

1 feet. Height of the structure is to be measured from mean street level fronting on the property to
2 the mean roofline of the structure.

3 C. Rooftop Features and Additions to Structures.

4 The height limits established for the rooftop features described in this subsection may
5 be increased by the average height of the existing street parapet or a historically substantiated
6 reconstructed parapet on the building on which the rooftop feature is proposed. The setbacks
7 required for rooftop features may be modified by the Department of Neighborhoods Director,
8 after a sight line review by the Preservation Board to ensure that the features are minimally
9 visible from public streets and parks within three hundred (300) feet of the structure.
10

11 1. Religious symbols for religious institutions, smokestacks and flagpoles may
12 extend up to fifty (50) feet above the roof of the structure or the maximum height limit,
13 whichever is less, except as regulated in Chapter 23.64 of this Land Use Code, provided that
14 they are a minimum of ten (10) feet from all lot lines.
15

16 2. For existing structures, ((Θ))open railings, planters, clerestories, skylights, play
17 equipment, parapets and firewalls may extend up to four (4) feet above the roof of the structure
18 or the maximum height limit, whichever is less. ((, with unlimited rooftop coverage.)) For new
19 structures, such features may extend up to four (4) feet above the maximum height limit. No
20 rooftop coverage limits apply to such features regardless of whether the structure is existing or
21 new.
22

23 3. Solar collectors, excluding greenhouses, may extend up to seven (7) feet above
24 the roof of the structure or maximum height limit, whichever is less, with unlimited rooftop
25

1 coverage, provided they are a minimum of ten (10) feet from all lot lines. For new structures,
2 solar collectors may extend up to seven (7) feet above the maximum height limit, except as
3 provided in 10(a) of this section, and provided that they are a minimum of ten (10) feet from all
4 lot lines.

5
6 4. The following rooftop features may extend up to eight (8) feet above the roof
7 or maximum height limit, whichever is less, when they are set back a minimum of fifteen (15)
8 feet from the street and three (3) feet from an alley. They may extend up to twelve (12) feet
9 above the roof when set back a minimum of thirty (30) feet from the street. A setback may not
10 be required at common wall lines subject to review by the Preservation Board and approval by
11 the Department of Neighborhoods Director. The combined coverage of the following listed
12 rooftop features shall not exceed fifteen (15) percent of the roof area:

- 13
14 a. Solar collectors, excluding greenhouses;
15 b. Stair and elevator penthouses;
16 c. Mechanical equipment;
17 d. Minor communication utilities and accessory communication devices,
18

19 except that height is regulated according to the provisions of Section 23.57.014.

20 Additional combined coverage of these rooftop features, not to exceed twenty-
21 five (25) percent of the roof area, may be permitted subject to review by the Preservation Board
22 and approval by the Department of Neighborhoods Director.

23
24 5. On structures existing prior to June 1, 1989 and on additions to such structures
25 permitted according to Section 23.66.140 C9 or otherwise, new or replacement mechanical
26

1 equipment and stair and elevator penthouses may extend up to eight (8) feet above the elevation
2 of the existing roof or addition, as applicable, when they are set back a minimum of fifteen (15)
3 feet from the street and three (3) feet from an alley; or may extend up to twelve (12) feet above
4 the elevation of the existing roof or addition, as applicable, when they are set back a minimum of
5 thirty (30) feet from the street, subject to review by the Preservation Board and approval by the
6 Department of Neighborhoods Director. On structures where rooftop features are allowed under
7 this subsection C5, the combined coverage of these rooftop features and any other features listed
8 in subsection C4 shall not exceed the limit provided in subsection C4 of this section, as it may be
9 increased pursuant to the subsection.
10

11 6. Residential and Office Penthouses.

12 a. Residential penthouses may cover a maximum of fifty (50) percent of
13 the total roof surface and may extend up to eight (8) feet above the roof when set back a
14 minimum of fifteen (15) feet from the street property line, or twelve (12) feet above the roof
15 when set back a minimum of thirty (30) feet from the street property line.
16

17 b. Office penthouses shall be permitted only when the footprint of the
18 existing structure is greater than ten thousand (10,000) square feet and the structure is at least
19 sixty (60) feet in height. When permitted, office penthouses shall be set back a minimum of
20 fifteen (15) feet from all property lines and may cover a maximum of fifty (50) percent of the
21 total roof surface. Office penthouses may extend up to twelve (12) feet above the roof of the
22 structure and shall be functionally integrated into the existing structure.
23
24
25
26
27
28

1 c. The combined height of the structure and a residential penthouse or
2 office penthouse, where permitted, shall not exceed the maximum height limit for that area of the
3 District in which the structure is located.

4 7. Screening of Rooftop Features. Measures may be taken to screen rooftop
5 features from public view subject to review by the Preservation Board and approval by the
6 Department of Neighborhoods Director. The amount of roof top area enclosed by rooftop
7 screening may exceed the maximum percentage of the combined coverage of rooftop features
8 listed in subsection C4 above. In no circumstances shall the height of rooftop screening exceed
9 fifteen (15) feet above the maximum height limit or height of an addition permitted according to
10 Section 23.66.140 C9 or otherwise, whichever is higher.
11

12 8. See Section 23.57.014 for regulation of communication utilities and accessory
13 devices.
14

15 9. For a structure that has existed since before June 10, 1985 and is
16 nonconforming as to structure height, an addition to the structure may extend to the height of the
17 roof of the existing structure if (a) the use of the addition above the limit on structure height
18 applicable under Section 23.49.178 is limited to residential use and (b) the addition occupies
19 only all or a portion of the part of lot that is bounded by an alley on one side and is bounded on
20 at least two sides by walls of the existing structure that are not street-facing facades.
21

22 10. Enclosed Rooftop Common Recreation Areas for New Structures

23 a. When included on new structures, enclosed rooftop common recreation
24 areas and solar collectors incorporated into those areas and required under this subsection may
25

1 exceed the maximum height limit by up to (15) feet. The structure must include solar collectors
2 that provide two percent (2%) or more of the structure's total electrical energy consumption and
3 the structure must meet a green area factor requirement of 0.30 or greater, as determined under
4 Section 23.47A.016. Each enclosed rooftop common recreation area must include interpretive
5 signage explaining the sustainable features employed on the structure where that area is located.
6 No commercial, residential or industrial use may be established within enclosed common
7 recreation areas allowed to exceed the maximum height limit under this subsection.

9 b. Elevator penthouses serving an enclosed rooftop common recreation
10 area may exceed the maximum height limit by up to twenty (20) feet.

11 c. Enclosed rooftop common recreation areas, mechanical equipment, and
12 elevator and stair penthouses shall not exceed thirty-five percent (35%) of the roof area.

13 d. Enclosed rooftop common recreation areas, mechanical equipment, and
14 elevator and stair penthouses must be set back a minimum of thirty (30) feet from the street and
15 three (3) feet from the alley. Solar collectors must be set back as provided in subsections C3 and
16 C4 of this section.

17 e. Owners of structures with enclosed rooftop common recreation areas
18 permitted pursuant to this subsection shall submit to the Pioneer Square Preservation Board, the
19 Director of Neighborhoods and the Director of the Department of Planning and Development an
20 annual report, beginning one year after the date of first occupancy of such structure,
21 documenting compliance with the minimum renewable energy generation and green area factor
22 criteria set forth above.

1 D. New Structures. When new structures are proposed in the District, the Preservation
2 Board shall review the proposed height of the structure and make recommendations to the
3 Department of Neighborhoods Director who may require design changes to assure reasonable
4 protection of views from Kobe Terrace Park.

5 Section 2. This ordinance shall take effect and be in force thirty (30) days from and
6 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
7 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
8

9
10 Passed by the City Council the ____ day of _____, 2007, and signed by me in open
11 session in authentication of its passage this ____ day of _____, 2007.
12

13
14 _____
President _____ of the City Council

15 Approved by me this ____ day of _____, 2007.
16

17
18 _____
Gregory J. Nickels, Mayor

19 Filed by me this ____ day of _____, 2007.
20

21 _____
City Clerk

22 (Seal)
23
24
25
26
27
28