



CITY OF SEATTLE

City Council

Agenda

Tuesday, July 18, 2023

2:00 PM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

Debora Juarez, Council President
Lisa Herbold, Member
Andrew J. Lewis, Member
Tammy J. Morales, Member
Teresa Mosqueda, Member
Sara Nelson, Member
Alex Pedersen, Member
Kshama Sawant, Member
Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

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CITY OF SEATTLE

City Council Agenda

July 18, 2023 - 2:00 PM

Meeting Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Committee Website:

<http://www.seattle.gov/council>

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at <http://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin two hours before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to all Councilmembers at Council@seattle.gov

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATIONS

D. PUBLIC COMMENT

Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; total time allotted to public comment at this meeting is 20 minutes.

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.

[IRC 402](#)

July 18, 2023

Attachments: [Introduction and Referral Calendar](#)

F. APPROVAL OF THE AGENDA**G. APPROVAL OF CONSENT CALENDAR**

The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.

Journal:

1. [Min 436](#) July 11, 2023

Attachments: [Minutes](#)

Bills:

2. [CB 120616](#) AN ORDINANCE appropriating money to pay certain claims for the week of July 03, 2023 through July 07, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.

Appointments:**ECONOMIC DEVELOPMENT, TECHNOLOGY, AND CITY LIGHT COMMITTEE:**

3. [Appt 02596](#) Appointment of Budi Mulyo as member, Seattle Film Commission, for a term to July 23, 2025.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Nelson, Juarez, Herbold, Strauss

Opposed: None

Attachments: [Appointment Packet](#)

H. COMMITTEE REPORTS

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

LAND USE COMMITTEE:

1. [CB 120568](#) AN ORDINANCE relating to land use and zoning; amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2023 Comprehensive Plan annual amendment process.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 4 - Strauss, Morales, Mosqueda, Nelson

Opposed: None

Abstain: 1 - Pedersen

Attachments: [Att 1 - Comprehensive Plan Land Use Element Amendments v2](#)
[Att 2 - Amendments to the Comprehensive Future Land Use Map - Georgetown v2](#)
[Att 3 - Amendments to the Comprehensive Plan Future Land Use Maps - Judkins Park](#)
[Att 4 - Amendments to the Comprehensive Plan Future Land Use Map - South Park](#)
[Att 5 – Amendments to the Comprehensive Future Land Use Map – NW 48th Street](#)
[Att 6 – Amendments to the Comprehensive Future Land Use Map – Commodore](#)

Supporting Documents: [Summary and Fiscal Note](#)

2. [CB 120567](#) AN ORDINANCE relating to land use and zoning; updating industrial zones to implement the Industrial and Maritime Strategy; amending Sections 23.30.010, 23.41.004, 23.47A.009, 23.53.006, 23.53.010, 23.53.020, 23.54.015, 23.74.002, 23.74.006, 23.74.008, 23.74.009, 23.74.010, 23.84A.018, and 23.84A.040 of, and adding new Sections 23.34.097, 23.34.098, and 23.34.099 and a new Chapter 23.50A to, the Seattle Municipal Code.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

Attachments: [Full Text: CB 120567 v2](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Proposed Amendment A](#)

3. [CB 120569](#) AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 52, 53, 54, 55, 71, 72, 73, 74, 75, 76, 77, 78, 85, 86, 87, 89, 90, 91, 97, 98, 99, 102, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 142, 143, 152, 153, 154, 155, 156, 157, 167, 168, 169, 170, 171, 172, 182, 183, 184, 185, 186, 187, 189, 190, 214 and 215 of the Official Land Use Map to rezone land in the Seattle's Industrial areas.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

Attachments: [Att 1 - Industrial & Maritime Rezone Maps v2](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Proposed Amendment A](#)

4. [CB 120570](#) AN ORDINANCE relating to land use and zoning; removing certain existing provisions for the Industrial Commercial zone; and amending Sections 23.42.126, 23.49.014, 23.50.002, 23.50.012, 23.50.014, 23.50.020, 23.50.027, 23.50.028, 23.50.034, 23.50.046, 23.69.022, and 23.74.010, and repealing Sections 23.50.026, 23.50.032, 23.50.033, 23.50.038, 23.50.039, 23.50.041, 23.50.053, and 23.50.055, of the Seattle Municipal Code.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

Attachments: [Full Text: CB 120570](#)

Supporting Documents: [Summary and Fiscal Note](#)

5. [CB 120571](#) AN ORDINANCE relating to noise in industrial shorelines; amending Sections 25.08.100 and 25.08.410 of the Seattle Municipal Code to modify exterior sound limits for land in the Ballard Interbay Northend Manufacturing Industrial Center located within 200 feet of the shoreline.

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 5 - Strauss, Morales, Mosqueda, Nelson, Pedersen

Opposed: None

Supporting Documents: [Summary and Fiscal Note](#)

PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE:

6. [CB 120608](#) AN ORDINANCE relating to civilian and community oversight of the police; clarifying the role, governance and operating procedures of the Community Police Commission, reducing its size and geographic appointment requirements, giving it authority to remove members and Executive Director for cause, and amending its stipend provisions; establishing qualifications and procedures for the Commission's Executive Director and creating a Deputy Director; referring to the Commission's role in collective bargaining hearings; amending Sections 3.29.010, 3.29.320, 3.29.330, 3.29.340, 3.29.350, 3.29.360, 3.29.400, and 4.04.120 of the Seattle Municipal Code; and repealing Ordinance 124543.

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Herbold, Lewis, Nelson, Pedersen

Opposed: None

Supporting Documents: [Summary and Fiscal Note](#)

I. ITEMS REMOVED FROM CONSENT CALENDAR

J. ADOPTION OF OTHER RESOLUTIONS

K. OTHER BUSINESS

L. ADJOURNMENT



Legislation Text

File #: IRC 402, **Version:** 1

July 18, 2023



Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

Record No.	Title	Committee Referral
<u>By: Mosqueda</u>		
1. CB 120616	AN ORDINANCE appropriating money to pay certain claims for the week of July 03, 2023 through July 07, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.	City Council
<u>By: Mosqueda</u>		
2. CB 120620	AN ORDINANCE authorizing the Director of the Department of Finance and Administrative Services or the Director's designee to execute a lease with the Department of the Army for the City's continued use of an approximately 13,000-square-foot warehouse facility at 1561 Alaskan Way South for the operation of the St. Martin de Porres Shelter for homeless men over the age of 50; and ratifying and confirming certain prior acts.	City Council
<u>By: No Sponsor Required</u>		
3. CF 314523	Full unit lot subdivision application of Tang Real Estate Investments to subdivide one parcel into twelve unit lots at 6249 Airport Way S. (Project No. 3040723-LU; Type III)	City Council
<u>By: Nelson</u>		
4. Appt 02627	Reappointment of Jason Clackley as member, Seattle Music Commission, for a term to August 31, 2026.	Economic Development, Technology, and City Light Committee
<u>By: Nelson</u>		
5. Appt 02628	Reappointment of Andrew Joslyn as member, Seattle Music Commission, for a term to August 31, 2026.	Economic Development, Technology, and City Light Committee

By: Nelson

6. [Appt 02629](#) Reappointment of Eric Lilavois as member, Seattle Music Commission, for a term to August 31, 2026. Economic Development, Technology, and City Light Committee

By: Nelson

7. [Appt 02630](#) Reappointment of Anne Berry O'Dowd as member, Seattle Music Commission, for a term to August 31, 2026. Economic Development, Technology, and City Light Committee

By: Mosqueda

8. [CB 120617](#) AN ORDINANCE relating to acceptance of funding from non-City sources; authorizing the heads of various departments to accept and authorize the expenditure of specified grants, private funding, and subsidized loans and to execute, deliver, and perform corresponding agreements; amending Ordinance 126725, which adopted the 2023 Budget, including the 2023-2028 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; revising project allocations for certain projects in the 2023-2028 CIP; and ratifying and confirming certain prior acts. Finance and Housing Committee

By: Mosqueda

9. [CB 120618](#) AN ORDINANCE amending Ordinance 126725, which adopted the 2023 Budget, including the 2023-2028 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; revising project allocations for certain projects in the 2023-2028 CIP; creating CIP Projects; creating positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council. Finance and Housing Committee

By: Lewis

10. [CB 120619](#) AN ORDINANCE relating to amusement device licenses; repealing the requirement for an amusement device license; repealing Chapter 5.32 of the Seattle Municipal Code; and amending Sections 5.30.010, 5.30.020, 5.30.060, 5.55.010, 5.55.030, 5.55.040, 5.55.060, 5.55.150, 5.55.165, 5.55.220, 5.55.230, 6.208.020, and 6.208.050 of the Seattle Municipal Code. Public Assets and Homelessness Committee

By: Lewis

11. [Appt 02626](#) Appointment of Calandra Childers as member, Climate Pledge Arena Giving Council, for a term to June 30, 2026. Public Assets and Homelessness Committee



Legislation Text

File #: Min 436, **Version:** 1

July 11, 2023

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, July 11, 2023

2:00 PM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in Seattle, Washington, on July 11, 2023, pursuant to the provisions of the City Charter. The meeting was called to order at 2:01 p.m., with Council President Juarez presiding.

B. ROLL CALL

Present: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Excused: 1 - Mosqueda

Absent: 1 - Sawant

Motion was made, duly seconded and carried, to excuse Councilmember Mosqueda from the July 11, 2023 City Council meeting.

C. PRESENTATIONS

There were none.

D. PUBLIC COMMENT

The following individuals addressed the Council:

Marguerite Richard
Peter Manning
Valerie Schloredt
Castill Hightower
Mike Asai
Howard Gale
Kathleen Brose

E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:

[IRC 401](#) **July 11, 2023**

Motion was made, duly seconded and carried, to adopt the Introduction & Referral Calendar (IRC) by the following vote:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

F. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

G. APPROVAL OF CONSENT CALENDAR

Motion was made, duly seconded and carried, to adopt the Consent Calendar.

Journal:**1. [Min 435](#) July 5, 2023**

The item was adopted on the Consent Calendar by the following vote, and the President signed the Minutes:(Min):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

Bills:**2. [CB 120610](#) AN ORDINANCE appropriating money to pay certain claims for the week of June 26, 2023 through June 30, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.**

The item was passed on the Consent Calendar by the following vote, and the President signed the Council Bill:

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

Appointments:**LAND USE COMMITTEE:**

3. [Appt 02591](#) **Appointment of Jennell L. Hicks as member, Equitable Development Initiative Advisory Board, for a term to February 28, 2026.**
- The Committee recommends that City Council confirm the Appointment (Appt).**
In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None
- The item was confirmed on the Consent Calendar by the following vote:**
- In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss**
- Opposed: None**
4. [Appt 02592](#) **Appointment of Andrew L. Dannenberg as member, Seattle Planning Commission, for a term to April 15, 2026.**
- The Committee recommends that City Council confirm the Appointment (Appt).**
In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None
- The item was confirmed on the Consent Calendar by the following vote:**
- In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss**
- Opposed: None**
5. [Appt 02593](#) **Appointment of Monika Sharma as member, Seattle Planning Commission, for a term to April 15, 2026.**
- The Committee recommends that City Council confirm the Appointment (Appt).**
In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None
- The item was confirmed on the Consent Calendar by the following vote:**
- In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss**
-

Opposed: None

6. [Appt 02594](#) **Reappointment of Dhyana Quintanar Solares as member, Seattle Planning Commission, for a term to April 15, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

**In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None**

The item was confirmed on the Consent Calendar by the following vote:

**In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson,
Pedersen, Strauss**

Opposed: None

7. [Appt 02595](#) **Appointment of Nicholas R. Whipple as member, Seattle Planning Commission, for a term to April 15, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

**In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None**

The item was confirmed on the Consent Calendar by the following vote:

**In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson,
Pedersen, Strauss**

Opposed: None

8. [Appt 02597](#) **Appointment of Alicia Kellogg as member, Urban Forestry Commission, for a term to March 31, 2026.**

The Committee recommends that City Council confirm the Appointment (Appt).

**In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen
Opposed: None**

The item was confirmed on the Consent Calendar by the following vote:

**In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson,
Pedersen, Strauss**

Opposed: None

H. COMMITTEE REPORTS

LAND USE COMMITTEE:

- 1. [CB 120592](#) **AN ORDINANCE relating to land use and zoning; updating regulations for rooftop features in the Pioneer Square Preservation District; and amending Sections 23.49.008 and 23.66.140 of the Seattle Municipal Code.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - Strauss, Mosqueda, Nelson, Pedersen

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 7 - Juarez, Herbold, Lewis, Morales, Nelson, Pedersen, Strauss

Opposed: None

I. ITEMS REMOVED FROM CONSENT CALENDAR

There were none.

J. ADOPTION OF OTHER RESOLUTIONS

There were none.

K. OTHER BUSINESS

Motion was made, duly seconded and carried, to excuse Councilmember Mosqueda from the July 18, 2023 City Council meeting.

Motion was made, duly seconded and carried, to excuse Councilmember Morales from the July 18, 2023 City Council meeting.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:26 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on July 18, 2023.

Debora Juarez, Council President of the City Council

Scheereen Dedman, City Clerk



Legislation Text

File #: CB 120616, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE appropriating money to pay certain claims for the week of July 03, 2023 through July 07, 2023 and ordering the payment thereof; and ratifying and confirming certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Payment of the sum of \$19,094,661.32 on PeopleSoft 9.2 mechanical warrants numbered 4100703144 - 4100704758 plus manual or cancellation issues for claims, e-payables of \$138,896.34 on PeopleSoft 9.2 9100013524 - 9100013546, and electronic financial transactions (EFT) in the amount of \$111,478,207.96 are presented to the City Council under RCW 42.24.180 and approved consistent with remaining appropriations in the current Budget as amended.

Section 2. Payment of the sum of \$57,451,922.37 on City General Salary Fund mechanical warrants numbered 51385462 - 51386387 plus manual warrants, agencies warrants, and direct deposits numbered 280001 - 282895 representing Gross Payrolls for payroll ending date July 04, 2023, as detailed in the Payroll Summary Report for claims against the City that were reported to the City Council July 13, 2023, is approved consistent with remaining appropriations in the current budget as amended.

Section 3. RCW 35.32A.090(1) states, “There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.”

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is

ratified and confirmed.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 18th day of July, 2023, and signed by me in open session in authentication of its passage this 18th day of July, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)



Legislation Text

File #: Appt 02596, **Version:** 1

Appointment of Budi Mulyo as member, Seattle Film Commission, for a term to July 23, 2025.

The Appointment Packet is provided as an attachment.

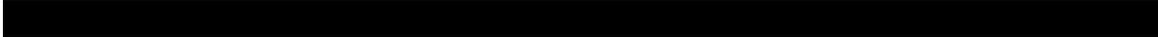


City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Budi Mulyo</i>		
Board/Commission Name: <i>Seattle Film Commission</i>		Position Title: <i>Immersive technology (such as augmented, extended, mixed, and virtual reality) and emerging technology businesses (Position 11)</i>
<input checked="" type="checkbox"/> Appointment OR <input type="checkbox"/> Reappointment	City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appointing Authority: <input type="checkbox"/> City Council <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Other: <i>Seattle Film Commission</i>	Term of Position: * 7/24/2023 to 7/23/2025 <input type="checkbox"/> <i>Serving remaining term of a vacant position</i>	
Residential Neighborhood: <i>Maple Valley</i>	Zip Code: 98038	Contact Phone No.: [REDACTED]
Background: <i>With over 15 years of experience in IT consulting and as a co-founder and board member of a nonprofit organization, Budi brings a wealth of knowledge in emerging technologies that will benefit Seattle's growing film industry. As lead researcher developing future mental healthcare technologies using AI, machine learning, and VR, Budi understands how these cutting-edge technologies can fuel new opportunities for local film businesses and workers. Budi has mentored students in VR and 360 video development at organizations including the Refugee Women's Alliance, Franklin High School, and the Seattle Public Library. Moreover, Budi is committed to advancing diversity and inclusion within the film industry and positioning Seattle as an attractive hub for film production. Bilingual and experienced in working with diverse communities, Budi offers a unique perspective to the Commission. He looks forward to collaborating with fellow commission members to develop policies that cultivate economic development, provide good jobs for industry talent, and make the sector more accessible to underrepresented groups. With a background spanning programming, computational manufacturing, and immersive technologies like VR, AR, and XR, Budi is eager to apply his expertise to help Seattle's film industry thrive in an era of rapid technological change. His blend of technical and entrepreneurial experience will allow him to contribute to the Commission's work from multiple angles.</i>		
Authorizing Signature (original signature):  Date Signed (appointed): 6/26/2023	Appointing Signatory: <i>Kat Ogden</i> <i>Seattle Film Commission Chair</i>	

*Term begin and end date is fixed and tied to the position and not the appointment date.

BUDI MULYO



SUMMARY OF QUALIFICATIONS

- 15+ years of experience in IT consulting, including open source software and hardware
- 501(c)(3) nonprofit organizations founder and board member
- Excellent project management skills and extensive knowledge in global outsourcing
- Familiarity working with diverse populations; bilingual
- Proactive; Team Player; Detail oriented; Dependable; Professional

COMPUTER EXPERIENCE:

- Immersive VR/AR/360/XR (Unity3D, C#, Blender, - Rift/Vive/Mixed Reality)
- Programming (Python, C, C++, Java - Android)
- Computational Manufacturing (G-code, Slic3r, CAD/CAM—AutoCAD, Visio)
- Embedded Logic Circuit (VHDLVerilog, WinCUPL - AVR microcontrollers/Arduino)
- Integration in Internet (AWS, Wordpress, Drupal, XML, PHP, MySQL, Java Script)

PROFESSIONAL EXPERIENCE:

Simulated Immersive eXperimental Realities (SIXR) 2016 – present

- CoFounder/Development Director of the 501(c)(3) nonprofit organization
 - Manage Future Founders VR Fellowship project with Seattle Office of Economic Development (OED)
 - Train UW minority students and public VR development at Public Library
 - Mentor VR / 360 at Refugee Women’s Alliance and Franklin Highschool
 - Manage Architecture Engineering Construction (AEC) and Controlled Environment Agriculture (CEA) Fellowship sponsored by the Port of Seattle’ South King County Community Impact Fund Economic Recovery

Studio LLC, Seattle, WA 2007 – present

- Global Outsourcing Consultant, Marketing Director | Partner | CEO | SELF EMPLOYED
 - Conduct marketing effort and initiate sales
 - Provide technical analysis, recommendations, support for clients
 - Conduct global outsourcing projects

- HealthStart IQ Foundation, Seattle, WA, Portland, OR** 2019 – 2021
- CoFounder / Board Member / R&D /Strategic Relationship 501(c)(3) nonprofit
 - R&D future mental healthcare technology innovation using artificial intelligence, machine learning, and virtual reality to improve accessibility to healthcare services
- Robotics as a Service IO (RaaSIO Inc.), Seattle, WA** 2012 – 2015
- CoFounder/Chief Operating Officer
 - Link to strategic partners and create business plan
 - Prepare projects scope, requirements, time and cost estimates
 - Direct and organize projects from concept to completion
- Jigsaw Renaissance, Seattle, WA** 2012 – 2015
- Board member (elected officer) | Executive Director
 - Acts as one of top level advisors to the nonprofit organization
 - Ensure that Jigsaw Renaissance fulfills its mission statement
 - Sets the makerspace's overall policy and objectives
 - Seattle Robotic Society - RoboMagellan Autonomous Vehicle Project team leader
 - Sets goal to make sure the project is on schedule and on budget
 - Assess the overall condition of the project
 - Ensuring smooth running projects by providing initial and ongoing support
- Hartung Glass Industries, Tukwila , WA** 2006 – 2011
- Glass Washer | inspector | Fabricator | Machine Operator | Expediter | Optimizer | Assistant Coordinator
 - Fabricate, assemble, expedite, inspect, and ship glass, doors
 - Perform optimizing procedures to maximize glass usage
 - Coordinate and lead the area in the event that coordinator is unavailable
- Media Kilat LLC, Seattle, WA** 2006 – 2007
- Partner | Publisher | Investor | SELF EMPLOYED
 - Publish an ethnic community newspaper
 - Direct marketing effort and Initiate sales
 - Oversee production and distribution
- Mgana Engine Rebuild & Auto Repair, Seattle WA** 2003 – 2004
- Partner | Marketing Director | SELF EMPLOYED
 - Manage a small car garage shop

Ron Hand Enterprises Inc., Seattle, Washington

2002 – 2003

- Evening Manager and Assistant Mechanic
 - Assisted in troubleshooting problems on domestic and import cars
 - Provided marketing support, inventory control and accounting reports

Carlyle, Inc., Tukwila, WA

2000 – 2001

- Manufacturing Engineer
 - Enhanced assemblers participation in Total Quality Management (TQM)
 - Designed and implemented Just-In-Time (JIT) work cells
 - Developed manufacturing instructions standard
 - Assisted in price analysis of aircraft cable products

RELATED COURSES:

- Virtual Reality, Artificial Intelligence, Machine Learning, Intro to Database, Mechanics of Materials, Reliability in Engineering Design, Digital Circuits and Systems, Human Factors in Design, Statistical Quality Control, Operation Research, Optimization, Advance Technical Writing, Simulation using Arena Software

ACHIEVEMENTS:

- **AT&T Mobile App Hackathon (2012)**
 - 1st Place Best AT&T Cloud Architect
 - 1st Place Best Apigee UserGrid
 - 1st Place Best SergeSDK
- **Accenture Industrial Engineering Senior Design Project Competition (2001)**
 - 3rd Place
- **Tacoma Community College (1997)**
 - Honor List

EDUCATION

- Master of Business Administration, UoPeople, Pasadena, CA (E. 2020)
- Artificial Intelligence Certificate, Stanford University, Palo Alto, CA (Fall 2011)
- Machine Learning Certificate, Stanford University, Palo Alto, CA (Fall 2011)
- Bachelor of Science in Industrial Engineering, UW, Seattle, WA (2001)

Seattle Film Commission

11 Members: Pursuant to Ordinance 126678, *all* members subject to City Council confirmation, **3**-year terms however, initial terms shall be as follows:

1, 4, 7, and 10 shall be for one year; initial terms for positions 2, 5, 8, and 11 shall be for two years; and initial terms for positions 3, 6, and 9 shall be for three years.

- **5** City Council-appointed
- **5** Mayor-appointed
- **1** Other Appointing Authority-appointed (specify): Commission

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
2	M	5,6	1.	On-screen talent	Lowell Deo	4/24/2023	4/23/2024	1	Mayor
6	F	2	2.	Film industry labor unions	Melissa Matthies Purcell	4/24/2023	4/23/2025	1	Mayor
1	M	7	3.	Advertising and creative agencies	Michael Huang	4/24/2023	4/23/2026	1	Mayor
6	M	N/A	4.	Commercial producers or production companies	Tom Florino	4/24/2023	4/23/2024	1	Mayor
2	F	N/A	5.	Film schools, film programs, or film educators	Laura Jean Cronin	4/24/2023	4/23/2025	1	Mayor
1	M	4	6.	Post-production companies and personnel i.e., editors, composers, post-supervisors	Champ Ensminger	4/24/2023	4/23/2026	1	City Council
6	F	4	7.	Film production crew	Kat Ogden	4/24/2023	4/23/2024	1	City Council
6	F	4	8.	Film festivals or film content distribution companies	Beth Barrett	4/24/2023	4/23/2025	1	City Council
6	M	N/A	9.	Film location managers	Mark Freid	4/24/2023	4/23/2026	1	City Council
2	M	N/A	10	Film organizations for underrepresented communities	Anthony Tackett	4/24/2023	4/23/2024	1	City Council
1	M	4	11.	Immersive technology	Budi Mulyo	7/24/2023	7/23/2025	1	Commission

SELF-IDENTIFIED DIVERSITY CHART

	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non-Hispanic	Pacific Islander	Middle Eastern	Multiracial					
Mayor	3	2			1	2				2								
Council	3	2			1	1				3								
Other					1													
Total																		

Key:

*D List the corresponding *Diversity Chart* number (1 through 9)

**G List *gender*, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

File #: CB 120568, **Version:** 2

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2023 Comprehensive Plan annual amendment process.

WHEREAS, The City of Seattle adopted a Comprehensive Plan through Ordinance 117221 in 1994 and most recently adopted amendments to its Comprehensive Plan in December 2022 through Ordinance 126730; and

WHEREAS, the Growth Management Act, chapter 36.70A RCW, authorizes annual amendments to the City's Comprehensive Plan; and

WHEREAS, the adopted procedures in Resolution 31807 provide the process for interested citizens to propose annual Comprehensive Plan amendments for consideration by the City Council; and

WHEREAS, various parties proposed amendments for consideration during the 2022 annual amendment process; and

WHEREAS, on September 20, 2022, the City Council considered these proposed Comprehensive Plan amendments and adopted Resolution 32068, directing that City staff further review and analyze certain proposed amendments relating to the Industrial and Maritime Strategy; and

WHEREAS, in 2019 the City convened an Industrial and Maritime Strategy Council to advise the City on development of an Industrial and Maritime Strategy; and

WHEREAS, the stakeholder committee consisted of a City-wide committee and four regional committees representing Georgetown/South Park, SODO, Interbay, and Ballard; and

WHEREAS, the principles that guided the Industry and Maritime Strategy Council focused on:

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle’s industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing safety for all travel modes;
- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021 the Industrial and Maritime Strategy Council issued a report recommending eleven strategies to advance the guiding principles of the Council; and

WHEREAS, six of the 11 strategies recommended some changes to land use; and

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development issued a Determination of Significance and initiated a SEPA scoping period

to seek public comment on four distinct land use alternatives each based on a new industrial land policy framework reflective of the Strategy Council's recommendations and received 105 comments; and

WHEREAS, on December 15, 2021 Office of Planning and Community Development issued the Industrial and Maritime Strategy Draft Environmental Impact Statement; and

WHEREAS, the Office of Planning and Community Development (OPCD) held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022 Office of Planning and Community Development issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended by the Industrial and Maritime Strategy Council and that were studied in the Industrial and Maritime Strategy Environmental Impact Statement, including this ordinance amending Seattle's Comprehensive Plan to create a new land use policy framework; and

WHEREAS, these proposed amendments has have been reviewed and analyzed by OPCD and considered by the Council; and

WHEREAS, the City has provided for public participation in the development and review of these proposed amendments and other changes to comply with the Growth Management Act, including requirements for early and continuous public participation in the development and amendment of the City's Comprehensive Plan; and

WHEREAS, the Council has reviewed and considered the Director's report and recommendations, public testimony made at the public hearings, and other pertinent material regarding all the proposed amendments; and

WHEREAS, the Council finds that this amendment to the Comprehensive Plan is consistent with the Growth Management Act, and will protect and promote the health, safety, and welfare of the general public;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle Comprehensive Plan, last amended by Ordinance 126730, is amended to include amendments to the Land Use Element as shown in Attachment 1 to this ordinance.

Section 2. The Future Land Use Map and the boundaries of the Ballard-Interbay-Northend Manufacturing Industrial Center, the Greater Duwamish Manufacturing/Industrial Center, and the South Park Urban Village are amended as shown in Attachments 2, 3, 4, 5, and 6 to this ordinance, and these same amendments should be reflected on the following maps in the Comprehensive Plan:

- Growth Strategy Figure 4: Urban Centers, Urban Villages, Manufacturing/Industrial Centers, on page 31;
- Ballard-Interbay-Northend Manufacturing/Industrial Center, on page 215;
- Georgetown Neighborhood Anchor, on page 314; and
- Duwamish Manufacturing/Industrial Center, on page 318.

Section 3. This ordinance shall take effect and be in force: 90 days after its approval or unsigned and returned by the Mayor; 90 days after the City Council's reconsidered passage after its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105 days after its passage by the City Council.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this ____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachments:

Attachment 1 - Amendments to the Land Use Element

Attachment 2 - Amendments to the Comprehensive Future Land Use Map - Georgetown

Attachment 3 - Amendments to the Comprehensive Future Land Use Map - Judkins Park

Attachment 4 - Amendments to the Comprehensive Future Land Use Map - South Park

Attachment 5 - Amendments to the Comprehensive Future Land Use Map - NW 48th Street and 9th Avenue NW

Attachment 6 - Amendments to the Comprehensive Future Land Use Map - South side of W Commodore Way
at 31st Avenue W

Attachment 1

Amendments to the Land Use Element

Land Use

* * *

Industrial Areas

Discussion

Seattle has a long history as the main shipping, manufacturing, and freight-distribution center for the region. These days, those activities take place mostly in industrial zones located in the city's two manufacturing/industrial centers. These industrial areas are large and generally flat. In these areas, City zoning rules allow industrial activity such as manufacturing, warehousing, and shipping of goods through waterways, railways, and highways. Industrial zones are an important source of living wage jobs and ~~((make))~~ improve the diversity and resilience of the local and regional economy, making the local economic base more stable. Having industrial activity in the city makes Seattle less vulnerable to shifts in the economy. Due to the volume of truck traffic, the need some industrial businesses have for access to rail service, and the large sites that many of those businesses need, it is important to provide large, separate areas for these activities.

GOAL

- LU G10 Provide sufficient land with the necessary characteristics to allow industrial activity to thrive in Seattle and protect the preferred industrial function of these areas from activities that could disrupt or displace them.
- LU G10.1 Support employment-dense emerging industries that require greater flexibility in the range of on-site uses and activities.
- LU G10.2 Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts.

POLICIES

- LU 10.1 Designate industrial zones generally where
- the primary functions are industrial activity and industrial-related commercial functions,
 - the basic infrastructure needed to support industrial uses already exists,
 - areas are large enough to allow a full range of industrial activities to function successfully, and

- sufficient separation or special conditions exist to reduce the possibility of conflicts with development in adjacent less intensive areas.

LU 10.2 Preserve industrial land for industrial uses, especially where industrial land is near rail- or water-transportation facilities, in order to allow marine- and rail-related industries that rely on that transportation infrastructure to continue to function in the city.

LU 10.3 Ensure predictability and permanence for industrial activities in industrial areas by limiting changes in industrial land use designation. There should be no reclassification of industrial land to a non-industrial land use category except as part of a City-initiated comprehensive study and review of industrial land use policies or as part of a major update to the Comprehensive Plan.

LU 10.4 Accommodate the expansion of current industrial businesses and promote opportunities for new industrial businesses and emerging industries within Seattle to strengthen the city's ~~((existing))~~ industrial economy.

LU 10.~~((4))~~5 Restrict to appropriate locations within industrial areas those activities that—by the nature of materials involved or processes employed—are potentially dangerous or very noxious.

LU 10.~~((5))~~6 Provide a range of industrial zones that address varying conditions and priorities in different industrial areas. Those priorities include maintaining industrial areas that have critical supporting infrastructure, leveraging investments in high-capacity transit service, providing transitions between industrial areas and less intensive areas, and promoting high-quality environments attractive to business expansion or to new industrial activities.

LU 10.7 Use the following industrial land use designations:

- Maritime, manufacturing, and logistics: This designation supports the city's maritime, manufacturing, logistics and other industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics designation.
- Industry and innovation: This designation promotes emerging industries and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and offices uses found in multi-story buildings. Areas in MICs that are generally within one quarter and one-half mile of high-capacity transit stations may be considered for the industry and innovation designation.

- Urban industrial: This designation encourages a vibrant mix of uses and relatively affordable, small-scale industrial, makers and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial designation.
- Industrial commercial: This designation is for industrial land located outside of Manufacturing Industrial Centers and is intended to permit a range of activities such as light industrial uses, research and development uses, and offices.

- LU 10.~~((6))~~8 Prohibit new residential development in industrial zones, except for certain types of dwellings, such as caretaker units and in urban industrial zones, dwellings for workers that are related to the industrial area and that would not restrict or disrupt industrial activity.
- LU 10.~~((7))~~9 Use the general industrial or maritime, manufacturing, and logistics zones to promote a full range of industrial activities and related support uses.
- LU 10.~~((8))~~10 Apply the general industrial zones mostly within the designated manufacturing/industrial centers, where impacts from industrial activity are less likely to affect residential or commercial uses. Outside of manufacturing/industrial centers, general industrial or the maritime, manufacturing, and logistics zones may be appropriate along waterways used for maritime uses. Consider applying the maritime, manufacturing, and logistics designation mostly within the designated manufacturing/industrial centers and it may also be appropriate outside of manufacturing/industrial centers along waterways used for maritime uses.
- LU 10.~~((9))~~11 Avoid placing industrial zones within urban centers or urban villages. However, in locations where a center or village borders a manufacturing/industrial center, use of the industrial commercial within the center or village where it abuts the manufacturing/industrial center may provide an appropriate transition to help separate residential uses from heavier industrial activities.
- LU 10.12 Consider using the urban industrial zone in locations where a center or village borders a manufacturing/industrial center and where it may provide an appropriate transition to help separate residential uses from heavier industrial activities.
- LU 10.~~((10))~~13 Limit the density of development for nonindustrial uses in the manufacturing/industrial centers to reduce competition from nonindustrial activities that are better suited to other locations in the city, particularly urban centers and urban villages, where this Plan encourages most new residential and commercial development. Permit a limited amount of stand-alone commercial uses in industrial areas as workforce amenities. ~~((, or only if they reinforce the industrial character, and strictly))~~ Strictly limit the size of office and retail uses

not associated with industrial uses(~~(7)~~) in order to preserve these areas for industrial development.

LU 10.~~((11))~~14 Recognize the unique working character of industrial areas by keeping landscaping and street standards to a minimum to allow flexibility for industrial activities, except along ~~((selected arterials))~~ streets where installing street trees and providing screening and landscaping can offset impacts of new industrial development ~~((in highly visible locations))~~.

LU 10.~~((12))~~15 Set parking and loading requirements in industrial zones to provide adequate parking and loading facilities to support business activity, promote air quality, encourage efficient use of the land in industrial areas, discourage underused parking facilities, and maintain adequate traffic safety and circulation. Allow some on-street loading and occasional spillover parking. Limit parking in the industry and innovation zone located in the vicinity of high-capacity transit stations.

LU 10.~~((13))~~16 Maintain standards for the size and location of vehicle curb cuts and driveways in industrial zones in order to balance the need to provide adequate maneuvering and loading areas with availability of on-street parking and safe pedestrian, bike, and transit access.

LU 10.~~((14))~~17 Permit noise levels in industrial areas, except buffer areas, that would not be allowed in other parts of the city, in recognition of the importance and special nature of industrial activities. When residential uses are permitted in industrial areas apply noise attenuation measures to the dwelling units to lessen impacts from noise on residents.

LU 10.~~((15))~~18 Classify certain industrial activities as conditional uses in industrial zones in order to accommodate these uses while making sure they are compatible with the zone's primary industrial function and to protect public safety and welfare on nearby sites. Require mitigation of impacts on industrial activity and on the immediate surroundings, especially nearby less intensive zones.

LU 10.~~((16))~~18 Prohibit uses that attract large numbers of people to the industrial area for nonindustrial purposes, in order to keep the focus on industrial activity and to minimize potential conflicts from the noise, nighttime activity, and truck movement that accompanies industrial activity. Consider allowing such uses in the urban industrial zone only.

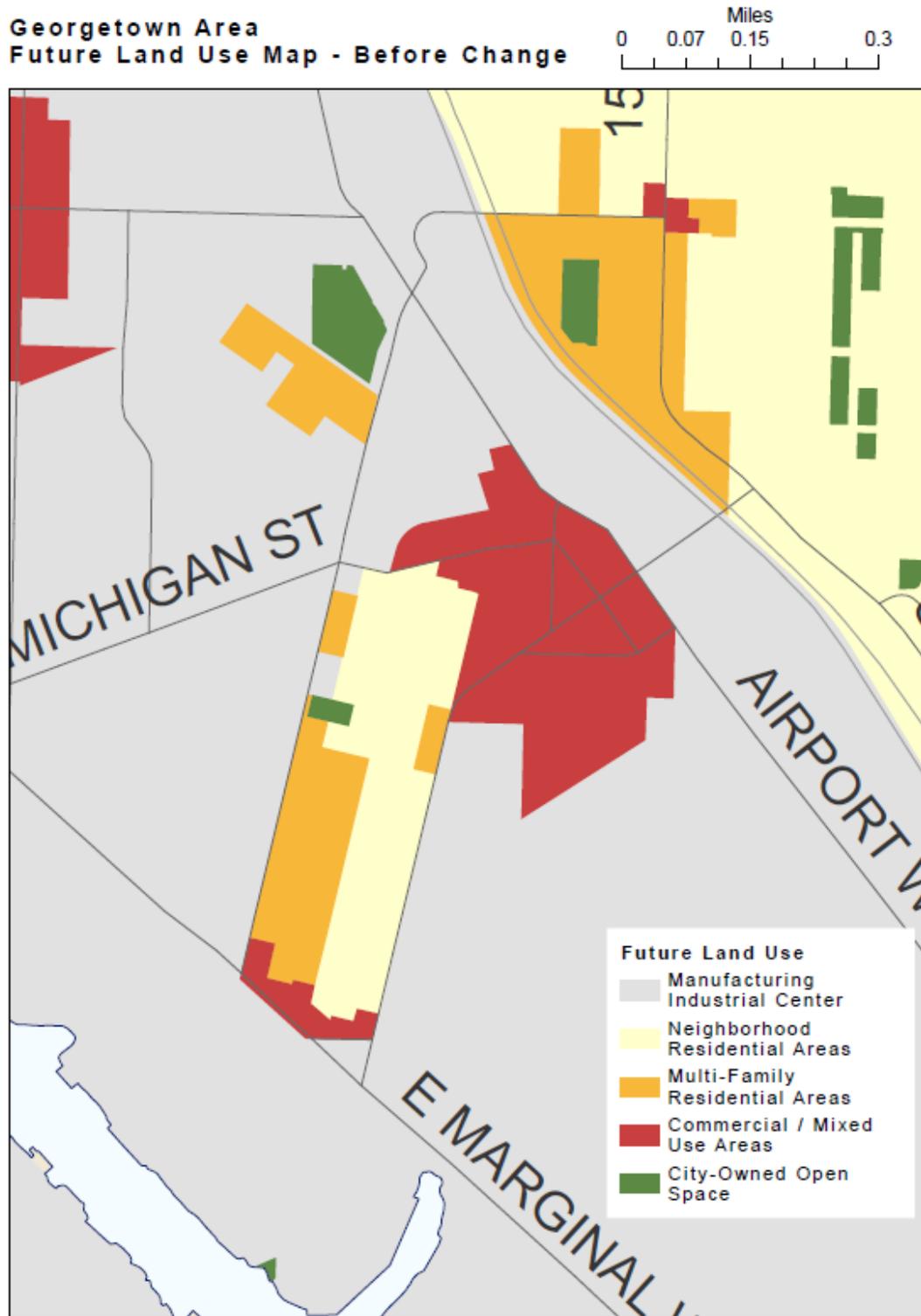
LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Establish minimum density standards to ensure employment density at a level necessary to leverage transit investments. Use upper-level density limits to discourage higher value ancillary uses that are more appropriate in non-industrial areas.

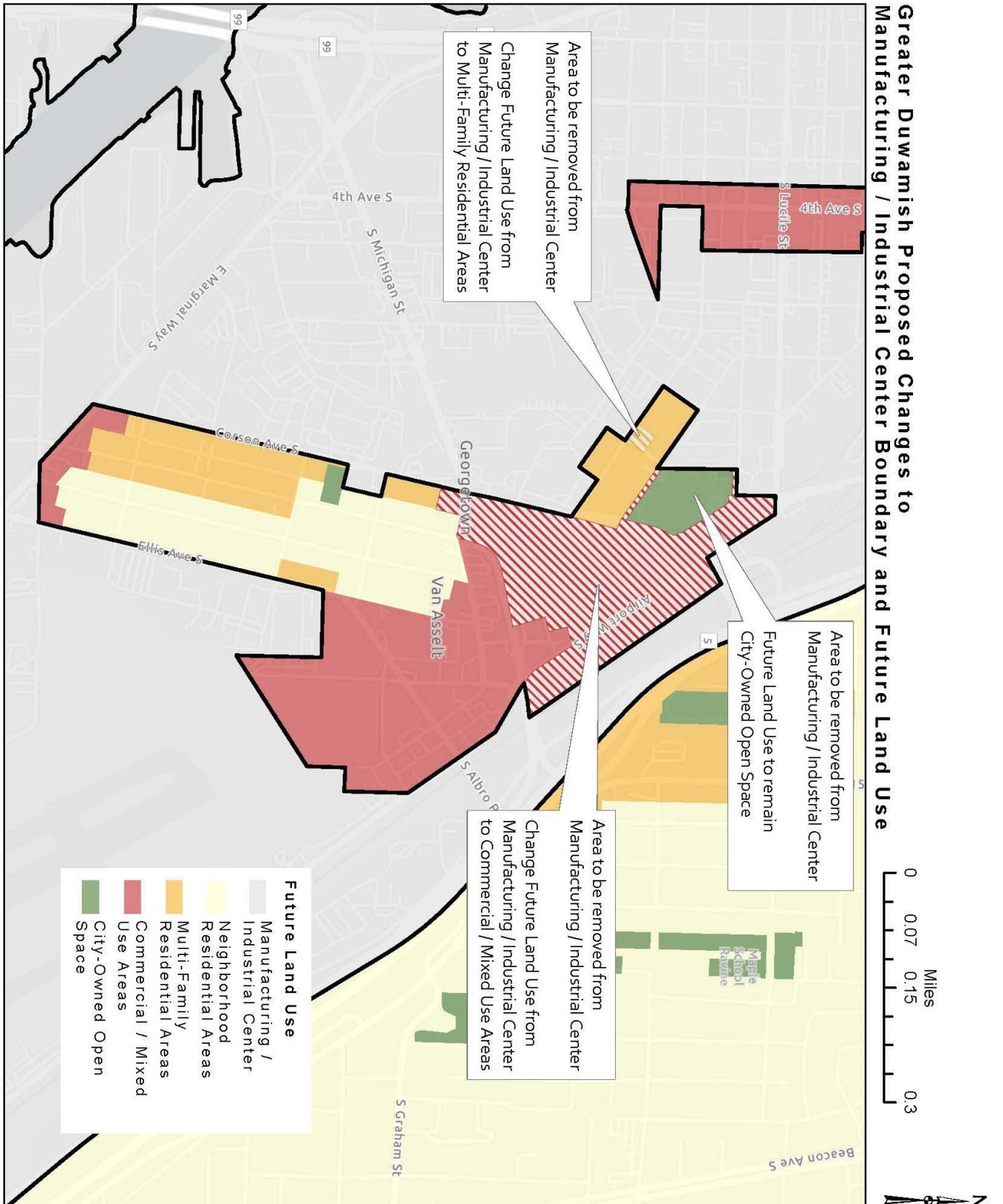
- LU 10.20 In the industry and innovation zone, use development standards that promotes development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, limit non-industrial floor area to no more than 50 percent of any individual business.
- LU 10.~~(17)~~22 ~~((Establish the industrial buffer))~~ Use the urban industrial or industrial buffer ((zone)) zones to provide an appropriate transition between industrial areas and adjacent residential or pedestrian-oriented commercial zones.
- LU 10.23 In the urban industrial zone, allow a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a greater need for a limited amount of space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, establish buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.
- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.
- LU 10.~~(18)~~26 Allow the widest possible range of manufacturing uses and related industrial and commercial activities within the industrial buffer zone, while ensuring compatibility the activity and physical character of neighboring less intensive zones.
- LU 10.~~(19)~~27 Include development standards or performance standards for the industrial buffer zone that protect the livability of neighboring areas, promote visual quality, and maintain a compatible scale of development along zone edges. Apply these standards only in places where existing conditions do not adequately separate industrial activity from less intensive zones.
- LU 10.~~(20)~~28 Limit the height of structures on the borders of industrial buffer zones where streets along the zone edge do not provide sufficient separation for a reasonable transition in scale between industrial areas and less intensive neighboring zones, taking into consideration the permitted height in the abutting less intensive zone.
- LU 10.~~(21)~~29 Allow a wide mix of employment activities in the industrial commercial zones, such as light manufacturing and research and development.

- LU 10.~~((22))~~30 Limit development density in industrial commercial and maritime, manufacturing, and logistics zones in order to reflect transportation and other infrastructure constraints, while taking into account other features of an area.
- LU 10.~~((23))~~31 Include development standards in the industrial commercial zone designed to create environments that are attractive to new technology businesses and that support a pedestrian-oriented environment, while controlling structure height and scale to limit impacts on nearby neighborhoods.
- LU 10.~~((24))~~32 Provide a range of maximum building height limits in the industrial commercial zones in order to protect the distinctive features that attract new technology businesses to the area—such as views of water, shoreline access, and the neighborhood scale and character—to make sure that these features will continue to be enjoyed, both within the zone and from the surrounding area.
- LU 10.~~((25))~~33 Assign height limits independently of the industrial zoning designation to provide flexibility in zoning-specific areas and to allow different areas within a zone to be assigned different height limits according to the rezone criteria.
- LU 10.~~((26))~~34 Restrict or prohibit uses that may negatively affect the availability of land for industrial activity, or that conflict with the character and function of industrial areas.
- LU 10.~~((27))~~35 Consider high value-added, living wage industrial activities to be a high priority.
- LU 10.~~((28))~~36 Permit commercial uses in industrial areas to the extent that they reinforce the industrial character, and limit specified non-industrial uses, including office and retail development, in order to preserve these areas for industrial development.

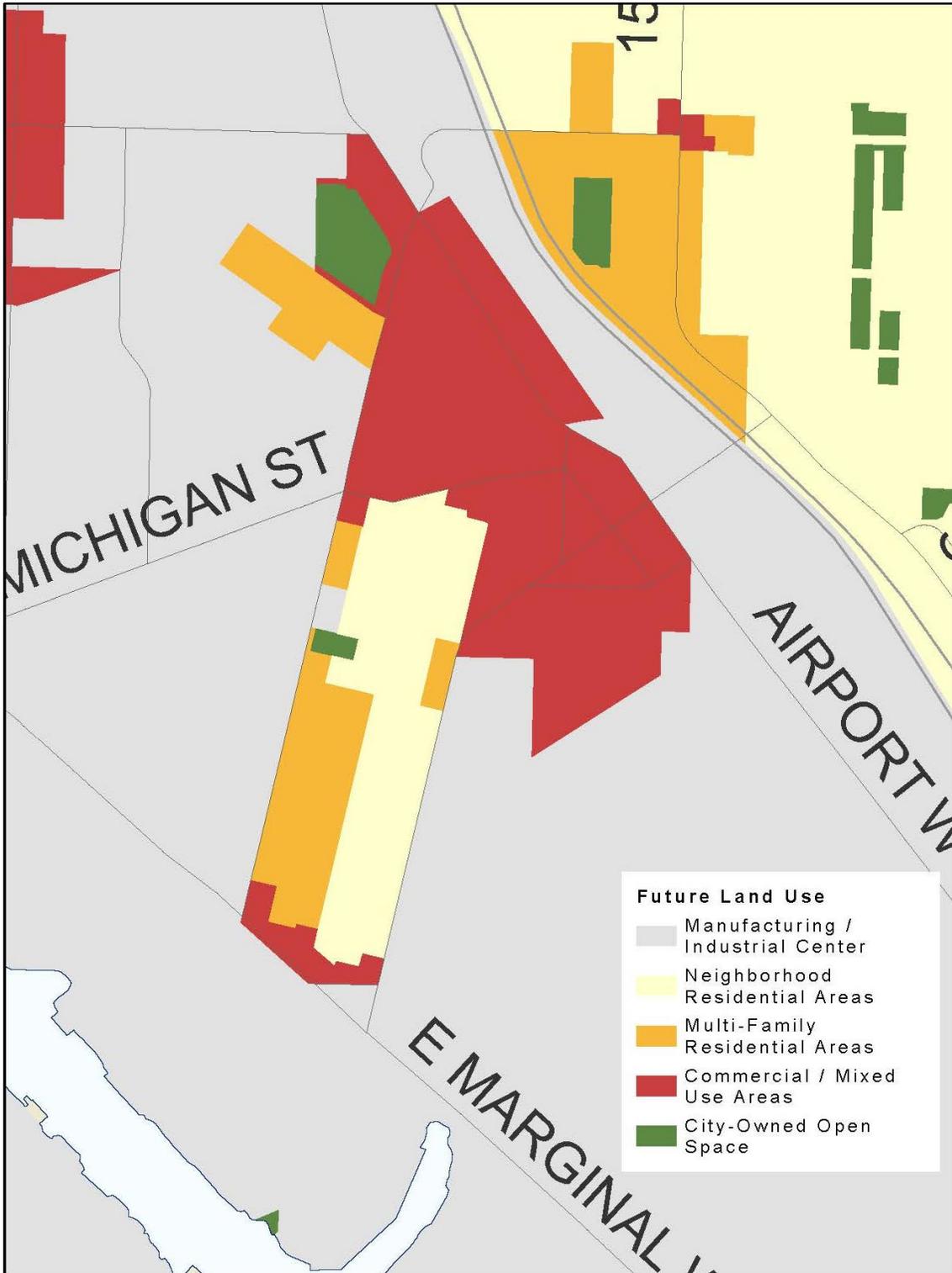
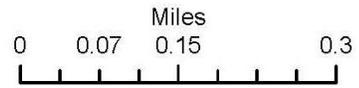
Attachment 2

Amendments to the Comprehensive Plan Future Land Use Map - Georgetown





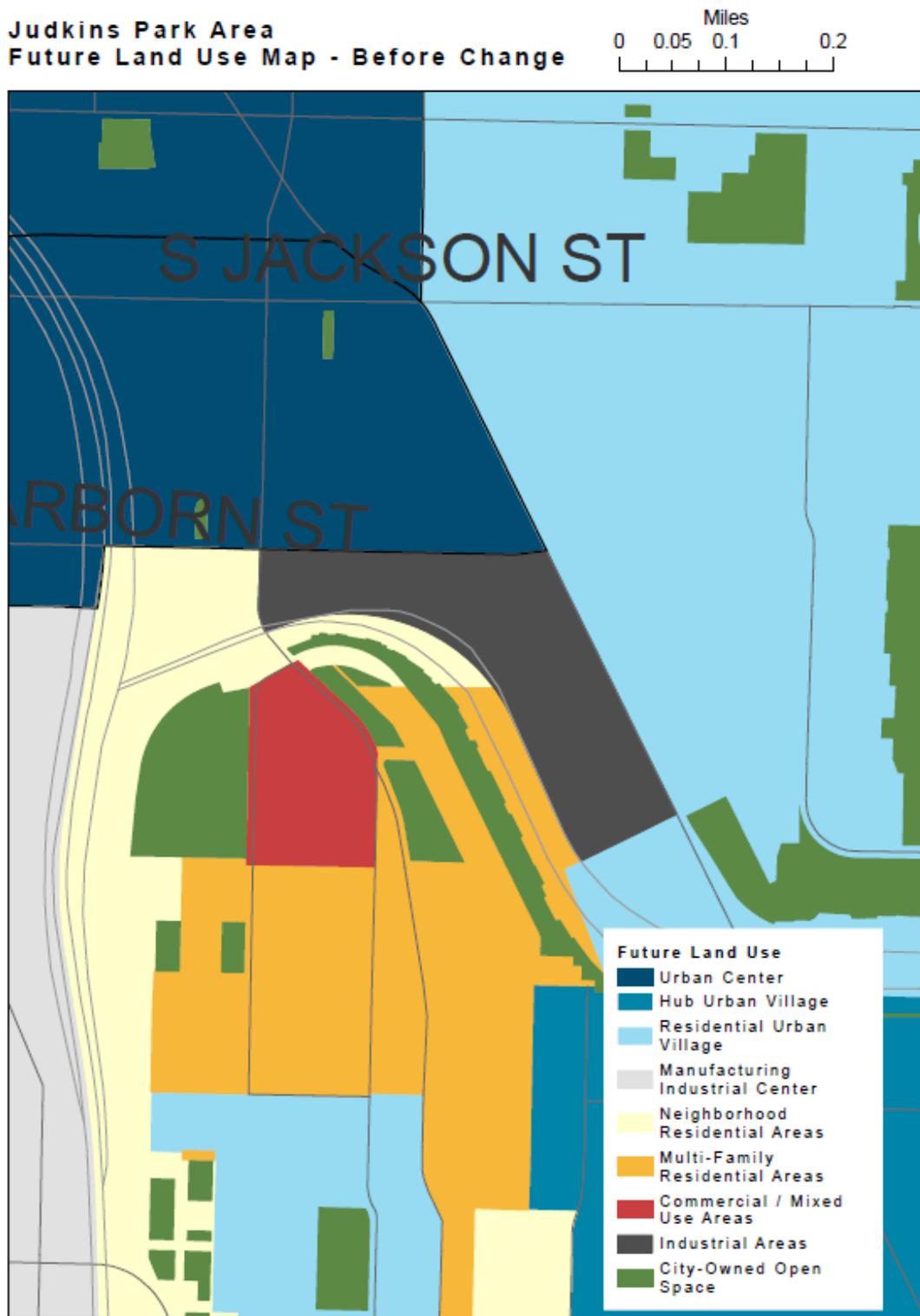
Georgetown Area Future Land Use Map - After Change

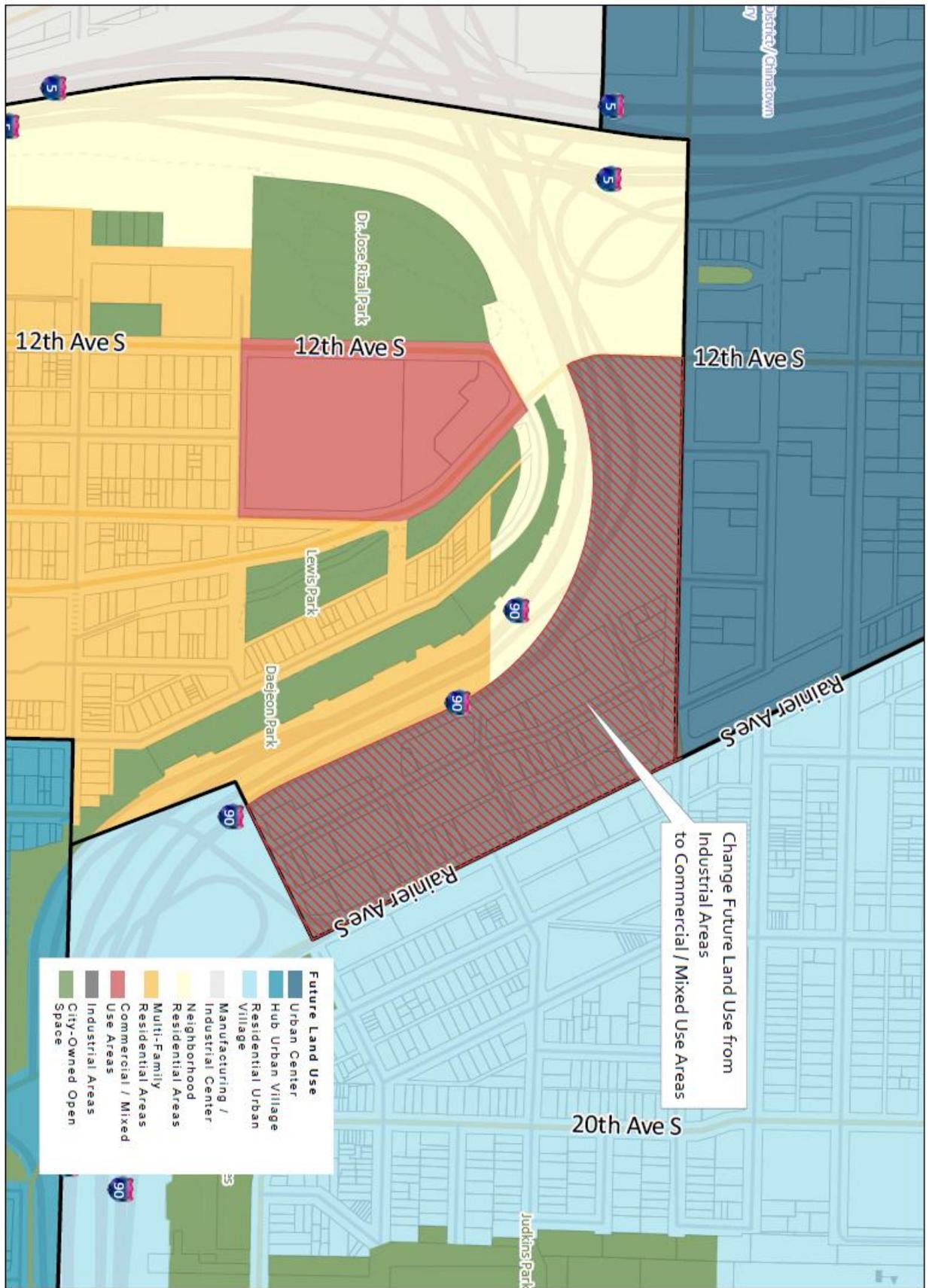


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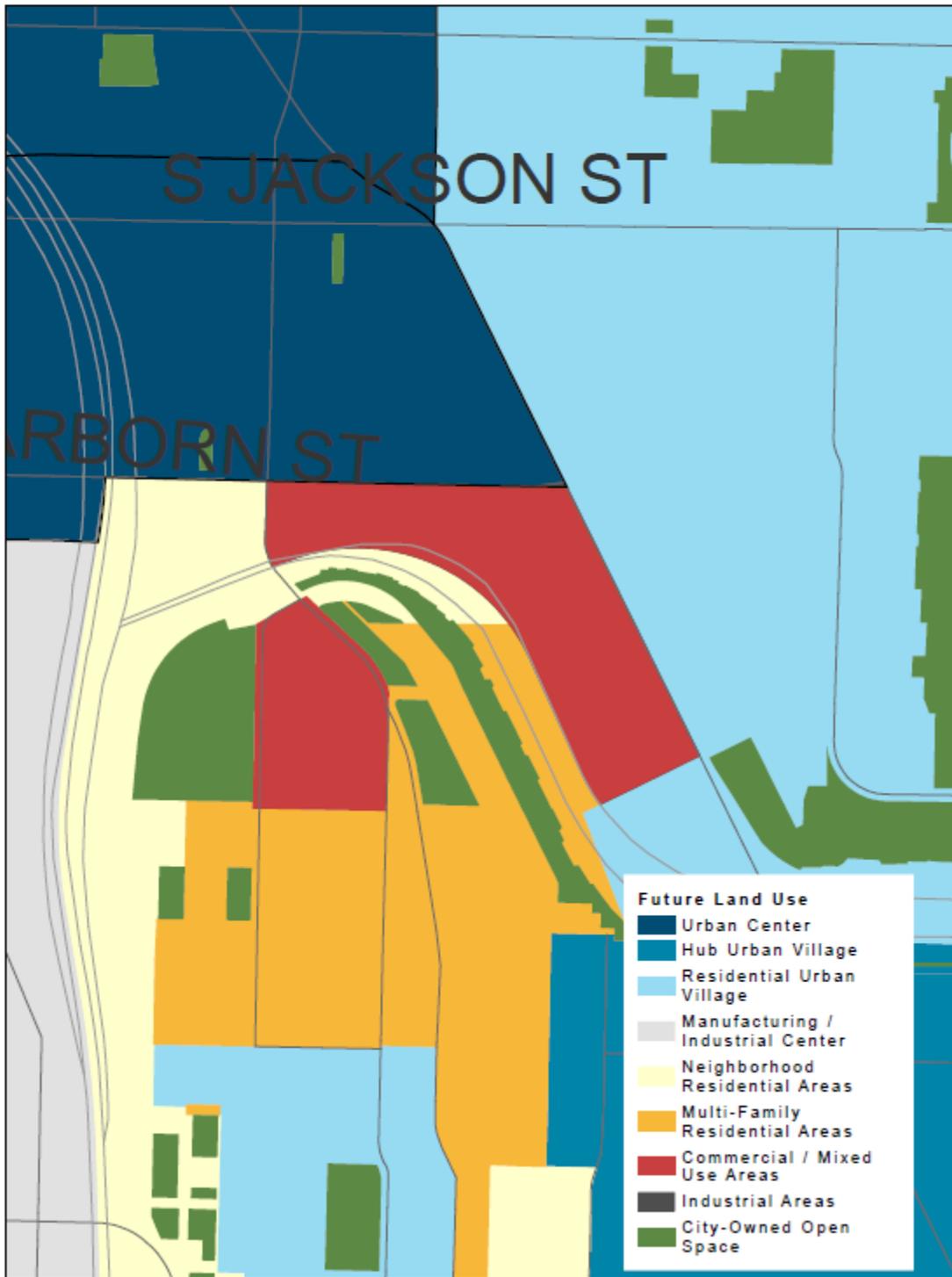
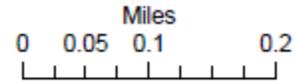
Attachment 3

Amendments to the Comprehensive Plan Future Land Use Map – Judkins Park





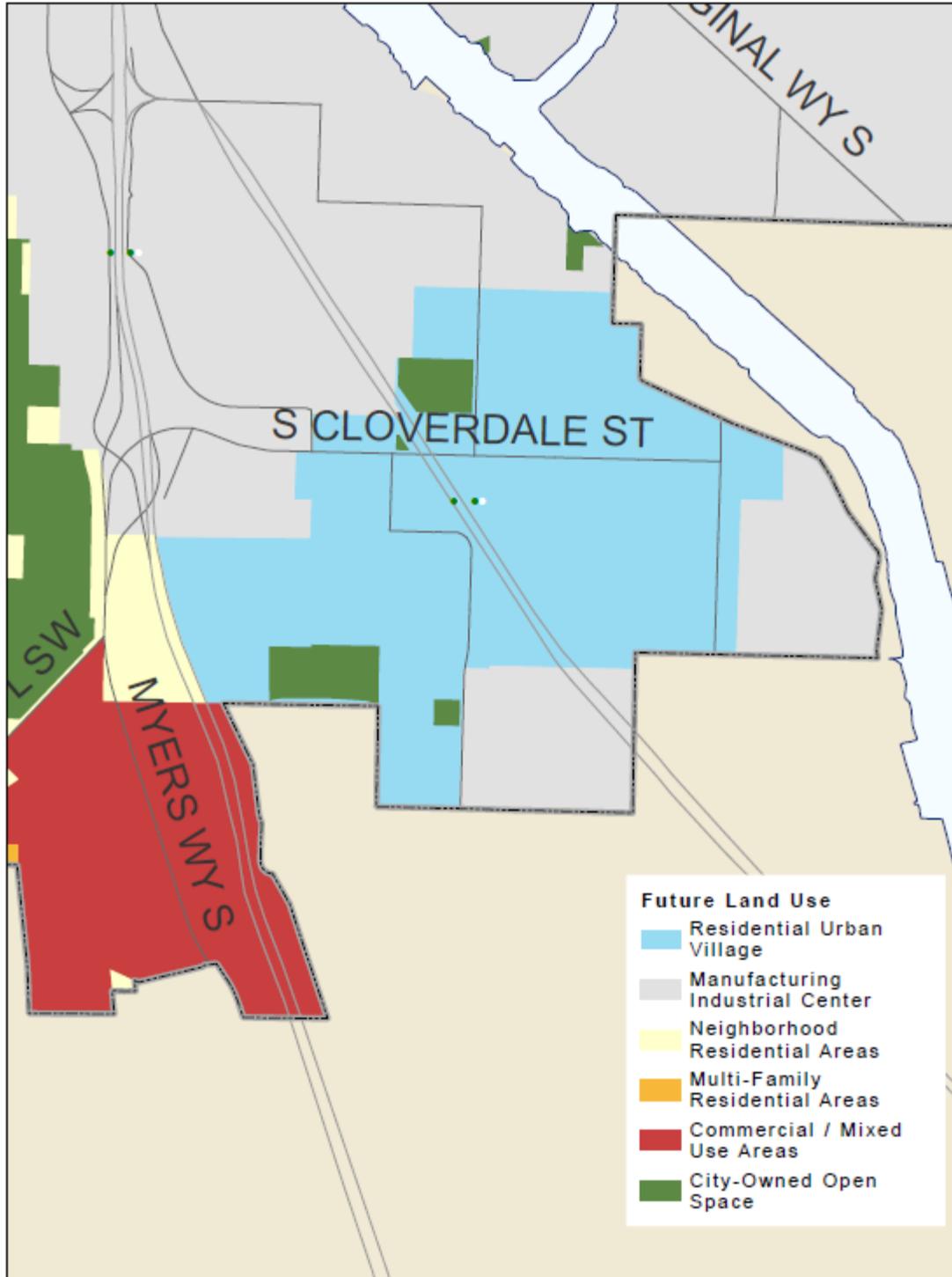
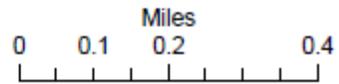
**Judkins Park Area
Future Land Use Map - After Change**

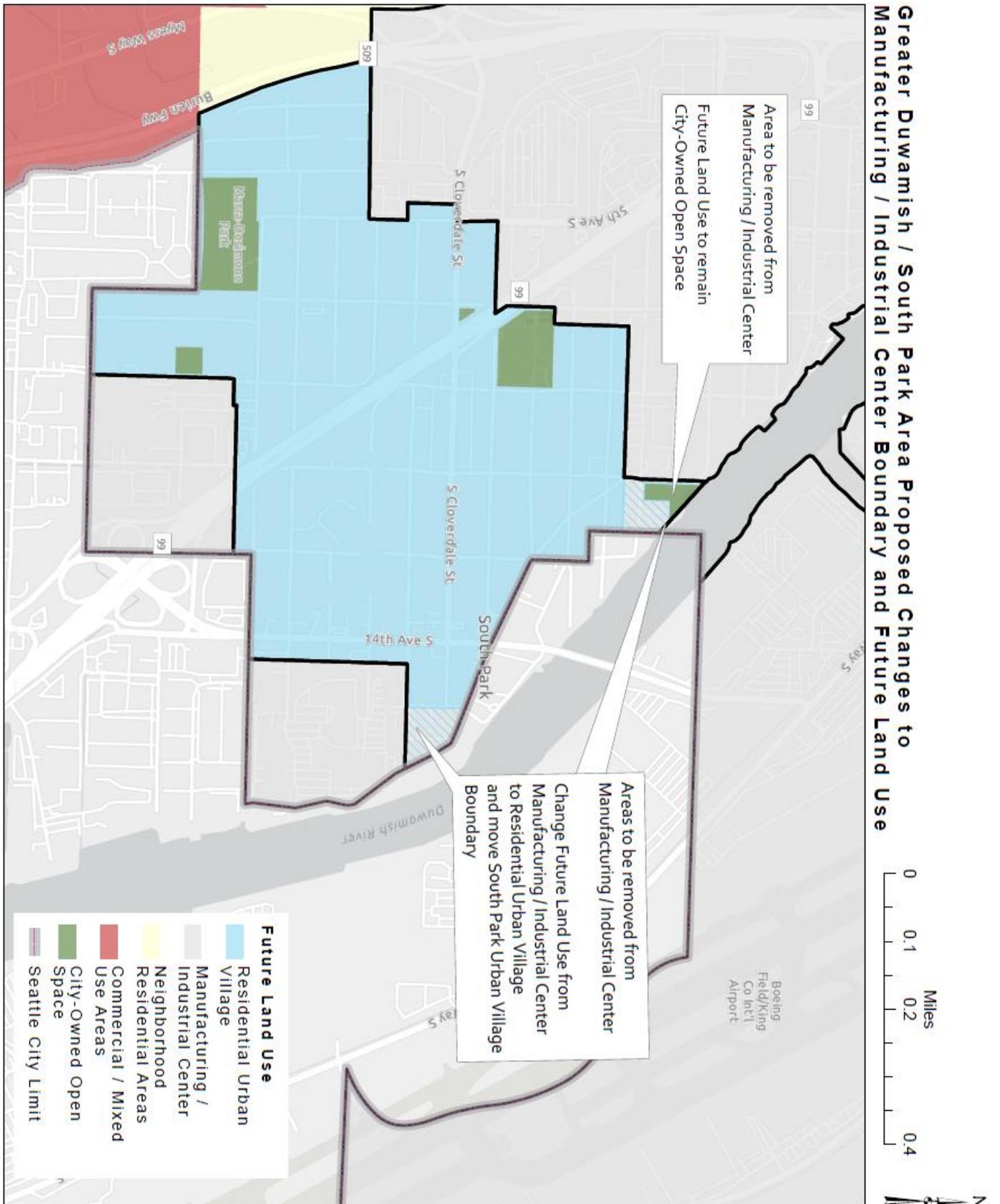


Attachment 4

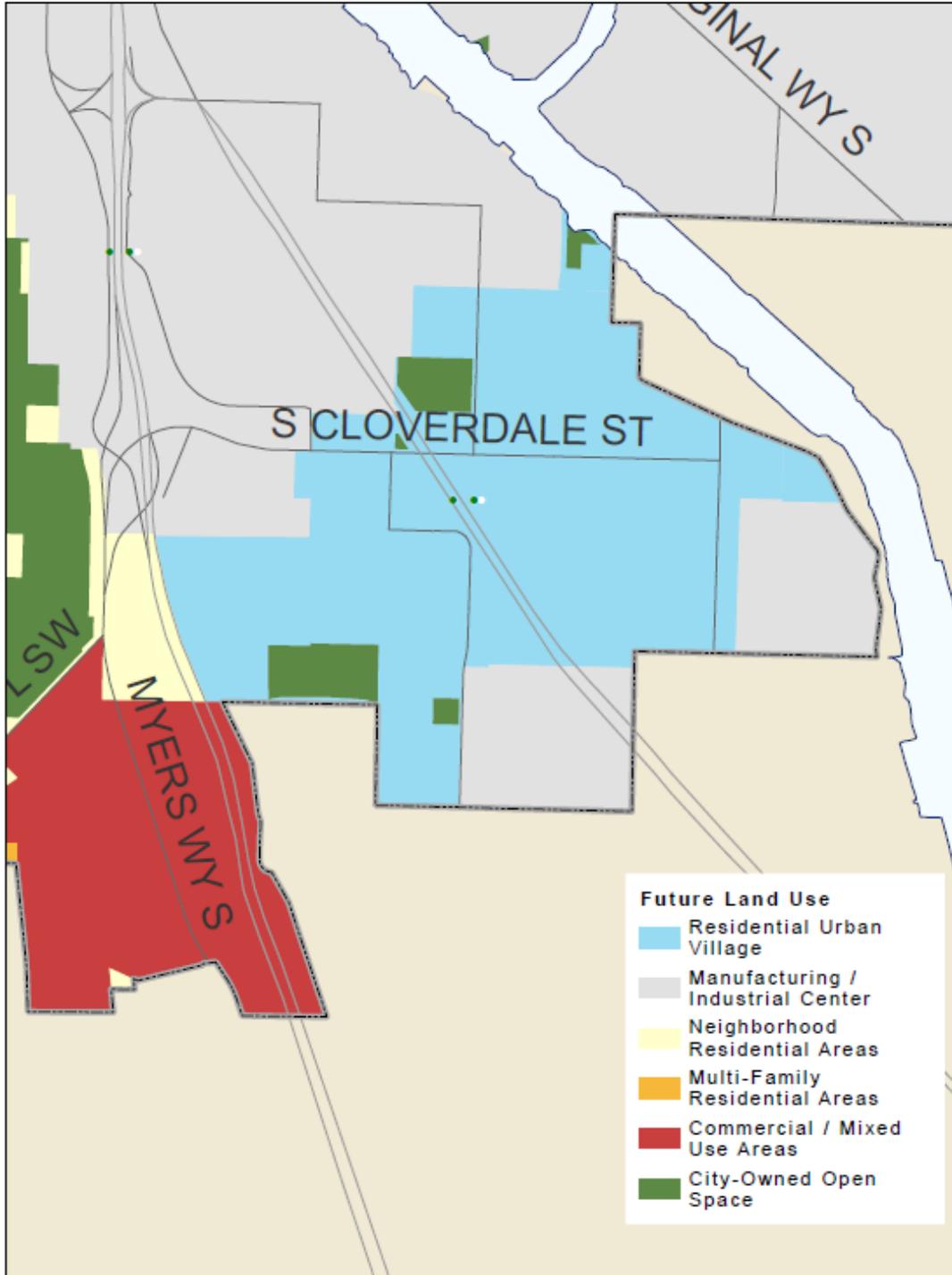
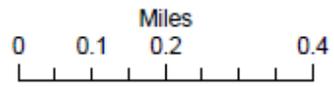
Amendments to the Comprehensive Plan Future Land Use Map – South Park

**South Park Area
Future Land Use Map - Before Change**



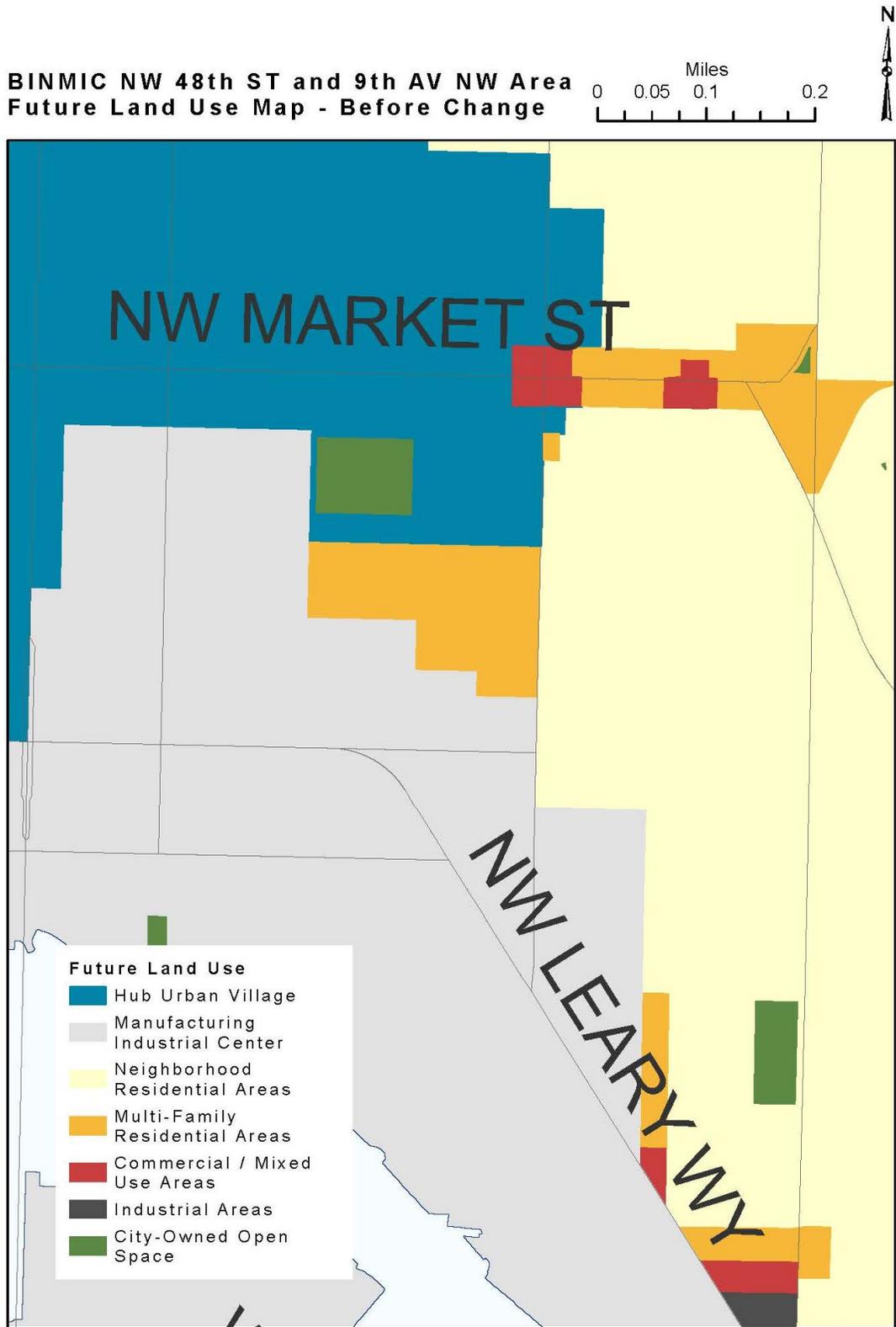


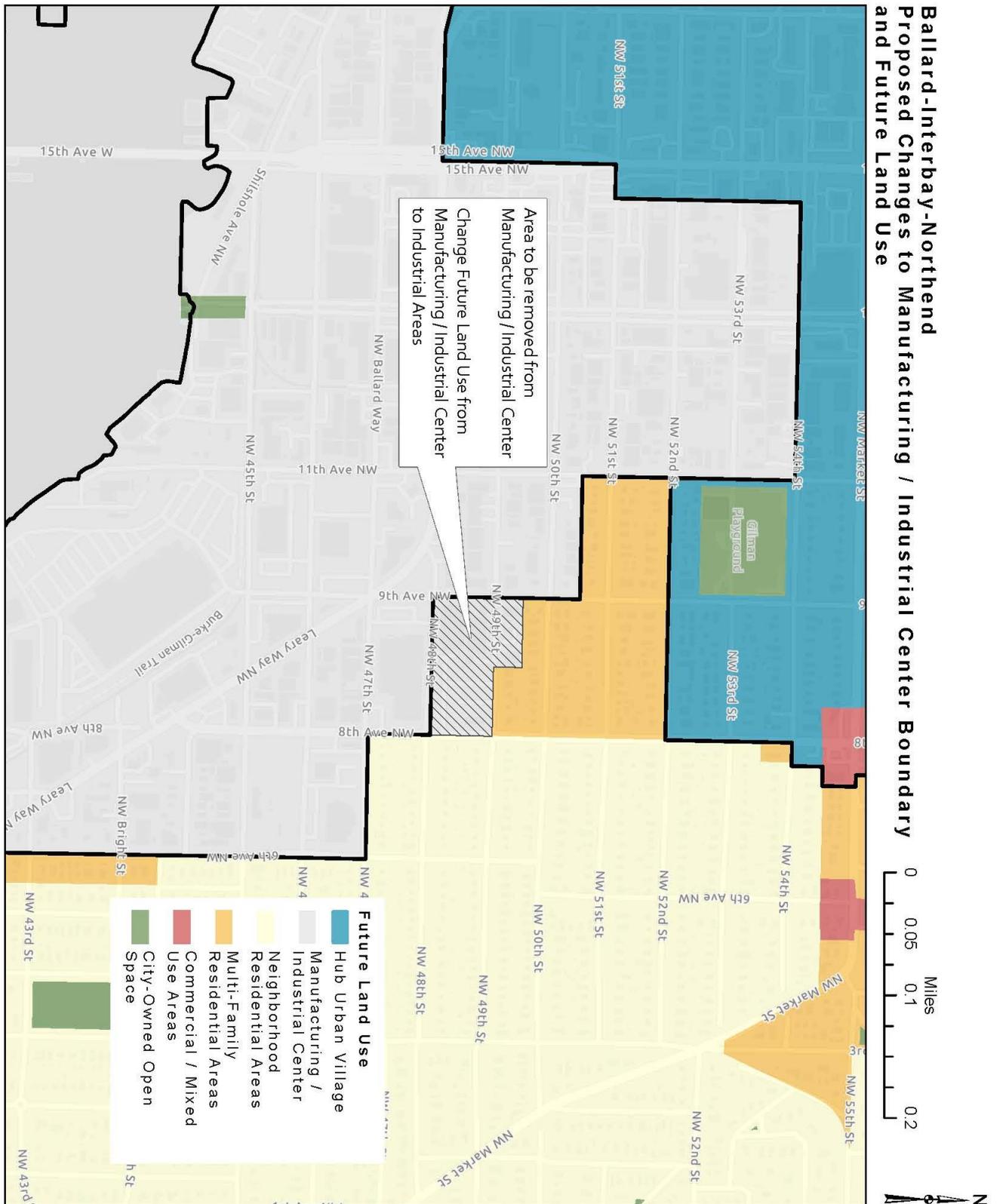
**South Park Area
Future Land Use Map - After Change**



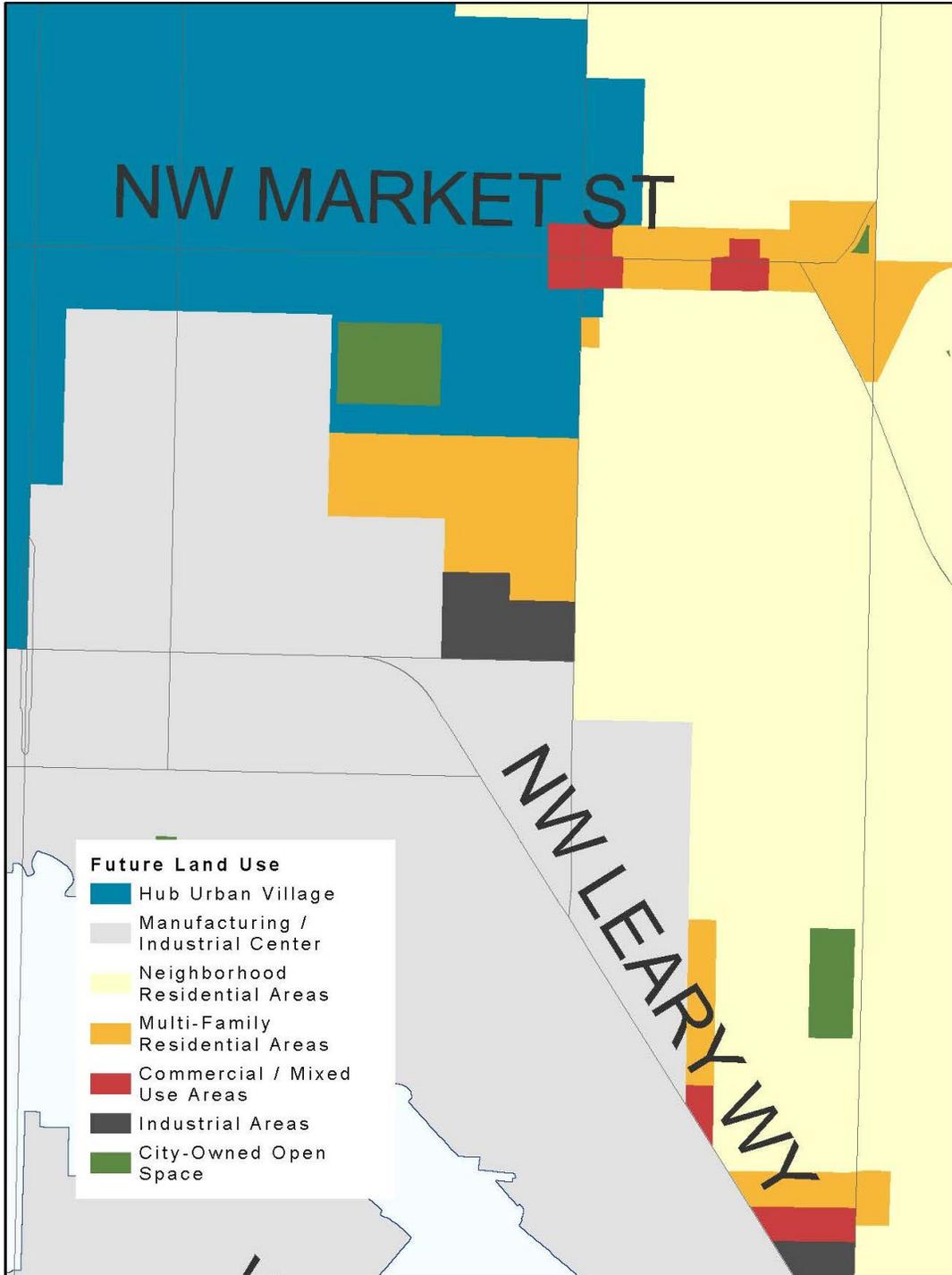
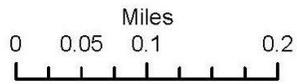
Attachment 5

Amendments to the Comprehensive Plan Future Land Use Map – NW 48th Street and 9th Avenue NW





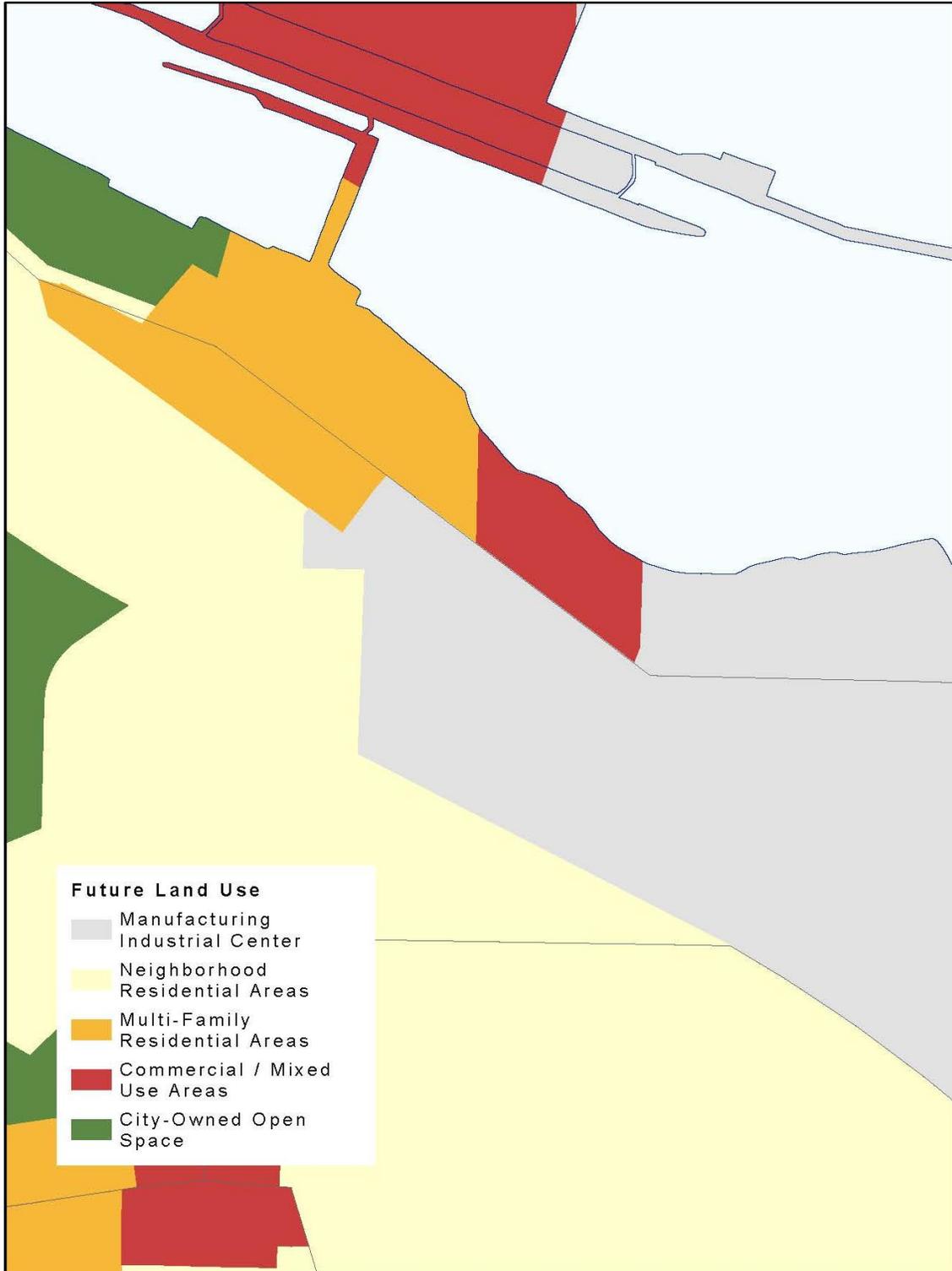
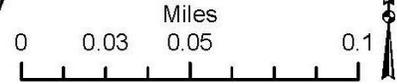
**BINMIC NW 48th ST and 9th AV NW Area
Future Land Use Map - After Change**



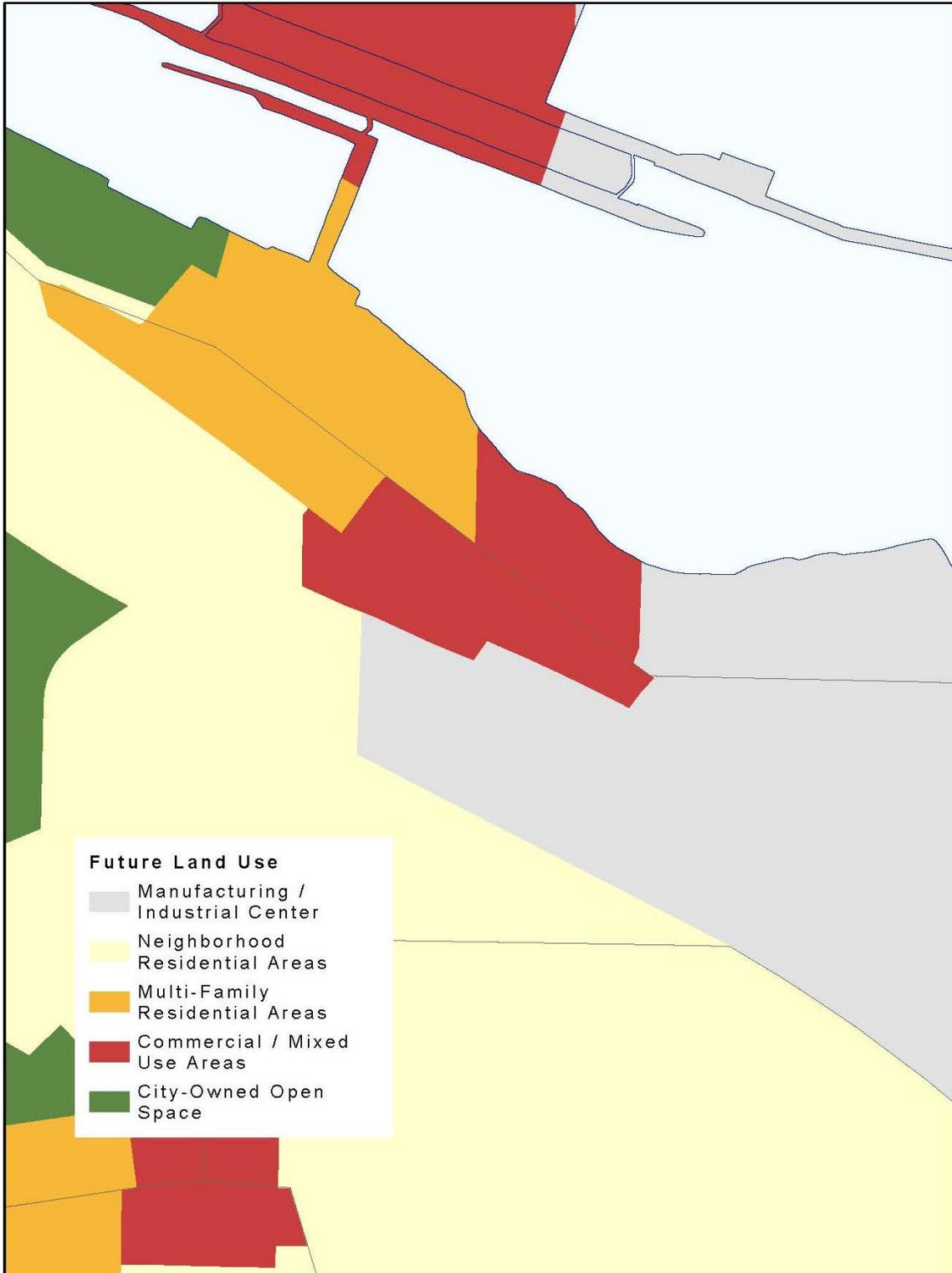
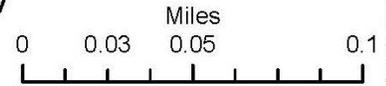
Attachment 6

Amendments to the Comprehensive Plan Future Land Use Map – South side of W Commodore Way at 31st Avenue W

**BINMIC South side of W Commodore Way
at 31st Avenue W
Future Land Use Map - Before Change**



**BINMIC South side of W Commodore Way
at 31st Avenue W
Future Land Use Map - After Change**



SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development	Jim Holmes	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2023 Comprehensive Plan annual amendment process.

Summary and Background of the Legislation:

This proposal is one of five proposed ordinances that together advance the land use recommendations of the Industrial and Maritime Strategy. Together, these ordinances strengthen Seattle’s industrial and maritime sectors by updating zoning and development regulations to accommodate emerging trends, take advantage of new opportunities such as new light rail stations, provide stronger land use protections for legacy industries, and create healthier transitions between industrial nonindustrial areas, particularly in the Georgetown, South Park, and Ballard neighborhoods.

This legislation amends the Comprehensive Plan with new industrial land policies that 1) establish a new industrial land use framework that implements the Industrial and Maritime Strategy; 2) limits when amendments removing land from Manufacturing and Industrial Centers can be considered; and 3) establishes the City’s intent to work with the State of Washington on a master planning process for any future industrial redevelopment of the Washington Oregon Shipping Cooperative Association (WOSCA) and Interbay Armory sites. The bill is effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?

Yes.

Changing the Comprehensive Plan itself does not impact the Seattle Department of Construction and Inspections (SDCI) directly; however, it enables future legislation that will have associated training, implementation and technology costs. Estimates for those costs are included in the fiscal note for companion legislation amending SMC 23.50A.

The City has already invested significant resources in the form of over two years of staff efforts that went into creating the proposal, and over \$400,000 in consulting funds for the Environmental Impact Statement (EIS) evaluating the land use changes. The proposed policy and land use code updates address the industrial areas of the City for the Comprehensive Plan major update. If the proposed land use code and policy changes were not implemented, the City would likely have to explore allocating new resources to address industrial areas in the Comprehensive Plan major update. Industrial areas are not a part of that scope because they are addressed by this Industrial and Maritime Strategy process.

This legislation adds capacity that will create an estimated 2,000 housing units on industrial land outside the Manufacturing Industrial Centers (MICs) that is being rezoned to a mixed-use zone, and approximately 880 housing units in the new Urban Industrial zones inside of MICs. The housing units outside of the MICs will be subject to a Mandatory Housing Affordability (MHA) requirement. These units will be allowed in new housing areas that would not be permitted in the absence of this legislation. The homes will generate an estimated \$19.5 million of MHA funds.

Are there financial costs or other impacts of *not* implementing the legislation?

No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. This legislation affects SDCI as that department is responsible for administering the industrial land use provisions. In addition, Seattle Information Technology will be responsible for updating zoning maps and updating the City's Accela permitting system with new zoning categories.

b. Is a public hearing required for this legislation?

Yes.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

Yes. This legislation is one of five that together establish a new land use framework for industrial land in the City of Seattle. This specific legislation amends the Comprehensive Plan industrial land use policies to advance the land use recommendations of the Industrial and Maritime Strategy. This legislation affects property that is currently zoned IG1, IG2, IB, and IC and within Manufacturing Industrial Centers. Maps are attached to the underlying ordinance.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The primary guiding principles for developing the Industrial and Maritime Strategy prioritize: 1) retention and creation of quality jobs that are available to people without a college degree or who have nontraditional educational paths; and 2) providing equitable access to these opportunities, particularly in BIPOC and other communities who have faced barriers to entry into these careers. The land use strategies advance the goal of industrial and maritime job retention and creation while other initiatives, particularly in the workforce training areas, are intended to improve equitable access. Updating zoning regulations to reflect emerging trends, and providing stronger protections from incompatible land use policies, will strengthen Seattle’s maritime and industrial sectors and their role in providing accessible quality jobs.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

OPCD prepared an EIS for this proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency—and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix—local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory

requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The group of five ordinances that implement the Maritime and Industrial Strategy, including this ordinance, will increase Seattle’s resiliency to climate in change to some degree. The Industrial and Maritime Strategy EIS considered the potential for increases in greenhouse gas (GHG) emissions over the next 20 years and found that under all alternatives (including the no action alternative), GHG emissions are likely to increase; however, with mitigation this increase can be reduced. The EIS identified a range of mitigation actions that can be taken, including continued implementation of existing regulations and commitments to reduce GHG emissions, electrification of truck fleets, and electrical shore power. Mitigation measures are found in section 3.2.3 of the Industrial and Maritime Strategy EIS.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?

This is not applicable to land use proposals.

Summary Attachments: None.



Legislation Text

File #: CB 120567, **Version:** 2

AN ORDINANCE relating to land use and zoning; updating industrial zones to implement the Industrial and Maritime Strategy; amending Sections 23.30.010, 23.41.004, 23.47A.009, 23.53.006, 23.53.010, 23.53.020, 23.54.015, 23.74.002, 23.74.006, 23.74.008, 23.74.009, 23.74.010, 23.84A.018, and 23.84A.040 of, and adding new Sections 23.34.097, 23.34.098, and 23.34.099 and a new Chapter 23.50A to, the Seattle Municipal Code.

The full text of this bill is attached to the legislative file.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; updating industrial zones to implement the Industrial and Maritime Strategy; amending Sections 23.30.010, 23.34.096, 23.41.004, 23.47A.009, 23.53.006, 23.53.010, 23.53.020, 23.54.015, 23.58B.040, 23.58B.050, 23.74.002, 23.74.006, 23.74.008, 23.74.009, 23.74.010, 23.84A.018, 23.84A.025, and 23.84A.040 of, and adding new Sections 23.34.097, 23.34.098, and 23.34.099 and a new Chapter 23.50A to, the Seattle Municipal Code.

..body

WHEREAS, the City’s industrial zones have not been substantially updated since 1986; and

WHEREAS, maritime and industrial sectors are critical parts of the local and regional economy;

and

WHEREAS, Seattle contains two regionally designated Manufacturing Industrial Centers

(MICs), a designation that prioritizes long term use for industry and serves a critical

function to the regional and statewide economy, and is subject to regional policy

protections in the Puget Sound Regional Council’s Vision 2050 plan, and is eligible for

allocation of federal and State transportation funding; and

WHEREAS, industrial and maritime uses in the Manufacturing Industrial Centers provide

quality jobs, two-thirds of which are accessible without four-year college degrees; and

WHEREAS, a high proportion of jobs on industrial lands in fields including maritime,

transportation and logistics, construction, utilities, and services remain unionized with

high quality benefits; and

WHEREAS, there is a high potential for equitable access to quality jobs in industrial and

maritime sectors by women and Black, Indigenous, and People of Color (BIPOC)

1 workers when coupled with job training and access programs provided by the City and
2 other public agencies and private entities; and

3 WHEREAS, there are continuous pressures on industrially zoned land for conversion to non-
4 industrial uses, and when land in designated MICs is used for non-industrial purposes
5 Seattle’s industrial and maritime sectors are eroded; and

6 WHEREAS, expansion of Sound Transit light rail will add or expand up to five stations in or
7 directly adjacent to industrially zoned lands; and

8 WHEREAS, industrial activities in Seattle and throughout the United States are trending towards
9 activity patterns that are more research, design and technology oriented than in previous
10 generations; and

11 WHEREAS, it is a benefit to the regional and national economy when supply chains are stable
12 and a variety of goods supporting everyday life are manufactured in the United States and
13 efforts are underway at all levels of government to onshore more manufacturing
14 activities; and

15 WHEREAS, an Industrial and Maritime Strategy Advisory Council convened between
16 December 17, 2019 and May 21, 2021 and issued a report based on an 80 percent
17 consensus recommending 11 strategies to strengthen and support our industrial maritime
18 sectors; and

19 WHEREAS, the Industrial and Maritime Strategy Advisory Council report included six
20 strategies that address land use strategies that form the basis of this proposed legislation;
21 and

1 WHEREAS, a Final Environmental Impact Statement (EIS) was issued in September 2022 that
2 evaluated the environmental impacts of the zoning changes proposed in this legislation;
3 and

4 WHEREAS, the proposed changes are intended to address issues listed above and balance the
5 interests of numerous constituencies and stakeholders; NOW, THEREFORE,

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

7 Section 1. Section 23.30.010 of the Seattle Municipal Code, last amended by Ordinance
8 126509, is amended as follows:

9 **23.30.010 Classifications for the purpose of this Subtitle III**

10 A. General zoning designations. The zoning classification of land shall include one of the
11 designations in this subsection 23.30.010.A. Only in the case of land designated "RC," the
12 classification shall include both "RC" and one additional multifamily zone designation in this
13 subsection 23.30.010.A.

Zones	Abbreviated
Residential, Neighborhood 1	NR1
Residential, Neighborhood 2	NR2
Residential, Neighborhood 3	NR3
Residential, Neighborhood, Small Lot	RSL
Residential, Multifamily, Lowrise 1	LR1
Residential, Multifamily, Lowrise 2	LR2
Residential, Multifamily, Lowrise 3	LR3
Residential, Multifamily, Midrise	MR
Residential, Multifamily, Highrise	HR
Residential-Commercial	RC
Neighborhood Commercial 1	NC1
Neighborhood Commercial 2	NC2
Neighborhood Commercial 3	NC3
Master Planned Community—Yesler Terrace	MPC-YT
Seattle Mixed—South Lake Union	SMU-SLU
Seattle Mixed—Dravus	SM-D
Seattle Mixed—North Rainier	SM-NR
Seattle Mixed – Rainier Beach	SM-RB
Seattle Mixed—University District	SM-U

Seattle Mixed—Uptown	SM-UP
Seattle Mixed—Northgate	SM-NG
Commercial 1	C1
Commercial 2	C2
Downtown Office Core 1	DOC1
Downtown Office Core 2	DOC2
Downtown Retail Core	DRC
Downtown Mixed Commercial	DMC
Downtown Mixed Residential	DMR
Pioneer Square Mixed	PSM
International District Mixed	IDM
International District Residential	IDR
Downtown Harborfront 1	DH1
Downtown Harborfront 2	DH2
Pike Market Mixed	PMM
General Industrial 1	IG1
General Industrial 2	IG2
Industrial Buffer	IB
Industrial Commercial	IC
Maritime Manufacturing and Logistics	MML
Industry and Innovation	II
Urban Industrial	UI

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Section 2. Section 23.34.096 of the Seattle Municipal Code, enacted by Ordinance 113658, is amended as follows:

23.34.096 Locational criteria—Industrial Commercial (IC) zone((s))

The Industrial Commercial (IC) zone is intended to promote development of businesses which incorporate a mix of industrial and commercial activities, including light manufacturing and research and development, while accommodating a wide range of other employment activities. In reviewing a proposal to rezone an area to Industrial Commercial (IC), the following criteria shall be considered:

A. Areas with amenities such as shoreline views, proximity to downtown, or access to public open spaces that could provide an attraction for new businesses, particularly new

1 technology-oriented and research and development activities which might otherwise be likely to
2 seek locations outside the City;

3 B. Areas in close proximity to major institutions capable of providing support for new
4 technology-oriented and research and development businesses;

5 C. Former industrial areas which are undergoing a transition to predominantly
6 commercial or mixed commercial and industrial activity, but where transportation and/or other
7 infrastructure capacities are constrained and can only accommodate modest growth without
8 major improvements;

9 D. Areas where there is an existing concentration of technology-oriented and research
10 and development uses which may be subject to displacement by commercial development;

11 E. Areas which are underutilized and, through substantial redevelopment, could provide
12 the type of campus-like environment attractive for new technology-oriented industrial and
13 commercial development((-)) ; and

14 F. Industrial areas that are located outside of the Ballard Interbay Northend
15 Manufacturing and Industrial Center (BINMIC) and the Greater Duwamish Manufacturing
16 Industrial Center (MIC).

17 Section 3. A new Section 23.34.097 is added to the Seattle Municipal Code as follows:

18 **23.34.097 Maritime Manufacturing and Logistics (MML) zone, function, and locational**
19 **criteria**

20 A. Function. An existing industrial area with a concentration of core and legacy industrial
21 and maritime uses including manufacturing, warehousing, shipping, and logistics activities, and
22 is well served with truck, rail, and maritime or freight infrastructure.

1 B. Locational criteria. Maritime Manufacturing and Logistics zone designation is most
2 appropriate in areas within Seattle’s Manufacturing/Industrial Centers (MICs) that are generally
3 flat and have any of the following characteristics:

- 4 1. Areas with proximity to rail or freight infrastructure;
- 5 2. Areas with proximity to the shoreline, deep-water ports, and water bodies; or
- 6 3. Areas around existing clusters of industrial or maritime suppliers and services.

7 Section 4. A new Section 23.34.098 is added to the Seattle Municipal Code as follows:

8 **23.34.098 Industry and Innovation (II) zone, function, and locational criteria**

9 A. Function. A transit-oriented area characterized by modern industrial buildings that
10 supports a mix of economic innovation and emerging industries, and commercial development,
11 characterized by high employment density.

12 B. Locational criteria. Industry and Innovation zone designation is most appropriate in
13 areas generally characterized by all of the following:

- 14 1. Areas in Seattle’s Manufacturing/Industrial Centers (MICs).
- 15 2. Areas within an approximately one-half mile distance from existing or future
16 light rail stations.
- 17 3. Areas with a high potential to attract new investment in buildings and
18 infrastructure that supports dense, technological employment. not necessarily involving heavy
19 physical processes or large physical machinery.

20 Section 5. A new Section 23.34.099 is added to the Seattle Municipal Code as follows:

21 **23.34.099 Urban Industrial (UI) zone, function, and locational criteria**

22 A. Function. An area that provides an integrated and healthy transition between core
23 industrial areas and neighboring urban villages, residential, and mixed-use areas. These areas

1 contain a mix of affordable, small-scale places for light industry, makers, brewing and distilling,
2 creative arts, and industry supporting ancillary retail, office, or research activity. This area also
3 provides limited opportunities for workforce housing that supports industrial uses. The area
4 functions as a place for residents and workers from nearby urban villages or centers to patronize
5 and experience unique local industrial businesses.

6 B. Locational criteria. Urban Industrial zone designation is most appropriate in areas
7 generally characterized by all of the following:

8 1. Areas at the transition between core industrial areas in Maritime Manufacturing
9 and Logistics zones and non-industrially zoned areas, urban villages, or centers.

10 2. Areas generally within designated Manufacturing/Industrial Centers (MICs),
11 although UI zones could be located in limited instances outside of MICs.

12 3. Areas characterized by small parcel sizes and a variety of small existing
13 industrial and nonindustrial structures.

14 Section 6. Section 23.41.004 of the Seattle Municipal Code, last amended by Ordinance
15 126741, is amended as follows:

16 **23.41.004 Applicability**

17 A. Design review required

18 1. Subject to the exemptions in subsection 23.41.004.B, design review is
19 required in the following areas or zones when development is proposed that exceeds a
20 threshold in Table A or Table B for 23.41.004:

- 21 a. Multifamily;
- 22 b. Commercial;
- 23 c. Seattle Mixed; and

- 1 d. ~~Downtown~~ ~~((; and~~
2 e. ~~Stadium Transition Area Overlay District as shown in Map A for~~
3 ~~23.74.004, when the width of the lot exceeds 120 feet on any street frontage.))~~
4 2. Subject to the exemptions in subsection 23.41.004.B, design review is
5 required in the ~~((following areas or zones))~~ Industrial Commercial zone when commercial or
6 institution development is proposed that exceeds a threshold in Table A or Table B for
7 23.41.004~~((;))~~ .
8 ~~((a. Industrial Buffer; and~~
9 ~~b. Industrial Commercial.))~~
10 3. The gross floor area of the following uses is not included in the total gross floor
11 area of a development for purposes of determining if a threshold is exceeded:
12 a. Religious facilities;
13 b. ~~((Elementary))~~ Childcare centers, elementary, and secondary schools;
14 c. Uses associated with a Major Institution Master Plan (MIMP); or
15 d. Development of a major institution use within a Major Institution
16 Overlay (MIO) district.
17 4. Any development proposal participating in the Living Building or 2030
18 Challenge High Performance Existing Building Pilot Program according to Sections 23.40.060
19 and 23.40.070, including a development proposal for an existing structure, regardless of size or
20 site characteristics, is subject to full design review according to Section 23.41.014.
21 5. Any development proposal, regardless of size or site characteristics, is subject
22 to the administrative design review process according to Section 23.41.016 if it receives public
23 funding or an allocation of federal low-income housing tax credits, and is subject to a regulatory

1 F. Ballard Hub Urban Village. The following provisions apply to development
2 proposed in NC zones within the Ballard Hub Urban Village.

3 1. Maximum lot coverage on lots 40,000 square feet in size or greater:

4 a. The maximum lot coverage permitted for principal and accessory
5 structures is 80 percent of the lot area.

6 b. Lot coverage exceptions. The following structures or portions of
7 structures are not counted in the lot coverage calculation:

8 1) Portions of a structure that are below grade or that do not
9 extend more than 4 feet above the existing or finished grade, whichever is lower.

10 2) The first 18 inches of overhead horizontal building projections
11 of an architectural or decorative character, such as cornices, eaves, sills, and gutters.

12 3) Ramps or other devices that provide access for the disabled
13 and elderly and that meet the standards of the Seattle Building Code.

14 4) The first 4 feet of unenclosed porches or steps for residential
15 units.

16 c. In the 20 percent of the lot that remains uncovered, as required by this
17 subsection 23.47A.009.F.1, not more than ten parking spaces may be provided, and applicants
18 are encouraged to provide elements at grade that enhance the usability and livability of the lot
19 for residents and tenants such as pedestrian circulation areas, landscaping, lighting, weather
20 protection, art, or other similar features.

21 2. Facade modulation

1 a. Facade modulation requirements apply to all portions of a street-facing
2 facade of a structure up to a height of 45 feet located within 10 feet of a street lot line,
3 according to provisions of subsection 23.47A.009.F.2.c.

4 b. The maximum width of any unmodulated street-facing facade is 100
5 feet. Facades longer than 100 feet shall be modulated at no greater than 100-foot intervals by
6 stepping back the facade from the street lot line for a minimum depth of 10 feet and a
7 minimum width of 15 feet.

8 c. Facade modulation requirements do not apply to portions of a structure
9 that are below grade or that do not extend more than 2 feet above the existing or finished grade
10 at the street lot line, whichever is lower.

11 3. Maximum structure width

12 a. The maximum allowed structure width is 250 feet.

13 b. Structure width limits do not apply to portions of a structure that are
14 below grade or that do not extend more than 2 feet above the existing or finished grade at the
15 street lot line, whichever is lower.

16 4. Setback requirements

17 a. Street-level setbacks

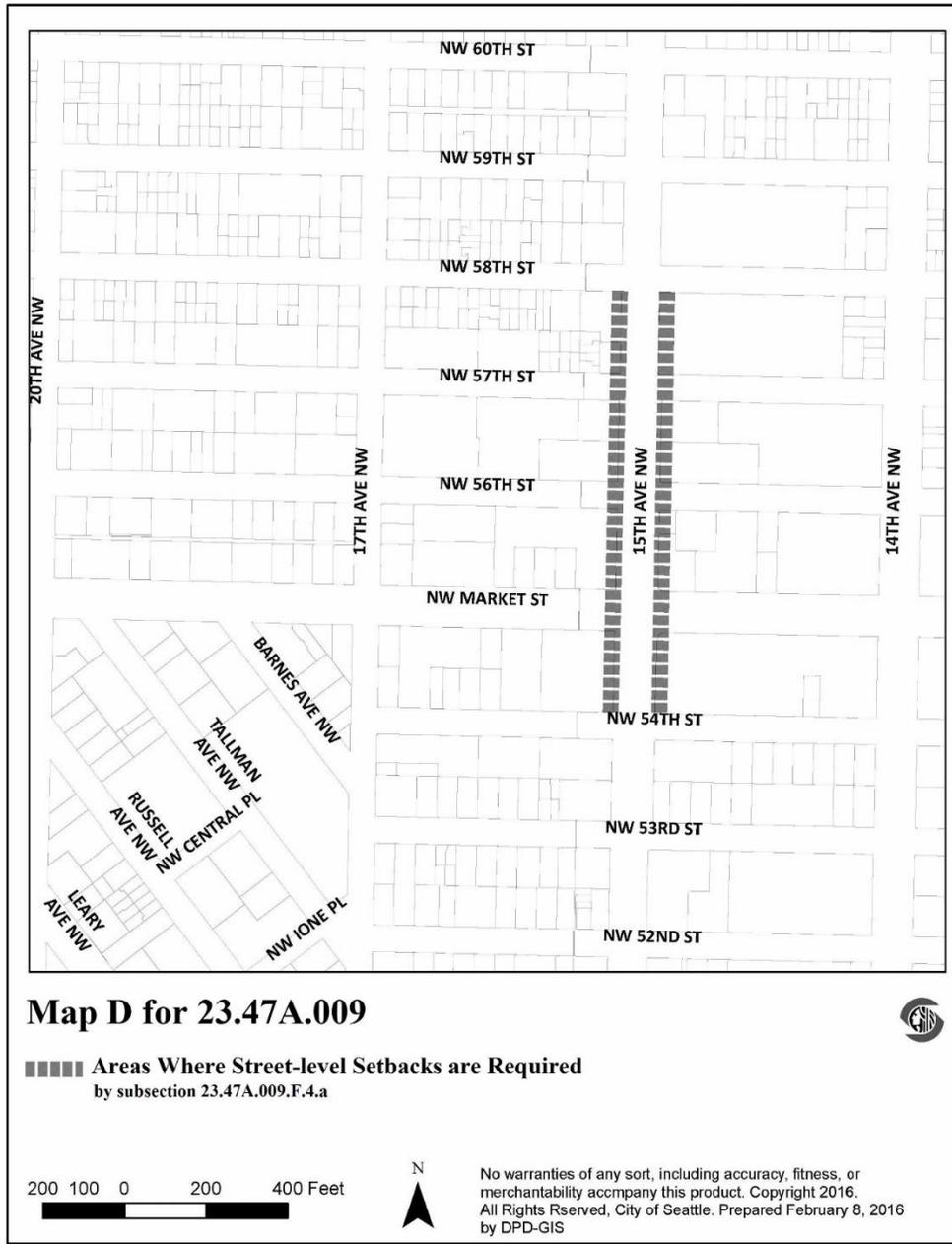
18 1) In the area shown on Map D for 23.47A.009, portions of a
19 structure up to 10 feet above the abutting sidewalk grade facing 15th Avenue NW shall be set
20 back from the street lot line by a minimum depth of 6 feet up to a maximum depth of 10 feet.

21 2) The provisions of subsection 23.47A.009.F.2 do not apply to
22 the area described in subsection 23.47A.009.F.4.a.1.

23 b. Upper-level setbacks

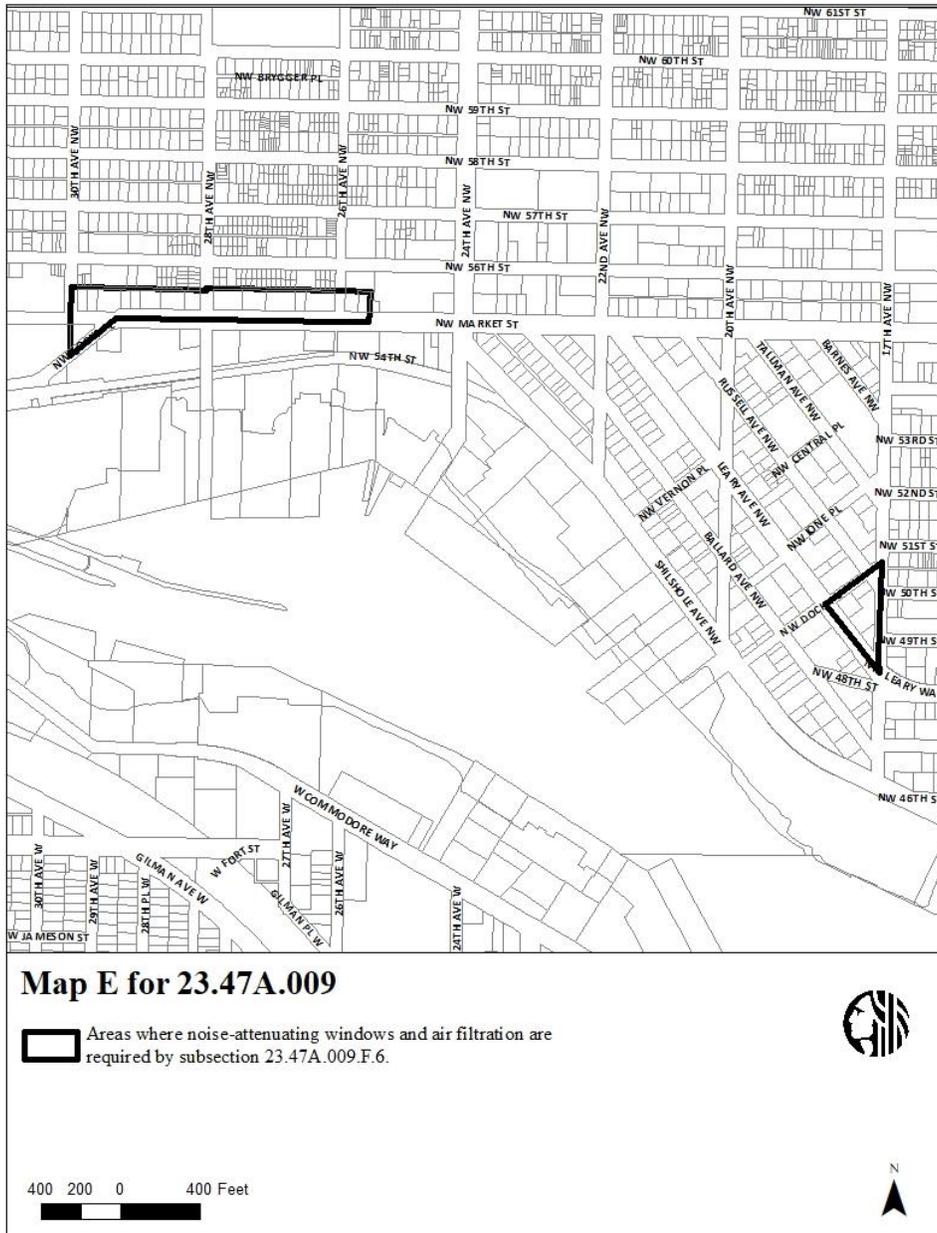
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Map D for 23.47A.009 Areas Where Street-level Setbacks are Required



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Map E for 23.47A.009 Areas where noise-attenuating windows and air cooling and ventilation are required



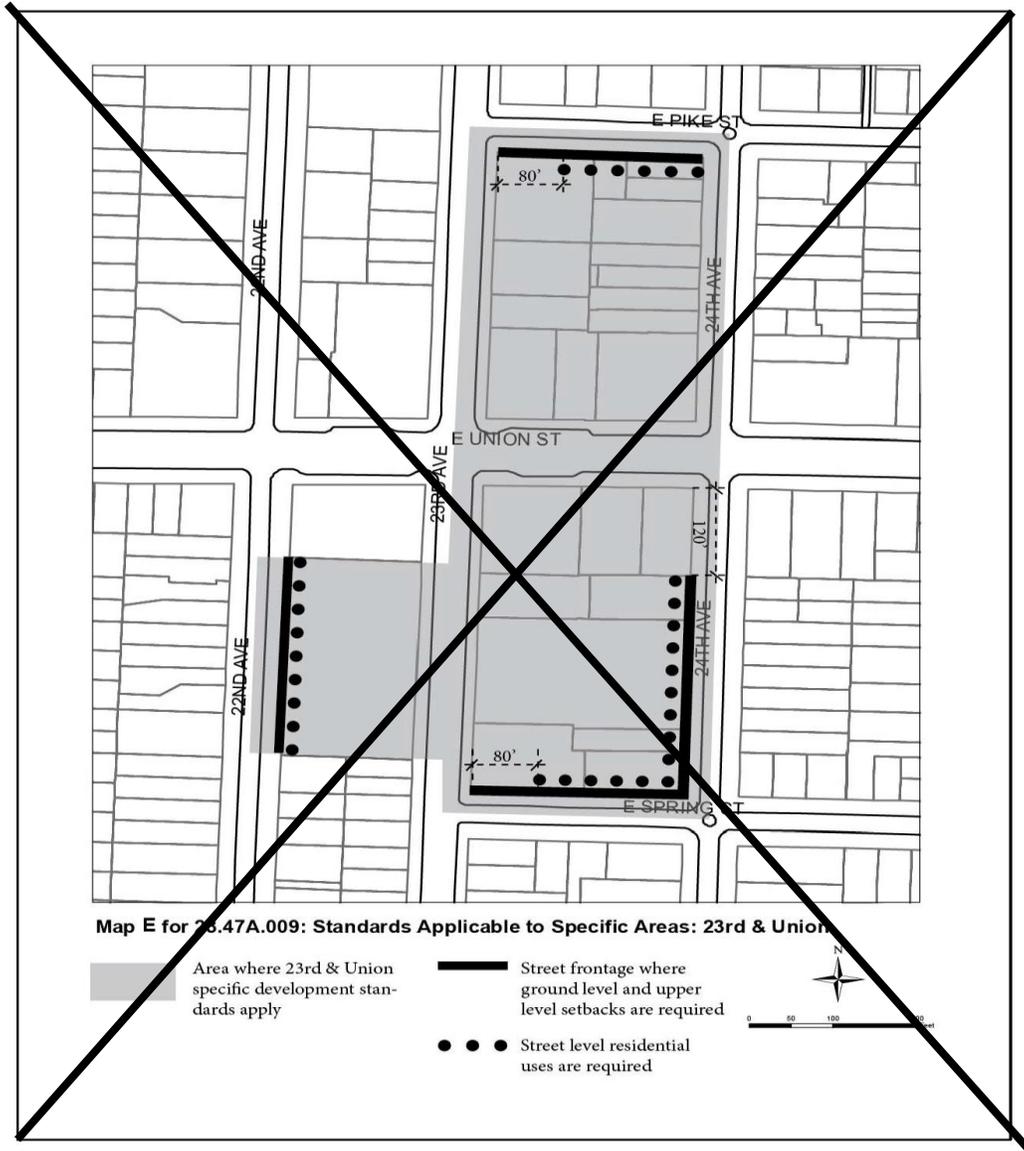
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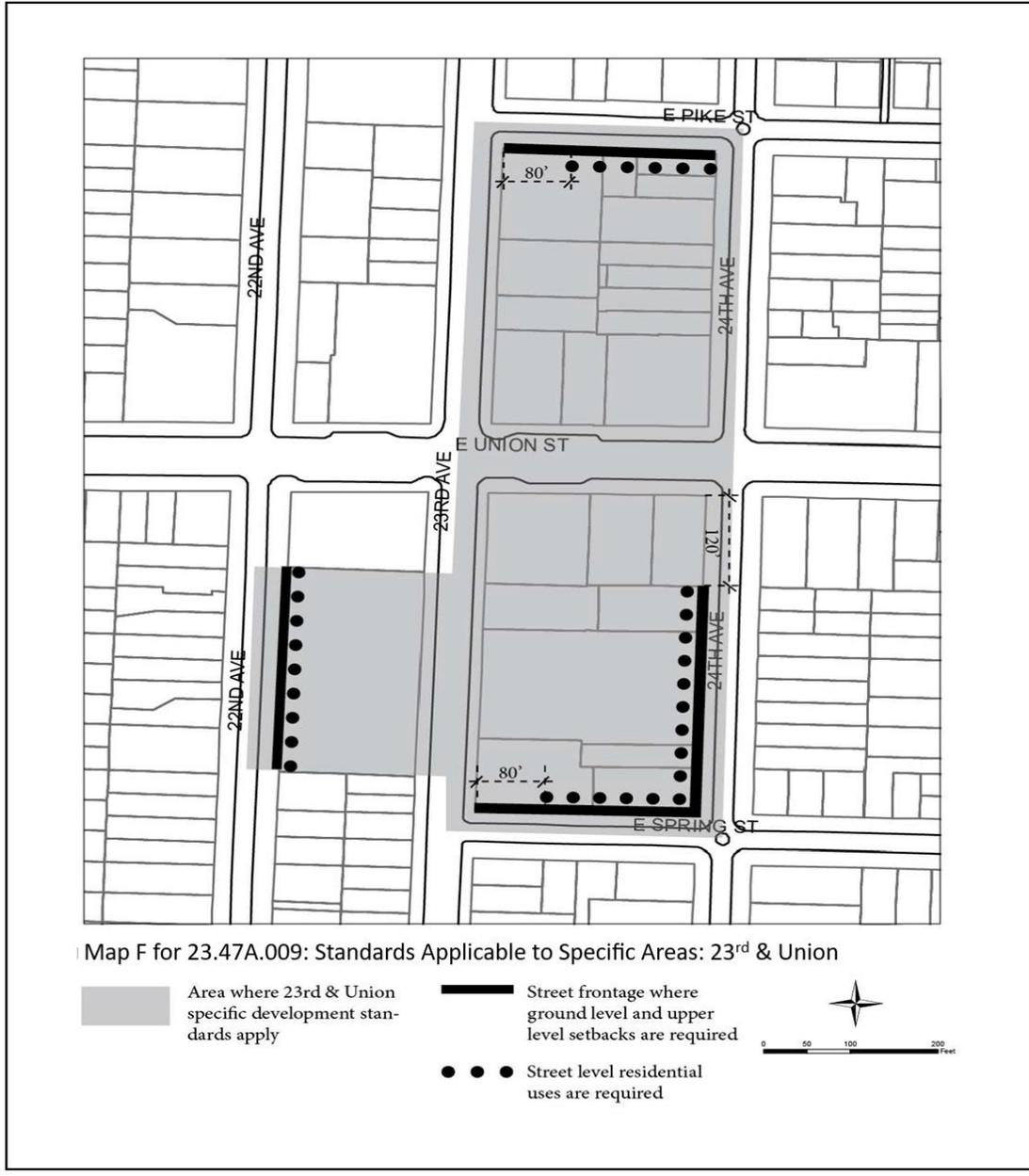
H. 23rd and Union. The following provisions apply to development proposed in NC zones within the area shown on Map ((E)) F for 23.47A.009.

Map ((E)) F for 23.47A.009

Standards applicable to specific areas: 23rd & Union



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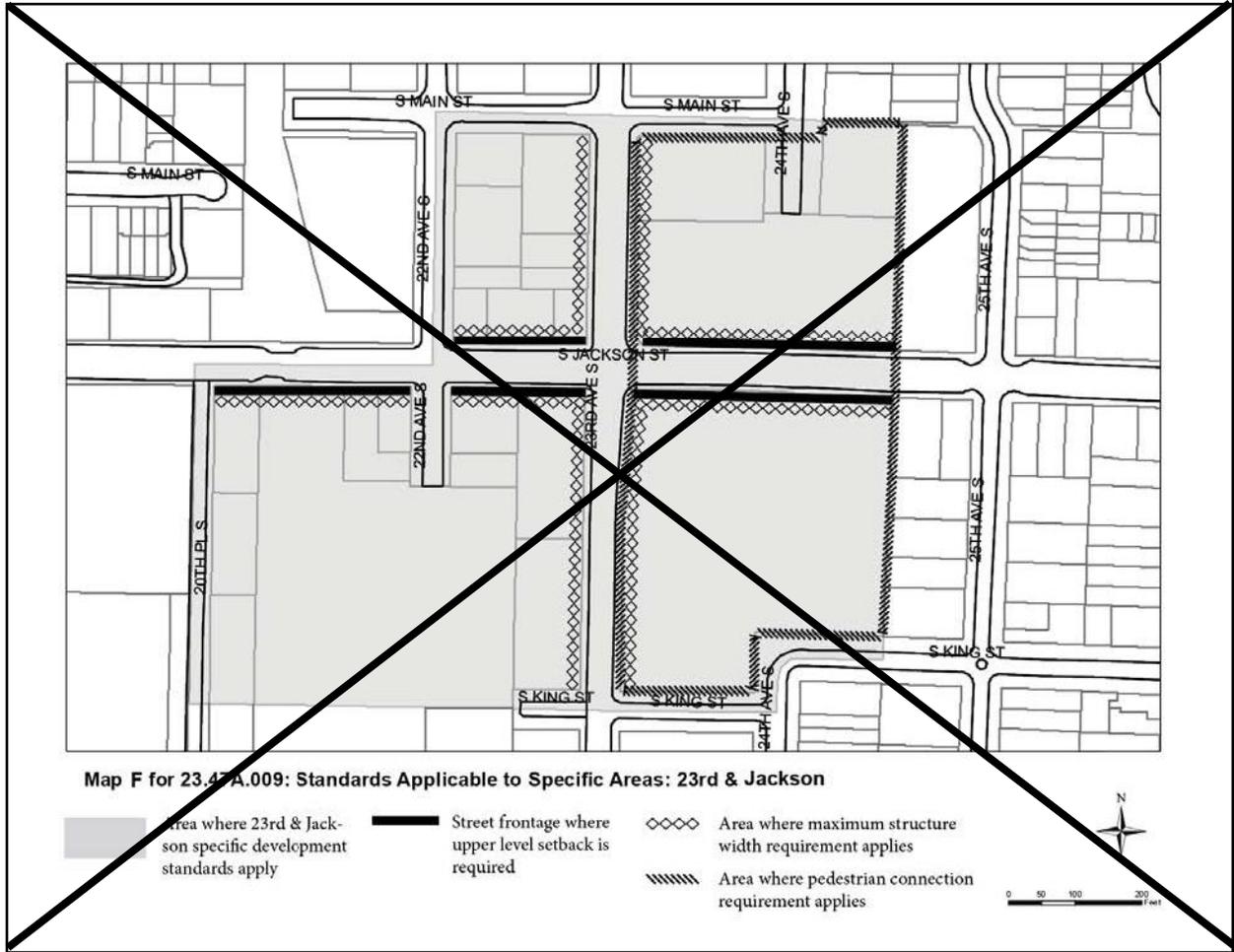
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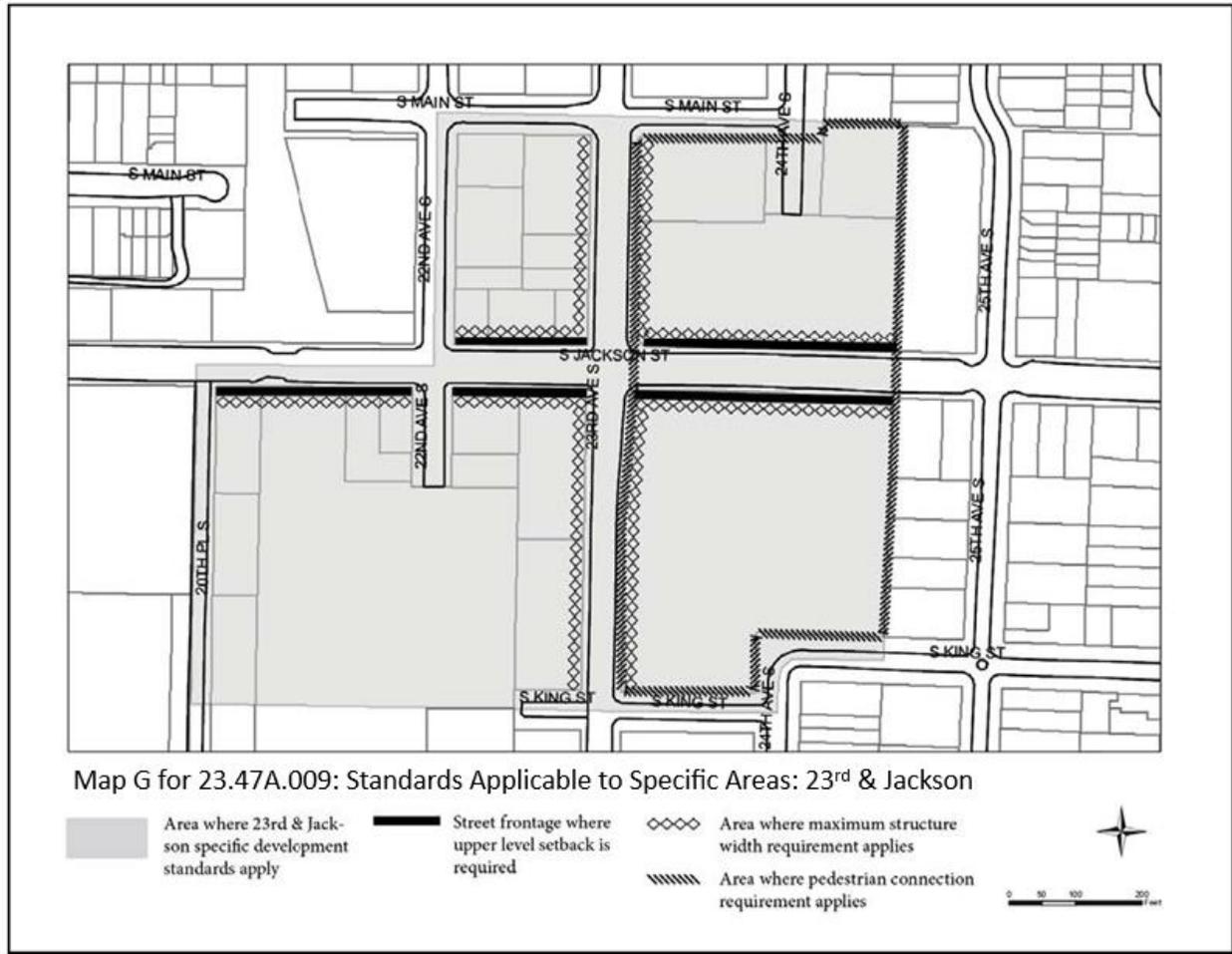
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1. Setback requirements. Setbacks are required along East Spring Street, East Pike Street, 22nd Avenue, and 24th Avenue as shown on Map E for 23.47A.009 as follows:

a. A minimum street-level setback of 5 feet along the length of the street property line unless a larger setback is required by subsection 23.47A.008.D.2; and



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1. Setback requirements

a. Along South Jackson Street facing property lines as shown on Map F for 23.47A.009, a minimum upper-level setback of 10 feet is required for all portions of a structure greater than 45 feet in height as measured from the average finished grade.

b. Structures permitted in required setbacks are subject to subsection 23.47A.014.G.

2. Maximum structure width. On streets designated by Map F for 23.47A.009, the maximum allowed structure width is 250 feet. Facade modulation or building separation can be considered as a break in the maximum structure width if:

1 a. A portion of the street-facing facade projects or is recessed from
2 abutting facade by a minimum depth of 15 feet and a minimum width of 15 feet; or

3 b. A building separation is provided with a minimum width of 15 feet
4 between structures.

5 3. Pedestrian connection requirement. A proposal that includes development
6 between South Main Street and South King Street and is located within 400 feet east of 23rd
7 Avenue South shall provide a north-south pedestrian connection in area as shown on Map F for
8 23.47A.009, subject to the following requirements:

9 a. If the pedestrian connection is located adjacent to the right-of-way, it
10 should be incorporated into existing or planned sidewalks.

11 b. The pedestrian connection shall have a minimum width of 15 feet, and
12 include at least one of the following:

- 13 1) Entries to retail stores or other buildings;
- 14 2) Seating areas for pedestrians;
- 15 3) Street furniture;
- 16 4) Bicycle parking;
- 17 5) Landscaping;
- 18 6) Pedestrian scale lighting;
- 19 7) Water features; or
- 20 8) Overhead weather protection.

21 c. The pedestrian connection shall include a minimum 6-foot paved
22 walkway width and shall be designed to connect to existing or planned sidewalks and
23 crosswalks.

1 d. The connection may be located between structures, or may be located
2 in a parking area if the paved walkway is separated from the parking area with special
3 pavements or other treatments to protect pedestrians from vehicles.

4 J. Georgetown. The following provisions apply to development proposed in NC zones
5 within the area shown on Map H for 23.47A.009.

6 1. Additional floor area for arts space, community club, or center. An additional
7 increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if a lot
8 includes an arts facility operated by a for-profit or not-for-profit operator, or a community club
9 or center, subject to the following conditions:

10 a. The amount of the additional increment of FAR shall not exceed floor
11 area of the arts facility.

12 b. The minimum floor area provided for a qualifying arts facility,
13 community club, or center is 2,000 square feet.

14 c. The space shall be occupied by an arts facility, community club, or
15 center for the life of the building on the lot. If the property owner is unable to secure a for-
16 profit or not-for-profit organization to operate the arts facility, community club, or center, after
17 a six-month period, if the space remains unoccupied, it may be used for other non-profit
18 purposes such as a community and/or public area, under the following conditions:

19 1) The space shall be made available to community and charitable
20 organizations and is not to be used for profit-making activities;

21 2) The space shall be made available for both day and evening
22 use;

1 c. If the increased amount of FAR allowed under this subsection
2 23.47A.009.J remains on the lot, the structure must remain designated as a Landmark; and

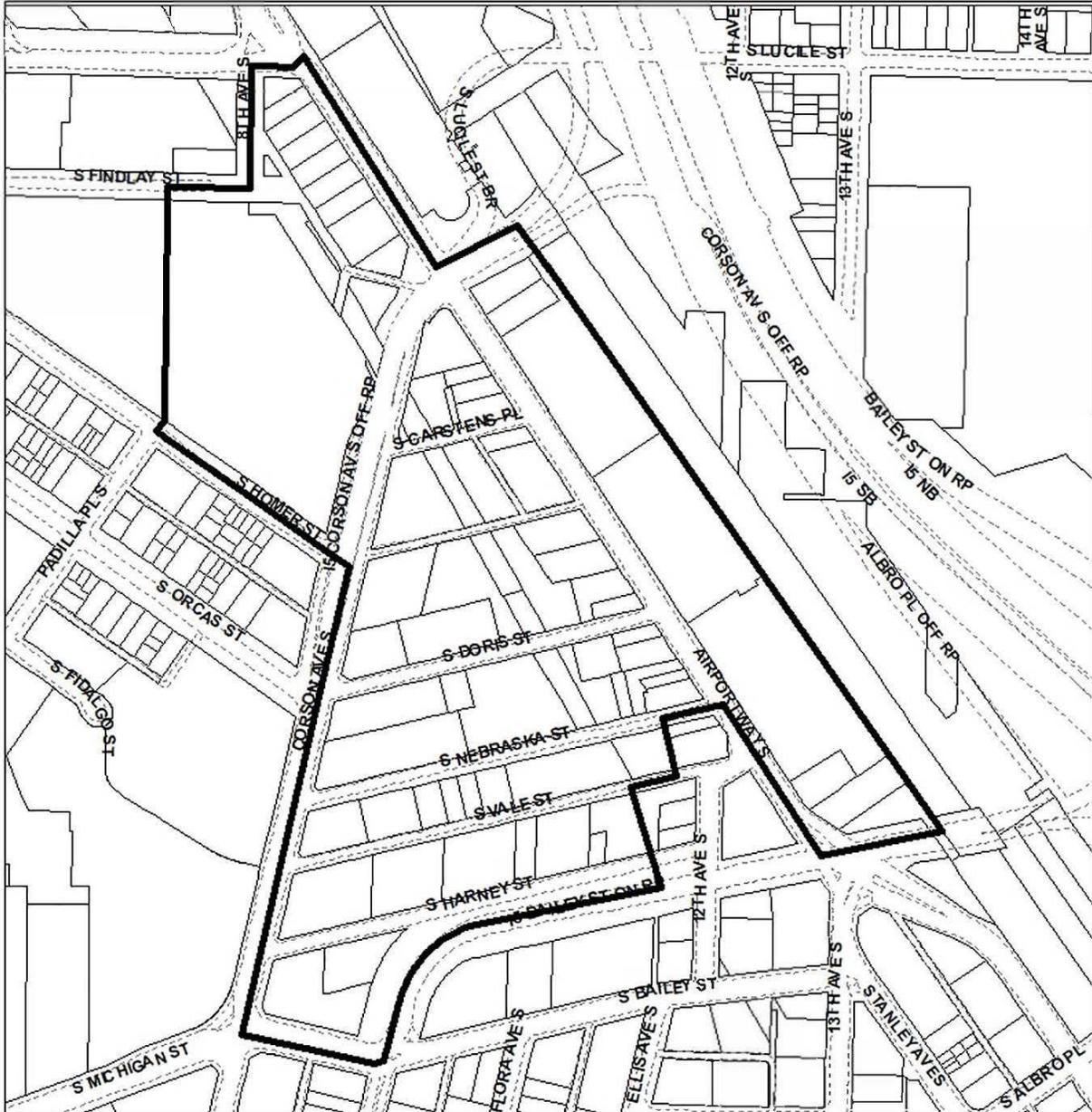
3 d. The owner shall maintain the exterior and interior of the Landmark
4 structure in good condition in a manner that preserves the Landmark features and
5 characteristics of the structure.

6 3. Additional height for arts space or historic preservation. The height limit is
7 increased by 10 feet for any development that gains additional floor area for arts space
8 pursuant to subsection 23.47A.009.J.1 or additional floor area for historic preservation
9 pursuant to subsection 23.47A.009.J.2.

10 4. All dwelling units shall have sound-insulating windows sufficient to maintain
11 interior sound levels at 60 decibels or below in consideration of existing environmental noise
12 levels at the site. The applicant shall submit an analysis of existing noise levels and
13 documentation of the sound insulating capabilities of windows shall be indicated on the plan.

14 5. All dwelling units shall have a permanently installed air cooling system and a
15 balanced ventilation system, which may be combined. The ventilation system shall filter any
16 outdoor air supply through filters rated MERV 13 or higher as determined by the American
17 Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling
18 and ventilation systems shall be indicated on the plan.

19
20 **Map H for 23.47A.009**
21 **Standards Applicable to Specific Areas: Georgetown**



Map H for 23.47A.009
Standards Applicable to Specific Areas: Georgetown

 Area where Georgetown-specific development standards apply

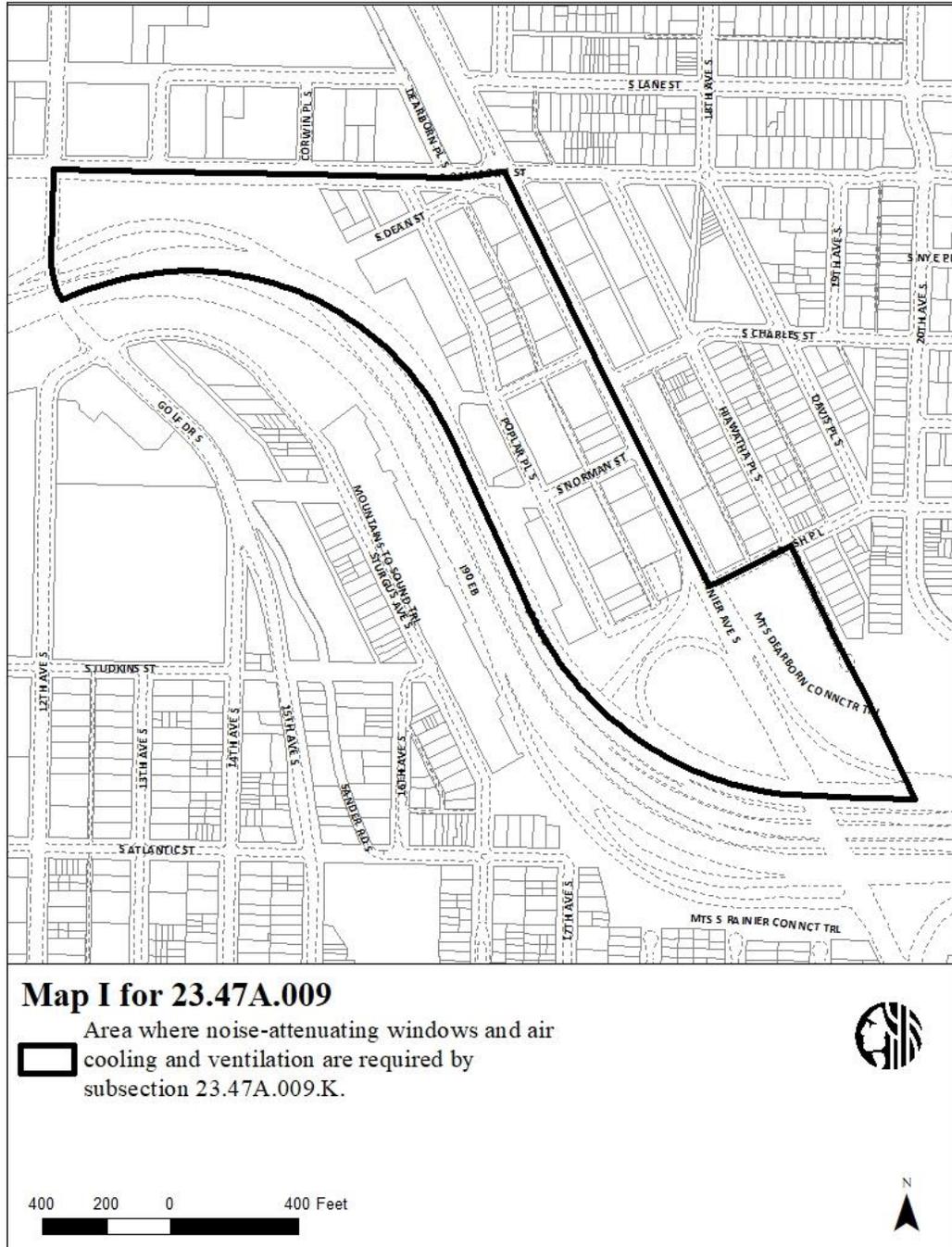


1 K. Judkins Park. The following provisions apply to development proposed in NC zones
2 within the area shown on Map I for 23.47A.009.

3 1. All dwelling units shall have sound-insulating windows sufficient to maintain
4 interior sound levels at 60 decibels or below in consideration of existing environmental noise
5 levels at the site. The applicant shall submit an analysis of existing noise levels and
6 documentation of the sound insulating capabilities of windows shall be indicated on the plan.

7 2. All dwelling units shall have a permanently installed air cooling system and a
8 balanced ventilation system, which may be combined. The ventilation system shall filter any
9 outdoor air supply through filters rated MERV 13 or higher as determined by the American
10 Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling
11 and ventilation systems shall be indicated on the plan.

12
13 **Map I for 23.47A.009**
14 **Standards Applicable to Specific Areas: Judkins Park**
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L. South Park. The following provisions apply to development proposed in NC zones within the areas shown on Map J for 23.47A.009.

1. All dwelling units shall have sound-insulating windows sufficient to maintain interior sound levels at 60 decibels or below in consideration of existing environmental noise

1 levels at the site. The applicant shall submit an analysis of existing noise levels and
2 documentation of the sound insulating capabilities of windows shall be indicated on the plan.

3 2. All dwelling units shall have a permanently installed air cooling system and a
4 balanced ventilation system, which may be combined. The ventilation system shall filter any
5 outdoor air supply through filters rated MERV 13 or higher as determined by the American
6 Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling
7 and ventilation systems shall be indicated on the plan.

8 **Map J for 23.47A.009**
9 **Standards Applicable to Specific Areas: South Park**
10



Map J for 23.47A.009

 Areas where noise-attenuating windows and air cooling and ventilation are required by subsection 23.47A.009.L.



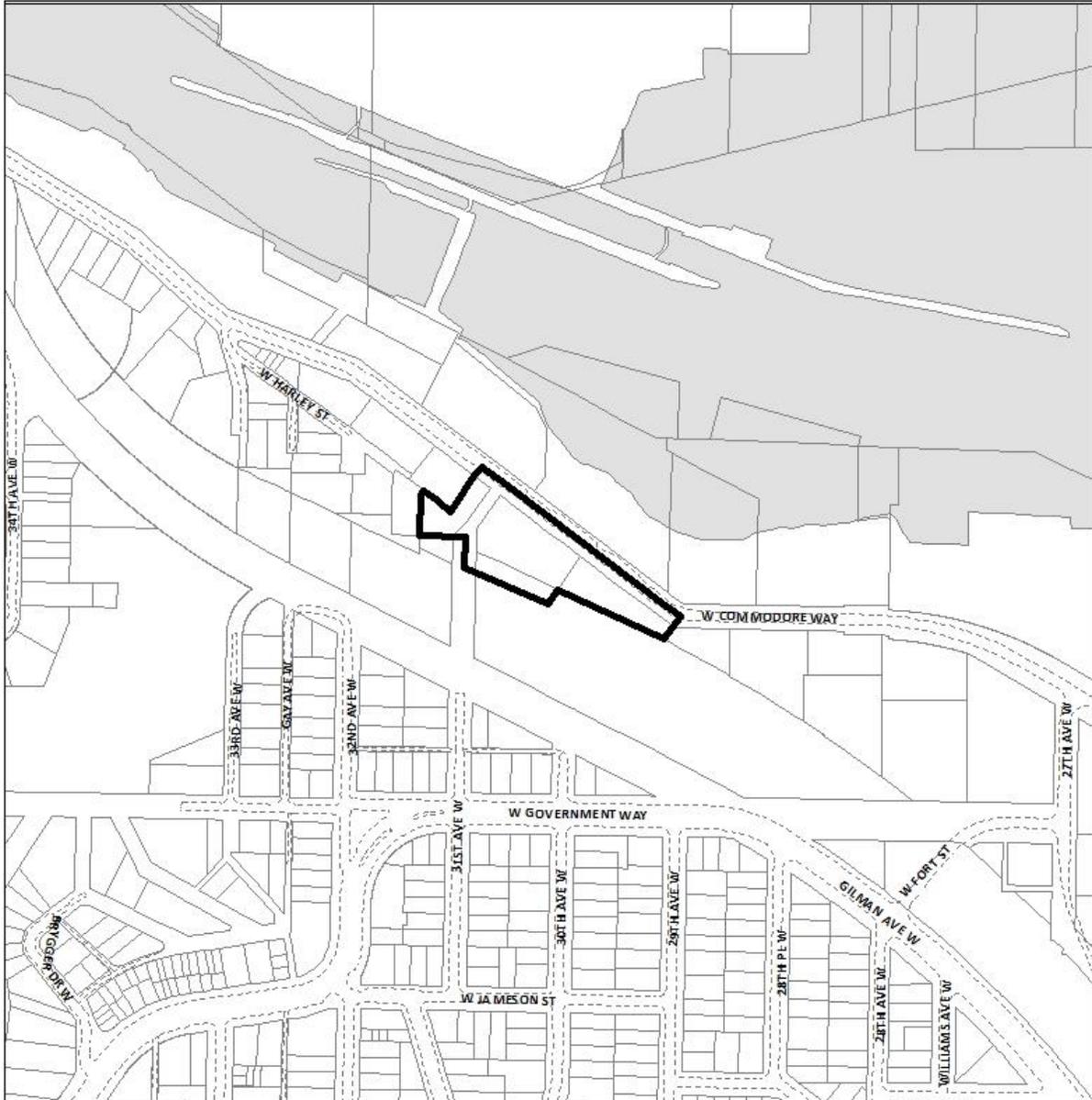
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1 M. Interbay. The following provisions apply to development proposed in C zones within
2 the areas shown on Map K for 23.47A.009.

3 1. All dwelling units shall have sound-insulating windows sufficient to maintain
4 interior sound levels at 60 decibels or below in consideration of existing environmental noise
5 levels at the site. The applicant shall submit an analysis of existing noise levels and
6 documentation of the sound insulating capabilities of windows shall be indicated on the plan.

7 2. All dwelling units shall have a permanently installed air cooling system and a
8 balanced ventilation system, which may be combined. The ventilation system shall filter any
9 outdoor air supply through filters rated MERV 13 or higher as determined by the American
10 Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling
11 and ventilation systems shall be indicated on the plan.

12 **Map K for 23.47A.009**
13 **Standards Applicable to Specific Areas: Interbay**
14



Map K for 23.47A.009

 Area where noise-attenuating windows and air cooling and ventilation are required by subsection 23.47A.009.M.



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1 Section 8. A new Chapter 23.50A is added to the Seattle Municipal Code as follows:

2 **CHAPTER 23.50A INDUSTRIAL AND MARITIME**

3 **23.50A.002 Scope**

4 A. This Chapter 23.50A establishes regulations for the following industrial zones:

- 5 1. Maritime, Manufacturing, and Logistics (MML);
- 6 2. Industry and Innovation (II);
- 7 3. Urban Industrial (UI); and
- 8 4. Industrial Commercial (IC).

9 B. In addition to the regulations in this Chapter 23.50A, certain industrial areas may be
10 regulated by other chapters or titles, including but not limited to Chapter 23.60A, Chapter 23.66,
11 and Chapter 25.12.

12 C. Communication utilities and accessory communication devices except as exempted in
13 Section 23.57.002 are subject to the regulations in this Chapter 23.50A and additional regulations
14 in Chapter 23.57.

15 D. For the purposes of this Chapter 23.50A, the terms "existing structures or uses" mean
16 those structures or uses which were established under permit, or for which a permit has been
17 granted and has not expired, before June, 1, 2023.

18 E. Major marijuana activity is subject to the regulations in this Chapter 23.50A and
19 additional regulations in Section 23.42.058.

20 **23.50A.004 Permitted and prohibited uses**

21 A. All uses are permitted outright, prohibited, or permitted as a conditional use,
22 according to Table A for 23.50A.004 and this Section 23.50A.004.

1 B. All permitted uses are allowed as either a principal use or an accessory use, unless
2 otherwise indicated in Table A for 23.50A.004.

3 C. Uses that qualify as an Industrial Use for purposes of achieving extra floor area in II
4 zones pursuant to Section 23.50A.012 are indicated in Table A for 23.50A.004.

5 D. Public facilities

6 1. Similar uses permitted. Except as provided in subsections 23.50A.004.D.2 and
7 23.50A.004.D.3 and in Section 23.50A.010, uses in public facilities that are most similar to uses
8 permitted outright or permitted by conditional use in this chapter are also permitted outright or
9 by conditional use, subject to the same use regulations, development standards, and
10 administrative conditional use criteria that govern the similar uses.

11 2. Waivers or modification by the City Council for similar uses. The City Council
12 may waive or modify applicable development standards or conditional use criteria for those uses
13 in public facilities that are similar to uses permitted outright or permitted by conditional use
14 according to Chapter 23.76, Subchapter III, with public projects considered as Type IV quasi-
15 judicial decisions and City facilities considered as Type V legislative decisions.

16 3. Other uses permitted in public facilities. Unless specifically prohibited, uses in
17 public facilities that are not similar to uses permitted outright or permitted by a conditional use or
18 special exception under this Chapter 23.50A may be permitted by the City Council. The City
19 Council may waive or modify development standards or conditional use criteria according to
20 Chapter 23.76, Subchapter III, with public projects considered as Type IV quasi-judicial
21 decisions and City facilities considered as Type V legislative decisions.

1 4. Uses in public facilities not meeting development standards. In all industrial
2 zones, uses in public facilities not meeting development standards may be permitted by the
3 Council if the following criteria are satisfied:

4 a. The project provides unique services that are not provided to the
5 community by the private sector, such as police and fire stations; and

6 b. The proposed location is required to meet specific public service
7 delivery needs; and

8 c. The waiver or modification to the development standards is necessary to
9 meet specific public service delivery needs; and

10 d. The relationship of the project to the surrounding area has been
11 considered in the design, siting, landscaping, and screening of the facility.

12 5. Expansion of uses in public facilities

13 a. Major expansion. Major expansions may be permitted to uses in public
14 facilities allowed pursuant to subsections 23.50A.004.D.1, 23.50A.004.D.2, and 23.50A.004.D.3
15 according to the same provisions and procedural requirements as described in these subsections.

16 A major expansion of a public facility use is one that would not meet development standards, or
17 one that would exceed the greater of 750 square feet or ten percent of its existing area, including
18 gross floor area and areas devoted to active outdoor uses other than parking.

19 b. Minor expansion. An expansion that is not a major expansion is a minor
20 expansion. Minor expansions may be permitted to uses in public facilities allowed pursuant to
21 subsections 23.50A.004.D.1, 23.50A.004.D.2, and 23.50A.004.D.3 according to Chapter 23.76
22 for a Type I Master Use Permit if the development standards of the zone in which the public
23 facility is located are met.

1 6. Essential public facilities. Permitted essential public facilities shall also be
2 reviewed according to Chapter 23.80.

3 E. Rooftop recreational space in the MML zone. Recreational space may be located on
4 the rooftop of a building (including the rooftop of an attached parking structure) constructed as
5 of June 1, 2023. Rooftop recreational space shall be used only for the purposes of active
6 recreational uses and/or passive open spaces accessory to office uses of at least 100,000 square
7 feet that are located in the same building or within an attached structure(s) and that are
8 constructed on or before June 1, 2023. If any portion of the rooftop recreational space is covered
9 by a structure, the following standards apply:

10 1. The height of the structure shall not exceed 30 feet as measured from the
11 existing rooftop elevation and be limited to only one story;

12 2. The height shall not exceed the height of the highest portion or feature of the
13 building or attached structure(s);

14 3. The footprint of the structure shall not exceed 30 percent of the total roof area
15 on which the structure is located; and

16 4. The structure shall be designed to include a minimum of 30 percent transparent
17 and/or translucent exterior building materials.

18 5. The rooftop recreational space permitted under this subsection 23.50A.004.E
19 shall be used only for active recreational uses and/or passive open spaces accessory to office uses
20 and cannot be used for or converted to other uses. This subsection 23.50A.004.E does not
21 preclude the use of rooftop decks for passive open space use if the deck is on a structure
22 otherwise permitted, including a structure constructed after December 31, 1998, or if the deck is
23 associated with an otherwise permitted use.

1 F. Adult cabarets

2 1. Any lot line of property containing any proposed new or expanding adult
3 cabaret must be 800 feet or more from any lot line of property on which any of the following
4 uses has been established by permit or otherwise recognized as legally established: community
5 center; child care center; school, elementary or secondary; or public parks and open space use.

6 2. Any lot line of property containing any proposed new or expanding adult
7 cabaret must be 600 feet or more from any lot line of property for which a permit has been issued
8 for any other adult cabaret.

9 3. The analysis required by subsections 23.50A.004.F.1 and 23.50A.004. F.2 shall
10 be based on the facts that exist on the earlier of:

11 a. The date a complete application is made for a building permit for an
12 adult cabaret for the property proposed to contain the new or expanding adult cabaret; or

13 b. The date of publication of notice of the Director's decision on the
14 Master Use Permit application to establish or expand an adult cabaret use, if the decision can be
15 appealed to the Hearing Examiner, or the date of the Director's decision if no Hearing Examiner
16 appeal is available.

17 G. Ancillary uses in the Urban Industrial zone. A principal industrial use listed in Table
18 A for 23.50A.004 may have an ancillary use within it. In the Urban Industrial zone, the ancillary
19 use may occupy up to 80 percent of the floor area of the use while maintaining the classification
20 as the principal industrial use. An ancillary use within a principal industrial use is exempt from
21 the maximum size of use limits in Section 23.58A.008.

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
A. AGRICULTURAL USES					
A.1. Animal husbandry	N/A	X	X	X	X
A.2. Aquaculture	Yes	P	P	P	P
A.3. Community garden	Yes	P	P	P	P
A.4. Horticulture	N/A	P	P	P	P
A.5. Urban farm (1)	Yes	P	P	P	P
B. CEMETERIES	N/A	X	X	X	X
C. COMMERCIAL USES					
C.1. Animal shelters and kennels	Yes	P	P	X (2)	P
C.2. Eating and drinking establishments	No	P	P	P	P
C.3. Entertainment uses					
C.3.a. Cabarets, adult	No	X	P	P (3)	P (3)
C.3.b. Motion picture theaters, adult	N/A	X	X	X	X
C.3.c. Panorams, adult	N/A	X	X	X	X
C.3.d. Sports and recreation, indoor	No	P	P	X	P

Table A for 23.50A.004 Uses in Industrial zones					
Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
C.3.e. Sports and recreation, outdoor	No	P	P	X	P
C.3.f. Theaters and spectator sports facilities	No	X (4)	P	P	P
C.4. Food processing and craft work (1)	Yes	P	P	P	P
C.5. Information computer technology	Only in II zones	P	P	P	P
C.5. Laboratories, research and development	Yes	P	P	P	P
C.6. Lodging uses	No	X	P	P	CU
C.7. Medical services	No	P	P	P	P
C.8. Offices	No	P	P	P	P
C.9. Sales and services, automotive	Yes	P	P	P	P
C.10. Sales and services, general	No	P	P	P	P
C.11. Sales and services, heavy	Yes	P	P	P	P
C.12. Sales and services, marine	Yes	P	P	P	P
D. HIGH-IMPACT USES	Yes	CU (5)	CU (6)	X	CU (6)

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
E. INSTITUTIONS					
E.1. Adult care centers	N/A	X	X	X	X
E.2. Child care centers	No	X	P	P	P
E.3. Colleges	No (7)	X (7)	P	P	P
E.4. Community centers and Family support centers	No	P	P	P	EB
E.5. Community clubs	No	P	P	P	EB
E.6. Hospitals	No	X	P	P	P
E.7. Institutes for advanced study	No	P	P	P	P
E.8. Libraries	N/A	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	No	EB	EB	EB	EB
E.10. Museums	No	X (9)	P	P	P
E.11. Private clubs	No	EB	P	P	P
E.12. Religious facilities	No	P (10)	P (10)	P (10)	P (10)
E.13. Schools, elementary or secondary	No	X	P	P	EB

Table A for 23.50A.004 Uses in Industrial zones					
Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
E.14. Vocational or fine arts schools	No	P	P	P	P
F. LIVE-WORK UNITS	No	X	X	CU	X
G. MANUFACTURING USES					
G.1. Manufacturing, light	Yes	P	P	P	P
G.2. Manufacturing, general	Yes	P	P	P	P
G.3. Manufacturing, heavy	Yes	P/CU (11)	CU (11)	CU (11)	CU (11)
H. PARKS AND OPEN SPACE	No	P	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails	N/A	X	X	X	X
I.2. Work-release centers	N/A	X	X	X	X
I.3. Other public facilities	No	CCU	CCU	CCU	CCU
J. RESIDENTIAL USES					
J.1. Residential uses not listed below	No	X	X	CU	X
J.2. Artist's studio/dwellings	No	EB/CU	X	CU	EB/CU

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
J.3. Caretaker's quarters	No	P	P	CU	P
K. STORAGE USES					
K.1. Mini-warehouses	N/A	X	X	X	X
K.2. Storage, outdoor	Yes	P	P	P	P
K.3. Warehouses	Yes	P	P	P	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	Yes	P	P	P	P
L.2. Parking and moorage					
L.2.a. Boat moorage	Yes	P	P	P	P
L.2.b. Dry boat storage	Yes	P	P	P	P
L.2.c. Parking, flexible-use	No	X (4)	X	P (4)	P
L.2.d. Park and ride facilities	No	X	X	P (12)	P (12)
L.2.e. Towing services	Yes	P	P	P	P
L.3. Passenger terminals	Yes	P (13)	P (13)	P (13)	P
L.4. Rail transit facilities	Yes	P	P	P	P
L.5. Transportation facilities, air					

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
L.5.a. Airports (land-based)	Yes	CCU	CCU	X	CCU
L.5.b. Airports (water-based)	Yes	CCU	CCU	X	CCU
L.5.c. Heliports	Yes	CCU	CCU	X	CCU
L.5.d. Helistops	Yes	CCU	CCU	CCU	CCU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	Yes	CU	CU	CU	CU
L.6.b. Railroad switchyards	Yes	P	CU	CU	P
L.6.c. Railroad switchyards with a mechanized hump	Yes	P	CU	CU	CU
L.6.d. Transportation services, personal	Yes	P	P	P	P
M. UTILITY USES					
M.1. Communication utilities, major	Yes	CU	CU	CU	CU
M.2. Communication utilities, minor	Yes	P	P	P	P
M.3. Power plants	Yes	P	P	X	CCU
M.4. Recycling	Yes	P	P	P	P

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
M.5. Sewage treatment plants	Yes	CCU	CCU	X	CCU
M.6. Solid waste management					
M.6.a. Salvage yards	Yes	P	X	X	X
M.6.b. Solid waste transfer stations	Yes	CU (14)	X	CU (14)	CU (14)
M.6.c. Solid waste incineration facilities	Yes	CCU	CCU	CCU	CCU
M.6.d. Solid waste landfills	N/A	X	X	X	X
M.7. Utility services uses	Yes	P	P	P	P

Key for Table A for 23.50A.004

CU = Administrative conditional use
 CCU = Council conditional use
 EB = Permitted only in a building existing on June 1, 2023
 EB/CU = Administrative conditional use permitted only in a building existing on June 1, 2023
 P = Permitted
 X = Prohibited

Footnotes to Table A for 23.50A.004

- (1) In addition to the provisions in this Chapter 23.50A, urban farms that entail major marijuana activity are regulated by Section 23.42.058.
- (2) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead, or injured animals are permitted.
- (3) Subject to subsection 23.50A.004.F.
- (4) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used as flexible-use parking or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition

**Table A for 23.50A.004
 Uses in Industrial zones**

Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
<p>Area Overlay District may reserve parking. Such reserved non-required parking shall be permitted to be used as flexible-use parking and is exempt from the one-space-per-650-square-foot ratio under the following circumstances:</p> <p>(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and</p> <p>(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and</p> <p>(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.</p> <p>(5) The high-impact uses listed in subsection 23.50A.006.B.4 may be permitted as conditional uses.</p> <p>(6) The high-impact uses listed in subsection 23.50A.006.B.8 may be permitted as conditional uses.</p> <p>(7) Research and education facilities that are a part of a college or university, and that are water-dependent or water-related as defined by Section 23.60.944 or offer a primarily vocational curriculum are permitted, and shall be classified as an industrial use.</p> <p>(8) Major institution uses are permitted only in a building existing on June 1, 2023, except that such uses are permitted on properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West regardless of whether the use is located in a building existing on June 1, 2023.</p> <p>(9) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.</p> <p>(10) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.</p> <p>(11) Heavy manufacturing uses meeting the criteria in subsection 23.50A.006.B.7 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited in the UI, II and IC zones and in the MML zone within 1,500 linear feet of residentially zoned or neighborhood commercial zoned properties. Heavy Manufacturing uses not within 1,500 linear feet of residentially zoned or neighborhood commercial zoned properties are permitted.</p> <p>(12) Park and ride facilities are not permitted within 3,000 feet of the Downtown Urban Center.</p> <p>(13) Parking lots intended and designed for, and solely used for, pick-up and drop-off of passengers using ride-share services or transportation network companies is included as a part of the passenger terminal use category for industrial zones.</p> <p>(14) Subject to subsection 23.50A.006.B.6.</p>					

1 **23.50A.006 Conditional uses**

2 A. Criteria for all conditional uses. All conditional uses are subject to the procedures set
3 forth in Chapter 23.76 and shall meet the following criteria:

4 1. The use shall be determined not to be materially detrimental to the public
5 welfare or injurious to property in the zone or vicinity in which the property is located.

6 2. The benefits to the public that would be provided by the use shall outweigh the
7 negative impacts of the use.

8 3. Landscaping and screening, vehicular access controls, and other measures shall
9 insure the compatibility of the use with the surrounding area and mitigate adverse impacts.

10 4. The conditional use shall be denied if it is determined that the negative impacts
11 cannot be mitigated satisfactorily. However, adverse negative impacts may be mitigated by
12 imposing requirements or conditions deemed necessary for the protection of other properties in
13 the zone or vicinity and the public interest.

14 B. Administrative conditional uses. The following uses, identified as administrative
15 conditional uses in Table A for 23.50A.004, may be permitted by the Director if the provisions
16 of this subsection 23.50A.006.B and subsection 23.50A.006.A are met.

17 1. Artist's studio/dwellings in an existing structure may be permitted as a
18 conditional use in MML, II, and IC zones, except as provided in Chapter 23.60A, upon showing
19 that the occupant is a working artist who can demonstrate that their artworks or performances are
20 provided for sale or compensation or are displayed or performed in venues accessible to a
21 general public audience , and subject to the following criteria:

22 a. Artist's studio/dwellings shall generally be discouraged along arterials
23 such as freeways, state routes, and freight lines;

1 b. Artist's studio/dwellings shall not be allowed in areas where existing
2 industrial uses may cause environmental or safety problems;

3 c. Artist's studio/dwellings shall not be located where they may restrict or
4 disrupt industrial activity;

5 d. The nature of the artist's work shall be such that there is a genuine need
6 for the space; and

7 e. The owner(s) of a building seeking a conditional use for artist's
8 studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable
9 to the Director, that acknowledges that the owner(s) and occupants of the building accept the
10 industrial character of the neighborhood and agree that existing or permitted industrial uses do
11 not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and
12 equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns,
13 including any lessees of the artist's studio/dwellings.

14 2. Residential use in landmark structures. A residential use not otherwise
15 permitted in the zone may be permitted as a conditional use in MML, II, and IC zones within a
16 structure designated as a Landmark pursuant to Chapter 25.12, or within a structure in a
17 Landmark District pursuant to Chapter 25.16 or Chapter 25.28, subject to the following criteria:

18 a. The use shall be compatible with the historic or landmark character of
19 the structure. The Director shall request a determination regarding compatibility by the
20 respective Board having jurisdiction over the structure or lot;

21 b. The residential use shall not restrict or disrupt industrial activity in the
22 zone, and

1 f. The residential use shall be located, designed, and configured in a
2 manner to reduce potential conflict with adjacent existing industrial business operations; and

3 g. The owner(s) of a building seeking a conditional use for the residential
4 use must sign and record a covenant and equitable servitude, on a form acceptable to the
5 Director, that acknowledges that the owner(s) and occupants of the building accept the industrial
6 character of the neighborhood and agree that existing or permitted industrial uses do not
7 constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable
8 servitude must state that it is binding on the owner(s)' successors, heirs, and assigns, including
9 any lessees of the residential use; and

10 h. The residential use shall be a part of a mixed-use development that
11 includes non-residential uses permitted in UI zones, and the residential use component shall not
12 exceed 50 percent of the total floor area of the mixed use development; and

13 i. Occupancies of dwelling units are voluntarily limited by the building
14 owner to support the availability of housing that is affordable to area workers, such that the
15 residential use consists of either:

16 1) All dwelling units are live-work units in which the commercial
17 activity qualifies as industrial, or are caretakers' quarters associated with a business on the same
18 site provided no single business shall have more than three associated caretakers' quarters; or

19 2) A minimum of 50 percent of the dwelling units are made
20 available at affordable rent or affordable sale price for a period of 75 years beginning January
21 1 of the year following final certificate of occupancy to eligible households with annual
22 incomes at or below 60 percent of median income for SEDUs, 80 percent of median income for
23 studio and one bedroom units, and 90 percent of median income for two-bedroom and larger

1 units. Standardized procedures and definitions established by the Office of Housing for
2 administration of Chapter 5.73 shall apply. Dwelling units eligible for the multifamily housing
3 tax exemption may be counted towards the minimum 50 percent.

4 4. High-impact uses may be permitted as a conditional use in the MML zone,
5 according to the following criteria:

6 a. The lot is located so that large concentrations of people, particularly in
7 residential and commercial areas, are not exposed to unreasonable adverse impacts; and

8 b. A management plan may be required. The Director may determine the
9 level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the
10 effects. Discussion of materials handling and storage, odor control, transportation, and other
11 factors may be required.

12 5. A new railroad switchyard with a mechanized hump, or the expansion of such a
13 use beyond the lot occupied as of October 7, 1987, may be permitted as a conditional use in the
14 MML zone, according to the following criteria:

15 a. The lot is located so that large concentrations of people, particularly in
16 residential and commercial areas, are not exposed to unreasonable adverse impacts;

17 b. Measures to minimize the impacts of noise, light, and glare, and other
18 measures to ensure the compatibility of the use with the surrounding area and to mitigate adverse
19 impacts shall be incorporated into the design and operation of the facility.

20 6. Solid waste transfer stations may be permitted as a conditional use in the MML,
21 UI, and IC zones according to the following criteria:

1 a. Measures to minimize potential odor emissions and airborne pollutants
2 shall be determined in consultation with the Puget Sound Clean Air Agency. These measures
3 shall be incorporated into the design and operation of the facility;

4 b. Measures to maximize control of rodents, birds and other vectors shall
5 be determined in consultation with Public Health—Seattle & King County. These measures shall
6 be incorporated into the design and operation of the facility;

7 c. The Director may require a transportation plan. The Director shall
8 determine the level of detail to be disclosed in the plan such as estimated trip generation, access
9 routes, and surrounding area traffic counts, based on the probable impacts and/or scale of the
10 proposed facility; and

11 d. Measures to minimize other impacts are incorporated into the design
12 and operation of the facility;

13 e. For any portion of the principal structure containing the solid waste
14 management use that is located in a UI zone, the following standards apply:

15 1) The maximum floor area of the principal structure is limited to
16 7,000 square feet.

17 2) A setback of at least 65 feet is required between any facade of
18 the principal structure and any lot line that abuts or is across a street from a residentially zoned
19 lot.

20 f. Accessory structures including scales, scale houses, entrance/exit kiosks,
21 walls, screening, and other minor incidental improvements, including canopies over scales
22 houses and drive lanes, are permitted. The total area of all scale houses in IC or UI zones shall
23 not exceed 1,000 square feet.

1 g. A landscaped area at least 20 feet deep is required between any
2 structure or any parking located in an IC or UI zone and the nearest street lot line.

3 h. Parking and driveways accessory to a solid waste transfer station.
4 Parking and driveways on property in an IC or UI zone may be permitted as a conditional use
5 accessory to a solid waste transfer station if:

6 1) The parking is on property that is part of the same development
7 site as the solid waste transfer station use.

8 2) The parking meets the criteria of subsection 23.50A.006.A.

9 3) The parking is subject to analysis in any transportation plan
10 required by the Director pursuant to subsection 23.50A.006.B.6.c.

11 4) Driveways providing access to parking or access to the solid
12 waste transfer station are on the same development site as the solid waste transfer station use.

13 i. Rooftop features on the principal structure shall not exceed the
14 maximum height limit of the zone.

15 j. All transfer, handling, and compacting of materials processed by the
16 solid waste management use shall be conducted within an enclosed structure.

17 k. Outdoor storage is prohibited.

18 7. Heavy manufacturing uses may be permitted in UI, II, and IC zones, and in
19 portions of MML zones that are located within 1,500 linear feet of land that is residentially
20 zoned and developed with housing, or neighborhood commercial zoned land except where
21 separated by Interstate 5, as a conditional use, only when meeting all of the following criteria:

22 a. The use shall be located within an enclosed building except for
23 shipbuilding;

1 b. A condition is identified in permit documents limiting the hours of
2 operation for all processes creating any adverse impacts on residentially or commercially zoned
3 land to specific hour ranges as appropriate to minimize the adverse impact on receiving
4 populations;

5 c. Truck and service traffic associated with the heavy manufacturing use
6 shall be directed away from streets serving lots in nonindustrial zones;

7 d. The infrastructure of the area shall be capable of accommodating the
8 traffic generated by the proposed use; and

9 e. The use shall not produce sustained or recurrent vibrations exceeding
10 0.002g acceleration as measured on lots in nonindustrial zones.

11 8. The high-impact uses listed in subsection 23.50A.006.B.8.a may be permitted
12 as conditional uses in the IC and II zones according to the criteria contained in subsection
13 23.50A.006.B.8.b.

14 a. Uses

15 1) The manufacture of Group A hazardous materials, except Class
16 A or B explosives; and

17 2) The manufacture of Group B hazardous materials, when the
18 hazardous materials are present in quantities greater than 2,500 pounds of solids, 275 gallons of
19 liquids, or 1,000 cubic feet of gas at any time.

20 b. Criteria

21 1) The lot is located so that large concentrations of people,
22 particularly in residential and commercial areas, are not exposed to unreasonable adverse
23 impacts;

1 10. Power plants may be permitted as a conditional use according to the following
2 criteria:

3 a. The lot is located so that large concentrations of people, particularly in
4 residential and commercial areas, are not exposed to unreasonable adverse impacts;

5 b. A facility management and transportation plan may be required. The
6 level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or
7 scale of the proposed facility, and may include discussion of transportation, noise control, and
8 hours of operation;

9 c. Measures to minimize potential odor emission and airborne pollution
10 shall meet standards of and be consistent with the Puget Sound Clean Air Agency, and shall be
11 incorporated into the design and operation of the facility; and

12 d. Landscaping and screening, separation from less-intensive zones, noise,
13 light and glare controls, and other measures to ensure the compatibility of the use with the
14 surrounding area and to mitigate adverse impacts shall be incorporated into the design and
15 operation of the facility.

16 11. Lodging may be permitted as a conditional use in the IC zone according to the
17 following criteria:

18 a. The use is designed primarily to serve users in the industrial area; and

19 b. The use is designed and located to minimize conflicts with industrial
20 uses in the area.

21 C. Council conditional uses. The following uses are identified as Council conditional uses
22 on Table A for 23.50A.004 and may be permitted by the Council when provisions of this
23 subsection 23.50A.006.C and subsection 23.50A.006.A are met:

1 1. Sewage treatment plants may be permitted as a Council conditional use in the
2 MML and IC zones according to the following criteria:

3 a. The plant shall be located so that adverse impacts would not affect large
4 concentrations of people, particularly in residential and commercial areas;

5 b. The negative impacts of the use can be satisfactorily mitigated by
6 imposing conditions to protect other property in the zone or vicinity and to protect the
7 environment. Appropriate mitigation measures shall include but are not limited to:

8 1) A facility management and transportation plan shall be required.
9 The level and kind of detail to be disclosed in the plan shall be based on the probable impacts
10 and/or scale of the proposed facility, and shall at a minimum include discussion of sludge
11 transportation, noise control, and hours of operation, and shall be incorporated into the design
12 and operation of the facility;

13 2) Measures to minimize potential odor emission and airborne
14 pollutants including methane shall meet standards of and be consistent with best available
15 technology as determined in consultation with the Puget Sound Clean Air Agency, and shall be
16 incorporated into the design and operation of the facility;

17 3) Methods of storing and transporting chlorine and other
18 hazardous and potentially hazardous chemicals shall be determined in consultation with the
19 Seattle Fire Department and incorporated into the design and operation of the facility;

20 4) Vehicular access suitable for trucks shall be available or
21 provided from the plant to a designated arterial improved to City standards; and

22 5) Landscaping and screening, separation from less-intensive
23 zones, noise, light and glare controls, and other measures to ensure the compatibility of the use

1 with the surrounding area and to mitigate adverse impacts shall be incorporated into the design
2 and operation of the facility.

3 2. Heliports may be permitted as a Council conditional use in MML, II, and IC
4 zones according to the following criteria:

5 a. The heliport is to be used for the takeoff and landing and servicing of
6 helicopters which serve a public safety, news gathering or emergency medical care function; is
7 part of a City and regional transportation plan approved by the City Council and is a public
8 facility; or is part of a City and regional transportation plan approved by the City Council and is
9 not within 2,000 feet of a residential zone;

10 b. A need shall be determined for the facility at the proposed location;

11 c. The heliport is located to minimize impacts, such as noise and dust
12 impacts, on lots in the surrounding area;

13 d. The lot is of sufficient size that the operations of the heliport and the
14 flight paths of helicopters are buffered from the surrounding area;

15 e. Open areas and landing pads are hard-surfaced; and

16 f. The heliport meets all federal requirements including those for safety,
17 glide angles, and approach lanes.

18 3. Airports may be permitted as a Council conditional use in the MML and IC
19 zones according to the following criteria:

20 a. A need shall be determined for the facility at the proposed location;

21 b. The impacts of the proposal shall be evaluated so that the negative
22 impacts can be satisfactorily mitigated by imposing conditions to protect other property in the

1 zone or vicinity and to protect the environment. Appropriate mitigation measures shall include,
2 but are not limited to:

3 1) The site shall be located so that adverse impacts associated with
4 landing and takeoff activities, including noise levels and safety conditions, will not affect large
5 numbers of people in the immediate vicinity as well as in the general landing path of the flight
6 pattern;

7 2) A facility management and transportation plan shall be required.
8 At a minimum, the facility management and transportation plan shall demonstrate noise control,
9 vehicle and service access, and hours of operation, and shall be incorporated into the design and
10 operation of the facility; and

11 3) Landscaping and screening, separation from less-intensive
12 zones, noise, light and glare controls, and other measures to ensure the compatibility of the use
13 with the surrounding area and to mitigate adverse impacts shall be incorporated into the design
14 and operation of the facility.

15 4. Solid waste incineration facilities may be permitted as a Council conditional
16 use in MML zones according to the following criteria:

17 a. The lot is located so that large concentrations of people, particularly in
18 residential and commercial areas, are not exposed to unreasonable adverse impacts;

19 b. Measures to minimize odor emission and airborne pollutants shall be
20 determined in consultation with the Puget Sound Clean Air Agency. These measures shall be
21 incorporated into the design and operation of the facility;

1 c. A transportation plan may be required. The Director shall determine the
2 level of detail to be disclosed in the plan based on the probable impacts and/or scale of the
3 proposed facility.

4 5. Helistops may be permitted as a Council conditional use in MML, II, UI, and
5 IC zones according to the following criteria:

- 6 a. The helistop is not within 1,200 feet of a residential zone;
- 7 b. The helistop is located to minimize impacts, such as noise and dust
8 impacts, on lots in residential zones;
- 9 c. The lot is of sufficient size that the operations of the helistop and the
10 flight paths of the helicopter are buffered from the surrounding area;
- 11 d. Open areas and landing pads are hard-surfaced; and
- 12 e. The helistop meets all federal requirements, including those for safety,
13 glide angles and approach lanes.

14 **23.50A.008 Maximum size of nonindustrial use**

15 A. Applicability

16 1. Except as otherwise provided in this Section 23.50A.008, the maximum size of
17 use limits on gross floor area specified in Table A for 23.50A.008 apply to principal uses on a
18 lot, and apply separately to the categories of uses.

19 2. In MML zones the total gross floor area occupied by uses not qualifying as
20 industrial as shown in Table A for 23.50A.004, shall not exceed 0.4 times the area of the lot or
21 the maximum size of use limit, whichever is less.

1 3. The combined square footage of any one business establishment located on
 2 more than one lot is subject to the size limitations on non-industrial uses specified in Table A for
 3 23.50A.008.

4 4. In the Industry and Innovation zone, the maximum size of use limits in Table A
 5 for 23.50A.008 do not apply to development projects gaining any amount of extra floor area
 6 under the provision of Section 23.50A.012.

Table A for 23.50A.008				
Size of use limits in Industrial zones (in square feet)				
Uses subject to size limits	MML	II	UI (1)	IC
Animal shelters and kennels (2)	10,000	N.S.L.	10,000	N.S.L.
Drinking establishments (3)	3,000	3,000	3,000	N.S.L.
Entertainment	10,000 (4)	25,000 except 75,000 in II 85-240	25,000 (4)	50,000
Lodging uses	N/A	25,000	25,000	75,000
Medical services	10,000	25,000	25,000	N.S.L.
Office	10,000	15,000	15,000	N.S.L.
Restaurants	3,000	3,000	3,000	N.S.L.
Retail sales, major durables	10,000	15,000	15,000	N.S.L.
Sales and services, automotive	10,000	25,000	75,000	75,000
Sales and services, general	7,500	7,500	7,500	50,000

Key to Table A for 23.50A.008
 N.S.L. = No size limit
 Footnotes to Table A for 23.50A.008
 (1) Size of use limits do not apply to ancillary uses in the UI zone.
 (2) Where permitted under Table A for 23.50A.004.
 (3) The size limit applies to principal use drinking establishments such as bars and tasting rooms or tap rooms that are unaffiliated with a brewery or distillery within 1,500 linear feet.
 (4) Except indoor sports and recreation facilities have a maximum size of use limit of 50,000 square feet.

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B. Exceptions to the size limitations in Table A for 23.50A.008 are allowed for a structure existing as of June 1, 2023, in the following:

1. A use legally established no later than June 1, 2023, that already exceeds the size limitations listed in Table A for 23.50A.008 may continue.

2. The gross floor area of a use listed in Table A for 23.50A.008 and legally established as of June 1, 2023, may be converted to another category of use listed in Table A for 23.50A.008 provided that the combined gross floor area devoted to uses listed in Table A for 23.50A.008 does not exceed the total gross floor area of such uses legally established as of June 1, 2023.

3. If 50 percent or more of the gross floor area of the structure has been legally established as of June 1, 2023, with a use or uses listed in Table A for 23.50A.008, those categories of uses may exceed the size of use limits as follows:

a. Uses listed in Table A for 23.50A.008 may expand within and occupy the entire structure; or

b. An existing use that occupies all of a structure may be expanded by up to 20 percent of the existing structure's gross floor area or 20,000 square feet, whichever is less.

C. Covered rooftop recreational space of a building existing as of June 1, 2023, if complying with subsection 23.50A.004.E, is not subject to the limits on maximum size of nonindustrial uses contained in subsection 23.50A.008.A.

D. Rooftop recreational space accessory to office use and meeting the standards of subsection 23.50A.004.E is not subject to the limits on maximum size of nonindustrial uses.

23.50A.010 Floor area

1 A. Floor Area Ratio (FAR) limits apply in all Industrial zones as shown in Table A for
 2 23.50A.010. The applicable FAR limit applies to the total chargeable floor area of all structures
 3 on the lot. Extra floor area above the FAR limits of Table A for 23.50A.010 may be achieved
 4 through the provisions of Section 23.50A.012.

Table A for 23.50A.010 Floor Area Ratio (FAR) limits	
Zone designation	FAR limits for all uses
MML	2.5
UI U/45	3.0
UI U/60	4.0
UI U/85	4.5
II U/85*	2.75
II U/125*	2.5
II U/160*	2.5
IC-30	2.75
IC-40	2.75
IC 65	2.75
UI zones within the Stadium Transition Area Overlay District	4.5
II 85-240 zone*	Base of 2.5 FAR for all permitted uses, except that the combined chargeable floor area of the following uses is limited to 1 FAR or 50,000 square feet, whichever is greater: entertainment uses; lodging uses; medical services; office; restaurant; major durables retail sales; automotive sales and services; religious facilities; and general sales and services.
* Extra FAR above this limit may be achieved through the extra floor area provisions of Section 23.50A.012.	

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6 B. Exemptions from FAR calculations

7 1. The following areas are exempt from FAR calculations in all industrial zones:

8 a. All stories, or portions of stories, that are underground;

1 b. All gross floor area used for accessory parking, except as provided in
2 subsection 23.50A.010.C;

3 c. All gross floor area located on the rooftop of a structure and used for
4 any of the following: mechanical equipment, stair and elevator penthouses, and communication
5 equipment and antennas;

6 d. All gross floor area used for covered rooftop recreational space of a
7 building existing as of June 1, 2023, in an MML zone, if complying with subsection
8 23.50A.004.E; and

9 e. Bicycle commuter shower facilities.

10 2. In addition to areas exempt from FAR calculations in subsection
11 23.50A.010.B.1, within an II 85-240 zone, the following exemptions from FAR calculations
12 apply:

13 a. As an allowance for mechanical equipment, 3.5 percent of the total
14 chargeable gross floor area that is not otherwise exempt under this subsection 23.50A.010.B.

15 b. All gross floor area for solar collectors and wind-driven power
16 generators.

17 c. The gross floor area of the following uses located at street level:

18 1) General sales and service uses;

19 2) Eating and drinking establishments;

20 3) Entertainment use;

21 4) Public libraries;

22 5) Child care centers;

23 6) Religious facilities; and

1 Industrial Use FAR column of Table A for 23.50A.012 and the industrial use floor area must
2 meet the following standards:

3 a. Allowable use of industrial use floor area is limited to the industrial uses
4 indicated in Table A for 23.50A.004.

5 b. Portions of a building qualifying as industrial use floor area must meet
6 the following development standards for construction as bona fide industrial space. For spaces
7 proposed to qualify as industrial use floor area, the applicant shall provide notes on the plans
8 submitted for a land use permit how the floor area meets all the criteria.

9 1) Load bearing floors with 250 pounds per square foot minimum
10 capacity for ground level floors on grade, and load bearing floors with 125 pounds per square
11 foot minimum capacity for floors above grade.

12 2) Floor-to ceiling heights of at least 16 feet.

13 3) Constructed to comply with a Seattle Building Code Group F, S,
14 or B occupancy classification, except for ancillary support spaces that are secondary to the
15 industrial use and occupy less than 25 percent of the industrial use floor area.

16 4) Serviced directly by a loading dock or a freight elevator with a
17 minimum capacity of 8,000 pounds.

18 2. Tier I. Extra floor area may be achieved up to the Maximum FAR with Tier I
19 column shown in Table A for 23.50A.012 as follows:

20 a. Five square feet of extra floor area is achieved for every 1 square foot of
21 industrial floor area provided that meets the standards of subsection 23.50A.012.A.1, except that
22 for industrial use floor area occupied by ICT use the ratio shall be 4 square feet of extra floor
23 area for every 1 square foot of floor area in ICT use.

1 b. Minimum Industrial Use Space floor area is eligible to generate extra
2 floor area in Tier I.

3 3. Tier II. Extra floor area beyond that achieved through Tier I may be added up
4 to the Maximum FAR with Tier II as shown in Table A for 23.50A.012 provided one of the two
5 following conditions are met, and after the amount of extra floor area available in Tier I is
6 exhausted.

7 a. Mass timber construction. At least 50 percent of the gross floor area in
8 the total development other than parking structures is constructed using mass timber construction
9 methods consisting of Seattle Building Code construction types IV-A, IV-B, IV-C, or IV-HT.
10 The applicant shall provide notes on the plans submitted for a land use permit the spaces to be
11 constructed using mass timber construction.

12 b. Transfer of development rights (TDR). The use of vulnerable masonry
13 structure TDR to the maximum FAR with Tier II.

14 1) Sending sites. Only sites within the same Manufacturing
15 Industrial Center as the receiving site are eligible sending sites. These sites must meet the
16 definition of vulnerable masonry structure TDR sending site in Chapter 23.84A and must comply
17 with all applicable standards in Section 23.58A.042.

18 2) Receiving sites. Only sites in the Industry Innovation zone
19 located in the same Manufacturing Industrial Center as the sending site are eligible receiving
20 sites.

Table A for 23.50A.012			
FAR limits for extra floor area in II 125 and II 160 zones			
Zone	Minimum industrial use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 125	.5	5.25	5.75

II 160	.5	6	6.5
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B. Extra floor area in the II 85 zone. In the II 85 zone extra non-residential floor area may be added above the base FAR limit shown in Table A for 23.50A.010 up to the maximum FAR With Tier I as shown on Table B for 23.50A.012. Five square feet of extra floor area is achieved for every 1 square foot of industrial floor area provided that meets the standards of subsection 23.50A.012.A.1, except that for industrial use floor area occupied by ICT the ratio shall be 4 square feet of extra floor area for every 1 square foot of floor area in ICT use.

Table B for 23.50A.012 FAR limits for extra floor area in the II 85 zone			
Zone	Base FAR maximum	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA

C. Extra floor area in the II 85-240 zone

1. Conditions for extra floor area in the II 85-240 zone

a. Projects in an II 85-240 zone may add chargeable floor area above the base FAR up to the applicable maximum FAR in Table C for 23.50A.012, if Sections 23.58A.022 and 23.58A.024 for extra non-residential floor area and all the applicable conditions of this Chapter 23.50A are satisfied. The provisions of this Section 23.50A.012 apply to lots in an IC 85-240 zone, and only to development exceeding the base FAR.

b. The applicant shall make a commitment that the proposed development will meet the green building standard, and shall demonstrate compliance with that commitment, all in accordance with Chapter 23.58D.

2. Tier I. Extra floor area up to the Maximum FAR with Tier I may be gained as follows. Twenty-five percent of Tier I extra floor area shall be gained through the transfer of

1 TDR pursuant to this Section 23.50A.012 and 23.58A.042. Seventy-five percent shall be gained
2 as bonus floor area pursuant to Section 23.58A.024, or through the transfer of housing TDR
3 under Section 23.50A.012, or both.

4 a. In an II 85-240 zone, in addition to satisfying the conditions of
5 subsection 23.50A.010.B.1, for development to exceed the base FAR on a lot that has an area of
6 50,000 square feet or more, the Director shall make an individual determination of project
7 impacts on the need for pedestrian facilities and complete a voluntary agreement between the
8 property owner and the City to mitigate identified impacts, if any. The Director may consider the
9 following as impact mitigation:

10 1) Pedestrian walkways on a lot, including through-block
11 connections on through lots, where appropriate, to facilitate pedestrian circulation by connecting
12 structures to each other and abutting streets;

13 2) Sidewalk improvements, including sidewalk widening, to
14 accommodate increased pedestrian volumes and streetscape improvements that will enhance
15 pedestrian comfort and safety; and

16 3) Measures that will contribute to the improvement of pedestrian
17 facilities, such as the following improvements applicable to the vicinity north of South Royal
18 Brougham Way and south of South Charles Street east of 4th Avenue South:

19 a) Improvements to 6th Avenue South as the primary
20 pedestrian and bicycle corridor connecting new development to the surrounding area and transit
21 facilities;

22 b) Improvements to facilitate pedestrian wayfinding to and
23 from the existing or future Light Rail stations;

1 1. The offsite industrial floor area must be built concurrent with the proposed
2 development or completed within 18 months prior to a complete application for the proposed
3 development gaining extra floor area.

4 2. The fee owners of the offsite performance site shall execute a deed, and shall
5 obtain the written consent of all holders of encumbrances on the offsite performance site other
6 than easements and restrictions, unless such release or consent is waived by the Director for
7 good cause. The deed shall be recorded in the King County real property records. The deed
8 shall declare the amount of industrial use floor area that is used to qualify for extra floor area,
9 identify and describe the structure in which the offsite industrial use floor area is contained,
10 and identify the address of the development in which the extra floor area will be gained. The
11 industrial use floor area shall be maintained in compliance with applicable codes, so as to have
12 an estimated minimum useful life of at least 25 years from the time of completion of the
13 development in which extra floor area was gained, as approved by the Director.

14 E. Extra floor area from existing industrial structures. Industrial use floor area that is used
15 to qualify a project for extra floor area allowed through section 23.50A.012 may be in an existing
16 structure on the same site as the proposed development if the floor area in the existing structure
17 meets or is renovated to meet the standards of subsection 23.50A.012.A. An existing industrial
18 structure offsite may not be used to generate extra floor area.

19 **23.50A.014 Structure height**

20 Maximum structure height for structures that include industrial and/or non-industrial uses shall
21 be limited as follows:

1 A. There shall be no maximum height limit for structures containing only principal use
2 industrial uses in the MML, II, and UI zones except as provided in 23.50A.014.C. or regulated in
3 the Airport Height Overlay District regulations in Chapter 23.64.

4 B. Except as otherwise stated in the provisions of this Section 23.50A.014 the maximum
5 structure height for any portion of a structure that contains non-industrial uses other than
6 spectator sports facilities whether they are principal or accessory or ancillary, is 45 feet, 65 feet,
7 75 feet, 85 feet, 125 feet, or 160 feet as designated on the Official Land Use Map, Chapter 23.32.

8 C. In the MML, II, and UI zones the maximum height of any portion of a structure within
9 20 feet of an abutting lot with a residential zone shall be 30 feet.

10 D. Except as may be otherwise provided in this Title 23, the maximum structure height in
11 IC zones for all uses is as designated on the Official Land Use Map, Chapter 23.32. Maximum
12 structure height may be increased or reduced as provided in this Section 23.50A.024.E or Section
13 23.50A.016.

14 1. An overlay district may increase or reduce the maximum structure height.

15 2. Water-dependent uses within the Shoreline District are subject to only the
16 height limits of the applicable shoreline environment in Chapter 23.60A.

17 E. Within an II 85-240 zone, the first figure shown in the zone designation is the base
18 height limit, which is the height limit for all uses, except for a structure that complies with the
19 conditions to extra floor area specified in Section 23.50A.012 on a lot that includes extra floor
20 area. Extra floor area means non-residential chargeable floor area allowed in addition to the base
21 FAR under Chapter 23.58A. The second figure is the applicable height limit for all uses, on a lot
22 that includes extra floor area, for a structure that complies with the conditions to extra floor area
23 specified in Section 23.50A.012.

1 **23.50A.016 Structure height exceptions and additional restrictions**

2 A. Rooftop features. Where a height limit applies to a structure, the provisions in this
3 subsection 23.50A.016.A apply to rooftop features:

4 1. In all industrial zones, vent stacks, flagpoles, and religious symbols for
5 religious institutions are exempt from height limits, except as regulated in the Airport Height
6 Overlay District regulations at Chapter 23.64, provided they are a minimum of 10 feet from any
7 side or rear lot line.

8 2. In all industrial zones, open railings, planters, skylights, clerestories, parapets,
9 and firewalls may extend 4 feet above the applicable height limit with unlimited rooftop
10 coverage. Insulation material, rooftop decks and other similar features, or soil for landscaping
11 and green roofs located above the structural roof surface, may exceed the maximum height limit
12 by up to 2 feet if enclosed by parapets or walls that comply with this subsection 23.50A.016.A.2.

13 3. In all industrial zones, wind-driven power generators may extend up to 15 feet
14 above the applicable height limit, with unlimited rooftop coverage.

15 4. Additional height is permitted for specified rooftop features according to this
16 subsection 23.50A.016.A.4.

17 a. The following rooftop features may extend up to 30 feet above the
18 applicable height limit in all industrial zones, subject to the limits of subsection
19 23.50A.016.A.4.b

- 20 1) Solar collectors;
- 21 2) Stair and elevator penthouses;
- 22 3) Greenhouses and solariums;
- 23 4) Mechanical equipment; and

1 type and size of plants, number of plants, concentration of plants, depths of soil, use of low water
2 use plants, and access to light and air for plants.

3 B. The following types of screening and landscaping may be required according to the
4 provisions of this Section 23.50A.018:

5 1. Three-foot-high screening. Three-foot-high screening may be either:

6 a. A fence or wall at least 3 feet in height; or

7 b. A landscaped area with vegetation at least 3 feet in height. Landscaped
8 areas may include bioretention facilities or landscaped berms, provided that the top of the
9 vegetation is at least 3 feet above the grade abutting the facility or berm.

10 2. View-obscuring screening. View-obscuring screening may be either:

11 a. A fence or wall 6 feet in height; or

12 b. A landscaped area with vegetation at least 5 feet in height. Landscaped
13 areas may include bioretention facilities or landscaped berms, provided that the top of the
14 vegetation will be at least 5 feet above the grade abutting the facility or berm.

15 3. Landscaped areas. Each area required to be landscaped shall be planted with
16 trees, shrubs and grass, or evergreen ground cover, in a manner that the total required setback,
17 excluding driveways, will be covered in three years. Features such as walkways, decorative
18 paving, sculptures, or fountains may cover a maximum of 30 percent of each required landscaped
19 area.

20 4. Street trees. When required, street trees shall be provided in the planting strip
21 according to Seattle Department of Transportation tree planting standards promulgated pursuant
22 to Section 15.43.010. If it is not feasible to plant street trees in the planting strip according to
23 City standards, they shall be planted in a 5-foot-deep landscaped setback area along the street

1 property line. Trees planted in this setback area shall be at least 2 feet from the street lot line.

2 The Director, in consultation with the Director of Transportation, will determine the number,
3 type, and placement of street trees to be provided to:

4 a. Improve public safety;

5 b. Match trees to the available space in the planting strip;

6 c. Maintain and expand the urban forest canopy;

7 d. Encourage healthy growth through appropriate spacing; and

8 e. Protect utilities; and to allow access to the street, buildings, and lot by
9 vehicles including trucks and industrial equipment.

10 5. Combinations of screening and landscaping requirements

11 a. When there is more than one type of use which requires screening or
12 landscaping, the requirement which results in the greater amount of screening and landscaping
13 shall be followed.

14 b. Different types of screening or landscaping may be combined on one lot.

15 6. Landscaping that meets Seattle Green Factor standards, pursuant to Section
16 23.86.019.

17 C. General landscaping requirements in the UI zones

18 1. Street trees

19 a. Street trees are required as follows.

20 1) Development of either a new structure or an addition to an
21 existing structure, containing more than 4,000 new gross square feet of floor area shall provide
22 street trees.

1 c. Portions of a structure's facade that are separated by transparent areas of
2 at least 2 feet in width shall be considered separate facade segments for the purposes of this
3 subsection 23.50A.018.D.

4 d. Except as provided for in subsection 23.50A.018.F.6, blank segments of
5 facades that are 60 feet wide and greater, and within 20 feet of the street lot line shall be screened
6 by one of the following:

7 1) A hedge that will achieve a height of at least 5 feet within 3
8 years of planting and a height of at least 10 feet at full maturity; or

9 2) Vegetated walls attached to the wall up to a minimum height of
10 10 feet; or

11 3) A landscaped area meeting the provisions of subsection
12 23.50A.018.B.3.

13 e. The following limits on blank facade segments apply to lots in an II 85-
14 240 zone:

15 1) For street-level street-facing facades, if the street level is
16 occupied by uses other than parking, blank facade segments are limited to a width of 30 feet,
17 except that:

18 a) The width of a blank facade segment that includes a
19 garage door may exceed 30 feet but is limited to the width of the driveway plus 5 feet; and

20 b) The width of a blank facade segment may be increased
21 to up to 60 feet if the Director determines, as a Type I decision, that the facade is sufficiently
22 enhanced by architectural detailing, artwork, landscaping, or similar features that have visual
23 interest.

1 abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or
2 free-standing walls for a utility services use must provide either:

3 a. A 5-foot-deep landscaped area between the wall or fence and the street
4 lot line; or

5 b. Architectural detailing, artwork, vegetated walls, decorative fencing, or
6 similar features to provide visual interest facing the street lot line, as approved by the Director.

7 F. Additional screening standards and landscaping requirements for specific uses in the
8 UI, II, and IC zones

9 1. Surface parking areas for more than five vehicles

10 a. If a surface parking area abuts a lot in an NC1, NC2, NC3, or C1 zone,
11 view-obscuring screening along the abutting lot lines shall be provided.

12 b. If a surface parking area is across an alley from a lot in a residential
13 zone, view obscuring screening shall be required. A 5-foot-deep landscaped area shall be
14 required inside the screening. The Director may reduce or waive the screening and landscaping
15 requirement for all or a part of the lot abutting the alley, or may waive only the landscaping
16 requirement, if required parking can only be provided at the rear lot line and the alley is
17 necessary to provide aisle space. In making the determination to waive or reduce the landscaping
18 and screening requirements, the Director shall consider the following criteria:

19 1) Whether the lot width and depth permit a workable plan for the
20 building and parking which would preserve the screening and landscaping; and

21 2) Whether the character of use across the alley, such as multi-
22 family parking structures or single-family garages, make the screening and landscaping less
23 necessary; and

1 completely enclosed except for driveway areas. In addition to the landscaped setback, view-
2 obscuring screening shall be provided along abutting lot line(s). If the parking structure is
3 enclosed by a solid wall, any setback area provided within 5 feet of the abutting lot lines shall be
4 landscaped. The abutting facade of each floor of parking not enclosed by a solid wall shall have
5 an opaque screen at least 3.5 feet high.

6 c. If a parking structure is across an alley from a lot in a residential zone, a
7 5-foot-deep landscaped setback area from the alley lot line shall be provided, unless the parking
8 structure is completely enclosed, except for driveway areas. Three-foot-high screening along the
9 facade facing the alley with the landscaping on the alley side of the screening shall be provided.
10 If the parking structure is enclosed by a solid wall, any setback area provided within 5 feet of the
11 alley lot line shall be landscaped. The abutting or alley facade of each floor of parking shall have
12 an opaque screen at least 3.5 feet high.

13 d. If a parking structure is directly across a street wider than 80 feet from a
14 lot in a residential zone, street trees shall be provided.

15 e. If a parking structure is directly across a street 80 feet or less in width
16 from a lot in a commercial zone, street trees shall be provided.

17 3. Outdoor sales and outdoor display of rental equipment

18 a. If an outdoor sales area or outdoor display of rental equipment is across
19 an alley from a lot in a residential zone or abutting a lot in a residential or commercial zone,
20 view-obscuring screening such as landscaping, a vegetated wall, or treatment other than a than a
21 vegetated wall, shall be provided along the abutting or alley lot lines up to a height of 6 feet.

1 b. If an outdoor sales area or outdoor display of rental equipment is
2 directly across the street from a lot in a residential or commercial zone, street trees and 3-foot-
3 high screening along the street front shall be provided.

4 4. Drive-in businesses

5 a. Drive-in businesses across an alley from a lot in a residential zone shall
6 provide view-obscuring screening along the alley lot lines.

7 b. Drive-in businesses in which the drive-in portion of the business is
8 directly across a street 80 feet or less in width from a lot in a residential zone shall provide 3-
9 foot-high screening for the drive-in portion and also provide street trees.

10 c. If a drive-in business is directly across a street wider than 80 feet from a
11 lot in a residential zone, street trees shall be provided.

12 d. Drive-in businesses abutting a lot in a residential zone shall provide
13 view-obscuring screening and a 5-foot-deep landscaped setback area inside the screening.

14 5. Outdoor storage and outdoor loading berths

15 a. Outdoor storage and outdoor loading berths directly across a street 80
16 feet or less in width from a lot in an NC1, NC2, NC3, or C1 zone shall provide view-obscuring
17 screening along the street lot lines and street trees.

18 b. If the outdoor storage or outdoor loading berth is directly across a street
19 80 feet or less in width from a lot in a residential zone, view-obscuring screening shall be
20 provided. A 5-foot-deep landscaped area including street trees shall be provided between the lot
21 line and the view-obscuring screening.

1 c. If outdoor storage or an outdoor loading berth is directly across a street
2 wider than 80 feet from a lot in a residential zone, view-obscuring screening and street trees shall
3 be provided.

4 d. If outdoor storage or an outdoor loading berth is across an alley from a
5 lot in a residential zone, view-obscuring screening shall be provided. A 5-foot-deep landscaped
6 area shall be provided between the lot line and the view-obscuring screening, unless the
7 industrial lot is at least 15 feet above the elevation of the residential lot or the screen is a solid
8 wall.

9 e. If the outdoor storage or outdoor loading berth abuts a lot in a
10 residential zone, view-obscuring screening and a 15-foot-deep landscaped area inside the
11 screening shall be provided along the abutting lot line.

12 6. Solid waste transfer stations

13 a. Solid waste transfer stations greater than 60,000 square feet in lot area
14 shall provide landscaping meeting a minimum Green Factor score of 0.40, pursuant to Section
15 23.86.019. If the transfer station is part of a development located on separate parcels within 200
16 feet of each other, Green Factor scoring may be calculated for the multiple parcels considered as
17 a whole. If the parcels are in zones having different Green Factor minimum scores, the
18 development considered as a whole shall meet the highest applicable, minimum Green Factor
19 score.

20 b. Solid waste transfer stations abutting or across the street from a lot in a
21 commercial or residential zone, shall provide screening pursuant to subsection 23.50A.018.B.2.

22 7. Fences or free-standing walls associated with utility services uses may obstruct
23 or allow views to the interior of a site. Where site dimensions and site conditions allow,

1 applicants are encouraged to provide both a landscaped setback between the fence or wall and
2 the right-of-way, and a fence or wall that provides visual interest facing the street lot line,
3 through the height, design, or construction of the fence or wall, including the use of materials,
4 architectural detailing, artwork, vegetated walls, decorative fencing, or similar features. If
5 abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or
6 free-standing walls for a utility services use must provide either:

7 a. A 5-foot-deep landscaped area between the wall or fence and the street
8 lot line; or

9 b. Architectural detailing, artwork, vegetated walls, decorative fencing, or
10 similar features to provide visual interest facing the street lot line, as approved by the Director.

11 G. Screening and location of parking in an II 85-240 zone. Those developments that gain
12 extra floor area above the base FAR in an II 85-240 zone are subject to the following, in addition
13 to any other applicable parking screening requirements in this subsection 23.50A.018.G.

14 1. All parking permitted on the lot shall be provided below grade or enclosed
15 within a structure.

16 2. Parking at street level

17 a. Parking is not permitted at street level within a structure along a lot line
18 abutting a street bounding the Downtown Urban Center or a street shown on Map A for
19 23.50A.018, unless separated from the street by other uses, except that garage and loading doors
20 and access to parking need not be separated.

21 b. Parking is permitted at street level within a structure along a street lot
22 line abutting a street not specified in subsection 23.50A.018.G.2.a. subject to the following
23 requirements:

1 e. The Director may permit, as a Type I decision, exceptions to subsection
2 23.50A.018.G.2.b.1 to permit more parking above street level than otherwise allowed, if the
3 Director finds that locating permitted parking below grade is infeasible due to physical site
4 conditions such as a high-water table, contaminated soil conditions, or proximity to a tunnel. In
5 such cases, the Director shall determine the maximum feasible amount of parking that can be
6 provided below grade, if any, and the amount of additional parking to be permitted above street
7 level.

8 **23.50A.020 View corridors**

9 A. On lots which are partially within the Shoreline District, a view corridor shall be
10 required for the non-shoreline portion, if the portion of the lot in the Shoreline District is
11 required to provide a view corridor under the Seattle Shoreline Master Program.

12 B. The required width of the view corridor or corridors shall be not more than one-half of
13 the required width of the view corridor required in the adjacent Shoreline District.

14 C. Measurement, modification, or waiving of the view corridor requirement shall be
15 according to the Shoreline District measurement regulations in Chapter 23.60A.

16 **23.50A.022 Venting standards**

17 The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least 10 feet above
18 finished grade and directed away from residential uses within 200 feet of the vent.

19 **23.50A.024 Odor sources standards**

20 A. Major odor sources in UI, II, and IC zones

21 1. Uses that involve the following odor-emitting processes or activities are major
22 odor sources:

23 a. Lithographic, rotogravure, or flexographic printing;

- 1 b. Film burning;
- 2 c. Fiberglassing;
- 3 d. Selling of gasoline and/or storage of gasoline in tanks larger than 260
- 4 gallons;
- 5 e. Handling of heated tars and asphalts;
- 6 f. Incinerating (commercial);
- 7 g. Metal plating;
- 8 h. Tire buffing;
- 9 i. Vapor degreasing;
- 10 j. Wire reclamation;
- 11 k. Use of boilers (greater than 106 British thermal units per hour, 10,000
- 12 pounds steam per hour, or 30 boiler horsepower);
- 13 l. The production or processing of marijuana products by a major
- 14 marijuana activity; and
- 15 m. Other uses creating similar odor impacts.
- 16 2. Uses that employ the following processes shall be considered major odor
- 17 sources, unless the entire activity is conducted as part of a commercial use other than food
- 18 processing or heavy commercial services:
- 19 a. Cooking of grains;
- 20 b. Smoking of food or food products;
- 21 c. Fish or fishmeal processing;
- 22 d. Coffee or nut roasting;
- 23 e. Deep-fat frying;

- 1 f. Dry cleaning;
- 2 g. Animal food processing; and
- 3 h. Other uses creating similar odor impacts.

4 B. Major odor sources in the MML zone. Uses that involve the production or processing
5 of marijuana products by a major marijuana activity are a major odor source.

6 C. When an application is made in an industrial zone for a use which is determined to be
7 a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency, shall
8 determine the appropriate measures to be taken by the applicant to significantly reduce potential
9 odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans
10 submitted to the Director and may be required as conditions for the issuance of any permit. Once
11 a permit has been issued, any measures which were required by the permit shall be maintained.

12 **23.50A.026 Light and glare standards**

13 A. Exterior lighting shall be shielded and directed away from lots in adjacent residential
14 zones.

15 B. Interior lighting in parking structures shall be shielded, to minimize nighttime glare
16 affecting lots in adjacent residential zones.

17 C. When nonconforming exterior lighting in an UI, II, or IC zone is replaced, new
18 lighting shall conform to the requirements of this Section 23.50A.026.

19 D. Glare diagrams which clearly identify potential adverse glare impacts on residential
20 zones and on arterials shall be required when:

- 21 1. Any structure is proposed to have facades of reflective coated glass or other
22 highly reflective material, and/or a new structure or expansion of an existing structure greater

1 than 65 feet in height is proposed to have more than 30 percent of the facades comprised of clear
2 or tinted glass; and

3 2. The facade(s) surfaced or comprised of such materials either:

4 a. Are oriented towards, and are less than 200 feet from, any residential
5 zone, and/or

6 b. Are oriented towards, and are less than 400 feet from, a major arterial
7 with more than 15,000 vehicle trips per day, according to Seattle Department of Transportation
8 data.

9 E. When glare diagrams are required, the Director may require modification of the plans
10 to mitigate adverse impacts, using methods including but not limited to the following:

11 1. Minimizing the percentage of exterior facade that is composed of glass;

12 2. Using exterior glass of low reflectance;

13 3. Tilting glass areas to prevent glare which could affect arterials, pedestrians or
14 surrounding structures;

15 4. Alternating glass and nonglass materials on the exterior facade; and

16 5. Changing the orientation of the structure.

17 **23.50A.028 Mandatory housing affordability (MHA)**

18 The provisions of Chapter 23.58B apply in II 85-240 zones and IC zones with a mandatory
19 housing affordability suffix.

20 **23.50A.030 Major Phased Development**

21 A. An applicant may seek approval of a Major Phased Development, as defined in
22 Section 23.84A.025. A Major Phased Development proposal is subject to the provisions of the
23 zone in which it is located and shall meet the following thresholds:

1 1. A minimum site size of 60,000 square feet, where the site is composed of
2 contiguous parcels. Parcels across a right-of-way including diagonal corners of an intersection
3 shall be considered contiguous;

4 2. The project, which at time of application shall be a single, functionally
5 interrelated campus, contains more than one building, with a minimum total gross floor area of
6 100,000 square feet; and

7 3. The first phase of the development consists of at least 30,000 square feet in
8 gross building floor area.

9 4. All land within the Major Phased Development must be within the same
10 industrial zone.

11 B. A Major Phased Development application shall contain and be submitted, evaluated,
12 and approved according to the following.

13 1. The application shall contain a level of detail which is sufficient to reasonably
14 assess anticipated impacts, including those associated with a maximum buildout, within the
15 timeframe requested for Master Use Permit extension.

16 2. The application shall contain an anticipated timeline for construction of the
17 phases with information documenting the rationale for the proposed phasing timeline.

18 3. A Major Phased Development component shall not be approved unless the
19 Director concludes that anticipated environmental impacts, such as traffic, open space, shadows,
20 construction impacts, and air quality, are not significant or can be effectively monitored and
21 conditions imposed to mitigate impacts over the extended life of the permit.

22 4. Expiration or renewal of a permit for the first phase of a Major Phased
23 Development is subject to the provisions of Chapter 23.76. The Director shall determine the

1 expiration date of a permit for subsequent phases of the Major Phased Development through the
2 analysis provided for in this subsection 23.84A.030.B; such expiration shall be no later than 15
3 years from the date of issuance.

4 C. Application of development standards. Development standards for the zone shall apply
5 to the overall site area of the Major Phased Development including the following:

6 1. Floor Area Ratio limits and provisions for any extra floor area in the Industry
7 Innovation zone; and

8 2. Residential density limits for conditional use housing in the Urban Industrial
9 zone.

10 D. Changes to the approved Major Phased Development. When an amendment to an
11 approved project is requested, the Director shall determine whether the amendment is minor.

12 1. A minor amendment meets the following criteria:

13 a. Substantial compliance with the approved site plan and conditions
14 imposed in the existing Master Use Permit which includes a Major Phased Development
15 component with no substantial change in the mix of uses and no major departure from the bulk
16 and scale of structures originally proposed; and

17 b. Compliance with the requirements of the zone in effect at the time of
18 the original Master Use Permit approval; and

19 c. No significantly greater impact would occur.

20 2. If the amendment is determined by the Director to be minor, the site plan may
21 be revised and approved as a Type I Master Use Permit. The Master Use Permit expiration date
22 of the original approval shall be retained, and shall not be extended through a minor revision.

1 3. If the Director determines that the amendment is not minor, the applicant may
2 either continue under the existing Major Phased Development approval or may submit a new
3 Major Phased Development application. Only the portion of the site affected by the revision shall
4 be subject to regulations in effect on the date of the revised Major Phased Development
5 application. The decision may retain or may extend the existing expiration date on the portion of
6 the site affected by the revision.

7 E. Abandonment of a Major Phased Development. If a residential use is constructed as a
8 part of a Major Phased Development and subsequent phases of that major phased development
9 are abandoned, no additional residential use shall be permitted on any of the land contained
10 within the area of the Major Phased Development for 75 years from the date of the expiration or
11 abandonment of the Major Phased Development permit.

12 **23.50A.032 Water quality – Best management practices**

13 A. The location, design, construction, and management of all developments and uses
14 shall protect the quality and quantity of surface and groundwater, and shall adhere to the
15 guidelines, policies, standards, and regulations of applicable water quality management programs
16 and regulatory agencies. Best management practices, such as paving and berming of drum
17 storage areas, fugitive dust controls and other good housekeeping measures to prevent
18 contamination of land or water, may be required.

19 B. Solid and liquid wastes and untreated effluents may not enter any bodies of water or
20 be discharged onto the land.

21 **23.50A.034 Parking and loading areas**

1 Access to off-street parking and loading areas. Access to off-street parking or loading areas
2 shall be prohibited from street or alley frontages opposite residentially zoned lots. This
3 prohibition shall not apply under the following conditions:

4 A. There is no access to the lot from another street or alley within an industrial zone.

5 B. The Director has determined that the lot width and depth prevents a workable plan
6 for the building parking and loading if access is not allowed from a street or alley across from
7 a residentially zoned lot.

8 **23.50A.036 Transportation management programs in the Industry and Innovation zone**

9 A. When a development is proposed that is expected to generate 50 or more employee
10 single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and
11 implement a Transportation Management Program (TMP) consistent with requirements for
12 TMPs in any applicable Director's Rule.

13 1. For purposes of measuring attainment of SOV goals contained in the TMP, the
14 proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the
15 largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the
16 generator). The proportion of SOV trips shall be calculated by dividing the total number of
17 employees using an SOV to make a trip during the expected peak hour by the total number of
18 employee person trips during the expected peak hour.

19 2. Compliance with this section does not supplant the responsibility of any
20 employer to comply with Chapter 25.02.

21 B. Each owner subject to the requirements of this Section 23.50A.036 shall prepare a
22 TMP as described in rules promulgated by the Director, as part of the requirements for obtaining
23 a master use permit.

1 C. The TMP shall be approved by the Director if, after consulting with Seattle
2 Department of Transportation, the Director determines that the TMP measures are likely to
3 achieve a mode-share target that is the average of mode-share targets for Urban Centers with the
4 exception of the Downtown Urban Center in Seattle 2035 for trips made by employees driving
5 alone who would work in the proposed development.

6 **23.50A.038 Nonconformity to development standards**

7 A. Industrial uses nonconforming to development standards. The provisions of Chapter
8 23.42 apply except as provided in subsection 23.50A.038.B.

9 B. When a structure in an industrial zone that contains 50 percent or more of its floor area
10 in an industrial use as identified in Table A for 23.50A.004 that was legally established by June
11 1, 2023, the structure may expand in a manner that maintains or increases the degree of
12 nonconformity to standards set out in Sections 23.50A.008, 23.50A.010.A, 23.50A.018,
13 23.53.006, 23.53.020, and 23.54.015 only to the extent necessary to allow the expansion,
14 provided that the amount of floor area in industrial use does not decrease from the amount of
15 floor area that was legally established prior to the expansion.

16 Section 9. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance
17 126685, is amended as follows:

18 **23.53.006 Pedestrian access and circulation**

19 * * *

20 D. Outside urban centers and urban villages. Outside urban centers and urban villages,
21 sidewalks, curbs, and curb ramps are required on an existing street in any of the following
22 circumstances, except as provided in subsection 23.53.006.F.

1 1. In any zone with a pedestrian designation, sidewalks, curbs, and curb ramps are
2 required when new lots, other than unit lots, are created through the full or short subdivision
3 platting process or when development is proposed.

4 2. In industrial zones, on streets designated on Map A for (~~(23.50.016, Industrial~~
5 ~~Streets Landscaping Plan)~~) 23.50A.018, sidewalks, curbs, and curb ramps are required when new
6 lots are created through the full or short subdivision platting process or when development is
7 proposed. Sidewalks, curbs, and curb ramps are required only for the portion of the lot that abuts
8 the designated street.

9 3. On arterials, except in (~~(IG1 and IG2 zones and on lots in IB zones that are not~~
10 ~~directly across the street from or abutting a lot in a residential or commercial zone)~~) the MML
11 zone, sidewalks, curbs, and curb ramps are required when new lots, other than unit lots, are
12 created through the full or short subdivision platting process or when development is proposed.
13 Sidewalks, curbs, and curb ramps are required only for the portion of the lot that abuts the
14 arterial.

15 4. In neighborhood residential zones, sidewalks, curbs, and curb ramps are
16 required when ten or more lots are created through the full subdivision platting process or when
17 ten or more dwelling units are developed.

18 5. (~~(Outside of neighborhood residential zones, except)~~) Except in (~~(IG1 and IG2~~
19 ~~zones and on lots in IB zones that are not directly across the street from or abutting a lot in a~~
20 ~~residential or commercial zone)~~) neighborhood residential zones and the MML zone, sidewalks,
21 curbs, and curb ramps are required when six or more lots, other than unit lots, are created
22 through the full or short subdivision platting process or when six or more dwelling units are
23 developed.

1 6. In all zones, except (~~IG1 and IG2 zones and on lots in IB zones that are not~~
2 ~~directly across the street from or abutting a lot in a residential or commercial zone~~) the MML
3 zone, sidewalks, curbs, and curb ramps are required when the following non-residential uses are
4 developed:

5 a. Seven hundred and fifty square feet or more of gross floor area of major
6 and minor vehicle repair uses and multi-purpose retail sales; or

7 b. Four thousand square feet or more of non-residential uses not listed in
8 subsection 23.53.006.D.6.a.

9 E. Requirements for pedestrian walkways in (~~central industrial zones~~) the MML zone.
10 In (~~IG1 and IG2 zones, and on lots in IB zones that are not directly across the street from or~~
11 ~~abutting a lot in a residential or commercial zone,~~) the MML zone, when development is
12 proposed on existing streets that do not have curbs, and when sidewalks are not otherwise
13 required by subsection 23.53.006.D, a pedestrian walkway with accessible crossings is required,
14 except as provided in subsection 23.53.006.F.

15 F. Exceptions. The following exceptions to pedestrian access and circulation
16 requirements and standards apply:

17 1. Projects exempt from requirements. Pedestrian access and circulation
18 improvements are not required for the following types of projects:

19 a. Change of use;

20 b. Alterations to existing structures;

21 c. Additions to existing structures that are exempt from environmental
22 review;

1 d. Construction of a detached structure accessory to a single-family
2 dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized
3 by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that
4 agreement is recorded with the King County Recorder;

5 e. Construction of a single-family dwelling unit on a lot in any zone, if the
6 property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to
7 future pedestrian access and circulation improvements and that agreement is recorded with the
8 King County Recorder, and if at least one of the following conditions is met:

9 1) The lot is on a block front where there are no existing pedestrian
10 access and circulation improvements within 100 feet of the lot; or

11 2) Construction of pedestrian access and circulation improvements
12 is not necessary because, for example, the existing right-of-way has suitable width and surface
13 treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and
14 potential vehicular traffic; or the Director anticipates limited, if any, additional development near
15 the lot because the development near the lot is at or near zoned capacity under current zoning
16 designations;

17 f. Expansions of surface parking, outdoor storage, outdoor sales and
18 outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or
19 display area, or number of parking spaces;

20 g. In ~~((IG1 and IG2 zones, and on lots in IB zones that are not directly~~
21 ~~across the street from or abutting a lot in a residential or commercial zone))~~ MML zone, the
22 addition of:

23 1) Fewer than ten artist's studio dwellings;

1 ((4)) d. Sidewalk, curb, and/or curb ramp construction would preclude
2 vehicular access to the lot, for example on project sites where topography would render driveway
3 access in excess of the maximum 15 percent slope.

4 3. Deviation from sidewalk, curb, and curb ramp standards. ~~((The))~~ After
5 consultation with the Director of Transportation, the Director of Seattle Department of
6 Construction and Inspections, the Director of Transportation may grant a deviation from
7 sidewalk, curb, and curb ramp standards specified in the Right-of-Way Improvements Manual
8 through the Deviation Request Process to address environmental, sustainability, or accessibility
9 issues if the deviation provides access to the maximum extent feasible with a substantially
10 equivalent alternative design or materials.

11 4. Notwithstanding any provision of Section 23.76.026, the applicant for a Master
12 Use Permit or a building permit to which the Land Use Code in effect prior to October 30, 2009
13 applies may, by written election, use the exemptions in subsections 23.53.006.F.1, 23.53.006.F.2,
14 and 23.53.006.F.3.

15 Section 10. Section 23.53.010 of the Seattle Municipal Code, last amended by Ordinance
16 126685, is amended as follows:

17 **23.53.010 Improvement requirements for new streets in all zones**

18 A. General ~~((Requirements))~~ requirements. New streets created through the platting
19 process or otherwise dedicated shall meet the requirements of this ~~((chapter))~~ Chapter 23.53 and
20 the Streets Illustrated Right-of-Way Improvements Manual or successor.

21 B. Required right-of-way widths for new streets

1 1. Arterial and downtown streets. New streets located in downtown zones, and new
2 arterials, shall be designed according to the Streets Illustrated Right-of-Way Improvements
3 Manual or successor.

4 2. Nonarterials not in downtown zones((-))

5 a. The required right-of-way widths for new nonarterial streets not located in
6 downtown zones shall be as shown on Table A for ((~~Section~~)) 23.53.010:

7 ((**Table A for Section 23.53.010**))

Table A for 23.53.010	
Required right-of-way width for new streets in all zones	
Zone ((Category)) <u>category</u>	Required ((Right-of-Way Width)) <u>right-of-way width (in feet)</u>
1. NR, LR1, NC1	50 ((feet))
2. LR2, LR3, NC2	56 ((feet))
3. MR, HR, NC3, C1, C2, SM, IB, <u>UI, II, IC</u>	60 ((feet))
4. IG1, IG2, <u>MML</u>	66 ((feet))

8
9 b. If a block is split into more than one zone, the required right-of-way
10 width is determined based on the requirement in Table A for ((~~Section~~)) 23.53.010 for the zone
11 category with the most frontage. If the zone categories have equal frontage, the one with the
12 wider requirement shall be used to determine the minimum right-of-way width.

13 3. Exceptions to required right-of-way widths. The Director, after consulting with
14 the Director of Transportation, may reduce the required right-of-way width for a new street if its
15 location in an environmentally critical area or buffer, disruption of existing drainage patterns, or
16 the presence of natural features such as significant trees makes the required right-of-way width
17 impractical or undesirable.

18 Section 11. Section 23.53.020 of the Seattle Municipal Code, last amended by Ordinance
19 126682, is amended as follows:

1 **23.53.020 Improvement requirements for existing streets in industrial zones**

2 A. General requirements

3 1. If new lots are created or any type of development is proposed in an industrial
4 zone, existing streets abutting the lot(s) are required to be improved in accordance with this
5 Section 23.53.020 and Section 23.53.006. One or more of the following types of improvements
6 may be required by this Section 23.53.020:

- 7 a. Pavement;
- 8 b. Drainage;
- 9 c. Grading to future right-of-way grade;
- 10 d. Design of structures to accommodate future right-of-way grade;
- 11 e. No-protest agreements; and
- 12 f. Planting of street trees and other landscaping.

13 A setback from the property line, or dedication of right-of-way, may be required
14 to accommodate the improvements.

15 2. Subsection 23.53.020.E contains exceptions from the standard requirements for
16 street improvements, including exceptions for streets that already have curbs, projects that are
17 smaller than a certain size, and for special circumstances, such as location in an environmentally
18 critical area.

19 3. Off-site improvements such as provision of drainage systems or fire access
20 roads shall be required pursuant to the authority of this Code or other ordinances to mitigate the
21 impacts of development.

22 4. Detailed requirements for street improvements are in the Streets Illustrated
23 Right-of-Way Improvements Manual or successor.

1 5. The regulations in this Section 23.53.020 are not intended to preclude the use
2 of Chapter 25.05 to mitigate adverse environmental impacts.

3 6. Minimum right-of-way widths

4 a. Arterials. The minimum right-of-way widths for arterials designated on
5 the Arterial street map, Section 11.18.010, are as specified in the Streets Illustrated Right-of-
6 Way Improvements Manual or successor.

7 b. Non-arterials

8 1) The minimum right-of-way width for an existing street that is
9 not an arterial designated on the Arterial street map, Section 11.18.010, is as shown on Table A
10 for 23.53.020.

Table A for 23.53.020	
Minimum right-of-way widths for existing nonarterial streets	
Zone category	Required ((Right-of-way)) <u>right-of-way</u> widths (in feet)
1. IB, IC, UI, II	52
2. IG1, IG2, MML	56

11
12 2) If a block is split into more than one zone, the zone category
13 with the most frontage shall determine the minimum width on Table A for 23.53.020. If the zone
14 categories have equal frontage, the one with the wider requirement shall be used to determine the
15 minimum right-of-way width.

16 B. Improvements on designated streets in all industrial zones. In all industrial zones,
17 except as provided in subsection 23.53.020.E, if a lot abuts a street designated on Map A for
18 (~~(23.50.016)~~) 23.50A.018, the following on-site improvements shall be provided:

19 1. Dedication requirement. If the street right-of-way is less than the minimum
20 width established in subsection 23.53.020.A.6, dedication of additional right-of-way equal to half

1 the difference between the current right-of-way and the minimum right-of-way width established
2 in subsection 23.53.020.A.6 is required; provided, however, that if right-of-way has been
3 dedicated since 1982, other lots on the block are not required to dedicate more than that amount
4 of right-of-way.

5 2. Improvement requirements. A paved roadway with pedestrian access and
6 circulation as required by Section 23.53.006 and drainage facilities shall be provided in the
7 portion of the street right-of-way abutting the lot, as specified in the Streets Illustrated Right-of-
8 Way Improvements Manual or successor.

9 3. Street trees. Street trees shall be provided along designated street frontages
10 pursuant to Section 23.50A.018.

11 ~~((a. Street trees shall be provided along designated street frontages. Street~~
12 ~~trees shall be provided in the planting strip as specified in the Street Tree Manual.~~

13 ~~b. Exceptions to street tree requirements~~

14 ~~1) Street trees required by subsection 23.53.020.B.3.a may be~~
15 ~~located on the lot at least 2 feet from the street lot line instead of in the planting strip if:~~

16 ~~a) Existing trees or landscaping on the lot provide~~
17 ~~improvements substantially equivalent to those required in this Section 23.53.020;~~

18 ~~b) It is not feasible to plant street trees according to City~~
19 ~~standards. A 5 foot deep landscaped setback area is required along the street property lines and~~
20 ~~trees shall be planted there. If an on-site landscaped area is already required, the trees shall be~~
21 ~~planted there if they cannot be placed in the planting strip.))~~

22 C. General Industrial 1 and General Industrial 2 (IG1 and IG2 zones) and Maritime,
23 Manufacturing, and Logistics (MML) zone. Except as provided in subsection 23.53.020.E, the

1 following improvements shall be required in IG1, ~~((and))~~ IG2, ~~((zones))~~ and the MML zones, in
2 addition to the pedestrian access and circulation requirements of Section 23.53.006. Further
3 improvements may be required on streets designated in subsection 23.53.020.B.

4 1. Setback requirement. When the right-of-way abutting a lot has less than the
5 minimum width established in subsection 23.53.020.A.6, a setback equal to half the difference
6 between the current right-of-way width and the minimum right-of-way width established in
7 subsection 23.53.020.A.6 is required; provided, however, that if a setback has been provided
8 under this ~~((provision))~~ subsection 23.53.020.C.1, other lots on the block shall provide the same
9 setback. The area of the setback may be used to meet any development standard, except that
10 required parking may not be in the setback. Underground structures that would not prevent the
11 future widening and improvement of the right-of-way may be permitted in the required setback
12 by the Director after consulting with the Director of Seattle Department of Transportation.

13 2. Grading requirement. When an existing street abutting a lot is less than the
14 width established in subsection 23.53.020.A.6, all structures shall be designed and built to
15 accommodate the grade of the future street improvements.

16 3. Fire apparatus access. If the lot does not have vehicular access from a street or
17 private easement that meets the regulations for fire apparatus access roads in Chapter 22.600,
18 such access shall be provided. When an existing street does not meet these regulations, the Chief
19 of the Fire Department may approve an alternative that provides adequate emergency vehicle
20 access.

21 4. Dead-end streets. Streets that form a dead end at the property to be developed
22 shall be improved with a cul-de-sac or other vehicular turnaround as specified in the Streets
23 Illustrated Right-of-Way Improvements Manual or successor. The Director, after consulting with

1 the Director of the Seattle Department of Transportation, shall determine whether the street has
2 the potential for being extended or whether it forms a dead end because of topography and/or the
3 layout of the street system.

4 5. No-protest agreement requirement. When a setback is required by subsection
5 23.53.020.C.1, or a pedestrian walkway is required as specified in Section 23.53.006, a no-
6 protest agreement to future street improvements shall be required, as authorized by chapter 35.43
7 RCW. The agreement shall be recorded with the King County Recorder.

8 D. Industrial Buffer (IB) , Urban Industrial (UI), Industry and Innovation (II), and
9 Industrial Commercial (IC) zones. Except as provided in subsection 23.53.020.E, the following
10 improvements are required in ~~((IB))~~ UI, II, and IC zones, in addition to the pedestrian access and
11 circulation requirements of Section 23.53.006. Further improvements may be required on streets
12 designated in subsection 23.53.020.B. ~~((+))~~ The requirements of this subsection
13 23.53.020.D~~((+))~~ shall apply when development projects are proposed on lots in ~~((IB zones that~~
14 ~~are directly across a street from, or that abut, a lot in a residential or commercial zone and to))~~ all
15 ~~((projects in))~~ UI, II, and IC zones:

16 ~~((a-))~~ 1. Improvements to arterials

17 ~~((+))~~ a. When a street is designated as an arterial on the Arterial street
18 map, Section 11.18.010, a paved roadway~~((;))~~ with pedestrian access and circulation as required
19 by Section 23.53.006, drainage facilities, and any landscaping required by the zone in which the
20 lot is located shall be provided in the portion of the street right-of-way abutting the lot, as
21 specified in the Streets Illustrated Right-of-Way Improvements Manual or successor.

1 determine whether the street has the potential for being extended or whether it forms a dead end
2 because of topography or the layout of the street system.

3 ((2)) b. Non-arterial streets with less than the minimum right-of-way
4 width

5 ((a)) 1) Dedication requirement. When an existing non-arterial
6 street has less than the minimum right-of-way established in subsection 23.53.020.A.6,
7 dedication of additional right-of-way equal to half the difference between the current right-of-
8 way width and the minimum right-of-way width established in subsection 23.53.020.A.6 is
9 required; provided, however, that if right-of-way has been dedicated since 1982, other lots on the
10 block shall not be required to dedicate more than that amount of right-of-way.

11 ((b)) 2) Improvement requirement. A paved roadway with
12 pedestrian access and circulation as required by Section 23.53.006, drainage facilities, and any
13 landscaping required by the zone in which the lot is located shall be provided in the portion of
14 the street right-of-way abutting the lot, as specified in the Streets Illustrated Right-of-Way
15 Improvements Manual or successor.

16 ((c)) 3) Fire apparatus access. If the lot does not have vehicular
17 access from a street or private easement that meets the regulations for fire apparatus access roads
18 in Chapter 22.600, such access shall be provided. When an existing street does not meet these
19 regulations, the Chief of the Fire Department may approve an alternative that provides adequate
20 emergency vehicle access.

21 ((d)) 4) Dead-end streets. Streets that form a dead end at the
22 property to be developed shall be improved with a cul-de-sac or other vehicular turnaround as
23 specified in the Streets Illustrated Right-of-Way Improvements Manual or successor. The

1 Director, after consulting with the Director of Seattle Department of Transportation, shall
2 determine whether the street has the potential for being extended or whether it forms a dead end
3 because of topography or the layout of the street system.

4 ~~((2. When projects are proposed on lots in IB zones that are not directly across a
5 street from, and do not abut, a lot in a residential or commercial zone, the requirements of
6 subsection 23.53.020.C shall be met.))~~

7 E. Exceptions

8 1. Streets with existing curbs

9 a. Streets with right-of-way greater than or equal to the minimum right-of-
10 way width. When a street with existing curbs abuts a lot, and improvements would be required
11 by subsections 23.53.020.B or 23.53.020.D, and the existing right-of-way is greater than or equal
12 to the minimum width established in subsection 23.53.020.A.6, but the roadway width is less
13 than the minimum established in the Streets Illustrated Right-of-Way Improvements Manual or
14 successor, the following requirements shall be met:

15 1) All structures on the lot shall be designed and built to
16 accommodate the grade of the future street improvements.

17 2) A no-protest agreement to future street improvements is
18 required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the title to
19 the property with the King County Recorder.

20 3) Pedestrian access and circulation are required as specified in
21 Section 23.53.006.

1 b. Streets with less than the minimum right-of-way width. When a street
2 with existing curbs abuts a lot and the existing right-of-way is less than the minimum width
3 established in subsection 23.53.020.A.6, the following requirements shall be met:

4 1) Setback requirement. A setback equal to half the difference
5 between the current right-of-way width and the minimum right-of-way width established in
6 subsection 23.53.020.A.6 is required; provided, however, that if a setback has been provided
7 under this ((provision)) subsection 23.53.020.E.1.b.1, other lots on the block shall provide the
8 same setback. The area of the setback may be used to meet any development standard, except
9 that required parking may not be in the setback. Underground structures that would not prevent
10 the future widening and improvements of the right-of-way may be permitted in the required
11 setback by the Director after consulting with the Director of Transportation.

12 2) Grading requirement. When a setback is required, all structures
13 on the lot shall be designed and built to accommodate the grade of the future street, as specified
14 in the Streets Illustrated Right-of-Way Improvements Manual or successor.

15 3) A no-protest agreement to future street improvements is
16 required, as authorized by chapter 35.43 RCW. The agreement shall be recorded with the title to
17 the property with the King County Recorder.

18 4) If there is no sidewalk, a sidewalk shall be constructed except
19 when an exception set forth in Section 23.53.006 is applicable.

20 2. Projects with reduced improvement requirements. The following types of
21 projects are exempt from all dedication and improvement requirements of subsections
22 23.53.020.B, 23.53.020.C, and 23.53.020.D, but shall meet the pedestrian access and circulation
23 requirements specified in Section 23.53.006 and the requirements of subsection 23.53.020.E.1.b

1 if the street right-of-way abutting the lot has less than the minimum right-of-way width
2 established in subsection 23.53.020.A or does not meet the grade of future street improvements.

3 a. Structures with fewer than ten artist's studio dwellings;

4 b. The following uses when they are smaller than 750 square feet of gross
5 floor area: major and minor vehicle repair uses, and multipurpose retail sales uses;

6 c. Nonresidential structures that have less than 4,000 square feet of gross
7 floor area and that do not contain uses listed in subsection 23.53.020.E.2.b that are larger than
8 750 square feet;

9 d. Structures containing a mix of artist's studio dwellings and
10 nonresidential uses, if there are fewer than ten artist's studio dwellings, and the square footage of
11 nonresidential use is less than specified in subsections 23.53.020.E.2.b and 23.53.020.E.2.c;

12 e. Remodeling and use changes within existing structures;

13 f. Additions to existing structures that are exempt from environmental
14 review; and

15 g. Expansions of surface parking, outdoor storage, outdoor sales, or
16 outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or
17 display area, or number of parking spaces.

18 3. Exceptions from street improvement requirements. The Director, in
19 consultation with the Director of Transportation, may waive or modify the requirements for
20 paving, dedication, setbacks, grading, no-protest agreements, and landscaping when it is
21 determined that one or more of the following conditions are met. The waiver or modification
22 shall provide the minimum relief necessary to accommodate site conditions while maximizing
23 access and circulation.

1 a. Location in an environmentally critical area or buffer, disruption of
2 existing drainage patterns, or removal of natural features such as significant trees or other
3 valuable and character-defining mature vegetation makes widening or improving the right-of-
4 way impractical or undesirable.

5 b. The existence of a bridge, viaduct, or structure such as a substantial
6 retaining wall in proximity to the project site makes widening or improving the right-of-way
7 impractical or undesirable.

8 c. Widening the right-of-way or improving the street would adversely
9 affect the character of the street, as it is defined in an adopted neighborhood plan, street
10 designations in the Streets Illustrated Right-of-Way Improvements Manual or successor, or
11 adopted City plan for Green Streets, boulevards, or other special right-of-way, or would
12 otherwise conflict with the stated goals of such a plan.

13 d. Widening or improving the right-of-way would make building on a lot
14 infeasible by reducing it to dimensions where development standards cannot reasonably be met.

15 e. Widening or improving the right-of-way would preclude vehicular
16 access to an existing lot.

17 f. One or more substantial principal structures on the same side of the
18 block as the proposed project are in the area needed for future expansion of the right-of-way and
19 the structure(s)' condition and size make future widening of the remainder of the right-of-way
20 unlikely.

21 g. Widening or improving the right-of-way is impractical because
22 topography would preclude the use of the street for vehicular access to the lot, for example due
23 to an inability to meet the required 15 percent maximum driveway slope.

1 as overflow on less than ten percent of the weekdays in a year, and the spaces shall otherwise
 2 be available for daytime use by the general public.

3 5. Notwithstanding the minimum parking requirements set out in Table A for
 4 23.54.015, in the Industry and Innovation zones, the maximum parking ratio for all uses is one
 5 space per 1,000 square feet of gross floor area.

6 * * *

Table A for 23.54.015			
Required parking for non-residential uses other than institutions			
Use			Minimum parking required
I. General ((Non-residential Uses) non-residential uses (other than institutions))			
A.	AGRICULTURAL USES ¹		1 space for each 2,000 square feet
B.	COMMERCIAL USES		
	B.1.	Animal shelters and kennels	1 space for each 2,000 square feet
	B.2.	Eating and drinking establishments	1 space for each 250 square feet
	B.3.	Entertainment uses, general, except as noted below ²	For public assembly areas: 1 space for each 8 fixed seats, or 1 space for each 100 square feet of public assembly area not containing fixed seats
		B.3.a.	Adult cabarets
		B.3.b.	Sports and recreation uses ³
	B.4.	Food processing and craft work	1 space for each 2,000 square feet
	B.5.	Laboratories, research and development	1 space for each 1,500 square feet
	B.6.	Lodging uses	1 space for each 4 rooms; For bed and breakfast facilities in neighborhood residential and multifamily zones, 1 space for each dwelling unit, plus 1 space for each 2 guest rooms
	B.7.	Medical services	1 space for each 500 square feet
	B.8.	Offices	1 space for each 1,000 square feet
	B.9.	Sales and services, automotive	1 space for each 2,000 square feet
	B.10.	Sales and services, general, except as noted below	1 space for each 500 square feet
		B.10.a.	Pet daycare centers ⁴
			1 space for each 10 animals or 1 space for each staff member, whichever is greater, plus 1 loading and unloading space for each 20 animals

Table A for 23.54.015				
Required parking for non-residential uses other than institutions				
Use		Minimum parking required		
	B.11.	Sales and services, heavy	1 space for each 2,000 square feet	
	B.12.	Sales and services, marine	1 space for each 2,000 square feet	
C.	HIGH IMPACT USES		1 space for each 2,000 square feet	
D.	LIVE-WORK UNITS		0 spaces for units with 1,500 square feet or less; 1 space for each unit greater than 1,500 square feet; 1 space for each unit greater than 2,500 square feet, plus the parking that would be required for any nonresidential activity classified as a principal use	
E.	MANUFACTURING USES		1 space for each 2,000 square feet	
F.	STORAGE USES		1 space for each 2,000 square feet	
G.	TRANSITIONAL ENCAMPMENT INTERIM USE		1 space for every vehicle used as shelter; plus 1 space for each 2 staff members on-site at peak staffing times	
H.	TRANSPORTATION FACILITIES			
	H.1.	Cargo terminals	1 space for each 2,000 square feet	
	H.2.	Parking and moorage		
		H.2.a.	Flexible-use parking	None
		H.2.b.	Towing services	None
		H.2.c.	Boat moorage	1 space for each 2 berths
		H.2.d.	Dry storage of boats	1 space for each 2,000 square feet
	H.3.	Passenger terminals	1 space for each 100 square feet of waiting area	
	H.4.	Rail transit facilities	None	
	H.5.	Transportation facilities, air	1 space for each 100 square feet of waiting area	
	H.6.	Vehicle storage and maintenance uses	1 space for each 2,000 square feet	
I.	UTILITIES		1 space for each 2,000 square feet	
II. Non-residential ((Use Requirements for Specific Areas)) <u>use requirements for specific areas</u>				
J.	Non-residential uses in urban centers or the Station Area Overlay District ⁵		No minimum requirement	
K.	Non-residential uses in urban villages that are not within an urban center or the Station Area Overlay District, if the non-residential use is located within a frequent transit service area ⁵		No minimum requirement	
L.	Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504		No minimum requirement	

**Table A for 23.54.015
 Required parking for non-residential uses other than institutions**

Use		Minimum parking required
<u>M.</u>	<u>Non-residential uses permitted in II zones</u>	<u>No minimum requirement</u>

Footnotes for Table A for 23.54.015

- ¹ No parking is required for urban farms or community gardens in residential zones.
- ² Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise being met. The Director may revoke or modify a parking requirement reduction approval during a series, if projected attendance is exceeded.
- ³ For indoor sports and recreation uses that exceed 25,000 square feet in size in ~~((the Ballard Interbay Northend))~~ a Manufacturing Industrial Center, the minimum requirement is 1 space for each 2,000 square feet.
- ⁴ The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate.
- ⁵ The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a non-residential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of non-residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

1 Section 13. Section 23.58B.040 of the Seattle Municipal Code, enacted by Ordinance
 2 125792, is amended as follows:

3 **23.58B.040 Mitigation of impacts - payment option**

4 * * *

Table B for 23.58B.040 Payment calculation amounts: Outside Downtown, SM-SLU, SM-U, and SM-NG zones			
Zone	Payment calculation amount per square foot		
	Low	Medium	High
All Industrial Buffer zones (IB)	Not applicable	Not applicable	Not applicable
All Industrial General zones (IG)	Not applicable	Not applicable	Not applicable
All Master Planned Communities— Yesler Terrace zones (MPC-YT)	Not applicable	Not applicable	Not applicable
<u>All Maritime, Manufacturing and Logistics zones (MML)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>All Urban Industrial zones (UI)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
((IC 85-175)) <u>II 85-240</u>	\$10.00	\$10.00	\$10.00
All other IC zones	Not applicable	Not applicable	Not applicable
Zones with an (M) suffix	\$5.00	\$7.00	\$8.00
Zones with an (M1) suffix	\$8.00	\$11.25	\$12.75
Zones with an (M2) suffix	\$9.00	\$12.50	\$14.50
Other zones where provisions refer to Chapter 23.58B	\$5.00	\$7.00	\$8.00

5
 6 * * *

1 Section 14. Section 23.58B.050 of the Seattle Municipal Code, last amended by
 2 Ordinance 126685, is amended as follows:

3 **23.58B.050 Mitigation of impacts - performance option**

4 * * *

Table B for 23.58B.050			
Performance calculation amounts:			
Outside Downtown, SM-SLU, SM-U, and SM-NG zones			
Zone	Performance calculation amount per square foot		
	Low	Medium	High
All Industrial Buffer zones (IB)	Not applicable	Not applicable	Not applicable
All Industrial General zones (IG)	Not applicable	Not applicable	Not applicable
<u>All Maritime, Manufacturing, and Logistics zones (MML)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>All Urban Industrial zones (UI)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
All Master Planned Communities— Yesler Terrace zones (MPC-YT)	Not applicable	Not applicable	Not applicable
(IC 85-175) <u>II 85-240</u>	6.1%	6.1%	6.1%
<u>All other II zones</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
Zones with an (M) suffix	5.0%	5.0%	5.0%
Zones with an (M1) suffix	8.0%	8.0%	8.0%
Zones with an (M2) suffix	9.0%	9.0%	9.0%
Other zones where provisions refer to Chapter 23.58B	5.0%	5.0%	5.0%

5 * * *

1 Section 15. Section 23.74.002 of the Seattle Municipal Code, enacted by Ordinance
2 119972, is amended as follows:

3 **23.74.002 Purpose, intent, and description of the overlay district—Rezone requirement—**
4 **Rezone criteria((:))**

5 A. Purpose and ~~((Intent))~~ intent. The purpose of this ~~((chapter))~~ Chapter 23.74 is to
6 implement the City's Comprehensive Plan, including the neighborhood plan for the Greater
7 Duwamish Manufacturing/Industrial Center, by establishing a Stadium Transition Area
8 Overlay District for the area shown on ~~((Exhibit 23.74.004 A))~~ Map A for 23.74.004. The
9 Stadium Transition Area centers on large sports facilities and allows uses complementary to
10 them. It is intended to contribute to a safer pedestrian environment for those attending events
11 and permits a mix of uses, supporting the pedestrian-oriented character of the area as well as
12 the surrounding industrial zone, while minimizing conflicts with industrial uses. Within the
13 overlay district, use provisions and development standards are designed to: create a pedestrian
14 connection with downtown; discourage encroachment on nearby industrial uses to the south;
15 and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office
16 development, restaurants, lodging, and maker uses and arts, is intended to encourage
17 redevelopment and to maintain the health and vibrancy of the area during times when the
18 sports facilities are not in operation.

19 B. Relationship to ~~((Surrounding Activity of Areas Located Within))~~ surrounding
20 activity of areas located within the District. The District is an area where stadiums and similar
21 major, regional attractions are located, in which transportation and other infrastructure can
22 support additional development. It is an area surrounded by land with widely varying
23 development patterns and land use characteristics including the mixed use urban development

1 of south Downtown, Pioneer Square, the working waterfront, and the industrial area. The
2 desired relationship of the Stadium Transition Area is with Pioneer Square and First Avenue,
3 permitting strong pedestrian and transit links to the north. There should be well-defined edges
4 between the pedestrian activity of the Stadium Transition Area and industrial activity
5 surrounding it. The portion of Fourth Avenue South that is north of Royal Brougham and the
6 main line railroad tracks create a strong edge to the east and should be the eastern boundary.
7 South Holgate Street, the first major cross street to the south of the ~~((Safeco Field))~~
8 professional baseball stadium, should be the southern boundary. Boundaries should not be
9 shifted farther into the industrial area.

10 C. Rezones resulting in ~~((Boundary Changes))~~ boundary changes to the Stadium
11 Transition Overlay Area District. A rezone pursuant to Chapter 23.34 shall be required to
12 change the established boundaries of the Stadium Transition Area Overlay District. A rezone
13 shall be subject to the provisions of Chapter 23.76~~((Procedures for Master Use Permits and~~
14 ~~Council Land Use Decisions))~~. Areas to be included within the District boundaries shall be
15 compatible with the purpose and intent as stated in this ~~((section))~~ Section 23.74.002, and shall
16 either be areas developed as major spectator sports facilities, or areas that meet the criteria for
17 Industrial Commercial or Urban Industrial zoning and are along preferred pedestrian routes
18 that can provide safe and attractive passage for pedestrians between the stadiums and retail
19 areas and transit service.

20 Section 16. Section 23.74.006 of the Seattle Municipal Code, enacted by Ordinance
21 119972, is amended as follows:

22 **23.74.006 Application of ~~((Regulations.))~~ regulations**

1 Land located within the Stadium Transition Area Overlay District, as shown on (~~Exhibit~~
2 ~~23.74.004 A~~) Map A for 23.74.004, is subject to the regulations of the underlying zone except
3 as otherwise expressly provided in this (~~chapter~~) Chapter 23.74. In the event of a conflict
4 between the provisions of this (~~chapter~~) Chapter 23.74 and the underlying zone, the
5 provisions of this (~~chapter~~) Chapter 23.74 apply. (~~Where the provisions of the underlying~~
6 ~~zone are more restrictive, that is not considered a conflict and compliance with the provisions~~
7 ~~of the underlying zone is required, except as specifically provided in this chapter. Where the~~
8 ~~provisions of this chapter are more restrictive, compliance with this provisions is required,~~
9 ~~subject to any departures that may be authorized pursuant to design review under Section~~
10 ~~23.41.012 and to provisions for nonconforming uses and structures in Sections 23.50.008 and~~
11 ~~23.50.010.~~)

12 Section 17. Section 23.74.008 of the Seattle Municipal Code, last amended by Ordinance
13 125558, is amended as follows:

14 **23.74.008 Uses**(~~(:)~~)

15 Notwithstanding the use provisions of the underlying zone, the following use provisions apply:

16 (~~A. The following uses are permitted outright:~~

- 17 1. ~~Medical services;~~
- 18 2. ~~Museums;~~
- 19 3. ~~Community clubs or centers;~~
- 20 4. ~~Private clubs; and~~
- 21 5. ~~Religious facilities.~~

22 ~~B))~~A. The following uses are permitted in buildings existing on (~~September 1, 1999~~)
23 June 1, 2023:

- 1 1. Artist's studio/dwellings;
- 2 2. Major institutions.
- 3 ~~((C))~~B. The following uses are prohibited:
- 4 1. Heavy manufacturing uses;
- 5 2. High-impact uses;
- 6 3. Solid waste management;
- 7 4. Recycling uses;
- 8 5. Animal shelters and kennels;
- 9 6. Veterinary offices;
- 10 7. Pet grooming;
- 11 8. Airports, land and water based;
- 12 9. Hospitals;
- 13 10. Elementary and secondary schools;
- 14 11. Drive-in businesses(~~(,-except))~~ including gas stations;
- 15 12. Bus bases;
- 16 13. Flexible-use parking ¹ ; and
- 17 ~~((14. Lodging uses; and~~
- 18 ~~15. Colleges²;-))~~
- 19 14. Residential uses otherwise allowed as an administrative conditional use in
- 20 the Urban Industrial zone pursuant to subsection 23.50A.006.B.3.

21 ¹ Parking required for a spectator sports facility or exhibition hall is allowed and shall be
22 permitted to be used for flexible-use parking or shared with another such facility to meet its
23 required parking. A spectator sports facility or exhibition hall within the Stadium Transition

1 Overlay Area District may reserve non-required parking only outside the overlay district and
2 only if:

3 (a) The parking is owned and operated by the owner of the spectator sports facility or
4 exhibition hall; and

5 (b) The parking is reserved for events in the spectator sports facility or exhibition hall;
6 and

7 (c) The reserved parking is south of South Royal Brougham Way, west of 6th Avenue
8 South and north of South Atlantic Street. Parking that is provided to meet required parking will
9 not be considered reserved parking.

10 (~~2. Training facilities for industrial trades operated by colleges and universities are permitted.~~)

11 Section 18. Section 23.74.009 of the Seattle Municipal Code, enacted by Ordinance
12 119972, is amended as follows:

13 **23.74.009 Height**(~~(:)~~)

14 A. Within the Stadium Transition Area Overlay District, maximum height limits of the
15 underlying zone are not applicable to spectator sports facilities.

16 B. Parking garages accessory to spectator sports facilities north of South (~~Royal~~
17 ~~Brougham Way~~) Massachusetts Street may exceed the height limit if all the conditions in this
18 subsection 23.74.009.B are satisfied.

19 (~~1. A Master Use Permit ("MUP") decision to permit the parking garage was~~
20 ~~issued before June 12, 2000.~~

21 ~~2. Any height above the maximum height permitted by such MUP decision is~~
22 ~~allowed by the Director pursuant to applicable provisions of this title for modification of such~~
23 ~~decision.~~)

1 b. In addition to the FAR exemptions in subsection 23.50A.010.B, the
 2 first 25,000 square feet of street-level general sales and service, medical services, eating and
 3 drinking establishments, or lodging uses on any lot are exempt from the maximum FAR limit.

4 ~~((2. Exemptions. In addition to the FAR exemptions in subsection 23.50.028.E,~~
 5 ~~the first 75,000 square feet of street-level general sales and service, medical services, animal~~
 6 ~~shelters or kennels, automotive sales and services, marine sales and services, eating and~~
 7 ~~drinking establishments, or lodging uses on any lot are exempt from the maximum FAR~~
 8 ~~limit.))~~

9 2. Maximum size of use limits

10 a. If a development provides an amount of gross floor area that totals at
 11 least 0.4 times the lot area in qualifying industrial uses as indicated in Table A for 23.50A.004
 12 and meeting the standards of subsection 23.50A.012.A.1.b, the development is exempt from all
 13 maximum size of use limits.

14 b. Developments not exempt from the maximum size of use limits
 15 according subsection 23.74.010.A are subject to the maximum size of use limits shown in
 16 Table A for 23.74.010.

Table A for 23.74.010	
Maximum size of use limits in the Stadium Transition Area Overlay District*	
<u>Uses subject to maximum size limits**</u>	<u>Maximum size limit (in square feet)</u>
<u>Animal shelters and kennels</u>	<u>10,000</u>
<u>Drinking establishments***</u>	<u>N.S.L</u>
<u>Entertainment**</u>	<u>75,000</u>
<u>Information Computer Technology</u>	<u>N.S.L</u>
<u>Lodging uses</u>	<u>N.S.L</u>
<u>Medical services</u>	<u>75,000</u>
<u>Office</u>	<u>75,000</u>
<u>Restaurants</u>	<u>N.S.L</u>
<u>Retail sales, major durables</u>	<u>20,000</u>
<u>Sales and services, automotive</u>	<u>20,000</u>
<u>Sales and services, general</u>	<u>40,000</u>

Table A for 23.74.010

Maximum size of use limits in the Stadium Transition Area Overlay District*

Uses subject to maximum size limits**

Maximum size limit (in square feet)

Key for Table A for 23.74.010

N.S.L. = No size limit

*Size of use limits do not apply to ancillary uses in the Urban Industrial zone.

** Where permitted under Table A for 23.50A.004.

*** The size limit applies to principal use drinking establishments such as bars tasting rooms or tap rooms that are unaffiliated with a brewery or distillery within 1,500 linear feet.

1
2 C. Pedestrian environment. The following development standards apply to each use and
3 structure, except spectator sports facilities, to the extent that the use or structure either is on a
4 lot fronting on Railroad Way South, First Avenue South, South Holgate between First Avenue
5 South and Occidental Avenue South, or Occidental Avenue South, or is within a 40-foot radius
6 measured from any of the block corners of First Avenue South or Occidental Avenue South
7 intersecting with the following streets: Railroad Way South, South Royal Brougham, South
8 Atlantic, South Massachusetts, South Holgate, and any other streets intersecting with First
9 Avenue or Occidental Avenue South that may be established between South Holgate Street and
10 Railroad Way South, as depicted in Map A for 23.74.010. Railroad Way South, First Avenue
11 South, South Holgate Street, and Occidental Avenue South within the Stadium Transition Area
12 Overlay District, and all street areas within a 40-foot radius of any of those block corners
13 described above, are referred to in this Section 23.74.010 as the “pedestrian environment,”
14 except that, in applying this Section 23.74.010 to a through lot abutting on Occidental Avenue
15 South and on First Avenue South, Occidental Avenue South is not considered part of the
16 pedestrian environment.

1 1. Street-facing facade requirements. ~~((The following requirements apply to))~~

2 For street-facing facades or portions thereof facing streets or portions of streets in the
3 pedestrian environment(~~(=~~

4 a. ~~Minimum facade height. Minimum~~), the minimum facade height is
5 25 feet, but minimum facade heights do not apply if all portions of the structure are lower than
6 the elevation of the required minimum facade height.

7 ~~((b. Facade setback limits~~

8 1) ~~Within the first 25 feet of height measured from sidewalk~~
9 ~~grade, all building facades must be built to within 2 feet of the street property line for the entire~~
10 ~~facade length. For purposes of this subsection 23.74.010.C.1.b, balcony railings and other~~
11 ~~nonstructural features or nonstructural walls are not considered parts of the facade of the~~
12 ~~structure.~~

13 2) ~~Above 25 feet measured from sidewalk grade, the maximum~~
14 ~~setback is 10 feet, and no single setback area that is deeper than 2 feet shall be wider than 20~~
15 ~~feet, measured parallel to the street property line.~~

16 3) ~~The facade shall return to within 2 feet of the street property~~
17 ~~line for a minimum of 10 feet, measured parallel to the street property line, between any two~~
18 ~~setback areas that are deeper than 2 feet.)~~

19 2. Outdoor service areas. ~~((Gas station pumps, service))~~ Service islands, electric
20 vehicle charging stations, and vehicular queuing lanes, ~~((and other service areas related to~~
21 ~~fueling))~~ are not allowed between any structure and the pedestrian environment area described
22 in this Section 23.74.010. ~~((Gas station pumps, service))~~ Service islands, vehicular queuing
23 lanes, and other service areas related to ~~((fueling))~~ automobiles must be located behind or to

1 the side of a (~~gas station~~) principal use, as viewed from any street in such pedestrian
2 environment and are not allowed between any structure on the same lot and the pedestrian
3 environment area described in this Section 23.74.010.

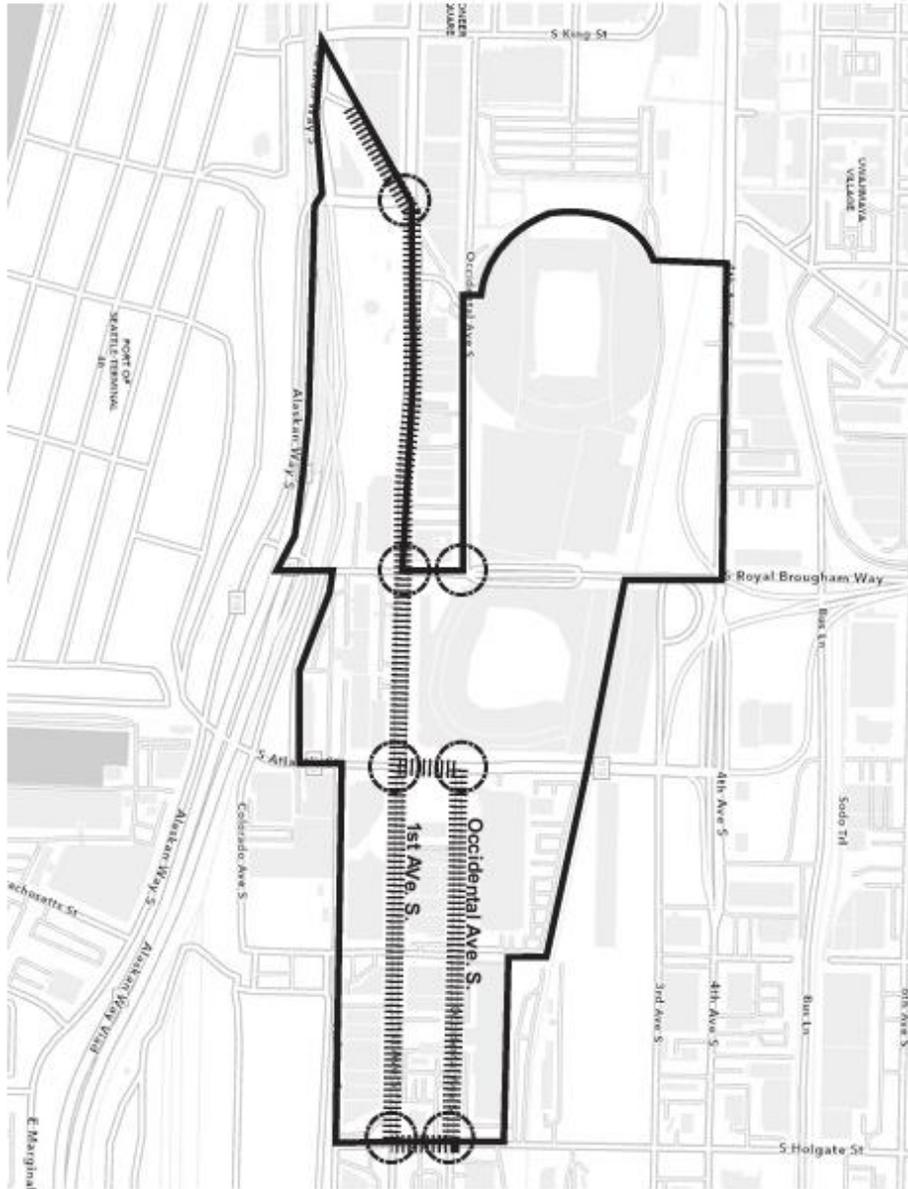
4 3. Screening and landscaping. (~~The requirements of Sections 23.50.016,~~
5 ~~23.50.034 and 23.50.038, including requirements contingent on location near a commercial~~
6 ~~zone, apply to all new uses and structures. Requirements in Section 23.50.038 contingent on~~
7 ~~location near a residential lot do not apply.~~) In addition to the requirements of Section
8 23.50A.018, the screening and landscaping requirements for outdoor storage in subsection
9 23.47A.016.D.2 apply, with respect to street lot lines abutting the pedestrian environment, to
10 the following uses, where a principal or accessory use is located outdoors: outdoor storage
11 (except for outdoor storage associated with florists and horticultural uses), sales and rental of
12 motorized vehicles, towing services, sales and rental of large boats, dry boat storage, heavy
13 commercial sales (except for fuel sales), heavy commercial services, outdoor sports and
14 recreation, wholesale showrooms, (~~mini-warehouse,~~) warehouse, transportation facilities
15 (except for rail transit facilities), utilities (except for utility service uses), and light and general
16 manufacturing.

17 4. Blank facades(~~(,)~~) and transparency requirements(~~(, street trees, and~~
18 ~~screening)~~). (~~In addition to the blank facade requirements of subsection 23.50.038.B, the~~)
19 The blank facade limits and transparency (~~(and street tree)~~) requirements of subsections
20 23.49.056.C(~~(,)~~) and 23.49.056.D(~~(, and 23.49.056.E)~~), and the screening of parking
21 requirements of subsection 23.49.019.B apply to facades or portions thereof facing streets in
22 the pedestrian environment, except that requirements for Class I Pedestrian Streets and
23 designated green streets do not apply.

1 5. Principal pedestrian entrances. A principal pedestrian entrance to a structure
2 having a facade along Railroad Way South, First Avenue South, or Occidental Avenue South
3 shall be located on Railroad Way South, First Avenue South, or Occidental Avenue South,
4 respectively. If the structure has facades along both First Avenue South and Occidental Avenue
5 South, a principal pedestrian entrance is required only on First Avenue South.

6 6. Pedestrian walkway. Development shall provide a pedestrian walkway that is
7 a minimum of 10 feet wide when fronting a street in the pedestrian environment. The walkway
8 must be continuous for the length of the development site and may be designed to include
9 sidewalk space in the public right of way and space on the site adjacent to the right of way.

1 **Map A for 23.74.010**
2 **Stadium Transition Area Overlay District development standards**



Map A for 23.74.010:
Stadium Transition Area Overlay District Development Standards



3

1 Section 20. Section 23.84A.018 of the Seattle Municipal Code, last amended by
2 Ordinance 126131, is amended as follows:

3 **23.84A.018 "I"**

4 * * *

5 "Infill development" means development consisting of either:

- 6 1. Construction on one (1) or more lots in an area that is mostly developed, or
- 7 2. New construction between two (2) existing structures.

8 "Information Computer Technology (ICT)" means a use primarily focused on
9 computing, computer coding, or digital information technology, leading to the development of
10 new products, knowledge creation, and innovation. This use may include computer hardware or
11 software development and includes research and prototyping and engineering activities that
12 result in technology and computer products or applications. This use shall be considered a
13 distinct use category in industrial zones of Chapter 23.50A and shall be considered a part of the
14 office use category in all other zones.

15 "Institute for advanced study." See "Institution."

16 * * *

17 Section 21. Section 23.84A.025 of the Seattle Municipal Code, last amended by
18 Ordinance 126684, is amended as follows:

19 **23.84A.025 "M"**

20 * * *

21 "Major Phased Development" means a (~~nonresidential,~~) multiple building project that,
22 by the nature of its size or function, is complex enough to require construction phasing over an
23 extended period of time, excluding Major Institutions.

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Section 22. Section 23.84A.040 of the Seattle Municipal Code, last amended by Ordinance 125173, is amended as follows:

23.84A.040 "U"

* * *

"Use, accessory" means a use that is incidental to a principal use.

"Use, ancillary" means a nonindustrial activity that occurs in association with a principal use in an Urban Industrial Zone that is subordinate or secondary in ways other than occupied floor space to the principal use and assists to carry out the chief function or purpose of the principal use, for purposes of Chapter 23.50A.

* * *

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development	Jim Holmes	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; updating industrial zones to implement the Industrial and Maritime Strategy; amending Sections 23.30.010, 23.34.096, 23.41.004, 23.47A.009, 23.53.006, 23.53.010, 23.53.020, 23.54.015, 23.58B.040, 23.58B.050, 23.74.002, 23.74.006, 23.74.008, 23.74.009, 23.74.010, 23.84A.018, 23.84A.025, and 23.84A.040 of, and adding new Sections 23.34.097, 23.34.098, and 23.34.099 and a new Chapter 23.50A to, the Seattle Municipal Code.

Summary and Background of the Legislation: This proposal is one of five proposed ordinances that together advance the land use recommendations of the Industrial and Maritime Strategy. Together these ordinances strengthen Seattle’s industrial and maritime sectors by updating zoning and development regulations to accommodate emerging trends, take advantage of new opportunities such as new light rail stations, provide stronger land use protections for legacy industries, and create healthier transitions between industrial and nonindustrial areas, particularly in the Georgetown, South Park, and Ballard neighborhoods.

This proposed ordinance creates a new Chapter 23.50A in the Seattle Municipal Code providing for the establishment of three new industrial zones and associated development standards and relocating the standards for the existing IC zone. The legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?

Yes. There will be short term administrative and technology-related costs to the Seattle Department of Construction and Inspections (SDCI) and Seattle Information Technology for administering initial implementation of the zoning changes.

Training for SDCI Permit Review Staff. SDCI permit review staff will need training to learn the details of the new development standards and allocate time to discuss consistent interpretation of how new regulations will be applied. Training to implement this legislation will occur in a series of sessions convened in partnership with OPCD staff. The costs for this training and preparation (approx. \$5,000) will be absorbed by SDCI and covered by permit fees and is considered an ordinary part of SDCI business.

Other SDCI Implementation Costs. In addition to staff training, SDCI will incur costs associated with community outreach and education that includes website updates, development of a new Tip(s) and Directors Rule, postage and mailers, as well as language translation services for website and outreach content. The implementation costs (approx. \$3,000) will be absorbed by SDCI and covered by permit fees and is considered an ordinary part of SDCI business.

Technology Costs to SDCI and Seattle IT for Integrating New Zones in Accela & GIS. SDCI and Seattle IT staff will need to devote time to updating the Accela system and GIS maps to add new zones and make zoning map changes. The following table outlines the estimated costs of the technology changes needed to implement this legislation. This cost cannot be absorbed by SDCI; therefore, SDCI plans to include a proposed appropriation increase from SDCI’s Construction and Inspections Fund (48100) in either the mid-year 2023 supplemental budget or the 2024 Proposed Budget.

TECHNOLOGY		Hours (BSA/Testing /Etc)	Hourly Rate (\$)	Total
Accela	<i>Update the DC record to accommodate additional IZ benefits, adding line to custom list</i>	14	<i>Varied</i>	876.00
Accela	<i>May need to tie incentives back to another dev site (similar to housing performance)</i>	80	<i>Varied</i>	5,054.00
Accela	<i>Add new MUP component? New Type II</i>	80	<i>Varied</i>	5,054.00
Accela	<i>Accela updates for new or updated uses - add custom lists under proposed and existing uses</i>	16	<i>Varied</i>	999.00
Portal	<i>Update to reflect new zones (automatically updates when GIS database updated)</i>	7	<i>Varied</i>	421.00
Help Articles /Zendesk	<i>Need to update</i>	15	<i>Varied</i>	971.00
1-Year Post Deploy Clean Up		10	<i>Varied</i>	621.00

Accela/GIS	<i>GIS Database Updates and Accela Map Services Updates</i>	160	115.00	18,400.00
GIS	<i>Geocortex, ArcGIS Online, ArcGIS Open Data, SDCI Zoning Map</i>	130	115.00	14,950.00
Future: future mapping changes after one year period	<i>GIS Database Updates and Accela Map Services Updates</i>	160	115.00	18,400.00
Future: future mapping changes after one year period	<i>Map Publishing (Geocortex, ArcGIS Online, ArcGIS Enterprise Portal, Open Data, SDCI Zoning Map Books)</i>	130	115.00	14,950.00
Subtotal				\$80,696.00

Are there financial costs or other impacts of *not* implementing the legislation?

Yes. The City has already invested significant resources over two years in the form of staff efforts that went into creating the proposal, and over \$400,000 in consulting funds for the Environmental Impact Statement (EIS) evaluating the land use changes. The proposed policy and land use code updates address the industrial areas of the City for the Comprehensive Plan major update. If the proposed land use code and policy changes were not implemented, the City would likely have to explore allocating new resources to address industrial areas in the Comprehensive Plan major update. Industrial areas are not a part of that scope because they are addressed by this Industrial and Maritime Strategy process.

This legislation adds capacity that will create an estimated 2,000 housing units on industrial land outside the Manufacturing Industrial Centers (MICs) that is being rezoned to a mixed-use zone, and approximately 880 housing units in the new Urban Industrial zones inside of MICs. The housing units outside of the MICs will be subject to a Mandatory Housing Affordability (MHA) requirement. These units will be allowed in new housing areas that would not be permitted in the absence of this legislation. The homes will generate an estimated \$19.5 million of MHA funds.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. This legislation affects SDCI as the department responsible for administering the industrial land use provisions. In addition, Seattle IT will be responsible for updating zoning maps and updating the Accela permitting system with new zoning categories. The significant IT efforts needed to implement these zoning changes necessitate an extended effective date of 90 days, as reflected in the transmitted ordinance.

b. Is a public hearing required for this legislation?

Yes.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

Yes. This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific piece of legislation creates three new industrial zones that will be applied to many properties currently in industrial zones. This legislation affects property that is zoned IG1, IG2, IB, and IC and within Manufacturing Industrial Centers.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

Primary guiding principles for developing the Industrial and Maritime Strategy prioritize: 1) retention and creation of quality jobs that are available to people without a college degree or who have nontraditional educational paths; and 2) providing equitable access to these opportunities, particularly in BIPOC and other communities who have faced barriers to entry into these careers. The land use strategies advance the goal of industrial and maritime job retention and creation while other initiatives, particularly in the workforce training areas, are intended to improve equitable access. Updating zoning regulations to reflect emerging trends, and providing stronger protections from incompatible land use policies, will strengthen Seattle's maritime and industrial sectors and their role in providing accessible quality jobs.

The proposal also improves environmental health in neighborhood areas at the edges of industrial land including Georgetown and South Park. These areas have a larger percentage of BIPOC populations than the city as a whole. Improvements including higher standards for tree planting, green factor, new sidewalks and pedestrian lighting will benefit community members of color.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

OPCD prepared an EIS for this proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency—and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix—local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

The group of five ordinances that implement the Maritime and Industrial Strategy, including this ordinance, will increase Seattle’s resiliency to climate in change to some degree. The Industrial and Maritime Strategy EIS considered the potential for increases in greenhouse gas (GHG) emissions over the next 20 years and found that under all alternatives (including the no action alternative), GHG emissions are likely to increase; however, with mitigation this increase can be reduced. The EIS identified a range of mitigation actions that can be taken, including continued implementation of existing regulations and commitments to reduce GHG emissions, electrification of truck fleets, and electrical shore power. Mitigation measures are found in section 3.2.3 of the Industrial and Maritime Strategy EIS.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**

This is not applicable to a land use proposal.

Amendment A Version #1 to CB 120567 – OPCD Chapter 23.50A ORD

Sponsor: Councilmember Strauss

Technical amendments

Effect: This amendment corrects two drafting errors in Council Bill 120567, as amended by the Land Use Committee, identified by members of the public and City staff as follows:

1. In the table of uses for industrial zones, add a reference to footnote (8), which was inadvertently omitted;
2. Add Map A for Section 23.50A.018 back to the bill with the title “Designated Industrial Streets.” This map, which previously was titled “Industrial Streets Landscaping Plan Map” was removed from CB 120567 as part of an amendment to require street trees throughout industrial areas, but other code provisions refer to the map.

These amendments are solely intended to clarify code requirements consistent with existing law and have no new effect.

1. Amend Section 8 of Council Bill 120567, to amend Table A to Section 23.50A.040 as follows:

Section 8. A new Chapter 23.50A is added to the Seattle Municipal Code as follows:

* * *

Table A for 23.50A.004 Uses in Industrial zones					
Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
* * *					
E. INSTITUTIONS					
E.1. Adult care centers	N/A	X	X	X	X
E.2. Child care centers	No	X	P	P	P
E.3. Colleges	No (7)	X (7)	P	P	P

Table A for 23.50A.004 Uses in Industrial zones					
Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
E.4. Community centers and Family support centers	No	P	P	P	EB
E.5. Community clubs	No	P	P	P	EB
E.6. Hospitals	No	X	P	P	P
E.7. Institutes for advanced study	No	P	P	P	P
E.8. Libraries	N/A	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69 (8)	No	EB	EB	EB	EB
E.10. Museums	No	X (9)	P	P	P
E.11. Private clubs	No	EB	P	P	P
E.12. Religious facilities	No	P (10)	P (10)	P (10)	P (10)
E.13. Schools, elementary or secondary	No	X	P	P	EB
E.14. Vocational or fine arts schools	No	P	P	P	P
* * *					
Key for Table A for 23.50A.004 CU = Administrative conditional use CCU = Council conditional use					

Table A for 23.50A.004 Uses in Industrial zones					
Uses	Qualifies as Industrial?	Permitted and prohibited uses by zone			
		MML	II	UI	IC
EB = Permitted only in a building existing on June 1, 2023 EB/CU = Administrative conditional use permitted only in a building existing on June 1, 2023 P = Permitted X = Prohibited					
Footnotes to Table A for 23.50A.004 <p style="text-align: center;">* * *</p> (8) Major institution uses are permitted only in a building existing on June 1, 2023, except that such uses are permitted on properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West regardless of whether the use is located in a building existing on June 1, 2023. <p style="text-align: center;">* * *</p>					

* * *

2. Amend Section 8 of Council Bill 120567, to add Map A to Section 23.50A.018 as follows:

Section 8. A new Chapter 23.50A is added to the Seattle Municipal Code as follows:

* * *

23.50A.018 Landscaping, screening, and Green Factor requirements

* * *

G. Screening and location of parking in an II 85-240 zone. Those developments that gain extra floor area above the base FAR in an II 85-240 zone are subject to the following, in addition to any other applicable parking screening requirements in this subsection 23.50A.018.G.

1. All parking permitted on the lot shall be provided below grade or enclosed within a structure.

2. Parking at street level

a. Parking is not permitted at street level within a structure along a lot line abutting a street bounding the Downtown Urban Center or a street shown on Map A for 23.50A.018, unless separated from the street by other uses, except that garage and loading doors and access to parking need not be separated.

b. Parking is permitted at street level within a structure along a street lot line abutting a street not specified in subsection 23.50A.018.G.2.a. subject to the following requirements:

1) Any parking not separated from the street lot line by another use is screened from view at the street level, except that garage and loading doors and access to parking need not be screened.

2) The facade facing the street lot line is enhanced by architectural detailing, artwork, landscaping, or similar visual interest features.

c. Parking above street level. Parking is not permitted above street level unless it is separated from abutting street lot lines by another use, except that for structures located on a lot that is less than 150 feet in depth, as measured from the lot line with the greatest street frontage, parking is permitted above the first story under the following conditions:

1) One story of parking shall be permitted above the first story of a structure for each story of parking provided below grade that is of at least equivalent capacity, up to a maximum of two stories of parking above the first story.

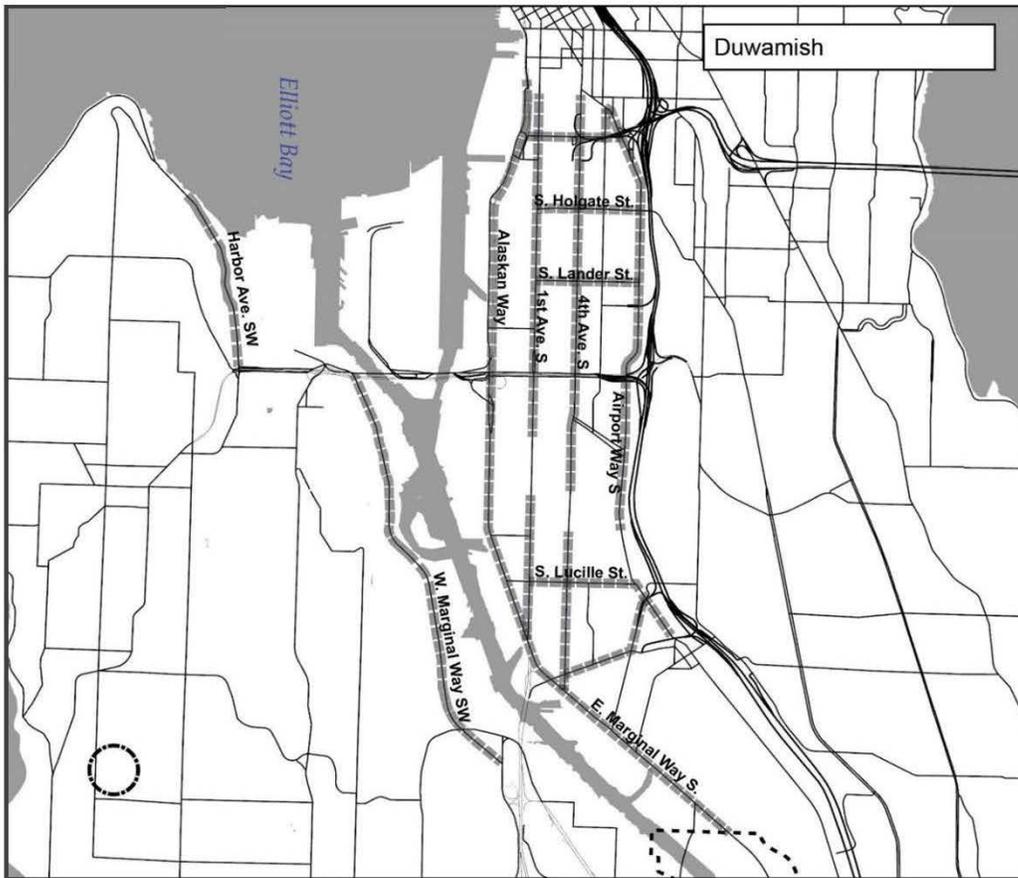
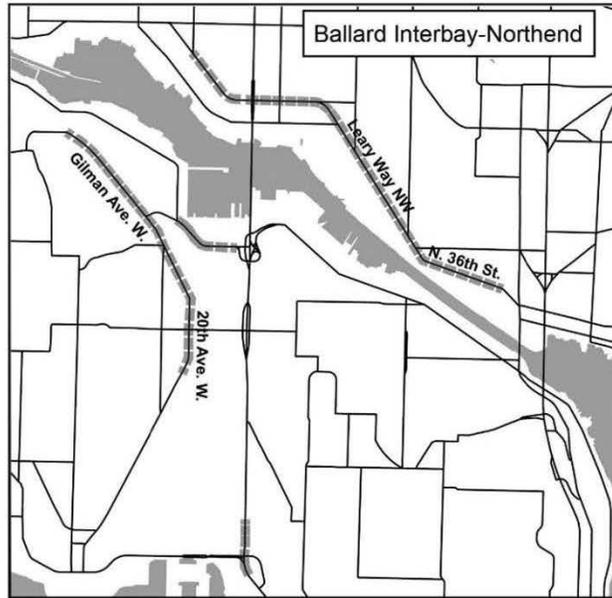
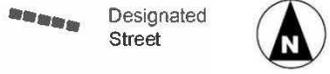
2) Above the first story of a structure, parking is permitted up to a maximum of 70 percent of the length of each street-facing facade. Any additional parking must be separated from the street by another use. For structures located on corner lots, separation by

another use shall be provided at the corner portion(s) of the structure for a minimum of 15 percent of the length of each street-facing facade.

d. For all parking located on stories above street level that is not separated from the street by another use, the parking shall be screened from view at street level, and, through the use of materials, fenestration, or other architectural treatment, the screening shall be designed to provide visual interest and to integrate the screened portions of the building facade with the overall design of the structure's street-facing facades.

e. The Director may permit, as a Type I decision, exceptions to subsection 23.50A.018.G.2.b.1 to permit more parking above street level than otherwise allowed, if the Director finds that locating permitted parking below grade is infeasible due to physical site conditions such as a high-water table, contaminated soil conditions, or proximity to a tunnel. In such cases, the Director shall determine the maximum feasible amount of parking that can be provided below grade, if any, and the amount of additional parking to be permitted above street level.

**Map A for 23.50A.018
Designated Industrial
Streets**



* * *



Legislation Text

File #: CB 120569, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 52, 53, 54, 55, 71, 72, 73, 74, 75, 76, 77, 78, 85, 86, 87, 89, 90, 91, 97, 98, 99, 102, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 142, 143, 152, 153, 154, 155, 156, 157, 167, 168, 169, 170, 171, 172, 182, 183, 184, 185, 186, 187, 189, 190, 214 and 215 of the Official Land Use Map to rezone land in the Seattle's Industrial areas.

WHEREAS, in 2019, the City convened an Industrial and Maritime Strategy Council to advise the City on development of an Industrial and Maritime Strategy; and

WHEREAS, the stakeholder committee consisted of a City-wide committee and four regional committees representing Georgetown/South Park, SODO, Interbay, and Ballard; and

WHEREAS, the principles that guided the Industry and Maritime Strategy Council focused on:

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle's industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;

- Improving the movement of people and goods to and within industrial zones and increasing safety for all travel modes;
- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021, the Industrial and Maritime Strategy Council issued a report recommending 11 strategies to advance the guiding principles of the Council; and

WHEREAS, six of the 11 strategies recommended some changes to land use; and

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development (OPCD) issued a Determination of Significance and initiated a SEPA scoping period to seek public comment on four distinct land use alternatives, each based on a new industrial land use policy framework, reflective of the Strategy Council’s recommendations and received 105 comments; and

WHEREAS, on December 15, 2021, OPCD issued the Industrial and Maritime Strategy Draft Environmental Impact Statement; and

WHEREAS, OPCD held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022, OPCD issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended

by the Industrial and Maritime Strategy Council and were studied in the Industrial and Maritime Strategy Environmental Impact Statement, including: (1) an ordinance amending Seattle’s Comprehensive Plan to create a new land use policy framework, (2) an amendment to the Seattle Municipal Code to establish new industrial zones and development standards consistent with the proposed Comprehensive Plan Policies, (3) an ordinance to remove the provision of the Industrial Commercial zone from the existing Seattle Municipal Code Chapter 23.50, (4) an ordinance amending Seattle Municipal Code Title 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing Center, and (5) an ordinance to apply the proposed new zones to land in Seattle’s industrial areas; and

WHEREAS, the proposed ordinance amending the Official Zoning Map is consistent with the range of alternative studied in the Industrial and Maritime Environmental Impact Statement; and

WHEREAS, these proposed amendments to the Official Land Use Map provide for 85 percent of Seattle’s industrial land to be in the core Manufacturing, Maritime, and Logistics zone, intended to protect legacy industries and builds on the City’s historical investments in industrial infrastructure including its deep-water port, rail, and freight transportation infrastructure; and

WHEREAS, the proposed amendments in the suite of bills that implement the maritime and industrial strategy leverage future investments of up to five Sound Transit light rail stations by applying a new zone that facilitates employment dense, industrial transit-oriented development and space for emerging industries; and

WHEREAS, the proposed amendments apply a new zone to provide healthier transitions between industrial and nonindustrial areas; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone land located on pages 52, 53, 54, 55, 71, 72, 73, 74, 75, 76, 77, 78, 85, 86, 87, 89, 90, 91, 97, 98, 99,

102, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 142, 143, 152, 153, 154, 155, 156, 157, 167, 168, 169, 170, 171, 172, 182, 183, 184, 185, 186, 187, 189, 190, 214 and 215 of the Official Land Use Map, all as shown on Attachment 1 to this ordinance.

Section 2. This ordinance shall take effect and be in force: 90 days after its approval or unsigned and returned by the Mayor; 90 days after the City Council's reconsidered passage after its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105 days after its passage by the City Council.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

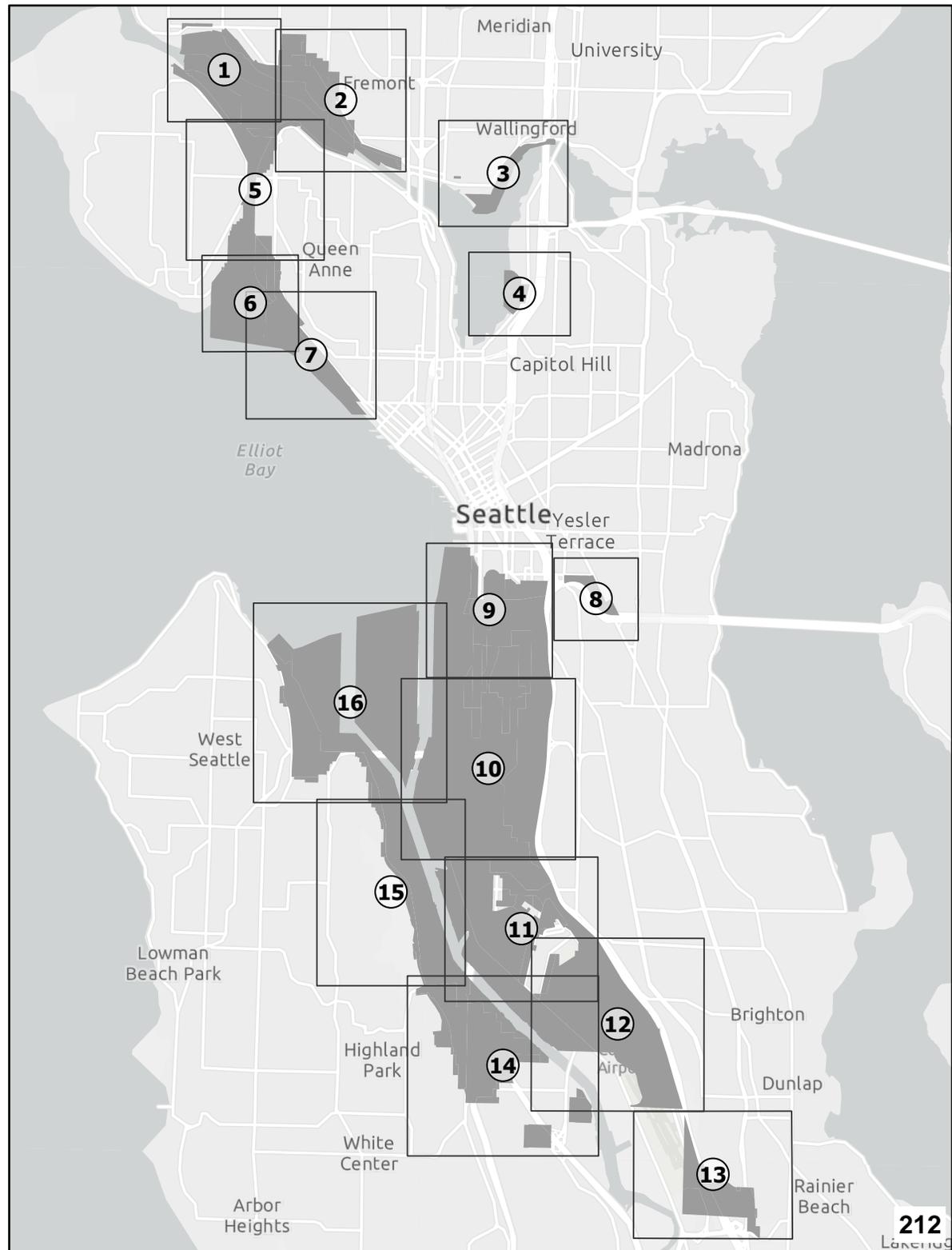
(Seal)

Attachments:

Attachment 1 - Industrial & Maritime Rezone Maps

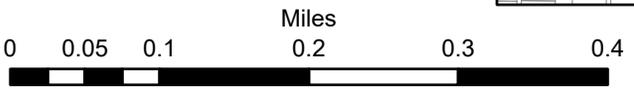
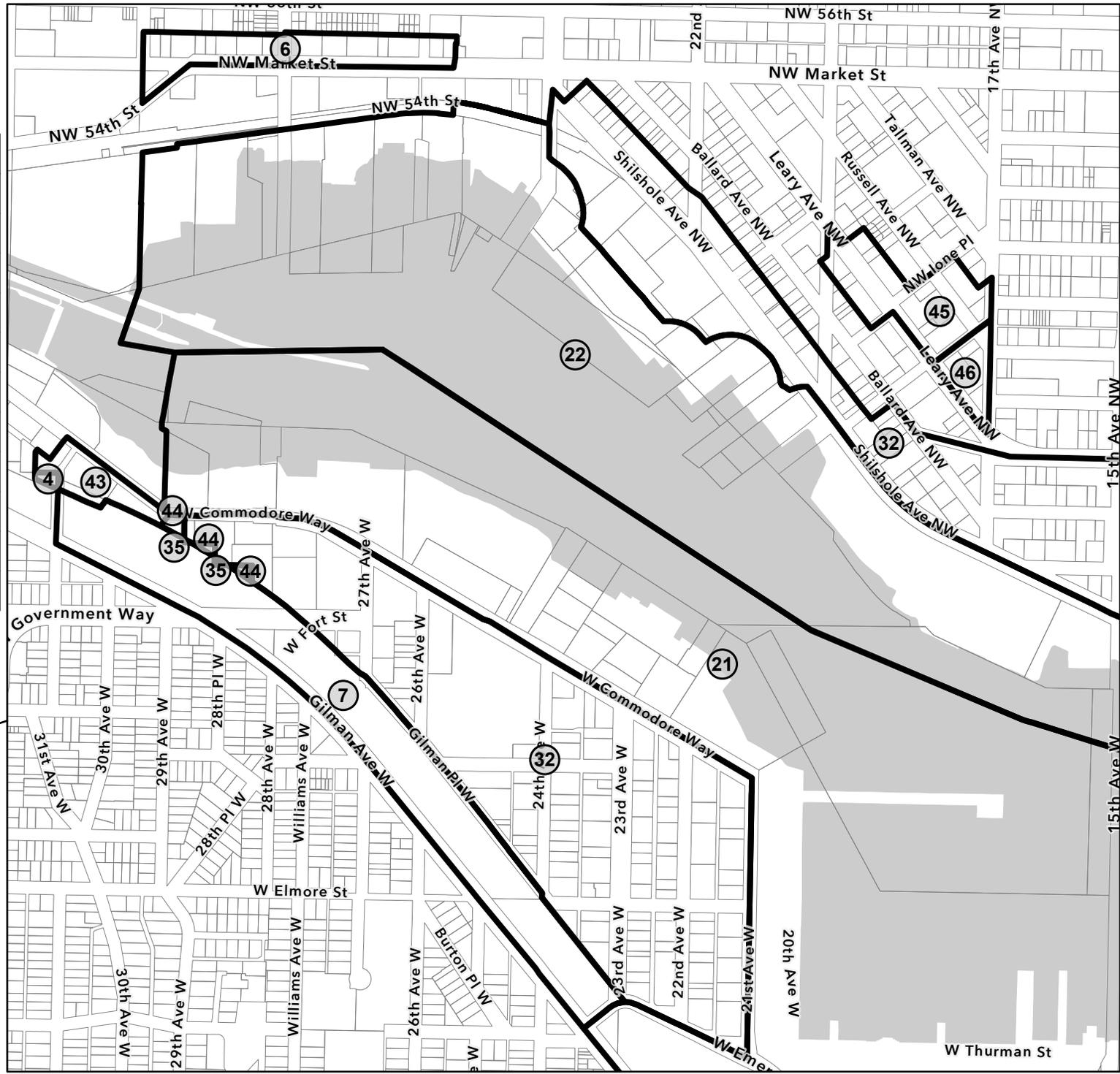
Maritime Industrial Strategy Rezoning

Page Number	Area Name
1	West Ballard
2	East Ballard / Fremont
3	Wallingford
4	Eastlake
5	Fisherman's Terminal / Dravus
6	Terminal 91
7	Terminal 86
8	Judkins Park
9	SODO
10	S Spokane St
11	Georgetown
12	Boeing Field
13	S MLK / Airport Way S
14	Southpark
15	Terminal 115
16	Terminal 5 and 18



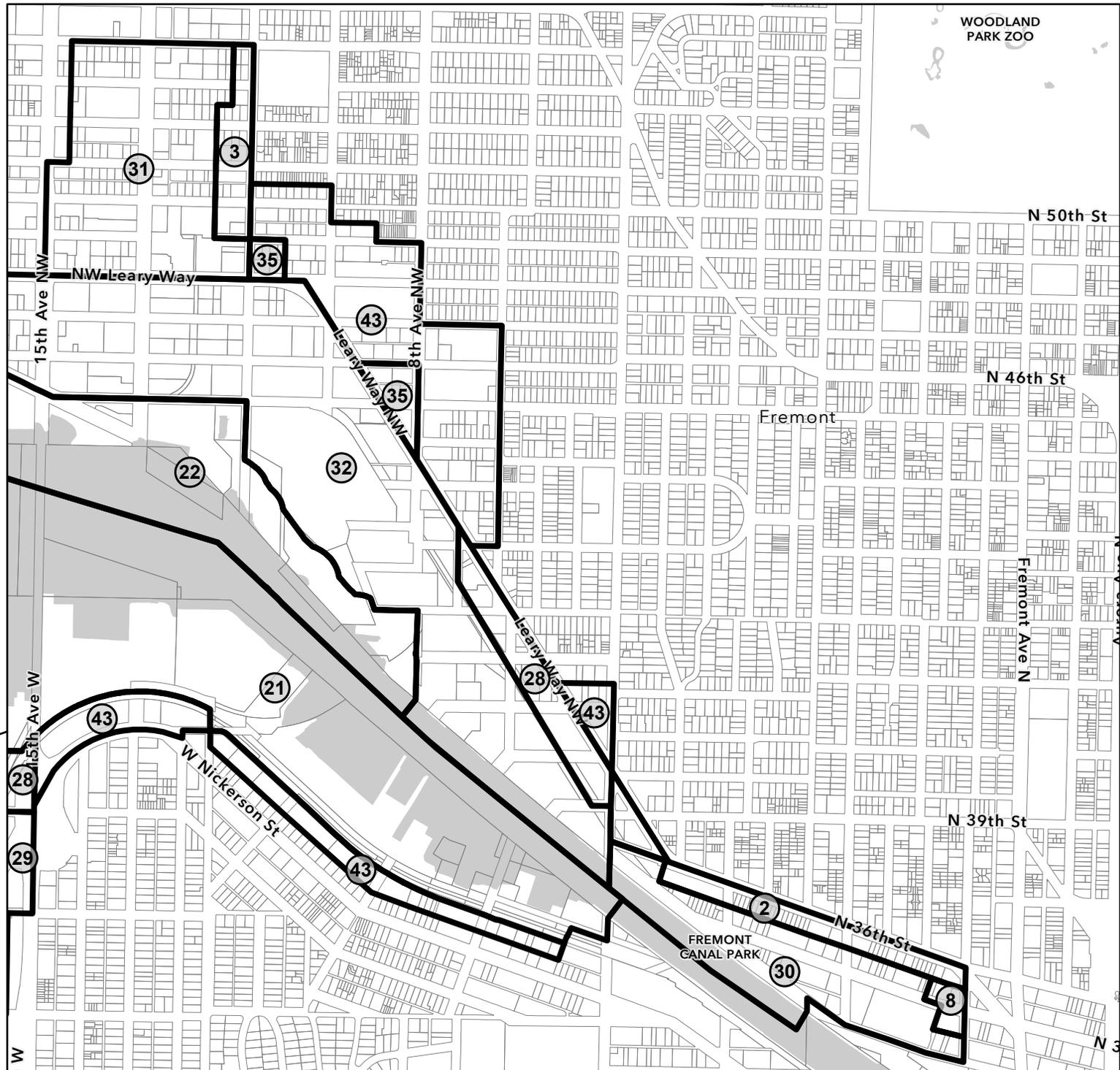
West Ballard Rezone Map

Label	Rezone
4	NR3 to C2-40 (M)
6	IB U/45 to NC3-75 (M2)
7	IB U/45 to UI U/45
21	IG1 U/45 to MML U/45
22	IG1 U/65 to MML U/65
32	IG2 U/65 to MML U/65
35	IG2 U/65 to UI U/45
43	IB U/45 to C2-40 (M)
44	IB U/45 to MML U/65
45	IC-65 (M) to UI U/65
46	IC-65 (M) to NC3-75 (M1)

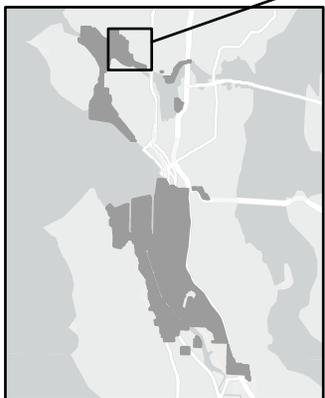


East Ballard / Fremont Rezone Map

Label	Rezone
2	IB U/45 to IC-45
3	IB U/45 to II U/125
8	IB U/65 to IC-65 (M)
21	IG1 U/45 to MML U/45
22	IG1 U/65 to MML U/65
28	IG2 U/45 to MML U/45
29	IG2 U/45 to UI U/45
30	IG2 U/65 to IC-65 (M)
31	IG2 U/65 to II U/125
32	IG2 U/65 to MML U/65
35	IG2 U/65 to UI U/45
43	IB U/45 to C2-40 (M)



WOODLAND
PARK ZOO



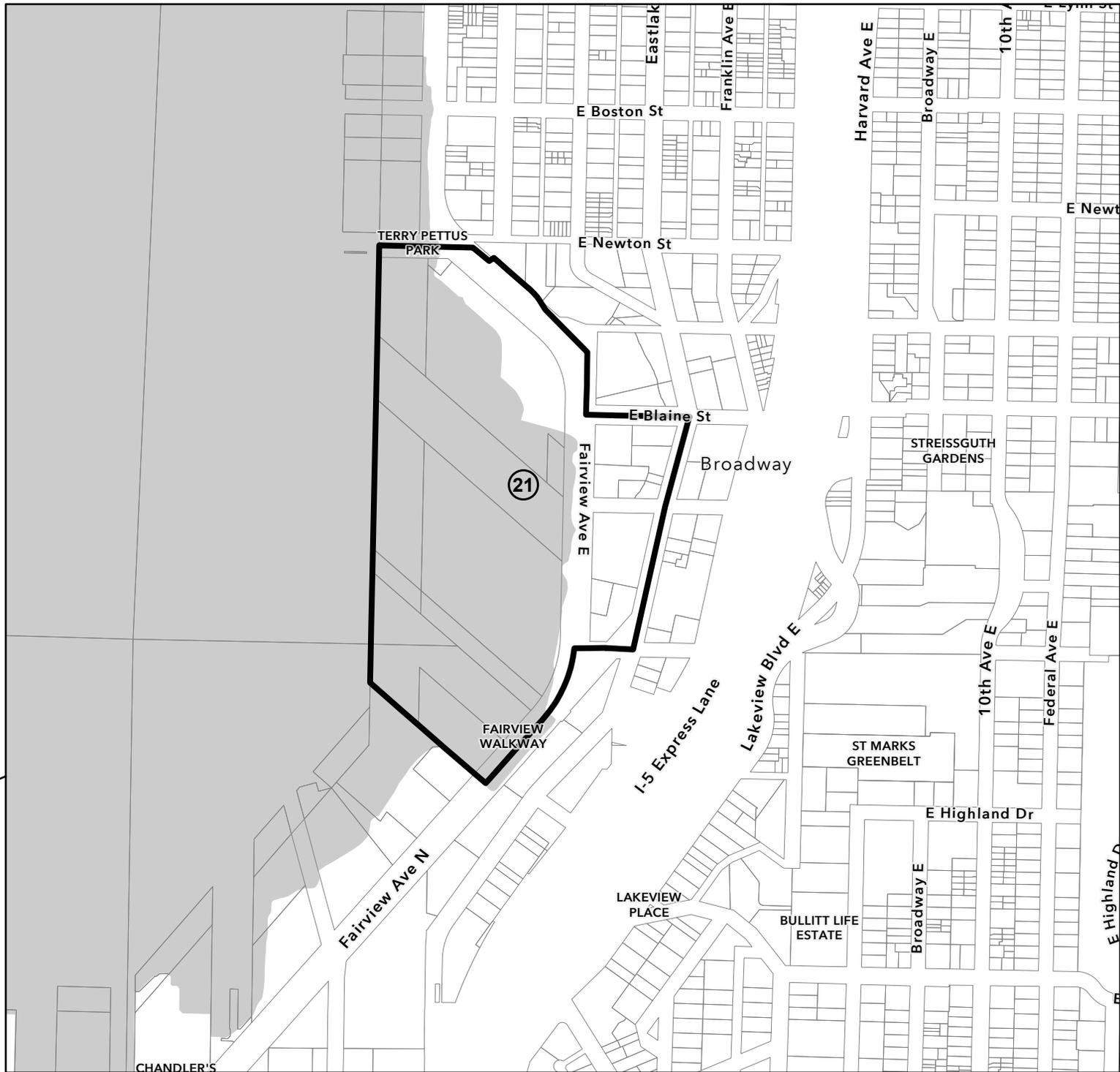
Wallingford Rezone Map

Label	Rezone
1	IB U/30 to UI U/30
43	IB U/45 to C2-40 (M)



Eastlake Rezone Map

Label	Rezone
21	IG1 U/45 to MML U/45



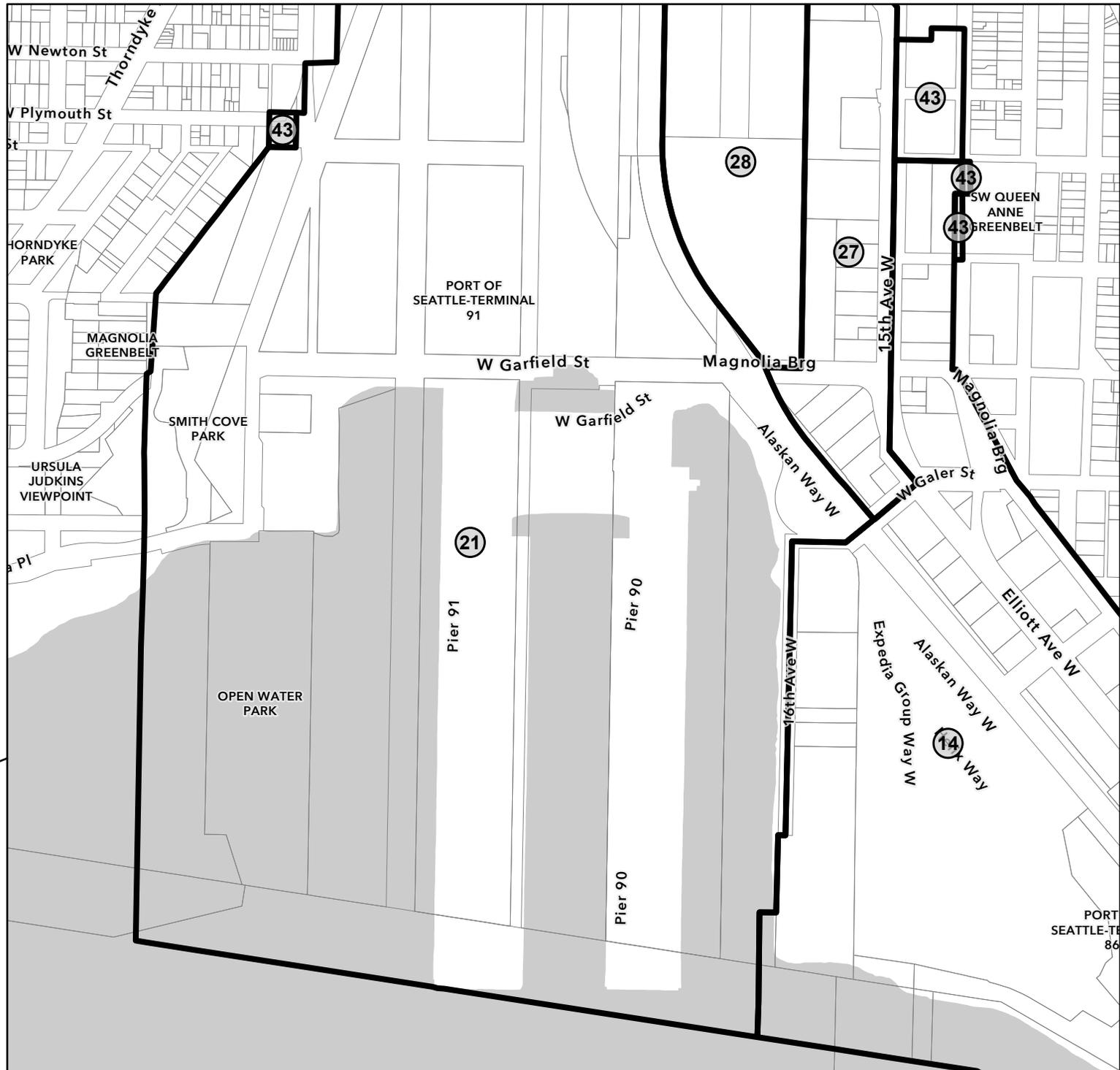
Fisherman's Terminal / Dravus Rezone Map

Label	Rezone
7	IB U/45 to UI U/45
21	IG1 U/45 to MML U/45
22	IG1 U/65 to MML U/65
27	IG2 U/45 to II U/85
28	IG2 U/45 to MML U/45
29	IG2 U/45 to UI U/45
32	IG2 U/65 to MML U/65
43	IB U/45 to C2-40 (M)



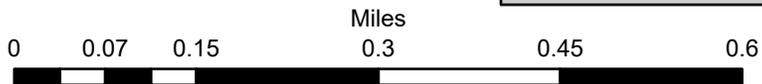
Terminal 91 Rezone Map

Label	Rezone
14	IC-65 (M) to II U/85
21	IG1 U/45 to MML U/45
27	IG2 U/45 to II U/85
28	IG2 U/45 to MML U/45
43	IB U/45 to C2-40 (M)



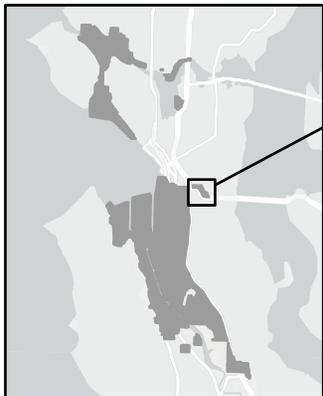
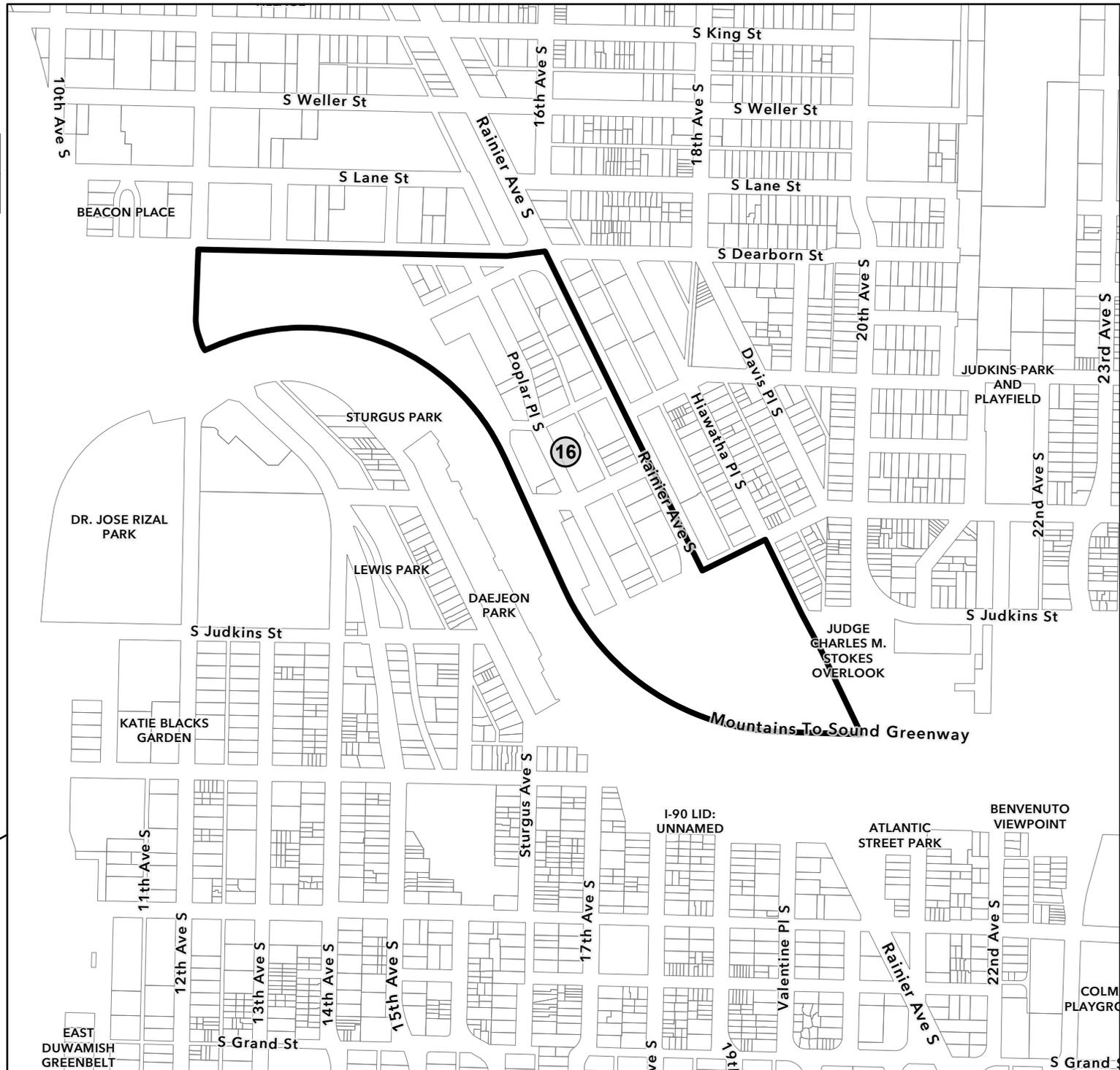
Terminal 86 Rezone Map

Label	Rezone
14	IC-65 (M) to II U/85
21	IG1 U/45 to MML U/45
27	IG2 U/45 to II U/85
42	IC-65 (M) to II U/125



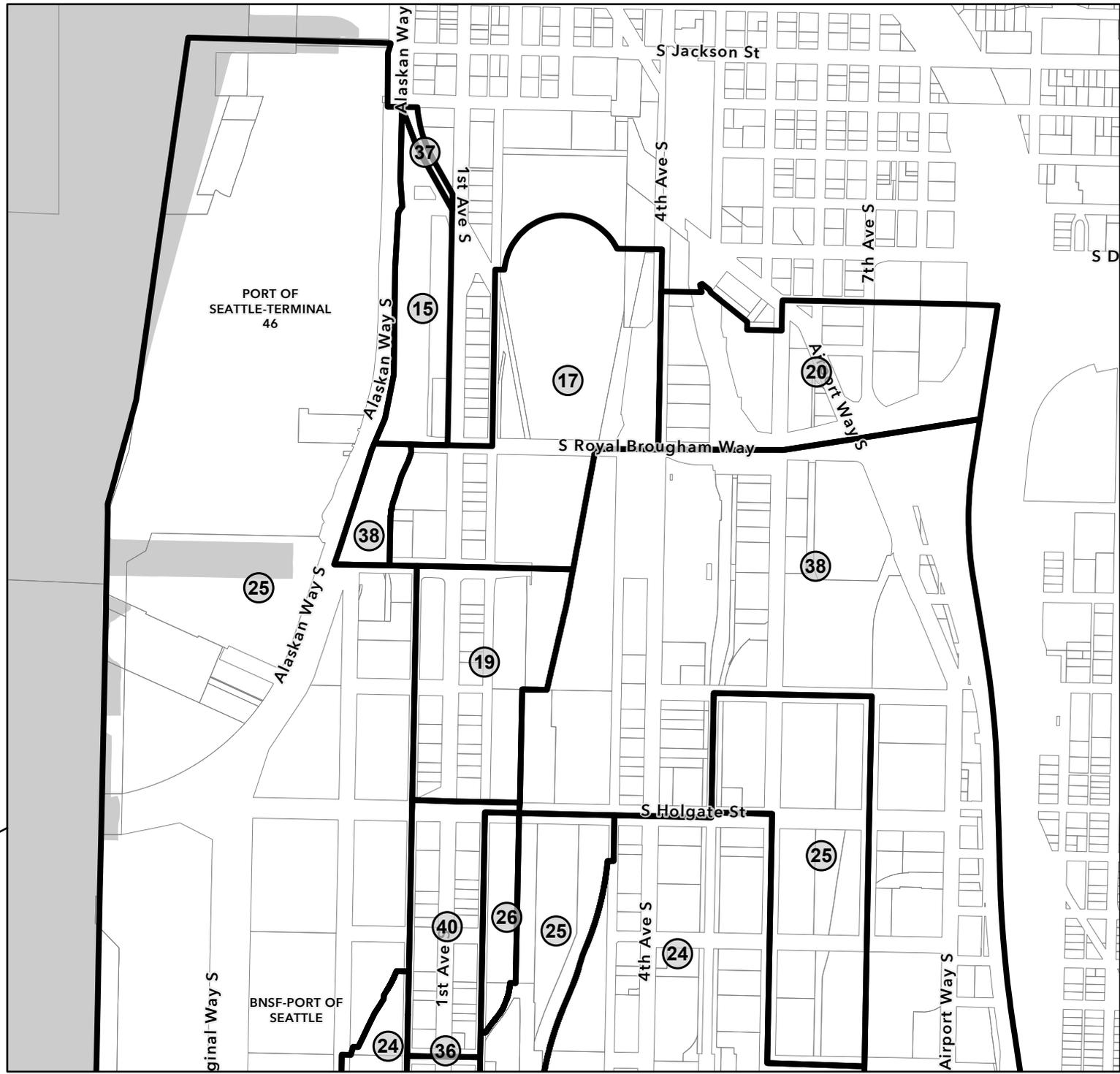
Judkins Park Rezone Map

Label	Rezone
16	IC-65 (M) to NC3-75 (M2)



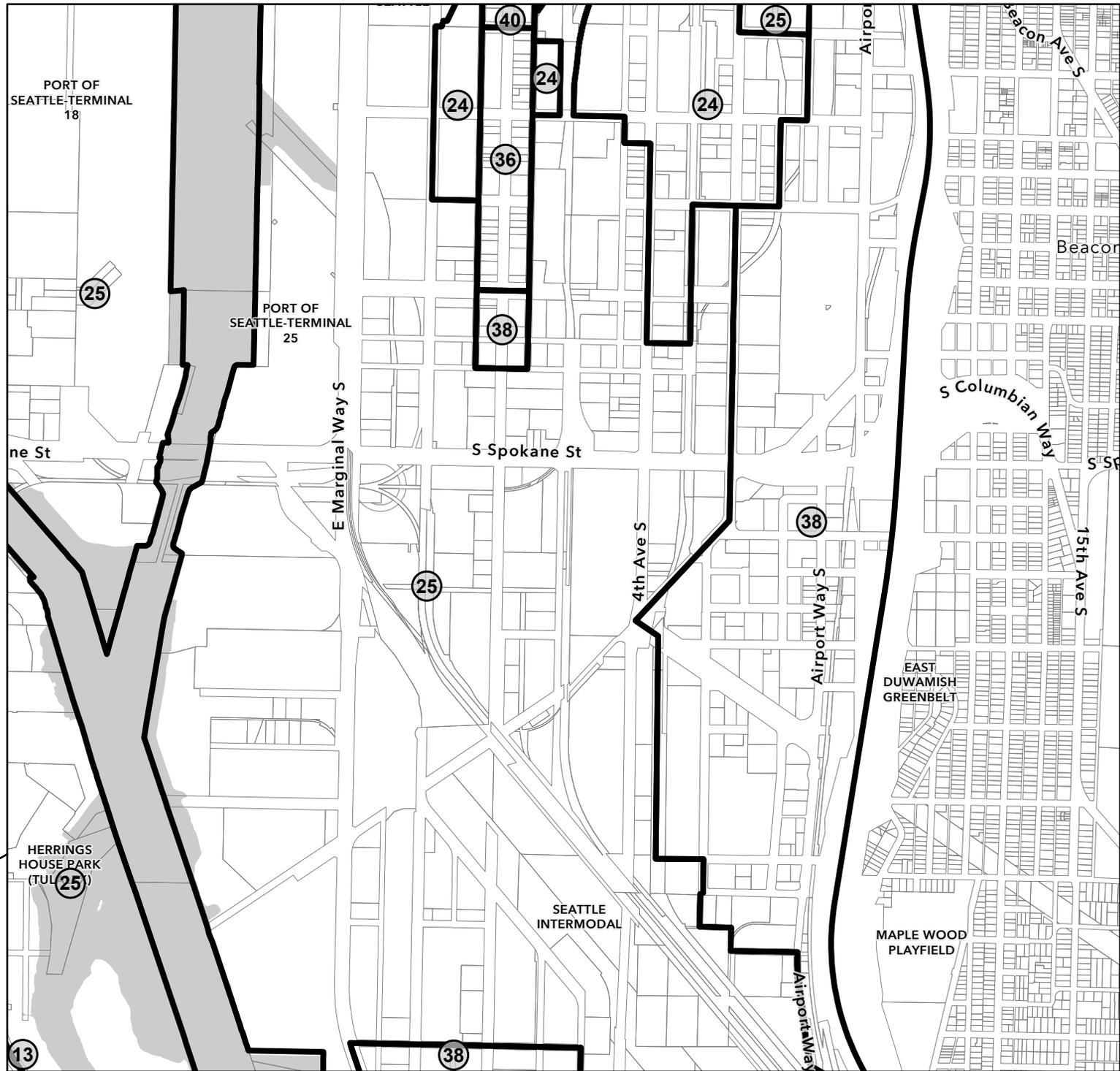
SODO Rezone Map

Label	Rezone
15	IC-65 (M) to MML U/65
17	IC-65 (M) to UI U/85
19	IC-85 (M) to UI U/85
20	IC 85-175 to II 85-240
24	IG1 U/85 to II U/160
25	IG1 U/85 to MML U/85
26	IG1 U/85 to UI U/85
36	IG2 U/85 to II U/160
37	IG2 U/85 to MML U/65
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



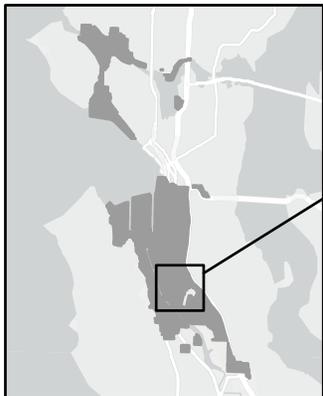
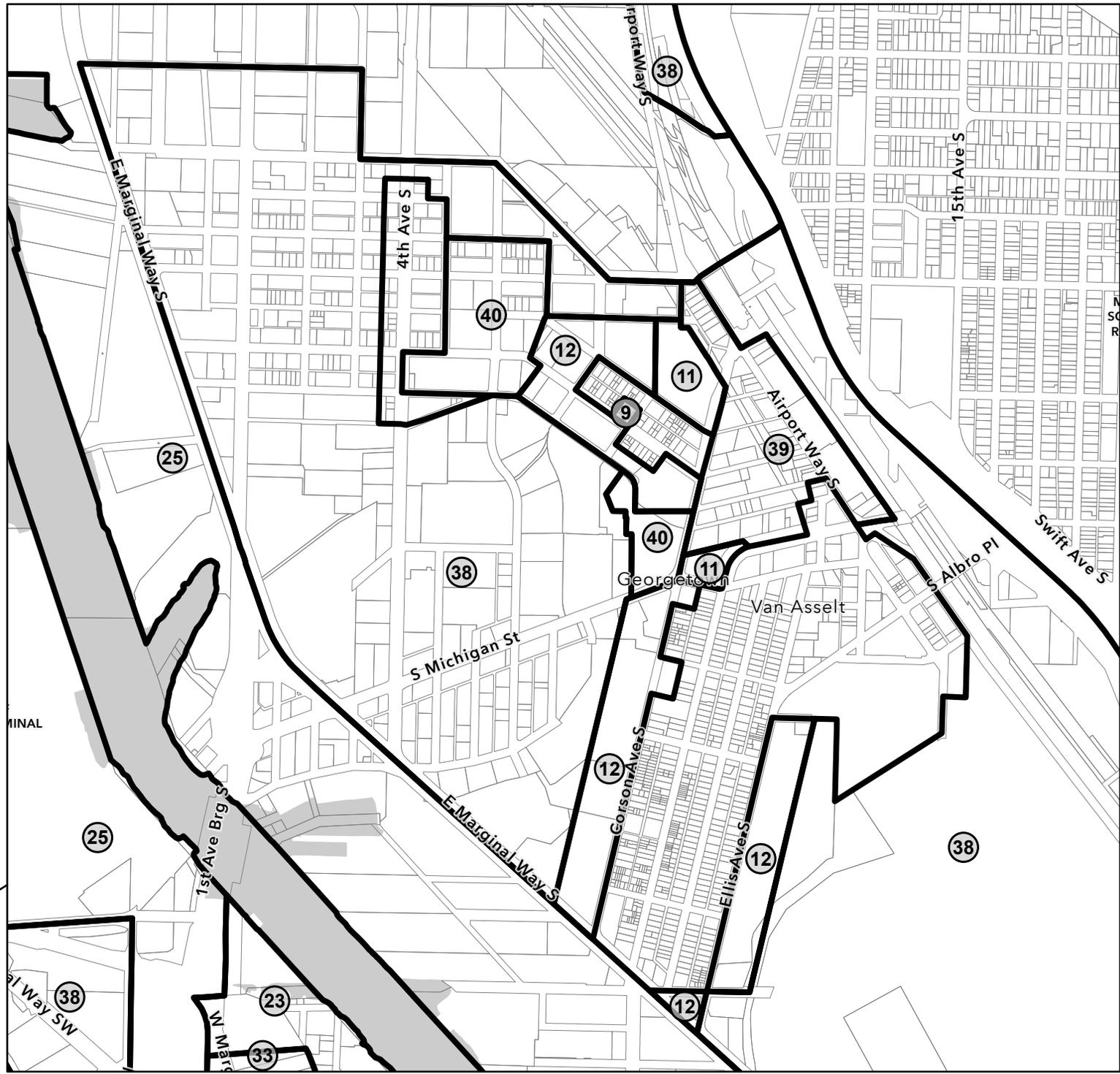
S Spokane St Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
24	IG1 U/85 to II U/160
25	IG1 U/85 to MML U/85
26	IG1 U/85 to UI U/85
36	IG2 U/85 to II U/160
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



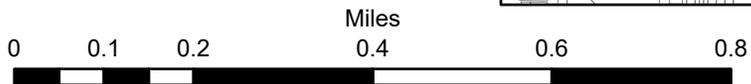
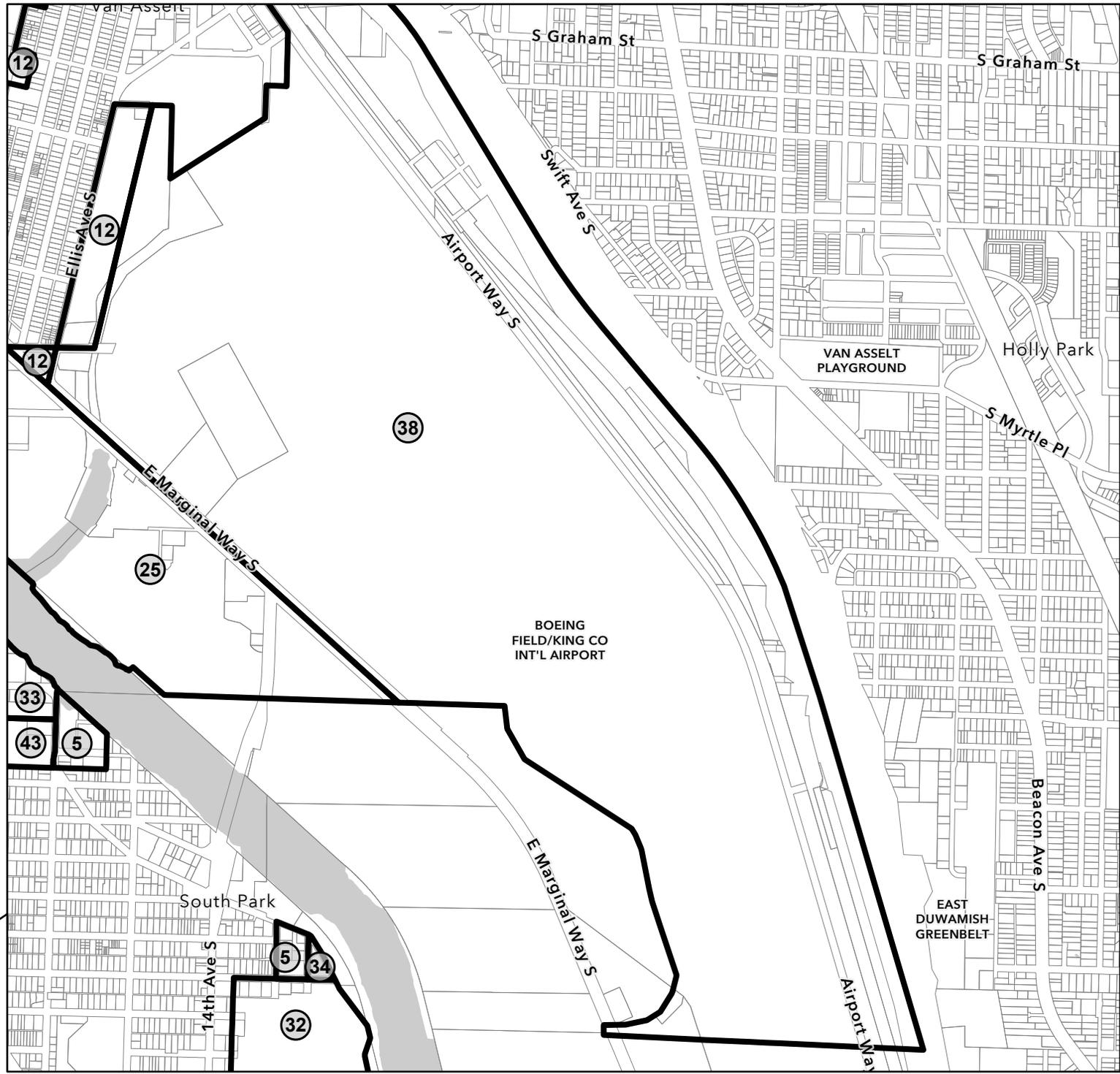
Georgetown Rezone Map

Label	Rezone
9	IB U/65 to LR2
11	IB U/65 to NC3-55 (M)
12	IB U/65 to UI U/65
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
33	IG2 U/65 to MML U/85
38	IG2 U/85 to MML U/85
39	IG2 U/85 to NC3-55 (M)
40	IG2 U/85 to UI U/85



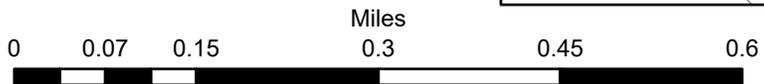
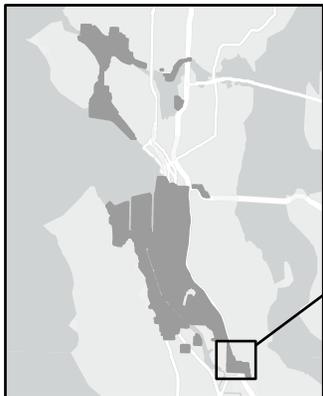
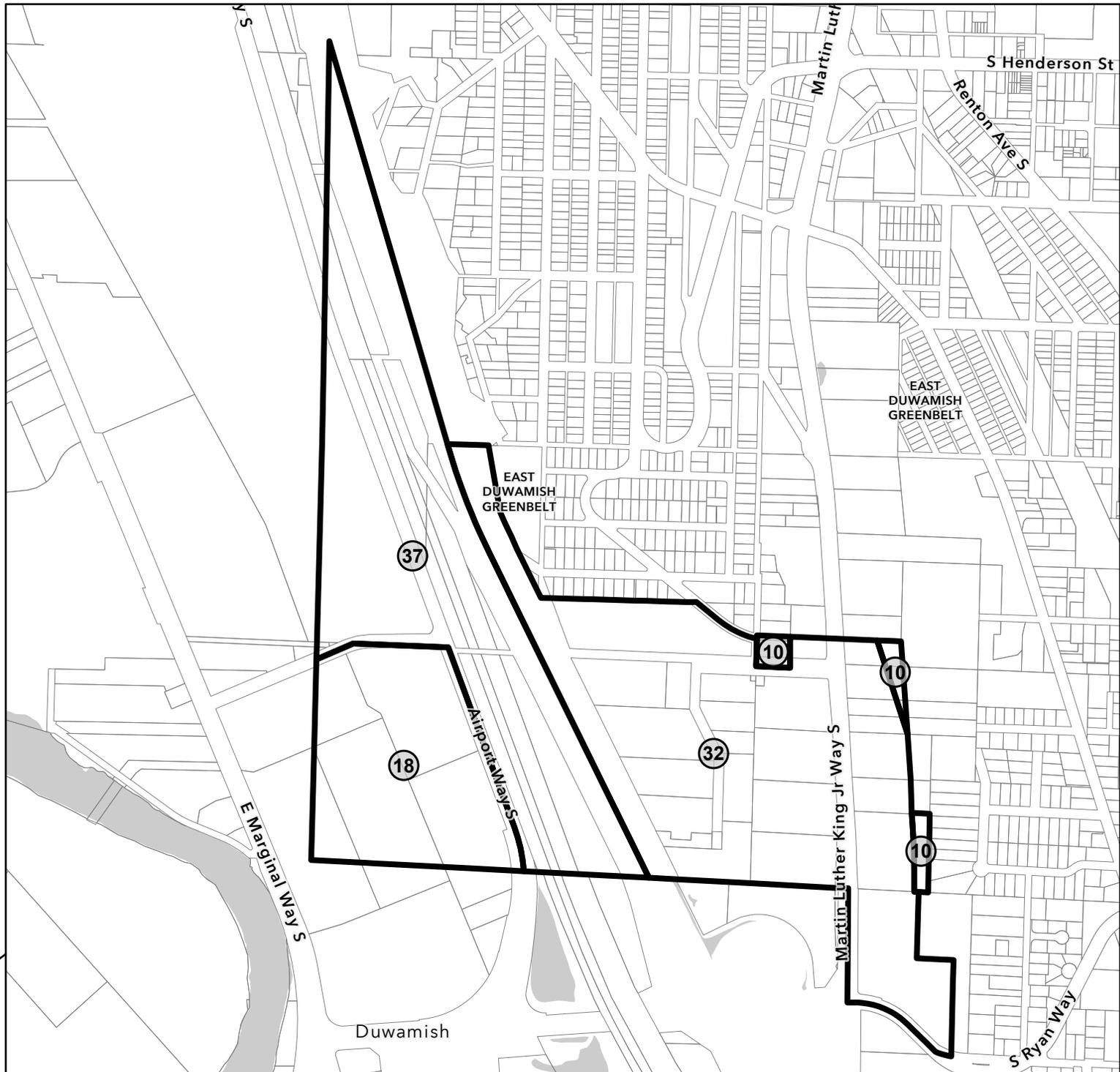
Boeing field Rezone Map

Label	Rezone
5	IB U/45 to NC3-55 (M)
12	IB U/65 to UI U/65
25	IG1 U/85 to MML U/85
32	IG2 U/65 to MML U/65
33	IG2 U/65 to MML U/85
34	IG2 U/65 to NC3-55 (M)
38	IG2 U/85 to MML U/85
43	IB U/45 to C2-40 (M)



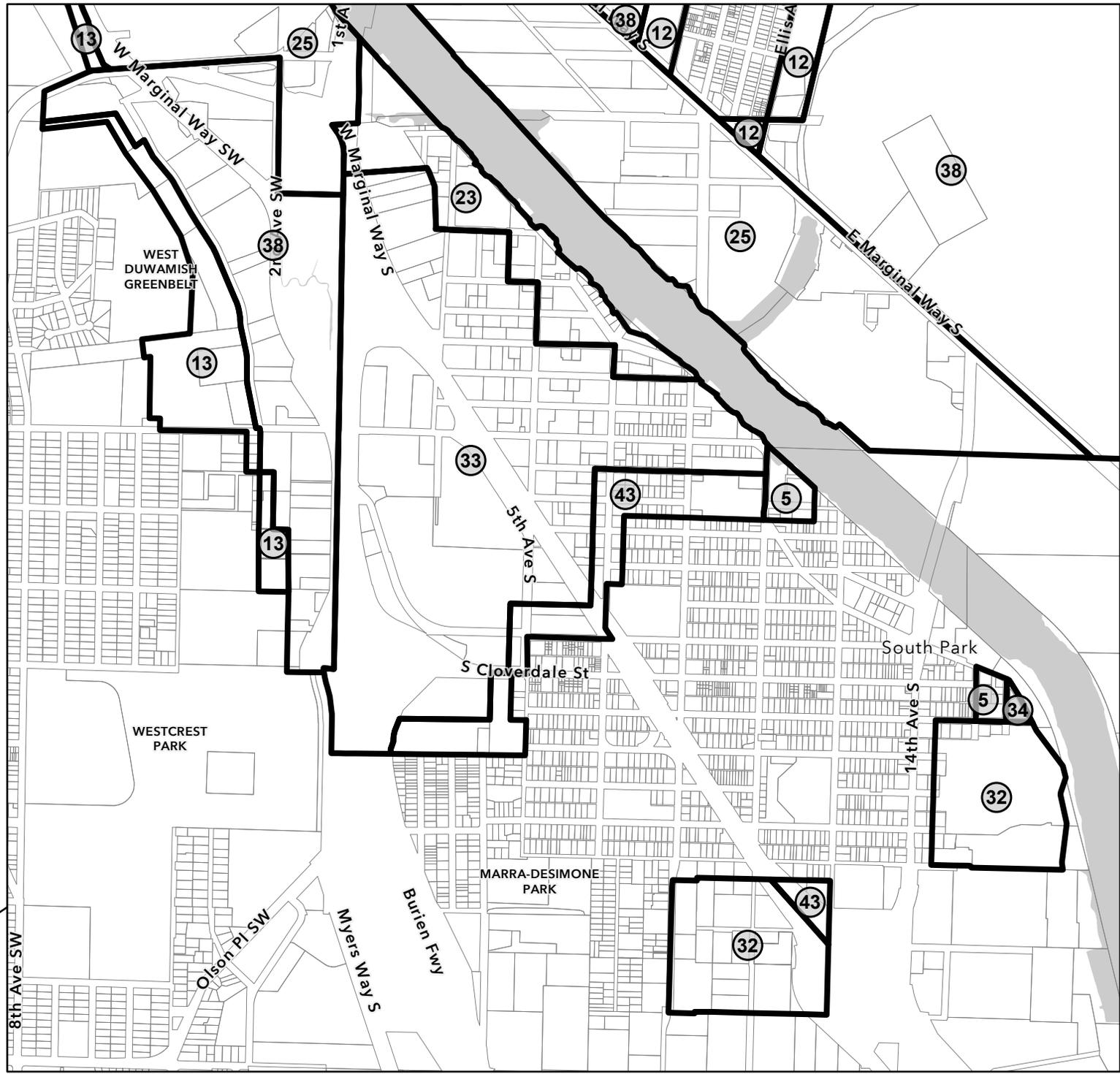
S MLK / Airport Way S Rezone Map

Label	Rezone
10	IB U/65 to MML U/65
18	IC-85 (M) to MML U/85
32	IG2 U/65 to MML U/65
37	IG2 U/85 to MML U/65



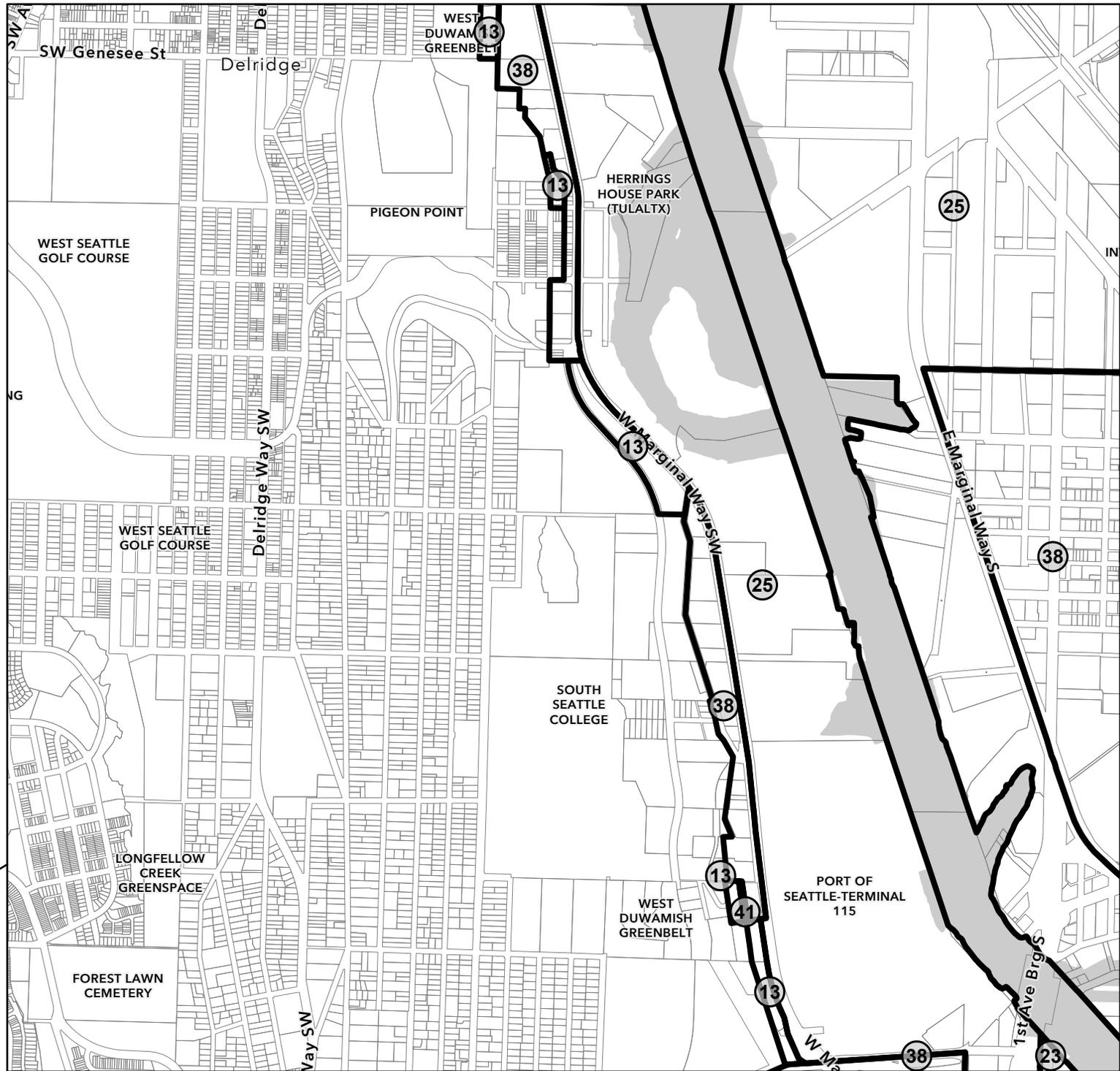
Southpark Rezone Map

Label	Rezone
5	IB U/45 to NC3-55 (M)
12	IB U/65 to UI U/65
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
32	IG2 U/65 to MML U/65
33	IG2 U/65 to MML U/85
34	IG2 U/65 to NC3-55 (M)
38	IG2 U/85 to MML U/85
43	IB U/45 to C2-40 (M)



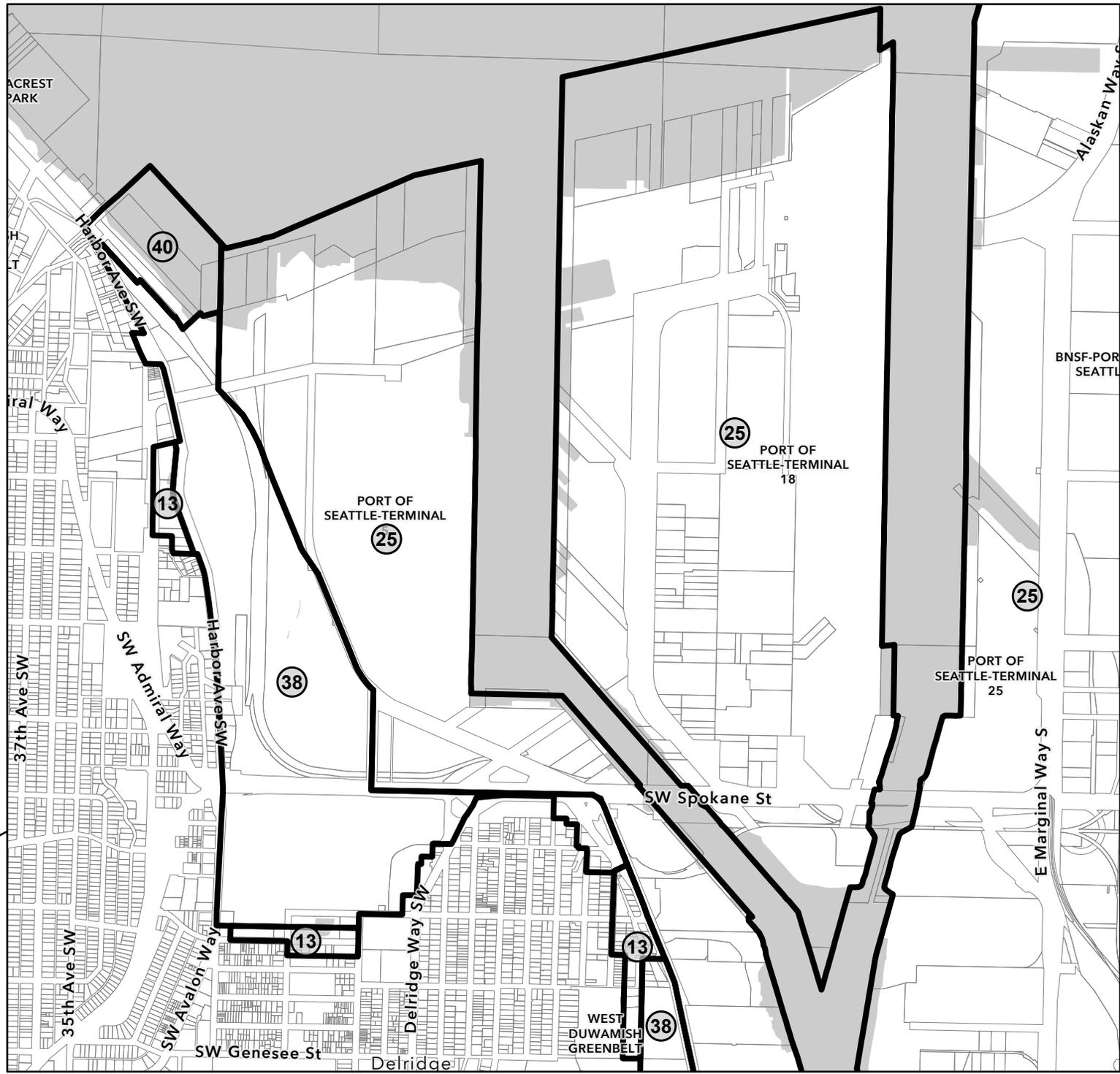
Terminal 115 Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
38	IG2 U/85 to MML U/85
41	NR2 to UI U/85



Terminal 5 and 18 Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
25	IG1 U/85 to MML U/85
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development	Jim Holmes	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; amending Chapter 23.32 of the Seattle Municipal Code at pages 52, 53, 54, 55, 71, 72, 73, 74, 75, 76, 77, 78, 85, 86, 87, 89, 90, 91, 97, 98, 99, 102, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 142, 143, 152, 153, 154, 155, 156, 157, 167, 168, 169, 170, 171, 172, 182, 183, 184, 185, 186, 187, 189, 190, 214 and 215 of the Official Land Use Map to rezone land in the Seattle’s Industrial areas.

Summary and Background of the Legislation: This proposal is one of five proposed ordinances that together advance the land use recommendations of the Industrial and Maritime Strategy. Together these ordinances strengthen Seattle’s industrial and maritime sectors by updating zoning and development regulations to accommodate emerging trends, take advantage of new opportunities such as new light rail stations, provide stronger land use protections for legacy industries, and create healthier transitions between industrial and nonindustrial areas, particularly in the Georgetown, South Park, and Ballard neighborhoods.

This legislation amends the Official Land Use Map to apply new industrial zones created through adoption of companion legislation in this package of ordinances. Together, this legislation package implements the land use recommendations of the Industrial and Maritime Strategy. This legislation will take effect 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?

Yes, the training, implementation and technology costs involved with the Land Use Map Amendments are included in the fiscal note for companion legislation amending SMC 23.50A.

Are there financial costs or other impacts of *not* implementing the legislation?

This legislation adds capacity that will create an estimated 2,000 housing units in industrial land located outside of Manufacturing Industrial Centers (MICs), proposed to be rezoned to a mixed-use zone, and approximately 880 housing units in the new Urban Industrial zones inside of MICs. The housing units outside of the MICs will be subject to a Mandatory Housing Affordability (MHA) requirement. These units will be allowed in new housing areas that would not occur in the absence of this legislation. The homes will generate an estimated \$19.5 million of MHA funds.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. This legislation affects the Seattle Department of Construction and Inspections (SDCI) as that department is responsible for administering industrial land use provisions. In addition, Seattle Information Technology will be responsible for updating zoning maps and updating the City's Accela permitting system with new zoning categories.

b. Is a public hearing required for this legislation?

Yes.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific legislation amends the land use map.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The primary guiding principles for developing the Industrial and Maritime Strategy prioritize: 1) retention and creation of quality jobs that are available to people without a college degree or who have nontraditional educational paths; and 2) providing equitable access to these opportunities, particularly in BIPOC and other communities who have faced barriers to entry into these careers. The land use strategies advance the goal of industrial and maritime job retention and creation while other initiatives, particularly in the workforce training areas, are intended to improve equitable access. Updating zoning regulations to reflect emerging trends, and providing stronger protections from incompatible land use

policies, will strengthen Seattle’s maritime and industrial sectors and their role in providing accessible quality jobs.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

OPCD prepared an EIS for the industrial and maritime proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency—and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix—local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The Industrial and Maritime Strategy EIS considered the potential for increases in greenhouse gas (GHG) emissions over the next 20 years and found that under all alternatives (including the no action alternative), GHG emissions are likely to increase; however, with mitigation this increase can be reduced. The EIS identified a range of mitigation actions that can be taken, including continued implementation of existing regulations and commitments to reduce GHG emissions, electrification of truck fleets, and electrical shore power. Mitigation measures are found in section 3.2.3 of the Industrial and Maritime Strategy EIS.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?

This is not applicable to land use proposals.

Amendment A Version #1 to CB 120569 OPCD - Industrial & Maritime Zoning Maps ORD

Sponsor: Councilmember Strauss

NW Market Street and 26th Avenue NW

Effect: This amendment would correct the proposed rezone map to remove properties on the north side of NW Market Street at 26th Avenue NW from the proposed rezones. These properties are currently zoned Industrial Buffer U/45 (IB U/45) and were proposed to be rezoned to Neighborhood Commercial 3-75 (M2) (NC3-75 (M2)) along with rest of the north side of NW Market Street. The area is within the Ballard Hub Urban Village.

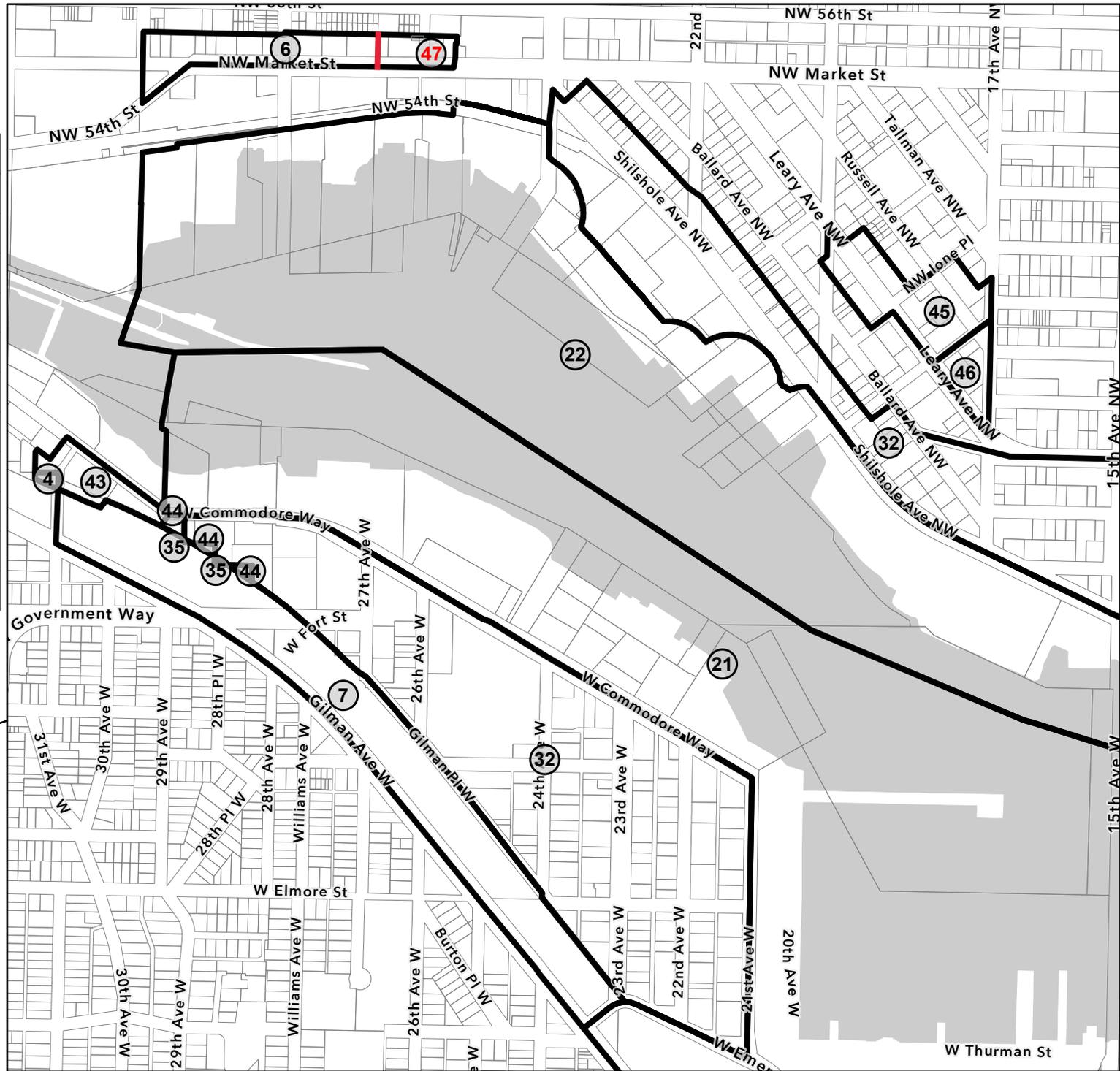
The existing use in this area is a lumber yard, which includes outdoor storage areas that would be made nonconforming if rezoned to a non-industrial zone. Maintaining industrial zoning in this area would allow for the continuing use of this property in its current use and would allow for long-term development of more employment-intensive uses, including office uses.

Zoning to another appropriate industrial zone, that would allow for the existing uses to continue, but could also allow for redevelopment consistent with the goals of the Ballard Hub Urban Village over the long term, would need to be part of any legislation that would remove existing industrial zones, including the Industrial Buffer zone, from the land use code. That legislation is expected to be in front of the City Council in the next year or two.

This amendment would amend the rezone map as shown on page 2 of Attachment 1 to Council Bill 120569 to reflect that a portion of the industrial zone on the north side of NW Market Street near 26th Avenue NW is not being rezoned, as shown on Exhibit 1 to this amendment.

West Ballard Rezone Map

Label	Rezone
4	NR3 to C2-40 (M)
6	IB U/45 to NC3-75 (M2)
7	IB U/45 to UI U/45
21	IG1 U/45 to MML U/45
22	IG1 U/65 to MML U/65
32	IG2 U/65 to MML U/65
35	IG2 U/65 to UI U/45
43	IB U/45 to C2-40 (M)
44	IB U/45 to MML U/65
45	IC-65 (M) to UI U/65
46	IC-65 (M) to NC3-75 (M1)
47	IB U/45 (no rezone)





Legislation Text

File #: CB 120570, **Version:** 1

AN ORDINANCE relating to land use and zoning; removing certain existing provisions for the Industrial Commercial zone; and amending Sections 23.42.126, 23.49.014, 23.50.002, 23.50.012, 23.50.014, 23.50.020, 23.50.027, 23.50.028, 23.50.034, 23.50.046, 23.69.022, and 23.74.010, and repealing Sections 23.50.026, 23.50.032, 23.50.033, 23.50.038, 23.50.039, 23.50.041, 23.50.053, and 23.50.055, of the Seattle Municipal Code.

The full text of this bill is attached to the legislative file.

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use and zoning; removing certain existing provisions for the Industrial Commercial zone; and amending Sections 23.42.126, 23.49.014, 23.50.002, 23.50.012, 23.50.014, 23.50.020, 23.50.027, 23.50.028, 23.50.034, 23.50.046, 23.69.022, and 23.74.010, and repealing Sections 23.50.026, 23.50.032, 23.50.033, 23.50.038, 23.50.039, 23.50.041, 23.50.053, and 23.50.055, of the Seattle Municipal Code.

..body

WHEREAS, in 2019 the City convened an Industrial and Maritime Strategy Council to advise the City on development of an Industrial and Maritime Strategy; and

WHEREAS, the stakeholder committee consisted of a City-wide committee and four regional committees representing Georgetown/South Park, SODO, Interbay, and Ballard; and

WHEREAS, the principles that guided the Industry and Maritime Strategy Council focused on:

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle’s industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing safety for all travel modes;

- 1 • Aligning Seattle’s industrial and maritime strategy with key climate and environmental
- 2 protection goals; and
- 3 • Developing a proactive land use policy agenda that harnesses growth and economic
- 4 opportunities to ensure innovation and industrial jobs are a robust part of our future
- 5 economy that is inclusive of emerging industries and supportive of diverse
- 6 entrepreneurship; and

7 WHEREAS, in May of 2021 the Industrial and Maritime Strategy Council issued a report
8 recommending 11 strategies to advance the guiding principles of the Council; and

9 WHEREAS, six of the 11 strategies recommended some changes to land use; and

10 WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the
11 City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office
12 of Planning and Community Development (OPCD) issued a Determination of
13 Significance and initiated a SEPA scoping period to seek public comment on four distinct
14 land use alternatives each based on a new industrial land policy framework reflective of
15 the Strategy Council’s recommendations and received 105 comments; and

16 WHEREAS, on December 15, 2021 OPCD issued the Industrial and Maritime Strategy Draft
17 Environmental Impact Statement; and

18 WHEREAS, OPCD held two public hearings during a 75-day public comment period and
19 received 142 comments; and

20 WHEREAS, in September 2022 OPCD issued a Final Environmental Impact Statement featuring
21 a preferred alternative; and

22 WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies
23 recommended by the Industrial and Maritime Strategy Council and were studied in the

1 Industrial and Maritime Strategy Environmental Impact Statement, including: (1) an
2 ordinance amending Seattle’s Comprehensive Plan to create a new land use policy
3 framework, (2) an amendment to the Seattle Municipal Code to establish new industrial
4 zones and development standards consistent with the proposed Comprehensive Plan
5 Policies, (3) an ordinance to remove the provision of the Industrial Commercial zone
6 from the existing Seattle Municipal Code Chapter 23.50, (4) an ordinance amending Title
7 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing
8 Center, and (5) an ordinance to apply the proposed new zones to land in Seattle’s
9 industrial areas; and

10 WHEREAS, the proposed ordinance creating a new Seattle Municipal Code Chapter 23.50A to
11 establish new industrial zones and development standards also includes provisions for the
12 Industrial Commercial zone currently in Chapter 23.50; and

13 WHEREAS, the Industrial Commercial zone will continue to provide a valuable land use tool for
14 industrial areas outside of Manufacturing and Industrial Centers; and

15 WHEREAS, upon adoption of amendments to the Official Land Use Map that apply the
16 proposed new industrial land zoning framework to all industrial land, it is recommended
17 that the City Council repeal Seattle Municipal Code Chapter 23.50; and

18 WHEREAS, the provisions for the Industrial Commercial zone are included in the proposed
19 Chapter 23.50A for areas outside of Manufacturing Industrial Centers; and

20 WHEREAS, this separate ordinance removes provisions for the Industrial Commercial zone
21 from existing Chapter 23.50; and

1 WHEREAS, the Industrial Commercial zone remains a useful and relevant zone in line with
 2 proposed policies for some areas and therefore will be relocated to a new Chapter
 3 23.50A; NOW, THEREFORE,

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

5 Section 1. Section 23.50.002 of the Seattle Municipal Code, last amended by Ordinance
 6 124969, is amended as follows:

7 **23.50.002 Scope of provisions**

8 A. There are ~~((four))~~ three industrial classifications: General Industrial 1 (IG1), General
 9 Industrial 2 (IG2), and Industrial Buffer (IB) ~~((, and Industrial Commercial (IC)))~~. This Chapter
 10 23.50 describes the authorized uses and development standards for the Industrial zones.

11 * * *

12 Section 2. Table A for Section 23.50.012 of the Seattle Municipal Code, which section
 13 was last amended by Ordinance 125845, is amended as follows:

14 **23.50.012 Permitted and prohibited uses**

15 * * *

Table A for 23.50.012 Uses in Industrial zones					
Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
A. AGRICULTURAL USES					
A.1. Animal husbandry	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone					
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center	
A.2. Aquaculture	P	((P))	P	P	P	
A.3. Community garden	P((2)) (1)	((P(2)))	P((2)) (1)	P((2)) (1)	P((2)) (1)	
A.4. Horticulture	X	((X))	X	X	X	
A.5. Urban farm ((1)) 2	P((2)) (1)	((P(2)))	P((2)) (1)	P((2)) (1)	P((2)) (1)	
B. CEMETERIES	X	((X))	X	X	X	
C. COMMERCIAL USES						
C.1. Animal shelters and kennels	X(3)	((P))	P	P	P	
C.2. Eating and drinking establishments	P	((P))	P	P	P	
C.3. Entertainment uses						
	C.3.a. Cabarets, adult	P(4)	((P(4)))	X	X	X
	C.3.b. Motion picture theaters, adult	X	((X))	X	X	X
	C.3.c. Panorams, adult	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	C.3.d. Sports and recreation, indoor	P	((P))	P	X	P
	C.3.e. Sports and recreation, outdoor	P	((P))	P	X	P
	C.3.f. Theaters and spectator sports facilities					
	C.3.f.i. Lecture and meeting halls	P	((P))	P	P	P
	C.3.f.ii. Motion picture theaters	P	((P))	P	X	X
	C.3.f.iii. Performing arts theaters	P	((P))	P	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	C.3.f.iv. Spectator sports facilities	P	((P))	P	X(5)	X(5)
	C.4. Food processing and craft work ((H)) <u>2</u>	P	((P))	P	P	P
	C.5. Laboratories, ((Research)) <u>research</u> and development	P	((P))	P	P	P
	C.6. Lodging uses	CU	((CU))	CU	X	X
	C.7. Medical services (6)	P	((P))	P	P	P
	C.8. Offices	P	((P))	P	P	P
	C.9. Sales and services, automotive	P	((P))	P	P	P
	C.10. Sales and services, general ((H)) <u>2</u>	P	((P))	P	P	P
	C.11. Sales and services, heavy	P	((P))	P	P	P
	C.12. Sales and services, marine	P	((P))	P	P	P
	D. HIGH-IMPACT USES	X	((X or CU(7)))	X or CU ((8)) <u>7</u>	X or CU ((8)) <u>7</u>	X or CU ((8)) <u>7</u>

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
E. INSTITUTIONS					
E.1. Adult care centers	X	((X))	X	X	X
E.2. Child care centers	P	((P))	P	P	P
E.3. Colleges	EB	((EB))	EB ((9)) <u>8</u>	X ((10)) <u>9</u>	X ((10)) <u>9</u>
E.4. Community centers and Family support centers	EB	((EB))	EB	P	P
E.5. Community clubs	EB	((EB))	EB	X	P
E.6. Hospitals	EB	((EB))	CU ((11)) <u>10</u>	P	P
E.7. Institutes for advanced study	P	((P))	P	X	X
E.8. Libraries	X	((X))	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB ((12)) <u>11</u>	((EB))	EB ((12)) <u>11</u>	EB	EB
E.10. Museums	EB	((EB(13)))	EB	X ((14)) <u>(12)</u>	X ((14)) <u>(12)</u>
E.11. Private clubs	EB	((EB))	EB	X	X
E.12. Religious facilities	P ((15)) <u>(13)</u>	((P(15)))	P ((15)) <u>(13)</u>	P ((15)) <u>(13)</u>	P ((15)) <u>(13)</u>

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
E.13. Schools, elementary or secondary	EB	((EB))	EB	X	X
E.14. Vocational or fine arts schools	P	((P))	P	P	P
F. LIVE-WORK UNITS	X	((X))	X	X	X
G. MANUFACTURING USES					
G.1. Manufacturing, light ((H)) <u>2</u>	P	((P))	P	P	P
G.2. Manufacturing, general	P	((P))	P	P	P
G.3. Manufacturing, heavy	CU	((X or CU(16)))	P or CU ((17)) <u>(14)</u>	P	P
H. PARKS AND OPEN SPACE	P	((P))	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails	X	((X))	X	X	X
I.2. Work-release centers	X	((X))	X	X	X
I.3. Other public facilities	CCU	((CCU))	CCU	CCU	CCU
J. RESIDENTIAL USES					

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
J.1. Residential uses not listed below	X	((X))	X	X	X
J.2. Artist's studio/dwellings	EB/CU	((EB/CU))	EB/CU	EB/CU	EB/CU
J.3. Caretaker's quarters	P	((P))	P	P	P
J.4. Residential use, except artist's studio/dwellings and caretaker's quarters, in a landmark structure or landmark district	CU	((CU))	CU	CU	CU
K. STORAGE USES					
K.1. Mini-warehouses	P	((P))	P	X	P
K.2. Storage, outdoor	P	((P))	P	P	P
K.3. Warehouses	P	((P))	P	P	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	((P))	P	P	P
L.2. Parking and moorage					
	L.2.a. Boat moorage	P	((P))	P	P

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	L.2.b. Dry boat storage	P	((P))	P	P	P
	L.2.c. Parking, flexible-use	P	((P or X(18)))	P	X(5)	X(5)
	L.2.d. Park and ride facilities	P((19)) (15)	((P(19)))	P((19)) (15)	CU	CU
	L.2.e. Towing services	P	((P))	P	P	P
L.3. Passenger terminals		P	((P))	P	P	P
L.4. Rail transit facilities		P	((P))	P	P	P
L.5. Transportation facilities, air						
	L.5.a. Airports (land-based)	X	((CCU))	CCU	CCU	CCU
	L.5.b. Airports (water-based)	X	((CCU))	CCU	CCU	CCU

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((C))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	L.5.c. Heliports	X	((CCU))	CCU	CCU	CCU
	L.5.d. Helistops	CCU	((CCU))	CCU	CCU	CCU
L.6. Vehicle storage and maintenance						
	L.6.a. Bus bases	CU	((CU))	CU	CU	CU
	L.6.b. Railroad switchyards	P	((P))	P	P	P
	L.6.c. Railroad switchyards with a mechanized hump	X	((X))	CU	CU	CU
	L.6.d. Transportation services, personal	P	((P))	P	P	P
M. UTILITY USES						
M.1. Communication utilities, major		CU	((CU))	CU	CU	CU

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((I))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
M.2. Communication utilities, minor		P	((P))	P	P	P
M.3. Power plants		X	((CCU))	P	P	P
M.4. Recycling		P	((P))	P	P	P
M.5. Sewage treatment plants		X	((CCU))	CCU	CCU	CCU
M.6. Solid waste management						
	M.6.a. Salvage yards	X	((X))	P	P	P
	M.6.b. Solid waste transfer stations	CU ((20)) <u>(16)</u>	((CU))	CU	CU	CU
	M.6.c. Solid waste incineration facilities	X	((CCU))	CCU	CCU	CCU
	M.6.d. Solid waste landfills	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
M.7. Utility services uses	P	((P))	P	P	P

~~((KEY))~~ Key to Table A for 23.50.012

- CU = Administrative conditional use
- CCU = Council conditional use
- EB = Permitted only in a building existing on October 7, 1987((-))
- EB/CU = Administrative conditional use permitted only in a building existing on October 7, 1987.
- P = Permitted
- X = Prohibited

Footnotes to Table A for 23.50.012

(1) ~~((In addition to the provision in this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.))~~ Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:

- (a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;
- (b) 10,000 square feet in IB zones; and
- (c) 20,000 square feet in IG2 zones.

(2) ~~((Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:~~

- ~~(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;~~
- ~~(b) 10,000 square feet in IB and IC zones; and~~
- ~~(c) 20,000 square feet in IG2 zones.))~~

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((1C))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center

In addition to the provisions of this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.

(3) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals are permitted.

(4) Subject to subsection 23.50.012.E.

(5) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used as flexible-use parking or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Area Overlay District may reserve parking. Such reserved non-required parking shall be permitted to be used as flexible-use parking and is exempt from the one-space-per-650-square-foot ratio under the following circumstances:

(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and

(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and

(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.

(6) Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

~~(((7))) The high-impact uses listed in subsection 23.50.014.B.10 may be permitted as conditional uses.~~

~~((8))) 7 High-impact uses may be permitted as conditional uses as provided in subsection 23.50.014.B.5.~~

~~(((9))) 8 Research and education facilities that are a part of a college or university, and that are water-dependent or water-related, as defined by Section 23.60.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.~~

~~(((10))) 9 A college or university offering a primarily vocational curriculum within the zone is permitted.~~

~~(((11))) 10 Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014.B.((14))12.~~

~~(((12))) 11 Major institution uses are permitted only in a building existing on October 7,~~

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center

1987, except that such uses are permitted on properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West regardless of whether the use is located in a building existing on October 7, 1987.

~~(((13) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.~~

~~((14))~~ (12) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

~~(((15))~~ (13) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.

~~(((16) The heavy manufacturing uses listed in subsection 23.50.014.B.9 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.~~

~~((17))~~ 14) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided in subsection 23.50.014.C.

~~(((18) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.~~

~~((19))~~ (15) Park and ride facilities are not permitted within 3,000 feet of the Downtown Urban Center.

~~(((20))~~ (16) Subject to subsection 23.50.014.B.7.e.

1
 2 Section 3. Section 23.50.014 of the Seattle Municipal Code, last amended by Ordinance
 3 126685, is amended as follows:

4 **23.50.014 Conditional uses**

5 * * *

6 B. Administrative conditional uses. The following uses, identified as administrative
 7 conditional uses in Table A for 23.50.012, may be permitted by the Director if the provisions of
 8 this subsection 23.50.014.B and subsection 23.50.014.A are met.

1 1. Artist’s studio/dwellings in an existing structure may be permitted as a
2 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and Industrial Buffer
3 (IB) (~~and Industrial Commercial (IC) zones~~), except as provided in the Shoreline District,
4 Chapter 23.60A, upon showing that the occupant is a bona fide working artist, and subject to the
5 following criteria:

6 a. Artist's studio/dwellings shall generally be discouraged along arterials
7 such as freeways, state routes, and freight lines;

8 b. Artist's studio/dwellings shall not be allowed in areas where existing
9 industrial uses may cause environmental or safety problems;

10 c. Artist's studio/dwellings shall not be located where they may restrict or
11 disrupt industrial activity;

12 d. The nature of the artist's work shall be such that there is a genuine need
13 for the space; and

14 e. The owner(s) of a building seeking a conditional use for artist's
15 studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable
16 to the Director, that acknowledges that the owner(s) and occupants of the building accept the
17 industrial character of the neighborhood and agree that existing or permitted industrial uses do
18 not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and
19 equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns,
20 including any lessees of the artist's studio/dwellings.

21 2. Park-and-pool lots in IG1 and IG2 zones in the Duwamish
22 Manufacturing/Industrial Center, and park-and-ride lots in General Industrial 1 (IG1), General

1 Industrial 2 (IG2), and Industrial Buffer (IB) (~~and Industrial Commercial (IC)~~) zones may be
2 permitted as a conditional use according to the following criteria:

3 a. The park-and-pool lot shall not create conflict with industrial activity by
4 causing significant additional traffic to circulate through the area;

5 b. The park-and-pool lot has direct vehicular access to a designated arterial
6 improved to City standards;

7 c. The park-and-pool lot shall be located on an existing parking area
8 unless no reasonable alternative exists;

9 d. If the proposed park-and-pool lot is located on a lot containing
10 accessory parking for other uses, there shall be no substantial conflict in the principal operating
11 hours of the lot and the other uses; and

12 e. The park-and-pool lot is not located within 3,000 feet of downtown.

13 3. Except in the Duwamish Manufacturing/Industrial Center, lodging uses may be
14 permitted as a conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and
15 Industrial Buffer (IB) (~~and Industrial Commercial (IC)~~) zones according to the following
16 criteria:

17 a. The use is designed primarily to serve users in the industrial area; and

18 b. The use is designed and located to minimize conflicts with industrial
19 uses in the area.

20 4. A residential use not otherwise permitted in the zone may be permitted as a
21 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and Industrial Buffer
22 (IB) (~~and Industrial Commercial (IC)~~) zones within a structure designated as a Landmark,
23 pursuant to (~~the Seattle Municipal Code,~~) Chapter 25.12(~~(, Landmarks Preservation,~~)) or within

1 a structure in a Landmark District, pursuant to (~~(the Seattle Municipal Code,)~~) Chapter(~~(s)~~)
2 25.16(~~(, Ballard Avenue Landmark District,)~~) or Chapter 25.28, (~~(Pioneer Square Historical~~
3 ~~District,)~~) subject to the following criteria:

4 a. The use shall be compatible with the historic or landmark character of
5 the structure. The Director shall request a determination regarding compatibility by the
6 respective Board having jurisdiction over the structure or lot;

7 b. The residential use shall not restrict or disrupt industrial activity in the
8 zone, and

9 c. The surrounding uses would not be detrimental to occupants of the
10 Landmark structure.

11 5. High-impact uses may be permitted as a conditional use in General Industrial 1
12 (IG1), and General Industrial 2 (IG2) zones, according to the following criteria:

13 a. The lot is located so that large concentrations of people, particularly in
14 residential and commercial areas, are not exposed to unreasonable adverse impacts;

15 b. A management plan may be required. The Director may determine the
16 level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the
17 effects. Discussion of materials handling and storage, odor control, transportation and other
18 factors may be required.

19 6. A new railroad switchyard with a mechanized hump, or the expansion of such a
20 use beyond the lot occupied as of October 7, 1987, may be permitted as a conditional use in
21 General Industrial 1 (IG1) and General Industrial 2 (IG2) zones, according to the following
22 criteria:

1 a. The lot is located so that large concentrations of people, particularly in
2 residential and commercial areas, are not exposed to unreasonable adverse impacts;

3 b. Measures to minimize the impacts of noise, light, and glare, and other
4 measures to ensure the compatibility of the use with the surrounding area and to mitigate adverse
5 impacts shall be incorporated into the design and operation of the facility.

6 7. Solid waste transfer stations may be permitted as a conditional use in General
7 Industrial 1 (IG1), General Industrial 2 (IG2)(~~(, Industrial Commercial (IC))~~), and Industrial
8 Buffer (IB) zones according to the following criteria:

9 a. Measures to minimize potential odor emissions and airborne pollutants
10 shall be determined in consultation with the Puget Sound Clean Air Agency (PSCAA). These
11 measures shall be incorporated into the design and operation of the facility;

12 b. Measures to maximize control of rodents, birds, and other vectors shall
13 be determined in consultation with Public Health—Seattle (&) and King County. These
14 measures shall be incorporated into the design and operation of the facility;

15 c. The Director may require a transportation plan. The Director shall
16 determine the level of detail to be disclosed in the plan such as estimated trip generation, access
17 routes and surrounding area traffic counts, based on the probable impacts and/or scale of the
18 proposed facility; and

19 d. Measures to minimize other impacts are incorporated into the design
20 and operation of the facility.

21 e. For any portion of the principal structure containing the solid waste
22 management use that is located in an IB zone, the following standards apply:

1 i. Rooftop features on the principal structure shall not exceed the
2 maximum height limit of the zone.

3 j. All transfer, handling, and compacting of materials processed by the
4 solid waste management use shall be conducted within an enclosed structure.

5 k. Outdoor storage is prohibited.

6 8. Heavy (~~Manufacturing~~) manufacturing uses may be permitted in the
7 Industrial Buffer (IB) zone as a conditional use according to the following criteria:

8 a. The use shall be located within an enclosed building except for
9 shipbuilding;

10 b. The hours of operation for all processes creating any adverse impacts on
11 residentially or commercially zoned land may be limited;

12 c. Truck and service traffic associated with the heavy manufacturing use
13 shall be directed away from streets serving lots in nonindustrial zones;

14 d. The infrastructure of the area shall be capable of accommodating the
15 traffic generated by the proposed use; and

16 e. The use shall not produce sustained or recurrent vibrations exceeding
17 0.002g acceleration as measured on lots in nonindustrial zones.

18 ~~((9. The heavy manufacturing uses listed in subsection 23.50.014.B.9.a may be~~
19 ~~permitted in the Industrial Commercial (IC) zone as a conditional use according to criteria~~
20 ~~contained in subsection 23.50.014.B.9.b.~~

21 a. Uses

1 ~~(1) Mass production of commercial or recreational vessels of any~~
2 ~~size and the production of vessels up to 120 feet in length, constructed to individual~~
3 ~~specifications; and~~

4 ~~(2) Manufacturing of electrical components, such as~~
5 ~~semiconductors and circuit boards, using chemical processes such as etching or metal coating;~~
6 ~~and~~

7 ~~(3) Production of industrial organic and inorganic chemicals, and~~
8 ~~soaps and detergents.~~

9 **b. Criteria**

10 ~~(1) Except for shipbuilding, the use shall be located within an~~
11 ~~enclosed building;~~

12 ~~(2) The hours of operation for all processes creating any impacts~~
13 ~~on residentially or commercially zoned land may be limited;~~

14 ~~(3) Truck and service traffic associated with the heavy~~
15 ~~manufacturing use shall be directed away from streets serving lots in nonindustrial zones;~~

16 ~~(4) The infrastructure of the area shall be capable of~~
17 ~~accommodating the traffic generated by the proposed use;~~

18 ~~(5) The use shall not produce sustained or recurrent vibrations~~
19 ~~exceeding 0.002g acceleration as measured on lots in nonindustrial zones;~~

20 ~~(6) The finished product as packaged for sale or distribution shall~~
21 ~~be in such a form that product handling and shipment does not constitute a significant public~~
22 ~~health risk; and~~

1 ~~(7) The nature of the materials produced and/or the scale of~~
2 ~~manufacturing operations may be limited in order to minimize the degree and severity of risks to~~
3 ~~public health and safety.~~

4 ~~10. The high impact uses listed in subsection 23.50.014.B.10.a may be permitted~~
5 ~~as conditional uses in the Industrial Commercial (IC) zone according to the criteria contained in~~
6 ~~subsection 23.50.014.B.10.b.~~

7 ~~a. Uses~~

8 ~~1) The manufacture of Group A hazardous materials, except Class~~
9 ~~A or B explosives; and~~

10 ~~2) The manufacture of Group B hazardous materials, when the~~
11 ~~hazardous materials are present in quantities greater than 2,500 pounds of solids, 275 gallons of~~
12 ~~liquids, or 1,000 cubic feet of gas at any time.~~

13 ~~b. Criteria~~

14 ~~1) The lot is located so that large concentrations of people,~~
15 ~~particularly in residential and commercial areas, are not exposed to unreasonable adverse~~
16 ~~impacts;~~

17 ~~2) A management plan may be required. The Director may~~
18 ~~determine the level of detail to be disclosed in the plan based on the probable impacts and/or the~~
19 ~~scale of the effects. Discussion of materials handling and storage, odor control, transportation,~~
20 ~~and other factors may be required;~~

21 ~~3) The finished product as packaged for sale or distribution shall~~
22 ~~be in such a form that product handling and shipment does not constitute a significant public~~
23 ~~health risk; and~~

1 a. Whether the amount of medical service use development existing and
2 proposed in the vicinity would reduce the current viability or significantly impact the longer-
3 term potential of the manufacturing or heavy commercial character of the industrial area; and

4 b. Whether medical service use development would displace existing
5 manufacturing or heavy commercial uses or usurp vacant land, in areas with parcels particularly
6 suited for manufacturing or heavy commercial uses.

7 ~~((13))~~11. A nonconforming use may be converted by an administrative
8 conditional use authorization to a use not otherwise permitted in the zone based on the following
9 factors:

10 a. New uses shall be limited to those first permitted in the next more
11 intensive zone;

12 b. The Director shall evaluate the relative impacts of size, parking, traffic,
13 light, glare, noise, odor, and similar impacts of the two uses, and how these impacts could be
14 mitigated;

15 c. The Director must find that the new nonconforming use is no more
16 detrimental to property in the zone and vicinity than the existing nonconforming use.

17 ~~((14))~~12. An accessory hospital facility may be permitted as a conditional use
18 according to the following criteria:

19 a. The hospital facility is an integral element of a research and
20 development laboratory or an institute for advanced study to which it is accessory; and

21 b. The hospital use shall not be allowed in areas where industrial activity
22 may adversely affect hospital activity.

23 * * *

1 D. Council (~~Conditional Uses~~) conditional uses. The following uses are identified as
2 Council conditional uses on Table A (~~of Section~~) for 23.50.012 and may be permitted by the
3 Council when provisions of this subsection 23.50.014.D and subsection 23.50.014.A are met:

4 1. Sewage treatment plants may be permitted as a Council conditional use in
5 General Industrial 1 (IG1), and General Industrial 2 (IG2) (~~and Industrial Commercial (IC)~~)
6 zones according to the following criteria:

7 a. The plant shall be located so that adverse impacts would not affect large
8 concentrations of people, particularly in residential and commercial areas;

9 b. The negative impacts of the use can be satisfactorily mitigated by
10 imposing conditions to protect other property in the zone or vicinity and to protect the
11 environment. Appropriate mitigation measures shall include but are not limited to:

12 ~~((1))~~ 1) A facility management and transportation plan shall be
13 required. The level and kind of detail to be disclosed in the plan shall be based on the probable
14 impacts and/or scale of the proposed facility, and shall at a minimum include discussion of
15 sludge transportation, noise control, and hours of operation, and shall be incorporated into the
16 design and operation of the facility;

17 ~~((2))~~ 2) Measures to minimize potential odor emission and
18 airborne pollutants including methane shall meet standards of and be consistent with best
19 available technology as determined in consultation with the Puget Sound Clean Air Agency
20 (PSCAA), and shall be incorporated into the design and operation of the facility;

21 ~~((3))~~ 3) Methods of storing and transporting chlorine and other
22 hazardous and potentially hazardous chemicals shall be determined in consultation with the
23 Seattle Fire Department and incorporated into the design and operation of the facility;

1 ~~((4))~~ 4) Vehicular access suitable for trucks shall be available or
2 provided from the plant to a designated arterial improved to City standards; and

3 ~~((5))~~ 5) Landscaping and screening, separation from less-
4 intensive zones, noise, light and glare controls, and other measures to insure the compatibility of
5 the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the
6 design and operation of the facility.

7 2. Heliports may be permitted as a Council conditional use in General Industrial 1
8 (IG1), and General Industrial 2 (IG2) (~~and Industrial Commercial (IC) Zones~~) zones according
9 to the following criteria:

10 a. The heliport; is to be used for the takeoff and landing and servicing of
11 helicopters (~~which~~) that serve a public safety, news gathering, or emergency medical care
12 function; is part of a City and regional transportation plan approved by the City Council and is a
13 public facility; or is part of a City and regional transportation plan approved by the City Council
14 and is not within (~~two thousand (2,000))~~ 2,000 feet of a residential zone;

15 b. A need shall be determined for the facility at the proposed location;

16 c. The heliport is located to minimize impacts, such as noise and dust
17 impacts, on lots in the surrounding area;

18 d. The lot is of sufficient size that the operations of the heliport and the
19 flight paths of helicopters are buffered from the surrounding area;

20 e. Open areas and landing pads are hard-surfaced; and

21 f. The heliport meets all federal requirements including those for safety,
22 glide angles, and approach lanes.

1 3. Airports may be permitted as a Council conditional use in the General
2 Industrial 1 (IG1)((;)) and General Industrial 2 (IG2) ((~~and Industrial Commercial (IC)~~)) zones
3 according to the following criteria:

- 4 a. A need shall be determined for the facility at the proposed location;
5 b. The impacts of the proposal shall be evaluated so that the negative
6 impacts can be satisfactorily mitigated by imposing conditions to protect other property in the
7 zone or vicinity and to protect the environment. Appropriate mitigation measures shall include,
8 but are not limited to:

9 ((~~1~~)) 1) The site shall be located so that adverse impacts
10 associated with landing and takeoff activities, including noise levels and safety conditions, will
11 not affect large numbers of people in the immediate vicinity as well as in the general landing
12 path of the flight pattern;

13 ((~~2~~)) 2) A facility management and transportation plan shall be
14 required. At a minimum, the facility management and transportation plan shall demonstrate noise
15 control, vehicle and service access, and hours of operation, and shall be incorporated into the
16 design and operation of the facility; and

17 ((~~3~~)) 3) Landscaping and screening, separation from less-
18 intensive zones, noise, light and glare controls, and other measures to insure the compatibility of
19 the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the
20 design and operation of the facility.

21 4. Solid waste incineration facilities may be permitted as a Council conditional
22 use in the General Industrial 1 (IG1) and General Industrial 2 (IG2) zones according to the
23 following criteria:

1 a. The lot is located so that large concentrations of people, particularly in
2 residential and commercial areas, are not exposed to unreasonable adverse impacts;

3 b. Measures to minimize odor emission and airborne pollutants shall be
4 determined in consultation with the Puget Sound Clean Air Agency (PSCAA). These measures
5 shall be incorporated into the design and operation of the facility;

6 c. A transportation plan may be required. The Director shall determine the
7 level of detail to be disclosed in the plan based on the probable impacts and/or scale of the
8 proposed facility.

9 ~~((5. Power plants may be permitted as a Council conditional use in the Industrial
10 Commercial (IC) zone according to the following criteria:~~

11 ~~a. The lot is located so that large concentrations of people, particularly in
12 residential and commercial areas, are not exposed to unreasonable adverse impacts;~~

13 ~~b. A facility management and transportation plan may be required. The
14 level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or
15 scale of the proposed facility, and may include discussion of transportation, noise control, and
16 hours of operation;~~

17 ~~c. Measures to minimize potential odor emission and airborne pollution
18 shall meet standards of the Puget Sound Clean Air Agency (PSCAA), and shall be incorporated
19 into the design and operation of the facility; and~~

20 ~~d. Landscaping and screening, separation from less intensive zones, noise,
21 light and glare controls, and other measures to insure the compatibility of the use with the
22 surrounding area and to mitigate adverse impacts shall be incorporated into the design and
23 operation of the facility.))~~

1 2. In all industrial zones, open railings, planters, skylights, clerestories,
2 greenhouses, solariums, parapets, and firewalls may extend 4 feet above the applicable height
3 limit with unlimited rooftop coverage. Insulation material, rooftop decks and other similar
4 features, or soil for landscaping located above the structural roof surface, may exceed the
5 maximum height limit by up to 2 feet if enclosed by parapets or walls that comply with this
6 subsection 23.50.020.A.2.

7 3. In all industrial zones, solar collectors may extend up to 7 feet above the
8 applicable height limit, with unlimited rooftop coverage.

9 4. Additional height is permitted for specified rooftop features according to this
10 subsection 23.50.020.A.4.

11 a. The following rooftop features may extend up to 15 feet above the
12 applicable height limit in all industrial zones, subject to subsection 23.50.020.A.4.c:

13 1) Solar collectors that exceed heights indicated by subsection
14 23.50.020.A.3;

15 2) Stair and elevator penthouses(~~(, except as provided in subsection~~
16 ~~23.50.020.A.4.b))~~);

17 3) Greenhouses and solariums;

18 4) Mechanical equipment; and

19 5) Minor communication utilities and accessory communication
20 devices, except that height is regulated according to Section 23.57.015.

21 (~~b. In an IC 85-175 zone, elevator penthouses may extend up to 25 feet~~
22 ~~above the applicable height limit, subject to subsection 23.50.020.A.4.c.))~~)

1 ((e))b. The combined total coverage of all features listed in subsection
2 23.50.020.A.4 is limited to 35 percent of the roof area, or 60 percent of the roof area if the total
3 includes greenhouses.

4 5. Greenhouses shall be located at least 10 feet from the north lot line unless a
5 shadow diagram is provided that demonstrates that locating such features within 10 feet of the
6 north lot line would not shade property to the north on January 21 at noon more than would a
7 structure built to maximum permitted height and FAR.

8 ~~((6. Within an IC 85-175 zone, solar collectors and wind-driven power generators
9 may extend up to 15 feet above the applicable height limit, with unlimited rooftop coverage, and
10 are not subject to a coverage limit under subsection 23.50.020.A.4.e.))~~

11 * * *

12 Section 5. Section 23.50.026 of the Seattle Municipal Code, last amended by Ordinance
13 125791, is repealed:

14 ~~**((23.50.026 Structure height in IC zones**~~

15 ~~A. Except as may be otherwise provided in this Title 23, the maximum structure height in
16 IC zones for all uses is as designated on the Official Land Use Map, Chapter 23.32. Maximum
17 structure height may be increased or reduced as provided in this Section 23.50.026 or Section
18 23.50.020. An overlay district may increase or reduce the maximum structure height.~~

19 ~~B. Water dependent uses within the Shoreline District are subject to only the height limits
20 of the applicable shoreline environment, Chapter 23.60A.~~

21 ~~C. Within an IC 85-175 zone, the first figure shown in the zone designation is the base
22 height limit, which is the height limit for all uses, except for a structure that complies with the
23 conditions to extra floor area specified in Sections 23.50.028 and 23.50.033 on a lot that includes~~

1 ~~extra floor area. Extra floor area means non-residential chargeable floor area allowed in addition~~
2 ~~to the base FAR under Chapter 23.58A. The second figure is the applicable height limit for all~~
3 ~~uses, on a lot that includes extra floor area, for a structure that complies with the conditions to~~
4 ~~extra floor area specified in Sections 23.50.028 and 23.50.033.)~~

5 Section 6. Section 23.50.027 of the Seattle Municipal Code, last amended by Ordinance
6 126685, is amended as follows:

7 **23.50.027 Maximum size of nonindustrial use**

8 A. Applicability

9 1. Except as otherwise provided in this Section 23.50.027, the maximum size of
10 use limits on gross floor area specified in Table A for 23.50.027 apply to principal uses on a lot,
11 and apply separately to the categories of uses. The total gross floor area occupied by uses limited
12 under Table A for 23.50.027 shall not exceed 2.5 times the area of the lot in an IG1, IG2, or
13 IB((~~or IC~~)) zone.

14 2. The combined square footage of any one business establishment located on
15 more than one lot is subject to the size limitations on ~~((non-industrial))~~ nonindustrial uses
16 specified in Table A for 23.50.027.

17 3. The maximum size of use limits in Table A for 23.50.027 do not apply to the
18 North Lake Union area identified in Map A for 23.50.027. In that area no single non-office use
19 listed in Table A for 23.50.027 may exceed 50,000 square feet in size.

Table A for 23.50.027					
Size of use limits in Industrial zones					
Uses subject to size limits	IG1 (in square feet)	IG2 (in square feet)	IB (in square feet)	((IC outside the Duwamish MIC))	((IC within the Duwamish MIC))
Animal shelters and kennels*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Drinking establishments**	3,000 ((sq. ft.))	3,000 ((sq. ft.))	N.S.L.	((N.S.L.))	((N.S.L.))
Entertainment*	10,000 ((sq. ft.)).***	10,000 ((sq. ft.))***	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Lodging uses*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Medical services*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Office	10,000 ((sq. ft.))	25,000 ((sq. ft.))	100,000 ((sq. ft.))	((N.S.L.))	((N.S.L.))
Restaurants	5,000 ((sq. ft.))	5,000 ((sq. ft.))	N.S.L.	((N.S.L.))	((N.S.L.))
Retail sales, major durables	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 30,000 sq. ft. in IC 85-160 zone))

Table A for 23.50.027 Size of use limits in Industrial zones					
Uses subject to size limits	IG1 (in square feet)	IG2 (in square feet)	IB (in square feet)	((IC outside the Duwamish MIC))	((IC within the Duwamish MIC))
Sales and services, automotive	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L.))
Sales and services, general	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 30,000 sq. ft. in IC 85-160 zone))

Key for Table A for 23.50.027
 N.S.L. = No size limit
 * Where permitted under Table A for 23.50.012.
 ** The size limit for brew pubs applies to that portion of the pub that is not used for brewing purposes.
 *** The size limit for indoor sports and recreation is 50,000 sq. ft. for lots meeting the criteria of subsection ((23.50.027 H)) 23.50.027.H.

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B. The following exceptions to the size limitations in Table A for 23.50.027 are allowed for a structure existing as of September 26, 2007:

1. A use legally established as of September 26, 2007, that already exceeds the size limitations listed in Table A for 23.50.027 may continue.

2. Subject to the limitations in subsection 23.50.027.E, the gross floor area of a use listed in Table A for 23.50.027 and legally established as of September 26, 2007, may be converted to another category of use listed in Table A for 23.50.027 provided that the combined gross floor area devoted to uses listed in Table A for 23.50.027 does not exceed the total gross floor area of such uses legally established as of September 26, 2007.

**Table A for 23.50.028
 Floor area ratio (FAR) limits**

Zone designation	FAR limits for all uses
((All IC zones except as otherwise stated in this table))	((2.75))
((IC 65 and IC 85 zones within the Stadium Transition Area Overlay District))	((3.25))
((IC 85-175 zone))	((Base of 2.5 FAR for all permitted uses, except that the combined chargeable floor area of the following uses is limited to 1 FAR or 50,000 square feet, whichever is greater: entertainment uses; lodging uses; medical services; office; restaurant; major durables retail sales; automotive sales and services; religious facilities; and general sales and services. Maximum of 4.0 ¹ except that, if the total chargeable floor area of uses identified in the base FAR column is greater than 4.0 FAR, that amount of floor area, not to exceed 50,000 square feet, is the maximum FAR.))
((Footnote to Table A for 23.50.028 ¹ All floor area above the base FAR, up to the maximum FAR, is considered extra floor area and must be achieved through the provisions of subsection 23.50.028.B and Chapter 23.58A.))	

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((B. Extra floor area in IC 85-175

1. In an IC 85-175 zone, extra non-residential floor area as defined in Section 23.58A.004 may be added above the base FAR up to the maximum FAR allowed by Table A for 23.50.028 for development that satisfies all applicable conditions of Section 23.50.028, Section 23.50.033, and Chapter 23.58A.

1 a. ~~Twenty five percent of any extra non residential floor area shall be~~
2 ~~gained through the transfer of TDR pursuant to Section 23.50.053.~~

3 b. ~~Seventy five percent of any extra non residential floor area shall be~~
4 ~~gained as bonus non residential floor area pursuant to Section 23.58A.024, or through the~~
5 ~~transfer of housing TDR under Section 23.50.053, or both.~~

6 2. ~~In an IC 85-175 zone, in addition to satisfying the conditions of subsection~~
7 ~~23.50.028.B.1, for development to exceed the base FAR on a lot that has an area of 50,000~~
8 ~~square feet or more, the Director shall make an individual determination of project impacts on~~
9 ~~the need for pedestrian facilities and complete a voluntary agreement between the property~~
10 ~~owner and the City to mitigate identified impacts, if any. The Director may consider the~~
11 ~~following as impact mitigation:~~

12 a. ~~Pedestrian walkways on a lot, including through block connections on~~
13 ~~through lots, where appropriate, to facilitate pedestrian circulation by connecting structures to~~
14 ~~each other and abutting streets;~~

15 b. ~~Sidewalk improvements, including sidewalk widening, to accommodate~~
16 ~~increased pedestrian volumes and streetscape improvements that will enhance pedestrian comfort~~
17 ~~and safety; and~~

18 c. ~~Measures that will contribute to the improvement of pedestrian~~
19 ~~facilities, such as the following improvements applicable to the vicinity north of South Royal~~
20 ~~Brougham Way and south of South Charles Street east of 4th Avenue South:~~

21 1) ~~Improvements to 6th Avenue South as the primary pedestrian~~
22 ~~and bicycle corridor connecting new development to the surrounding area and transit facilities;~~

1 e. Bicycle commuter shower facilities required by subsection

2 23.54.015.K.8.

3 ~~((2. In addition to areas exempt from FAR calculations in subsection~~

4 ~~23.50.028.C.1, within an IC 85-175 zone, the following exemptions from FAR calculations~~

5 ~~apply:~~

6 a. ~~As an allowance for mechanical equipment, 3.5 percent of the total~~
7 ~~chargeable gross floor area that is not otherwise exempt under this subsection 23.50.028.C.~~

8 b. ~~All gross floor area for solar collectors and wind driven power~~
9 ~~generators.~~

10 c. ~~The gross floor area of the following uses located at street level,~~
11 ~~provided that the conditions of Section 23.50.039 are satisfied:~~

12 1) ~~General sales and service uses;~~

13 2) ~~Eating and drinking establishments;~~

14 3) ~~Entertainment use;~~

15 4) ~~Public libraries;~~

16 5) ~~Child care centers;~~

17 6) ~~Religious facilities; and~~

18 7) ~~Automotive sales and service.))~~

19 ((~~3~~)2). In addition to areas exempt from FAR calculations in subsection

20 ~~((23.50.028.C.1))~~ 23.50.028.B.1, within IG1 and IG2 zones, the gross floor area of rooftop

21 recreational space accessory to office use meeting the standards of subsection 23.50.012.D is

22 exempt from FAR calculations.

1 ~~((D. Within IC 85-175 zones, gross floor area used for accessory parking within stories~~
2 ~~that are completely above finished grade is not exempt, except that in an IC 85-175 zone, if the~~
3 ~~Director finds, as a Type I decision, that locating all parking below grade is infeasible due to~~
4 ~~physical site conditions such as a high water table, contaminated soils conditions, or proximity to~~
5 ~~a tunnel, and that the applicant has placed or will place the maximum feasible amount of parking~~
6 ~~below or partially below grade, the Director may exempt all or a portion of accessory parking~~
7 ~~that is above finished grade. If any exemption is allowed under this subsection 23.50.028.D, all~~
8 ~~parking provided above grade shall be subject to the screening requirements of subsection~~
9 ~~23.50.038.B.6.))~~

10 Section 8. Section 23.50.032 of the Seattle Municipal Code, last amended by Ordinance
11 125603, is repealed:

12 ~~((**23.50.032 Industrial Commercial—Setback requirements**~~

13 ~~A. Setbacks From Residential Zones.~~

14 1. ~~A setback shall be required on lots which abut the intersection of a side and~~
15 ~~front lot line of a residentially zoned lot. The required setback shall be a triangular area. Two (2)~~
16 ~~sides of the triangle shall extend fifteen (15) feet from the intersection of the street property line~~
17 ~~and the property line abutting the residentially zoned lot. The third side shall connect these two~~
18 ~~(2) sides with a diagonal line across the lot. (See Exhibits 23.50.032 A and 23.50.032 B).~~

19 2. ~~A setback shall be required along any lot line which abuts a side or rear lot line~~
20 ~~of a residentially zoned lot, or which is across an alley from a residentially zoned lot as follows:~~

21 a. ~~Zero (0) feet for portions of structures twelve (12) feet in height or~~
22 ~~lower; and~~

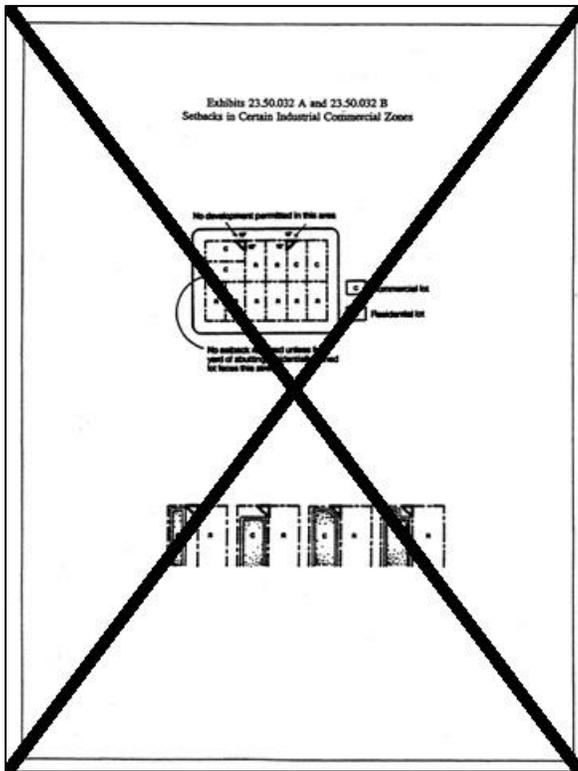
1 b. Ten (10) feet for portions of structures above twelve (12) feet in height
2 to a maximum of sixty-five (65) feet; and

3 c. For portions of structures above sixty-five (65) feet in height, an
4 additional one (1) foot of setback shall be required for every ten (10) feet in excess of sixty-five
5 (65) feet, (see Exhibit 23.50.032 B).

6 3. Half (1/2) of an alley width may be counted as part of the required setback.

7 B. No entrance, window or other opening shall be permitted closer than five (5) feet to a
8 residentially zoned lot.

9 C. A five (5) foot setback shall be required from all street property lines where street
10 trees are required and it is not feasible to plant them in accordance with City standards. The
11 setback shall be landscaped according to Section 23.50.038, Screening and landscaping
12 standards.))



13

1 Section 9. Section 23.50.033 of the Seattle Municipal Code, last amended by Ordinance
2 125291, is repealed:

3 ~~((23.50.033 Conditions for extra floor area in an IC 85-175 zone~~

4 ~~A. General. Projects in an IC 85-175 zone may add chargeable floor area above the base~~
5 ~~FAR up to the applicable maximum FAR in Section 23.50.028 if Sections 23.58A.022 and~~
6 ~~23.58A.024 for extra non-residential floor area and all the applicable conditions of this Chapter~~
7 ~~23.50 are satisfied. The provisions of this Section 23.50.033 apply to lots in an IC 85-175 zone,~~
8 ~~and only to development exceeding the base FAR.~~

9 ~~B. The applicant shall make a commitment that the proposed development will meet the~~
10 ~~green building standard, and shall demonstrate compliance with that commitment, all in~~
11 ~~accordance with Chapter 23.58D.~~

12 ~~C. Quantity of parking, ridesharing, and transit incentive program requirements.~~
13 ~~Maximum parking limits, ridesharing, and transit incentive program requirements for non-~~
14 ~~residential uses established for Downtown zones in subsections 23.49.019.C and 23.49.019.D~~
15 ~~apply, and requirements for bicycle parking established in subsection 23.49.019.E apply.~~

16 ~~D. Seattle Green Factor landscaping requirement. Development shall achieve a minimum~~
17 ~~Green Factor score of 0.30, calculated pursuant to Section 23.86.019.)~~

18 Section 10. Section 23.50.034 of the Seattle Municipal Code, last amended by Ordinance
19 124952, is amended as follows:

20 **23.50.034 Screening and landscaping**

21 The following types of screening and landscaping may be required according to the provisions of
22 Sections 23.50.036((, 23.50.038,)) and 23.50.040:

23 A. Three-foot-high screening. Three-foot-high screening may be either:

- 1 1. A fence or wall at least 3 feet in height; or
- 2 2. A landscaped area with vegetation at least 3 feet in height. Landscaped areas
- 3 may include bioretention facilities or landscaped berms, provided that the top of the vegetation is
- 4 at least 3 feet above the grade abutting the facility or berm.

5 B. View-obscuring screening. View-obscuring screening may be either:

- 6 1. A fence or wall 6 feet in height; or
- 7 2. A landscaped area with vegetation at least 5 feet in height. Landscaped areas
- 8 may include bioretention facilities or landscaped berms, provided that the top of the vegetation
- 9 will be at least 5 feet above the grade abutting the facility or berm.

10 C. Landscaped areas. Each area required to be landscaped shall be planted with trees,

11 shrubs and grass, or evergreen ground cover, in a manner that the total required setback,

12 excluding driveways, will be covered in three years. Features such as walkways, decorative

13 paving, sculptures, or fountains may cover a maximum of 30 percent of each required landscaped

14 area.

15 D. Street trees. When required, street trees shall be provided in the planting strip

16 according to Seattle Department of Transportation Tree Planting Standards. If it is not feasible to

17 plant street trees in the planting strip according to City standards, they shall be planted in the 5-

18 foot deep landscaped setback area along the street property line. Trees planted in this setback

19 area shall be at least 2 feet from the street lot line.

20 E. Combinations of screening and landscaping requirements

- 21 1. When there is more than one type of use which requires screening or
- 22 landscaping, the requirement which results in the greater amount of screening and landscaping
- 23 shall be followed.

1 2. Different types of screening or landscaping may be combined on one lot.

2 F. Landscaping meeting Seattle Green Factor standards, pursuant to Section 23.86.019.

3 Section 11. Section 23.50.038 of the Seattle Municipal Code, last amended by Ordinance
4 126685, is repealed:

5 ~~((23.50.038 Industrial Commercial – Screening and landscaping~~

6 A. ~~Screening and landscaping requirements for all uses~~

7 1. ~~Landscaping that achieves a Green Factor score of 0.30 or greater, pursuant to~~
8 ~~Section 23.86.019, is required for any lot zoned Industrial Commercial (IC) located within a~~
9 ~~designated urban village or urban center, with:~~

10 a. ~~development containing more than four new dwelling units; or~~

11 b. ~~development, either a new structure or an addition to an existing~~
12 ~~structure, containing more than 4,000 new square feet of non-residential uses; or~~

13 c. ~~any parking lot containing more than 20 new parking spaces for~~
14 ~~automobiles.~~

15 2. ~~Standards. All landscaping provided to meet requirements under this Section~~
16 ~~23.50.038 must meet standards promulgated by the Director to provide for the long-term health,~~
17 ~~viability and coverage of plantings. The standards may include, but are not limited to, the type~~
18 ~~and size of plants, number of plants, concentration of plants, depths of soil, use of low-water use~~
19 ~~plants and access to light and air for plants.~~

20 3. ~~All uses shall provide street trees, unless it is determined by the Director to be~~
21 ~~infeasible. If it is not feasible to plant street trees in the planting strip, then they shall be provided~~
22 ~~in the required 5-foot deep landscaped area along street lot lines.~~

23 B. ~~Treatment of blank facades.~~

1 1. ~~Blank facade limits apply to the area of the facade between 2 and 8 feet above~~
2 ~~the sidewalk.~~

3 a. ~~Any portion of a facade that is not transparent shall be considered to be~~
4 ~~a blank facade. Clear or lightly tinted glass in windows, doors and display windows shall be~~
5 ~~considered transparent. Transparent areas shall allow views into the structure or into display~~
6 ~~windows from the outside.~~

7 b. ~~Portions of a facade of a structure that are separated by transparent areas~~
8 ~~of at least 2 feet in width shall be considered separate facade segments for the purposes of this~~
9 ~~subsection 23.50.038.B.~~

10 c. ~~Except as provided for in subsection 23.50.038.C.6, blank segments of~~
11 ~~facades that are 60 feet wide and greater, and within 20 feet of the street lot line shall be screened~~
12 ~~by one of the following:~~

13 1) ~~A hedge that will achieve a height of at least 5 feet within 3~~
14 ~~years of planting and a height of at least 10 feet at full maturity; or~~

15 2) ~~Trellises and vining plants attached to the wall up to a minimum~~
16 ~~height of 10 feet; or~~

17 3) ~~A landscaped area meeting subsection 23.50.034.C, landscaped~~
18 ~~areas or berms.~~

19 d. ~~The following limits on blank facade segments apply to lots in an IC~~
20 ~~85-160 zone:~~

21 1) ~~For facades facing streets that bound the Downtown Urban~~
22 ~~Center or streets shown on Map A for Section 23.50.016, blank facade segments shall not exceed~~
23 ~~15 feet in width, except that:~~

1 a) the width of a blank façade segment that includes a
2 garage door may exceed 15 feet but is limited to the width of the driveway plus 5 feet; and

3 b) the width of a blank facade segment may be increased to
4 up to 30 feet if the Director determines, as a Type I decision, that the facade is sufficiently
5 enhanced by architectural detailing, artwork, landscaping, or similar features that have visual
6 interest.

7 2) For all other street-level street-facing facades, if the street level
8 is occupied by uses other than parking, blank facade segments are limited to a width of 30 feet,
9 except that:

10 a) the width of a blank façade segment that includes a
11 garage door may exceed 30 feet but is limited to the width of the driveway plus 5 feet; and

12 b) the width of a blank façade segment may be increased to
13 up to 60 feet if the Director determines, as a Type I decision, that the facade is sufficiently
14 enhanced by architectural detailing, artwork, landscaping, or similar features that have visual
15 interest.

16 3) If the street level of the street-facing façade is occupied by
17 parking, subsection 23.50.038.C.6 applies.

18 ~~C. Additional Screening and Landscaping Requirements for Specific Uses.~~

19 ~~1. Surface parking areas for more than five vehicles~~

20 a. If a surface parking area abuts a lot in an NC1, NC2, NC3 or C1 zone,
21 view obscuring screening along the abutting lot lines shall be provided.

22 b. If a surface parking area is across an alley from a lot in a residential zone, view
23 obscuring screening shall be required. A 5 foot deep landscaped area shall be required inside the

1 ~~screening. The Director may reduce or waive the screening and landscaping requirement for all~~
2 ~~or a part of the lot abutting the alley, or may waive only the landscaping requirement, if required~~
3 ~~parking can only be provided at the rear lot line and the alley is necessary to provide aisle space.~~
4 ~~In making the determination to waive or reduce the landscaping and screening requirements, the~~
5 ~~Director shall consider the following criteria:~~

6 1) ~~Whether the lot width and depth permits a workable plan for the~~
7 ~~building and parking which would preserve the screening and landscaping; and~~

8 2) ~~Whether the character of use across the alley, such as multi-~~
9 ~~family parking structures or single family garages, make the screening and landscaping less~~
10 ~~necessary; and~~

11 3) ~~Whether a topographic break between the alley and the~~
12 ~~residential zone makes screening less necessary.~~

13 c. ~~If a surface parking area or off-street loading area is directly across a~~
14 ~~street 80 feet or less in width from a lot in a residential zone, a 5 foot deep landscaped setback~~
15 ~~area from the street lot line, including street trees, shall be provided. Three foot high screening~~
16 ~~along the edge of the setback, with the landscaping on the street side of the screening, shall be~~
17 ~~provided.~~

18 d. ~~If a surface parking area or off-street loading area abuts a lot in a~~
19 ~~residential zone, view obscuring screening and a 5 foot deep landscaped setback area on the~~
20 ~~inside of the screening shall be provided.~~

21 e. ~~Surface parking areas for ten or fewer cars shall be screened by 3 foot~~
22 ~~high screening along the street lot line.~~

1 ~~f. Surface parking areas for more than ten cars shall be screened by 3 foot~~
2 ~~high screening and street trees along the street lot lines.~~

3 ~~g. Surface parking areas for more than 50 cars shall provide 3 foot high~~
4 ~~screening and street trees along the street lot lines, as well as interior landscaping.~~

5 ~~2. Parking Structures.~~

6 ~~a. If a parking structure is directly across a street 80 feet or less in width~~
7 ~~from a lot in a residential zone, a 5 foot deep landscaped setback area from the street lot line,~~
8 ~~including street trees, shall be provided. The street facing facade of each floor of parking shall~~
9 ~~have an opaque screen at least 3.5 feet high.~~

10 ~~b. If a parking structure abuts a lot in a residential zone, a 5 foot deep~~
11 ~~landscaped setback area from the lot line shall be provided unless the parking structure is~~
12 ~~completely enclosed except for driveway areas. In addition to the landscaped setback, view-~~
13 ~~obscuring screening shall be provided along abutting lot line(s). If the parking structure is~~
14 ~~enclosed by a solid wall, any setback area provided within 5 feet of the abutting lot lines shall be~~
15 ~~landscaped. The abutting facade of each floor of parking not enclosed by a solid wall shall have~~
16 ~~an opaque screen at least 3.5 feet high.~~

17 ~~c. If a parking structure is across an alley from a lot in a residential zone, a~~
18 ~~5 foot deep landscaped setback area from the alley lot line shall be provided, unless the parking~~
19 ~~structure is completely enclosed, except for driveway areas. Three foot high screening along the~~
20 ~~facade facing the alley with the landscaping on the alley side of the screening shall be provided.~~
21 ~~If the parking structure is enclosed by a solid wall, any setback area provided within 5 feet of the~~
22 ~~alley lot line shall be landscaped. The abutting or alley facade of each floor of parking shall have~~
23 ~~an opaque screen at least 3.5 feet high.~~

1 ~~d. If a parking structure is directly across a street wider than 80 feet from a~~
2 ~~lot in a residential zone, street trees shall be provided.~~

3 ~~e. If a parking structure is directly across a street 80 feet or less in width~~
4 ~~from a lot in a commercial zone, street trees shall be provided.~~

5 ~~3. Outdoor Sales and Outdoor Display of Rental Equipment.~~

6 ~~a. If an outdoor sales area or outdoor display of rental equipment is across~~
7 ~~an alley from a lot in a residential zone, or abutting a lot in a residential or commercial zone,~~
8 ~~view obscuring screening shall be provided along the abutting or alley lot lines.~~

9 ~~b. If an outdoor sales area or outdoor display of rental equipment is~~
10 ~~directly across the street from a lot in a residential or commercial zone, street trees and 3 foot~~
11 ~~high screening along the street front shall be provided.~~

12 ~~4. Drive-in Businesses Including Gas Stations.~~

13 ~~a. Drive-in businesses across an alley from a lot in a residential zone shall~~
14 ~~provide view obscuring screening along the alley lot lines.~~

15 ~~b. Drive-in businesses in which the drive-in portion of the business is~~
16 ~~directly across a street 80 feet or less in width from a lot in a residential zone shall provide 3 foot~~
17 ~~high screening for the drive-in portion and street trees.~~

18 ~~c. If a drive-in business is directly across a street wider than 80 feet from a~~
19 ~~lot in a residential zone, street trees shall be provided.~~

20 ~~d. Drive-in businesses abutting a lot in a residential zone shall provide~~
21 ~~view obscuring screening and a 5 foot deep landscaped setback area inside the screening.~~

22 ~~5. Outdoor Storage and Outdoor Loading Berths.~~

1 a. ~~Outdoor storage and outdoor loading berths directly across a street 80~~
2 ~~feet or less in width from a lot in an NC1, NC2, NC3 or C1 zone shall provide view-obscuring~~
3 ~~screening along the street lot lines and street trees.~~

4 b. ~~If the outdoor storage or outdoor loading berth is directly across a street~~
5 ~~80 feet or less in width from a lot in a residential zone, view-obscuring screening shall be~~
6 ~~provided. A 5 foot deep landscaped area including street trees shall be provided between the lot~~
7 ~~line and the view-obscuring screening.~~

8 c. ~~If outdoor storage or an outdoor loading berth is directly across a street~~
9 ~~wider than 80 feet from a lot in a residential zone, view-obscuring screening and street trees shall~~
10 ~~be provided.~~

11 d. ~~If outdoor storage or an outdoor loading berth is across an alley from a~~
12 ~~lot in a residential zone, view-obscuring screening shall be provided. A 5 foot deep landscaped~~
13 ~~area shall be provided between the lot line and the view-obscuring screening, unless the~~
14 ~~industrial lot is at least 15 feet above the elevation of the residential lot or the screen is a solid~~
15 ~~wall.~~

16 e. ~~If the outdoor storage or outdoor loading berth abuts a lot in a~~
17 ~~residential zone, view-obscuring screening and a 15-foot deep landscaped area inside the~~
18 ~~screening shall be provided along the abutting lot line.~~

19 6. ~~Solid waste transfer stations.~~

20 a. ~~All solid waste transfer stations shall provide landscaping meeting a~~
21 ~~minimum Green Factor score of 0.40, pursuant to Section 23.86.019. If the transfer station is part~~
22 ~~of a development located on separate parcels within 200 feet of each other, Green Factor scoring~~
23 ~~may be calculated for the multiple parcels considered as a whole. If the parcels are in zones~~

1 ~~having different Green Factor minimum scores, the development considered as a whole shall~~
2 ~~meet the highest applicable, minimum Green Factor score.~~

3 ~~b. Solid waste transfer stations abutting or across the street from a lot in a~~
4 ~~commercial or residential zone, shall provide screening pursuant to Section 23.50.034.B.~~

5 ~~7. Fences or free-standing walls associated with utility services uses may obstruct~~
6 ~~or allow views to the interior of a site. Where site dimensions and site conditions allow,~~
7 ~~applicants are encouraged to provide both a landscaped setback between the fence or wall and~~
8 ~~the right of way, and a fence or wall that provides visual interest facing the street lot line,~~
9 ~~through the height, design or construction of the fence or wall, including the use of materials,~~
10 ~~architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features. If~~
11 ~~abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or~~
12 ~~free-standing walls for a utility services use must provide either:~~

13 ~~a. A 5-foot-deep landscaped area between the wall or fence and the street~~
14 ~~lot line; or~~

15 ~~b. Architectural detailing, artwork, vegetated trellises, decorative fencing,~~
16 ~~or similar features to provide visual interest facing the street lot line, as approved by the Director.~~

17 ~~8. Screening and location of parking in an IC 85-175 zone. Those developments~~
18 ~~that gain extra floor area above the base FAR in an IC 85-175 zone are subject to the following,~~
19 ~~in addition to any other applicable parking screening requirements in this subsection~~
20 ~~23.50.038.C.~~

21 ~~a. All parking permitted on the lot shall be provided below grade or~~
22 ~~enclosed within a structure.~~

23 ~~b. Parking at street level.~~

1 ~~another use shall be provided at the corner portion(s) of the structure for a minimum of 15~~
2 ~~percent of the length of each street-facing façade.~~

3 3) ~~For all parking located on stories above street level that is not separated~~
4 ~~from the street by another use, the parking shall be screened from view at street level, and,~~
5 ~~through the use of materials, fenestration, or other architectural treatment, the screening shall be~~
6 ~~designed to provide visual interest and to integrate the screened portions of the building façade~~
7 ~~with the overall design of the structure's street-facing facades.~~

8 4) ~~The Director may permit, as a Type I decision, exceptions to subsection~~
9 ~~23.50.038.C.6.c to permit more parking above street level than otherwise allowed, if the Director~~
10 ~~finds that locating permitted parking below grade is infeasible due to physical site conditions~~
11 ~~such as a high water table, contaminated soil conditions, or proximity to a tunnel. In such cases,~~
12 ~~the Director shall determine the maximum feasible amount of parking that can be provided~~
13 ~~below grade, if any, and the amount of additional parking to be permitted above street level.))~~

14 Section 12. Section 23.50.039 of the Seattle Municipal Code, last amended by Ordinance
15 125291, is repealed:

16 ~~((23.50.039 Street-level use requirements in an IC 85-175 zone~~

17 A. ~~In an IC 85-175 zone, on lots that abut 4th Avenue South or 6th Avenue South~~
18 ~~between Airport Way South and South Royal Brougham Way, one or more of the following~~
19 ~~street-level uses are required, consistent with the standards in subsection 23.50.039.B:~~

- 20 1. ~~General sales and service uses;~~
- 21 2. ~~Automotive sales and service~~
- 22 3. ~~Eating and drinking establishments;~~
- 23 4. ~~Entertainment uses;~~

1 ~~5. Child care facilities;~~

2 ~~6. Public libraries;~~

3 ~~7. Public parks; and~~

4 ~~8. Religious facilities.~~

5 ~~B. Street level uses shall be provided consistent with the following standards:~~

6 ~~1. Along streets requiring street level uses, a minimum of 75 percent of the street~~
7 ~~level of each street-facing facade shall be occupied by street level uses listed in subsection~~
8 ~~23.50.039.A. The remaining portion of the street level of the street-facing facade may contain~~
9 ~~other permitted uses and/or pedestrian or vehicular entrances.~~

10 ~~2. Required street level uses shall be located in a space with a minimum floor-to-~~
11 ~~floor height of 13 feet and a minimum depth of 15 feet measured from the street-facing facade.~~

12 ~~3. Required street level uses shall be located within 10 feet of the street lot line.~~

13 ~~4. Except for child care facilities, pedestrian access to required street level uses~~
14 ~~shall be provided directly from the street or other open area with access to a street. Pedestrian~~
15 ~~entrances shall be located no more than 3 feet above or below sidewalk grade or at the same~~
16 ~~elevation as any abutting open area.))~~

17 Section 13. Section 23.50.041 of the Seattle Municipal Code, enacted by Ordinance
18 125291, is repealed:

19 ~~((23.50.041 Mandatory housing affordability (MHA)~~

20 ~~The provisions of Chapter 23.58B apply in IC 85-175 zones.))~~

1 Section 14. Section 23.50.046 of the Seattle Municipal Code last amended by Ordinance
2 121477, is amended as follows:

3 **23.50.046 Industrial Buffer (~~(and Industrial Commercial)~~) zone—Light and glare**
4 **standards(~~(s)~~)**

5 * * *

6 C. When nonconforming exterior lighting (~~(in an Industrial Buffer (IB) or Industrial~~
7 ~~Commercial (IC) zone))~~) is replaced, new lighting shall conform to the requirements of this
8 (~~(section)~~) Section 23.50.046.

9 * * *

10 Section 15. Section 23.50.053 of the Seattle Municipal Code, last amended by Ordinance
11 125791, is repealed:

12 (~~23.50.053 Transfer of development rights within an IC 85-175 zone~~)

13 A. ~~General standards for the transfer of transferable development rights (TDR) to lots in~~
14 ~~an IC 85-175 zone~~

15 1. ~~To achieve extra non-residential floor area above the base FAR that may be~~
16 ~~allowed in an IC 85-175 zone pursuant to Section 23.50.028, an applicant may use TDR to the~~
17 ~~extent permitted under this subsection 23.50.053.A.~~

18 2. ~~South Downtown Historic TDR, open space TDR from zones within South~~
19 ~~Downtown, and housing TDR eligible to be transferred from a lot under Section 23.49.014 may~~
20 ~~be transferred from a Downtown zone to a lot eligible as a receiving site in an IC 85-175 zone.~~
21 ~~No other TDR may be used in an IC 85-175 zone under this Section 23.50.053.~~

22 3. ~~Except as expressly permitted pursuant to subsection 23.50.053.A,~~
23 ~~development rights or potential floor area may not be transferred to a lot in an IC 85-175 zone.~~

1 4. ~~No permit after the first building permit, no permit for any construction activity~~
2 ~~other than excavation and shoring, and no permit for occupancy of existing floor area by any use~~
3 ~~based upon TDR will be issued for development that includes TDR until the applicant's~~
4 ~~possession of TDR is demonstrated to the satisfaction of the Director.~~

5 B. ~~Transfer of Transferable Development Rights deeds and agreements. This subsection~~
6 ~~23.50.053.B applies to sending lots in IC zones, and to the use of TDR on receiving lots in IC~~
7 ~~zones regardless of whether the TDR are from a sending lot in an IC zone. If TDR from other~~
8 ~~zones are used on a receiving lot in an IC zone, then the provisions applicable to sending lots in~~
9 ~~the chapter(s) of this Title 23 for the zone(s) in which the sending lots are located apply.~~

10 1. ~~The fee owners of the sending lot shall execute a deed, and shall obtain the~~
11 ~~release of the TDR from all liens of record and the written consent of all holders of~~
12 ~~encumbrances on the sending lot other than easements and restrictions, unless such release or~~
13 ~~consent is waived by the Director for good cause. The deed shall be recorded in the King County~~
14 ~~real property records. If TDR are conveyed to the owner of a receiving lot described in the deed,~~
15 ~~then unless otherwise expressly stated in the deed or any subsequent instrument conveying such~~
16 ~~lot or the TDR, the TDR shall pass with the receiving lot whether or not a structure using such~~
17 ~~TDR shall have been permitted or built prior to any conveyance of the receiving lot. Any~~
18 ~~subsequent conveyance of TDR previously conveyed to a receiving lot shall require the written~~
19 ~~consent of all parties holding any interest in or lien on the receiving lot from which the~~
20 ~~conveyance is made. If the TDR are transferred other than directly from the sending lot to the~~
21 ~~receiving lot using the TDR, then after the initial transfer, all subsequent transfers also shall be~~
22 ~~by deed, duly executed, acknowledged and recorded, each referring by King County recording~~
23 ~~number to the prior deed.~~

1 2. ~~Any person may purchase any TDR that are eligible for transfer by complying~~
2 ~~with the applicable provisions of this Section 23.50.053, whether or not the purchaser is then an~~
3 ~~applicant for a permit to develop real property. Any purchaser of such TDR (including any~~
4 ~~successor or assignee) may use such TDR to obtain floor area above the applicable base on a~~
5 ~~receiving lot to the extent such use of TDR is permitted under the Land Use Code provisions in~~
6 ~~effect on the date of vesting, under applicable law, of such person's rights with respect to the~~
7 ~~issuance of permits for development of the project intended to use such TDR. The Director may~~
8 ~~require, as a condition of processing any permit application using TDR or for the release of any~~
9 ~~security posted in lieu of a deed for TDR to the receiving lot, that the owner of the receiving lot~~
10 ~~demonstrate that the TDR have been validly transferred of record to the receiving lot, and that~~
11 ~~such owner has recorded in the real estate records a notice of the filing of such permit~~
12 ~~application, stating that such TDR are not available for retransfer.~~

13 3. ~~For transfers of Landmark TDR, the owner of the sending lot shall execute and~~
14 ~~record an agreement in form and content acceptable to the Landmarks Preservation Board~~
15 ~~providing for the restoration and maintenance of the historically significant features of the~~
16 ~~structure or structures on the lot.~~

17 4. ~~For transfers of housing TDR, the owner of the sending lot shall execute and~~
18 ~~record an agreement, with the written consent of all holders of encumbrances on the sending lot,~~
19 ~~unless such consent is waived by the Director of Housing for good cause, to provide for the~~
20 ~~maintenance of the required housing on the sending lot for a minimum of 50 years. Such~~
21 ~~agreement shall commit to limits on rent and occupancy consistent with the definition of housing~~
22 ~~TDR site and acceptable to the Director of Housing.~~

1 ~~5. A deed conveying TDR may require or permit the return of the TDR to the~~
2 ~~sending lot under specified conditions, but notwithstanding any such provisions:~~

3 ~~a. The transfer of TDR to a receiving lot shall remain effective so long as~~
4 ~~any portion of any structure for which a permit was issued based upon such transfer remains on~~
5 ~~the receiving lot; and~~

6 ~~b. The City shall not be required to recognize any return of TDR unless it~~
7 ~~is demonstrated that all parties in the chain of title have executed, acknowledged and recorded~~
8 ~~instruments conveying any interest in the TDR back to the sending lot and any lien holders have~~
9 ~~released any liens thereon.~~

10 ~~6. Any agreement governing the use or development of the sending lot shall~~
11 ~~provide that its covenants or conditions shall run with the land and shall be specifically~~
12 ~~enforceable by the City of Seattle.~~

13 ~~C. Time of determination of TDR Eligible for transfer. The eligibility of a sending lot to~~
14 ~~transfer TDR, and the amount transferable from a sending lot, shall be determined as of the date~~
15 ~~of transfer from the sending lot and shall not be affected by the date of any application, permit~~
16 ~~decision or other action for any project seeking to use such TDR.~~

17 ~~D. Use of previously transferred TDR by new projects. Any project using TDR according~~
18 ~~to applicable limits on TDR in this Section 23.50.053 may use TDR that were transferred from~~
19 ~~the sending lot consistent with the provisions of this Title 23 in effect at the time of such transfer.~~

20 ~~E. Rules. The Director may promulgate rules to implement this Section 23.50.053.))~~

1 Section 16. Section 23.50.055 of the Seattle Municipal Code, last amended by Ordinance
2 125791, is repealed:

3 ~~((23.50.055 Street-facing facade requirements and upper-level development standards in an~~
4 ~~IC 85-175 zone~~

5 ~~The following development standards apply to all lots within an IC 85-175 zone:~~

6 ~~A. Street-facing facade requirements. For purposes of this Section 23.50.055, balcony~~
7 ~~railings and other non-structural features or non-structural walls are not considered parts of the~~
8 ~~facade.~~

9 ~~1. Minimum facade height. A minimum facade height of 25 feet is required for~~
10 ~~facades that face streets shown on Map A for 23.50.016, Industrial Streets Landscaping Plan.~~
11 ~~The minimum facade height for facades facing other streets is 15 feet. A minimum facade height~~
12 ~~does not apply if all portions of a structure are lower than the applicable minimum facade height.~~

13 ~~2. Facade setback limits. The total area of street-level setbacks between the street~~
14 ~~lot line and the street-facing facade is limited to the area determined by multiplying the~~
15 ~~averaging factor by the width of the structure measured parallel to the abutting street.~~

16 ~~a. The averaging factor is five for facades that face streets shown on Map~~
17 ~~A for 23.50.016.~~

18 ~~b. For all other street-facing facades, the averaging factor is ten.~~

19 ~~c. The maximum width, measured along the street lot line, of any setback~~
20 ~~area exceeding a depth of 15 feet from the street lot line is 80 feet, or 30 percent of the lot~~
21 ~~frontage on that street, whichever is less.~~

22 ~~d. For all lots subject to facade setback limits, the following conditions~~
23 ~~apply:~~

1 ~~1) Parking is prohibited between the facade and the street lot line.~~

2 ~~2) The maximum setback of the facade from street lot lines within~~
3 ~~20 feet of an intersection is 10 feet.~~

4 ~~e. If the presence of a utility easement or other condition requires the~~
5 ~~street-facing facade to set back from the street lot line, the Director may, as a Type I decision,~~
6 ~~select another line to apply the standards of subsection 23.50.055.A.2. If sidewalk widening into~~
7 ~~the lot is required as mitigation pursuant to subsection 23.50.028.B, the setback area permitted~~
8 ~~by the applicable averaging factor shall be measured from the new edge of the sidewalk within~~
9 ~~the lot rather than the street lot line.~~

10 ~~3. Principal pedestrian entrances. A principal pedestrian entrance to a structure is~~
11 ~~required on facades facing streets shown on Map A for 23.50.016, Industrial Streets Landscaping~~
12 ~~Plan.~~

13 ~~4. Facade transparency requirements. Facade transparency requirements apply to~~
14 ~~the area of the facade between 2 feet and 8 feet above the sidewalk. Only clear or lightly tinted~~
15 ~~glass in windows, doors, and display windows is considered to be transparent. Transparent areas~~
16 ~~shall allow views into the structure or into display windows from the outside.~~

17 ~~a. For facades facing a street shown on Map A for 23.50.016, Industrial~~
18 ~~Streets Landscaping Plan, a minimum of 60 percent of a street-facing facade shall be transparent.~~

19 ~~b. For facades facing all other streets, a minimum of 40 percent of the~~
20 ~~street-facing facade shall be transparent.~~

21 ~~B. Upper level development standards~~

22 ~~1. Facade modulation~~

1 a. For structures exceeding 85 feet in height, modulation is required for the
2 portion of a street-facing facade above 65 feet in height if any part of the facade above that
3 height is located less than 15 feet from street lot lines. No modulation is required for portions of
4 a facade set back 15 feet or more from street lot lines.

5 b. For portions of structures subject to the modulation requirements of
6 subsection 23.50.055.B, the maximum length of a street-facing facade without modulation is
7 prescribed in Table A for 23.50.055. For purposes of this subsection 23.50.055.B, length is
8 measured parallel to each street lot line, and includes projections from the street-facing facade,
9 such as balconies, within 15 feet of street lot lines or their projection.

Table A for 23.50.055
Facade modulation in an IC 85-175 zone for structures exceeding 85 feet in height

Height of portion of structure (in feet)	Maximum length of unmodulated facade if less than 15 feet from street lot line (in feet)
65 or less	No limit
Greater than 65 up to 125	155
Greater than 125	125

10 c. Any portion of a facade subject to modulation under subsection
11 23.50.055.B.1.a that exceeds the maximum length of facade prescribed in Table A for 23.50.055
12 must include a portion set back a minimum depth of 15 feet from street lot lines for a minimum
13 length of 60 feet.

14 2. Floor area limit. The maximum floor area for any story wholly or in part above
15 85 feet in height is 25,000 square feet.

1 ~~3. Minimum separation. At all levels above a height of 85 feet, separate structures~~
2 ~~on a lot and separate portions of the same structure must be separated at all points by a minimum~~
3 ~~horizontal distance of 60 feet.))~~

4 Section 17. Section 23.42.126 of the Seattle Municipal Code, last amended by Ordinance
5 124883, is amended as follows:

6 **23.42.126 Outdoor storage areas nonconformity**

7 A. An outdoor storage area nonconforming as to screening and landscaping shall be
8 required to be screened and landscaped at the time of any structural alteration or expansion of the
9 outdoor storage area or the structure with which it is associated according to the provisions of:

- 10 1. Subsection 23.47A.016.D.2, if located in a NC zone or C zone;
11 2. Section 23.48.055, if located in the SM zone;
12 3. Subsection 23.50.016.C, if located on an industrial street designated for

13 landscaping; and/or

- 14 4. Section 23.50.036, if located in an IB zone(~~and/or~~

15 ~~5. Section 23.50.038, if located in an IC zone)).~~

16 * * *

17 Section 18. Section 23.49.014 of the Seattle Municipal Code, last amended by Ordinance
18 126157, is amended as follows:

19 **23.49.014 Transfer of development rights**

20 * * *

21 G. TDR satisfying conditions to transfer under prior code

22 1. If the conditions to transfer Landmark TDR, as in effect immediately prior to
23 August 26, 2001, were satisfied on or before December 31, 2001, such TDR may be transferred

1 from the sending lot in the amounts eligible for transfer as determined under the provisions of
2 this Title 23 in effect immediately prior to August 26, 2001. If the conditions to transfer housing
3 TDR were satisfied prior to August 26, 2001, under the provisions of this Title 23 then in effect,
4 such TDR may be transferred from the sending lot in the amounts eligible for transfer
5 immediately prior to that date. If the conditions to transfer TDR from a major performing arts
6 facility were satisfied prior to August 26, 2001, under the provisions of this Title 23 then in
7 effect, such TDR may be transferred from the sending lot after that date, for use on any receiving
8 lots in zones where housing TDR may be used according to Table A for 23.49.014 (~~or as~~
9 ~~provided in Section 23.50.053~~), in an amount as determined under subsection 23.49.014.B,
10 provided that the cumulative amount of TDR that may be transferred after June 1, 2005, from
11 any sending lot based on the presence of a major performing arts facility is limited to 150,000
12 square feet.

13 2. For purposes of this subsection 23.49.014.G, conditions to transfer include,
14 without limitations, the execution by the owner of the sending lot, and recording in the King
15 County real property records, of any agreement required by the provisions of this Title 23 or the
16 Public Benefit Features Rule in effect immediately prior to August 26, 2001, but such conditions
17 do not include any requirement for a master use permit application for a project intending to use
18 TDR, or any action connected with a receiving lot. TDR transferable under this subsection
19 23.49.014.G are eligible either for use consistent with the terms of Section 23.49.011 or for use
20 by projects developed pursuant to permits issued under the provisions of this Title 23 in effect
21 prior to August 26, 2001. The use of TDR transferred under this subsection 23.49.014.G on the
22 receiving lot shall be subject only to those conditions and limits that apply for purposes of the
23 master use permit decision for the project using the TDR.

1 * * *

2 Section 19. Section 23.69.022 of the Seattle Municipal Code, last amended by Ordinance
3 123963, is amended as follows:

4 **23.69.022 Uses permitted within 2,500 feet of a Major Institution Overlay District**

5 * * *

6 B. A medical service use that is over 10,000 square feet shall be permitted to locate
7 within 2,500 feet of a medical MIO District only as an administrative conditional use subject to
8 the conditional use requirements of subsection 23.47A.006.A.4 or subsection ((~~23.50.014.B.12~~)
9 23.50.014.B.10.

10 * * *

11 Section 20. Section 23.74.010 of the Seattle Municipal Code, last amended by Ordinance
12 125791, is amended as follows:

13 **23.74.010 Development standards**

14 * * *

15 C. Pedestrian environment. The following development standards apply to each use and
16 structure, except spectator sports facilities, to the extent that the use or structure either is on a lot
17 fronting on Railroad Way South, First Avenue South, South Holgate between First Avenue
18 South and Occidental Avenue South, or Occidental Avenue South, or is within a 40-foot radius
19 measured from any of the block corners of First Avenue South or Occidental Avenue South
20 intersecting with the following streets: Railroad Way South, South Royal Brougham, South
21 Atlantic, South Massachusetts, South Holgate, and any other streets intersecting with First
22 Avenue or Occidental Avenue South that may be established between South Holgate Street and
23 Railroad Way South, as depicted in Map A for 23.74.010. Railroad Way South, First Avenue

1 South, South Holgate Street, and Occidental Avenue South within the Stadium Transition Area
2 Overlay District, and all street areas within a 40-foot radius of any of those block corners
3 described above, are referred to in this Section 23.74.010 as the "pedestrian environment," except
4 that in applying this Section 23.74.010 to a through lot abutting on Occidental Avenue South and
5 on First Avenue South, Occidental Avenue South is not considered part of the pedestrian
6 environment.

7 1. Street-facing facade requirements. The following requirements apply to street-
8 facing facades or portions thereof facing streets or portions of streets in the pedestrian
9 environment:

10 a. Minimum facade height. Minimum facade height is 25 feet, but
11 minimum facade heights do not apply if all portions of the structure are lower than the elevation
12 of the required minimum facade height.

13 b. Facade setback limits

14 1) Within the first 25 feet of height measured from sidewalk grade,
15 all building facades must be built to within 2 feet of the street property line for the entire facade
16 length. For purposes of this subsection 23.74.010.C.1.b, balcony railings and other nonstructural
17 features or nonstructural walls are not considered parts of the facade of the structure.

18 2) Above 25 feet measured from sidewalk grade, the maximum
19 setback is 10 feet, and no single setback area that is deeper than 2 feet shall be wider than 20
20 feet, measured parallel to the street property line.

21 3) The facade shall return to within 2 feet of the street property line
22 for a minimum of 10 feet, measured parallel to the street property line, between any two setback
23 areas that are deeper than 2 feet.

1 2. Outdoor service areas. Gas station pumps, service islands, queuing lanes, and
2 other service areas related to fueling are not allowed between any structure and the pedestrian
3 environment area described in this Section 23.74.010. Gas station pumps, service islands,
4 queuing lanes, and other service areas related to fueling must be located behind or to the side of a
5 gas station, as viewed from any street in such pedestrian environment and are not allowed
6 between any structure on the same lot and the pedestrian environment area described in this
7 Section 23.74.010.

8 3. Screening and landscaping. The requirements of Sections 23.50.016((,)) and
9 23.50.034((, and 23.50.038)), including requirements contingent on location near a commercial
10 zone, apply to all new uses and structures. ((Requirements in Section 23.50.038 contingent on
11 location near a residential lot do not apply.)) In addition, the screening and landscaping
12 requirements for outdoor storage in subsection 23.47A.016.D.2 apply, with respect to street lot
13 lines abutting the pedestrian environment, to the following uses, where a principal or accessory
14 use is located outdoors: outdoor storage (except for outdoor storage associated with florists and
15 horticultural uses), sales and rental of motorized vehicles, towing services, sales and rental of
16 large boats, dry boat storage, heavy commercial sales (except for fuel sales), heavy commercial
17 services, outdoor sports and recreation, wholesale showrooms, mini-warehouse, warehouse,
18 transportation facilities (except for rail transit facilities), utilities (except for utility service uses),
19 and light and general manufacturing.

20 4. Blank facades, transparency requirements, street trees, and screening. ((~~In~~
21 ~~addition to the blank facade requirements of subsection 23.50.038.B, the~~) The blank facade
22 limits and transparency and street tree requirements of subsections 23.49.056.C, 23.49.056.D,
23 and 23.49.056.E, and the screening of parking requirements of subsection 23.49.019.B apply to

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development	Jim Holmes	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; removing certain existing provisions for the Industrial Commercial zone; and amending Sections 23.42.126, 23.49.014, 23.50.002, 23.50.012, 23.50.014, 23.50.020, 23.50.027, 23.50.028, 23.50.034, 23.50.046, 23.69.022, and 23.74.010, and repealing Sections 23.50.026, 23.50.032, 23.50.033, 23.50.038, 23.50.039, 23.50.041, 23.50.053, and 23.50.055, of the Seattle Municipal Code.

Summary and Background of the Legislation:

This proposal is one of five proposed ordinances that together advance the land use recommendations of the Industrial and Maritime strategy. Together, they strengthen Seattle’s industrial and maritime sectors by updating zoning and development regulations to accommodate emerging trends, take advantage of new opportunities such as new light rail stations, provide stronger land use protections for legacy industries, and create healthier transitions between industrial and nonindustrial areas, particularly in the Georgetown, South Park, and Ballard neighborhoods.

This legislation removes provisions for the Industrial Commercial zone from SMC Chapter 23.50. Provisions for the IC zone, which will only be used outside of Manufacturing Industrial Centers (MICs), are included in the proposed SMC 23.50A legislation. Following rezoning of industrial land with new zone classifications in the proposed SMC 23.50A, legislation advancing the repeal of this Chapter (SMC 23.50) will be advanced in 2024. This legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?

Yes. The training, implementation and technology costs involved with relocating the IC zone from Chapter 23.50 to 23.50A are included in the fiscal note for companion legislation amending SMC 23.50A.

Are there financial costs or other impacts of *not* implementing the legislation?

Yes. This proposal is a small piece of a larger effort to update industrial zoning in Seattle. The City has already invested significant resources over two years in the form of staff efforts that went into creating the proposal, and over \$400,000 in consulting funds for the Environmental Impact Statement (EIS) evaluating the land use changes. The proposed policy and land use code updates address the industrial areas of the City in advance of the Comprehensive Plan major update. If the proposed land use code and policy changes are not implemented, the City would likely have to explore allocating new resources to address industrial areas in the Comprehensive Plan major update. Industrial areas are not a part of that scope because they are addressed by this Industrial and Maritime Strategy process.

The industrial and maritime legislation package adds capacity that will create an estimated 2,000 housing units on industrial land outside the MICs that is being rezoned to a mixed-use zone, and approximately 880 housing units in the new Urban Industrial zones inside of MICs. The housing units outside of the MICs will be subject to a Mandatory Housing Affordability (MHA) requirement. These units will be allowed in new housing areas that would not occur in the absence of this legislation. The homes will generate an estimated \$19.5 million of MHA funds.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. This legislation affects the Seattle Department of Construction and Inspections (SDCI) as the department responsible for administering the industrial land use provisions. In addition, Seattle IT will be responsible for updating zoning maps and updating the Accela permitting system with new zoning categories.

b. Is a public hearing required for this legislation?

Yes.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific piece of legislation removes provisions from the IC zone. The IC zone and development standards are included in the proposed SMC 23.50A and following amendments to the zoning map, Chapter 23.50 will be repealed. This legislation affects all property that is within regionally designated Manufacturing Industrial Centers, and all land zoned IG1, IG2, IB, and IC.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The primary guiding principles for developing the Industrial and Maritime Strategy prioritize: 1) retention and creation of quality jobs that are available to people without a college degree or who have nontraditional educational paths; and 2) providing equitable access to these opportunities, particularly in BIPOC and other communities who have faced barriers to entry into these careers. The land use strategies advance the goal of industrial and maritime job retention and creation while other initiatives, particularly in the workforce training areas, are intended to improve equitable access. Updating zoning regulations to reflect emerging trends, and providing stronger protections from incompatible land use policies, will strengthen Seattle’s maritime and industrial sectors and their role in providing accessible quality jobs.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

OPCD prepared an EIS for the industrial and maritime proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency — and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix — local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

The Industrial and Maritime Strategy EIS considered the potential for increases in greenhouse gas (GHG) emissions over the next 20 years and found that under all alternatives (including the no action alternative), GHG emissions are likely to increase; however, with mitigation this increase can be reduced. The EIS identified a range of mitigation actions that can be taken, including continued implementation of existing regulations and commitments to reduce GHG emissions, electrification of truck fleets, and electrical shore power. Mitigation measures are found in section 3.2.3 of the Industrial and Maritime Strategy EIS.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**

This is not applicable to a land use proposal.



Legislation Text

File #: CB 120571, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to noise in industrial shorelines; amending Sections 25.08.100 and 25.08.410 of the Seattle Municipal Code to modify exterior sound limits for land in the Ballard Interbay Northend Manufacturing Industrial Center located within 200 feet of the shoreline.

WHEREAS, in 2019 the City convened an Industrial and Maritime Strategy Council to advise the City on development of an Industrial and Maritime Strategy; and

WHEREAS, the stakeholder committee consisted of a City-wide committee and four regional committees representing Georgetown/South Park, SODO, Interbay, and Ballard; and

WHEREAS, the principles that guided the Industry and Maritime Strategy Council focused on:

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle’s industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing

safety for all travel modes;

- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021 the Industrial and Maritime Strategy Council issued a report recommending 11 strategies to advance the guiding principles of the Council; and

WHEREAS, land use issues are addressed in six of the 11 strategies; and

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development (OPCD) issued a Determination of Significance and initiated a SEPA scoping period to seek public comment on four distinct land use alternatives each based on a new industrial land policy framework reflective of the Strategy Council’s recommendations and received one-hundred and five comments; and

WHEREAS, on December 15, 2021 the Office of Planning and Community Development (OPCD) issued the Industrial and Maritime Strategy Draft Environmental Impact Statement; and

WHEREAS, OPCD held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022 OPCD issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended by the Industrial and Maritime Strategy Council and were studied in the Industrial and Maritime

Strategy Environmental Impact Statement and includes an ordinance amending Seattle’s Comprehensive Plan to create a new land use policy framework, an amendment to the Seattle Municipal Code to establish new industrial zones and development standards consistent with the proposed Comprehensive Plan Policies, an ordinance to remove the provision of the Industrial Commercial zone from the existing Seattle Municipal Code Chapter 23.50, an ordinance amending Title 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing Center, and an ordinance to apply the proposed new zones to land in Seattle’s industrial areas; and

WHEREAS, Ballard stakeholders raised the issue of the challenges of continuing to operate on industrial shorelines in the Ballard Interbay North Manufacturing Industrial Center caused by encroachment of nonindustrial uses; and

WHEREAS, there are no industrial land use conflicts caused by encroaching nonindustrial land uses on other industrial shorelines; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 25.08.100 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

25.08.100 Districts

"District" means the land use zones to which the provisions of this Chapter 25.08 are applied. For the purposes of this Chapter 25.08:

- A. "Residential District" includes zones defined as residential zones and NC1 zones in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.
- B. "Commercial District" includes zones designated as NC2, NC3, SM, SM-SLU, SM-D, SM-NR, C1, C2, DOC1, DOC2, DRC, DMC, PSM, IDM, DH1, DH2, PMM, ~~((and))~~ IB, and UI in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.
- C. "Industrial District" includes zones designated as IG1, IG2, MML, II, and IC in ~~((the Land Use Code~~

of the City of Seattle,) Title 23.

D. For any zone not listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C, the Administrator may determine that the zone is substantially similar to a zone listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C and may classify it similarly for purposes of this ((chapter)) Chapter 25.08.

Section 2. Section 25.08.410 of the Seattle Municipal Code, last amended by Ordinance 122923, is amended as follows:

25.08.410 Exterior sound level limits((-))

A. The exterior sound level limits are based on the Leq during the measurement interval, using a minimum measurement interval of ((+)) one minute for a constant sound source, or a one-hour measurement for a non-continuous sound source. For sound sources located within the City, the exterior sound level limits are as ((follows)) shown in Table A for 25.08.410:

((Exterior sound level limits))

Table A for 25.08.410 Exterior sound level limits			
District of ((Sound Source)) sound source	District of ((Receiving Property)) receiving property		
	Residential (dB (A)) (Leq)	Commercial (dB(A)) (Leq)	Industrial (dB(A)) (Leq)
Residential	55	57	60
Commercial	57	60	65
Industrial	60 ¹	65 ¹	70
Footnote for Table A for 25.08.410 ¹ Except the sound level limit from a sound source that originates on Interbay Northend Manufacturing and Industrial Center (BINMIC) and is within 200 feet of a shoreline is residential and commercial receiving property districts.			

B. During a measurement interval, Lmax may exceed the exterior sound level limits shown in subsection 25.08.410.A by no more than 15 dB(A).

Section 3. This ordinance shall take effect and be in force: 90 days after its approval or unsigned and

returned by the Mayor; 90 days after the City Council's reconsidered passage after its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105 days after its passage by the City Council.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development	Jim Holmes	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to noise in industrial shorelines; amending sections 25.08.100 and 25.08.410 of the Seattle Municipal Code to modify exterior sound limits for land in the Ballard Interbay Northend Manufacturing Industrial Center located within 200 feet of the shoreline.

Summary and Background of the Legislation: This proposal is a result of work conducted in developing the Industrial and Maritime Strategy. The purpose of the legislation is to reduce land use conflicts where new residential development is encroaching on maritime industrial activity in the Ballard Interbay Northend Manufacturing and Industrial Center (BINMIC). This ordinance raises the exterior sound limit for residential uses from activity taking place within 200 feet of the shoreline within the BINMIC. The legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
No.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. This legislation affects the Seattle Department of Construction and Inspections (SDCI) as it is the department responsible for enforcing Section 25.08 of the Seattle Municipal Code.

b. Is a public hearing required for this legislation?

Yes.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes.

d. Does this legislation affect a piece of property?

This proposed ordinance complements the other four pieces of legislation that together establish a new land use framework for industrial land in the City of Seattle. This specific legislation reduces the burden placed on industrial businesses in complying with the City's noise ordinance due to encroaching residential development in the BINMIC.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

This ordinance will contribute to the viability of industrial maritime businesses in the BINMIC. These businesses are a source of good quality jobs accessible without a college education. Supporting the viability of these businesses, coupled with other efforts of the City to connect BIPOC youth to these career opportunities, may improve economic outcomes for vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

Emissions will not be materially impacted by this noise ordinance; however, OPCD prepared an EIS for the industrial and maritime proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency—and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix—local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

- 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

The Industrial and Maritime Strategy EIS considered the potential for increases in greenhouse gas (GHG) emissions over the next 20 years and found that under all alternatives (including the no action alternative), GHG emissions are likely to increase; however, with mitigation this increase can be reduced. The EIS identified a range of mitigation actions that can be taken, including continued implementation of existing regulations and commitments to reduce GHG emissions, electrification of truck fleets, and electrical shore power. Mitigation measures are found in section 3.2.3 of the Industrial and Maritime Strategy EIS.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**

This is not applicable to land use proposals.



Legislation Text

File #: CB 120608, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to civilian and community oversight of the police; clarifying the role, governance and operating procedures of the Community Police Commission, reducing its size and geographic appointment requirements, giving it authority to remove members and Executive Director for cause, and amending its stipend provisions; establishing qualifications and procedures for the Commission's Executive Director and creating a Deputy Director; referring to the Commission's role in collective bargaining hearings; amending Sections 3.29.010, 3.29.320, 3.29.330, 3.29.340, 3.29.350, 3.29.360, 3.29.400, and 4.04.120 of the Seattle Municipal Code; and repealing Ordinance 124543.

WHEREAS, the Community Police Commission (CPC) was created by federal consent decree in 2012 and charged with a significant oversight function that is intended to serve as a community voice for the entire City; and

WHEREAS, the CPC should include diverse voices that best represent Seattleites, and allows them to share responsibility for their governance, and such representation may not be realized if Commissioners must be appointed by District; and

WHEREAS, organizational performance is dependent on effective leadership and the CPC must ensure that it has in its Executive Director a proven leader with a background in development, community engagement, criminal legal system and police reform issues; and

WHEREAS, the CPC has entrusted its Co-Chairs with providing strategic direction and guidance to its Executive Director, who will perform best under the singular direction, authority and supervision of the CPC Co-Chairs; and

WHEREAS, the number of CPC Commissioners has increased from 15 members as authorized in 2012 in Ordinance 124021 to 21 Commissioners as authorized in 2017 in the Accountability Ordinance

(Ordinance 125315), and in the years since, the increased size has not resulted in better representation of community viewpoints or increased ability to meet the obligations of the Accountability Ordinance.

Rather, the increased size has led to increased challenges in providing effective oversight; and

WHEREAS, the CPC has in 2023 undergone a comprehensive and transparent process to strengthen its organizational structure, to ensure uninterrupted operation of the CPC, improve accountability of Commissioners to the Co-Chairs, Mayor and Council; and

WHEREAS, the CPC on May 17, 2023 adopted amendments to its bylaws to reflect changes that will allow it to better fulfill its obligations under its authorizing legislation and the Accountability Ordinance, Ordinance 125315;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.29.010 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.010 Purpose - Enhancing and sustaining effective police oversight

* * *

B. Oversight of SPD shall be comprised of an Office of Police Accountability (OPA) to help ensure the actions of SPD employees are constitutional and in compliance with federal, state, local laws, and with City and SPD policies, and to promote respectful and effective policing, by initiating, receiving, classifying, investigating, and making findings related to complaints of misconduct; an Office of Inspector General for Public Safety (OIG) to help ensure the fairness and integrity of the police system as a whole in its delivery of law enforcement services by providing civilian auditing of the management, practices, and policies of SPD and OPA and oversee ongoing fidelity to organizational reforms implemented pursuant to the goals of the 2012 federal Consent Decree in *United States of America v. City of Seattle*, 12 Civ. 1282 (JLR); and a Community Police Commission (CPC) to help ensure public confidence in the ~~((effectiveness and professionalism of SPD~~

and the)) responsiveness of the police accountability system to public concerns by engaging the community to develop recommendations on the police accountability system and provide a community-based perspective on law enforcement-related policies, practices, and services affecting public trust; all for the purpose of ensuring constitutional, accountable, effective, and respectful policing.

* * *

Section 2. Section 3.29.320 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.320 Office of the Community Police Commission - Executive Director

A. ~~((The term of the current CPC Executive Director (Executive Director) appointed pursuant to Subchapter IX of Chapter 3.14 shall expire on December 31, 2018. The current Executive Director may be reappointed to subsequent terms consistent with the requirements of this Chapter 3.29.))~~ There shall be a CPC Executive Director responsible for carrying out the duties set forth in this Subchapter III. There shall be a CPC Deputy Director with powers and duties as the CPC Executive Director may delegate.

B. Executive Director - Qualifications

1. The CPC Executive Director shall be a civilian with a background in development, community engagement, criminal legal system and police reform issues. The CPC Executive Director shall demonstrate the ability to lead and manage staff to fulfill CPC's purpose and recommend policies and practices to support constitutional policing, ongoing system effectiveness, and community responsiveness. The CPC Executive Director shall not have been formerly employed by SPD. The CPC Executive Director should also have the following additional qualifications and characteristics:

a. A reputation for integrity and professionalism, and the ability to maintain a high standard of integrity and professionalism;

b. A commitment to the need for and responsibilities of law enforcement, community

caretaking, and the need to protect the constitutional rights of all people;

c. A commitment to the statements of purpose and policies in this Chapter 3.29;

d. A history of effective leadership;

e. The ability to relate, communicate, and engage effectively with all who have a stake in policing, including but not limited to, the general public, complainants, disenfranchised communities, SPD employees, and relevant City and other officials including the Mayor, Council, City Attorney, Inspector General, and OPA Director;

f. An understanding of the City's ethnic and socioeconomic diversity and proven experience working with and valuing the perspectives of diverse groups and individuals; and

g. The ability to carry out the duties of the CPC Executive Director in a manner that reflects sound judgment, independence, fairness, and objectivity in an environment where controversy and conflict is common.

((B-)) C. Executive Director - Appointment

1. There shall be an Executive Director, appointed by CPC using merit-based criteria. The position of Executive Director shall be exempt from the classified civil service. ((The Executive Director shall not have been formerly employed by SPD.)) The term of the Executive Director position is six years.

2. Each Executive Director's initial appointment is subject to confirmation by the Council. The reappointment of an Executive Director to successive terms by CPC is not subject to Council confirmation. If an individual who previously served as Executive Director is again appointed after a different individual was confirmed as the Executive Director by the Council that new appointment is subject to Council confirmation as an initial appointment.

3. If an individual is reappointed to a successive term as Executive Director within 60 days before or 60 days after the expiration of that individual's term, the ensuing term begins on the date the prior

term expired. If an individual is reappointed to a successive term as Executive Director more than 60 days before or 60 days after the expiration of the individual's term, the new term begins on the date of reappointment unless CPC chooses, at the time of reappointment, to make the new term begin on the date the prior term expires or expired.

4. Each appointment shall be made whenever possible sufficiently prior to expiration of the latest incumbent's term of office, permitting Council action to approve or disapprove an appointment at least 60 days before the expiration of the present term, so as to have seamless transition without a gap in leadership.

5. In the event of a vacancy, CPC shall designate an interim Executive Director within ten days of the first day of the vacancy.

~~((C.))~~ D. The CPC Co-Chairs may remove the Executive Director only for cause ((upon a majority vote of its membership.)) after consultation with the Seattle Department of Human Resources, and with the CPC during an executive session of a CPC meeting. If the Executive Director objects to removal, the Executive Director may request the opportunity to be heard before the CPC during a subsequent executive session. After the executive session in which the Executive Director objects to removal, any commissioner may request a vote during open session to retain the Executive Director; a majority vote of the currently appointed commissioners is required to retain the Executive Director.

~~((D.))~~ E. The Executive Director, in consultation with and under supervision of the Co-Chairs, shall have the authority and responsibility to:

1. Oversee and manage the functions of the Office of the CPC to advance the mission of the Office and perform other duties as the CPC may prescribe;
2. Hire, supervise, and discharge employees of the Office of the CPC. Employees of the Office of the CPC shall collectively have the requisite credentials, skills, and abilities to fulfill the duties and obligations of the CPC set forth in this Chapter 3.29. No employee of the Office of the CPC shall have been

formerly employed by SPD as a commissioned officer;

3. Manage the preparation of CPC's proposed budget, authorize necessary expenditures, and enter into contracts for professional and other services in accordance with the adopted budget, develop and manage programs, and undertake authorized activities;

4. Execute, administer, modify, and enforce such agreements and instruments as the Executive Director shall deem necessary to implement programs and carry out the responsibilities, functions, and activities of the Office; apply for grants and donations for Commission programs; and solicit and use volunteer services;

5. Represent, together with Commissioners, CPC in providing testimony and expertise to City departments and offices, commissions, and other organizations (~~((pertaining to))~~) about issues of constitutional policing; and

6. Exercise such other and further powers and duties as prescribed by this Chapter 3.29.

Section 3. Section 3.29.330 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.330 Community Police Commission - Independence

A. CPC is self-governing and functionally independent. CPC may adopt bylaws to govern its own activities.

~~((B. The CPC Executive Director shall have authority for the hiring, supervision, and discharge of all employees of the Office of the CPC. No employee of the Office of the CPC shall have been formerly employed by SPD as a sworn officer.~~

~~€.)~~ B. The City shall provide staff and resources that it deems sufficient to enable CPC to perform all of its responsibilities specified in this Chapter 3.29. The CPC Executive Director shall submit an annual budget request to the Mayor. The Office of the CPC budget shall be appropriated in a Budget Control Level that is

independent of any other City department. CPC Commissioners and the CPC Executive Director may advocate for resources directly to Councilmembers or the Council during the budget process and throughout the year.

~~((D.))~~ C. Without the necessity of making a public disclosure request, CPC may request and shall timely receive from other City departments and offices, including SPD, information relevant to its duties under this Chapter 3.29 that would be disclosed if requested under the Public Records Act.

Section 4. Section 3.29.340 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.340 Community Police Commission - Qualifications

A. Commissioners shall be respected members of Seattle’s many diverse communities. All Commissioners shall reside or work in Seattle at the time of appointment or reappointment ~~((and shall be geographically representative of the city of Seattle in a distribution that allows CPC to assign Council district representatives in accordance with the requirements of subsection 3.29.360.B))~~.

* * *

Section 5. Section 3.29.350 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.350 Community Police Commission - Appointment, removal, and compensation

A. CPC shall consist of ~~((24))~~ 15 Commissioners, appointed and reappointed as set forth in this Chapter 3.29. The Mayor shall select ~~((seven))~~ five Commissioners, including the SPMA representative, the Council shall select ~~((seven))~~ five Commissioners, and CPC shall select ~~((seven))~~ five Commissioners, including the public defense representative, the civil liberties law representative, and the SPOG ~~((and SPMA representatives))~~ representative.

B. Each appointing authority shall provide a process that allows individuals to apply and be considered for appointment, and shall ensure appointees meet the qualifications outlined in Section 3.29.340 ~~((and ensure~~

~~the collective membership of CPC meets the requirements of subsection 3.29.360.B)).~~ The appointing authorities shall consult with one another prior to making their respective appointments and reappointments. All Commissioners appointed or reappointed by the Mayor or CPC shall be confirmed by a majority vote of the full Council and shall assume office upon receiving Council confirmation; Commissioners appointed or reappointed by the Council shall assume office upon appointment or reappointment.

~~C. ((Commissioners in position numbers 1, 4, 7, 10, 13, 16, and 19 shall be appointed, and where applicable, reappointed by the Mayor. Commissioners in position numbers 2, 5, 8, 11, 14, 17, and 20 shall be appointed, and where applicable, reappointed by the Council. Commissioners in position numbers 3, 6, 9, 12, 15, 18, and 21 shall be appointed, and where applicable, reappointed by CPC. Position number 3 shall be designated for the public defense representative; position number 6 shall be designated for the civil liberties law representative; position number 15 shall be designated for the SPOG representative; and position number 18 shall be designated for the SPMA representative.~~

~~D.))~~ All CPC Commissioners shall be eligible to serve a maximum of three three-year terms, with each term commencing on January 1, except for the first term under this Section 3.29.350 which will begin at the time of their confirmation following enactment of ~~((Council Bill 118969))~~ Ordinance 125315. All terms shall be staggered so that no more than ~~((seven))~~ five Commissioners' terms expire in any given year. If a Commissioner assumes office prior to the expiration of the term of the Commissioner's predecessor, the Commissioner may complete that term and then be reappointed for up to three three-year subsequent terms.

~~((E.))~~ D. Each appointment and reappointment shall be made whenever possible sufficiently prior to the expiration of the incumbent's term of office or the effective date of an incumbent's resignation, to permit Council action to approve or disapprove the appointment or reappointment, at least 45 days before the vacancy, so as to avoid undue vacancy. All appointments to fill positions due to resignations without notice shall be made as soon as reasonably possible, but should be made no later than 90 days after the effective date of the

resignation of the incumbent. A Commissioner whose term is ending may continue on an interim basis until a successor has been confirmed by the Council.

~~((F-))~~ E. To strengthen the independence of CPC, Commissioners may be removed from office by their appointing authority only for cause. By a ~~((three-quarters))~~ two-thirds vote of its membership, CPC may ~~((approve removal of Commissioners appointed by CPC))~~ remove a CPC-appointed Commissioner for cause or recommend removal of a Mayor- or Council-appointed Commissioner for cause. For a Mayor-appointed Commissioner whose removal is recommended by CPC, the Mayor must agree in writing with the recommendation for removal before the City Council may vote to confirm the removal. ~~((A))~~ For a Mayor- or Council-appointed Commissioner, majority vote of the ~~((full))~~ City Council is required to confirm the removal ~~((of any Commissioner)).~~

~~((G. Commissioners shall be compensated, if at all, as provided by ordinance.))~~ F. In 2023, a non-Co-Chair Commissioner fully performing the duties of a Commissioner may request a stipend of \$550 per month. Beginning in 2024, a Co-Chair fully performing the duties of a Co-Chair and the duties of a Commissioner may request a stipend of \$1,200 per month, and any other Commissioner may request a stipend of \$700 per month. The purpose of the stipend is to compensate for the financial burden of performing the duties of a Commissioner. Any request shall be made to the Executive Director. Any stipend shall be provided only for months of service occurring after the month in which the request is granted.

Section 6. This section transitions the Community Police Commission from 21 members to 15.

A. As of the effective date of this ordinance, all vacant positions are eliminated.

B. As amended by this ordinance, Seattle Municipal Code subsection 3.29.350.A creates a Commission with four members who have specialized qualifications under Seattle Municipal Code subsection 3.29.340.D and 11 general members. If a position becomes vacant because a member is not reappointed, and filling it would cause the Commission to have more than 11 general members, instead that position is eliminated.

C. Appointment packets do not need to use position numbers except as necessary to specify whether the appointment is to replace a member whose term has ended.

D. Once the Commission is reduced to no more than 11 general members:

1. If an appointing authority is responsible for appointing more than five Commissioners overall and another appointing authority is responsible for appointing fewer than five, the next general member position appointment or reappointment under the former's responsibility will transfer to the latter's responsibility. This process shall be repeated as necessary until each appointing authority has five active members, pursuant to Seattle Municipal Code subsection 3.29.350.A as amended by this ordinance.

2. Appointing authorities may create short or long terms as necessary until terms are staggered pursuant to Seattle Municipal Code subsection 3.29.350.C as amended by this ordinance.

Section 7. Section 3.29.360 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.360 Community Police Commission - Authority and responsibility

CPC shall have the following authority and ~~((responsibility to))~~ responsibilities:

* * *

B. ~~((Assign at least one Commissioner to represent each Council district.))~~ Each Commissioner ~~((representing a Council district))~~ shall: ~~((live, work, or))~~ have significant professional or civic ties in ~~((that district))~~ Seattle; demonstrate a deep understanding of neighborhood-level issues; actively engage ~~((the people within the Council district))~~ with the community on a regular basis; and regularly report back to CPC on community ~~((issues on))~~ and law enforcement ~~((in the Council district))~~ issues in Seattle.

* * *

Section 8. Section 3.29.400 of the Seattle Municipal Code, enacted by Ordinance 125315, is amended as follows:

3.29.400 Reporting of potential misconduct and police accountability issues

* * *

B. The Inspector General and CPC (~~(Co-Chairs)~~) Executive Director, or their designees, shall present a mid-year report to the City Council's public safety committee on the status of recommendations issued by OPA, OIG, and CPC, including those which involve the City's budget, state legislative agenda, and collective bargaining agenda. The report shall include whether follow-through was timely and effectively addressed needed improvements. The Chief and OPA Director, or their designees, shall participate in the presentation, as well as a Mayor's Office representative as appropriate.

* * *

Section 9. Section 4.04.120 of the Seattle Municipal Code, last amended by Ordinance 124567, is amended as follows:

4.04.120 Collective bargaining

* * *

F. The City Council and the (~~(Office of Professional Accountability Review Board (OPARB))~~) Community Police Commission should jointly host a public hearing. The public hearing will be a joint meeting of the Council's Labor Policy and Public Safety(~~(;))~~ and Human Services (~~(and Education)~~) committees or the successor Council committees with oversight of the City's labor policy and the City's public safety departments. The public hearing will be on the effectiveness of the City's police accountability system and should be held at least 90 days before the City begins collective bargaining agreement negotiations with the Seattle Police Officer's Guild (SPOG) or the Seattle Police Management Association (SPMA) or any successor labor organization. The City's Director of Labor Relations shall inform the Labor Policy Committee and Public Safety, Human Services and Education Committee at least 180 days before negotiations begin of the projected date for the start of the negotiations to enable the Council to timely schedule the hearing.

Section 10. Ordinance 124543, relating to Community Police Commission stipends, is repealed.

Section 11. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
LEG	Greg Doss 206-681-5911	Linda Taylor-Manning 206-684-8376

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: An ordinance relating to civilian and community oversight of the police; clarifying the role, governance and operating procedures of the Community Police Commission, reducing its size and geographic appointment requirements, giving it authority to remove members and Executive Director for cause, and amending its stipend provisions; establishing qualifications and procedures for the Commission’s Executive Director and creating a Deputy Director; referring to the Commission’s role in collective bargaining hearings; amending Sections 3.29.010, 3.29.320, 3.29.330, 3.29.340, 3.29.350, 3.29.360, 3.29.400, and 4.04.120 of the Seattle Municipal Code; and repealing Ordinance 124543.

Summary and Background of the Legislation:

The bill would amend the SMC in the following ways:

- Removes language that defines the CPC’s role as one that ensures “public confidence in the effectiveness and professionalism of SPD;”
- Adds a new section that establishes qualifications for the CPC Executive Director;
- Adds a Deputy Director position;
- Amends a process by which the CPC may remove its Executive Director for cause;
- Adds language that clarifies that the Executive Director shall discharge their authorities and responsibilities in consultation with and under the supervision of the Co-Chairs;
- Reduces the Commission from 21 members to 15 members and transfers the Seattle Police Management Association representative from a CPC made appointment to a Mayor’s Office made appointment;
- Clarifies that the CPC may remove a CPC appointed Commissioner for cause by a two-thirds vote of its membership without a subsequent confirmation vote from City Council;
- Eliminates a requirement that at least one Commissioner must represent each City Council district and regularly engage the people of that Council district and report back to the CPC on community issues on law enforcement;
- Eliminates references to Ordinance 124543 (Stipend Reimbursements) and establishes that (1) the purpose of a stipend is to compensate for the financial burden of performing the duties of a Co-Chair and Commissioner; and (2) beginning in 2024, stipends are set at a monthly reimbursable rate of \$1,200 for a Co-Chair and \$700 for a Commissioner; and

- Makes technical updates to the collective bargaining provisions for the required hearing that precedes the Seattle Police Management Association negotiations.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Yes. The increased costs of Commissioner stipends (\$5k) and the cost of a new Deputy Director (\$191k) must be absorbed within the CPC's existing budget authority by reducing other spending, or through offsetting reductions in General Fund (GF) spending in other areas of the city's budget in order to be included in the 2024 Mid-biennial Budget Adjustments.

As has been discussed in the Council's Finance and Housing Committee and the Select Budget Committee, the City is currently facing a long-term structural budget issue, where GF expenditures are outpacing GF revenues. The 2024 Endorsed Budget, approved by the Council in November 2022, does not include funding for this ongoing GF expenditure.

The CPC has submitted to the Mayor's Office a request for funding for this position as part of the Mayor's 2024 Proposed Mid-biennial Budget Adjustments. Should the position not be included in those adjustments, the Council may choose to identify funding for the position by identifying offsetting GF cuts elsewhere in the city budget. Or, request that the CPC absorb the cost of the position within its existing budget authority.

Are there financial costs or other impacts of *not* implementing the legislation?

The CPC would not benefit from the governance or operational changes made in the legislation. This would potentially diminish the ability of the Commission to fulfill its mission.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department? No

- b. Is a public hearing required for this legislation? No**
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No**
- d. Does this legislation affect a piece of property? No**
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

The legislation may create a Community Police Commission that better represents diverse voices, allows Commissioners to share responsibility for their governance and increases the Commission's effectiveness at achieving its mission of listening to, amplifying, and building common ground among communities affected by policing in Seattle; as it champions policing practices centered in justice and equity.

- f. Climate Change Implications**
 - 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way? No**
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects. No**
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? No**

Summary Attachments (if any):