

Amendment 2 Version 1 to CB 120313 – Minor Amendment Process for MIMPs

Sponsor: Councilmember Pedersen

Clarify intent to limit application of CB 120313 to Community and Technical Colleges

Effect: This amendment would add a recital declaring the Council’s intent to not use this bill as a precedent for other changes to major institution regulations. It would also limit the effect of changes to community and technical colleges, rather than all colleges and universities.

Current zoning allows congregate housing owned by colleges or universities to be sited in commercial and multifamily zones. The proposed bill would allow congregate housing “affiliated with” colleges or universities to be treated the same as congregate housing owned by a college or university. The proposed amendment would limit that change to technical colleges, instead of all colleges and universities.

Note: language with a double underline is proposed to be added to the bill, language with a ~~double strikethrough~~ is proposed to be deleted from the bill as part of this amendment.

1. Add a recital to Council Bill 120313, as follows:

* * *

WHEREAS, this ordinance would also clarify that this one-time development outside of the standard Major Institution master plan is allowed to be “affiliated” with the college, not necessarily housing “owned” by the college, which would allow flexibility in ownership arrangements of the housing; and

WHEREAS, it is not the City Council’s intent that the changes in this bill to Chapter 23.69 set a precedent for reclassifying amendments to other Major Institution Master Plans as minor; and

WHEREAS, the City’s Comprehensive Plan encourages dense housing growth within Urban Centers as part of its preferred centers-based growth pattern, known as the Urban Village Strategy; NOW, THEREFORE,

* * *

2. Amend Section 1 of Council Bill 120313, as follows:

Section 1. Section 23.42.049 of the Seattle Municipal Code, enacted by Ordinance 124608, is amended as follows:

23.42.049 Congregate residences

Congregate residences are subject to the development standards for the zone in which they are located, to the development standards for apartments where such housing type standards are specified, and to the following requirements:

* * *

B. Food preparation areas in sleeping rooms. Within a congregate residence not more than 25 percent of sleeping rooms shall have complete food preparation areas, where a complete food preparation area is identified by the presence of a plumbed sink, a stove or range, a refrigerator, and a counter top. The Director has discretion to increase the percentage up to 100 percent of sleeping rooms if the congregate residence is owned by ~~or affiliated with~~ a college or university, is affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, is a sorority or fraternity, or is owned by a not-for-profit entity or charity, or is a congregate residence that is licensed by the State and provides on-site supportive services for seniors or persons with disabilities. Supportive services include meal service, cleaning service, health services, or similar services.

* * *

3. Amend Section 2 of Council Bill 120313, as follows:

Section 2. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 126384, is amended as follows:

23.45.504 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

* * *

Table A for 23.45.504 Permitted and prohibited uses		
Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR
A. Residential use except as listed below	P	P
A.1. Congregate residence	X/P ¹	P/X ²
B. Institutions	P/CU ³	P/CU ³
C. Uses in existing or former public schools		
C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses in existing or former public schools	P	P
C.2. Other non-school uses in existing or former public schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
* * *		
L. All other uses	X	X

**Table A for 23.45.504
Permitted and prohibited uses**

Footnotes to Table A for 23.45.504

¹ Congregate residences that are owned by ~~or affiliated with~~ a college or university; or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system; or are a sorority or fraternity; or are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities ((;)) are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services, or similar.

² Congregate residences that are owned by ~~or affiliated with~~ a college or university; or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system; or are a sorority or fraternity; or are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities ((;)) are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar.

³ Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.

* * *

P = Permitted outright

CU = Permitted as an Administrative Conditional Use

RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46

X = Prohibited

* * *

4. Amend Section 3 of Council Bill 120313, as follows:

Section 3. Section 23.47A.004 of the Seattle Municipal Code, last amended by Ordinance 126287, is amended as follows:

23.47A.004 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.47A.004 and this Section 23.47A.004, except as may be otherwise provided pursuant to Subtitle III, Division 3, Overlay Districts, of this Title 23.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in Table A for 23.47A.004.

* * *

Table A for 23.47A.004 Uses in Commercial zones					
Uses	Permitted and prohibited uses by zone¹				
	NC1	NC2	NC3	C1	C2
* * *					
E. INSTITUTIONS					
E.1. Institutions not listed below	10	25	P	P	P
E.2. Major institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
E.3. Religious facilities	P	P	P	P	P
E.4. Schools, elementary or secondary	P	P	P	P	P
E.5 Child care centers	P	P	P	P	P
* * *					
J. RESIDENTIAL USES¹⁴					
J.1. Residential uses not listed below	P	P	P	P	CU ¹⁵
J.2. Caretaker's quarters	P	P	P	P	P
J.3 Congregate residence	X/P ¹⁶	X/P ¹⁶	P/X ¹⁷	P/X ¹⁷	P/X ¹⁷
J.4. Permanent supportive housing	P	P	P	P	P
* * *					
KEY					
A = Permitted as an accessory use only					
CU = Administrative Conditional Use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)					
CCU = Council Conditional Use (business establishment limited to the multiple of 1,000 square feet or any number following a hyphen, pursuant to Section 23.47A.010)					
P = Permitted					
S = Permitted in shoreline areas only					
X = Prohibited					
CU-25 = Conditionally permitted; use is limited to 25,000 square feet, pursuant to Section 23.47A.010					
10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010					
20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010					
25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010					
35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010					
40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section 23.47A.010					
50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010					

**Table A for 23.47A.004
Uses in Commercial zones**

Footnotes to Table A for 23.47A.004

¹ In pedestrian-designated zones, a portion of the street-level street-facing facade of a structure along a designated principal pedestrian street may be limited to certain uses as provided in subsection 23.47A.005.D. In pedestrian-designated zones, drive-in lanes are prohibited (Section 23.47A.028).

* * *

¹⁴ Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C.

¹⁵ Residential uses are conditional uses ((#)) in C2 zones under subsection 23.47A.006.A.3, except as otherwise provided above in Table A for 23.47A.004 or in subsection 23.47A.006.A.3.

¹⁶ Congregate Residences that are owned by ~~or affiliated with~~ a college or university, or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity, or are owned by a not-for-profit entity or charity, ((;)) or are licensed by the State and provide supportive services ((;)) are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services, or similar.

¹⁷ Congregate Residences that are owned by ~~or affiliated with~~ a college or university, or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity, or are owned by a not-for-profit entity or charity, or are licensed by the State and provide supportive services ((;)) are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar.

* * *