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SEATTLE (WA)
ZONING ORDINANCE
CITY OF SEA
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FOREWORD.

Ordinance No. 40407 of the City of Seattle, enacted in February, 1920, "relating to and establishing a City Zoning Commission, and defining its powers and duties," provided "that there be, and hereby is, created and established a City Zoning Commission, to consist of the City Engineer, Superintendent of Buildings and one Park Trustee, to be designated annually by the Board of Park Commissioners, and six other members, to be appointed by the Mayor," and provided further that "it shall be the duty of the City Zoning Commission to make a survey of the City of Seattle with a view of dividing the same into zones or districts, and report to the City Council a zoning or districting ordinance which shall specify the uses to which property in each district may be devoted; and from time to time to recommend to the City Council such measures as it may deem advisable for the promotion of the public health, convenience and welfare."

The ordinance also made provision for engineering and technical assistance to make the survey and to collect and present to the Commission the vast amount of information necessary for the intelligent preparation of the plan and ordinance.

Mr. Harland Bartholomew, a zoning expert of national reputation, was secured as special consultant, and under his direction a plan of procedure was outlined. Copies of the zoning plans and ordinances of many other cities were secured and studied as well as all available literature on the subject, special attention being given to the legal aspect. Maps were prepared showing the location,

size, height and present use of all buildings in the city and such other data as would be of value, such as topography, population density, trend and rate of growth of the various districts, the area or percentage of lot occupancy and the assessed valuation.

Based upon this information supplemented by careful field study, a tentative plan was prepared, district maps were published in the newspapers, and advertised meetings were held by the Commission in every district of the city, where the plan was discussed with the people of the neighborhoods and an opportunity given for comment or protest, after which the plan was amended or approved for submission to the City Council.

Under date of January 12th, 1923, (after more than two years of continuous labor involving more than a hundred meetings,) the Zoning Commission filed with the City Council its completed plan and proposed ordinance. This plan was considered by the Council Committee at several meetings, slightly amended in a few details, passed by the City Council and duly signed by the Mayor, becoming effective July 27th, 1923.

In addition to its present membership, the following men have served on the Zoning Commission for varying terms:

C. B. Blethen, Louis Nash, Joseph Blethen, Geo. B. Lamping, Ralph Stacy, Moritz Thomsen, James E. Blackwell, A. H. Dimeck, Walter F. Meier, Legal Adviser; Jesse A. Jackson, Engineer & Executive Secretary; Harland Bartholomew, St. Louis, Mo., Consultant.

The City Zoning Commission is now constituted as follows:

E. S. Goodwin, President
Grosvenor Folsom, Vice President
Chas. H. Alden, Secretary
Scott Benjamin
J. A. Stevenson
D. H. Traphagen
J. B. Blackwell, City Engineer

R. L. Proctor, Supt. of Buildings
R. J. Fisher, Park Commissioner
Thos. J. L. Kennedy, Corporation Counsel, Legal Adviser
E. L. Gaines, Engineer and Executive Secretary

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ZONING ORDINANCE OF THE CITY OF SEATTLE

Ordinance No. 45382 *as amended by Ordinances Nos. 45603 and No. 45764.

AN ORDINANCE regulating and restricting the location of trades and industries; regulating and limiting the use of buildings and premises and the height and size of buildings; providing for yards, courts or other open spaces; and establishing districts for the said purposes.

PART I—DEFINITIONS.

Section 1. For the purpose of this ordinance, certain terms and words are defined as follows:

Words used in the present tense include the future tense, the singular number includes the plural number, and the plural number includes the singular number; the term "building" includes the term "structure"; the term "occupied" includes the term "designed or intended to be occupied"; the term "used" includes the terms "arranged, designed or intended to be used." The term "shall" is mandatory and not directory.

Appurtenant Building: A building, located on the same lot with the main building, the use of which is accessory thereto.

Alley: A thoroughfare less than twenty (20) feet in width, or an unnamed thoroughfare twenty (20) feet or more in width.

Alterations, Structural: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Apartment House: A building or portion thereof used as a residence for two or more families living in separate complete housekeeping units.

Building: Any structure built for the support, shelter, or enclosure of persons, animals or chattels, and, when separated by division walls without open-

ings from the ground up, each portion of such structure shall be deemed a separate building.

Building, Height of: The vertical distance measured from the average curb level at the front of the building to the highest point of the roof surface, if a flat roof; to the deck line of mansard roofs, and to the mean height level between eaves and ridge for gable, hip and gambrel roofs. For buildings set back from the street line the height of the building may be measured from the average elevation of the finished grade along the front of the building, provided its distance from the street line is not less than the height of such grade above the established curb level.

Building Area: The maximum horizontal projected area of a building and its appurtenant buildings, excluding open steps, buttresses, terraces, cornices and other minor ornamental features projecting from the walls of the building, not otherwise supported by the ground.

Court: That part of a lot which is unoccupied from the ground to the sky or from an intermediate floor to the sky; and in relation to a story of a building it shall mean the part of a lot which is unoccupied above a horizontal plane passing through said story at a level of the sill of the lowest window transmitting light from the court to said story.

Court and Yard, Height of: The vertical distance measured from the mean elevation of the highest adjacent wall of the building, which the court or yard serves, to the level of the lowest floor occupied for the purpose which requires such court or yard.

Court, Width of: The least horizontal dimension of a court.

*Note: Text of the Zoning Ordinance or District Maps subject to change by amending ordinances.

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Court Exterior: A court which is bounded on one or more sides by a street, alley or yard.

Court, Interior: A court bounded on all sides by the walls of the building which it serves or by the walls of a building and the lot line or lines of adjacent property.

Dwelling, Single Family: A detached building designed for and occupied by one family only.

Lot: A subdivision of a block as shown by any recorded plat of an addition to, or a subdivision of, the city; or any portion of land, whether platted or unplatted, considered as a unit of property and described by metes and bounds; if one or more lots are built upon as a unit of property, they shall, for the purpose of this ordinance, be considered as a single lot.

Lot Lines: The boundaries of a lot as a lot is herein defined.

Lot, Depth of: The mean horizontal distance from the front line of the lot to the rear line thereof, measured in the general direction of its side lines.

Lot, Width of: The mean horizontal distance between the sides of the lot measured at the center of the building.

Lot, Corner: A lot at the junction of and fronting on two or more intersecting streets, provided the angle of intersection of the street margins does not exceed one hundred thirty-five (135) degrees. Any portion of a corner lot in excess of seven thousand two hundred (7,200) square feet shall be considered an inside lot.

Lot, Inside: A lot other than a corner or triangular lot.

Lot, Through: An inside lot having frontage on two streets.

Lot, Triangular: A lot the sides of which converge toward the rear so that the width of the lot at its rear line, measured along said line shall be no more than thirty (30) feet, nor more than one-half the width of such lot measured along the front line thereof.

Non-Conforming Use: A building or premises having a use other than that permitted within the use district in which it is situated.

Percentage of Lot Occupancy: That percentage of the area of a lot, as herein defined, which is occupied as building area.

Place: An open unoccupied space not less than sixteen (16) feet in width, other than an alley, which is dedicated to purposes of access for abutting property.

Service Station: A building where gasoline, oil and greases are supplied and dispensed to the motor vehicle trade. Also where electric storage batteries are recharged and cared for.

Stable, Private: A building used for the private housing of cattle, sheep, goats or beasts of burden.

Stable, Public: A building used for the public housing of beasts of burden, or for the keeping of cattle, sheep, goats or beasts of burden for sale or for hire.

Yard, Height of: See Court, Height of.

Yard, Rear: That area which extends across the full width of the lot between the rear line of the main building and the rear line of the lot or the center line of the alley where there is an alley and which is open and unoccupied except by appurtenant buildings.

Yard, Rear, Depth of: The mean horizontal distance between the rear line of the building and the rear lot line or the center line of the alley.

Yard, Side: That part of a court as herein defined between the building and the side line of the lot extending through from the front line of the building to the rear line thereof.

PART II—USE DISTRICTS.

Section 2. General.

(a) For the purpose of regulating, classifying and restricting the location of trades and industries and the location of buildings designed, erected or altered for specified uses, The City of Seattle is hereby divided into six (6) Use Districts, namely: First Residence District, Second Residence District, Business District, Commercial District, Manufacturing District and Industrial District.

(b) The boundaries of the aforesaid districts are laid out and shown upon the map designated "Use Map," filed in the office of the City Comptroller and ex-officio City Clerk, being File No.

90017 in said office and said map, the property, districts, boundaries, symbols and legends shown thereon are hereby declared to be a part of this ordinance. The Use Districts on said map are hereby established.

(c) Except as provided in Sections 9 and 28 of this ordinance, no building shall be erected, altered or used, nor shall any premises be used, for any purpose other than that permitted in the use district in which such building or premises is located.

(d) Where a use in any district is conditioned upon a public hearing or the consent of surrounding property, such use if existing at the time this ordinance becomes effective, shall be allowed repairs or rebuilding without such hearing or consent.

Section 3. First Residence District.

(a) The following uses only are permitted in a First Residence District:

- (1) Single Family Dwellings.
- (2) Public Schools.

(3) Private Schools in which prescribed courses of study only are given and are graded in a manner similar to public schools or are of a higher degree.

(4) Churches.

(5) Parks and Playgrounds (including usual park buildings).

(6) Art Gallery of Library Building.

(7) Private Conservatories for Plants and Flowers.

(8) Railroad and Shelter Stations.

(b) In a First Residence District, buildings and uses such as are ordinarily appurtenant to dwellings shall be permitted, subject to the limitations herein provided. A garage in a first residence district shall not occupy more than seven per cent (7%) of the area of the lot, and the business of repairing motor vehicles shall not be conducted therein. In the case of a private stable, the written consent must be obtained of the owners of fifty (50) per cent of the property within a radius of two hundred (200) feet of the proposed building. The number of animals, not counting sucklings, in a private stable shall not exceed one for every two thousand (2,000) square feet contained in the area of the lot on which such building is located. Not more than one appurtenant building having a floor area of not

to exceed thirty (30) square feet which is used for the housing of domestic animals or fowls shall be permitted on any lot in the First Residence District, except that a building of greater area or a greater number of buildings shall be permitted when the written consent shall have been obtained of the owners of fifty (50) per cent of the dwellings within two hundred (200) feet of the proposed building; provided that such consent shall not be required if the number of said dwellings is less than four (4). The office of a physician, dentist, or other professional person when located in his or her dwelling, also home occupations engaged in by individuals within their dwellings shall be considered as accessory uses, provided that no window display is made or any sign shown other than one not exceeding two (2) square feet in area and bearing only the name and occupation of the occupant. The renting of rooms for lodging purposes only, for the accommodation of not to exceed six (6) persons, in a single family dwelling shall be considered an accessory use.

(e) A fraternity house, sorority house, or boarding house when occupied by students and supervised by the authorities of a public educational institution, a private school other than one specified in paragraph (a), this section (3), a community club house, memorial building, nursery or greenhouse, or a building which is necessary for the proper operation of a public utility may be permitted by the Board of Public Works after a public hearing.

(d) Whenever the side line of a lot in the First Residence District constitutes the boundary of a Business District or where said Boundary Line extends entirely across said lot from front to rear then a multiple family dwelling such as a flat or an apartment house shall be permitted on said lot provided that such use shall not extend more than sixty (60) feet from said district boundary line.

(e) Nothing in this section shall be construed to prohibit the use of vacant property for gardening or fruit raising or its temporary use, conformable to Law, for fairs, circuses or similar purposes.

Section 4. Second Residence District

(a) The following uses only are permitted in a Second Residence District:

- (1) Any use permitted in a First Residence District.

- (2) All dwellings, flats, apartment houses and boarding or lodging houses without stores.
- (3) Hotels.
- (4) Clubs or fraternal societies, except those the chief activity of which is a service customarily carried on as a business.

(b) Hospitals, sanitariums and institutions for philanthropic and eleemosynary uses, other than correction, shall be permitted in the Second Residence District, except that no private hospital or sanitarium for the treatment of inebriates or persons suffering from insanity or other mental diseases shall be established or maintained within the City of Seattle in any building situated within 200 feet of any private property, the owner of which has not consented in writing to the location and maintenance of such hospital or sanitarium nor in any building without a written permit from the Commissioner of Health of the City of Seattle. (See also Section 17, Paragraph (g).)

(c) In a Second Residence District, all the accessory uses specified in the First Residence District under Section 3, paragraph (b) shall be permitted, provided that all the requirements therein governing such uses are complied with. Uses listed in paragraph (c), Section 3, shall be permitted in a Second Residence District without public hearing or the consent of surrounding property.

(d) In a Second Residence District a garage located on the same lot with an apartment house may be permitted by the Board of Public Works after a public hearing, provided that the number of motor vehicles so housed shall not exceed the number of apartments within said apartment house, and provided further, that no repair shop, service station, or other business shall be conducted in connection therewith.

Section 5. Business District.

(a) The following uses only are permitted in a Business District:

- (1) Any use permitted in the First and Second Residence Districts.
- (2) Store, wholesale or retail.
- (3) Office, business or professional.
- (4) Bank.
- (5) Restaurant.

- (6) Service Station.
- (7) Police or Fire Station.
- (8) Printing establishment.
- (9) Telephone exchange or telegraph office.
- (10) Theatre, dance hall, skating rink, or other commercial amusement place, subject to the provisions of Par. (e) hereunder.
- (11) Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.
- (12) Salesroom or storeroom for motor vehicles.
- (13) Garage without public repair shop.
- (14) Hand Laundry, clothes cleaning and pressing.

(b) Manufacturing clearly incidental to a retail business lawfully conducted on the premises and not prohibited in the Commercial District shall be permitted in a Business District.

(c) A garage with public repair shop, a public stable, car barn, coal, fuel or lumber yard, may be permitted in a Business District by the Board of Public Works after a public hearing; but no such hearing shall be held until the application for permit is accompanied by the written consent of the owners of a majority of the property within one hundred (100) feet of the proposed building. Under this regulation the area of the property within the district affected which is used for a public garage or stable, car barn, coal, fuel or lumber yard, or any non-conforming use, shall be counted as consenting when computing the required area of surrounding property.

(d) Undertaking establishments, crematories and such other uses as are enumerated in Ordinance No. 36032 and amendments thereto shall be permitted in the Business District at such places as are designated in said ordinance and amendments.

(e) No moving picture theatre, or any structure for the exhibition of moving pictures, shall be permitted within five hundred feet of the property line of any public school grounds, nor shall any dance hall, merry-go-round, ferris-wheel, carnival or similar amusement be permitted within any public park, school ground or playground, or within five hundred feet of the property line of any such park, school or playground.

Section 6. Commercial District.

(a) In a Commercial District all buildings and premises may be used for any purpose permitted in the First Residence, Second Residence, and Business Districts, and also for any trade, industry or use except the following, which are hereby prohibited, subject to the provisions of Sections 9 and 28 of this ordinance, and of paragraph (b) hereunder.

- (1) Airplane manufacture.
- (2) Acid manufacture.
- (3) Ammonia, chlorine or bleaching powder manufacture.
- (4) Asphalt manufacture or refining.
- (5) Assaying (other than gold and silver).
- (6) Automobile manufacture.
- (7) Blast furnace.
- (8) Boiler works.
- (9) Breweries or distilleries.
- (10) Brick, tile or terra-cotta manufacture, or storage, except storage within a building.
- (11) Candle manufacture.
- (12) Carbon manufacture.
- (13) Celluloid or similar cellulose materials manufacture.
- (14) Charcoal manufacturing or pulverizing.
- (15) Chemicals manufacture.
- (16) Coke ovens.
- (17) Creosote treatment or manufacture.
- (18) Disinfectants manufacture.
- (19) Distillation of wood, coal or bones or manufacture of any of their by-products.
- (20) Dog pound.
- (21) Dyestuff manufacture.
- (22) Emery cloth or sandpaper manufacture.
- (23) Enameling.
- (24) Explosive storage.
- (25) Exterminators or insect poisons manufacture.
- (26) Feed and cereal mill using mechanical power in excess of twenty-five (25) h. p.
- (27) Flour mill.
- (28) Foundries.
- (29) Gas (illuminating or heating) manufacture or storage.
- (30) Glass or glass products manufacture.
- (31) Hangar.
- (32) Ice manufacturing plant.
- (33) Incineration or reduction of garbage, offal, dead animals or refuse.
- (34) Japanning.

- (35) Junk, rags, scrap iron, or paper storage or baling.
- (36) Kelp reduction and the extraction of its by-products.
- (37) Lamp black manufacture.
- (38) Lubricating grease manufacture or oil compounding.
- (39) Lumber or shingle mills.
- (40) Machinery manufacture.
- (41) Machine shop using mechanical power in excess of twenty-five (25) h. p.
- (42) Match manufacture.
- (43) Oilcloth or linoleum manufacture.
- (44) Oxygen manufacture.
- (45) Paint, oil, shellac, varnish or turpentine manufacture.
- (46) Paper and pulp manufacture.
- (47) Petroleum refining or storage and manufacture of any of its by-products.
- (48) Planing mill or wood-working plant using mechanical power in excess of fifty (50) h. p.
- (49) Plaster or wall board manufacture.
- (50) Power, light or steam plant (central station).
- (51) Printing ink manufacture.
- (52) Railroad yard or round house.
- (53) Reducing or refining aluminum, copper, tin or zinc.
- (54) Rolling or bloomling mill.
- (55) Rope manufacture.
- (56) Rubber or caoutchouc manufacture from crude material.
- (57) Salt works.
- (58) Saw mill.
- (59) Ship yards or ship building other than the building of small pleasure boats.
- (60) Shoddy manufacture.
- (61) Shoe blacking manufacture.
- (62) Soap manufacture.
- (63) Soda and compound manufacture.
- (64) Starch, glucose or dextrine manufacture.
- (65) Steel or iron mills.
- (66) Stone ware or earthen ware manufacture.
- (67) Stove polish manufacture.
- (68) Tanning, curing or storage of raw hides or skins.
- (69) Tar distillation or manufacture.
- (70) Tar roofing or tar waterproofing manufacture or similar products of chemical composition.

ises may be used for any lawful purpose not in contravention of other laws.

Section 9. Non-Conforming Uses.

- (a) Any trade, industry or use listed as prohibited in Section 7 of this ordinance, which is existing in any district other than an Industrial District at the time this ordinance becomes effective, shall not be continued as a non-conforming use but shall be discontinued not later than December 31st, 1923, and a failure to discontinue the same on or before said date shall be unlawful.

(b) Subject to the provisions of paragraphs (a) and (f) of this section, the lawful use of a building or premises existing at the time of the adoption of this ordinance but not conforming to the provisions for the use district within which it is located may continue, provided that no structural alterations are made except such as the Superintendent of Buildings shall deem necessary for the safety of the building. The combined cost of all alterations and repairs in any ten year period shall not exceed the assessed valuation of the building at the time the last allowable permit is applied for.

(c) Any building remaining vacant for a continuous period of more than two (2) years shall not again be reoccupied except by a conforming use.

(d) A non-conforming use shall not be changed except to a higher use, and a non-conforming use in a First or Second Residence District shall not be changed except to a conforming use. A non-conforming use if changed to a conforming use shall not thereafter be changed back to a non-conforming use. A non-conforming use, if changed to a higher non-conforming use shall not thereafter be changed unless to a still higher use.

(e) The non-conforming use of a fractional part of a building or lot shall not be extended to occupy a greater part of the building or lot than that occupied at the time this ordinance shall become effective, except that a non-conforming use may be extended to that portion of a building which was arranged or designed for such non-conforming use at the time of the passage of this ordinance.

(f) In a First or Second Residence District any non-conforming use not conducted within a building shall be discontinued within a period of one year from the date this ordinance shall become effective.

Section 8. Industrial District.

In an Industrial District all buildings and prem-

(g) The Board of Public Works may issue permits for a period of not more than a year for the erection and use in an undeveloped residence district of bunkers or other equipment for the handling and removal from the premises of sand, gravel or other natural deposits of commercial value.

PART III—HEIGHT DISTRICTS

Section 10. General.

(a) For the purpose of regulating and limiting the height of buildings hereafter erected. The City of Seattle is hereby divided into five (5) Height Districts, namely: Forty (40) foot District, Sixty-five (65) foot District, Eighty (80) foot District, One Hundred (100) foot District, and Maximum Height District.

(b) The boundaries of the aforesaid districts are laid out and shown upon the map designated "Height and Area Map," filed in the office of the City Comptroller and ex-officio City Clerk, being file No. 90018 in said office, and said map and all the notations, references and other things shown thereon are hereby declared to be and shall be a part of this ordinance. The height districts designated on said map are hereby established.

(c) Except as provided in Sections 16 and 28 of this ordinance, no building or part thereof shall be erected or altered to exceed the height limit herein established for the district in which such building is located.

Section 11. Forty (40) Foot Height District

In a forty (40) foot district no building shall exceed a height of forty (40) feet or three (3) full stories above the average elevation of the ground at the front of the building.

Section 12. Sixty-five (65) Foot Height District

In a sixty-five (65) foot height district no building shall exceed a height of sixty-five (65) feet.

Section 13. Eighty (80) Foot Height District.

In an eighty (80) foot district no building shall exceed a height of eighty (80) feet.

Section 14. One Hundred (100) Foot Height District

In a one hundred (100) foot district no building shall exceed a height of one hundred (100) feet.

Section 15. Maximum Height District.

(a) In the Maximum Height District no building shall exceed a height of two and one-half times the width of the street on which the building abuts, except that towers for occupancy may be erected above said height limit, if they are at least twenty-five (25) feet from any lot line other than a street line; if they do not exceed an area of 25% of the lot area; and if they do not exceed sixty (60) feet in length or breadth.

(b) Where a building has a frontage on two or more streets, the greater height of building permitted on the wider street shall apply within a distance of one hundred twenty (120) feet from such street.

Section 16. Height District Exceptions.

The foregoing requirements in the height districts shall be subject to the following exceptions:

(a) Within the Forty (40) foot District public buildings, schools and churches may exceed the height limit by not more than fifteen (15) feet, provided such buildings are set back from all the building lines (as herein established under the provisions of the area district within which it is located) at least one additional foot for each foot of excess height.

(b) The height of a spire, tower or similar feature may exceed the height limit of the district within which such building is located, provided that it is not intended for human occupancy, and further provided that the base area of said structure does not exceed nine hundred (900) square feet and that it is removed not less than twenty (20) feet from an adjoining lot line.

(c) Grain elevators, flour mills, lighthouses, water towers and gas tanks or other tanks may be erected to a height in excess of that designated for the district within which such structure is located, provided that said height does not in any case exceed one hundred fifty (150) feet.

(d) Nothing in this ordinance shall be construed to limit the height of a smoke-stack or chimney or wireless tower.

(e) On through lots one hundred twenty (120) feet or less in depth, the height of a building may be measured from the mean curb level on either street. On through lots more than one hundred twenty

(120) feet in depth the height measurement for the street permitting the greater height shall apply to a depth of not more than one hundred twenty (120) feet from that street.

(f) Workshops and factories, other than feed or flour mills, shall not exceed a height of eighty-five (85) feet. Stores, warehouses and storage garages shall not exceed a height of one hundred twenty-five (125) feet.

PART IV—AREA DISTRICTS.

Section 17. General.

(a) For the purpose of regulating and determining the percentage of lot occupancy and the area of the yards and courts and other open spaces within and surrounding buildings hereafter erected, The City of Seattle is hereby divided into four (4) Area Districts, namely: Area District "A," Area District "B," Area District "C," and Area District "D."

(b) The boundaries of the aforesaid districts are laid out and shown upon the map designated "Height and Area Map," filed in the office of the City Comptroller and ex-officio City Clerk, being file No. 90018 in said office, and said map, and all the property, districts, boundaries, symbols and legends shown thereon are hereby declared to be and shall be a part of this ordinance. The area districts designated on said map are hereby established.

(c) Except as provided in Section 28 of this ordinance, no building shall be erected, nor shall any existing building or part thereof be structurally altered, enlarged or rebuilt, unless such building or such changes shall be in conformity with this ordinance. Whenever the accumulated total cost of all changes exceeds the assessed valuation of said building, then the entire building shall conform to this ordinance.

(d) No lot shall be used for building purposes unless it shall have a frontage on a street or place, or upon open water; and no lot shall be so reduced or diminished that the yards, courts or open spaces will be smaller than that required by this ordinance; and no yard, court or other open space for any building as herein required shall be used as a yard, court, or open space for another building.

(e) Buildings on through lots and running through from street to street may waive the requirement for a rear yard, and when all the houses in the same block comply with set back provisions on the same street, requirement for set back on the street in the rear thereof shall not apply.

(f) Except in Area District A one dwelling may be constructed in the rear of another building on the same lot therewith where a side yard open to the street and not less than ten feet in width is provided and where the dwelling does not occupy more than 35% of the open space in the rear of the building at the front of the lot. Within Area Districts C and D no limit shall be placed on the number of buildings permitted on one lot when such buildings are not used as places of habitation.

(g) Hospitals, sanitariums and institutions for philanthropic and eleemosynary uses, when located in a Second Residence District, shall provide a side yard on each side other than on a street or alley line, of a width of not less than fifteen (15) feet nor less than three (3) inches in width for each foot of building height, and such institutions shall conform to the further provisions of the area district within which they are located. Where such an institution is located on a boulevard or parkway it shall be set back not less than thirty (30) feet from the margin thereof.

Section 18. Area District "A."

In Area District "A" the maximum percentage of lot occupancy and the minimum dimensions of yards and courts shall be as follows:

Percentage of Lot Occupancy: No building, including its appurtenant buildings, shall occupy more than thirty-five per cent (35%) of an inside lot nor more than forty-five (45%) per cent of a corner or triangular lot, except as provided in paragraph (e) hereunder.

Rear Yard: There shall be a rear yard of a depth of not less than fifteen (15) feet, except that on a lot less than sixty (60) feet in depth which is a complete unit in a recorded plat in the City of Seattle, or in the case of any lot held under separate and distinct ownership from adjoining lots and of record prior to the taking effect of this ordinance, this depth of rear yard may be reduced to a minimum of six (6) feet if necessary to permit a building depth of thirty (30) feet.

Side Yard: There shall be a side yard on each side of a width of not less than three (3) feet nor less than twelve and one-half (12½%) per cent of the yard height except that the width of a side yard, when adjoining an alley, need not exceed three (3) feet, but in any case the sum of the width of the side yards shall be not less than twenty (20%) per cent of the width of the lot.

Sideyard provisions shall not apply to appurtenant buildings distant more than fifteen (15) feet from any door or window of any dwelling on the adjoining lot.

Exterior Court: An exterior court shall be of a width of not less than five (5) feet nor less than twenty (20%) per cent of the court height.

Interior Court: An interior court shall be of a width of not less than six (6) feet nor less than twenty-five (25%) per cent of the court height.

Building Line:

(a) No building or any of its appurtenant buildings (not including uncovered porches or steps) shall be constructed nearer than ten (10) feet to any street margin which constitutes the front line of any lot or lots in the same block, except in the case of a private garage located in a terrace the general elevation of which is not more than two (2) feet below the top of the garage.

(b) Whenever at least thirty-five (35%) per cent of all the property fronting on one side of a street between two intersecting streets is improved with dwellings and all the dwellings in said area are set back from the street margin a minimum distance greater than ten (10) feet, then no new building, other than a garage in a terrace as hereinabove provided, shall project beyond such minimum set-back line; provided that no new building shall in any case be required to set back more than twenty-five (25) feet. In the case of a corner lot, fronting on an intersecting street, which is held under separate and distinct ownership from adjoining lots and of record at the time this ordinance becomes effective the foregoing set-back provision shall not apply so as to reduce the allowable width of building on such a lot to the extent of less than seventy-five (75%) per cent of the lot width.

(c) In the case of a church, art gallery, library building, museum or memorial building, no part of which is used as a place of habitation, the rear yard

requirement of this section shall be waived and the building permitted to occupy sixty (60%) per cent of a corner lot or fifty (50%) per cent of an inside lot under the conditions that no wall of the building shall be nearer the rear line of the lot than six (6) feet and that side yards other than one adjoining a street or alley be provided of a width not less than fifteen (15%) per cent of the width of the lot with the provision that no side yard shall be required to exceed fifteen (15) feet in width. Such side yard shall be clear of fences and playground apparatus.

Section 19. Area District "B."

In Area District "B" the maximum percentage of lot occupancy and the minimum dimensions of yards and courts shall be as follows:

Percentage of Lot Occupancy: No building including its appurtenant buildings, shall occupy more than sixty (60%) per cent of an inside lot nor more than seventy (70) per cent of a corner or triangular lot.

Rear Yard: There shall be a rear yard of not less than fifteen (15) feet nor less than three (3) feet in depth for each foot of building height, except that on a lot less than sixty (60) feet in depth which is a complete unit in a recorded plat in the City of Seattle, or in the case of any lot held under separate and distinct ownership from adjoining lots and of record prior to the taking effect of this ordinance, this depth of rear yard may be reduced to a minimum of six (6) feet if necessary to permit a building depth of thirty (30) feet.

Side Yard: There shall be a side yard on each side of a width of not less than three (3) feet nor less than twelve and one-half (12½%) per cent of the yard height, except that the width of a side yard when adjoining an alley need not exceed three (3) feet; but in any case, the sum of the width of the side yards shall not be less than twenty (20%) per cent of the width of the lot. Side yard provisions shall not apply to appurtenant buildings more than fifteen (15) feet from any door or window of any dwelling, on the adjoining lot.

Exterior Court: An exterior court shall be of a width of not less than five (5) feet nor less than fifteen (15%) per cent of the court height, except that, whenever a building is occupied as a dwelling,

apartment house or place of refuge, such court shall be of a width of not less than twenty (20%) per cent of the court height.

Interior Court: An interior court shall be of a width of not less than six (6) feet nor less than twenty (20%) per cent of the court height, except that whenever a building is occupied as a dwelling, apartment house or place of refuge, such court shall be of a width of not less than twenty-five (25%) per cent of the court height.

Building Line:

(a) No building or any of its appurtenant buildings (not including uncovered porches or steps) shall be constructed nearer than five (5) feet to any street which constitutes the front line of any lot or lots in the same block, excepting in the case of a private garage located in a terrace the general elevation of which is not more than two (2) feet below the top of the garage.

(b) Whenever at least fifty (50%) per cent of all the property fronting on one side of a street between two intersecting streets is improved with buildings and all the buildings in said area are set back from the street margin a minimum distance greater than five (5) feet, then no new building shall project beyond such minimum set-back line; provided that no new building shall in any case be required to set back more than fifteen (15) feet. In the case of a corner lot, fronting on an intersecting street, which is held under separate and distinct ownership from adjoining lots and of record at the time this ordinance becomes effective, the foregoing set-back provision shall not apply so as to reduce the allowable width of building on such a lot to the extent of less than seventy-five (75%) per cent of the lot width.

(c) In the case of a church, art gallery, library building, museum or memorial building, no part of which is used as a place of habitation, the rear yard provision may be reduced to a minimum of 8 feet and the building be permitted to occupy 75 per cent of a corner lot or 65 per cent of an inside lot, under the conditions that sideyards other than one adjoining a street or alley be provided of a width not less than fifteen (15%) per cent of the width of the lot, with the provision that no sideyard shall be required to exceed fifteen (15) feet in width; such

sideyard shall be clear of fences and playground apparatus.

Section 20. Area District "C."

In Area District "C" the maximum percentage of lot occupancy and the minimum dimensions of yards and courts shall be as follows:

Percentage of Lot Occupancy: No building, including its appurtenant buildings, shall occupy more than seventy-five (75%) per cent of an inside lot nor more than ninety (90%) per cent of a corner or triangular lot, except that such limit of occupancy shall be waived for any story of a building which is used solely for business or commercial purposes.

Rear Yard: There shall be a rear yard of a depth of not less than eight (8) feet.

Side Yard: Side yards are not required, except that whenever the boundary line of Area District "C" forms the common boundary with Area District "A" or "B," then a side yard of a width equal to that required for side yards in the adjoining district shall be required on that side adjacent to the common boundary. If rooms, in places of habitation, or refuge or workshops, receive their light and air from windows opening upon a side yard, then such side yard shall be at least of a width as hereunder specified for an exterior court.

Exterior Court: An exterior court shall be of a width of not less than five (5) feet nor less than fifteen (15%) per cent of the court height, except that whenever a building is occupied as a dwelling, apartment house or place of refuge, such court shall be of a width of not less than twenty (20%) per cent of the court height.

Interior Court: An interior court shall be of a width of not less than six (6) feet nor less than twenty (20%) per cent of the court height, except that whenever a building is occupied as a dwelling, apartment house or place of refuge, such court shall be of a width of not less than twenty-five (25%) per cent of the court height.

Section 21. Area District "D."

In Area District "D" the maximum percentage of lot occupancy and the minimum dimensions of yards and courts shall be as follows:

Percentage of Lot Occupancy: Except where yards or courts are required by the provisions of this section, or by Section 22 of this ordinance, the entire area of the lot may be occupied.

Rear Yard: A rear yard is not required, except that wherever the rear line of the lot forms the common boundary line of Area District "D" and any other area district, then a rear yard shall be required of a depth of not less than eight (8) feet.

Side Yard: Side yards are not required, but whenever rooms in places of habitation, refuge or detention, or factories or workshops receive their light and air from windows opening upon a side yard, then such side yard shall be at least of a width as hereunder specified for an exterior court.

Exterior Court: An exterior court shall be of a width of not less than five (5) feet nor less than fifteen (15%) per cent of the court height, except that whenever a building is occupied as a dwelling, apartment house or place of refuge, such court shall be of a width of not less than twenty (20%) per cent of the court height.

Interior Court: An interior court shall be of a width of not less than six (6) feet nor less than twenty (20%) per cent of the court height, except that whenever a building is occupied as a dwelling, apartment house or place of refuge, such court shall be of a width of not less than twenty-five (25%) per cent of the court height.

Section 22. Courts and Yards. General Provisions.

(a) All rooms occupied as offices, workshops, or factories or for purposes of habitation, refuge, or detention, and other rooms of like requirements for light, air and ventilation, shall be lighted and ventilated by windows or skylights opening directly either upon a street or alley or upon a yard or court located upon the same lot. Such yard or court shall be at least of the area and dimensions herein prescribed for the area district in which it is located. The provisions of this section shall not apply to openings or shafts required by the Building Code for ventilating bathrooms, toilets, kitchenettes, hallways or stairways and such openings shall not be considered as open spaces in computing the percentage of lot occupancy.

(b) The area required in a yard shall be open from the lowest point to the sky unobstructed ex-

cept for the ordinary projections of skylights or parapets above the bottom of said yard or court, and except for the projections of sills, belt courses or other ornamental features and cornices or eaves provided that the cornice eaves shall not extend nearer than eighteen (18) inches to the lot line.

(c) Open or lattice enclosed fire escapes, fire-proof outside stairways and solid floored balconies opening upon fire towers, projecting into a yard not more than five (5) feet or into a court not more than four (4) feet two (2) inches, and the projections of chimneys and flues, shall be permitted where so placed as not to obstruct the light and ventilation.

PART V.—GENERAL.

Section 23. Interpretation. Purpose.

In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals and general welfare; therefore where this ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger yards or other open spaces than are imposed or required by the provisions of other laws, ordinances or regulations, the provisions of this ordinance shall govern.

Section 24. Enforcement:

(a) It shall be the duty of the Superintendent of Buildings to enforce this ordinance. It shall also be the duty of the Fire Marshal to assist the Superintendent of Buildings in enforcing the provisions herein contained, insofar as they relate to the use of completed buildings or parts thereof.

(b) **Public Hearings:** Any person desiring to establish on any premises a use which, by the terms of this ordinance, is conditioned upon a public hearing, shall file a written application so to do with the Superintendent of Buildings, who shall promptly cause to be posted in conspicuous places on the premises at least two placards, each containing a notice advising the public of the desire of the applicant to establish the conditional use. The notice shall also state who may legally protest against the establishment of the use, and where and when protests may be filed. The owners of property within three hundred (300) feet of the premises on which it is proposed to establish the conditional use may file a

written protest which must contain the legal description of the property owned by each protestant. The protest must be filed with the Superintendent of Buildings not later than fourteen (14) days after the day on which the placards were posted, whereupon the Superintendent of Buildings shall transmit to the Board of Public Works, or notify said body that no protest has been filed, if such be the case. On receipt of the above communication from the Superintendent of Buildings, the Board of Public Works may, if deemed advisable, authorize the issuance of a permit.

Section 25. Plats.

All applications for building permits shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions and legal description of the lot to be built upon, all buildings existing, if any, upon said lot, the exact size and location on the lot of the building to be erected, and streets and alleys adjacent, and such other information as may be necessary for the proper enforcement of this ordinance. A record of such applications and plats shall be kept in the office of the Superintendent of Buildings.

Section 26. Certificate of Occupancy.

Any person operating or maintaining any lawful non-conforming use on the date this ordinance becomes effective shall, upon receipt of notice of this provision, or within thirty (30) days thereafter, obtain from the Superintendent of Buildings a certificate of occupancy designating the location, nature and extent of said non-conforming use and the name of the person responsible therefor.

Section 27. Boundaries of Districts.

(a) The boundaries of the various districts shall be as shown on the maps accompanying and made part of this ordinance. The said district boundaries are streets, alleys or lot lines unless otherwise shown and where the designation on the aforesaid maps indicating the various districts are approximately bounded by street, alley or lot lines, said street, alley or lot lines shall be construed to be the boundary of such district. Where the location of the boundaries of such districts as indicated on the aforesaid maps are shown to be other than street, alley or lot lines, then such boundary shall be construed to be distant one hundred (100) feet from

and parallel with the street margins unless shown to be otherwise by a distance in figures.

(b) Where a district boundary line divides a lot under a single ownership at the time of the passage of this ordinance, the regulations for the less restricted district may extend to the entire lot provided such extension does not exceed a distance of twenty (20) feet beyond the boundary line of such district.

(c) Where the street lay-out actually on the ground varies from that shown on the Use, Height and Area Maps, the designation shown on the maps shall be applied by the Board of Public Works to the street as actually laid out so as to carry out the intent and purpose of the zoning plan for that district.

Section 28. Completion and Restoration of Existing Buildings.

(a) With the exception of the provisions of Section 9 of this ordinance, nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, or plans for which are on file with the Superintendent of Buildings at the time of the passage of this ordinance and a permit for the erection of which is issued within three (3) months of the passage of this ordinance and the construction of which, in either case, shall have been diligently prosecuted within three (3) months of the date of such permit, and which entire building shall be completed according to such plans as filed within eighteen (18) months from the date of this ordinance.

(b) In the case of a public service building existing at the time this ordinance shall become effective and which has been constructed and equipped in accordance with plans providing for future extensions to meet additional demands for public service, the Board of Public Works may, after public hearing and subject to appropriate safeguards, grant a permit for such extensions, provided that such ultimate improvements shall not occupy more than sixty (60%) per cent of the lot when located in Area District "A"; and said Board may increase the height limit for such extensions, if necessary, to the height of the existing building.

(c) Nothing in this ordinance shall prevent the

restoration of a building which has been partly destroyed to the extent of not more than seventy-five (75%) per cent of its assessed value, by fire, explosion, act of God, or act of the public enemy, subsequent to the passage of this ordinance, or prevent the continuance of the use of such buildings, or part thereof.

Section 29. Conflicting Provisions Repealed.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 30. Violations and Penalties.

For the purpose of prosecution hereunder "persons" means and includes natural persons, firms, co-partnerships, and corporations and other associations of natural persons whether acting by themselves or by servants, agents or employees. Every person concerned in the commission of a misdemeanor in violation of this ordinance whether he directly commits the act or effects the omission constituting the offense or aids or abets the same and whether present or absent; and every person who directly or indirectly counsels, encourages, hires, commands, induces, or otherwise procures another to commit such misdemeanor is and shall be a principal under the terms of this ordinance and shall be proceeded against and prosecuted as such.

Any person violating any of the provisions of this ordinance or failing to comply with the terms and requirements thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100.00) or imprisoned in the City Jail for a term of not exceeding thirty (30) days, or may

be both so fined and imprisoned and each day that any person shall continue to violate or fail to comply with any of the provisions of this ordinance shall be considered a separate offense.

Section 31. Validity.

If any section, subdivision, sentence or clause of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 32. When Effective.

This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Ordinance No. 45382 (the original Zoning Ordinance.)

Passed the City Council the 18th day of June, 1923, and signed by me in open session in authentication of its passage this 18th day of June, 1923.

C. B. FITZGERALD,
President of the City Council.

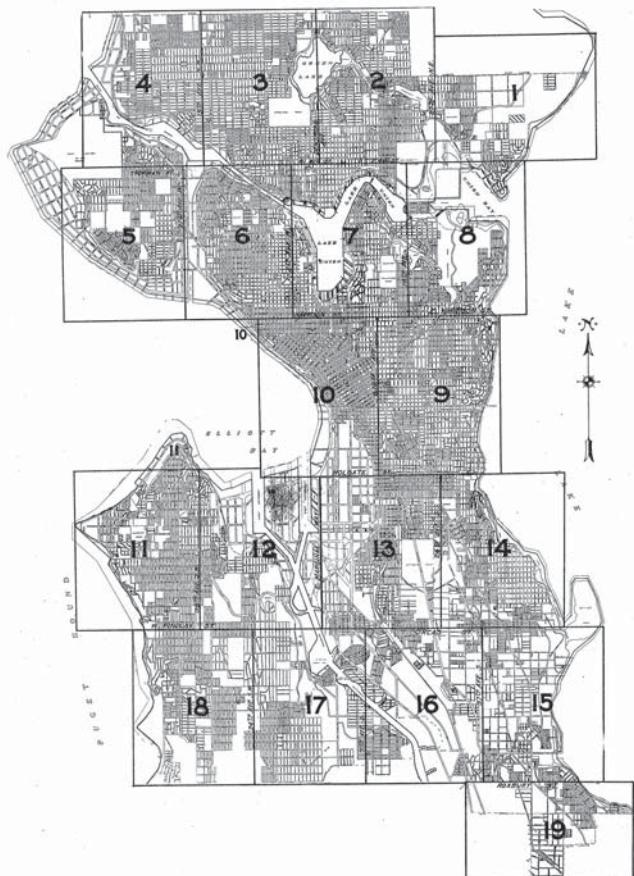
Approved by me this 28th day of June, 1923,

EDWIN J. BROWN,
Mayor.

Amended as above by Ordinance 45603, passed by the City Council August 20th, 1923.

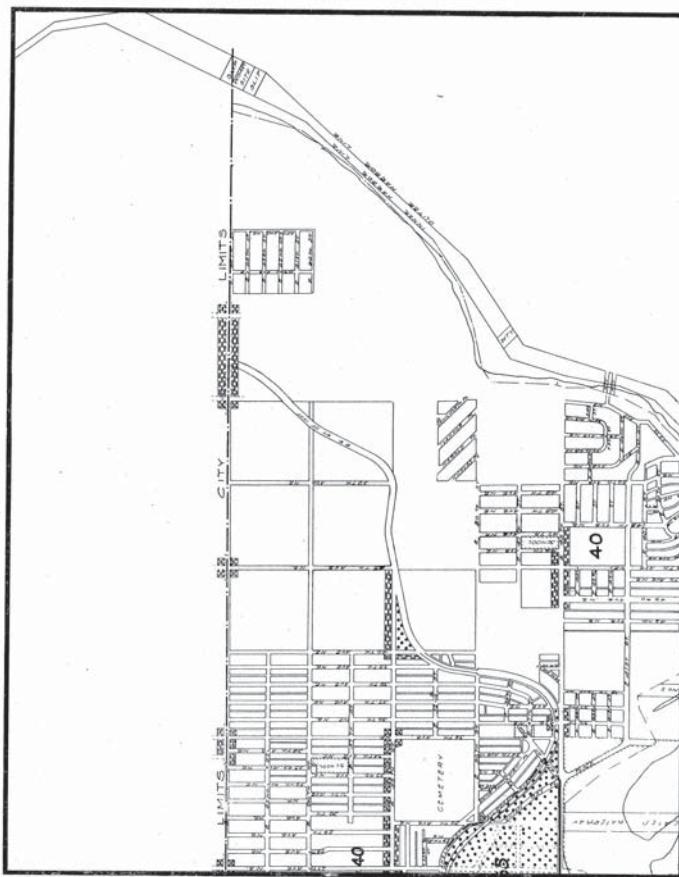
Approved by Mayor, August 21, 1923, also amended by Ordinance No. 45764 passed by the City Council September 24th, 1923, and approved by Mayor, September 25th, 1923.

KEY MAP



HEIGHT AND AREA MAP

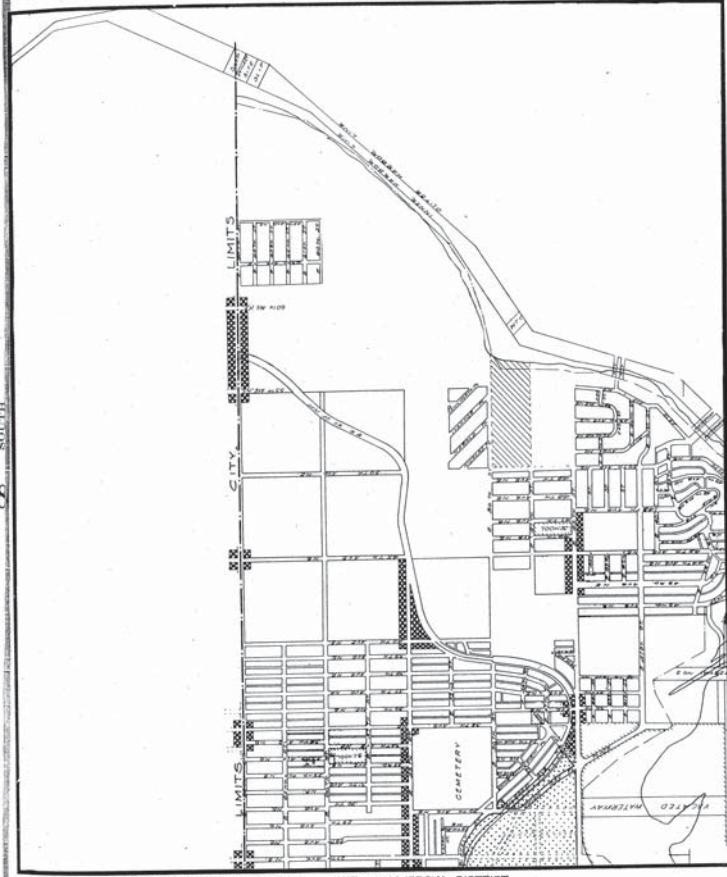
Plate 1



2

USE MAP

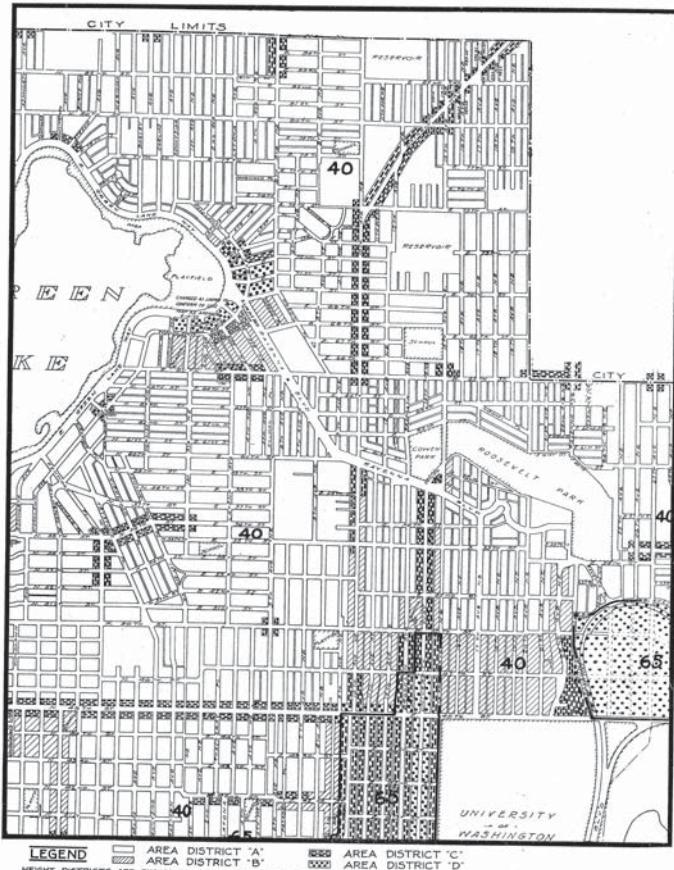
Plate 1



2

HEIGHT AND AREA MAP

Plate 2

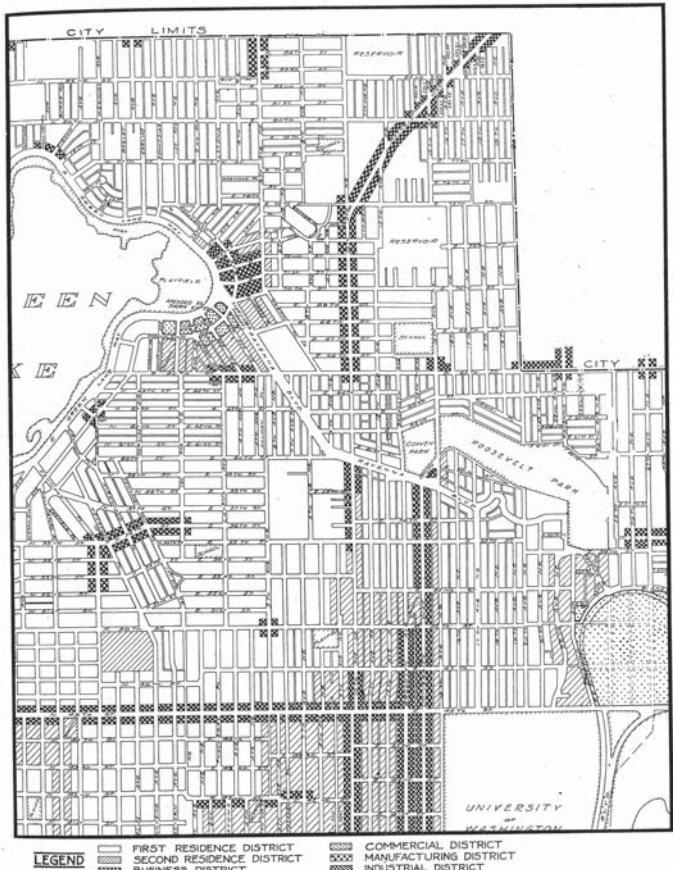


3

7 - 8

USE MAP

Plate 2



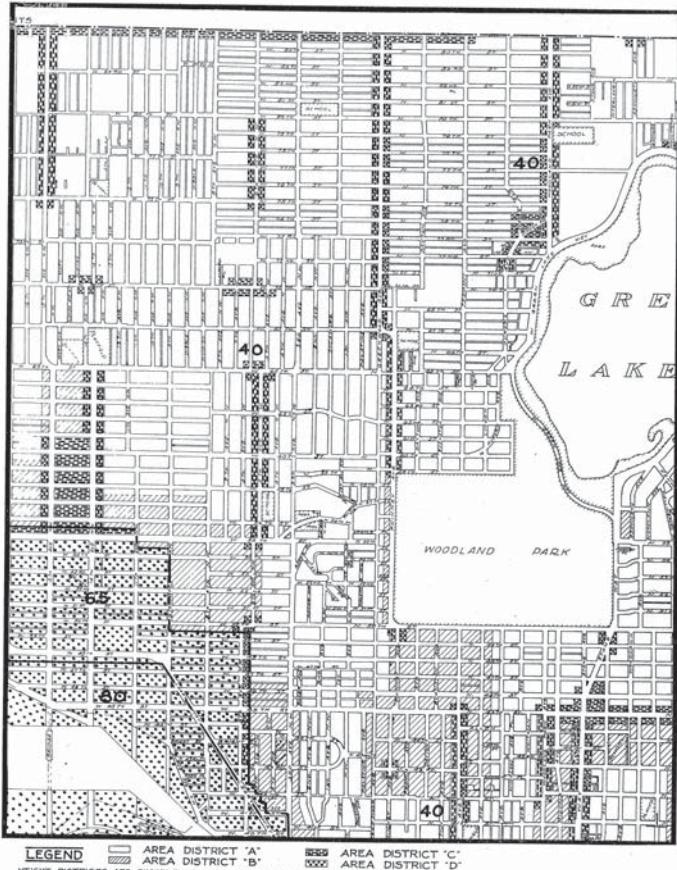
13

7 - 8

1

HEIGHT AND AREA MAP

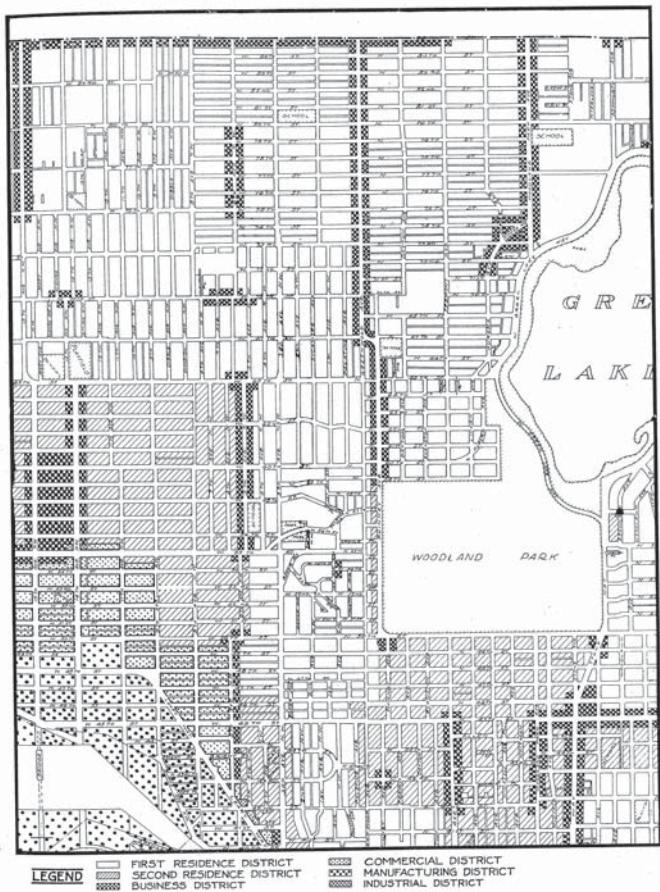
Plate 3



6 - 7

USE MAP

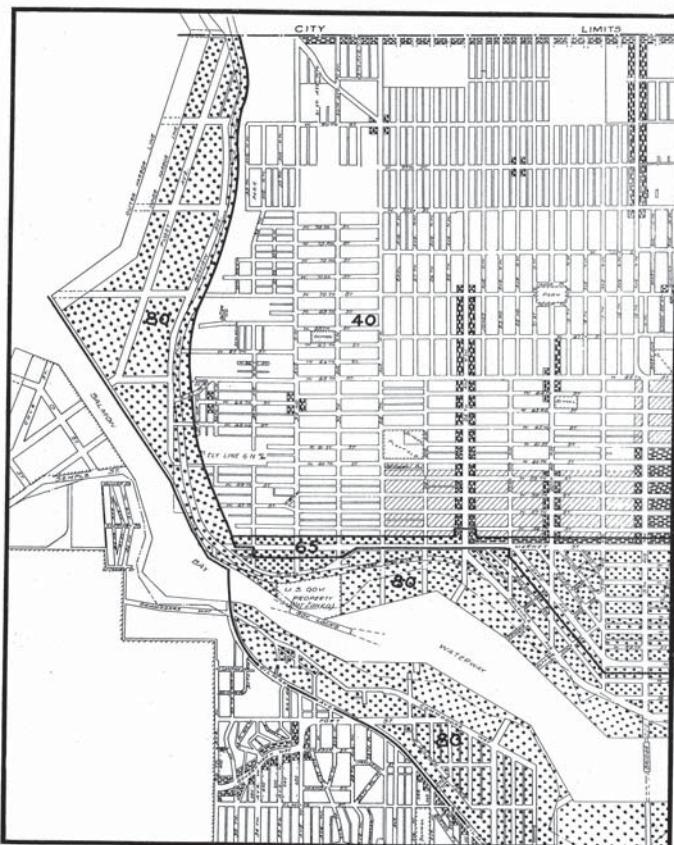
Plate 3



6 - 7

HEIGHT AND AREA MAP

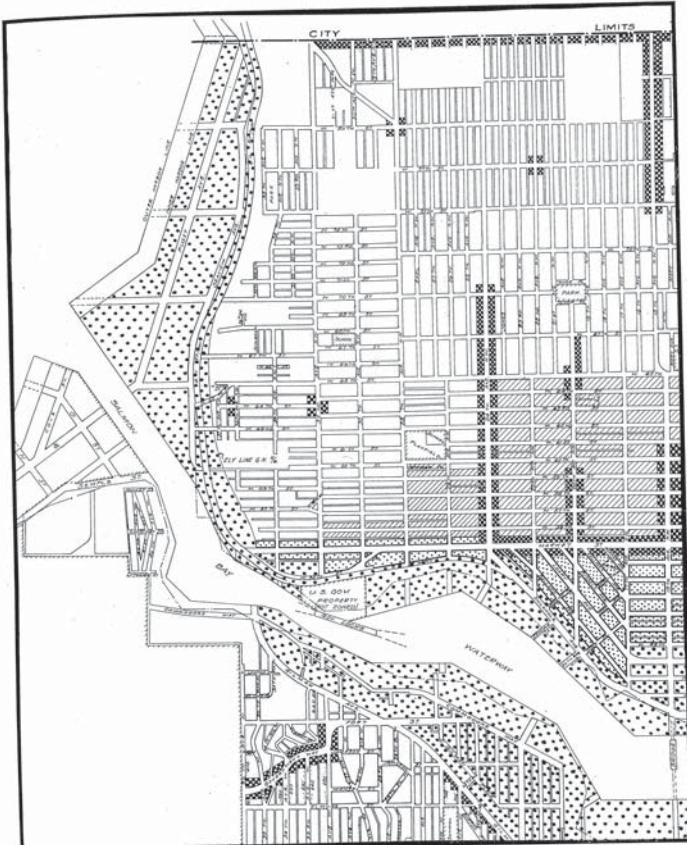
Plate 4



5 - 6

USE MAP

Plate 4

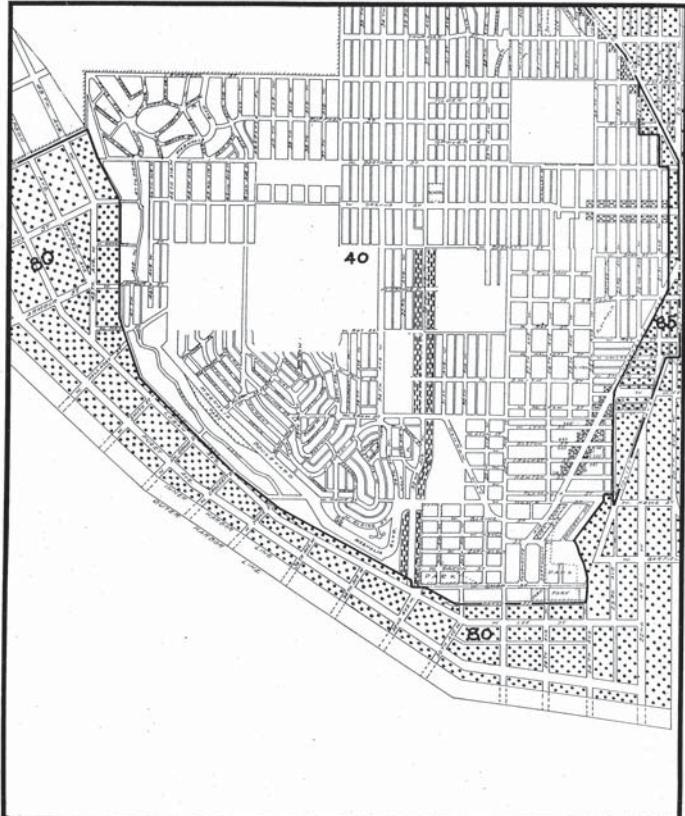


5 - 6

HEIGHT AND AREA MAP

4

Plate 5

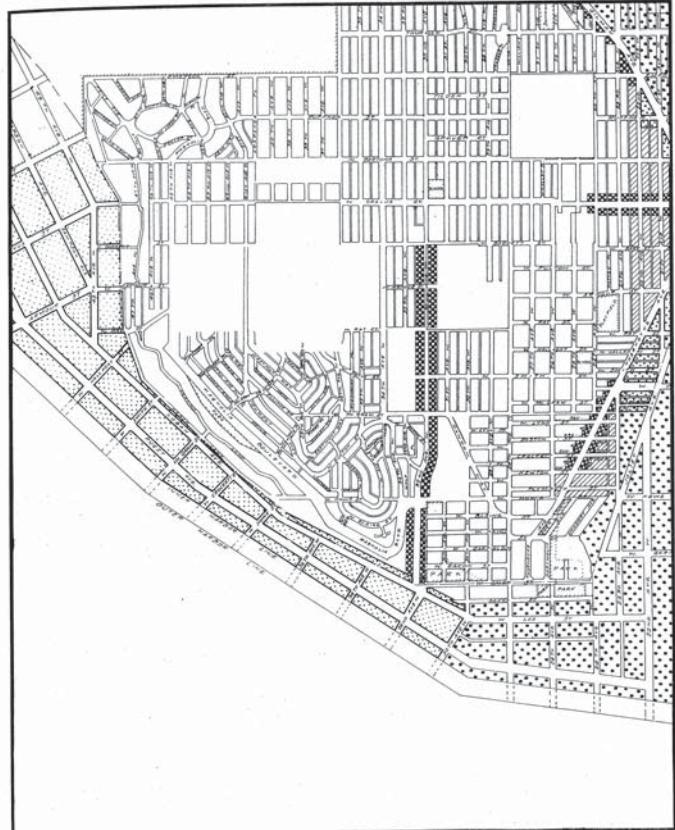


LEGEND
■ AREA DISTRICT 'A'
■■■ AREA DISTRICT 'C'
■■■■ AREA DISTRICT 'B'
■■■■■ AREA DISTRICT 'D'
HEIGHT DISTRICTS ARE SHOWN BY HEAVY LINE WITH FIGURES INDICATING HEIGHT LIMIT IN FEET

USE MAP

4

Plate 5



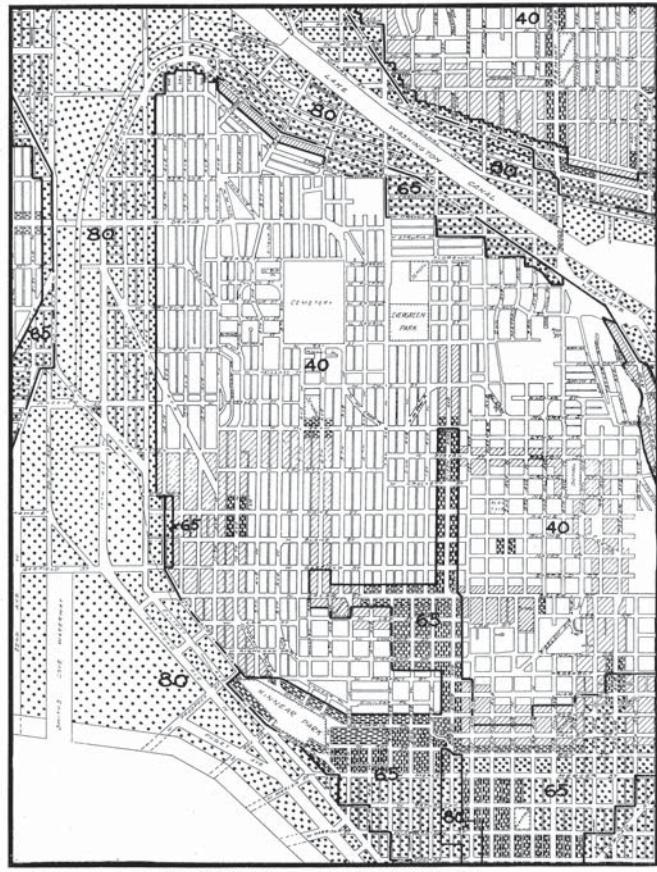
LEGEND
■ FIRST RESIDENCE DISTRICT
■■■ SECOND RESIDENCE DISTRICT
■■■■ COMMERCIAL DISTRICT
■■■■■ MANUFACTURING DISTRICT
■■■■■■ INDUSTRIAL DISTRICT

6

HEIGHT AND AREA MAP

4 - 3

Plate 6

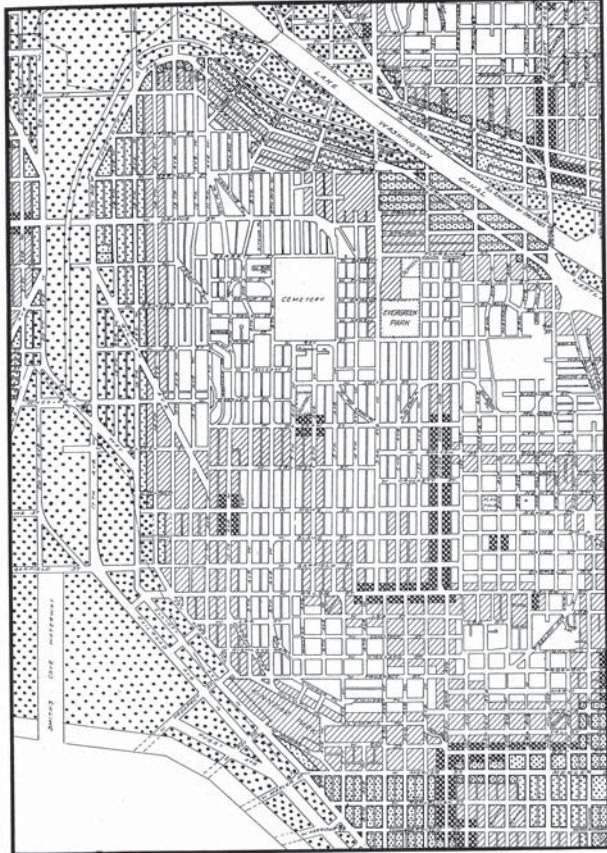


10

USE MAP

4 - 3

Plate 6

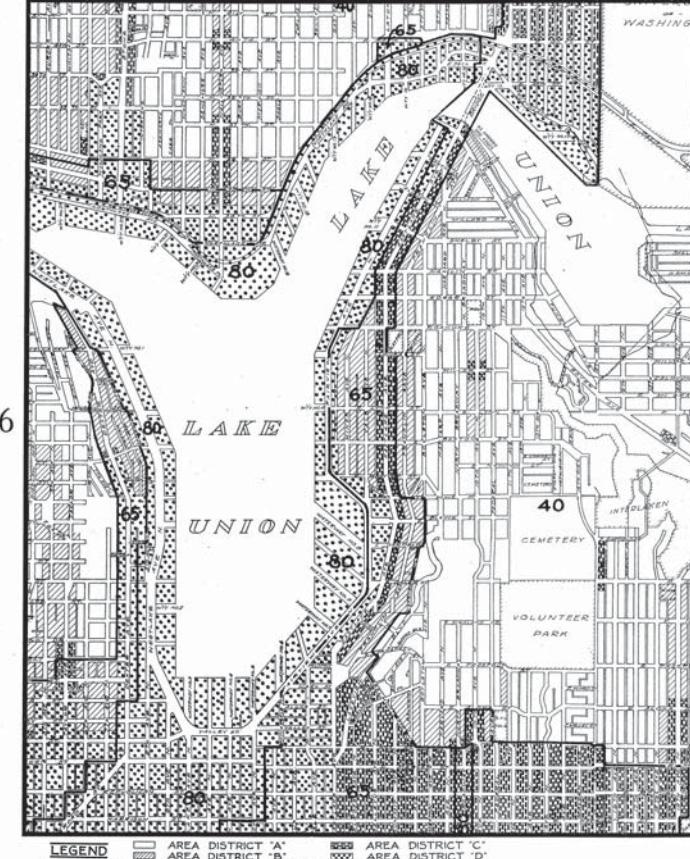


10

HEIGHT AND AREA MAP

3 - 2

Plate 7



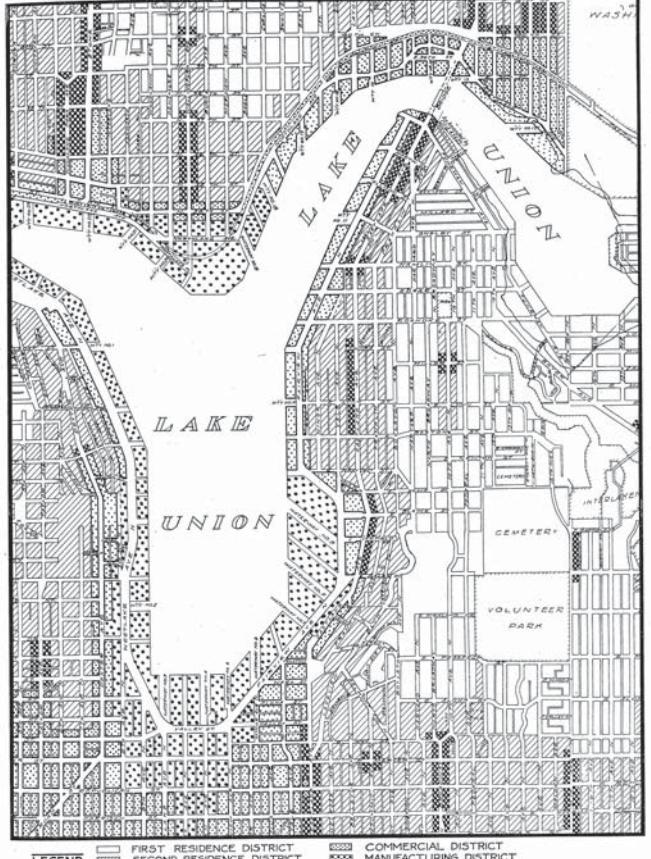
10 - 9

USE MAP

3 - 2

Plate 7

8 6



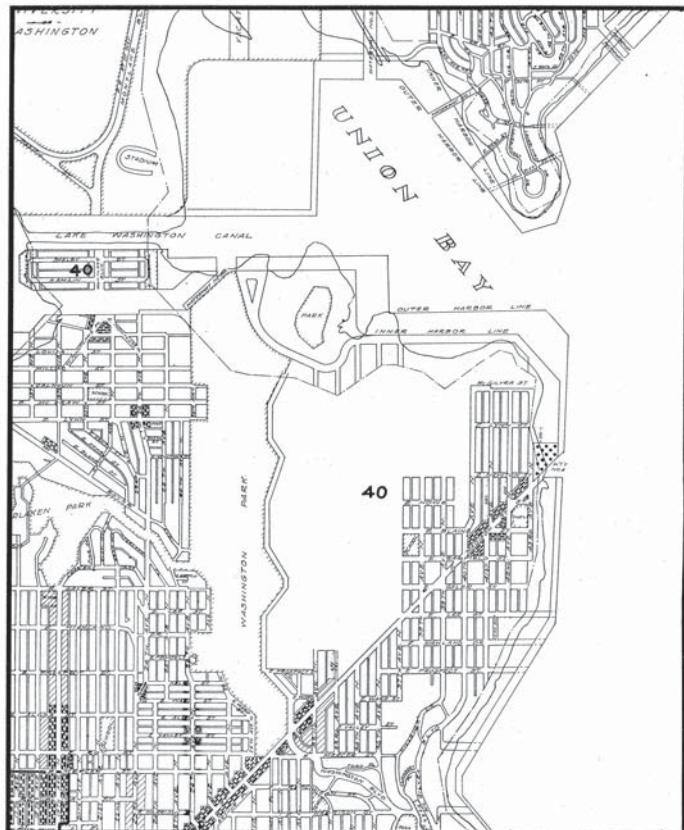
10 - 9

8

HEIGHT AND AREA MAP

2 - 1

Plate 8

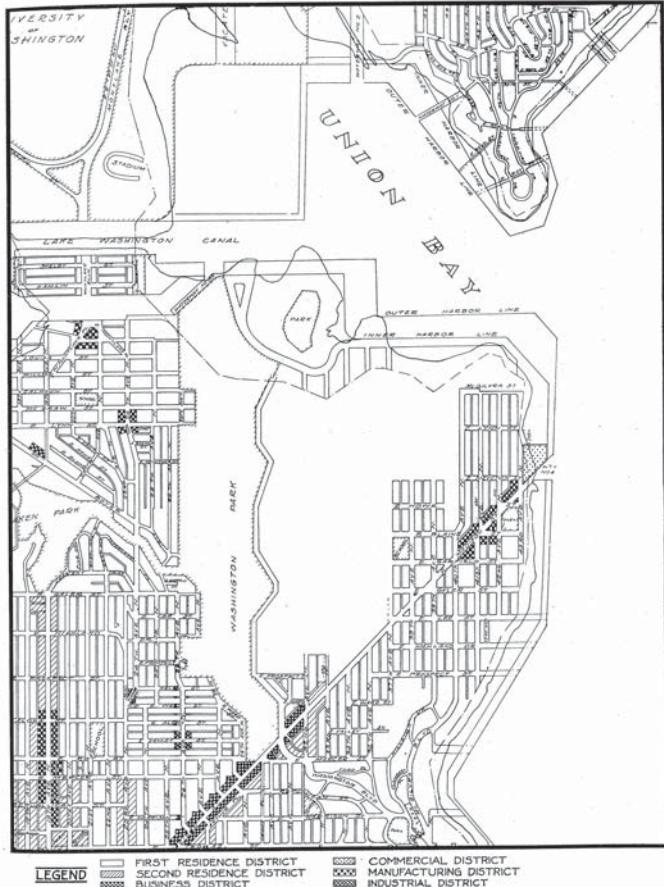


9

USE MAP

2 - 1

Plate 8

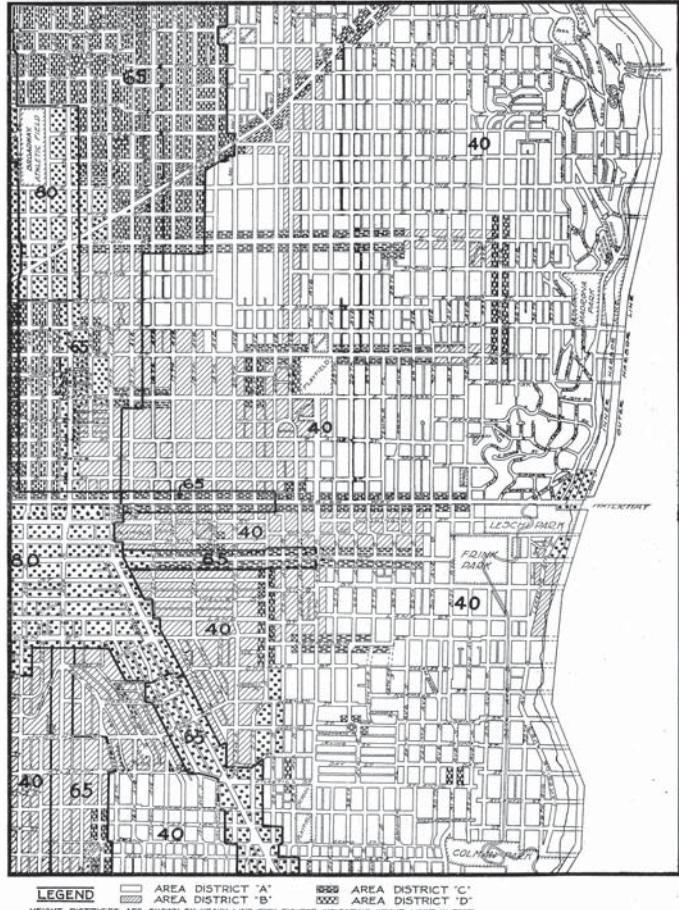


9

HEIGHT AND AREA MAP

7 - 8

Plate 9

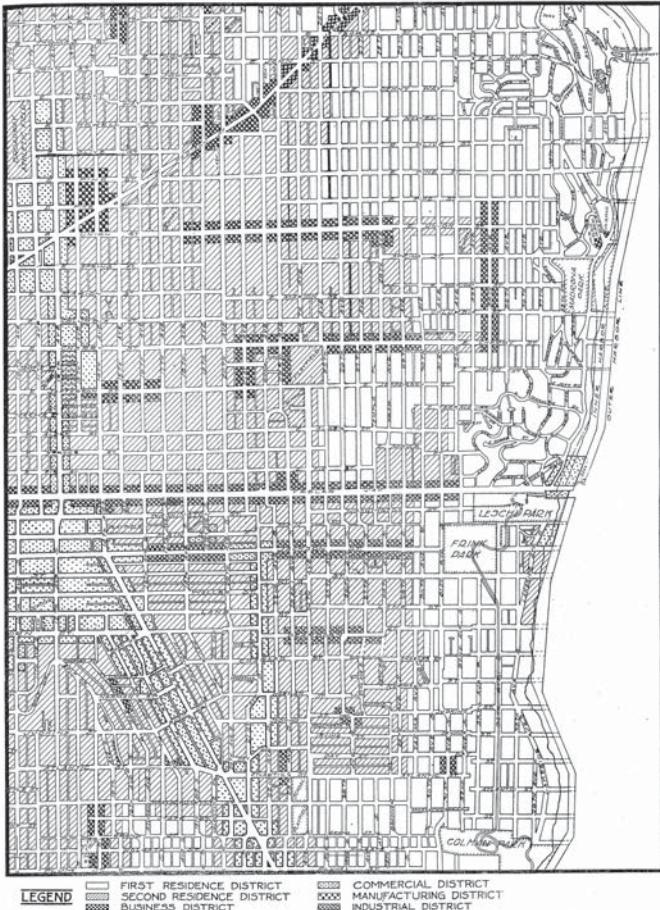


13 - 14

USE MAP

7 - 8

Plate 9

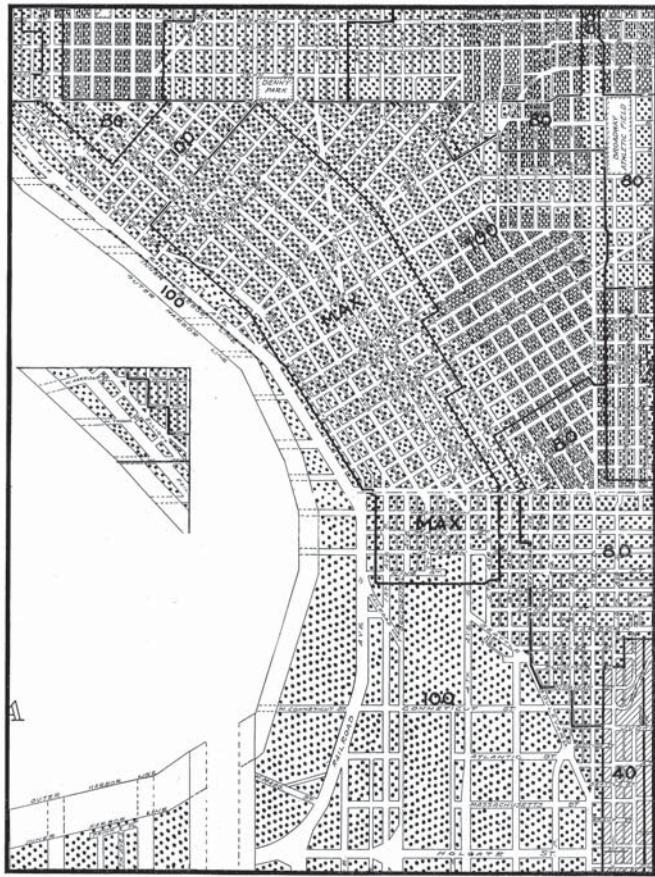


13 - 14

HEIGHT AND AREA MAP

6 - 7

Plate 10

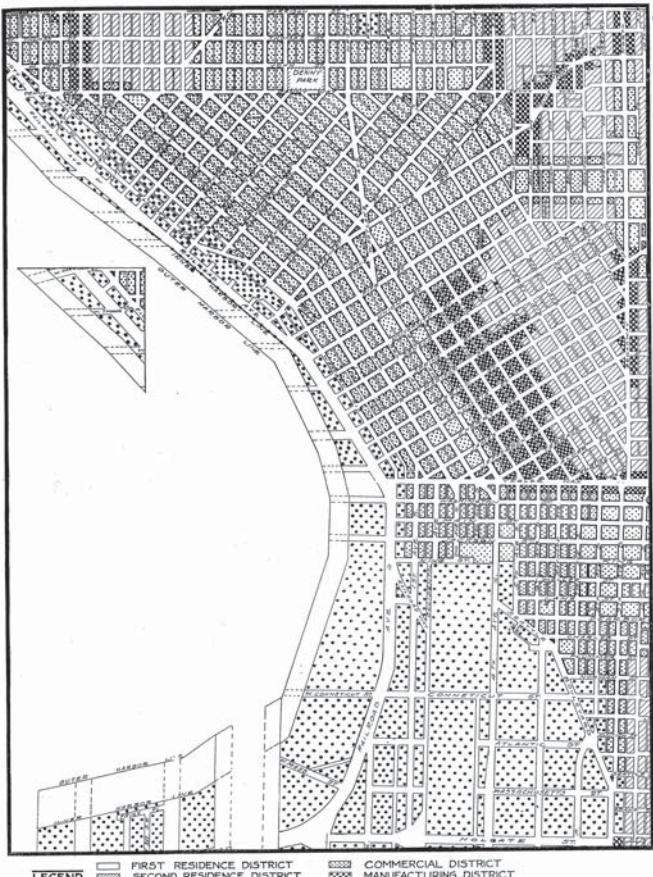


12 - 13

USE MAP

6 - 7

Plate 10

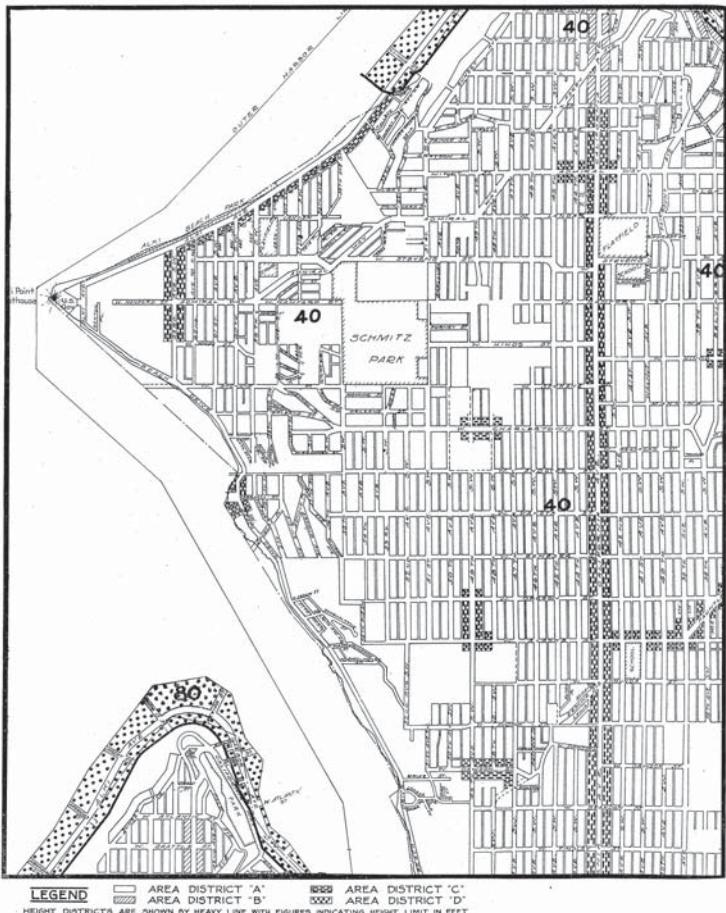


12 - 13

9

HEIGHT AND AREA MAP

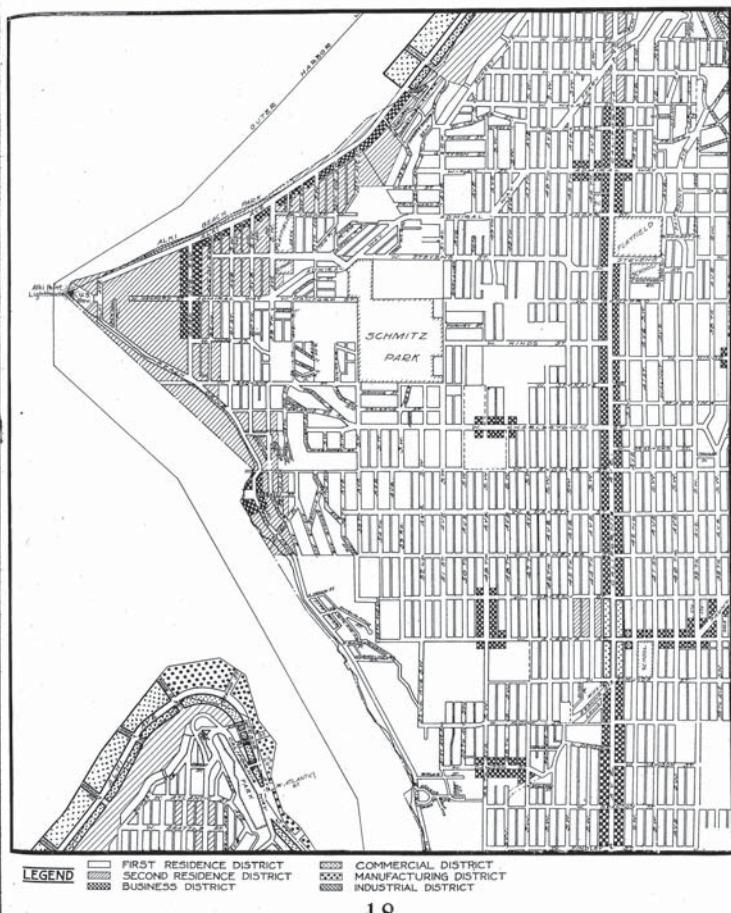
Plate 11



18

USE MAP

Plate 11

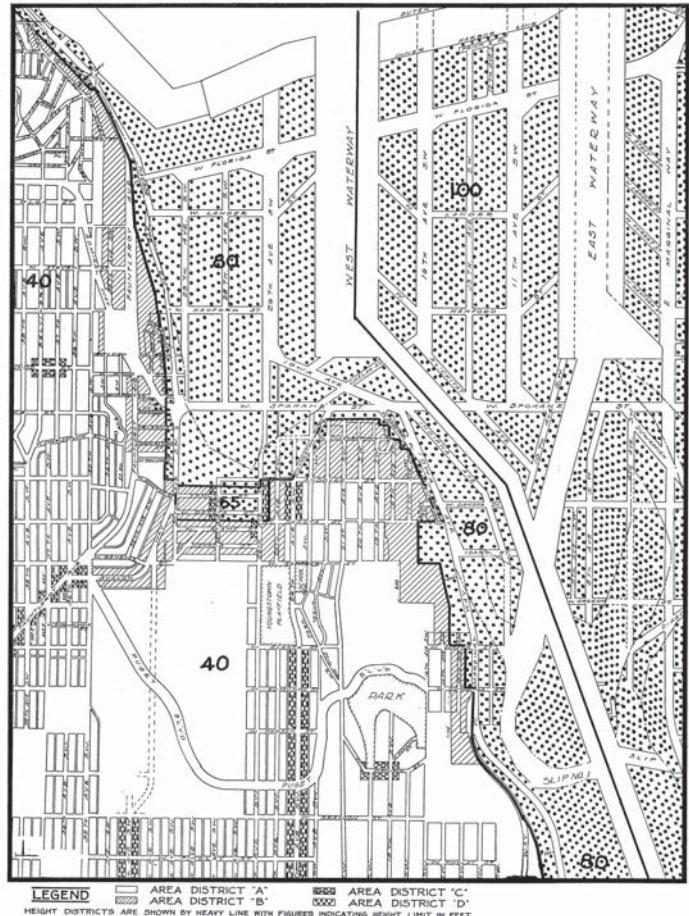


18

HEIGHT AND AREA MAP

10

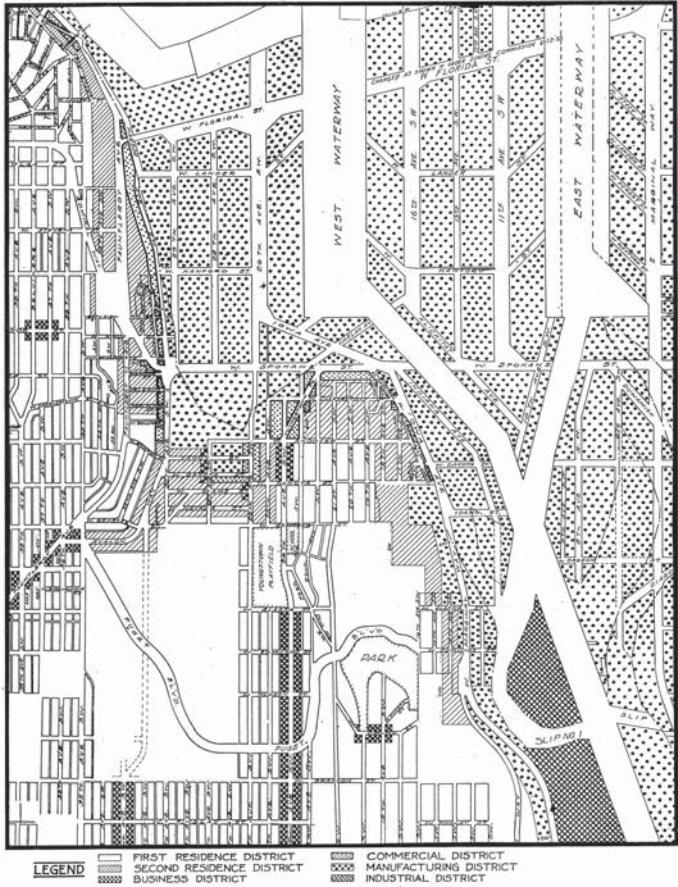
Plate 12



USE MAP

10

Plate 12



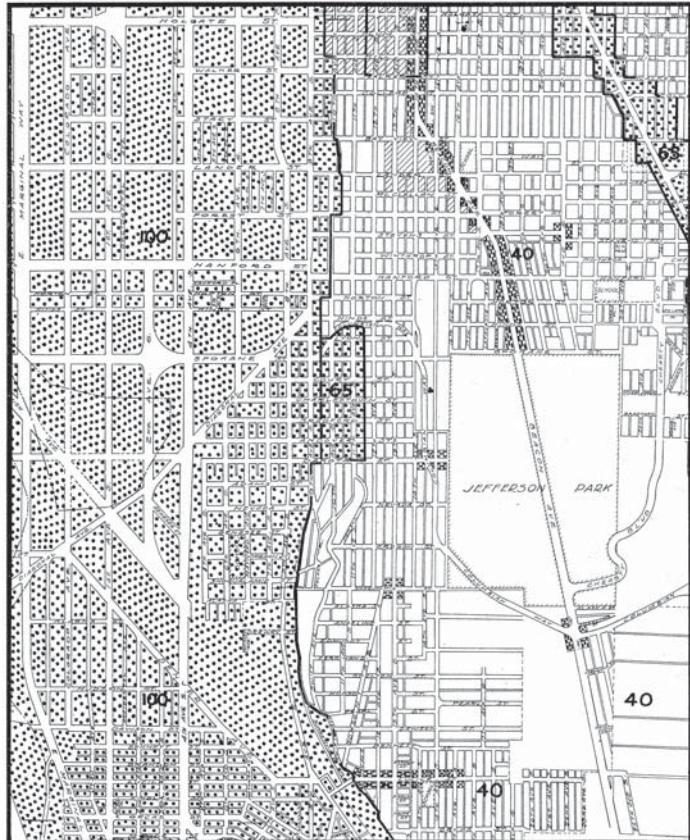
18 - 17

18 - 17

HEIGHT AND AREA MAP

10 - 9

Plate 13

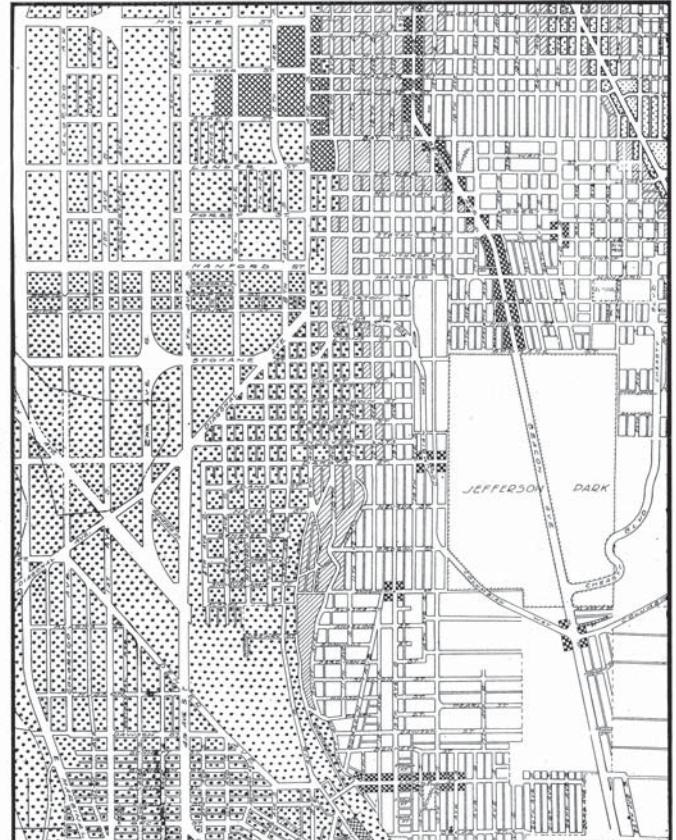


17 - 16

USE MAP

10 - 9

Plate 13

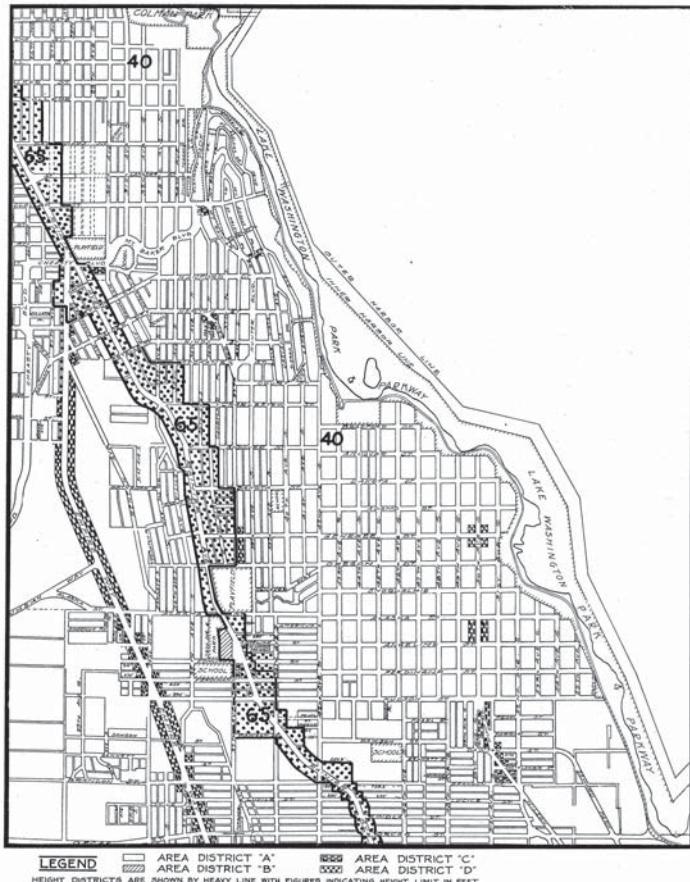


17 - 16

HEIGHT AND AREA MAP

9

Plate 14

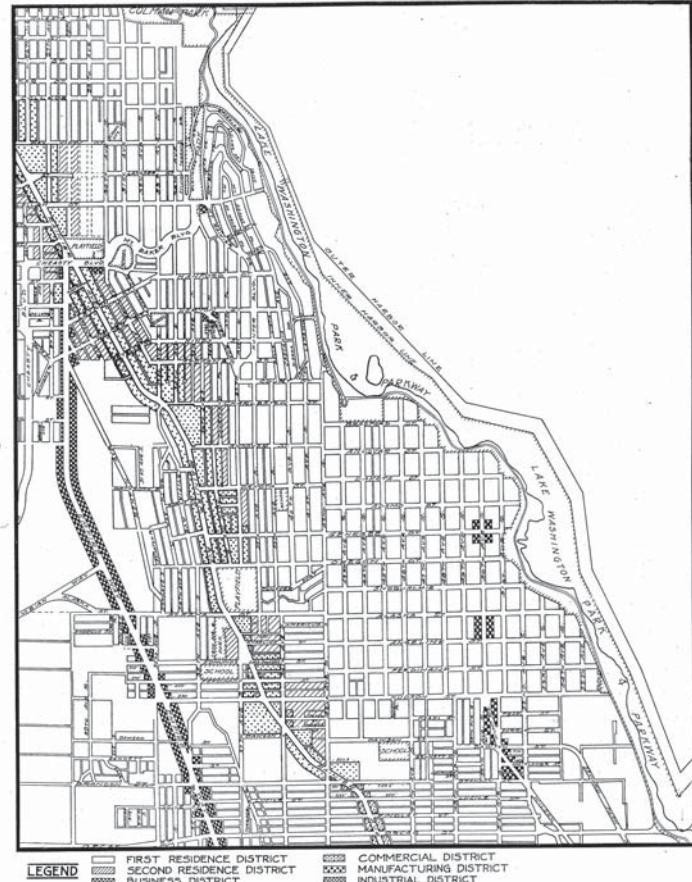


16 - 15

USE MAP

9

Plate 14

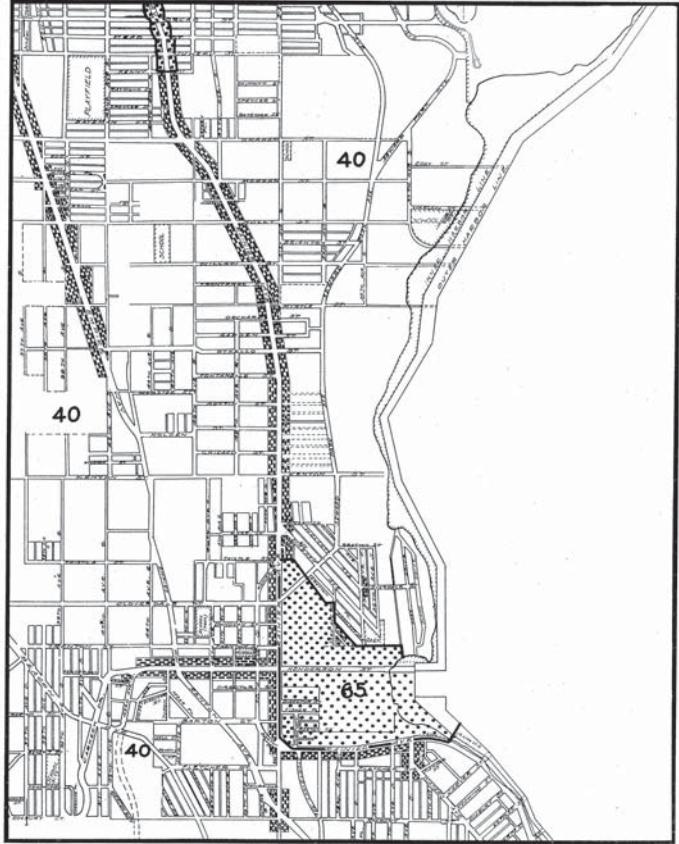


16 - 15

HEIGHT AND AREA MAP

14

Plate 15

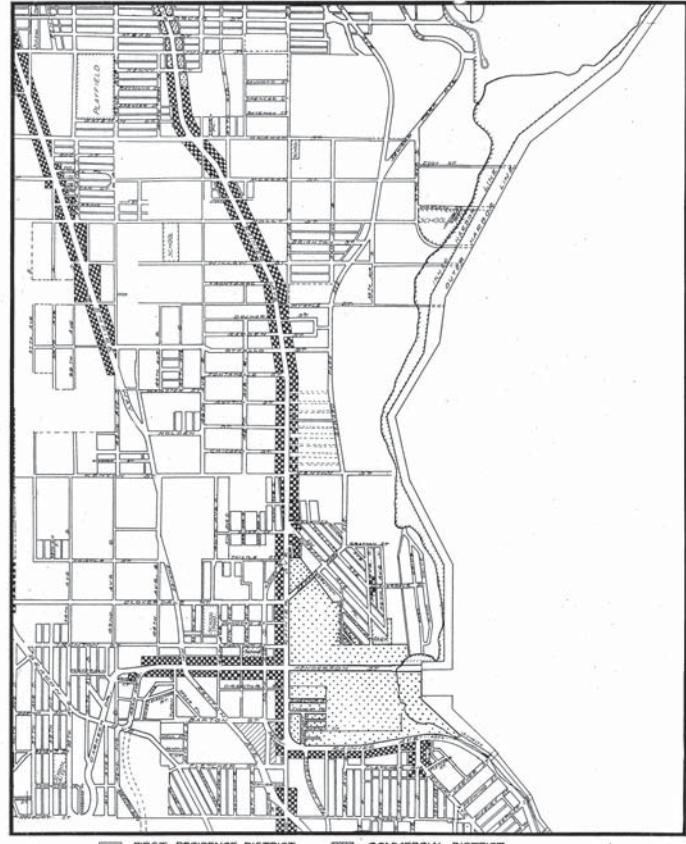


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USE MAP

14

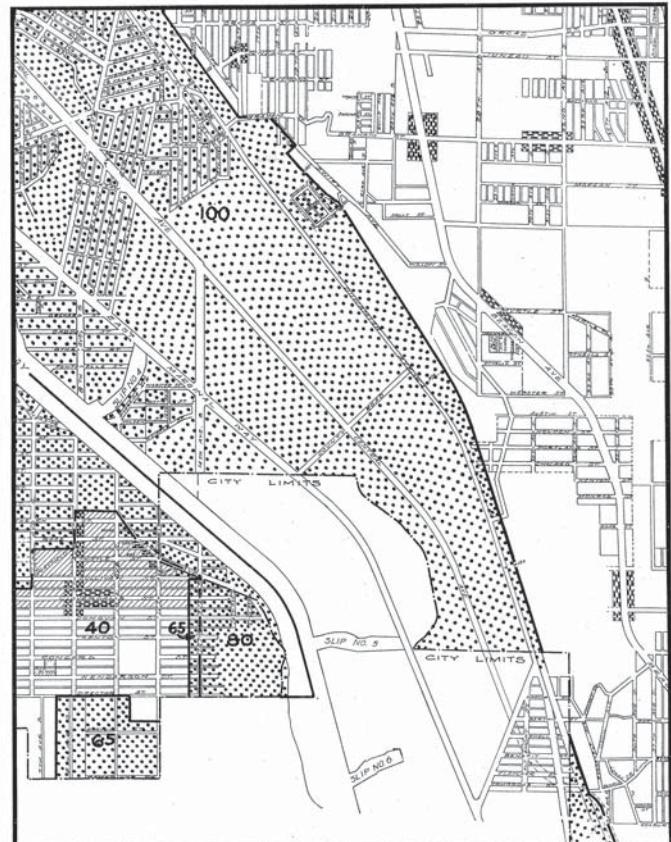
Plate 15



19

HEIGHT AND AREA MAP
13 - 14

Plate 16



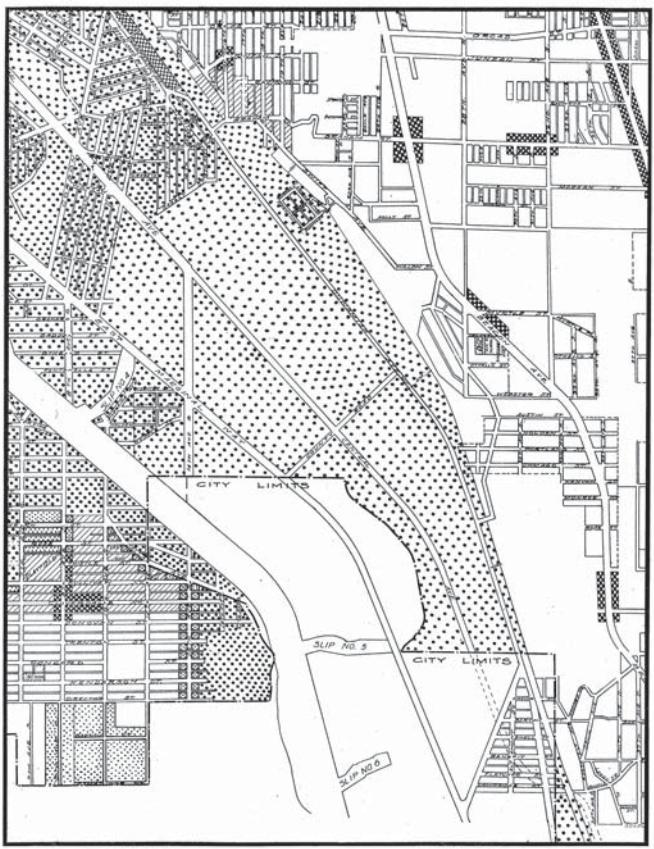
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19

USE MAP
13 - 14

Plate 16



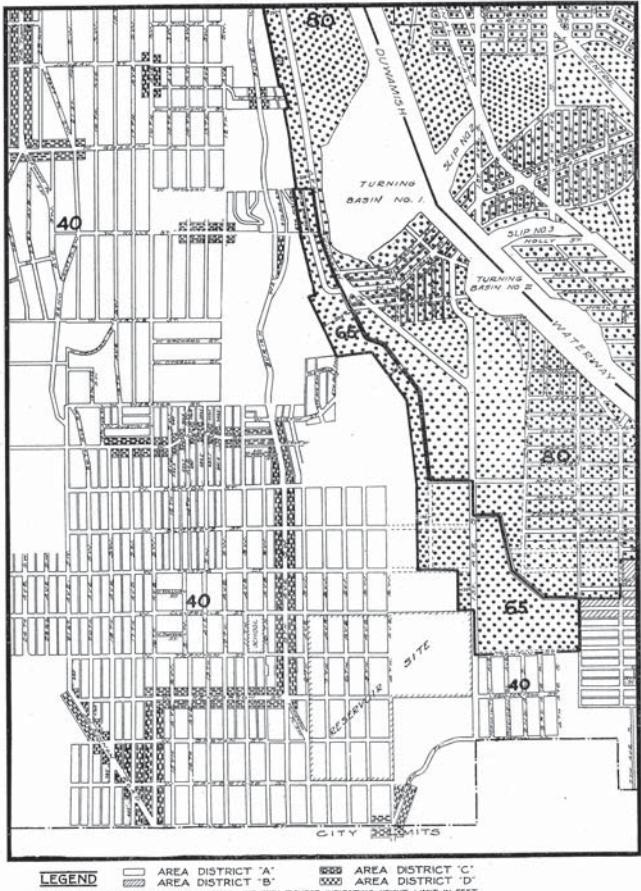
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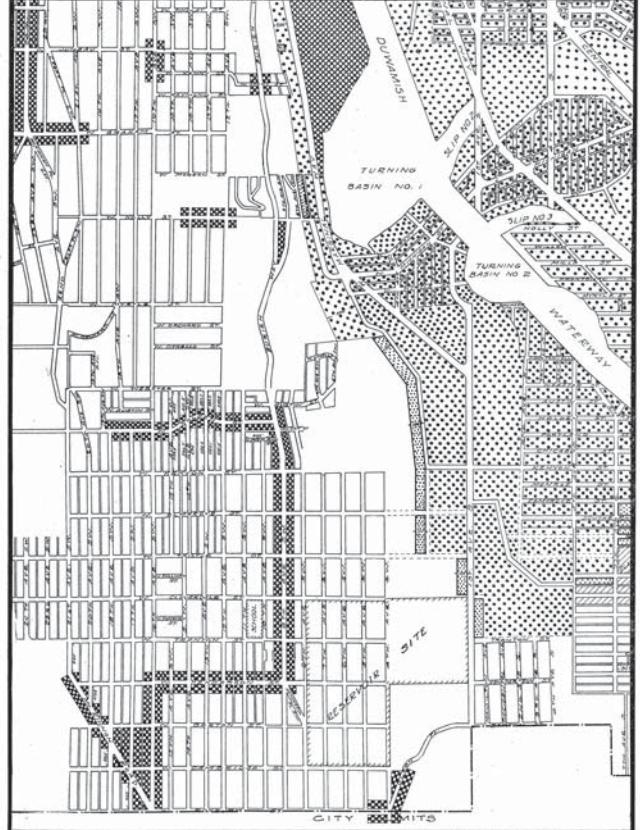
HEIGHT AND AREA MAP
12 - 13

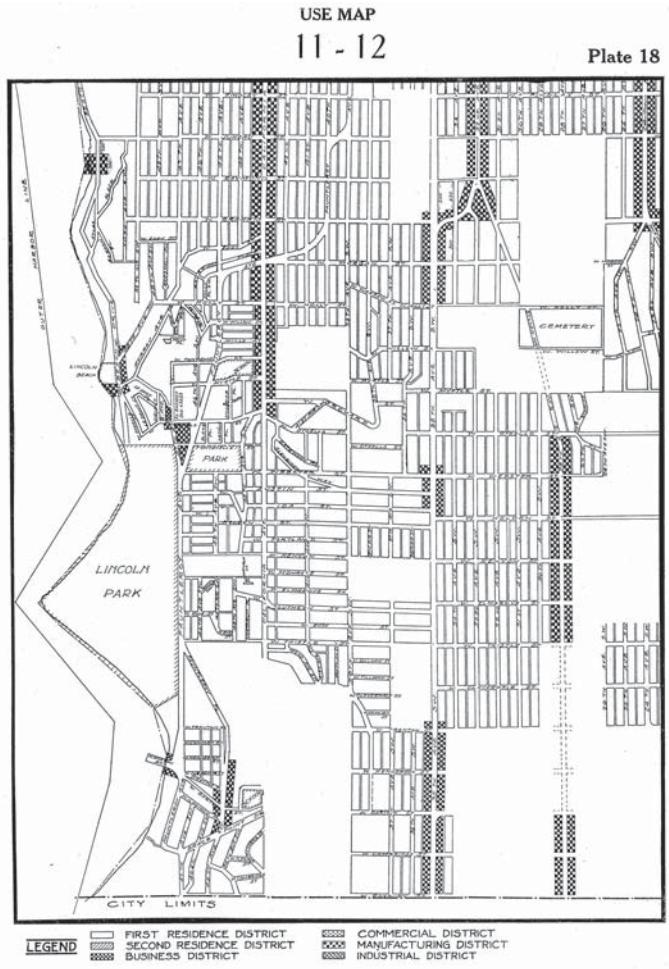
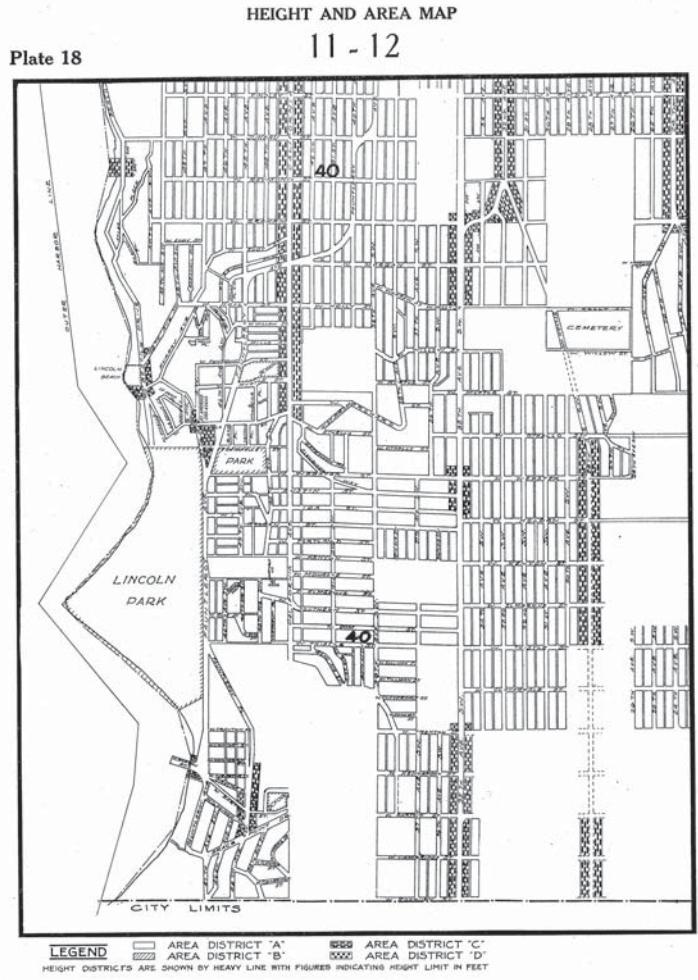
Plate 17



USE MAP
12-13

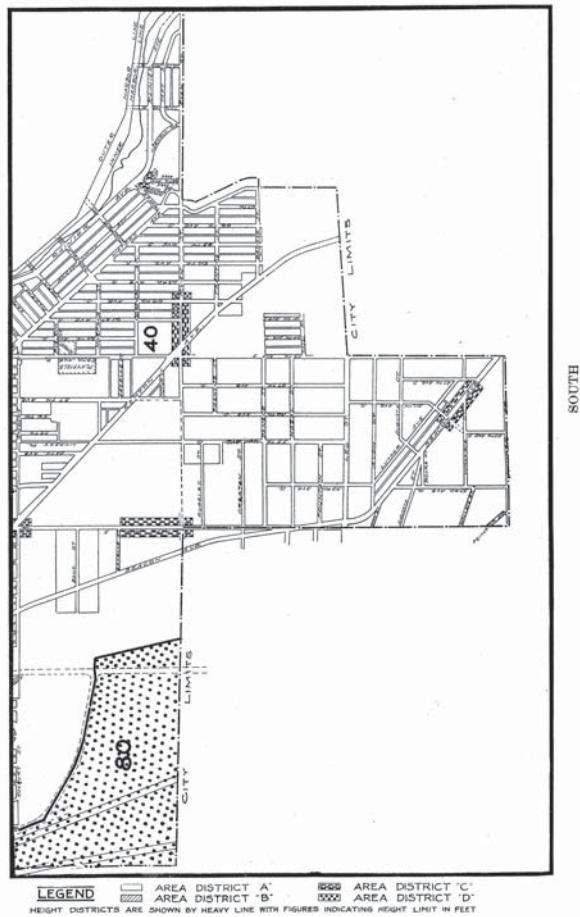
Plate 17





HEIGHT AND AREA MAP

Plate 19



USE MAP

COP 30175

Plate 19

