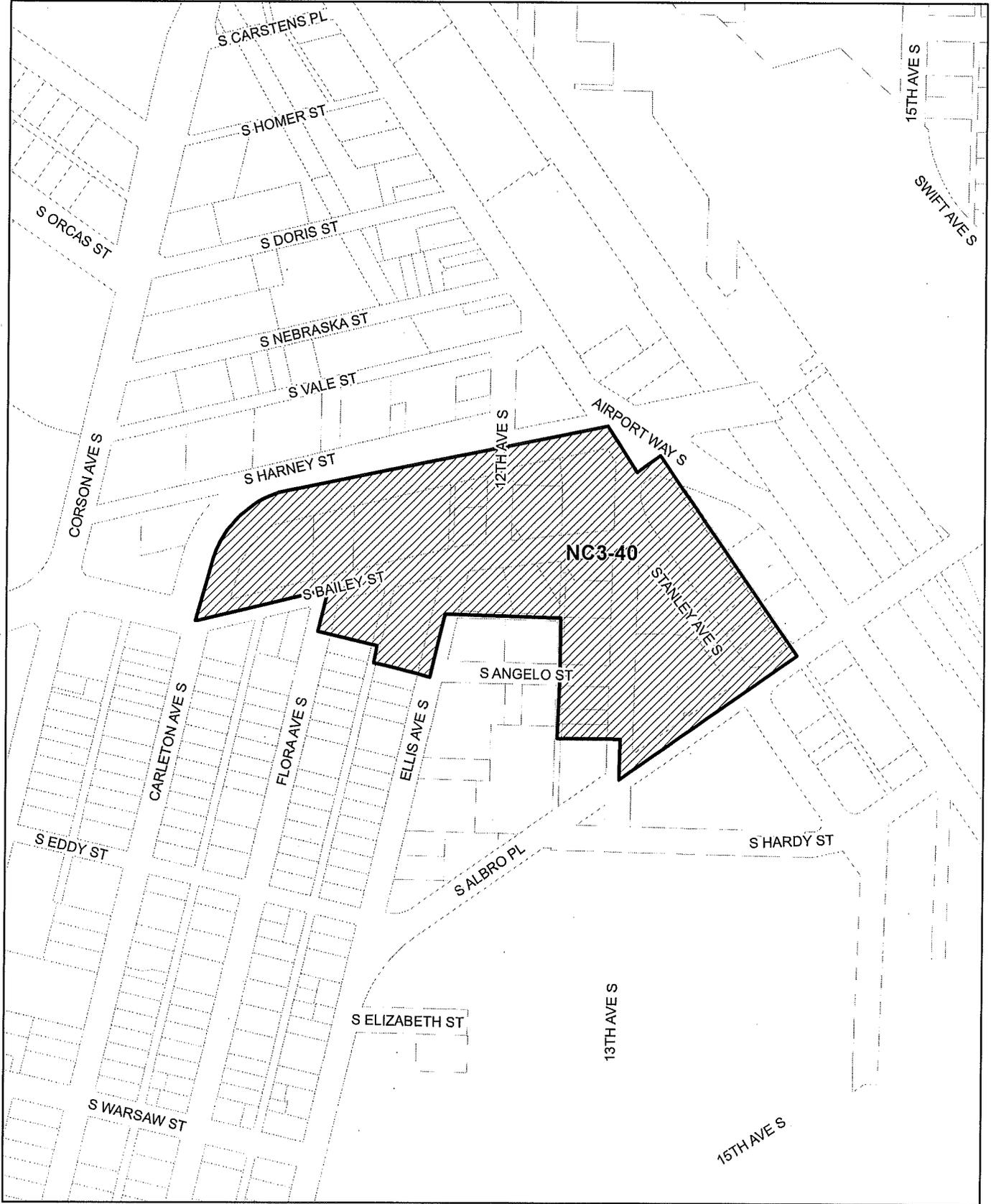


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MAP 54 for 23.47A.005.C

Georgetown



Subject to street-level residential use limits identified in 23.47A.005.C



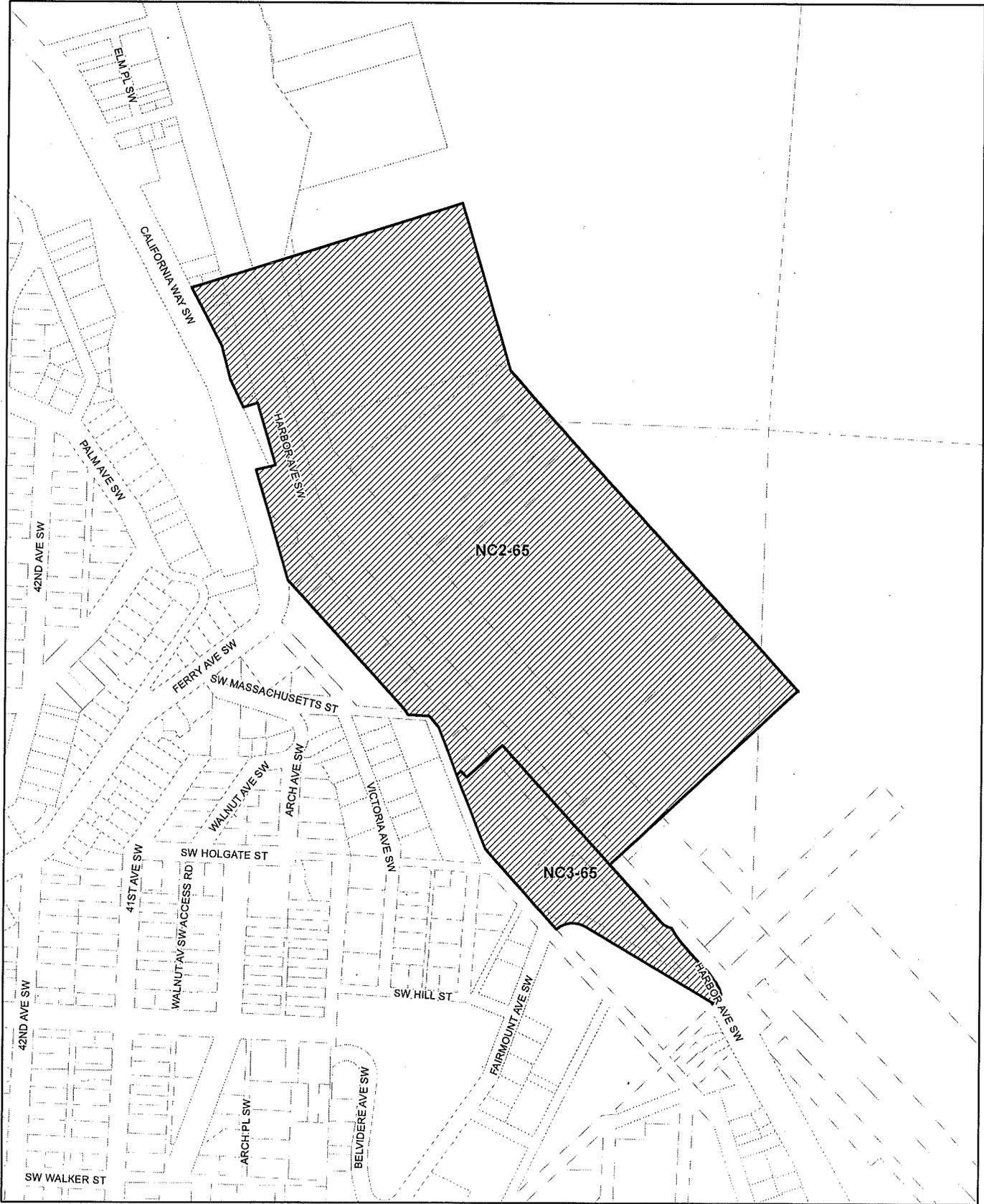
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MAP 55 for 23.47A.005.C

Harbor Ave SW - north of Fairmount Ave SW



Subject to street-level residential use
limits identified in 23.47A.005.C



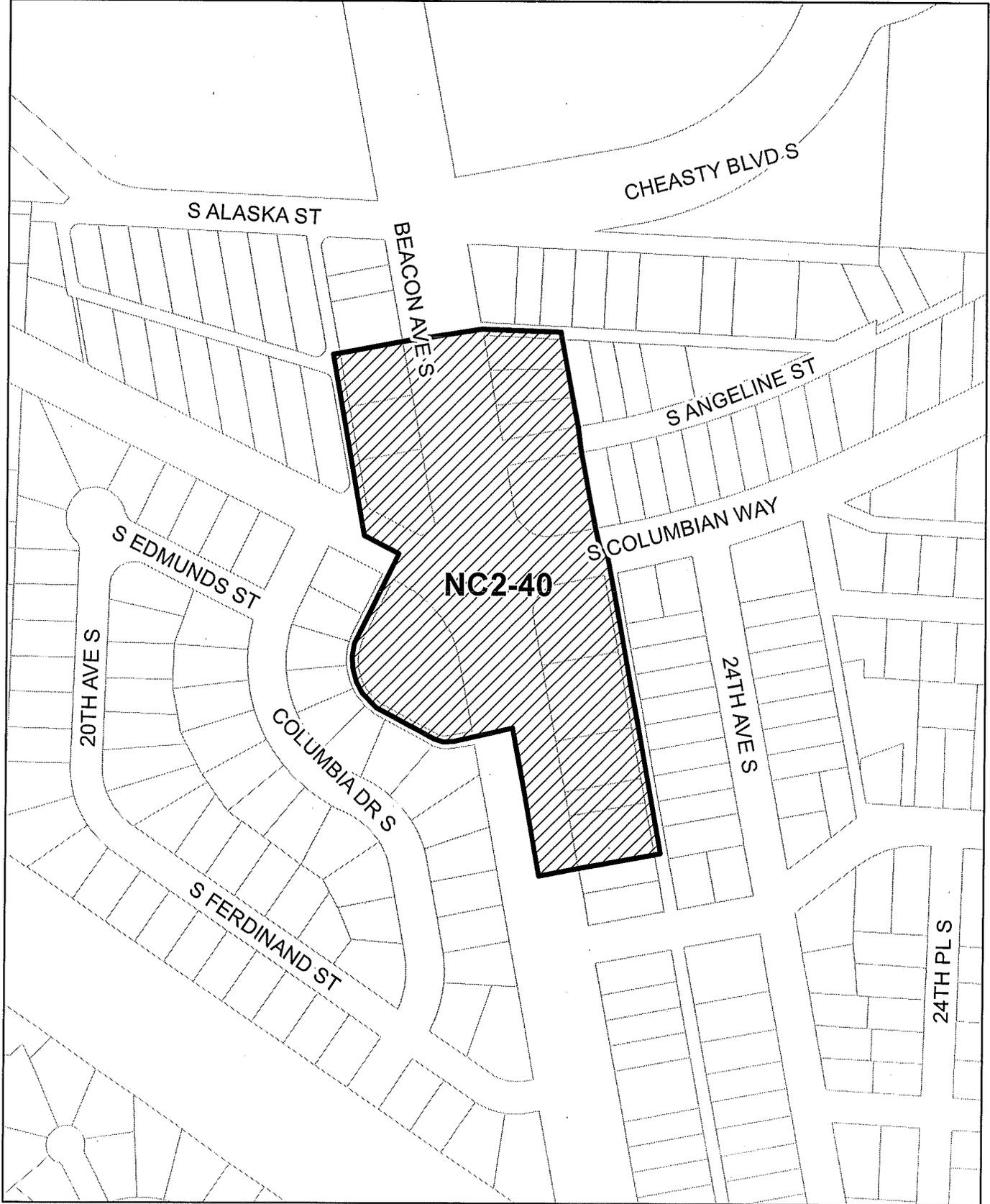
0 115 230 460 Feet

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MAP 56 for 23.47A.005.C

Beacon Ave S at S Columbian Way



Subject to street-level residential use limits identified in 23.47A.005.C



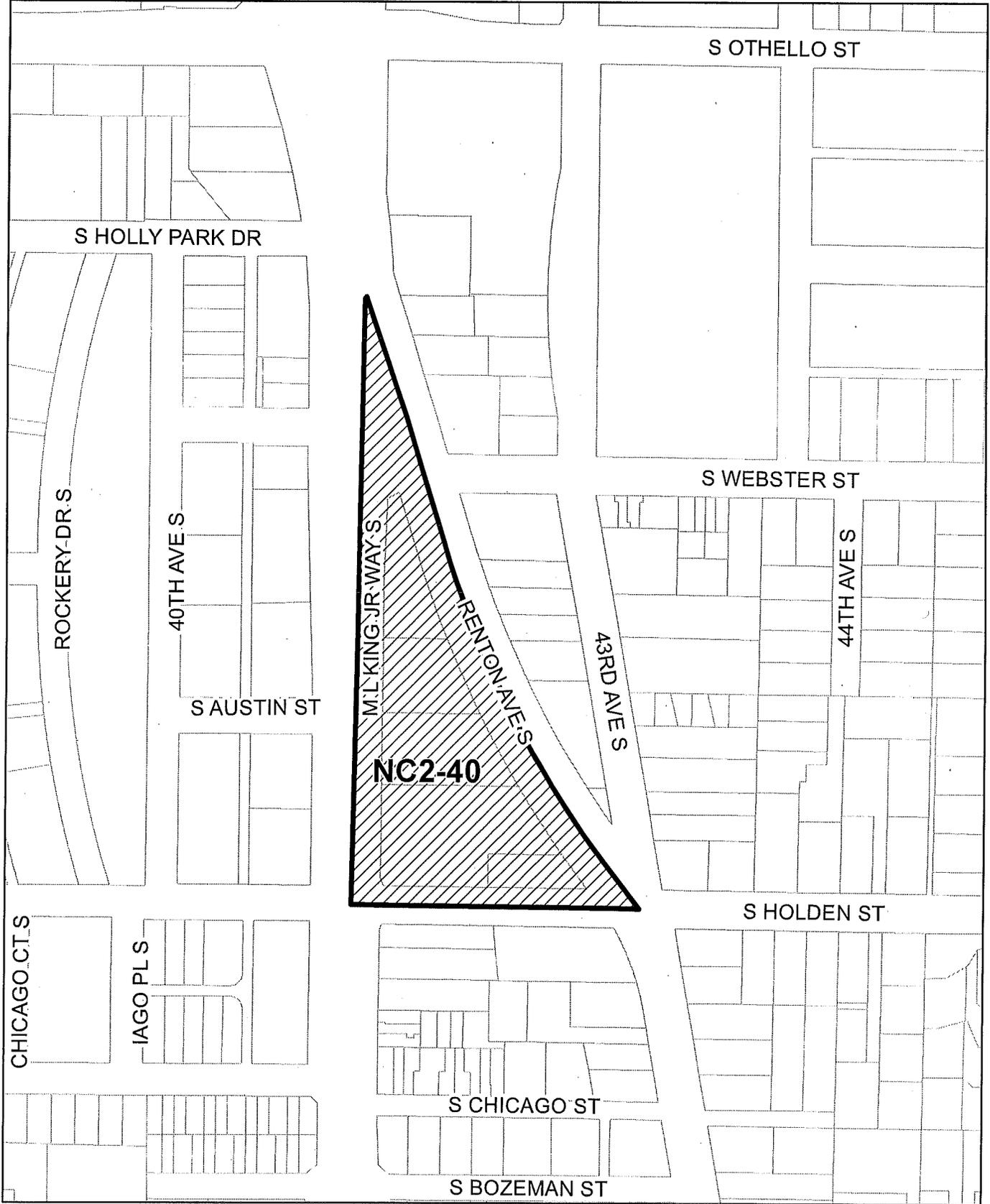
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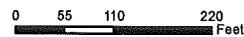


MAP 57 for 23.47A.005.C

Martin Luther King Jr Way S at S Holden St



Subject to street-level residential use limits identified in 23.47A.005.C

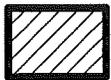
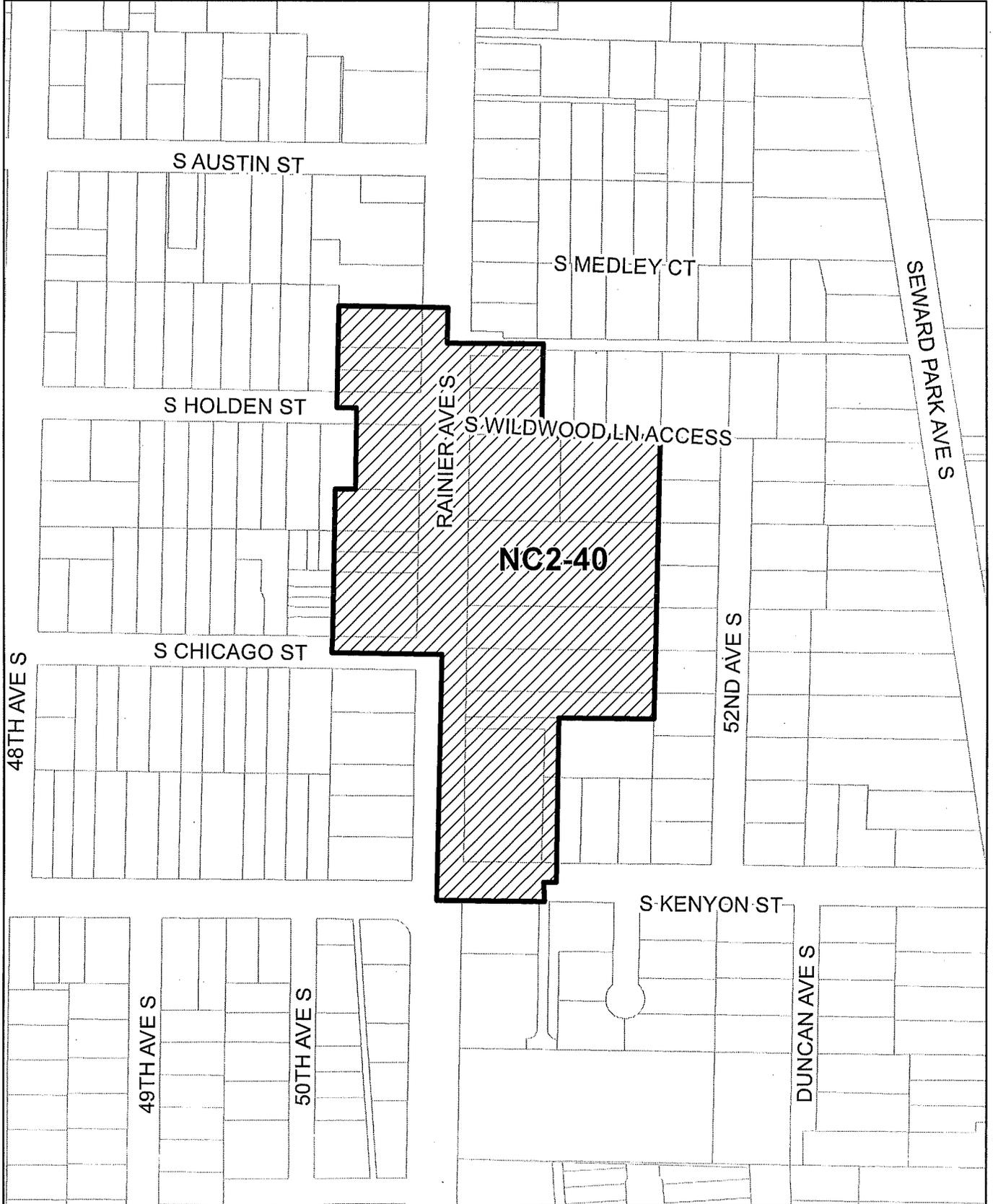


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MAP 58 for 23.47A.005.C

Rainier Ave S between S Holden St and S Kenyon St



Subject to street-level residential use limits identified in 23.47A.005.C



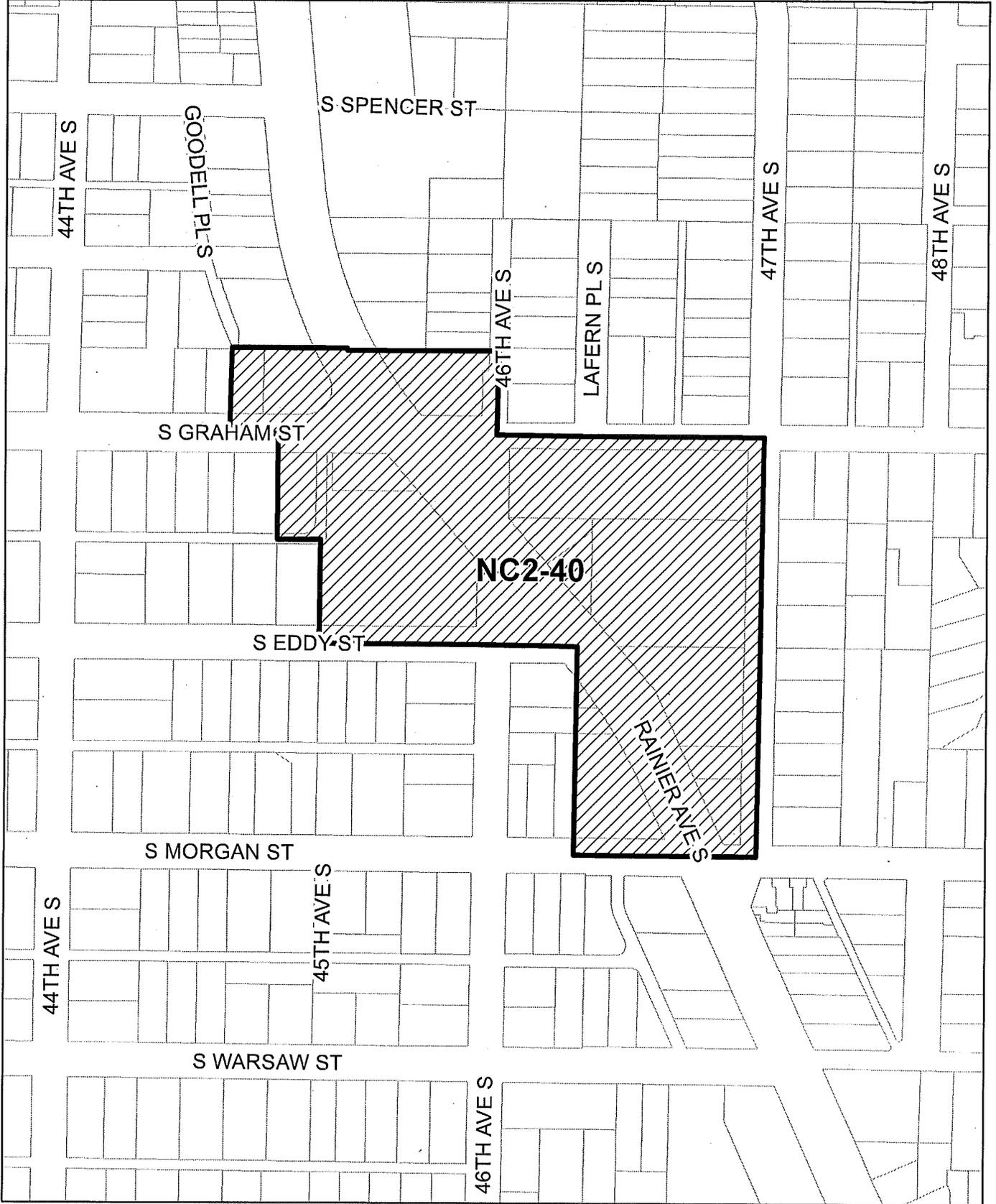
0 55 110 220 Feet

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MAP 59 for 23.47A.005.C

Rainier Ave S at S Graham St



Subject to street-level residential use limits identified in 23.47A.005.C



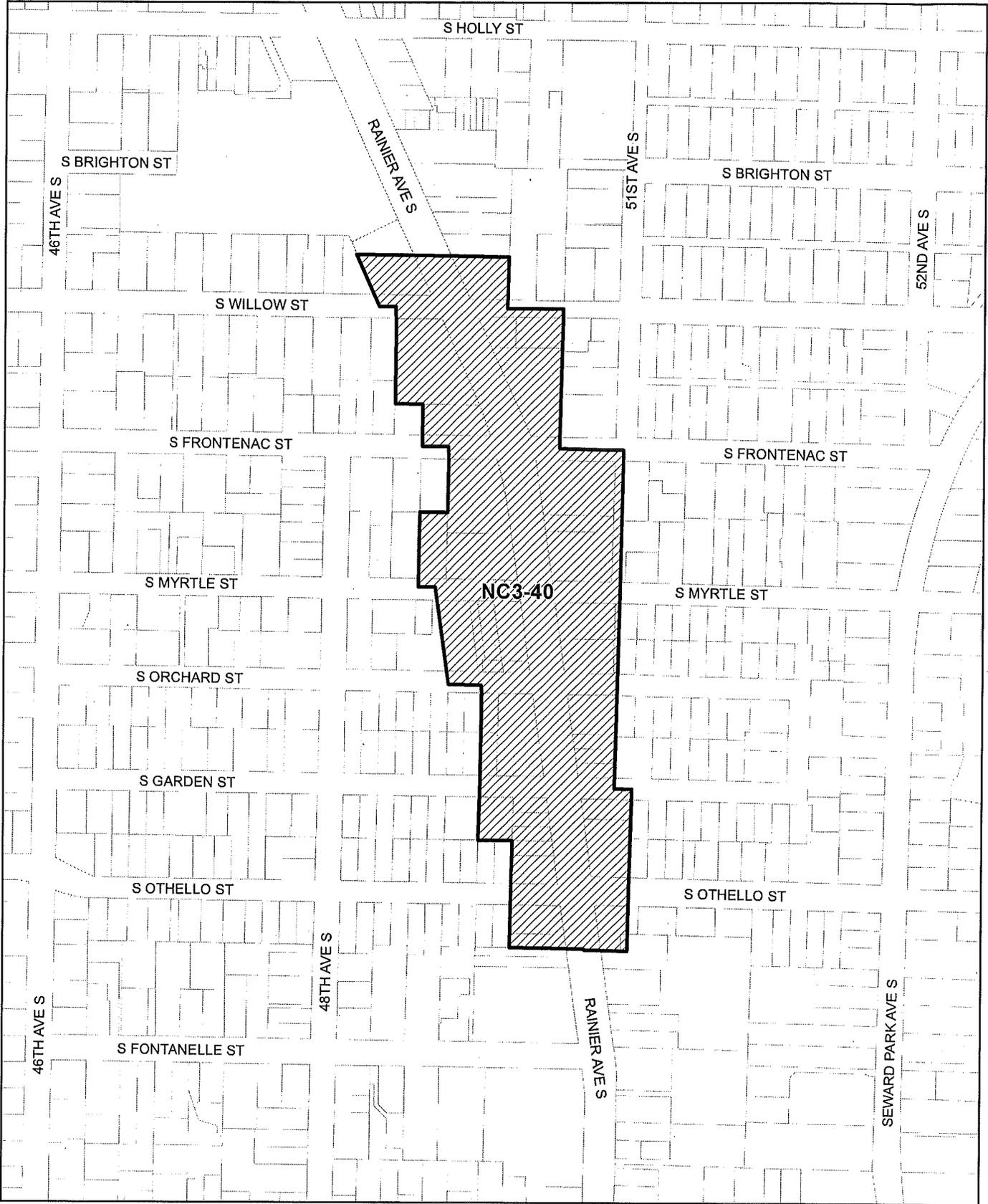
0 55 110 220 Feet

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MAP 60 for 23.47A.005.C

Rainier Ave S at S Othello St



Subject to street-level residential use limits identified in 23.47A.005.C



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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning and Development	Gordon Clowers/4-8375	Joe Regis/6-1307

Legislation Title: An ordinance related to land use, zoning and environmental review, amending Sections 23.40.006, 23.42.040, 23.42.050, 23.44.014, 23.44.041, 23.45.504, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.526, 23.45.527, 23.45.529, 23.45.532, 23.45.545, 23.47A.005, 23.47A.008, 23.54.015, 23.54.016, 23.54.020, 23.55.022, 23.76.004, 23.76.006, 23.84A.032, 23.91.002, 25.05.800 and Chapter 23.52 of the Seattle Municipal Code, and adding new Sections 23.40.035 and 23.52.008 to carry out proposals for regulatory reform.

Summary of the Legislation: The legislation is intended to encourage economic growth by providing expanded opportunities for entrepreneurship and new development, encouraging growth in Urban Centers and transit station areas consistent with the City's Comprehensive Plan. The following is a summary of key proposals:

- Increase eligible sites for detached accessory dwelling unit construction;
- Simplify the renewal process for temporary use permits;
- Increase flexibility to accommodate home-based businesses;
- Allow a greater presence of residential uses at the ground floor of buildings along arterials in commercial zones that are outside of pedestrian-designated (P) zones and potential future P zones identified and mapped by the Department of Planning and Development (DPD);
- Clarify the capability to include accessory dwelling units in townhouses and rowhouses;
- Raise State Environmental Policy Act (SEPA) threshold levels for environmental review within Urban Centers and Urban Villages that contain a Station Area Overlay District while continuing to require transportation impact analysis for exempted developments and possible mitigation through a new section in Title 23;
- Eliminate minimum parking requirements for uses in Urban Villages, Urban Centers, and the Station Area Overlay District;
- Reduce minimum parking requirements within ¼ mile of transit routes with frequent transit service;
- Eliminate minimum parking requirements for new development in Major Institution uses, except for hospitals, in Urban Centers or the Station Area Overlay District;

Background: The legislation is an important part of the Mayor's Jobs Initiative, and it also addresses the City Council's adopted Resolution 31282 from March 2011. The reforms are intended to update the City's codes in order to reinforce economic development objectives and stimulate economic recovery by encouraging new development, entrepreneurship and encouraging investments in Seattle. Proposed amendments would increase flexibility and reduce restrictions for a variety of land uses, encourage home-based and small startup businesses, and



shorten regulatory review where it would unnecessarily delay or discourage new development. The amendments are aligned with the Comprehensive Plan's objectives to encourage infill development in urban centers and station areas.

Please check one of the following:

- This legislation does not have any financial implications.
- This legislation has financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

The Proposal's Intended Stimulus to the Economy

The legislation is likely to induce new entrepreneurial activity and growth of small businesses as it provides expanded flexibility in codes to accommodate home-based business activities across the City.

By providing added regulatory flexibility in minimum parking requirements, accessory dwelling unit construction, and the ability to better mix uses in certain multifamily and commercial zones, the legislation would enhance the feasibility and cost-effectiveness of new development by the private and public sectors, and induce new construction with related job growth and economic benefits. The probable effects would include increased wages, new employment opportunities, added value in terms of affordable housing opportunities, and reinforcement of economic vitality in the City.

The proposal to eliminate minimum parking requirements in Urban Villages and reduce minimum parking requirements in other locations served by frequent transit could result in lower provision of off-street parking spaces over time as new development occurs. This may result in some greater demand for on-street parking. The indirect financial implications of this increased demand might be added parking revenues from on-street parking and parking enforcement activities.

Implications for DPD Permit Review

The legislation raises environmental review thresholds to eliminate reviews where significant adverse environmental impacts are deemed unlikely to occur or where the impact of new development is adequately addressed by City codes. Some proposed development would forego this environmental review, but would continue to undergo other required review processes including but not limited to zoning and design review.

Review of permit data indicates that the reduced volume of environmental reviews (roughly 35-40 fewer reviews per year) would not have substantial financial implications. The average time devoted to SEPA as part of development reviews is approximately 15-



20 hours. Compared to typical permit volumes (roughly 700 permits per year), this reduction in one specific type of review would be relatively minor.

Reduced chargeable SEPA review activity would be mitigated, in part, by increases in zoning and building permit review attributable to new development activity spurred by the proposed legislation including: new commercial or mixed-use development, accessory dwelling units, and temporary use permits. Also, a portion of time allocated to SEPA review, perhaps up to 20-25% of typical SEPA review time, would be maintained in future DPD billings by planners' review and coordination of decision-making materials preparation such as traffic studies or managing public input.

b) What is the financial cost of not implementing the legislation?

Given the unstable footing of the economy at this time, not implementing this proposal may subject the City to increased loss of business and jobs, due to lost opportunities to stimulate new economic activity.

c) Does this legislation affect any departments besides the originating department?

No. DPD consulted with staff from the Seattle Department of Transportation (SDOT). No effects upon SDOT are anticipated.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

No alternatives to Land Use Code regulatory reform are identified, because the proposed amendments would directly implement regulatory relief that will reduce impediments and costs associated with new investment, entrepreneurship and housing construction in the City.

e) Is a public hearing required for this legislation?

Yes. A public hearing was held on March 28, 2012, in City Council Chambers.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

A "notice of environmental determination and right to appeal" was published in the Daily Journal of Commerce and the Land Use Information Bulletin on July 11, 2011.

g) Does this legislation affect a piece of property?

The legislation has broad applicability across the City, including in commercial, multifamily and single-family zones.

h) Other Issues:

None anticipated.

List attachments to the fiscal note below: None



City of Seattle
Office of the Mayor

February 28, 2012

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill addressing regulatory reform. This legislation, announced with City Council support in July 2011, was informed by a panel of developers, neighborhood representatives, design professionals, labor leaders, and environmentalists to reduce regulatory burdens that hinder job creation. I convened the panel as part of a broad City effort to spark innovation and entrepreneurial investment, and make it easier for businesses to be successful in Seattle.

In March, 2011 the City Council passed resolution 31282 that proposed principles to guide "economic development actions and strategies for strengthening and growing the City of Seattle's economy and creating jobs." In addition, my Jobs Plan launched last year highlights the role for regulatory reform to support job creation.

The legislation will invigorate the economy by supporting new development, entrepreneurship and investment that is consistent with our Comprehensive Plan growth strategy. By reducing barriers that hinder small business startups and increasing the flexibility for new housing and commercial development, the legislation will support individuals' efforts to participate in our city's prosperity and hasten new investments in Seattle's future. It will also promote more affordable housing and more walkable, sustainable neighborhoods particularly in urban centers and near transit stations.

We must take proactive steps to foster a thriving business climate, remove unnecessary obstacles to success, and tap the creativity and knowledge base of Seattle residents to build a 21st Century economy. Thank you for your consideration of this legislation. Should you have questions, please contact Mike Podowski at 386-1988.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcgin@seattle.gov



1 Section 2. A new Section 23.40.035 of the Seattle Municipal Code is adopted to read as
2 follows:

3 **23.40.035 Location of accessory dwelling units on through lots**

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

9 Section 3. Section 23.42.040 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 123565, is amended as follows:

11 **23.42.040 Intermittent, temporary and interim uses**

12 The Director may grant, deny or condition applications for the following intermittent,
13 temporary or interim uses not otherwise permitted or not meeting development standards in the
14 zone.

15 A. Intermittent Uses.

16 1. A Master Use Permit for a time period of up to one year may be authorized for
17 any use that occurs no more than two days per week and does not involve the erection of a
18 permanent structure, provided that:

- 19 a. The use ~~((shall))~~ is not ~~((be))~~ materially detrimental to the public
20 welfare; and
21 b. The use ~~((shall))~~ does not result in substantial injury to the property in
22 the vicinity; and
23 c. The use ~~((shall-be))~~ is consistent with the spirit and purpose of the Land
24 Use Code.

THIS VERSION IS NOT ADOPTED



1 B. ~~((Temporary Four Week Use. A Master Use Permit for a time period of up to four~~
2 ~~weeks may be authorized for any use that does not involve the erection of a permanent structure~~
3 ~~and that meets the requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.e.)) Reserved.~~

4 C. Temporary Uses for Up to Six Months. A Master Use Permit for a time period of up
5 to six months may be authorized for a transitional encampment, as defined in subsection
6 23.84A.038; provided the transitional encampment is not accessory to a religious facility or a
7 principal use on property owned or controlled by a religious organization.

8 D. Temporary Uses for Up to ((Six)) Eighteen Months. A Master Use Permit for a time
9 period of up to ((six)) 18 months may be authorized for any use, except transitional
10 encampments, that does not involve the erection of any permanent structure and that meets the
11 requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.c.

12 ***

13 Section 4. Section 23.42.050 of the Seattle Municipal Code, which section was last
14 amended by Ordinance 123649, is amended as follows:

15 **23.42.050 Home occupations**

16 A home occupation of a person residing in a dwelling unit is permitted outright ~~((in that~~
17 ~~dwelling unit))~~ in all zones as an accessory use to any residential use permitted outright or to a
18 permitted residential conditional use, ~~((in each case))~~ subject to the following requirements:
19 ~~((standards of this section.))~~

20 A. The occupation ~~((shall be))~~ is clearly incidental to the use of the dwelling unit as a
21 dwelling.

22 B. Commercial deliveries and pickups to the dwelling unit ~~((shall be))~~ are limited to one
23 per day Monday through Friday. No commercial deliveries or pickups ~~((shall be))~~ are permitted
24 on Saturday, Sunday or federal holidays.

25 ~~((C. To discourage drop-in traffic, the address of the home occupation shall not be given~~
26 ~~in any advertisement, including but not limited to commercial telephone directories, newspapers,~~

THIS VERSION IS NOT ADOPTED



1 ~~magazines, signs, flyers, radio, television or other media. Addresses may be listed on business~~
2 ~~eards, but a statement must be included to the effect that business is by appointment only.))~~

3 C. Customer visits are by appointment only.

4 D. The occupation ~~((shall))~~ may be conducted ~~((only))~~ within ~~((the principal))~~ any legal
5 principal or accessory dwelling unit or structure, ~~((or in an accessory dwelling unit))~~ provided
6 that licensed child care may be conducted only in the principal structure or in an accessory
7 dwelling unit. Home occupations may be conducted by residents of a principal dwelling unit
8 and/or an accessory dwelling unit. The presence of one home occupation does not preclude a
9 resident of another legally established dwelling unit on the property from also conducting a home
10 occupation.

11 E. Parking of vehicles associated with the home occupation ~~((shall be))~~ is permitted
12 anywhere that parking is permitted on the lot.

13 ~~((E.))~~ F. To preserve the residential appearance of the dwelling unit, there shall be no
14 evidence of the home occupation visible from the exterior of the structure~~((;))~~, provided that:

15 1. ~~((e))~~ Outdoor play areas for licensed child care programs and outdoor activities
16 customarily incidental to the residential use ~~((shall be))~~ are permitted~~((;))~~;

17 2. Interior and exterior alterations and additions that comply with the development
18 standards of the zone are permitted;

19 3. Alterations and additions that are required by licensing or construction codes
20 for licensed child care programs are permitted; and

21 4. Signs identifying the home occupation are permitted subject to compliance with
22 Chapter 23.55, Signs.

23 G. No outdoor storage ~~((shall be))~~ is permitted in connection with a home occupation.

24 ~~((F. To preserve the residential character (and use of the dwelling unit, only internal~~
25 ~~alterations customary to residential use shall be permitted, and no external alterations shall be~~



1 ~~permitted to accommodate a home occupation, except as required by licensing or construction~~
2 ~~codes for child care programs.)~~

3 ~~((G.))H. Except for licensed child care programs, ~~((not))~~ no more than ~~((one))~~ two~~
4 ~~persons~~((, whether full-time or part-time, who is not a resident))~~ who are not residents of ~~((the))~~ a~~
5 ~~dwelling unit on the lot may work in ~~((the dwelling unit of the))~~ a home occupation, regardless of~~
6 ~~whether the persons work full or part-time or are ~~((whether or not))~~ compensated. ~~((This includes~~~~
7 ~~persons working off-site who come to the site for business purposes at any time as well as~~
8 ~~persons working on-site.))~~

9 ~~((H.))I. The home occupation shall not cause ~~((or add to))~~ a substantial increase in on-~~
10 ~~street parking congestion or ~~((cause))~~ a substantial increase in traffic ~~((through residential areas))~~~~
11 ~~within the immediate vicinity.~~

12 ~~((I.))J. A maximum of two passenger vehicles, vans and similar vehicles each not~~
13 ~~exceeding a gross vehicle weight of 10,000 pounds ~~((shall be))~~ are permitted to operate in~~
14 ~~connection with the home occupation, independent of commercial deliveries and pickups as~~
15 ~~provided for in subsection 23.42.050.B.~~

16 ~~((J.))K. The home occupation shall be conducted so that noise, odor, smoke, dust, light~~
17 ~~and glare, and electrical interference and other similar impacts are not detectable by sensory~~
18 ~~perception at or beyond the property line of the lot where the home occupation is located.~~

19 ~~((K. Signs are regulated by Chapter 23.55.))~~

20 L. Licensed ~~((C.))~~ child care programs in the home of the operator are limited to 12
21 children per day including the children of the operator.

22 Section 5. Section 23.44.014 of the Seattle Municipal Code, which section was last
23 amended by Ordinance 123649, is amended as follows:



1 **23.44.014 Yards**

2 Yards are required for every lot in a single-family zone. A yard that is larger than the
3 minimum size may be provided.

4 A. Front Yards.

5 1. The front yard depth shall be either the average of the front yards of the single-
6 family structures on either side or ~~((twenty (20)))~~ 20 feet, whichever is less.

7 2. On any lot where the natural gradient or slope, as measured from the front line
8 of the lot for a distance of ~~((sixty (60)))~~ 60 feet or the full depth of the lot, whichever is less, is in
9 excess of ~~((thirty-five (35)))~~ 35 percent, the required front yard depth shall be either ~~((twenty~~
10 ~~(20)))~~ 20 feet less one ~~((+))~~ foot for each one ~~((+))~~ percent of gradient or slope in excess of
11 ~~((thirty-five (35)))~~ 35 percent, or the average of the front yards on either side, whichever is less.

12 3. In the case of a through lot, each yard abutting a street, except a side yard, shall
13 be a front yard. Rear yard ~~((requirements))~~ provisions shall not apply to the lot, except pursuant
14 to Section 23.40.030 or 23.40.035.

15 4. A larger yard may be required in order to meet the provisions of Section
16 23.53.015, Improvement requirements for existing streets in residential and commercial zones.

17 ***

18 Section 6. Section 23.44.041 of the Seattle Municipal Code, which section was last
19 amended by Ordinance 123649, is amended as follows:

20 **23.44.041 Accessory Dwelling Units**

21 ***

22 B. Accessory dwelling units, detached, additional provisions. ~~((A detached accessory~~
23 ~~dwelling unit is also known as a backyard cottage.))~~ The Director may authorize a detached
24 accessory dwelling unit, also known as a backyard cottage, ~~((and that unit may be used as a~~
25 ~~residence, only under))~~ if the unit meets the ~~((conditions set forth in))~~ requirements of subsection
26 23.44.041.A and the following additional ~~((conditions))~~ requirements:

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1. Detached accessory dwelling units are not permitted on a lot if any portion of the lot is within the Shoreline District established pursuant to Section 23.60.010.

2. (~~Detached accessory dwelling units are required to meet the additional~~) The development standards set forth in Table B for 23.44.041:

Table B for 23.44.041	
Development Standards for Detached Accessory Dwelling Units¹	
a. Minimum Lot Size	4,000 sq. ft.
b. Minimum Lot Width	25 feet
c. Minimum Lot Depth	70 feet ²
d. Maximum Lot Coverage	The provisions of Section 23.44.010 apply.
e. Maximum Rear Yard Coverage	A detached accessory dwelling unit, together with any other accessory structures and other portions of the principal structure, is limited to a maximum combined coverage of 40% of the rear yard.
f. Maximum Gross Floor Area	800 sq. ft. including garage and storage area but excluding areas below grade, measured as set forth in Section 23.86.007.
g. Front Yard	A detached accessory dwelling unit may not be located within the front yard required by subsection 23.44.014.A, <u>except on a through lot pursuant to Section 23.40.030 or Section 23.40.035 and row i of this Table B for 23.44.041.</u>
h. Minimum Side Yard	The provisions of subsection 23.44.014.C apply. ⁷
i. Minimum Rear Yard	A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line. ^{3,4}
j. Location of Entry	Entrances to detached accessory dwelling units may not be located on facades facing the nearest side lot line or the rear lot line unless the nearest side lot line or rear lot line abuts an alley or other public right-of-

THIS VERSION IS NOT ADOPTED



**Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹**

way.
 ((The roof peak of the detached accessory dwelling unit may not extend more than 15 feet above the roof peak of the principal dwelling unit and must comply with the height limits set forth in the table below.))

((k. Maximum Height Limits⁵))

	Lot Width (feet)				
	Less than 30	30 or greater up to 35	Above 35 up to 40	Above 40 up to 50 ⁶	Greater than 50 ((or greater ⁶))
(1) Maximum <u>Base</u> Structure Height (feet)	12	14	15	16	16
(2) Maximum Structure Height with Pitched Roof (feet) ⁸	15	21	22	22	23
(3) Maximum Structure Height with Shed or Butterfly Roof (feet); see Exhibit A for 23.44.041.	15	18	19	20	20
l. Minimum Separation from Principal Structure	5 feet				

Footnotes:

1. The Director may allow an exception to standards ((+)) a-f, h, i and j pursuant to subsection 23.44.041.B.3, for converting existing accessory structures.
2. For lots that do not meet the lot depth requirement, but have a greater width than depth and an area greater than 5,000 sq. ft., a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.
3. If the lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within 12 feet of the centerline of the alley.
4. On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.
5. Features such as chimneys, antennas, and flagpoles may extend up to 4 feet above the maximum allowed height. ((The additional height for sloped lots permitted by subsection 23.44.012.B does not apply.))
6. Detached accessory dwelling units on lots that have a width greater than 40 feet up to 50 feet may ((also)) be built to the maximum height limit((s)) applicable in the column for lots greater than 50 feet ((listed in this column if both of)) when ((the following conditions are met: a)) the detached accessory dwelling unit is located on a lot with a rear lot line that is adjacent to an alley.((; and b) the width of the lot is 40 feet or greater.))
7. The exceptions from standard yard requirements in subsection 23.44.014.D.6.a shall also apply.
8. All parts of the roof above the applicable base height shall be pitched at a rate of not less than 3:12.

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Table A for 23.45.504: Permitted and Prohibited Uses

Uses	Permitted and Prohibited Uses by Zone		
	LR1	((LR1,)) LR2((s)) and LR3	MR and HR
A. Residential use	P	P	P
B. Institutions	P/CU ¹	P/CU ¹	P/CU ¹
C. Uses in existing or former public schools			
C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly and similar uses in existing or former public schools.	P	P	P
C.2. Other non-school uses in existing or former public schools	<u>Permitted pursuant to procedures established in Chapter 23.78</u>	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
D. Park and pool and park and ride lots	X/CU ²	X/CU ²	X/CU ²
E. Parks and playgrounds including customary uses	P	P	P
F. Ground floor commercial uses	X/RC	X/P ³ /RC	P ³
G. Medical Service Uses other than permitted ground floor commercial uses	P/X ⁴	P/X ⁴	P/CU/X ⁴
H. Uses not otherwise permitted in landmark structures	CU	CU	CU
I. Cemeteries	P/X ⁵	P/X ⁵	P/X ⁵
J. Community Gardens	P	P	P
K. All other uses	X	X	X

Footnotes to Table A for 23.45.504

- Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.
 - Prohibited in Station Area Overlay Districts; otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506.
 - Commercial uses as indicated in ((Subject to)) subsection 23.45.504.E((-)) are permitted within structures in any Midrise or Highrise zone, and in Lowrise 2 and Lowrise 3 zones that are located within an urban center or the Station Area Overlay District.
 - Subject to subsection 23.45.504.G and 23.45.506.F.
 - Subject to subsection 23.45.504.F.
- P = Permitted outright
 CU = Permitted as an Administrative Conditional Use
 RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46
 X = Prohibited

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1 C. Accessory uses. The following accessory uses are permitted in all multifamily zones,
2 subject to standards in Section 23.45.545, if applicable:

- 3 1. Private garages and carports;
- 4 2. Private, permanent swimming pools, hot tubs and other similar uses;
- 5 3. Solar collectors, including solar greenhouses;
- 6 4. Open wet moorage accessory to residential structures;
- 7 5. Uses accessory to parks and playgrounds, pursuant to Section 23.45.578;
- 8 6. Bed and breakfasts in a dwelling unit that is at least five years old;
- 9 7. Recycling collection stations;
- 10 8. Urban farms with planting area not more than 4,000 square feet. Urban farms

11 with greater than 4,000 square feet of planting area may be allowed as an administrative
12 conditional use to any use permitted outright or as a conditional use. The Director may grant,
13 condition or deny a conditional use permit in accordance with subsection 23.52.051.B; and

- 14 9. Accessory dwelling units.

15 D. Heat recovery incinerators may be permitted as accessory administrative conditional
16 uses, pursuant to Section 23.45.506.

17 E. Ground floor commercial use.

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

19 2. The following uses are permitted as ground-floor commercial uses in Lowrise 2
20 and Lowrise 3 zones located within an urban center or the Station Area Overlay District, and in
21 Midrise and Highrise zones pursuant to Section 23.45.532:

- 22 a. Business support services;
- 23 b. Food processing and craft work;
- 24 c. General sales and services;
- 25 d. Medical services;
- 26 e. Offices;

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1 f. Restaurants; and

2 g. Live-work with one of the uses permitted in this subsection 23.45.504.E

3 as the permitted commercial use.

4 ~~((2. In MR zones, ground floor commercial uses are permitted only on a lot that is~~
5 ~~within 800 feet of a neighborhood commercial zone.))~~

6 ***

7 Section 8. Section 23.45.510 of the Seattle Municipal Code, which section was last
8 amended by Ordinance 123770, is amended as follows:

9 **23.45.510 Floor area ratio (FAR) limits**

10 A. General provisions.

11 1. All gross floor area not exempt under subsection 23.45.510.E counts toward the
12 maximum gross floor area allowed under the floor area ratio (FAR) limits.

13 2. The applicable FAR limit applies to the total non-exempt gross floor area of all
14 structures on the lot.

15 3. If a lot is in more than one zone, the FAR limit for each zone applies to the
16 portion of the lot located in that zone, and the floor area on the portion of the lot with the lower
17 FAR limit may not exceed the amount that would be permitted if it were a separate lot.

18 B. FAR limits in LR zones. Floor area ratio limits apply in LR zones as shown in Table
19 A for 23.45.510, provided that if the LR zone designation includes an incentive zoning suffix,
20 then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor
21 area exceeding that allowed by the FAR shown in the suffix designation. These FAR limits also
22 apply to any nonresidential uses permitted pursuant to subsection 23.45.504.E. Single-purpose
23 nonresidential development is subject to the lowest FAR limit listed in Table A for 23.45.510 for
24 the applicable zone and location.

THIS VERSION IS NOT ADOPTED



Table A for 23.45.510: Floor Area Ratios in Lowrise Zones

Zone	Location	Category of Residential Use ⁽¹⁾			
		Cottage Housing Developments and Single-Family Dwelling Units	Rowhouse Developments ⁽²⁾	Townhouse Developments ⁽²⁾	Apartments ⁽²⁾
LR1	Either outside or inside	1.1	1.0 or 1.2	0.9 or 1.1	1.0
LR2	Either outside or inside	1.1	1.1 or 1.3	1.0 or 1.2	1.1 or 1.3
LR3	Outside	1.1	1.2 or 1.4	1.1 or 1.3	1.3 or 1.5 ⁽³⁾
	Inside	1.1	1.2 or 1.4	1.2 or 1.4	1.5 or 2.0

Footnotes for Table A for 23.45.510:

⁽¹⁾ If more than one type of residential use is provided on a lot, the FAR limit for each residential use is the higher FAR limit for each residential use in this Table A for 23.45.510 only if the conditions in subsection 23.45.510.C are satisfied for all residential uses on the lot. Nonresidential uses are subject to the FAR limits as indicated in this subsection 23.45.510.B.

⁽²⁾ The higher FAR limit applies if the project meets the standards of subsection 23.45.510.C.

⁽³⁾ On lots that abut a street with frequent transit service, the higher FAR limit is 1.6.

C. In LR zones, in order to qualify for the higher FAR limit shown in Table A for 23.45.510, the following standards shall be met:

1. Applicants shall make a commitment that the structure will meet green building performance standards by earning a Leadership in Energy and Environmental Design (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King and Snohomish Counties, except that an applicant who is applying for funding from the Washington State Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing((s)) may elect to meet green building performance standards by meeting the Washington Evergreen Sustainable Development Standards (ESDS). The standards referred to in this subsection 23.45.510.C.1 are those identified in Section 23.45.526, and that section shall apply as if the application were for new development gaining extra residential floor area.

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1 2. For all categories of residential use, and mixed-use development, if the lot
2 abuts an alley and the alley is used for access, improvements to the alley shall be required as
3 provided in subsections 23.53.030.E and F, except that the alley shall be paved rather than
4 improved with crushed rock, even for lots containing fewer than ten dwelling units.

5 3. Parking location if parking is provided.

6 a. For rowhouse and townhouse developments, and mixed-use
7 development containing either of those housing types, parking shall be totally enclosed with the
8 same structure as the residential use, located in a structure or portion of a structure that meets the
9 requirements of subsection 23.45.510.E.5, or located in a parking area or structure at the rear of
10 the lot.

11 b. For apartments, and mixed-use development containing apartments,
12 parking may either:

13 1) be totally enclosed within the same structure as the residential
14 use; or

15 2) be on lots located outside of ((U))urban ((C))centers, ((U))urban
16 ((V))villages, and the Station Area Overlay District, be located off an alley at the rear of the lot,
17 provided that all surface parking is limited to a single row of spaces along the alley and access to
18 each surface parking space is taken directly from the alley.

19 4. Access to parking if parking is provided.

20 a. Access to required barrier-free parking spaces may be from either a
21 street or an alley. Subsections 23.45.510.C.4.b, c, and d do not apply to required barrier-free
22 parking spaces.

23 b. If the lot abuts an alley, access to parking shall be from the alley, unless
24 one or more of the conditions in subsection 23.45.536.C.2 are met.

25 c. If access cannot be provided from an alley, access shall be from a street
26 if the following conditions are met:



1 1) on corner lots, the driveway shall abut and run parallel to the
2 rear lot line of the lot or a side lot line that is not a street lot line.

3 2) on a non-corner lot, there is no more than one driveway per 160
4 feet of street frontage.

5 d. ~~((i))~~ If access to parking does not meet one of the standards in this
6 subsection 23.45.510.C.4, or if an exception is granted that allows parking access from both an
7 alley and a street pursuant to subsection 23.45.536.C, the lower FAR limit on Table A for
8 23.45.510 applies.

9 ***

10 Section 9. Section 23.45.512 of the Seattle Municipal Code, which section was last
11 amended by Ordinance 123495, is amended as follows:

12 **23.45.512 Residential ~~((D))~~ density limits – Lowrise zones**

13 A. There shall be a minimum lot area per dwelling unit in LR zones for cottage housing
14 developments, townhouse developments, ~~((and))~~ apartments, and mixed-use development
15 containing residential use, as shown on Table A for 23.45.512, except as provided in
16 ~~((subsections B, C, D, E, and G of this Section))~~ subsections 23.45.512.B, C, D, E, and G.

THIS VERSION IS NOT ADOPTED



Table A for 23.45.512: Residential Density Limits in Lowrise Zones

Zone	Units allowed per square foot of lot area by category of residential use			
	<i>Cottage Housing Development⁽¹⁾ and Single-family Dwelling Unit</i>	<i>Rowhouse Development</i>	<i>Townhouse Development⁽²⁾</i>	<i>Apartment⁽³⁾</i>
LR1	1/1,600	No limit	1/2,200 or 1/1,600	1/2,000 Duplexes and Triplexes only
LR2	1/1,600	No limit	1/1,600 or No limit	1/1,200 or No limit
LR3	1/1,600	No limit	1/1,600 or No limit	1/800 or No limit

Footnotes for Table A for 23.45.512

⁽¹⁾ See Section 23.45.531 for specific regulations about cottage housing developments.

⁽²⁾ For townhouse developments that meet the standards of subsection 23.45.510.C, the higher density shown is permitted in LR1 zones, and there is no density limit in LR2 and LR3 zones.

⁽³⁾ For apartments that meet the standards of subsection 23.45.510.C, there is no density limit in LR2 and LR3 zones.

Section 10. Section 23.45.514 of the Seattle Municipal Code, which section was last amended by Ordinance 123495, is amended as follows:

23.45.514 Structure height

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

THIS VERSION IS NOT ADOPTED



Table A for 23.45.514: Structure Height for Lowrise Zones in Feet

<u>((Housing)) Development Type</u>	<u>LR1</u>	<u>LR2 outside Urban Centers, Urban Villages, and Station Area Overlay Districts</u>	<u>LR2 in Urban Centers, Urban Villages, and Station Area Overlay Districts</u>	<u>LR3 outside Urban Centers, Urban Villages, and Station Area Overlay Districts</u>	<u>LR3 in Urban Centers, Urban Villages, and Station Area Overlay Districts</u>
Cottage Housing Developments ¹	18	<u>18</u>	18	18	18
Rowhouse and Townhouse Developments ¹	30	<u>30</u>	30	30	30
Apartments ¹	30	<u>30</u>	30	30 ⁽⁽⁺⁾⁾²	40 ⁽⁽²⁾⁾³
<u>Single-Purpose Nonresidential Developments</u>	<u>Not Permitted</u>	<u>Not Permitted</u>	<u>18</u>	<u>Not Permitted</u>	<u>18</u>

Footnotes for Table A for 23.45.514:

¹ Structure height limits apply to single-purpose residential development, and mixed-use development where permitted in LR2 and LR3 zones in urban centers and the Station Area Overlay District.

⁽⁽⁺⁾⁾² On lots located in the Delridge High Point Revitalization Area shown in Map A for Section 23.34.020 that were rezoned to Lowrise 4 subject to a property use and development agreement that was signed by a public agency, the height limit for apartments is 40 feet.

⁽⁽²⁾⁾³ The height limit is 30 feet on the portions of lots that are within 50 feet of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family zoned lot by a street.

Section 11. Section 23.45.518 of the Seattle Municipal Code, which section was last amended by Ordinance 123495, is amended as follows:

23.45.518 Setbacks and Separations

A. LR zones. Required setbacks for residential and mixed-use development in ((the)) LR zones are shown in Table A for 23.45.518.

THIS VERSION IS NOT ADOPTED



Table A for 23.45.518: Required Setbacks in LR Zones measured in feet

All LR Zones	Category of Residential Use ⁽¹⁾			
	Cottage Housing Developments and Single-Family Dwelling Units	Rowhouse Developments ⁽²⁾	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 ⁽⁽⁴⁾⁾⁽⁽³⁾⁾	5	0, except that on side lot lines that abut a single-family zone, the setback is 5	5	5
Side Setback for Facades greater than 40 feet in length	5 minimum	0, except that on side lot lines that abut a single-family 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⁾ Setbacks apply to single-purpose residential development of each category, and all portions of mixed-use development according to the predominant category of residential use.

⁽²⁾ Setbacks in this column apply to rowhouse development, mixed-use development including rowhouses, and single-purpose nonresidential development.

⁽⁽⁴⁾⁾⁽⁽³⁾⁾ Portions of structures that qualify for the FAR exemption in subsection 23.45.510.E.5 are not considered part of the facade length for the purposes of determining the side setback requirement.

Section 12. Section 23.45.526 of the Seattle Municipal Code, which section was last amended by Ordinance 123495, is amended as follows:

23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards

A. Applicants for all new development gaining extra residential floor area, pursuant to this Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510(~~(;~~ except additions and alterations,)) shall make a commitment that the structure will meet green

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1 building performance standards by earning a Leadership in Energy and Environmental Design
2 (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King
3 and Snohomish Counties, except: ((that))

4 1. This commitment is not required for building additions and alterations; and

5 2. ((a))An applicant who is applying for funding from the Washington State
6 Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing, as
7 defined in subsection 23.45.526.D, may elect to meet green building performance standards by
8 meeting the Washington Evergreen Sustainable Development Standards (ESDS).

9 ***

10 Section 13. Section 23.45.527 of the Seattle Municipal Code, which section was last
11 amended by Ordinance 123495, is amended as follows:

12 **23.45.527 Structure width and façade length limits in LR zones**

13 A. Structure width for all development in LR zones may not exceed the width indicated
14 on Table A for 23.45.527.

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

Zone	Width in feet by Category of Residential Use ⁽¹⁾		
	Cottage Housing and Rowhouse Developments	Townhouse Developments and <u>Single-Purpose Nonresidential Developments</u> ⁽²⁾	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

Footnote to Table A for 23.45.527:
⁽¹⁾ Maximum structure widths apply to all development, according to the predominant category of residential use.
⁽²⁾ Maximum structure widths in this column apply to single-purpose nonresidential development in LR2 and LR3 zones.

Section 14. Section 23.45.529 of the Seattle Municipal Code, which section was last amended by Ordinance 123495, is amended as follows:

23.45.529 Design standards

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

1. Enhance street-facing facades to provide visual interest, promote new development that contributes to an attractive streetscape, and avoid the appearance of blank walls along a street;
2. Foster a sense of community by integrating new pedestrian-oriented ((multifamily)) development with the neighborhood street environment and promoting designs that allow easy surveillance of the street by area residents;
3. Promote livability in multifamily areas by providing a sense of openness and access to light and air; and

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1 4. Encourage the compatibility of a variety of housing and use types, including
2 limited nonresidential and mixed use development, with the scale and character of
3 neighborhoods where new ~~((multifamily))~~ development occurs.

4 B. Application of provisions. The provisions of this Section 23.45.529 apply to all
5 ~~((residential uses))~~ development that does not undergo any type of design review pursuant to
6 Chapter 23.41, except single-family dwelling units.

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

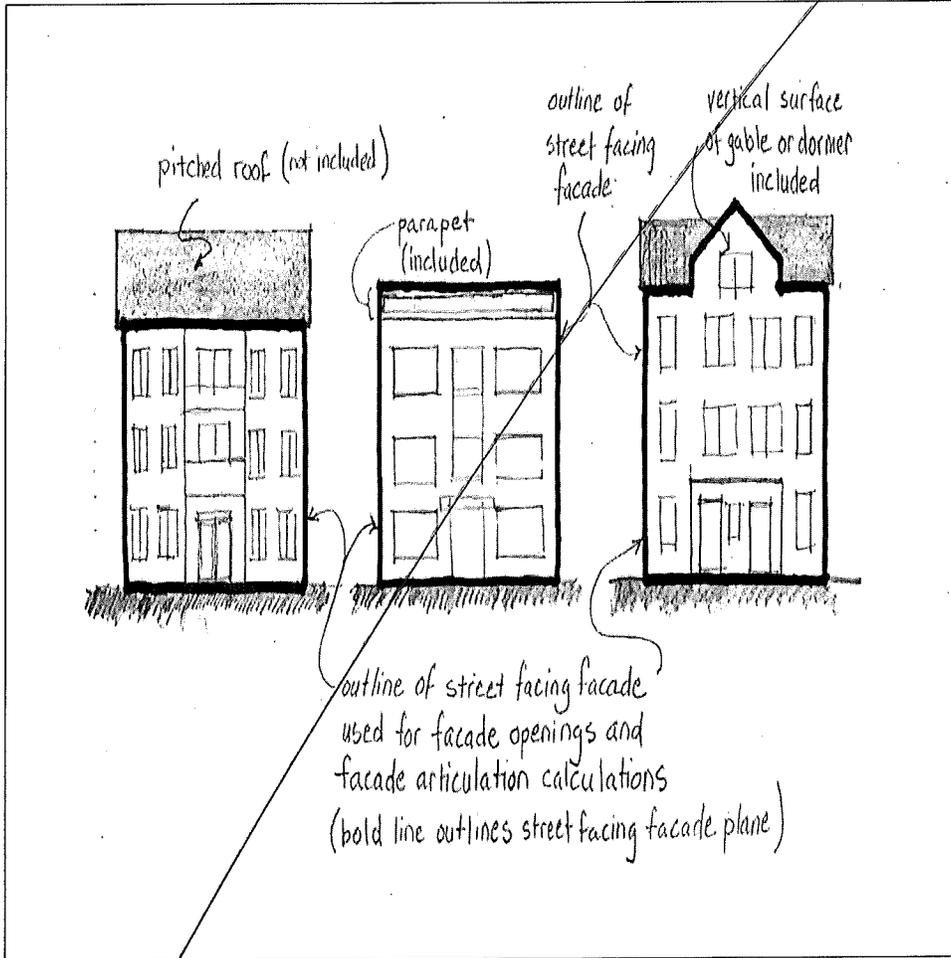
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THIS VERSION IS NOT ADOPTED



Exhibit A for 23.45.529: Measurement of Street-facing Facades

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1. Façade openings.

a. At least 20 percent of the area of each street-facing façade shall consist of windows and/or doors.

b. Only transparent windows count toward the requirement for façade openings in this subsection 23.45.529.C.1. Windows composed of glass blocks or opaque glass, garage doors, and doors to utility and service areas, do not count.

2. Façade articulation.

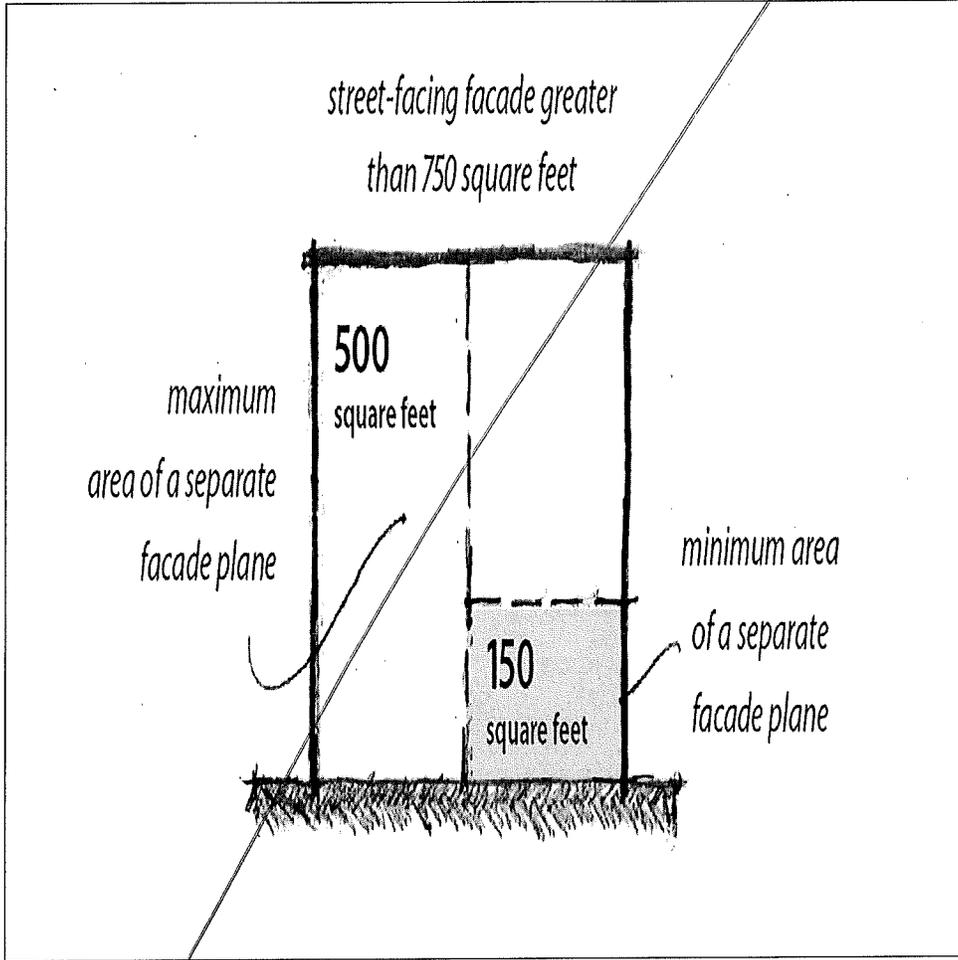
a. If a street-facing façade or portion of a street-facing façade is not vertical, the Director shall determine whether the façade is substantially vertical and required to comply with this subsection 23.45.529.C.

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

THIS VERSION IS NOT ADOPTED



Exhibit B for 23.45.529: Street-facing Facades



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

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

e. The Director may allow exceptions to the façade articulation requirements in this subsection 23.45.529.C.2, if the Director determines that the street-facing

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1 façade will meet the intent of subsection 23.45.529.A.1, and the intent of subsections
2 23.45.529.D.2, E.3, and F.4 for cottage housing developments, rowhouse developments, and
3 townhouse developments, respectively, through one or more of the following street-facing façade
4 treatments:

5 1) Variations in building materials and/or color, or both, that
6 reflect the stacking of stories or reinforce the articulation of the façade(s);

7 2) Incorporation of architectural features that add interest and
8 dimension to the façade, such as porches, bay windows, chimneys, pilasters, columns, cornices,
9 and/or balconies;

10 3) Special landscaping elements provided to meet Green Factor
11 requirements pursuant to Section 23.45.524, such as trellises, that accommodate vegetated walls
12 covering a minimum of 25 percent of the façade surface;

13 4) Special fenestration treatment, including an increase in the
14 percentage of windows and doors to at least 25 percent of the street-facing façade(s).

15 ***

16 Section 15. Section 23.45.532 of the Seattle Municipal Code, which section was last
17 amended by Ordinance 123209, is amended as follows:

18 **23.45.532 Standards for ground floor commercial uses in LR, MR and HR zones**

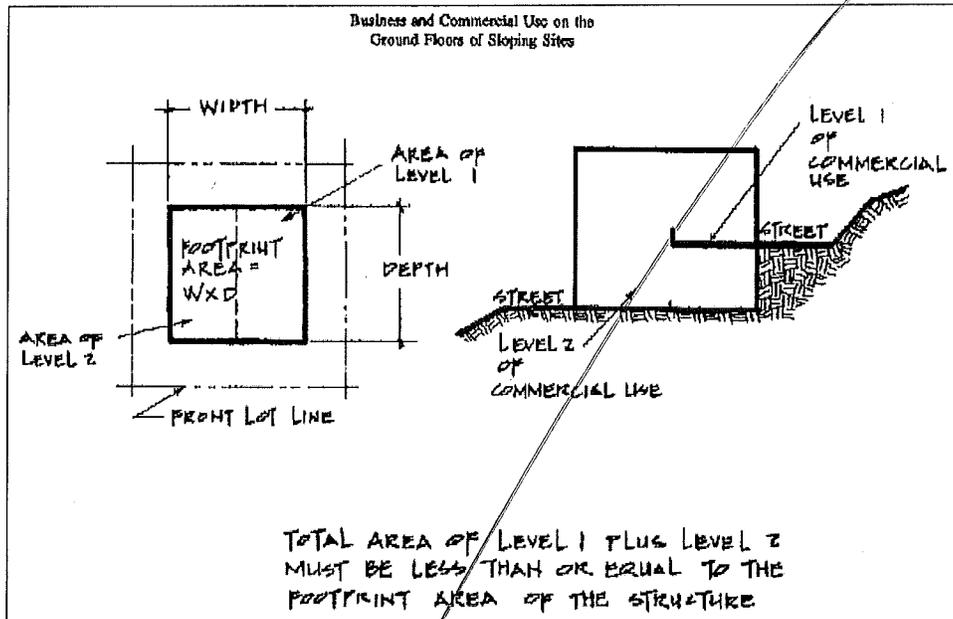
19 A. All ground-floor commercial uses permitted pursuant to Section 23.45.504, except
20 medical service uses permitted pursuant to Section 23.45.506, shall meet the following
21 conditions:

22 1. The commercial use is permitted only on the ground floor of a structure. On
23 sloping lots, the commercial use may be located at more than one level within the structure as
24 long as the floor area in commercial use does not exceed the area of the structure's footprint. See
25 Exhibit A for 23.45.532.

26 **Exhibit A for 23.45.532**

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2. In a MR or HR zone, ~~((F))~~the ~~((gross floor area))~~ maximum size of use of any one business establishment ~~((can be no greater than))~~ is 4,000 square feet, except that the ~~((gross floor area))~~ maximum size of use of a multi-purpose retail sales establishment ~~((may be up to))~~ is 10,000 square feet.

3. In a LR zone the maximum size of use of any one business establishment is 2,500 square feet. In a LR RC zone, the maximum size of use limits in Section 23.46.014 apply.

4. In a LR zone, use of outdoor seating after 10:00 p.m. for any business establishment is prohibited. In a LR RC zone, this limit does not apply.

5. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat exchangers and other similar devices (e.g., related to ventilation, air-conditioning, refrigeration) shall be located and directed away from residential uses to the extent possible. In a LR RC zone, the noise and odor standards of Sections 23.46.016 and 23.46.018 apply.

B. No loading berths are required for ground-floor commercial uses. If provided, loading berths shall be located so that access to residential parking is not blocked.

C. Identifying business signs are permitted pursuant to Chapter 23.55, Signs.

1 Section 16. Section 23.45.545 of the Seattle Municipal Code, which section was enacted
2 by Ordinance 123495, is amended as follows:

3 **23.45.545 Standards for certain accessory uses**

4 * * *

5 I. In Lowrise zones, ~~((lots that include rowhouse and townhouse units may include))~~
6 accessory dwelling units are allowed, in rowhouse and townhouse units, as follows:

7 1. ~~((No more than one accessory dwelling unit shall be located on a lot.))~~ One
8 accessory dwelling unit is allowed for each rowhouse or townhouse unit that is a "principal unit."

9 A "principal unit" is a dwelling unit that is not an accessory dwelling unit.

10 ~~((2. The principal structure on the lot shall include one and only one dwelling unit~~
11 ~~other than the accessory dwelling unit, which other dwelling unit is referred to in this subsection~~
12 ~~23.45.545.I as the "principal unit".))~~

13 ~~((3.))~~ 2. The owner of ~~((the lot))~~ a principal unit shall comply with the owner
14 occupancy requirements of subsection 23.44.041.C.

15 ~~((4.))~~ 3. ~~((Maximum gross floor area: a.))~~ The maximum gross floor area of an
16 accessory dwelling unit is 650 square feet, ~~((;))~~ provided that ~~((b. F))~~ the total gross floor area of
17 the accessory dwelling unit ~~((may))~~ does not exceed 40 percent of the total gross floor area in
18 residential use on the lot or unit lot, if present, exclusive of garages, storage sheds, and other
19 non-habitable spaces.

20 ~~((5.))~~ 4. An accessory dwelling unit shall be located completely within the same
21 structure as the principal unit or in an accessory structure located between the rowhouse or
22 townhouse unit and the rear lot line.

23 ~~((6.))~~ 5. The entrance to an accessory dwelling unit provided within the same
24 structure as the principal unit shall be provided through one of the following configurations:

25 a. Through the primary entry to the principal unit; or

1 b. Through a secondary entry on a different facade than the primary entry
2 to the principal unit; or

3 c. Through a secondary entry on the same facade as the primary entry to
4 the principal unit that is smaller and less visually prominent than the entry to the principal unit,
5 and does not have a prominent stoop, porch, portico or other entry feature.

6 ~~((7.))~~6. Exterior stairs. Exterior stairs providing access to an accessory dwelling
7 unit may not exceed 4 feet in height, except for exterior stairs providing access to an accessory
8 dwelling unit located above a garage.

9 ~~((8.))~~7. Parking. Parking is not required for an accessory dwelling unit.

10 ***

11 Section 17. Section 23.47A.005 of the Seattle Municipal Code, which section was last
12 amended by Ordinance 123816, is amended as follows:

13 **23.47A.005 Street-level uses**

14 A. The requirements of this Section 23.47A.005 apply in addition to the other applicable
15 requirements of this Title 23.

16 B. Mini-warehouses, warehouses, or utility uses may not abut a street-level street-facing
17 facade in a structure that contains more than one residential dwelling unit.

18 C. Residential uses at street level.

19 1. ~~((Residential uses are generally permitted anywhere in a structure in NC1,
20 NC2, NC3 and C1 zones, except as provided in subsections 23.47A.005.C.2 and
21 23.47A.005.C.3.))~~

22 ~~((2.))~~ In all neighborhood commercial and C1 zones, ((R)) residential uses may
23 ~~((not))~~ occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade
24 in the following circumstances or locations:

25 a. In a pedestrian-designated zone, facing a designated principal pedestrian
26 street; or

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- 1 b. Within the Bitter Lake Village Hub Urban Village; or
2 c. Within the Lake City Hub Urban Village, except as provided in
3 subsection 23.47A.005.C.~~((4))~~2; or
4 d. Within a zone that has a height limit of 85 feet or higher, except as
5 provided in subsection 23.47A.005.C.2; or
6 e. Within an NC1 zone, except as provided in subsection 23.47.005.C.2; or
7 f. Within the Northgate Overlay District, except as provided in 23.71.044.

8 2. ~~((3. Residential uses may not exceed, in the aggregate, 20 percent of the street-~~
9 ~~level street-facing facade if facing an arterial or within a zone that has a height limit of 85 feet or~~
10 ~~higher, except that there is no limit on residential uses in the following circumstances or~~
11 ~~locations:)) Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the location of
12 residential uses in the following circumstances:~~

- 13 a. Within a very low-income housing project existing as of May 1, 2006,
14 or within a very low-income housing project replacing a very low-income housing project
15 existing as of May 1, 2006 on the same site; or ((-))
16 b. The residential use is an assisted living facility or nursing home and
17 private living units are not located at street level; or ((-))
18 c. ~~((Within the Station Area Overlay District, in which case Chapter 23.61~~
19 ~~applies.))~~

20 ~~((4. Residential uses may occupy 100 percent of the street level street-facing~~
21 ~~façade in a structure if the)) Within a structure that:~~

- 22 ~~((a-))~~ 1) ~~((F))~~ is developed and owned by the Seattle Housing
23 Authority; and
24 ~~((b-))~~ 2) ~~((F))~~ is located on a lot zoned NC1 or NC3 that was owned
25 by the Seattle Housing Authority as of January 1, 2009~~((;))~~.



1 b. Blank segments of the street-facing facade between 2 feet and 8 feet
2 above the sidewalk may not exceed 20 feet in width.

3 c. The total of all blank facade segments may not exceed 40 percent of the
4 width of the facade of the structure along the street.

5 3. Street-level street-facing facades shall be located within 10 feet of the street lot
6 line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided.

7 B. Nonresidential street-level requirements.

8 1. The provisions of this subsection 23.47A.008.B and subsection 23.47A.008.A
9 apply to:

- 10 a. Structures with street-level nonresidential uses in NC zones;
11 b. Structures with street-level nonresidential uses that also contain
12 residential uses in C zones; and
13 c. Structures with street-level nonresidential uses in C zones across the
14 street from residential zones.

15 2. Transparency.

- 16 a. Sixty percent of the street-facing facade between 2 feet and 8 feet above
17 the sidewalk shall be transparent.
18 b. Transparent areas of facades shall be designed and maintained to allow
19 unobstructed views from the outside into the structure or, in the case of live-work units, into
20 display windows that have a minimum 30-inch depth.

21 3. ~~((The following h))~~ Height and depth provisions ~~((apply to))~~ for new structures
22 or new additions to existing structures~~((;))~~, ~~((a-))~~ Nonresidential uses shall extend an average
23 depth of at least 30 feet and a minimum depth of 15 feet ~~((in depth))~~ from the street-level street-
24 facing facade. If the combination of the ~~((street-facing facade))~~ requirements of ~~((subsection))~~
25 Sections 23.47A.005 or 23.47A.008((D.1)) and this depth requirement would result in a
26 requirement that an area greater than 50 percent of the structure's footprint be dedicated to

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1 nonresidential use, the Director may modify the street-facing facade or depth requirements, or
2 both, so that no more than 50 percent of the structure's footprint is required to be nonresidential.

3 b. Nonresidential uses at street level shall have a floor-to-floor height of at
4 least 13 feet.

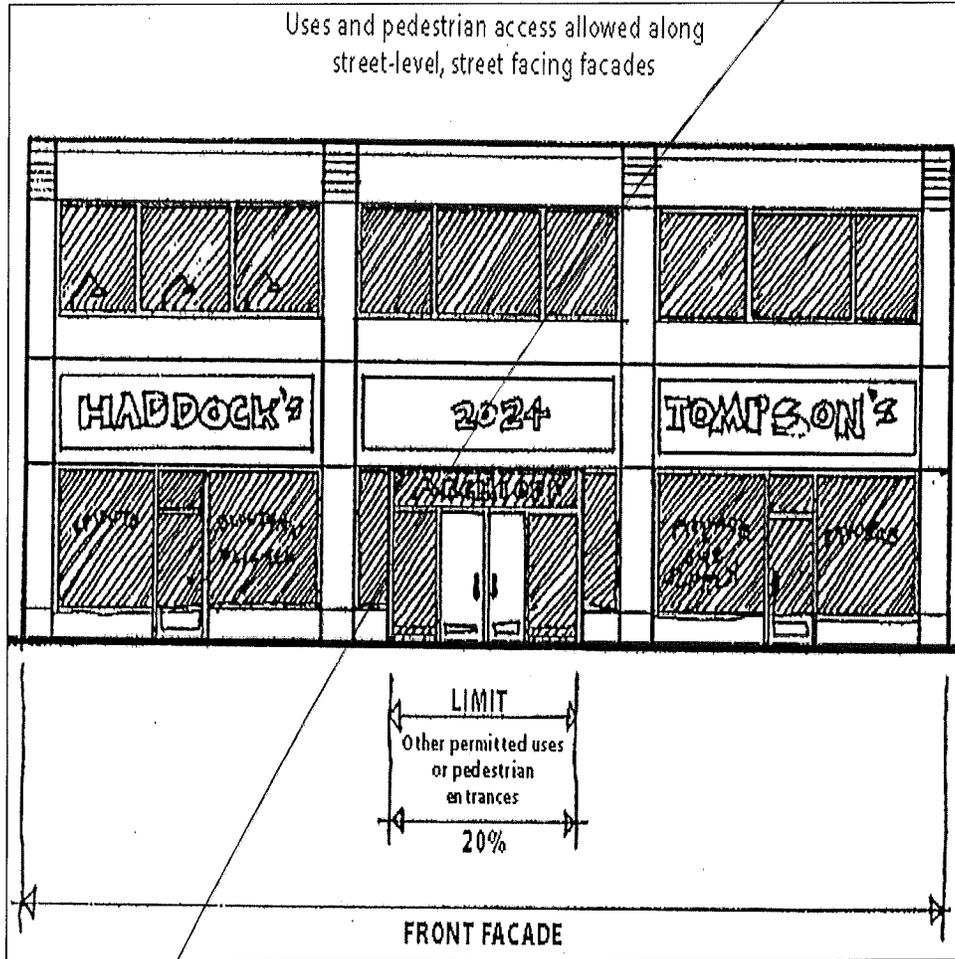
5 C. In pedestrian-designated zones, the provisions of subsections 23.47A.008.A and
6 23.47A.008.B and the following apply:

7 1. A minimum of 80 percent of the width of a structure's street-level street-facing
8 facade that faces a principal pedestrian street shall be occupied by uses listed in subsection
9 23.47A.005.D.1. The remaining 20 percent of the street frontage may contain other permitted
10 uses and/or pedestrian entrances (see Exhibit A for 23.47A.008).

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Exhibit A for 23.47A.008



2. For purposes of calculating the 80 percent of a structure's street-level facade, the width of a driveway at street level, not to exceed 22 feet, may be subtracted from the width of the street-facing facade if the access cannot be provided from an alley or from a street that is not a designated principal pedestrian street.

3. If the street-facing facade and depth requirements would result in a requirement that an area greater than 50 percent of the structure's footprint be dedicated to the uses in subsection 23.47A.005.D.1, the Director may modify the street-facing facade or depth requirements, or both, so that no more than 50 percent of the structure's footprint is required to be dedicated to the uses in subsection 23.47A.005.D.1.

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1 D. ~~((The provisions of this subsection apply to structures with residential uses located~~
2 ~~along a street-level street-facing façade))~~ Where ((1. R)) residential uses are ((limited to 20% of
3 ~~the))~~ located along a street-level street-facing facade ((under section 23.47.005.D;)) the
4 following requirements apply unless exempted by subsection 23.47A.008.G:

5 1. ~~((2.))~~ At least one of the street-level street-facing facades containing a
6 residential use shall have a visually prominent pedestrian entry; and

7 2. ~~((3.))~~ The floor of a dwelling unit located along the street-level street-facing
8 facade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10 feet
9 from the sidewalk.

10 E. When a live-work unit is located on a street-level street-facing facade, the provisions
11 of subsections 23.47A.008.A and 23.47A.008.B apply, and the portion of each such live-work
12 unit in which business is conducted must be located between the principal street and the
13 residential portion of the live-work unit.

14 F. The Director may allow departures from street-level requirements of this section for
15 projects that are not subject to the Design Review process, as a Type I decision, if the Director
16 determines that the project will maintain the safety and aesthetics of the streetscape for
17 pedestrians and will:

- 18 1. maintain pedestrian access to the structure;
- 19 2. maintain urban form consistent with adjacent structures;
- 20 3. maintain the visibility of nonresidential uses;
- 21 4. maintain the privacy of residential uses; or
- 22 5. allow the continued use of an existing structure without substantial renovation.

23 G. In a structure existing on January 1, 2012, an accessory dwelling unit may be
24 established if it is accessory to an existing dwelling unit and if it meets minimum housing
25 standards of Chapter 22.206, even if nonconforming to standards of subsection 23.47A.008.D.



Section 19. A new Subchapter II and a new Section 23.52.008 are added to Chapter 23.52 of the Seattle Municipal Code as follows:

23.52 Transportation Concurrency, ((Project Review System)) and Impact Mitigation

Subchapter I Transportation Concurrency Project Review System

* * *

Subchapter II Transportation Impact Mitigation

23.52.008 Transportation Impact Mitigation

A. Applicability. The requirements of this Section 23.52.008 apply to new development as described in Table A for 23.52.008. New development that is subject to SEPA environmental review per Chapter 25.05 is exempt from this Subchapter II.

<u>Table A for 23.52.008</u>		
<u>Development Location and Size Ranges Where the Requirements of Section 23.52.008 Apply</u>		
<u>Applicable Zones, When Located Within an Urban Center or the Station Area Overlay District</u>	<u>Applicable Size Ranges</u>	
	<u>Number of Dwelling Units</u>	<u>Amount of Non-Residential Space (square feet), When Located in a Mixed-Use Development¹</u>
<u>LR1</u>	<u>7 to 200</u>	<u>4,001 to 75,000</u>
<u>LR2, LR3, NC1, NC2, NC3, C1, C2, MR, HR, SM</u>	<u>31 to 200</u>	<u>12,001 to 75,000</u>
<u>DOC1, DOC2, DMC, DMR, DH1, DH2, IDM, IDR, PSM, PMM</u>	<u>81 to 250</u>	<u>12,001 to 75,000</u>
<u>Footnote to Table A for 23.52.008</u>		
¹ <u>This size range applies to a development that contains at least one dwelling unit.</u>		

B. Authority.

1. The Director may require a transportation impact evaluation for permit applications for which this subsection 23.52.008.B.1 is applicable pursuant to subsection

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1 23.52.008.A. The Director shall determine the scope and level of detail of the evaluation based
2 on the probable impacts and/or scale of the proposed development. Analysis or discussion of the
3 following topics and other elements may be required:

4 a. Number of additional daily and peak hour vehicular trips;

5 b. Likely distribution of project traffic and effects on traffic operations;

6 c. Availability and expected usage of transit;

7 d. Existing vehicular, pedestrian, and bicycle conditions, including access
8 and connections to transit and bicycle facilities; and

9 e. Accident history.

10 2. The Director in consultation with the Director of Transportation may condition
11 permit approval, as a Type I decision, based on the results of a transportation impact evaluation,
12 to mitigate or prevent identified impacts. Mitigation may include, but is not limited to:

13 a. changes in access;

14 b. changes in the location, number and size of curb cuts and driveways;

15 c. provision of transit incentives, including transit pass subsidies;

16 d. bicycle parking, and shower facilities for bicycle commuters;

17 e. signage, including wayfinding;

18 f. improvements to vehicular, pedestrian and bicycle traffic operations
19 including signalization, turn channelization, right-of-way dedication, street widening, pedestrian
20 and bicycle facilities improvements, pedestrian lighting, or other improvements proportionate to
21 the impacts of the project;

22 g. transportation management plans;

23 h. Parking management strategies including, but not limited to, unbundling
24 parking from building-space leases, reserved parking spaces for vanpools, and reduction in the
25 amount of parking to be provided; and

1 i. Participation in a transportation mitigation payment program or
2 transportation management association, where available.

3 Section 20. Section 23.54.015 of the Seattle Municipal Code, which section was last
4 amended by Ordinance 123649, is amended as follows:

5 **23.54.015 Required parking**

6 A. Minimum parking requirements. The minimum number of off-street motor vehicle
7 parking spaces required for specific uses is set forth in Table A for 23.54.015 for nonresidential
8 uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for
9 23.54.015 for institutional uses, except as otherwise provided in this Section 23.54.015 and
10 Section 23.54.020. The minimum parking requirements are based upon gross floor area of a use
11 within a structure and the square footage of a use when located outside of an enclosed structure,
12 or as otherwise specified. Exceptions to the parking requirements set forth in this section are
13 provided in subsection 23.54.015.B and in Section 23.54.020, Parking quantity exceptions,
14 unless otherwise specified. This chapter does not apply to parking for construction activity,
15 which is regulated by ((SMC)) Section 23.42.044.

16 B. Parking requirements for specific zones.

17 1. Parking in downtown zones is regulated by Section 23.49.019 and not by this
18 Section 23.54.015.

19 2. Parking for major institution uses in the Major Institution Overlay District is
20 regulated by Sections 23.54.015 and 23.54.016 ((and not by this Section 23.54.015)).

21 3. Parking in the Northgate Overlay District is regulated by Chapter 23.54 except
22 as modified by Section 23.71.016.

23 4. No parking is required for single-family residential uses in single-family zones
24 on lots less than 3,000 square feet in size or 30 feet in width where access to parking is permitted
25 through a required yard abutting a street according to the standards of subsection 23.44.016.B.2.
26

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1 5. No parking is required for urban farms or community gardens in residential
 2 zones.

3 ***

4 **Table A for ((Section)) 23.54.015**
PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS

Use		Minimum parking required
I. General Nonresidential Uses (other than institutions)		
A.	AGRICULTURAL USES	1 space for each 2,000 square feet
B.	COMMERCIAL USES	
B.1.	Animal shelters and kennels	1 space for each 2,000 square feet
B.2.	Eating and drinking establishments	1 space for each 250 square feet
B.3.	Entertainment Uses, general, except as noted below (1)	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
B.3.a	Adult cabarets	1 space for each 250 square feet
B.3.b	Sports and recreation uses	1 space for each 500 square feet
B.4.	Food processing and craft work	1 space for each 2,000 square feet
B.5.	Laboratories, research and development	1 space for each 1,500 square feet
B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in single family and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
B.7.	Medical services	1 space for each 500 square feet
B.8.	Offices	1 space for each 1,000 square feet
B.9.	Sales and services, automotive	1 space for each 2,000 square feet
B.10.	Sales and services, general, except as noted below	1 space for each 500 square feet
B.10.a	Pet Daycare Centers (2)	1 space for each 10 animals or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 animals.
B.11.	Sales and services, heavy	1 space for each 2,000 square feet
B.12.	Sales and services, marine	1 space for each 2,000 square feet
C.	HIGH IMPACT USES	1 space for each 2,000 square feet
D.	LIVE-WORK UNITS	0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use
E.	MANUFACTURING USES	1 space for each 2,000 square feet

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**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
F.	STORAGE USES	1 space for each 2,000 square feet
G.	TRANSPORTATION FACILITIES	
	G.1. Cargo terminals	1 space for each 2,000 square feet
	G.2. Parking and moorage	
	G.2.a. Principal use parking	None
	G.2.b. Towing services	None
	G.2.c. Boat moorage	1 space for each 2 berths
	G.2.d. Dry storage of boats	1 space for each 2,000 square feet
	G.3. Passenger terminals	1 space for each 100 square feet of waiting area
	G.4. Rail transit facilities	None
	G.5. Transportation facilities, air	1 space for each 100 square feet of waiting area
	G.6. Vehicle storage and maintenance uses	1 space for each 2,000 square feet
H.	UTILITIES	1 space for each 2,000 square feet

II. Nonresidential Use Requirements ((with Locational Criteria)) For Specific Areas

I.	Nonresidential uses (other than institutions) in urban centers or the Station Area Overlay District (3)	No minimum requirement
J.	Nonresidential uses in commercial and industrial zones outside of urban centers and the Station Area Overlay District, if the nonresidential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the nonresidential use. (3)	No minimum requirement
(I-) K.	Nonresidential uses (other than institutions) permitted ((in on the ground floor)) in LR, MR and HR zones pursuant to Section 23.45.504.	No minimum requirement

Footnotes for Table A for ((Section)) 23.54.015

(1) Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of

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**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use	Minimum parking required
parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.	
(2) The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.	
(3) The general requirements of lines A through H of Table A for ((Section)) 23.54.015 is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a nonresidential use fits within more than one line in Table A for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
I. General Residential Uses	
A. Adult family homes	1 space for each dwelling unit
B. Artist's studio/dwellings	1 space for each dwelling unit
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 space for each 4 residents
F. Cottage housing developments	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 provided in Sections ((B or C))II or III of this Table B for 23.54.015. (1)	1 space per dwelling unit.
J. Nursing homes (2)	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 space for each dwelling unit
II. Residential Use Requirements ((with Location Criteria)) For Specific Areas	
L. All ((R))residential uses ((in commercial and multifamily zones)) within urban centers or within the Station Area Overlay District (1)	No minimum requirement

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**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
M. All ((R))residential uses in commercial and multifamily zones <u>outside of urban centers and the Station Area Overlay District, ((within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is))</u> when located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use. (1)	No minimum requirement
N. Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 (1)	1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus .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 ((Section)) 23.54.015 (1)	1.5 spaces for each dwelling unit
III. Multifamily Residential Use Requirements with Income Criteria	
P. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income (3), for the life of the building (1)	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
Q. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income (3), for the life of the building (1)	0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
R. Low-income disabled multifamily residential uses (1) (3)	1 space for each 4 dwelling units
S. Low-income elderly/low-income disabled multifamily residential uses (1) (4)	1 space for each 5 dwelling units
T. Low-income elderly multifamily residential uses (1) (3) not located in urban centers or within the Station Area Overlay District	1 space for each 6 dwelling units

Footnotes for Table B for ((Section)) 23.54.015:

- (1) The general requirement of line I of Table B for ((Section)) 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for ((Section)) 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section ((B))II of Table B for ((Section)) 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.
- (2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.
- (3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or

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**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.	

**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
I. General Public Uses and Institutions	
A.	Adult care centers (1), (2)
	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
B.	Child care centers (1), (2), (3)
	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges
	A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) (1), (4)
	1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by DOPAR (1), (5)
	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
F.	Hospitals
	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
G.	Institutes for advanced study, except <u>in single family zones</u> ((as provided in line H below))
	1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
H.	Institutes for advanced study in single family zones (existing) (1)
	3.5 spaces for each 1,000 square feet of office space; plus

THIS VERSION IS NOT ADOPTED



**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

	Use	Minimum parking required
		10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
I.	Libraries (1) (6)	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
J.	Museums	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
K.	Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
L.	Religious facilities (1)	1 space for each 80 square feet of all auditoria and public assembly rooms
M.	Schools, private elementary and secondary (1)	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
N.	Schools, public elementary and secondary (7) (8)	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
O.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate

II. General Public Uses and Institutions ((with Locational Criteria)) For Specific Areas

P.	General public uses, ((and)) institutions and Major Institution uses in urban centers or the Station Area Overlay District (9)	No minimum requirement
----	--	------------------------

Footnotes for Table C for ((Section)) 23.54.015:

(1) When this use is permitted in a single-family zone as a conditional use, the Director may modify the parking

THIS VERSION IS NOT ADOPTED



**Table C for ((Section)) 23.54.015
PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.	
(2) The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.	
(3) A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.	
(4) When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to ((Section)) subsection 23.54.020.I.	
(5) Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.	
(6) When a library is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements according to ((Section)) subsection 23.44.022.L.	
(7) For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.	
(8) Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.	
(9) The general requirement of lines A through O of Table C for ((Section)) 23.54.015 for general public uses, ((and)) institutions, and requirements of subsection 23.54.016.B for Major Institution uses ((is)) are superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution or Major ((is)) Institution use fits within more than one line in Table C for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

Section 21. Section 23.54.016 of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.54.016 Major Institutions—Parking and transportation((-))

HIS VERSION IS NOT ADOPTED



1 Major Institution uses are subject to the following transportation and parking
2 requirements:

3 A. General Provisions.

4 1. Minimum requirements for parking quantity are established in subsection
5 23.54.016.B ~~((of this section))~~.

6 2. The maximum number of spaces provided for the Major Institution use shall
7 not exceed ~~((one hundred thirty five (135)))~~ 135 ~~((%))~~ percent of the minimum requirement, ~~((except))~~
8 unless additional spaces are approved through administrative or Council review as provided in
9 subsection 23.54.016.C ~~((of this section))~~. For a Major Institution use in an urban center or the
10 Station Area Overlay District, the maximum limit shall not exceed 135 percent of the minimum
11 parking requirements calculated pursuant to subsection 23.54.016.B.2.

12 3. Parking requirements for Major Institutions with more than one ~~((1))~~ type of
13 institutional use (for example, a hospital and a university), if applicable, shall be calculated for
14 each use separately, and then added together to derive the total number of required spaces.

15 4. When a permit application is made for new development at an existing Major
16 Institution that is not located in an urban center or the Station Area Overlay District, parking
17 requirements shall be calculated both for the entire Major Institution and for the proposed new
18 development. If there is a parking deficit for the entire institution, the institution shall make up a
19 portion of the deficit in addition to the quantity required for the new development, according to
20 the provisions of subsection 23.54.016.B.3 ~~((5 of this section))~~. If there is a parking surplus ~~((;))~~
21 above the maximum allowed number of spaces ~~((;))~~ for the institution as a whole,
22 ~~((requirements))~~ required amounts of parking for new development will first be applied to the
23 surplus in the required ratio of long-term and short-term spaces. Additional parking shall be
24 permitted only when no surplus remains.

25 5. When determining parking requirements, individuals fitting into more than one
26 ~~((1))~~ category (for example, a student who is also an employee or a faculty member who is also

THIS VERSION IS NOT ADOPTED



1 a doctor) shall not be counted twice. The category requiring the greater number of parking spaces
2 shall be used.

3 B. Parking Quantity Required. ~~((The minimum number of parking spaces required for a
4 Major Institution shall be as follows:))~~

5 1. In urban centers and the Station Area Overlay District, no parking is required
6 for Major Institution uses.

7 2. For all other Major Institutions the minimum number of parking spaces
8 required is as follows:

9 ~~((1.))~~ a. Long-term Parking.

10 ~~((a.))~~ 1) Medical Institutions. A number of spaces equal to ~~((eighty
11))~~80~~(())~~ percent of hospital-based doctors; plus ~~((twenty-five))~~25~~(())~~ percent of staff doctors;
12 plus ~~((thirty))~~30~~(())~~ percent of all other employees present at peak hour;

13 ~~((b.))~~ 2) Educational Institutions. A number of spaces equal to
14 ~~((fifteen))~~15~~(())~~ percent of the maximum students present at peak hour, excluding resident
15 students; plus ~~((thirty))~~30~~(())~~ percent of employees present at peak hour; plus ~~((twenty-five
16))~~25~~(())~~ percent of the resident unmarried students; plus one ~~((1))~~ space for each married
17 student apartment unit.

18 ~~((2.))~~ b. Short-term Parking.

19 ~~((a.))~~ 1) Medical Institutions. A number of spaces equal to one
20 ~~((1))~~ space per six ~~((6))~~ beds; plus one ~~((1))~~ space per five ~~((5))~~ average daily outpatients;

21 ~~((b.))~~ 2) Educational Institutions. A number of spaces equal to five
22 ~~((5))~~ percent of the maximum students present at peak hour excluding resident students.

23 ~~((3.))~~ c. Additional Short-term Parking Requirements. When one ~~((1))~~ of
24 the following uses is a Major Institution use, the following additional short-term parking
25 requirements shall be met. Such requirements may be met by joint use of parking areas and
26

1 facilities if the Director determines that the uses have different hours of operation according to
2 ~~((Section))~~ subsection 23.54.020.G:

3 ~~((a.))1~~ Museum. One ~~((4))~~ space for each ~~((two hundred fifty~~
4 ~~))250((3))~~ square feet of public floor area;

5 ~~((b.))2~~ Theater, Auditorium, or Assembly Hall. One ~~((4))~~ space
6 for each ~~((two hundred))200((3))~~ square feet of audience assembly area not containing fixed
7 seats, and one ~~((4))~~ space for every ~~((ten))10((3))~~ seats for floor area containing fixed seats;

8 ~~((c.))3~~ Spectator Sports Facility Containing Fewer than ((Twenty
9 Thousand))20,000((3)) Seats. One ~~((4))~~ space for each ~~((ten))10((3))~~ permanent seats and one
10 ~~((4))~~ space for each ~~((one hundred))100((3))~~ square feet of spectator assembly area not
11 containing fixed seats;

12 ~~((d.))4~~ Spectator Sports Facility Containing ((Twenty Thousand
13))20,000((3)) or More Seats. One ~~((4))~~ space for each ~~((ten))10((3))~~ permanent seats and one
14 ~~((4))~~ bus space for each ~~((three hundred))300((3))~~ permanent seats.

15 ~~((4.))d.~~ Bicycle Parking. Bicycle parking meeting the development
16 standards of subsections 23.54.015.K.2 through 23.54.015.K.~~((--))6~~ and subsection
17 23.54.016.D.2 ~~((of this section))~~ shall be provided in the following quantities:

18 ~~((a.))1~~ Medical Institutions. A number of spaces equal to two
19 ~~((2))~~ percent of employees, including doctors, present at peak hour;

20 ~~((b.))2~~ Educational Institutions. A number of spaces equal to ~~((ten~~
21 ~~))10((3))~~ percent of the maximum students present at peak hour plus five ~~((5))~~ percent of
22 employees.

23 If at the time of application for a master use permit, the applicant can demonstrate that
24 the bicycle parking requirement is inappropriate for a particular institution because of
25 topography, location, nature of the users of the institution or other reasons, the Director may
26 modify the bicycle parking requirement.

1 spaces, or may increase or decrease the required ~~((fifty-))~~50~~(())~~ percent SOV goal, based upon
2 the Major Institution's impacts on traffic and opportunities for alternative means of
3 transportation. Factors to be considered shall include, but not be limited to:

4 a. Proximity to a street with ~~((fifteen-))~~15~~(())~~ minute transit service
5 headway in each direction;

6 b. Air quality conditions in the vicinity of the Major Institution;

7 c. The absence of other nearby traffic generators and the level of existing
8 and future traffic volumes in and through the surrounding area;

9 d. The patterns and peaks of traffic generated by Major Institution uses
10 and the availability or lack of on-street parking opportunities in the surrounding area;

11 e. The impact of additional parking on the Major Institution site;

12 f. The extent to which the scheduling of classes or work shifts reduces the
13 transportation alternatives available to employees and/or students or the presence of limited
14 carpool opportunities due to the small number of employees; and

15 g. The extent to which the Major Institution has demonstrated a
16 commitment to SOV alternatives.

17 5. The provision of short-term parking spaces in excess of ~~((one hundred thirty-
18 five-))~~135~~(())~~ percent of the minimum requirements established in subsection 23.54.016.B.2
19 ~~((of this section))~~ may be permitted by the Director through preparation or update of a
20 Transportation Management Program. In evaluating whether to allow more than ~~((one hundred
21 thirty five-))~~135~~(())~~ percent of the minimum, the Director, in consultation with the Director of
22 ~~((Seattle Department of))~~ Transportation ~~((and Metropolitan King County))~~, shall consider
23 evidence of parking demand and opportunities for alternative means of transportation. Factors to
24 be considered shall include but are not necessarily limited to the criteria contained in subsection
25 23.54.015.D.1.b ~~((of this section))~~ and the following:

1 a. The nature of services provided by Major Institution uses which
2 generate short-term parking demand; and

3 b. The extent to which the Major Institution manages short-term parking to
4 ensure its availability to meet short-term parking needs.

5 Based on this review, the Director shall determine the amount of additional short-term
6 parking to be permitted, if any.

7 ***

8 Section 22. Subsection F of Section 23.54.020 of the Seattle Municipal Code, which
9 section was last amended by Ordinance 123495, is amended as follows:

10 **23.54.020 Parking quantity exceptions**

11 ***

12 F. Reductions to minimum parking requirements.

13 1. When parking is required, ((R))reductions to minimum parking requirements
14 permitted by this subsection 23.54.020.F will be calculated from the minimum parking
15 requirements in Section 23.54.015. Total reductions to required parking as provided in this
16 subsection 23.54.020.F may not exceed 40 percent.

17 ~~((2. Transit reduction.~~

18 a. ~~In multifamily and commercial zones, the minimum parking~~
19 ~~requirement for all uses is reduced by 20 percent if the use is located within 1,320 feet of a street~~
20 ~~with frequent transit service. This distance will be the walking distance measured from the~~
21 ~~nearest transit stop to the lot line of the lot containing the use.~~

22 b. ~~In industrial zones, the minimum parking requirement for a~~
23 ~~nonresidential use is reduced by 15 percent if the use is located within 1,320 feet of a street with~~
24 ~~peak transit service headways of 15 minutes or less. This distance will be the walking distance~~
25 ~~measured from the nearest transit stop to the lot line of the lot containing the use.))~~

1 Section 23. Section 23.55.022 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 123046, is amended as follows:

3 **23.55.022 Signs in multifamily zones**

4 ***

5 E. In ~~((Midrise and Highrise))~~ all multifamily zones ~~((which))~~ that are not designated
6 Residential-Commercial (RC), permitted ground-floor business establishments in multifamily
7 structures may have one ~~((1))~~ electric or non-illuminated sign per street frontage. The sign may
8 be a wall or projecting sign. The maximum area of each sign face ~~((shall be twenty four (24)))~~ is
9 limited to 24 square feet. The maximum height of any portion of the sign ~~((shall be fifteen (15)))~~
10 is limited to 15 feet.

11 ***

12 Section 24. Section 23.76.004 of the Seattle Municipal Code, which section was last
13 amended by Ordinance 123649, is amended as follows:

14 **23.76.004 Land use decision framework**

15 ***

16 B. Type I and II decisions are made by the Director and are consolidated in Master Use
17 Permits. **Type I** decisions are decisions made by the Director that require the exercise of little or
18 no discretion and that are not appealable to the Hearing Examiner. **Type II** decisions are
19 discretionary decisions made by the Director that are subject to an administrative open record
20 appeal hearing to the Hearing Examiner; provided that **Type II** decisions enumerated in
21 ~~((Section))~~ subsection 23.76.006.C.2 shall be made by the Council when associated with a
22 Council land use decision and are not subject to administrative appeal. **Type III** decisions are
23 made by the Hearing Examiner after conducting an open record hearing and not subject to
24 administrative appeal. Type I, II or III decisions may be subject to land use interpretation
25 pursuant to Section 23.88.020.

26 ***

Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
* Compliance with development standards	* Temporary uses(;) <u>and facilities for light rail transit facility construction and transitional encampments</u> ((more than four weeks, except for temporary relocation of police and fire stations))	* Subdivisions (preliminary plats)
* Uses permitted outright	* Variances	
* Temporary uses, ((four weeks or less)) <u>except temporary uses and facilities for light rail transit facility construction and transitional encampments</u>	* Administrative conditional uses	
* Intermittent uses	* Shoreline decisions (*appealable to Shorelines Hearings Board along with all related environmental appeals)	
* Interim use parking authorized under subsection 23.42.040.G	* Short subdivisions	
* Uses on vacant/underused lots per Section 23.42.038	* Special Exceptions	
* Certain street uses	* Design review, except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested	
* Lot boundary adjustments	* Light rail transit facilities	
* Modifications of features bonused under Title 24	* The following environmental determinations:	
* Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation	1. Determination of non-significance (EIS not required)	
* Temporary uses for relocation of police and fire stations	2. Determination of final EIS adequacy	
* Exemptions from right-of-way improvement requirements	3. Determinations of significance based solely on historic and cultural preservation	
* Special accommodation	4. A decision by the Director to approve, condition or deny a project based on SEPA Policies	
* Reasonable accommodation	5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required)	
* Minor amendment to a Major Phased Development Permit	* Major Phased Development	
	* Downtown Planned Community Developments	

THIS VERSION IS NOT ADOPTED



Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
* Determination of public benefit for combined lot FAR		
* Determination of whether an amendment to a Property Use and Development Agreement is major or minor		
* Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are requested		
* Other Type I decisions that are identified as such in the Land Use Code		

COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial)	TYPE V (Legislative)
* Amendments to the Official Land Use Map (rezones), except area-wide amendments, and adjustments pursuant to Section 23.69.023	* Land Use Code text amendments
* Public project approvals	* Area-wide amendments to the Official Land Use Map
* Major Institution Master Plans, including major amendments and renewal of a master plan's development plan component	* Concept approval for City facilities
* Major amendments to Property Use and Development Agreements	* Major Institution designations
* Council conditional uses	* Waiver or modification of development standards for City facilities
	* Planned Action Ordinance

Section 25. Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

THIS VERSION IS NOT ADOPTED



1 **23.76.006 Master Use Permits required**

2 A. Type I, II and III decisions are components of Master Use Permits. Master Use
3 Permits are required for all projects requiring one or more of these decisions.

4 B. The following decisions are Type I:

- 5 1. Determination that a proposal complies with development standards;
- 6 2. Establishment or change of use for uses permitted outright, interim use parking
7 under subsection 23.42.040.G, uses allowed under Section 23.42.038, temporary relocation of
8 police and fire stations for 24 months or less, and temporary uses for ((four weeks)) 18 months or
9 less not otherwise permitted in the zone except temporary uses and facilities for light rail transit
10 facility construction and transitional encampments.((, interim use parking under subsection
11 23.42.040.G, uses allowed under Section 23.42.038, and temporary relocation of police and fire
12 stations for 24 months or less;))

13 ***

14 C. The following are Type II decisions:

15 1. The following procedural environmental decisions for Master Use Permits and
16 for building, demolition, grading and other construction permits are subject to appeal to the
17 Hearing Examiner and are not subject to further appeal to the City Council (supplemental
18 procedures for environmental review are established in Chapter 25.05, Environmental Policies
19 and Procedures):

- 20 a. Determinations of Non-significance (DNS), including mitigated DNS;
- 21 b. Determination that a final environmental impact statement (EIS) is
22 adequate; and
- 23 c. Determination of Significance based solely on historic and cultural
24 preservation.

25 2. The following decisions, including any integrated decisions to approve,
26 condition or deny based on SEPA policies, are subject to appeal to the Hearing Examiner (except

THIS VERSION IS NOT ADOPTED



1 shoreline decisions and related environmental determinations that are appealable to the
2 Shorelines Hearings Board):

3 a. ~~((Establishment or change of use for temporary uses more than four~~
4 ~~weeks not otherwise permitted in the zone or not meeting development standards, including the))~~
5 ~~((e))~~ Establishment of temporary uses and facilities to construct a light rail transit system for so
6 long as is necessary to construct the system as provided in subsection 23.42.040.F(~~(, but~~
7 ~~excepting temporary relocation of police and fire stations for 24 months or less));~~

8 b. Short subdivisions;

9 c. Variances; provided that, variances sought as part of a Type IV decision
10 may be granted by the Council pursuant to Section 23.76.036;

11 d. Special exceptions; provided that, special exceptions sought as part of a
12 Type IV decision may be granted by the Council pursuant to Section 23.76.036;

13 e. Design review, including streamlined design review pursuant to Section
14 23.41.018 if development standard departures are requested pursuant to Section 23.41.012;

15 f. Administrative conditional uses; provided that, administrative
16 conditional uses sought as part of a Type IV decision may be approved by the Council pursuant
17 to Section 23.76.036;

18 g. The following shoreline decisions (supplemental procedures for
19 shoreline decisions are established in Chapter 23.60):

20 1) Shoreline substantial development permits;

21 2) Shoreline variances;

22 3) Shoreline conditional uses;

23 h. Major Phased Development;

24 i. Determination of project consistency with a planned action ordinance

25 and EIS;

1 j. Establishment of light rail transit facilities necessary to operate and
2 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004; and

3 k. Downtown planned community developments; and

4 l. Establishment of temporary uses for transitional encampments.

5 ***

6 Section 26. Section 23.84A.032 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123589, is amended as follows:

8 **23.84A.032 "R(⌘)"**

9 ***

10 "Residential use" means any one or more of the following:

11 1. "Accessory dwelling unit" means one or more rooms that (a) are located within
12 an owner-occupied dwelling unit, or within an accessory structure on the same lot or unit lot as
13 an owner-occupied dwelling unit; (b) meet the standards of Section 23.44.041, ~~((⌘))~~ 23.45.545,
14 or Chapter 23.47A as applicable; (c) are designed, arranged, and intended to be occupied by not
15 more than one household as living accommodations independent from any other household; and
16 (d) are so occupied or vacant.

17 ***

18 18. "Rowhouse Development" means a multifamily residential use in which all
19 principal dwelling units on the lot meet the following conditions: (a) each dwelling unit occupies
20 the space from the ground to the roof of the structure in which it is located; (b) no portion of a
21 dwelling unit, ~~((including an accessory dwelling unit, but excluding garages))~~ except for an
22 accessory dwelling unit or shared parking garage, occupies space above or below another
23 dwelling unit; (c) each dwelling unit is attached along at least one common wall to at least one
24 other dwelling unit, or abuts another dwelling unit on a common lot line; (d) the front of each
25 dwelling unit faces a street lot line; (e) each dwelling unit provides pedestrian access directly to
26 the street that it faces; and (f) no portion of any other dwelling unit, except for an attached

1 accessory dwelling unit, is located between any dwelling unit and the street faced by the front of
2 that unit.

3 ***

4 20. "Townhouse Development" means a multifamily residential use that is not a
5 rowhouse development, and in which: (a) each dwelling unit occupies the space from the ground
6 to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space
7 above or below another dwelling unit, except for an attached accessory dwelling unit and except
8 for dwelling units constructed over a shared parking garage; and (c) each dwelling unit is
9 attached along at least one common wall to at least one other dwelling unit, or abuts another
10 dwelling unit on a common lot line.

11 ***

12 Section 27. Section 23.91.002 of the Seattle Municipal Code, which section was last
13 amended by Ordinance 123546, is amended as follows:

14 **23.91.002 Scope of Chapter 23.91**

15 A. Violations of the following provisions of Seattle Municipal Code Title 23 shall be
16 enforced under the citation or criminal provisions set forth in this Chapter 23.91:

17 1. Junk storage in residential zones (Sections 23.44.006 and 23.44.040, and
18 Chapter 23.45), unless the lot contains a vacant structure subject to the vacant building
19 maintenance standards contained in subsection 22.206.200.A;

20 2. Construction or maintenance of structures in required yards or setbacks in
21 residential zones (Sections 23.44.014 and 23.44.040, and Chapter 23.45);

22 3. Parking of vehicles in a single-family zone (Section 23.44.016) unless the lot
23 contains a vacant structure subject to the vacant building maintenance standards contained in
24 subsection 22.206.200.A; and

25 4. Keeping of animals (Section 23.42.050), ~~((; and))~~

26 ~~((5. Home occupations (Section 23.42.052).))~~

THIS VERSION IS NOT ADOPTED



1 B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect,
2 limit or preclude any previous, pending or subsequent enforcement action or proceeding taken
3 pursuant to Chapter 23.90.

4 Section 28. Section 25.05.800 of the Seattle Municipal Code, which section was last
5 amended by Ordinance 123495, is amended as follows:

6 **Subchapter IX Categorical Exemptions**

7 **25.05.800 Categorical exemptions**

8 The proposed actions contained in this subchapter are categorically exempt from
9 threshold determination and EIS requirements, subject to the rules and limitations on categorical
10 exemptions contained in Section 25.05.305.

11 A. Minor new construction--- flexible thresholds.

12 1. The exemptions in this subsection 25.05.800.A apply to all licenses required to
13 undertake the construction in question, except when a rezone or any license governing emissions
14 to the air or discharges to water is required. To be exempt under this Section 25.05.800, the
15 project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt
16 level in subsection ~~((A.2 of this Section))~~ 25.05.800.A.2 shall control. If the proposal is located
17 in more than one city or county, the lower of the agencies' adopted levels shall control,
18 regardless of which agency is the lead agency.

19 2. The following types of construction are exempt, except when undertaken
20 wholly or partly on lands covered by water or unless undertaken in environmentally critical areas
21 (Section 25.05.908):

22 a. The construction or location of residential ~~((structures))~~ or mixed-use
23 development containing no more than the number of dwelling units identified in Table A for
24 25.05.800~~((, except for lots located in an Urban Center or a SAOD, if the proposed construction~~
25 ~~or location is on a lot in an LRI or LR2 zone, and if the lot abuts any portion of another lot that is~~
26 ~~zoned SF or RSL, or is across an alley of any width from a lot that is zoned SF or RSL, or is~~

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across a street from a lot zoned SF or RSL if that street does not meet minimum width requirements in Section 23.53.015.A, then the level of exempt construction is 4 dwelling units for lots in an LR1 zone, and 6 dwelling units for lots in an LR2 zone));

Table A for 25.05.800: Exemptions for Residential Uses

Zone	Residential Uses	
	Number of Exempt Dwelling Units	
	Outside of Urban Centers and SAOD	Within Urban Centers or SAOD
SF, RSL	4	4
LR1	4	((6)) 200 ⁽¹⁾
LR2	6	((30)) 200 ⁽¹⁾
LR3	8	((30)) 200 ⁽¹⁾
NC1, NC2, NC3, C1, C2	4	((30)) 200 ⁽¹⁾
MR, HR, SM	20	((30)) 200 ⁽¹⁾
Downtown zones	NA	((80)) 250 ⁽¹⁾
Industrial zones	4	4

Notes for Table A for 25.05.800

SAOD = Station Area Overlay District((s)).

Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

(1) Pursuant to RCW 43.21C.229, in urban centers and the Station Area Overlay District, new residential and mixed-use development up to these threshold levels is categorically exempt from SEPA, as long as the urban center's or Station Area Overlay District's residential density targets stated in the Comprehensive Plan (in terms of dwelling units per acre) have not been achieved. See the Comprehensive Plan's Urban Village Element Appendix A, and see Director's Rule 17-2008 (or successor rule) on "SEPA Exemptions From Environmental Review Requirements When Establishing, Changing or Expanding a Use" for details on other rules pertaining to when SEPA review may be required.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, in development containing no more than the gross floor area listed in ~~((the))~~

Table B for 25.05.800 below:

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Table B for 25.05.800: Exemptions for Non-Residential Uses

Zone	Non-Residential Uses	
	Exempt Area of Use (square feet of gross floor area)	
	Outside of Urban Centers and SAOD	Within Urban Centers or SAOD
SF, RSL, LR1 ((LR2, LR3))	4,000	4,000
LR2, LR3	4,000	12,000 ⁽¹⁾ or 75,000 ⁽²⁾
MR, HR, NC1, NC2, NC3	4,000	12,000 ⁽¹⁾ or 75,000 ⁽²⁾
C1, C2, SM((Industrial)) zones	12,000	12,000 ⁽¹⁾ or 75,000 ⁽²⁾
Industrial zones	12,000	12,000
Downtown zones	Not Applicable	12,000 ⁽¹⁾ or 75,000 ⁽²⁾

Notes for Table B for 25.05.800. SAOD = Station Area Overlay District(s).
 Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
 (1) New development that is not mixed-use (e.g. does not contain new residential dwelling units) is categorically exempt from SEPA up to 12,000 square feet or as indicated in Director's Rule 17-2008 (or successor rule) on "SEPA Exemptions From Environmental Review Requirements When Establishing, Changing or Expanding a Use."
 (2) Pursuant to RCW 43.21C.229, in urban centers and the Station Area Overlay District, commercial uses up to 75,000 square feet that are part of a new mixed-use development are categorically exempt from SEPA, as long as the urban center's or Station Area Overlay District's employment intensity targets stated in the Comprehensive Plan, in terms of employees per acre, have not been achieved. See the Comprehensive Plan's Urban Village Element Appendix A, and see Director's Rule 17-2008 (or successor rule) on "SEPA Exemptions From Environmental Review Requirements When Establishing, Changing or Expanding a Use" for details on other rules pertaining to when SEPA review may be required.

d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces;

e. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under regulations pursuant to RCW 76.09.050 ((or regulations thereunder));

f. Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d ((above)), unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see ((Section)) subsection 25.05.305.A.2.b);

g. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection 25.05.800.A apply.

* * *

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1 Section 29. Severability. The provisions of this ordinance are declared to be separate and
2 severable. The invalidity of any particular provision, or its invalidity as applied in any
3 circumstances, shall not affect the validity of any other provision or the application of the
4 particular provision in other circumstances.

5 Section 30. This ordinance shall take effect and be in force 30 days after its approval by
6 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
7 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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1 Passed by the City Council the ____ day of _____, 2012, and signed by
2 me in open session in authentication of its passage this
3 ____ day of _____, 2012.

4
5 _____
6 President _____ of the City Council

7
8 Approved by me this ____ day of _____, 2012.

9
10 _____
11 Michael McGinn, Mayor

12
13 Filed by me this ____ day of _____, 2012.

14
15 _____
16 Monica Martinez Simmons, City Clerk

17 (Seal)

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1 B. Temporary Four Week Use. A Master Use Permit for a time period of up to four
2 weeks may be authorized for any use that does not involve the erection of a permanent structure
3 and that meets the requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.c.

4 C. Temporary Uses for Up to Six Months. A Master Use Permit for a time period of up to
5 six months may be authorized for any use that does not involve the erection of any permanent
6 structure and that meets the requirements of subsections 23.42.040.A.1.a – 23.42.040.A.1.c.

7 ***

8 Section 4. Section 23.42.050 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 123649, is amended as follows:

10 **23.42.050 Home occupations**

11 A home occupation of a person residing in a dwelling unit is permitted outright ~~((in that~~
12 ~~dwelling unit))~~ in all zones as an accessory use to any residential use permitted outright or to a
13 permitted residential conditional use, ~~((in each case))~~ subject to the following requirements:
14 ~~((standards of this section.))~~

15 A. The occupation ~~((shall be))~~ is clearly incidental to the use of the dwelling unit as a
16 dwelling.

17 B. Commercial deliveries and pickups to the dwelling unit ~~((shall be))~~ are limited to one
18 per day Monday through Friday. No commercial deliveries or pickups ~~((shall be))~~ are permitted
19 on Saturday, Sunday or federal holidays.

20 ~~((C. To discourage drop in traffic, the address of the home occupation shall not be given~~
21 ~~in any advertisement, including but not limited to commercial telephone directories, newspapers,~~
22 ~~magazines, signs, flyers, radio, television or other media. Addresses may be listed on business~~
23 ~~cards, but a statement must be included to the effect that business is by appointment only.))~~

24 C. Customer visits are by appointment only.

25 D. The occupation ~~((shall))~~ may be conducted ~~((only))~~ within ~~((the principal))~~ any legal
26 principal or accessory dwelling unit or structure, ((or in an accessory dwelling unit)) provided

1 that licensed child care may be conducted only in the principal structure or in an accessory
2 dwelling unit. Home occupations may be conducted by residents of a principal dwelling unit
3 and/or an accessory dwelling unit. The presence of one home occupation does not preclude a
4 resident of another legally established dwelling unit on the property from also conducting a home
5 occupation.

6 E. Parking of vehicles associated with the home occupation ((shall be)) is permitted
7 anywhere that parking is permitted on the lot.

8 ~~((E.))~~ F. To preserve the residential appearance of the dwelling unit, there shall be no
9 evidence of the home occupation visible from the exterior of the structure(;;), provided that:

10 1.((e))Outdoor play areas for licensed child care programs and outdoor activities
11 customarily incidental to the residential use ((shall be)) are permitted((-));

12 2. Interior and exterior alterations and additions that comply with the development
13 standards of the zone are permitted;

14 3. Alterations and additions that are required by licensing or construction codes
15 for licensed child care programs are permitted; and

16 4. Signs identifying the home occupation are permitted subject to compliance with
17 Chapter 23.55, Signs.

18 G. No outdoor storage ((shall be)) is permitted in connection with a home occupation.

19 ~~((F. To preserve the residential character and use of the dwelling unit, only internal~~
20 ~~alterations customary to residential use shall be permitted, and no external alterations shall be~~
21 ~~permitted to accommodate a home occupation, except as required by licensing or construction~~
22 ~~codes for child care programs.))~~

23 ~~((G.))~~ H. Except for licensed child care programs, ((not)) no more than ((one)) two
24 persons((, whether full-time or part-time, who is not a resident)) who are not residents of ((the)) a
25 dwelling unit on the lot may work in ((the dwelling unit of the)) a home occupation, regardless of
26 whether the persons work full or part-time or are ((whether or not)) compensated. ((This includes

1 ~~persons working off site who come to the site for business purposes at any time as well as~~
2 ~~persons working on site.)~~

3 ~~((H.))~~I. The home occupation shall not cause ~~((or add to))~~ a substantial increase in on-
4 street parking congestion or ((eause)) a substantial increase in traffic ((through residential areas))
5 within the immediate vicinity.

6 ~~((F.))~~J. A maximum of two passenger vehicles, vans and similar vehicles each not
7 exceeding a gross vehicle weight of 10,000 pounds ~~((shall be))~~ are permitted to operate in
8 connection with the home occupation, independent of commercial deliveries and pickups as
9 provided for in subsection 23.42.050.B.

10 ~~((J.))~~K. The home occupation shall be conducted so that noise, odor, smoke, dust, light
11 and glare, and electrical interference and other similar impacts are not detectable by sensory
12 perception at or beyond the property line of the lot where the home occupation is located.

13 ~~((K. Signs are regulated by Chapter 23.55.))~~

14 L. Licensed ~~((E.))~~ child care programs in the home of the operator are limited to 12
15 children per day including the children of the operator.

16 Section 5. Section 23.44.014 of the Seattle Municipal Code, which section was last
17 amended by Ordinance 123649, is amended as follows:

18 **23.44.014 Yards**

19 Yards are required for every lot in a single-family zone. A yard that is larger than the
20 minimum size may be provided.

21 **A. Front Yards.**

22 1. The front yard depth shall be either the average of the front yards of the single-
23 family structures on either side or ~~((twenty (20)))~~ 20 feet, whichever is less.

24 2. On any lot where the natural gradient or slope, as measured from the front line
25 of the lot for a distance of ~~((sixty (60)))~~ 60 feet or the full depth of the lot, whichever is less, is in
26 excess of ~~((thirty-five (35)))~~ 35 percent, the required front yard depth shall be either ~~((twenty~~

1 ~~(20))~~ 20 feet less one ~~((1))~~ foot for each one ~~((1))~~ percent of gradient or slope in excess of
2 ~~((thirty-five (35)))~~ 35 percent, or the average of the front yards on either side, whichever is less.

3 3. In the case of a through lot, each yard abutting a street, except a side yard, shall
4 be a front yard. Rear yard ~~((requirements))~~ provisions shall not apply to the lot, except pursuant
5 to Section 23.40.030 or 23.40.035.

6 4. A larger yard may be required in order to meet the provisions of Section
7 23.53.015, Improvement requirements for existing streets in residential and commercial zones.

8 ***

9 Section 6. Section 23.44.041 of the Seattle Municipal Code, which section was last
10 amended by Ordinance 123649, is amended as follows:

11 **23.44.041 Accessory Dwelling Units**

12 ***

13 B. Accessory dwelling units, detached, additional provisions. ~~((A detached accessory~~
14 ~~dwelling unit is also known as a backyard cottage.))~~ The Director may authorize a detached
15 accessory dwelling unit, also known as a backyard cottage, ~~((and that unit may be used as a~~
16 ~~residence, only under))~~ if the unit meets the ~~((conditions set forth in))~~ requirements of subsection
17 23.44.041.A and the following additional ~~((conditions))~~ requirements:

18 1. Detached accessory dwelling units are not permitted on a lot if any portion of
19 the lot is within the Shoreline District established pursuant to Section 23.60.010.

20 2. ~~((Detached accessory dwelling units are required to meet the additional))~~ The
21 development standards set forth in Table B for 23.44.041:

22

Table B for 23.44.041	
Development Standards for Detached Accessory Dwelling Units ¹	
a. Minimum Lot Size	4,000 sq. ft.
b. Minimum Lot Width	25 feet
c. Minimum Lot Depth	70 feet ²
d. Maximum Lot Coverage	The provisions of Section 23.44.010 apply.

27

**Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹**

e. Maximum Rear Yard Coverage	A detached accessory dwelling unit, together with any other accessory structures and other portions of the principal structure, is limited to a maximum combined coverage of 40% of the rear yard.				
f. Maximum Gross Floor Area	800 sq. ft. including garage and storage area but excluding areas below grade, measured as set forth in Section 23.86.007.				
g. Front Yard	A detached accessory dwelling unit may not be located within the front yard required by subsection 23.44.014.A, <u>except on a through lot pursuant to Section 23.40.030 or Section 23.40.035 and row i of this Table B for 23.44.041.</u>				
h. Minimum Side Yard	The provisions of subsection 23.44.014.C apply. ⁷				
i. Minimum Rear Yard	A detached accessory dwelling unit may be located within a required rear yard if it is not within 5 feet of any lot line, unless the lot line is adjacent to an alley, in which case a detached accessory dwelling unit may be located at that lot line. ^{3,4}				
j. Location of Entry	Entrances to detached accessory dwelling units may not be located on facades facing the nearest side lot line or the rear lot line unless the nearest side lot line or rear lot line abuts an alley or other public right-of-way.				
((k. Maximum Height Limits⁵))	((The roof peak of the detached accessory dwelling unit may not extend more than 15 feet above the roof peak of the principal dwelling unit and must comply with the height limits set forth in the table below.))				
<u>k. Maximum Height Limits⁵</u>	Lot Width (feet)				
	Less than 30	30 or greater up to 35	Above 35 up to 40	Above 40 up to 50 ⁶	Greater than 50 ((or greater ⁶))

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**Table B for 23.44.041
 Development Standards for Detached Accessory Dwelling Units¹**

(1) Maximum <u>Base</u> Structure Height (feet)	12	14	15	16	16
(2) Maximum Structure Height with Pitched Roof (feet) ⁸	15	21	22	22	23
(3) Maximum Structure Height with Shed or Butterfly Roof (feet); see Exhibit A for 23.44.041.	15	18	19	20	20
I. Minimum Separation from Principal Structure	5 feet				

Footnotes:

1. The Director may allow an exception to standards ((1)) a-f, h, i and j pursuant to subsection 23.44.041.B.3, for converting existing accessory structures.
2. For lots that do not meet the lot depth requirement, but have a greater width than depth and an area greater than 5,000 sq. ft., a detached accessory dwelling unit is permitted, provided the detached accessory dwelling unit is not located in a required yard.
3. If the lot line is adjacent to an alley and a detached accessory dwelling unit includes a garage with a vehicle entrance that faces the alley, the garage portion of the structure may not be located within 12 feet of the centerline of the alley.
4. On a reversed corner lot, no detached accessory dwelling unit shall be located in that portion of the required rear yard that abuts the required front yard of the adjoining key lot.
5. Features such as chimneys, antennas, and flagpoles may extend up to 4 feet above the maximum allowed height. ((The additional height for sloped lots permitted by subsection 23.44.012.B does not apply.))
6. Detached accessory dwelling units on lots that have a width greater than 40 feet up to 50 feet may ((also)) be built to the maximum height limit((s)) applicable in the column for lots greater than 50 feet ((listed in this column if both of)) when ((the following conditions are met: a)) the detached accessory dwelling unit is located on a lot with a rear lot line that is adjacent to an alley, ((; and b) the width of the lot is 40 feet or greater.))
7. The exceptions from standard yard requirements in subsection 23.44.014.D.6.a shall also apply.
8. All parts of the roof above the applicable base height shall be pitched at a rate of not less than 3:12.

3. Conversion of accessory structures. An existing accessory structure that is not located in a required front yard, or that is located in a front yard where Section 23.40.030 or 23.40.035 applies, may be converted into a detached accessory dwelling unit if the structure complies with the minimum standards set forth in Sections 22.206.010 through 22.206.140 of the Housing and Building Maintenance Code and with the Seattle Residential Code, if work requiring a permit is performed on the structure or has previously been performed without a permit. The Director may allow an exception to one or more of the development standards for

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1 accessory dwelling units contained in subsections 23.44.041.A.4 and standards a-f, h, i and j
2 listed in Table B for ((23.044.041)) 23.44.041, provided the conversion does not increase the
3 structure's nonconformity with the standard and the applicant can demonstrate that the accessory
4 structure was constructed prior to June 1, 1999, as an accessory structure.

5 ***

6 Section 7. Section 23.45.504 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123547, is amended as follows:

8 **23.45.504 Permitted and prohibited uses**

9 A. All uses are permitted outright, prohibited or permitted as a conditional use according
10 to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for
11 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A,
12 23.51B, or 23.57. Communication utilities and accessory communication devices, except as
13 exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional
14 regulations in Chapter 23.57. Public facilities are subject to the regulations in Section
15 23.51A.004.

16 ***

17 E. Ground floor commercial use.

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

19 2. The following uses are permitted as ground-floor commercial uses in Midrise
20 and Highrise zones pursuant to Section 23.45.532:

- 21 a. Business support services;
- 22 b. Food processing and craft work;
- 23 c. General sales and services;
- 24 d. Medical services;
- 25 e. Offices;
- 26 f. Restaurants; and

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

3 ~~((2. In MR zones, ground floor commercial uses are permitted only on a lot that is
4 within 800 feet of a neighborhood commercial zone.))~~

5 ***

6 Section 8. Section 23.45.526 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123495, is amended as follows:

8 **23.45.526 LEED, Built Green, and Evergreen Sustainable Development Standards**

9 A. Applicants for all new development gaining extra residential floor area, pursuant to
10 this Chapter 23.45, or seeking to qualify for the higher FAR limit in Table A for 23.45.510(
11 ~~except additions and alterations,))~~ shall make a commitment that the structure will meet green
12 building performance standards by earning a Leadership in Energy and Environmental Design
13 (LEED) Silver rating or a Built Green 4-star rating of the Master Builders Association of King
14 and Snohomish Counties, except: ~~((that))~~

15 1. This commitment is not required for building additions and alterations; and

16 2. ((a))An applicant who is applying for funding from the Washington State
17 Housing Trust Fund and/or the Seattle Office of Housing to develop new affordable housing, as
18 defined in subsection 23.45.526.D, may elect to meet green building performance standards by
19 meeting the Washington Evergreen Sustainable Development Standards (ESDS).

20 ***

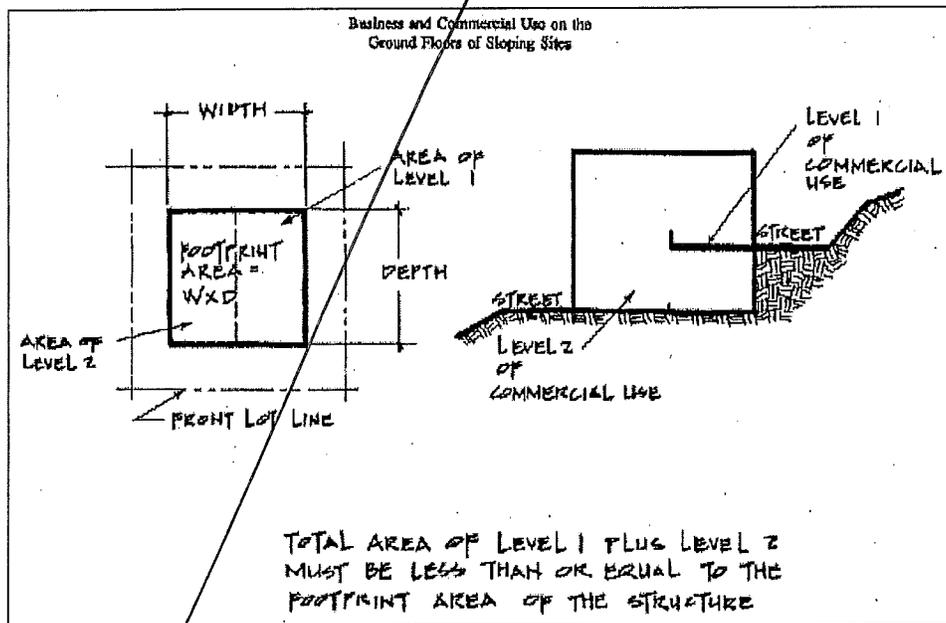
21 Section 9. Section 23.45.532 of the Seattle Municipal Code, which section was last
22 amended by Ordinance 123209, is amended as follows:

23 **23.45.532 Standards for ground floor commercial uses in MR and HR zones**

1 A. All ground-floor commercial uses permitted pursuant to Section 23.45.504, except
2 medical service uses permitted pursuant to Section 23.45.506, shall meet the following
3 conditions:

4 1. The commercial use is permitted only on the ground floor of a structure. On
5 sloping lots, the commercial use may be located at more than one level within the structure as
6 long as the floor area in commercial use does not exceed the area of the structure's footprint. See
7 Exhibit A for 23.45.532.

8 Exhibit A for 23.45.532



21 2. The ~~((gross floor area))~~ maximum size of use of any one business establishment
22 ~~((can be no greater than))~~ is 4,000 square feet, except that the ~~((gross floor area))~~ maximum size
23 of use of a multi-purpose retail sales establishment ~~((may be up to))~~ is 10,000 square feet.

24 3. Vents for venting of odors, vapors, smoke, gas and fumes, and exterior heat
25 exchangers and other similar devices (e.g., related to ventilation, air-conditioning, refrigeration)

1 shall be at least 10 feet above finished sidewalk grade, and directed away to the extent possible
2 from residential uses within 50 feet of the vent.

3 B. No loading berths are required for ground-floor commercial uses. If provided, loading
4 berths shall be located so that access to residential parking is not blocked.

5 C. Identifying business signs are permitted pursuant to Chapter 23.55, Signs.

6 Section 10. Section 23.45.545 of the Seattle Municipal Code, which section was enacted
7 by Ordinance 123495, is amended as follows:

8 **23.45.545 Standards for certain accessory uses**

9 * * *

10 I. In Lowrise zones, ~~((lots that include rowhouse and townhouse units may include))~~
11 accessory dwelling units are allowed, in rowhouse and townhouse units, as follows:

12 1. ~~((No more than one accessory dwelling unit shall be located on a lot.))~~ One
13 accessory dwelling unit is allowed for each rowhouse or townhouse unit that is a "principal unit."

14 A "principal unit" is a dwelling unit that is not an accessory dwelling unit.

15 ~~((2.The principal structure on the lot shall include one and only one dwelling unit~~
16 ~~other than the accessory dwelling unit, which other dwelling unit is referred to in this subsection~~
17 ~~23.45.545.I as the "principal unit".))~~

18 ~~((3-))~~2. The owner of ~~((the lot))~~ a principal unit shall comply with the owner
19 occupancy requirements of subsection 23.44.041.C.

20 ~~((4-))~~3. ~~((Maximum gross floor area: a-))~~ The maximum gross floor area of an
21 accessory dwelling unit is 650 square feet, ~~((;))~~ provided that ~~((b. F))~~ the total gross floor area of
22 the accessory dwelling unit ~~((may))~~ does not exceed 40 percent of the total gross floor area in
23 residential use on the lot or unit lot, if present, exclusive of garages, storage sheds, and other
24 non-habitable spaces.

1 1. ~~((Residential uses are generally permitted anywhere in a structure in NC1,~~
2 ~~NC2, NC3 and C1 zones, except as provided in subsections 23.47A.005.C.2 and~~
3 ~~23.47A.005.C.3.))~~

4 ~~((2-))~~ In all neighborhood commercial and C1 zones, ((R)) residential uses may
5 ~~((not))~~ occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade
6 in the following circumstances or locations:

7 a. In a pedestrian-designated zone, facing a designated principal pedestrian
8 street; or

9 b. Within the Bitter Lake Village Hub Urban Village; or

10 c. Within the Lake City Hub Urban Village, except as provided in
11 subsection 23.47A.005.C.~~((4))~~2; or

12 d. Within a zone that has a height limit of 85 feet or higher, except as
13 provided in subsection 23.47A.005.C.2; or

14 e. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2;

15 or

16 f. Within the Northgate Overlay District, except as provided in 23.71.044;

17 or

18 g. In areas shown on Maps 1 through 60 in Map Book A at the end of this
19 Chapter.

20 2. ~~((3- Residential uses may not exceed, in the aggregate, 20 percent of the street-~~
21 ~~level street-facing facade if facing an arterial or within a zone that has a height limit of 85 feet or~~
22 ~~higher, except that there is no limit on residential uses in the following circumstances or~~
23 ~~locations:))~~ Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the location of
24 residential uses in the following circumstances:

1 a. Within a very low-income housing project existing as of May 1, 2006,
2 or within a very low-income housing project replacing a very low-income housing project
3 existing as of May 1, 2006 on the same site; or ((-))

4 b. The residential use is an assisted living facility or nursing home and
5 private living units are not located at street level; or ((-))

6 c. ~~((Within the Station Area Overlay District, in which case Chapter 23.61
7 applies:))~~

8 ~~((4. Residential uses may occupy 100 percent of the street-level street-facing
9 façade in a structure if the))~~ Within a structure that:

10 ~~((a-))~~ 1) ~~((F))~~ is developed and owned by the Seattle Housing
11 Authority; and

12 ~~((b-))~~ 2) ~~((F))~~ is located on a lot zoned NC1 or NC3 that was owned
13 by the Seattle Housing Authority as of January 1, 2009~~((;))~~.

14 ~~((e. Is not located in a pedestrian-designated zone or a zone that
15 has a height limit of 85 feet or higher; and))~~

16 ~~((d. Does not face a designated principal pedestrian street.))~~

17 ~~((5))~~ 3. Additions to, or on-site accessory structures for, existing single-family
18 structures are permitted outright.

19 ~~((6))~~ 4. Where residential uses at street level are limited to 20 percent of the street-
20 level street-facing façade, such limits do not apply to residential structures separated from the
21 street lot line by an existing structure meeting the standards of this ~~((s))~~ Section 23.47A.005 and
22 Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

23 ***

24 Section 12. Section 23.47A.008 of the Seattle Municipal Code, which section was last
25 amended by Ordinance 122935, is amended as follows:

26 **23.47A.008 Street-level development standards**

1 A. Basic street-level requirements.

2 1. The provisions of this subsection apply to:

- 3 a. Structures in NC zones;
4 b. Structures that contain a residential use in C zones; and
5 c. Structures in C zones across the street from residential zones.

6 2. Blank facades.

7 a. For purposes of this section, facade segments are considered blank if
8 they do not include at least one of the following:

- 9 1) Windows;
10 2) Entryways or doorways;
11 3) Stairs, stoops, or porticos;
12 4) Decks or balconies; or
13 5) Screening and landscaping on the facade itself.

14 b. Blank segments of the street-facing facade between 2 feet and 8 feet
15 above the sidewalk may not exceed 20 feet in width.

16 c. The total of all blank facade segments may not exceed 40 percent of the
17 width of the facade of the structure along the street.

18 3. Street-level street-facing facades shall be located within 10 feet of the street lot
19 line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided.

20 B. Nonresidential street-level requirements.

21 1. The provisions of this subsection 23.47A.008.B and subsection 23.47A.008.A
22 apply to:

- 23 a. Structures with street-level nonresidential uses in NC zones;
24 b. Structures with street-level nonresidential uses that also contain
25 residential uses in C zones; and
26 c. Structures with street-level nonresidential uses in C zones across the
27

1 street from residential zones.

2 2. Transparency.

3 a. Sixty percent of the street-facing facade between 2 feet and 8 feet above
4 the sidewalk shall be transparent.

5 b. Transparent areas of facades shall be designed and maintained to allow
6 unobstructed views from the outside into the structure or, in the case of live-work units, into
7 display windows that have a minimum 30-inch depth.

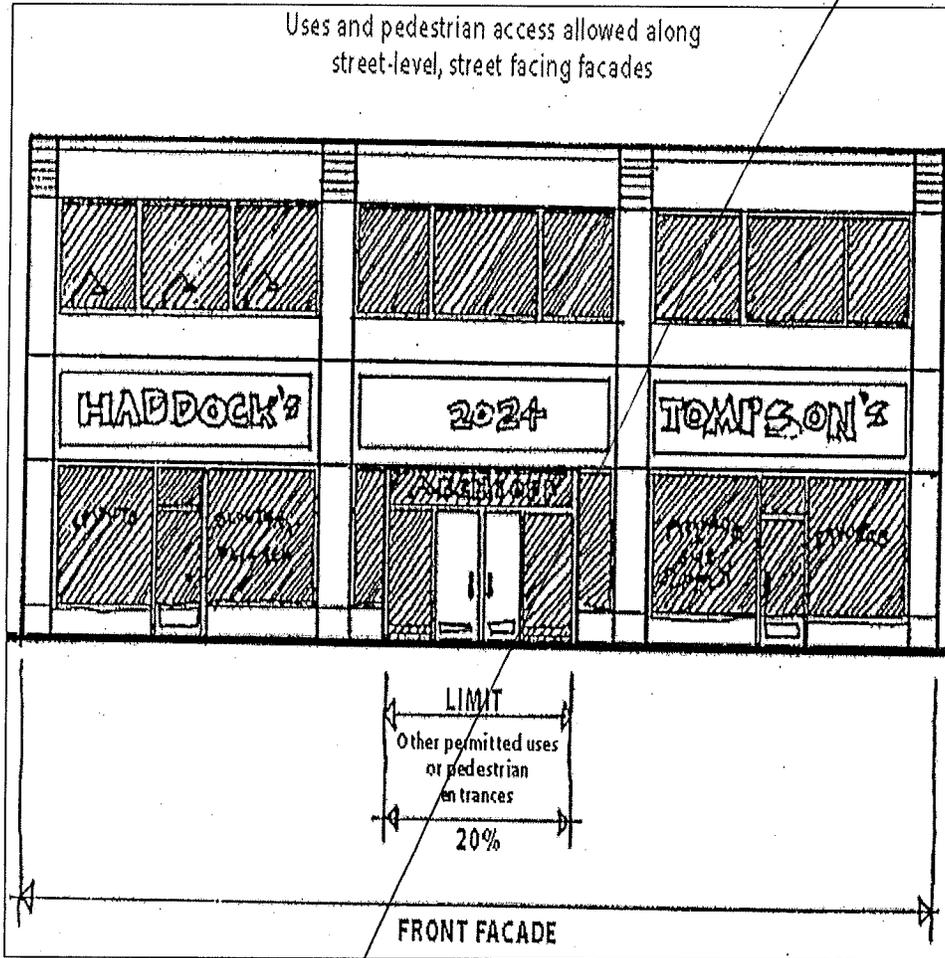
8 3. ~~((The following h))~~ Height and depth provisions ~~((apply to))~~ for new structures
9 or new additions to existing structures~~((;))~~ ~~((a.))~~ Nonresidential uses shall extend an average
10 depth of at least 30 feet and a minimum depth of 15 feet ~~((in depth))~~ from the street-level street-
11 facing facade. If the combination of the ~~((street facing facade))~~ requirements of ~~((subsection))~~
12 Sections 23.47A.005 or 23.47A.008~~((-D-1))~~ and this depth requirement would result in a
13 requirement that an area greater than 50 percent of the structure's footprint be dedicated to
14 nonresidential use, the Director may modify the street-facing facade or depth requirements, or
15 both, so that no more than 50 percent of the structure's footprint is required to be nonresidential.

16 b. Nonresidential uses at street level shall have a floor-to-floor height of at
17 least 13 feet.

18 C. In pedestrian-designated zones, the provisions of subsections 23.47A.008.A and
19 23.47A.008.B and the following apply:

20 1. A minimum of 80 percent of the width of a structure's street-level street-facing
21 facade that faces a principal pedestrian street shall be occupied by uses listed in subsection
22 23.47A.005.D.1. The remaining 20 percent of the street frontage may contain other permitted
23 uses and/or pedestrian entrances (see Exhibit A for 23.47A.008).

Exhibit A for 23.47A.008



2. For purposes of calculating the 80 percent of a structure's street-level facade, the width of a driveway at street level, not to exceed 22 feet, may be subtracted from the width of the street-facing facade if the access cannot be provided from an alley or from a street that is not a designated principal pedestrian street.

3. If the street-facing facade and depth requirements would result in a requirement that an area greater than 50 percent of the structure's footprint be dedicated to the uses in subsection 23.47A.005.D.1, the Director may modify the street-facing facade or depth requirements, or both, so that no more than 50 percent of the structure's footprint is required to be dedicated to the uses in subsection 23.47A.005.D.1.

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1 D. ~~((The provisions of this subsection apply to structures with residential uses located~~
2 ~~along a street-level street-facing facade))~~ Where ((1-R)) residential uses are ((limited to 20% of
3 ~~the)) located along a street-level street-facing facade ((under section 23.47.005.D:))~~ the
4 following requirements apply unless exempted by subsection 23.47A.008.G:

5 1. ~~((2:))~~ At least one of the street-level street-facing facades containing a
6 residential use shall have a visually prominent pedestrian entry; and

7 2. ~~((3:))~~ The floor of a dwelling unit located along the street-level street-facing
8 facade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10 feet
9 from the sidewalk.

10 E. When a live-work unit is located on a street-level street-facing facade, the provisions
11 of subsections 23.47A.008.A and 23.47A.008.B apply, and the portion of each such live-work
12 unit in which business is conducted must be located between the principal street and the
13 residential portion of the live-work unit.

14 F. The Director may allow departures from street-level requirements of this section for
15 projects that are not subject to the Design Review process, as a Type I decision, if the Director
16 determines that the project will maintain the safety and aesthetics of the streetscape for
17 pedestrians and will:

- 18 1. maintain pedestrian access to the structure;
- 19 2. maintain urban form consistent with adjacent structures;
- 20 3. maintain the visibility of nonresidential uses;
- 21 4. maintain the privacy of residential uses; or
- 22 5. allow the continued use of an existing structure without substantial renovation.

23 G. In a structure existing on January 1, 2012, an accessory dwelling unit may be
24 established if it is accessory to an existing dwelling unit and if it meets minimum housing
25 standards of Chapter 22.206, even if nonconforming to standards of subsection 23.47A.008.D.

Section 13. A new Subchapter II and a new Section 23.52.008 are added to Chapter 23.52 of the Seattle Municipal Code, the title of Chapter 23.52 is amended, and a new heading for subchapter I is added as follows:

23.52 Transportation Concurrency, ~~((Project Review System))~~ and Transportation Impact

Mitigation

Subchapter I Transportation Concurrency Project Review System

* * *

Subchapter II Transportation Impact Mitigation

23.52.008 Transportation Impact Mitigation

A. Applicability. The requirements of this Section 23.52.008 apply to proposed new development as described in Table A for 23.52.008. Proposed new development that is subject to SEPA environmental review per SMC Chapter 25.05 is exempt from this Subchapter II.

**Table A for 23.52.008
 Development Location and Size Ranges Where the Requirements of Section 23.52.008 Apply**

Applicable Zones, When Located Within an Urban Center or Urban Villages Containing a Station Area Overlay District	Applicable Size Ranges	
	Number of Dwelling Units	Amount of Non-Residential Space (square feet), When Located in a Mixed-Use Development ¹
LR1	7 to 200	4,001 to 30,000
LR2, LR3, NC1, NC2, NC3, C1, C2, MR, HR, SM	31 to 200	12,001 to 30,000
Downtown Zones	81 to 250	12,001 to 30,000

Footnote to Table A for 23.52.008

¹ This size range applies to a development that contains at least one dwelling unit.

B. Impact Analysis Required .

Applicants for proposed development shall prepare and submit with the development permit application an analysis of potential transportation impacts that may result

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1 from the proposed development. For development containing more than 50 dwelling units or
2 12,000 square feet of non-residential floor area or both, the analysis must contain the following
3 information and analysis:

- 4 1. Number of additional daily and peak hour vehicular trips;
- 5 2. Likely distribution of project traffic and effects on traffic operations;
- 6 3. Availability and expected usage of transit;
- 7 4. Existing vehicular, pedestrian, and bicycle conditions, including access
8 and connections to transit and bicycle facilities;
- 9 5. Accident history.

10 For all other development the Director shall determine the scope and level of
11 detail of analysis based on the probable impacts and/or scale of the proposed development. The
12 analysis may include the elements identified above or other elements as determined by the
13 Director.

14 C. Impact Mitigation.

15 Based upon the results of the transportation impact analysis the Director may
16 condition permit approval, as a Type I decision, to mitigate or prevent transportation impacts.
17 Required mitigation may include, but is not limited to:

- 18 1. changes in access;
- 19 2. changes in the location, number and size of curb cuts and driveways;
- 20 3. provision of transit incentives, including transit pass subsidies;
- 21 4. bicycle parking, and shower facilities for bicycle commuters;
- 22 5. signage, including wayfinding;
- 23 6. improvements to vehicular, pedestrian and bicycle traffic facilities or
24 operations including signalization, turn channelization, right-of-way dedication, street widening,
25 pedestrian and bicycle facilities improvements, and lighting;
- 26 7. transportation management plans;

1 8. Parking management strategies including, but not limited to, unbundling
2 parking from building-space leases, reserved parking spaces for vanpools, and reduction in the
3 amount of parking to be provided; and

4 9. Participation in a transportation mitigation payment program or
5 transportation management association, where available.

6 Section 14. Section 23.54.015 of the Seattle Municipal Code, which section was last
7 amended by Ordinance 123649, is amended as follows:

8 **23.54.015 Required parking**

9 A. Minimum parking requirements. The minimum number of off-street motor vehicle
10 parking spaces required for specific uses is set forth in Table A for 23.54.015 for nonresidential
11 uses other than institutional uses, Table B for 23.54.015 for residential uses, and Table C for
12 23.54.015 for institutional uses, except as otherwise provided in this Section 23.54.015 and
13 Section 23.54.020. The minimum parking requirements are based upon gross floor area of a use
14 within a structure and the square footage of a use when located outside of an enclosed structure,
15 or as otherwise specified. Exceptions to the parking requirements set forth in this section are
16 provided in subsection 23.54.015.B and in Section 23.54.020, Parking quantity exceptions,
17 unless otherwise specified. This chapter does not apply to parking for construction activity,
18 which is regulated by ~~((SMC))~~ Section 23.42.044.

19 B. Parking requirements for specific zones.

20 1. Parking in downtown zones is regulated by Section 23.49.019 and not by this
21 Section 23.54.015.

22 2. Parking for major institution uses in the Major Institution Overlay District is
23 regulated by Sections 23.54.015 and 23.54.016 ~~((and not by this Section 23.54.015))~~.

24 3. Parking in the Northgate Overlay District is regulated by Chapter 23.54 except
25 as modified by Section 23.71.016.

4. No parking is required for single-family residential uses in single-family zones on lots less than 3,000 square feet in size or 30 feet in width where access to parking is permitted through a required yard abutting a street according to the standards of subsection 23.44.016.B.2.

5. No parking is required for urban farms or community gardens in residential zones.

**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
I. General Nonresidential Uses (other than institutions)		
A.	AGRICULTURAL USES	1 space for each 2,000 square feet
B.	COMMERCIAL USES	
B.1.	Animal shelters and kennels	1 space for each 2,000 square feet
B.2.	Eating and drinking establishments	1 space for each 250 square feet
B.3.	Entertainment Uses, general, except as noted below (1)	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
B.3.a	Adult cabarets	1 space for each 250 square feet
B.3.b	Sports and recreation uses	1 space for each 500 square feet
B.4.	Food processing and craft work	1 space for each 2,000 square feet
B.5.	Laboratories, research and development	1 space for each 1,500 square feet
B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in single family and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
B.7.	Medical services	1 space for each 500 square feet
B.8.	Offices	1 space for each 1,000 square feet
B.9.	Sales and services, automotive	1 space for each 2,000 square feet
B.10.	Sales and services, general, except as noted below	1 space for each 500 square feet
B.10.a.	Pet Daycare Centers (2)	1 space for each 10 animals or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 animals.
B.11.	Sales and services, heavy	1 space for each 2,000 square feet
B.12.	Sales and services, marine	1 space for each 2,000 square feet
C.	HIGH IMPACT USES	1 space for each 2,000 square feet
D.	LIVE-WORK UNITS	0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square

THIS VERSION IS NOT ADOPTED

**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use		Minimum parking required
		feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use
E.	MANUFACTURING USES	1 space for each 2,000 square feet
F.	STORAGE USES	1 space for each 2,000 square feet
G.	TRANSPORTATION FACILITIES	
	G.1. Cargo terminals	1 space for each 2,000 square feet
	G.2. Parking and moorage	
	G.2.a. Principal use parking	None
	G.2.b. Towing services	None
	G.2.c. Boat moorage	1 space for each 2 berths
	G.2.d. Dry storage of boats	1 space for each 2,000 square feet
	G.3. Passenger terminals	1 space for each 100 square feet of waiting area
	G.4. Rail transit facilities	None
	G.5. Transportation facilities, air	1 space for each 100 square feet of waiting area
	G.6. Vehicle storage and maintenance uses	1 space for each 2,000 square feet
H.	UTILITIES	1 space for each 2,000 square feet

II. Nonresidential Use Requirements ((with Locational Criteria)) For Specific Areas		
I.	Nonresidential uses, except hospitals, (((other than institutions))) in urban centers or the Station Area Overlay District (3)	No minimum requirement
J.	Nonresidential uses in urban villages that are not within an urban center or the Station Area Overlay District, if the nonresidential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the nonresidential use. (3)	No minimum requirement
(J) K.	Nonresidential uses (other than institutions) permitted ((in on the ground floor)) in MR and HR zones pursuant to Section 23.45.504.	No minimum requirement

Footnotes for Table A for ((Section)) 23.54.015
 (1) Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An

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**Table A for ((Section)) 23.54.015
 PARKING FOR NONRESIDENTIAL USES OTHER THAN INSTITUTIONS**

Use	Minimum parking required
<p>application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.</p>	
<p>(2) The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.</p>	
<p>(3) The general requirements of lines A through H of Table A for ((Section)) 23.54.015 is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a nonresidential use fits within more than one line in Table A for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of nonresidential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.</p>	

**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
I. General Residential Uses	
A. Adult family homes	1 space for each dwelling unit
B. Artist's studio/dwellings	1 space for each dwelling unit
C. Assisted living facilities	<p>1 space for each 4 assisted living units plus</p> <p>1 space for each 2 staff members on-site at peak staffing time; plus</p> <p>1 barrier-free passenger loading and unloading space</p>
D. Caretaker's quarters	1 space for each dwelling unit
E. Congregate residences	1 space for each 4 residents
F. Cottage housing developments	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 provided in Sections ((B or C))II or III of this Table B for 23.54.015. (1)	1 space per dwelling unit.
J. Nursing homes (2)	<p>1 space for each 2 staff doctors; plus</p> <p>1 additional space for each 3 employees; plus</p>

**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
	1 space for each 6 beds
K. Single-family dwelling units	1 space for each dwelling unit
II. Residential Use Requirements ((with Location Criteria)) For Specific Areas	
L. All ((R))residential uses ((in commercial and multifamily zones)) within urban centers or within the Station Area Overlay District (1)	No minimum requirement
M. All ((R))residential uses in commercial and multifamily zones within urban villages that are not within an urban center or the Station Area Overlay District, if the residential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use. (1)	No minimum requirement
N. Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 (1)	1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus .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 ((Section)) 23.54.015 (1)	1.5 spaces for each dwelling unit
III. Multifamily Residential Use Requirements with Income Criteria	
P. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income (3), for the life of the building (1)	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
Q. Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income (3), for the life of the building (1)	0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
R. Low-income disabled multifamily residential uses (1) (3)	1 space for each 4 dwelling units
S. Low-income elderly/low-income disabled multifamily residential uses (1) (4)	1 space for each 5 dwelling units
T. Low-income elderly multifamily residential uses (1) (3) not located in urban centers or within the Station Area Overlay District	1 space for each 6 dwelling units
<p>Footnotes for Table B for ((Section)) 23.54.015:</p> <p>(1) The general requirement of line I of Table B for ((Section)) 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for ((Section)) 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section ((B))II of Table B for ((Section)) 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.</p> <p>(2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can</p>	

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**Table B for 23.54.015:
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required
<p>demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.</p>	
<p>(3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.</p>	

**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
I. General Public Uses and Institutions	
A.	Adult care centers (1), (2) 1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
B.	Child care centers (1), (2), (3) 1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children
C.	Colleges A number of spaces equal to 15 percent of the maximum number of students that the facility is designed to accommodate; plus 30 percent of the number of employees the facility is designed to accommodate; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) (1), (4) 1 space for each 555 square feet; or for family support centers, 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by DOPAR (1), (5) 1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; plus 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
F.	Hospitals 1 space for each 2 staff doctors; plus 1 additional space for each 5 employees other than staff doctors; plus 1 space for each 6 beds
G.	Institutes for advanced study, except in single family zones ((as provided in line H below)) 1 space for each 1,000 square feet of offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and

**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

	Use	Minimum parking required
		public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
4	H. Institutes for advanced study in single family zones (existing) (1)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of conference room space, whichever is greater
8	I. Libraries (1) (6)	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
11	J. Museums	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; plus 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public
13	K. Private clubs	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
17	L. Religious facilities (1)	1 space for each 80 square feet of all auditoria and public assembly rooms
18	M. Schools, private elementary and secondary (1)	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
20	N. Schools, public elementary and secondary (7) (8)	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms containing fixed seats, for new public schools on a new or existing public school site
23	O. Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 2 full-time employees other than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the maximum number of students that the school is designed to accommodate

**Table C for ((Section)) 23.54.015
 PARKING FOR PUBLIC USES AND INSTITUTIONS**

Use	Minimum parking required
II. General Public Uses and Institutions ((with Locational Criteria)) For Specific Areas	
P. General public uses, ((and)) institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District (9)	No minimum requirement

Footnotes for Table C for ((Section)) 23.54.015:

- (1) When this use is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. The Director, in consultation with the Director of Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.
- (2) The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time.
- (3) A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.
- (4) When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to ((Section)) subsection 23.54.020.I.
- (5) Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet.
- (6) When a library is permitted in a single-family zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when a library is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements according to ((Section)) subsection 23.44.022.L.
- (7) For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required.
- (8) Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.
- (9) The general requirement of lines A through O of Table C for ((Section)) 23.54.015 for general public uses, ((and)) institutions, and requirements of subsection 23.54.016.B for Major Institution uses ((is)) are superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution or Major ((i))Institution use fits within more than one line in Table C for ((Section)) 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

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1 Section 15. Section 23.54.016 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 122311, is amended as follows:

3 **23.54.016 Major Institutions—Parking and transportation((:))**

4 Major Institution uses are subject to the following transportation and parking
5 requirements:

6 A. General Provisions.

7 1. Minimum requirements for parking quantity are established in subsection
8 23.54.016.B ((of this section)).

9 2. The maximum number of spaces provided for the Major Institution use shall
10 not exceed ~~((one hundred thirty five ()))~~135((:)) percent of the minimum requirement, ~~((except))~~
11 unless additional spaces are approved through administrative or Council review as provided in
12 subsection 23.54.016.C ((of this section)). For a Major Institution use in an urban center or the
13 Station Area Overlay District, the maximum limit shall not exceed 135 percent of the minimum
14 parking requirements calculated pursuant to subsection 23.54.016.B.2.

15 3. Parking requirements for Major Institutions with more than one ~~((+))~~ type of
16 institutional use (for example, a hospital and a university), if applicable, shall be calculated for
17 each use separately, and then added together to derive the total number of required spaces.

18 4. When a permit application is made for new development at an existing Major
19 Institution and the new development is a hospital or located outside an urban center or the
20 Station Area Overlay District, parking requirements shall be calculated both for the entire Major
21 Institution and for the proposed new development. If there is a parking deficit for the entire
22 institution, the institution shall make up a portion of the deficit in addition to the quantity
23 required for the new development, according to the provisions of subsection 23.54.016.B.3~~((of~~
24 ~~this section))~~. If there is a parking surplus~~((;))~~ above the maximum allowed number of spaces~~((;))~~
25 for the institution as a whole, ~~((requirements))~~ required amounts of parking for new development
26
27
28

1 will first be applied to the surplus in the required ratio of long-term and short-term spaces.

2 Additional parking shall be permitted only when no surplus remains.

3 5. When determining parking requirements, individuals fitting into more than one
4 ~~((1))~~ category (for example, a student who is also an employee or a faculty member who is also
5 a doctor) shall not be counted twice. The category requiring the greater number of parking spaces
6 shall be used.

7 B. Parking Quantity Required. ~~((The minimum number of parking spaces required for a
8 Major Institution shall be as follows:))~~

9 1. In urban centers and the Station Area Overlay District, no parking is required
10 for Major Institution uses, except for hospitals.

11 2. For all other Major Institutions the minimum number of parking spaces
12 required is as follows:

13 ~~((1))~~a. Long-term Parking.

14 ~~((a))~~1) Medical Institutions. A number of spaces equal to ~~((eighty
15))80(())~~ percent of hospital-based doctors; plus ~~((twenty-five))25(())~~ percent of staff doctors;
16 plus ~~((thirty))30(())~~ percent of all other employees present at peak hour;

17 ~~((b))~~2) Educational Institutions. A number of spaces equal to
18 ~~((fifteen))15(())~~ percent of the maximum students present at peak hour, excluding resident
19 students; plus ~~((thirty))30(())~~ percent of employees present at peak hour; plus ~~((twenty-five
20))25(())~~ percent of the resident unmarried students; plus one ~~((1))~~ space for each married
21 student apartment unit.

22 ~~((2))~~b. Short-term Parking.

23 ~~((a))~~1) Medical Institutions. A number of spaces equal to one
24 ~~((1))~~ space per six ~~((6))~~ beds; plus one ~~((1))~~ space per five ~~((5))~~ average daily outpatients;

25 ~~((b))~~2) Educational Institutions. A number of spaces equal to five
26 ~~((5))~~ percent of the maximum students present at peak hour excluding resident students.

1 ~~((3-))~~c. Additional Short-term Parking Requirements. When one ~~((1))~~ of
2 the following uses is a Major Institution use, the following additional short-term parking
3 requirements shall be met. Such requirements may be met by joint use of parking areas and
4 facilities if the Director determines that the uses have different hours of operation according to
5 ~~((Section))~~ subsection 23.54.020.G:

6 ~~((a-))~~1) Museum. One ~~((1))~~ space for each ~~((two hundred fifty~~
7 ~~(-))~~250~~((-))~~ square feet of public floor area;

8 ~~((b-))~~2) Theater, Auditorium, or Assembly Hall. One ~~((1))~~ space
9 for each ~~((two hundred (-))~~200~~((-))~~ square feet of audience assembly area not containing fixed
10 seats, and one ~~((1))~~ space for every ~~((ten (-))~~10~~((-))~~ seats for floor area containing fixed seats;

11 ~~((e-))~~3) Spectator Sports Facility Containing Fewer than ~~((Twenty~~
12 ~~Thousand (-))~~20,000~~((-))~~ Seats. One ~~((1))~~ space for each ~~((ten (-))~~10~~((-))~~ permanent seats and one
13 ~~((1))~~ space for each ~~((one hundred (-))~~100~~((-))~~ square feet of spectator assembly area not
14 containing fixed seats;

15 ~~((d-))~~4) Spectator Sports Facility Containing ~~((Twenty Thousand~~
16 ~~(-))~~20,000~~((-))~~ or More Seats. One ~~((1))~~ space for each ~~((ten (-))~~10~~((-))~~ permanent seats and one
17 ~~((1))~~ bus space for each ~~((three hundred (-))~~300~~((-))~~ permanent seats.

18 ~~((4-))~~d. Bicycle Parking. Bicycle parking meeting the development
19 standards of subsections 23.54.015.K.2 through 23.54.015.K.~~((--))~~6 and subsection
20 23.54.016.D.2 ~~((of this section))~~ shall be provided in the following quantities:

21 ~~((a-))~~1) Medical Institutions. A number of spaces equal to two
22 ~~((2))~~ percent of employees, including doctors, present at peak hour;

23 ~~((b-))~~2) Educational Institutions. A number of spaces equal to ~~((ten~~
24 ~~(-))~~10~~((-))~~ percent of the maximum students present at peak hour plus five ~~((5))~~ percent of
25 employees.
26
27
28

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1 If at the time of application for a master use permit, the applicant can demonstrate that
2 the bicycle parking requirement is inappropriate for a particular institution because of
3 topography, location, nature of the users of the institution or other reasons, the Director may
4 modify the bicycle parking requirement.

5 ~~((5-))~~3. Parking Deficits. In addition to providing the minimum required parking
6 for a new structure, five ~~((5))~~ percent of any vehicular or bicycle parking deficit as determined
7 by the minimum requirements of this subsection 23.54.016.B, existing on the effective date of
8 the ordinance codified in this section, shall be supplied before issuance of a certificate of
9 occupancy.

10 C. Requirement for a Transportation Management Program.

11 1. When a Major Institution proposes parking in excess of ~~((one hundred thirty-~~
12 ~~five-))~~135~~(())~~ percent of the applicable minimum requirement for short-term parking spaces
13 calculated pursuant to subsections 23.54.016.A and 23.54.016.B, or when a Major Institution
14 prepares a master plan or applies for a master use permit for development that would provide
15 ~~((require twenty-))~~20~~(())~~ or more parking spaces or increase the Major Institution's number of
16 parking spaces by ~~((twenty-))~~20~~(())~~ or more above the level existing on May 2, 1990, a
17 transportation management program shall be required or an existing transportation management
18 program shall be reviewed and updated. The Director shall assess the traffic and parking impacts
19 of the proposed development against the general goal of reducing the percentage of the Major
20 Institution's employees, staff and/or students who commute in single-occupancy vehicles (SOV)
21 during the peak period to ~~((fifty-))~~50~~(())~~ percent or less, excluding those employees or staff
22 whose work regularly requires the use of a private vehicle during working hours.

23 2. Transportation management programs ~~((shall be))~~ are prepared and
24 implemented in accordance with the Director's Rule governing Transportation Management
25 Programs. The Transportation Management Program shall be in effect upon Council adoption of
26 the Major Institution master plan.

1
2 4. Through the process of reviewing a new or updated transportation management
3 program in conjunction with reviewing a master plan, the Council may approve in excess of
4 ~~((one hundred thirty five ()))~~135~~(())~~ percent of the minimum requirements for long-term parking
5 spaces, or may increase or decrease the required ~~((fifty ()))~~50~~(())~~ percent SOV goal, based upon
6 the Major Institution's impacts on traffic and opportunities for alternative means of
7 transportation. Factors to be considered shall include, but not be limited to:

- 8 a. Proximity to a street with ~~((fifteen ()))~~15~~(())~~ minute transit service
9 headway in each direction;
10 b. Air quality conditions in the vicinity of the Major Institution;
11 c. The absence of other nearby traffic generators and the level of existing
12 and future traffic volumes in and through the surrounding area;
13 d. The patterns and peaks of traffic generated by Major Institution uses
14 and the availability or lack of on-street parking opportunities in the surrounding area;
15 e. The impact of additional parking on the Major Institution site;
16 f. The extent to which the scheduling of classes or work shifts reduces the
17 transportation alternatives available to employees and/or students or the presence of limited
18 carpool opportunities due to the small number of employees; and
19 g. The extent to which the Major Institution has demonstrated a
20 commitment to SOV alternatives.

21 5. The provision of short-term parking spaces in excess of ~~((one hundred thirty
22 five ()))~~135~~(())~~ percent of the minimum requirements established in subsection 23.54.016.B.2
23 ~~((of this section))~~ may be permitted by the Director through preparation or update of a
24 Transportation Management Program. In evaluating whether to allow more than ~~((one hundred
25 thirty five ()))~~135~~(())~~ percent of the minimum, the Director, in consultation with the Director of
26 ~~((Seattle Department of))~~ Transportation ~~((and Metropolitan King County))~~, shall consider

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1 evidence of parking demand and opportunities for alternative means of transportation. Factors to
2 be considered shall include but are not necessarily limited to the criteria contained in subsection
3 23.54.015.D.1.b ~~((of this section))~~ and the following:

4 a. The nature of services provided by Major Institution uses which
5 generate short-term parking demand; and

6 b. The extent to which the Major Institution manages short-term parking to
7 ensure its availability to meet short-term parking needs.

8 Based on this review, the Director shall determine the amount of additional short-term
9 parking to be permitted, if any.

10 ***

11 Section 16. Subsection F of Section ~~23.54.020~~ of the Seattle Municipal Code, which
12 section was last amended by Ordinance 123495, is amended as follows:

13 **23.54.020 Parking quantity exceptions**

14 ***

15 F. Reductions to minimum parking requirements.

16 1. When parking is required, ~~((R))~~ reductions to minimum parking requirements
17 permitted by this subsection 23.54.020.F will be calculated from the minimum parking
18 requirements in Section 23.54.015. Total reductions to required parking as provided in this
19 subsection 23.54.020.F may not exceed ~~((40))~~ 50 percent.

20 2. Transit reduction.

21 a. In multifamily and commercial zones, the minimum parking
22 requirement for all uses is reduced by ~~((20))~~ 50 percent if the use is located within 1,320 feet of a
23 street with frequent transit service. This distance will be the walking distance measured from the
24 nearest transit stop to the lot line of the lot containing the use.

25 b. In industrial zones, the minimum parking requirement for a
26 nonresidential use is reduced by 15 percent if the use is located within 1,320 feet of a street with

1 peak transit service headways of 15 minutes or less. This distance will be the walking distance
2 measured from the nearest transit stop to the lot line of the lot containing the use.

3 3. For new or expanding offices or manufacturing uses that require 40 or more
4 parking spaces, the minimum parking requirement may be reduced by up to a maximum of 40
5 percent by the substitution of alternative transportation programs, according to the following
6 provisions:

7 a. For every ~~((certified))~~ carpool space accompanied by a cash fee,
8 performance bond or alternative guarantee acceptable to the Director, the total parking
9 requirement will be reduced by 1.9 spaces, up to a maximum of 40 percent of the parking
10 requirement. ~~((The Director will consult with the Director of the Seattle Department of
11 Transportation in certifying carpool spaces and the location of carpool parking.))~~

12 b. For every ~~((certified))~~ vanpool purchased or leased by the applicant for
13 employee use, or equivalent cash fee for purchase of a van by the public ridesharing agency, the
14 total parking requirement will be reduced by six spaces, up to a maximum of 20 percent of the
15 parking requirement. ~~((Before a certificate of occupancy may be issued, details of the vanpool
16 program shall be specified in a Memorandum of Agreement executed between the proponent, the
17 Director, and the Director of the Seattle Department of Transportation.))~~

18 c. If transit or transportation passes are provided with a 50 percent or
19 greater cost reduction to all employees in a proposed structure for the duration of the business
20 establishment(s) within it, or five years, whichever is less, and if transit service is located within
21 800 feet, the parking requirement shall be reduced by 10 percent. With a 25 percent to 49 percent
22 cost reduction, and if transit service is located within 800 feet, the parking requirement shall be
23 reduced by 5 percent.

24 d. For every four covered bicycle parking spaces provided, the total
25 parking requirement shall be reduced by one space, up to a maximum of 5 percent of the parking
26 requirement, provided that there is access to an arterial over improved streets.

Section 17. Section 23.76.004 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.76.004 Land use decision framework

B. Type I and II decisions are made by the Director and are consolidated in Master Use Permits. **Type I** decisions are decisions made by the Director that require the exercise of little or no discretion and that are not appealable to the Hearing Examiner. **Type II** decisions are discretionary decisions made by the Director that are subject to an administrative open record appeal hearing to the Hearing Examiner; provided that **Type II** decisions enumerated in ~~((Section))~~ subsection 23.76.006.C.2 shall be made by the Council when associated with a Council land use decision and are not subject to administrative appeal. **Type III** decisions are made by the Hearing Examiner after conducting an open record hearing and not subject to administrative appeal. Type I, II or III decisions may be subject to land use interpretation pursuant to Section 23.88.020.

Table A for 23.76.004 LAND USE DECISION FRAMEWORK DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS		
TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
* Compliance with development standards	* Temporary uses, more than four weeks, except for temporary relocation of police and fire stations	* Subdivisions (preliminary plats)
* Uses permitted outright	* Variances	
* Temporary uses, four weeks or less	* Administrative conditional uses	
* <u>Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments.</u>	* Shoreline decisions (*appealable to Shorelines Hearings Board along with all related environmental appeals)	

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Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
* Intermittent uses * Interim use parking authorized under subsection 23.42.040.G * Uses on vacant/underused lots per Section 23.42.038 * Certain street uses * Lot boundary adjustments * Modifications of features bonused under Title 24 * Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation * Temporary uses for relocation of police and fire stations * Exemptions from right-of-way improvement requirements * Special accommodation * Reasonable accommodation * Minor amendment to a Major Phased Development Permit * Determination of public benefit for combined lot FAR * Determination of whether an amendment to a Property Use and Development Agreement is major or minor * Streamlined design review, pursuant to Section 23.41.018, if no development standard departures are	* Short subdivisions * Special Exceptions * Design review, except for streamlined design review pursuant to Section 23.41.018 for which no development standard departures are requested * Light rail transit facilities * The following environmental determinations: 1. Determination of non-significance (EIS not required) 2. Determination of final EIS adequacy 3. Determinations of significance based solely on historic and cultural preservation 4. A decision by the Director to approve, condition or deny a project based on SEPA Policies 5. A decision by the Director that a project is consistent with a Planned Action Ordinance and EIS (no threshold determination or EIS required) * Major Phased Development * Downtown Planned Community Developments	

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Table A for 23.76.004
LAND USE DECISION FRAMEWORK
DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS

TYPE I Director's Decision (No Administrative Appeal)	TYPE II Director's Decision (Appealable to Hearing Examiner*)	TYPE III Hearing Examiner's Decision (No Administrative Appeal)
requested		
* Other Type I decisions that are identified as such in the Land Use Code		

COUNCIL LAND USE DECISIONS

TYPE IV (Quasi-Judicial)	TYPE V (Legislative)
* Amendments to the Official Land Use Map (rezones), except area-wide amendments, and adjustments pursuant to Section 23.69.023	* Land Use Code text amendments
* Public project approvals	* Area-wide amendments to the Official Land Use Map
* Major Institution Master Plans, including major amendments and renewal of a master plan's development plan component	* Concept approval for City facilities
* Major amendments to Property Use and Development Agreements	* Major Institution designations
* Council conditional uses	* Waiver or modification of development standards for City facilities
	* Planned Action Ordinance

Section 18. Section 23.76.006 of the Seattle Municipal Code, which section was last amended by Ordinance 123649, is amended as follows:

23.76.006 Master Use Permits required

A. Type I, II and III decisions are components of Master Use Permits. Master Use Permits are required for all projects requiring one or more of these decisions.

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;

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1 as is necessary to construct the system as provided in subsection 23.42.040.F, but excepting
2 temporary relocation of police and fire stations for 24 months or less;

3 b. Short subdivisions;

4 c. Variances; provided that, variances sought as part of a Type IV decision
5 may be granted by the Council pursuant to Section 23.76.036;

6 d. Special exceptions; provided that, special exceptions sought as part of a
7 Type IV decision may be granted by the Council pursuant to Section 23.76.036;

8 e. Design review, including streamlined design review pursuant to Section
9 23.41.018 if development standard departures are requested pursuant to Section 23.41.012;

10 f. Administrative conditional uses; provided that, administrative
11 conditional uses sought as part of a Type IV decision may be approved by the Council pursuant
12 to Section 23.76.036;

13 g. The following shoreline decisions (supplemental procedures for
14 shoreline decisions are established in Chapter 23.60):

15 1) Shoreline substantial development permits;

16 2) Shoreline variances;

17 3) Shoreline conditional uses;

18 h. Major Phased Development;

19 i. Determination of project consistency with a planned action ordinance
20 and EIS;

21 j. Establishment of light rail transit facilities necessary to operate and
22 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004; and

23 k. Downtown planned community developments; and

24 l. Establishment of temporary uses for transitional encampments.

25 ***

1 Section 19. Section 23.84A.032 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 123589, is amended as follows:

3 **23.84A.032 "R((:))"**

4 ***

5 "Residential use" means any one or more of the following:

6 1. "Accessory dwelling unit" means one or more rooms that (a) are located within
7 an owner-occupied dwelling unit, or within an accessory structure on the same lot or unit lot as
8 an owner-occupied dwelling unit; (b) meet the standards of Section 23.44.041, ~~((#))~~ 23.45.545,
9 or Chapter 23.47A, as applicable; (c) are designed, arranged, and intended to be occupied by not
10 more than one household as living accommodations independent from any other household; and
11 (d) are so occupied or vacant.

12 ***

13 18. "Rowhouse Development" means a multifamily residential use in which all
14 principal dwelling units on the lot meet the following conditions: (a) each dwelling unit occupies
15 the space from the ground to the roof of the structure in which it is located; (b) no portion of a
16 dwelling unit, ~~((including an accessory dwelling unit, but excluding garages))~~ except for an
17 accessory dwelling unit or shared parking garage, occupies space above or below another
18 dwelling unit; (c) each dwelling unit is attached along at least one common wall to at least one
19 other dwelling unit, or abuts another dwelling unit on a common lot line; (d) the front of each
20 dwelling unit faces a street lot line; (e) each dwelling unit provides pedestrian access directly to
21 the street that it faces; and (f) no portion of any other dwelling unit, except for an attached
22 accessory dwelling unit, is located between any dwelling unit and the street faced by the front of
23 that unit.

24 ***

25 20. "Townhouse Development" means a multifamily residential use that is not a
26 rowhouse development, and in which: (a) each dwelling unit occupies the space from the ground

1 to the roof of the structure in which it is located; (b) no portion of a dwelling unit occupies space
2 above or below another dwelling unit, except for an attached accessory dwelling unit and except
3 for dwelling units constructed over a shared parking garage; and (c) each dwelling unit is
4 attached along at least one common wall to at least one other dwelling unit, or abuts another
5 dwelling unit on a common lot line.

6 ***

7 Section 20. Section 23.91.002 of the Seattle Municipal Code, which section was last
8 amended by Ordinance 123546, is amended as follows:

9 **23.91.002 Scope of Chapter 23.91**

10 A. Violations of the following provisions of Seattle Municipal Code Title 23 shall be
11 enforced under the citation or criminal provisions set forth in this Chapter 23.91:

12 1. Junk storage in residential zones (Sections 23.44.006 and 23.44.040, and
13 Chapter 23.45), unless the lot contains a vacant structure subject to the vacant building
14 maintenance standards contained in subsection 22.206.200.A;

15 2. Construction or maintenance of structures in required yards or setbacks in
16 residential zones (Sections 23.44.014 and 23.44.040, and Chapter 23.45);

17 3. Parking of vehicles in a single-family zone (Section 23.44.016) unless the lot
18 contains a vacant structure subject to the vacant building maintenance standards contained in
19 subsection 22.206.200.A; and

20 4. Keeping of animals (Section 23.42.050), ~~((; and))~~

21 ~~((5. Home occupations (Section 23.42.052).))~~

22 B. Any enforcement action or proceeding pursuant to this Chapter 23.91 shall not affect,
23 limit or preclude any previous, pending or subsequent enforcement action or proceeding taken
24 pursuant to Chapter 23.90.

25 Section 21. Section 25.05.800 of the Seattle Municipal Code, which section was last
26 amended by Ordinance 123495, is amended as follows:

1 **Subchapter IX Categorical Exemptions**

2 **25.05.800 Categorical exemptions**

3 The proposed actions contained in this subchapter are categorically exempt from
4 threshold determination and EIS requirements, subject to the rules and limitations on categorical
5 exemptions contained in Section 25.05.305.

6 A. Minor new construction--- flexible thresholds.

7 1. The exemptions in this subsection 25.05.800.A apply to all licenses required to
8 undertake the construction in question, except when a rezone or any license governing emissions
9 to the air or discharges to water is required. To be exempt under this Section 25.05.800, the
10 project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt
11 level in subsection ~~((A.2 of this Section))~~ 25.05.800.A.2 shall control. If the proposal is located
12 in more than one city or county, the lower of the agencies' adopted levels shall control,
13 regardless of which agency is the lead agency.

14 2. The following types of construction are exempt, except when undertaken
15 wholly or partly on lands covered by water or unless undertaken in environmentally critical areas
16 (Section 25.05.908):

17 a. The construction or location of residential ~~((structures))~~ or mixed-use
18 development containing no more than the number of dwelling units identified in Table A for
19 25.05.800~~((, except for lots located in an Urban Center or a SAOD, if the proposed construction~~
20 ~~or location is on a lot in an LRI or LR2 zone, and if the lot abuts any portion of another lot that is~~
21 ~~zoned SF or RSL, or is across an alley of any width from a lot that is zoned SF or RSL, or is~~
22 ~~across a street from a lot zoned SF or RSL if that street does not meet minimum width~~
23 ~~requirements in Section 23.53.015.A, then the level of exempt construction is 4 dwelling units~~
24 ~~for lots in an LRI zone, and 6 dwelling units for lots in an LR2 zone));~~

Table A for 25.05.800: Exemptions for Residential Uses

Zone	Residential Uses		
	Number of Exempt Dwelling Units		
	Outside of Urban Centers and Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs	Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded
SF, RSL	4	4	4
LR1	4	((6)) 200 ⁽¹⁾	20
LR2	6	((30)) 200 ⁽¹⁾	20
LR3	8	((30)) 200 ⁽¹⁾	20
NC1, NC2, NC3, C1, C2	4	((30)) 200 ⁽¹⁾	20
MR, HR, SM	20	((30)) 200 ⁽¹⁾	20
Downtown zones	NA	((80)) 250 ⁽¹⁾	20
Industrial zones	4	4	4

Notes for Table A for 25.05.800

SAOD = Station Area Overlay District(s).

Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

(1) Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed-use development located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined that residential growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service or storage buildings, containing no more than the gross floor area listed in ~~((the))~~ Table B for 25.05.800 below:

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Table B for 25.05.800: Exemptions for Non-Residential Uses

Zone	Non-Residential Uses		
	Exempt Area of Use (square feet of gross floor area)		
	<u>Outside of Urban Centers and Urban Villages Containing SAODs</u>	<u>Within Urban Centers or Urban Villages Containing SAODs</u>	<u>Within Urban Centers or Urban Villages Containing SAODs if Growth Targets Have Been Exceeded</u>
SF, RSL, LR1 ((LR2; LR3))	4,000	4,000	4,000
LR2, LR3	4,000	12,000 ⁽¹⁾ or 30,000	12,000
MR, HR, NC1, NC2, NC3	4,000	12,000 ⁽¹⁾ or 30,000	12,000
C1, C2, SM((; Industrial)) zones	12,000	12,000 ⁽¹⁾ or 30,000	12,000
Industrial zones	12,000	12,000	12,000
Downtown zones	Not Applicable	12,000 ⁽¹⁾ or 30,000	12,000

Notes for Table B for 25.05.800. SAOD = Station Area Overlay District((s)).
 Urban centers and urban villages are identified in the Seattle Comprehensive Plan.
 (1) New nonresidential development that is not part of a mixed-use development and that does not exceed 12,000 square feet is categorically exempt from SEPA. Pursuant to RCW 43.21C.229, new non-residential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in an urban center or in an urban village that contains a SAOD is categorically exempt from SEPA, unless the Department has determined that employment growth within the urban center or urban village has exceeded exemption limits for the center or village that the Department has established pursuant to subsection 25.05.800A.1.i.

- d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces;
- e. Any landfill or excavation of 500 cubic yards or less throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder;
- f. Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through A.2.d ((above)), unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see ((Section)) subsection 25.05.305.A.2.b);
- g. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection 25.05.800.A apply.

THIS VERSION IS NOT ADOPTED

1 h. For the purposes of this subsection 25.05.800.A, "mixed use
2 development" means development having two or more principal uses, one of which is a
3 residential use comprising 50% or more of the gross floor area.

4 i. To implement the requirements of Tables A and B of this section, the
5 Director shall establish exemption limits by rule for each urban center and each urban village
6 containing a SAOD to assure that proposed development that could cause growth targets in
7 Appendix A of the Comprehensive Plan's Urban Village Element to be exceeded is subject to
8 SEPA review. The exemption limits must contain a "cushion" to assure that development does
9 not exceed growth targets without SEPA review, provided that the cushion shall be at least 10%
10 of the residential or employment growth targets established in the Comprehensive Plan.

11 j. The Director shall monitor residential and employment growth and
12 publish quarterly a determination of growth for each urban center and urban village containing a
13 SAOD. Residential growth shall include, but need not be limited to, net new units that have
14 been built and net new units in projects that have received a building permit but have not
15 received a certificate of occupancy. If the Director determines that exemption limits have been
16 reached for an urban center or urban village containing a SAOD, subsequent development is not
17 categorically exempt from SEPA review pursuant to RCW 43.21C.229.

18 * * *

19 Section 22. Map Book A attached as Exhibit 1 to this ordinance shall be codified at the
20 end of SMC Chapter 23.47A.

21 Section 23. Severability. The provisions of this ordinance are declared to be separate and
22 severable. The invalidity of any particular provision, or its invalidity as applied in any
23 circumstances, shall not affect the validity of any other provision or the application of the
24 particular provision in other circumstances.

1 Section 24. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the ____ day of _____, 2012, and signed by
5 me in open session in authentication of its passage this
6 ____ day of _____, 2012.

7
8
9 _____
10 President _____ of the City Council

11 Approved by me this ____ day of _____, 2012.

12
13 _____
14 Michael McGinn, Mayor

15
16 Filed by me this ____ day of _____, 2012.

17
18 _____
19 Monica Martinez Simmons, City Clerk

20 (Seal)

21
22 Exhibit 1: Map Book A for Chapter 23.47A
23
24
25
26
27

THIS VERSION IS NOT ADOPTED

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning and Development	Gordon Clowers/4-8375	Joe Regis/6-1307

Legislation Title: An ordinance related to land use, zoning and environmental review, amending Sections 23.40.006, 23.42.040, 23.42.050, 23.44.014, 23.44.041, 23.45.504, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.526, 23.45.527, 23.45.529, 23.45.532, 23.45.545, 23.47A.005, 23.47A.008, 23.54.015, 23.54.016, 23.54.020, 23.55.022, 23.76.004, 23.76.006, 23.84A.032, 23.91.002, 25.05.800 and Chapter 23.52 of the Seattle Municipal Code, and adding new Sections 23.40.035 and 23.52.008 to carry out proposals for regulatory reform.

Summary of the Legislation: The legislation is intended to encourage economic growth by providing expanded opportunities for entrepreneurship and new development, encouraging growth in Urban Centers and transit station areas consistent with the City's Comprehensive Plan. The following is a summary of key proposals:

- Increase eligible sites for detached accessory dwelling unit construction;
- Increase the duration allowed for temporary use permits, and simplify the review process;
- Increase flexibility to accommodate home-based businesses;
- Allow limited commercial uses in certain Lowrise 2 and 3 zones;
- Allow a greater presence of residential uses at the ground floor of buildings along arterials in commercial zones outside of pedestrian-designated zones;
- Clarify the capability to include accessory dwelling units in townhouses and rowhouses;
- Raise State Environmental Policy Act (SEPA) threshold levels for environmental review within Urban Centers and the Station Area Overlay District;
- Eliminate minimum parking requirements for uses in Urban Centers, the Station Area Overlay District, and areas within ¼ mile of transit routes with frequent transit service;
- Eliminate minimum parking requirements for new development in Major Institution uses in Urban Centers or the Station Area Overlay District;

Background: The legislation is an important part of the Mayor's Jobs Initiative, and it also addresses the City Council's adopted Resolution 31282 from March, 2011. The reforms are intended to update the City's codes in order to reinforce economic development objectives and stimulate economic recovery by encouraging new development, entrepreneurship and encouraging investments in Seattle. Proposed amendments would increase flexibility for a wider variety of land uses with fewer restrictions on the location or separation of uses, would encourage home-based and small startup businesses, and shorten regulatory review where it would unnecessarily delay or discourage new development. The amendments are aligned with the Comprehensive Plan's objectives to encourage infill development in urban centers and station areas.

THIS VERSION IS NOT ADOPTED



Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

The Proposal's Intended Stimulus to the Economy

The legislation is likely to induce new entrepreneurial activity and growth of small businesses as it provides expanded flexibility in codes to accommodate such activities across many parts of the city. This ranges from new start-ups based in homes to new commercial/retail opportunities where today's codes prohibit such activities.

By providing added regulatory flexibility in minimum parking requirements, accessory dwelling unit construction, and the ability to better mix uses in multifamily and commercial zones, the legislation would enhance the feasibility and cost-effectiveness of new development by the private and public sectors, and induce new construction with related job growth and economic benefits. The probable effects would include increased wages, new employment opportunities, added value in terms of affordable housing opportunities, and reinforcement of economic vitality in the city.

The proposal to eliminate minimum parking requirements in locations served by frequent transit could result in lower provision of off-street parking spaces over time as new development occurs. This may result in some greater demand for on-street parking. The indirect financial implications of this increased demand might be added parking revenues from on-street parking and parking enforcement activities.

Implications for DPD Permit Review

The legislation raises environmental review thresholds to eliminate reviews where significant adverse environmental impacts are deemed unlikely to occur or where the impact of new development is adequately addressed by City codes. Some proposed development would forego this environmental review, but would continue to undergo other required review processes including but not limited to zoning and design review.

Review of permit data indicates that the reduced volume of environmental reviews (roughly 35-40 fewer reviews per year) would not have substantial financial implications. The average time devoted to SEPA as part of development reviews is approximately 15-20 hours. Compared to typical permit volumes (roughly 700 permits per year), this reduction in one specific type of review would be relatively minor.

Reduced chargeable SEPA review activity would be mitigated, in part, by increases in zoning and building permit review attributable to new development activity spurred by the proposed legislation including: new commercial or mixed-use development,

accessory dwelling units, and temporary use permits. Also, a portion of time allocated to SEPA review, perhaps up to 20-25% of typical SEPA review time, would be maintained in future DPD billings by planners' review and coordination of decision-making materials preparation such as traffic studies or managing public input.

b) What is the financial cost of not implementing the legislation?

Given the unstable footing of the economy at this time, not implementing this proposal may subject the city to increased loss of business and jobs, due to lost opportunities to stimulate new economic activity.

c) Does this legislation affect any departments besides the originating department?

No. DPD consulted with staff from the Seattle Department of Transportation (SDOT). No effects upon SDOT are anticipated.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

No alternatives to Land Use Code regulatory reform are identified, because the proposed amendments would directly implement regulatory relief that will reduce impediments and costs to new investment, entrepreneurship and housing construction in the city.

e) Is a public hearing required for this legislation?

Yes. At least one public hearing will be held during the City Council's deliberative process.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

A "notice of environmental determination and right to appeal" was published in the Daily Journal of Commerce and the Land Use Information Bulletin on July 11, 2011.

g) Does this legislation affect a piece of property?

The legislation has broad applicability across the city, including commercial zones, multifamily zones, single-family zones and in some cases industrial zones.

h) Other Issues:

None anticipated.

List attachments to the fiscal note below: None

THIS VERSION IS NOT ADOPTED

FILED
CITY OF SEATTLE
12 SEP -7 PM 3: 14
CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

287393
CITY OF SEATTLE, CLERKS OFFICE

No. 123938, 123939

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCE

was published on

08/10/12

The amount of the fee charged for the foregoing publication is the sum of \$ 48.83, which amount has been paid in full.



James C. [Signature]
Subscribed and sworn to before me on
08/10/12 *[Signature]*
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on July 23, 2012, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

of the Seattle Municipal Code.

ORDINANCE NO. 123938

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 123939

AN ORDINANCE related to land use, zoning and environmental review, amending Sections 23.40.006, 23.42.040, 23.42.050, 23.44.014, 23.44.041, 23.45.504, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.526, 23.45.527, 23.45.529, 23.45.532, 23.45.545, 23.47A.005, 23.47A.008, 23.54.015, 23.54.016, 23.54.020, 23.55.022, 23.76.004, 23.76.006, 23.84A.032, 23.91.002, 25.05.800 and Chapter 23.52 of the Seattle Municipal Code, and adding new Sections 23.40.035 and 23.52.008 to carry out proposals for regulatory reform.

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