

CITY OF SEATTLE
ORDINANCE 126287
COUNCIL BILL 119975

AN ORDINANCE relating to land use and zoning; establishing regulations for development of permanent supportive housing; adding a new Section 23.42.057 to, and amending Sections 23.41.004, 23.45.510, 23.47A.004, 23.47A.005, 23.47A.013, 23.48.005, 23.48.020, 23.48.605, 23.54.015, and 23.84A.032 of, the Seattle Municipal Code.

WHEREAS, Seattle has been in a state of civil emergency on homelessness since 2015; and

WHEREAS, the 2020 Point in Time Count found there are 11,751 homeless people in King

County 53 percent of whom are sheltered and 47 percent of whom are unsheltered; and

WHEREAS, this is a five percent increase in people experiencing homelessness from the 2019

Point in Time Count; and

WHEREAS, the National Alliance to End Homelessness identifies Permanent Supportive

Housing as a proven solution to housing persons who are chronically homeless; and

WHEREAS, in August the City announced that it will invest \$60 million in 2021 in Permanent

Supportive Housing; and

WHEREAS, The City of Seattle exists on the colonized land of the Muckleshoot, Duwamish,

and Suquamish indigenous peoples; and

WHEREAS, in 1865 the Seattle Board of Trustees passed an exclusion ordinance banning Native

people from living in Seattle; and

WHEREAS, the City Council recognizes the trauma caused by this colonization reverberates

among Native people today; and

WHEREAS, the City Council recognizes that trauma forms a barrier to accessing government

services such as public housing stock; and

1 WHEREAS, Permanent Supportive Housing is designed to respond to trauma and by doing so
2 strengthen the connections and bonds that fortify our community; and

3 WHEREAS, prior to colonization there were vibrant housing systems that cared for the entire
4 community; and

5 WHEREAS, The City of Seattle has perpetuated systemic racism through its land use codes; and

6 WHEREAS, this has contributed to the fact that Black, Indigenous, and people of color
7 communities disproportionately experience homelessness; and

8 WHEREAS, the City Council acknowledges its obligation to reverse these historic inequities by
9 helping those affected access safe, culturally appropriate supportive housing; and

10 WHEREAS, Land Use Code regulations can add time and cost to the development of Permanent
11 Supportive Housing; and

12 WHEREAS, modifications to those regulations can facilitate development of Permanent
13 Supportive Housing while protecting the public health, safety, and welfare; and

14 WHEREAS, the Americans with Disabilities Act's 2010 standards Section 809 provides
15 standards for residential dwelling units; and

16 WHEREAS, it is the intent of the Council that Construction Code revisions considered in 2021
17 conform to these standards and that buildings created under this legislation include
18 accessible units as defined by the Americans with Disabilities Act Section 809;

19 WHEREAS, in July 2020, the Council adopted Resolution 31956 establishing the Council's goal
20 to implement Internet for All Seattle, the Council intends to consider amendments to the
21 *City's Seattle Housing Levy Administrative and Finance Plan and Housing Funding*
22 *Policies*, most recently amended through Ordinance 125308, to require broadband
23 infrastructure in multifamily projects which receive City funding, including Permanent

1 Supportive Housing projects, similar to the 2016 Department of Housing and Urban
2 Development (HUD) requirement; NOW, THEREFORE,

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

4 Section 1. Section 23.41.004 of the Seattle Municipal Code, last amended by Ordinance
5 126188, is amended as follows:

6 **23.41.004 Applicability**

7 * * *

8 B. Exemptions. The following are exempt from design review:

- 9 1. Development located in special review districts established by Chapter 23.66;
10 2. Development in Landmark districts established by Title 25(~~(Environmental~~
11 ~~Protection and Historic Preservation))~~);
12 3. Development within the historic character area of the Downtown Harborfront 1
13 zone(~~(-)~~) ;
14 4. Development that is subject to shoreline design review pursuant to Chapter
15 23.60A; (~~and~~)
16 5. New light rail transit facilities that are subject to review by the Seattle Design
17 Commission(~~(-)~~) ;
18 6. City facilities that are subject to review by the Seattle Design Commission(~~(-)~~) ;
19 7. Development within single-family or residential small lot zones(~~(-)~~) ; and
20 8. Permanent supportive housing.

21 * * *

22 Section 2. A new Section 23.42.057 is added to the Seattle Municipal Code, as follows:

23 **23.42.057 Permanent supportive housing**

1 Permanent supportive housing must meet the development standards for the zone in which it is
2 located except as follows:

3 A. Requests for waivers or modifications. The Director may consider requests for waivers
4 or modifications from the following development standards in Title 23:

- 5 1. Requirements for the size of parking spaces;
- 6 2. Requirements for ratios of vehicle parking sizes;
- 7 3. Requirements for overhead weather protection;
- 8 4. Requirements for facade openings, articulation, and modulation and art on the
9 facades of buildings except limitations on structure width may not be waived or modified;
- 10 5. Requirements for the size and design of common recreational areas, amenity
11 areas, community rooms, or similar indoor amenities;
- 12 6. Requirements for outdoor open space and amenity areas;
- 13 7. Requirements related to residential uses, transparency, blank facades, and floor-
14 to-floor height at street level; and
- 15 8. Other similar physical development standards as determined by the Director
16 that do not affect the size of the building envelope.

17 B. Waiver or modification decision. Requests for waivers or modifications shall be
18 evaluated by the Director, in consultation with the Office of Housing and may be granted by the
19 Director as a Type I decision if the waiver or modification would not impact the overall height,
20 bulk, and scale of the proposed building and would result in additional permanent supportive
21 housing units.

22 C. Community engagement and relations. The applicant shall submit a draft community
23 relations plan in a form acceptable to the Director and the Director of the Office of Housing.

1 The draft community relations plan shall describe the overall community engagement and
2 communication strategy throughout the project’s pre-development, design, construction, and
3 operation phases. In addition to compliance with the draft community relations plan, the
4 applicant must hold at least one community meeting exclusively about the project and must send
5 notice of the meeting to neighbors at least within 500 feet of the site.

6 Section 3. Section 23.45.510 of the Seattle Municipal Code, last amended by Ordinance
7 126131, is amended as follows:

8 **23.45.510 Floor area**

9 * * *

10 D. The following floor area is exempt from FAR limits:

- 11 1. All stories, or portions of stories, that are underground.
- 12 2. The floor area contained in a Landmark structure subject to controls and
13 incentives imposed by a designating ordinance, if the owner of the Landmark has executed and
14 recorded an agreement acceptable in form and content to the Landmarks Preservation Board,
15 providing for the restoration and maintenance of the historically significant features of the
16 structure, except that this exemption does not apply to a lot from which a transfer of
17 development potential (TDP) has been made under Chapter 23.58A, and does not apply for
18 purposes of determining TDP available for transfer under Chapter 23.58A.
- 19 3. The floor area contained in structures built prior to January 1, 1982, as single-
20 family dwelling units that will remain in residential use, regardless of the number of dwelling
21 units within the existing structure, provided that:
 - 22 a. No other principal structure is located between the existing residential
23 structure and the street lot line along at least one street frontage. If the existing residential

1 structure is moved on the lot, the floor area of the existing residential structure remains exempt if
2 it continues to meet this provision; and

3 b. The exemption is limited to the gross floor area in the existing
4 residential structure as of January 1, 1982.

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

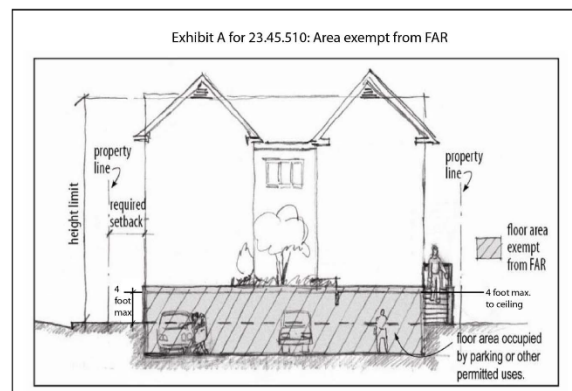
8 a. Apartments in LR zones;

9 b. Rowhouse and townhouse developments in LR zones, provided that all
10 parking is located at the rear of the structure or is enclosed in structures with garage entrances
11 located on the rear facade; and

12 c. All multifamily structures in MR and HR zones.

13 **Exhibit A for 23.45.510**

14 **Area exempt from FAR**



15
16 5. For rowhouse and townhouse developments and apartments, floor area within a
17 story, or portion of a story, that is partially above grade if all of the following conditions are met:

18 a. The story, or portion of the story, that is partially above grade is used
19 for parking or other accessory uses and has no additional stories above;

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

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

6 d. At least 25 percent of the perimeter of the amenity area on the roof
7 above the floor area is not enclosed by the walls of the structure.

8 6. Enclosed common amenity area in HR zones.

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

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

15 9. The floor area of required bicycle parking for small efficiency dwelling units or
16 congregate residence sleeping rooms, if the bicycle parking is located within the structure
17 containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area
18 of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR
19 limits.

20 10. Common walls separating individual rowhouse and townhouse dwelling units.

21 11. In the Northgate Urban Center, up to 15,000 square feet of floor area in
22 residential use in a structure built prior to 1990 that is located on a split-zoned lot of at least
23 40,000 square feet in size.

12. In MR and HR zones, all gross floor area in child care centers.

13. In permanent supportive housing, all gross floor area for accessory human service uses.

Section 4. Table A for Section 23.47A.004 of the Seattle Municipal Code, which section was last amended by Ordinance 126131, is amended as follows:

23.47A.004 Permitted and prohibited uses

* * *

Table A for 23.47A.004 Uses in Commercial zones					
Uses	Permitted and prohibited uses by zone ¹				
	NC1	NC2	NC3	C1	C2
* * *					
J. RESIDENTIAL USES ¹⁴					
J.1 Residential uses not listed below	P	P	P	P	CU ¹⁵
J.2 Caretaker's quarters	P	P	P	P	P
J.3 Congregate residence	X/P ¹⁶	X/P ¹⁶	X/P ¹⁷	X/P ¹⁷	X/P ¹⁷
<u>J.4. Permanent supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
* * *					

* * *

Section 5. Section 23.47A.005 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.47A.005 Street-level uses

* * *

C. Residential uses at street level

1. In all NC and C zones, residential uses may occupy, in the aggregate, no more than 20 percent of the street-level street-facing facade in the following circumstances or locations:

1 a. In a pedestrian-designated zone, facing a designated principal pedestrian
2 street; or

3 b. In all NC and C1 zones within the Bitter Lake Village Hub Urban
4 Village, except lots abutting Linden Avenue North, north of North 135th Street; or

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

7 d. Within an NC1 zone, except as provided in subsection 23.47A.005.C.2;
8 or

9 e. In all NC and C1 zones within the Northgate Overlay District, except as
10 provided in Section 23.71.044; or

11 f. In all NC and C1 zones within the areas shown on Maps A through D
12 for 23.47A.005 at the end of this Chapter 23.47A when facing an arterial street.

13 2. Subsection 23.47A.005.C.1 notwithstanding, there is no restriction on the
14 location of residential uses in the following circumstances:

15 a. Within a very low-income housing project existing as of May 1, 2006,
16 or within a very low-income housing project replacing a very low-income housing project
17 existing as of May 1, 2006, on the same site; or

18 b. The residential use is an assisted living facility or nursing home and
19 private living units are not located at street level; or

20 c. Within the Pike/Pine Conservation Overlay District, for street-facing
21 facades that do not face a designated principal pedestrian street, as shown on Map A for
22 23.73.008; or

1 d. In a structure existing on January 1, 2012, that is within an NC1 zone
2 but not located in an area defined in Maps A through D for 23.47A.005, at the end of this
3 Chapter 23.47A, a live-work space may be converted to an accessory dwelling unit if the
4 residential use is established, if the area proposed to be converted meets the minimum housing
5 standards of Chapter 22.206, and if the area proposed to be converted meets the owner
6 occupancy requirement of subsection 23.44.041.C; ~~((€))~~

7 e. Within a structure that:

- 8 1) ~~((is))~~ Is developed and owned by the Seattle Housing Authority;
9 and
10 2) ~~((is))~~ Is located on a lot zoned NC1 or NC3 that was owned by
11 the Seattle Housing Authority as of January 1, 2009~~((:))~~ ; or

12 f. Within a structure containing permanent supportive housing.

13 3. Additions to, or on-site accessory structures for, existing single-family
14 structures are permitted outright.

15 4. Where residential uses at street level are limited to 20 percent of the street-
16 level, street-facing facade, such limits do not apply to residential structures separated from the
17 street lot line by an existing structure meeting the standards of this Section 23.47A.005 and
18 Section 23.47A.008, or by an existing structure legally nonconforming to those standards.

19 D. In pedestrian-designated zones the locations of uses are regulated as follows:

20 1. Along designated principal pedestrian streets, one or more of the following uses
21 are required along 80 percent of the street-level, street-facing facade in accordance with the
22 standards provided in subsection 23.47A.008.C.

23 a. Arts facilities;

- 1 b. Community gardens;
- 2 c. Eating and drinking establishments;
- 3 d. Entertainment uses, except for adult cabarets, adult motion picture
- 4 theaters, and adult panorams;
- 5 e. Food processing and craft work;
- 6 f. Institutions, except hospitals or major institutions;
- 7 g. Lodging uses;
- 8 h. Medical services;
- 9 i. Offices, provided that no more than 30 feet of the street-level, street-
- 10 facing facade of a structure may contain an office use;
- 11 j. Parks and open spaces;
- 12 k. Rail transit facilities;
- 13 l. Retail sales and services, automotive, in the Pike/Pine Conservation
- 14 Overlay District if located within an existing structure or within a structure that retains a
- 15 character structure as provided in Section 23.73.015;
- 16 m. Sales and services, general, provided that no more than 40 feet of the
- 17 street-level, street-facing facade of a structure on a principal pedestrian street may contain a
- 18 customer services office; (~~and~~)
- 19 n. Sales and services, heavy, except for heavy commercial sales, and
- 20 provided that no more than 30 feet of the street-level, street-facing facade of a structure may
- 21 contain a non-household sales and service use((-)) ; and
- 22 o. Permanent supportive housing.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

b. All of the following conditions are met:

- 1) No above-grade parking is exempted by subsection 23.47A.013.B.4.a;
- 2) The parking is accessory to a residential use on the lot;
- 3) Total parking on the lot does not exceed one space for each residential dwelling unit plus the number of spaces required for non-residential uses; and
- 4) The amount of gross floor area exempted by this subsection 23.47A.013.B.4.b does not exceed 25 percent of the area of the lot in zones with a height limit less than 65 feet, or 50 percent of the area of the lot in zones with a height limit 65 feet or greater; and
- 5. Rooftop greenhouse areas meeting the standards of subsections 23.47A.012.C.5 and 23.47A.012.C.6;
- 6. Bicycle commuter shower facilities required by subsection 23.54.015.K.8;
- 7. The floor area of required bicycle parking for small efficiency dwelling units or congregate residence sleeping rooms, if the bicycle parking is located within the structure containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR limits; ~~((and))~~
- 8. All gross floor area in child care centers; and
- 9. In permanent supportive housing, all gross floor area for accessory human service uses.

* * *

1 Section 7. Section 23.48.005 of the Seattle Municipal Code, last amended by Ordinance
2 126131, is amended as follows:

3 **23.48.005 Uses**

4 * * *

5 D. Required street-level uses

6 1. One or more of the following uses listed in this subsection 23.48.005.D.1 are
7 required: (i) at street-level of the street-facing facade along streets designated as Class 1
8 Pedestrian Streets shown on Map A for 23.48.240, except as required in subsection 23.48.205.C;
9 (ii) at street-level of the street-facing facades along streets designated on Map A for 23.48.640;
10 and (iii) at street-level of the street-facing facades along streets designated as Class 1 or Class 2
11 streets shown on Map A for 23.48.740:

- 12 a. General sales and service uses;
- 13 b. Eating and drinking establishments;
- 14 c. Entertainment uses;
- 15 d. Public libraries;
- 16 e. Public parks;
- 17 f. Arts facilities;
- 18 g. Religious facilities;
- 19 h. Light rail transit station; (~~and~~)
- 20 i. Child care centers((-)) ; and
- 21 j. Permanent supportive housing.

1 2. Standards for required street-level uses. Required street-level uses shall meet
2 the development standards in subsection 23.48.040.C, and any additional standards for Seattle
3 Mixed zones in specific geographic areas in the applicable subchapter of this Chapter 23.48.

4 * * *

5 Section 8. Section 23.48.020 of the Seattle Municipal Code, last amended by Ordinance
6 126157, is amended as follows:

7 **23.48.020 Floor area ratio (FAR)**

8 * * *

9 B. Floor area exempt from FAR calculations. The following floor area is exempt from
10 maximum FAR calculations:

- 11 1. All underground stories or portions of stories.
- 12 2. Portions of a story that extend no more than 4 feet above existing or finished
13 grade, whichever is lower, excluding access.
- 14 3. As an allowance for mechanical equipment, in any structure 65 feet in height or
15 more, 3.5 percent of the total chargeable gross floor area in a structure is exempt from FAR
16 calculations. Calculation of the allowance includes the remaining gross floor area after all
17 exempt space allowed in this subsection 23.48.020.B has been deducted. Mechanical equipment
18 located on the roof of a structure, whether enclosed or not, is not included as part of the
19 calculation of total gross floor area.
- 20 4. All gross floor area for solar collectors and wind-driven power generators.
- 21 5. Bicycle commuter shower facilities required by subsection 23.54.015.K.8.
- 22 6. The floor area of required bicycle parking for small efficiency dwelling units or
23 congregate residence sleeping rooms, if the bicycle parking is located within the structure

1 containing the small efficiency dwelling units or congregate residence sleeping rooms. Floor area
2 of bicycle parking that is provided beyond the required bicycle parking is not exempt from FAR
3 limits.

4 7. Child care centers.

5 8. In permanent supportive housing, all gross floor area for accessory human
6 service uses.

7 * * *

8 Section 9. Section 23.48.605 of the Seattle Municipal Code, last amended by Ordinance
9 126131, is amended as follows:

10 **23.48.605 Uses in SM-U zones**

11 * * *

12 C. Required street-level uses

13 1. One or more of the following uses listed in this subsection 23.48.605.C.1 are
14 required at street level along the street-facing facades abutting streets shown on Map A for
15 23.48.605:

16 a. General sales and service uses;

17 b. Eating and drinking establishments;

18 c. Entertainment uses;

19 d. Public libraries;

20 e. Public parks;

21 f. Arts facilities;

22 g. Religious facilities;

23 h. Human services uses;

- 1 i. Child care centers; (~~and~~)
- 2 j. Light rail transit stations(~~(-)~~); and
- 3 k. Permanent supportive housing.

4 2. Standards for required street-level uses. Required street-level uses shall meet
5 the development standards in subsection 23.48.040.C.

1
2

Map A for 23.48.605

Locations of street-level use requirements



3

1 Section 10. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance
 2 126157, is amended as follows:

3 **23.54.015 Required parking and maximum parking limits**

4 A. Required parking. The minimum number of off-street motor vehicle parking spaces
 5 required for specific uses is set forth in Table A for 23.54.015 for non-residential uses other than
 6 institutional uses, Table B for 23.54.015 for residential uses, and Table C for 23.54.015 for
 7 institutional uses, except as otherwise provided in this Chapter 23.54. Required parking is based
 8 upon gross floor area of a use within a structure minus gross floor area in parking uses, and the
 9 square footage of a use when located outside of an enclosed structure, or as otherwise specified.
 10 Maximum parking limits for specific uses and specific areas are set forth in subsection
 11 23.54.015.C. Exceptions to motor vehicle parking requirements set forth in this Section
 12 23.54.015 are provided in: subsections 23.54.015.B and 23.54.015.C; and in Section 23.54.020
 13 unless otherwise specified. This Chapter 23.54 does not apply to parking for construction
 14 activity, which is regulated by Section 23.42.044.

15 * * *

Table D for 23.54.015 Parking for bicycles ¹			
Use	Bike parking requirements		
	Long-term		Short-term
* * *			
D. RESIDENTIAL USES ³			
D.1.	Congregate residences ⁴	1 per sleeping room	1 per 20 sleeping rooms. 2 spaces minimum
D.2.	Multi-family structures ^{4, 5}	1 per dwelling unit	1 per 20 dwelling units
D.3.	Single-family residences	None	None

<u>D.4.</u>	<u>Permanent supportive housing</u>	<u>None</u>	<u>None</u>
-------------	-------------------------------------	-------------	-------------

* * *

Footnotes to Table D for 23.54.015:

- ¹ Required bicycle parking includes long-term and short-term amounts shown in this table.
- ² The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral.
- ³ For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table D for 23.54.015.
- ⁴ For congregate residences or multifamily structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by bicycle.
- ⁵ For each dwelling rent and income-restricted at 30 percent of median income and below, there is no minimum required long-term bicycle parking requirement. For each dwelling rent and income-restricted at 60 percent to 31 percent of the median income, long-term bicycle parking requirements may be wholly or partially waived by the Director as a Type I decision if the waiver would result in additional rent and income restricted units meeting the requirements of this footnote to Table D for 23.54.015 and when a reasonable alternative such as, in-unit vertical bicycle storage space is provided. The Directors of the Seattle Department of Construction and Inspections and Seattle Department of Transportation are authorized to promulgate a joint Directors' Rule defining reasonable alternatives for long-term bicycle parking that meets the standards of this footnote to Table D for 23.54.015. Dwelling units qualifying for this provision shall be subject to a housing covenant, regulatory agreement, or other legal instrument recorded on the property title and enforceable by The City of Seattle or other similar entity, which restricts residential unit occupancy to households at or below 60 percent of median income, without a minimum household income requirement. The housing covenant or regulatory agreement including rent and income restrictions shall be for a term of at least 40 years from the date of issuance of the certificate of occupancy and shall be recorded with the King County Recorder, signed and acknowledged by the owner(s), in a form prescribed by the Director of Housing or the Washington State Housing Finance Commission. If these provisions are applied to a development for housing for persons 55 or more years of age, such housing shall have qualified for exemptions from prohibitions against discrimination against families with children and against age discrimination under all applicable fair housing laws and ordinances.
- ⁶The Director, in consultation with the Director of the Seattle Department of Transportation, may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

1 Section 11. Section 23.84A.032 of the Seattle Municipal Code, last amended by
2 Ordinance 126157, is amended as follows:

3 **23.84A.032 "R"**

4 * * *

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

6 * * *

7 20. "Permanent supportive housing" means a multifamily residential use, which is
8 paired with on or off-site voluntary human services to support a person living with a complex and
9 disabling behavioral health or physical health condition who was experiencing homelessness or was at
10 imminent risk of homelessness prior to moving into housing:

11 a. In which at least 50 percent of the dwelling units are occupied by
12 households whose income at original occupancy does not exceed 30 percent of median income and the
13 remaining dwelling units are occupied by very low-income households at original occupancy;

14 b. That receives public funding or an allocation of federal low-income
15 housing tax credits; and

16 c. That is subject to a regulatory agreement, covenant, or other legal instrument,
17 the duration of which is at least 40 years, recorded on the property title and enforceable by The
18 City of Seattle, Washington State Housing Finance Commission, State of Washington, King
19 County, U.S. Department of Housing and Urban Development, or other similar entity as
20 approved by the Director of Housing.

21 ~~((20))~~ 21. "Nursing home" means a use licensed by the State of Washington as
22 a nursing home, which provides full-time convalescent and/or chronic care for individuals
23 who, by reason of chronic illness or infirmity, are unable to care for themselves, but that does

1 not provide care for the acutely ill or surgical or obstetrical services. This definition excludes
2 hospitals or sanitariums.

3 ((21)) 22. "Rowhouse development" means a multifamily residential use in
4 which all principal dwelling units on the lot meet the following conditions:

5 a. Each dwelling unit occupies the space from the ground to the roof of
6 the structure in which it is located;

7 b. No portion of a dwelling unit, except for an accessory dwelling unit
8 or shared parking garage, occupies space above or below another dwelling unit;

9 c. Each dwelling unit is attached along at least one common wall to at
10 least one other dwelling unit, with habitable interior space on both sides of the common wall,
11 or abuts another dwelling unit on a common lot line;

12 d. The front of each dwelling unit faces a street lot line;

13 e. Each dwelling unit provides pedestrian access directly to the street
14 that it faces; and

15 f. No portion of any other dwelling unit, except for an attached
16 accessory dwelling unit, is located between any dwelling unit and the street faced by the front
17 of that unit.

18 ((22)) 23. "Single-family dwelling unit" means a detached principal structure
19 having a permanent foundation, containing one dwelling unit, except that the structure may
20 also contain one or two attached accessory dwelling units where expressly authorized
21 pursuant to this Title 23. A detached accessory dwelling unit is not considered a single-family
22 dwelling unit for purposes of this Chapter 23.84A.

1 ((23)) 24. "Townhouse development" means a multifamily residential use that
2 is not a rowhouse development, and in which:

3 a. Each dwelling unit occupies space from the ground to the roof of the
4 structure in which it is located;

5 b. No portion of a dwelling unit occupies space above or below another
6 dwelling unit, except for an attached accessory dwelling unit and except for dwelling units
7 constructed over a shared parking garage; and

8 c. Each dwelling unit is attached along at least one common wall to at
9 least one other dwelling unit, with habitable interior space on both sides of the common wall,
10 or abuts another dwelling unit on a common lot line.

11 * * *

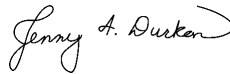
1 Section 12. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 1st day of _____ March, 2021,
5 and signed by me in open session in authentication of its passage this 1st day of
6 _____ March, 2021.

7 

8 President Pro Tem of the City Council

9 Approved / returned unsigned / vetoed
10 this 12th day of March, 2021.

11 

12 Jenny A. Durkan, Mayor

13 Filed by me this 12th day of March, 2021.

14 

15 Monica Martinez Simmons, City Clerk

16 (Seal)