

Permanent State Zoning Compliance Legislation

Summary as Amended by Council

September 2025



City of Seattle

Overview

This document summarizes the Permanent State Zoning Compliance legislation as voted out of City Council's Committee on the Comprehensive Plan on September 19, 2025. Changes to the legislation since it was transmitted to Council in May are shown in ***bold and italics***.

The purpose of this legislation is to implement a comprehensive update of Seattle's Neighborhood Residential (NR) zones to comply with Washington State House Bill 1110 and meet other goals. House Bill (HB) 1110 requires cities to allow a wider variety of "middle" housing types, including duplexes, triplexes, and stacked flats, in single-family zones. It also places limits on the regulation of middle housing.

This legislation would also implement changes to comply with:

- HB 1293, requiring design standards be "clear and objective"
- Senate Bill (SB) 6015, placing limits on off-street parking requirements
- HB 1287, establishing requirements for electric vehicle (EV) charging in new development

This legislation would replace interim regulations that went into effect on June 30, 2025.

Updating NR zones is a critical step towards addressing our current and future housing needs and increasing access in neighborhoods that have been primarily comprised of single-family homes. Historically, many Seattle neighborhoods had racially restrictive covenants that explicitly prohibited people of color from owning or occupying property. Though ruled legally unenforceable in 1948, racial covenants cemented a pattern of racial segregation and exclusion that Seattle's restrictive zoning has sustained over time. Limiting the type of development that can happen in these neighborhoods also contributes to the high cost of housing, which continues to limit who can live in these neighborhoods and worsens affordability in Seattle overall. The median sales price of a detached home now exceeds \$1 million. Rising housing prices force people to move away from communities they love and make many neighborhoods with access to large parks and schools accessible only to high-income households.

This legislation is intended to mitigate these issues by increasing the supply and diversity of housing in NR zones. The proposed changes would increase opportunities for more infill development, allowing for additional middle housing types that could create lower-cost homeownership opportunities. By increasing the diversity of housing, we can make it possible for a wider range of people to live in these neighborhoods and for existing residents to find a range of housing types that can allow them to age in place in their neighborhoods.



Proposal summary

While it would primarily affect NR zones, this legislation would also make changes to other zones and certain citywide standards. This summary is divided into four sections: changes to NR zoning, changes to Residential Small Lot (RSL) zoning, changes to Lowrise (LR) zoning, and changes that affect multiple zones.

Changes to Neighborhood Residential zoning

This legislation would repeal in its entirety the City code chapter that contains standards for NR zones (Chapter 23.44) and replaces it with a new chapter. This represents the first comprehensive update of NR zoning since 1982. The following sections address the various changes included in the proposed legislation.

DEVELOPMENT STANDARDS

Maximum density	The number of dwelling units allowed on a lot would be the greater of: <ul style="list-style-type: none">• 1 unit per 1,250 square feet;• 4 units; or• 6 units if the lot is located within one half-mile of a major transit stop or if at least two units are affordable. ADUs count toward the density limits. Density on lots with ECAs would be reduced in portion to percentage of lot that contains ECAs.
Minimum lot size	New lots smaller than 5,000 square feet could not be created. This provision would discourage lot splitting to get around the maximum density limit. To comply with state legislation passed in April 2025, OPCD and SDCI will produce legislation in 2026 allowing lot splitting if certain conditions are met and the lot splitting does not increase the number of dwelling units allowed.
Floor area ratio (FAR)	The FAR would vary based on the density of the lot as follows: <ul style="list-style-type: none">• 0.6 FAR for density below 1 unit/4,000 square feet• 0.8 FAR for density between 1 unit/4,000 sq ft and 1 unit/2,201 sq ft• 1.0 FAR for density between 1 unit/2,200 sq ft and 1 unit/1,601 sq ft• 1.6 FAR for density of 1 unit/1,600 sq ft or greater
Maximum height	32 feet plus allowances for pitched roofs except that it is 42 feet plus allowances for pitched roofs if the site includes planting or preservation of medium and large trees that would result in a 10 percent canopy coverage for the site at tree maturity.
Front setback	Lots with one or two dwelling units: 15 feet Lots with three or more dwelling units: 10 feet; except that it is 5 feet for structures within frequent transit service areas on lots under 5,000 square feet; larger setbacks are required on Queen Anne Boulevard
Rear setback	Lots with one or two dwelling units not abutting an alley: 15 feet Lots with three or more dwelling units not abutting an alley: 10 feet except that it is 5 feet for other structures within frequent transit service areas on lots under 5,000 square feet Lots where rear setback abuts an alley: 0 feet
Side setback	5 feet average, 3 feet minimum, except that it is 3 feet on lots under 5,000 square feet within frequent transit service areas
Minimum separation between buildings	5 feet
Maximum lot coverage	50 percent

ACCESSORY DWELLING UNITS

This legislation would increase the maximum size limit for ADUs to 1,200 square feet plus 250 square feet for garages. It would retain a rear yard setback for ADUs of 5 feet (compared to the rear yard setback of 10 feet for principal dwelling units). It would also exempt ADUs from Mandatory Housing Affordability (MHA) requirements.

BONUS FOR STACKED FLATS

Stacked flats is a term that describes apartment or condominium buildings. During public engagement in spring 2024, many community members urged the City to support the development of stacked flats, especially on quieter streets where rental housing and lower-cost ownership options are scarce. Comments focused on the benefits of stacked flats in allowing residents to live on one floor. This type of housing can be especially helpful for older adults wishing to stay in place and for people who require accessible units. Stacked housing can also offer a lower-cost alternative to detached and attached housing, like townhomes.

This legislation includes additional floor area (1.8 FAR), lot coverage (60%), and density (**1 unit per 600 square feet of lot area**) for stacked flats on any lot in NR zones. On a 6,000 square foot lot, this would mean nine units could be built (HB 1110 only mandates six units on lots within a quarter mile of major transit stops). The number of units allowed would increase with lot size.

This legislation would also add certain additional allowances for stacked flats. Stacked flats on lots that meet a Green Factor requirement or preserved certain trees would have an FAR of 2.0, height of 42 feet, and a density of (1 unit per 600 square feet). Additionally, Type A accessible units would not count toward FAR, density, or lot coverage.

BONUS FOR LOW-INCOME HOUSING

Achieving more racial and economic inclusion in NR zones – a central objective of the One Seattle Plan – requires proactive policies that encourage creation of housing affordable to low-income people in all neighborhoods. The proposed plan includes additional development capacity for affordable housing projects on all lots within a quarter mile of frequent transit. On a 5,000 square foot lot, this would mean 12 units could be built. The number of units allowed would increase with lot size.

Affordability requirement	At least half of units must be offered at prices affordable to households making 60 percent of area median income (AMI) for rental units or 80 percent of AMI for ownership units; any housing developed by the social housing development authority is not required to meet affordability requirements
Maximum height	4 stories
Maximum lot coverage	60 percent
Maximum density	1 unit per 400 square feet of lot area
Maximum FAR	1.8

AMENITY AREA

Amenity areas on lots in NR zones can create spaces for residents to be outside and for trees and vegetation. **This legislation would require 25 percent of the lot to be set aside as an amenity area except that it is 20 percent of the lot if every unit above the ground level has a balcony.** The amenity area would not include building footprints, driveways, and parking stalls. All amenity areas, **except balconies**, must have a width and depth of at least 8 feet and be at least 120 square feet in size. The amenity area may be shared between multiple units.

TREES & VEGETATION

Trees in NR zones are protected by multiple regulations:

- The **Tree Protection Code** limits the number, size, and type of trees that can be removed on private property and establishes requirements for replacing trees cut down.
- **Tree planting requirements** require planting of trees as part of development.
- **Street tree requirements** limit removal of street trees and require planting of new street trees as part of development.
- **Environmentally critical areas (ECA) and Shoreline regulations** protect trees and vegetation around shorelines, creeks, wetlands, and steep slopes.

In May 2023, the City updated its tree protection and street tree requirements to lower size thresholds, strengthen protections, require mitigation for trees removed, and require street trees as part of development. This legislation updates tree planting requirements in NR zones, which were not updated in May 2023, to help meet citywide tree canopy goals in the context of new middle housing development in these areas. The proposed tree planting requirements, which are similar to those currently applied in Residential Small Lot zones, would encourage the planting of larger tree species.

Currently, development in NR1, NR2, and NR3 zones requires the planting of two caliper inches of tree – roughly the width of a new tree’s trunk – per 1,000 square feet of lot area. On a 5,000-square-foot lot, this requires planting five new two-caliper-inch small or large species trees or transplanting one 10-caliper- inch tree. Absent an incentive to plant larger species trees, developers generally opt for smaller species.

Under the new requirements in this legislation, a point system would encourage retention of existing trees and the planting of larger tree species and conifers. The number of points required would vary based on the number of homes on a lot. New development with a density of 4 homes on a 5,000 square foot lot would need to achieve one point per 750 square feet lot area while a single home on the same lot would have to achieve one point per 500 square feet of lot. The table below shows how tree points could be achieved.

The legislation would also amend tree protection requirements such that the tree protection area used for determining whether trees must be preserved can be reduced to any size provided that the modifications are shown not to interfere with the overall health and stability of the retained tree. Consequently, tree protection areas will be determined by the City on a case-by-case basis. The size of the tree protection area will affect whether trees are required to be preserved during construction.

Type of tree	Tree species	Points for deciduous trees	Points for evergreen trees
Trees planted as part of construction	Small	1 point	1.25 point
	Small/medium	2 points	2.5 points
	Medium/large	3 points	3.75 points
	Large	4 points	5 points
Trees preserved during construction	Small	0.4 points per inch of diameter	0.5 points per inch of diameter
	Small/medium	0.8 points per inch of diameter	1 point per inch of diameter
	Medium/large	1.2 points per inch of diameter	1.4 points per inch of diameter
	Large	1.6 points per inch of diameter	1.8 points per inch of diameter

DESIGN STANDARDS

No design standards currently apply in NR zones. This legislation would implement the following new design standards:

- **Access:** Each unit must have a pedestrian access pathway at least 3 feet in width between the entrance and the street.
- **Entries:** Each street-facing facade must have a pedestrian entry with weather protection, such as a covered porch, canopy, recessed entry, or similar feature, measuring at least 3 feet in both width and depth.
- **Windows and doors:** At least 20 percent of the area of each street-facing facade shall consist of windows and/or doors.

INSTITUTIONS

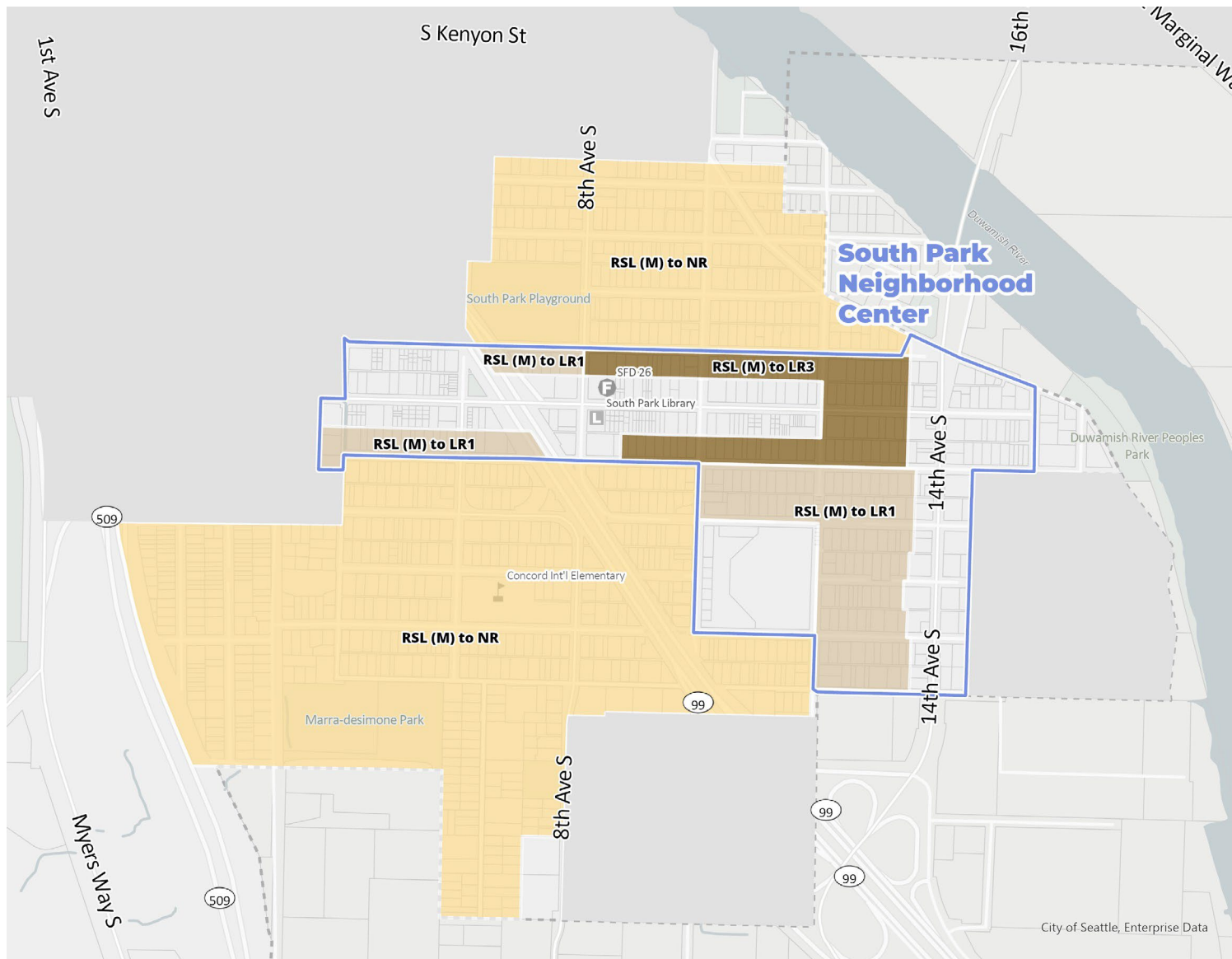
Under existing rules, religious facilities and private schools are treated differently than other institutions. These institutions can be approved only as a conditional use, cannot be located near existing institutions, and are subject to additional requirements around bulk and siting. The proposed legislation would make religious facilities subject to the same rules as non-religious facilities, and private schools would be subject to the same rules as public schools. The only exception to this rule is that departures from development standards for public schools would continue to operate through a process facilitated by the Department of Neighborhoods.

Changes to Residential Small Lot zoning

Residential Small Lot (RSL) is one of four existing Neighborhood Residential zones (along with NR1, NR2, and NR3 zones). This zone exists only within designated Urban and Regional Centers. Its density limit is similar to Lowrise 1 (LR1) zones, but its FAR limit is lower than in LR1 zones. Given the FAR increases proposed across all NR zones, the RSL zone would resemble LR1 even more

closely. This legislation would eliminate the RSL zone altogether and rezone areas currently zoned RSL to LR1.

The only exception to this approach is in South Park, shown below, where RSL zones located outside the boundaries of the new South Park Neighborhood Center would instead be rezoned to NR.



Changes to Lowrise zoning

Below is a summary of changes that are proposed for Lowrise zones. These changes are proposed to comply with new state laws, increase consistency between standards in different zones, and to meet other city goals. Many of these changes address regulations that currently vary by building type to comply with the requirement in HB 1110 that development standards for middle housing, including attached and stacked dwelling units, cannot be stricter than development standards for detached housing.

- Setbacks would be updated to comply with HB 1110. Currently, setbacks vary by different building types. This legislation would apply the setbacks that currently apply to townhouse development to all building types. These proposed setbacks are:
 - » Front setback: 7 feet average, 5 feet minimum; **larger setbacks are required on Queen Anne Boulevard**
 - » Rear setback: 7 feet average, 5 feet minimum, except 0 feet if alley
 - » Side setback: 5 feet
- Density limits would be removed in Lowrise Zones. The existing density limit already does not apply to all development in Lowrise 2 and Lowrise 3 zones with MHA suffixes, stacked flats, congregate housing, rowhouse development on corner lots, accessory dwelling units, low-income housing, assisted living facilities, and existing dwelling units. Under HB 1491, all lots created through subdivision must be allowed to have 4 to 6 units. Since Lowrise zones don't have minimum lot sizes, developers could simply avoid the remaining density limits by subdividing their lots. Consequently, a density limit would not limit density in practice and could result in bad design outcomes if developers subdivide their lot to avoid the limits.
- Maximum structure widths would be modified to comply with HB 1110 requirements. Currently, these requirements vary by building type. This legislation would apply a uniform requirement of 90 feet for LR1 and LR2 zones and 150 feet for LR3 zones.
- Stricter facade length requirements for rowhouses would be removed.
- Stacked housing would be exempted from the existing facade length requirement since it cannot easily be separated into multiple buildings. Removing this requirement helps encourage stacked flats in these zones.
- Design standards would be updated to comply with HB 1293 requirements that design standards must be clear and objective and to improve design outcomes. Under this legislation, new development would be required to meet the same design standards as NR zones.
- An additional 0.2 FAR would be allowed for stacked flats in LR1 and LR2 zones, consistent with proposed bonus in NR zones.
- The amenity area standard would be updated as follows:
 - » Amenity area would be reduced from 25 percent to 20 percent. Currently, most projects must include roof decks to meet the amenity area requirement, which adds significant additional cost to projects. Reducing this requirement would allow many projects to meet the requirement without requiring roof decks.
 - » Amenity areas, **except balconies**, would be required to be at least 60 square feet in area and a minimum width and depth of 6 feet.
 - » ***The requirement that 50% of amenity area must be at the ground level would be removed.***
- Separations requirements between buildings would be simplified and the minimum separation would be reduced from 10 feet to **5 feet** to provide more flexibility in site layout and to discourage outcomes where most open space is in separations between buildings.

Additional changes affecting multiple zones

The following sections describe provisions of the legislation that affect multiple zones.

PARKING

Off-street parking requirements can have significant impacts on the design and cost of housing and increase car usage and greenhouse gas emissions. Off-street parking can reduce competition for parking on the street and create more capacity for electric vehicle charging. However, it also increases the cost of construction; reduces the amount of space available for housing, open space, and trees; increases hardscape and runoff; and encourages vehicle ownership and use with resulting impacts on climate and the environment. On small lots, driveways, maneuvering areas, and parking stalls can take up a substantial portion of the site and dictate the layout of everything else on the site. In many cases, these areas end up occupying the entire interior of a site, leaving only small areas of open space at the front and rear.

This legislation would remove off-street parking requirements for development within a half-mile walking distance of a stop on light rail, commuter rail, or bus rapid transit in compliance with HB 1110 **and for all dwelling units that are 1,200 square feet or smaller in compliance with Senate Bill 5184.** It would also reduce parking requirements in all other residential areas from the current standard of one parking space per principal dwelling unit to one parking space per two principal dwelling units. Off-street parking is not required for ADUs.

The legislation would also waive parking requirements on sites where a type 2 or 3 tree is preserved.

CORNER STORES

One goal of the One Seattle Plan is to create neighborhoods where people can walk and bike to everyday needs. Corner stores help to achieve this goal by providing services and retail in primarily residential areas that may be far from larger business districts. Allowing small commercial uses in residential zones also allows entrepreneurs to start small businesses that contribute to neighborhood vibrancy and cohesion.

This legislation would allow limited commercial uses **on all lots in NR zones** and on corner lots and on lots abutting both a street and an alley in LR zones. Allowed uses would be limited to retail, restaurants, food processing, and craft work. Food processing and craft work includes small-scale preparation of foods or crafts such as making jams, sewing clothes, or woodworking. Commercial uses would be limited to the ground floor and basements, although ancillary uses such as storage and office spaces could be allowed on the upper floors. Rules would apply regarding hours of operation, delivery, noise, odor, and the location and screening of solid waste and other outdoor activities. No parking would be required for corner stores since commercial uses in residential areas less than 2,500 square feet in size are already exempt from parking requirements.

Development with commercial uses on corner lots would have to meet all NR standards with the following exceptions:

Setback and separations	Reduced setback of two feet from street lot lines for commercial spaces on the ground floor Upper floors required to set back 10 feet
Height and noise	Two additional feet of height for the ground floor to allow for taller ceilings and additional soundproofing for residential use above



Credit: Joel W. Rogers

OTHER CHANGES TO DEVELOPMENT STANDARDS

This legislation would also make the following changes affecting development in multiple zones.

- Rezone criteria for NR and LR1 zones would be updated to reflect the updated purpose of NR zoning and the difference between NR and LR1 zones.
- The residential use definitions would be significantly updated to simplify the code and address existing problems. Changes include renaming certain uses, combining townhouse and rowhouse definitions, removing uses like nursing home or carriage house that are no longer used, and moving some definitions such as adult family homes or accessory dwelling units that are not regulated as separate uses.
- Adult family homes would be allowed in all zones that allow residential uses as a home occupation as required by state law.
- Parking space size and tandem parking requirements would be updated to comply with SB 6015 as follows:

- » The minimum width of the largest required parking space would be reduced from 8.5 feet to 8 feet.

- » Tandem parking would count as two spaces.

- Parking access requirements would be modified so they are based on number of units rather than type of unit to comply with HB 1110.
- Standards for essential public facilities would be updated to address new state guidance.

The legislation would also create a new low-income housing bonus for LR, MR, and HR zones.

Next steps

City Council anticipates voting on the final legislation in December 2025. The legislation will be effective 30 days after the Mayor signs it. More information on Council's process is available on the website for the Select Committee on the Comprehensive Plan.