

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**  
**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to land use and zoning, amending the Land Use Code with a set of adjustments to Lowrise multi-family zoning development standards to bring development outcomes more in line with the development outcomes expected at the time of a 2010 major update to the city’s Lowrise multi-family zoning code; amending Sections 23.45.510; 23.45.512; 23.45.514; 23.45.518; 23.84A.014.G; 23.86.002.

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

Section 1. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance 124378 is amended as follows:

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

A. General provisions((-))

1. All gross floor area not exempt under subsection 23.45.510.E counts toward the maximum gross floor area allowed under the floor area ratio (FAR) limits.
2. The applicable FAR limit applies to the total non-exempt gross floor area of all structures on the lot.
3. If a lot is in more than one zone, the FAR limit for each zone applies to the portion of the lot located in that zone, and the floor area on the portion of the lot with the lower FAR limit may not exceed the amount that would be permitted if it were a separate lot.

B. FAR limits in LR zones. Floor area ratio limits apply in LR zones as shown in Table A for 23.45.510, provided that if the LR zone designation includes an incentive zoning suffix, then the applicant shall comply with Chapter 23.58A, Incentive Provisions, to obtain gross floor area exceeding that allowed by the FAR shown in the suffix designation. In lowrise zones the following standards apply to calculation of gross floor area for application of FAR limits:



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

8           2. For all categories of residential use, if the lot abuts an alley and the alley is  
9 used for access, improvements to the alley shall be required as provided in subsections  
10 23.53.030.E and 23.53.030.F, except that the alley shall be paved rather than improved with  
11 crushed rock, even for lots containing fewer than ten dwelling units.

12           3. Parking location if parking is provided.

13           a. For rowhouse and townhouse developments, parking shall be totally  
14 enclosed within the same structure as the residential use, located in a structure or portion of a  
15 structure that meets the requirements of subsection 23.45.510.E.5, or located in a parking area or  
16 structure at the rear of the lot.

17           b. For apartments, parking may either:

18                   1) be totally enclosed within the same structure as the residential  
19 use; or

20                   2) on lots located outside of Urban Centers, Urban Villages, and  
21 the Station Area Overlay District, be located off an alley at the rear of the lot, provided that all  
22 surface parking is limited to a single row of spaces along the alley and access to each surface  
23 parking space is taken directly from the alley.

24           4. Access to parking if parking is provided

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

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

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

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

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

12 d. if access to parking does not meet one of the standards in this  
13 subsection 23.45.510.C.4, or if an exception is granted that allows parking access from both an  
14 alley and a street pursuant to subsection 23.45.536.C, the lower FAR limit on Table A for  
15 23.45.510 applies.

16 D. FAR limits in MR and HR zones((-))

17 1. FAR limits apply to all structures and lots in Midrise and Highrise zones as  
18 shown in Table B for 23.45.510

Table B for 23.45.510  
Floor Area Ratios in MR and HR zones

	MR	HR
Base FAR	3.2	8 on lots 15,000 square feet or less in size; 7 on lots larger than 15,000 square feet
Maximum FAR, allowed pursuant to Chapter 23.58A and Section 23.45.516	4.25	13 for structures 240' or less in height; 14 for structures over 240'

E. The following floor area is exempt from FAR limits:

1. All underground stories.
2. The floor area contained in a landmark structure subject to controls and incentives imposed by a designating ordinance, if the owner of the landmark has executed and recorded an agreement acceptable in form and content to the Landmarks Preservation Board, providing for the restoration and maintenance of the historically significant features of the structure, except that this exemption does not apply to a lot from which a transfer of development potential has been made under Chapter 23.58A, and does not apply for purposes of determining TDP available for transfer under Chapter 23.58A
3. The floor area contained in structures built prior to January 1, 1982 as single-family dwelling units that will remain in residential use, provided that:
  - a. no principal structure is located between the existing single-family dwelling unit and the street lot line along at least one street frontage. If the single-family dwelling unit is moved on the lot, the floor area of the dwelling remains exempt if it continues to meet this provision; and
  - b. the exemption is limited to the gross square footage in the single-family dwelling unit as of January 1, 1982.

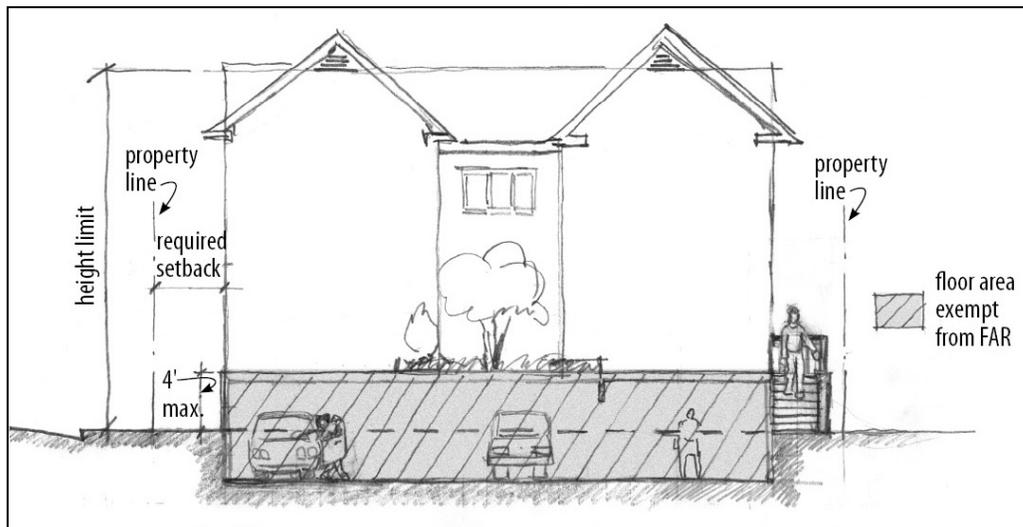
1 4. Portions of a story that extend no more than 4 feet above existing or finished  
2 grade, whichever is lower, excluding access, (see Exhibit A for 23.45.510), in the following  
3 circumstances:

4 ~~((a. apartments in LR zones that qualify for the higher FAR limit shown  
5 in Table A for 23.45.510;))~~

6 a. ~~((b.))~~ rowhouse developments in LR zones located on lots that have a  
7 lot depth of 100 feet or less, do not have alley access, and that qualify for the higher FAR limit  
8 shown in Table A for 23.45.510, provided that parking access is located at the rear of the  
9 rowhouse development; and

10 e-)b. all multifamily structures in MR and HR zones.

11 Exhibit A for 23.45.510  
12 Area Exempt from FAR



21 5. For rowhouse and townhouse developments and apartments that qualify for the  
22 higher FAR limit shown in Table A for 23.45.510, floor area within a structure or portion of a  
23 structure that is partially above grade and has no additional stories above, if the following  
24 conditions are met:  
25

1 a. The average height of the exterior walls enclosing the floor area does  
2 not exceed 4 feet, measured from existing or finished grade, whichever is lower;

3 b. The roof area above the exempt floor area is predominantly flat, is used  
4 as amenity area, and meets the standards for amenity area at ground level in Section 23.45.522

5 c. At least 25 percent of the perimeter of the amenity area on the roof  
6 above the floor area is not enclosed by the walls of the structure; and

7 d. The amenity area is no more than 4 feet above the grade at a point  
8 where pedestrian access is provided to the lot.

9 6. Enclosed common amenity area in Highrise zones.

10 7. As an allowance for mechanical equipment, in any structure more than 85 feet  
11 in height, 3.5 percent of the gross floor area that is not exempt under this subsection 23.45.510.E.

12 8. In HR zones, ground floor commercial uses meeting the requirements of  
13 Section 23.45.532, if the street level of the structure containing the commercial uses has a  
14 minimum floor to floor height of 13 feet and a minimum depth of 15 feet.

15 F. If TDP is transferred from a lot pursuant to Section 23.58A.042, the amount of non-  
16 exempt floor area that may be permitted is the applicable base FAR, plus any net amount of TDP  
17 previously transferred to the lot, minus the sum of the existing non-exempt floor area on the lot  
18 and the amount of TDP transferred.

19 Section 2. Section 23.45.512 of the Seattle Municipal Code, was last amended by  
20 Ordinance 123495, is amended as follows:

21 **23.45.512 Density limits Lowrise zones**

22 A. There shall be a minimum lot area per dwelling unit in LR zones for cottage housing  
23 developments, townhouse developments, and apartments, as shown on Table A for 23.45.512,  
24 except as provided in subsections B, C, D, E, and G of this Section 23.45.512

**((Table A for 23.45.512: Density Limits in Lowrise Zones))**

<b>Table A for 23.45.512 Density Limits in Lowrise Zones</b>				
Zone	Units allowed per square foot of lot area by category of residential use (1)			
	<b>Cottage Housing Development <del>((4))</del> (2) and Single-family Dwelling Unit</b>	<b>Rowhouse Development <sup>(3)</sup></b>	<b>Townhouse Development <del>((2))</del> (4)</b>	<b>Apartment <del>((3))</del> (5)</b>
LR1	1/1,600	<u>1/1,600 or</u> 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) When density calculations result in a fraction of a unit, any fraction up to and including 0.85 constitutes zero additional units, and any fraction over 0.85 constitutes one additional unit.

~~((4))~~ (2) See Section 23.45.531 for specific regulations about cottage housing developments.

(3) The density limit for rowhouse development in LR1 zones shall apply only on lots less than 5,000 square feet in size.

~~((2))~~ (4) 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))~~ (5) For apartments that meet the standards of subsection 23.45.510.C, there is no density limit in LR2 and LR3 zones.

**B. Density exception for certain types of low-income multifamily residential uses.**

1. The exception in this subsection 23.45.512.B applies to low-income disabled multifamily residential uses, low-income elderly multifamily residential uses, and low-income elderly/low-income disabled multifamily residential uses, operated by a public agency or a private nonprofit corporation, if they do not qualify for the higher FAR limit shown in Table A for 23.45.510.

2. The uses listed in subsection 23.45.512.B.1 shall have a maximum density of one dwelling unit per 400 square feet of lot area if a majority of the dwelling units are designed for and dedicated to tenancies of at least three months, and the dwelling units remain in low-income disabled multifamily residential use, low-income elderly multifamily residential use, or low-income elderly/low-income disabled multifamily residential use for the life of the structure.

1 C. Carriage houses, nursing homes, congregate housing, assisted living facilities, and  
2 accessory dwelling units that meet the standards of Section 23.45.545, are exempt from the  
3 density limit set in Table A for 23.45.512

4 D. In LR1 zones no apartment shall contain more than three dwelling units, except as  
5 permitted in subsections 23.45.512.E and G.

6 E. Dwelling unit(s) located in structures built prior to January 1, 1982 as single-family  
7 dwelling units that will remain in residential use are exempt from density limits and the  
8 provisions of subsection 23.45.512.D.

9 F. If dedication of right-of-way is required, permitted density shall be calculated before  
10 the dedication is made.

11 G. Adding Units to Existing Structures.

12 1. One additional dwelling unit may be added to an existing residential use  
13 regardless of the density restrictions in subsections 23.45.512.A, B, C, and D above. An  
14 additional unit is allowed only if the proposed additional unit is to be located entirely within an  
15 existing structure, and no additional floor area is proposed to be added to the existing structure.

16 2. For the purposes of this subsection 23.45.512.G "existing residential uses" are  
17 those that were established under permit as of October 31, 2001, or for which a permit has been  
18 granted and the permit has not expired on October 31, 2001.

19 Section 3. Section 23.45.514 of the Seattle Municipal Code, was last amended by  
20 Ordinance 124378 is amended as follows:

21 **23.45.514 Structure height**

22 A. Subject to the additions and exceptions ~~allowed as set forth~~ described in this Section  
23 23.45.514, the height limits for principal structures permitted in Lowrise zones are as shown on  
24 Table A for 23.45.514.

Table A for 23.45.514  
 Structure Height for Lowrise Zones in Feet

Housing type	LR1	LR2	LR3 outside Urban Centers, Urban Villages, and Station Area Overlay Districts	LR3 in Urban Centers, Urban Villages, and Station Area Overlay Districts
Cottage Housing Developments	18	18	18	18
Rowhouse and Townhouse Developments	30	30	30	30
Apartments	30	30	30	40 <sup>1</sup>

**Footnotes for Table A for 23.45.514:**

<sup>1</sup> 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.

1. Street-facing façade height limit in zones with a 30’ height limit pursuant to Table A for 23.45.514. The height of a street-facing façade including any exceptions allowed per subsections 23.45.514.E, 23.45.514.F, 23.45.514.H, and 23.45.514J.3 and 23.45.514J.4 of this Section, as measured from the average horizontal grade at the street property line along the width of the street-facing façade, is limited within a distance of 12’ from the street-facing property line to a maximum height of 34’.

2. Street-facing façade height limit in zones with a 40’ height limit pursuant to Table A for 23.45.514. The height of a street-facing façade including any exceptions allowed per subsections 23.45.514.E, 23.45.514.F, 23.45.514.H, and 23.45.514J.3 and 23.45.514J.4 of this Section, as measured from the average horizontal grade at the street property line along the width of the street-facing façade, is limited within a distance of 12’ from the street-facing property line to a maximum height of 40’.

B. The base and maximum height limits for principal structures permitted in Midrise and Highrise zones are as shown in Table B for 23.45.514, subject to the additions and exceptions allowed as set forth in this Section 23.45.514

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Table B for 23.45.514: Structure Height for Midrise and Highrise Zones, in Feet			
	MR	MR/85	HR
Base height limit	60	85	160
Maximum height limit if extra residential floor area is gained under Chapter 23.58A and Section 23.45.516	75	85	240 or 300

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

1. Garages and carports are limited to 12 feet in height as measured on the facade containing the vehicle entrance. Open rails may extend an additional 3 feet above the roof of the garage or carport if any portion of the roof is within 4 feet of existing grade.

2. The height limit is 20 feet for an accessory structure that contains an accessory dwelling unit for a rowhouse or townhouse unit. The height limit for an accessory dwelling unit that is accessory to a single-family dwelling unit shall be set according to Section 23.44.041

3. Freestanding flagpoles and religious symbols for religious institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer to any lot line than 50 percent of their height above existing grade.

D. Exceptions for pitched roofs in LR zones that are not shed or butterfly roofs. Pitched roofs that are not shed or butterfly roofs may extend above the height limits set in Table A for 23.45.514 subject to the following limits, provided that all parts of the roofs above the height limit have a minimum slope of 6:12, except as provided in subsection 23.45.514.D.5:

1. For cottage housing developments in all LR zones, the ridge of pitched roofs on principal structures may extend up to 7 feet above the height limit.

1           2. In LR1 and LR2 zones, for structures subject to a 30 foot height limit, the ridge  
2 of pitched roofs on principal structures may extend up to 5 feet above the height limit if the  
3 height exception in subsection 23.45.514.F is not used.

4           3. In LR3 zones, for structures subject to a 30 foot height limit, the ridge of  
5 pitched roofs on principal structures may either:

6                 a. extend up to 10 feet above the height limit, if the height exception  
7 provided in 23.45.514.F is not used, and the number of full stories above grade is limited to  
8 three; or

9                 b. extend up to 5 feet above the height limit, if the height exception  
10 provided in 23.45.514.F is used.

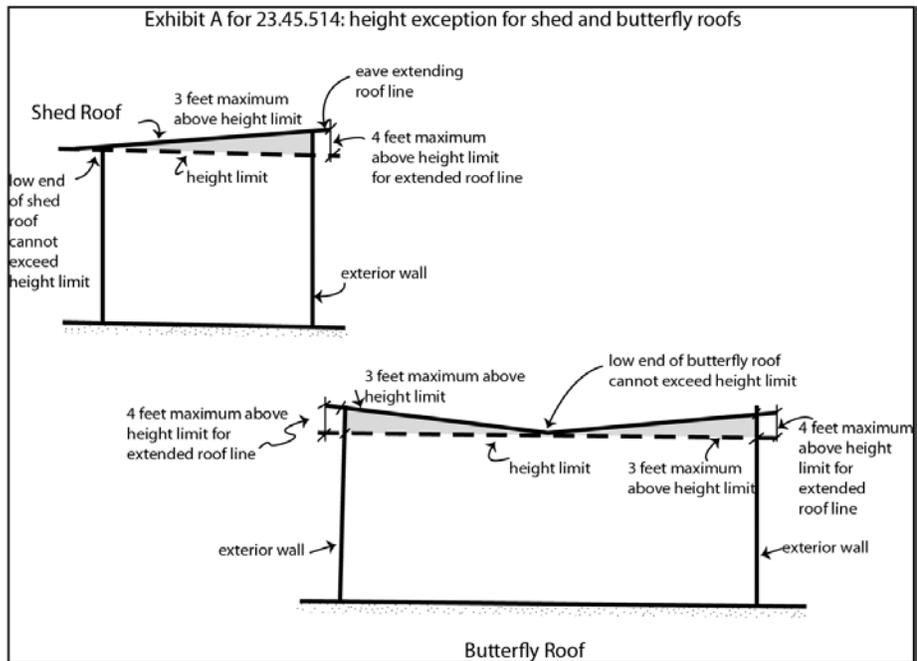
11           4. In LR3 zones, for structures subject to a 40 foot height limit, the ridge of  
12 pitched roofs on principal structures may extend up to 5 feet above the height limit provided that  
13 the height exception in subsection 23.45.514.F is not used.

14           5. Portions of curved roof forms, such as barrel and domed roofs, may have a  
15 lesser slope than 6:12, if the Director determines that the massing of the roof form is comparable  
16 to a pitched roof form such as a gable or gambrel roof that would have a minimum slope of 6:12.

17           E. Shed and butterfly roofs in LR zones.

18                 1. In LR zones, the high side(s) of a shed or butterfly roof may extend 3 feet  
19 above the height limits set in Table A for 23.45.514, provided that the low side(s) of the shed or  
20 butterfly roof are no higher than the height limit (see Exhibit A for 23.45.514).

1 2. The roof line of a shed or butterfly roof may be extended in order to  
2 accommodate eaves and gutters, provided that the highest point of the roof extension is no more  
3 than 4 feet above the height limit.



16 F. For ~~((apartments in LR2 zones, and for all))~~ townhouses and rowhouses ~~((residential uses))~~ in LR3 zones, the applicable height limit is increased 4 feet above the height shown on  
17 Table A for 23.45.514 for a structure that includes a story that is partially below-grade, provided  
18 that:

19 1. This height exception does not apply to portions of lots that are within 50 feet  
20 of a single-family zoned lot, unless the lot in the LR zone is separated from a single-family  
21 zoned lot by a street;

22 2. The number of stories above the partially below-grade story is limited to three  
23 stories ~~((for residential uses with a 30 foot height limit and to four stories for residential uses with  
24 a 40 foot height limit))~~;

1                   3. On the street-facing facade(s) of the structure, the story above the partially  
2 below-grade story is at least 18 inches above the elevation of the street, except that this  
3 requirement may be waived to accommodate units accessible to the disabled or elderly,  
4 consistent with the Seattle Residential Code, Section R322, or the Seattle Building Code,  
5 Chapter 11; and

6                   4. The average height of the exterior facades of the portion of the story that is  
7 partially below-grade does not exceed 4 feet, measured from existing or finished grade,  
8 whichever is less.

9                   G. In MR zones, the base height limit is increased by 5 feet if the number of stories in  
10 the structure that are more than 4 feet above existing or finished grade, whichever is lower, does  
11 not exceed six, and one or more of the following conditions is met:

12                   1. The FAR exemption provided in Section 23.45.510.E.4 is used;

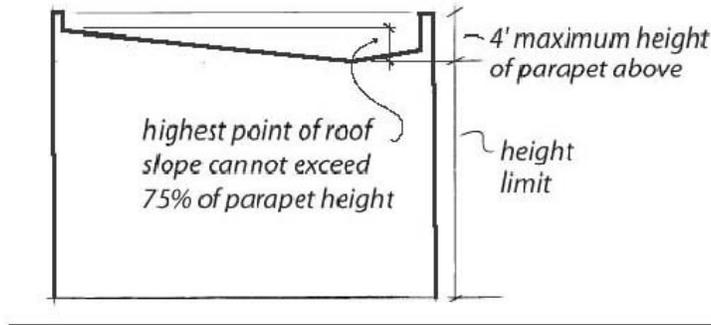
13                   2. All stories in the structure, except stories used only for parking, have floor to  
14 ceiling heights of 9 feet or more; or

15                   3. The lot is split between a MR zone and an NC zone, and the base structure  
16 height allowed on the NC-zoned portion is 65 feet or more.

17                   H. Roofs enclosed by a parapet. Roof surfaces that are completely surrounded by a  
18 parapet may exceed the applicable height limit to allow for a slope, provided that the height of  
19 the highest elevation of the roof surface does not exceed 75 percent of the parapet height, and  
20 provided that the lowest elevation of the roof surface is no higher than the applicable height  
21 limit. See Exhibit B for 23.45.514

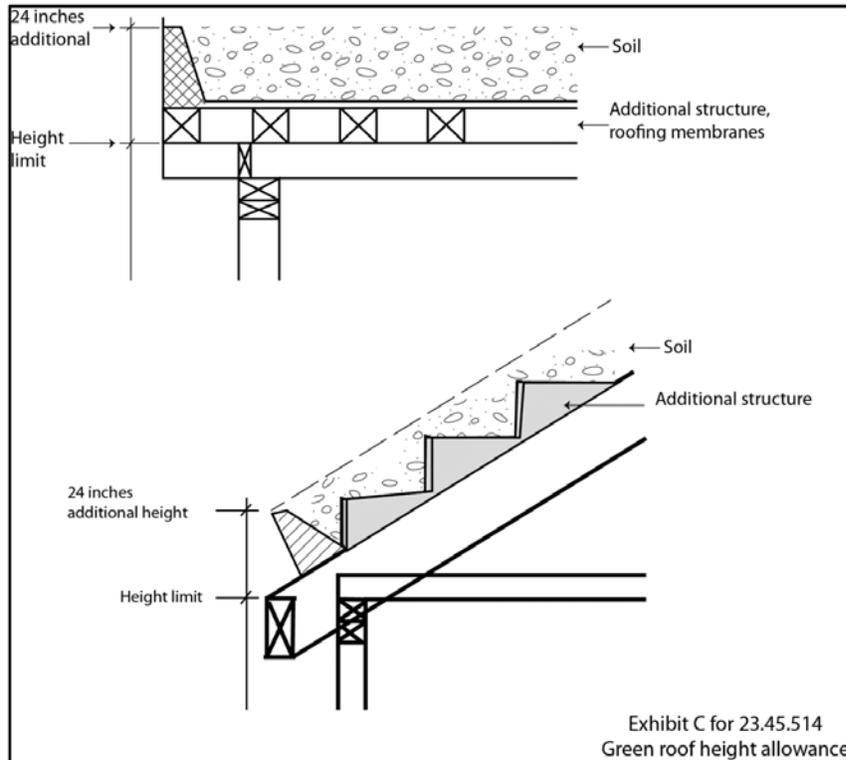
**Exhibit B for 23.45.514: Height Allowance for Sloped Roofs Concealed by a Parapet**

**Exhibit B for 23.45.514**  
**Height Allowance for Sloped Roofs Concealed by a Parapet**



I. Green roofs. For any structure with a green roof that meets standards promulgated by the Director and that covers at least 50 percent of the surface of the roof, up to 2 feet of additional height above the maximum height otherwise allowed for the roof is allowed to accommodate structural requirements, roofing membranes, and soil. See Exhibit C for 23.45.514

**Exhibit C for 23.45.514  
Green Roof Height Allowance**



J. Rooftop features.

1. Flagpoles and religious symbols for religious institutions that are located on a roof are exempt from height controls, except as regulated in Chapter 23.64, Airport Height Overlay District, provided they are no closer to any lot line than 50 percent of their height above the roof portion where attached.

2. Open railings, planters, skylights, clerestories, greenhouses not dedicated to food production, parapets and firewalls on the roofs of principal structures may extend 4 feet above the maximum height limit set in subsections A, B, E, and F of this Section 23.45.514

3. Architectural Projections ~~((on pitched roofs))~~ that result in additional interior space, such as dormers, skylights and clerestories are subject to the following limits: ~~((may~~

1 extend to the height of the ridge of a pitched roof that is permitted to exceed the applicable  
2 height limit pursuant to subsection 23.45.514.D, if all of the following conditions are satisfied:))

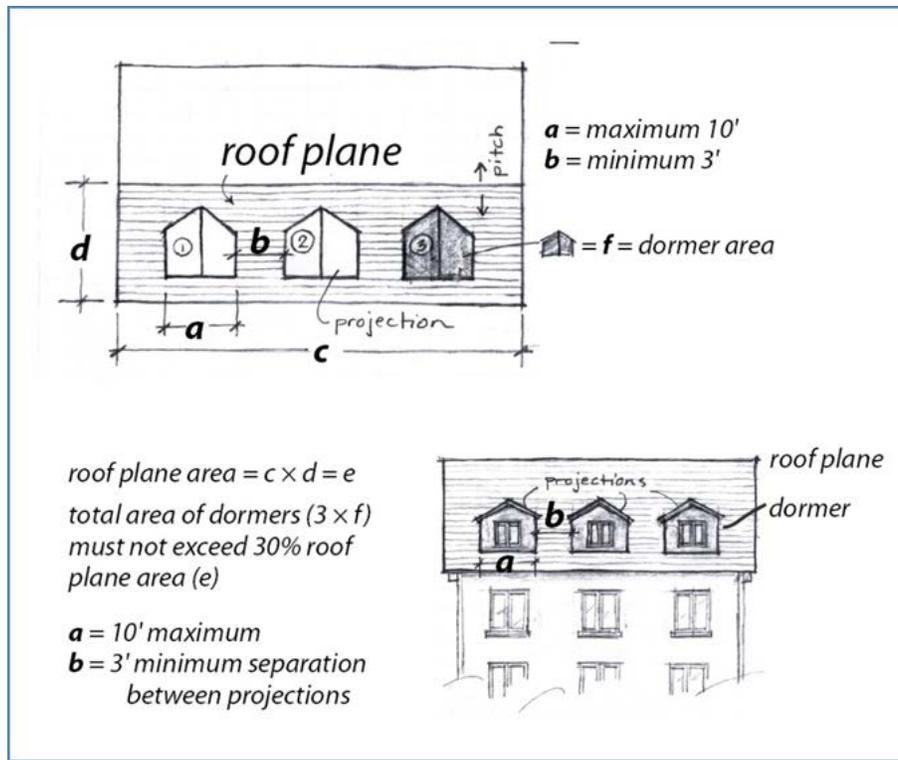
3 a. On pitched roofs projections may extend to the height of the ridge of  
4 the pitched roof that is allowed pursuant to subsection 23.45.514.D, if the following conditions  
5 are met:

6 ((a-))i. the total area of the projections is ~~((limited to))~~ no more  
7 than 30 percent of the area of each roof plane measured from the plan view perspective;

8 ((b-))ii. ~~the projections are~~ each projection is limited to 10 feet in  
9 width; and

10 ((e-))iii. each projection is separated by at least 3 feet from any  
11 other projection (see Exhibit D for 23.45.514).

12 **Exhibit D for 23.45.514: Permitted Projections on Pitched Roofs**



1                                    b. On flat roofs the projections may extend 4 feet above the maximum  
2 height limit pursuant to subsections 23.45.514.A, 23.45.514.B, and 23.45.514.F if the following  
3 conditions are met:

4                                    1) the total area of the projections is no more than 30 percent of  
5 the area of the roof plane;

6                                    2) the projections are setback at least 4 feet from any street facing  
7 façade.

8                                    4. In LR zones, the following rooftop features may extend 10 feet above the  
9 height limit set in subsections 23.45.514.A and F, if the combined total coverage of all features  
10 does not exceed 15 percent of the roof area or 20 percent of the roof area if the total includes  
11 screened mechanical equipment:

12                                    a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

13                                    b. Mechanical equipment;

14                                    c. Play equipment and open-mesh fencing that encloses it, if the fencing is  
15 at least 5 feet from the roof edge;

16                                    d. Chimneys;

17                                    e. Wind-driven power generators; and

18                                    f. Minor communication utilities and accessory communication devices,  
19 except that height is regulated according to the provisions of Section 23.57.011

20                                    5. In MR and HR zones, the following rooftop features may extend 15 feet above  
21 the applicable height limit set in subsections 23.45.514.B, and F, if the combined total coverage  
22 of all features does not exceed 20 percent of the roof area, or 25 percent of the roof area if the  
23 total includes screened mechanical equipment:

24                                    a. Stair penthouses, except as provided in subsection 23.45.514.J.6;

25                                    b. Mechanical equipment;

1 c. Play equipment and open-mesh fencing that encloses it, if the fencing is  
2 at least 5 feet from the roof edge;

3 d. Chimneys;

4 e. Sun and wind screens;

5 f. Penthouse pavilions for the common use of residents;

6 g. Greenhouses and solariums, in each case that meet minimum energy  
7 standards administered by the Director;

8 h. Wind-driven power generators; and

9 i. Minor communication utilities and accessory communication devices,  
10 except that height is regulated according to the provisions of Section 23.57.011

11 6. Subject to the roof coverage limits in subsections 23.45.514.J.4 and 5, elevator  
12 penthouses may extend above the applicable height limit up to 16 feet. If additional height is  
13 needed to accommodate energy-efficient elevators in HR zones, elevator penthouses may extend  
14 the minimum amount necessary to accommodate energy-efficient elevators, up to 25 feet above  
15 the applicable height limit. Energy-efficient elevators are defined by Director's Rule. Stair  
16 penthouses may be the same height as an elevator penthouse if the elevator and stairs are co-  
17 located within a common penthouse structure.

18 7. For height exceptions for solar collectors, see Section 23.45.545

19 8. In order to protect solar access for property to the north, the applicant shall  
20 either locate the rooftop features listed in this subsection 23.45.514.J at least 10 feet from the  
21 north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of  
22 such rooftop features would shade property to the north on January 21<sup>st</sup> at noon no more than  
23 would a structure built to maximum permitted bulk:

24 a. Solar collectors;

25 b. Planters;

- 1 c. Clerestories;
- 2 d. Greenhouses and solariums that meet minimum energy standards
- 3 administered by the Director;
- 4 e. Minor communication utilities and accessory communication devices,
- 5 permitted according to the provisions of Section 23.57.011
- 6 f. Play equipment;
- 7 g. Sun and wind screens;
- 8 h. Penthouse pavilions for the common use of residents.
- 9 i. Penthouse pavilions for the common use of residents.

10 9. For height limits and exceptions for communication utilities and devices, see  
11 Section 23.57.011

12 10. Greenhouses that are dedicated to food production are permitted to extend 15  
13 feet above the applicable height limit, as long as the combined total coverage of all features  
14 gaining additional height listed in this subsection 23.45.514.J does not exceed 50 percent of the  
15 roof area, and the greenhouse meets the requirements of subsection 23.45.514.J.8.

16 11. Additional height in HR zones. A structure may exceed the applicable height  
17 limit in the HR zone as follows:

18 a. If the applicable height limit is 240 feet, the height of the structure may  
19 be increased by 30 feet if the area bounded by the facades of the portion of the structure above  
20 240 feet is no greater than 6,500 square feet, or if the area bounded by the facades at an elevation  
21 that is halfway between 240 feet and the height of the structure is no greater than 50 percent of  
22 the area bounded by the facades at a height of 240 feet.

23 b. If the applicable height limit is 300 feet, the height of a structure may  
24 be increased (1) by 30 feet if the area bounded by the facades of the portion of the structure  
25 above 300 feet is no greater than 6,500 square feet, or (2) by 45 feet if the area bounded by the  
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1 facades at an elevation that is halfway between 300 feet and the height of the structure is no  
2 greater than 50 percent of the area bounded by the facades at a height of 300 feet.

3 c. In all cases the area bounded by the facades extending above the height  
4 limit may be occupied only by those uses or features otherwise permitted in this Section  
5 23.45.514 as an exception above the height limit, although any limits on the height or coverage  
6 of those uses or features totally screened by the facades extending above the applicable height  
7 limit shall not apply. Height exceptions permitted for screening of rooftop features under other  
8 provisions of this subsection 23.45.514.J are not permitted above the height gained by a structure  
9 under this subsection 23.45.514.J.11.

10 Section 4. Section 23.45.518 of the Seattle Municipal Code, was last amended by  
11 Ordinance 124378 is amended as follows:

12 **23.45.518 Setbacks and Separations**

13 A. LR zones. Required setbacks for the LR zones are shown in Table A for 23.45.518  
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**Table A for 23.45.518**  
**Required Setbacks in LR Zones measured in feet**

All LR Zones	Category of Residential Use			
Setback	Cottage Housing Developments and Single-Family Dwelling Units	Rowhouse Developments	Townhouse Developments	Apartments
Front	7 average; 5 minimum	5 minimum	7 average; 5 minimum	5 minimum
Rear	0 with Alley; 7 if no Alley	0 with Alley; With no alley: 7 average; 5 minimum	7 average; 5 minimum	10 minimum with alley; 15 minimum if no alley
Side Setback for Facades 40 feet or less in length <sup>1</sup>	5	<u>0 where abutting another rowhouse, otherwise 3.5,</u> 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	<u>0 where abutting another rowhouse, otherwise 3.5,</u> 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

**Footnote to Table A for 23.45.518**

<sup>1</sup> 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.

\* \* \*

D. Through lots. In the case of a through lot, each setback abutting a street except a side setback shall be a front setback. Rear setback requirements shall not apply to the lot.

1 E. Other requirements. Additional structure setbacks may be required in order to meet  
2 the provisions of Chapter 23.53, Requirements for Streets, Alleys and Easements.

3 F. Separations between multiple structures((:-))

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

7 2. In LR and MR zones, if principal structures are separated by a driveway or  
8 parking aisle, the minimum required separation between the principal structures is 2 feet greater  
9 than the required width of the driveway or parking aisle, provided that the separation is not  
10 required to be any greater than 24 feet. If principal structures are separated by a driveway or  
11 parking aisle, projections that enclose floor area may extend a maximum of 3 feet into the  
12 required separation if they are at least 8 feet above finished grade.

13 3. Cottage housing developments in LR and MR zones:

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

17 b. Facades of principal structures shall be separated from facades of  
18 accessory structures by a minimum of 3 feet.

19 4. HR zones. Where two or more structures or portions of a structure above 85  
20 feet in height are located on one lot, the minimum horizontal separation between interior facades  
21 in each height range is as provided in Table D for 23.45.518

**((Table D for 23.45.518: HR Facade Separation for Structures on the Same Lot))**

Table D for 23.45.518: HR Facade Separation for Structures on the Same Lot

Height Range	Minimum separation required between interior facades
0 to 45 feet	No minimum
Above 45 feet up to 160 feet	30 feet
Above 160 feet	40 feet

G. Front and rear setbacks and all separations on lots containing certain environmentally critical areas or buffers may be reduced pursuant to Sections [25.09.280](#) and [25.09.300](#)

H. Projections permitted in all required setbacks and separations.

1. Cornices, eaves, gutters, roofs and other forms of weather protection may project into required setbacks and separations a maximum of 4 feet if they are no closer than 3 feet to any lot line.

2. Garden windows and other features that do not provide floor area may project a maximum of 18 inches into required setbacks and separations if they are:

- a. a minimum of 30 inches above the finished floor;
- b. no more than 6 feet in height and 8 feet wide; and
- c. combined with bay windows and other features with floor area, make

up no more than 30 percent of the area of the facade.

3. Bay windows and other features that provide floor area may project a maximum of 2 feet into required setbacks and separations if they are:

- a. no closer than 5 feet to any lot line;
- b. no more than 10 feet in width; and
- c. combined with garden windows and other features included in

subsection 23.45.518.H.2, make up no more than 30 percent of the area of the facade.

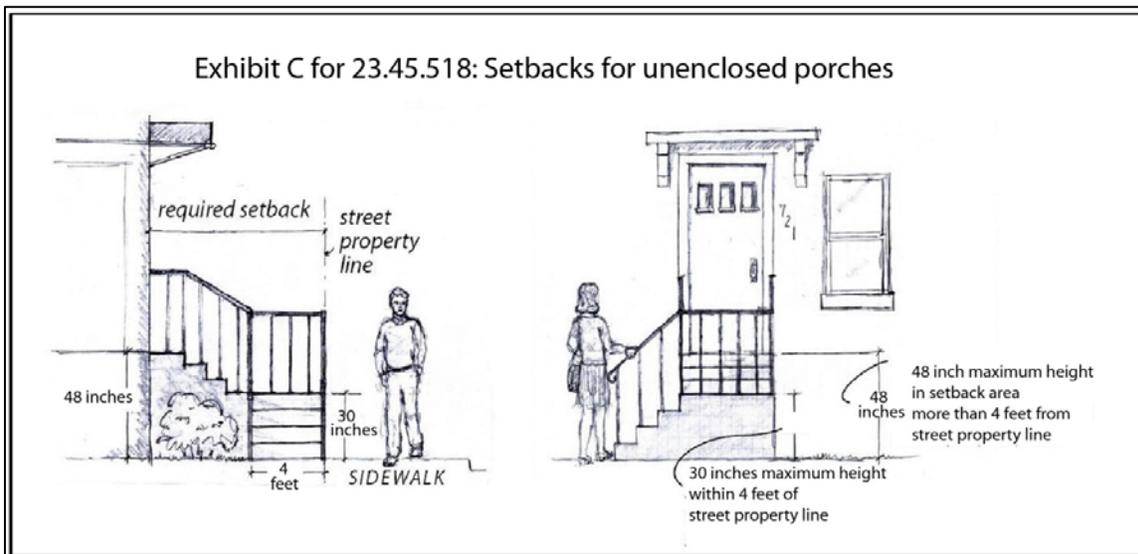
1 4. Unenclosed decks up to 18 inches above existing or finished grade, whichever  
2 is lower, may project into required setbacks or separations to the lot line.

3 5. Unenclosed porches or steps.

4 a. If setbacks are required pursuant to subsection A.1 of this Section  
5 23.45.518, unenclosed porches or steps no higher than 4 feet above existing grade, or the grade at  
6 the street lot line closest to the porch, whichever is lower, may extend to within 4 feet of a street  
7 lot line, except that portions of entry stairs or stoops not more than 2.5 feet in height from  
8 existing or finished grade whichever is lower, excluding guard rails or hand rails, may extend to  
9 a street lot line. See Exhibit C for 23.45.518

10 **Exhibit C for 23.45.518**

11 **Setbacks for Unenclosed Porches**



21 b. Permitted porches may be covered, provided that no portions of the  
22 cover-structure, including any supports, are closer than 3 feet to any lot line.

23 6. Fireplaces and chimneys may project up to 18 inches into required setbacks or  
24 separations.

1 I. Unenclosed decks and balconies may project a maximum of 4 feet into required  
2 setbacks if each one is:

- 3 1. no closer than 5 feet to any lot line;  
4 2. no more than 20 feet wide; and  
5 3. separated from other decks and balconies on the same facade of the structure  
6 by a distance equal to at least one-half the width of the projection.

7 J. Structures in required setbacks or separations.

8 1. Detached garages, carports or other accessory structures may be located in  
9 required separations and required rear or side setbacks, subject to the following requirements:

- 10 a. Any accessory structure located between a principal structure and a  
11 side lot line shall provide the setback required for the principal structure;  
12 b. Any portion of an accessory structure located more than 25 feet from a  
13 rear lot line shall be set back at least 5 feet from the side lot line;  
14 c. Accessory structures shall be set back at least 7 feet from any lot line  
15 that abuts a street; and  
16 d. Accessory structures shall be separated by at least 3 feet from all  
17 principal structures, including the eaves, gutters, and other projecting features of the principal  
18 structure.

19 2. Ramps or other devices necessary for access for the disabled and elderly that  
20 meet the Seattle Residential Code, Section R322 or Seattle Building Code, Chapter 11-  
21 Accessibility, are permitted in any required setback or separation.

22 3. Uncovered, unenclosed pedestrian bridges, necessary for access and 5 feet or  
23 less in width, are permitted in any required setback or separation.

24 4. Underground structures are permitted in any required setback or separation.  
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1                   5. Solar collectors may be permitted in required setbacks or separations, pursuant  
2 to the provisions of Section 23.45.545

3                   6. Freestanding structures, signs and similar structures 6 feet or less in height  
4 above existing or finished grade whichever is lower, may be erected in each required setback or  
5 separation, provided that signs meet the provisions of Chapter 23.55, Signs.

6                   7. Fences.

7                   a. Fences no greater than 6 feet in height are permitted in any required  
8 setback or separation, except that fences in the required front setback extended to side lot lines or  
9 in street side setbacks extended to the front and rear lot lines may not exceed 4 feet in height.  
10 Fences located on top of a bulkhead or retaining wall are also limited to 4 feet. If a fence is  
11 placed on top of a new bulkhead or retaining wall used to raise grade, the maximum combined  
12 height is limited to 9.5 feet.

13                   b. Up to 2 feet of additional height for architectural features such as  
14 arbors or trellises on the top of a fence is permitted, if the architectural features are  
15 predominately open.

16                   c. Fence height may be averaged along sloping grades for each 6 foot  
17 long segment of the fence, but in no case may any portion of the fence exceed 8 feet in height  
18 when the height permitted by subsection 23.45.518.J.7.a is 6 feet, or 6 feet in height when the  
19 height permitted by subsection 23.45.518.J.7.a is 4 feet.

20                   8. Bulkheads and retaining walls.

21                   a. Bulkheads and retaining walls used to raise grade may be placed in  
22 each required setback if they are limited to 6 feet in height, measured above existing grade. A  
23 guardrail no higher than 42 inches may be placed on top of a bulkhead or retaining wall existing  
24 as of January 3, 1997.

1                   b. Bulkheads and retaining walls used to protect a cut into existing grade  
2 may not exceed the minimum height necessary to support the cut or 6 feet measured from the  
3 finished grade on the low side, whichever is greater. If the bulkhead is measured from the low  
4 side and it exceeds 6 feet, an open guardrail of no more than 42 inches meeting Seattle  
5 Residential Code or Seattle Building Code requirements may be placed on top of the bulkhead or  
6 retaining wall. Any fence shall be set back a minimum of 3 feet from such a bulkhead or  
7 retaining wall.

8                   9. Arbors may be permitted in required setbacks or separation under the  
9 following conditions:

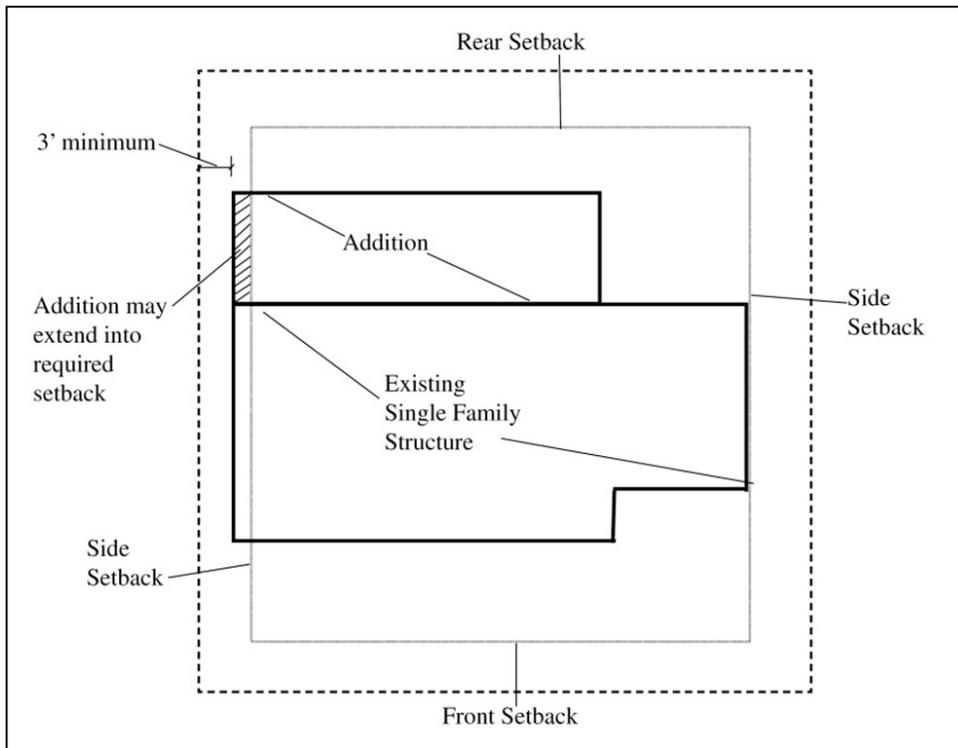
10                   a. In each required setback or separation, an arbor may be erected with no  
11 more than a 40 square foot footprint, measured on a horizontal roof plane inclusive of eaves, to a  
12 maximum height of 8 feet. At least 50 percent of both the sides and the roof of the arbor shall be  
13 open, or, if latticework is used, there shall be a minimum opening of 2 inches between  
14 crosspieces.

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

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

3 **Exhibit D for 23.45.518: Permitted Additions Into Required Setbacks for Existing Single-**  
4 **Family Dwelling Units**



17 Section 5. Section 23.84A.014G of the Seattle Municipal Code, was last amended by  
18 Ordinance 123913 is amended as follows:

19 **23.84A.014G "G"**

20 \*\*\*

21 "Gross floor area" means the number of square feet of total floor area bounded by the  
22 inside surface of the exterior wall of the structure as measured at the floor line., and such  
23 additional areas as specified for each zone.

1 Section 6. Section 23.86.002 of the Seattle Municipal Code, was last amended by  
2 Ordinance 120117 is amended as follows:

3 **23.86.002 General provisions.**

4 A. For all calculations, the applicant shall be responsible for supplying drawings  
5 illustrating the measurements. These drawings shall be drawn to scale, and shall be of sufficient  
6 detail to allow verification upon inspection or examination by the Director.

7 B. Fractions.

8 1. When any measurement technique for determining the number of items  
9 required or allowed, including but not limited to parking or bicycle spaces, or required trees or  
10 shrubs, results in fractional requirements, any fraction up to and including one-half ( 1/2) of the  
11 applicable unit of measurement shall be disregarded and fractions over one-half ( 1/2) shall  
12 require the next higher full unit of measurement.

13 2. When any measurement technique for determining required minimum or  
14 allowed maximum dimensions, including but not limited to height, yards, setbacks, lot coverage,  
15 open space, building depth, parking space size or curb cut width, results in fractional  
16 requirements, the dimension shall be measured to the nearest inch. Any fraction up to and  
17 including one-half ( 1/2) of an inch shall be disregarded and fractions over one-half ( 1/2) of an  
18 inch shall require the next higher unit.

19 3. Except within lowrise multi-family zones, ~~((W))~~when density calculations  
20 result in a fraction of a unit, any fraction up to and including one-half (1/2) constitutes zero  
21 additional units, ~~((shall be disregarded))~~ and any fraction over one-half (1/2) constitutes one  
22 additional unit. ~~((shall allow the next higher number.))~~ Within lowrise multi-family zones, the  
23 effect of a density calculation that results in a fraction of a unit is as described in Table A for  
24 23.45.512. This provision may not be applied to density calculations that result in a quotient less  
25 than one (1).

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Section 7. 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 \_\_\_\_ day of \_\_\_\_\_, 2014, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2014.

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)