

June 7, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Proposed amendments to the Industrial Maritime legislation

On Thursday, June 8, the Land Use Committee (Committee) will consider amendments to the Industrial Maritime Strategy legislation, five bills that together would update the City of Seattle's policies, regulations, and zoning for industrial areas within the City of Seattle. Information regarding the proposal is available at the Office of Planning and Community Development's [website](#) and attached to the record for [Council Bill 120567](#).

After two briefings on the legislation, Councilmembers were asked to submit proposals for amendments to Central Staff in order to allow an opportunity for members of the public to comment on those concepts at the May 24 public hearing. After the hearing, Councilmembers have refined their list of amendments and we have prepared additional information about each amendment. Attached to this memorandum are the amendments to the legislation that Councilmembers have proposed as of Tuesday morning.

This list may not be exhaustive, and Councilmembers may offer additional amendments for Committee consideration up to the meeting time on Thursday. Either I or the sponsor of the amendment will circulate any additional amendments as soon as possible.

Additional Procedural Requirements and Next Steps

Some of the amendments under consideration are similar to alternatives studied under the Environmental Impact Statement for the Industrial and Maritime Strategy but were not explicitly part of the proposal studied. If Councilmembers vote in favor of these amendments, additional time between the Committee vote and the City Council vote will be required to allow for additional environmental review and additional public notice and opportunity to comment. The legislation should be held until the July 18 City Council meeting to provide sufficient time to meet procedural requirements should any of the following amendments pass:

Amendment 10. Rezone area generally bounded by Leary Avenue NW, 17th Avenue NW and 20th Avenue NW

Amendment 12. Remove the area north of NW 48th Street and east of 9th Avenue NE from BINMIC

Amendment 13. Remove the area at the western end of Commodore Way from BINMIC and rezone to C2

Amendment 14. Rezone additional areas in SODO within a half mile of the Lander Street station to II to provide more URM TDR

Amendment 15. Expand Georgetown UI zone to the north to include blocks south of S
Brandon Street and expand the NC3 zone north one block along Airport
Way S

If none of the above amendments are adopted, Central Staff will need a week to finalize the legislation coming out of Committee. It would be ready to be acted on by the City Council at its June 20 Committee meeting.

Attachments:

1. Proposed amendments to the Industrial and Maritime Strategy legislation

cc: Esther Handy, Director
Aly Pennucci, Deputy Director
Yolanda Ho, Supervising Analyst

Attachment 1 – Amendments to Industrial Maritime Strategy

| # | Proposed Amendments | Sponsor |
|----|---|---------|
| 1 | Technical Amendments | Strauss |
| 3A | Apply the Mandatory Housing Affordability-Commercial (MHA-C) program in the Stadium Transition Overlay District | Morales |
| 3B | Apply incentive zoning provisions for affordable housing and childcare for commercial development in the Industry & Innovation (II) zone | Morales |
| 4 | Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone | Strauss |
| 6 | Modify the maximum size of use limits in the Stadium District to allow for larger entertainment, retail, and Information Computer Technology (ICT) uses | Strauss |
| 7 | Expand requirements for noise attenuating windows in residential development near industrial areas | Morales |
| 8 | Add requirements for air conditioning for residential development near industrial areas | Morales |
| 10 | Rezone the area generally bounded by Leary Avenue NW, 17 th Avenue NW and 20 th Avenue NW | Strauss |
| 11 | Rezone the block at the northwest corner of Leary Way NW and 14th Avenue NW to II | Strauss |
| 12 | Remove the area north of NW 48th Street and east of 9th Avenue NE from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) | Strauss |
| 13 | Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 | Strauss |
| 14 | Rezone additional areas in SODO within a half mile of the Lander Street station to II to provide more unreinforced masonry (URM) transfer of development rights (TDR) receiving sites | Herbold |
| 15 | Expand the Georgetown UI zone to the north to S Brandon Street and expand the Neighborhood Commercial zoning north one block along Airport Way S | Morales |

Lish Whitson
Land Use Committee
May 19, 2023
D#1

Amendment 1 Version #1 to Council Bill 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Strauss

Technical Amendments

Effect: This amendment would make the following technical amendments to CB 120567, which would adopt a new chapter 23.50A to the Land Use Code:

- Correct references from Industrial Commercial (IC) 85-240 to Industrial Innovation (II) 85-240 throughout the bill;
- Add FAR limits for the IC-30 and IC-40 zones, which were inadvertently left out of the bill, to Table A for SMC 23.50A.010;
- Include an asterisk next to II 85-240 to Table A for SMC 23.50A.010 to indicate that there are higher maximum FAR limits allowed under the provisions of SMC 23.50A.012;
- Change the term “Multifamily residential” to “residential” throughout the bill to allow for projects that only include a single residential unit;
- Add a reference to IC zones with a mandatory housing affordability suffix to Section 23.50A.028, these zones currently have mandatory housing affordability suffixes;
- Add conditional use criteria for lodging in IC zones from Section 23.50.014;
- Add references to II zones other than the II 85-240 zone to Tables A and B in SMC 23.58B.040 and .050;
- Change “floor-to-ceiling clearances” to “floor-to-ceiling heights” to use a more standard term; and
- Clarify height limits in industrial zones by replace “60 feet” with “65 feet” in SMC 23.50A.014.

All of these changes are intended to clarify the intent of the bill or to add in terms that were inadvertently left out of the bill, without making a substantive change to the bill as proposed.

This amendment amends Council Bill 120567 as shown in Attachment 1.

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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((~~5~~)) 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((±))

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

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d. Downtown~~((; and~~

e. Stadium Transition Area Overlay District as shown in Map A for

~~23.74.004, when the width of the lot exceeds 120 feet on any street frontage.))~~

2. Subject to the exemptions in subsection 23.41.004.B, design review is required in the ~~((following areas or zones))~~ Industrial Commercial zone when commercial or institution development is proposed that exceeds a threshold in Table A or Table B for 23.41.004~~((;))~~ .

~~((a. Industrial Buffer; and~~

~~b. Industrial Commercial.))~~

3. The gross floor area of the following uses is not included in the total gross floor area of a development for purposes of determining if a threshold is exceeded:

- a. Religious facilities;
- b. ~~((Elementary))~~ Childcare centers, elementary, and secondary schools;
- c. Uses associated with a Major Institution Master Plan (MIMP); or
- d. Development of a major institution use within a Major Institution

Overlay (MIO) district.

4. Any development proposal participating in the Living Building or 2030 Challenge High Performance Existing Building Pilot Program according to Sections 23.40.060 and 23.40.070, including a development proposal for an existing structure, regardless of size or site characteristics, is subject to full design review according to Section 23.41.014.

5. Any development proposal, regardless of size or site characteristics, is subject to the administrative design review process according to Section 23.41.016 if it receives public funding or an allocation of federal low-income housing tax credits, and is subject to a regulatory

~~D2e-D3~~

1 agreement, covenant, or other legal instrument recorded on the property title and enforceable by
 2 The City of Seattle, Washington State Housing Finance Commission, State of Washington, King
 3 County, U.S. Department of Housing and Urban Development, or other similar entity as
 4 approved by the Director of Housing, which restricts at least 40 percent of the units to occupancy
 5 by households earning no greater than 60 percent of median income, and controls the rents that
 6 may be charged, for a minimum period of 40 years.

7 6. Any development proposal that is located in a Master Planned Community
 8 zone and that includes a request for departures, regardless of size or site characteristics, is subject
 9 to full design review according to Section 23.41.014. If a development proposal in a Master
 10 Planned Community zone does not include a request for departures, the applicable design review
 11 procedures are in Section 23.41.020. A development proposal in a Master Planned Community
 12 zone, which includes a request for departures and provides affordable housing per subsection
 13 23.41.004.A.5, shall be subject to administrative design review according to Section 23.41.016.

14 7. Subject to the exemptions in subsection 23.41.004.B, design review is required
 15 for additions to existing structures when the size of the proposed addition or expansion exceeds a
 16 threshold in Table A or Table B for 23.41.004. Administrative design review, as described in
 17 Section 23.41.016, is required for certain other additions to existing structures according to rules
 18 promulgated by the Director.

19 * * *

20 Section 7. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance
 21 125791, is amended as follows:

22 **23.47A.009 Standards applicable to specific areas**

23 * * *

1 J. Georgetown. The following provisions apply to development proposed in NC zones
2 within the area shown on Map G for 23.47A.009.

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

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

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

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

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

18 2) The space shall be made available for both day and evening
19 use;

20 3) The space shall be made available on a first-come, first-served
21 basis to community and charitable organizations; and

1 4) Availability of the space and contact person(s) shall be made
2 known to community and charitable groups through means such as newspaper articles, radio
3 announcements, and flyers.

4 d. No permit after the first building permit, no permit for any
5 construction activity other than excavation and shoring, and no permit for occupancy of
6 existing floor area by any use shall be issued for development that includes an arts facility to
7 gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director
8 that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the
9 space for a minimum of one year.

10 2. Additional floor area for historic preservation. An additional increment of up
11 to 1.0 FAR is permitted above the maximum FAR limit if a lot includes one or more structures
12 that have been designated as landmarks pursuant to Chapter 25.12, subject to the following
13 conditions:

14 a. The structure is rehabilitated so that all features and characteristics are
15 subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any
16 certificates of approval issued by the Landmarks Preservation Board, all as determined by the
17 Director of the Department of Neighborhoods;

18 b. A notice is recorded in the King County real estate records, in a form
19 satisfactory to the Director, regarding the additional increment of floor area allowed and the
20 effect thereof under the terms of this Chapter 23.47A;

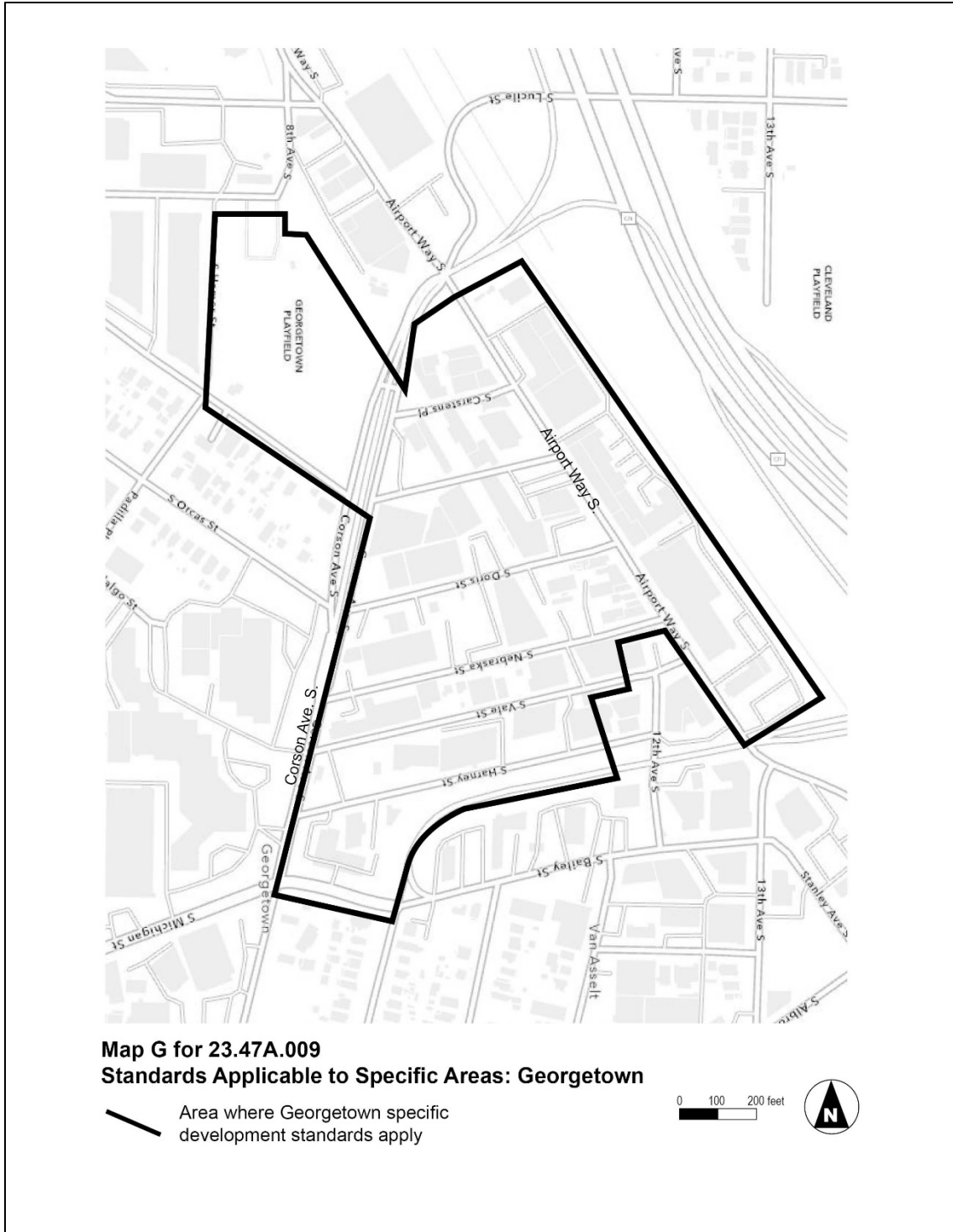
21 c. If the increased amount of FAR allowed under this subsection
22 23.47A.009.J remains on the lot, the structure must remain designated as a Landmark; and

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

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

8 **Map G for 23.47A.009**

9 **Standards Applicable to Specific Areas: Georgetown**



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

CHAPTER 23.50A INDUSTRIAL AND MARITIME

1 **23.50A.002 Scope**

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

3 1. Maritime, Manufacturing, and Logistics (MML);

4 2. Industry and Innovation (II);

5 3. Urban Industrial (UI); and

6 4. Industrial Commercial (IC).

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

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

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

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

18 **23.50A.004 Permitted and prohibited uses**

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

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

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

3 D. Public facilities

4 1. Similar uses permitted. Except as provided in subsections 23.50A.004.D.2 and
5 23.50A.004.D.3 and in Section 23.50A.010, uses in public facilities that are most similar to uses
6 permitted outright or permitted by conditional use in this chapter are also permitted outright or
7 by conditional use, subject to the same use regulations, development standards, and
8 administrative conditional use criteria that govern the similar uses.

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

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

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

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

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

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

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

9 5. Expansion of uses in public facilities

10 a. Major expansion. Major expansions may be permitted to uses in public
11 facilities allowed pursuant to subsections 23.50A.004.D.1, 23.50A.004.D.2, and 23.50A.004.D.3
12 according to the same provisions and procedural requirements as described in these subsections.
13 A major expansion of a public facility use is one that would not meet development standards, or
14 one that would exceed the greater of 750 square feet or ten percent of its existing area, including
15 gross floor area and areas devoted to active outdoor uses other than parking.

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

21 6. Essential public facilities. Permitted essential public facilities shall also be
22 reviewed according to Chapter 23.80.

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

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

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

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

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

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

22 F. Adult cabarets

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

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

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

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

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

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

21
22

| 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 c. The surrounding uses would not be detrimental to occupants of the
2 Landmark structure.

3 3. Residential use in UI zones. Residential uses are permitted as an administrative
4 conditional use in UI zones if all of the following criteria are met. The residential use may be
5 part of a Major Phased Development.

6 a. The ((~~multifamily~~)) residential use shall not exceed a density limit of 50
7 dwelling units per acre; and

8 b. The ((~~multifamily~~)) residential use shall not be located within 200 feet
9 of a shoreline; and

10 c. The ((~~multifamily~~)) residential use shall not be within 200 feet of a
11 designated major truck street; and

12 d. All dwelling units shall have sound-insulating windows sufficient to
13 maintain interior sound levels at 60 decibels or below in consideration of existing environmental
14 noise levels at the site. The applicant shall submit an analysis of existing noise levels and
15 documentation of the sound insulating capabilities of windows as part of the conditional use
16 permit application; and

17 e. The ((~~multifamily~~)) residential use shall be located, designed, and
18 configured in a manner to reduce potential conflict with adjacent existing industrial business
19 operations; and

20 f. The owner(s) of a building seeking a conditional use for the
21 ((~~multifamily~~)) residential use must sign and record a covenant and equitable servitude, on a
22 form acceptable to the Director, that acknowledges that the owner(s) and occupants of the
23 building accept the industrial character of the neighborhood and agree that existing or permitted

1 industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such
2 covenant and equitable servitude must state that it is binding on the owner(s)' successors, heirs,
3 and assigns, including any lessees of the residential use; and

4 g. The ((~~multifamily~~)) residential use shall be a part of a mixed-use
5 development that includes non-residential uses permitted in UI zones, and the ((~~multifamily~~))
6 residential use component shall not exceed 50 percent of the total floor area of the mixed use
7 development; and

8 h. Occupancies of dwelling units are voluntarily limited by the building
9 owner to support the availability of housing that is affordable to area workers, such that the
10 ((~~multifamily~~)) residential use consists of either:

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

14 2) A minimum of 50 percent of the dwelling units are made
15 available at affordable rent or affordable sale price for a period of 75 years beginning January
16 1 of the year following final certificate of occupancy to eligible households with annual
17 incomes at or below 60 percent of median income for SEDUs, 80 percent of median income for
18 studio and one bedroom units, and 90 percent of median income for two-bedroom and larger
19 units. Standardized procedures and definitions established by the Office of Housing for
20 administration of Chapter 5.73 shall apply. Dwelling units eligible for the multifamily housing
21 tax exemption may be counted towards the minimum 50 percent.

22 4. High-impact uses may be permitted as a conditional use in the MML zone,
23 according to the 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; and

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

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

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

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

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

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

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

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

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

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

9 1) The maximum floor area of the principal structure is limited to
10 7,000 square feet.

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

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

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

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

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

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

5 e. The use shall not produce sustained or recurrent vibrations exceeding
6 0.002g acceleration as measured on lots in nonindustrial zones.

7 8. The high-impact uses listed in subsection 23.50A.006.B.8.a may be permitted
8 as conditional uses in the IC and II zones according to the criteria contained in subsection
9 23.50A.006.B.8.b.

10 a. Uses

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

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

16 b. Criteria

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

20 2) A management plan may be required. The Director may
21 determine the level of detail to be disclosed in the plan based on the probable impacts and/or the
22 scale of the effects. Discussion of materials handling and storage, odor control, transportation,
23 and other factors may be required;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 5) Landscaping and screening, separation from less-intensive
19 zones, noise, light and glare controls, and other measures to ensure the compatibility of the use
20 with the surrounding area and to mitigate adverse impacts shall be incorporated into the design
21 and operation of the facility.

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

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

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

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

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

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

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

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

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

17 b. The impacts of the proposal shall be evaluated so that the negative
18 impacts can be satisfactorily mitigated by imposing conditions to protect other property in the
19 zone or vicinity and to protect the environment. Appropriate mitigation measures shall include,
20 but are not limited to:

21 1) The site shall be located so that adverse impacts associated with
22 landing and takeoff activities, including noise levels and safety conditions, will not affect large

1 numbers of people in the immediate vicinity as well as in the general landing path of the flight
2 pattern;

3 2) A facility management and transportation plan shall be required.

4 At a minimum, the facility management and transportation plan shall demonstrate noise control,
5 vehicle and service access, and hours of operation, and shall be incorporated into the design and
6 operation of the facility; and

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

11 4. Solid waste incineration facilities may be permitted as a Council conditional
12 use in MML 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. Measures to minimize odor emission and airborne pollutants shall be
16 determined in consultation with the Puget Sound Clean Air Agency. These measures shall be
17 incorporated into the design and operation of the facility;

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

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

23 a. The helistop is not within 1,200 feet of a residential zone;

1 b. The helistop is located to minimize impacts, such as noise and dust
2 impacts, on lots in residential zones;

3 c. The lot is of sufficient size that the operations of the helistop and the
4 flight paths of the helicopter are buffered from the surrounding area;

5 d. Open areas and landing pads are hard-surfaced; and

6 e. The helistop meets all federal requirements, including those for safety,
7 glide angles and approach lanes.

8 **23.50A.008 Maximum size of nonindustrial use**

9 A. Applicability

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

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

16 3. The combined square footage of any one business establishment located on
17 more than one lot is subject to the size limitations on non-industrial uses specified in Table A for
18 23.50A.008.

19 4. In the Industry and Innovation zone, the maximum size of use limits in Table A
20 for 23.50A.008 do not apply to development projects gaining any amount of extra floor area
21 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.

1

2 B. Exceptions to the size limitations in Table A for 23.50A.008 are allowed for a

3 structure existing as of June 1, 2023, in the following:

4 1. A use legally established no later than June 1, 2023, that already exceeds the

5 size limitations listed in Table A for 23.50A.008 may continue.

1 2. The gross floor area of a use listed in Table A for 23.50A.008 and legally
2 established as of June 1, 2023, may be converted to another category of use listed in Table A for
3 23.50A.008 provided that the combined gross floor area devoted to uses listed in Table A for
4 23.50A.008 does not exceed the total gross floor area of such uses legally established as of June
5 1, 2023.

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

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

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

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

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

18 **23.50A.010 Floor area**

19 A. Floor Area Ratio (FAR) limits apply in all Industrial zones as shown in Table A for
20 23.50A.010. The applicable FAR limit applies to the total chargeable floor area of all structures
21 on the lot. Extra floor area above the FAR limits of Table A for 23.50A.010 may be achieved
22 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 |
| <u>IC-30</u> | <u>2.75</u> |
| <u>IC-40</u> | <u>2.75</u> |
| 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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B. Exemptions from FAR calculations

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

- a. All stories, or portions of stories, that are underground;
- b. All gross floor area used for accessory parking, except as provided in subsection 23.50A.010.C;
- c. All gross floor area located on the rooftop of a structure and used for any of the following: mechanical equipment, stair and elevator penthouses, and communication equipment and antennas;

1 d. All gross floor area used for covered rooftop recreational space of a
2 building existing as of June 1, 2023, in an MML zone, if complying with subsection
3 23.50A.004.E; and

4 e. Bicycle commuter shower facilities.

5 2. In addition to areas exempt from FAR calculations in subsection
6 23.50A.010.B.1, within an II 85-240 zone, the following exemptions from FAR calculations
7 apply:

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

10 b. All gross floor area for solar collectors and wind-driven power
11 generators.

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

13 1) General sales and service uses;

14 2) Eating and drinking establishments;

15 3) Entertainment use;

16 4) Public libraries;

17 5) Child care centers;

18 6) Religious facilities; and

19 7) Automotive sales and service.

20 3. In addition to areas exempt from FAR calculations in subsection
21 23.50A.010.B.1, within MML zones, the gross floor area of rooftop recreational space accessory
22 to office use meeting the standards of subsection 23.50A.004.E is exempt from FAR
23 calculations.

1 4. In addition to areas exempt from FAR calculations in subsection
2 23.50A.010.B.1, within the II 125 and II 160 zones space occupied by a vocational, educational,
3 or training institution for activities related to industrial uses is exempt from FAR calculations.

4 C. Within II 85-240, II 125, and II 160 zones, gross floor area used for accessory parking
5 within stories that are completely above finished grade is not exempt, except that in an II 85-240
6 zone, if the Director finds, as a Type I decision, that locating all parking below grade is
7 infeasible due to physical site conditions such as a high water table, contaminated soils
8 conditions, or proximity to a tunnel, and that the applicant has placed or will place the maximum
9 feasible amount of parking below or partially below grade, the Director may exempt all or a
10 portion of accessory parking that is above finished grade. If any exemption is allowed under this
11 subsection 23.50A.010.C, all parking provided above grade shall be subject to the screening
12 requirements of subsection 23.50A.018.H.2.d.

13 **23.50A.012 Extra floor area in Industry and Innovation zones**

14 A. Extra floor area in the II 125 and II 160 zones. In the II 125 and II 160 zones extra
15 floor area may be added above the FAR limit shown in Table A for 23.50A.010 up to the limits
16 shown in Table A for 23.50A.012.

17 1. Projects adding extra floor area pursuant to this Section 23.50A.012 must
18 provide a minimum amount of gross floor area in industrial use as shown in the Minimum
19 Industrial Use FAR column of Table A for 23.50A.012 and the industrial use floor area must
20 meet the following standards:

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

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

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

8 2) Floor-to ceiling (~~clearances~~) heights of at least 16 feet.

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

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

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

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

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

22 3. Tier II. Extra floor area beyond that achieved through Tier I may be added up
23 to the Maximum FAR with Tier II as shown in Table A for 23.50A.012 provided one of the two

1 following conditions are met, and after the amount of extra floor area available in Tier I is
2 exhausted.

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

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

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

14 2) Receiving sites. Only sites in the Industry Innovation zone
15 located in the same Manufacturing Industrial Center as the sending site are eligible receiving
16 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 |

17
18 B. Extra floor area in the II 85 zone. In the II 85 zone extra non-residential floor area may
19 be added above the base FAR limit shown in Table A for 23.50A.010 up to the maximum FAR
20 With Tier I as shown on Table B for 23.50A.012. Five square feet of extra floor area is achieved

1 for every 1 square foot(=) of industrial floor area provided that meets the standards of
 2 subsection 23.50A.012.A.1, except that for industrial use floor area occupied by ICT the ratio
 3 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 |

4

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

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

7 a. Projects in an II 85-240 zone may add chargeable floor area above the

8 base FAR up to the applicable maximum FAR in Table C for 23.50A.012, if

9 Sections 23.58A.022 and 23.58A.024 for extra non-residential floor area and all the applicable

10 conditions of this Chapter 23.50A are satisfied. The provisions of this Section 23.50A.012 apply

11 to lots in an ((~~IC~~)) II 85-240 zone, and only to development exceeding the base FAR.

12 b. The applicant shall make a commitment that the proposed development

13 will meet the green building standard, and shall demonstrate compliance with that commitment,

14 all in accordance with Chapter 23.58D.

15 2. Tier I. Extra floor area up to the Maximum FAR with Tier I may be gained as

16 follows. Twenty-five percent of Tier I extra floor area shall be gained through the transfer of

17 TDR pursuant to this Section 23.50A.012 and 23.58A.042. Seventy-five percent shall be gained

18 as bonus floor area pursuant to Section 23.58A.024, or through the transfer of housing TDR

19 under Section 23.50A.012, or both.

1 a. In an II 85-240 zone, in addition to satisfying the conditions of
2 subsection 23.50A.010.B.1, for development to exceed the base FAR on a lot that has an area of
3 50,000 square feet or more, the Director shall make an individual determination of project
4 impacts on the need for pedestrian facilities and complete a voluntary agreement between the
5 property owner and the City to mitigate identified impacts, if any. The Director may consider the
6 following as impact mitigation:

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

10 2) Sidewalk improvements, including sidewalk widening, to
11 accommodate increased pedestrian volumes and streetscape improvements that will enhance
12 pedestrian comfort and safety; and

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

16 a) Improvements to 6th Avenue South as the primary
17 pedestrian and bicycle corridor connecting new development to the surrounding area and transit
18 facilities;

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

21 4) Improvements to enhance the pedestrian environment, such as
22 providing overhead weather protection, landscaping, and other streetscape improvements; and

1 a) The density or other characteristics of the workers
2 anticipated to occupy the project compared to the presumed office employment population
3 providing the basis for the open space standards applicable under Section 23.49.016; and/or

4 b) Characteristics or features of the project that mitigate the
5 anticipated open space impacts of workers or others using or occupying the project.

6 3. Tier II. In an II 85-240 zone, extra floor area beyond that achieved through Tier
7 I may be added up to the Maximum FAR with Tier II as shown in Table C for 23.50A.012, after
8 the amount of extra floor area available in Tier I is exhausted. Five square feet of extra floor area
9 is achieved for every 1 square foot of industrial floor area provided that it meets the standards of
10 subsection 23.50A.012.A, except that for industrial use floor area occupied by ICT the ratio shall
11 be 4 square feet of extra floor area for every 1 square foot of floor area in ICT use.

| Table C for 23.50A.012 FAR limits for Extra Floor area in the II 85-240 zone | | | |
|---|-------------------------|------------------------------------|-------------------------------------|
| Zone | Base FAR maximum | Maximum FAR with Tier I | Maximum FAR with Tier II |
| II 85-240 | 2 | 4 | 6 |

12
13 D. Offsite performance. Industrial use floor area used to qualify a project for extra floor
14 area allowed through this Section 23.50A.012 may be located offsite if the offsite industrial floor
15 area is located in a new structure that meets the requirements of subsection 23.50A.012.A.1 and
16 is located within the same Manufacturing and Industrial Center as the proposed development
17 gaining extra floor area. The following conditions for offsite performance shall be met.

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

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

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

16 **23.50A.014 Structure height**

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

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

22 B. Except as otherwise stated in the provisions of this Section 23.50A.014 the maximum
23 structure height for any portion of a structure that contains non-industrial uses other than

1 spectator sports facilities whether they are principal or accessory or ancillary, is 45 feet, ((60)) 65
 2 feet, 75 feet, 85 feet, 125 feet, or 160 feet as designated on the Official Land Use Map, Chapter
 3 23.32.

4 C. In the MML, II, and UI zones the maximum height of any portion of a structure within
 5 20 feet of an abutting lot with a residential zone shall be 30 feet.

6 D. Except as may be otherwise provided in this Title 23, the maximum structure height in
 7 IC zones for all uses is as designated on the Official Land Use Map, Chapter 23.32. Maximum
 8 structure height may be increased or reduced as provided in this Section 23.50A.024.E or Section
 9 23.50A.016.

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

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

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

20 **23.50A.016 Structure height exceptions and additional restrictions**

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

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

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

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

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

14 a. The following rooftop features may extend up to 30 feet above the
15 applicable height limit in all industrial zones, subject to the limits of subsection
16 23.50A.016.A.4.b

- 17 1) Solar collectors;
18 2) Stair and elevator penthouses;
19 3) Greenhouses and solariums;
20 4) Mechanical equipment; and
21 5) Minor communication utilities and accessory communication
22 devices, except that height is regulated according to Section 23.57.015.

1 b. The combined total coverage of all features listed in subsection
2 23.50A.016.A.4.a is limited to 35 percent of the roof area, or 60 percent of the roof area if the
3 total includes greenhouses.

4 5. Rooftop screening. In all industrial zones rooftop equipment is subject to the
5 following screening requirements.

6 a. Heating, ventilating, air conditioning or other wall or rooftop
7 mechanical equipment shall be located and directed away from adjacent residential property.

8 b. Screening shall be provided and shall be of a design and material which
9 is compatible with the structure and shall be as high as the equipment to be screened and shall
10 completely surround the equipment.

11 B. Structures existing prior to June 1, 2023, that exceed the height limit of the zone may
12 add the rooftop features listed as conditioned in subsection 23.50A.016.A. The existing roof
13 elevation of the structure is considered the applicable height limit for the purpose of adding
14 rooftop features.

15 C. Covered rooftop recreational space of a building existing as of December 31, 1998,
16 when complying with the provisions of subsection 23.50A.004.E, shall not be subject to the
17 limits on maximum structure heights contained in subsection 23.50A.016.A.2.

18 **23.50A.018 Landscaping, screening, and Green Factor requirements**

19 A. Standards. All landscaping provided to meet requirements under this Section
20 23.50A.018 must meet standards promulgated by the Director to provide for the long-term
21 health, viability, and coverage of plantings. The standards may include, but are not limited to, the
22 type and size of plants, number of plants, concentration of plants, depths of soil, use of low water
23 use plants, and access to light and air for plants.

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

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

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

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

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

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

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

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

18 4. Street trees. When required, street trees shall be provided in the planting strip
19 according to Seattle Department of Transportation tree planting standards. If it is not feasible to
20 plant street trees in the planting strip according to City standards, they shall be planted in a 5-
21 foot-deep landscaped setback area along the street property line. Trees planted in this setback
22 area shall be at least 2 feet from the street lot line. The Director, in consultation with the

1 Director of Transportation, will determine the number, type, and placement of street trees to be
2 provided to:

- 3 a. Improve public safety;
- 4 b. Match trees to the available space in the planting strip;
- 5 c. Maintain and expand the urban forest canopy;
- 6 d. Encourage healthy growth through appropriate spacing; and
- 7 e. Protect utilities; and to allow access to the street, buildings, and lot by
8 vehicles including trucks and industrial equipment.

9 5. Combinations of screening and landscaping requirements

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

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

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

16 C. General landscaping requirements in the UI zones

17 1. Street trees

18 a. Street trees are required as follows.

19 1) Development of either a new structure or an addition to an
20 existing structure, containing more than 4,000 new gross square feet of floor area shall provide
21 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.G.6, blank segments
5 of facades that are 60 feet wide and greater, and within 20 feet of the street lot line shall be
6 screened 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 b. Architectural detailing, artwork, vegetated walls, decorative fencing, or
2 similar features to provide visual interest facing the street lot line, as approved by the Director.

3 F. Uses located on streets that have been designated on Map A for 23.50A.018 shall
4 provide landscaping as outlined in subsections 23.50A.018.F.1 and 23.50A.018.F.2.

5 1. Street trees. Street trees are required along designated street frontages. Street
6 trees shall be provided in the planting strip according to Seattle Department of Transportation
7 tree planting standards.

8 2. Exceptions to street tree requirements

9 a. Street trees required by subsection 23.50A.018.A may be located on the
10 lot within 5 feet but not less than 2 feet from the street lot line instead of in the planting strip if:

11 1) Existing trees and/or landscaping on the lot provide
12 improvements substantially equivalent to those required in this Section 23.50A.018.

13 2) Continuity of landscaping on adjacent properties along the street
14 front is desirable.

15 3) Existing railroad tracks and/or a railroad easement are within 10
16 feet of the paved portion of a street designated on Map A for 23.50A.018.

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

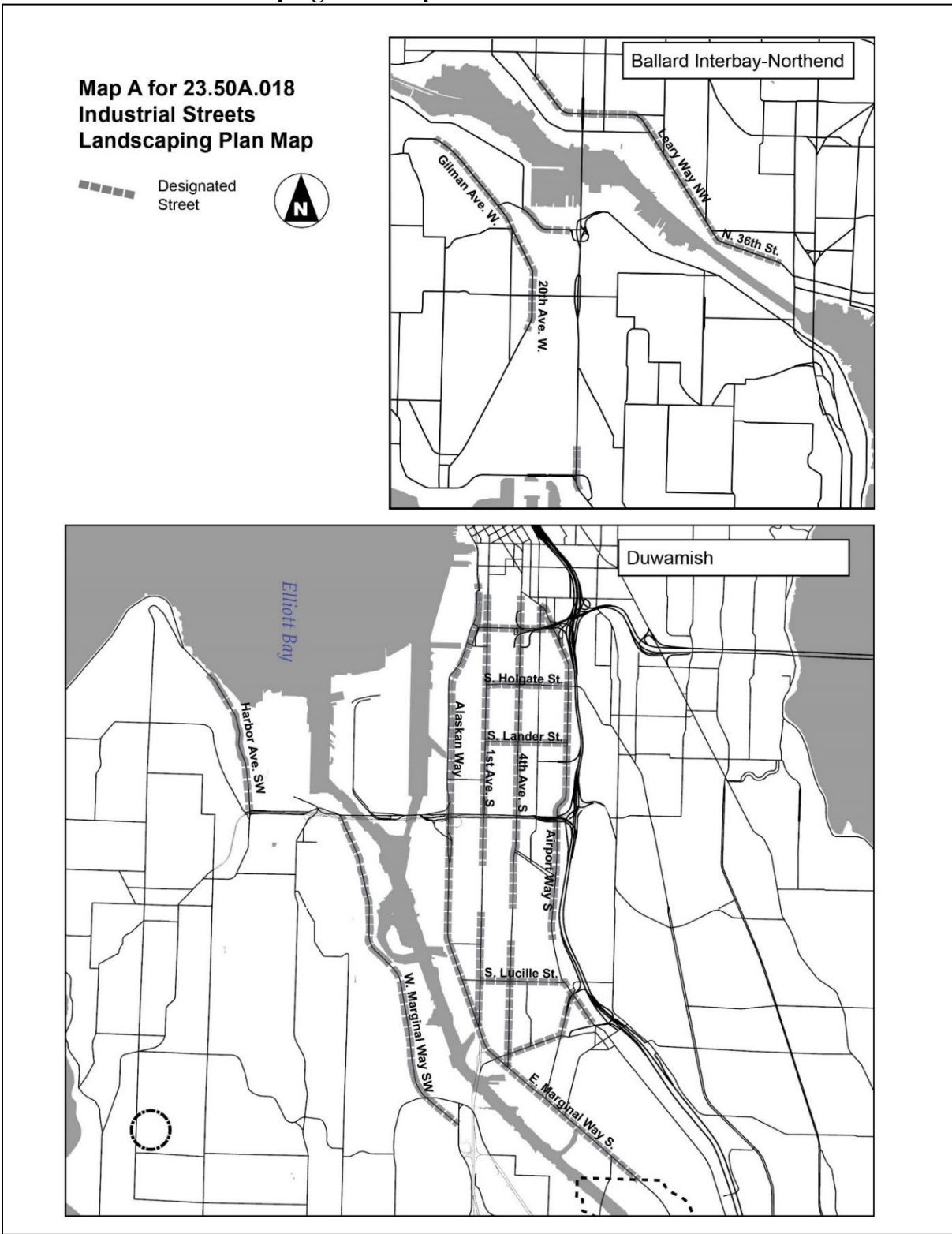
21 c. Street trees shall not be required for an expansion of less than 2,500
22 square feet. Two street trees shall be required for each additional 1,000 square feet of expansion
23 above 2,500 square feet. The maximum number of street trees shall be controlled by Seattle

1 Department of Transportation standards. Rounding, described in subsection 23.86.002.B, is not
2 permitted.

3 d. Street trees are not required if a change of use is the only permit
4 requested.

5 e. Street trees are not required for an expansion of a surface parking area
6 of less than 20 percent of parking area or number of parking spaces.

1 **Map A for 23.50A.018**
2 **Industrial Streets Landscaping Plan Map**



1 G. Additional screening standards and landscaping requirements for specific uses in the
2 UI, II, and IC zones

3 1. Surface parking areas for more than five vehicles

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

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

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

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

18 3) Whether a topographic break between the alley and the
19 residential zone makes screening less necessary.

20 c. If a surface parking area or off-street loading area is directly across a
21 street 80 feet or less in width from a lot in a residential zone, a 5-foot-deep landscaped setback
22 area from the street lot line, including street trees, shall be provided. Three-foot high screening

1 along the edge of the setback, with the landscaping on the street side of the screening, shall be
2 provided.

3 d. If a surface parking area or off-street loading area abuts a lot in a
4 residential zone, view-obscuring screening and a 5-foot-deep landscaped setback area on the
5 inside of the screening shall be provided.

6 e. Surface parking areas for ten or fewer cars shall be screened by 3-foot-
7 high screening along the street lot line.

8 f. Surface parking areas for more than ten cars shall be screened by 3-foot-
9 high screening and street trees along the street lot lines.

10 g. Surface parking areas for more than 50 cars shall provide 3-foot-high
11 screening and street trees along the street lot lines, as well as interior landscaping.

12 2. Parking structures

13 a. If a parking structure is directly across a street 80 feet or less in width
14 from a lot in a residential zone, a 5-foot-deep landscaped setback area from the street lot line,
15 including street trees, shall be provided. The street-facing facade of each floor of parking shall
16 have an opaque screen at least 3.5 feet high.

17 b. If a parking structure abuts a lot in a residential zone, a 5-foot-deep
18 landscaped setback area from the lot line shall be provided unless the parking structure is
19 completely enclosed except for driveway areas. In addition to the landscaped setback, view-
20 obscuring screening shall be provided along abutting lot line(s). If the parking structure is
21 enclosed by a solid wall, any setback area provided within 5 feet of the abutting lot lines shall be
22 landscaped. The abutting facade of each floor of parking not enclosed by a solid wall shall have
23 an opaque screen at least 3.5 feet high.

1 c. If a parking structure is across an alley from a lot in a residential zone, a
2 5-foot-deep landscaped setback area from the alley lot line shall be provided, unless the parking
3 structure is completely enclosed, except for driveway areas. Three-foot-high screening along the
4 facade facing the alley with the landscaping on the alley side of the screening shall be provided.
5 If the parking structure is enclosed by a solid wall, any setback area provided within 5 feet of the
6 alley lot line shall be landscaped. The abutting or alley facade of each floor of parking shall have
7 an opaque screen at least 3.5 feet high.

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

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

12 3. Outdoor sales and outdoor display of rental equipment

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

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

20 4. Drive-in businesses

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

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

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

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

8 5. Outdoor storage and outdoor loading berths

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

12 b. If the outdoor storage or outdoor loading berth is directly across a street
13 80 feet or less in width from a lot in a residential zone, view-obscuring screening shall be
14 provided. A 5-foot-deep landscaped area including street trees shall be provided between the lot
15 line and the view-obscuring screening.

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

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

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

4 6. Solid waste transfer stations

5 a. Solid waste transfer stations greater than 60,000 square feet in lot area
6 shall provide landscaping meeting a minimum Green Factor score of 0.40, pursuant to Section
7 23.86.019. If the transfer station is part of a development located on separate parcels within 200
8 feet of each other, Green Factor scoring may be calculated for the multiple parcels considered as
9 a whole. If the parcels are in zones having different Green Factor minimum scores, the
10 development considered as a whole shall meet the highest applicable, minimum Green Factor
11 score.

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

14 7. Fences or free-standing walls associated with utility services uses may obstruct
15 or allow views to the interior of a site. Where site dimensions and site conditions allow,
16 applicants are encouraged to provide both a landscaped setback between the fence or wall and
17 the right-of-way, and a fence or wall that provides visual interest facing the street lot line,
18 through the height, design, or construction of the fence or wall, including the use of materials,
19 architectural detailing, artwork, vegetated walls, decorative fencing, or similar features. If
20 abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or
21 free-standing walls for a utility services use must provide either:

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

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

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

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

8 2. Parking at street level

9 a. Parking is not permitted at street level within a structure along a lot line
10 abutting a street bounding the Downtown Urban Center or a street shown on Map A for
11 23.50A.018, unless separated from the street by other uses, except that garage and loading doors
12 and access to parking need not be separated.

13 b. Parking is permitted at street level within a structure along a street lot
14 line abutting a street not specified in subsection 23.50A.018.H.2.a. subject to the following
15 requirements:

16 1) Any parking not separated from the street lot line by another use
17 is screened from view at the street level, except that garage and loading doors and access to
18 parking need not be screened.

19 2) The facade facing the street lot line is enhanced by architectural
20 detailing, artwork, landscaping, or similar visual interest features.

21 c. Parking above street level. Parking is not permitted above street level
22 unless it is separated from abutting street lot lines by another use, except that for structures

1 located on a lot that is less than 150 feet in depth, as measured from the lot line with the greatest
2 street frontage, parking is permitted above the first story under the following conditions:

3 1) One story of parking shall be permitted above the first story of a
4 structure for each story of parking provided below grade that is of at least equivalent capacity, up
5 to a maximum of two stories of parking above the first story.

6 2) Above the first story of a structure, parking is permitted up to a
7 maximum of 70 percent of the length of each street-facing facade. Any additional parking must
8 be separated from the street by another use. For structures located on corner lots, separation by
9 another use shall be provided at the corner portion(s) of the structure for a minimum of 15
10 percent of the length of each street-facing facade.

11 d. For all parking located on stories above street level that is not separated
12 from the street by another use, the parking shall be screened from view at street level, and,
13 through the use of materials, fenestration, or other architectural treatment, the screening shall be
14 designed to provide visual interest and to integrate the screened portions of the building facade
15 with the overall design of the structure's street-facing facades.

16 e. The Director may permit, as a Type I decision, exceptions to subsection
17 23.50A.018.H.2.b.1 to permit more parking above street level than otherwise allowed, if the
18 Director finds that locating permitted parking below grade is infeasible due to physical site
19 conditions such as a high-water table, contaminated soil conditions, or proximity to a tunnel. In
20 such cases, the Director shall determine the maximum feasible amount of parking that can be
21 provided below grade, if any, and the amount of additional parking to be permitted above street
22 level.

1 **23.50A.020 View corridors**

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

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

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

9 **23.50A.022 Venting standards**

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

12 **23.50A.024 Odor sources standards**

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

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

16 a. Lithographic, rotogravure, or flexographic printing;

17 b. Film burning;

18 c. Fiberglassing;

19 d. Selling of gasoline and/or storage of gasoline in tanks larger than 260
 20 gallons;

21 e. Handling of heated tars and asphalts;

22 f. Incinerating (commercial);

23 g. Metal plating;

~~D2a-D3~~

- 1 h. Tire buffing;
- 2 i. Vapor degreasing;
- 3 j. Wire reclamation;
- 4 k. Use of boilers (greater than 106 British thermal units per hour, 10,000

5 pounds steam per hour, or 30 boiler horsepower);

- 6 l. The production or processing of marijuana products by a major
- 7 marijuana activity; and

- 8 m. Other uses creating similar odor impacts.

9 2. Uses that employ the following processes shall be considered major odor
 10 sources, unless the entire activity is conducted as part of a commercial use other than food
 11 processing or heavy commercial services:

- 12 a. Cooking of grains;
- 13 b. Smoking of food or food products;
- 14 c. Fish or fishmeal processing;
- 15 d. Coffee or nut roasting;
- 16 e. Deep-fat frying;
- 17 f. Dry cleaning;
- 18 g. Animal food processing; and
- 19 h. Other uses creating similar odor impacts.

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

22 C. When an application is made in an industrial zone for a use which is determined to be
 23 a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency, shall

1 determine the appropriate measures to be taken by the applicant to significantly reduce potential
2 odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans
3 submitted to the Director and may be required as conditions for the issuance of any permit. Once
4 a permit has been issued, any measures which were required by the permit shall be maintained.

5 **23.50A.026 Light and glare standards**

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

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

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

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

14 1. Any structure is proposed to have facades of reflective coated glass or other
15 highly reflective material, and/or a new structure or expansion of an existing structure greater
16 than 65 feet in height is proposed to have more than 30 percent of the facades comprised of clear
17 or tinted glass; and

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

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

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

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

- 3 1. Minimizing the percentage of exterior facade that is composed of glass;
- 4 2. Using exterior glass of low reflectance;
- 5 3. Tilting glass areas to prevent glare which could affect arterials, pedestrians or
 6 surrounding structures;
- 7 4. Alternating glass and nonglass materials on the exterior facade; and
- 8 5. Changing the orientation of the structure.

9 **23.50A.028 Mandatory housing affordability (MHA)**

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

12 **23.50A.030 Major Phased Development**

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

- 16 1. A minimum site size of 60,000 square feet, where the site is composed of
 17 contiguous parcels. Parcels across a right-of-way including diagonal corners of an intersection
 18 shall be considered contiguous;
- 19 2. The project, which at time of application shall be a single, functionally
 20 interrelated campus, contains more than one building, with a minimum total gross floor area of
 21 100,000 square feet; and
- 22 3. The first phase of the development consists of at least 30,000 square feet in
 23 gross building floor area.

1 4. All land within the Major Phased Development must be within the same
2 industrial zone.

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

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

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

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

14 4. Expiration or renewal of a permit for the first phase of a Major Phased
15 Development is subject to the provisions of Chapter 23.76. The Director shall determine the
16 expiration date of a permit for subsequent phases of the Major Phased Development through the
17 analysis provided for in this subsection 23.84A.030.B; such expiration shall be no later than 15
18 years from the date of issuance.

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

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

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

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

5 1. A minor amendment meets the following criteria:

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

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

12 c. No significantly greater impact would occur.

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

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

22 E. Abandonment of a Major Phased Development. If a residential use is constructed as a
23 part of a Major Phased Development and subsequent phases of that major phased development

1 are abandoned, no additional residential use shall be permitted on any of the land contained
2 within the area of the Major Phased Development for 75 years from the date of the expiration or
3 abandonment of the Major Phased Development permit.

4 **23.50A.032 Water quality – Best management practices**

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

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

13 **23.50A.034 Parking and loading areas**

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

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

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

21 **23.50A.036 Transportation management programs in the Industry and Innovation zone**

22 A. When a development is proposed that is expected to generate 50 or more employee
23 single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and

1 implement a Transportation Management Program (TMP) consistent with requirements for
2 TMPs in any applicable Director's Rule.

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

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

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

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

19 **23.50A.038 Nonconformity to development standards**

20 A. Industrial uses nonconforming to development standards. The provisions of Chapter
21 23.42 apply except as provided in subsection 23.50A.038.B.

22 B. When a structure in an industrial zone that contains 50 percent or more of its floor area
23 in an industrial use as identified in Table A for 23.50A.004 that was legally established by June

1 1, 2023, the structure may expand in a manner that maintains or increases the degree of
 2 nonconformity to standards set out in Sections 23.50A.008, 23.50A.010.A, 23.50A.018,
 3 23.53.006, 23.53.020, and 23.54.015 only to the extent necessary to allow the expansion,
 4 provided that the amount of floor area in industrial use does not decrease from the amount of
 5 floor area that was legally established prior to the expansion.

6 Section 9. Section 23.53.006 of the Seattle Municipal Code, last amended by Ordinance
 7 126685, is amended as follows:

8 **23.53.006 Pedestrian access and circulation**

9 * * *

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

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

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

21 3. On arterials, except in (~~IG1 and IG2 zones and on lots in IB zones that are not~~
 22 ~~directly across the street from or abutting a lot in a residential or commercial zone~~) the MML
 23 zone, sidewalks, curbs, and curb ramps are required when new lots, other than unit lots, are

1 created through the full or short subdivision platting process or when development is proposed.

2 Sidewalks, curbs, and curb ramps are required only for the portion of the lot that abuts the
 3 arterial.

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

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

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

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

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

21 E. Requirements for pedestrian walkways in ~~((central industrial zones))~~ the MML zone.
 22 In ~~((IG1 and IG2 zones, and on lots in IB zones that are not directly across the street from or~~
 23 ~~abutting a lot in a residential or commercial zone,))~~ the MML zone, when development is

1 proposed on existing streets that do not have curbs, and when sidewalks are not otherwise
 2 required by subsection 23.53.006.D, a pedestrian walkway with accessible crossings is required,
 3 except as provided in subsection 23.53.006.F.

4 F. Exceptions. The following exceptions to pedestrian access and circulation
 5 requirements and standards apply:

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

- 8 a. Change of use;
- 9 b. Alterations to existing structures;
- 10 c. Additions to existing structures that are exempt from environmental
 11 review;
- 12 d. Construction of a detached structure accessory to a single-family
 13 dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized
 14 by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that
 15 agreement is recorded with the King County Recorder;

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

- 20 1) The lot is on a block front where there are no existing pedestrian
 21 access and circulation improvements within 100 feet of the lot; or
- 22 2) Construction of pedestrian access and circulation improvements
 23 is not necessary because, for example, the existing right-of-way has suitable width and surface

1 treatment for pedestrian use; or the existing right-of-way has a limited amount of existing and
 2 potential vehicular traffic; or the Director anticipates limited, if any, additional development near
 3 the lot because the development near the lot is at or near zoned capacity under current zoning
 4 designations;

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

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

- 11 1) Fewer than ten artist's studio dwellings;
 12 2) Less than 750 square feet of gross floor area of major and minor
 13 vehicle repair uses and multipurpose retail sales; and
 14 3) Less than 4,000 square feet of gross floor area of non-residential
 15 uses not listed in subsection 23.53.006.F.1.g.2; and

16 h. Construction of a new non-residential structure of up to 4,000 square
 17 feet of gross floor area if the structure is at least 50 feet from any lot line abutting an existing
 18 street that does not have pedestrian access and circulation improvements.

19 2. Waiver or modification of pedestrian access and circulation requirements. ~~((a-))~~
 20 The Director, in consultation with the Director of Transportation, may waive or modify
 21 pedestrian access and circulation requirements when one or more of the following conditions are
 22 met. The waiver or modification shall provide the minimum relief necessary to accommodate site
 23 conditions while maximizing pedestrian access and circulation.

1 ((1)) a. Location in an environmentally critical area or buffer makes
2 installation of a sidewalk, curb, and/or curb ramp structurally impracticable or technically
3 infeasible;

4 ((2)) b. The existence of a bridge, viaduct, or structure such as a
5 substantial retaining wall in proximity to the project site makes installation of a sidewalk, curb,
6 and/or curb ramp structurally impracticable or technically infeasible;

7 ((3)) c. Sidewalk, curb, and/or curb ramp construction would result in
8 undesirable disruption of existing drainage patterns, or disturbance to or removal of natural
9 features such as significant trees or other valuable and character-defining mature vegetation; or

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

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

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

1 Section 10. Section 23.53.010 of the Seattle Municipal Code, last amended by Ordinance
 2 126685, is amended as follows:

3 **23.53.010 Improvement requirements for new streets in all zones**

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

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

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

11 2. Nonarterials not in downtown zones(~~(-)~~)

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

14 **(~~(Table A for Section 23.53.010)~~)**

| <u>Table A for 23.53.010</u> <u>Required right-of-way width for new streets in all zones</u> | |
|---|---|
| <u>Zone ((Category)) category</u> | <u>Required ((Right-of-Way Width)) 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, MML | 66 ((feet)) |

15
 16 b. If a block is split into more than one zone, the required right-of-way
 17 width is determined based on the requirement in Table A for (~~(Section)~~) 23.53.010 for the zone
 18 category with the most frontage. If the zone categories have equal frontage, the one with the
 19 wider requirement shall be used to determine the minimum right-of-way width.

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

6 Section 11. Section 23.53.020 of the Seattle Municipal Code, last amended by Ordinance
7 126682, is amended as follows:

8 **23.53.020 Improvement requirements for existing streets in industrial zones**

9 A. General requirements

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

- 14 a. Pavement;
- 15 b. Drainage;
- 16 c. Grading to future right-of-way grade;
- 17 d. Design of structures to accommodate future right-of-way grade;
- 18 e. No-protest agreements; and
- 19 f. Planting of street trees and other landscaping.

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

22 2. Subsection 23.53.020.E contains exceptions from the standard requirements for
23 street improvements, including exceptions for streets that already have curbs, projects that are

1 smaller than a certain size, and for special circumstances, such as location in an environmentally
2 critical area.

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

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

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

10 6. Minimum right-of-way widths

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

14 b. Non-arterials

15 1) The minimum right-of-way width for an existing street that is
16 not an arterial designated on the Arterial street map, Section 11.18.010, is as shown on Table A
17 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 |

18
19 2) If a block is split into more than one zone, the zone category
20 with the most frontage shall determine the minimum width on Table A for 23.53.020. If the zone

1 categories have equal frontage, the one with the wider requirement shall be used to determine the
 2 minimum right-of-way width.

3 B. Improvements on designated streets in all industrial zones. In all industrial zones,
 4 except as provided in subsection 23.53.020.E, if a lot abuts a street designated on Map A for
 5 ~~((23.50.016))~~ 23.50A.018, the following on-site improvements shall be provided:

6 1. Dedication requirement. If the street right-of-way is less than the minimum
 7 width established in subsection 23.53.020.A.6, dedication of additional right-of-way equal to half
 8 the difference between the current right-of-way and the minimum right-of-way width established
 9 in subsection 23.53.020.A.6 is required; provided, however, that if right-of-way has been
 10 dedicated since 1982, other lots on the block are not required to dedicate more than that amount
 11 of right-of-way.

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

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

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

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

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

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

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

7 C. General Industrial 1 and General Industrial 2 (IG1 and IG2 zones) and Maritime,
8 Manufacturing, and Logistics (MML) zone. Except as provided in subsection 23.53.020.E, the
9 following improvements shall be required in IG1₁, ~~((and))~~ IG2₂, ~~((zones))~~ and the MML zones, in
10 addition to the pedestrian access and circulation requirements of Section 23.53.006. Further
11 improvements may be required on streets designated in subsection 23.53.020.B.

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

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

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

6 4. Dead-end streets. Streets that form a dead end at the property to be developed
 7 shall be improved with a cul-de-sac or other vehicular turnaround as specified in the Streets
 8 Illustrated Right-of-Way Improvements Manual or successor. The Director, after consulting with
 9 the Director of the Seattle Department of Transportation, shall determine whether the street has
 10 the potential for being extended or whether it forms a dead end because of topography and/or the
 11 layout of the street system.

12 5. No-protest agreement requirement. When a setback is required by subsection
 13 23.53.020.C.1, or a pedestrian walkway is required as specified in Section 23.53.006, a no-
 14 protest agreement to future street improvements shall be required, as authorized by chapter 35.43
 15 RCW. The agreement shall be recorded with the King County Recorder.

16 D. Industrial Buffer (IB) , Urban Industrial (UI), Industry and Innovation (II), and
 17 Industrial Commercial (IC) zones. Except as provided in subsection 23.53.020.E, the following
 18 improvements are required in ~~((IB))~~ UI, II, and IC zones, in addition to the pedestrian access and
 19 circulation requirements of Section 23.53.006. Further improvements may be required on streets
 20 designated in subsection 23.53.020.B. ~~((+))~~ The requirements of this subsection
 21 23.53.020.D~~((+))~~ shall apply when development projects are proposed on lots in ~~((IB zones that~~
 22 ~~are directly across a street from, or that abut, a lot in a residential or commercial zone and to))~~ all
 23 ~~((projects in))~~ UI, II, and IC zones:

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

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

7 ((2)) b. If necessary to accommodate the right-of-way widths specified in
8 the Streets Illustrated Right-of-Way Improvements Manual or successor, dedication of right-of-
9 way shall be required.

10 ((b-)) 2. Improvements to non-arterial streets

11 ((+)) a. Non-arterial streets with right-of-way greater than or equal to the
12 minimum right-of-way width((-))

13 ((a)) 1) Improvement requirements. When an existing non-arterial
14 street right-of-way is greater than or equal to the minimum right-of-way width established in
15 subsection 23.53.020.A.6, a paved roadway with pedestrian access and circulation as required by
16 Section 23.53.006, drainage facilities, and any landscaping required by the zone in which the lot
17 is located shall be provided in the portion of the street right-of-way abutting the lot, as specified
18 in the Streets Illustrated Right-of-Way Improvements Manual or successor. Development in the
19 Industry and Innovation zone abutting the SODO Trail shall contribute to pedestrian access and
20 circulation on the trail for the portion of the development fronting the trail.

21 ((b)) 2) Fire apparatus access. If the lot does not have vehicular
22 access from a street or private easement that meets the regulations for fire apparatus access roads
23 in Chapter 22.600, such access shall be provided. When an existing street does not meet these

1 regulations, the Chief of the Fire Department may approve an alternative that provides adequate
2 emergency vehicle access.

3 ((e)) 3) Dead-end streets. Streets that form a dead end at the
4 property to be developed shall be improved with a cul-de-sac or other vehicular turnaround as
5 specified in the Streets Illustrated Right-of-Way Improvements Manual or successor. The
6 Director, after consulting with the Director of the Seattle Department of Transportation, shall
7 determine whether the street has the potential for being extended or whether it forms a dead end
8 because of topography or the layout of the street system.

9 ((z)) b. Non-arterial streets with less than the minimum right-of-way
10 width

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

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

22 ((e)) 3) Fire apparatus access. If the lot does not have vehicular
23 access from a street or private easement that meets the regulations for fire apparatus access roads

1 in Chapter 22.600, such access shall be provided. When an existing street does not meet these
2 regulations, the Chief of the Fire Department may approve an alternative that provides adequate
3 emergency vehicle access.

4 ~~((4))~~ 4) Dead-end streets. Streets that form a dead end at the
5 property to be developed shall be improved with a cul-de-sac or other vehicular turnaround as
6 specified in the Streets Illustrated Right-of-Way Improvements Manual or successor. The
7 Director, after consulting with the Director of Seattle Department of Transportation, shall
8 determine whether the street has the potential for being extended or whether it forms a dead end
9 because of topography or the layout of the street system.

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

13 E. Exceptions

14 1. Streets with existing curbs

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

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

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

3 2. Projects with reduced improvement requirements. The following types of
4 projects are exempt from all dedication and improvement requirements of subsections
5 23.53.020.B, 23.53.020.C, and 23.53.020.D, but shall meet the pedestrian access and circulation
6 requirements specified in Section 23.53.006 and the requirements of subsection 23.53.020.E.1.b
7 if the street right-of-way abutting the lot has less than the minimum right-of-way width
8 established in subsection 23.53.020.A or does not meet the grade of future street improvements.

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

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

12 c. Nonresidential structures that have less than 4,000 square feet of gross
13 floor area and that do not contain uses listed in subsection 23.53.020.E.2.b that are larger than
14 750 square feet;

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

18 e. Remodeling and use changes within existing structures;

19 f. Additions to existing structures that are exempt from environmental
20 review; and

21 g. Expansions of surface parking, outdoor storage, outdoor sales, or
22 outdoor display of rental equipment of less than 20 percent of the parking, storage, sales or
23 display area, or number of parking spaces.

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

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

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

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

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

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

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

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

8 h. Widening or improving the right-of-way is not necessary because it is
9 adequate for current and potential vehicular traffic, for example, due to the limited number of
10 lots served by the development or because the development on the street is at zoned capacity.

11 Section 12. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance
12 126685, is amended as follows:

13 **23.54.015 Required parking and maximum parking limits**

14 * * *

15 C. Maximum parking limits for specific zones or areas

16 1. In the Stadium Transition Area Overlay District certain uses are subject to a
17 maximum parking ratio pursuant to subsection 23.74.010.A.1.b. When there are multiple uses
18 on a lot, the total parking requirement for all uses subject to a maximum ratio cannot exceed
19 the aggregate maximum for those uses under Section 23.74.010.

20 2. In all commercial zones, except C2 zones outside of urban villages, no more
21 than 145 spaces per lot may be provided as surface parking or as flexible-use parking.

22 3. In all multifamily zones, commercial uses are limited to no more than ten
23 parking spaces per business establishment.

1 4. In the Northgate Overlay District, the Director may permit parking to exceed
 2 applicable maximum parking limits as a Type I decision pursuant to Chapter 23.76 if:

3 a. The parking is provided in a structure according to a joint-use parking
 4 agreement with King County Metro Transit; and

5 b. It can be demonstrated to the satisfaction of the Director through a
 6 parking demand study that the spaces are only needed to meet evening and weekend demand or
 7 as overflow on less than ten percent of the weekdays in a year, and the spaces shall otherwise
 8 be available for daytime use by the general public.

9 5. Notwithstanding the minimum parking requirements set out in Table A for
 10 23.54.015, in the Industry and Innovation zones, the maximum parking ratio for all uses is one
 11 space per 1,000 square feet of gross floor area.

12 * * *

| 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 |

~~D2a-D3~~

| Table A for 23.54.015 | | | | |
|--|-------------------------------------|--|----------------------------------|--|
| Required parking for non-residential uses other than institutions | | | | |
| Use | | | Minimum parking required | |
| | 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 |
| | 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 |

| Table A for 23.54.015 | | |
|---|--|--------------------------------------|
| Required parking for non-residential uses other than institutions | | |
| Use | | Minimum parking required |
| | H.4. | Rail transit facilities |
| | H.5. | Transportation facilities, air |
| | H.6. | Vehicle storage and maintenance uses |
| I. | UTILITIES | |
| 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 | |
| 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 | |
| L. | Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504 | |
| M. | <u>Non-residential uses permitted in II zones</u> | |
| <p>Footnotes for Table A for 23.54.015</p> <p>¹ No parking is required for urban farms or community gardens in residential zones.</p> <p>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.</p> | | |

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

| Use | Minimum parking required |
|--|--------------------------|
| 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. | |

* * *

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

23.58B.040 Mitigation of impacts - payment option

* * *

| 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> |

~~D2-D3~~

| | | | |
|--|-----------------------|-----------------------|-----------------------|
| ((IC 85-175)) II 85-240 | \$10.00 | \$10.00 | \$10.00 |
| <u>All other II zones</u> | <u>Not applicable</u> | <u>Not applicable</u> | <u>Not applicable</u> |
| 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 |

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Section 14. Section 23.58B.050 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.58B.050 Mitigation of impacts - performance option

* * *

| 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 |

~~D2-D3~~

| 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 |
| ((IC 85-175)) II 85-240 | 6.1% | 6.1% | 6.1% |
| All other II zones | Not applicable | Not applicable | Not applicable |
| 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% |

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Section 15. Section 23.74.002 of the Seattle Municipal Code, enacted by Ordinance 119972, is amended as follows:

23.74.002 Purpose, intent, and description of the overlay district—Rezone requirement—Rezone criteria((-))

A. Purpose and ~~((Intent))~~ intent. The purpose of this ~~((chapter))~~ Chapter 23.74 is to implement the City's Comprehensive Plan, including the neighborhood plan for the Greater Duwamish Manufacturing/Industrial Center, by establishing a Stadium Transition Area Overlay District for the area shown on ~~((Exhibit 23.74.004 A))~~ Map A for 23.74.004. The Stadium Transition Area centers on large sports facilities and allows uses complementary to them. It is intended to contribute to a safer pedestrian environment for those attending events and permits a mix of uses, supporting the pedestrian-oriented character of the area as well as the surrounding industrial zone, while minimizing conflicts with industrial uses. Within the overlay district, use provisions and development standards are designed to create a pedestrian

1 connection with downtown; discourage encroachment on nearby industrial uses to the south;
 2 and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office
 3 development, restaurants, lodging, and maker uses and arts, is intended to encourage
 4 redevelopment and to maintain the health and vibrancy of the area during times when the
 5 sports facilities are not in operation.

6 B. Relationship to ~~((Surrounding Activity of Areas Located Within))~~ surrounding
 7 activity of areas located within the District. The District is an area where stadiums and similar
 8 major, regional attractions are located, in which transportation and other infrastructure can
 9 support additional development. It is an area surrounded by land with widely varying
 10 development patterns and land use characteristics including the mixed use urban development
 11 of south Downtown, Pioneer Square, the working waterfront, and the industrial area. The
 12 desired relationship of the Stadium Transition Area is with Pioneer Square and First Avenue,
 13 permitting strong pedestrian and transit links to the north. There should be well-defined edges
 14 between the pedestrian activity of the Stadium Transition Area and industrial activity
 15 surrounding it. The portion of Fourth Avenue South that is north of Royal Brougham and the
 16 main line railroad tracks create a strong edge to the east and should be the eastern boundary.
 17 South Holgate Street, the first major cross street to the south of the ~~((Safeo Field))~~
 18 professional baseball stadium, should be the southern boundary. Boundaries should not be
 19 shifted farther into the industrial area.

20 C. Rezones resulting in ~~((Boundary Changes))~~ boundary changes to the Stadium
 21 Transition Overlay Area District. A rezone pursuant to Chapter 23.34 shall be required to
 22 change the established boundaries of the Stadium Transition Area Overlay District. A rezone
 23 shall be subject to the provisions of Chapter 23.76~~((Procedures for Master Use Permits and~~

1 ~~Council Land Use Decisions~~). Areas to be included within the District boundaries shall be
 2 compatible with the purpose and intent as stated in this ~~(section)~~ Section 23.74.002, and shall
 3 either be areas developed as major spectator sports facilities, or areas that meet the criteria for
 4 Industrial Commercial or Urban Industrial zoning and are along preferred pedestrian routes
 5 that can provide safe and attractive passage for pedestrians between the stadiums and retail
 6 areas and transit service.

7 Section 16. Section 23.74.006 of the Seattle Municipal Code, enacted by Ordinance
 8 119972, is amended as follows:

9 **23.74.006 Application of ~~(Regulations.)~~ regulations**

10 Land located within the Stadium Transition Area Overlay District, as shown on ~~(Exhibit~~
 11 ~~23.74.004 A)~~ Map A for 23.74.004, is subject to the regulations of the underlying zone except
 12 as otherwise expressly provided in this ~~(chapter)~~ Chapter 23.74. In the event of a conflict
 13 between the provisions of this ~~(chapter)~~ Chapter 23.74 and the underlying zone, the
 14 provisions of this ~~(chapter)~~ Chapter 23.74 apply. ~~((Where the provisions of the underlying~~
 15 ~~zone are more restrictive, that is not considered a conflict and compliance with the provisions~~
 16 ~~of the underlying zone is required, except as specifically provided in this chapter. Where the~~
 17 ~~provisions of this chapter are more restrictive, compliance with this provisions is required,~~
 18 ~~subject to any departures that may be authorized pursuant to design review under Section~~
 19 ~~23.41.012 and to provisions for nonconforming uses and structures in Sections 23.50.008 and~~
 20 ~~23.50.010.))~~

21 Section 17. Section 23.74.008 of the Seattle Municipal Code, last amended by Ordinance
 22 125558, is amended as follows:

23 **23.74.008 Uses~~(±)~~**

1 Notwithstanding the use provisions of the underlying zone, the following use provisions apply:

2 ~~((A. The following uses are permitted outright:~~

- 3 ~~1. Medical services;~~
 4 ~~2. Museums;~~
 5 ~~3. Community clubs or centers;~~
 6 ~~4. Private clubs; and~~
 7 ~~5. Religious facilities.~~

8 ~~B))A.~~ The following uses are permitted in buildings existing on ~~((September 1, 1999))~~

9 June 1, 2023:

- 10 1. Artist's studio/dwellings;
 11 2. Major institutions.

12 ~~((C))B.~~ The following uses are prohibited:

- 13 1. Heavy manufacturing uses;
 14 2. High-impact uses;
 15 3. Solid waste management;
 16 4. Recycling uses;
 17 5. Animal shelters and kennels;
 18 6. Veterinary offices;
 19 7. Pet grooming;
 20 8. Airports, land and water based;
 21 9. Hospitals;
 22 10. Elementary and secondary schools;
 23 11. Drive-in businesses~~((-except))~~ including gas stations;

- 1 12. Bus bases;
- 2 13. Flexible-use parking¹; and
- 3 (~~14. Lodging uses; and~~
- 4 ~~15. Colleges²;~~)
- 5 14. (~~(Multifamily residential use)~~) Residential uses otherwise allowed as an
- 6 administrative conditional use in the Urban Industrial zone pursuant to subsection
- 7 23.50A.006.B.3.

8 ¹ Parking required for a spectator sports facility or exhibition hall is allowed and shall be
 9 permitted to be used for flexible-use parking or shared with another such facility to meet its
 10 required parking. A spectator sports facility or exhibition hall within the Stadium Transition
 11 Overlay Area District may reserve non-required parking only outside the overlay district and
 12 only if:

13 (a) The parking is owned and operated by the owner of the spectator sports facility or
 14 exhibition hall; and

15 (b) The parking is reserved for events in the spectator sports facility or exhibition hall;
 16 and

17 (c) The reserved parking is south of South Royal Brougham Way, west of 6th Avenue
 18 South and north of South Atlantic Street. Parking that is provided to meet required parking will
 19 not be considered reserved parking.

20 (~~(² Training facilities for industrial trades operated by colleges and universities are permitted.)~~)

21 Section 18. Section 23.74.009 of the Seattle Municipal Code, enacted by Ordinance
 22 119972, is amended as follows:

23 **23.74.009 Height(~~(=)~~)**

1 A. Within the Stadium Transition Area Overlay District, maximum height limits of the
2 underlying zone are not applicable to spectator sports facilities.

3 B. Parking garages accessory to spectator sports facilities north of South ((~~Royal~~
4 ~~Brougham Way~~)) Massachusetts Street may exceed the height limit if all the conditions in this
5 subsection 23.74.009.B are satisfied.

6 ((~~1. A Master Use Permit ("MUP") decision to permit the parking garage was~~
7 ~~issued before June 12, 2000.~~

8 ~~2. Any height above the maximum height permitted by such MUP decision is~~
9 ~~allowed by the Director pursuant to applicable provisions of this title for modification of such~~
10 ~~decision.))~~

11 ((~~3.~~) 1. The total height of the parking garage does not exceed 130 feet. ((~~If~~
12 ~~additional height is granted as described in subsection B2 above, exemptions for rooftop~~
13 ~~features from height limits of the underlying zone shall apply only to the extent the Director~~
14 ~~determines such features and exemptions are necessary to the operation of the structure.))~~

15 ((~~4.~~) 2. All floor area above the maximum height allowed by such MUP
16 decision is used as parking required for the spectator sports facility, or for storage or meeting
17 space accessory to the spectator sports facility or exhibition hall, except that the top floor or
18 the rooftop may contain other permitted uses.

19 C. The height limit for areas zoned UI-U/85 in the Stadium Transition Area Overlay
20 District shall be 85 feet, except for land bounded by 1st Avenue South at the east, Colorado
21 Avenue South at the west, South Atlantic Street at the south, and within 320 linear feet north of
22 South Atlantic Street at the north, which shall have a height limit of 65 feet.

1 Section 19. Section 23.74.010 of the Seattle Municipal Code, last amended by Ordinance
2 125791, is amended as follows:

3 **23.74.010 Development standards**

4 * * *

5 B. For the areas marked on Map A for 23.74.010, the following development standards
6 and provisions apply to all uses and structures except for spectator sports facilities:

7 1. Floor area ratio (FAR) ~~((and floor area))~~ limits

8 a. The maximum FAR for all uses is ~~((3.25))~~ 4.5. ~~((FAR limits of the~~
9 ~~underlying zone do not apply.~~

10 b. ~~The gross floor area limits for certain uses in subsection~~
11 ~~23.50.027.A.1, including limits based on lot area, do apply.))~~

12 b. In addition to the FAR exemptions in subsection 23.50A.010.B, the
13 first 25,000 square feet of street-level general sales and service, medical services, eating and
14 drinking establishments, or lodging uses on any lot are exempt from the maximum FAR limit.

15 ~~((2. Exemptions. In addition to the FAR exemptions in subsection 23.50.028.E,~~
16 ~~the first 75,000 square feet of street-level general sales and service, medical services, animal~~
17 ~~shelters or kennels, automotive sales and services, marine sales and services, eating and~~
18 ~~drinking establishments, or lodging uses on any lot are exempt from the maximum FAR~~
19 ~~limit.))~~

20 2. Maximum size of use limits

21 a. If a development provides an amount of gross floor area that totals at
22 least 0.4 times the lot area in qualifying industrial uses as indicated in Table A for 23.50A.004

1 and meeting the standards of subsection 23.50A.012.A.1.b, the development is exempt from all
 2 maximum size of use limits.

3 b. Developments not exempt from the maximum size of use limits
 4 according subsection 23.74.010.A are subject to the maximum size of use limits shown in
 5 Table A for 23.74.010.

| <u>Table A for 23.74.010</u> | |
|---|---|
| <u>Maximum size of use limits in the Stadium Transition Area Overlay District*</u> | |
| <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>25,000</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>20,000</u> |
| <u>Key for Table A for 23.74.010</u> | |
| <u>N.S.L. = No size limit</u> | |
| <u>*Size of use limits do not apply to ancillary uses in the Urban Industrial zone.</u> | |
| <u>** Where permitted under Table A for 23.50A.004.</u> | |
| <u>*** 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.</u> | |

6
 7 C. Pedestrian environment. The following development standards apply to each use and
 8 structure, except spectator sports facilities, to the extent that the use or structure either is on a
 9 lot fronting on Railroad Way South, First Avenue South, South Holgate between First Avenue
 10 South and Occidental Avenue South, or Occidental Avenue South, or is within a 40-foot radius
 11 measured from any of the block corners of First Avenue South or Occidental Avenue South
 12 intersecting with the following streets: Railroad Way South, South Royal Brougham, South
 13 Atlantic, South Massachusetts, South Holgate, and any other streets intersecting with First

1 Avenue or Occidental Avenue South that may be established between South Holgate Street and
 2 Railroad Way South, as depicted in Map A for 23.74.010. Railroad Way South, First Avenue
 3 South, South Holgate Street, and Occidental Avenue South within the Stadium Transition Area
 4 Overlay District, and all street areas within a 40-foot radius of any of those block corners
 5 described above, are referred to in this Section 23.74.010 as the “pedestrian environment,”
 6 except that, in applying this Section 23.74.010 to a through lot abutting on Occidental Avenue
 7 South and on First Avenue South, Occidental Avenue South is not considered part of the
 8 pedestrian environment.

9 1. Street-facing facade requirements. ~~((The following requirements apply to))~~

10 For street-facing facades or portions thereof facing streets or portions of streets in the
 11 pedestrian environment~~((=~~

12 ~~a. Minimum facade height. Minimum))~~, the minimum facade height is
 13 25 feet, but minimum facade heights do not apply if all portions of the structure are lower than
 14 the elevation of the required minimum facade height.

15 ~~((b. Facade setback limits~~

16 ~~1) Within the first 25 feet of height measured from sidewalk~~
 17 ~~grade, all building facades must be built to within 2 feet of the street property line for the entire~~
 18 ~~facade length. For purposes of this subsection 23.74.010.C.1.b, balcony railings and other~~
 19 ~~nonstructural features or nonstructural walls are not considered parts of the facade of the~~
 20 ~~structure.~~

21 ~~2) Above 25 feet measured from sidewalk grade, the maximum~~
 22 ~~setback is 10 feet, and no single setback area that is deeper than 2 feet shall be wider than 20~~
 23 ~~feet, measured parallel to the street property line.~~

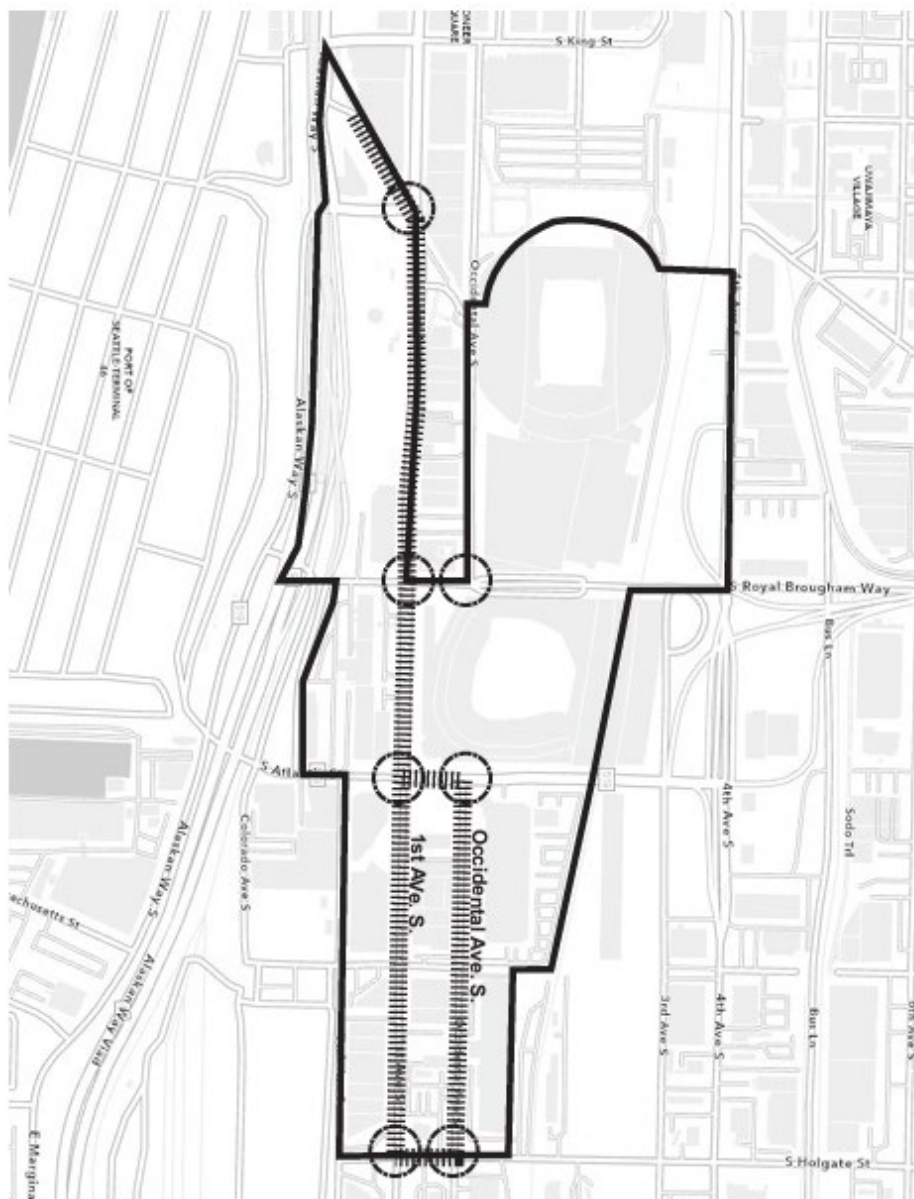
1 (except for rail transit facilities), utilities (except for utility service uses), and light and general
 2 manufacturing.

3 4. Blank facades(~~(-)~~) and transparency requirements(~~(-street trees, and~~
 4 ~~screening)~~). (~~In addition to the blank facade requirements of subsection 23.50.038.B, the~~)
 5 The blank facade limits and transparency ((~~and street tree~~)) requirements of subsections
 6 23.49.056.C(~~(-)~~) and 23.49.056.D(~~(- and 23.49.056.E)~~), and the screening of parking
 7 requirements of subsection 23.49.019.B apply to facades or portions thereof facing streets in
 8 the pedestrian environment, except that requirements for Class I Pedestrian Streets and
 9 designated green streets do not apply.

10 5. Principal pedestrian entrances. A principal pedestrian entrance to a structure
 11 having a facade along Railroad Way South, First Avenue South, or Occidental Avenue South
 12 shall be located on Railroad Way South, First Avenue South, or Occidental Avenue South,
 13 respectively. If the structure has facades along both First Avenue South and Occidental Avenue
 14 South, a principal pedestrian entrance is required only on First Avenue South.

15 6. Pedestrian walkway. Development shall provide a pedestrian walkway that is
 16 a minimum of 10 feet wide when fronting a street in the pedestrian environment. The walkway
 17 must be continuous for the length of the development site and may be designed to include
 18 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

-  Stadium Transition Area Overlay District
-  Pedestrian Environment
-  Intersection Where 40' Pedestrian Street Buffer Applies

0 500 feet



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.

* * *

1 Section 23. This ordinance shall take effect and be in force: 90 days after its approval or
2 unsigned and returned by the Mayor; 90 days after the City Council's reconsidered passage after
3 its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105
4 days after its passage by the City Council.

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

8 _____
9 President _____ of the City Council

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

11 _____
12 Bruce A. Harrell, Mayor

13 Filed by me this _____ day of _____, 2023.

14 _____
15 Elizabeth M. Adkisson, Interim City Clerk

16 (Seal)

Ketil Freeman
 Land Use Committee
 June 5, 2023
 D#1a

Amendment 3a Version #1 to CB 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Morales

MHA for UI in the Stadium Overlay

Effect: This amendment would apply the Mandatory Housing Affordability - Commercial (MHA-C) Program to New Development in Urban Industrial (UI) zones in the Stadium Transition Area Overlay District. Payment amounts are current year inflation-adjusted amounts for non-residential zones with an M1 suffix.

CB 120567 would rezone Industrial Commercial (IC) zones in the Stadium Overlay, which are currently subject to MHA-C, to Urban Industrial. The proposed zone change would increase the maximum FAR in those zones from 3.25 to 4.5 and remove the current MHA-C requirement.

The Final Environmental Impact Statement for the Industrial / Maritime policy changes identifies housing impacts for all the action alternatives associated with increased employment growth in industrial areas. Specifically, the FEIS notes that increased employment growth, “could have an impact on housing, especially if additional new employment were added to industrial areas not subject to the Mandatory Housing Affordability (MHA) regulations.” *Seattle Industrial Maritime Strategy, Final Environmental Impact Statement, September 2022, p.1-62.* The FEIS further identifies applying MHA as a mitigation measure for housing impacts.

Community Attributes conducted an economic analysis of industrial lands prototypes. That analysis showed that most prototypes had negative residual land values under current market conditions – meaning that they would be unlikely to be developed absent a change in external factors, such as capitalization rates and rents. Prototypes for development in the Urban Industrial zone in the Stadium Overlay generally had positive residual land values.

1. This amendment would amend Sections 8, 13 and 14 of Council Bill 120567 as follows:

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

* * *

23.50A.028 Mandatory housing affordability (MHA)

The provisions of Chapter 23.58B apply in II 85-240 zones and Urban Industrial zones in the Stadium Transition Area Overlay District.

* * *

Ketil Freeman
 Land Use Committee
 June 5, 2023
 D#1a

Section 13. Section 23.58B.040 of the Seattle Municipal Code, enacted by Ordinance

125792, is amended as follows:

23.58B.040 Mitigation of impacts - payment option

* * *

| 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 |
| All Maritime, Manufacturing and Logistics zones (MML) | <u>Not applicable</u> | <u>Not applicable</u> | <u>Not applicable</u> |
| <u>Urban Industrial Zones in the Stadium Transition Area Overlay District</u> | <u>\$10.80</u> | <u>\$15.19</u> | <u>\$17.22</u> |
| All <u>Other</u> Urban Industrial zones (UI) | <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 |
| 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 |

Ketil Freeman
 Land Use Committee
 June 5, 2023
 D#1a

| | | | |
|--|--------|--------|--------|
| Other zones where provisions refer to Chapter 23.58B | \$5.00 | \$7.00 | \$8.00 |
|--|--------|--------|--------|

2. Automatic adjustments to payment amounts. On March 1, 2016, and on the same day in 2017, 2018, and 2019, the amounts for payment calculations according to Table A and Table B for 23.58B.040 shall automatically adjust in proportion to the annual change for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, All Items (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index. On March 1, 2020, and on the same day each year thereafter, the amounts for payment calculations according to Table A and Table B for 23.58B.040 shall automatically adjust in proportion to the annual increase for the previous calendar year (January 1 through December 31) in the Consumer Price Index, All Urban Consumers, Seattle-Tacoma-Bellevue, WA, Shelter (1982-84 = 100), as determined by the U.S. Department of Labor, Bureau of Labor Statistics, or successor index.

* * *

Section 14. Section 23.58B.050 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.58B.050 Mitigation of impacts - performance option

* * *

Ketil Freeman
 Land Use Committee
 June 5, 2023
 D#1a

| 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>Urban Industrial Zones in the Stadium Transition Area Overlay District</u> | <u>8.0%</u> | <u>8.0%</u> | <u>8.0%</u> |
| <u>All Other 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% |
| 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% |

* * *

Ketil Freeman
 Land Use Committee
 June 5, 2023
 D#1a

Amendment 3b Version #1 to CB 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Morales

Incentive Zoning for Development in the Industrial Innovation District

Effect: This amendment would apply incentive zoning provisions for affordable housing and childcare in Seattle Municipal Code Chapter 23.58A to extra non-industrial floor area available through bonus floor area requirements in Industrial Innovation (II) zones. The amendment would not apply to the II 85-240 zone, which is subject to MHA-C requirements.

CB 120567 creates an incentive structure for developing bone fide industrial floor area in the industrial zones. Specifically, development in the proposed Industrial innovation zone can achieve extra non-industrial floor area, such as floor area in an office use, by (1) incorporating a minimum amount of bone fide industrial floor area meeting specific development standards into a project or providing that industrial floor area offsite, provided it is in the same Manufacturing Industrial Center and (2), in II 125 and II 160 zones participating in a TDR program for vulnerable masonry structures.

Incentive zoning provisions would require a payment of \$18.75 and \$3.25 per gross square foot of non-industrial space for low-income housing and childcare, respectively, or performance. Payments for low-income housing could be used to develop rental housing affordable to households with incomes no greater than 80% of Area Median Income or ownership housing affordable to households with incomes no greater than 100% of Area Median Income.

The Final Environmental Impact Statement for the Industrial / Maritime policy changes identifies housing impacts for all the action alternatives associated with increased employment growth in industrial areas. Specifically, the FEIS notes that increased employment growth, “could have an impact on housing, especially if additional new employment were added to industrial areas not subject to the Mandatory Housing Affordability (MHA) regulations.” *Seattle Industrial Maritime Strategy, Final Environmental Impact Statement, September 2022, p.1-62.* The FEIS further identifies applying MHA as a mitigation measure for housing impacts. Incentive zoning provisions in Ch 23.58A provide similar mitigation for housing impacts without a disincentive for developing industrial floor area.

1. This amendment would amend Section 8 of Council Bill 120567 as follows:

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

* * *

23.50A.012 Extra floor area in Industry and Innovation zones

A. Extra floor area in the II 125 and II 160 zones. In the II 125 and II 160 zones extra floor area may be added above the FAR limit shown in Table A for 23.50A.010 up to the limits shown in Table A for 23.50A.012.

1. Projects adding extra floor area pursuant to this Section 23.50A.012 must provide a minimum amount of gross floor area in industrial use as shown in the Minimum Industrial Use FAR column of Table A for 23.50A.012 and the industrial use floor area must meet the following standards:

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

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

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

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

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

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

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

a. 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 use the ratio shall be 4 square feet of extra floor area for every 1 square foot of floor area in ICT use.

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

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

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

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

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

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

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 |

D. Offsite performance. Industrial use floor area used to qualify a project for extra floor area allowed through this Section 23.50A.012 may be located offsite if the offsite industrial floor area is located in a new structure that meets the requirements of subsection 23.50A.012.A.1 and

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is located within the same Manufacturing and Industrial Center as the proposed development gaining extra floor area. The following conditions for offsite performance shall be met.

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

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

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

F. In addition to other requirements of this Section 23.50A.012, extra floor area achieved through Subsections 23.50A.012.A or 23.50A.012.B in excess of the FAR limit in 23.50A.010 is subject to the requirements of Section 23.58A.024. The requirements of Section 23.58A.010 do

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not apply to extra floor area in excess of the FAR limit in 23.50A.010 meeting the requirements of subsection 23.50A.012.A.1.

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**Amendment 4 Version #1 to CB 120567 - OPCD Chapter 23.50A ORD and
 CB 120568 - OPCD 2023 Comprehensive Plan Annual Amendments ORD**

Sponsor: Councilmember Strauss

Manufacturing, Maritime & Logistics (MML) Street Tree Requirements

Effect: This amendment would amend the street tree requirements in the Maritime, Manufacturing & Logistics (MML) zone to require street trees along all streets in industrial areas and amend proposed Comprehensive Plan policy LU 10.14 to recognize the importance of trees in offsetting the impacts of industrial activities.

In MML zones, the bill as proposed would continue the City's practice of only requiring street trees along major arterials in industrial areas. In the Urban Industrial (UI) and Industrial Innovation (II) zones, street trees would be required on all street fronts. This amendment would apply the same street tree standards in the MML zone as would apply in the UI and II zones.

Policy LU 10.14 would be amended to be consistent with the proposed land use code amendments, recognizing that trees, screening and landscaping can offset some of the environmental impacts of development.

As the Final Environmental Impact Statement for the Industrial and Maritime Strategy identified, requiring additional trees would help to mitigate the air quality, light and glare, open space, environmental health, and environmental justice impacts of this legislation.

1. Amend Attachment 1 to Council Bill 120568 to amend Land Use policy 10.14 as follows:

Attachment 1

Amendments to the Land Use Element

Land Use

* * *

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))~~.

2. Amend Section 8 of Council Bill 120567, to amend the provisions of proposed 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

* * *

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

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

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

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

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

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

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

3. Landscaped areas. Each area required to be landscaped shall be planted with trees, shrubs and grass, or evergreen ground cover, in a manner that the total required setback, excluding driveways, will be covered in three years. Features such as walkways, decorative

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paving, sculptures, or fountains may cover a maximum of 30 percent of each required landscaped area.

4. Street trees. When required, street trees shall be provided in the planting strip according to Seattle Department of Transportation tree planting standards [promulgated pursuant to Chapter 15.43.010](#). If it is not feasible to plant street trees in the planting strip according to City standards, they shall be planted in a 5-foot-deep landscaped setback area along the street property line. Trees planted in this setback area shall be at least 2 feet from the street lot line. The Director, in consultation with the Director of Transportation, will determine the number, type, and placement of street trees to be provided to:

- a. Improve public safety;
- b. Match trees to the available space in the planting strip;
- c. Maintain and expand the urban forest canopy;
- d. Encourage healthy growth through appropriate spacing; and
- e. Protect utilities; and to allow access to the street, buildings, and lot by

vehicles including trucks and industrial equipment.

5. Combinations of screening and landscaping requirements

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

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

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

* * *

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E. Landscaping and screening standards in the MML zone

1. Screening and landscaping requirements for all uses. All uses shall provide street trees unless it is determined by the Director to be infeasible. If it is not feasible to plant street trees in the planting strip, then they shall be provided in the required 5-foot-deep landscaped area along street lot lines.

~~((1.))~~ 2. Solid waste transfer stations

a. All solid waste transfer stations shall provide landscaping meeting a minimum Green Factor score of 0.40, pursuant to Section 23.86.019. If the transfer station is part of a development located on separate parcels within 200 feet of each other, Green Factor scoring may be calculated for the multiple parcels considered as a whole. If the parcels are in zones having different Green Factor minimum scores, the development considered as a whole shall meet the highest applicable minimum Green Factor score.

b. When a solid waste transfer station is abutting or across the street from a lot in a commercial or residential zone, screening is required pursuant to subsection 23.50A.018.B.2.

~~((2.))~~ 3. Fences or free-standing walls associated with utility services uses may obstruct or allow views to the interior of a site. Where site dimensions and site conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated walls, decorative fencing, or similar features. If abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or free-standing walls for a utility services use must provide either:

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

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

~~((F. Uses located on streets that have been designated on Map A for 23.50A.018 shall provide landscaping as outlined in subsections 23.50A.018.F.1 and 23.50A.018.F.2.~~

~~1. Street trees. Street trees are required along designated street frontages. Street trees shall be provided in the planting strip according to Seattle Department of Transportation tree planting standards.~~

~~2. Exceptions to street tree requirements~~

~~a. Street trees required by subsection 23.50A.018.A may be located on the lot within 5 feet but not less than 2 feet from the street lot line instead of in the planting strip if:~~

~~1) Existing trees and/or landscaping on the lot provide improvements substantially equivalent to those required in this Section 23.50A.018.~~

~~2) Continuity of landscaping on adjacent properties along the street front is desirable.~~

~~3) Existing railroad tracks and/or a railroad easement are within 10 feet of the paved portion of a street designated on Map A for 23.50A.018.~~

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

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~~e. Street trees shall not be required for an expansion of less than 2,500 square feet. Two street trees shall be required for each additional 1,000 square feet of expansion above 2,500 square feet. The maximum number of street trees shall be controlled by Seattle Department of Transportation standards. Rounding, described in subsection 23.86.002.B, is not permitted.~~

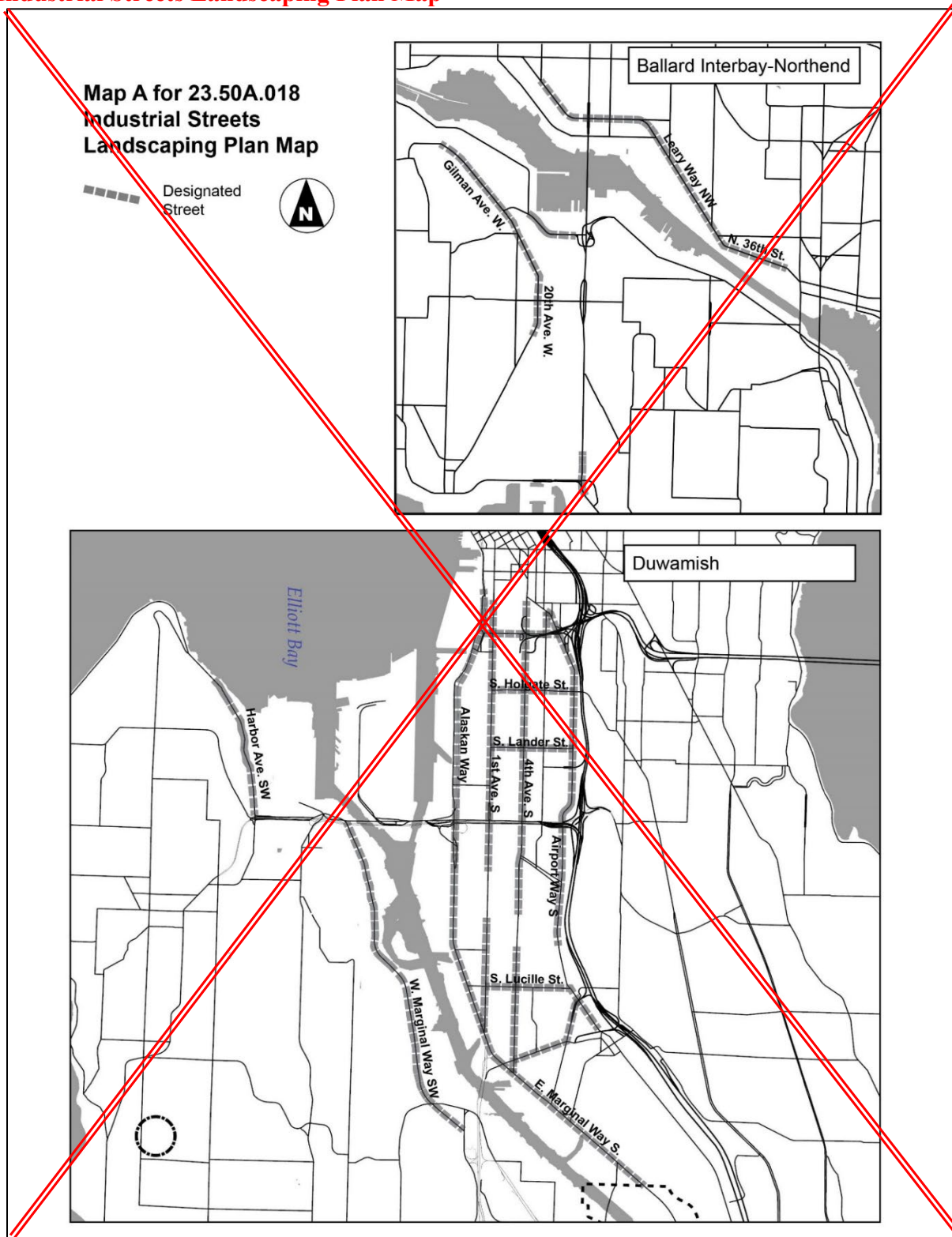
~~d. Street trees are not required if a change of use is the only permit requested.~~

~~e. Street trees are not required for an expansion of a surface parking area of less than 20 percent of parking area or number of parking spaces.~~

* * *

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Map A for 23.50A.018
Industrial Streets Landscaping Plan Map



~~G~~)) E. Additional screening standards and landscaping requirements for specific uses in the UI, II, and IC zones

1. Surface parking areas for more than five vehicles

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

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

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

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

3) Whether a topographic break between the alley and the residential zone makes screening less necessary.

c. If a surface parking area or off-street loading area is directly across a street 80 feet or less in width from a lot in a residential zone, a 5-foot-deep landscaped setback area from the street lot line, including street trees, shall be provided. Three-foot high screening

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along the edge of the setback, with the landscaping on the street side of the screening, shall be provided.

d. If a surface parking area or off-street loading area abuts a lot in a residential zone, view-obscuring screening and a 5-foot-deep landscaped setback area on the inside of the screening shall be provided.

e. Surface parking areas for ten or fewer cars shall be screened by 3-foot-high screening along the street lot line.

f. Surface parking areas for more than ten cars shall be screened by 3-foot-high screening and street trees along the street lot lines.

g. Surface parking areas for more than 50 cars shall provide 3-foot-high screening and street trees along the street lot lines, as well as interior landscaping.

2. Parking structures

a. If a parking structure is directly across a street 80 feet or less in width from a lot in a residential zone, a 5-foot-deep landscaped setback area from the street lot line, including street trees, shall be provided. The street-facing facade of each floor of parking shall have an opaque screen at least 3.5 feet high.

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

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

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

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

3. Outdoor sales and outdoor display of rental equipment

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

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

4. Drive-in businesses

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

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

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

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

5. Outdoor storage and outdoor loading berths

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

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

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

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

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

6. Solid waste transfer stations

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

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

7. Fences or free-standing walls associated with utility services uses may obstruct or allow views to the interior of a site. Where site dimensions and site conditions allow, applicants are encouraged to provide both a landscaped setback between the fence or wall and the right-of-way, and a fence or wall that provides visual interest facing the street lot line, through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated walls, decorative fencing, or similar features. If abutting or across the street from a lot in a residential, commercial, or downtown zone, fences or free-standing walls for a utility services use must provide either:

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

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

~~(H)~~ 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.H.

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.H.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

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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.H.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.

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* * *

3. Update references to Section 23.50A.018 throughout CB 120567, as appropriate.

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Amendment 6 Version #1 to CB 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Strauss

Stadium Overlay Maximum Size of Uses

Effect: This amendment would increase the maximum size of use limits in the Stadium Transition Overlay District. Information Computer Technology (ICT) uses would have no maximum size of use limit. Entertainment uses would have a maximum size limit of 75,000 square feet and retail uses (“General Sales and Service”) would have a maximum size limit of 40,000 square feet. Under current regulations, there are no specific size limits for these uses in the Stadium Transition Overlay District. The amendment is intended to allow for the concentration of retail, entertainment, and computing businesses in the area around the stadiums. It would allow for additional activities that would serve to draw members of the public to the stadium district around the year. It is also likely to increase traffic to the district as a result of large events and increases in ICT employees.

This amendment would amend Table A for SMC 23.74.010 in] Section 19 of Council Bill 120567 as follows:

Section 19. Section 23.74.010 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.74.010 Development standards

* * *

B. For the areas marked on Map A for 23.74.010, the following development standards and provisions apply to all uses and structures except for spectator sports facilities:

1. Floor area ratio (FAR) (~~and floor area~~) limits

a. The maximum FAR for all uses is ~~((3-25))~~ 4.5. ~~((FAR limits of the underlying zone do not apply.~~

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b. ~~The gross floor area limits for certain uses in subsection 23.50.027.A.1, including limits based on lot area, do apply.)~~

b. In addition to the FAR exemptions in subsection 23.50A.010.B, the first 25,000 square feet of street-level general sales and service, medical services, eating and drinking establishments, or lodging uses on any lot are exempt from the maximum FAR limit.

~~((2. Exemptions. In addition to the FAR exemptions in subsection 23.50.028.E, the first 75,000 square feet of street level general sales and service, medical services, animal shelters or kennels, automotive sales and services, marine sales and services, eating and drinking establishments, or lodging uses on any lot are exempt from the maximum FAR limit.))~~

2. Maximum size of use limits

a. If a development provides an amount of gross floor area that totals at least 0.4 times the lot area in qualifying industrial uses as indicated in Table A for 23.50A.004 and meeting the standards of subsection 23.50A.012.A.1.b, the development is exempt from all maximum size of use limits.

b. Developments not exempt from the maximum size of use limits according subsection 23.74.010.A are subject to the maximum size of use limits shown in Table A for 23.74.010.

| 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) |
| Animal shelters and kennels | 10,000 |
| Drinking establishments*** | N.S.L |
| Entertainment** | ((25,000)) 75,000 |
| Information Commercial Technology | N.S.L. |
| Lodging uses | N.S.L |

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| 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) |
| <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>((20,000)) 40,000</u> |
| <u>Key for Table A for 23.74.010</u> | |
| <u>N.S.L. = No size limit</u> | |
| <u>*Size of use limits do not apply to ancillary uses in the Urban Industrial zone.</u> | |
| <u>** Where permitted under Table A for 23.50A.004.</u> | |
| <u>*** 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.</u> | |

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Amendment 7 Version #1 to CB 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Morales

Noise attenuating windows

Effect: This amendment would require the installation of noise-attenuating windows in areas that are being rezoned from industrial zoning to non-industrial zoning under CB 120568. The amendment would add a requirement for noise-attenuating windows that is proposed for residential units built in the UI zone to these areas that will remain close to industrial activity or other noise generators. The areas where this amendment would apply are:

- Ballard, north of NW Market Street, between 24th Avenue NW and 30th Avenue NW;
- Judkins Park, south of S Dearborn Street, west of Rainier Avenue S and north of Interstate 90;
- Georgetown, including the area generally bounded by Corson Avenue S, the rail lines running east of Airport Way S, and S Harney Street, and the Georgetown Playfield; and
- South Park, including the area bounded by 10th Avenue S, the Seattle City Limit, and the Duwamish River; and the area bounded by 16th Avenue S, Dallas Avenue S and S Donovan Street.

This amendment would amend Section 7 of Council Bill 120567 as follows:

* * *

Section 7. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.47A.009 Standards applicable to specific areas

* * *

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

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

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

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

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

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

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

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

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

2. Facade modulation

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

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

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

3. Maximum structure width

a. The maximum allowed structure width is 250 feet.

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

4. Setback requirements

a. Street-level setbacks

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

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

b. Upper-level setbacks

1) A setback with an average depth of 10 feet from all abutting street lot lines is required for portions of a structure above a height of 45 feet. The maximum depth of a setback that can be used for calculating the average setback is 20 feet.

2) A setback with an average depth of 15 feet from all street lot lines is required for portions of a structure above a height of 65 feet. The maximum depth of a setback that can be used for calculating the average setback is 25 feet.

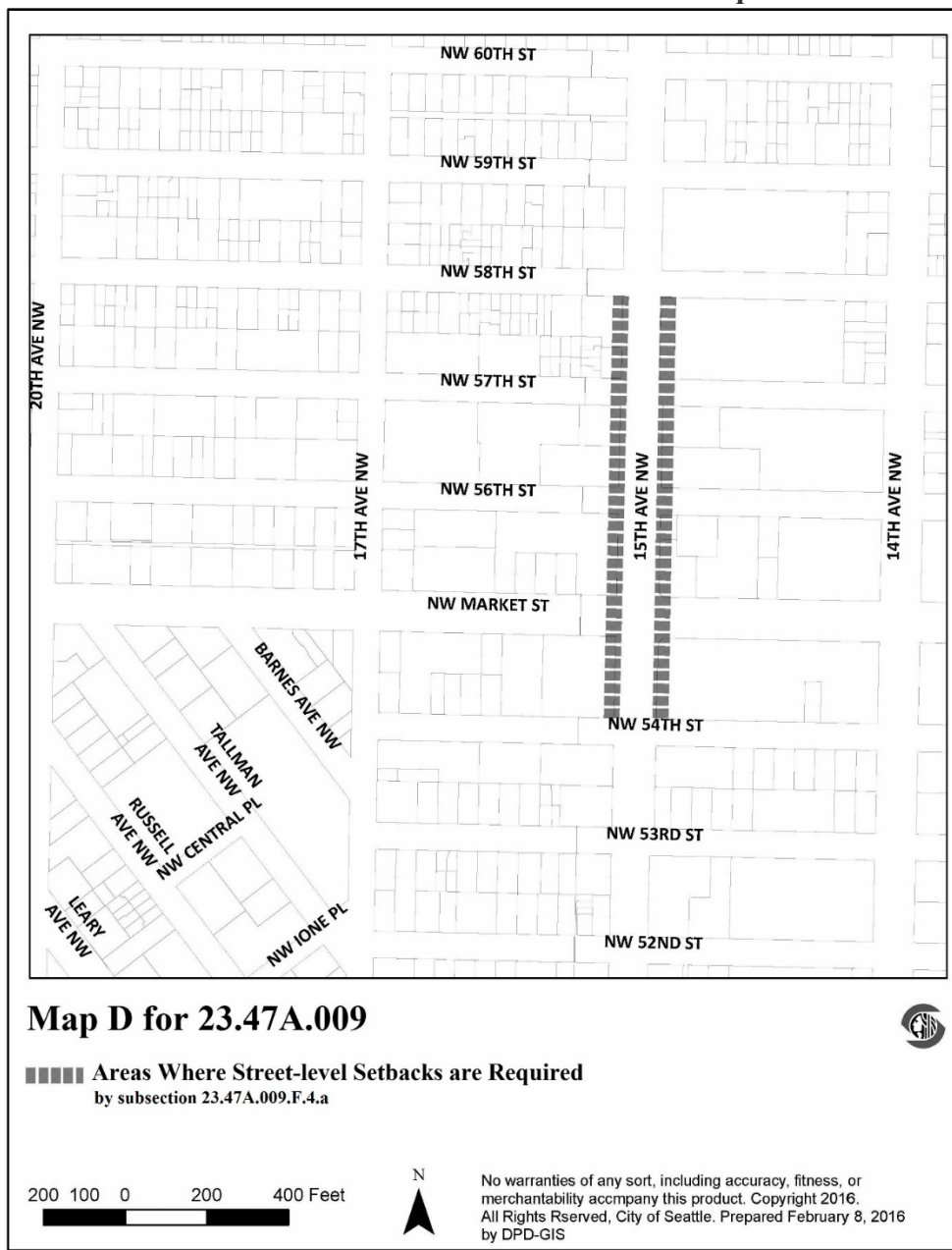
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5. Structures permitted in required setback and separation areas according to this subsection 23.47A.009.F are subject to subsection 23.47A.014.G.

6. In the area shown on Map E for Section 23.47A.009, 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 levels at the site. The applicant shall submit an analysis of existing noise levels and documentation of the sound insulating capabilities of windows shall be indicated on the plan.

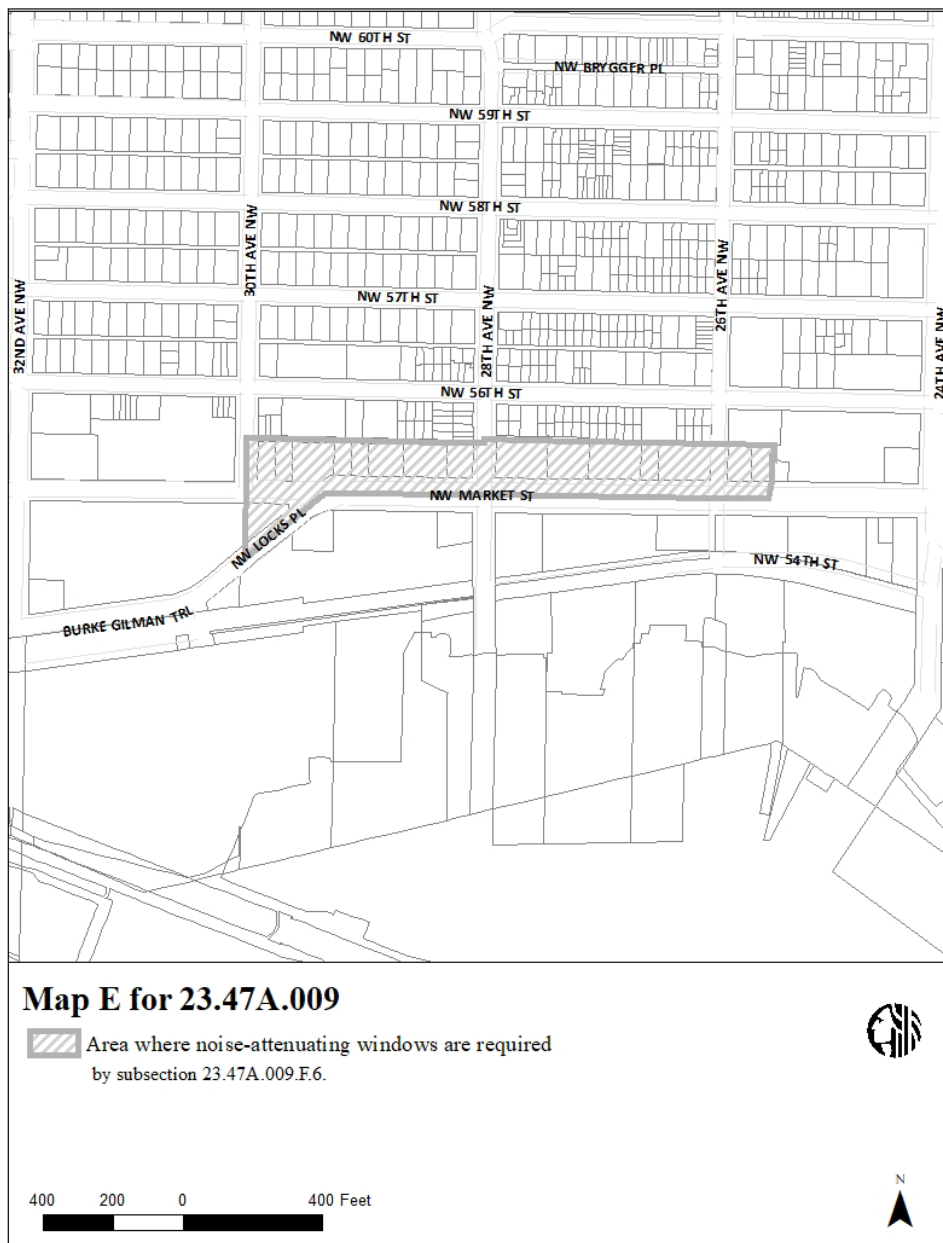
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Map D for 23.47A.009 Areas Where Street-level Setbacks are Required



Map E for 23.47A.009 Areas where noise-attenuating windows are required

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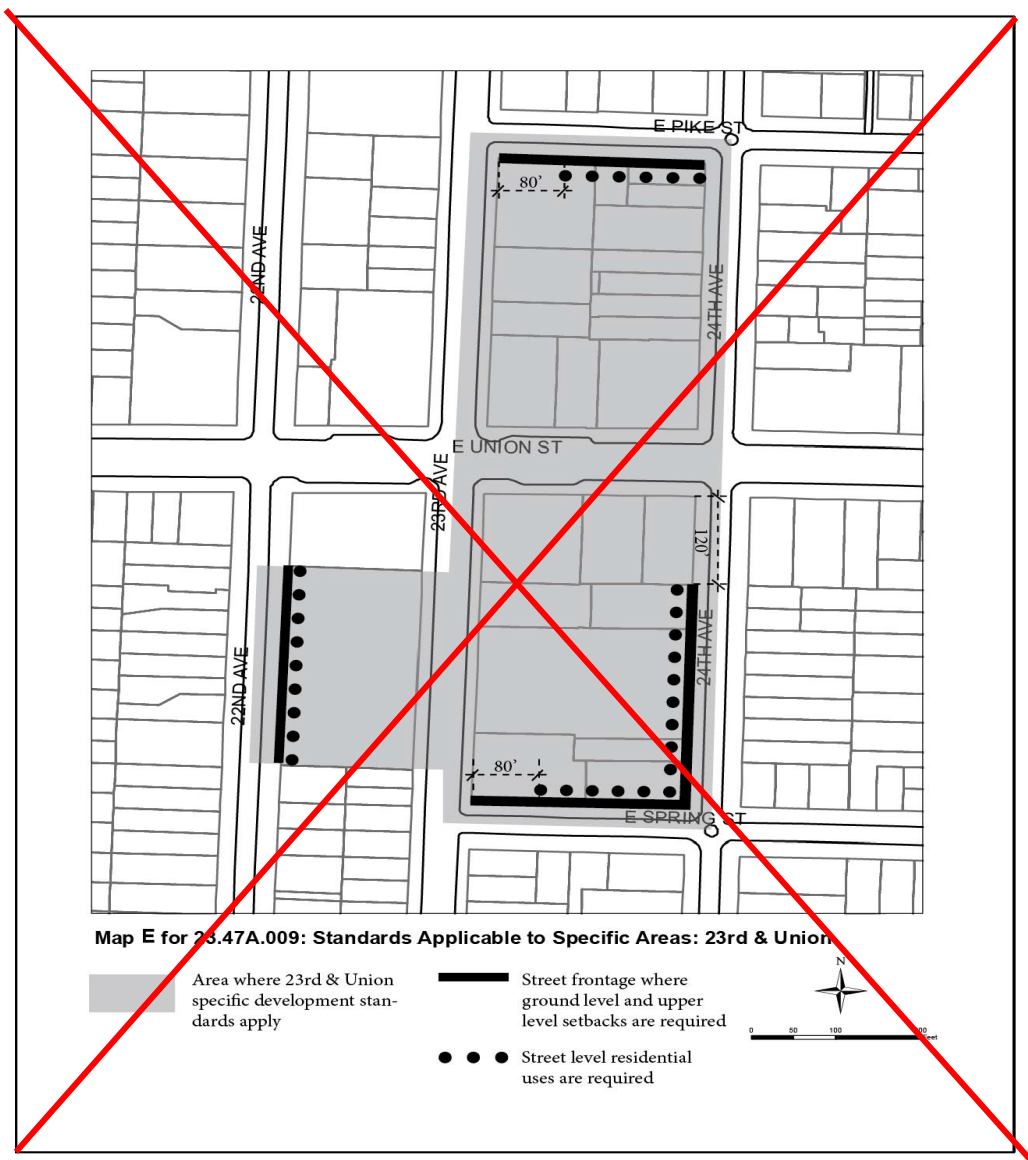
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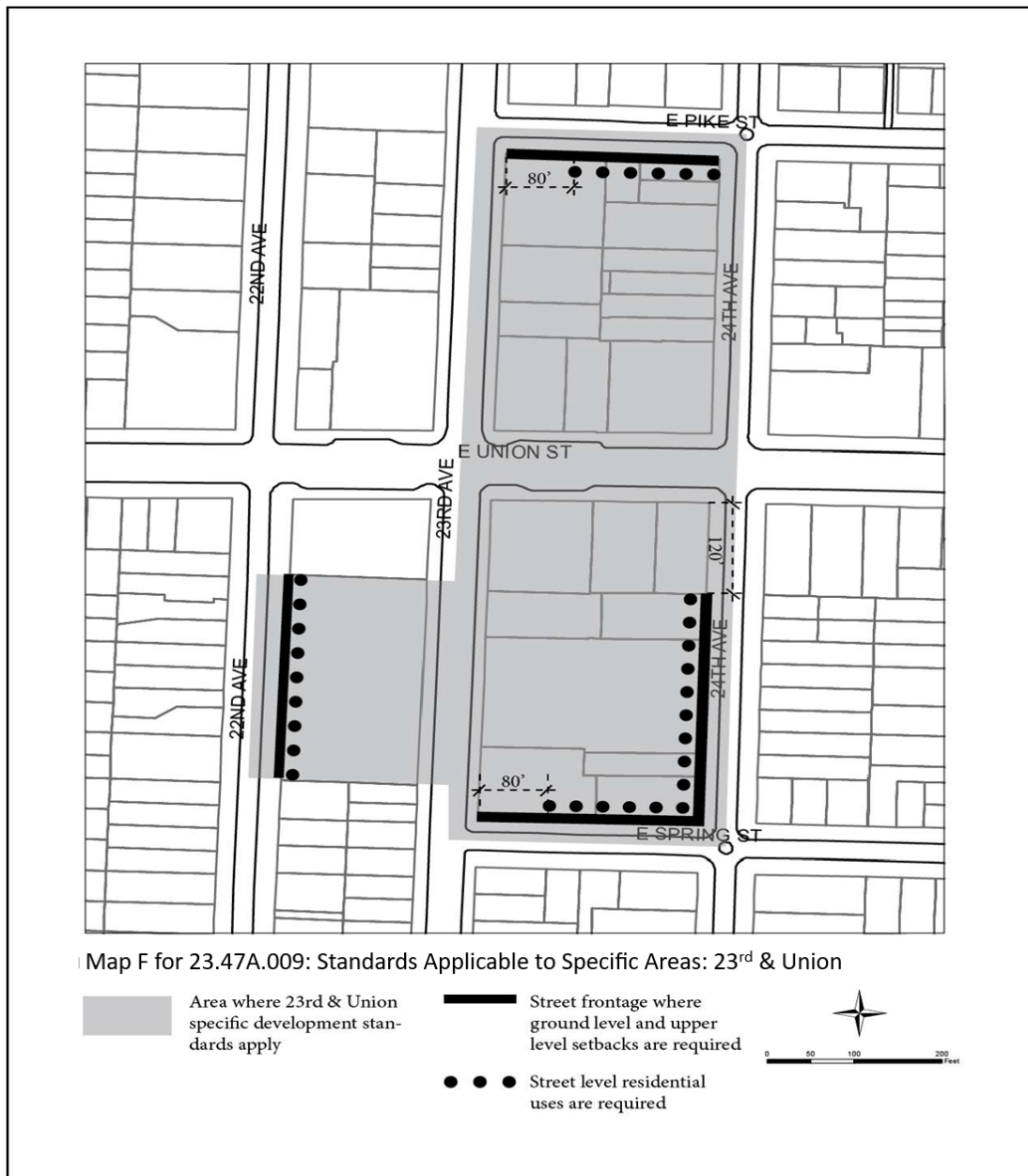
H. 23rd and Union. The following provisions apply to development proposed in NC zones within the area shown on Map ((E)) F for 23.47A.009.

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

Standards applicable to specific areas: 23rd & Union

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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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b. A minimum upper-level setback of 15 feet for all portions of a structure greater than 35 feet in height as measured from the average finished grade along the sidewalk; and

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

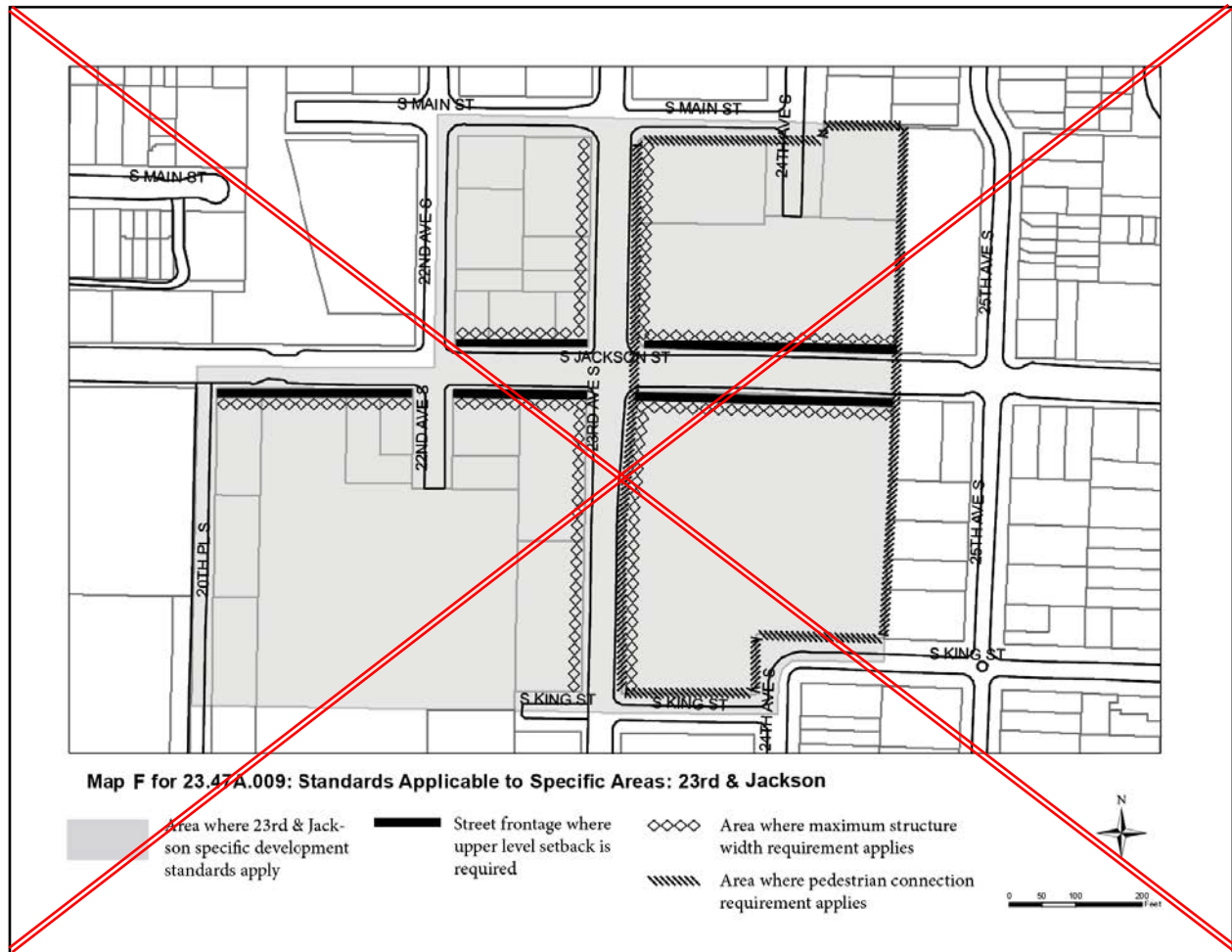
2. Street-level residential uses. Street-level residential uses are required along East Spring Street, East Pike Street, 22nd Avenue, and 24th Avenue as shown on Map E for 23.47A.009 except for the portions of East Pike Street and East Spring Street measured within 80 feet of the property line abutting 23rd Avenue and portion of 24th Avenue measured within 120 feet of the property line abutting East Union Street.

I. 23rd and Jackson. The following provisions apply to development proposed in NC zones within the area shown on Map ((~~F~~) G) for 23.47A.009.

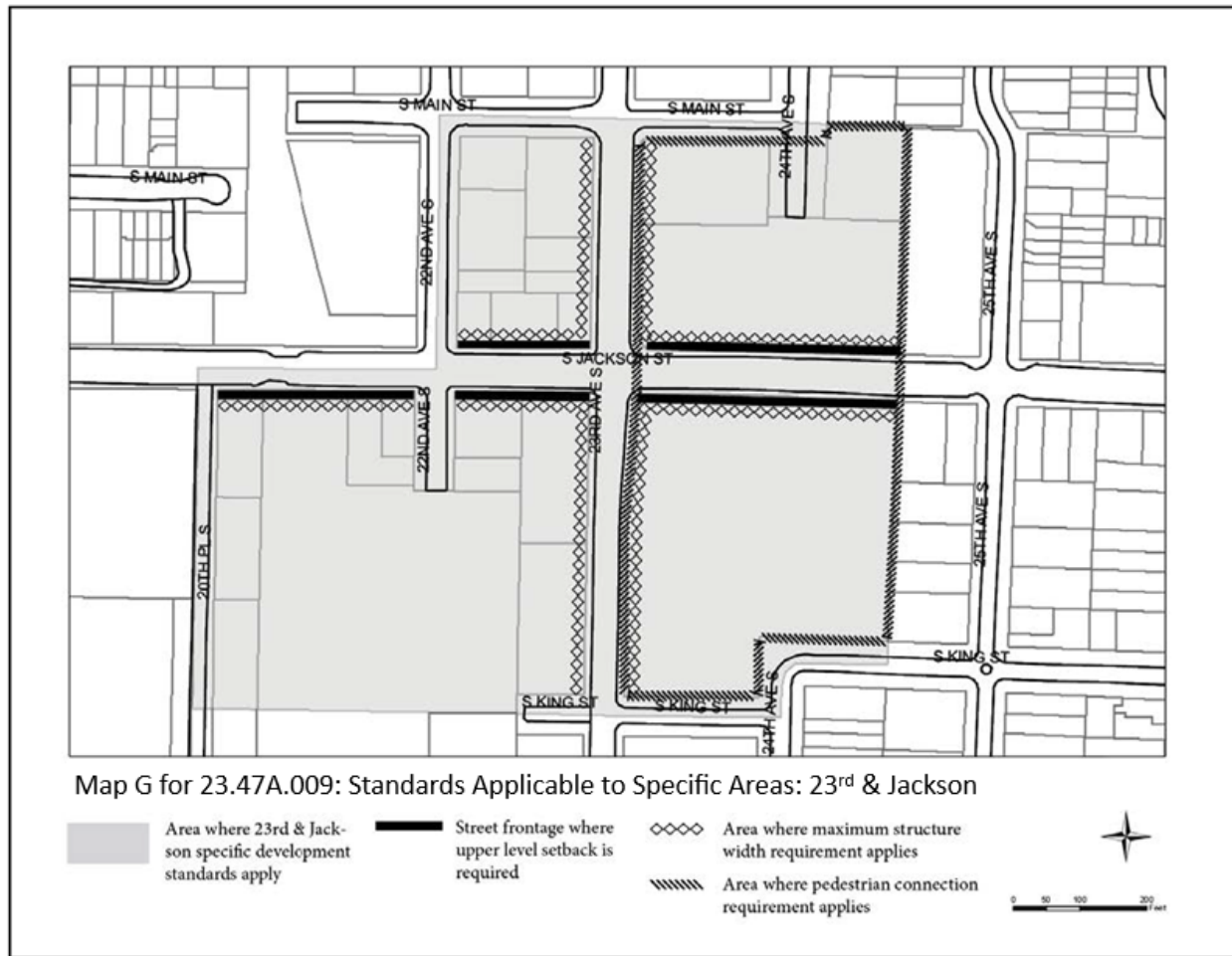
Map ((~~F~~) G) for 23.47A.009

Standards applicable to specific areas: 23rd & Jackson

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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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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3) The space shall be made available on a first-come, first-served basis to community and charitable organizations; and

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

2. Additional floor area for historic preservation. An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

b. A notice is recorded in the King County real estate records, in a form satisfactory to the Director, regarding the additional increment of floor area allowed and the effect thereof under the terms of this Chapter 23.47A;

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

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

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

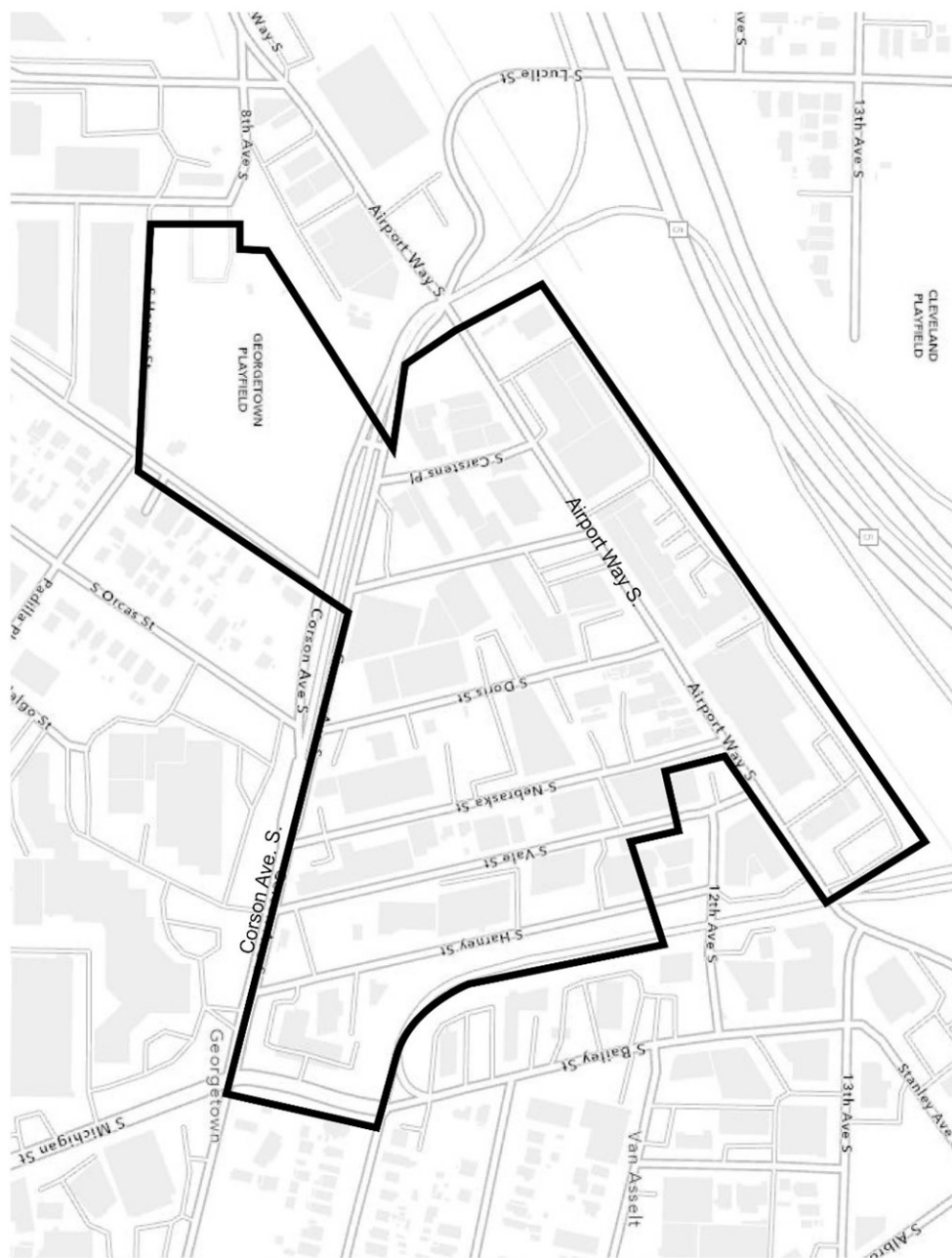
4. All dwelling units shall have sound-insulating windows sufficient to maintain interior sound levels at 60 decibels or below in consideration of existing environmental noise levels at the site. The applicant shall submit an analysis of existing noise levels and documentation of the sound insulating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

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


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

 Area where Georgetown specific development standards apply

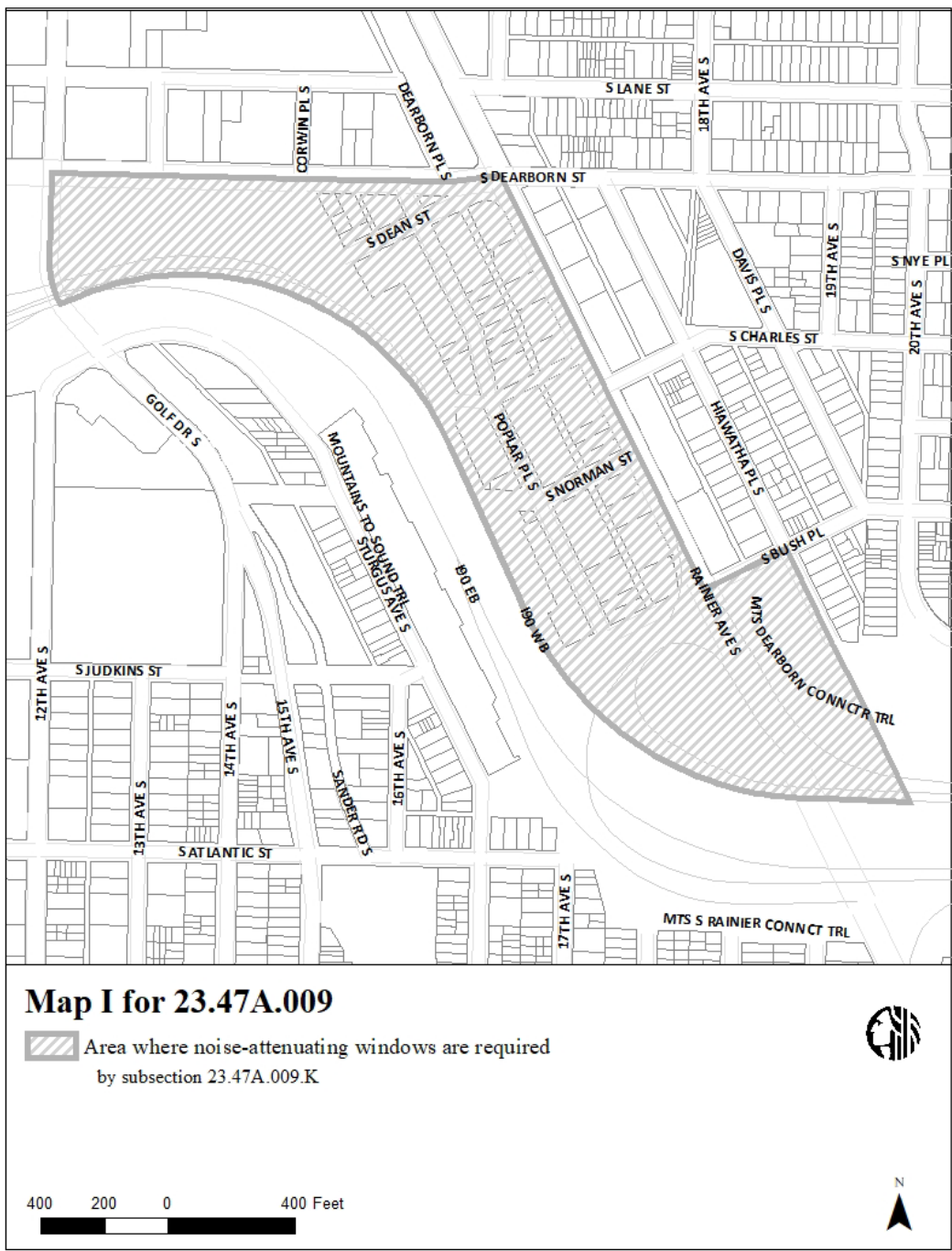


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K. Judkins Park. The following provisions apply to development proposed in NC zones within the area shown on Map I for 23.47A.009. All dwelling units shall have sound-insulating windows sufficient to maintain interior sound levels at 60 decibels or below in consideration of existing environmental noise levels at the site. The applicant shall submit an analysis of existing noise levels and documentation of the sound insulating capabilities of windows shall be indicated on the plan.

Map I for 23.47A.009
Standards Applicable to Specific Areas: Judkins Park

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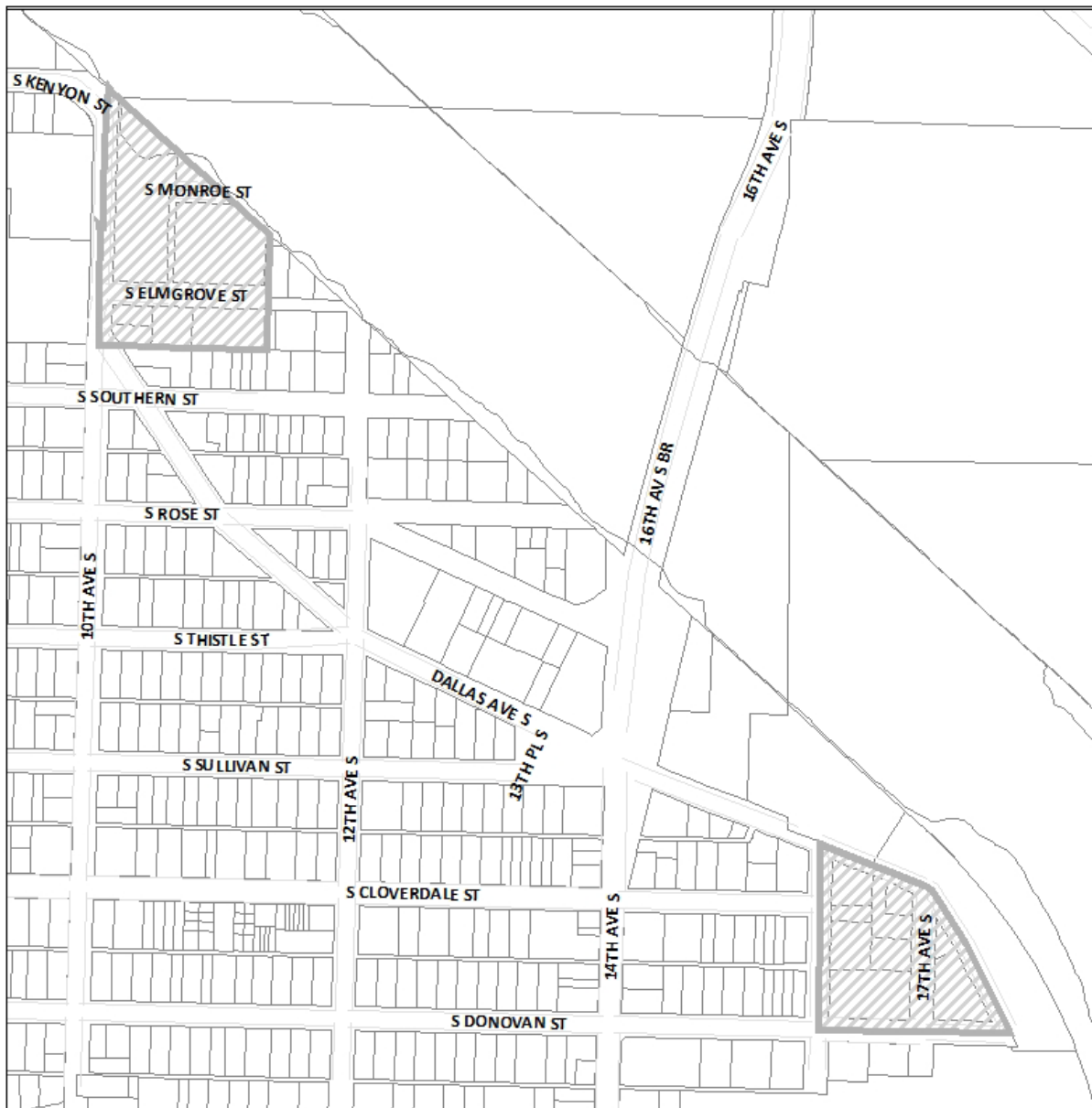
L. South Park. The following provisions apply to development proposed in NC zones within the areas shown on Map J for 23.47A.009. All dwelling units shall have sound-insulating windows sufficient to maintain interior sound levels at 60 decibels or below in consideration of

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

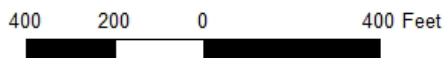
Map J for 23.47A.009
Standards Applicable to Specific Areas: South Park

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Map J for 23.47A.009

 Areas where noise-attenuating windows are required by subsection 23.47A.009.L



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Amendment 8 Version #1 to CB 120567 - OPCD Chapter 23.50A ORD

Sponsor: Councilmember Morales

Air cooling and filtration

Effect: This amendment would require that residential units in areas that are being rezoned from industrial zoning to non-industrial zoning under CB 120568 have air cooling and balanced ventilation systems. The amendment would add a requirement for balanced ventilation with filters that have MERV 13 or higher ratings as determined by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) to areas that are being rezoned under the proposal and will allow housing close to industrial activity or other generators of air pollution. The areas where this amendment would apply are:

- The Urban Industrial (UI) zone;
- Ballard, north of NW Market Street, between 24th Avenue NW and 30th Avenue NW;
- Judkins Park, south of S Dearborn Street, west of Rainier Avenue S and north of Interstate 90;
- Georgetown, including the area generally bounded by Corson Avenue S, the rail lines running east of Airport Way S, and S Harney Street, and the Georgetown Playfield; and
- South Park, including the area bounded by 10th Avenue S, the Seattle City Limit, and the Duwamish River; and the area bounded by 16th Avenue S, Dallas Avenue S and S Donovan Street.

As noted in the Final Environmental Impact Statement (FEIS), air cooling and filtration will reduce indoor air quality impacts of the proposal on residents of new construction near the City's industrial areas. State building codes have been recently amended to require heat pumps in new construction, which will facilitate the implementation of this requirement.

If amendments 7 and 8 are both adopted, Central Staff will merge the requirements and update the maps to reflect both amendments, as appropriate, prior to Council action on the bills.

1. This amendment would amend Section 7 of Council Bill 120567 as follows:

* * *

Section 7. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.47A.009 Standards applicable to specific areas

* * *

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

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

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

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

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

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

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

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

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

2. Facade modulation

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

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

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

3. Maximum structure width

a. The maximum allowed structure width is 250 feet.

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

4. Setback requirements

a. Street-level setbacks

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

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

b. Upper-level setbacks

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1) A setback with an average depth of 10 feet from all abutting street lot lines is required for portions of a structure above a height of 45 feet. The maximum depth of a setback that can be used for calculating the average setback is 20 feet.

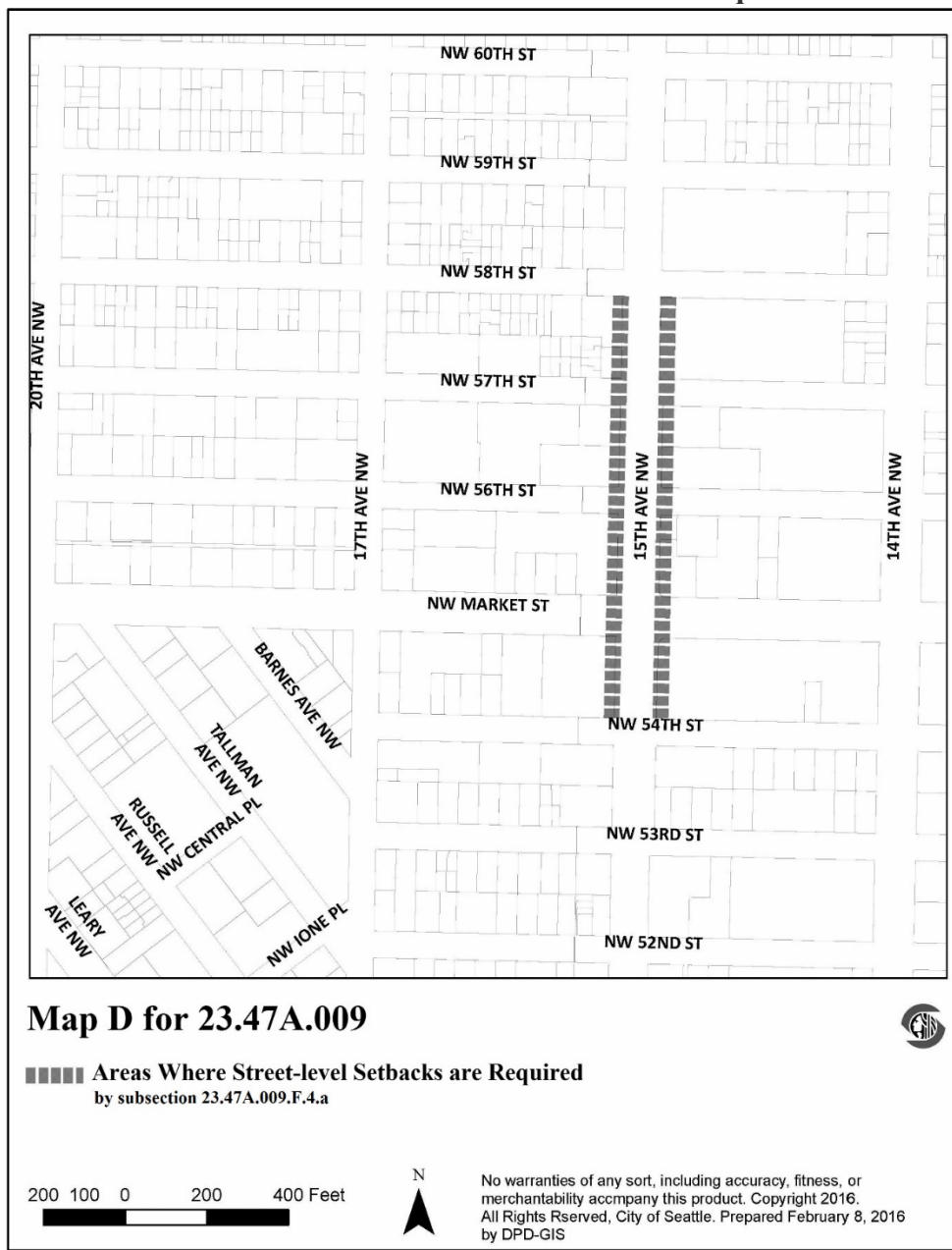
2) A setback with an average depth of 15 feet from all street lot lines is required for portions of a structure above a height of 65 feet. The maximum depth of a setback that can be used for calculating the average setback is 25 feet.

5. Structures permitted in required setback and separation areas according to this subsection 23.47A.009.F are subject to subsection 23.47A.014.G.

6. In the area shown on Map E for 23.47A.009, all dwelling units shall have a permanently installed air cooling system and a balanced ventilation system, which may be combined. The ventilation system shall filter any outdoor air supply through filters rated MERV 13 or higher as determined by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling and ventilation systems shall be indicated on the plans.

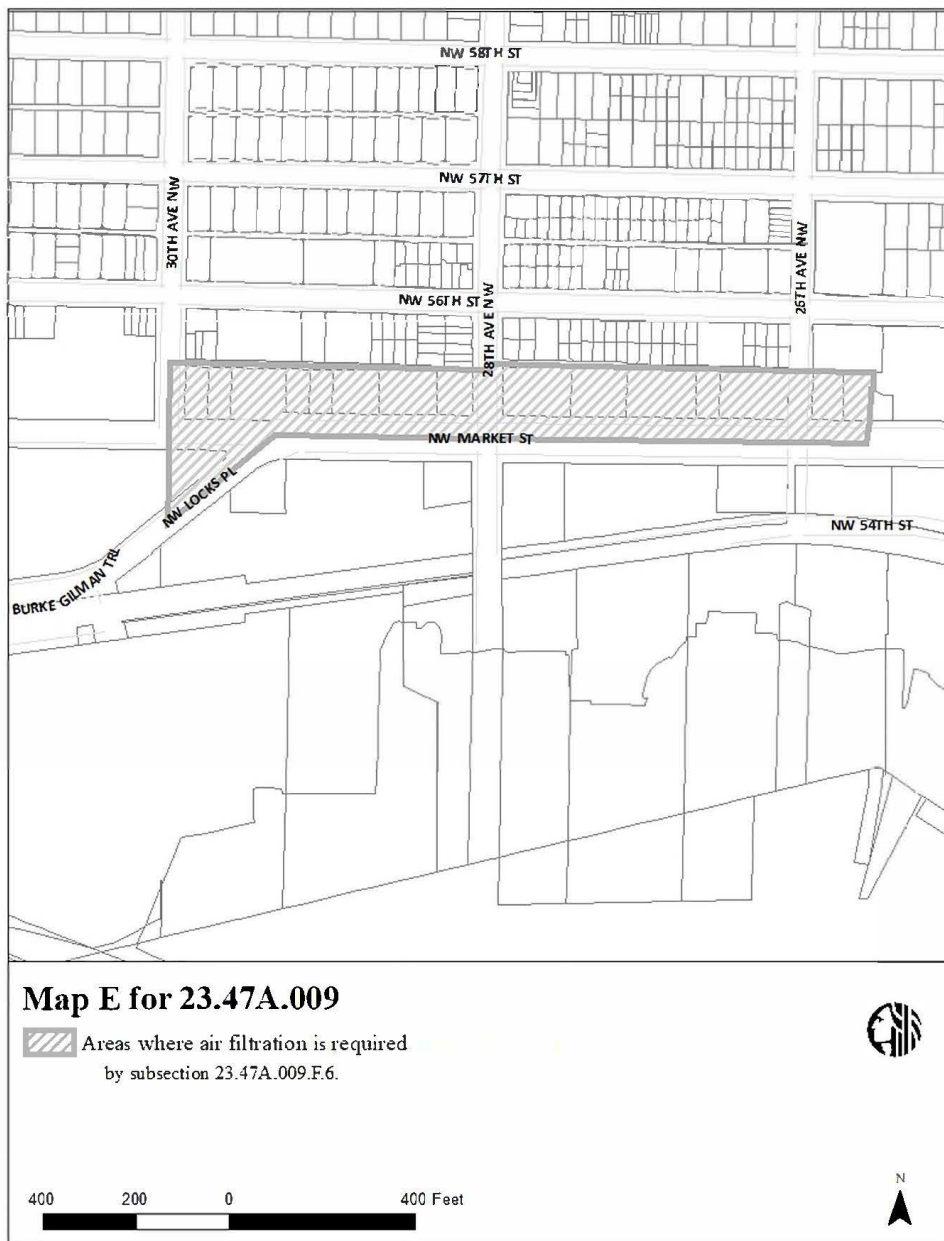
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Map D for 23.47A.009 Areas Where Street-level Setbacks are Required



Map E for 23.47A.009 Areas where air cooling and ventilation are required

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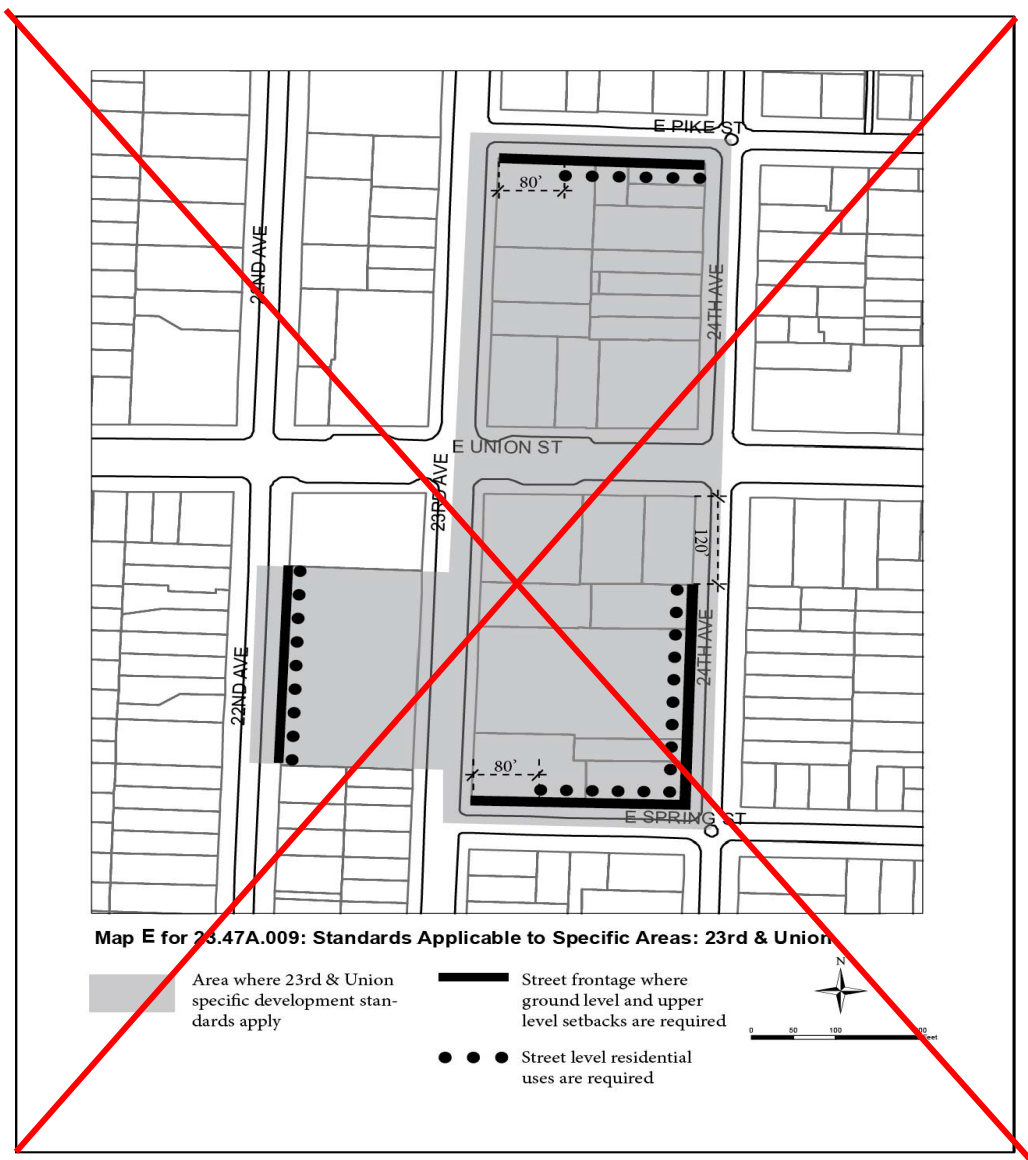
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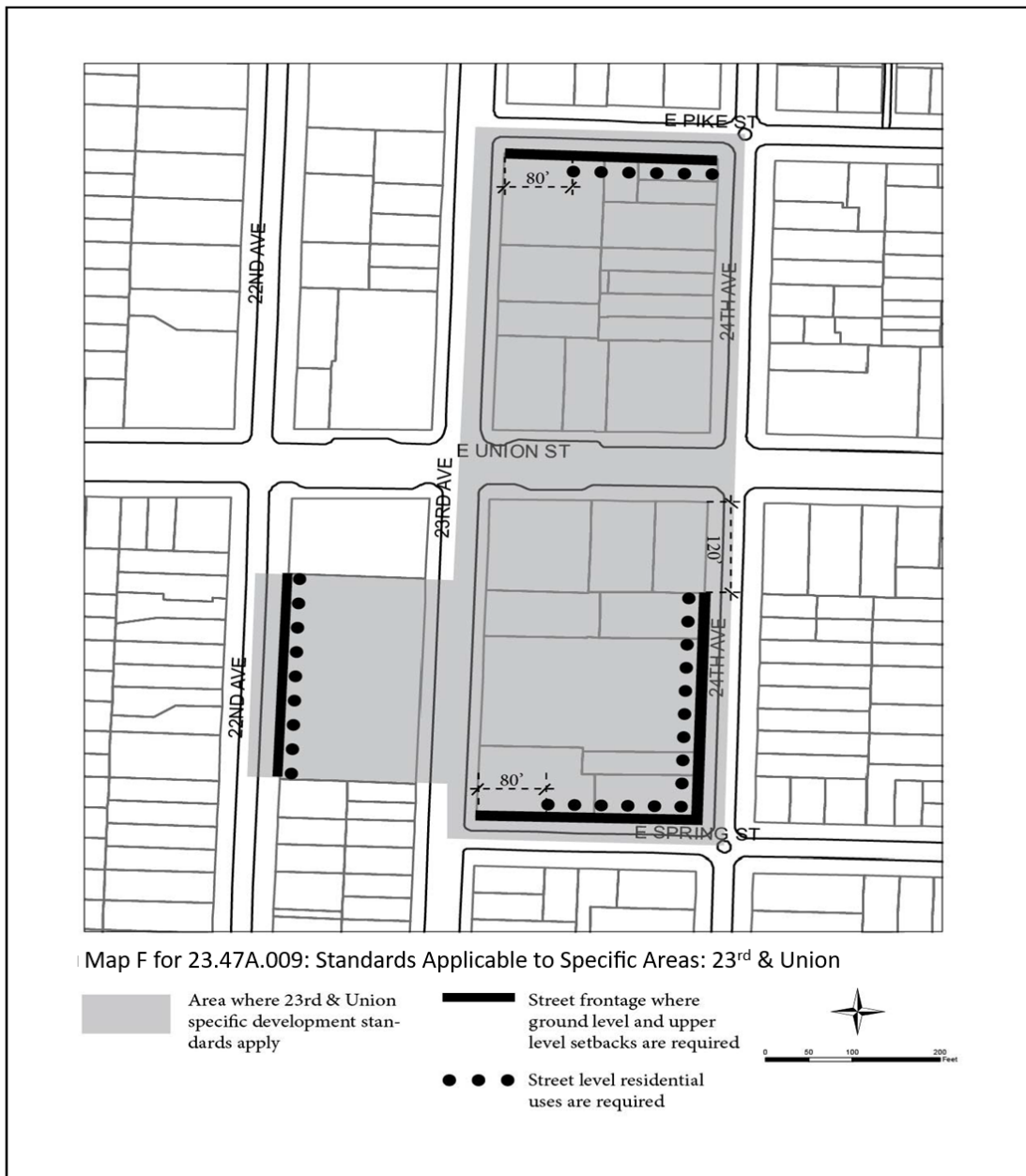
H. 23rd and Union. The following provisions apply to development proposed in NC zones within the area shown on Map ((E)) F for 23.47A.009.

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

Standards applicable to specific areas: 23rd & Union

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1. Setback requirements. Setbacks are required along East Spring Street, East Pike Street, 22nd Avenue, and 24th Avenue as shown on Map ((E)) F 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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b. A minimum upper-level setback of 15 feet for all portions of a structure greater than 35 feet in height as measured from the average finished grade along the sidewalk; and

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

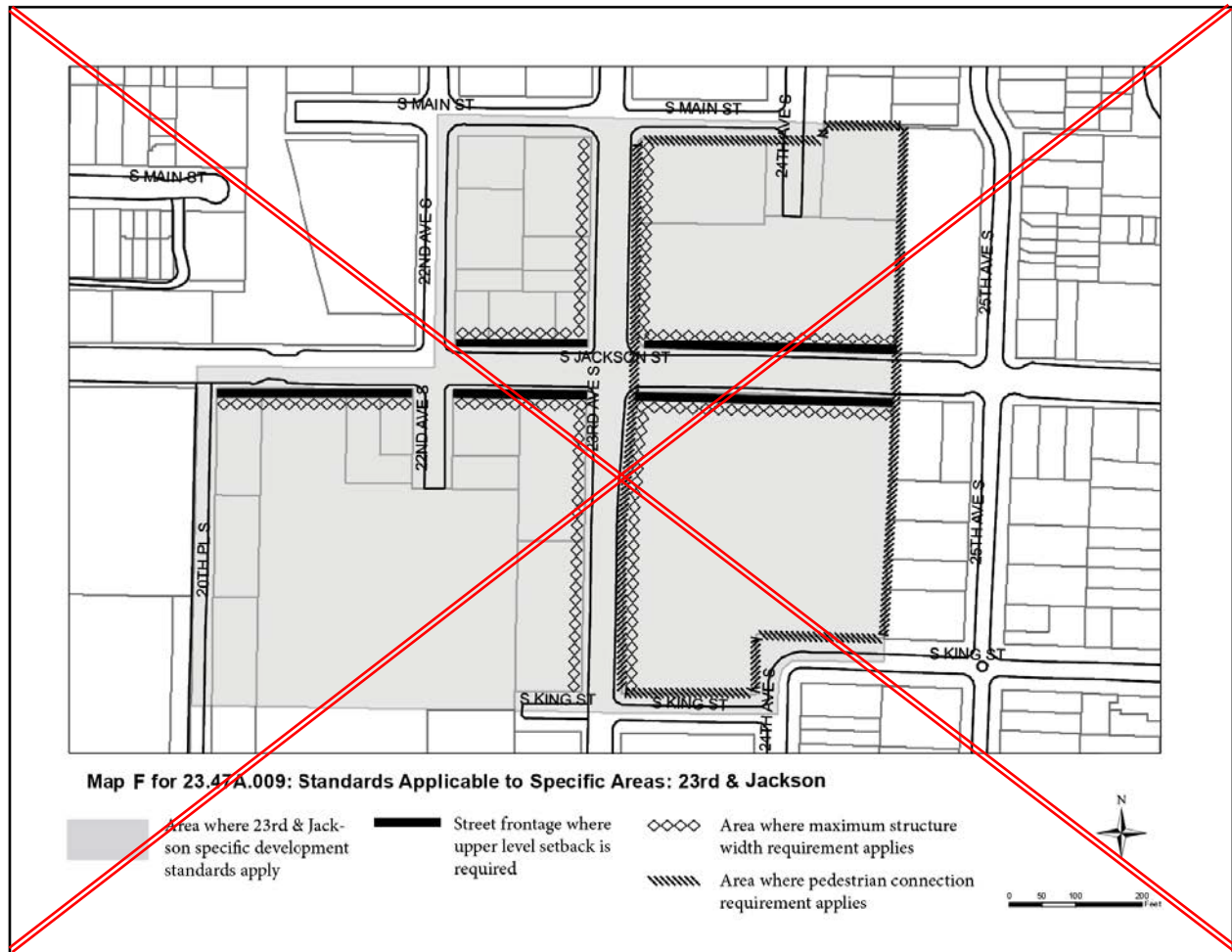
2. Street-level residential uses. Street-level residential uses are required along East Spring Street, East Pike Street, 22nd Avenue, and 24th Avenue as shown on Map ((~~E~~) F) for 23.47A.009 except for the portions of East Pike Street and East Spring Street measured within 80 feet of the property line abutting 23rd Avenue and portion of 24th Avenue measured within 120 feet of the property line abutting East Union Street.

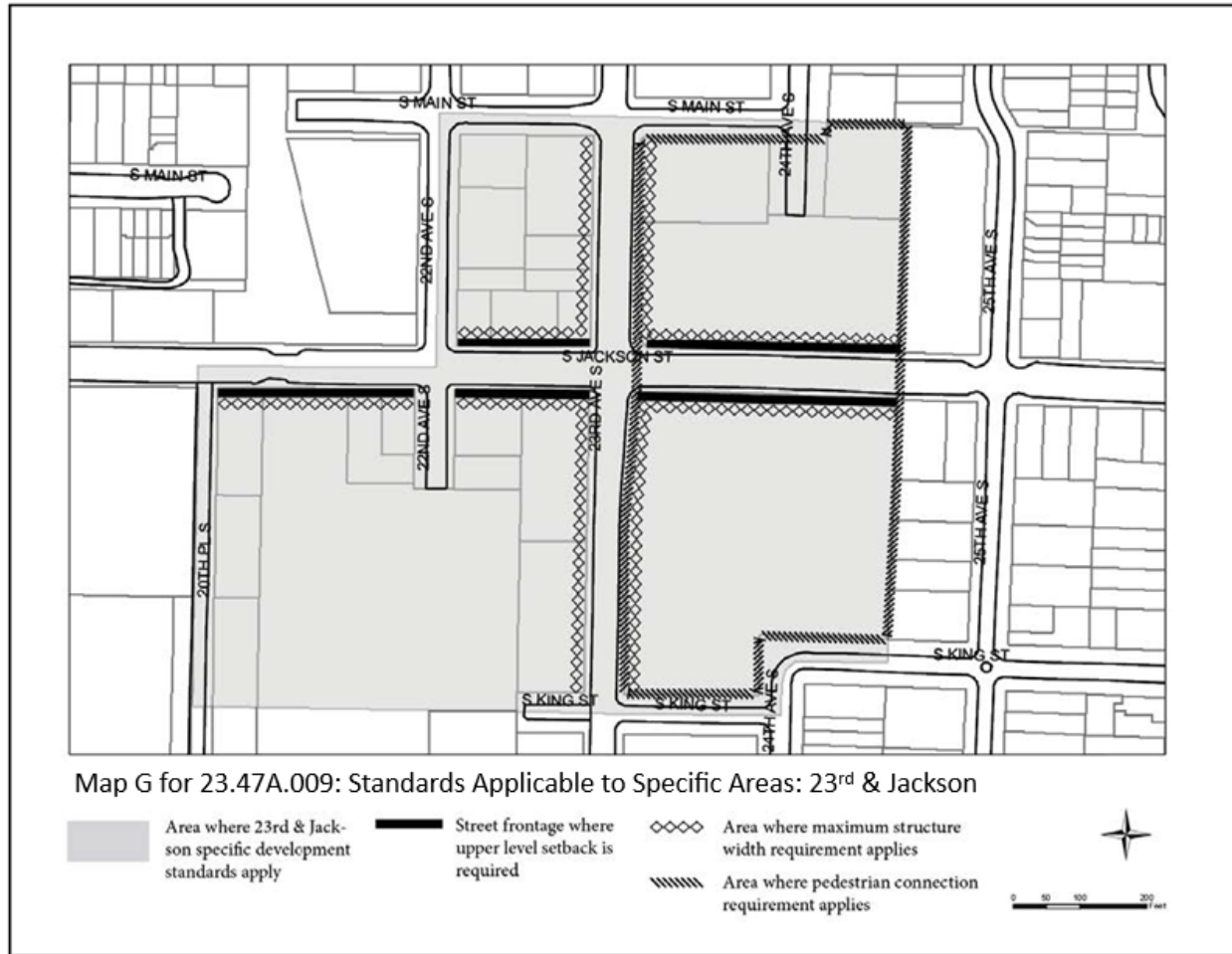
I. 23rd and Jackson. The following provisions apply to development proposed in NC zones within the area shown on Map ((~~F~~) G) for 23.47A.009.

Map ((~~F~~) G) for 23.47A.009

Standards applicable to specific areas: 23rd & Jackson

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1. Setback requirements

a. Along South Jackson Street facing property lines as shown on Map ((F)) G 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)) G 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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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3) The space shall be made available on a first-come, first-served basis to community and charitable organizations; and

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

2. Additional floor area for historic preservation. An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

b. A notice is recorded in the King County real estate records, in a form satisfactory to the Director, regarding the additional increment of floor area allowed and the effect thereof under the terms of this Chapter 23.47A;

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

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

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

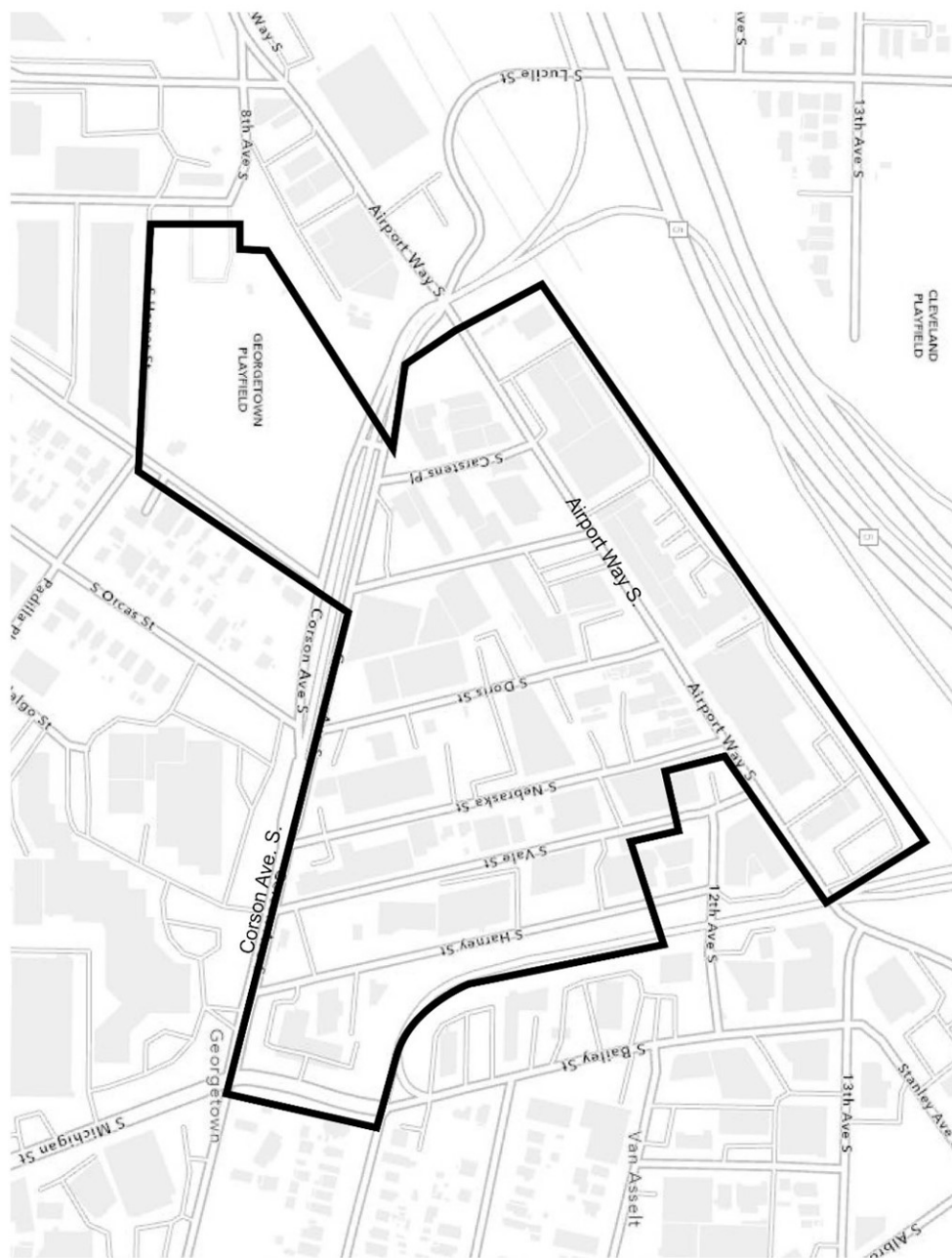
4. In the area shown on Map E for 23.47A.009, all dwelling units shall have a permanently installed air cooling system and a balanced ventilation system, which may be combined. The ventilation system shall filter any outdoor air supply through filters rated MERV 13 or higher as determined by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling and ventilation systems shall be indicated on the plans.

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


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

 Area where Georgetown specific development standards apply

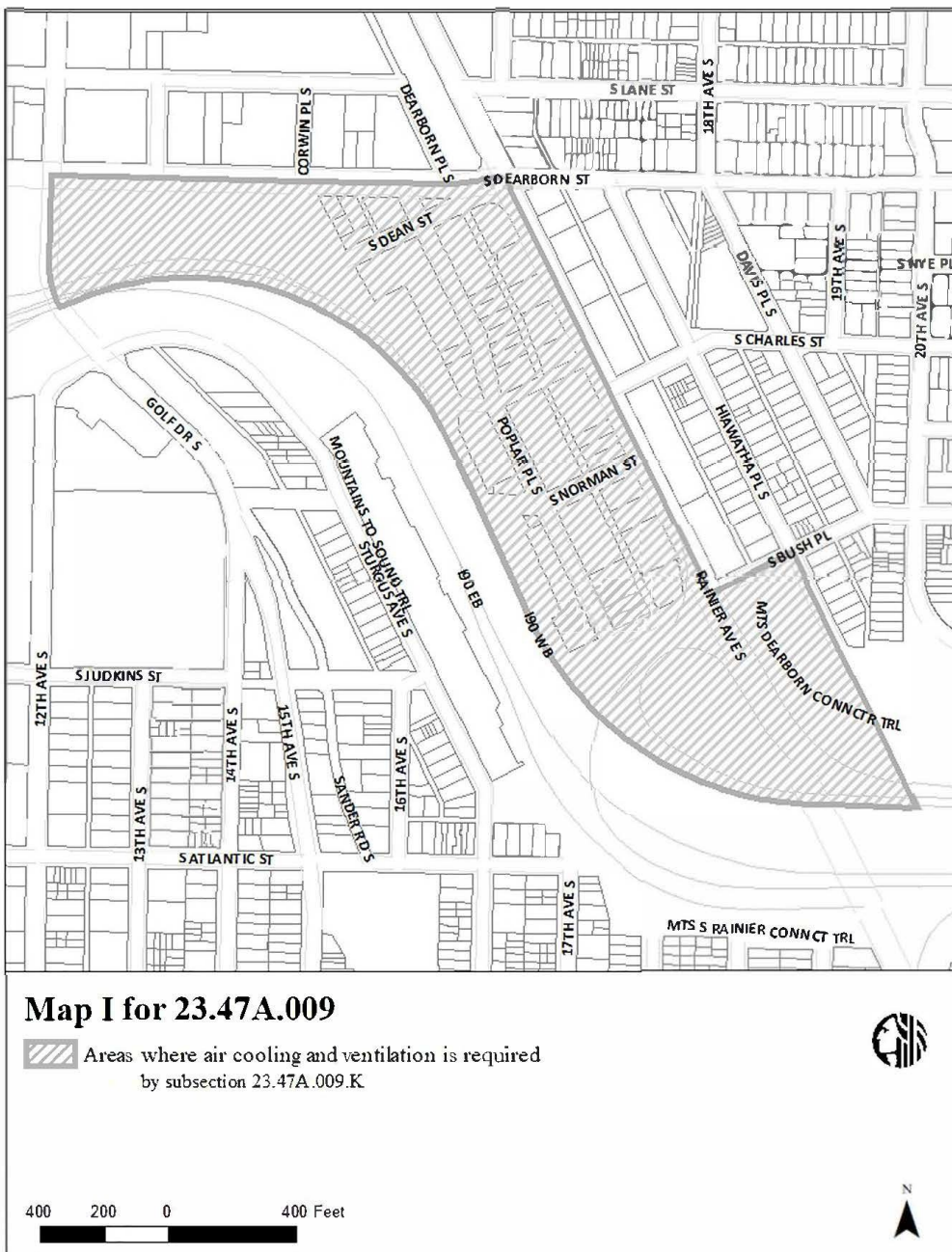


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K. Judkins Park. The following provisions apply to development proposed within the area shown on Map I for 23.47A.009. All dwelling units shall have a permanently installed air cooling system and a balanced ventilation system, which may be combined. The ventilation system shall filter any outdoor air supply through filters rated MERV 13 or higher as determined by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling and ventilation systems shall be indicated on the plans.

Map I for 23.47A.009
Standards Applicable to Specific Areas: Judkins Park

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L. South Park. The following provisions apply to development within the areas shown on Map J for 23.47A.009. All dwelling units shall have a permanently installed air cooling system and a balanced ventilation system, which may be combined. The ventilation system shall filter any outdoor air supply through filters rated MERV 13 or higher as determined by the

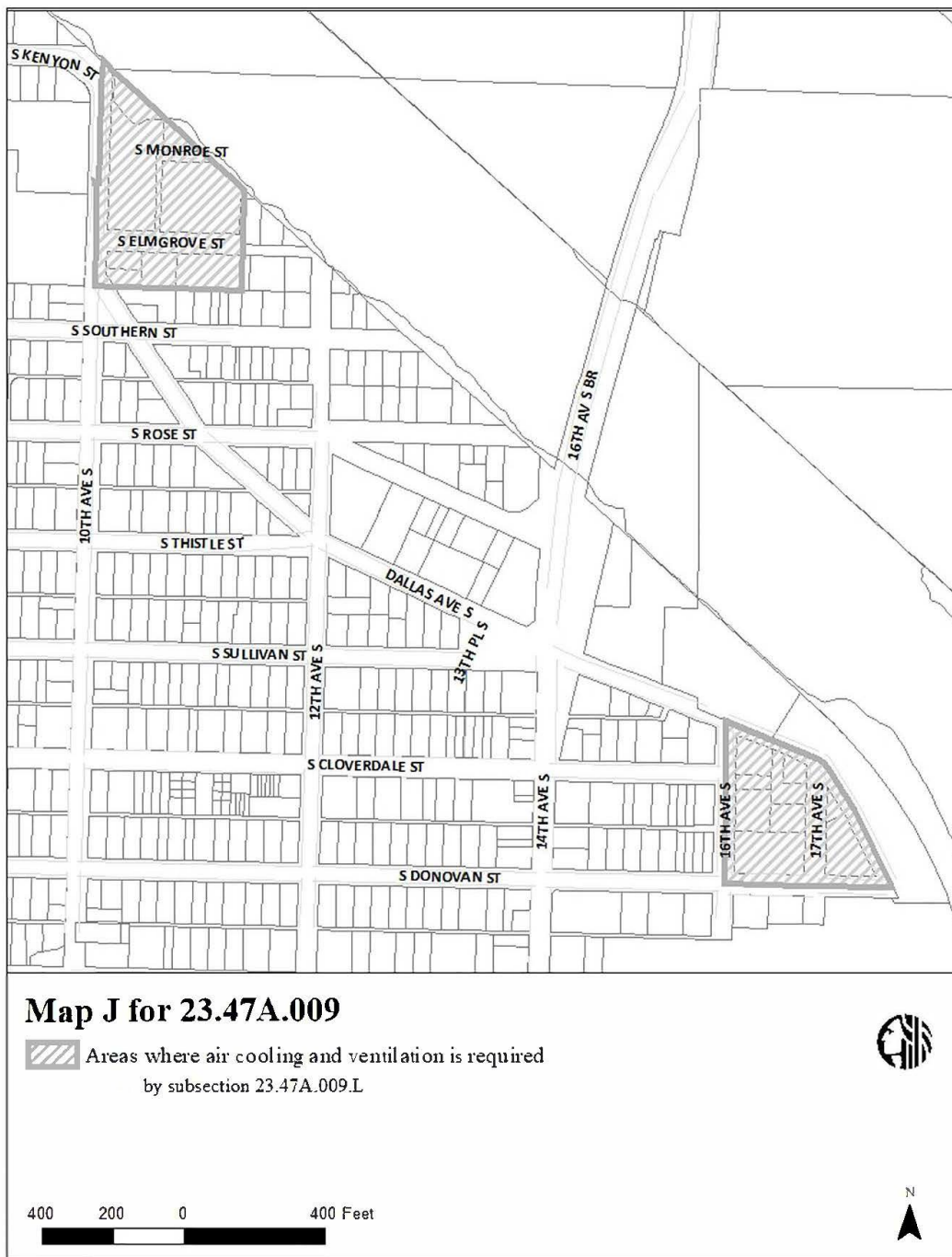
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American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling and ventilation systems shall be indicated on the plans.

Map J for 23.47A.009

Standards Applicable to Specific Areas: South Park

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2. This amendment would also amend Section 8 of Council Bill 120567 to amend proposed Section 23.50A.006.B.3. as follows:

23.50A.006 Conditional uses

* * *

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

* * *

3. Residential use in UI zones. Residential uses are permitted as an administrative conditional use in UI zones if all of the following criteria are met. The residential use may be part of a Major Phased Development.

a. The multifamily residential use shall not exceed a density limit of 50 dwelling units per acre; and

b. The multifamily residential use shall not be located within 200 feet of a shoreline; and

c. The multifamily residential use shall not be within 200 feet of a designated major truck street; and

d. 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 levels at the site. The applicant shall submit an analysis of existing noise levels and documentation of the sound insulating capabilities of windows as part of the conditional use permit application; and

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

~~((e))~~ f. The multifamily residential use shall be located, designed, and configured in a manner to reduce potential conflict with adjacent existing industrial business operations; and

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

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

~~((h))~~ i. Occupancies of dwelling units are voluntarily limited by the building owner to support the availability of housing that is affordable to area workers, such that the multifamily residential use consists of either:

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

2) A minimum of 50 percent of the dwelling units are made available at affordable rent or affordable sale price for a period of 75 years beginning January 1 of the year following final certificate of occupancy to eligible households with annual incomes at or below 60 percent of median income for SEDUs, 80 percent of median income for studio and one bedroom units, and 90 percent of median income for two-bedroom and larger units. Standardized procedures and definitions established by the Office of Housing for administration of Chapter 5.73 shall apply. Dwelling units eligible for the multifamily housing tax exemption may be counted towards the minimum 50 percent.

* * *

Amendment 10 Version #1 to Council Bill 120569 – Industrial & Maritime Zoning Maps ORD

Sponsor: Councilmember Strauss

Rezone the area generally bounded by Leary Avenue NW, 17th Avenue NW, and 20th Avenue NW from Industrial Commercial 65 (M) to Urban Industrial U/65 (UI U/65) and Neighborhood Commercial 3-75 (M1)

Effect: This amendment would rezone property in the area generally bounded by the property on the west side of Leary Avenue NW, NW Dock Street, 1st Avenue NW, the property on the east side of Russell Avenue NW, NW Lone Place, and the property on the east side of Leary Avenue NW from Industrial Commercial 65 (M) (IC-65 (M)) and to Urban Industrial U/65 (UI U/65) and the block bounded by Leary Avenue NW, NW Dock Street, and 17th Avenue NW from IC-65 to Neighborhood Commercial 3 with a 75 foot height limit and a Mandatory Housing Affordability 1 designation (NC3-75 (M1)).

This area is located at the south end of the Ballard Hub Urban Village, starting a block north of the Ballard-Interbay-Northend Manufacturing and Industrial Center (BINMIC) and extending north toward NW Market Street.

Surrounding zoning is IC-65 (M) to the south, Commercial 2-75 (C2-75) and Midrise (MR) to the east and NC3-75, NC3-65 and Commercial 1-65 to the west along Ballard Avenue NW.

Currently the southern block, proposed to be rezoned to NC3-75 (M1) is occupied by Soaring Heart Natural Beds, a futon company, with manufacturing, retail and warehousing facilities located on site; a restaurant and woodworking school are the other tenants on the block. Tenants in the area proposed to be rezoned to UI U/65, include car dealerships, restaurants and retail uses, and parking. One apartment building is located at the north end of this area.

The Seattle Municipal Code (SMC) requires the Council to use the rezone criteria located in SMC Chapter 23.34 when considering a rezone. That chapter states: “The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.”

IC Zone. The IC zone is intended to promote development of businesses which incorporate a mix of industrial and commercial activities. The area meets the following IC rezone criteria from SMC 23.34.096 as proposed to be amended by Council Bill 120567:

- The area is located in an area, the Ballard Urban Village, and near the Ballard Avenue Historic District, which provide amenities that could provide an attraction for new businesses, particularly new technology and research and development activities (A).
- The area is “in close proximity to major institutions capable of providing support for new technology-oriented and research and development businesses.” The area is a area

south of the Swedish Medical Center Ballard Campus, providing opportunities for medical-related activities. (B)

- The area is a “former industrial area which [is] undergoing a transition to predominantly commercial or mixed commercial and industrial activity.” (C, but see below)
- The area is an industrial area located outside of the Manufacturing Industrial Center. (D)

It does not meet the following IC zone rezone criteria from SMC 23.34.096:

- The area would not be considered an area “where transportation and/or other infrastructure capacities are constrained and can only accommodate modest growth without major improvements.” (C, but see above.)
- The area does not have an existing concentration of technology-oriented and research and development uses. (D)

UI Zone. The UI zone is intended to provide a transition between core industrial areas and neighboring urban villages and mixed-use areas. The area meets the following criteria in proposed Section 23.34.099:

- The area is at the transition between the maritime industrial areas of the Ballard waterfront in the BINMIC, and non-industrially-zoned areas of the Ballard Urban Village. (B1)
- The area is located outside of a Manufacturing/Industrial Center (MIC) (B2)
- The area contains a variety of small existing industrial and nonindustrial structures (B3)

It does not meet the following UI zone rezone criteria from SMC 23.34.099:

- The area is generally characterized by larger parcel sizes. (B3)

C2 Zone. C2 zones are intended to provide for an auto-oriented, primarily non-retail commercial area that provides a wide range of commercial activities serving a community, citywide, or regional function. The area meets the following C2 rezone criteria from SMC 23.34.082:

- The area is an “existing commercial area characterized by heavy, non-retail commercial activity” (B2).
- The area is “readily accessible from a principal arterial.” (B3)
- The area is adjacent to a manufacturing/industrial zone. (B4)
- Changes in the street grid would buffer areas or commercial areas of lesser intensity (B5)

It does not meet the following C2 rezone criteria:

- It is inside an urban village and does not abut a state highway. (B1)
- There is not a predominance of parcels of 30,000 square feet or larger. (B6)
- There is good pedestrian and transit access. (B7)

NC3 zone. NC3 zones are intended to support or encourage pedestrian-oriented shopping district that serves the surrounding neighborhood and a larger community, citywide or regional clientele; that provides comparison shopping for a wide range of retail goods and services; that incorporates offices, business support services, and residences that are compatible with the retail character of the area. The area meets the following NC3 rezone criteria from SMC 23.34.078:

- It is served by a principal arterial. (B2)
- It is separated from low-density residential areas. (B3)
- It has excellent transit service. (B4)

It does not meet the following NC3 rezone criterion:

- It is not part of the primary business district in the Ballard Hub Urban Village. (B1)

In addition to the IC, C2, and NC3 zones, the NC2 zone was considered, but is less appropriate than the NC3 zone for a location with excellent transit service and the C1 zone was considered but is less appropriate than the C2 zone for an area without a strong retail presence.

Overall, the area meets many of the criteria for the IC, UI, C2 and NC3 zones. Given the current uses in the area, the IC or UI zone appears to be an appropriate zone for most of the area. However, the area also meets a majority of the criteria for the other zones. The Ballard/Crown Hill neighborhood plan does not provide much guidance regarding this area. However, Councilmembers should consider SMC 23.34.072.E., which states that “The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.”

A rezone of part of the area to UI and a part of the area to NC3 may have the following impacts on the area proposed to be rezoned and its surroundings:

- A rezone of a block to NC3 is not likely to create the type of large pedestrian-oriented commercial district that the NC3 zone is intended to create but would set a precedent for future rezones of surrounding blocks to NC3, potentially speeding the conversion of the area away from industrial activity.
- A rezone to UI will allow for a mix of uses including continuing industrial and new residential uses allowing for a transition in activity over time.
- The NC3 zone would allow residential development outright and the UI zone would allow residential development as a conditional use. Residential development is generally not permitted under existing zoning. These residences will be located very near the BINMIC and may experience noise, air pollution, dust, vibration and other impacts of industrial activities. Other amendments, if adopted, adopted, would reduce these impacts.
- A rezone from IC to UI and NC3 is likely to increase capacity for residential development and a small decrease in the capacity for job development in the Ballard Urban Village.

Lish Whitson
Land Use Committee
June 6, 2023
D#1

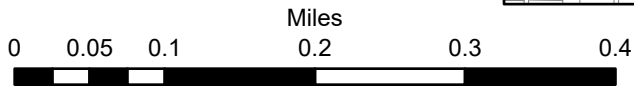
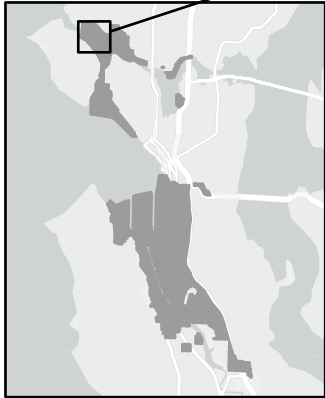
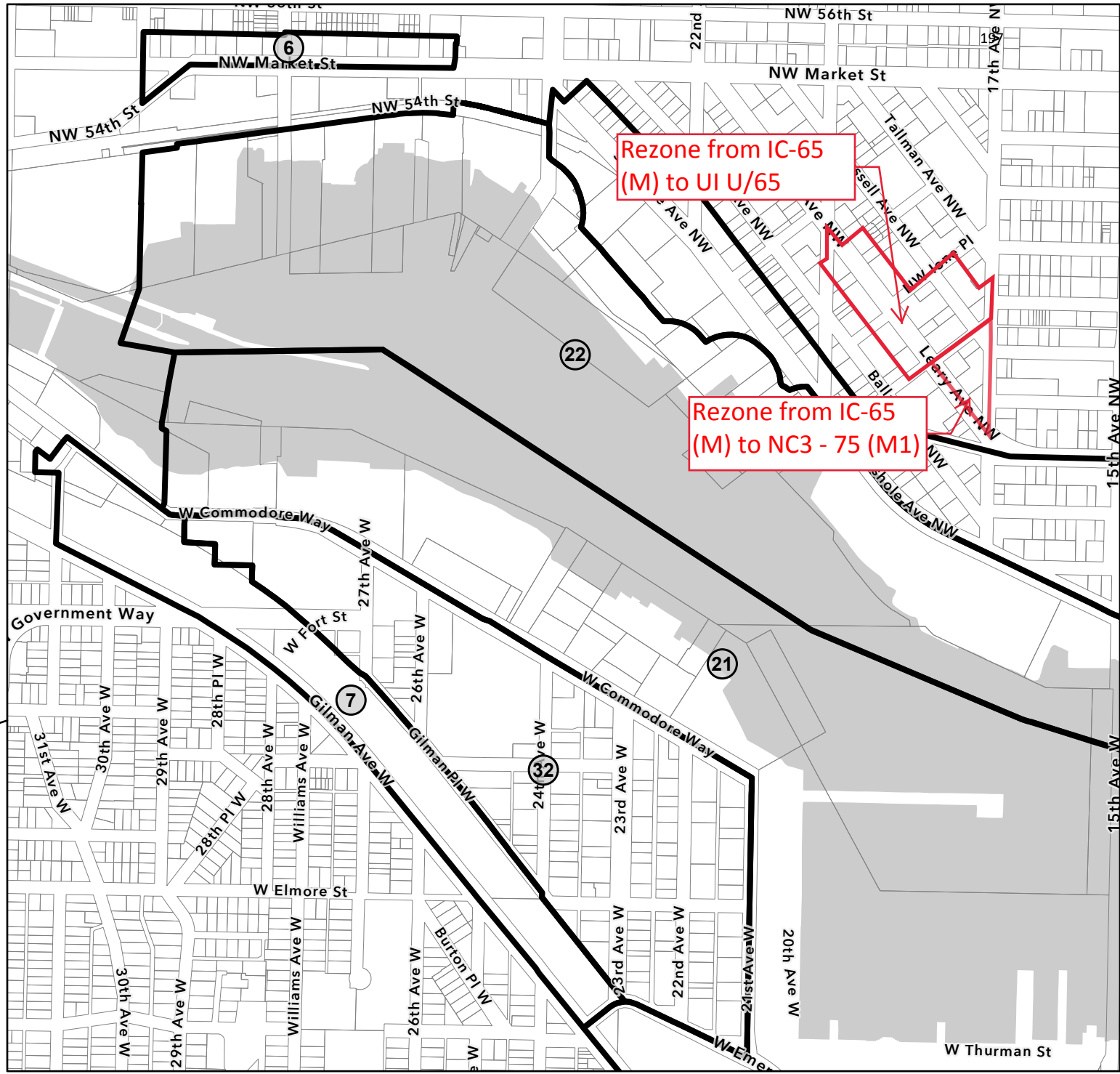
Rezoning of this area to UI was studied under the Industrial and Maritime Strategy environmental impact statement but was not proposed by the Executive, which chose to propose IC zoning in most areas outside of MICs. Rezoning to NC3 was not studied under the EIS. If the Committee votes to approve this amendment, additional notice and review of possible additional environmental impacts of the NC3 zoning would be required.

This amendment would amend the rezoning map as shown on page 1 of Attachment 1 to Council Bill 120569 to reflect the rezoning as shown on the following page.

If amendments 7 or 8 are adopted, this area would be added to the areas in SMC 23.47.009 where noise attenuating windows and/or air filtration are required.

West Ballard Rezone Map

| Label | Rezone |
|-------|------------------------|
| 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 |



Amendment 11 Version #1 to Council Bill 120569 – Industrial & Maritime Zoning Maps ORD

Sponsor: Councilmember Strauss

Rezone the block bounded by Leary Way NW, 14th Avenue NW, NW 50th Street and 11th Avenue NW from IG2 U/65 and IB U/45 to II U/125 rather than MML U/65

Effect: This amendment would rezone property on the block bounded by Leary Way NW, 14th Avenue NW, NW 50th Street and 11th Avenue NW and from General Industrial 2 (IG2) U/65 and Industrial Buffer (IB) U/45 to Industry & Innovation (II) U/125. CB 120569 would rezone the block to Manufacturing, Maritime & Logistics (MML) U/65. This five-acre block is located in the Ballard-Interbay-Northend Manufacturing and Industrial Center.

The block is located on the northeast corner of Leary Avenue NW and 14th Avenue NW. The II zone is proposed on the blocks to the north and west, and the Maritime, Manufacturing & Logistics (MML) zone is proposed on the blocks to the south. The Urban Industrial zone is proposed for the blocks east of this block.

Currently the block is predominantly owned and occupied by Rudd Company, a manufacturer of wood finisher. Other tenants on the block include Gardico, a supplier of custom gaskets and gasket materials; Sea & Shore Construction, a builder of bulkheads, docks and piers; Carsoe, a seafood processing company; and DeForest Architects.

The Seattle Municipal Code (SMC) requires the Council to use the rezone criteria located in SMC Chapter 23.34 when considering a rezone. That chapter states: “The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.”

MML zone. The MML zone is intended for existing industrial areas with concentrations of core and legacy industrial and maritime uses and is well served by transportation infrastructure. The block meets the following MML rezone criteria from SMC 23.34.097 as proposed by Council Bill 120567:

- It is generally flat. (B)
- It is an area with an existing cluster of industrial and maritime suppliers and services. (B3)

II zone. The II zone is intended to facilitate the development of transit-oriented areas that support a mix of economic innovation and emerging industries and commercial development. The block meets the following II rezone criteria from SMC 23.34.098 as proposed by Council Bill 120567:

- It is in a Manufacturing Industrial Center. (B1)

- The entire block is located within a half mile walking distance of the future Ballard light rail station. (B2)
- It is in an area with a high potential to attract new investment in buildings and infrastructure that supports dense technological employment, not necessarily involving heavy physical processes or large physical machinery. (B3)

In addition to the II and MML zones, the UI zone was considered, but is less appropriate for a location with large parcels.

Overall, the block meets the criteria for both the II and MML zones. Given the current uses on the block, the MML zone appears to be an appropriate zone for the block. However, the area also meets all of the criteria for a change to II, which would provide more opportunities for redevelopment. The II zone would require the creation of space designed to accommodate industrial uses and, if a future developer chooses to develop to the maximum Floor Area Ratio, use of either mass timber construction or transfer of development rights from vulnerable masonry structures.

The BINMIC plan includes policies encouraging the preservation of land for industrial activities and the retention and expansion of existing businesses. But also encourages the attraction of new businesses to the area.

A rezone to II may have the following impacts on the area proposed to be rezoned and its surroundings:

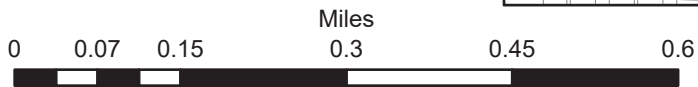
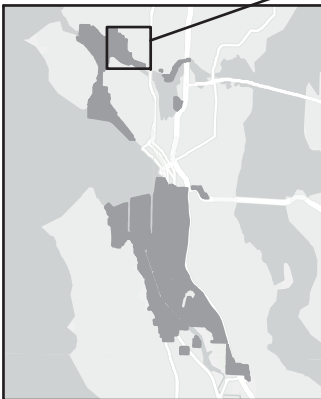
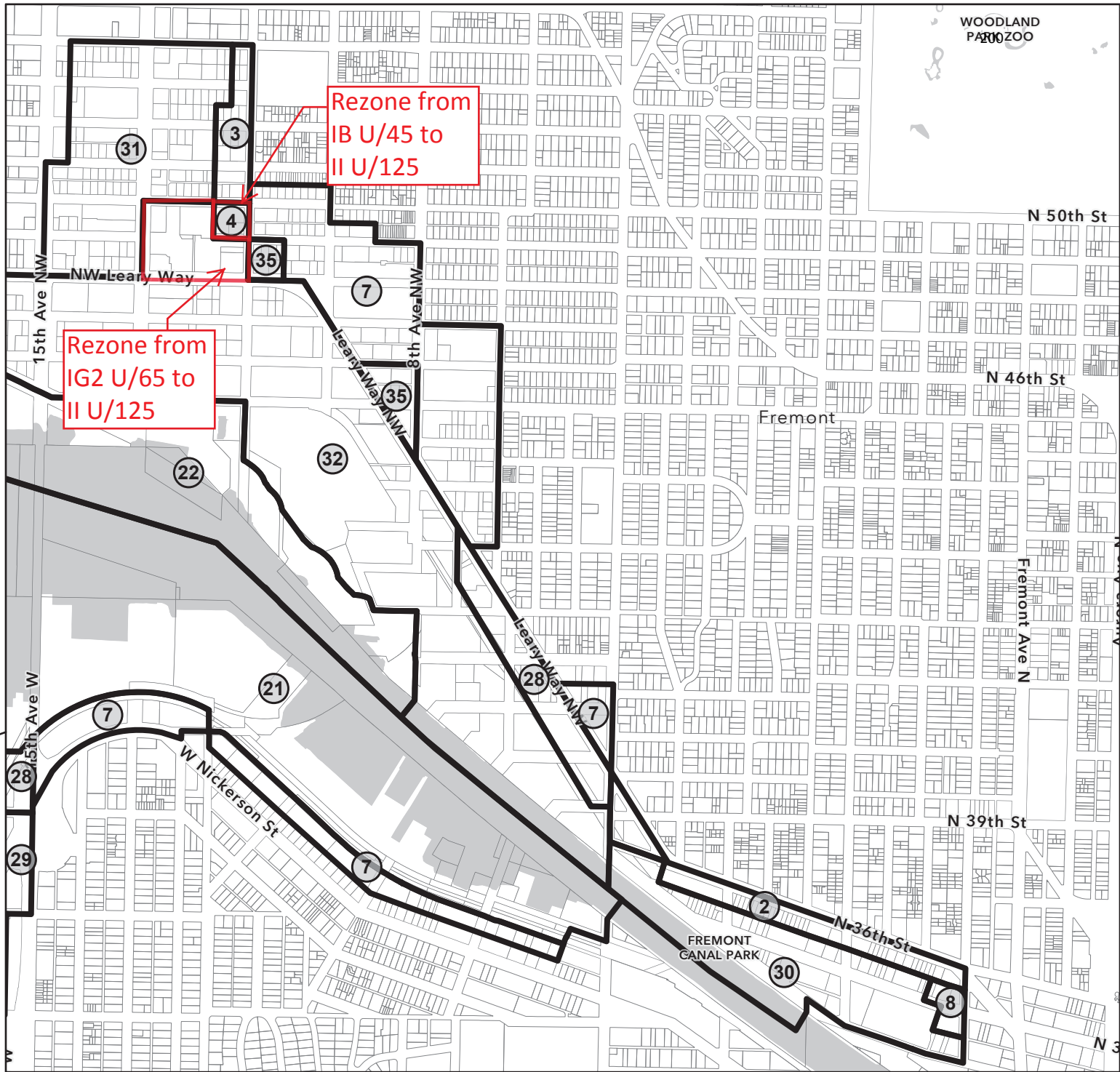
- Over time, the II zone is more likely to lead to the redevelopment of the block than the MML zone. This would result in the existing industrial businesses leaving the area and potentially leaving Seattle.
- If the block is redeveloped under the II zone, it is likely to lead to more parking and traffic than lower-scale development under the MML zone.
- A rezone to II would require improved streetscapes and more landscaping than would be required under the MML zone. Pedestrian activity and transit use is likely to increase under the II zone.

A rezone of this property to the II zone was studied in the Industrial and Maritime Strategy environmental impact statement Alternative 4 but was not proposed by the Executive.

This amendment would amend the rezone map as shown on page 2 of Attachment 1 to Council Bill 120569 to reflect the rezone as shown on the following page.

East Ballard / Fremont Rezone Map

| Label | Rezone |
|-------|--------------------------------|
| 2 | IB U/45 to IC-45 |
| 3 | IB U/45 to II U/125 |
| 4 | IB U/45 to MML U/65 |
| 7 | IB U/45 to UI U/45 |
| 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 |



Lish Whitson
Land Use Committee
May 31, 2023
D#1

**Amendment 12 Version #1 to CB 120569 - OPCD Industrial & Maritime Zoning Maps ORD and
CB 120568 - OPCD 2023 Comprehensive Plan Annual Amendments ORD**

Sponsor: Councilmember Strauss

Remove the area to the north and east of NW 48th Street and 9th Avenue NW from the BINMIC and designate it an Industrial Area on the Future Land Use Map

Effect: This amendment would amend Council Bill (CB) 120568 to remove property on the block bounded by NW 48th Street, NW 49th Street, 9th Avenue NW, and 8th Avenue NW and property to the north across the street from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) and designate it as Industrial on the Future Land Use Map (FLUM).

The area is located at the northeast edge of the BINMIC. This property, along with property to the south and west are proposed to be rezoned Urban Industrial U/45 (UI U/45) under CB 120569. As proposed, the FLUM would continue to show these areas as part of the Manufacturing Industrial Center.

The area contains a mix of industrial and non-industrial uses. The south side of the block bounded by NW 48th Street, NW 49th Street, 9th Avenue NW and 8th Avenue NW is occupied by a self-storage and outdoor storage facility and a lawyer's office. On the north side of the block are a welding supply store, a wood floor refinisher, and Domanico Cellars, a winery tasting room. Across NW 49th Street are Firefly Kitchens, a food processing company, and the Bale Breaker and Yonder Cider taproom.

To the south of the area proposed to be removed from the MIC, in an area also proposed to be rezoned to UI U/45 and staying within BINMIC is the Fremont Brewing brewery. To the west are a mix of light industrial and heavy commercial businesses, including tool manufacturers, moped retailers, and a neon sign shop.

The area located to the north is zoned Lowrise 1 and the area to the east is zoned Neighborhood Residential 3, residential zones. They are designated "Multi-Family Residential Areas" and "Neighborhood Residential Areas" respectively on the Future Land Use Map. Outside of the BINMIC, the remainder of the block face on the north side of NW 49th Street is occupied by townhouses. Further north, the LR1 (M) zone continues, and there are a mix of townhouses and detached houses. To the east in an area that would remain zoned Neighborhood Residential 3 are primarily single-family homes.

The BINMIC plan generally argues for maintaining the current boundaries without changes. This area serves as a transition between the BINMIC's more heavily industrial areas and the residential areas to the north and west. By moving the BINMIC boundary, property owners in the future would be able to either develop under the UI zone standards or apply for rezones to allow for uses that would provide appropriate transitions between the BINMIC and its residential neighbors. Without a change in the boundary at this time, the next time to make

Lish Whitson
 Land Use Committee
 May 31, 2023
 D#1

this change would be at the next major update to the Comprehensive Plan, in approximately ten years.

Removal of this property from the BINMIC was not considered under the Final Environmental Impact Statement. If the Committee votes to approve this amendment, additional notice and review of possible environmental impacts would be required.

1. This amendment would amend Section 2 and correct the numbering of Section 3 to Council Bill 120568 as follows:

Section 2. The Future Land Use Map and the boundaries of 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, ~~((and))~~4, and 5 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 ~~((2))~~ 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.

2. The amendment would add a new Attachment 5 to Council Bill 120568 to remove this property from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) as shown on Exhibit 1 to Amendment 12.

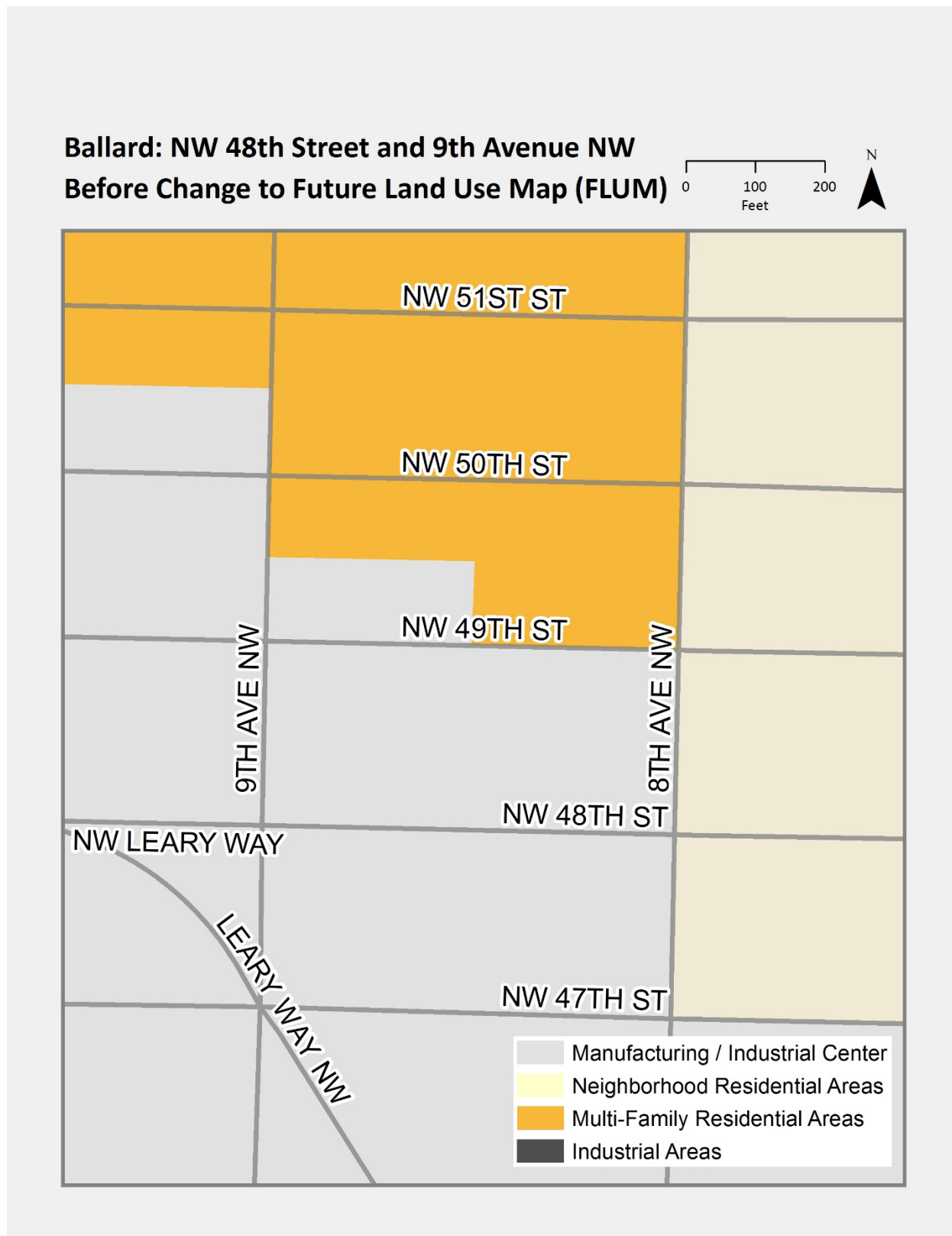
Amendment 12

Exhibit 1. Amendment to Council Bill 120568 – Comprehensive Plan map amendments

Att 5 – Amendments to the Comprehensive Future Land Use Map – Ballard
V1

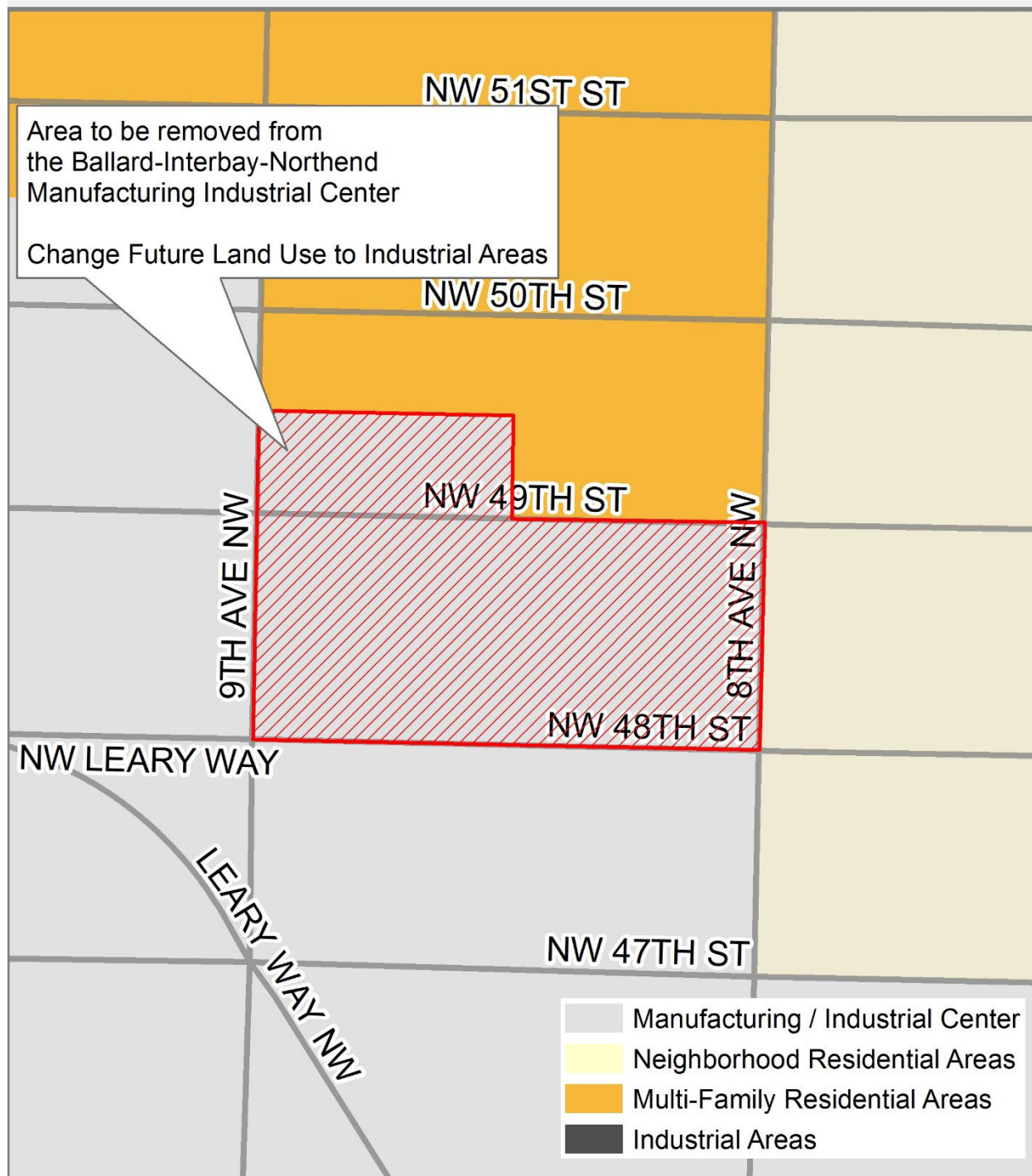
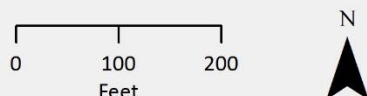
Attachment 5

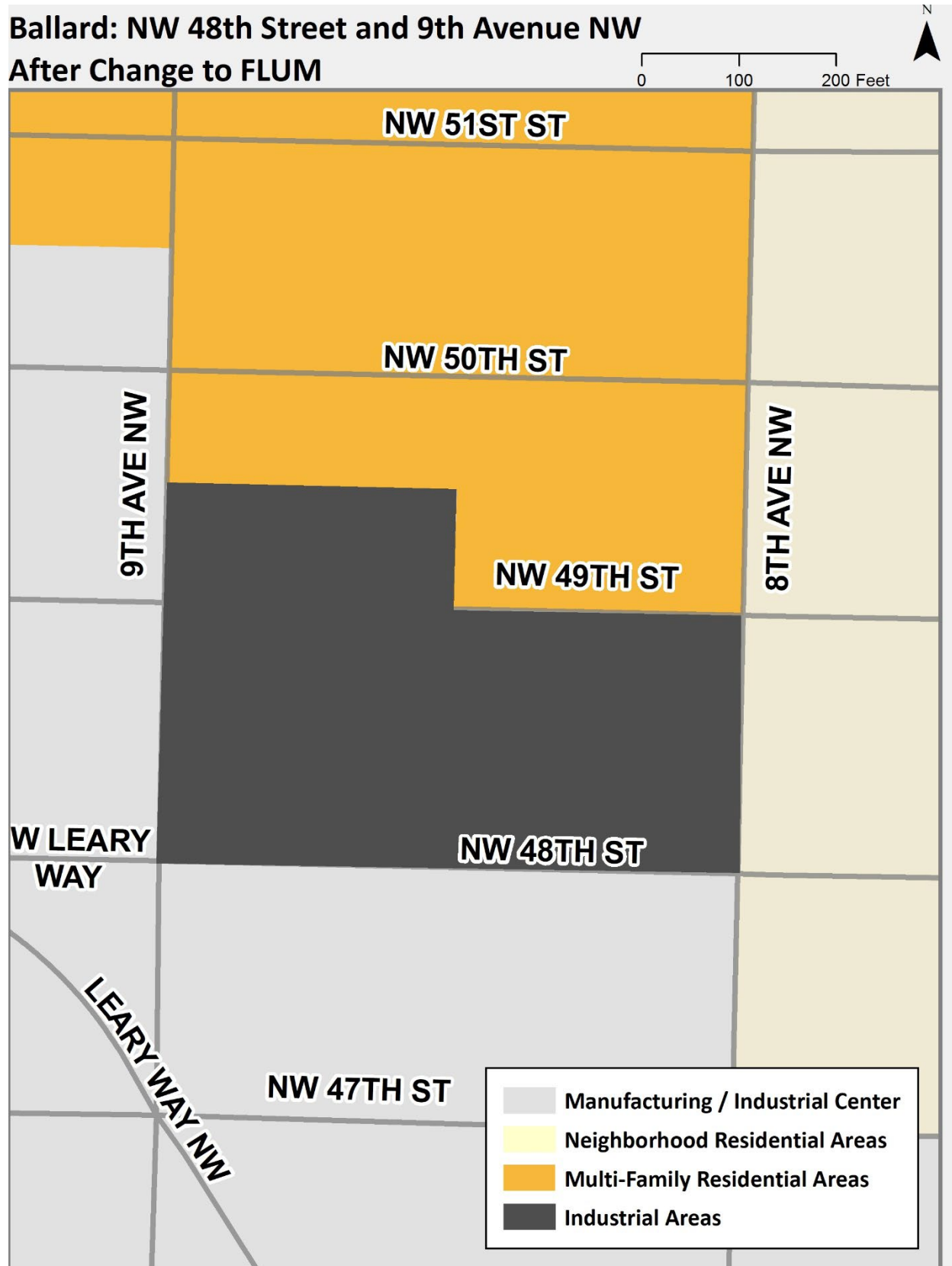
Amendments to the Comprehensive Plan Future Land Use Map –



Ballard: NW 48th Street and 9th Avenue NW

Proposed Change to FLUM





Lish Whitson
 Land Use Committee
 June 5, 2023
 D#1a

**Amendment 13 Version #1 to CB 120569 - OPCD Industrial & Maritime Zoning Maps ORD and
 CB 120568 - OPCD 2023 Comprehensive Plan Annual Amendments ORD**

Sponsor: Councilmember Strauss

Remove the area along the south side of W Commodore Way at 31st Avenue W from the BINMIC and rezone the area from IB U/45 and NR3 to C2-40 (M) and MML U-65 rather than UI U/45

Effect: This amendment would remove property on the south side of W Commodore Way near 31st Avenue W from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) and rezone it to Commercial 2 with a 40-foot height limit and a mandatory housing affordability suffix (C2-40 (M)), rather than the Urban Industrial U/45 zone as proposed. It would also rezone one parcel currently zoned Neighborhood Residential 3 (NR3), which is located at the end of a dead-end street and not in residential use, to C2-40 (M). The amendment would rezone two parcels on the west side of 31st Avenue W and two parcels on the east side of 31st Avenue W to C2-40 (M) and one parcel and portions of two other parcels with split zoning to Maritime, Manufacturing & Logistics (MML) U/65.

The area is located at the western edge of the BINMIC south of Salmon Bay and east of the Ballard Locks. It is within a wildlife habitat area, and a portion of the westernmost lots have some steep slope area.

The western industrial parcel is currently occupied by an auto repair shop. The NR3 parcel lies south of it. That parcel is currently in use for parking and is at the end of 31st Avenue W, which dead ends into the rail line.

The eastern industrial parcels are occupied by a mix of small businesses, including: importers; electricians; garage door, window, and appliance repair businesses; auto sales; and outdoor storage facilities.

The Burlington Northern rail line is south of the area under consideration. To the west are apartment buildings. To the north, along Salmon Bay, are two large apartment buildings with marinas. The Ballard Locks are located approximately 600 feet west of the area.

Property located to the north and west is zoned Lowrise 3 with the Urban Residential shoreline environment and property due north is zoned C2-40 with the urban maritime shoreline environment. Property to the east is proposed to be zoned MML U/65. The Burlington Northern rail line to the south is proposed to be rezoned to UI U/45.

The Seattle Municipal Code (SMC) requires the Council to use the rezone criteria located in SMC Chapter 23.34 when considering a rezone. That chapter states: "The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation."

UI zone: The UI zone is intended to provide a healthy transition between core industrial areas and neighboring residential areas. The area meets the UI rezone criteria from SMC 23.34.099:

- It is a transition between core industrial areas in MML zones and non-industrially zoned areas (B1);
- It is within a designated MIC (B2); and
- It is platted with small parcels and a variety of small existing industrial and nonindustrial structures. (B3)

C2 Zone. C2 zones are intended to provide for an auto-oriented, primarily non-retail commercial area that provides a wide range of commercial activities serving a community, citywide, or regional function. The area meets the following C2 rezone criteria from SMC 23.34.082:

- It is outside of urban villages. (B1)
- The area is an “existing commercial area characterized by heavy, non-retail commercial activity” (B2).
- The area is adjacent to a manufacturing/industrial zone. (B4)
- Changes in the street grid would buffer areas or commercial areas of lesser intensity (B5)
- There is limited pedestrian and transit access. (B7)

It does not meet the following C2 rezone criteria:

- The area is not “readily accessible from a principal arterial.” (B3)
- Only one of the parcels is larger than 30,000 square feet. (B6)

NC1 Zone. NC1 zones are intended to encourage small shopping areas that provide convenience retail sales and services to the adjoining neighborhood. The area meets the following NC1 rezone criteria from SMC 23.34.074:

- It is outside of urban villages. (B1)
- It is located on a collector arterial. (B2)
- There are no physical edges to buffer the residential areas. (B3)
- Two out of the three parcels are small. (B4)
- It has limited transit service. (B5)

The area meets all of the criteria for both the UI zone and the NC1 zone, and most of the criteria for the C2 zone. Because there is C2 zoning across the street, and because the existing uses in the area would be conforming to the C2 zone requirements, it may be more appropriate for C2 than for NC1.

In addition to the UI and C2 zones, the LR3 zone and other commercial zones were considered, but are not appropriate for a location not served by public transit with limited access and services.

The one parcel currently zoned NR3 does not meet the criteria for NR and is more appropriate to be rezoned with its neighbors.

The rezone may have the following impacts on the area proposed to be rezoned and its surroundings:

- Portions of the westernmost parcels include environmentally critical areas (ECA), including steep slopes and landslide prone areas, however, a portion of the lot could be redeveloped without encroaching on those areas. ECA regulations would apply.
- Rezoning the property is likely to encourage the redevelopment of these parcels, potentially displacing existing light industrial and commercial tenants.
- The C2 zone is an auto-oriented commercial zone, and rezoning the property may lead to additional traffic in the area. Which is served by a collector arterial.
- The NC1 zone would generally not permit the outdoor storage and automobile repair uses currently in the area, and a rezone would make them non-conforming.

Rather than both removing the area from the BINMIC and rezoning it to a Commercial zone as part of this legislation, the Council could also remove it from the BINMIC but accept the Executive's recommendation to rezone it to UI, allowing property owners to propose site-specific rezones that would have less impact on the existing businesses.

Removal of this property from the BINMIC was not considered under the Final Environmental Impact Statement. Rezones of this property to zones other than the Urban Industrial zone were not contemplated in the Industrial and Maritime Strategy environmental impact statement and were not proposed by the Executive. If the Committee votes to approve this amendment, additional notice and review of possible environmental impacts would be required.

1. This amendment would amend Section 2 to Council Bill 120568 to add Attachment 6 as follows¹:

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, ~~((and))~~

¹ Note, this was drafted assuming the passage of Amendment 12. If Amendment 12 is not adopted and Amendment 13 is adopted, then the attachment related to this amendment will be renumbered to be attachment 5 to CB 120568, and the amendments to Section 2 and 3 of CB 120568 shown in Amendment 12 would be assumed to be made by this amendment instead of Amendment 12.

Lish Whitson
Land Use Committee
June 5, 2023
D#1a

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

2. This amendment would add a new Attachment 6 to Council Bill 120568 to remove this property from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) and neighborhood residential areas and designate it as “Commercial Areas” as shown on Exhibit 1 to this amendment.

2. This amendment would amend the rezone map as shown on page 2 of Attachment 1 to Council Bill 120569 to reflect the rezone as shown on Exhibit 2 to this amendment.

If amendments 7 or 8 are adopted, this area would be added to the areas in SMC 23.47.009 where noise attenuating windows and/or air cooling and air filtration are required.

Exhibits:

1. Exhibit to Council Bill 120568 OPCD 2023 Comprehensive Plan Annual Amendments ORD
2. Exhibit to Council Bill 120569 OPCD Industrial & Maritime Zoning Maps ORD

Amendment 13

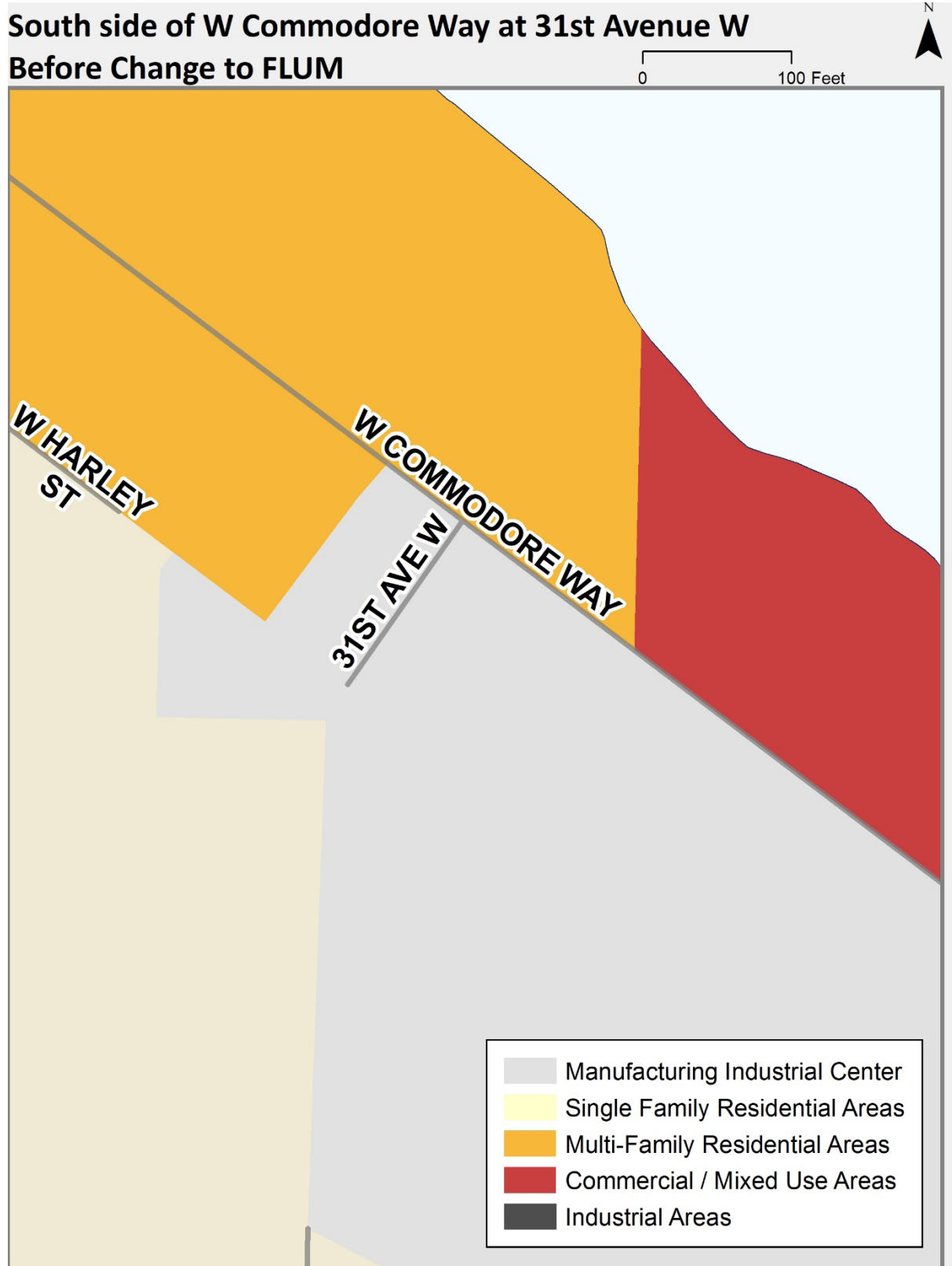
Exhibit 1. Amendment to Council Bill 120568 – Comprehensive Plan map amendments

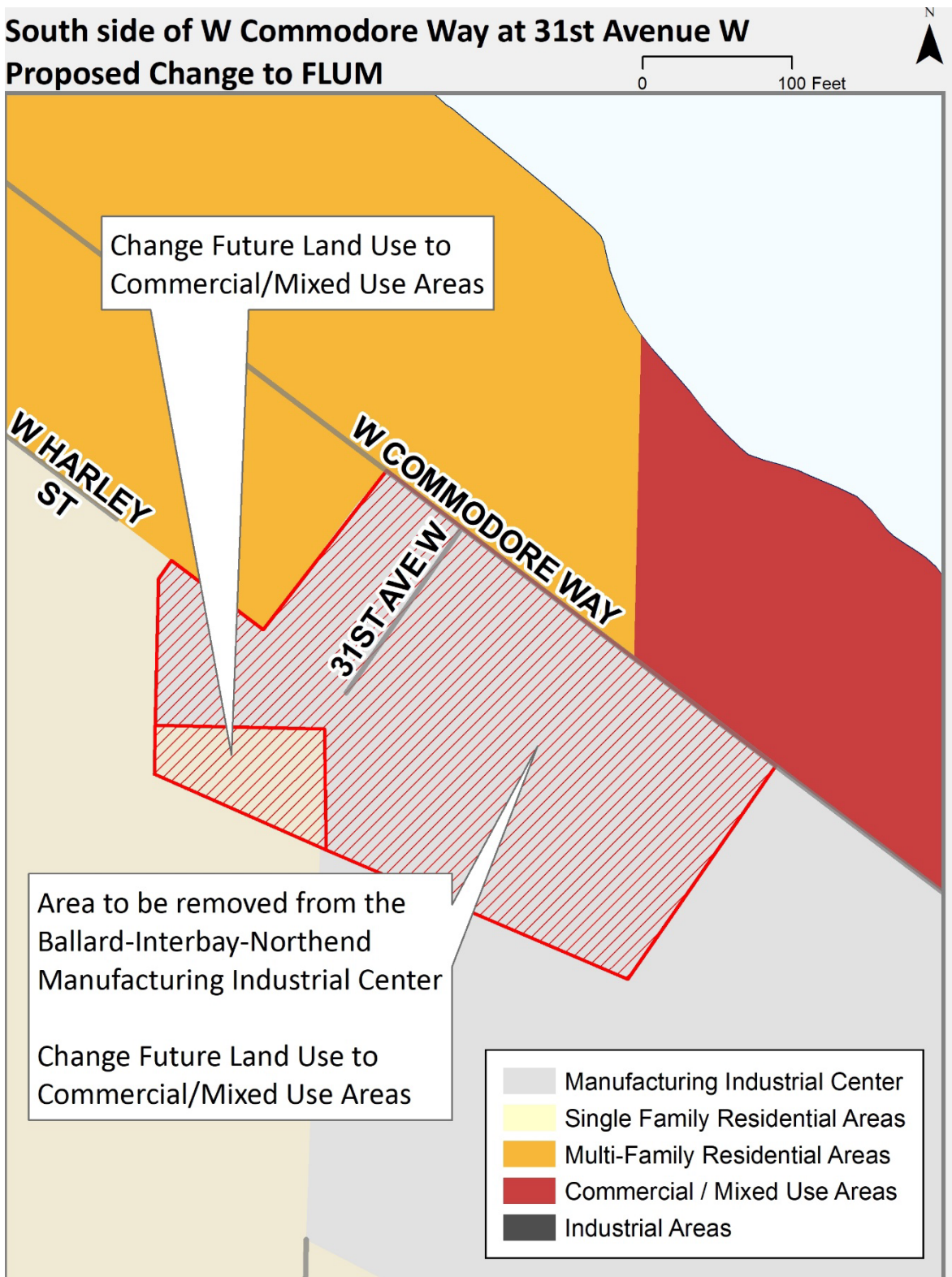
Att 6 – Amendments to the Comprehensive Future Land Use Map – South side of W Commodore Way at 31st Avenue W
V1

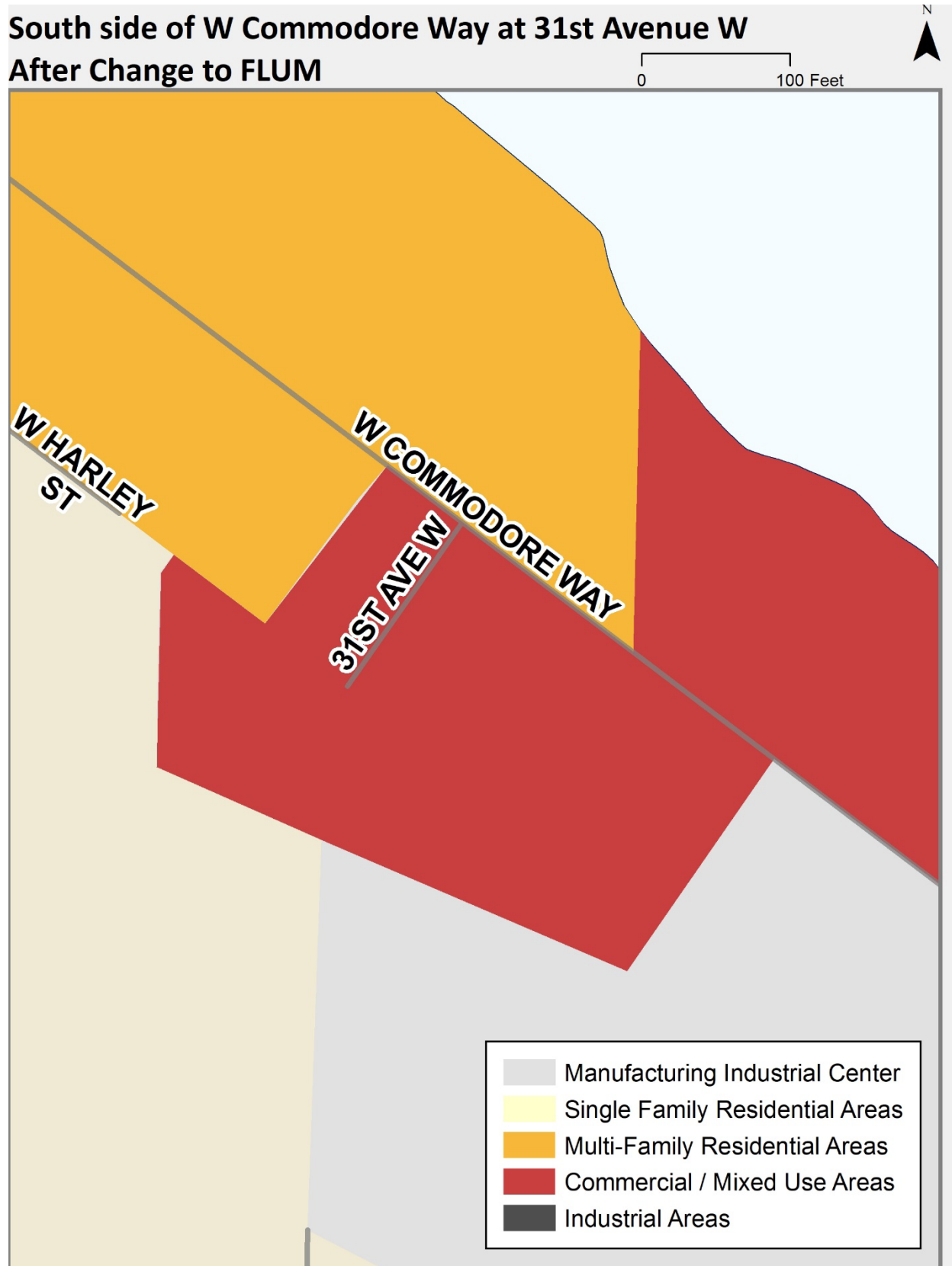
Attachment 6

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

Att 6 – Amendments to the Comprehensive Future Land Use Map – South side of W Commodore Way at 31st Avenue W
V1

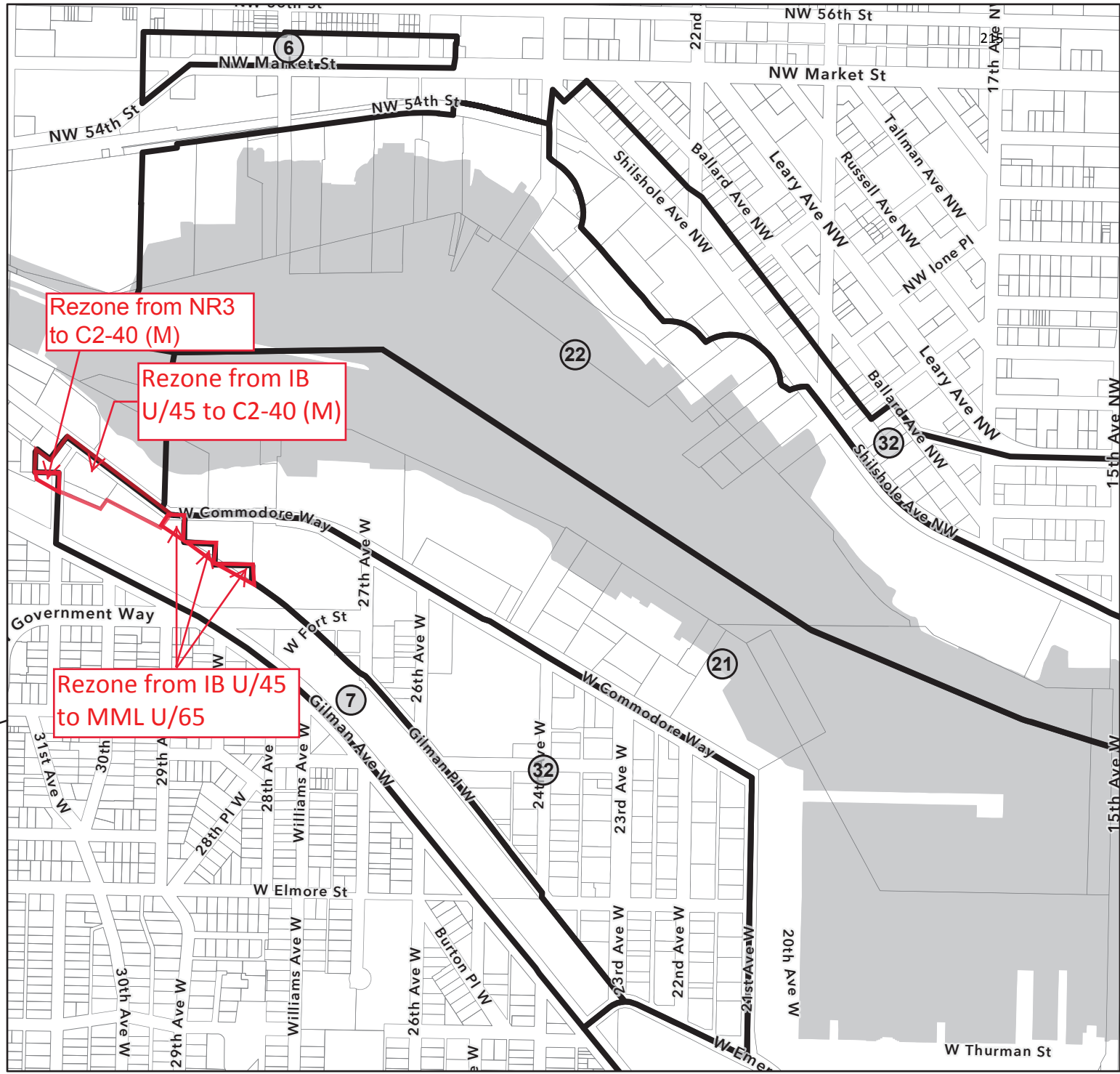






West Ballard Rezone Map

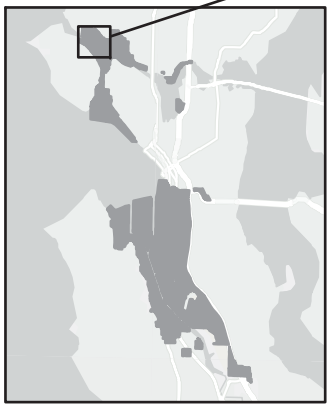
| Label | Rezone |
|-------|------------------------|
| 6 | IB U/45 to NC3-75 (M2) |
| 7 | IB U/45 to UI U/45 |
| 21 | IG1 U/45 to MML U/45 |
| 22 | IG1 U/65 to MML U/65 |
| 32 | IG2 U/65 to MML U/65 |



Rezone from NR3
to C2-40 (M)

Rezone from IB
U/45 to C2-40 (M)

Rezone from IB U/45
to MML U/65



Amendment 14 Version #1 to Council Bill 120569 – Industrial & Maritime Zoning Maps ORD

Sponsor:

Author: Councilmember Herbold

Rezone areas near the SODO Light Rail Station from IG1 U/85 and IG2 U/85 to II U/160, rather than MML U/85

Effect: This amendment would rezone property near the SODO Light Rail station at S Lander Street to the Industry & Innovation zone (II U/160), rather than the Manufacturing, Maritime & Logistics zone (MML U/85). The intent of the rezone is to provide more opportunities for properties to acquire transfers of development rights from unreinforced masonry buildings in the Duwamish Manufacturing/Industrial Center, leading to an increase in the number of structures that could be rehabilitated using that tool. The II zone is the only industrial zone that would be authorized to acquire these TDRs. Projects that seek to maximize development potential in the II zone would either need to acquire development rights from a URM that would use the resulting funds to retrofit the structure, or would need to use mass timber in its construction.

Three subareas are proposed to be rezoned under this amendment: (1) the blocks bounded by South Forest Street, Utah Avenue S, S Hanford Street and Occidental Avenue S, along 1st Avenue S to the southwest of the SODO station; (2) the block bounded by Lander Street, 6th Avenue S, S Stacy Street, and 8th Avenue S, to the east of the SODO station; and (3) the blocks bounded by Lander Street, 5th Avenue S, S Forest Street, and 7th Avenue S, to the south and southeast of the SODO station. These properties are in the Duwamish Manufacturing/Industrial Center.

The areas surrounding these subareas are also proposed to be rezoned to the MML U/85 zone, with the following exceptions:

- North of subarea (1), the zoning is proposed to be II U/160.
- The southwest corner of subarea (2) is proposed to be II U/160, as are the properties across 6th Avenue to the west of this subarea.
- The north end of the blocks between 5th Avenue S and 6th Place S in subarea (3) are proposed to be rezoned to II U/160, as are the blocks to the west of this subarea.

Each of the subareas has its own character and mix of uses:

Subarea (1) has a range of relatively small parcels along 1st Avenue S. These parcels include a mix of retail and industrial activities, including manufacturers and distributors like Western Foil, restaurants, wholesalers, retailers, distilleries and breweries, and

gyms. Two blocks west of this area are the BNSF SIG Yard and the T25 Gate to the Port of Seattle's Terminal 30.

Subarea (2) is one large block bisected by Burlington Northern railroad right-of-way. The southwest corner contains a multistory warehouse structure, with multiple tenants, and is proposed to be rezoned to II U/160 under the Executive's proposal. The remainder of the block is occupied by Keller Supply, a plumbing wholesaler, and a large surface parking area.

Subarea (3) is three blocks on the south side of S Lander Street between the SODO Busway along 5th Avenue S and the BNSF rail line along 7th Avenue S. Businesses on the westernmost block have loading bays that front on the rail line. Businesses on the other two blocks front on 6th Avenue S. Among the businesses that are located in this area are: Platt Electric, an electrical equipment supplier; Austin Mac, a metal fabricator; Orca Bay Foods, a seafood processor; Resource, a commercial flooring business; TransWest, which provides shuttle vehicle services; and Paint Logic, an automobile detailer.

The Seattle Municipal Code (SMC) requires the Council to use the rezone criteria located in SMC Chapter 23.34 when considering a rezone. That chapter states: "The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation."

MML zone. The MML zone is intended for existing industrial areas with concentrations of core and legacy industrial and maritime uses, well served by transportation infrastructure. The subareas meet the following MML rezone criteria from SMC 23.34.097 as proposed by Council Bill 120567:

- They are all generally flat. (B)
- Subareas (2) and (3) are areas with an existing cluster of industrial and maritime suppliers and services. (B3)
- Subarea (1) has proximity to the shoreline and deep-water Port facilities.
- Subareas (1), (2), (3) are also areas with proximity to rail and freight infrastructure. (B1)

II zone. The II zone is intended to facilitate the development of transit-oriented areas that support a mix of economic innovation and emerging industries and commercial development. The subareas also meet the following II rezone criteria from SMC 23.34.098 as proposed by Council Bill 120567:

- The subareas are all in a Manufacturing Industrial Center. (B1)
- Subareas (2) and (3) are within a half mile walking distance of the SODO light rail station. Subarea (1) is discussed below. (B2)
- The subareas are all in an area with a high potential to attract new investment in buildings and infrastructure that supports dense technological employment, not necessarily involving heavy physical processes or large physical machinery. (B3)

While subarea (1) is within a half mile of the SODO light rail station, it is almost entirely more than a half mile walking distance of the light rail station, which is the definition that OPCD used in applying these criteria for the rezones the Executive has recommended. A half mile walking distance from light rail is used because that is the maximum distance most people will walk to a light rail station on a regular basis. Beyond that, employees are more likely to want to drive or use other modes of transportation to get to work. All of subarea (1) is within a fifteen minute walk to the SODO light rail station.

Overall, subareas (2) and (3) meet the criteria for both the II and MML zones. Subarea (1) is too far from the SODO light rail station to meet the criteria for an II zone as applied by OPCD, but is within a half mile of the light rail station. Given the current uses in the subareas, the MML zone appears to be an appropriate zone. However, the areas also meet all of the criteria for a change to II.

The Duwamish MIC plan encourages the concentration of industrial uses in the MIC and encourages efforts to limit conversion of industrial areas to non-industrial uses.

A rezone to II rather than MML may have the following impacts on the area proposed to be rezoned and its surroundings:

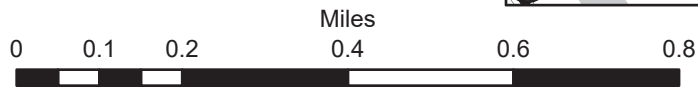
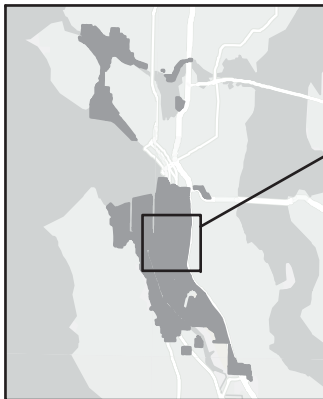
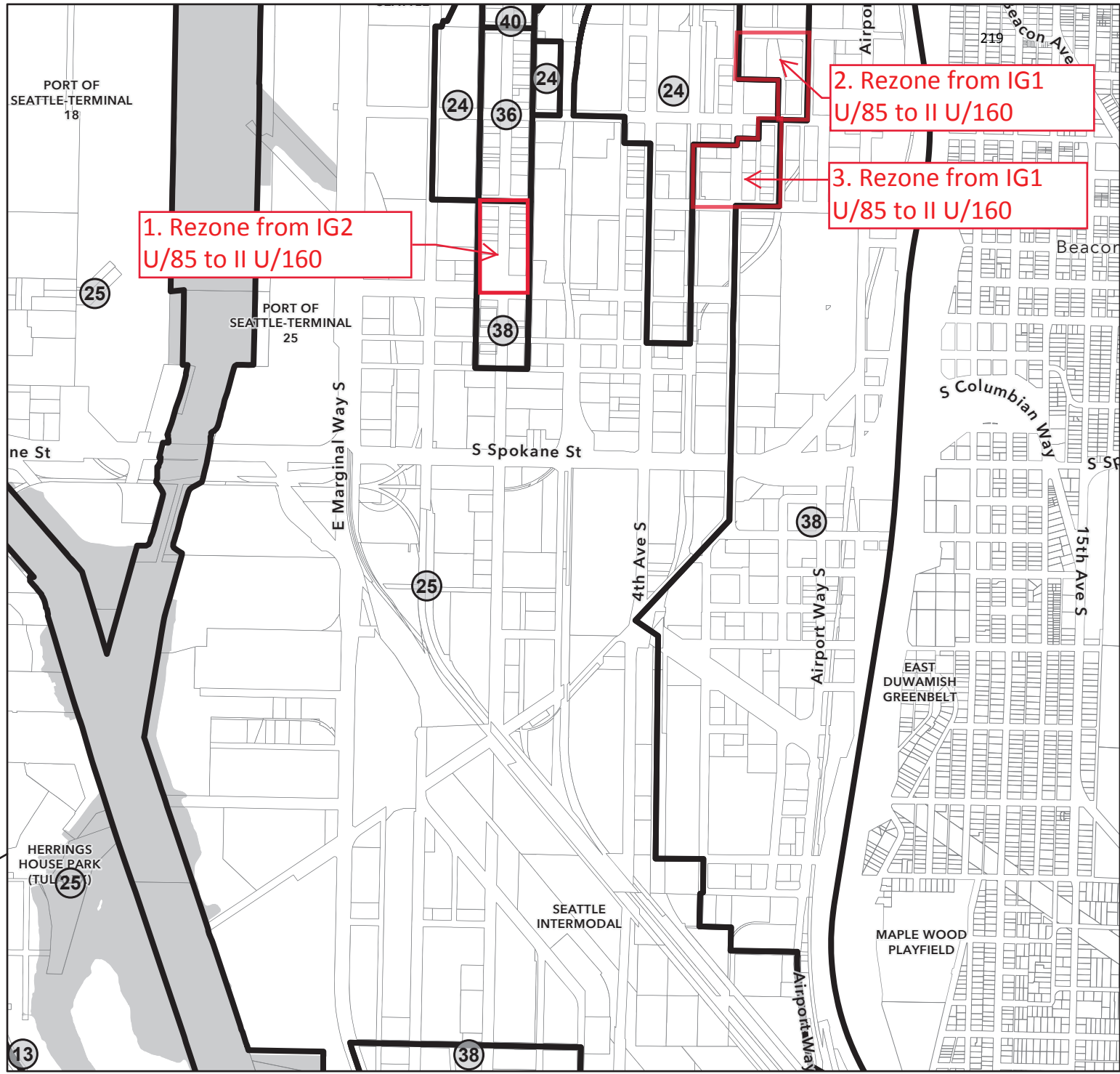
- The Environmental Impact Statement found that there could be significant traffic impacts on the State Highway System as a result of increasing employment density by mapping the II zone more broadly in this area.
- Over time, the II zone is more likely to lead to the redevelopment of the subareas than the MML zone. This would result in the existing industrial businesses leaving the area and potentially leaving Seattle but also more employment in the area.
- If the subareas are redeveloped under the II zone, there is likely to be an increase in traffic and parking than the lower-scale development permitted under the MML zone.
- A rezone to II would likely also lead to more pedestrian activity and improved streetscapes than would occur under the MML zone. This may lead to more pedestrian-vehicle conflicts.

A rezone of property in subarea (2) to the II zone was studied in the Industrial and Maritime Strategy environmental impact statement but was not proposed by the Executive. Rezones of properties in subareas (1) and (3) were not contemplated in the Industrial and Maritime Strategy environmental impact statement and were not proposed by the Executive. If the Committee votes to approve this amendment, additional notice and review of possible environmental impacts would be required.

This amendment would amend the rezone map as shown on page 10 of Attachment 1 to Council Bill 120569 to reflect the rezones shown on the following page.

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 |



Lish Whitson
 Land Use Committee
 May 24, 2023
 D#1

Amendment 15 Version #1 to Council Bill 120569 – Industrial & Maritime Zoning Maps ORD

Sponsor: Councilmember Morales

Rezone areas between S Brandon Street and S Findlay Street in Georgetown from IG2 U/85 to UI U/85 and NC3-55 (M) rather than to MML U/85

Effect: This amendment would rezone property in the north end of Georgetown, within the Duwamish Manufacturing and Industrial Center, to the Urban Industrial U/85 zone, rather than the Manufacturing, Maritime & Logistics zone (MML U/85). The area proposed can be divided into three subareas, each with a distinct character:

- Subarea (1) consists of three blocks located between 5th Avenue S and Maynard Avenue S, the western block is located between S Brandon Street and S Lucile Street west of 6th Avenue S, the eastern blocks are located east of 6th Avenue S between S Brandon Street and S Findlay Street;
- Subarea (2) is located east of Subarea (1), it consists of the three blocks east of Maynard Avenue S, south of Denver Avenue S and S Lucile Street, and north of S Findlay Street;
- Subarea (3) is the block on the west side of Airport Way S between the intersection with S Lucile Street and Corson Avenue S.

Under CB 120579, these subareas and the blocks to the north would be rezoned to the MML U/85 zone. To the west of subarea (1) is an existing C1-75 (M) commercial zone. To the south of subarea (1), the UI U/85 zone is proposed. To the south of subarea (2) the UI U/65 zone is proposed. To the south of subarea (3) the Georgetown Playfield and the core of the Georgetown business district would be rezoned to Neighborhood Commercial 3-55.

- Subarea (1) consists of a mix of residential structures and light industrial activities, including a coffee roaster, an HVAC distributor, general contractors, wholesale showrooms, and an office building. Many of the parcels in this area are relatively small compared to other parts of the MIC.
- Subarea (2) consists of three blocks with large warehouses and open storage areas. The largest of the blocks is the home to Western Trailer Repair, which maintains and repairs freight trucks, particularly for industrial businesses. The northern block includes one residence, an art gallery, a cold-brewed coffee maker, and a fire protection service company.
- Subarea (3) is bounded on the west by a Union Pacific rail line, which runs adjacent to the Georgetown Playfield. Facing Airport Way S are a row of businesses including multiple restaurant/bars and retail businesses. Across Airport Way S from Subarea (3) is the Elysian Brewery.

The Seattle Municipal Code (SMC) requires the Council to use the rezone criteria located in SMC Chapter 23.34 when considering a rezone. That chapter states: “The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.”

MML zone. The MML zone is intended for existing industrial areas with concentrations of core and legacy industrial and maritime uses, well served by transportation infrastructure. The subareas meet the following MML rezone criteria from SMC 23.34.097 as proposed by Council Bill 120567:

- They are all generally flat. (B)
- Subareas (2) and (3) are areas with proximity to rail and freight infrastructure. (B1)
- Subareas (1) and (2) are areas with an existing cluster of industrial and maritime suppliers and services. (B3)

UI zone: The UI zone is intended to provide a healthy transition between core industrial areas and neighboring residential areas. The area meets the following UI rezone criteria from SMC 23.34.099:

- All 3 subareas would provide a transition between core industrial areas in MML zones and non-industrially zoned areas in the heart of Georgetown. (B1)
- All 3 subareas are within a designated MIC. (B2)
- Subareas (1) and (3) are consistent platted with small parcels and a variety of small existing industrial and nonindustrial structures. Subarea (2) consists of is predominantly full-block parcels B3.

NC3 zone. NC3 zones are intended to support or encourage pedestrian-oriented shopping district that serves the surrounding neighborhood and a larger community, citywide or regional clientele; that provides comparison shopping for a wide range of retail goods and services; that incorporates offices, business support services, and residences that are compatible with the retail character of the area. Subarea (3) meets the following NC3 rezone criteria from SMC 23.34.078:

- It is not part of the primary business district in the Georgetown, which is not an urban village, but is a residential community (B1)
- It is served by a principal arterial. (B2)
- It is separated from low-density residential areas. (B3)
- It has excellent transit service. (B4)

Subareas (1) and (2) do not meet these criteria.

A rezone may have the following impacts on the area proposed to be rezoned and its surroundings:

Lish Whitson
 Land Use Committee
 May 24, 2023
 D#1

- A rezone to UI would allow for limited additional residential development and would assist existing residents whose buildings are currently non-conforming.
- A rezone to UI is likely to increase pedestrian and bicycle activity compared to the MML zone, which could increase freight and pedestrian/bicyclist conflicts. However, the UI zone would also require additional pedestrian improvements that would improve the pedestrian environment.
- A rezone to Neighborhood Commercial would reduce the ability for industrial businesses to locate in that subarea. It would support residential development in an area with shops and services, near the Georgetown Playfield.

Rezoning of these properties to UI or NC3 were not contemplated in the Industrial and Maritime Strategy environmental impact statement and were not proposed by the Executive. If the Committee votes to approve this amendment, additional notice and review of possible environmental impacts would be required.

This amendment would

1. Amend Attachment 2 to Council Bill 120568 to remove subarea 3 from the Duwamish MIC and amend the Future Land Use Map to show subarea 3 as a “Commercial/Mixed-Use Area” as shown on Exhibit 1; and
2. Amend the rezone map as shown on page 11 of Attachment 1 to Council Bill 120569 to reflect the rezone described above as shown on Exhibit 2.
3. Amend Section 7 to Council Bill 120567 to amend Map G for 23.47A.009 to show the new boundaries of the Georgetown Neighborhood Commercial area as shown on Exhibit 3. If other amendments affecting this code section, such as amendments 7 or 8, are adopted this amendment would be reconciled with those changes.

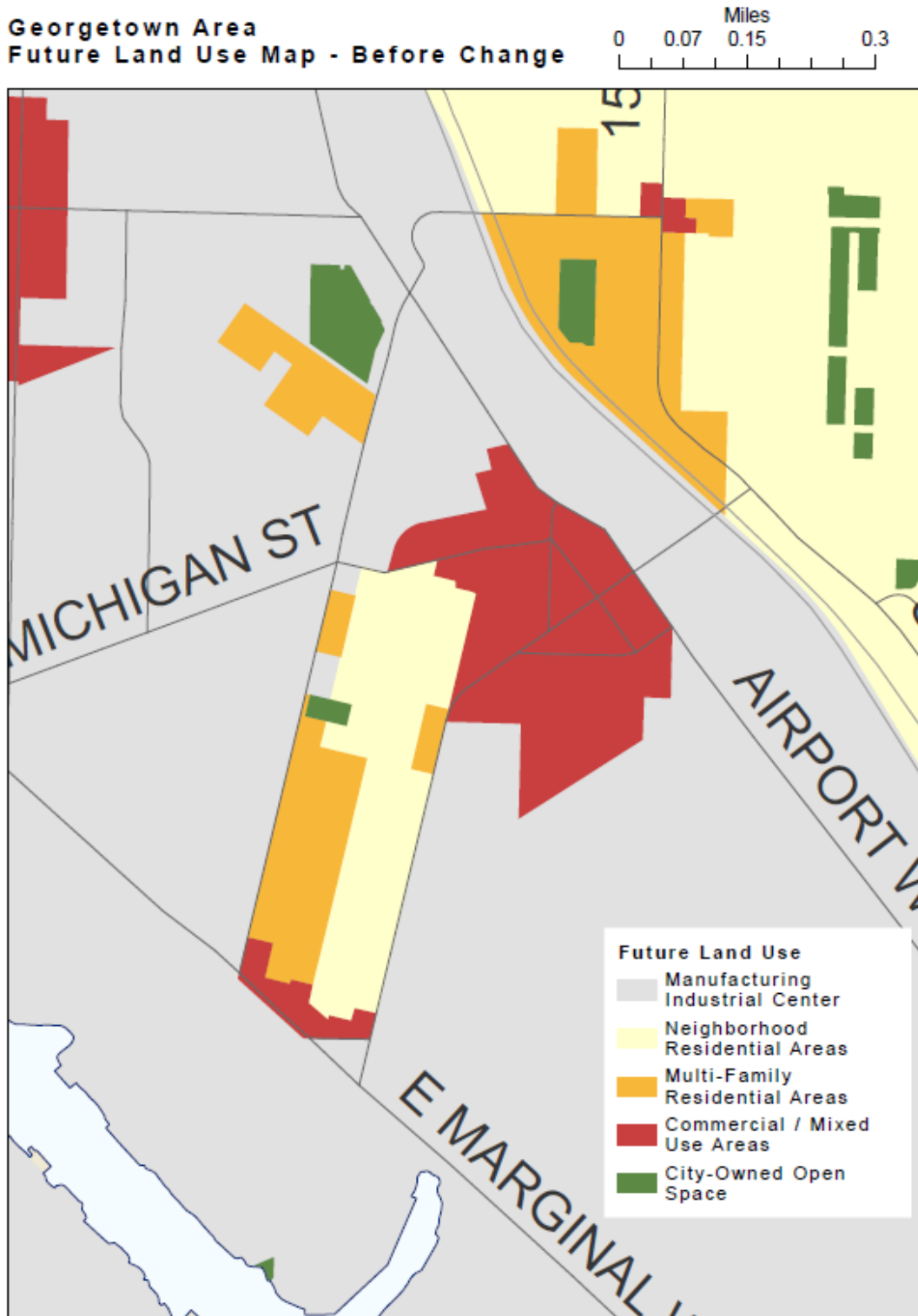
Exhibits

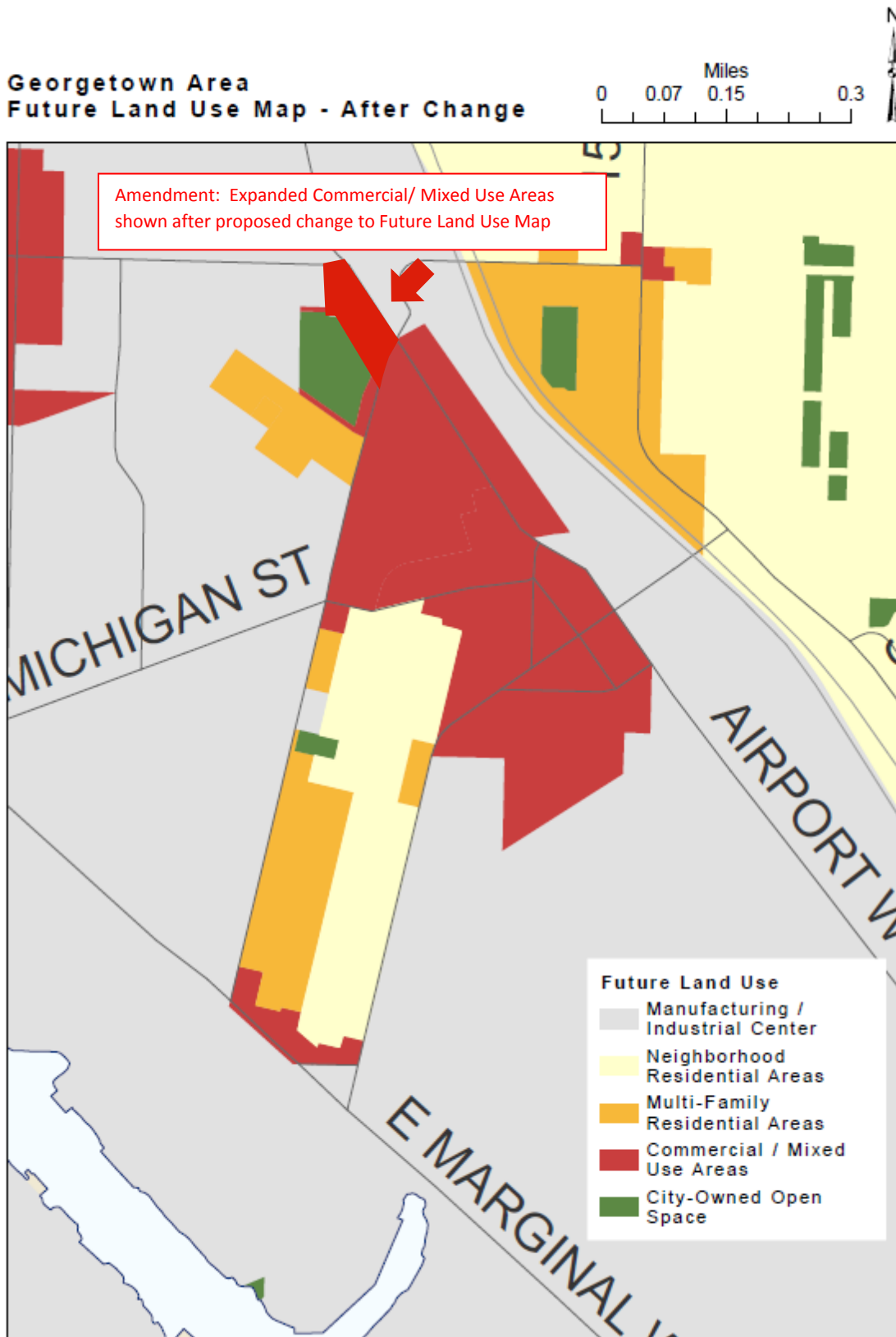
1. Amendment to Council Bill 120568 – Comprehensive Plan map amendments
2. Amendment to Council Bill 120569 – Zoning map amendments
3. Amendment to Council Bill 120567 – Zoning code amendments

Amendment 15
Exhibit 1. Amendment to Council Bill 120568 – Comprehensive Plan map amendments
VI

Attachment 2

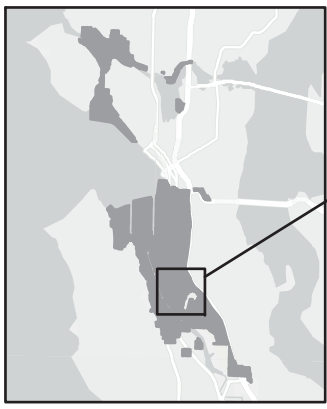
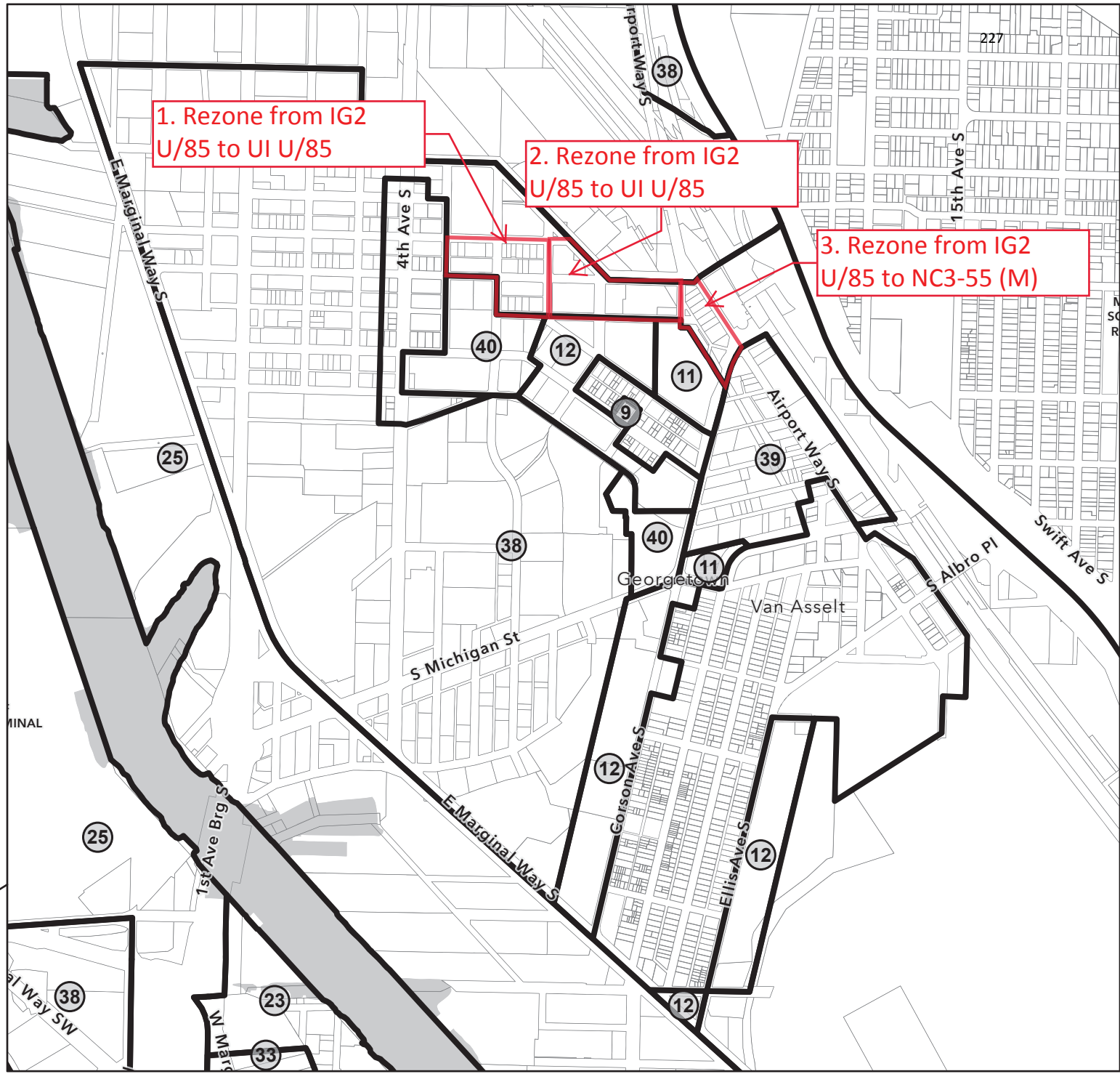
Amendments to the Comprehensive Plan Future Land Use Map - Georgetown





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 |



Amend Section 7 of Council Bill 120567¹ as follows:

* * *

Section 7. Section 23.47A.009 of the Seattle Municipal Code, last amended by Ordinance 125791, is amended as follows:

23.47A.009 Standards applicable to specific areas

* * *

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

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

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

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

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

¹ Other amendments propose to change this section of the bill. If those amendments are adopted, this change will be reconciled with those other amendments.

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

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

3) The space shall be made available on a first-come, first-served basis to community and charitable organizations; and

4) Availability of the space and contact person(s) shall be made known to community and charitable groups through means such as newspaper articles, radio announcements, and flyers.

d. No permit after the first building permit, no permit for any construction activity other than excavation and shoring, and no permit for occupancy of existing floor area by any use shall be issued for development that includes an arts facility to gain the increase in FAR until the applicant has demonstrated to the satisfaction of the Director that a lease with a for-profit or not-for-profit arts organization has been secured to occupy the space for a minimum of one year.

2. Additional floor area for historic preservation. An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if a lot includes one or more structures that have been designated as landmarks pursuant to Chapter 25.12, subject to the following conditions:

a. The structure is rehabilitated so that all features and characteristics are subject to controls and incentives designated pursuant to Chapter 25.12 and comply with any certificates of approval issued by the Landmarks Preservation Board, all as determined by the Director of the Department of Neighborhoods;

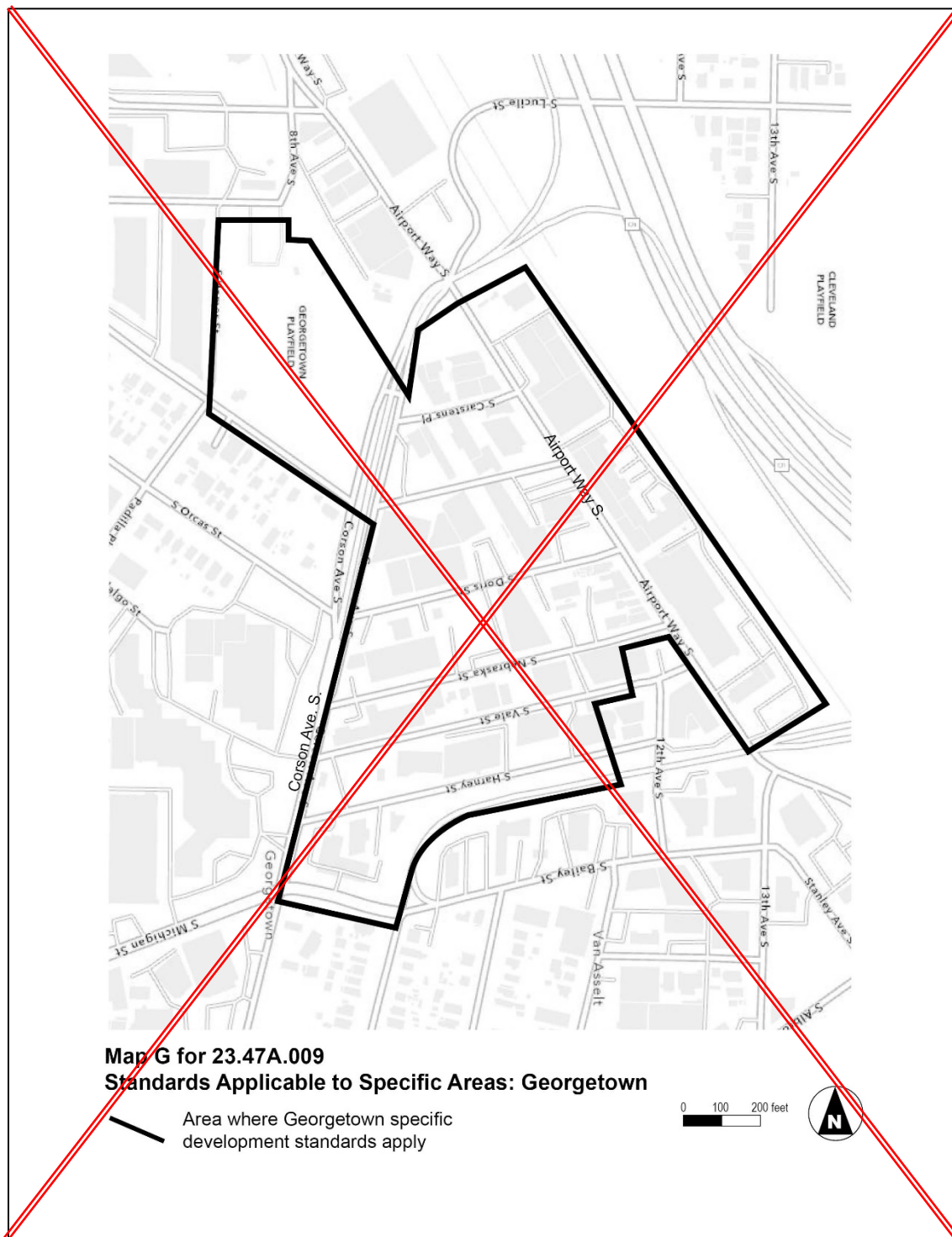
b. A notice is recorded in the King County real estate records, in a form satisfactory to the Director, regarding the additional increment of floor area allowed and the effect thereof under the terms of this Chapter 23.47A;

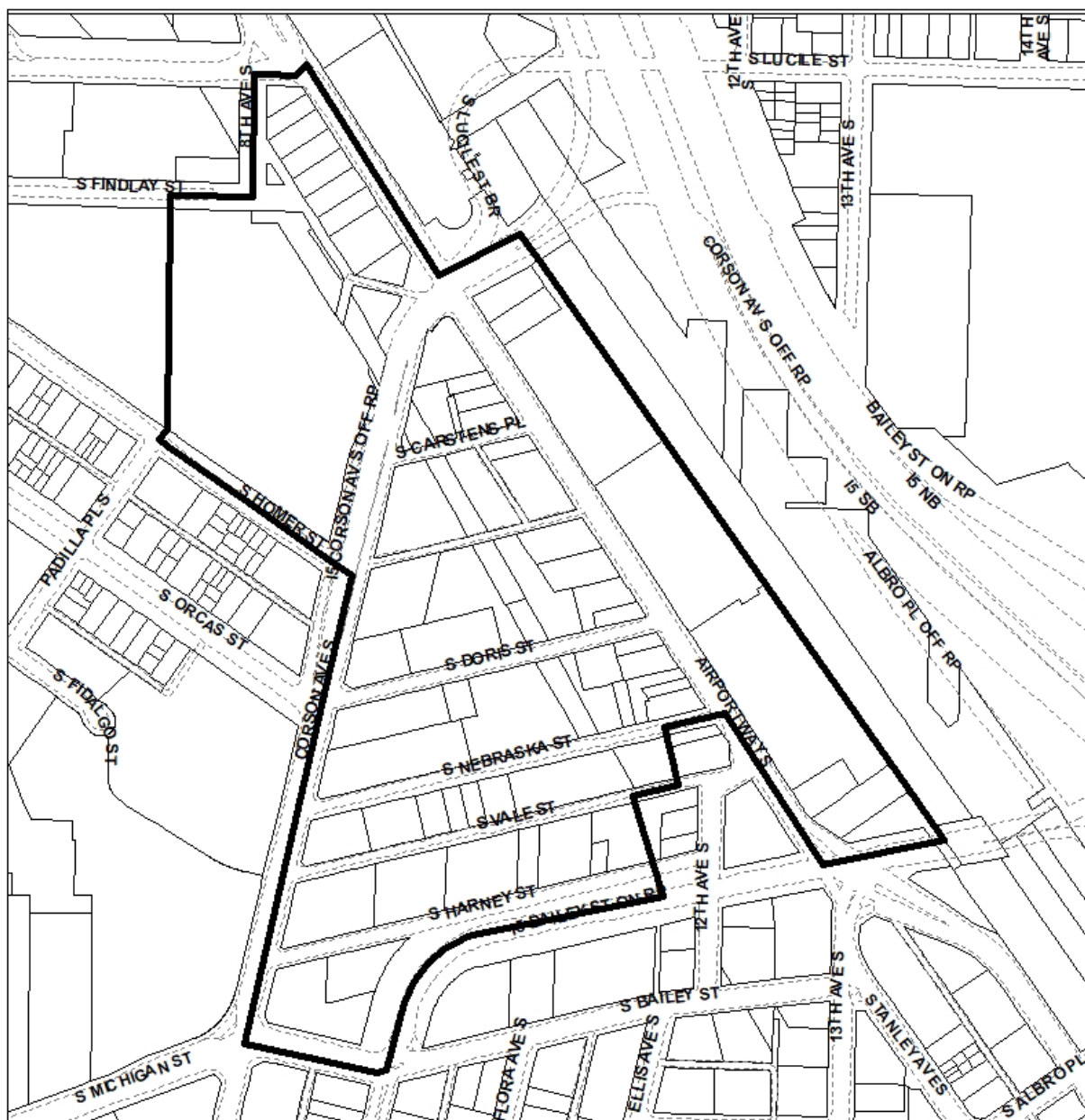
c. If the increased amount of FAR allowed under this subsection 23.47A.009.J remains on the lot, the structure must remain designated as a Landmark; and

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


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

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





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

 Area where Georgetown-specific development standards apply

