

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

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3
4 AN ORDINANCE relating to land use and zoning; establishing a definition for micro-housing
5 unit; amending development standards for congregate residences; amending design
6 review thresholds; clarifying the prohibition of micro-housing units in single-family
7 zones; clarifying the application of green factor landscaping requirements to micro-
8 housing units and congregate residences; amending income eligible household
9 definitions for incentive programs related to micro-housing units and congregate
residences; amending Sections 23.41.004, 23.42.010, 23.44.006, 23.45.508, 23.45.524,
23.47A.016, 23.54.015, 23.54.040, 23.58A.004, and 23.84A.032 of the Seattle
Municipal Code; and adopting new Sections 23.45.575 and 23.47A.034.

10 WHEREAS, the City of Seattle Comprehensive Plan states in Housing Goal 4: Achieve a mix
11 of housing types that are attractive and affordable to a diversity of ages, incomes,
12 household types, household sizes, and cultural backgrounds; and

13 WHEREAS, the City of Seattle Comprehensive Plan states in Housing Policy 20: Promote and
14 foster, where appropriate, innovative and non-traditional housing types such as co-
15 housing, live/work housing and attached and detached accessory dwelling units, as
alternative means of accommodating residential growth and providing affordable
housing options; and

16 WHEREAS, the City of Seattle Comprehensive Plan states in Housing Goal 13: Provide new
17 low-income housing through market-rate housing production and assisted housing
18 programs; and

19 WHEREAS, the City of Seattle Comprehensive Plan states in Housing Policy 5: Provide for
20 lower off-street parking requirements in locations where car ownership rates are low for
resident populations, to help reduce housing costs and increase affordability; and

21 WHEREAS, the adoption of this ordinance will help implement those provisions of the
22 Comprehensive Plan and will help protect and promote the health, safety and welfare of
the general public; and

23 WHEREAS, the Seattle Department of Planning and Development (DPD) has monitored the
24 production of micro-housing and congregate residences for over two years, and has
25 observed that clarification of regulations related to micro-housing and congregate
26 residences are needed to ensure the appropriate reviews and standards are in place to
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adequately address these emerging forms of housing development; NOW,
 THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.41.004 of the Seattle Municipal Code, was last amended by
 Ordinance 124378 is amended as follows:

23.41.004 Applicability

A. Design review required

1. Design review is required for any new multifamily, commercial, or industrial
 development proposal that exceeds one of the following thresholds in Table A for 23.41.004:

Table A for 23.41.004 Thresholds for Design Review		
	Zone	Threshold
a.	Lowrise 3 (LR3)	((Eight)) 8 dwelling units
b.	Midrise (MR)	((Twenty)) 20 dwelling units
c.	Highrise (HR)	((Twenty)) 20 dwelling units
d.	Neighborhood Commercial (NC1, NC2, NC3)	((Four)) 4 dwelling units or 4,000 square feet of non-residential gross floor area
e.	Commercial (C1,C2)	((Four)) 4 dwelling units or 12,000 square feet of non-residential gross floor area, located on a lot in an urban center or urban village ¹ , or on a lot that abuts or is across a street or alley from a lot zoned single-family, or on a lot located in the area bounded by: NE 95 th St., NE 145 th St., 15 th Ave. NE, and Lake Washington
f.	Seattle Mixed (SM)	((Twenty)) 20 dwelling units or 12,000 square feet of non-residential gross floor area
g.	Industrial Commercial (IC) ((zone)) within all designated urban villages and centers	12,000 square feet of non-residential gross floor area
h.	Master Planned Community (MPC) ²	((Twenty)) 20 dwelling units or 12,000 square feet of non-residential gross floor area
i.	<u>All zones – micro-housing units or congregate residences</u>	<u>Developments containing 6,000 to 11,999 square feet of gross floor area are subject to Streamlined Design Review (SDR) pursuant to Section 23.41.018.</u> <u>Developments containing 12,000 to 19,999 square feet of gross floor area are subject to Administrative Design Review (ADR) pursuant to Section 23.41.016.</u> <u>Developments containing 20,000 square feet or greater of gross floor area are subject to Design Review pursuant to Chapter 23.41.</u>

**Table A for 23.41.004
 Thresholds for Design Review**

Zone	Threshold
Footnote to Table A for 23.41.004:	
¹ Urban centers and urban villages are identified in the Seattle Comprehensive Plan.	
² If an application in a Master Planned Community zone does not include a request for departures, the applicable design review procedures are in Section 23.41.020. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014.	

2. Design review is required for all new Major Institution development proposals that exceed any applicable threshold listed in this subsection 23.41.004.A, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Design review is required for all new development proposals located in the following Downtown zones that exceed any of the following thresholds:

((DOC 1, DOC 2 or DMC Zones))

Table B for 23.41.004 Thresholds	
DOC 1, DOC 2 or DMC zones	
Use	Threshold
Non-residential	50,000 square feet of gross floor area
Residential	20 dwelling units
DRC, DMR, DH1 or DH2 ((Z)) zones, or PMM zone outside the Pike Place Market Historical District	
Use	Threshold
Non-residential	20,000 square feet of gross floor area
Residential	20 dwelling units

4. Design review is required for all new development proposals exceeding 120 feet in width on any single street frontage in the Stadium Transition Area Overlay District as shown in Map A for 23.74.004, and all new development proposals exceeding 12,000 square feet of non-residential gross floor area and electing to add extra floor area above the base FAR that are located in an IC 85-160 zone.

5. Streamlined administrative design review (SDR) to protect trees. As provided in Sections 25.11.070 and 25.11.080, ((streamlined administrative design review)) SDR pursuant

1 to Section 23.41.018 is required for any new development proposals in LR, MR, and commercial
2 zones if an exceptional tree, as defined in Section 25.11.020, is located on the lot and is not
3 proposed to be preserved, if design review would not otherwise be required by this subsection
4 23.41.004.A.

5 6. New multifamily or commercial development proposals in the zones listed in
6 this subsection 23.41.004.A, that are subject to SEPA solely as a result of the provisions of
7 Section 25.05.908, Environmentally Critical Areas, are exempt from design review except as set
8 forth in subsection 23.41.004.A.5.

9 7. Design review pursuant to Section 23.41.014 is required for projects that are
10 eligible for design review under any provision of this ~~((s))~~Section 23.41.004 and that are
11 participating in the Living Building Pilot Program authorized by Section 23.40.060.

12 8. ~~((Streamlined administrative design review (-)))~~SDR(~~(-)~~) pursuant to Section
13 23.41.018 is required for all new developments that include at least three townhouse units, if
14 design review is not otherwise required by this subsection 23.41.004.A.

15 * * *

16 Section 2. Section 23.42.010 of the Seattle Municipal Code, was last amended by
17 Ordinance 118794, is amended as follows:

18 **23.42.010 Identification of principal permitted uses~~((-))~~**

19 Principal uses not listed in the respective zones of Subtitle III, Division 2 of ~~((SMC))~~Title
20 23, Land Use Code ~~((shall be))~~are prohibited in those zones. If a use is not listed, the Director
21 may nonetheless determine that a proposed use is substantially similar to other uses permitted or
22 prohibited in the respective zones, and therefore~~((, and should also be permitted or prohibited))~~
23 permit or prohibit the proposed use. When a proposed use has characteristics of more than one
24 use, the Director has discretion to determine which use category or categories are most similar to

1 the proposed use for the purpose of determining whether the use is permitted, and for the purpose
2 of applying development standards.

3 Section 3. Section 23.44.006 of the Seattle Municipal Code, was last amended by
4 Ordinance 124105 is amended as follows:

5 **23.44.006 Principal uses permitted outright**

6 The following principal uses are permitted outright in single-family zones:

7 A. Single-family ((D))dwelling ((U))unit. One single-family dwelling unit per lot, except
8 that an accessory dwelling unit may also be approved pursuant to Section 23.44.041, and except
9 as approved as part of an administrative conditional use permit under Section 25.09.260((;)). A
10 micro-housing unit is not a single-family dwelling unit, and is not a permitted use in single-
11 family zones;

12 * * *

13 Section 4. Section 23.45.508 of the Seattle Municipal Code, was last amended by
14 Ordinance 124378 is amended as follows:

15 **23.45.508 General provisions**

16 A. Except for structures related to an urban farm, a structure occupied by a permitted use
17 other than a residential use may be partially or wholly converted to a residential use even if the
18 structure does not conform to the development standards for residential uses in multifamily
19 zones.

20 B. Off street parking shall be provided pursuant to Section 23.54.015.

21 C. Expansions of nonconforming converted structures and conversions of structures
22 occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

23 D. Methods for measurements are provided in Chapter 23.86. Requirements for streets,
24 alleys, and easements are provided in Chapter 23.53. Standards for parking and access and
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1 design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage
2 space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.

3 E. Assisted living facilities, congregate (~~(housing)~~)residences, and nursing homes shall
4 meet the development standards for apartments unless otherwise specified. Congregate
5 residences are subject to additional requirements as specified in Section 23.45.575.

6 F. Single-family dwelling units and structures containing micro-housing units. In LR
7 zones, single-family dwelling units and structures containing only one micro-housing unit shall
8 meet the development standards for townhouse developments, except as otherwise provided. In
9 MR and HR zones, single-family dwelling units and structures containing micro-housing units
10 shall meet the development standards of the zone.

11 G. Proposed uses in all multifamily zones are subject to the transportation concurrency
12 level-of-service standards prescribed in Chapter 23.52.

13 H. Lots with no street frontage. For purposes of structure width, depth, and setbacks,
14 multifamily zoned lots that have no street frontage are subject to the following:

15 1. For lots that have only one alley lot line, the alley lot line shall be treated as a
16 front lot line.

17 2. For lots that have more than one alley lot line, the Director shall determine
18 which alley lot line shall be treated as the front lot line.

19 3. For lots that have no alley lot lines, the applicant may choose the front lot
20 line provided that the selected front lot line length is at least 50 percent of the width of the lot.

21 I. All use provisions and development standards applicable to MR zones, except
22 maximum height, also apply in the MR/85 zone.

23 J. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is
24 not entitled to a permit for any use or development on a lot in a (~~(Lowrise)~~)LR zone that would
25 be inconsistent with any term, condition, or restriction contained either in any recorded
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1 agreement that is in effect as to that lot and was made in connection with a rezone of the lot to
2 LDT, L1, L2, L3, or L4, or in any City Council decision or ordinance related to a rezone of the
3 lot to LDT, L1, L2, L3, or L4 conditioned on a recorded agreement prior to ~~((the effective date~~
4 ~~of the ordinance introduced as Council Bill 117014.))~~April 19, 2011.

5 * * *

6 Section 5. Section 23.45.524 of the Seattle Municipal Code, was last amended by
7 Ordinance 123495 is amended as follows:

8 **23.45.524 Landscaping standards**

9 A. Landscaping requirements((-))

10 1. Standards. All landscaping provided to meet requirements under this Section
11 23.45.524 shall meet standards promulgated by the Director to provide for the long-term health,
12 viability, and coverage of plantings. These standards may include, but are not limited to, the type
13 and size of plants, number of plants, spacing of plants, depth and quality of soil, use of drought-
14 tolerant plants, and access to light and air for plants.

15 2. Green Factor requirement((-))

16 a. Landscaping that achieves a Green Factor score of 0.6 or greater,
17 determined as set forth in Section 23.86.019, is required for any lot ~~((with development~~
18 ~~containing))~~within a LR zone if development is proposed that has more than one dwelling
19 unit~~((in Lowrise zones.))~~, any number of micro-housing units, or a congregate residence.

20 Vegetated walls may not count towards more than 25 percent of a lot's Green Factor score.

21 b. Landscaping that achieves a Green Factor score of 0.5 or greater,
22 determined as set forth in Section 23.86.019, is required for any lot ~~((with development~~
23 ~~containing))~~within a MR or HR zone if development is proposed that has more than one dwelling
24 unit~~((in Midrise and Highrise zones.))~~, any number of micro-housing units, or a congregate
25 residence.

* * *

Section 6. A new Section 23.45.575 is added to the Seattle Municipal Code as follows:

23.45.575 Congregate residences

Congregate residences are subject to the development standards for apartments for the zone in which they are located and the following requirements:

A. Common kitchen. At least one kitchen is required within the congregate residence, and all residents shall have access to a kitchen.

B. Kitchen facilities in sleeping rooms. Within a congregate residence not more than 25 percent of sleeping rooms shall have kitchen facilities within the sleeping room, where kitchen facilities are identified by the presence of a plumbed sink, a connection for 208 or 220 volt electrical power or natural gas line to serve a range, or both. The Director has discretion to increase the percentage up to 100 percent of sleeping rooms if either of the following criteria are met:

1. The congregate residence is owned by a college or university or, if not owned by a college or university, exclusively provides housing for students, faculty or staff of the college or university.

2. The congregate residence does not also meet the definition of assisted living facility or nursing home, and has other characteristics or functional attributes clearly identifying it as a congregate or communal living arrangement, including one or more of the following features:

a. Residents regularly and customarily engage in aspects of group living such as dining in large groups or receipt of meals through a meal service program.

b. On-site facilities for support services are present such as a commercial kitchen, administrative offices, janitorial services or medical services.

1 c. Residents regularly receive support services or oversight on-site, such as
2 services associated with disabilities, illness or corrections.

3 C. Communal area. Communal areas such as common kitchens, lounges, recreation
4 rooms, dining rooms, living rooms, foyers and lobbies, and useable outdoor patios, decks or
5 gardens that are accessible to all residents of the congregate residence with sufficient
6 accommodations for socializing and meeting shall be provided, and shall meet the following
7 standards:

8 1. The total amount of communal area shall have a floor area that is at least 10
9 percent of the total net floor area in congregate residence sleeping rooms. In calculating the
10 total net floor area of congregate residence sleeping rooms, the abutting ancillary areas
11 associated with sleeping rooms shall be included, such as: sleeping lofts, counters, closets,
12 built-ins, and private bathrooms;

13 2. No service areas, including, but not limited to hallways and corridors, supply
14 closets, operations and maintenance areas, staff areas and offices, and required bicycle parking
15 areas may be counted toward the communal area requirement;

16 3. Communal areas are required in addition to any residential amenity area that
17 may be required in the zone.

18 Section 7. Section 23.47A.016 of the Seattle Municipal Code, was last amended by
19 Ordinance 123649 is amended as follows:

20 **23.47A.016 Landscaping and screening standards**

21 A. Landscaping requirements((-))

22 1. The Director shall promulgate rules to foster the long-term health, viability,
23 and coverage of plantings. The rules shall address, at a minimum, the type and size of plants,
24 spacing of plants, use of drought-tolerant plants, and access to light and air for plants. All
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1 landscaping provided to meet the requirements of this ((s))Section 23.47A.016 shall comply with
2 these rules.

3 2. Landscaping that achieves a Green Factor score of .30 or greater, pursuant to
4 Section 23.86.019, is required for any lot with:

5 a. development containing more than four new dwelling units, any
6 number of micro-housing units, or a congregate residence; or

7 b. development, either a new structure or an addition to an existing
8 structure, containing more than 4,000 new square feet of non-residential uses; or

9 c. any parking lot containing more than 20 new parking spaces for
10 automobiles.

11 * * *

12 Section 8. A new Section 23.47A.034 is added to the Seattle Municipal Code as
13 follows:

14 **23.47A.034 Congregate residence**

15 Congregate residences are subject to the development standards for the zone in which
16 they are located and the following requirements:

17 A. Common kitchen. At least one on-site kitchen to serve the needs of the congregate
18 residence is required, and all residents shall have access to a kitchen.

19 B. Kitchen facilities in sleeping rooms. Within a congregate residence not more than
20 25 percent of sleeping rooms shall have kitchen facilities within the sleeping room, where
21 kitchen facilities are identified by the presence of a plumbed sink, a connection for 208 or 220
22 volt electrical power or natural gas line to serve a range, or both. The Director has discretion to
23 increase the percentage up to 100 percent of sleeping rooms if either of the following criteria
24 are met:

1 1. The congregate residence is owned by or directly affiliated with a college or
2 university.

3 2. The congregate residence does not also meet the definition of assisted living
4 facility or nursing home, and has other characteristics or functional attributes clearly
5 identifying it as a congregate or communal living arrangement, including one or more of the
6 following features:

7 a. Residents regularly and customarily engage in aspects of group living
8 such as dining in large groups or receipt of meals through a meal service program.

9 b. On-site facilities for support services are present such as a commercial
10 kitchen, administrative offices, janitorial services, or medical services.

11 c. Residents regularly receive support services or oversight on-site, such as
12 services associated with disabilities, illness or corrections.

13 C. Communal area. Communal areas such as common kitchen, lounges, recreation
14 rooms, dining rooms, living rooms, foyers and lobbies, and useable outdoor plazas, decks or
15 gardens, that are accessible to all residents of the congregate residence with sufficient
16 accommodations for socializing and meeting shall be provided, and shall meet the following
17 standards:

18 1. The total amount of communal area shall have a floor area that is at least 10
19 percent of the total net floor area in congregate residence sleeping rooms. In calculating the
20 total net floor area of congregate residence sleeping rooms, the abutting ancillary areas
21 associated with sleeping rooms shall be included, such as: sleeping lofts, counters, closets,
22 built-ins, and private bathrooms.

23 2. No service areas, including, but not limited to hallways and corridors, supply
24 closets, operations and maintenance areas, staff areas and offices, and required bicycle parking
25 areas, shall be counted toward the communal area requirement.

3. Required communal areas shall be in addition to any amenity area required per the zone.

Section 9. Table B and Table E for Section 23.54.015 of the Seattle Municipal Code, was last amended by Ordinance 124378, are amended as follows:

23.54.015 Required parking

* * *

Table B for 23.54.015 Parking for ((R)) Residential ((U)) Uses		
Use	Minimum parking required	
I. General ((R))residential ((U))uses		
A.	Adult family homes	1 space for each dwelling unit
B.	Artist's studio/dwellings	1 space for each dwelling unit
C.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences <u>and micro-housing units</u>	1 space for each 4 ((residents)) <u>sleeping rooms or micros</u>
F.	Cottage housing developments	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses, except as <u>otherwise</u> provided in ((Section H or III of)) this Table B for 23.54.015 ¹ ((1))	1 space per dwelling unit
J.	Nursing homes ² ((2))	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units	1 space for each dwelling unit
II. Residential ((U))use ((R))requirements ((F))for ((S))specific ((A))areas		
L.	All residential uses within urban centers or within the Station Area Overlay District ¹ ((4))	No minimum requirement

**Table B for 23.54.015
 Parking for ~~((#))~~Residential ~~((#))~~Uses**

Use		Minimum parking required
M.	All residential uses in commercial and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use ¹ ((-(1)))	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ¹ ((-(1)))	1 space per dwelling unit for dwelling units with fewer than two bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ¹ ((-(1)))	1.5 spaces for each dwelling unit
III. Multifamily ((R))residential ((U))use ((R))requirements with ((I))income ((C))criteria		
P.	Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income ³ ((-(3))) , for the life of the building ¹ ((-(1)))	0.33 space for each dwelling unit with two or fewer bedrooms, and one space for each dwelling unit with three or more bedrooms
Q.	Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income ³ ((-(3))) , for the life of the building ¹ ((-(1)))	0.75 spaces for each dwelling unit with two or fewer bedrooms, and one space for each dwelling unit with three or more bedrooms
R.	Low-income disabled multifamily residential uses ^{1,3} ((-(1)-(3)))	((one)) 1 space for each ((four)) 4 dwelling units
S.	Low-income elderly/low-income disabled multifamily residential uses ^{1,3} ((-(1)-(3)))	((one)) 1 space for each ((five)) 5 dwelling units

**Table B for 23.54.015
 Parking for ~~((#))~~Residential ~~((#))~~Uses**

Use	Minimum parking required
T. Low-income elderly multifamily residential uses ^{1,3} ((1)-(3)) not located in urban centers or within the Station Area Overlay District	((one)) 1 space for each ((six)) 6 dwelling units

Footnotes to Table B for 23.54.015

¹ The minimum amount of parking prescribed by line I of Table B for 23.54.015 does not apply if a use, structure or development qualifies for a greater or a lesser amount of parking, including no parking, under any other provision of this Section 23.54.015. If more than one such provision may apply, the provision requiring the least amount of parking applies, except that if a provision requires more parking than that required line I in Table B for 23.54.015, the parking requirement in line I in Table B for 23.54.015 does not apply.

² For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions are effective only as long as the conditions that justify the waiver are present. When the conditions are no longer present, the development shall provide the amount of parking that otherwise is required.

³ Notice of income restrictions. If these provisions are applied to a development, then prior to the issuance of any permit to establish, construct or modify the development, or to reduce the amount of parking accessory to the development, the applicant shall record with the King County Recorder a restrictive covenant signed and acknowledged by the owner(s), in a form prescribed by the Director, that provides notice that compliance with the income limits prescribed by this Section 23.54.015 is a condition for maintaining the reduced parking allowed by this Section 23.54.015, and requiring any subsequent owner to provide the amount of parking otherwise required in the event the income limits are not met.

(Footnotes for Table B for 23.54.015

(1) The general requirement of line I of Table B for 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section II of Table B for 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily 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.

(2) For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify

**Table B for 23.54.015
 Parking for ~~(R)~~Residential ~~(U)~~Uses**

Use	Minimum parking required
<p>the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.</p> <p>(3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.)</p>	

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**Table E for 23.54.015
 Parking for Bicycles¹ ~~((PARKING FOR BICYCLES (1)))~~**

Use		Bike (P) parking (R) requirements	
		Long-term	Short-term
<p>A. ((COMMERCIAL USES))Commercial uses</p>			
A.1.	Eating and drinking establishments	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.2.	Entertainment (U) uses	1 per 12,000 square feet	1 per 40 seats and 1 per 1,000 square feet of non-seat area; 1 per 20 seats and 1 per 1,000 square feet of non-seat area in UC/SAO ² ((2))
A.3.	Lodging (U) uses	1 per 20 rentable rooms	2
A.4.	Medical services	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.5.	Offices and (L) laboratories, research and (D) development	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))	1 per 40,000 square feet (-)
A.6.	Sales and services, general	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.7.	Sales and services, heavy	1 per 4,000 square feet	1 per 40,000 square feet (-)
<p>B. ((INSTITUTIONS))Institutions</p>			

Table E for 23.54.015			
Parking for Bicycles ¹ ((PARKING FOR BICYCLES (1)))			
		Bike ((P))parking ((R))requirements	
Use		Long-term	Short-term
B.1.	Institutions not listed below	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² (((2)))	1 per 40,000 square feet((-))
B.2.	Child care centers	1 per 4,000 square feet	1 per 40,000 square feet((-))
B.3.	Colleges	A number of spaces equal to ((ten(-)))10((+)) percent of the maximum students present at peak hour plus ((five(-)))5((+)) percent of employees((-))	None
B.4.	Community clubs or centers	1 per 4,000 square feet((-))	1 per 4,000 square feet
B.5.	Hospitals	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² (((2)))	1 per 40,000 square feet((-))
B.6.	Libraries	1 per 4,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² (((2)))
B.7.	Museums	1 per 4,000 square feet	1 per 4,000 square feet
B.8.	Religious facilities	1 per 12,000 square feet	1 per 40 seats or 1 per 1,000 square feet of non-seat area
B.9.	Schools, elementary	1 per classroom	None
B.10.	Schools, secondary (middle and high)	2 per classroom	None
B.11.	Vocational or fine arts schools	A number of spaces equal to ((ten(-)))10((+)) percent of the maximum students present at peak hour plus ((five(-)))5((+)) percent of employees((-))	None
C. ((MANUFACTURING USES)) Manufacturing uses		1 per 4,000 square feet	None
D. ((RESIDENTIAL USES)) Residential uses			
D.1.	Congregate residences <u>and micro-housing units.</u>	1 per ((20))4 (((residents))) <u>sleeping rooms or micros</u>	None

Table E for 23.54.015 Parking for Bicycles¹ ((PARKING FOR BICYCLES (1)))			
Use		Bike ((P))parking ((R))requirements	
		Long-term	Short-term
D.2.	Multi-family structures, excluding micro-housing units	1 per 4 units	None
E. ((TRANSPORTATION FACILITIES)) <u>Transportation facilities</u>			
E.1.	Park and ride lots	At least 20 ³ ((3))	None
E.2.	Principal use parking except ((P))park-and-ride lots	1 per 20 auto spaces	None
E.3.	Rail transit facilities and ((P))passenger terminals	At least 20 ³ ((3))	None

Footnote to Table E for 23.54.015
¹ If a use is not shown on this Table E for 23.54.015, there is no minimum bicycle parking requirement.
² For the purposes of this Table E for 23.54.015, UC/SAO means urban centers or the Station Area Overlay District.
³ The Director may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

~~((1) If a use is not shown on this Table E, there is no minimum bicycle parking requirement.
 (2) For the purposes of this table, UC/SAO means urban centers or the Station Area Overlay District.
 (3) The Director in consultation with the Director of Transportation may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and, other relevant transportation and land use information.))~~

Section 10. Section 23.54.040 of the Seattle Municipal Code, last amended by Ordinance 123963, is amended as follows:

1 **23.54.040 Solid waste and recyclable materials storage and access**

2 A. Except as provided in subsection 23.54.040.I, in downtown, multifamily, master
3 planned community, and commercial zones, storage space for solid waste and recyclable
4 materials containers shall be provided as shown in Table A for 23.54.040 for all new structures,
5 and for existing structures to which two or more dwelling units are added.

6 1. Residential uses proposed to be located on separate platted lots, for which each
7 dwelling unit will be billed separately for utilities, shall provide one storage area per dwelling
8 unit that has minimum dimensions of 2 feet by 6 feet.

9 2. Residential development for which a home ownership association or other
10 single entity exists or will exist as a sole source for utility billing may meet the requirement in
11 subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.

12 3. Non-residential development shall meet the requirement in Table A for
13 23.54.040.

~~((Table A for 23.54.040: Shared Storage Space for Solid Waste Containers))~~

Table A for 23.54.040	
Shared storage space for solid waste containers	
Residential ((D))development	Minimum ((A))area for ((S))shared ((S))storage ((S))space
((2-8 dwelling units)) 2-8 dwelling units	((84 square feet)) 84 square feet
9-15 dwelling units	150 square feet
16-25 dwelling units	225 square feet
26-50 dwelling units	375 square feet
51-100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C
For residential uses containing micro-housing units, the Director has discretion to increase the amount of shared storage space that is required based upon the number of micros within the development or other characteristics of the proposed development. For residential uses that are not readily described as a discrete number of dwelling units, such as congregate residences and nursing homes, the Director shall determine the amount of storage space required based on the number of sleeping rooms and other characteristics of the proposed development.	
Non-residential ((D))development (Based on gross floor area of all structures on the lot)	Minimum ((A))area for ((S))shared ((S))storage ((S))space
0 - 5,000 square feet	82 square feet
5,001 - 15,000 square feet	125 square feet
15,001 - 50,000 square feet	175 square feet
50,001 - 100,000 square feet	225 square feet
100,001 - 200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed use development that contains both residential and non-residential uses, shall meet the requirements of subsection 23.54.040.B.	

B. Mixed use development that contains both residential and non-residential uses shall meet the storage space requirements shown in Table A for 23.54.040 for residential development, plus 50 percent of the requirement for non-residential development. In mixed use developments, storage space for garbage may be shared between residential and non-residential uses, but separate spaces for recycling shall be provided.

C. For development with more than 100 dwelling units, the required minimum area for storage space may be reduced by 15 percent, if the area provided as storage space has a minimum horizontal dimension of 20 feet.

1 D. The storage space required by Table A for 23.54.040 shall meet the following
2 requirements:

3 1. For developments with ~~((8))~~eight or fewer dwelling units, the minimum
4 horizontal dimension (width and depth) for required storage space is 7 feet. For developments
5 with ~~((9))~~nine dwelling units or more, the minimum horizontal dimension of required storage
6 space is 12 feet;

7 2. The floor of the storage space shall be level and hard-surfaced, and the floor
8 beneath garbage or recycling compactors shall be made of concrete; and

9 3. If located outdoors, the storage space shall be screened from public view and
10 designed to minimize light and glare impacts.

11 * * *

12 Section 11. Section 23.58A.004 of the Seattle Municipal Code, was last amended by
13 Ordinance 124172, is amended as follows:

14 **23.58A.004 Definitions**

15 A. Scope and applicability

16 1. General rule. The terms set forth in quotations in this Section 23.58A.004,
17 when used in this Chapter 23.58A, have the meanings set forth in this Section 23.58A.004 unless
18 the context otherwise requires.

19 2. Definitions in Chapter 23.84A. Definitions in this Chapter 23.58A or in the
20 applicable provisions of the zone supersede any definitions of the same terms in Chapter 23.84A
21 for purposes of the provisions of this Chapter 23.58A, unless specified otherwise in this Chapter
22 23.58A.

23 B. Defined terms - General

24 "Affordable housing" means a unit or units of housing provided as a condition to bonus
25 floor area that are affordable to and reserved solely for "income-eligible households."((-))

1 "Base FAR" or "Base floor area ratio" means the non-residential floor area that may be
2 allowed under the provisions of the zone limiting floor area, expressed as a multiple of the lot
3 area, without use of any bonuses, transfer of development capacity, other incentive provisions, or
4 any departures, waivers, variances or special exceptions.

5 "Base residential floor area" means:

6 1. For a lot in South Downtown in a PSM, IDM, IDR, DMR or DMC zone from
7 which TDP is transferred, six times the lot area; and

8 2. For all other lots, the amount of residential floor area allowable on the lot
9 under the provisions of the zone that expressly limit floor area, excluding any floor area
10 exempted from the limits, without use of any bonuses, transfer of development capacity, other
11 incentive provisions, or any departures, waivers, variances or special exceptions, and before
12 giving effect to any transfer of residential development potential to another lot.

13 "Base height limit" means the height limit that would apply under the provisions of the
14 zone based upon the proposed uses in a structure, if the applicant did not qualify for any
15 additional height dependent on the provisions of this Chapter 23.58A, after giving effect to any
16 additional height that is actually allowed for the pitched roof of a structure and any additional
17 height that is or would be allowed under the provisions of the zone because of the slope of the
18 lot, but before giving effect to any allowance for rooftop features or any departure, waiver,
19 variance or special exception.

20 "Bonus floor area" means bonus residential floor area or bonus non-residential floor area.

21 "Bonus non-residential floor area" means extra non-residential floor area allowed
22 pursuant to the bonus provisions in subchapters III and V of this Chapter 23.58A. It does not
23 include extra floor area gained through TDR.

1 "Bonus residential floor area" means extra residential floor area allowed pursuant to the
2 bonus provisions in subchapters II and V of this Chapter 23.58A. It does not include extra floor
3 area gained through TDP.

4 "Certificate of occupancy" means the first certificate of occupancy issued by the City for
5 a project, whether temporary or permanent, unless otherwise specified.

6 "Extra floor area" means extra residential floor area or extra non-residential floor area.

7 "Extra residential floor area" means the gross floor area of all residential development
8 allowed in addition to a base height limit or base floor area limit, or both, under the provisions of
9 this Chapter 23.58A or under any other provisions of this Title 23 referring to this Chapter
10 23.58A that allow a bonus or a transfer of development rights or development capacity. It
11 includes, without limitation, gross floor area in residential use in all stories wholly or in part
12 above the base height limit, and all bonus residential floor area. In the IDM 75/85-150 zone,
13 hotel use in a mixed use project may be counted as extra residential floor area subject to
14 subsection 23.49.023.A and subsection 23.49.208.E.

15 "Extra non-residential floor area" means the non-residential floor area of all non-
16 residential development allowed in addition to base FAR or to a base height limit for non-
17 residential use, or both, under the provisions of this Chapter 23.58A or under any other
18 provisions of this Title 23 referring to this Chapter 23.58A that allow a bonus or a transfer of
19 development rights or development capacity. It includes, without limitation, gross floor area in
20 non-residential use in all stories wholly or in part above the base height limit for non-residential
21 use, and all bonus non-residential floor area.

22 "Housing bonus residential floor area" means extra residential floor area allowed on
23 condition that low-income housing be provided, or that a payment in lieu thereof be made, under
24 subchapter II of this Chapter 23.58A.

1 "Housing and child care bonus non-residential floor area" means extra non-residential
2 floor area allowed under subchapter III of this Chapter 23.58A on condition that low-income
3 housing be provided or a payment in lieu of low-income housing be made and that a child care
4 facility be provided or a payment in lieu of a child care facility be made.

5 "Income-eligible households" means:

6 1. ~~((In the case of))~~For rental housing units, except housing units of 400 or fewer
7 net square feet, micros in micro-housing units or sleeping rooms in a congregate residence,
8 households with incomes no higher than the lower of:

9 a. ~~((eighty))~~80 percent of median income as defined in Section
10 23.84A.025; or

11 b. the maximum level permitted for rental housing by RCW 36.70A.540
12 as in effect when the agreement for the housing to serve as affordable housing is executed.

13 2. In the case of owner-occupied housing units, households with incomes no
14 higher than the lesser of:

15 a. median income, as defined in Section 23.84A.025, or

16 b. the maximum level permitted for owner-occupied housing by RCW
17 36.70A.540 as in effect when the agreement for the housing to serve as affordable housing is
18 executed.

19 3. For housing units of 400 or fewer net square feet, micros in micro-housing
20 units or sleeping rooms in a congregate residence, households with incomes no higher than 40
21 percent of median income as defined in Section 23.84A.025. For this purpose, the resident(s) of
22 each micro or the resident(s) of each sleeping room in a congregate residence are regarded as a
23 separate household.

24 "Payment option" means making a payment to the City in lieu of providing low-income
25 housing, child care, or any amenity or feature, in order to qualify for bonus floor area.

1 "Performance option" means providing or committing to provide a physical facility, or a
2 portion or feature of a project, such as low-income housing, in order to qualify for bonus floor
3 area.

4 "Provisions of the zone" means one or more provisions of another chapter of this Title 23
5 relating to allowable floor area or height, or to the allowance of extra floor area or additional
6 height, or to the transfer of development capacity, for the area in which the lot on which extra
7 floor area is used or proposed is located or the location from which TDR or TDP may be
8 transferred.

9 Section 12. Section 23.84A.032 of the Seattle Municipal Code, was last amended by
10 Ordinance 124378, is amended as follows:

11 **23.84A.032 "R"**

12 * * *

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

- 14 1. "Accessory dwelling unit" means one or more rooms that:
- 15 a. are located within an owner-occupied dwelling unit, or within an
16 accessory structure on the same lot or unit lot as an owner-occupied dwelling unit;
- 17 b. meet the standards of Sections 23.44.041, ~~((€))~~ 23.45.545~~((;))~~ or
18 Chapter 23.47A, as applicable;
- 19 c. are designed, arranged, and intended to be occupied by not more than
20 one household as living accommodations independent from any other household; and
- 21 d. are so occupied or vacant.
- 22 2. "Adult family home" means an adult family home defined and licensed as such
23 by The State of Washington in a dwelling unit.
- 24 3. "Apartment" means a multifamily residential use that is not a cottage housing
25 development, rowhouse development, or townhouse development.
- 26
- 27

1 4. "Artist's studio/dwelling" means a combination working studio and dwelling
2 unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

3 5. "Assisted living facility" means a use licensed by The State of Washington as a
4 boarding home pursuant to RCW 18.20, that contains at least two assisted living units for people
5 who have either a need for assistance with activities of daily living (which are defined as eating,
6 toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or
7 some form of cognitive impairment but who do not need the skilled critical care provided by
8 nursing homes. See "Assisted living unit."

9 6. "Carriage house" means a dwelling unit in a carriage house structure.

10 7. "Carriage house structure" means a structure within a cottage housing
11 development, in which one or more dwelling units are located on the story above an enclosed
12 parking garage at ground level that either abuts an alley and has vehicle access from that alley, or
13 is located on a corner lot and has access to the parking in the structure from a driveway that abuts
14 and runs parallel to the rear lot line of the lot. See also "Carriage house."

15 8. "Caretaker's quarters" means a use accessory to a non-residential use
16 consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a
17 caretaker or watchperson.

18 9. "Congregate residence" means a use in which rooms or lodging, with or
19 without meals, are provided for nine or more non-transient persons not constituting a single
20 household, excluding single-family dwelling units for which special or reasonable
21 accommodation has been granted.

22 10. "Cottage housing development" means a use consisting of cottages arranged
23 on at least two sides of a common open space or a common amenity area. A cottage housing
24 development may include a carriage house structure. See "Cottage," "Carriage house," and
25 "Carriage house structure."

1 11. "Detached accessory dwelling unit" means an accessory dwelling unit in an
2 accessory structure.

3 12. "Domestic violence shelter" means a dwelling unit managed by a non-profit
4 organization, which unit provides housing at a confidential location and support services for
5 victims of domestic violence.

6 13. "Floating home" means a dwelling unit constructed on a float that is moored,
7 anchored or otherwise secured in the water.

8 14. "Mobile home park" means a tract of land that is rented for the use of more
9 than one mobile home occupied as a dwelling unit.

10 15. "Multifamily residential use" means a use consisting of two or more dwelling
11 units in a structure or portion of a structure, excluding accessory dwelling units.

12 16. "Multifamily residential use, low-income disabled" means a multifamily
13 residential use in which at least 90 percent of the dwelling units are occupied by one or more
14 persons who have a handicap as defined in the Federal Fair Housing Amendments Act and who
15 constitute a low-income household.

16 17. "Multifamily residential use, low-income elderly" means a residential use in
17 which at least 90 percent of the dwelling units are occupied by one or more persons 62 or more
18 years of age who constitute a low-income household.

19 18. "Multifamily residential use, low-income elderly/low-income disabled"
20 means a multifamily residential use in which at least 90 percent of the dwelling units (not
21 including vacant units) are occupied by a low-income household that includes a person who has
22 a handicap as defined in the Federal Fair Housing Amendment Act or a person 62 years of age or
23 older, as long as the housing qualifies for exemptions from prohibitions against discrimination
24 against families with children and against age discrimination under all applicable fair housing
25 laws and ordinances.

1 19. "Micro" means a room or rooms located within a micro-housing unit that
2 includes a sleeping room and has all of the following characteristics:

3 a. contains 285 square feet or less of net floor area, including abutting
4 ancillary areas such as a private bathroom, closets or a sleeping loft;

5 b. contains a bathroom with a toilet, bathing facility, and sink;

6 c. does not contain a food preparation area or kitchen; and

7 d. no toilet, bathing facility or sink is located outside of the bathroom.

8 20. "Micro-housing unit" means a dwelling unit housing no more than eight non-
9 related persons, comprised of no more than eight micros, and having a common kitchen that is a
10 minimum of 120 square feet in net floor area and that is available for use by all persons residing
11 in the micro-housing unit. If a dwelling unit includes three or more micros, and half or more of
12 the sleeping rooms within that dwelling unit are provided as micros, the dwelling unit will be
13 considered a micro-housing unit unless the combined floor area of the micros and other sleeping
14 rooms comprises less than 50 percent of the net floor area of the unit, excluding unfinished areas.

15 ~~((19))~~21. "Nursing home" means a use licensed by The State of Washington as a
16 nursing home, which provides full-time convalescent and/or chronic care for individuals who, by
17 reason of chronic illness or infirmity, are unable to care for themselves, but that does not provide
18 care for the acutely ill or surgical or obstetrical services. This definition excludes hospitals or
19 sanitariums.

20 ~~((20))~~22. "Rowhouse development" means a multifamily residential use in which
21 all principal dwelling units on the lot meet the following conditions:

22 a. each dwelling unit occupies the space from the ground to the roof of the
23 structure in which it is located;

24 b. no portion of a dwelling unit, except for an accessory dwelling unit or
25 shared parking garage, occupies space above or below another dwelling unit;

1 c. each dwelling unit is attached along at least one common wall to at
2 least one other dwelling unit, with habitable interior space on both sides of the common wall, or
3 abuts another dwelling unit on a common lot line;

4 d. the front of each dwelling unit faces a street lot line;

5 e. each dwelling unit provides pedestrian access directly to the street that
6 it faces; and

7 f. no portion of any other dwelling unit, except for an attached accessory
8 dwelling unit, is located between any dwelling unit and the street faced by the front of that unit.

9 ~~((21))~~23. "Single-family dwelling unit" means a detached structure having a
10 permanent foundation, containing one dwelling unit, except that the structure may also contain
11 an accessory dwelling unit where expressly authorized pursuant to this Title 23. A detached
12 accessory dwelling unit is not considered a single-family dwelling unit for purposes of this
13 Chapter 23.84A. A structure containing a single micro-housing unit is not considered a single-
14 family dwelling unit for purposes of this Chapter 23.84A.

15 ~~((22))~~24. "Townhouse development" means a multifamily residential use that is
16 not a rowhouse development, and in which:

17 a. each dwelling unit occupies space from the ground to the roof of the
18 structure in which it is located;

19 b. no portion of a dwelling unit occupies space above or below another
20 dwelling unit, except for an attached accessory dwelling unit and except for dwelling units
21 constructed over a shared parking garage; and

22 c. each dwelling unit is attached along at least one common wall to at
23 least one other dwelling unit, with habitable interior space on both sides of the common wall, or
24 abuts another dwelling unit on a common lot line.

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Section 13. 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 _____, 2014, and signed by me in open session in authentication of its passage this ____ day of _____, 2014.

President _____ of the City Council

Approved by me this ____ day of _____, 2014.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2014.

Monica Martinez Simmons, City Clerk

(Seal)