



SEATTLE CITY COUNCIL

Land Use Committee

Agenda

Wednesday, May 24, 2023

2:00 PM

Public Hearing

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

Dan Strauss, Chair
Tammy J. Morales, Vice-Chair
Teresa Mosqueda, Member
Sara Nelson, Member
Alex Pedersen, Member

Chair Info: 206-684-8806; Dan.Strauss@seattle.gov

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Meeting Location:

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

Committee Website:

<https://www.seattle.gov/council/committees/land-use>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address Agenda item 6, Council Bill 120582. Details on how to provide Public Comment are listed below:

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

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

****Public Hearing Notice and Guidelines***

The Land Use Committee will conduct one Public Hearing to accept comments on Agenda items 1-5, Council Bills 120567, 120568, 120569, 120570, and 120571. Members of the public are requested to register for remote or in-person public comment as listed above in order to be recognized by the Chair. Each speaker will be provided up to two minutes to address the item(s), and are requested to begin comments by identifying the item(s) being addressed.

Submit written comments to Councilmember Strauss at Dan.Stauss@seattle.gov

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

D. Items of Business

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

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

Supporting

Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

[Central Staff Memo \(5/15/23\)](#)

[Central Staff Presentation \(5/15/23\)](#)

[Central Staff Memo – Proposed Amendments \(05/24/23\)](#)

Public Hearing* (20 minutes)

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

Attachments: [Att 1 - Comprehensive Plan Land Use Element Amendments](#)
[Att 2 - Amendments to the Comprehensive Future Land Use Map - Georgetown](#)
[Att 3 - Amendments to the Comprehensive Plan Future Land Use Maps - Judkins Park](#)
[Att 4 - Amendments to the Comprehensive Plan Future Land Use Map - South Park](#)

Supporting Documents: [Summary and Fiscal Note](#)
[Director's Report](#)
[Central Staff Presentation \(5/15/23\)](#)
[Central Staff Memo \(5/15/23\)](#)
[Seattle Planning Commission Presentation \(5/15/23\)](#)
[Seattle Planning Commission Letter \(5/15/23\)](#)
[Central Staff Memo – Proposed Amendments \(05/24/23\)](#)

Public Hearing* (20 minutes)

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

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

Supporting

Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

[Central Staff Presentation \(5/15/23\)](#)

[Central Staff Memo \(5/15/23\)](#)

[Central Staff Memo – Proposed Amendments \(05/24/23\)](#)

Public Hearing* (20 minutes)

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

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

Supporting

Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

[Central Staff Presentation \(5/15/23\)](#)

[Central Staff Memo \(5/15/23\)](#)

[Central Staff Memo – Proposed Amendments \(05/24/23\)](#)

Public Hearing* (20 minutes)

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

Supporting

Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

[Central Staff Presentation \(5/15/23\)](#)

[Central Staff Memo \(5/15/23\)](#)

[Central Staff Memo – Proposed Amendments \(05/24/23\)](#)

Public Hearing* (20 minutes)

6. [CB 120582](#) **AN ORDINANCE** relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.

Supporting

Documents:

[Summary and Fiscal Note](#)

[Director's Report](#)

[OPCD Presentation \(05/24/23\)](#)

[Central Staff Memo \(05/24/23\)](#)

Briefing and Discussion (20 minutes)

Presenter: Nicolas Welch, Office of Planning and Community Development

E. Adjournment



Legislation Text

File #: CB 120567, **Version:** 1

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

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

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

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

..body

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

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

and

WHEREAS, Seattle contains two regionally designated Manufacturing Industrial Centers

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

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

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

allocation of federal and State transportation funding; and

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

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

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

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

high quality benefits; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **23.41.004 Applicability**

17 A. Design review required

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

21 a. Multifamily;

22 b. Commercial;

23 c. Seattle Mixed; and

1 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;

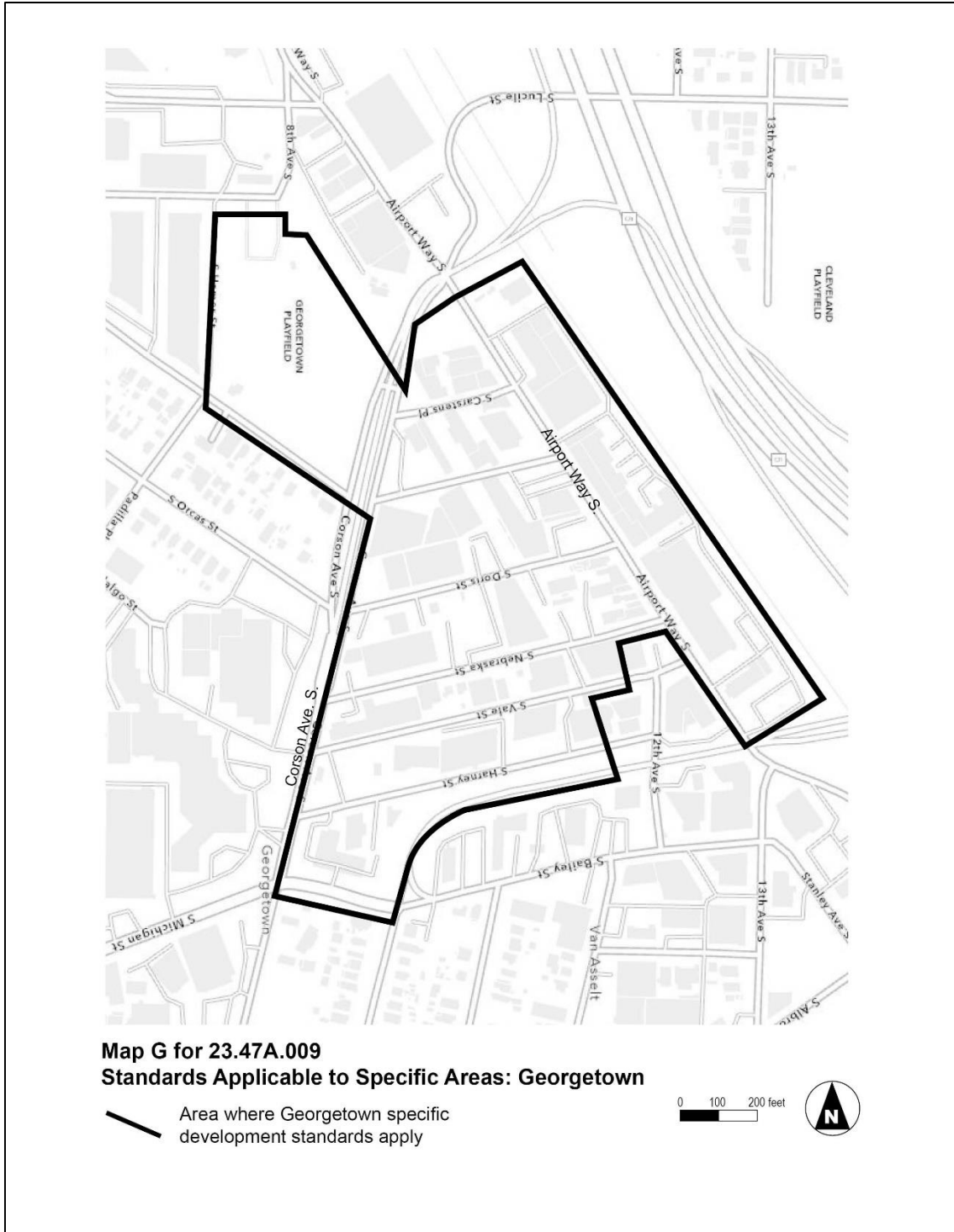
20 3) The space shall be made available on a first-come, first-served
21 basis to community and charitable organizations; and

1 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.

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 of a
9 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 multifamily
21 residential use must sign and record a covenant and equitable servitude, on a form acceptable to
22 the Director, that acknowledges that the owner(s) and occupants of the building accept the
23 industrial character of the neighborhood and agree that existing or permitted industrial uses do

1 not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and
2 equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns,
3 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 C. Council conditional uses. The following uses are identified as Council conditional uses
13 on Table A for 23.50A.004 and may be permitted by the Council when provisions of this
14 subsection 23.50A.006.C and subsection 23.50A.006.A are met:

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

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

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

22 1) A facility management and transportation plan shall be required.
23 The level and kind of detail to be disclosed in the plan shall be based on the probable impacts

1 and/or scale of the proposed facility, and shall at a minimum include discussion of sludge
2 transportation, noise control, and hours of operation, and shall be incorporated into the design
3 and operation of the facility;

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

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

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

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

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

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

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

3 **23.50A.008 Maximum size of nonindustrial use**

4 A. Applicability

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

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

11 3. The combined square footage of any one business establishment located on
12 more than one lot is subject to the size limitations on non-industrial uses specified in Table A for
13 23.50A.008.

14 4. In the Industry and Innovation zone, the maximum size of use limits in Table A
15 for 23.50A.008 do not apply to development projects gaining any amount of extra floor area
16 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

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
Medical services	10,000	25,000	25,000	N.S.L.
Office	10,000	15,000	15,000	N.S.L.
Restaurants	3,000	3,000	3,000	N.S.L.
Retail sales, major durables	10,000	15,000	15,000	N.S.L.
Sales and services, automotive	10,000	25,000	75,000	75,000
Sales and services, general	7,500	7,500	7,500	50,000

Key to Table A for 23.50A.008

N.S.L. = No size limit

Footnotes to Table A for 23.50A.008

(1) Size of use limits do not apply to ancillary uses in the UI zone.

(2) Where permitted under Table A for 23.50A.004.

(3) The size limit applies to principal use drinking establishments such as bars and tasting rooms or tap rooms that are unaffiliated with a brewery or distillery within 1,500 linear feet.

(4) Except indoor sports and recreation facilities have a maximum size of use limit of 50,000 square feet.

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

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

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

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

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2. The gross floor area of a use listed in Table A for 23.50A.008 and legally

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established as of June 1, 2023, may be converted to another category of use listed in Table A for

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23.50A.008 provided that the combined gross floor area devoted to uses listed in Table A for

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23.50A.008 does not exceed the total gross floor area of such uses legally established as of June

10

1, 2023.

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

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

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

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

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

13 **23.50A.010 Floor area**

14 A. Floor Area Ratio (FAR) limits apply in all Industrial zones as shown in Table A for
15 23.50A.010. The applicable FAR limit applies to the total chargeable floor area of all structures
16 on the lot. Extra floor area above the FAR limits of Table A for 23.50A.010 may be achieved
17 through the provisions of Section 23.50A.012.

Table A for 23.50A.010 Floor Area Ratio (FAR) limits	
Zone designation	FAR limits for all uses
MML	2.5
UI U/45	3.0
UI U/60	4.0
UI U/85	4.5
II U/85*	2.75
II U/125*	2.5
II U/160*	2.5
IC 65	2.75

Table A for 23.50A.010 Floor Area Ratio (FAR) limits	
Zone designation	FAR limits for all uses
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;

d. All gross floor area used for covered rooftop recreational space of a

building existing as of June 1, 2023, in an MML zone, if complying with subsection

23.50A.004.E; and

e. Bicycle commuter shower facilities.

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

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

6 b. All gross floor area for solar collectors and wind-driven power
7 generators.

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

9 1) General sales and service uses;

10 2) Eating and drinking establishments;

11 3) Entertainment use;

12 4) Public libraries;

13 5) Child care centers;

14 6) Religious facilities; and

15 7) Automotive sales and service.

16 3. In addition to areas exempt from FAR calculations in subsection
17 23.50A.010.B.1, within MML zones, the gross floor area of rooftop recreational space accessory
18 to office use meeting the standards of subsection 23.50A.004.E is exempt from FAR
19 calculations.

20 4. In addition to areas exempt from FAR calculations in subsection
21 23.50A.010.B.1, within the II 125 and II 160 zones space occupied by a vocational, educational,
22 or training institution for activities related to industrial uses is exempt from FAR calculations.

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

10 **23.50A.012 Extra floor area in Industry and Innovation zones**

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

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

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

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

1 methods consisting of Seattle Building Code construction types IV-A, IV-B, IV-C, or IV-HT.

2 The applicant shall provide notes on the plans submitted for a land use permit the spaces to be
3 constructed using mass timber construction.

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

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

10 2) Receiving sites. Only sites in the Industry Innovation zone
11 located in the same Manufacturing Industrial Center as the sending site are eligible receiving
12 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

13
14 B. Extra floor area in the II 85 zone. In the II 85 zone extra non-residential floor area may
15 be added above the base FAR limit shown in Table A for 23.50A.010 up to the maximum FAR
16 With Tier I as shown on Table B for 23.50A.012. Five square feet of extra floor area is achieved
17 for every 1 square foot. of industrial floor area provided that meets the standards of subsection
18 23.50A.012.A.1, except that for industrial use floor area occupied by ICT the ratio shall be 4
19 square feet of extra floor area for every 1 square foot of floor area in ICT use.

Table B for 23.50A.012
FAR limits for extra floor area in the II 85 zone

Zone	Base FAR maximum	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA

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

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

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

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

2. Tier I. Extra floor area up to the Maximum FAR with Tier I may be gained as follows. Twenty-five percent of Tier I extra floor area shall be gained through the transfer of TDR pursuant to this Section 23.50A.012 and 23.58A.042. Seventy-five percent shall be gained as bonus floor area pursuant to Section 23.58A.024, or through the transfer of housing TDR under Section 23.50A.012, or both.

a. In an II 85-240 zone, in addition to satisfying the conditions of subsection 23.50A.010.B.1, for development to exceed the base FAR on a lot that has an area of 50,000 square feet or more, the Director shall make an individual determination of project impacts on the need for pedestrian facilities and complete a voluntary agreement between the

1 property owner and the City to mitigate identified impacts, if any. The Director may consider the
2 following as impact mitigation:

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

6 2) Sidewalk improvements, including sidewalk widening, to
7 accommodate increased pedestrian volumes and streetscape improvements that will enhance
8 pedestrian comfort and safety; and

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

12 a) Improvements to 6th Avenue South as the primary
13 pedestrian and bicycle corridor connecting new development to the surrounding area and transit
14 facilities;

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

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

19 5) Improved pedestrian and bicycle crossing of Airport Way South
20 at 6th Avenue South.

21 b. In an II 85-240 zone, in addition to satisfying the conditions of
22 subsections 23.50A.010.B.1 and 23.50A.010.B.2, if applicable, for development to exceed the
23 base FAR up to the Tier I maximum and include 85,000 or more square feet of gross office floor

1 area, the Director shall make an individual determination of project impacts on the need for open
2 space resources. The Director may limit floor area or allow floor area subject to conditions,
3 which may include a voluntary agreement between the property owner and the City to mitigate
4 identified impacts, if any. The Director shall take into account the findings of subsection
5 23.49.016.A in assessing the demand for open space generated by a typical office project in an
6 area permitting high employment densities.

7 1) The Director may consider the following as mitigation for open
8 space impacts:

9 a) Open space provided on-site or off-site, consistent with
10 the provisions in subsection 23.49.016.C, or provided through payment-in-lieu, consistent with
11 subsection 23.49.016.D, except that in all cases the open space shall be located on a lot in an IC
12 85-240 zone that is accessible to the project occupants, and

13 b) Additional pedestrian space through on-site
14 improvements or streetscape improvements provided as mitigation for project impacts on
15 pedestrian facilities pursuant to subsection 23.50A.012.C.2.b.

16 2) The Director may determine that open space meeting standards
17 differing from those contained or referred to in subsection 23.49.016.C will mitigate project
18 impacts, based on consideration of relevant factors, including the following:

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

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

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

7
8 D. Offsite performance. Industrial use floor area used to qualify a project for extra floor
9 area allowed through this Section 23.50A.012 may be located offsite if the offsite industrial floor
10 area is located in a new structure that meets the requirements of subsection 23.50A.012.A.1 and
11 is located within the same Manufacturing and Industrial Center as the proposed development
12 gaining extra floor area. The following conditions for offsite performance shall be met.

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

16 2. The fee owners of the offsite performance site shall execute a deed, and shall
17 obtain the written consent of all holders of encumbrances on the offsite performance site other
18 than easements and restrictions, unless such release or consent is waived by the Director for
19 good cause. The deed shall be recorded in the King County real property records. The deed
20 shall declare the amount of industrial use floor area that is used to qualify for extra floor area,
21 identify and describe the structure in which the offsite industrial use floor area is contained,

1 and identify the address of the development in which the extra floor area will be gained. The
2 industrial use floor area shall be maintained in compliance with applicable codes, so as to have
3 an estimated minimum useful life of at least 25 years from the time of completion of the
4 development in which extra floor area was gained, as approved by the Director.

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

10 **23.50A.014 Structure height**

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

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

16 B. Except as otherwise stated in the provisions of this Section 23.50A.014 the maximum
17 structure height for any portion of a structure that contains non-industrial uses other than
18 spectator sports facilities whether they are principal or accessory or ancillary, is 45 feet, 60 feet,
19 75 feet, 85 feet, 125 feet, or 160 feet as designated on the Official Land Use Map, Chapter 23.32.

20 C. In the MML, II, and UI zones the maximum height of any portion of a structure within
21 20 feet of an abutting lot with a residential zone shall be 30 feet.

22 D. Except as may be otherwise provided in this Title 23, the maximum structure height in
23 IC zones for all uses is as designated on the Official Land Use Map, Chapter 23.32. Maximum

1 structure height may be increased or reduced as provided in this Section 23.50A.024.E or Section
2 23.50A.016.

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

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

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

13 **23.50A.016 Structure height exceptions and additional restrictions**

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

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

20 2. In all industrial zones, open railings, planters, skylights, clerestories, parapets,
21 and firewalls may extend 4 feet above the applicable height limit with unlimited rooftop
22 coverage. Insulation material, rooftop decks and other similar features, or soil for landscaping

1 and green roofs located above the structural roof surface, may exceed the maximum height limit
2 by up to 2 feet if enclosed by parapets or walls that comply with this subsection 23.50A.016.A.2.

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

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

7 a. The following rooftop features may extend up to 30 feet above the
8 applicable height limit in all industrial zones, subject to the limits of subsection
9 23.50A.016.A.4.b

- 10 1) Solar collectors;
11 2) Stair and elevator penthouses;
12 3) Greenhouses and solariums;
13 4) Mechanical equipment; and
14 5) Minor communication utilities and accessory communication
15 devices, except that height is regulated according to Section 23.57.015.

16 b. The combined total coverage of all features listed in subsection
17 23.50A.016.A.4.a is limited to 35 percent of the roof area, or 60 percent of the roof area if the
18 total includes greenhouses.

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

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

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

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

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

11 **23.50A.018 Landscaping, screening, and Green Factor requirements**

12 A. Standards. All landscaping provided to meet requirements under this Section
13 23.50A.018 must meet standards promulgated by the Director to provide for the long-term
14 health, viability, and coverage of plantings. The standards may include, but are not limited to, the
15 type and size of plants, number of plants, concentration of plants, depths of soil, use of low water
16 use plants, and access to light and air for plants.

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

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

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

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

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

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

3 b. A landscaped area with vegetation at least 5 feet in height. Landscaped

4 areas may include bioretention facilities or landscaped berms, provided that the top of the
5 vegetation will be at least 5 feet above the grade abutting the facility or berm.

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

11 4. Street trees. When required, street trees shall be provided in the planting strip
12 according to Seattle Department of Transportation tree planting standards. If it is not feasible to
13 plant street trees in the planting strip according to City standards, they shall be planted in a 5-
14 foot-deep landscaped setback area along the street property line. Trees planted in this setback
15 area shall be at least 2 feet from the street lot line. The Director, in consultation with the
16 Director of Transportation, will determine the number, type, and placement of street trees to be
17 provided to:

18 a. Improve public safety;

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

20 c. Maintain and expand the urban forest canopy;

21 d. Encourage healthy growth through appropriate spacing; and

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

1 5. Combinations of screening and landscaping requirements

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

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

6 6. Landscaping that meets Seattle Green Factor standards, pursuant to Section
7 23.86.019.

8 C. General landscaping requirements in the UI zones

9 1. Street trees

10 a. Street trees are required as follows.

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

14 2) If it is not feasible to plant street trees in a right of way planting
15 strip, then they shall be provided in a landscaped area along the street property line that is a
16 minimum of 5 feet in width.

17 b. Green Factor

18 1) Landscaping that achieves a Green Factor score of 0.3 or
19 greater pursuant to Section 23.86.019 is required for any lot with:

20 a) Development, either a new structure or an addition to
21 an existing structure, containing more than 4,000 new square feet of gross floor area; or

22 b) Any parking lot containing more than 20 new parking
23 spaces for automobiles.

1 2. Screening and landscaping requirements for uses abutting or across a street or
2 an alley from a lot in a residential zone

3 a. Surface parking areas, off-street loading areas, parking structures, drive-
4 in businesses, gas stations, outdoor sales or storage and outdoor activities, shall provide
5 screening and landscaping as provided in subsection 23.50A.038.B.6.

6 b. Uses that abut or are across a street or alley from a lot in a residential
7 zone shall provide view-obscuring screening along the abutting lot, street, or alley lot line,
8 except as modified by subsection 23.50A.018.C.2.c below.

9 c. When the structure facade is located 5 feet or less from the lot line,
10 landscaping may be provided in the area between the facade and the lot line as an alternative to
11 view-obscuring screening. This landscaping shall be either:

12 1) Vegetated walls attached to the facade up to a minimum height
13 of 10 feet; or

14 2) A landscaped area meeting the provisions of subsection
15 23.50A.018.B.3.

16 d. When there is no structure or the structure facade is located more than 5
17 feet from the street or alley lot line, a 3-foot-tall vegetated wall, or landscape area, shall be
18 provided.

19 3. Some specific uses are required to provide additional screening, landscaping,
20 and setbacks as regulated in subsection 23.50A.018.G.

21 D. Landscaping and screening standards in the II and IC zones

22 1. Screening and landscaping requirements for all uses

1 a. Landscaping that achieves a Green Factor score of 0.30 or greater,
2 pursuant to Section 23.86.019, is required for any lot zoned II or IC.

3 b. All uses shall provide street trees unless it is determined by the Director
4 to be infeasible. If it is not feasible to plant street trees in the planting strip, then they shall be
5 provided in the required 5-foot-deep landscaped area along street lot lines.

6 2. Treatment of blank facades for nonindustrial uses

7 a. Blank facade limits apply to the area of the facade between 2 and 8 feet
8 above the sidewalk for nonindustrial uses. Blank facade limits do not apply to industrial uses
9 pursuant to Section 23.50A.004.

10 b. Any portion of a structure's facade occupied by nonindustrial uses
11 pursuant to Section 23.50A.004 that is not transparent shall be considered a blank facade. Clear
12 or lightly tinted glass in windows, doors and display windows shall be considered transparent.
13 Transparent areas shall allow views into the structure or into display windows from the outside.

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

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

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

22 2) Vegetated walls attached to the wall up to a minimum height of
23 10 feet; or

1 3) A landscaped area meeting the provisions of subsection

2 23.50A.018.B.3.

3 e. The following limits on blank facade segments apply to lots in an II 85-

4 240 zone:

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

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

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

14 2) If a street-facing facade is occupied by parking, subsection
15 23.50A.018.H applies.

16 E. Landscaping and screening standards in the MML zone

17 1. Solid waste transfer stations

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

1 b. When a solid waste transfer station is abutting or across the street from
2 a lot in a commercial or residential zone, screening is required pursuant to subsection
3 23.50A.018.B.2.

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

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

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

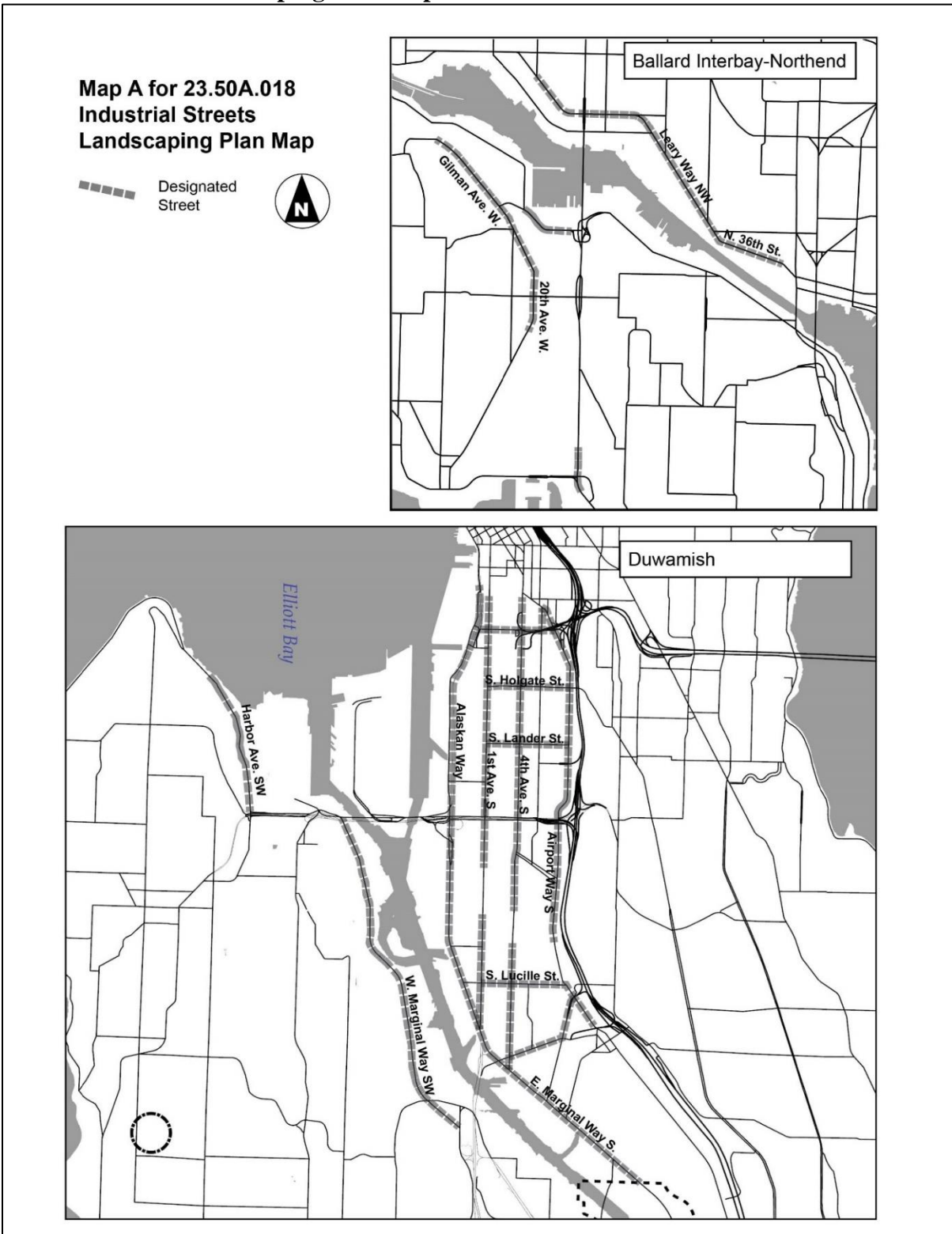
16 F. Uses located on streets that have been designated on Map A for 23.50A.018 shall
17 provide landscaping as outlined in subsections 23.50A.018.F.1 and 23.50A.018.F.2.

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

21 2. Exceptions to street tree requirements

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

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



3

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;

- 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.

11 **23.50A.030 Major Phased Development**

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

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

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

23.53.010 Improvement requirements for new streets in all zones

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

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

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

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

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

(~~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, <u>MML</u>	66 (feet)

b. If a block is split into more than one zone, the required right-of-way width is determined based on the requirement in Table A for (~~Section~~) 23.53.010 for the zone category with the most frontage. If the zone categories have equal frontage, the one with the 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 IG1, ~~((and))~~ IG2, ~~((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 ~~((1+))~~ 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 ~~((1+))~~ 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 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

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.	

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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>

((IC 85-175)) II 85-240	\$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
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
((IC 85-175)) II 85-240	6.1%	6.1%	6.1%

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
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 connection with downtown; discourage encroachment on nearby industrial uses to the south;

1 and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office
2 development, restaurants, lodging, and maker uses and arts, is intended to encourage
3 redevelopment and to maintain the health and vibrancy of the area during times when the
4 sports facilities are not in operation.

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

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

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

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

8 **23.74.006 Application of ~~((Regulations.))~~ regulations**

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

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

22 **23.74.008 Uses~~((:))~~**

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

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

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

7 ~~B))~~A. The following uses are permitted in buildings existing on ~~((September 1, 1999))~~
8 June 1, 2023:

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

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

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

1 13. Flexible-use parking ¹ ; and

2 ~~((14. Lodging uses; and~~

3 ~~15. Colleges² ;))~~

4 14. Multifamily residential use otherwise allowed as an administrative

5 conditional use in the Urban Industrial zone pursuant to subsection 23.50A.006.B.3.

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

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

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

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

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

19 Section 18. Section 23.74.009 of the Seattle Municipal Code, enacted by Ordinance
20 119972, is amended as follows:

21 **23.74.009 Height((:))**

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

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

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

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

9 ~~((3.))~~ 1. The total height of the parking garage does not exceed 130 feet. ~~((If~~
10 ~~additional height is granted as described in subsection B2 above, exemptions for rooftop~~
11 ~~features from height limits of the underlying zone shall apply only to the extent the Director~~
12 ~~determines such features and exemptions are necessary to the operation of the structure.))~~

13 ~~((4.))~~ 2. All floor area above the maximum height allowed by such MUP
14 decision is used as parking required for the spectator sports facility, or for storage or meeting
15 space accessory to the spectator sports facility or exhibition hall, except that the top floor or
16 the rooftop may contain other permitted uses.

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

21 Section 19. Section 23.74.010 of the Seattle Municipal Code, last amended by Ordinance
22 125791, is amended as follows:

23 **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.~~

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.

1 b. Developments not exempt from the maximum size of use limits
2 according subsection 23.74.010.A are subject to the maximum size of use limits shown in
3 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)
<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>	

4
5 C. Pedestrian environment. The following development standards apply to each use and
6 structure, except spectator sports facilities, to the extent that the use or structure either is on a
7 lot fronting on Railroad Way South, First Avenue South, South Holgate between First Avenue
8 South and Occidental Avenue South, or Occidental Avenue South, or is within a 40-foot radius
9 measured from any of the block corners of First Avenue South or Occidental Avenue South
10 intersecting with the following streets: Railroad Way South, South Royal Brougham, South
11 Atlantic, South Massachusetts, South Holgate, and any other streets intersecting with First
12 Avenue or Occidental Avenue South that may be established between South Holgate Street and
13 Railroad Way South, as depicted in Map A for 23.74.010. Railroad Way South, First Avenue

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

7 1. Street-facing facade requirements. ~~((The following requirements apply to))~~
8 For street-facing facades or portions thereof facing streets or portions of streets in the
9 pedestrian environment(~~(:~~

10 a. ~~Minimum facade height. Minimum))~~, the minimum facade height is
11 25 feet, but minimum facade heights do not apply if all portions of the structure are lower than
12 the elevation of the required minimum facade height.

13 ~~((b. Facade setback limits~~

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

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

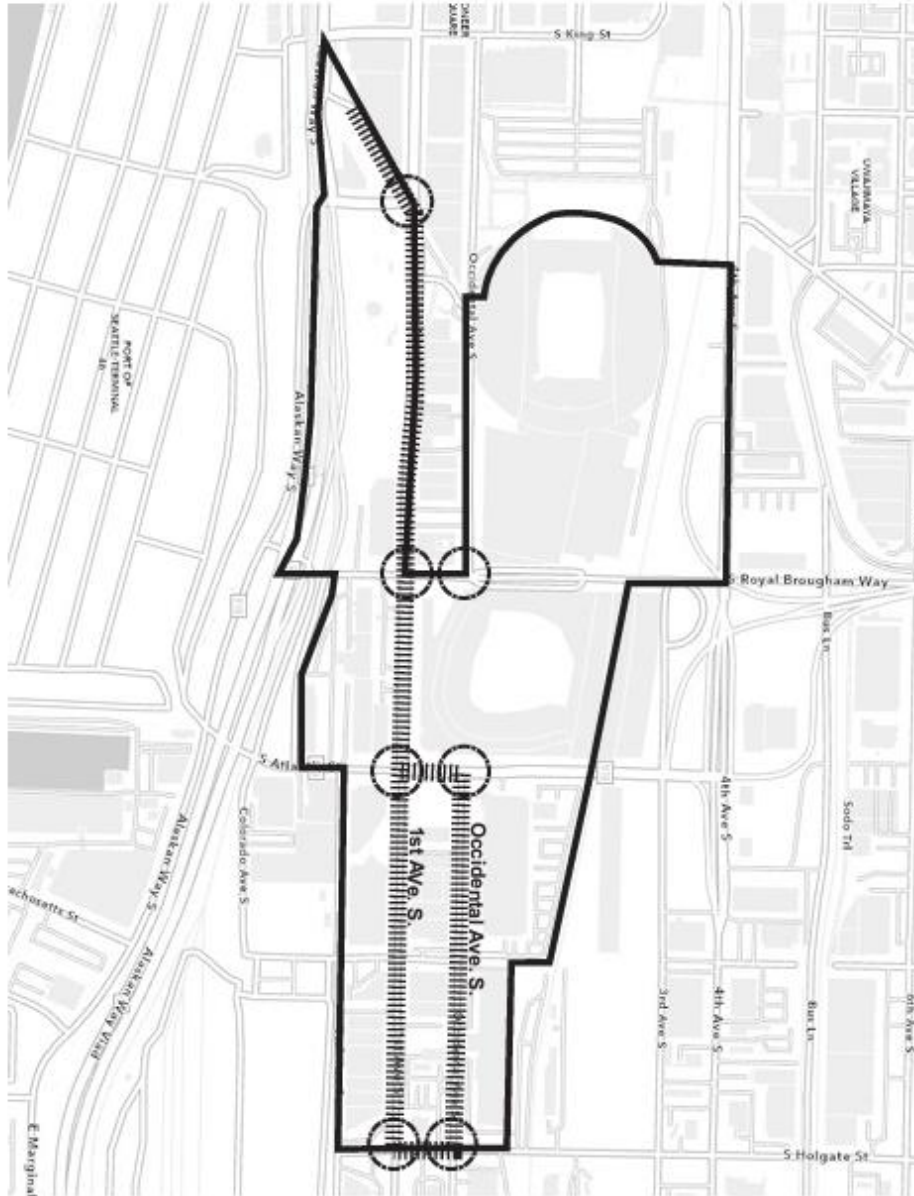
1 (except for rail transit facilities), utilities (except for utility service uses), and light and general
2 manufacturing.

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



3

1 Section 20. Section 23.84A.018 of the Seattle Municipal Code, last amended by
2 Ordinance 126131, is amended as follows:

3 **23.84A.018 "I"**

4 * * *

5 "Infill development" means development consisting of either:

- 6 1. Construction on one (1) or more lots in an area that is mostly developed, or
- 7 2. New construction between two (2) existing structures.

8 "Information Computer Technology (ICT)" means a use primarily focused on
9 computing, computer coding, or digital information technology, leading to the development of
10 new products, knowledge creation, and innovation. This use may include computer hardware or
11 software development and includes research and prototyping and engineering activities that
12 result in technology and computer products or applications. This use shall be considered a
13 distinct use category in industrial zones of Chapter 23.50A and shall be considered a part of the
14 office use category in all other zones.

15 "Institute for advanced study." See "Institution."

16 * * *

17 Section 21. Section 23.84A.025 of the Seattle Municipal Code, last amended by
18 Ordinance 126684, is amended as follows:

19 **23.84A.025 "M"**

20 * * *

21 "Major Phased Development" means a (~~nonresidential,~~) multiple building project that,
22 by the nature of its size or function, is complex enough to require construction phasing over an
23 extended period of time, excluding Major Institutions.

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* * *

Section 22. Section 23.84A.040 of the Seattle Municipal Code, last amended by Ordinance 125173, is amended as follows:

23.84A.040 "U"

* * *

"Use, accessory" means a use that is incidental to a principal use.

"Use, ancillary" means a nonindustrial activity that occurs in association with a principal use in an Urban Industrial Zone that is subordinate or secondary in ways other than occupied floor space to the principal use and assists to carry out the chief function or purpose of the principal use, for purposes of Chapter 23.50A.

* * *

SUMMARY and FISCAL NOTE*

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

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

1. BILL SUMMARY

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

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

This proposed ordinance creates a new Chapter 23.50A in the Seattle Municipal Code providing for the establishment of three new industrial zones and associated development standards and relocating the standards for the existing IC zone. The legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

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

Yes. There will be short term administrative and technology-related costs to the Seattle Department of Construction and Inspections (SDCI) and Seattle Information Technology for administering initial implementation of the zoning changes.

Training for SDCI Permit Review Staff. SDCI permit review staff will need training to learn the details of the new development standards and allocate time to discuss consistent interpretation of how new regulations will be applied. Training to implement this legislation will occur in a series of sessions convened in partnership with OPCD staff. The costs for this training and preparation (approx. \$5,000) will be absorbed by SDCI and covered by permit fees and is considered an ordinary part of SDCI business.

Other SDCI Implementation Costs. In addition to staff training, SDCI will incur costs associated with community outreach and education that includes website updates, development of a new Tip(s) and Directors Rule, postage and mailers, as well as language translation services for website and outreach content. The implementation costs (approx. \$3,000) will be absorbed by SDCI and covered by permit fees and is considered an ordinary part of SDCI business.

Technology Costs to SDCI and Seattle IT for Integrating New Zones in Accela & GIS. SDCI and Seattle IT staff will need to devote time to updating the Accela system and GIS maps to add new zones and make zoning map changes. The following table outlines the estimated costs of the technology changes needed to implement this legislation. This cost cannot be absorbed by SDCI; therefore, SDCI plans to include a proposed appropriation increase from SDCI’s Construction and Inspections Fund (48100) in either the mid-year 2023 supplemental budget or the 2024 Proposed Budget.

TECHNOLOGY		Hours (BSA/Testing /Etc)	Hourly Rate (\$)	Total
Accela	<i>Update the DC record to accommodate additional IZ benefits, adding line to custom list</i>	14	<i>Varied</i>	876.00
Accela	<i>May need to tie incentives back to another dev site (similar to housing performance)</i>	80	<i>Varied</i>	5,054.00
Accela	<i>Add new MUP component? New Type II</i>	80	<i>Varied</i>	5,054.00
Accela	<i>Accela updates for new or updated uses - add custom lists under proposed and existing uses</i>	16	<i>Varied</i>	999.00
Portal	<i>Update to reflect new zones (automatically updates when GIS database updated)</i>	7	<i>Varied</i>	421.00
Help Articles /Zendesk	<i>Need to update</i>	15	<i>Varied</i>	971.00
1-Year Post Deploy Clean Up		10	<i>Varied</i>	621.00

Accela/GIS	<i>GIS Database Updates and Accela Map Services Updates</i>	160	115.00	18,400.00
GIS	<i>Geocortex, ArcGIS Online, ArcGIS Open Data, SDCI Zoning Map</i>	130	115.00	14,950.00
Future: future mapping changes after one year period	<i>GIS Database Updates and Accela Map Services Updates</i>	160	115.00	18,400.00
Future: future mapping changes after one year period	<i>Map Publishing (Geocortex, ArcGIS Online, ArcGIS Enterprise Portal, Open Data, SDCI Zoning Map Books)</i>	130	115.00	14,950.00
Subtotal				\$80,696.00

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

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

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

4. OTHER IMPLICATIONS

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

Yes. This legislation affects SDCI as the department responsible for administering the industrial land use provisions. In addition, Seattle IT will be responsible for updating zoning maps and updating the Accela permitting system with new zoning categories. The significant IT efforts needed to implement these zoning changes necessitate an extended effective date of 90 days, as reflected in the transmitted ordinance.

b. Is a public hearing required for this legislation?

Yes.

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

Yes.

d. Does this legislation affect a piece of property?

Yes. This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific piece of legislation creates three new industrial zones that will be applied to many properties currently in industrial zones. This legislation affects property that is zoned IG1, IG2, IB, and IC and within Manufacturing Industrial Centers.

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

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

The proposal also improves environmental health in neighborhood areas at the edges of industrial land including Georgetown and South Park. These areas have a larger percentage of BIPOC populations than the city as a whole. Improvements including higher standards for tree planting, green factor, new sidewalks and pedestrian lighting will benefit community members of color.

f. Climate Change Implications

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

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

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

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

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

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

This is not applicable to a land use proposal.



Seattle

Seattle Industrial & Maritime Strategy

Director's Report and Recommendation

March
2023



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Executive Summary

Following a multi-year planning process that consisted of extensive stakeholder engagement, neighborhood outreach, research and analysis, and an Environmental Impact Statement, we are pleased to transmit 5 ordinances that together implement major components of the Mayor's Industrial and Maritime Strategy.

Seattle's industrial and maritime policies are more than 35-years old, and during that time, the trends and technologies impacting industrial and maritime users have experienced significant change. To reflect those changes as part of a comprehensive strategy to strengthen and grow Seattle's industrial and maritime sectors for the future, we are recommending a holistic update of our industrial and maritime policies and zoning. Debates around industrial lands have spanned decades, and therefore the adoption of this legislation will be a major milestone. This action proactively addresses industrial lands as an early component of the Comprehensive Plan major update, allowing the One Seattle Planning process to focus on other pressing topics such as expansion of housing supply.

We believe the legislation will spur progress towards the following objectives:

- Increase the quantity of living wage jobs generated from industrial lands.
- Improve environmental health for people who live or work in or near industrial areas.
- Provide long-term predictability to stakeholders that will support renewed investment.
- Promote mutually reinforcing mixes of activities at the transitions between industrial areas and urban villages or residential neighborhoods.
- Support industrially compatible employment dense transit-oriented development at existing and future high-capacity transit stations.
- Increase access to workforce and affordable housing for employees in industrial and maritime sectors.
- Position Seattle's industrial areas to respond competitively to new processes and practices.
- Ensure available and adequate locations for components of regional and statewide supply chains and regional economic clusters.
- Increase space for prototyping, entrepreneurship, and business incubation.
- Strengthen economic resiliency with the capacity to produce products locally and ensure stable distribution networks.

A brief description of the five ordinance that make up this action is below:

1. An ordinance amending the Comprehensive Plan to establish an updated vision in revised text policies for industrial land use. This ordinance amends the Future Land Use Map (FLUM) to change map designations in the Ballard and Judkins Park areas from an industrial land use designation to a mixed-use land use designation. The ordinance amends the FLUM to change the boundaries of the Manufacturing and Industrial Centers to remove parts of Georgetown and South Park.
2. An ordinance creating a new Chapter 23.50A in the Seattle Municipal Code that establishes three new industrial zones and sets out development regulations for those

zones. This ordinance amends the commercial Chapter 23.47A adding new provisions for areas of Neighborhood Commercial zoning that will be applied to the Georgetown neighborhood. It amends other sections of the Land Use Code that are related to establishing the new Chapter 23.50A.

3. An ordinance removing provisions for the Industrial Commercial zone from existing Chapter 23.50 and relocating them to the new Chapter 23.50A. The Industrial Commercial zone remains a useful and relevant zone in line with proposed policies for some areas and therefore will be relocated to new Chapter 23.50A.
4. An ordinance applying the new industrial zone classifications to the official zone map.
5. An ordinance amending the City's noise ordinance to address challenges to ongoing industrial activity in the shoreline areas of the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) that are experiencing encroachment from nonindustrial activity.

Current zoning regulations for industrial areas found in SMC Chapter 23.50 will coexist with the proposed new SMC 23.50A, if adopted, for a period. OPCD proposes to retain, for approximately one year, the existing Chapter 23.50 industrial zones in parallel with the new Chapter 23.50A, so City Council may elect to retain existing zoning in locations that need further review before the new suite of industrial zones can be applied. Once mapping is complete, OPCD expects to prepare legislation that would repeal Chapter 23.50.

In the remainder of this Director's Report and Recommendation we provide: background on the Industrial Maritime Strategy, the process to arrive at this recommendation, a discussion of how the ordinances implement the strategy, and an overview of the technical aspects of the proposed Comprehensive Plan and zoning code changes.

Background

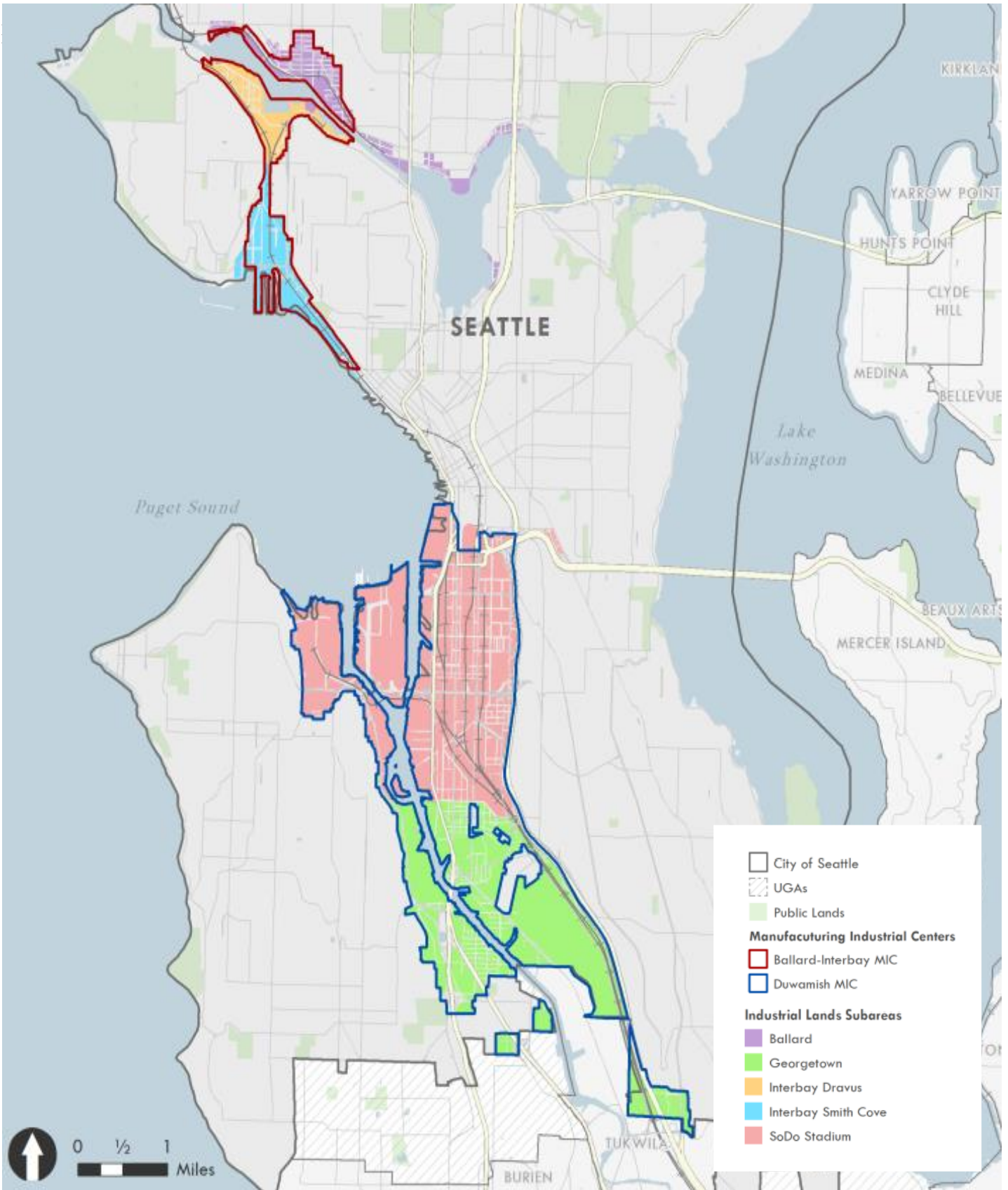
Most industrial land in Seattle is located within two Manufacturing Industrial Centers (MIC). Seattle's Greater Duwamish Manufacturing and Industrial Center (MIC) and the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) contain about 12 percent of Seattle's total land area. MICs are regional designations and are defined in the City's Comprehensive Plan as home to the city's thriving industrial businesses. There are only 11 MICs in the Puget Sound region, and they are important resources for retaining and attracting jobs and for a diversified economy. As regionally-designated Centers MICs are eligible to receive federal transportation funding through allocations by the Puget Sound Regional Council (PSRC).

Subareas within MICs with more local identities are commonly understood by community members. Subareas are considered for the purposes of analysis and local planning. A few small areas of existing industrial zoning located outside of MICs in locations such as along North Lake Union and in Judkins Park, are also a part of this action.

Seattle industrial areas employment is about 100,000, representing roughly 15% of total employment in the City. Historically, Seattle's industrial lands have captured about 6-11% of the city's employment growth. Although narratives suggest declines in industrial jobs, Seattle's industrial area employment grew at a compound annual rate of about 1.6% between 2010 and 2018. Some sectors like food-and-beverage production grew even faster, while maritime and logistics had slow and steady growth, and only aerospace and manufacturing sectors saw minor declines. (Seattle Maritime and Industrial Employment Trends. Community Attributes Inc., 2020)

Industrial and maritime jobs provide pathways to stable careers that are accessible to a broad swath of community members. Nearly two thirds of all jobs in industrial sectors are accessible without a traditional four-year college degree, and more than half of all jobs in the maritime sector are available with no formal education. Wages are competitive, with average annual earnings exceeding 70% of the Area Median Income for salaries in the construction, aerospace/aviation, and logistics sectors. A high number of jobs in logistics, maritime and manufacturing sectors remain unionized and provide high quality benefits. (Industrial Lands Employment Analysis Technical Memo. Community Attributes Inc., 2020)

While there is a lack of data to fully demonstrate the demographics of the industrial and maritime workforce, the available data does show that the largest geographic concentration for Seattle residents of workers on industrial lands are in southwest Seattle with an overall distribution across the region.



This map shows the area affected by the proposed legislation and subareas that are considered for the purposes of analysis and local planning.

Process

Industrial and Maritime Strategy Advisory Council

In 2019 the City convened an Industrial and Maritime Strategy Advisory Council to chart a blueprint for the future of industrial land in Seattle with a focus on providing equitable access to high-quality, family-wage jobs and entrepreneurship opportunities. The Advisory Council included representation from citywide stakeholders and stakeholders from four neighborhood subareas for: Ballard, Interbay, SODO/Stadium District, Georgetown/South Park. The groups represented a diverse range of interests including maritime and industrial businesses, labor, residents of adjacent neighborhoods, developers, a City Council member, and industry groups.

The Industrial and Maritime Strategy Council process lasted more than a year and a half and included various phases and levels of dialogue. The timeline below summarizes major steps. These steps were supplemented with individual outreach and dialogue between members of the strategy council, city staff, and the facilitator.

- November 2019. Project kickoff and guiding principles
- February 2020. Discuss policy alternatives and background data
- March-May 2020. Break due to COVID-19
- June 2020. Reconvene with a focus on a greater emphasis on equity and recovery
- Fall, 2020. Restorative economics training, BIPOC youth engagement
- November 2020. Listening session
- December 2020. Discuss detailed policy tables, written comments
- March 2021. Regroup and strategy framework
- April / May 2021. Strategy workshops and straw poll voting
- May 27, 2021. Final consensus recommended strategies

In May 2021 the Advisory Council recommended 11 broad strategy statements, which are shown on the following page. The consensus represented approval votes by over 85% of voting advisory group members on the package. Due to the significant amount of negotiation, dialogue and collaborative effort that went into reaching consensus, we emphasize in this report how closely the proposed legislation follows the consensus recommendations.

Investment Strategies

1. Workforce Investments to Support Access to Opportunity for BIPOC, Youth, and Women: Create, expand, and support initiatives that increase access to opportunity and economic prosperity for Black, Indigenous, and People of Color, youth, and women through manufacturing, maritime, and logistics careers.

2. Public Safety Partnership to Support Maritime and Industrial Areas: Work closely with local business and community organizations to develop and implement a proactive public safety response to elevated levels of crime within maritime and industrial lands.

3. Transportation Priorities to Improve the Movement of People and Goods: Improve the movement of people and goods and make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals.

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

11. Ongoing Stewardship Entities to Champion this Vision: Identify and grow ongoing stewardship entities with a complete range of stakeholders to champion the vision of the Industrial and Maritime Strategy, ensure its long-term implementation, and develop appropriate assessment metrics to help guide future policy decisions. In different neighborhoods, this could be an existing organization with a modified charter and/or a new organization.

This table is from the June 2021 Industrial and Maritime Strategy Advisory Council Report.

Other Focused Engagement

The relative accessibility and competitive wages provided by jobs in industrial and maritime sectors present the opportunity to benefit BIPOC community, women, and youth. The Strategy Council strongly recommended specific and proactive measures to ensure access and opportunities to a higher proportion of industrial and maritime sector jobs by BIPOC and women than it has ever had before. The City directly consulted over 116 BIPOC youth to share their lived experiences about exposure to industrial and maritime sectors.

The take-aways from the youth engagement include the youth describing a general lack of awareness of industrial and maritime careers and that youth were surprised by the diversity and number of careers and the higher wages within the maritime, manufacturing, and logistics sectors. We also heard that a clear stigma against career and technical education exists and that career decisions of youth are most influenced by their parents, as opposed to their teachers and counselors. Finally, we heard youth emphasize that environmentally friendly employers are important to their career decisions.

Environmental Impact Statement (EIS) Process

OPCD initiated an EIS process in July of 2021 to study the possible effects of implementing land use changes. The process provided community with meaningful opportunities to shape the proposal. The draft EIS included four alternatives, and the City extended the initial 45-day comment period to 60 days allowing more time for review and held public engagement events during the comment period. The City conducted a series of meetings with South Park and Georgetown community members in neighborhood locations and included comments from these communities through an additional extension to April 15, 2022. A final EIS was issued in September of 2022 that contains a Preferred Alternative. The Final EIS Preferred Alternative reflected substantial input from community, and analysis was supplemented in response to comments. (Findings from the environmental review are summarized later in this Director's Report, and in Appendix A.)



Online and Social Media Engagement

OPCD used social media and online tools to communicate directly to the public about policy issues and to increase general awareness of industrial and maritime land use issues. OPCD produced a series of video profiles highlighting industrial businesses, including woman and minority owned businesses. OPCD also highlighted news stories and articles on industrial and maritime strategy topics. The purpose

was to build community member awareness of industrial lands policy issues so more people could weigh in on proposals in a more informed way.

Other Engagement with Stakeholder Groups

In addition to formal engagement channels and meetings OPCD staff conducted regular check-ins with individuals and stakeholder groups who would be most affected by the proposed legislation. These meetings continued following completion of the Final EIS and during the formulation of this proposed legislation. Input by stakeholder groups helped to improve and refine proposed development standards. Meetings included dialogue with:

- Ballard brewers
- Ballard area property owners
- Georgetown Community Council
- Duwamish River Community Coalition
- Port of Seattle / Northwest Seaport Alliance
- Maritime labor organizations
- Service sector labor organizations
- Construction sector labor organizations
- Professional sports stadium boards
- Industrial trade groups
- Seattle Planning Commission
- Others

Implementation of the Consensus Strategies

Below we describe the direct connection between the consensus recommendations and components of the proposed land use legislation.

Consensus Strategy 5—Stronger Protections for Industrially Zoned Land:
Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

Competition for industrial land from nonindustrial uses destabilizes the vitality of industrial districts by introducing land use conflicts and driving speculative pressures that results in the displacement of industrial activity. Industrial land is priced lower than land for commercial and residential activity. Although Seattle's proximity to a deep-water port, rail and freight infrastructure, and a large workforce are locational advantages for some industrial uses, others can easily relocate to outlying areas free of land use conflicts at a price competitive or better than they can find in Seattle.

As a broader range of uses locates in industrial districts, land values rise meaning only those higher-value uses can afford to locate in these areas. This can be seen in Ballard where numerous grocery stores have displaced industrial businesses in the BINMIC, or where destination retail has been developed on land off West Armory Way in Interbay.

On a regular basis the City receives applications to remove land from our industrial areas for nonindustrial development resulting in a lack of predictability by industrial users contemplating investment/reinvestment in Seattle's industrial areas. The package of zoning amendments and Comprehensive Plan Amendments contains three specific provisions to strengthen protections for industrial land consistent with stakeholder recommendations:

- **Limit Annual Comprehensive Plan Amendments:** Removal of land from a Manufacturing Industrial Center (MIC) for non-industrial development requires an amendment to the City's Comprehensive Plan. Amendments to the City's Comprehensive Plan can occur in two ways – the annual amendment process and the major update process. The City can amend its Comprehensive Plan once a year through an annual amendment process. This process allows the public the opportunity to submit amendment proposals that are then considered by the City Council.

The proposed legislation includes new Comprehensive Plan text policy 10.3 stating the city will not consider proposals for removal of land from a MIC designation except as a part of a comprehensive plan major update or a City led study. The major update to the

Comprehensive Plan occurs every 8-10 years. Limiting Comprehensive Plan amendments to major updates will lessen speculative pressure on industrial land by sending a clear market signal that removal of land from MICs will not happen frequently. This limitation also has the benefit of allowing the City to fully review changes to land in the MICs within the overall context of the City's industrial land needs.

- **Tighten Zoning Code Loopholes:** The proposed legislation would reduce existing size of use limits on nonindustrial (i.e., retail and office uses) and apply a new Floor Area Ratio limit of 0.4 for nonindustrial uses in the Maritime Manufacturing and Logistics zone. These changes will have the practical effect of discouraging new development of box retail stores, or standalone office buildings in the new industrial zones.
- **Prohibit Mini-Storage:** Like retail and commercial uses, mini-storage developments can pay a higher price for land than industrial users. While currently permitted, this use, unlike warehouses or storage yards for logistics businesses in MICs, does not support industrial activity and has little employment benefit. This proposal would prohibit new ministorage uses in all industrial zones.

Consensus Strategy 6— High Density Industrial Development: Encourage modern industrial development that supports high density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

Seattle's Manufacturing and Industrial Centers are the proposed location of up to five future Sound Transit light rail stations. Traditionally, land use policy around light rail stations seeks to leverage these generational investments with transit-oriented development characterized by a mix of residential and employment uses. Stakeholders evaluated how best to accommodate these stations while contributing to the continuing strength of Seattle's industrial areas and recommended a strategy that leverages these transit investments with high-density employment characterized by a mix of modern industrial space supported by a range of office and other commercial uses. The proposed amendments would create a new Industry and Innovation (II) zone that encourages new development in multi-story buildings that accommodates industrial businesses, mixed with other dense employment uses such as research, design, offices and technology. Precedents for the sort of flexible mixing of industrial and non-industrial uses that are envisioned in this proposal exist in Seattle and peer cities, including Portland, OR, New York City, and Vancouver BC.

Consensus Strategy 7— Healthy Transitional Areas near Urban Villages:

Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

- Transitions between industrial and nonindustrial zones in Seattle are currently managed through the application of the industrial buffer zone. The Stakeholder group, which included community representatives from South Park, Georgetown, and Ballard combined with supplemental outreach to the South Park and Georgetown communities identified four key challenges in these transitional areas:
 - 1.) Affordable spaces for small-scale manufacturers, entrepreneurs and artists are scarce.
 - 2.) Active transportation modes like walking and biking that best facilitate residents' access to local producers are vulnerable to conflicts with freight movement when public infrastructure is inappropriately designed.
 - 3.) Entrepreneurs and small manufacturers struggle to find affordable homes near their jobs.
 - 4.) High – impact industrial uses close to nonresidential areas result in unhealthy impacts to these communities, particularly in South Park and Georgetown.
- The proposed legislation would create a new zone, the Urban Industrial (UI) Zone, that addresses these challenges. The proposed Urban Industrial zone increases pedestrian safety and facilitates freight movement by requiring street improvements that include curbs, sidewalks, pedestrian scale lighting, and street trees for new buildings or expansions. Workforce housing needs are partially addressed through allowances for small amounts of workforce housing permitted as a conditional use. It should be noted that resolving the issue of housing scarcity and affordability for workers in industrial areas will not be solved by using industrial land for significant amounts of housing (see discussion below).

Consensus Strategy 8—No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

Current land use policy prohibits new housing in industrial areas with very minor allowances for artist studio, caretakers quarters, or housing that predated the City's industrial land use policy. These

limitations are in place because large concentrations of housing in industrial areas results in land use conflicts that compromise the economic viability of industrial areas and encourages speculative pressure to use industrial land for nonindustrial uses. Residents living in industrial areas are also sometimes exposed to impacts from industrial activity including light, noise, aesthetic impacts of outdoor storage.

For these reasons the City has traditionally prohibited housing development in industrial zones. Policies discouraging housing in industrial areas are consistent with the King County Countywide Planning Policies, and the Puget Sound Regional Council policies for designating Manufacturing and Industrial Centers.

This proposal retains the general policy of limiting new residential uses on industrial land with limited adjustments to allow some new housing opportunities to support artists, makers, or industry supportive housing. The proposal also includes some areas outside of MICs where industrial zoning would be replaced by new mixed-use zones.

**Consensus Strategy 9 – Georgetown and South Park Neighborhood Goals:
Remove a few small, focused locations from industrial zoning in
Georgetown and South Park and convert them to mixed use zoning to
achieve neighborhood goals.**

The proposed Comprehensive Plan amendments include amendments to the Comprehensive Plan Future Land Use Map. Two of these amendments advance goals of the Georgetown and South Park communities consistent with the stakeholder recommendations. Both Georgetown and South Park experience impacts from adjacent industrial areas. The Georgetown community has a goal of becoming a more complete neighborhood similar to an urban village. The South Park community has a goal of increasing environmental health and making a better connection of residential communities to the Duwamish River.

Consensus Strategy 10 - Master Planning for WOSCA and Armory Sites:
Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

The Washington National Guard Armory (Armory) site currently owned by the State of Washington is home to a National Guard readiness center. The site, however, consists primarily of fill material and is subject to severe liquefaction in the event of a major earthquake. The national guard is seeking relocation and the state will explore reuse of this site to partially finance the Guard's relocation. The State commissioned a study to evaluate alternative redevelopment scenarios including a residential/commercial, a residential/industrial, and an industrial alternative and passed enabling legislation in 2022 for a public development authority to facilitate relocation. To date the PDA is not yet formed.

The Armory site is approximately 25 acres in size and is zoned Industrial General 1 and is within the boundaries of the BINMIC. The Armory site represents an important redevelopment opportunity, not just because of its size and proximity to industrial infrastructure such as freight corridors and proximity to port facilities (T91 and Fisherman's Terminal), but also because of its proximity to potential future light rail stations that are within walking distance of the site. These factors combined (size, location, access to light rail) and the fact that it is under single ownership mean that redevelopment could advance the goals of the Industrial and Maritime Strategy in significant ways.

The Washington-Oregon Shippers Cooperative Association (WOSCA) site is currently owned by the Washington State Department of Transportation (WSDOT) and was used for construction and staging for SR99 replacement. The site is at the north end of the Greater Duwamish MIC, adjacent to Terminal 46 (T46) to the west and 1st Avenue to the east. The site will either be redeveloped or surplus by the State. The WOSCA site is approximately 4.2 acres in size and is currently zoned Industrial Commercial and within the Duwamish MIC.

The proposed legislation includes a new Comprehensive Plan policy that calls explicitly for detailed site-specific master planning of these two important publicly-owned properties, before major redevelopment with uses other than traditional industrial uses. (See discussion below).

Comprehensive Plan Policy Amendments

Comprehensive Plan amendments implementing the industrial maritime strategy include amendments to text policies to set a framework for the updated industrial zones, Future Land Use Map (FLUM) amendments to enable zoning changes, and other text policy changes to address specific aspects of the strategy. Specifically, the proposed Comprehensive Plan amendments include:

1. Two new goals – one that supports dense development around high-capacity transit stations and one that supports building healthier transitions between industrial and adjacent residential areas.
2. Policies that will transition the City to a new land use framework that will guide future development around transit stations, support emerging industries and trends, and protect and support the City's legacy industries and maritime sector that rely on location specific infrastructure (Port facilities, rail, freight routes).
3. A new policy that limits any FLUM amendment that takes land out of a Manufacturing Industrial Center (MIC) to either be adopted as part of a major update to the City's comprehensive plan or as the result of a comprehensive city-led study of industrial lands that evaluates changes to industrial land designations within the context of the overall policy objectives for and supply of the City's industrial land in MICs.
4. A new policy that signals the City's intent to consider any changes in land use on the Washington State National Guard Armory in Ballard Interbay Northend MIC (BINMIC) or the WOSCA site in the Greater Duwamish MIC (MIC) through a master planning process for redevelopment of these sites.

New Land Use Goal Statements

Two new Land Use goal statements are added to provide updated guidance and guide the City's overall approach to industrial land.

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| LU G10.1 | Support compact, employment-dense nodes, where emerging industries can locate in formats that require greater flexibility in the range of on-site uses and activities and are more compact than traditional industrial operations. |
| LU G10.2 | Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts. |

Proposed LU G10.1 is a recognition that changing conditions and emerging trends requires a new approach to industrial development in key locations. Changing conditions include future development of up to 5 Sound Transit light rail stations in the Manufacturing Industrial Centers. Emerging industrial trends point to a future where there will be greater demand for a broad range of design, research and development, and office type uses related to industrial sectors that can locate in multi-story buildings.

Proposed LU G10.2 recognizes that neighborhoods near industrial areas experience impacts from industrial activity that other neighborhoods do not. This goal represents the idea that better transitions between residential areas and industrial areas are necessary to equitably balance the right to a healthy community while simultaneously maintaining the City's support for its industrial areas. The goal pivots away from a mindset of buffering and separation, and towards a symbiotic relationship at the transition between neighborhoods and industrial areas.

Updated Industrial Zoning Framework

The proposed amendments include policies to establish a vision for an updated industrial land use framework. These text policies describe the intent and rationale for new zone classifications. In the near term, these policy changes are additive to existing policies about industrial land use, and do not create any inconsistencies with existing industrial land use policies.

LU 10.7 Use the following industrial zoning classifications for industrial land in Manufacturing Industrial Centers:

- **Maritime, Manufacturing and Logistics:** This zone would be intended to support the city's maritime, manufacturing, logistics and other established or legacy industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics zone.
- **Industry and Innovation:** This zone would be intended to promote employment dense nodes where emerging industries can locate and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and office uses found in multi-story buildings, compared to traditional industrial activities. Areas in MICs that are generally within one-half mile of high-capacity transit stations may be considered for the industry and innovation zone.
- **Urban Industrial Zone:** This designation would be intended to encourage a vibrant mix of uses and relatively affordable, small-scale industrial, makers, and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial zone.

In general, the Maritime, Manufacturing and Logistics (MML) Zone consolidates the existing IG1 and IG2 zones and affords industrial activity in this zone stronger policy protections and supports maritime industrial cluster industries and legacy industries.

In most instances, the Industry and Innovation (II) Zone replaces the existing Industrial-Commercial (IC) zone and in some cases Industrial Buffer (IB) zone. The zone would be applied in some additional locations close to frequent transit. This zone is intended to leverage major transit investments to create employment-dense transit oriented industrial nodes. This zone allows multi-story buildings with a greater mix of production, research and design, and office uses than is present in traditional industrial operations through an incentive structure to ensure high density employment. This zone will be located

within proximities of .5 miles of a high-capacity transit station and have limited parking. The following proposed new policies provide guidance for this zone concept:

- LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments.
- LU 10.20 In the Industry and Innovation zone, consider development standards for designated industrial portions of buildings that require development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, consider an incentive system whereby new development may access increased development capacity by including designated space for industrial uses within the structure.

In most cases, the Urban Industrial (UI) zone replaces the existing IB zone and/or portions of the IC zone. This zone provides stronger transitional areas between industrial areas and urban villages or other mixed-use neighborhoods. These areas have seen an increase in patronage from adjacent neighborhoods, with existing or potential businesses that draw from adjacent residential areas such as tasting rooms and retail showrooms. Establishing an industrial zone that supports this activity provides opportunities for small scale manufacturers, entrepreneurs, and artists to create a transitional area that is compatible with industrial activity and adjacent neighborhoods. The following proposed policies provide guidance for the new zone:

- LU 10.23 In the urban industrial zone, consider allowing a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a need for ample space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

Stronger Policy Protection for Industrial Land

In recent years, several annual amendment proposals have sought to remove land from manufacturing industrial centers. Industrial land is finite in supply and consideration of any one proposal to remove land from an MIC should occur through a comprehensive review of the city's industrial land use needs. The proposed Comprehensive Plan amendments include a new policy to establish higher thresholds for when such an amendment can be considered. This policy will send a clear market signal that will deter the type of speculation that deters investments in industrial activity.

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

Interbay Armory and the WOSCA site

The proposed amendments include a policy to establish the City's preferred approach to future redevelopment of these sites that are both within designated Manufacturing Industrial Centers.

- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.

Future Land Use Map (FLUM) Amendments

This proposal includes FLUM amendments that affect land use in four different neighborhoods. In two cases land is being removed from the Greater Duwamish MIC and redesignated for mixed-use commercial development and in the other two cases land outside of either of the MICs that is currently designated for industrial use is being reclassified to mixed use commercial.

Land in Georgetown will be removed from the Greater Duwamish MIC and designated as mixed-use commercial. The area removed includes the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S.

Land in South Park will be removed from the MIC and designated as Residential Urban Village. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space.

Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be redesignated from industrial to mixed use commercial. The area is very close to the Judkins Park light rail station, and contains few remaining industrial uses.

Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be redesignated from industrial to mixed use commercial. The strip of land is adjacent to significant mixed-use development along NW Market Street and contains few remaining industrial uses.

New Industrial Zones

The proposed ordinance creates a new SMC Chapter 23.50A that establishes three new industrial zones consistent with the strategies discussed above. The new Chapter 23.50A also retains provisions for the Industrial Commercial Zone. The summary below focuses on the key aspects that control development and on topics where the zones would differ from the existing industrial zoning framework.

Structural Changes That Apply to All New Industrial Zones

New Industrial / Nonindustrial Use Identification. To clarify uses that are “industrial” or “non-industrial” a new column in the allowable uses table would indicate whether each use (i.e. Light Manufacturing, General Retail etc.) qualifies as industrial. The industrial classification is used for the purposes of determining base (industrial) and bonus (non-industrial) development in the Industry and Innovation zone, and for determining principal industrial uses in the Urban Industrial zone.

New Information and Computer Technology (ICT) definition. A new use definition would be added to SMC Chapter 23.84A definitions. It would distinguish a subset of uses from within the broad office category that would isolate knowledge creation and innovation activities related to technology and computing. Uses in this new category are expected to provide a high proportion of basic economic activity according to economic base theory. The new definition distinguishes ICT uses from other office uses that are in service of the local economy such as accounting offices, law offices, real estate offices, etc. ICT use would be given special consideration in the proposed Industry and Innovation zone.

Prohibit Mini Storage Warehouses: In recent years, mini storage facilities have been an increasingly common use in industrial areas. Mini storage is different from warehouses and distribution centers that are part of logistics chains and support industrial and maritime sectors. Mini storage facilities are for private storage that is unrelated to industrial activity. In addition, these facilities have very low employment but can pay a higher price for industrial land. Under the proposal, mini storage would not be an allowed use in any industrial zone.

Non-Conforming Use Provisions: The new zoning framework adjusts development standards including stricter maximum size of use limits, and an incentive system for nonindustrial development in the Industry and Innovation zoned areas. Some existing businesses may not fully conform to the new standards. To provide broad leeway for existing uses to continue, a new non-conforming to development standards subsection is included in the Chapter. Existing industrial uses that were legally established would be allowed to continue and to expand if fifty percent or more of their floor area is in an industrial use, without being nonconforming certain development standard. Additionally, by an administrative conditional use, uses that exceed the maximum size of use limit but were legally established, would be able to a.) convert to another use that exceeds the maximum size of use limit b.) expand into a whole building or adjacent space, or c.) expand by up to 20 percent. The intent is to provide flexibility for existing industrial uses, while requiring new development to meet the intention of the new code.

The following sections summarize the purpose, and key standards for each of the three new Chapter 23.50A industrial zones.

Maritime Manufacturing and Logistics (MML)

Function and Purpose: An existing industrial area with a concentration of core industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities and is well served with truck, rail, and maritime or freight infrastructure. The MML zone is intended to provide long term predictability to landowners, business owners and investors that the area will remain an industrial area. The zone is intended to reduce speculative development pressure.

Development standards seek to limit unintended types of nonindustrial development such as big box retail and mini storage uses, which have been constructed in Industrial General 1 (IG1) and Industrial General 2 (IG2) zones in recent years. In general, the MML zone will consolidate and replace the existing IG1 and IG2 zones.

Locational Criteria: The Maritime Manufacturing and Logistics (MML) zone designation is most appropriate in areas generally characterized by the following:

- Areas within Seattle's Manufacturing/Industrial Centers (MICs);
- Areas with proximity to rail and/or freight infrastructure;
- Areas with proximity to the shoreline, deep-water ports, and water bodies;
- Areas around existing clusters of industrial or maritime suppliers and services; and
- Areas that are generally flat.

Proportion of MIC Land in This Zone:

- Proportion of BINMIC land in the MML zone is 76%.
- Proportion of Greater Duwamish MIC land in the MML zone is 93%.

Key Development Standards:

Permitted and Prohibited Uses: Similar to the existing IG zones, a broad range of heavy and light manufacturing uses would be permitted. Industrial uses would be permitted outright with no maximum size of use limits and few additional restrictions. A broad range of warehousing / distribution, marine and logistics transportation uses, utility uses, outdoor storage and warehouse uses (except for mini storage), laboratory, and research and development uses, food processing and craft work, and automotive uses would all be permitted outright.

A variety of non-industrial uses would also be permitted outright as a principal use but would be subject to strict maximum size of use limits and FAR sub-limits described below. These uses include commercial sales and services, office, lodging, entertainment, and Information Computer Technology (ICT).

Floor Area Ratio: The maximum floor area ratio (FAR) limit would be 2.5, which is the same as the existing IG1 and IG2 zones. This allows ample development capacity for most industrial uses including associated ancillary functions. Because most maritime, manufacturing and logistics uses all require unbuilt space for loading, truck access and circulation or layout, it is uncommon for industrial uses to approach a buildout with multiple stories that approaches the 2.5 FAR maximum.

The MML zone would introduce a new FAR sublimit of 0.4 for non-industrial uses. The 0.4 FAR maximum would be for uses not classified as industrial in the new column of the allowable uses table. The FAR sublimit is added to deter the type of piecemealing of lots to avoid maximum size of use limits that has been observed in recent decades. The proposed FAR limit would disincentivize subdivision of large sites into multiple small sites to achieve numerous parcels that each contain a use at the maximum size limit. (See also Appendix B – Non-Industrial Development Analysis.)

Height Limit. None for industrial uses. 45 feet for others. Same as existing IG zones.

Maximum Size of Use Limits. Large-sized non-industrial uses such as retail and offices do not have a connection to industrial and maritime uses, are not compatible with proposed Maritime, Manufacturing and Logistics zones, and their presence detracts from the policy intent for Manufacturing Industrial Centers. Examples of large-sized retail uses include grocery stores, pet stores, home décor stores, office supply stores, and multi-purpose box retailers such as Fred Meyer or Walmart, or stand-alone office structures.

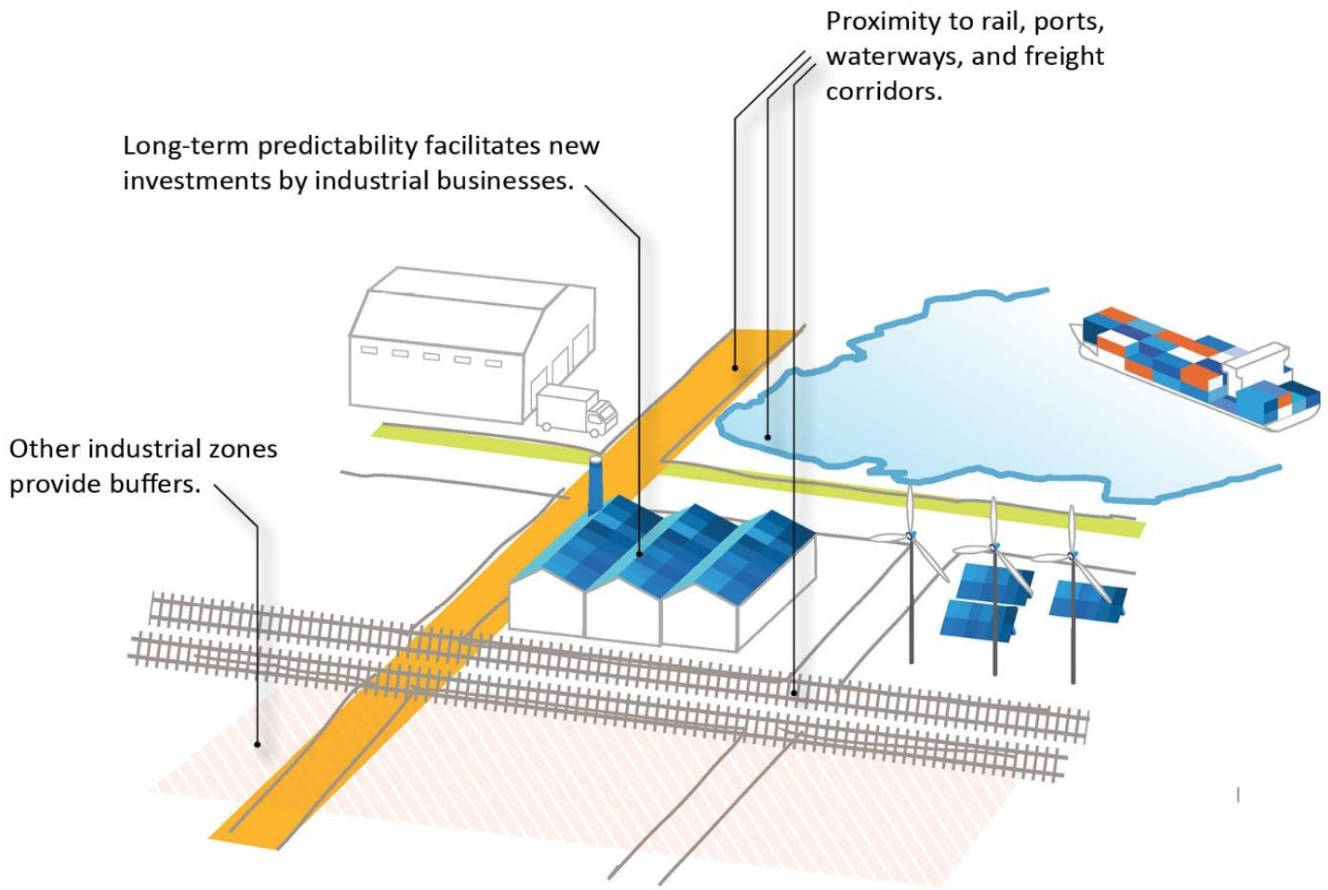
OPCD conducted an analysis to determine the approximate extent of sites and locations where unintended development of retail, office and mini storage has occurred in industrial zones, and found clusters in areas including the Interbay/Armory Way corridor, Ballard, and the Airport Way corridor in SODO. (See Appendix B).

To address the pattern of development described above, the proposed legislation would reduce maximum size of use limits in the new MML zone, for several land use categories. Levels of reduction are set to continue allowing the uses while reducing pressures and incentives for proliferation. The reductions are shown in the table below compared to the existing IG zones. The current 25,000 sq. ft. size limit for Sales and Service in the IG2 zone is conducive to formula development of grocery stores and retail box stores. Reduction to a proposed 7,500 sq. ft. maximum size would result in smaller sizes than formula retail developments. Formula office floor space sizes are usually in the 25,000 or greater range.

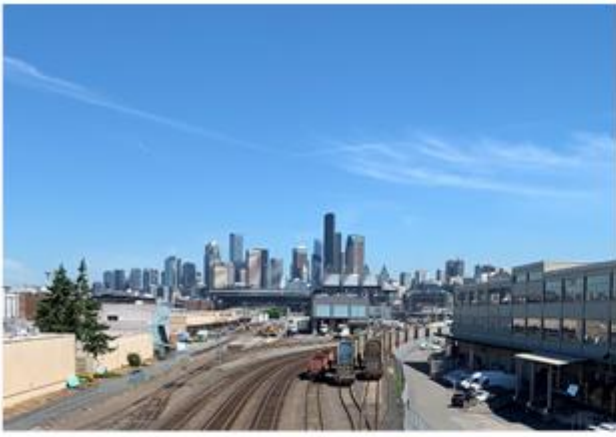
Use subject to size limits	Maximum Size of Use Limit		
	MML	IG1	IG2
Animal shelters and kennels (2)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments (3)	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
Entertainment	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lodging uses	N/A	10,000 sq. ft.	10,000 sq. ft.
Medical services	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Office	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Restaurants	3,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Retail sales, major durables	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, automotive	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, general	7,500 sq. ft.	10,000 sq. ft.	25,000 sq. ft.

New Heavy Manufacturing Conditional Use Performance Criteria. The proposed legislation includes new conditional use criteria for heavy manufacturing uses. For the first time, any new heavy manufacturing use in the MML zone would need to obtain a conditional use permit if it is located within 1,500 linear feet of residentially zoned *and* residential developed lot, or neighborhood commercial zone. This limit will not apply to land separated from residential zoning by Interstate 5. While the existing IG zones had these conditional use protections in place for limited areas adjacent to Queen Anne and Interbay, the proposed legislation extends the protections for all residential neighborhoods most notably for areas near Georgetown and South Park. To be approve the heavy manufacturing use would have to meet criteria including:

- In an enclosed building
- Hours of operation do not impact residential areas
- Truck service must be directed away from residential streets
- Shall not produce sustained noises or vibration



The diagram is a conceptual depiction of the locational criteria and general intention for the Maritime, Manufacturing and Logistics zone.



Maritime, Manufacturing and Logistics (MML) Zone

All photo credits City of Seattle. Montage: Top to bottom, left to right: Logistics operations including rail and truck movement of goods are an important function and major land use. B. Container port operations provide functions of regional and statewide significance. C. Significant employment is offered in exporting industries such as food processing and aerospace. D. Land is available for the expansion of new sectors that are expected to grow including green energy and the space industry. E. Provide long term predictability for legacy industrial operations and anchor businesses that provide critical supports to other companies. F. An ecosystem of specialized knowledge and skills is present in sectors such as maritime. G. Necessary heavy operations can locate in areas where their impacts would be minimized, away from residential populations.

Industry and Innovation (II)

Function and Purpose: The purpose of the II zone is to create a transit-oriented area characterized by modern industrial buildings that supports a mix of economic innovation and emerging industries, and commercial development with high employment density. The zone would encourage new development in multi-story buildings that accommodates dense employment uses such as research, design, offices and technology. The zone is intended to spur the creation of new high-quality light industrial space, in an amount that is equal to or greater than the amount of industrial space that exists today. The Industry and Innovation zone would address the following challenges in locations near existing or future light rail stations in industrial areas:

- Current zoning and development has not and would not create enough density near light rail to support a transit-oriented land use pattern or high transit ridership.
- Redevelopment costs in eligible locations are very expensive due to potential environmental clean ups and infrastructure needs.
- The City's current industrial zone that allows mixed commercial development (Industrial Commercial) has been dominated by new office developments without any industrial uses.

Locational Criteria: Industry and Innovation (II) zone designation is most appropriate in areas generally characterized by the following:

- Areas in Seattle's Manufacturing/Industrial Centers (MICs).
- Areas within an approximately one-half mile distance from existing or future light rail stations.
- Areas with a high potential to attract new investment in buildings and infrastructure that supports dense, knowledge-based employment.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Industry and Innovation zone is 19%.
- The proportion of land in the Greater Duwamish MIC in the Industry and Innovation zone is 3%.

Key Development Standards:

Incentive-Based System: An incentive-based system is fundamental to the proposed II zone. Developers would earn "bonus" development to build non-industrial spaces for uses like offices, only if an amount of dedicated bona-fide industrial space is included. A developer could provide industrial space at a ground floor or in a separate structure. The new industrial space would be required to be occupied by one of the qualifying industrial uses indicated in the new column of the allowed uses table. Upper floors of a building or a separate structure on a site could be occupied by other nonindustrial allowed uses. In addition to the use restriction on the dedicated industrial space, it would have minimum requirements for construction as bona-fide industrial space (see below). The inclusion of bona-fide industrial space would comprise a Tier I of potential bonus floor area.

An additional Tier II of bonus development could be accessed in one of two ways after the Tier I maximum FAR limit is reached. The developer would qualify for the Tier II increment of FAR if at least 50 percent of the structure is constructed using mass timber construction methods; or if they use Transfer of Development Rights for upgrading a vulnerable unreinforced masonry structure (URM).

Floor Area Ratio: The maximum FARs in the II zone enact the system of a base maximum and extra floor area that can be gained. For any development electing to participate in the incentive system, a minimum amount of industrial space floor area would be required, and this amount qualifies for the bonus. For each sq. ft. of industrial space provided, the development would gain the ability to construct 5 sq. ft. of non-industrial space. For example, in the II 160 zone, when the developer provides the first 0.5 FAR of industrial space they gain access to 2.5 FAR of non-industrial space. Additional bonus non-industrial space could be generated up to the Tier I maximum at the 5:1 ratio. An example in the II 160 zone would be a building that provides 1 FAR of industrial space, generating 5 FAR of nonindustrial space, to reach the maximum Tier I FAR limit of 6. The table below shows base and bonus FAR limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Compared with exiting IG zones, the proposal would substantially increase the maximum development capacity, increasing allowed floor area by two to three times. The bonus floor area could include non-industrial uses that are not allowed or are strictly size-limited under the existing IG zone. The II zone would also increase development capacity compared to the existing Industrial Commercial (IC) zones where it is applied. (See discussion below).

FAR limits Proposed Industry and Innovation (II) Zones			
Zone	Minimum Industrial Use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA
II 125	.5	5.25	5.75
II 160	.5	6	6.5
II 85-240	2	4	6
Comparison: FAR limits Existing Industrial Zones			
Zone	Maximum FAR	Maximum FAR with Bonuses	
IG1, IG2, IB	2.5	N/A	
IC 85 Zones (Except 85-175)	2.75	N/A	
IC 85-175	2.5	4.0	

Developers would have the option not to participate in the bonus development system. In this case, the development could provide all industrial space up to a maximum FAR that is similar to under existing IG zoning. The table below shows limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Floor Area Ratio (FAR) limits Industry and Innovation Zones – All Industrial Development (Not Participating in the Incentive System)	
Zone designation	FAR limit
II 85	2.75
II 125	2.5
II 160	2.5

IC	2.75
II 85-240	2.5
Comparison: FAR limits Existing Industrial Zones	
Zone	Maximum FAR
IG1, IG2, IB	2.5
IC 85 Zones (Except 85-175)	2.75
IC 85-175	2.5

Bona-Fide Industrial Space: Portions of a building qualifying as industrial space could only be occupied by industrial uses. Additionally, the space would have to meet the following development standards for construction as bona-fide industrial space.

- Load bearing floors with 250 lbs. per sq. ft. minimum capacity for ground level floors on grade, and load bearing floors with 125 lbs. per sq. ft. minimum capacity for floors above grade.
- Floor-to ceiling clearances of at least 16 feet.
- Constructed to comply with a Seattle Building Code Group occupancy classifications for an industrial use, except for ancillary support spaces that are secondary to the industrial use and occupy less than 25 percent of the industrial use floor area.
- Serviced directly by a loading dock or a freight elevator with a minimum capacity of 8,000 lbs.

Information Computer Technology (ICT): In the II zone only, ICT would be considered an eligible industrial use that could occupy the industrial portion of a structure. This is proposed because ICT uses are productive economic uses that often have dense employment and generate secondary multiplier effects in the economy. In today's technology rich context, ICT uses are a corollary to industrial uses with heavy physical processes of past eras. ICT uses are often a component of traditional industrial enterprises, when ICT activity includes design or engineering for a physical process. In the II zone, ICT would have a slightly lower bonus ratio than other industrial uses. For every 1 sq. ft. of ICT use the developer would gain 4 sq. ft. of non-industrial space capacity (instead of 5).

Application to Previously IC Zoned Land: Some areas proposed for the II zone would be changed from an existing Industrial Commercial (IC) zone. These areas are primarily in the Elliott Avenue corridor, and the area south of the Chinatown/International District. The existing IC zone already allows substantial development with non-industrial uses such as office. To account for the base condition, the proposed II zone in these areas would have a base FAR limit equal to the existing limit of the IC zone. An additional increment above this amount could be accessed according to the incentive bonus system for inclusion of industrial space (Tier I). As a result, areas previously zoned IC would gain an incentive to include bona-fide industrial space in future development.

The area of existing IC 85-170 zoning bounded by I-90 to the southeast, the Chinatown/International District to the north, and railroad tracks to the west is unique. This variant of the IC zone already allows bonus development over a base level if a development participates in the city's Mandatory Housing Affordability (MHA) program. Under the proposal, this area would be amended to a new IC 85-240 zone that would grant an additional increment of development capacity in an incentive structure, while maintaining existing development rights. The tiered bonus system would allow up to an additional 2 FAR over the existing maximum of 4, in a development that includes dedicated industrial space according to the ratio. Under the existing IC 85-170 zone, maximum development can be achieved without any industrial space. This area is notable, because it is being considered for a future light rail station in one of the alignment options being reviewed by the Sound Transit Board.

Transportation Demand Management and Parking: To encourage access by transit and other non-motorized modes the proposal would include no minimum parking requirements. In addition, there would be a maximum parking quantity limit of one space per 1,000 square feet of gross floor area. The parking maximum would be equivalent to most zones in downtown. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant would be required to prepare and implement a Transportation Management Program (TMP) that meets standards set out for TMPs in SDCI and SDOT Director's Rules. Currently, there is required parking, no parking maximum, and no TMP required in IC zones.

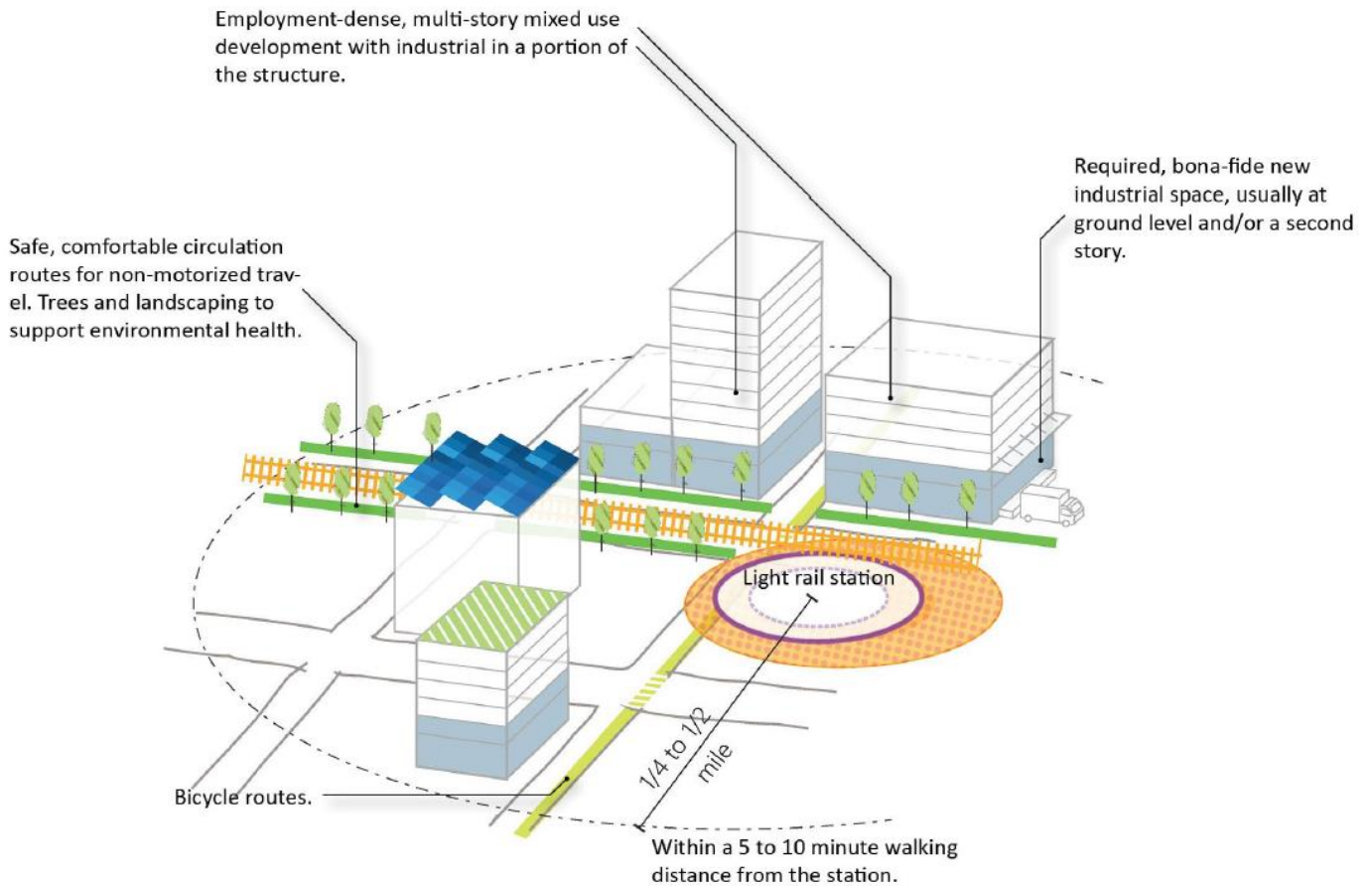
Street Improvement Standards: II development standards would require a much higher level of street improvements with development compared to the existing industrial zones. Developers would be required to provide safe, pedestrian friendly frontages with curb, sidewalks, pedestrian-scaled lighting and improved drainage systems. Additionally, development in the SODO area would be encouraged to improve the frontage of the SODO trail. Existing conditions in the areas are often lacking much of the infrastructure needed to support a pedestrian and bicycle friendly environment.

Mandatory Housing Affordability (MHA): The City's Mandatory Housing Affordability (MHA) program is often applied at the time of upzones. In areas where MHA applies, new development must either include a percentage of affordable homes or make an in-lieu payment to the City's Office of Housing (OH). Currently, no residential units are allowed in Industrial Commercial (IC) zones and no housing would be allowed in the employment-focused Industry and Innovation zone. MHA currently applies to commercial development in IC zones but not to any other industrial zones. MHA would require developers to make an in-lieu payment of \$5 - \$16 per sq. ft. on all developed floor area in the building.

The legislation does not recommend applying the MHA requirement to the proposed II zones (with the exception of the II 85-240 zone where there is already an MHA requirement), because the primary public benefit provided by development in the II zone is the generation of new bona-fide industrial space that will provide quality employment opportunities. Transit oriented development in the areas of II zoning would require substantial upgrades to infrastructure and sometimes it would require environmental remediation—also public benefits. Feasibility analysis finds that for some time development feasibility would be marginal at best. Addition of the cost of MHA could further delay the potential for cleaner, transit-oriented environments in II zoned areas.

Offsite performance: The proposed legislation includes a provision for off-site performance of bona-fide industrial space within the same MIC. Bonus nonindustrial floor area would be gained according to

the same ratio, but the industrial building could be a new stand-alone industrial structure elsewhere in the same MIC, including in the Maritime, Manufacturing and Logistics zone. The intention of including this option is to encourage investment in quality new industrial space throughout the MIC. The off-site performance would have to be in a new structure that is completed before the bonus II zone development.



The diagram is a conceptual depiction of the locational criteria and general intention for the Industry and Innovation zone.



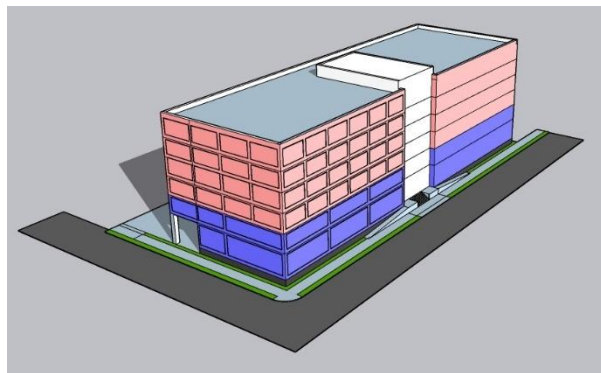
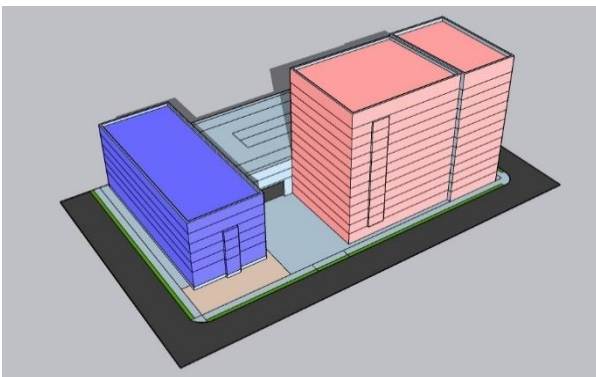
Industry and Innovation (II) Zone

Photo credits City of Seattle except as noted. Top to bottom and left to right. A. Provides space for prototyping activities that are design-oriented but require light industrial space for production and testing. B. Provides space for innovative technology-oriented companies to expand, such as First Mode - a producer of large electrical engines for trucks and industrial equipment located in SODO. (Photo credit Steve Ringman, Seattle Times) C. The West Woodland building is an example of a multi-story light industrial building in Ballard. D. New multi-story light industrial buildings are increasingly possible such as the New York building located in Portland, OR. E. Supports innovative companies that build on expertise and talent in the region such as Pure Watercraft, an electric boat motor company currently based in North Lake Union. (Photo credit: Pure Watercraft company website). F. The zone would be focused within 1/2 mile walking distance of existing or future light rail stations.



This rendering, created by SODO area property owners displays the potential character of development and associated trail and pedestrian improvements near the SODO/Lander St. light rail station. Lower floors of buildings would be occupied by industrial uses and constructed to bona fide industrial space standards.

These models indicate the general scale and composition of potential development in the II zone using the incentive system. Space in purple would be required industrial space, and space in pink would be bonus space. Example A (left) shows two separate structures on a large full-block site, and Example B (right) shows a mixed structure on a moderately sized half-block site.



Urban Industrial (UI)

Function and Purpose: The purpose of the Urban Industrial (UI) zone is to foster vibrant districts that support a mix of local manufacturing, production, arts, and a sense of place. This zone advances the stakeholder strategy of creating healthy transitions between core industrial areas and nonindustrial areas. This is a zone that due to its proximity to nonindustrial areas and businesses could draw customers from adjacent neighborhoods. It includes provisions for safe movement of pedestrians and freight.

Locational Criteria: Urban Industrial (UI) zone designation is most appropriate in areas generally characterized by the following:

- Areas at the transition between core industrial areas in Maritime Manufacturing and Logistics zones and non-industrially zoned areas or urban villages or centers;
- Areas generally within designated Manufacturing/Industrial Centers (MICs), although the UI zone could be located in limited instances outside of MICs.
- Areas in MICs characterized by small parcel sizes and a variety of small existing industrial and non-industrial structures.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Urban Industrial zone is 5%.
- The proportion of land in the Greater Duwamish MIC in the Urban Industrial zone is 4%.

Key Development Standards:

Ancillary Uses. Many of the types of industrial uses that would be found in this zone have a greater proportion of public facing functions than traditional industrial uses. Examples include breweries or distilleries which conduct industrial processes on site but also have tap and tasting rooms that are important components of their business. Traditionally, known as accessory uses, these uses are considered secondary to the primary use and should not generally exceed 50% of the business floor area. In the Urban Industrial zone, these uses will be called Ancillary uses which will be allowed to occupy up to 80% of the floor area if it is subordinate to the industrial use.

Size of Use Limits. Consistent with existing Comprehensive Plan policies to preserve industrial land for industrial uses and the stakeholder strategy to provide stronger protections for industrial land, the size of use limits for nonindustrial uses in the UI zone are stricter than the most comparable existing zone the Industrial Buffer (IB) zone. These size of use limits do not apply to ancillary uses, discussed above.

Use subject to size limits	Maximum Size of Use Limit	
	IB	UI
Animal shelters and kennels	75,000	10,000 sq. ft.
Drinking establishments	N.S.L.	3,000 sq. ft.
Entertainment	75,000 sq. ft.	25,000 sq. ft.
Lodging uses	75,000 sq. ft.	25,000 sq. ft.
Medical services	75,000 sq. ft.	15,000 sq. ft.
Office	100,000 sq. ft.	15,000 sq. ft.
Restaurants	N.S.L	3,000 sq. ft.
Retail sales, major durables	75,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.	7,500 Sq.ft.

Workforce Housing. Small amounts of workforce housing are allowed through a conditional use process. The intent is not to generate significant amounts of housing, but to provide housing that might be affordable to local workers in these industrial areas. Key conditions that must be met to develop workforce housing include:

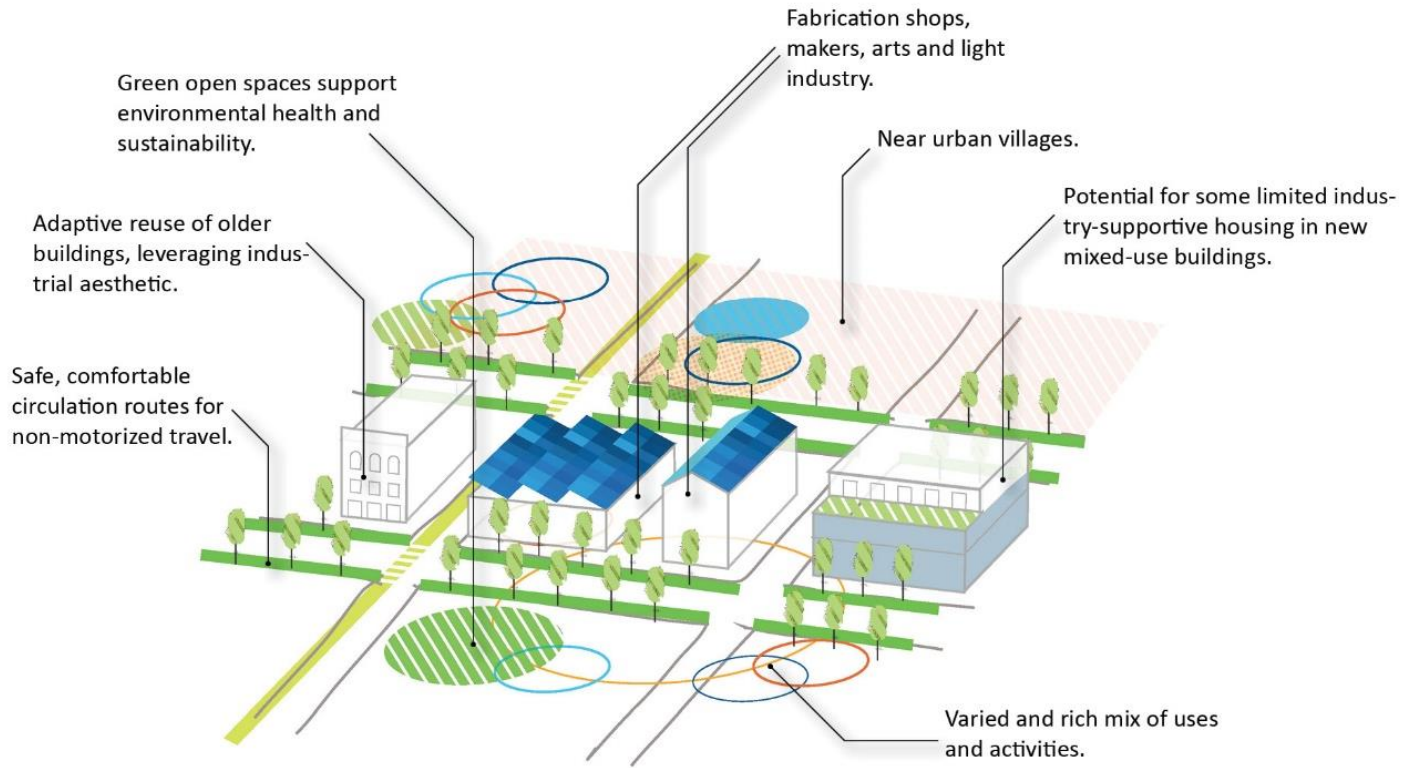
- The number of units may not exceed 50 dwelling units per acre.
- The housing is not located within 200 feet of a shoreline.
- The housing is not located within 200 feet of a major truck street.
- All dwelling units shall have sound-insulating windows sufficient to maintain an interior sound level of 60dB or below.
- The housing shall be located and designed to reduce conflict with adjacent existing industrial businesses.
- The owner must sign an acknowledgement accepting the industrial character of the neighborhood and agree that permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of the land.
- The housing is part of a mixed-use development that includes nonresidential uses permitted in the UI zone and that the residential component does not exceed 50% of the floor area of the mixed-use project.
- The residential uses must be live-work or qualify as caretakers quarters for a business on the same site (no one business may have more than three units); or the units are workforce housing. Workforce housing means they are at an affordable rent or sales price for a period of 75 years to occupants making 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.

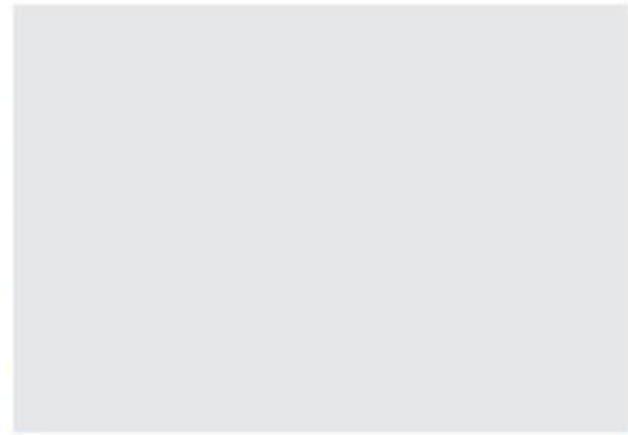
- In total, it is estimated that 880 units of housing would result in the Urban Industrial zoned areas throughout the city over an approximate 20 year time horizon. The industry supportive housing would be located primarily in Georgetown, South Park, the northeast corner of Ballard, and in the Interbay/Dravus area. (See Outcomes and Effects section below.)
- The proposed standards are calibrated to ensure that any housing would be combined in a mixed-use development with other light industrial or other allowed uses. The standards would not produce the type of dense multi-family housing typical in an urban village. For example the 50 DU/acre limit would result in approximately 60-75 apartments on a full city block development, with the remainder of the development containing other uses. Limits are intended to moderate the potential for compatibility impacts with respect to industrial uses, and the potential to create development pressure that could displace industrial uses economically.

Safe pedestrian/freight movement. Urban Industrial zones are expected to see a greater mixing of freight and pedestrian activity. For this reason, as projects are developed in these areas, they will be required to provide full street improvements that are similar to commercial or urban village areas. These improvements include construction of curbs, sidewalks, pedestrian scaled lighting, and planting of street trees for any new project or expansion of 4,000 square feet or greater. These improvements are intended to minimize conflicts between freight and pedestrian movement while providing mobility for both modes. It should also be noted that over the next year OPCD will work with SDOT on developing a street type to be included in Streets Illustrated for this zone that will offer design guidance as projects are developed.

Landscaping Requirements. In addition to new street improvement requirements landscape requirements will enhance the transition from core industrial areas to nonindustrial areas. New landscape requirements expand existing street tree requirements and apply green factor requirements to new projects, and provide for vegetated walls or fences to soften or screen outdoor storage areas.



The diagram is a depiction of the locational criteria, and general intent for the Urban Industrial zone.



Urban Industrial (UI) Zone

All photo credits City of Seattle. A. Urban Industrial zoned areas would contain clusters of brewery and distillery operations and development standards support those uses. B. Equinox Studios is an example of a company that provides a variety of small spaces for makers, artisans, and light industrial uses. C. Maker spaces can fit compatibly into an urban environment. D. The zone standards would seek to improve environmental health with higher requirements for landscaping and pedestrian and bicycle infrastructure. E. Artist and maker spaces close to urban villages provide opportunities for residents to benefit from local businesses.

Industrial Commercial (IC)

The proposal would retain existing development standards of the Chapter 23.50 Industrial Commercial zone. An abbreviated summary is provided here.

Function and Purpose: The purpose of the Industrial Commercial zone is 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. While intended to achieve a broad mix of uses, large office developments have dominated this zone.

Locational Criteria: This proposal would modify the existing locational criteria minimally. Existing locational criteria of 23.34.096 would be retained, however a criterion to limit application of the IC zone to areas outside of Manufacturing Industrial Centers would be added. Existing IC zoned land within MICs would be reclassified into the Industry and Innovation zone.

Key Development Standards:

Maximum Size of Use Limits. The Industrial Commercial zone size of use limits are lax when compared to size of use limits in other industrial zones.

Industrial Commercial Zone Maximum Size of Use Limit	
Use subject to size limits	
Animal shelters and kennels	75,000
Drinking establishments	N.S.L.
Entertainment	75,000 sq. ft.
Lodging uses	75,000 sq. ft.
Medical services	75,000 sq. ft.
Office	100,000 sq. ft.
Restaurants	N.S.L.
Retail sales, major durables	75,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.

Maximum FAR. Maximum Far in IC zones is 2.5.

Height Limits: The maximum structure height for all uses ranges from 30 feet to 85 feet.

New Mixed-Use Zones

New mixed-use zones would be added in several areas as discussed above in the Comprehensive Plan amendments section. Zoning that would be applied is described below. In all cases these zone changes would encourage mixed use development with a substantial amount of housing. Altogether these areas would be estimated to produce approximately 2,000 new homes over a 20-year time period.

South Park. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space. Both of the areas would be changed to a Neighborhood Commercial 3 zone with a 55 foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to other areas of commercial zoning in the commercial and mixed-use parts of the South Park urban village.

Judkins Park. Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be rezoned to a Neighborhood Commercial 3

zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly across of Rainier Ave. S.

West Ballard. Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be rezoned to a Neighborhood Commercial 3 zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly east of the proposed area along Market St.

Georgetown. Land in Georgetown including the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S. would be rezoned to a Neighborhood Commercial 3 zone with a 55-foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to and matches the zoning directly south of the proposed area.

The proposed zoning for Georgetown would include several features to address specific conditions and community preferences in the area. SMC Chapter 23.47A.009 Standards Applicable to Specific Areas would be amended to include a new subsection for Georgetown:

- **Arts space, or community club or center.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if development includes an arts facility operated by a for-profit or not-for-profit operator.
- **Historic preservation.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if the development rehabilitates a historic landmark.
- **Height limit increase.** The height limit is increased by 10 feet for any development that gains additional floor area for arts space, community center, or historic landmark preservation.

Other Zoning Amendments

The proposed legislation to implement the Industrial and Maritime Strategy includes three other proposed amendments to existing ordinances.

Noise Ordinance (SMC 23.08). Seattle's Noise Ordinance contains rules to minimize Seattle residents' exposure to excessive noise. Under the City's noise ordinance we screen commercial projects during plan or permit review for potential permanent and recurring noise issues associated with operating a facility. We require mitigation measures for both temporary and permanent major noise generators.

The noise ordinance:

- Sets limits for exterior sound levels in residential, commercial, and industrial districts.
- Specifies required quiet hours and hours during which construction and maintenance are allowed (see below).
- Establishes guidelines for granting variances from our ordinance.

The noise ordinance establishes dB(A) limits for receiving sites based on the use of the receiving site. In the case of residential receiving sites, for example, noise generated by industrial sources cannot exceed a dB(A) of 60 at receiving residential uses. The use is determined by zone, so residential uses in commercial zones are subject to the noise limit for commercial receiving uses. In the northwest section of the BIMIC residential projects have been developed or are being developed that directly abut core shoreline industrial uses. These residential uses, in commercial mixed-use zones pose challenges to shoreline industrial uses that have existed at this location for decades. The proposed amendment amends the Noise Ordinance to establish a limit of 70 dB(A)(Leq) for sound sources that originate on a property that is in the BINMIC and is within 200 feet of a shoreline for residential and commercial receiving areas.

IC Replacement Ordinance. The IC replacement ordinance removes provisions from the IC zone from the current SMC Chapter 23.50 – Industrial Zoning. Provisions for the IC zone would be included in the proposed Chapter 23.50A. If Council adopts Chapter 23.50A and then subsequently adopts the zoning map ordinance without amendments (discussed below) then it would also repeal the existing Chapter 23.50. If Council chooses to adopt some of the zoning map changes now but hold others until next year following more work with local stakeholders, then Chapter 23.50 would be repealed at the time that final action was taken on the zoning maps.

Zoning Map Ordinance. This ordinance contains map changes only and it would apply the new industrial zones throughout Seattle's industrial lands and apply mixed use commercial zones on some industrial land outside of the MICs or removed from the MICs through the accompanying proposed amendments to the Comprehensive Plan Future Land Use Map. The proposed mapping ordinance addresses all land currently in an industrial zoning designation in the city.

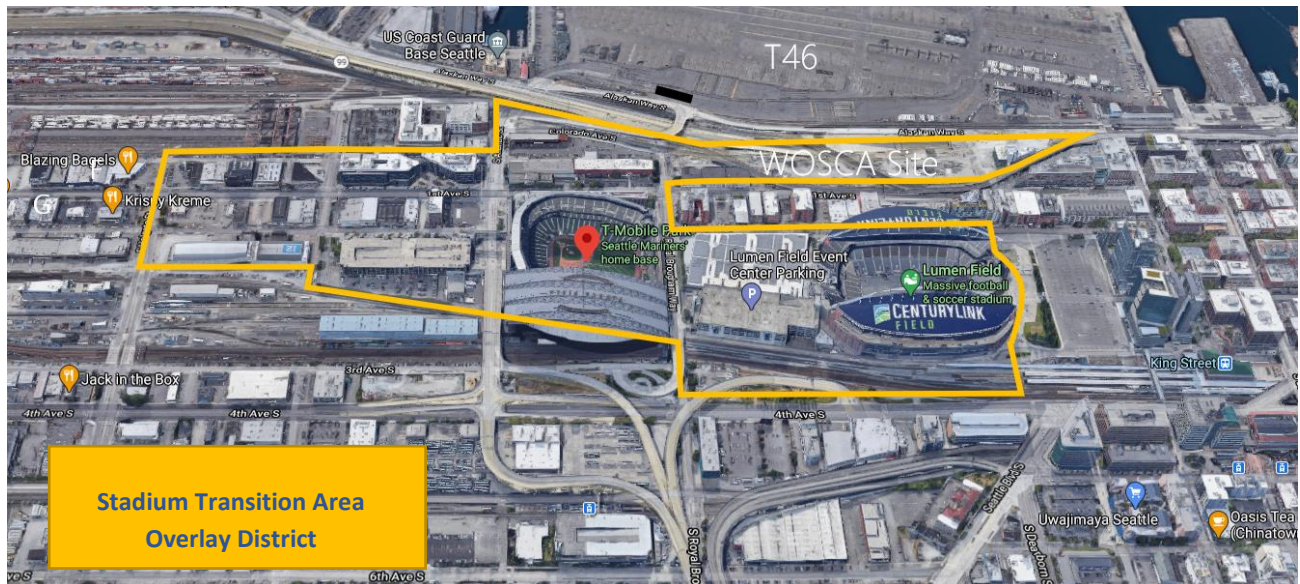
Stadium Area

Conditions near the professional sports stadiums at the north edge of the Duwamish MIC are unique. The existing Land Use Code contains a Stadium Transition Area Overlay District (STAOD). The proposed legislation would retain the STAOD and make several modifications and updates to it to reflect current conditions and aspirations for the stadium area.

Background: In June of 2000 and to address the effects of a new baseball stadium south of the Kingdome, the City of Seattle created the Stadium Transition Area Overlay District in June of 2000 (Seattle Municipal Code (SMC Chapter 23.74), Ordinance 119972). The "Purpose, intent and description of the overlay district" section of the code provides a good summary:

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 connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage

redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.



Stadium District Concept: In 2011 and 2012 the two volunteer public boards that manage the public's investment in T-Mobile Park (baseball) and CenturyLink Field and Event Center (Football and Soccer), together with the professional sports teams the venues host, prepared a Stadium District Concept Plan. The plan was a concept for what the entities believe to be the essential elements of a successful stadium district. The boards noted trends in other cities including Baltimore, Denver, and San Diego, for districts surrounding stadiums that are well-integrated with the stadium and include a wealth of complimentary and vibrant activities and a strong sense of place. The Concept Plan states core values and guiding principles adopted by both boards. It was distributed for public comment and requested to be considered by the city for formal adoption or recognition.

Stadium District stakeholders including the professional sports teams and the boards that oversee the stadiums continue to advocate for a more complete and vibrant stadium district area. They seek to upgrade amenities and experiences for visitors inside of and outside of the stadium facilities. They consider some amount of housing in and near the stadium district as an important component of a vision to create a more complete neighborhood.

Mayor Harrell and the Office of Planning and Community Development support aspects of the stadium district concept. OPCD has prepared past studies considering land use, mobility and placemaking strategies to help the district meet the needs of a wide variety of users, stakeholders, visitors, and businesses. We believe it is in the public interest to explore ways to improve the vibrancy of the area for more than just events, and to consider how activities near the stadiums can help support goals for adjacent neighborhoods. We believe these goals can be achieved while simultaneously strengthening industrial uses in the Duwamish Manufacturing Industrial Center.

Proposed Stadium Transition Area Overlay Updates: The legislation proposes several updates to the STAAD that would support goals and aspirations for a stadium district. The underlying zone for the area

would be the Urban Industrial zone. A district with a variety of small businesses and makers combined with businesses supporting events at the stadiums and entertainment venues would be supported by the UI zone. The proposed legislation includes the following features amending stadium overlay regulations:

- Allow lodging outright:** Currently, lodging (hotels) are prohibited by the overlay. Removing the prohibition would allow a small number of new hotels to be developed in the area. Hotels are appropriate because visitors to events may wish to stay close to the stadiums and therefore the hotel use has a direct linkage to the event activity. Stays close to events support convenient walking to the facilities and may alleviate the need for some car trips.
- Increase FAR Limit to 4.5.** Currently the FAR limit in the STAOD is 3.25. The increase would allow more economical buildout to an urban, 6 story scale corresponding to an 85' height limit. This scale of development would be compatible with surrounding existing structures. A dense mix of uses enabled by the increased FAR would be appropriate.
- Maximum Size of Use Flexibility for Restaurant, Retail and Office Uses.** Compared to the UI zone elsewhere, uses that have a synergy with events would have larger size of use limits as shown in the table below. To encourage the inclusion of light industrial and maker space along with event-related businesses, if a development provides 0.4 FAR of bona fide industrial space it would be exempt from the maximum size of use limit completely.

Maximum size of use limits in the Stadium Transition Area Overlay District Compared to the Urban Industrial Zone Elsewhere		
Uses subject to maximum size limits	STAOD	UI Zone Elsewhere
Animal shelters and kennels	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments	No Limit	3,000 sq. ft.
Entertainment*	25,000 sq. ft.	25,000 sq. ft. (4)
Lodging uses	No Limit	25,000 sq. ft.
Medical services	75,000 sq. ft.	25,000 sq. ft.
Office	75,000 sq. ft.	15,000 sq. ft.
Restaurants	No Limit	3,000 sq. Ft.
Retail sales, major durables	20,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	20,000 sq. ft.	75,000 sq. ft.
Sales and services, general	20,000 sq. ft.	7,500 sq. ft.

In the STAOD the maximum size of use limits shown above would be waived if a development provides at least 0.4 FAR of bona fide industrial use space.

- **Remove Requirement for Design Review.** Currently design review is required in the STAOD, and this is one of the only instances where design review is required in an industrial zone. The legislation proposes to remove the design review requirement to streamline the process for investment in new structures in the STAOD. The proposed development standards include prescriptive design-oriented regulations. Landowners have demonstrated an interest in providing a high-quality visitor-oriented environment. Removal of design review here will also have the effect of freeing up capacity for design review to move quickly for other types of projects.

Housing in the Stadium Area: Allowing housing in the stadium area is a topic of strong and divided opinions. As noted above stadium area stakeholders, and adjacent neighborhood groups in Chinatown/ID and Pioneer Square have advocated for allowing housing to support a more complete neighborhood with activity at hours outside of event times.

OPCD's analysis in the EIS and other studies reviewed the potential for some limited amount of housing in the stadium area overlay district. The Final EIS Preferred Alternative included a limited amount of industry supportive housing in the stadium area, consistent with the recommended approach for the Urban Industrial zone regulations in other parts of the city. (See UI zone section above). We estimated that over a 20-year time horizon a total of 400 – 600 housing units would be generated in the overlay if the UI zone housing provisions were applied. The housing would be in very limited locations. These would be:

- The half-block to the west of the Mariner's parking garage between Occidental Ave. S. and First Ave.;
- The block bounded by S. Holgate St., 1st Ave. S, the rail tracks, and S. Massachusetts St., and the current location of the Van Gogh immersive exhibit; and
- The block west of Dave Niehaus Way S. that contains the Mariners' Hatback Bar & Grill.

Under the proposed UI housing regulations, the housing would have to be combined with other mixed use development and would be clustered on sub-portions of the above mentioned sites. OPCD's independent analysis leads us to believe that some limited amount of housing would be compatible with the surrounding use pattern and would not cause additional adverse impacts on nearby industrial activities outside of the STAOD if carefully implemented. The siting and design of any housing, including the pedestrian environment would be important. Application of the conditional use criteria requiring soundproofing of windows, and tenant acknowledgements of the industrial environment would help mitigate potential negative effects. While stadium district advocates strongly support a housing allowance, it is also the case that no individual property owners are ready at the current time to proceed with a permit application for development that includes housing.

Other major stakeholders including the Port of Seattle and Northwest Seaport Alliance and the International Longshore and Warehouse Union (ILWU) expressed significant concerns about any

housing in the stadium district. Terminal 46 is directly west of the stadium district across highway 99. Concerns include the potential for residents to lodge noise or light and glare complaints against waterfront terminal activities, and the potential for residents moving through the area to increase pedestrian safety obstacles on local streets. These stakeholders also are concerned about the precedent of allowing any new housing in an industrial zone in general proximity to waterfront container port operations. Considerable deference to labor and institutional stakeholders with direct experience with the intricacies involved in the operation of marine terminals is warranted.

In consideration of all these factors and the totality of the information, the proposed legislation does not allow housing in the stadium overlay at this time. A specific provision in the overlay regulations would prohibit any new housing in the STAOD.

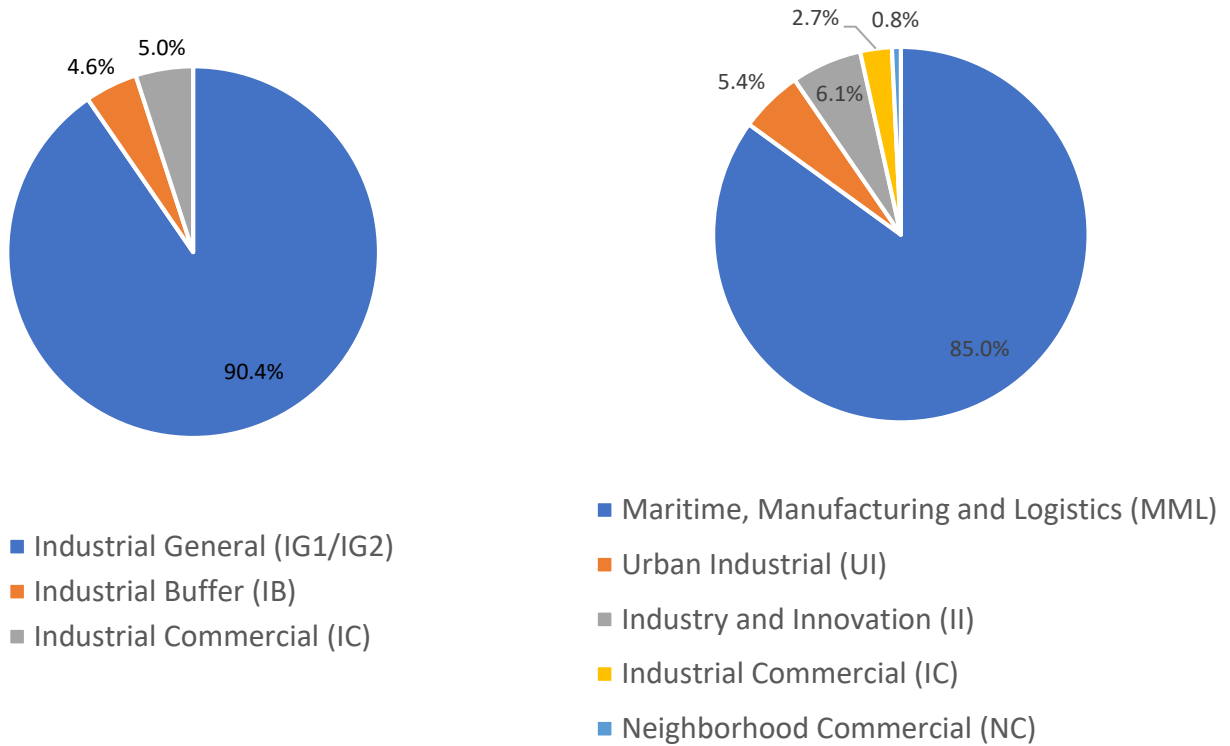
Projected Outcomes and Effects

Overall Zoning and Land Use Changes

The following summarizes the aggregate effects of the proposed legislation in several key metrics. Additional detail and source studies can be found in the Final EIS and in associated studies prepared during the process to arrive at this proposal.

Zoned Area

The legislation updates zoning wholistically for the City's industrial areas. The graphic below compares the total quantity of zoned land under the City's existing industrial zoning framework as compared to the proposed legislation.



Land Use and Activity Patterns

In general, if the proposed legislation is implemented, we project the following shifts.

- Maintenance of the maritime and industrial base.
- Denser employment including new industrial space, near future light rail station in II zoned areas.
- Decreased rate of conversion to stand-alone office and retail uses in MML zoned areas.
- Continued additions of distribution and warehouse facilities.
- Increased development of mixed-use, flex, and light industrial uses in UI zoned areas.
- Introduction of some new industry-supportive housing.
- Additional new housing in areas removed from the Greater Duwamish MIC.
- Stronger Georgetown and South Park neighborhoods

Employment and Economic Effects

The overall amount of employment activity and the general composition is an important outcome.

Total Employment

The City's analysis includes an estimate of the employment projections for an approximate 20-year time horizon with no action, and under the proposed legislation.

Total Employment in Proposal Area		
2019	2044 Projection	
Existing	No Action	Proposed Legislation
98,500	122,000	134,000
Increase:	+ 23,500	+35,500

To put these amounts in context, the City of Seattle is planning for total citywide job growth of 169,500 jobs over the 20-year planning horizon of the One Seattle Comprehensive Plan major update. Projected employment growth of 35,500 would represent roughly 20% of total citywide job growth. This would be a moderate shift of total employment growth compared to past planning horizons into industrial areas.

Industrial Employment

It is also important to consider how much of the employment would be in industrial jobs. Results of the estimation and projections are below.

Changes in Industrial Employment in Proposal Area			
	2019	2044 Projection	
	Estimate	No Action	Proposed Legislation
Total Industrial Employment	54,500	66,400	70,850
Total Share Industrial Employment	55.3%	54.4%	52.8%

Over time, total industrial employment would increase under both the proposed action and with no action; however, under the proposed legislation, the total number is more than it would be without the changes, but the share of industrial employment would drop slightly. This reflects the increase in new bona fide industrial space that would be added under the proposal combined with the denser employment in nonindustrial uses that would also be in TOD areas. Under the proposed legislation we estimate that both MICs would maintain a percentage of industrial employment that exceeds the 50% threshold of the Puget Sound Regional Council's criteria for MIC designation.

Housing

The proposal would result in housing production in two general areas. Most of the housing production would be in new mixed-use areas that would be rezoned from an industrial zone outside of the MIC (Ballard, Judkins Park), or areas removed from MICs where new mixed-use zoning would be applied (Georgetown and South Park). These locations are estimated to yield over 2,000 units of housing as shown in the table below. The City's Mandatory Housing Affordability (MHA) program would apply. The rezones would have an MHA suffix of (M2) in Judkins Park and Ballard and these are MHA medium cost areas, while Georgetown and South Park would have an MHA suffix of (M) and are MHA low-cost areas. Applying general assumptions, the housing is expected to yield about \$19.8M for affordable housing.

A smaller amount of housing would be expected in the Urban Industrial zones within the MIC. This housing would be located in places such as near the Design Center in Georgetown, north of the South Park Urban Village, and in the northeast corner of Ballard. This housing would conform to the limiting criteria for industry-supportive housing in an industrial zone. The housing would either be caretaker quarters / makers studios, or 50% affordable at a workforce level. The total amount of the housing in the Urban Industrial zone is estimated at 880 units. MHA would not apply to these industry-supportive housing units.

In total the proposed action would yield approximately 3,000 new homes that would not be built in the absence of the legislation.

Estimated Additional Housing Units in Proposal Area	
New Mixed-Use Areas	
Ballard	565
Judkins Park	625
Georgetown	570
South Park	295
Subtotal	2,055
Urban Industrial Zones – (Ballard, Georgetown, and South Park)	
Urban Industrial Zones	880
Total	2,935

Environmental Health and Community Development

In addition to the quantifiable metrics that would stem from the proposal there would be several more qualitative outcomes that can be expected.

- **Increased landscaping, greenery, tree planting.** New standards primarily in the Urban Industrial zone would add vegetation in the areas at the transition between core industrial areas and residential neighborhoods over time as development occurs. These features can improve local air quality, reduce urban heat island effects, and generally improve the quality of the experience for those who live or work in the area.
- **Improved walkability and multi-modal connections.** New standards in the Urban Industrial zone and the Industry and Innovation zones would make significant improvements by adding sidewalk, pedestrian lighting, urban storefronts and facades, and trail or bicycle network upgrades. Locations closest to light rail stations especially would be transformed into transit-oriented environments.
- **Improved drainage and preparedness for sea level rise.** New development especially in the Urban Industrial and Industry and Innovation zones would upgrade local

stormwater drainage systems and would be better designed to withstand more frequent flooding and rising sea levels.

- **Improved cohesiveness in the Georgetown neighborhood.** The land use action would link existing residential areas of Georgetown together with a mixed use neighborhood district that includes new housing. The action would provide a more contiguous and legible Georgetown neighborhood area that has been envisioned by residents for a long time.
- **Improved connectedness of the South Park neighborhood to the Duwamish River.** The land use action would better connect the South Park urban village area to the riverfront. Two mixed use areas directly adjacent to open space resources on the River would strengthen the physical, visual, and perceptual linkage between South Park and its waterfront.

Environmental Review

Washington’s State Environmental Policy Act (SEPA) requires environmental review when a city makes changes to land use policies or zoning. OPCD prepared an EIS that analyzed how the proposed changes could affect the built and natural environment in industrial areas and adjacent communities over a 22-year period. This process allows thoughtful implementation of strategies to mitigate any adverse impacts and provides information to the public and policy makers before any decisions are made. A Final EIS on the proposed land use policy and zoning changes was issued on September 29, 2022, and received no appeals. The EIS carefully reviewed for potential adverse impacts of the proposed changes in the following topic areas:

Soils / Geology	Noise	Historic, Archaeological & Cultural Resources
Air Quality & GHG	Light & Glare	Open Space & Recreation
Water Resources	Land & Shoreline	Public Services
Plants & Animals	Housing	Utilities
Contamination	Transportation	Equity & Environmental Justice Considerations

The Draft EIS analyzed four alternatives, to review various ways of implementing the proposed land use concepts to study the best ways to achieve the City’s objectives. This included a No Action Alternative to serve as the baseline for comparison for the potential impacts of the three Action Alternatives. The Final EIS added a Preferred Alternative that responded to extensive community comment and input on the Draft EIS. The FEIS Preferred Alternative is very similar to the contents of this proposed legislation.

The FEIS identified several areas of environmental impact. In most cases the level of adverse impact would be minor or moderate and would be addressed by identified mitigation measures. For several elements of the environmental conditions would improve over time. Potential significant adverse impact related to pedestrian and bicycle safety was identified and should be an area of focus corresponding with implementation of this proposed land use legislation. (See Appendix A). Environmental review consistent with State SEPA regulations is complete, and the City Council may act on the proposed legislation.

Future Considerations

Future steps to fully implement the Industrial and Maritime Strategy include implementation of non-land use strategies, updating the Manufacturing and Industrial Centers Plans, and fine-tuning application of the new industrial zones.

Implementation of other Strategies

The Stakeholder recommendations include the following strategies that aren't directly related to land use:

- **Transportation.** Improve the movement of people and goods to make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

Implementation actions for this strategy will require coordination across agencies including SDOT, WSDOT, Sound Transit and Metro. Currently SDOT is developing the Seattle Transportation Plan which can advance the recommended transportation strategy through its work with the freight community to assess needs, opportunities, and new vision for the safe movement of freight, people, and goods through Seattle industrial areas. OPCD will work with SDOT over the next year to develop street concepts for the new Industry and Innovation and Urban Industrial zones as they update Streets Illustrated.

- **Workforce Development.** Implementation of workforce development strategies are being led by the Office of Economic Development and its partners through a variety of programs. These programs include:
 - Partnership with Seattle Maritime Academy and at least one BIPOC led CBO.
 - WA Maritime Blue Youth Maritime Collaborative
 - "Port Jobs", training in aerospace for incumbent workers at SEA
 - "Mass Timber" institute, in development with stakeholders

These efforts place an emphasis on promoting opportunities for BIPOC youth and young adults to access missing middle jobs to address City's affordability crisis. Other workforce development efforts locally are being led by Port of Seattle in partnership with WA Maritime Blue, Polytech, and Urban League.

Updated Centers Plans

Seattle's two Manufacturing Industrial Centers, the BINMIC and the Greater Duwamish MIC are designated as such by the Puget Sound Regional Council. This designation is valuable in part because that designation increases their competitiveness for federal transportation funding. By 2025 the City will need to recertify the MIC designations for both areas. This proposal, if adopted, satisfies several critical criteria for MIC redesignation – more than 75% of land is in a core industrial zone and more than 50% of employment is in industrial jobs. As part of recertification, the City will need to update the Centers Plans for both MICs by 2025. These plans establish local goals and policies addressing transportation, economic development, environment, and other areas as determined through the planning process. OPCD anticipates working with stakeholders in both MICs to update these plans over the course of 2024.

Fine Tune Zoning

The proposed legislation offers the City Council a choice regarding timing of implementation of the new industrial zoning framework. City Council could choose to rezone all industrial land with the new zones established by the proposed Chapter 23.50A or retain the existing zoning in select locations pending further community engagement. Community engagement would occur through the Centers planning process, discussed above, and would result in a second set of rezone recommendations in 2024. The proposed rezone legislation currently rezones all industrial land and its adoption would require no further action to implement the new land use framework. In considering the rezone legislation City Council may:

- Adopt the rezone legislation in its entirety and repeal the existing Chapter 23.50 as it would no longer have application to any land in Seattle; or
- Adopt most of the rezone legislation and refine application of the new zones over the next year through the Centers Planning process. In this case, Council should retain Chapter 23.50 for a period to allow for existing zones to continue to exist in select locations until a final round of rezones occurs in 2024.

Director's Recommendation

The OPCD Director makes the following findings based on the information contained in this report and related studies about the expected outcomes from the proposed policy and zoning changes over an approximate 20-year period.

The proposed action would advance the City towards the objectives stated in the Executive Summary, which are focused on strengthening economic development and resilience, improving access to employment opportunity, and improving environmental health.

All required environmental review is complete. Many environmental conditions would improve if the action is adopted and any minor adverse impacts would be considerably outweighed by the public benefits of approving the proposal.

The proposed action is based on extensive public process and stakeholder input that occurred over multiple years. Based on public and stakeholder input, the proposal represents a balancing of varied perspectives and interests.

Approval of the action would provide predictability about the City's industrial lands policy and would resolve debates that led to inaction after previous efforts.

The action would be consistent with all regional and local policies governing Manufacturing Industrial Centers.

Therefore, the OPCD Director recommends that City Council approve the five linked ordinances described in this report to implement components of the Industrial and Maritime Strategy.

Appendices List

The following documents are attached as appendices.

- A. Environmental Impact Statement Summary Folio
- B. Non-Industrial Development Analysis

May 11, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Industrial Maritime Legislation

On Monday, May 15, the Land Use Committee will continue its discussion of legislation intended to update and modernize the City of Seattle’s industrial land use policies and regulations. The Committee will hear from the Seattle Planning Commission and Central Staff on issues for Council consideration they have identified in the legislation. The five bills¹ to implement the Seattle Industrial and Maritime Land Use Strategy are:

[CB 120568](#) The 2023 Comprehensive Plan amendment ordinance. This bill amends the Land Use element of the Comprehensive Plan to add new goals and update the policies related to industrial areas. The Future Land Use Map and other maps in the plan are amended to remove industrial designations from areas near South Park, Georgetown, and Judkins Park. All future industrial land use decisions would need to be consistent with these policies.

[CB 120567](#) Land Use Code amendments to implement the changes in the Comprehensive Plan Ordinance. This bill creates a new Seattle Municipal Code (SMC) Chapter 23.50A in the Land Use Code, which includes zoning provisions for three new industrial zones: Maritime, Manufacturing, and Logistics (MML); Industrial Innovation (II); and Urban Industrial (UI). The bill also incorporates the existing Industrial Commercial (IC) zone into Chapter 23.50A.

[CB 120569](#) Zoning Map amendments to rezone industrial areas from the existing industrial zoning designations to the new industrial zones created by CB 120567. The map amendments also rezone limited areas in Ballard, South Park, Georgetown, and Judkins Park from industrial to commercial and multifamily zoning districts.

[CB 120571](#) Noise code amendments to allow for higher noise levels in commercial and multifamily districts near the Ballard shoreline.

[CB 120570](#) Land Use code amendments to remove provisions related to the Industrial Commercial zone from the existing industrial Chapter 23.50. If CB 120567 is adopted, this bill should be adopted alongside it.

¹ For more detail regarding the content of each of these bills, please see the Office of Planning and Community Development’s [Director’s Report](#) on the package of bills, and their [presentation](#) at the May 10 Land Use Committee meeting.

This memorandum provides a description of industrial land use policy in Seattle and identifies a few issues for Councilmembers to consider to further mitigate the impacts of the proposed legislation.

Industrial and Maritime Uses and Land Use Policy

Industrial and maritime land uses are characterized by unique needs and impacts that have led them to be separated from other uses, particularly residential uses. Industrial uses generally include:

- Maritime: water-dependent businesses including shipping and fishing;
- Manufacturing: the production of goods;
- Logistics: the movement and storage of things;
- Support: wholesale businesses and industries like construction that support activities in throughout Seattle and region; and
- Utility and public uses: when similar to the activities above, or not appropriate in other areas, for example bus bases (similar to logistics) and the Port of Seattle (supporting maritime activities).

These uses all need large, generally flat parcels, with streets wide enough to accommodate the movement of large vehicles. Many of these uses require access to regional, national, or international transportation facilities, such as ports, interstate highways, rail lines, or airports.

These uses serve important roles in the city's and region's economy. They often provide pay family wage union jobs that are available to workers without college degrees. And they help to support businesses throughout the region. However, often, they are not able to economically compete with residential, retail and offices for the amount of space they need in other parts of the city.

These uses often have impacts that make them poor neighbors to residences and other types of businesses. Industrial processes can include higher-than-normal levels of noise, light and glare, vibrations, odors, or pollutants. Industrial land often is contaminated and needs to be remediated before it is safe for residents. Streets in industrial areas are designed to facilitate truck movement and the street network in these areas often has incomplete pedestrian and bicycle facilities. The trucks and trains required to carry both raw materials and finished goods to and from industrial businesses are more dangerous to pedestrians, bicyclists, and other vulnerable people.

People living near industrial areas on average have shorter lives and worse health outcomes than people living farther from the industrial areas.² These impacts are felt most strongly by low-income and Black, indigenous, and people of color (BIPOC) communities along the Duwamish River. In the words of the Duwamish River Community Coalition:

The Duwamish Valley neighbors are exposed to multiple environmental justice concerns and include a high percentage of susceptible or vulnerable populations. In addition, they have historically lacked access to, and influence on, decision-makers that shape the future of their communities as other, more affluent, communities in the region have.³

Many of Seattle's industrial areas are in areas with environmental constraints. The Duwamish River valley and the south end of Interbay are among the areas most likely to be inundated as sea levels rise. Flooding occurs along the Duwamish and impacts both nearby residents and businesses. Much of Seattle's industrial-zoned land is located on historic landfills, both formal and informal and is subject to liquefaction during earthquakes. The waterways that run through and serve the industrial areas are also critical habitat for fish and other aquatic creatures.

Because of these benefits, challenges, and impacts, the City and the region have identified Manufacturing/Industrial Centers (MICs) as areas where industrial uses are the preferred uses, and where residential uses are generally prohibited. Seattle has two MICs: the Greater Duwamish MIC and the Ballard-Interbay-Northend MIC (BINMIC).

The MICs are designated at the regional, county and city level. They must comply with requirements in the Puget Sound Regional Council's (PSRC) [Vision 2050](#) plan. This includes [review](#) by PSRC's Growth Management Policy Board of major changes to the boundaries of these centers,⁴ and [requirements](#) for plans for the centers. Because of updated requirements from the PSRC, the City must update its industrial policies.

² See for example the 2013 Health Impact Assessment for the Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site prepared by the University of Washington School of Public Health ([Health Impact Assessment: Duwamish Cleanup Plan | Environmental & Occupational Health Sciences \(washington.edu\)](#)) which found that residents of the 98108 zip code, had an average life expectancy at birth that was 8 years lower than the City average (73.3 years vs. 81.5 years), and had a childhood asthma hospitalization rate that was 130% higher than King County as a whole. This data is mirrored in other studies, see for example: [Residential Proximity to Environmental Hazards and Adverse Health Outcomes - PMC \(nih.gov\)](#).

³ From [Why is our work important? — Duwamish River Community Coalition \(drcc.org\)](#), accessed May 9, 2023. As of 2021, the population of Census tract 112, containing South Park, was 29% foreign-born, 25 percent Latino, and more than 66 percent people of color, including Asian, Pacific Islander, Hispanic, African American, and Native American. In that census tract, 35 percent of children and 22 percent of adults were in households with incomes below the poverty level. Fourteen percent of residents had no health insurance coverage. (American Community Survey, 2016-2021).

⁴ A major change is defined as more than 10% of the area of a center.

The proposed bills respond to these requirements, but more directly respond to the [recommendations](#) of the Industrial and Maritime Strategy Council released in 2021. In particular, the bills respond to Strategies 4 through 10:

Investment Strategies

* * *

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.
6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.
7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.
8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).
9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

* * *

Issues for Council Consideration

The proposed package of bills is intended to balance competing interests regarding the future of industrial lands in Seattle. It generally implements the strategies recommended by the Industrial and Maritime Strategy Council. However, Central Staff has identified a few issues that Councilmembers may want to consider as they weigh this legislation.

CB 120568 Comprehensive Plan Amendments

Topic	Discussion
<p><i>Restriction on changes to industrial areas</i></p> <p>The Comprehensive Plan amendment ordinance includes a new policy limiting changes to industrial areas to 1) major updates to the Comprehensive Plan or 2) a City-sponsored planning process.</p> <p>A separate policy would provide specific direction regarding future changes to two State-owned properties: the Washington National Guard Armory in Interbay, and the WOSCA site in SODO.</p>	<p>Resolution 31807 lays out the City’s process and criteria for considering changes to the Comprehensive Plan. If these amendments are adopted, the Council should update the Resolution to reflect the direction provided by these new policies. The Council may also want to consider adding a restriction on future changes to industrial areas in the rezone criteria in the Land Use Code, Chapter 23.34, which guide site-specific rezones.</p>

CB 120567 Chapter 23.50A

Topic	Discussion
<p>FAR increases for Commercial uses</p> <p>The proposed bill would significantly increase the amount of permitted FAR for non-industrial uses in the UI and II zones.</p> <p>In the UI zone, commercial uses that are ancillary to an industrial use are allowed to occupy up to 80 percent of a structure with no maximum size limit, with a maximum FAR limit of 3 or 4.5, up from the 2.5 FAR limit in the existing Industrial Buffer (IB) zone.</p> <p>The II-85 zone would have a maximum FAR limit of 4.5, the II-125 zone would have a maximum FAR limit of 5.75, and the II-160 zone would have a maximum FAR limit of 6.5 FAR. There would be no maximum size limit for commercial uses in these zones that are part of a project that participates in the bonus program. The II zone would generally replace General Industrial (IG) and Industrial Commercial (IC) zones that have FAR limits of 2.5 and 2.75, respectively.</p>	<p>Should these FAR increases be coupled with requirements for participation in Mandatory Housing Affordability program for commercial uses as has been the case with other significant upzones? For the UI zone, generally these commercial uses would need to be ancillary to an industrial use. For the II zone, the commercial uses would need to participate in the II bonus program and be part of a project that supports the creation of new industrial space.</p>

Topic	Discussion
<p>II Zone <u>FAR bonuses</u> The II zone would implement strategy 6 by allowing higher density office development through a Floor Area Ratio (FAR) bonus program.</p> <p>In the II-85 zone, in order to achieve the maximum FAR of 4.5, the project would need to provide on- or off-site industrial spaces.</p> <p>In the II-125 and II-160 zones, in order to achieve the maximum FAR of 5.75 or 6.5 FAR, projects would need to (1) provide on- or off-site industrial uses; and (2) either use mass-timber construction or acquire transferrable development rights from a vulnerable masonry structure.</p>	<p>Strategy 6 describes this approach as “creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.” The proposed bill would allow these industrial uses to be located off-site if they are within the same MIC.</p> <p>The proposed bill classifies Information Computer Technology (ICT) as an industrial use in the II zone only. A project could qualify for the bonus by only providing office space for the technology sector. Under height limit provisions that allow for unlimited height for structures in industrial use in II zones, no height limit would apply to such a structure, unless it were under a flight path.</p> <p>ICT uses can easily be accommodated in office space in other parts of the city and do not have the same space needs or impacts as other industrial uses. The effect of this approach may be to reduce the effectiveness of the II bonus in terms of creating new space for more intensive industrial uses that are not appropriate in other parts of the City.</p> <p>The proposed bill provides different bonus ratios for ICT uses compared to other industrial uses. Projects providing ICT space would be granted four additional square feet of non-industrial space for each square foot of ICT space, and five square feet for each for each square foot of non-ICT industrial space. The proposed code is not clear regarding what would occur if an ICT use seeks to move into to a space that was built with the non-ICT industrial space bonus.</p>

Topic	Discussion
<p>Housing in and near Industrial zones</p> <p>The proposed bills increase housing in and near industrial zones in two ways: (1) by allowing housing as a conditional use in UI zones, and (2) by rezoning some industrial areas to commercial or multifamily zones. Because of the impacts residential and industrial uses can have on each other, these changes should be considered carefully.</p> <p>Some of the conditions that maintain the industrial character of the UI zone include:</p> <ul style="list-style-type: none"> • Limiting residential uses to 50 percent of a project; • Limiting residential density to 50 dwelling units per acre; • Prohibiting multifamily uses within 200 feet of designated major truck streets and shorelines; • Restricting the residential use to live/work units, caretakers’ quarters, or affordable units;⁵ and • Requiring statements that owners and residents acknowledge that the housing is in an industrial area and accepting the character of the neighborhood. <p>Future residents in these units would be protected from impacts from industrial activity by requiring the installation of sound-insulating windows and landscaping requirements that would newly be applied to these districts.</p> <p>A similar requirement for noise attenuation is placed on property in Georgetown that is being rezoned from industrial to Neighborhood Commercial in Georgetown. It is not applied in other areas where similar rezones are proposed.</p>	<p>If Councilmembers want to further limit the impacts of harmful industrial uses and industrial activity on future residents in these areas, there are additional requirements they could add:</p> <ul style="list-style-type: none"> • Limiting housing near rail yards, interstates, and airports, all of which can have significant air quality, noise and vibration impacts on nearby residences; • Requiring noise attenuation for future housing units in all of these areas; • Requiring air conditioning and non-operable windows in future housing units to improve indoor air quality; • Increasing landscaping and tree requirements in the MML zone, which has limited street tree requirements and no landscaping requirements; • Requiring new industrial buildings to be set back from lot lines that are shared with all zones where residential development is permitted; • Prohibiting high impact uses near zones where residential uses are permitted; or • Requiring sidewalks be built alongside new construction near areas where residential uses are permitted.

⁵ A minimum of 50 percent of units in the project would need to be affordable at the following levels depending on the number of bedrooms: Small Efficiency Dwelling Units (SEDUs) – 60 percent of area median income (AMI); studio and one-bedroom units – 80 percent AMI; two or more bedroom units – 90 percent AMI.

CB 120571 Noise Code

Topic	Discussion
This bill would allow for higher noise levels in residential and commercial zones near the BINMIC shoreline than are permitted in other residential and commercial areas.	The impacts of this bill on new housing could be mitigated by requiring the type of noise attenuation that is proposed to be required in Georgetown in residential and commercial areas near the BINMIC shoreline, such as the western section of the Ballard Urban Village.

Key Considerations for Amendments

As Councilmembers consider amendments, please keep in mind constraints on Council changes that are embedded in the Washington State Growth Management Act (GMA), State Environmental Policy Act (SEPA), and the City’s land use regulations.

Under the GMA, land use bills must be consistent with the policies of Seattle’s Comprehensive Plan. Before proposing an amendment to the land use code amendment ordinance or rezone ordinance, please consider whether the change will be consistent with the Comprehensive Plan policies related to industrial lands. In addition to the policies included in CB 120568, there are additional goals and policies for each of the MICs that should be considered. Other policies throughout the plan may also constrain the Council’s policy choices.

In addition, the GMA requires consistency between local and regional plans. As regionally-designated centers, the City’s MICs must follow the policies for Manufacturing and Industrial Centers contained in PSRC’s Vision 2050 and King County’s Countywide Planning Policies. Amendments that would conflict with those policies should not be adopted.

The Office of Planning and Community Development (OPCD) has published an [environmental impact statement](#) (EIS) that analyzed the impacts of this proposal. Under SEPA, the Council may not consider changes to the proposal that have not been analyzed. This means that if a Councilmember wants to propose an amendment that is outside the range of alternatives studied under the EIS, additional environmental review may be required prior to Council action on the final bill. We will work with you to help identify the level of review that may be required depending on how much the amendment differs from the alternatives and potential mitigation measures studied under the FEIS.

Finally, SMC 23.34.007 states that all rezones must be guided by rezone criteria contained in SMC Chapter 23.34. The criteria in that chapter are weighed and balanced and should be considered by the Council in considering any changes zoning designations, including height limits. This Chapter is proposed to be amended by CB 120567, and the Council should consider the new criteria in that bill alongside existing criteria in Chapter 23.34.

Next Steps

Chair Strauss has requested that Councilmembers send their ideas for potential amendments to me by the end of the day Wednesday, May 17. I will compile a summary of proposed amendments to be published on May 22 so that members of the public will have a sense of the range of changes that Councilmembers are considering prior to May 24th public hearing. The Committee will consider amendments and may vote on the legislation at a special meeting scheduled for the week of June 5.

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



SEATTLE CITY COUNCIL
CENTRAL STAFF

Industrial Maritime Strategy

LISH WHITSON, LEGISLATIVE ANALYST

LAND USE COMMITTEE

MAY 15, 2023

Legislation

CB 120568 2023 Comprehensive Plan amendments

CB 120567 Land Use Code text amendments

New Industrial chapter 23.50A

New zones: Maritime, Manufacturing, Logistics;
Industrial Innovation; Urban Industrial

CB 120569 Zoning map changes

CB 120571 Noise ordinance amendments

CB 120570 Relocating Industrial Commercial code

Industrial and Maritime Strategies

- Environmental justice and climate action
- Stronger protections for industrially zoned land
- High-density industrial development
- Healthy transitional areas near urban villages
- No new residential uses
- Georgetown and South Park neighborhood goals
- Master planning for WOSCA and Armory sites

CB 120568 – Comprehensive Plan Amendments

- Sets policy basis for new zoning regulations, including three new zones
- Changes boundaries of Duwamish Manufacturing/Industrial Center in Georgetown and South Park and removes industrial designation in Judkins Park
- Restricts future changes to industrial areas
 - *If adopted, Council should update its Comp Plan docketing resolution (Resolution 31807) to reflect this new policy*
 - *Amend rezone criteria to reflect this direction?*

CB 120567 – Land Use Code Text Amendments

II zone FAR bonuses

- Code defines Information Computer Technology (ICT) as an industrial use that is incentivized in the II zone. The bonus for ICT space is lower than that provided for the creation of space for other industrial uses.
 - *Will this dilute the ability of the bonus program to create space for traditional industry?*
 - *What happens if an ICT business wants to move into a space built for other industrial uses?*

CB 120567 – Land Use Code Text Amendments

FAR increases for commercial uses

- Bill increases the maximum floor area ratio (FAR) in the Urban Industrial and Industrial Innovation zones.

Urban Industrial: from 2.5 to 3 or 4.5, primarily for ancillary uses

Industrial Innovation: from 2.5 or 2.75 to 4.5 to 6.5, coupled with incentives for on-site or off-site industrial development, mass timber, and preservation of vulnerable masonry structures

- *Should Mandatory Housing Affordability requirements apply to commercial floor area?*

CB 120567 – Land Use Code Text Amendments

Housing in and near industrial areas

- Housing would be allowed in and near industrial areas through rezones to non-industrial zones and in the UI zone
- The UI zone and Georgetown include noise attenuation requirements for new dwelling units
 - *Should noise attenuation requirements apply more broadly?*
 - *Are there other requirements that could reduce environmental impacts of living near industrial uses? Tree requirements? Require air conditioning?*

CB 120571 – Noise Ordinance amendments

- Allows higher noise levels in residential and commercial areas near BINMIC shorelines
 - *Consider noise attenuation in new development near the BINMIC shoreline?*

Council Amendments

- Need to make sure that the bills are internally consistent – amendments to the Land Use Code bill or rezones may have impacts on the Comprehensive Plan and vice versa
- Need to be consistent with regional criteria for MICs
- Need to be within the range of alternatives studied in the FEIS
- Rezones must be consistent with rezone criteria

May 22, 2023

MEMORANDUM

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

On Wednesday, May 24, the Land Use Committee will hold a public hearing on 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.

Attached to this memorandum is the preliminary list of potential amendments that Councilmembers are considering proposing to the legislation. These amendments are preliminary concepts that may change based on public feedback and additional review.

Following the public hearing, we will prepare amendatory language for the Land Use Committee to consider at a special meeting on June 8.

Attachments:

1. Potential amendments to the Industrial and Maritime Strategy legislation

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

Attachment 1 – Table of Amendments to Industrial Maritime Strategy

#	Potential Amendment	Sponsor
1	Technical Amendments	Strauss
2	Change the required ground floor load bearing in industrial space in II zones from 250 lbs/sq ft to 125 lbs/sq ft	Strauss
3	Require Mandatory Housing Affordability (MHA) for commercial development in the Industrial Innovation (II) zone	Morales
4	Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone	Strauss
5	Increase the residential density limit in the Urban Industrial (UI) zone along the Wallingford waterfront	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
9	Allow an additional 10 feet of height in the Georgetown Live-Work district along 4th Avenue S	Strauss
10	Rezone the block at Leary Way and Dock Street to General Commercial 2 (C2) or other non-industrial zone	Strauss
11	Rezone the block at the northwest corner of Leary Way 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) and rezone to Lowrise (LR)	Strauss
13	Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 or LR3	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	Morales



Legislation Text

File #: CB 120568, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

Section 2. The Future Land Use Map and the boundaries of the Greater Duwamish Manufacturing/Industrial Center and the South Park Urban Village are amended as shown in Attachments 2, 3, and 4 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;
- Georgetown Neighborhood Anchor, on page 314; and
- Duwamish Manufacturing/Industrial Center, on page 318.

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

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

President _____ of the City Council

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

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachments:

Attachment 1 - Amendments to the Land Use Element

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

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

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

Attachment 1

Amendments to the Land Use Element

Land Use

* * *

Industrial Areas

Discussion

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

GOAL

LU G10 Provide sufficient land with the necessary characteristics to allow industrial activity to thrive in Seattle and protect the preferred industrial function of these areas from activities that could disrupt or displace them.

LU G10.1 Support employment-dense emerging industries that require greater flexibility in the range of on-site uses and activities.

LU G10.2 Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts.

POLICIES

LU 10.1 Designate industrial zones generally where

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

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

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

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

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

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

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

LU 10.7 Use the following industrial land use designations:

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

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

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

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

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

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

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

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

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

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

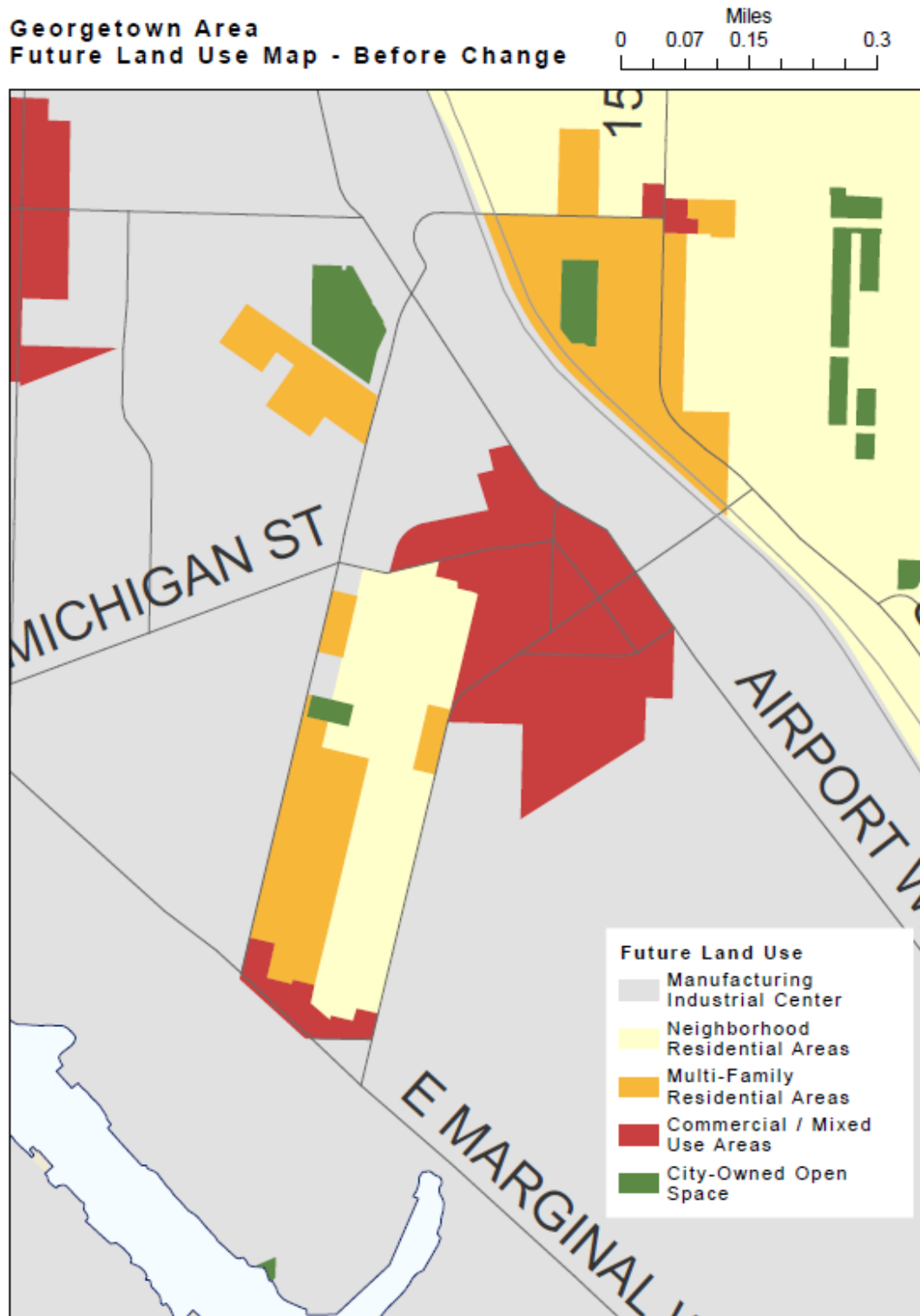
LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Establish minimum density standards to ensure employment density at a level necessary to leverage transit investments. Use upper-level density limits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

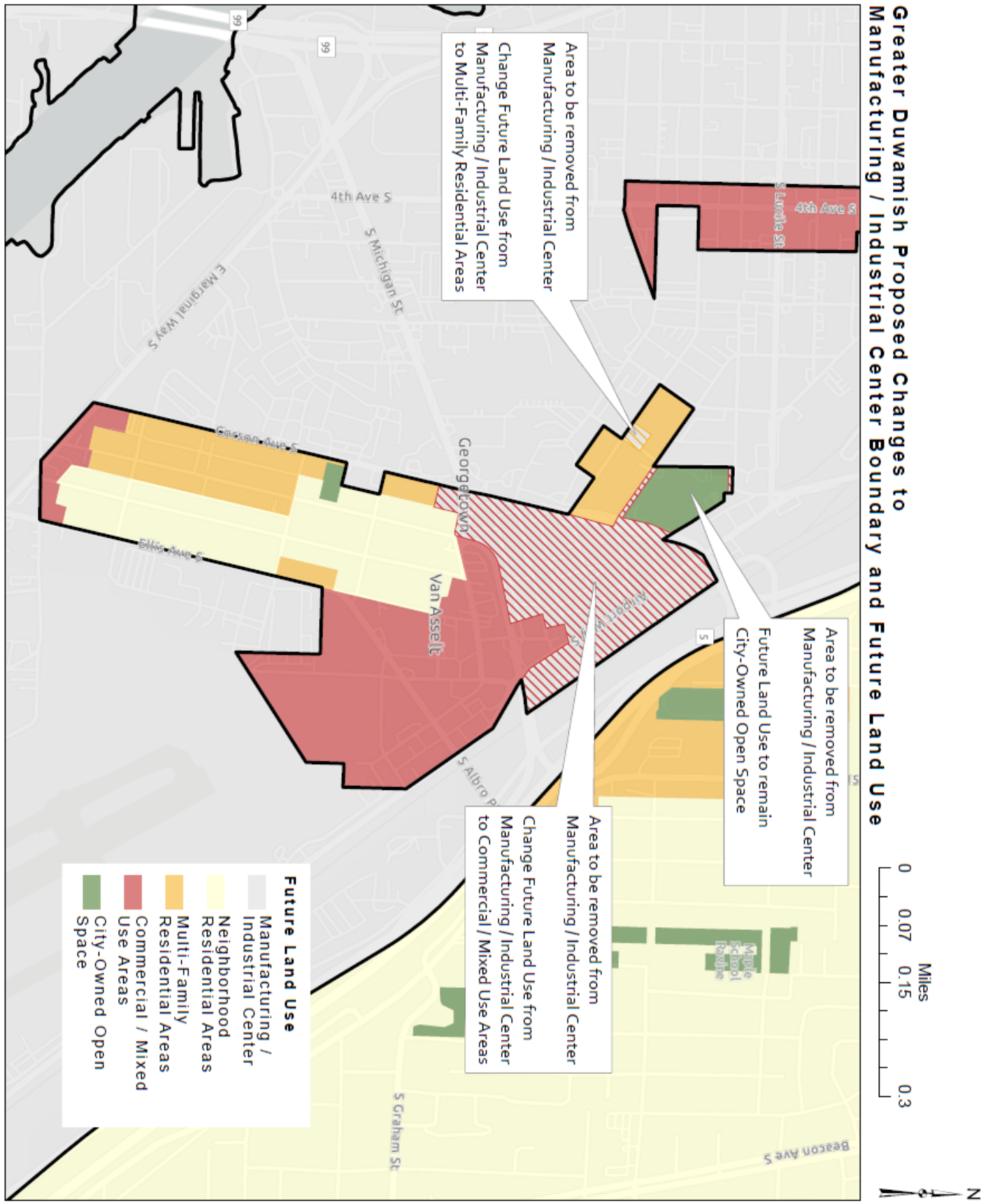
- LU 10.20 In the industry and innovation zone, use development standards that promotes development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, limit non-industrial floor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

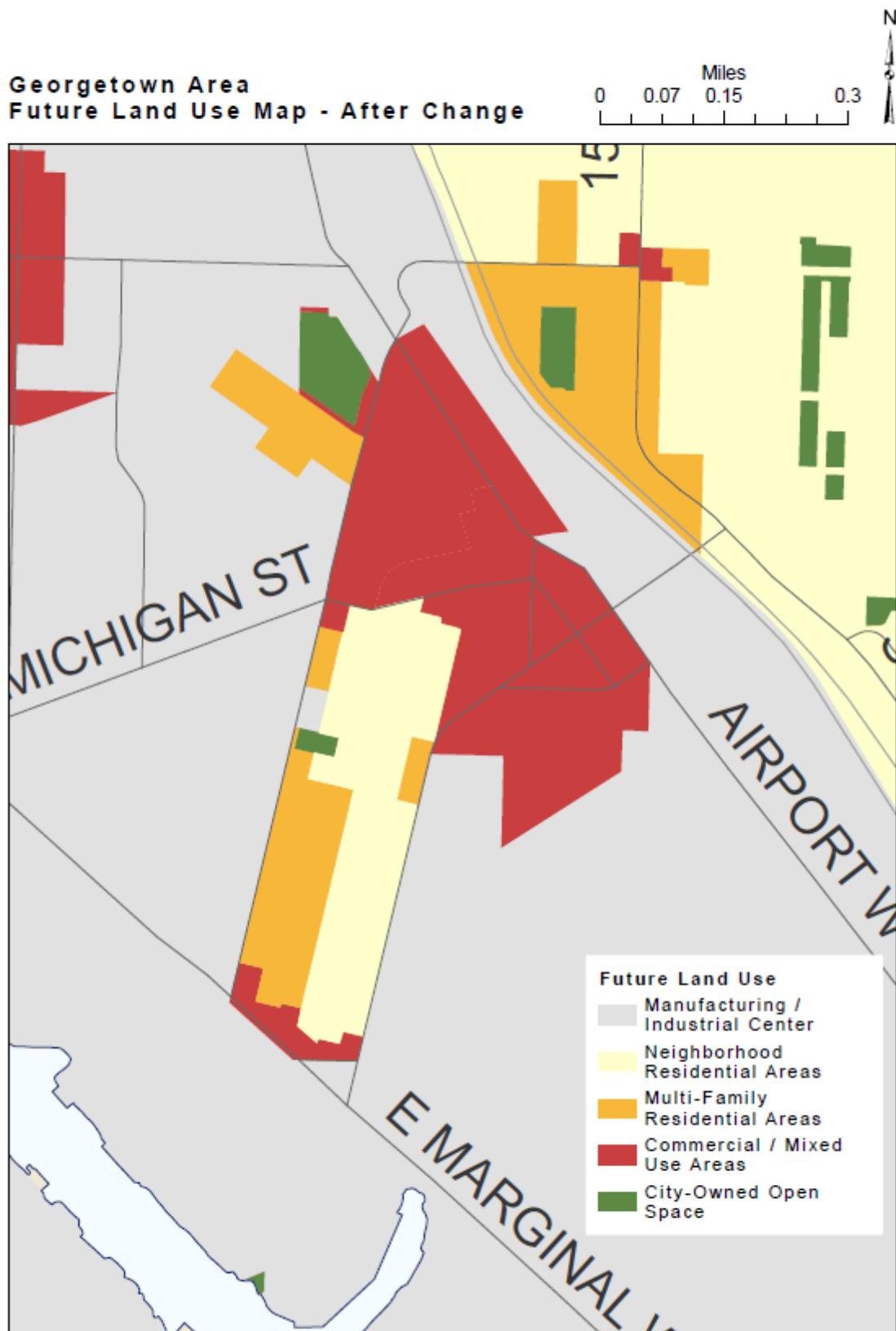
- LU 10.~~((22))~~30 Limit development density in industrial commercial and maritime, manufacturing, and logistics zones in order to reflect transportation and other infrastructure constraints, while taking into account other features of an area.
- LU 10.~~((23))~~31 Include development standards in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

Attachment 2

Amendments to the Comprehensive Plan Future Land Use Map - Georgetown

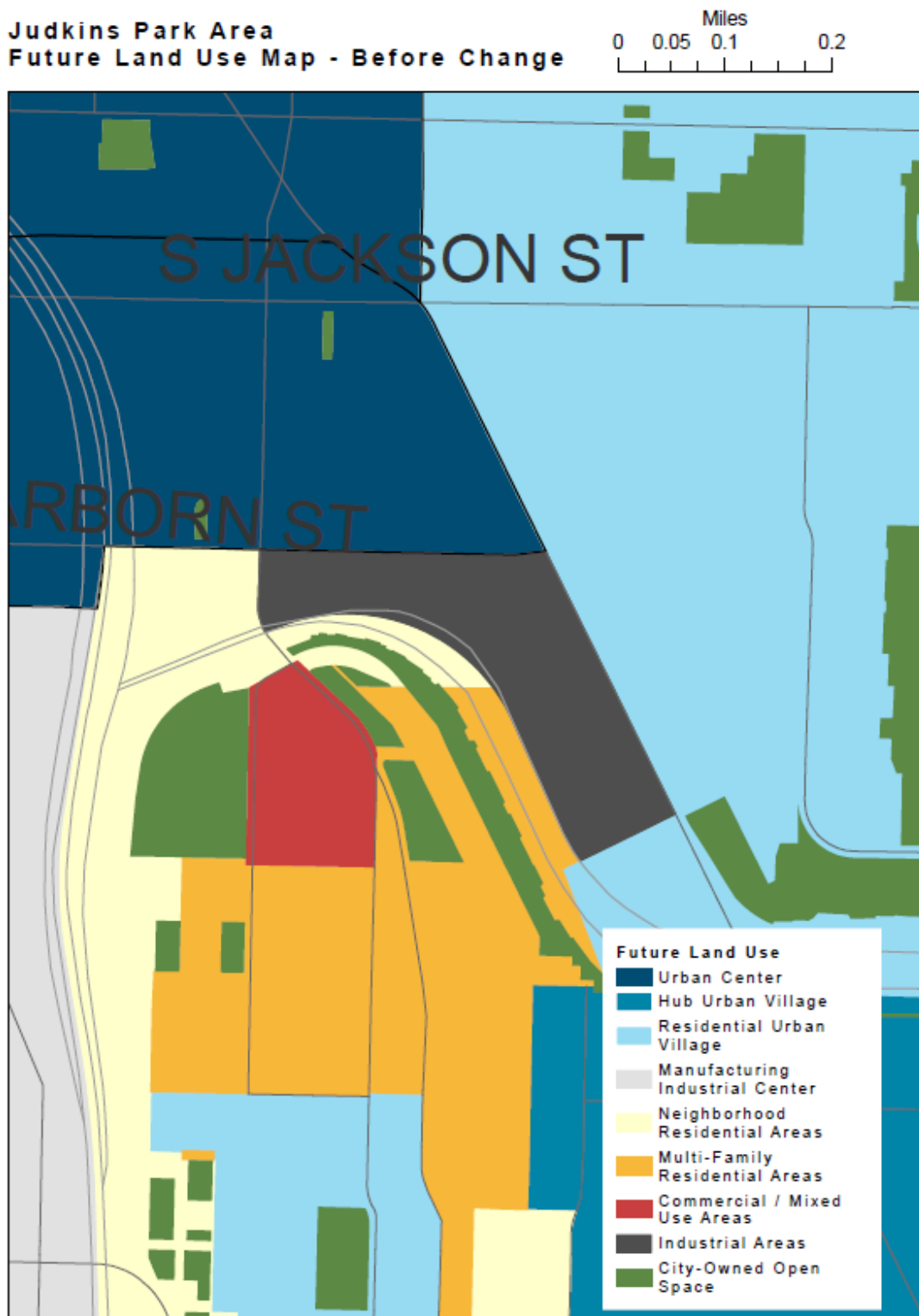


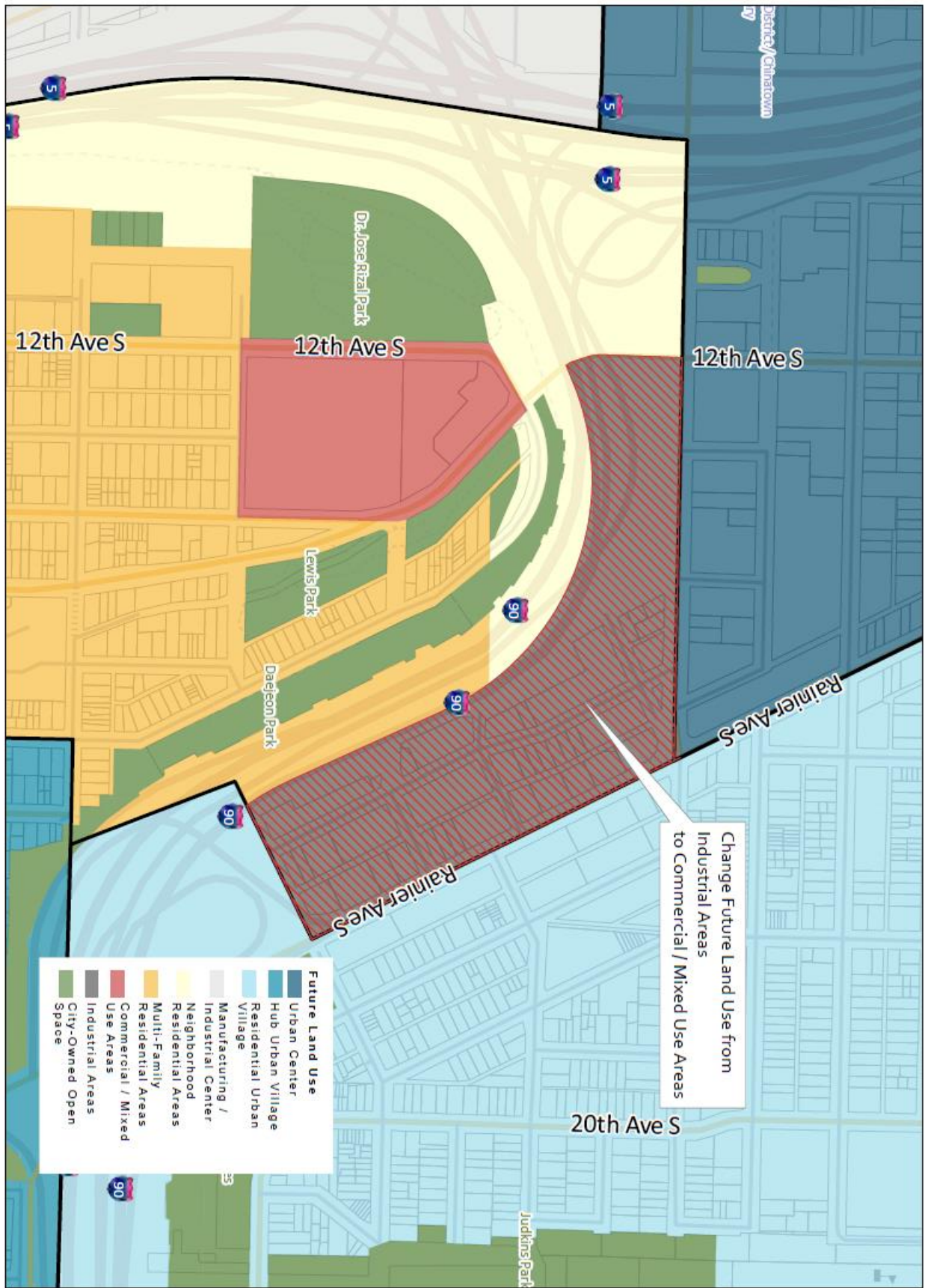




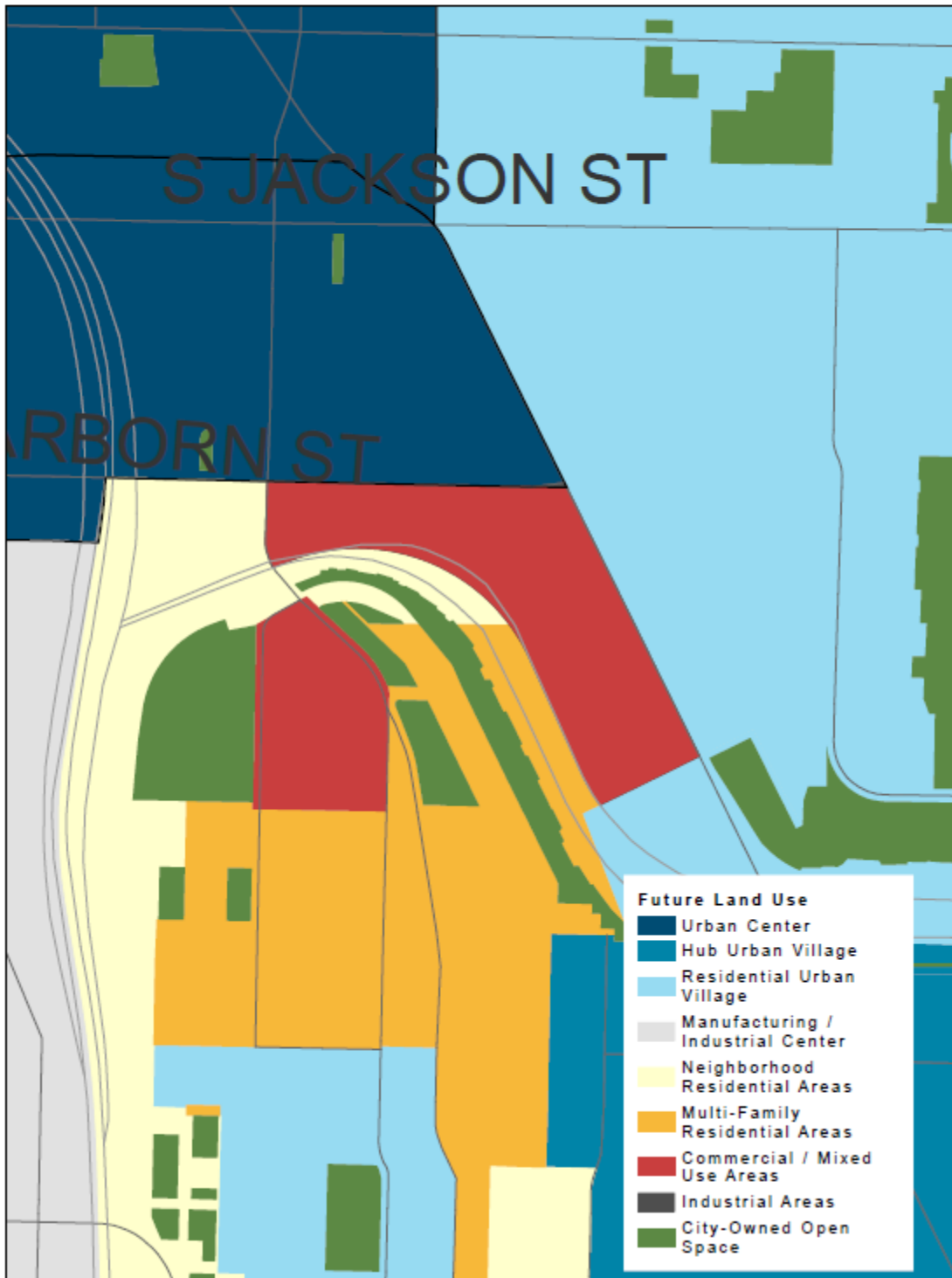
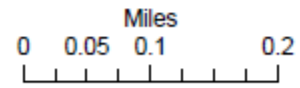
Attachment 3

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





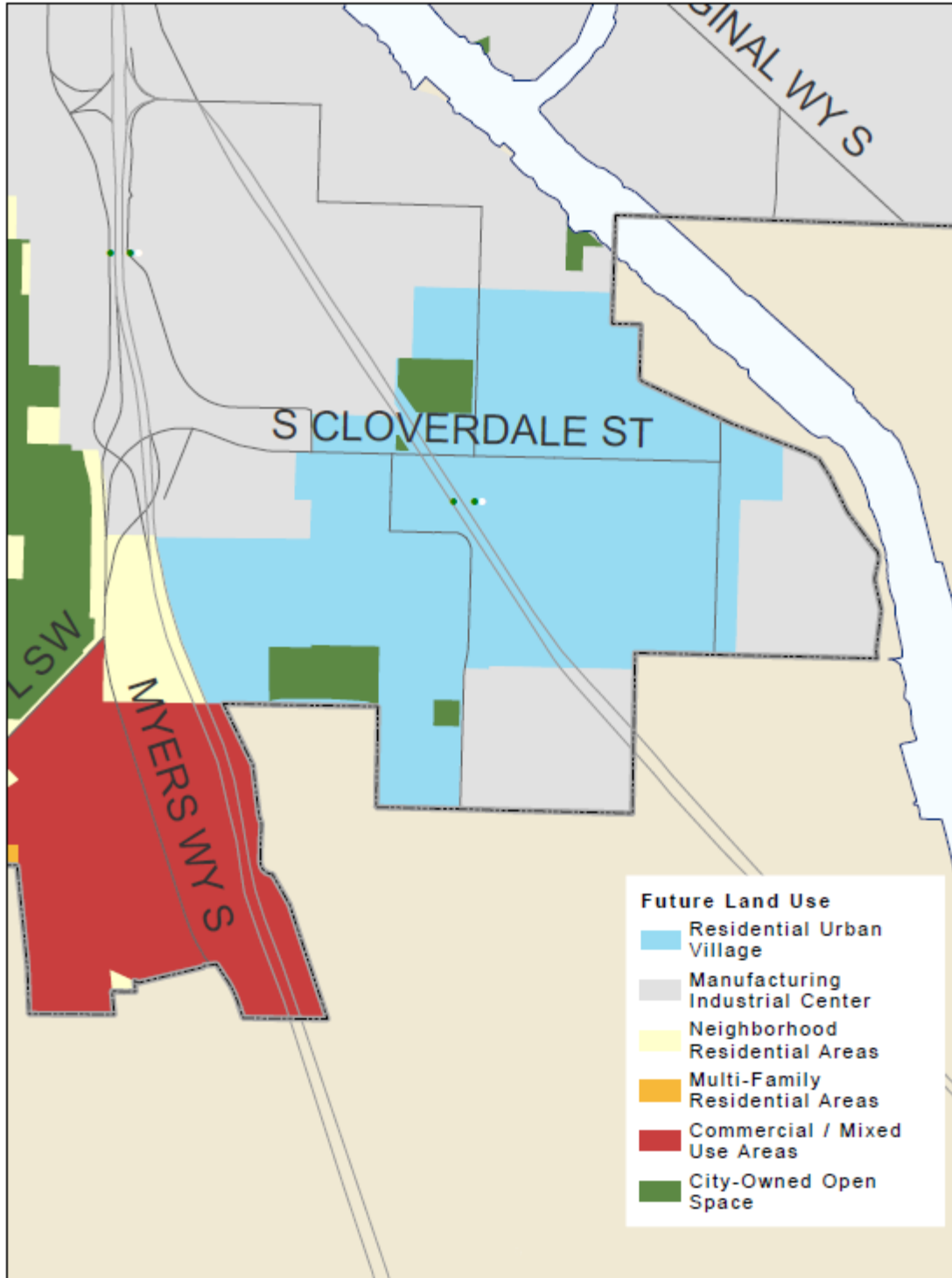
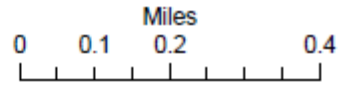
**Judkins Park Area
Future Land Use Map - After Change**

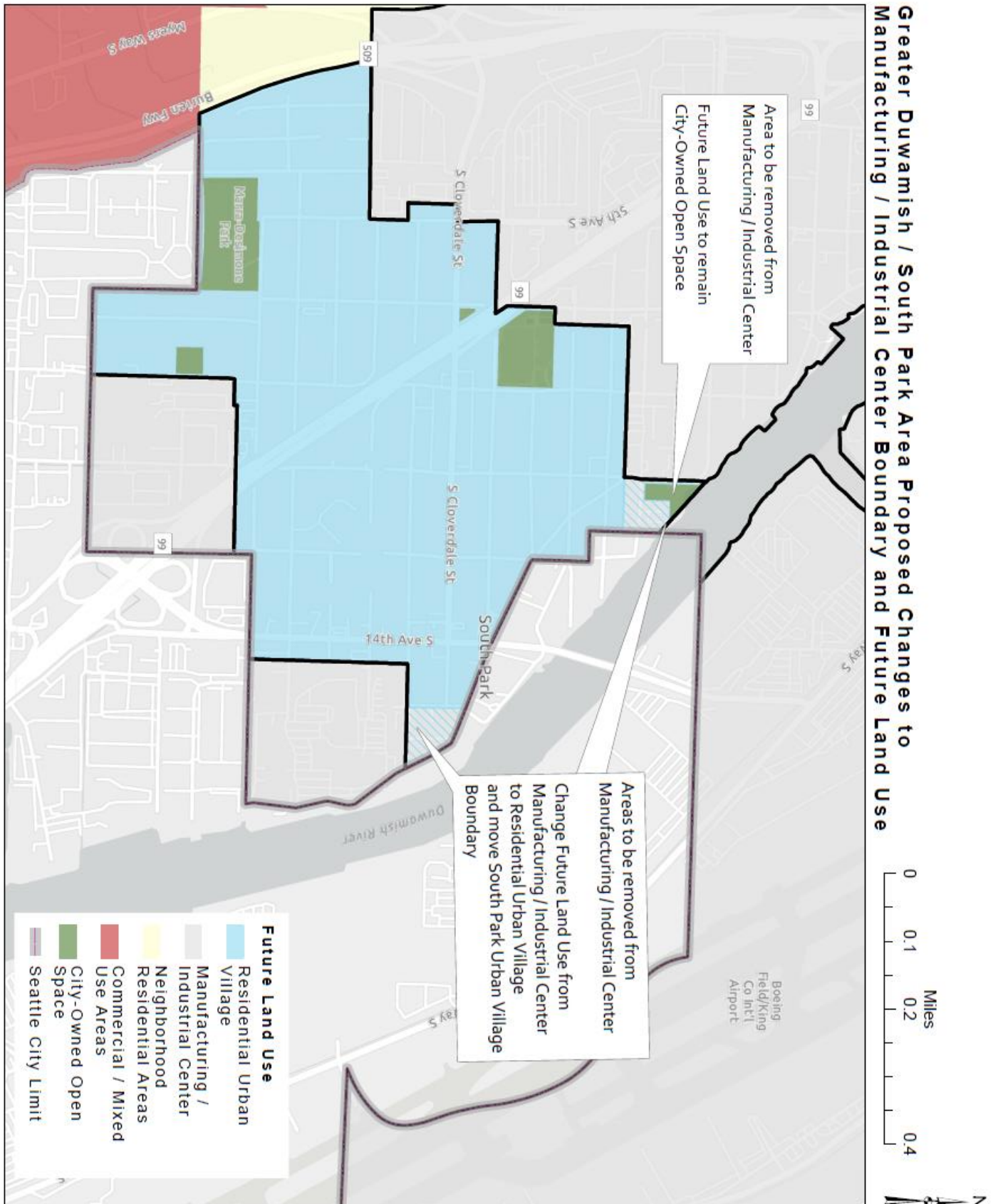


Attachment 4

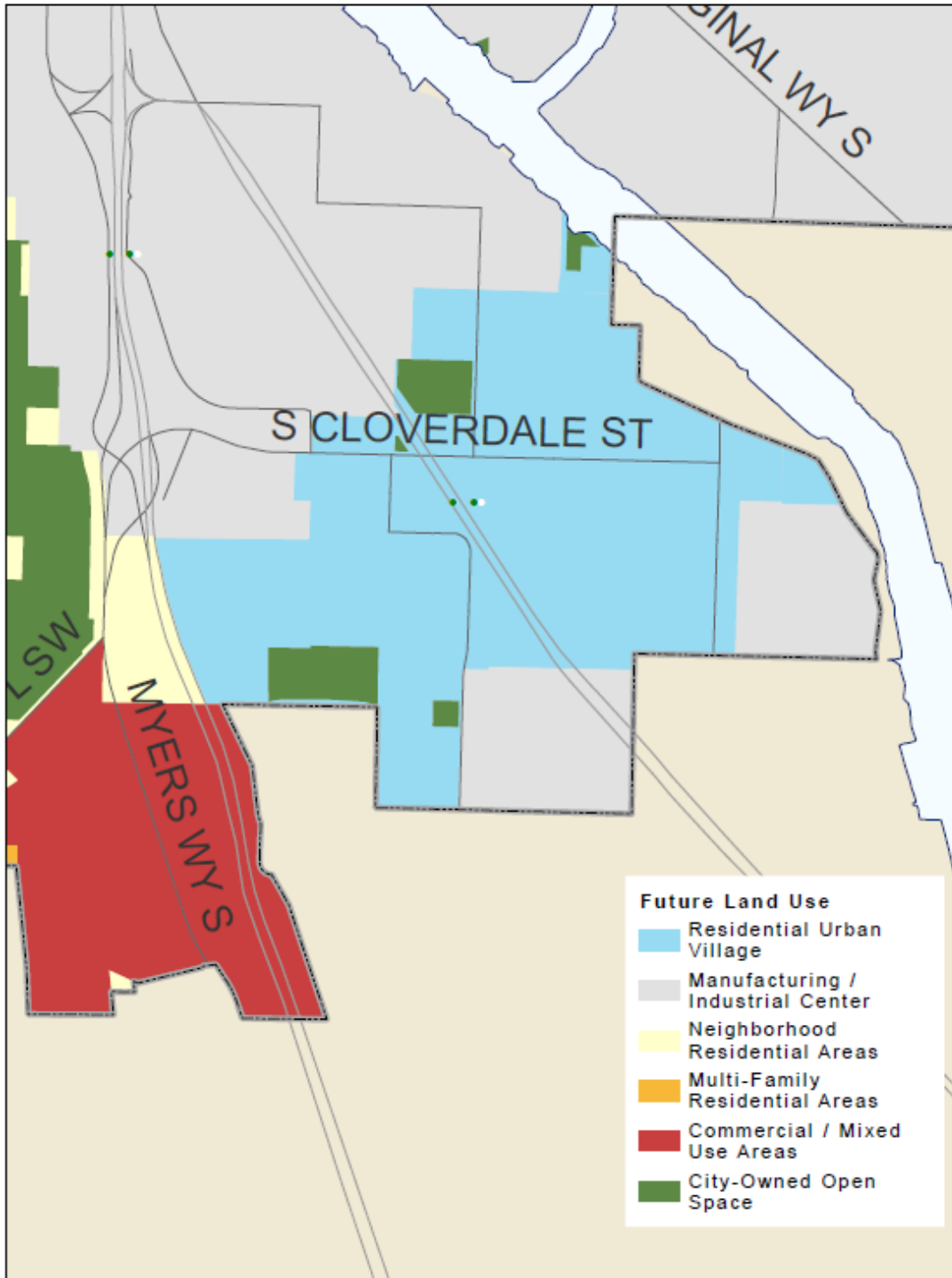
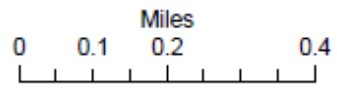
Amendments to the Comprehensive Plan Future Land Use Map – South Park

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





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



SUMMARY and FISCAL NOTE*

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

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

1. BILL SUMMARY

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

Summary and Background of the Legislation:

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

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

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

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

Yes.

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

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

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

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

No.

4. OTHER IMPLICATIONS

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

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

b. Is a public hearing required for this legislation?

Yes.

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

Yes.

d. Does this legislation affect a piece of property?

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

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

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

f. Climate Change Implications

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

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

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

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

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

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

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

This is not applicable to land use proposals.

Summary Attachments: None.



Seattle

Seattle Industrial & Maritime Strategy

Director's Report and Recommendation

March
2023



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Executive Summary

Following a multi-year planning process that consisted of extensive stakeholder engagement, neighborhood outreach, research and analysis, and an Environmental Impact Statement, we are pleased to transmit 5 ordinances that together implement major components of the Mayor's Industrial and Maritime Strategy.

Seattle's industrial and maritime policies are more than 35-years old, and during that time, the trends and technologies impacting industrial and maritime users have experienced significant change. To reflect those changes as part of a comprehensive strategy to strengthen and grow Seattle's industrial and maritime sectors for the future, we are recommending a holistic update of our industrial and maritime policies and zoning. Debates around industrial lands have spanned decades, and therefore the adoption of this legislation will be a major milestone. This action proactively addresses industrial lands as an early component of the Comprehensive Plan major update, allowing the One Seattle Planning process to focus on other pressing topics such as expansion of housing supply.

We believe the legislation will spur progress towards the following objectives:

- Increase the quantity of living wage jobs generated from industrial lands.
- Improve environmental health for people who live or work in or near industrial areas.
- Provide long-term predictability to stakeholders that will support renewed investment.
- Promote mutually reinforcing mixes of activities at the transitions between industrial areas and urban villages or residential neighborhoods.
- Support industrially compatible employment dense transit-oriented development at existing and future high-capacity transit stations.
- Increase access to workforce and affordable housing for employees in industrial and maritime sectors.
- Position Seattle's industrial areas to respond competitively to new processes and practices.
- Ensure available and adequate locations for components of regional and statewide supply chains and regional economic clusters.
- Increase space for prototyping, entrepreneurship, and business incubation.
- Strengthen economic resiliency with the capacity to produce products locally and ensure stable distribution networks.

A brief description of the five ordinance that make up this action is below:

1. An ordinance amending the Comprehensive Plan to establish an updated vision in revised text policies for industrial land use. This ordinance amends the Future Land Use Map (FLUM) to change map designations in the Ballard and Judkins Park areas from an industrial land use designation to a mixed-use land use designation. The ordinance amends the FLUM to change the boundaries of the Manufacturing and Industrial Centers to remove parts of Georgetown and South Park.
2. An ordinance creating a new Chapter 23.50A in the Seattle Municipal Code that establishes three new industrial zones and sets out development regulations for those

zones. This ordinance amends the commercial Chapter 23.47A adding new provisions for areas of Neighborhood Commercial zoning that will be applied to the Georgetown neighborhood. It amends other sections of the Land Use Code that are related to establishing the new Chapter 23.50A.

3. An ordinance removing provisions for the Industrial Commercial zone from existing Chapter 23.50 and relocating them to the new Chapter 23.50A. The Industrial Commercial zone remains a useful and relevant zone in line with proposed policies for some areas and therefore will be relocated to new Chapter 23.50A.
4. An ordinance applying the new industrial zone classifications to the official zone map.
5. An ordinance amending the City's noise ordinance to address challenges to ongoing industrial activity in the shoreline areas of the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) that are experiencing encroachment from nonindustrial activity.

Current zoning regulations for industrial areas found in SMC Chapter 23.50 will coexist with the proposed new SMC 23.50A, if adopted, for a period. OPCD proposes to retain, for approximately one year, the existing Chapter 23.50 industrial zones in parallel with the new Chapter 23.50A, so City Council may elect to retain existing zoning in locations that need further review before the new suite of industrial zones can be applied. Once mapping is complete, OPCD expects to prepare legislation that would repeal Chapter 23.50.

In the remainder of this Director's Report and Recommendation we provide: background on the Industrial Maritime Strategy, the process to arrive at this recommendation, a discussion of how the ordinances implement the strategy, and an overview of the technical aspects of the proposed Comprehensive Plan and zoning code changes.

Background

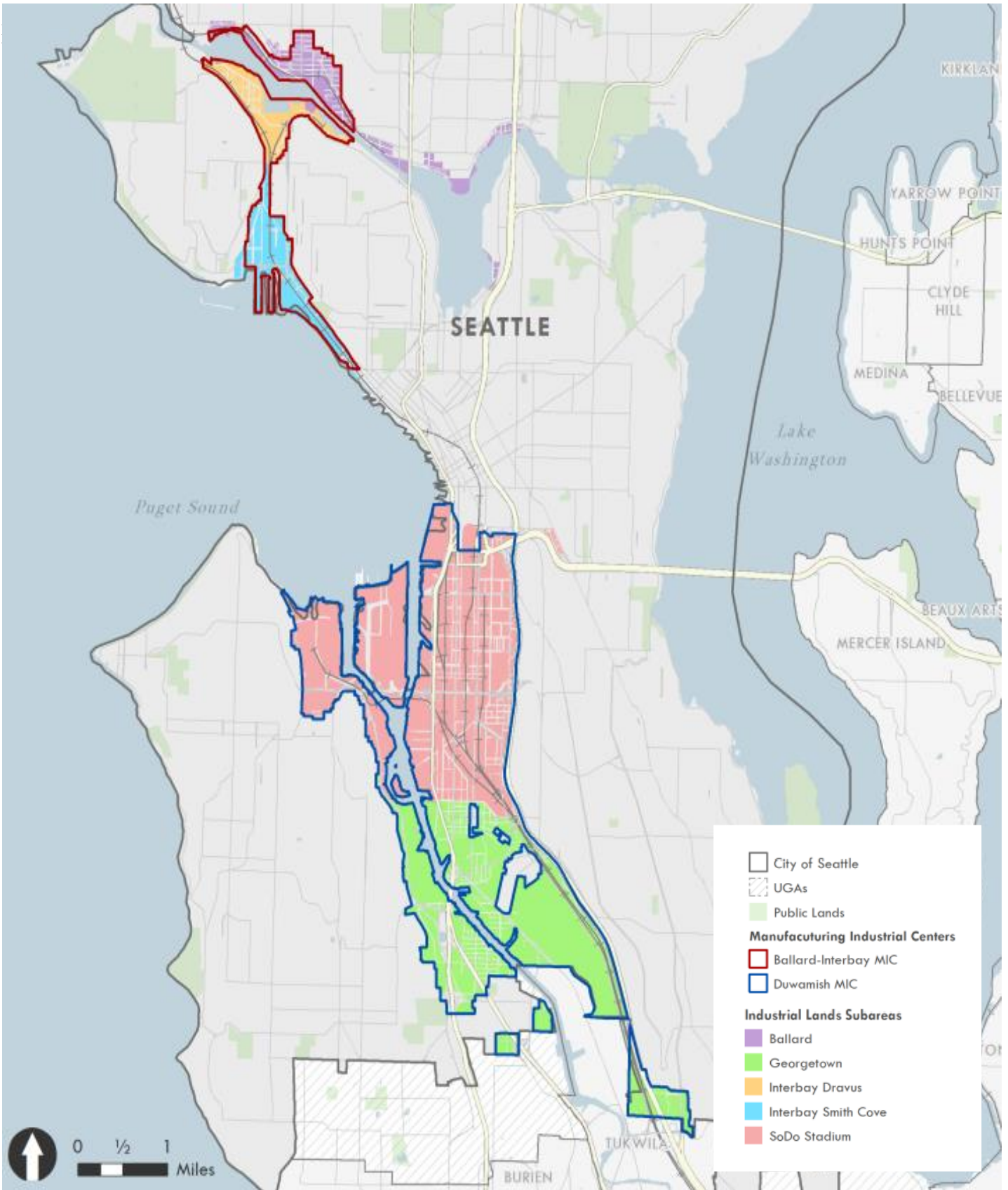
Most industrial land in Seattle is located within two Manufacturing Industrial Centers (MIC). Seattle's Greater Duwamish Manufacturing and Industrial Center (MIC) and the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) contain about 12 percent of Seattle's total land area. MICs are regional designations and are defined in the City's Comprehensive Plan as home to the city's thriving industrial businesses. There are only 11 MICs in the Puget Sound region, and they are important resources for retaining and attracting jobs and for a diversified economy. As regionally-designated Centers MICs are eligible to receive federal transportation funding through allocations by the Puget Sound Regional Council (PSRC).

Subareas within MICs with more local identities are commonly understood by community members. Subareas are considered for the purposes of analysis and local planning. A few small areas of existing industrial zoning located outside of MICs in locations such as along North Lake Union and in Judkins Park, are also a part of this action.

Seattle industrial areas employment is about 100,000, representing roughly 15% of total employment in the City. Historically, Seattle's industrial lands have captured about 6-11% of the city's employment growth. Although narratives suggest declines in industrial jobs, Seattle's industrial area employment grew at a compound annual rate of about 1.6% between 2010 and 2018. Some sectors like food-and-beverage production grew even faster, while maritime and logistics had slow and steady growth, and only aerospace and manufacturing sectors saw minor declines. (Seattle Maritime and Industrial Employment Trends. Community Attributes Inc., 2020)

Industrial and maritime jobs provide pathways to stable careers that are accessible to a broad swath of community members. Nearly two thirds of all jobs in industrial sectors are accessible without a traditional four-year college degree, and more than half of all jobs in the maritime sector are available with no formal education. Wages are competitive, with average annual earnings exceeding 70% of the Area Median Income for salaries in the construction, aerospace/aviation, and logistics sectors. A high number of jobs in logistics, maritime and manufacturing sectors remain unionized and provide high quality benefits. (Industrial Lands Employment Analysis Technical Memo. Community Attributes Inc., 2020)

While there is a lack of data to fully demonstrate the demographics of the industrial and maritime workforce, the available data does show that the largest geographic concentration for Seattle residents of workers on industrial lands are in southwest Seattle with an overall distribution across the region.



This map shows the area affected by the proposed legislation and subareas that are considered for the purposes of analysis and local planning.

Process

Industrial and Maritime Strategy Advisory Council

In 2019 the City convened an Industrial and Maritime Strategy Advisory Council to chart a blueprint for the future of industrial land in Seattle with a focus on providing equitable access to high-quality, family-wage jobs and entrepreneurship opportunities. The Advisory Council included representation from citywide stakeholders and stakeholders from four neighborhood subareas for: Ballard, Interbay, SODO/Stadium District, Georgetown/South Park. The groups represented a diverse range of interests including maritime and industrial businesses, labor, residents of adjacent neighborhoods, developers, a City Council member, and industry groups.

The Industrial and Maritime Strategy Council process lasted more than a year and a half and included various phases and levels of dialogue. The timeline below summarizes major steps. These steps were supplemented with individual outreach and dialogue between members of the strategy council, city staff, and the facilitator.

- November 2019. Project kickoff and guiding principles
- February 2020. Discuss policy alternatives and background data
- March-May 2020. Break due to COVID-19
- June 2020. Reconvene with a focus on a greater emphasis on equity and recovery
- Fall, 2020. Restorative economics training, BIPOC youth engagement
- November 2020. Listening session
- December 2020. Discuss detailed policy tables, written comments
- March 2021. Regroup and strategy framework
- April / May 2021. Strategy workshops and straw poll voting
- May 27, 2021. Final consensus recommended strategies

In May 2021 the Advisory Council recommended 11 broad strategy statements, which are shown on the following page. The consensus represented approval votes by over 85% of voting advisory group members on the package. Due to the significant amount of negotiation, dialogue and collaborative effort that went into reaching consensus, we emphasize in this report how closely the proposed legislation follows the consensus recommendations.

Investment Strategies

1. Workforce Investments to Support Access to Opportunity for BIPOC, Youth, and Women: Create, expand, and support initiatives that increase access to opportunity and economic prosperity for Black, Indigenous, and People of Color, youth, and women through manufacturing, maritime, and logistics careers.

2. Public Safety Partnership to Support Maritime and Industrial Areas: Work closely with local business and community organizations to develop and implement a proactive public safety response to elevated levels of crime within maritime and industrial lands.

3. Transportation Priorities to Improve the Movement of People and Goods: Improve the movement of people and goods and make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals.

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

11. Ongoing Stewardship Entities to Champion this Vision: Identify and grow ongoing stewardship entities with a complete range of stakeholders to champion the vision of the Industrial and Maritime Strategy, ensure its long-term implementation, and develop appropriate assessment metrics to help guide future policy decisions. In different neighborhoods, this could be an existing organization with a modified charter and/or a new organization.

This table is from the June 2021 Industrial and Maritime Strategy Advisory Council Report.

Other Focused Engagement

The relative accessibility and competitive wages provided by jobs in industrial and maritime sectors present the opportunity to benefit BIPOC community, women, and youth. The Strategy Council strongly recommended specific and proactive measures to ensure access and opportunities to a higher proportion of industrial and maritime sector jobs by BIPOC and women than it has ever had before. The City directly consulted over 116 BIPOC youth to share their lived experiences about exposure to industrial and maritime sectors.

The take-aways from the youth engagement include the youth describing a general lack of awareness of industrial and maritime careers and that youth were surprised by the diversity and number of careers and the higher wages within the maritime, manufacturing, and logistics sectors. We also heard that a clear stigma against career and technical education exists and that career decisions of youth are most influenced by their parents, as opposed to their teachers and counselors. Finally, we heard youth emphasize that environmentally friendly employers are important to their career decisions.

Environmental Impact Statement (EIS) Process

OPCD initiated an EIS process in July of 2021 to study the possible effects of implementing land use changes. The process provided community with meaningful opportunities to shape the proposal. The draft EIS included four alternatives, and the City extended the initial 45-day comment period to 60 days allowing more time for review and held public engagement events during the comment period. The City conducted a series of meetings with South Park and Georgetown community members in neighborhood locations and included comments from these communities through an additional extension to April 15, 2022. A final EIS was issued in September of 2022 that contains a Preferred Alternative. The Final EIS Preferred Alternative reflected substantial input from community, and analysis was supplemented in response to comments. (Findings from the environmental review are summarized later in this Director's Report, and in Appendix A.)



Online and Social Media Engagement

OPCD used social media and online tools to communicate directly to the public about policy issues and to increase general awareness of industrial and maritime land use issues. OPCD produced a series of video profiles highlighting industrial businesses, including woman and minority owned businesses. OPCD also highlighted news stories and articles on industrial and maritime strategy topics. The purpose

was to build community member awareness of industrial lands policy issues so more people could weigh in on proposals in a more informed way.

Other Engagement with Stakeholder Groups

In addition to formal engagement channels and meetings OPCD staff conducted regular check-ins with individuals and stakeholder groups who would be most affected by the proposed legislation. These meetings continued following completion of the Final EIS and during the formulation of this proposed legislation. Input by stakeholder groups helped to improve and refine proposed development standards. Meetings included dialogue with:

- Ballard brewers
- Ballard area property owners
- Georgetown Community Council
- Duwamish River Community Coalition
- Port of Seattle / Northwest Seaport Alliance
- Maritime labor organizations
- Service sector labor organizations
- Construction sector labor organizations
- Professional sports stadium boards
- Industrial trade groups
- Seattle Planning Commission
- Others

Implementation of the Consensus Strategies

Below we describe the direct connection between the consensus recommendations and components of the proposed land use legislation.

Consensus Strategy 5—Stronger Protections for Industrially Zoned Land:
Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

Competition for industrial land from nonindustrial uses destabilizes the vitality of industrial districts by introducing land use conflicts and driving speculative pressures that results in the displacement of industrial activity. Industrial land is priced lower than land for commercial and residential activity. Although Seattle's proximity to a deep-water port, rail and freight infrastructure, and a large workforce are locational advantages for some industrial uses, others can easily relocate to outlying areas free of land use conflicts at a price competitive or better than they can find in Seattle.

As a broader range of uses locates in industrial districts, land values rise meaning only those higher-value uses can afford to locate in these areas. This can be seen in Ballard where numerous grocery stores have displaced industrial businesses in the BINMIC, or where destination retail has been developed on land off West Armory Way in Interbay.

On a regular basis the City receives applications to remove land from our industrial areas for nonindustrial development resulting in a lack of predictability by industrial users contemplating investment/reinvestment in Seattle's industrial areas. The package of zoning amendments and Comprehensive Plan Amendments contains three specific provisions to strengthen protections for industrial land consistent with stakeholder recommendations:

- **Limit Annual Comprehensive Plan Amendments:** Removal of land from a Manufacturing Industrial Center (MIC) for non-industrial development requires an amendment to the City's Comprehensive Plan. Amendments to the City's Comprehensive Plan can occur in two ways – the annual amendment process and the major update process. The City can amend its Comprehensive Plan once a year through an annual amendment process. This process allows the public the opportunity to submit amendment proposals that are then considered by the City Council.

The proposed legislation includes new Comprehensive Plan text policy 10.3 stating the city will not consider proposals for removal of land from a MIC designation except as a part of a comprehensive plan major update or a City led study. The major update to the

Comprehensive Plan occurs every 8-10 years. Limiting Comprehensive Plan amendments to major updates will lessen speculative pressure on industrial land by sending a clear market signal that removal of land from MICs will not happen frequently. This limitation also has the benefit of allowing the City to fully review changes to land in the MICs within the overall context of the City's industrial land needs.

- **Tighten Zoning Code Loopholes:** The proposed legislation would reduce existing size of use limits on nonindustrial (i.e., retail and office uses) and apply a new Floor Area Ratio limit of 0.4 for nonindustrial uses in the Maritime Manufacturing and Logistics zone. These changes will have the practical effect of discouraging new development of box retail stores, or standalone office buildings in the new industrial zones.
- **Prohibit Mini-Storage:** Like retail and commercial uses, mini-storage developments can pay a higher price for land than industrial users. While currently permitted, this use, unlike warehouses or storage yards for logistics businesses in MICs, does not support industrial activity and has little employment benefit. This proposal would prohibit new ministorage uses in all industrial zones.

Consensus Strategy 6— High Density Industrial Development: Encourage modern industrial development that supports high density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

Seattle's Manufacturing and Industrial Centers are the proposed location of up to five future Sound Transit light rail stations. Traditionally, land use policy around light rail stations seeks to leverage these generational investments with transit-oriented development characterized by a mix of residential and employment uses. Stakeholders evaluated how best to accommodate these stations while contributing to the continuing strength of Seattle's industrial areas and recommended a strategy that leverages these transit investments with high-density employment characterized by a mix of modern industrial space supported by a range of office and other commercial uses. The proposed amendments would create a new Industry and Innovation (II) zone that encourages new development in multi-story buildings that accommodates industrial businesses, mixed with other dense employment uses such as research, design, offices and technology. Precedents for the sort of flexible mixing of industrial and non-industrial uses that are envisioned in this proposal exist in Seattle and peer cities, including Portland, OR, New York City, and Vancouver BC.

Consensus Strategy 7— Healthy Transitional Areas near Urban Villages:

Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

- Transitions between industrial and nonindustrial zones in Seattle are currently managed through the application of the industrial buffer zone. The Stakeholder group, which included community representatives from South Park, Georgetown, and Ballard combined with supplemental outreach to the South Park and Georgetown communities identified four key challenges in these transitional areas:
 - 1.) Affordable spaces for small-scale manufacturers, entrepreneurs and artists are scarce.
 - 2.) Active transportation modes like walking and biking that best facilitate residents' access to local producers are vulnerable to conflicts with freight movement when public infrastructure is inappropriately designed.
 - 3.) Entrepreneurs and small manufacturers struggle to find affordable homes near their jobs.
 - 4.) High – impact industrial uses close to nonresidential areas result in unhealthy impacts to these communities, particularly in South Park and Georgetown.
- The proposed legislation would create a new zone, the Urban Industrial (UI) Zone, that addresses these challenges. The proposed Urban Industrial zone increases pedestrian safety and facilitates freight movement by requiring street improvements that include curbs, sidewalks, pedestrian scale lighting, and street trees for new buildings or expansions. Workforce housing needs are partially addressed through allowances for small amounts of workforce housing permitted as a conditional use. It should be noted that resolving the issue of housing scarcity and affordability for workers in industrial areas will not be solved by using industrial land for significant amounts of housing (see discussion below).

Consensus Strategy 8—No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

Current land use policy prohibits new housing in industrial areas with very minor allowances for artist studio, caretakers quarters, or housing that predated the City's industrial land use policy. These

limitations are in place because large concentrations of housing in industrial areas results in land use conflicts that compromise the economic viability of industrial areas and encourages speculative pressure to use industrial land for nonindustrial uses. Residents living in industrial areas are also sometimes exposed to impacts from industrial activity including light, noise, aesthetic impacts of outdoor storage.

For these reasons the City has traditionally prohibited housing development in industrial zones. Policies discouraging housing in industrial areas are consistent with the King County Countywide Planning Policies, and the Puget Sound Regional Council policies for designating Manufacturing and Industrial Centers.

This proposal retains the general policy of limiting new residential uses on industrial land with limited adjustments to allow some new housing opportunities to support artists, makers, or industry supportive housing. The proposal also includes some areas outside of MICs where industrial zoning would be replaced by new mixed-use zones.

**Consensus Strategy 9 – Georgetown and South Park Neighborhood Goals:
Remove a few small, focused locations from industrial zoning in
Georgetown and South Park and convert them to mixed use zoning to
achieve neighborhood goals.**

The proposed Comprehensive Plan amendments include amendments to the Comprehensive Plan Future Land Use Map. Two of these amendments advance goals of the Georgetown and South Park communities consistent with the stakeholder recommendations. Both Georgetown and South Park experience impacts from adjacent industrial areas. The Georgetown community has a goal of becoming a more complete neighborhood similar to an urban village. The South Park community has a goal of increasing environmental health and making a better connection of residential communities to the Duwamish River.

Consensus Strategy 10 - Master Planning for WOSCA and Armory Sites:
Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

The Washington National Guard Armory (Armory) site currently owned by the State of Washington is home to a National Guard readiness center. The site, however, consists primarily of fill material and is subject to severe liquefaction in the event of a major earthquake. The national guard is seeking relocation and the state will explore reuse of this site to partially finance the Guard's relocation. The State commissioned a study to evaluate alternative redevelopment scenarios including a residential/commercial, a residential/industrial, and an industrial alternative and passed enabling legislation in 2022 for a public development authority to facilitate relocation. To date the PDA is not yet formed.

The Armory site is approximately 25 acres in size and is zoned Industrial General 1 and is within the boundaries of the BINMIC. The Armory site represents an important redevelopment opportunity, not just because of its size and proximity to industrial infrastructure such as freight corridors and proximity to port facilities (T91 and Fisherman's Terminal), but also because of its proximity to potential future light rail stations that are within walking distance of the site. These factors combined (size, location, access to light rail) and the fact that it is under single ownership mean that redevelopment could advance the goals of the Industrial and Maritime Strategy in significant ways.

The Washington-Oregon Shippers Cooperative Association (WOSCA) site is currently owned by the Washington State Department of Transportation (WSDOT) and was used for construction and staging for SR99 replacement. The site is at the north end of the Greater Duwamish MIC, adjacent to Terminal 46 (T46) to the west and 1st Avenue to the east. The site will either be redeveloped or surplus by the State. The WOSCA site is approximately 4.2 acres in size and is currently zoned Industrial Commercial and within the Duwamish MIC.

The proposed legislation includes a new Comprehensive Plan policy that calls explicitly for detailed site-specific master planning of these two important publicly-owned properties, before major redevelopment with uses other than traditional industrial uses. (See discussion below).

Comprehensive Plan Policy Amendments

Comprehensive Plan amendments implementing the industrial maritime strategy include amendments to text policies to set a framework for the updated industrial zones, Future Land Use Map (FLUM) amendments to enable zoning changes, and other text policy changes to address specific aspects of the strategy. Specifically, the proposed Comprehensive Plan amendments include:

1. Two new goals – one that supports dense development around high-capacity transit stations and one that supports building healthier transitions between industrial and adjacent residential areas.
2. Policies that will transition the City to a new land use framework that will guide future development around transit stations, support emerging industries and trends, and protect and support the City's legacy industries and maritime sector that rely on location specific infrastructure (Port facilities, rail, freight routes).
3. A new policy that limits any FLUM amendment that takes land out of a Manufacturing Industrial Center (MIC) to either be adopted as part of a major update to the City's comprehensive plan or as the result of a comprehensive city-led study of industrial lands that evaluates changes to industrial land designations within the context of the overall policy objectives for and supply of the City's industrial land in MICs.
4. A new policy that signals the City's intent to consider any changes in land use on the Washington State National Guard Armory in Ballard Interbay Northend MIC (BINMIC) or the WOSCA site in the Greater Duwamish MIC (MIC) through a master planning process for redevelopment of these sites.

New Land Use Goal Statements

Two new Land Use goal statements are added to provide updated guidance and guide the City's overall approach to industrial land.

- | | |
|----------|--|
| LU G10.1 | Support compact, employment-dense nodes, where emerging industries can locate in formats that require greater flexibility in the range of on-site uses and activities and are more compact than traditional industrial operations. |
| LU G10.2 | Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts. |

Proposed LU G10.1 is a recognition that changing conditions and emerging trends requires a new approach to industrial development in key locations. Changing conditions include future development of up to 5 Sound Transit light rail stations in the Manufacturing Industrial Centers. Emerging industrial trends point to a future where there will be greater demand for a broad range of design, research and development, and office type uses related to industrial sectors that can locate in multi-story buildings.

Proposed LU G10.2 recognizes that neighborhoods near industrial areas experience impacts from industrial activity that other neighborhoods do not. This goal represents the idea that better transitions between residential areas and industrial areas are necessary to equitably balance the right to a healthy community while simultaneously maintaining the City's support for its industrial areas. The goal pivots away from a mindset of buffering and separation, and towards a symbiotic relationship at the transition between neighborhoods and industrial areas.

Updated Industrial Zoning Framework

The proposed amendments include policies to establish a vision for an updated industrial land use framework. These text policies describe the intent and rationale for new zone classifications. In the near term, these policy changes are additive to existing policies about industrial land use, and do not create any inconsistencies with existing industrial land use policies.

LU 10.7 Use the following industrial zoning classifications for industrial land in Manufacturing Industrial Centers:

- **Maritime, Manufacturing and Logistics:** This zone would be intended to support the city's maritime, manufacturing, logistics and other established or legacy industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics zone.
- **Industry and Innovation:** This zone would be intended to promote employment dense nodes where emerging industries can locate and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and office uses found in multi-story buildings, compared to traditional industrial activities. Areas in MICs that are generally within one-half mile of high-capacity transit stations may be considered for the industry and innovation zone.
- **Urban Industrial Zone:** This designation would be intended to encourage a vibrant mix of uses and relatively affordable, small-scale industrial, makers, and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial zone.

In general, the Maritime, Manufacturing and Logistics (MML) Zone consolidates the existing IG1 and IG2 zones and affords industrial activity in this zone stronger policy protections and supports maritime industrial cluster industries and legacy industries.

In most instances, the Industry and Innovation (II) Zone replaces the existing Industrial-Commercial (IC) zone and in some cases Industrial Buffer (IB) zone. The zone would be applied in some additional locations close to frequent transit. This zone is intended to leverage major transit investments to create employment-dense transit oriented industrial nodes. This zone allows multi-story buildings with a greater mix of production, research and design, and office uses than is present in traditional industrial operations through an incentive structure to ensure high density employment. This zone will be located

within proximities of .5 miles of a high-capacity transit station and have limited parking. The following proposed new policies provide guidance for this zone concept:

- LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments.
- LU 10.20 In the Industry and Innovation zone, consider development standards for designated industrial portions of buildings that require development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, consider an incentive system whereby new development may access increased development capacity by including designated space for industrial uses within the structure.

In most cases, the Urban Industrial (UI) zone replaces the existing IB zone and/or portions of the IC zone. This zone provides stronger transitional areas between industrial areas and urban villages or other mixed-use neighborhoods. These areas have seen an increase in patronage from adjacent neighborhoods, with existing or potential businesses that draw from adjacent residential areas such as tasting rooms and retail showrooms. Establishing an industrial zone that supports this activity provides opportunities for small scale manufacturers, entrepreneurs, and artists to create a transitional area that is compatible with industrial activity and adjacent neighborhoods. The following proposed policies provide guidance for the new zone:

- LU 10.23 In the urban industrial zone, consider allowing a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a need for ample space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

Stronger Policy Protection for Industrial Land

In recent years, several annual amendment proposals have sought to remove land from manufacturing industrial centers. Industrial land is finite in supply and consideration of any one proposal to remove land from an MIC should occur through a comprehensive review of the city's industrial land use needs. The proposed Comprehensive Plan amendments include a new policy to establish higher thresholds for when such an amendment can be considered. This policy will send a clear market signal that will deter the type of speculation that deters investments in industrial activity.

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

Interbay Armory and the WOSCA site

The proposed amendments include a policy to establish the City's preferred approach to future redevelopment of these sites that are both within designated Manufacturing Industrial Centers.

- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.

Future Land Use Map (FLUM) Amendments

This proposal includes FLUM amendments that affect land use in four different neighborhoods. In two cases land is being removed from the Greater Duwamish MIC and redesignated for mixed-use commercial development and in the other two cases land outside of either of the MICs that is currently designated for industrial use is being reclassified to mixed use commercial.

Land in Georgetown will be removed from the Greater Duwamish MIC and designated as mixed-use commercial. The area removed includes the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S.

Land in South Park will be removed from the MIC and designated as Residential Urban Village. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space.

Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be redesignated from industrial to mixed use commercial. The area is very close to the Judkins Park light rail station, and contains few remaining industrial uses.

Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be redesignated from industrial to mixed use commercial. The strip of land is adjacent to significant mixed-use development along NW Market Street and contains few remaining industrial uses.

New Industrial Zones

The proposed ordinance creates a new SMC Chapter 23.50A that establishes three new industrial zones consistent with the strategies discussed above. The new Chapter 23.50A also retains provisions for the Industrial Commercial Zone. The summary below focuses on the key aspects that control development and on topics where the zones would differ from the existing industrial zoning framework.

Structural Changes That Apply to All New Industrial Zones

New Industrial / Nonindustrial Use Identification. To clarify uses that are “industrial” or “non-industrial” a new column in the allowable uses table would indicate whether each use (i.e. Light Manufacturing, General Retail etc.) qualifies as industrial. The industrial classification is used for the purposes of determining base (industrial) and bonus (non-industrial) development in the Industry and Innovation zone, and for determining principal industrial uses in the Urban Industrial zone.

New Information and Computer Technology (ICT) definition. A new use definition would be added to SMC Chapter 23.84A definitions. It would distinguish a subset of uses from within the broad office category that would isolate knowledge creation and innovation activities related to technology and computing. Uses in this new category are expected to provide a high proportion of basic economic activity according to economic base theory. The new definition distinguishes ICT uses from other office uses that are in service of the local economy such as accounting offices, law offices, real estate offices, etc. ICT use would be given special consideration in the proposed Industry and Innovation zone.

Prohibit Mini Storage Warehouses: In recent years, mini storage facilities have been an increasingly common use in industrial areas. Mini storage is different from warehouses and distribution centers that are part of logistics chains and support industrial and maritime sectors. Mini storage facilities are for private storage that is unrelated to industrial activity. In addition, these facilities have very low employment but can pay a higher price for industrial land. Under the proposal, mini storage would not be an allowed use in any industrial zone.

Non-Conforming Use Provisions: The new zoning framework adjusts development standards including stricter maximum size of use limits, and an incentive system for nonindustrial development in the Industry and Innovation zoned areas. Some existing businesses may not fully conform to the new standards. To provide broad leeway for existing uses to continue, a new non-conforming to development standards subsection is included in the Chapter. Existing industrial uses that were legally established would be allowed to continue and to expand if fifty percent or more of their floor area is in an industrial use, without being nonconforming certain development standard. Additionally, by an administrative conditional use, uses that exceed the maximum size of use limit but were legally established, would be able to a.) convert to another use that exceeds the maximum size of use limit b.) expand into a whole building or adjacent space, or c.) expand by up to 20 percent. The intent is to provide flexibility for existing industrial uses, while requiring new development to meet the intention of the new code.

The following sections summarize the purpose, and key standards for each of the three new Chapter 23.50A industrial zones.

Maritime Manufacturing and Logistics (MML)

Function and Purpose: An existing industrial area with a concentration of core industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities and is well served with truck, rail, and maritime or freight infrastructure. The MML zone is intended to provide long term predictability to landowners, business owners and investors that the area will remain an industrial area. The zone is intended to reduce speculative development pressure.

Development standards seek to limit unintended types of nonindustrial development such as big box retail and mini storage uses, which have been constructed in Industrial General 1 (IG1) and Industrial General 2 (IG2) zones in recent years. In general, the MML zone will consolidate and replace the existing IG1 and IG2 zones.

Locational Criteria: The Maritime Manufacturing and Logistics (MML) zone designation is most appropriate in areas generally characterized by the following:

- Areas within Seattle's Manufacturing/Industrial Centers (MICs);
- Areas with proximity to rail and/or freight infrastructure;
- Areas with proximity to the shoreline, deep-water ports, and water bodies;
- Areas around existing clusters of industrial or maritime suppliers and services; and
- Areas that are generally flat.

Proportion of MIC Land in This Zone:

- Proportion of BINMIC land in the MML zone is 76%.
- Proportion of Greater Duwamish MIC land in the MML zone is 93%.

Key Development Standards:

Permitted and Prohibited Uses: Similar to the existing IG zones, a broad range of heavy and light manufacturing uses would be permitted. Industrial uses would be permitted outright with no maximum size of use limits and few additional restrictions. A broad range of warehousing / distribution, marine and logistics transportation uses, utility uses, outdoor storage and warehouse uses (except for mini storage), laboratory, and research and development uses, food processing and craft work, and automotive uses would all be permitted outright.

A variety of non-industrial uses would also be permitted outright as a principal use but would be subject to strict maximum size of use limits and FAR sub-limits described below. These uses include commercial sales and services, office, lodging, entertainment, and Information Computer Technology (ICT).

Floor Area Ratio: The maximum floor area ratio (FAR) limit would be 2.5, which is the same as the existing IG1 and IG2 zones. This allows ample development capacity for most industrial uses including associated ancillary functions. Because most maritime, manufacturing and logistics uses all require unbuilt space for loading, truck access and circulation or layout, it is uncommon for industrial uses to approach a buildout with multiple stories that approaches the 2.5 FAR maximum.

The MML zone would introduce a new FAR sublimit of 0.4 for non-industrial uses. The 0.4 FAR maximum would be for uses not classified as industrial in the new column of the allowable uses table. The FAR sublimit is added to deter the type of piecemealing of lots to avoid maximum size of use limits that has been observed in recent decades. The proposed FAR limit would disincentivize subdivision of large sites into multiple small sites to achieve numerous parcels that each contain a use at the maximum size limit. (See also Appendix B – Non-Industrial Development Analysis.)

Height Limit. None for industrial uses. 45 feet for others. Same as existing IG zones.

Maximum Size of Use Limits. Large-sized non-industrial uses such as retail and offices do not have a connection to industrial and maritime uses, are not compatible with proposed Maritime, Manufacturing and Logistics zones, and their presence detracts from the policy intent for Manufacturing Industrial Centers. Examples of large-sized retail uses include grocery stores, pet stores, home décor stores, office supply stores, and multi-purpose box retailers such as Fred Meyer or Walmart, or stand-alone office structures.

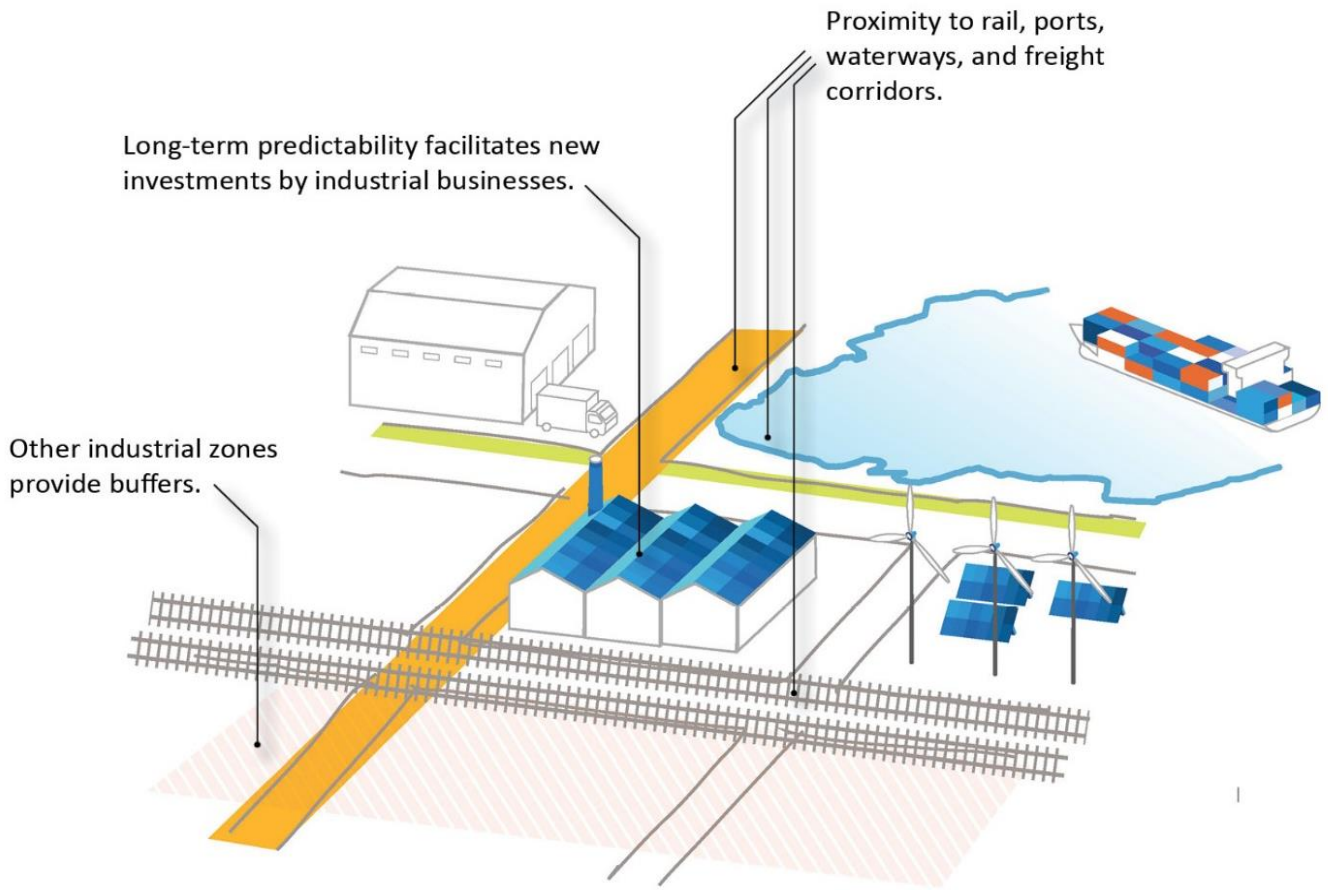
OPCD conducted an analysis to determine the approximate extent of sites and locations where unintended development of retail, office and mini storage has occurred in industrial zones, and found clusters in areas including the Interbay/Armory Way corridor, Ballard, and the Airport Way corridor in SODO. (See Appendix B).

To address the pattern of development described above, the proposed legislation would reduce maximum size of use limits in the new MML zone, for several land use categories. Levels of reduction are set to continue allowing the uses while reducing pressures and incentives for proliferation. The reductions are shown in the table below compared to the existing IG zones. The current 25,000 sq. ft. size limit for Sales and Service in the IG2 zone is conducive to formula development of grocery stores and retail box stores. Reduction to a proposed 7,500 sq. ft. maximum size would result in smaller sizes than formula retail developments. Formula office floor space sizes are usually in the 25,000 or greater range.

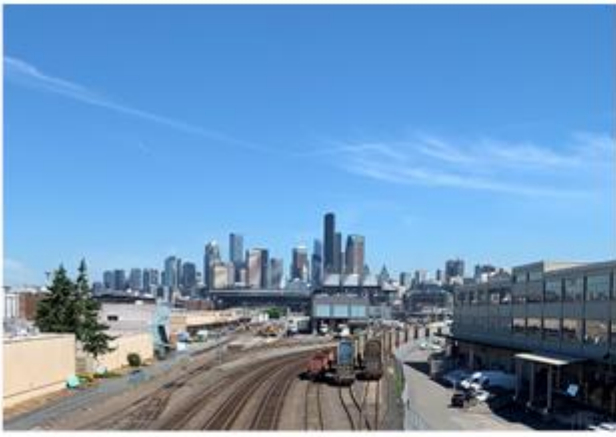
Use subject to size limits	Maximum Size of Use Limit		
	MML	IG1	IG2
Animal shelters and kennels (2)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments (3)	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
Entertainment	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lodging uses	N/A	10,000 sq. ft.	10,000 sq. ft.
Medical services	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Office	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Restaurants	3,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Retail sales, major durables	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, automotive	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, general	7,500 sq. ft.	10,000 sq. ft.	25,000 sq. ft.

New Heavy Manufacturing Conditional Use Performance Criteria. The proposed legislation includes new conditional use criteria for heavy manufacturing uses. For the first time, any new heavy manufacturing use in the MML zone would need to obtain a conditional use permit if it is located within 1,500 linear feet of residentially zoned *and* residential developed lot, or neighborhood commercial zone. This limit will not apply to land separated from residential zoning by Interstate 5. While the existing IG zones had these conditional use protections in place for limited areas adjacent to Queen Anne and Interbay, the proposed legislation extends the protections for all residential neighborhoods most notably for areas near Georgetown and South Park. To be approve the heavy manufacturing use would have to meet criteria including:

- In an enclosed building
- Hours of operation do not impact residential areas
- Truck service must be directed away from residential streets
- Shall not produce sustained noises or vibration



The diagram is a conceptual depiction of the locational criteria and general intention for the Maritime, Manufacturing and Logistics zone.



Maritime, Manufacturing and Logistics (MML) Zone

All photo credits City of Seattle. Montage: Top to bottom, left to right: Logistics operations including rail and truck movement of goods are an important function and major land use. B. Container port operations provide functions of regional and statewide significance. C. Significant employment is offered in exporting industries such as food processing and aerospace. D. Land is available for the expansion of new sectors that are expected to grow including green energy and the space industry. E. Provide long term predictability for legacy industrial operations and anchor businesses that provide critical supports to other companies. F. An ecosystem of specialized knowledge and skills is present in sectors such as maritime. G. Necessary heavy operations can locate in areas where their impacts would be minimized, away from residential populations.

Industry and Innovation (II)

Function and Purpose: The purpose of the II zone is to create a transit-oriented area characterized by modern industrial buildings that supports a mix of economic innovation and emerging industries, and commercial development with high employment density. The zone would encourage new development in multi-story buildings that accommodates dense employment uses such as research, design, offices and technology. The zone is intended to spur the creation of new high-quality light industrial space, in an amount that is equal to or greater than the amount of industrial space that exists today. The Industry and Innovation zone would address the following challenges in locations near existing or future light rail stations in industrial areas:

- Current zoning and development has not and would not create enough density near light rail to support a transit-oriented land use pattern or high transit ridership.
- Redevelopment costs in eligible locations are very expensive due to potential environmental clean ups and infrastructure needs.
- The City's current industrial zone that allows mixed commercial development (Industrial Commercial) has been dominated by new office developments without any industrial uses.

Locational Criteria: Industry and Innovation (II) zone designation is most appropriate in areas generally characterized by the following:

- Areas in Seattle's Manufacturing/Industrial Centers (MICs).
- Areas within an approximately one-half mile distance from existing or future light rail stations.
- Areas with a high potential to attract new investment in buildings and infrastructure that supports dense, knowledge-based employment.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Industry and Innovation zone is 19%.
- The proportion of land in the Greater Duwamish MIC in the Industry and Innovation zone is 3%.

Key Development Standards:

Incentive-Based System: An incentive-based system is fundamental to the proposed II zone. Developers would earn "bonus" development to build non-industrial spaces for uses like offices, only if an amount of dedicated bona-fide industrial space is included. A developer could provide industrial space at a ground floor or in a separate structure. The new industrial space would be required to be occupied by one of the qualifying industrial uses indicated in the new column of the allowed uses table. Upper floors of a building or a separate structure on a site could be occupied by other nonindustrial allowed uses. In addition to the use restriction on the dedicated industrial space, it would have minimum requirements for construction as bona-fide industrial space (see below). The inclusion of bona-fide industrial space would comprise a Tier I of potential bonus floor area.

An additional Tier II of bonus development could be accessed in one of two ways after the Tier I maximum FAR limit is reached. The developer would qualify for the Tier II increment of FAR if at least 50 percent of the structure is constructed using mass timber construction methods; or if they use Transfer of Development Rights for upgrading a vulnerable unreinforced masonry structure (URM).

Floor Area Ratio: The maximum FARs in the II zone enact the system of a base maximum and extra floor area that can be gained. For any development electing to participate in the incentive system, a minimum amount of industrial space floor area would be required, and this amount qualifies for the bonus. For each sq. ft. of industrial space provided, the development would gain the ability to construct 5 sq. ft. of non-industrial space. For example, in the II 160 zone, when the developer provides the first 0.5 FAR of industrial space they gain access to 2.5 FAR of non-industrial space. Additional bonus non-industrial space could be generated up to the Tier I maximum at the 5:1 ratio. An example in the II 160 zone would be a building that provides 1 FAR of industrial space, generating 5 FAR of nonindustrial space, to reach the maximum Tier I FAR limit of 6. The table below shows base and bonus FAR limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Compared with exiting IG zones, the proposal would substantially increase the maximum development capacity, increasing allowed floor area by two to three times. The bonus floor area could include non-industrial uses that are not allowed or are strictly size-limited under the existing IG zone. The II zone would also increase development capacity compared to the existing Industrial Commercial (IC) zones where it is applied. (See discussion below).

FAR limits Proposed Industry and Innovation (II) Zones			
Zone	Minimum Industrial Use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA
II 125	.5	5.25	5.75
II 160	.5	6	6.5
II 85-240	2	4	6
Comparison: FAR limits Existing Industrial Zones			
Zone	Maximum FAR	Maximum FAR with Bonuses	
IG1, IG2, IB	2.5	N/A	
IC 85 Zones (Except 85-175)	2.75	N/A	
IC 85-175	2.5	4.0	

Developers would have the option not to participate in the bonus development system. In this case, the development could provide all industrial space up to a maximum FAR that is similar to under existing IG zoning. The table below shows limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Floor Area Ratio (FAR) limits Industry and Innovation Zones – All Industrial Development (Not Participating in the Incentive System)	
Zone designation	FAR limit
II 85	2.75
II 125	2.5
II 160	2.5

IC	2.75
II 85-240	2.5
Comparison: FAR limits Existing Industrial Zones	
Zone	Maximum FAR
IG1, IG2, IB	2.5
IC 85 Zones (Except 85-175)	2.75
IC 85-175	2.5

Bona-Fide Industrial Space: Portions of a building qualifying as industrial space could only be occupied by industrial uses. Additionally, the space would have to meet the following development standards for construction as bona-fide industrial space.

- Load bearing floors with 250 lbs. per sq. ft. minimum capacity for ground level floors on grade, and load bearing floors with 125 lbs. per sq. ft. minimum capacity for floors above grade.
- Floor-to ceiling clearances of at least 16 feet.
- Constructed to comply with a Seattle Building Code Group occupancy classifications for an industrial use, except for ancillary support spaces that are secondary to the industrial use and occupy less than 25 percent of the industrial use floor area.
- Serviced directly by a loading dock or a freight elevator with a minimum capacity of 8,000 lbs.

Information Computer Technology (ICT): In the II zone only, ICT would be considered an eligible industrial use that could occupy the industrial portion of a structure. This is proposed because ICT uses are productive economic uses that often have dense employment and generate secondary multiplier effects in the economy. In today's technology rich context, ICT uses are a corollary to industrial uses with heavy physical processes of past eras. ICT uses are often a component of traditional industrial enterprises, when ICT activity includes design or engineering for a physical process. In the II zone, ICT would have a slightly lower bonus ratio than other industrial uses. For every 1 sq. ft. of ICT use the developer would gain 4 sq. ft. of non-industrial space capacity (instead of 5).

Application to Previously IC Zoned Land: Some areas proposed for the II zone would be changed from an existing Industrial Commercial (IC) zone. These areas are primarily in the Elliott Avenue corridor, and the area south of the Chinatown/International District. The existing IC zone already allows substantial development with non-industrial uses such as office. To account for the base condition, the proposed II zone in these areas would have a base FAR limit equal to the existing limit of the IC zone. An additional increment above this amount could be accessed according to the incentive bonus system for inclusion of industrial space (Tier I). As a result, areas previously zoned IC would gain an incentive to include bona-fide industrial space in future development.

The area of existing IC 85-170 zoning bounded by I-90 to the southeast, the Chinatown/International District to the north, and railroad tracks to the west is unique. This variant of the IC zone already allows bonus development over a base level if a development participates in the city's Mandatory Housing Affordability (MHA) program. Under the proposal, this area would be amended to a new IC 85-240 zone that would grant an additional increment of development capacity in an incentive structure, while maintaining existing development rights. The tiered bonus system would allow up to an additional 2 FAR over the existing maximum of 4, in a development that includes dedicated industrial space according to the ratio. Under the existing IC 85-170 zone, maximum development can be achieved without any industrial space. This area is notable, because it is being considered for a future light rail station in one of the alignment options being reviewed by the Sound Transit Board.

Transportation Demand Management and Parking: To encourage access by transit and other non-motorized modes the proposal would include no minimum parking requirements. In addition, there would be a maximum parking quantity limit of one space per 1,000 square feet of gross floor area. The parking maximum would be equivalent to most zones in downtown. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant would be required to prepare and implement a Transportation Management Program (TMP) that meets standards set out for TMPs in SDCI and SDOT Director's Rules. Currently, there is required parking, no parking maximum, and no TMP required in IC zones.

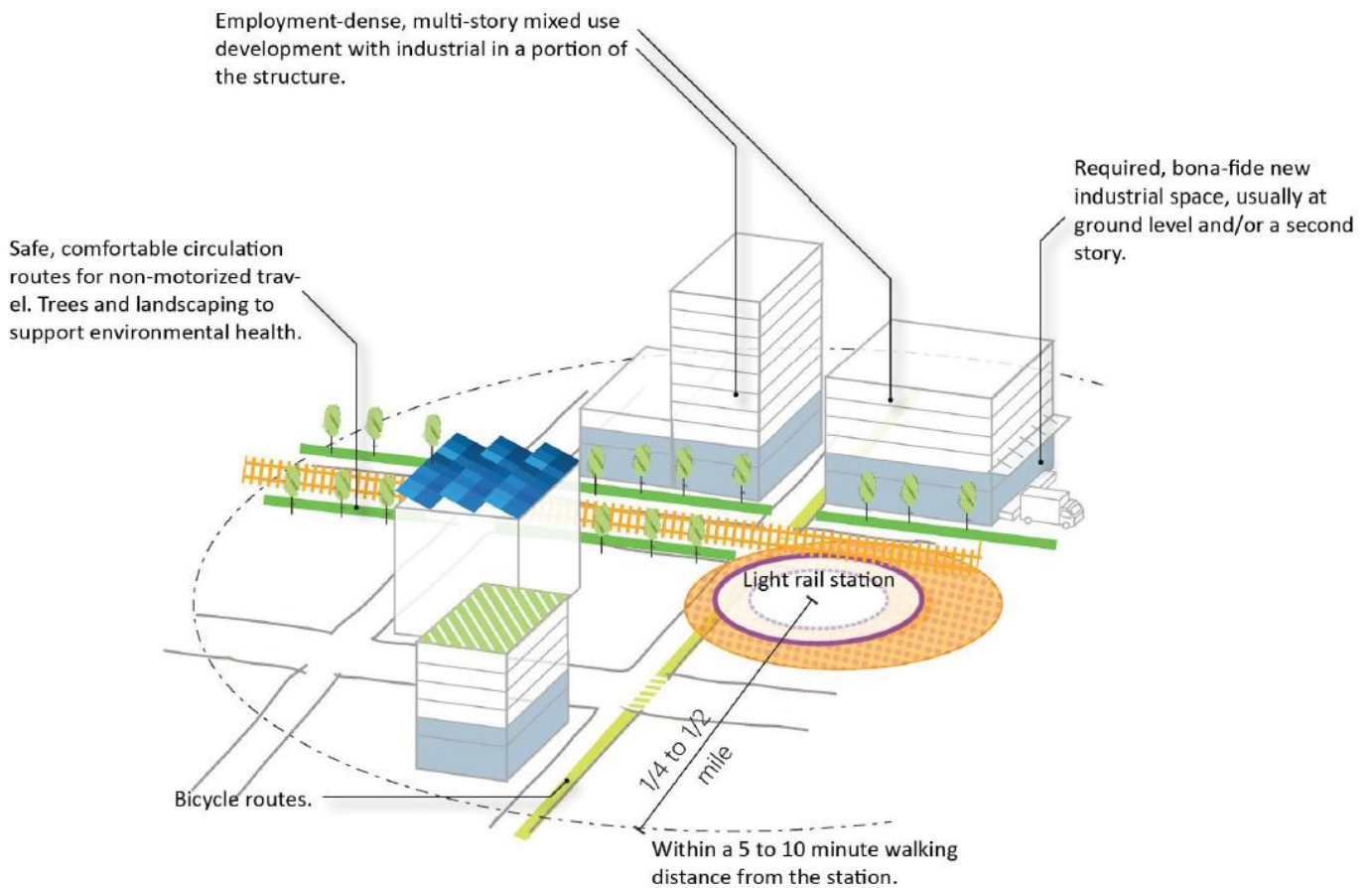
Street Improvement Standards: II development standards would require a much higher level of street improvements with development compared to the existing industrial zones. Developers would be required to provide safe, pedestrian friendly frontages with curb, sidewalks, pedestrian-scaled lighting and improved drainage systems. Additionally, development in the SODO area would be encouraged to improve the frontage of the SODO trail. Existing conditions in the areas are often lacking much of the infrastructure needed to support a pedestrian and bicycle friendly environment.

Mandatory Housing Affordability (MHA): The City's Mandatory Housing Affordability (MHA) program is often applied at the time of upzones. In areas where MHA applies, new development must either include a percentage of affordable homes or make an in-lieu payment to the City's Office of Housing (OH). Currently, no residential units are allowed in Industrial Commercial (IC) zones and no housing would be allowed in the employment-focused Industry and Innovation zone. MHA currently applies to commercial development in IC zones but not to any other industrial zones. MHA would require developers to make an in-lieu payment of \$5 - \$16 per sq. ft. on all developed floor area in the building.

The legislation does not recommend applying the MHA requirement to the proposed II zones (with the exception of the II 85-240 zone where there is already an MHA requirement), because the primary public benefit provided by development in the II zone is the generation of new bona-fide industrial space that will provide quality employment opportunities. Transit oriented development in the areas of II zoning would require substantial upgrades to infrastructure and sometimes it would require environmental remediation—also public benefits. Feasibility analysis finds that for some time development feasibility would be marginal at best. Addition of the cost of MHA could further delay the potential for cleaner, transit-oriented environments in II zoned areas.

Offsite performance: The proposed legislation includes a provision for off-site performance of bona-fide industrial space within the same MIC. Bonus nonindustrial floor area would be gained according to

the same ratio, but the industrial building could be a new stand-alone industrial structure elsewhere in the same MIC, including in the Maritime, Manufacturing and Logistics zone. The intention of including this option is to encourage investment in quality new industrial space throughout the MIC. The off-site performance would have to be in a new structure that is completed before the bonus II zone development.



The diagram is a conceptual depiction of the locational criteria and general intention for the Industry and Innovation zone.



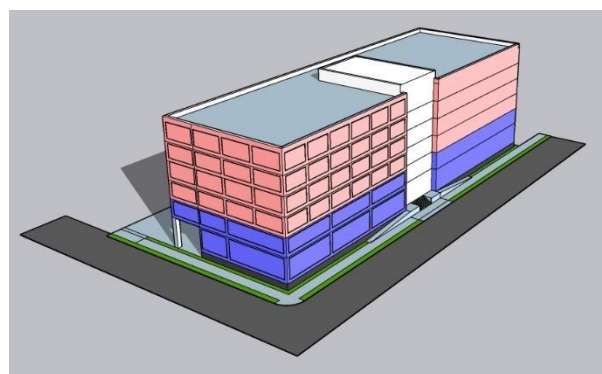
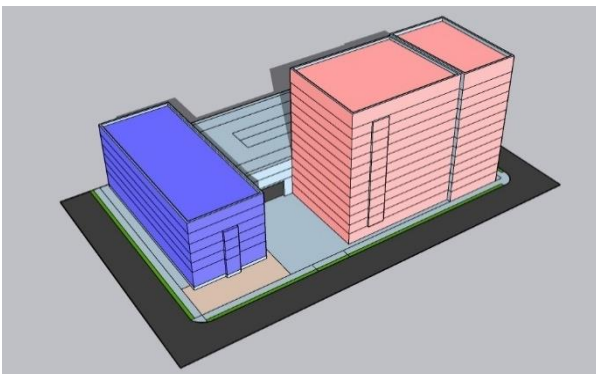
Industry and Innovation (II) Zone

Photo credits City of Seattle except as noted. Top to bottom and left to right. A. Provides space for prototyping activities that are design-oriented but require light industrial space for production and testing. B. Provides space for innovative technology-oriented companies to expand, such as First Mode - a producer of large electrical engines for trucks and industrial equipment located in SODO. (Photo credit Steve Ringman, Seattle Times) C. The West Woodland building is an example of a multi-story light industrial building in Ballard. D. New multi-story light industrial buildings are increasingly possible such as the New York building located in Portland, OR. E. Supports innovative companies that build on expertise and talent in the region such as Pure Watercraft, an electric boat motor company currently based in North Lake Union. (Photo credit: Pure Watercraft company website). F. The zone would be focused within 1/2 mile walking distance of existing or future light rail stations.



This rendering, created by SODO area property owners displays the potential character of development and associated trail and pedestrian improvements near the SODO/Lander St. light rail station. Lower floors of buildings would be occupied by industrial uses and constructed to bona fide industrial space standards.

These models indicate the general scale and composition of potential development in the II zone using the incentive system. Space in purple would be required industrial space, and space in pink would be bonus space. Example A (left) shows two separate structures on a large full-block site, and Example B (right) shows a mixed structure on a moderately sized half-block site.



Urban Industrial (UI)

Function and Purpose: The purpose of the Urban Industrial (UI) zone is to foster vibrant districts that support a mix of local manufacturing, production, arts, and a sense of place. This zone advances the stakeholder strategy of creating healthy transitions between core industrial areas and nonindustrial areas. This is a zone that due to its proximity to nonindustrial areas and businesses could draw customers from adjacent neighborhoods. It includes provisions for safe movement of pedestrians and freight.

Locational Criteria: Urban Industrial (UI) zone designation is most appropriate in areas generally characterized by the following:

- Areas at the transition between core industrial areas in Maritime Manufacturing and Logistics zones and non-industrially zoned areas or urban villages or centers;
- Areas generally within designated Manufacturing/Industrial Centers (MICs), although the UI zone could be located in limited instances outside of MICs.
- Areas in MICs characterized by small parcel sizes and a variety of small existing industrial and non-industrial structures.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Urban Industrial zone is 5%.
- The proportion of land in the Greater Duwamish MIC in the Urban Industrial zone is 4%.

Key Development Standards:

Ancillary Uses. Many of the types of industrial uses that would be found in this zone have a greater proportion of public facing functions than traditional industrial uses. Examples include breweries or distilleries which conduct industrial processes on site but also have tap and tasting rooms that are important components of their business. Traditionally, known as accessory uses, these uses are considered secondary to the primary use and should not generally exceed 50% of the business floor area. In the Urban Industrial zone, these uses will be called Ancillary uses which will be allowed to occupy up to 80% of the floor area if it is subordinate to the industrial use.

Size of Use Limits. Consistent with existing Comprehensive Plan policies to preserve industrial land for industrial uses and the stakeholder strategy to provide stronger protections for industrial land, the size of use limits for nonindustrial uses in the UI zone are stricter than the most comparable existing zone the Industrial Buffer (IB) zone. These size of use limits do not apply to ancillary uses, discussed above.

Use subject to size limits	Maximum Size of Use Limit	
	IB	UI
Animal shelters and kennels	75,000	10,000 sq. ft.
Drinking establishments	N.S.L.	3,000 sq. ft.
Entertainment	75,000 sq. ft.	25,000 sq. ft.
Lodging uses	75,000 sq. ft.	25,000 sq. ft.
Medical services	75,000 sq. ft.	15,000 sq. ft.
Office	100,000 sq. ft.	15,000 sq. ft.
Restaurants	N.S.L	3,000 sq. ft.
Retail sales, major durables	75,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.	7,500 Sq.ft.

Workforce Housing. Small amounts of workforce housing are allowed through a conditional use process. The intent is not to generate significant amounts of housing, but to provide housing that might be affordable to local workers in these industrial areas. Key conditions that must be met to develop workforce housing include:

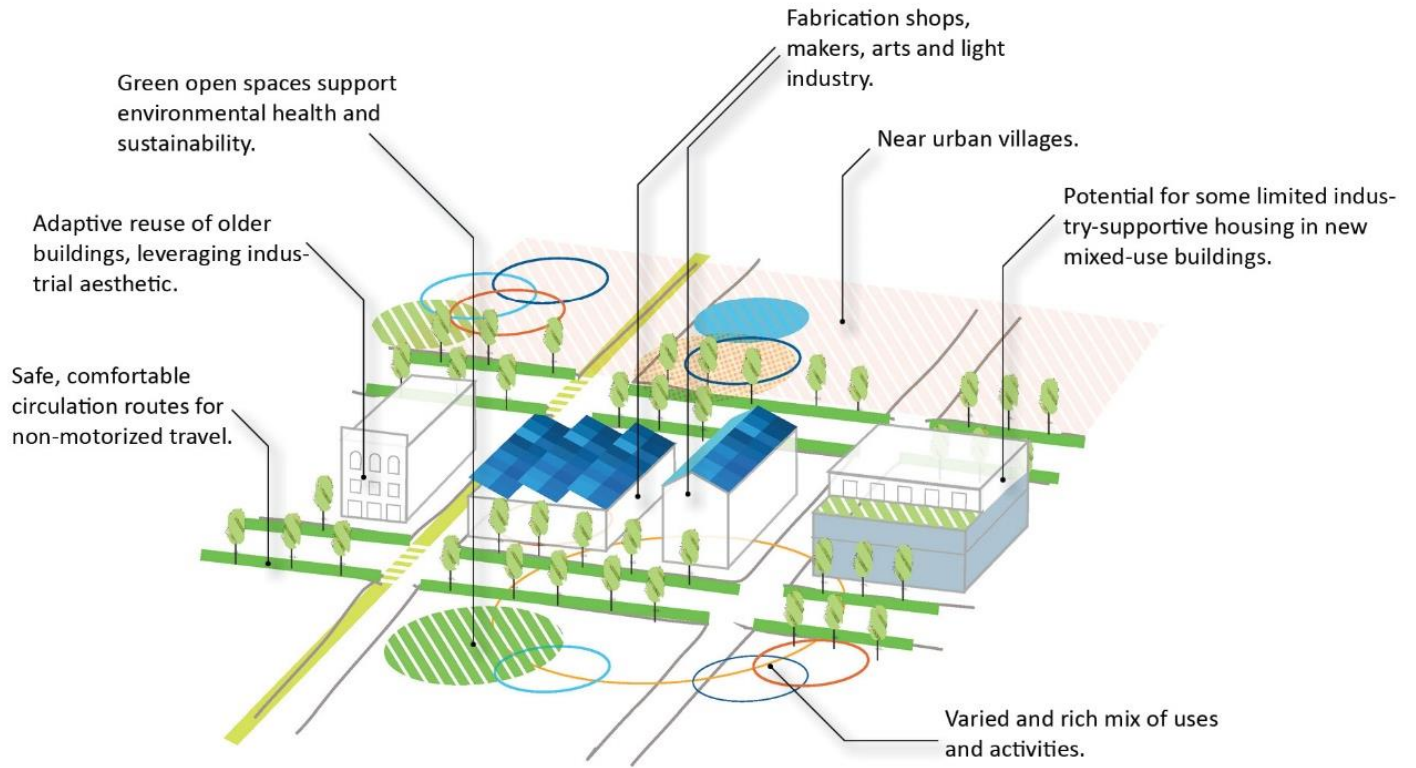
- The number of units may not exceed 50 dwelling units per acre.
- The housing is not located within 200 feet of a shoreline.
- The housing is not located within 200 feet of a major truck street.
- All dwelling units shall have sound-insulating windows sufficient to maintain an interior sound level of 60dB or below.
- The housing shall be located and designed to reduce conflict with adjacent existing industrial businesses.
- The owner must sign an acknowledgement accepting the industrial character of the neighborhood and agree that permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of the land.
- The housing is part of a mixed-use development that includes nonresidential uses permitted in the UI zone and that the residential component does not exceed 50% of the floor area of the mixed-use project.
- The residential uses must be live-work or qualify as caretakers quarters for a business on the same site (no one business may have more than three units); or the units are workforce housing. Workforce housing means they are at an affordable rent or sales price for a period of 75 years to occupants making 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.

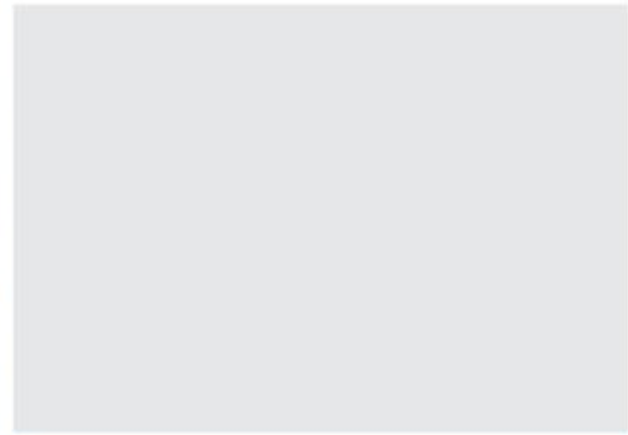
- In total, it is estimated that 880 units of housing would result in the Urban Industrial zoned areas throughout the city over an approximate 20 year time horizon. The industry supportive housing would be located primarily in Georgetown, South Park, the northeast corner of Ballard, and in the Interbay/Dravus area. (See Outcomes and Effects section below.)
- The proposed standards are calibrated to ensure that any housing would be combined in a mixed-use development with other light industrial or other allowed uses. The standards would not produce the type of dense multi-family housing typical in an urban village. For example the 50 DU/acre limit would result in approximately 60-75 apartments on a full city block development, with the remainder of the development containing other uses. Limits are intended to moderate the potential for compatibility impacts with respect to industrial uses, and the potential to create development pressure that could displace industrial uses economically.

Safe pedestrian/freight movement. Urban Industrial zones are expected to see a greater mixing of freight and pedestrian activity. For this reason, as projects are developed in these areas, they will be required to provide full street improvements that are similar to commercial or urban village areas. These improvements include construction of curbs, sidewalks, pedestrian scaled lighting, and planting of street trees for any new project or expansion of 4,000 square feet or greater. These improvements are intended to minimize conflicts between freight and pedestrian movement while providing mobility for both modes. It should also be noted that over the next year OPCD will work with SDOT on developing a street type to be included in Streets Illustrated for this zone that will offer design guidance as projects are developed.

Landscaping Requirements. In addition to new street improvement requirements landscape requirements will enhance the transition from core industrial areas to nonindustrial areas. New landscape requirements expand existing street tree requirements and apply green factor requirements to new projects, and provide for vegetated walls or fences to soften or screen outdoor storage areas.



The diagram is a depiction of the locational criteria, and general intent for the Urban Industrial zone.



Urban Industrial (UI) Zone

All photo credits City of Seattle. A. Urban Industrial zoned areas would contain clusters of brewery and distillery operations and development standards support those uses. B. Equinox Studios is an example of a company that provides a variety of small spaces for makers, artisans, and light industrial uses. C. Maker spaces can fit compatibly into an urban environment. D. The zone standards would seek to improve environmental health with higher requirements for landscaping and pedestrian and bicycle infrastructure. E. Artist and maker spaces close to urban villages provide opportunities for residents to benefit from local businesses.

Industrial Commercial (IC)

The proposal would retain existing development standards of the Chapter 23.50 Industrial Commercial zone. An abbreviated summary is provided here.

Function and Purpose: The purpose of the Industrial Commercial zone is 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. While intended to achieve a broad mix of uses, large office developments have dominated this zone.

Locational Criteria: This proposal would modify the existing locational criteria minimally. Existing locational criteria of 23.34.096 would be retained, however a criterion to limit application of the IC zone to areas outside of Manufacturing Industrial Centers would be added. Existing IC zoned land within MICs would be reclassified into the Industry and Innovation zone.

Key Development Standards:

Maximum Size of Use Limits. The Industrial Commercial zone size of use limits are lax when compared to size of use limits in other industrial zones.

Industrial Commercial Zone Maximum Size of Use Limit	
Use subject to size limits	
Animal shelters and kennels	75,000
Drinking establishments	N.S.L.
Entertainment	75,000 sq. ft.
Lodging uses	75,000 sq. ft.
Medical services	75,000 sq. ft.
Office	100,000 sq. ft.
Restaurants	N.S.L.
Retail sales, major durables	75,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.

Maximum FAR. Maximum Far in IC zones is 2.5.

Height Limits: The maximum structure height for all uses ranges from 30 feet to 85 feet.

New Mixed-Use Zones

New mixed-use zones would be added in several areas as discussed above in the Comprehensive Plan amendments section. Zoning that would be applied is described below. In all cases these zone changes would encourage mixed use development with a substantial amount of housing. Altogether these areas would be estimated to produce approximately 2,000 new homes over a 20-year time period.

South Park. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space. Both of the areas would be changed to a Neighborhood Commercial 3 zone with a 55 foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to other areas of commercial zoning in the commercial and mixed-use parts of the South Park urban village.

Judkins Park. Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be rezoned to a Neighborhood Commercial 3

zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly across of Rainier Ave. S.

West Ballard. Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be rezoned to a Neighborhood Commercial 3 zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly east of the proposed area along Market St.

Georgetown. Land in Georgetown including the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S. would be rezoned to a Neighborhood Commercial 3 zone with a 55-foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to and matches the zoning directly south of the proposed area.

The proposed zoning for Georgetown would include several features to address specific conditions and community preferences in the area. SMC Chapter 23.47A.009 Standards Applicable to Specific Areas would be amended to include a new subsection for Georgetown:

- **Arts space, or community club or center.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if development includes an arts facility operated by a for-profit or not-for-profit operator.
- **Historic preservation.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if the development rehabilitates a historic landmark.
- **Height limit increase.** The height limit is increased by 10 feet for any development that gains additional floor area for arts space, community center, or historic landmark preservation.

Other Zoning Amendments

The proposed legislation to implement the Industrial and Maritime Strategy includes three other proposed amendments to existing ordinances.

Noise Ordinance (SMC 23.08). Seattle's Noise Ordinance contains rules to minimize Seattle residents' exposure to excessive noise. Under the City's noise ordinance we screen commercial projects during plan or permit review for potential permanent and recurring noise issues associated with operating a facility. We require mitigation measures for both temporary and permanent major noise generators.

The noise ordinance:

- Sets limits for exterior sound levels in residential, commercial, and industrial districts.
- Specifies required quiet hours and hours during which construction and maintenance are allowed (see below).
- Establishes guidelines for granting variances from our ordinance.

The noise ordinance establishes dB(A) limits for receiving sites based on the use of the receiving site. In the case of residential receiving sites, for example, noise generated by industrial sources cannot exceed a dB(A) of 60 at receiving residential uses. The use is determined by zone, so residential uses in commercial zones are subject to the noise limit for commercial receiving uses. In the northwest section of the BIMIC residential projects have been developed or are being developed that directly abut core shoreline industrial uses. These residential uses, in commercial mixed-use zones pose challenges to shoreline industrial uses that have existed at this location for decades. The proposed amendment amends the Noise Ordinance to establish a limit of 70 dB(A)(Leq) for sound sources that originate on a property that is in the BINMIC and is within 200 feet of a shoreline for residential and commercial receiving areas.

IC Replacement Ordinance. The IC replacement ordinance removes provisions from the IC zone from the current SMC Chapter 23.50 – Industrial Zoning. Provisions for the IC zone would be included in the proposed Chapter 23.50A. If Council adopts Chapter 23.50A and then subsequently adopts the zoning map ordinance without amendments (discussed below) then it would also repeal the existing Chapter 23.50. If Council chooses to adopt some of the zoning map changes now but hold others until next year following more work with local stakeholders, then Chapter 23.50 would be repealed at the time that final action was taken on the zoning maps.

Zoning Map Ordinance. This ordinance contains map changes only and it would apply the new industrial zones throughout Seattle's industrial lands and apply mixed use commercial zones on some industrial land outside of the MICs or removed from the MICs through the accompanying proposed amendments to the Comprehensive Plan Future Land Use Map. The proposed mapping ordinance addresses all land currently in an industrial zoning designation in the city.

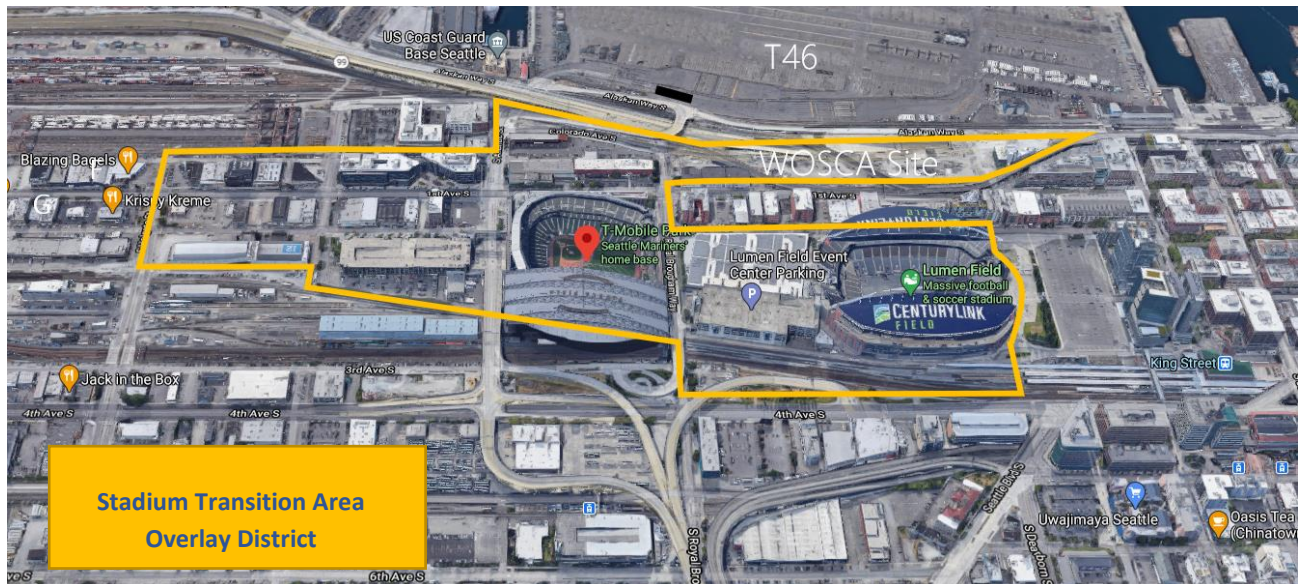
Stadium Area

Conditions near the professional sports stadiums at the north edge of the Duwamish MIC are unique. The existing Land Use Code contains a Stadium Transition Area Overlay District (STAOD). The proposed legislation would retain the STAOD and make several modifications and updates to it to reflect current conditions and aspirations for the stadium area.

Background: In June of 2000 and to address the effects of a new baseball stadium south of the Kingdome, the City of Seattle created the Stadium Transition Area Overlay District in June of 2000 (Seattle Municipal Code (SMC Chapter 23.74), Ordinance 119972). The "Purpose, intent and description of the overlay district" section of the code provides a good summary:

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 connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage

redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.



Stadium District Concept: In 2011 and 2012 the two volunteer public boards that manage the public's investment in T-Mobile Park (baseball) and CenturyLink Field and Event Center (Football and Soccer), together with the professional sports teams the venues host, prepared a Stadium District Concept Plan. The plan was a concept for what the entities believe to be the essential elements of a successful stadium district. The boards noted trends in other cities including Baltimore, Denver, and San Diego, for districts surrounding stadiums that are well-integrated with the stadium and include a wealth of complimentary and vibrant activities and a strong sense of place. The Concept Plan states core values and guiding principles adopted by both boards. It was distributed for public comment and requested to be considered by the city for formal adoption or recognition.

Stadium District stakeholders including the professional sports teams and the boards that oversee the stadiums continue to advocate for a more complete and vibrant stadium district area. They seek to upgrade amenities and experiences for visitors inside of and outside of the stadium facilities. They consider some amount of housing in and near the stadium district as an important component of a vision to create a more complete neighborhood.

Mayor Harrell and the Office of Planning and Community Development support aspects of the stadium district concept. OPCD has prepared past studies considering land use, mobility and placemaking strategies to help the district meet the needs of a wide variety of users, stakeholders, visitors, and businesses. We believe it is in the public interest to explore ways to improve the vibrancy of the area for more than just events, and to consider how activities near the stadiums can help support goals for adjacent neighborhoods. We believe these goals can be achieved while simultaneously strengthening industrial uses in the Duwamish Manufacturing Industrial Center.

Proposed Stadium Transition Area Overlay Updates: The legislation proposes several updates to the STAOD that would support goals and aspirations for a stadium district. The underlying zone for the area

would be the Urban Industrial zone. A district with a variety of small businesses and makers combined with businesses supporting events at the stadiums and entertainment venues would be supported by the UI zone. The proposed legislation includes the following features amending stadium overlay regulations:

- Allow lodging outright:** Currently, lodging (hotels) are prohibited by the overlay. Removing the prohibition would allow a small number of new hotels to be developed in the area. Hotels are appropriate because visitors to events may wish to stay close to the stadiums and therefore the hotel use has a direct linkage to the event activity. Stays close to events support convenient walking to the facilities and may alleviate the need for some car trips.
- Increase FAR Limit to 4.5.** Currently the FAR limit in the STAOD is 3.25. The increase would allow more economical buildout to an urban, 6 story scale corresponding to an 85' height limit. This scale of development would be compatible with surrounding existing structures. A dense mix of uses enabled by the increased FAR would be appropriate.
- Maximum Size of Use Flexibility for Restaurant, Retail and Office Uses.** Compared to the UI zone elsewhere, uses that have a synergy with events would have larger size of use limits as shown in the table below. To encourage the inclusion of light industrial and maker space along with event-related businesses, if a development provides 0.4 FAR of bona fide industrial space it would be exempt from the maximum size of use limit completely.

Maximum size of use limits in the Stadium Transition Area Overlay District Compared to the Urban Industrial Zone Elsewhere		
Uses subject to maximum size limits	STAOD	UI Zone Elsewhere
Animal shelters and kennels	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments	No Limit	3,000 sq. ft.
Entertainment*	25,000 sq. ft.	25,000 sq. ft. (4)
Lodging uses	No Limit	25,000 sq. ft.
Medical services	75,000 sq. ft.	25,000 sq. ft.
Office	75,000 sq. ft.	15,000 sq. ft.
Restaurants	No Limit	3,000 sq. Ft.
Retail sales, major durables	20,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	20,000 sq. ft.	75,000 sq. ft.
Sales and services, general	20,000 sq. ft.	7,500 sq. ft.

In the STAOD the maximum size of use limits shown above would be waived if a development provides at least 0.4 FAR of bona fide industrial use space.

- **Remove Requirement for Design Review.** Currently design review is required in the STAOD, and this is one of the only instances where design review is required in an industrial zone. The legislation proposes to remove the design review requirement to streamline the process for investment in new structures in the STAOD. The proposed development standards include prescriptive design-oriented regulations. Landowners have demonstrated an interest in providing a high-quality visitor-oriented environment. Removal of design review here will also have the effect of freeing up capacity for design review to move quickly for other types of projects.

Housing in the Stadium Area: Allowing housing in the stadium area is a topic of strong and divided opinions. As noted above stadium area stakeholders, and adjacent neighborhood groups in Chinatown/ID and Pioneer Square have advocated for allowing housing to support a more complete neighborhood with activity at hours outside of event times.

OPCD's analysis in the EIS and other studies reviewed the potential for some limited amount of housing in the stadium area overlay district. The Final EIS Preferred Alternative included a limited amount of industry supportive housing in the stadium area, consistent with the recommended approach for the Urban Industrial zone regulations in other parts of the city. (See UI zone section above). We estimated that over a 20-year time horizon a total of 400 – 600 housing units would be generated in the overlay if the UI zone housing provisions were applied. The housing would be in very limited locations. These would be:

- The half-block to the west of the Mariner's parking garage between Occidental Ave. S. and First Ave.;
- The block bounded by S. Holgate St., 1st Ave. S, the rail tracks, and S. Massachusetts St., and the current location of the Van Gogh immersive exhibit; and
- The block west of Dave Niehaus Way S. that contains the Mariners' Hatback Bar & Grill.

Under the proposed UI housing regulations, the housing would have to be combined with other mixed use development and would be clustered on sub-portions of the above mentioned sites. OPCD's independent analysis leads us to believe that some limited amount of housing would be compatible with the surrounding use pattern and would not cause additional adverse impacts on nearby industrial activities outside of the STAOD if carefully implemented. The siting and design of any housing, including the pedestrian environment would be important. Application of the conditional use criteria requiring soundproofing of windows, and tenant acknowledgements of the industrial environment would help mitigate potential negative effects. While stadium district advocates strongly support a housing allowance, it is also the case that no individual property owners are ready at the current time to proceed with a permit application for development that includes housing.

Other major stakeholders including the Port of Seattle and Northwest Seaport Alliance and the International Longshore and Warehouse Union (ILWU) expressed significant concerns about any

housing in the stadium district. Terminal 46 is directly west of the stadium district across highway 99. Concerns include the potential for residents to lodge noise or light and glare complaints against waterfront terminal activities, and the potential for residents moving through the area to increase pedestrian safety obstacles on local streets. These stakeholders also are concerned about the precedent of allowing any new housing in an industrial zone in general proximity to waterfront container port operations. Considerable deference to labor and institutional stakeholders with direct experience with the intricacies involved in the operation of marine terminals is warranted.

In consideration of all these factors and the totality of the information, the proposed legislation does not allow housing in the stadium overlay at this time. A specific provision in the overlay regulations would prohibit any new housing in the STAOD.

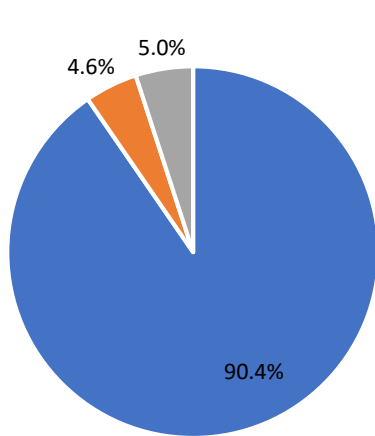
Projected Outcomes and Effects

Overall Zoning and Land Use Changes

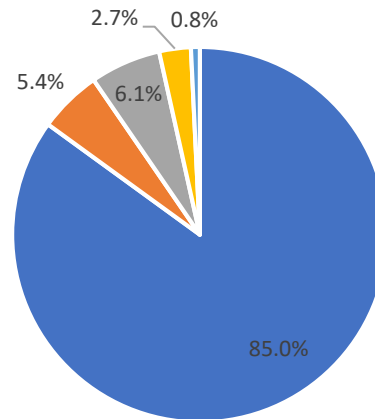
The following summarizes the aggregate effects of the proposed legislation in several key metrics. Additional detail and source studies can be found in the Final EIS and in associated studies prepared during the process to arrive at this proposal.

Zoned Area

The legislation updates zoning wholistically for the City's industrial areas. The graphic below compares the total quantity of zoned land under the City's existing industrial zoning framework as compared to the proposed legislation.



- Industrial General (IG1/IG2)
- Industrial Buffer (IB)
- Industrial Commercial (IC)



- Maritime, Manufacturing and Logistics (MML)
- Urban Industrial (UI)
- Industry and Innovation (II)
- Industrial Commercial (IC)
- Neighborhood Commercial (NC)

Land Use and Activity Patterns

In general, if the proposed legislation is implemented, we project the following shifts.

- Maintenance of the maritime and industrial base.
- Denser employment including new industrial space, near future light rail station in II zoned areas.
- Decreased rate of conversion to stand-alone office and retail uses in MML zoned areas.
- Continued additions of distribution and warehouse facilities.
- Increased development of mixed-use, flex, and light industrial uses in UI zoned areas.
- Introduction of some new industry-supportive housing.
- Additional new housing in areas removed from the Greater Duwamish MIC.
- Stronger Georgetown and South Park neighborhoods

Employment and Economic Effects

The overall amount of employment activity and the general composition is an important outcome.

Total Employment

The City's analysis includes an estimate of the employment projections for an approximate 20-year time horizon with no action, and under the proposed legislation.

Total Employment in Proposal Area		
2019	2044 Projection	
Existing	No Action	Proposed Legislation
98,500	122,000	134,000
Increase:	+ 23,500	+35,500

To put these amounts in context, the City of Seattle is planning for total citywide job growth of 169,500 jobs over the 20-year planning horizon of the One Seattle Comprehensive Plan major update. Projected employment growth of 35,500 would represent roughly 20% of total citywide job growth. This would be a moderate shift of total employment growth compared to past planning horizons into industrial areas.

Industrial Employment

It is also important to consider how much of the employment would be in industrial jobs. Results of the estimation and projections are below.

Changes in Industrial Employment in Proposal Area			
	2019	2044 Projection	
	Estimate	No Action	Proposed Legislation
Total Industrial Employment	54,500	66,400	70,850
Total Share Industrial Employment	55.3%	54.4%	52.8%

Over time, total industrial employment would increase under both the proposed action and with no action; however, under the proposed legislation, the total number is more than it would be without the changes, but the share of industrial employment would drop slightly. This reflects the increase in new bona fide industrial space that would be added under the proposal combined with the denser employment in nonindustrial uses that would also be in TOD areas. Under the proposed legislation we estimate that both MICs would maintain a percentage of industrial employment that exceeds the 50% threshold of the Puget Sound Regional Council's criteria for MIC designation.

Housing

The proposal would result in housing production in two general areas. Most of the housing production would be in new mixed-use areas that would be rezoned from an industrial zone outside of the MIC (Ballard, Judkins Park), or areas removed from MICs where new mixed-use zoning would be applied (Georgetown and South Park). These locations are estimated to yield over 2,000 units of housing as shown in the table below. The City's Mandatory Housing Affordability (MHA) program would apply. The rezones would have an MHA suffix of (M2) in Judkins Park and Ballard and these are MHA medium cost areas, while Georgetown and South Park would have an MHA suffix of (M) and are MHA low-cost areas. Applying general assumptions, the housing is expected to yield about \$19.8M for affordable housing.

A smaller amount of housing would be expected in the Urban Industrial zones within the MIC. This housing would be located in places such as near the Design Center in Georgetown, north of the South Park Urban Village, and in the northeast corner of Ballard. This housing would conform to the limiting criteria for industry-supportive housing in an industrial zone. The housing would either be caretaker quarters / makers studios, or 50% affordable at a workforce level. The total amount of the housing in the Urban Industrial zone is estimated at 880 units. MHA would not apply to these industry-supportive housing units.

In total the proposed action would yield approximately 3,000 new homes that would not be built in the absence of the legislation.

Estimated Additional Housing Units in Proposal Area	
New Mixed-Use Areas	
Ballard	565
Judkins Park	625
Georgetown	570
South Park	295
Subtotal	2,055
Urban Industrial Zones – (Ballard, Georgetown, and South Park)	
Urban Industrial Zones	880
Total	2,935

Environmental Health and Community Development

In addition to the quantifiable metrics that would stem from the proposal there would be several more qualitative outcomes that can be expected.

- **Increased landscaping, greenery, tree planting.** New standards primarily in the Urban Industrial zone would add vegetation in the areas at the transition between core industrial areas and residential neighborhoods over time as development occurs. These features can improve local air quality, reduce urban heat island effects, and generally improve the quality of the experience for those who live or work in the area.
- **Improved walkability and multi-modal connections.** New standards in the Urban Industrial zone and the Industry and Innovation zones would make significant improvements by adding sidewalk, pedestrian lighting, urban storefronts and facades, and trail or bicycle network upgrades. Locations closest to light rail stations especially would be transformed into transit-oriented environments.
- **Improved drainage and preparedness for sea level rise.** New development especially in the Urban Industrial and Industry and Innovation zones would upgrade local

stormwater drainage systems and would be better designed to withstand more frequent flooding and rising sea levels.

- **Improved cohesiveness in the Georgetown neighborhood.** The land use action would link existing residential areas of Georgetown together with a mixed use neighborhood district that includes new housing. The action would provide a more contiguous and legible Georgetown neighborhood area that has been envisioned by residents for a long time.
- **Improved connectedness of the South Park neighborhood to the Duwamish River.** The land use action would better connect the South Park urban village area to the riverfront. Two mixed use areas directly adjacent to open space resources on the River would strengthen the physical, visual, and perceptual linkage between South Park and its waterfront.

Environmental Review

Washington’s State Environmental Policy Act (SEPA) requires environmental review when a city makes changes to land use policies or zoning. OPCD prepared an EIS that analyzed how the proposed changes could affect the built and natural environment in industrial areas and adjacent communities over a 22-year period. This process allows thoughtful implementation of strategies to mitigate any adverse impacts and provides information to the public and policy makers before any decisions are made. A Final EIS on the proposed land use policy and zoning changes was issued on September 29, 2022, and received no appeals. The EIS carefully reviewed for potential adverse impacts of the proposed changes in the following topic areas:

Soils / Geology	Noise	Historic, Archaeological & Cultural Resources
Air Quality & GHG	Light & Glare	Open Space & Recreation
Water Resources	Land & Shoreline	Public Services
Plants & Animals	Housing	Utilities
Contamination	Transportation	Equity & Environmental Justice Considerations

The Draft EIS analyzed four alternatives, to review various ways of implementing the proposed land use concepts to study the best ways to achieve the City’s objectives. This included a No Action Alternative to serve as the baseline for comparison for the potential impacts of the three Action Alternatives. The Final EIS added a Preferred Alternative that responded to extensive community comment and input on the Draft EIS. The FEIS Preferred Alternative is very similar to the contents of this proposed legislation.

The FEIS identified several areas of environmental impact. In most cases the level of adverse impact would be minor or moderate and would be addressed by identified mitigation measures. For several elements of the environmental conditions would improve over time. Potential significant adverse impact related to pedestrian and bicycle safety was identified and should be an area of focus corresponding with implementation of this proposed land use legislation. (See Appendix A). Environmental review consistent with State SEPA regulations is complete, and the City Council may act on the proposed legislation.

Future Considerations

Future steps to fully implement the Industrial and Maritime Strategy include implementation of non-land use strategies, updating the Manufacturing and Industrial Centers Plans, and fine-tuning application of the new industrial zones.

Implementation of other Strategies

The Stakeholder recommendations include the following strategies that aren't directly related to land use:

- **Transportation.** Improve the movement of people and goods to make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

Implementation actions for this strategy will require coordination across agencies including SDOT, WSDOT, Sound Transit and Metro. Currently SDOT is developing the Seattle Transportation Plan which can advance the recommended transportation strategy through its work with the freight community to assess needs, opportunities, and new vision for the safe movement of freight, people, and goods through Seattle industrial areas. OPCD will work with SDOT over the next year to develop street concepts for the new Industry and Innovation and Urban Industrial zones as they update Streets Illustrated.

- **Workforce Development.** Implementation of workforce development strategies are being led by the Office of Economic Development and its partners through a variety of programs. These programs include:
 - Partnership with Seattle Maritime Academy and at least one BIPOC led CBO.
 - WA Maritime Blue Youth Maritime Collaborative
 - "Port Jobs", training in aerospace for incumbent workers at SEA
 - "Mass Timber" institute, in development with stakeholders

These efforts place an emphasis on promoting opportunities for BIPOC youth and young adults to access missing middle jobs to address City's affordability crisis. Other workforce development efforts locally are being led by Port of Seattle in partnership with WA Maritime Blue, Polytech, and Urban League.

Updated Centers Plans

Seattle's two Manufacturing Industrial Centers, the BINMIC and the Greater Duwamish MIC are designated as such by the Puget Sound Regional Council. This designation is valuable in part because that designation increases their competitiveness for federal transportation funding. By 2025 the City will need to recertify the MIC designations for both areas. This proposal, if adopted, satisfies several critical criteria for MIC redesignation – more than 75% of land is in a core industrial zone and more than 50% of employment is in industrial jobs. As part of recertification, the City will need to update the Centers Plans for both MICs by 2025. These plans establish local goals and policies addressing transportation, economic development, environment, and other areas as determined through the planning process. OPCD anticipates working with stakeholders in both MICs to update these plans over the course of 2024.

Fine Tune Zoning

The proposed legislation offers the City Council a choice regarding timing of implementation of the new industrial zoning framework. City Council could choose to rezone all industrial land with the new zones established by the proposed Chapter 23.50A or retain the existing zoning in select locations pending further community engagement. Community engagement would occur through the Centers planning process, discussed above, and would result in a second set of rezone recommendations in 2024. The proposed rezone legislation currently rezones all industrial land and its adoption would require no further action to implement the new land use framework. In considering the rezone legislation City Council may:

- Adopt the rezone legislation in its entirety and repeal the existing Chapter 23.50 as it would no longer have application to any land in Seattle; or
- Adopt most of the rezone legislation and refine application of the new zones over the next year through the Centers Planning process. In this case, Council should retain Chapter 23.50 for a period to allow for existing zones to continue to exist in select locations until a final round of rezones occurs in 2024.

Director's Recommendation

The OPCD Director makes the following findings based on the information contained in this report and related studies about the expected outcomes from the proposed policy and zoning changes over an approximate 20-year period.

The proposed action would advance the City towards the objectives stated in the Executive Summary, which are focused on strengthening economic development and resilience, improving access to employment opportunity, and improving environmental health.

All required environmental review is complete. Many environmental conditions would improve if the action is adopted and any minor adverse impacts would be considerably outweighed by the public benefits of approving the proposal.

The proposed action is based on extensive public process and stakeholder input that occurred over multiple years. Based on public and stakeholder input, the proposal represents a balancing of varied perspectives and interests.

Approval of the action would provide predictability about the City's industrial lands policy and would resolve debates that led to inaction after previous efforts.

The action would be consistent with all regional and local policies governing Manufacturing Industrial Centers.

Therefore, the OPCD Director recommends that City Council approve the five linked ordinances described in this report to implement components of the Industrial and Maritime Strategy.

Appendices List

The following documents are attached as appendices.

- A. Environmental Impact Statement Summary Folio
- B. Non-Industrial Development Analysis



SEATTLE CITY COUNCIL
CENTRAL STAFF

Industrial Maritime Strategy

LISH WHITSON, LEGISLATIVE ANALYST

LAND USE COMMITTEE

MAY 15, 2023

Legislation

CB 120568 2023 Comprehensive Plan amendments

CB 120567 Land Use Code text amendments

New Industrial chapter 23.50A

New zones: Maritime, Manufacturing, Logistics;
Industrial Innovation; Urban Industrial

CB 120569 Zoning map changes

CB 120571 Noise ordinance amendments

CB 120570 Relocating Industrial Commercial code

Industrial and Maritime Strategies

- Environmental justice and climate action
- Stronger protections for industrially zoned land
- High-density industrial development
- Healthy transitional areas near urban villages
- No new residential uses
- Georgetown and South Park neighborhood goals
- Master planning for WOSCA and Armory sites

CB 120568 – Comprehensive Plan Amendments

- Sets policy basis for new zoning regulations, including three new zones
- Changes boundaries of Duwamish Manufacturing/Industrial Center in Georgetown and South Park and removes industrial designation in Judkins Park
- Restricts future changes to industrial areas
 - *If adopted, Council should update its Comp Plan docketing resolution (Resolution 31807) to reflect this new policy*
 - *Amend rezone criteria to reflect this direction?*

CB 120567 – Land Use Code Text Amendments

II zone FAR bonuses

- Code defines Information Computer Technology (ICT) as an industrial use that is incentivized in the II zone. The bonus for ICT space is lower than that provided for the creation of space for other industrial uses.
 - *Will this dilute the ability of the bonus program to create space for traditional industry?*
 - *What happens if an ICT business wants to move into a space built for other industrial uses?*

CB 120567 – Land Use Code Text Amendments

FAR increases for commercial uses

- Bill increases the maximum floor area ratio (FAR) in the Urban Industrial and Industrial Innovation zones.

Urban Industrial: from 2.5 to 3 or 4.5, primarily for ancillary uses

Industrial Innovation: from 2.5 or 2.75 to 4.5 to 6.5, coupled with incentives for on-site or off-site industrial development, mass timber, and preservation of vulnerable masonry structures

- *Should Mandatory Housing Affordability requirements apply to commercial floor area?*

CB 120567 – Land Use Code Text Amendments

Housing in and near industrial areas

- Housing would be allowed in and near industrial areas through rezones to non-industrial zones and in the UI zone
- The UI zone and Georgetown include noise attenuation requirements for new dwelling units
 - *Should noise attenuation requirements apply more broadly?*
 - *Are there other requirements that could reduce environmental impacts of living near industrial uses? Tree requirements? Require air conditioning?*

CB 120571 – Noise Ordinance amendments

- Allows higher noise levels in residential and commercial areas near BINMIC shorelines
 - *Consider noise attenuation in new development near the BINMIC shoreline?*

Council Amendments

- Need to make sure that the bills are internally consistent – amendments to the Land Use Code bill or rezones may have impacts on the Comprehensive Plan and vice versa
- Need to be consistent with regional criteria for MICs
- Need to be within the range of alternatives studied in the FEIS
- Rezones must be consistent with rezone criteria

May 11, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Industrial Maritime Legislation

On Monday, May 15, the Land Use Committee will continue its discussion of legislation intended to update and modernize the City of Seattle’s industrial land use policies and regulations. The Committee will hear from the Seattle Planning Commission and Central Staff on issues for Council consideration they have identified in the legislation. The five bills¹ to implement the Seattle Industrial and Maritime Land Use Strategy are:

[CB 120568](#) The 2023 Comprehensive Plan amendment ordinance. This bill amends the Land Use element of the Comprehensive Plan to add new goals and update the policies related to industrial areas. The Future Land Use Map and other maps in the plan are amended to remove industrial designations from areas near South Park, Georgetown, and Judkins Park. All future industrial land use decisions would need to be consistent with these policies.

[CB 120567](#) Land Use Code amendments to implement the changes in the Comprehensive Plan Ordinance. This bill creates a new Seattle Municipal Code (SMC) Chapter 23.50A in the Land Use Code, which includes zoning provisions for three new industrial zones: Maritime, Manufacturing, and Logistics (MML); Industrial Innovation (II); and Urban Industrial (UI). The bill also incorporates the existing Industrial Commercial (IC) zone into Chapter 23.50A.

[CB 120569](#) Zoning Map amendments to rezone industrial areas from the existing industrial zoning designations to the new industrial zones created by CB 120567. The map amendments also rezone limited areas in Ballard, South Park, Georgetown, and Judkins Park from industrial to commercial and multifamily zoning districts.

[CB 120571](#) Noise code amendments to allow for higher noise levels in commercial and multifamily districts near the Ballard shoreline.

[CB 120570](#) Land Use code amendments to remove provisions related to the Industrial Commercial zone from the existing industrial Chapter 23.50. If CB 120567 is adopted, this bill should be adopted alongside it.

¹ For more detail regarding the content of each of these bills, please see the Office of Planning and Community Development’s [Director’s Report](#) on the package of bills, and their [presentation](#) at the May 10 Land Use Committee meeting.

This memorandum provides a description of industrial land use policy in Seattle and identifies a few issues for Councilmembers to consider to further mitigate the impacts of the proposed legislation.

Industrial and Maritime Uses and Land Use Policy

Industrial and maritime land uses are characterized by unique needs and impacts that have led them to be separated from other uses, particularly residential uses. Industrial uses generally include:

- Maritime: water-dependent businesses including shipping and fishing;
- Manufacturing: the production of goods;
- Logistics: the movement and storage of things;
- Support: wholesale businesses and industries like construction that support activities in throughout Seattle and region; and
- Utility and public uses: when similar to the activities above, or not appropriate in other areas, for example bus bases (similar to logistics) and the Port of Seattle (supporting maritime activities).

These uses all need large, generally flat parcels, with streets wide enough to accommodate the movement of large vehicles. Many of these uses require access to regional, national, or international transportation facilities, such as ports, interstate highways, rail lines, or airports.

These uses serve important roles in the city's and region's economy. They often provide pay family wage union jobs that are available to workers without college degrees. And they help to support businesses throughout the region. However, often, they are not able to economically compete with residential, retail and offices for the amount of space they need in other parts of the city.

These uses often have impacts that make them poor neighbors to residences and other types of businesses. Industrial processes can include higher-than-normal levels of noise, light and glare, vibrations, odors, or pollutants. Industrial land often is contaminated and needs to be remediated before it is safe for residents. Streets in industrial areas are designed to facilitate truck movement and the street network in these areas often has incomplete pedestrian and bicycle facilities. The trucks and trains required to carry both raw materials and finished goods to and from industrial businesses are more dangerous to pedestrians, bicyclists, and other vulnerable people.

People living near industrial areas on average have shorter lives and worse health outcomes than people living farther from the industrial areas.² These impacts are felt most strongly by low-income and Black, indigenous, and people of color (BIPOC) communities along the Duwamish River. In the words of the Duwamish River Community Coalition:

The Duwamish Valley neighbors are exposed to multiple environmental justice concerns and include a high percentage of susceptible or vulnerable populations. In addition, they have historically lacked access to, and influence on, decision-makers that shape the future of their communities as other, more affluent, communities in the region have.³

Many of Seattle's industrial areas are in areas with environmental constraints. The Duwamish River valley and the south end of Interbay are among the areas most likely to be inundated as sea levels rise. Flooding occurs along the Duwamish and impacts both nearby residents and businesses. Much of Seattle's industrial-zoned land is located on historic landfills, both formal and informal and is subject to liquefaction during earthquakes. The waterways that run through and serve the industrial areas are also critical habitat for fish and other aquatic creatures.

Because of these benefits, challenges, and impacts, the City and the region have identified Manufacturing/Industrial Centers (MICs) as areas where industrial uses are the preferred uses, and where residential uses are generally prohibited. Seattle has two MICs: the Greater Duwamish MIC and the Ballard-Interbay-Northend MIC (BINMIC).

The MICs are designated at the regional, county and city level. They must comply with requirements in the Puget Sound Regional Council's (PSRC) [Vision 2050](#) plan. This includes [review](#) by PSRC's Growth Management Policy Board of major changes to the boundaries of these centers,⁴ and [requirements](#) for plans for the centers. Because of updated requirements from the PSRC, the City must update its industrial policies.

² See for example the 2013 Health Impact Assessment for the Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site prepared by the University of Washington School of Public Health ([Health Impact Assessment: Duwamish Cleanup Plan | Environmental & Occupational Health Sciences \(washington.edu\)](#)) which found that residents of the 98108 zip code, had an average life expectancy at birth that was 8 years lower than the City average (73.3 years vs. 81.5 years), and had a childhood asthma hospitalization rate that was 130% higher than King County as a whole. This data is mirrored in other studies, see for example: [Residential Proximity to Environmental Hazards and Adverse Health Outcomes - PMC \(nih.gov\)](#).

³ From [Why is our work important? — Duwamish River Community Coalition \(drcc.org\)](#), accessed May 9, 2023. As of 2021, the population of Census tract 112, containing South Park, was 29% foreign-born, 25 percent Latino, and more than 66 percent people of color, including Asian, Pacific Islander, Hispanic, African American, and Native American. In that census tract, 35 percent of children and 22 percent of adults were in households with incomes below the poverty level. Fourteen percent of residents had no health insurance coverage. (American Community Survey, 2016-2021).

⁴ A major change is defined as more than 10% of the area of a center.

The proposed bills respond to these requirements, but more directly respond to the [recommendations](#) of the Industrial and Maritime Strategy Council released in 2021. In particular, the bills respond to Strategies 4 through 10:

Investment Strategies

* * *

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.
6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.
7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.
8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).
9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

* * *

Issues for Council Consideration

The proposed package of bills is intended to balance competing interests regarding the future of industrial lands in Seattle. It generally implements the strategies recommended by the Industrial and Maritime Strategy Council. However, Central Staff has identified a few issues that Councilmembers may want to consider as they weigh this legislation.

CB 120568 Comprehensive Plan Amendments

Topic	Discussion
<p><i>Restriction on changes to industrial areas</i></p> <p>The Comprehensive Plan amendment ordinance includes a new policy limiting changes to industrial areas to 1) major updates to the Comprehensive Plan or 2) a City-sponsored planning process.</p> <p>A separate policy would provide specific direction regarding future changes to two State-owned properties: the Washington National Guard Armory in Interbay, and the WOSCA site in SODO.</p>	<p>Resolution 31807 lays out the City’s process and criteria for considering changes to the Comprehensive Plan. If these amendments are adopted, the Council should update the Resolution to reflect the direction provided by these new policies. The Council may also want to consider adding a restriction on future changes to industrial areas in the rezone criteria in the Land Use Code, Chapter 23.34, which guide site-specific rezones.</p>

CB 120567 Chapter 23.50A

Topic	Discussion
<p>FAR increases for Commercial uses</p> <p>The proposed bill would significantly increase the amount of permitted FAR for non-industrial uses in the UI and II zones.</p> <p>In the UI zone, commercial uses that are ancillary to an industrial use are allowed to occupy up to 80 percent of a structure with no maximum size limit, with a maximum FAR limit of 3 or 4.5, up from the 2.5 FAR limit in the existing Industrial Buffer (IB) zone.</p> <p>The II-85 zone would have a maximum FAR limit of 4.5, the II-125 zone would have a maximum FAR limit of 5.75, and the II-160 zone would have a maximum FAR limit of 6.5 FAR. There would be no maximum size limit for commercial uses in these zones that are part of a project that participates in the bonus program. The II zone would generally replace General Industrial (IG) and Industrial Commercial (IC) zones that have FAR limits of 2.5 and 2.75, respectively.</p>	<p>Should these FAR increases be coupled with requirements for participation in Mandatory Housing Affordability program for commercial uses as has been the case with other significant upzones? For the UI zone, generally these commercial uses would need to be ancillary to an industrial use. For the II zone, the commercial uses would need to participate in the II bonus program and be part of a project that supports the creation of new industrial space.</p>

Topic	Discussion
<p>II Zone <u>FAR bonuses</u> The II zone would implement strategy 6 by allowing higher density office development through a Floor Area Ratio (FAR) bonus program.</p> <p>In the II-85 zone, in order to achieve the maximum FAR of 4.5, the project would need to provide on- or off-site industrial spaces.</p> <p>In the II-125 and II-160 zones, in order to achieve the maximum FAR of 5.75 or 6.5 FAR, projects would need to (1) provide on- or off-site industrial uses; and (2) either use mass-timber construction or acquire transferrable development rights from a vulnerable masonry structure.</p>	<p>Strategy 6 describes this approach as “creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.” The proposed bill would allow these industrial uses to be located off-site if they are within the same MIC.</p> <p>The proposed bill classifies Information Computer Technology (ICT) as an industrial use in the II zone only. A project could qualify for the bonus by only providing office space for the technology sector. Under height limit provisions that allow for unlimited height for structures in industrial use in II zones, no height limit would apply to such a structure, unless it were under a flight path.</p> <p>ICT uses can easily be accommodated in office space in other parts of the city and do not have the same space needs or impacts as other industrial uses. The effect of this approach may be to reduce the effectiveness of the II bonus in terms of creating new space for more intensive industrial uses that are not appropriate in other parts of the City.</p> <p>The proposed bill provides different bonus ratios for ICT uses compared to other industrial uses. Projects providing ICT space would be granted four additional square feet of non-industrial space for each square foot of ICT space, and five square feet for each for each square foot of non-ICT industrial space. The proposed code is not clear regarding what would occur if an ICT use seeks to move into to a space that was built with the non-ICT industrial space bonus.</p>

Topic	Discussion
<p>Housing in and near Industrial zones</p> <p>The proposed bills increase housing in and near industrial zones in two ways: (1) by allowing housing as a conditional use in UI zones, and (2) by rezoning some industrial areas to commercial or multifamily zones. Because of the impacts residential and industrial uses can have on each other, these changes should be considered carefully.</p> <p>Some of the conditions that maintain the industrial character of the UI zone include:</p> <ul style="list-style-type: none"> • Limiting residential uses to 50 percent of a project; • Limiting residential density to 50 dwelling units per acre; • Prohibiting multifamily uses within 200 feet of designated major truck streets and shorelines; • Restricting the residential use to live/work units, caretakers’ quarters, or affordable units;⁵ and • Requiring statements that owners and residents acknowledge that the housing is in an industrial area and accepting the character of the neighborhood. <p>Future residents in these units would be protected from impacts from industrial activity by requiring the installation of sound-insulating windows and landscaping requirements that would newly be applied to these districts.</p> <p>A similar requirement for noise attenuation is placed on property in Georgetown that is being rezoned from industrial to Neighborhood Commercial in Georgetown. It is not applied in other areas where similar rezones are proposed.</p>	<p>If Councilmembers want to further limit the impacts of harmful industrial uses and industrial activity on future residents in these areas, there are additional requirements they could add:</p> <ul style="list-style-type: none"> • Limiting housing near rail yards, interstates, and airports, all of which can have significant air quality, noise and vibration impacts on nearby residences; • Requiring noise attenuation for future housing units in all of these areas; • Requiring air conditioning and non-operable windows in future housing units to improve indoor air quality; • Increasing landscaping and tree requirements in the MML zone, which has limited street tree requirements and no landscaping requirements; • Requiring new industrial buildings to be set back from lot lines that are shared with all zones where residential development is permitted; • Prohibiting high impact uses near zones where residential uses are permitted; or • Requiring sidewalks be built alongside new construction near areas where residential uses are permitted.

⁵ A minimum of 50 percent of units in the project would need to be affordable at the following levels depending on the number of bedrooms: Small Efficiency Dwelling Units (SEDUs) – 60 percent of area median income (AMI); studio and one-bedroom units – 80 percent AMI; two or more bedroom units – 90 percent AMI.

CB 120571 Noise Code

Topic	Discussion
This bill would allow for higher noise levels in residential and commercial zones near the BINMIC shoreline than are permitted in other residential and commercial areas.	The impacts of this bill on new housing could be mitigated by requiring the type of noise attenuation that is proposed to be required in Georgetown in residential and commercial areas near the BINMIC shoreline, such as the western section of the Ballard Urban Village.

Key Considerations for Amendments

As Councilmembers consider amendments, please keep in mind constraints on Council changes that are embedded in the Washington State Growth Management Act (GMA), State Environmental Policy Act (SEPA), and the City’s land use regulations.

Under the GMA, land use bills must be consistent with the policies of Seattle’s Comprehensive Plan. Before proposing an amendment to the land use code amendment ordinance or rezone ordinance, please consider whether the change will be consistent with the Comprehensive Plan policies related to industrial lands. In addition to the policies included in CB 120568, there are additional goals and policies for each of the MICs that should be considered. Other policies throughout the plan may also constrain the Council’s policy choices.

In addition, the GMA requires consistency between local and regional plans. As regionally-designated centers, the City’s MICs must follow the policies for Manufacturing and Industrial Centers contained in PSRC’s Vision 2050 and King County’s Countywide Planning Policies. Amendments that would conflict with those policies should not be adopted.

The Office of Planning and Community Development (OPCD) has published an [environmental impact statement](#) (EIS) that analyzed the impacts of this proposal. Under SEPA, the Council may not consider changes to the proposal that have not been analyzed. This means that if a Councilmember wants to propose an amendment that is outside the range of alternatives studied under the EIS, additional environmental review may be required prior to Council action on the final bill. We will work with you to help identify the level of review that may be required depending on how much the amendment differs from the alternatives and potential mitigation measures studied under the FEIS.

Finally, SMC 23.34.007 states that all rezones must be guided by rezone criteria contained in SMC Chapter 23.34. The criteria in that chapter are weighed and balanced and should be considered by the Council in considering any changes zoning designations, including height limits. This Chapter is proposed to be amended by CB 120567, and the Council should consider the new criteria in that bill alongside existing criteria in Chapter 23.34.

Next Steps

Chair Strauss has requested that Councilmembers send their ideas for potential amendments to me by the end of the day Wednesday, May 17. I will compile a summary of proposed amendments to be published on May 22 so that members of the public will have a sense of the range of changes that Councilmembers are considering prior to May 24th public hearing. The Committee will consider amendments and may vote on the legislation at a special meeting scheduled for the week of June 5.

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



SPC Recommendations on proposed amendments to the Comprehensive Plan related to Industrial Maritime Strategy

5.15.23 Land Use Committee
Seattle City Council

Role of Planning Commission



Seattle
Planning
Commission

- Review proposed amendments to the Comprehensive Plan
- Released [recommendations](#) on the 2023 proposed amendments on April 24 of this year
- Interest in preserving [Seattle's Industrial and Maritime lands](#); released [The Future of Seattle's Industrial Lands](#) in 2007



Recommendations – Land Use Element



Strongly support:

- LU10.3 limiting changes in industrial land use designation
- LU 10.7 transition to three new zones
- LU G12 develop transitions...that support healthy communities, reduce adverse environmental impacts and minimize land use conflicts (UI)
- LU 10.12 restricting non-industrial uses

Recommendations – Land Use Element



Suggest minor changes

- ~~LU 10.14 more definitive language, 'Limit parking...' rather than 'Consider limiting parking'(II)~~
- LU 10.68 reword 'targeted to workers' to 'intended for workers'

Additional Recommendations



Opportunities

- Equity and Environmental Justice
- Transportation
- Climate change and resiliency
- Shoreline Areas
- Cultural Resources

An aerial photograph of a shipyard or industrial waterfront. A large, dark-colored crane is mounted on a barge in the water. In the foreground, a white sailboat is moving across the water, leaving a wake. The background shows various industrial buildings, docks, and a forested hillside. The entire image has a blue tint.

Questions?



City of Seattle

Seattle Planning Commission

April 24, 2023

Honorable Councilmember Dan Strauss, Chair
Land Use Committee
via e-mail

RE: 2023 Comprehensive Plan Amendment Recommendations

Dear Councilmember Strauss,

The Seattle Planning Commission is pleased to provide our comments and recommendations on the proposed 2023 Comprehensive Plan amendments to be adopted as part of the annual update process. Providing recommendations on annual Comprehensive Plan proposals is a mandate of the Commission and a responsibility we are pleased to fulfill as stewards of Seattle’s Comprehensive Plan. This letter provides specific comments and recommendations on the proposed amendments that would implement the City’s recently completed Industrial and Maritime Strategy.

The Planning Commission has eagerly followed development of the Industrial and Maritime Strategy over the past several years. The Commission provided comments during the development of the final recommendations by the Citywide and Neighborhood Advisory Groups and submitted a detailed comment letter on the Draft Environmental Impact Statement in February 2022. We applaud the Office of Planning and Community Development and the diverse group of committed stakeholders for developing a robust set of policy recommendations to guide the future of Seattle’s industrial and maritime lands. Evolving Seattle’s approach to industrial lands in the One Seattle Comprehensive Plan will serve as a critical tool for the City to reach its employment targets, as well as its climate resiliency and environmental sustainability goals.

Equity and Environmental Justice

The Planning Commission applauds inclusion of an equity and environmental justice lens throughout development of the Industrial and Maritime Strategy. Seattle’s industrial and maritime history and other land use policies throughout the city have perpetuated a legacy of institutionalized racism and environmental injustice, especially in low-income and BIPOC communities. A key opportunity through review and approval of current proposed amendments to the Comprehensive Plan, as well as ongoing planning efforts, is to recognize and address the legacy of health hazards such as air pollution, contamination, and noise to residents and workers in impacted communities such as South Park and Georgetown. The Commission recommends that implementation of the Industrial and Maritime Strategy ensure that any zoning

Commissioners

- David Goldberg, *Co-Chair*
- McCaela Daffern, *Co-Chair*
- Mark Braseth
- Roque Deherrera
- Matt Hutchins
- Rick Mohler
- Radhika Nair
- Dalton Owens
- Alanna Peterson
- Dhyana Quintanar
- Julio Sanchez
- Lauren Squires
- Jamie Stroble
- Kelabe Tewolde
- Rose Lew Tsai-Le Whitson

Staff

- Vanessa Murdock
Executive Director
- Olivia Baker
Policy Analyst
- John Hoey,
Senior Policy Analyst
- Robin Magonegil
Administrative Analyst

proposals, development regulations, and other related policy actions move to both repair the harms of the past and address current and potential future harms to those affected communities through public and private investment. Implementation must also mitigate potential displacement pressures and invest in anti-displacement measures.

Land Use Element

Protecting Industrial Lands

The Planning Commission has historically been supportive of policies and plans that protect Seattle's industrial and maritime lands and the jobs that are created within those sectors. Overarching themes of previous Planning Commission recommendations and independent work include the vital role industrial lands play in the local and regional economy, and the need for strong land use and zoning policies to protect industrial areas from non-industrial redevelopment. Over the years, the Commission has reviewed numerous proposed amendments through the annual Comprehensive Plan amendment process that would change industrial zoning and remove land from the Manufacturing/Industrial Centers (M/ICs). Therefore, we strongly support the following proposed Comprehensive Plan policy to strengthen protections for industrially zoned lands:

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

New Industrial Zones

The Commission applauds the addition of proposed policy **LU 10.7**, which would transition existing industrial lands in Seattle to the following three new zones - Maritime, Manufacturing and Logistics (MML); Industry and Innovation (II); and Urban Industrial (UI). The MML zone is generally an updated designation of the existing Industrial General zones and recognizes the importance of Seattle's more traditional industrial and maritime activities with access to Port facilities, shipyards, freight rail, and shoreline access. The new II and UI zones, as proposed Comprehensive Plan goal **LU G11** states, "Support employment-dense emerging industries that require greater flexibility in the range of on-site uses and activities." These new zones represent the evolving future of industry and are intended to respond to issues, challenges, and opportunities for the maritime and industrial sectors and adjacent communities.

- *Industry and Innovation:* The Planning Commission supports the creation of II zoning as an innovative approach for determining a mix of uses in the walksheds around future light rail stations in industrial areas that optimizes the light rail investments without diminishing the functionality and viability of surrounding and/or adjacent industrial and maritime lands. Of the fourteen planned stations along Sound Transit's current preferred alignment of the West Seattle

and Ballard Link Extensions project, six are either within industrial zones or capture a significant amount of industrial zoned land within their walksheds.

We agree with the intent and language of the following proposed policies establishing the II zones:

LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish development standards that ensure employment density at a level necessary to leverage transit investments.

LU 10.20 In the Industry and Innovation zone, consider development standards that promotes development that meets the needs of industrial businesses including loadbearing floors, freight elevators, and adequate freight facilities.

LU 10.21 In the industry and innovation zone, consider an incentive system whereby nonindustrial floor area may be included in a development as a bonus if new bona-fide industrial space is included.

The Planning Commission has reviewed the proposed revision to the following existing policy related to parking and loading requirements in industrial zones. We recommend more definitive language than “Consider limiting...” such as “Limit parking in the industry and innovation zone...”

~~LU 10.4214~~ **LU 10.4214** Set parking and loading requirements in industrial zones to provide adequate parking and loading facilities to support business activity, promote air quality, encourage efficient use of the land in industrial areas, discourage underused parking facilities, and maintain adequate traffic safety and circulation. Allow some on-street loading and occasional spillover parking. Consider limiting parking in the industry and innovation zone located in the vicinity of high-capacity transit stations.

As these zones are located around the future light rail stations and are intended to leverage significant transit investments, the City should discourage parking of non-industrial vehicles and encourage workers to use alternatives such as walking, biking, and other non-motorized modes.

- *Urban Industrial:* We also support establishment of the Urban Industrial zone as a means of locating makerspaces, creative uses, and other light industrial uses in buffer areas between industrial areas and people-oriented neighborhoods. The Planning Commission strongly supports the positive language in proposed Comprehensive Plan goal **LU G12**: “Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts.” We recommend incorporating similar language in a new or revised goal related to residential uses in industrial zones. See our comments about housing below for more information and context.

We have reviewed the proposed revision to the following policy, and recommend more prescriptive language than “Consider using...” such as “Use the urban industrial”

~~LU 10.1722 Establish the industrial buffer~~ Consider using the urban industrial or industrial buffer zones to provide an appropriate transition between industrial areas and adjacent residential or pedestrian-oriented commercial zones.

We understand that this proposed wording has been reviewed by the City’s Law Department and will be maintained until new zoning designations are adopted. Reference to the industrial buffer zone will likely be removed after the zoning code is revised for consistency across plans and codes.

We agree with the intent and language of the following proposed policies establishing the UI zones:

LU 10.23 In the urban industrial zone, consider allowing a range of ancillary nonindustrial uses. Recognize that industrial businesses in this zone have a greater need for a limited amount of space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.

LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

We agree with the following proposed policy revision:

LU 10.911... Consider using the urban industrial zone in locations within or outside urban centers or villages that borders a manufacturing/industrial center to help provide an appropriate transition and promote complimentary land use patterns between industrial and non-industrial activities.

However, the Planning Commission has consistently advocated for allowing makerspaces and other creative uses in non-industrial neighborhoods in our current urban villages and mixed-use zones. We recommend recognizing the potential for these types of uses in areas outside of Urban Industrial zones in additional future policy and zoning proposals.

Restricting Non-Industrial Uses

The Planning Commission strongly commends the long-awaited solution to remove existing zoning loopholes that have allowed significant non-industrial development within industrially zoned lands, especially auto-dependent uses such as big box stores, storage facilities, strip commercial development, and surface parking lots. For example, the southern portion of the Ballard/Interbay/Northend M/IC has seen a significant amount of development in recent years including big box stores, storage facilities, and other auto-dependent commercial uses. The following proposed policy revision would lay the foundation for tightening limits on these types of non-industrial development that have been allowed in the past.

LU 10.4012 Limit the density of development for nonindustrial uses in the manufacturing/industrial centers... Permit a limited amount of stand-alone commercial uses in industrial areas as workforce amenities. ~~or only if they reinforce the industrial character, and~~ Strictly limit the size of office and retail uses not associated with industrial uses, in order to preserve these areas for industrial development, except for areas eligible for the Industry and Innovation zone.

Housing

Implementation of the Industrial and Maritime Strategy will result in broad impacts on housing citywide and throughout the region resulting from increased employment growth. The City must address the housing needs associated with significant expansion of industrial and maritime jobs, especially as many skilled workers may need to commute long distances to jobs without access to affordable worker-supportive housing. The Planning Commission strongly supports adding capacity for housing in urban villages and other residential zones with fast access to areas expected to have significant job growth. This should include a range of housing types and affordability levels to accommodate a variety of workforce income categories.

The Industrial and Maritime Strategy's final recommendations would add capacity for approximately 3,000 units of new housing, focusing on workforce/middle-income housing. About half of these units would be located outside of the M/ICs in new mixed-use areas like Judkins Park, Ballard and Georgetown, while the other half of these units would be in Urban Industrial zones as a conditional use with a workforce housing requirement to support industry-related workers. While the Planning Commission supports increasing housing choice throughout residential areas of the city, we remain concerned about providing housing options in industrial areas, especially because those most likely to live in units targeted to industry-related workers will be cost-burdened low-income households or moderate-income households who cannot afford housing options elsewhere in the city. This would result in perpetuating environmental injustice issues and ensuring the residents in these communities lack access to neighborhood amenities and opportunity that all Seattleites, no matter their income, deserve. We understand that the time to debate this issue has passed and offer our comments below in hopes of improving implementation of this policy.

The Planning Commission has reviewed the proposed revision to the existing policy related to housing in industrial zones. We have concerns with the language "targeted to workers..." below and would prefer language such as "intended for workers..." to reinforce the intent of the policy.

LU 10.68 Prohibit new residential development in industrial zones, except for certain types of dwellings, such as caretaker units or, potentially in urban industrial zones, dwellings targeted to workers that are related to the industrial area and that would not restrict or disrupt industrial activity.

We understand that the proposed wording has been reviewed by the City's Law Department. The City will establish an appropriate vehicle for affirmative marketing and targeted outreach to local

workers that may be interested in new industry-supportive residential units consistent with the Federal Fair Housing Act.

The Planning Commission has consistently voiced our ongoing concerns related to the environmental health impacts of housing in proximity to air quality and noise emissions from industrial and maritime uses. We encourage the City to be more explicit in acknowledging and addressing the historic and ongoing environmental injustice related to locating housing in or adjacent to industrial areas that has had disproportionate impacts on low-income and BIPOC populations. We recommend the City consider the public health risks of industry-supportive residential uses through an environmental justice lens by identifying and mitigating any potential air quality, heat island, contamination, and noise impacts on future residential uses in or near industrial areas.

Master Planning for WOSCA and Armory Sites

The Planning Commission agrees with the intent of the following new policy related to master planning for the WOSCA and Armory sites:

LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA (Washington Oregon Shippers Cooperative Association) represents. Work with the State of Washington or other future owners of this site to develop a comprehensive industrial development plan. This plan should include green infrastructure, consolidated waste management programs, and workforce equity commitments.

We have not been briefed in recent years on any development plans for the WOSCA site specifically. We look forward to learning more about this site as the master planning process evolves. The Commission followed the recent stakeholder advisory committee process for the future of the Interbay Armory site currently owned by the State. Sound Transit's Ballard Link Extension project proposes to locate two future light rail stations in Interbay less than a mile apart. The Armory site is within the walkshed of both future light rail stations. The Planning Commission will review station area plans for these stations and will pay particular attention to any plans for the Armory site.

Transportation

The Planning Commission has not seen any proposed Comprehensive Plan amendments related to transportation recommendations of the Industrial and Maritime Strategy. Seattle's transportation system will be significantly affected by the evolution of our industrial and maritime areas. We recommend addition of new policies or revisions to existing policies in the Comprehensive Plan's Transportation element and the forthcoming Seattle Transportation Plan to address the following issues.

Freight mobility and access for workers are issues of critical importance for successful economic development. Traffic volumes and travel times for both autos and freight would increase due to growth within the industrial zones. The Planning Commission recommends a review of existing transportation policies related to freight mobility and logistics. We recommend the City's Department

of Transportation work with private industry stakeholders and organizations such as the University of Washington's Urban Freight Lab to address issues related to the proliferation of smaller delivery vehicles and the need for dedicated loading zones, curb space, and/or parking.

As a result of more intensive development in Seattle's industrial areas, more people will be walking, biking, and riding transit in parts of the city with incomplete networks. The Planning Commission recommends a transportation policy aimed at reducing conflicts between freight traffic and other modes such as pedestrians and bikes in communities without sufficient non-motorized infrastructure.

The City should continue to make important investments in and enhancements to quality multi-modal access, connections, and infrastructure including sidewalks, transit access, bike lanes, and trails that get workers to their jobs. The hundreds of workers needing to access future employment centers located within industrial and maritime areas deserve significant multi-modal improvements that both improve the speed and ease of their transportation options while relieving car congestion on our streets. The Planning Commission recommends policy language prioritizing walking and biking connections in industrial areas in a thoughtful manner that both completes these missing links while minimizing conflicts with freight and other motorized traffic. Examples include investments in sidewalks, bikeshare, motorized vehicle speed reduction and/or lane separators along highly trafficked pedestrian and bicycle routes, and last mile connections, especially around future light rail stations.

Climate Change/Resiliency

The Planning Commission understands that the One Seattle Comprehensive Plan may include a new element related to climate change and resiliency. We have not seen any proposed Comprehensive Plan amendments at this time that would address the relationship between the Industrial and Maritime Strategy and climate change or resiliency. We recommend either addition of new policies or revisions to existing policies to address these important issues. For example, the Planning Commission recognizes the severity of the potential impacts of sea level rise and the heat island effect on key industrial and maritime lands, including specific areas of SODO, South Park, Ballard, and Interbay. Policy language should consider the impacts of adding density to these areas.

Shoreline Areas

The Shoreline Areas element contains land use policies for industrial land adjacent to Seattle's shorelines. These policies are implemented through the Shoreline Master Program which designates which shorelines are industrial in use and establishes development regulations for those uses within 200-feet of Shorelines of the State. The Planning Commission encourages a concurrent evaluation of the City's Shoreline Master Program's effectiveness in maritime and industrial areas to strengthen protection of currently undeveloped shorelines and to promote incentive strategies to improve water quality treatment and flood resiliency for both existing and future development. The City should add or revise policy language encouraging restoration of lands and shorelines with industrial contamination to reduce public health concerns, including contaminants in fish from waterways

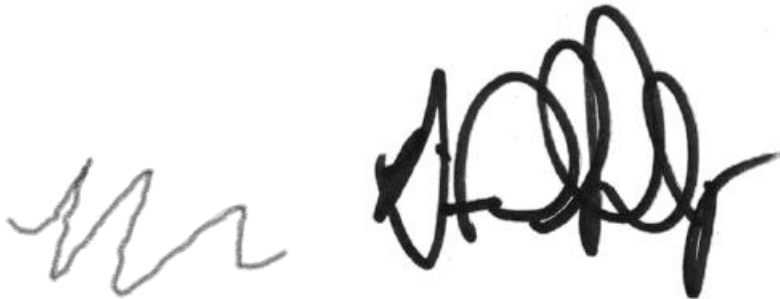
adjacent to industrial areas, especially within the walkshed of Urban Industrial areas where limited housing will be permitted.

Cultural Resources

The Planning Commission has not seen any proposed policy language regarding tribal access and rights in implementation of the Industrial and Maritime Strategy. We understand the City has sought input from local tribes during the development of the recommendations. The Commission strongly suggests ongoing consultation with potentially affected tribes to identify areas of cultural significance and industrial uses that could create physical or economic impacts to tribal fisheries, natural, or cultural resources. In cases where the City cannot prevent unavoidable new or continued impacts of industrial uses or other practices that block the legally protected rights of these tribes to fishing or harvesting at their usual and accustomed grounds, we recommend that the City develop and adopt a policy framework for meaningful mitigation strategies in direct collaboration with affected tribes. We recommend explicit recognition of impacts to the cultural and historic importance of indigenous land, including the ancestral lands of the Duwamish, Suquamish, and Muckleshoot Tribes.

We appreciate the opportunity to provide our comments on the proposed Industrial and Maritime Strategy Comprehensive Plan amendments. If you have any questions, please do not hesitate to contact Vanessa Murdock, Seattle Planning Commission Executive Director.

Sincerely,



McCaela Daffern and David Goldberg
Co-Chairs, Seattle Planning Commission

Cc: Mayor Bruce Harrell
Seattle City Councilmembers
Tim Burgess, Mayor's Office
Rico Quirindongo, Geoff Wentlandt, Jim Holmes, Office of Planning and Community Development

May 22, 2023

MEMORANDUM

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

On Wednesday, May 24, the Land Use Committee will hold a public hearing on 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.

Attached to this memorandum is the preliminary list of potential amendments that Councilmembers are considering proposing to the legislation. These amendments are preliminary concepts that may change based on public feedback and additional review.

Following the public hearing, we will prepare amendatory language for the Land Use Committee to consider at a special meeting on June 8.

Attachments:

1. Potential amendments to the Industrial and Maritime Strategy legislation

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

Attachment 1 – Table of Amendments to Industrial Maritime Strategy

#	Potential Amendment	Sponsor
1	Technical Amendments	Strauss
2	Change the required ground floor load bearing in industrial space in II zones from 250 lbs/sq ft to 125 lbs/sq ft	Strauss
3	Require Mandatory Housing Affordability (MHA) for commercial development in the Industrial Innovation (II) zone	Morales
4	Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone	Strauss
5	Increase the residential density limit in the Urban Industrial (UI) zone along the Wallingford waterfront	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
9	Allow an additional 10 feet of height in the Georgetown Live-Work district along 4th Avenue S	Strauss
10	Rezone the block at Leary Way and Dock Street to General Commercial 2 (C2) or other non-industrial zone	Strauss
11	Rezone the block at the northwest corner of Leary Way 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) and rezone to Lowrise (LR)	Strauss
13	Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 or LR3	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	Morales



Legislation Text

File #: CB 120569, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

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

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

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle's industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;

- Improving the movement of people and goods to and within industrial zones and increasing safety for all travel modes;
- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021, the Industrial and Maritime Strategy Council issued a report recommending 11 strategies to advance the guiding principles of the Council; and

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

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development (OPCD) issued a Determination of Significance and initiated a SEPA scoping period to seek public comment on four distinct land use alternatives, each based on a new industrial land use policy framework, reflective of the Strategy Council’s recommendations and received 105 comments; and

WHEREAS, on December 15, 2021, OPCD issued the Industrial and Maritime Strategy Draft Environmental Impact Statement; and

WHEREAS, OPCD held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022, OPCD issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended

by the Industrial and Maritime Strategy Council and were studied in the Industrial and Maritime Strategy Environmental Impact Statement, including: (1) an ordinance amending Seattle's Comprehensive Plan to create a new land use policy framework, (2) an amendment to the Seattle Municipal Code to establish new industrial zones and development standards consistent with the proposed Comprehensive Plan Policies, (3) an ordinance to remove the provision of the Industrial Commercial zone from the existing Seattle Municipal Code Chapter 23.50, (4) an ordinance amending Seattle Municipal Code Title 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing Center, and (5) an ordinance to apply the proposed new zones to land in Seattle's industrial areas; and

WHEREAS, the proposed ordinance amending the Official Zoning Map is consistent with the range of alternative studied in the Industrial and Maritime Environmental Impact Statement; and

WHEREAS, these proposed amendments to the Official Land Use Map provide for 85 percent of Seattle's industrial land to be in the core Manufacturing, Maritime, and Logistics zone, intended to protect legacy industries and builds on the City's historical investments in industrial infrastructure including its deep-water port, rail, and freight transportation infrastructure; and

WHEREAS, the proposed amendments in the suite of bills that implement the maritime and industrial strategy leverage future investments of up to five Sound Transit light rail stations by applying a new zone that facilitates employment dense, industrial transit-oriented development and space for emerging industries; and

WHEREAS, the proposed amendments apply a new zone to provide healthier transitions between industrial and nonindustrial areas; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Official Land Use Map, Chapter 23.32 of the Seattle Municipal Code, is amended to rezone land located on pages 52, 53, 54, 55, 71, 72, 73, 74, 75, 76, 77, 78, 85, 86, 87, 89, 90, 91, 97, 98, 99,

102, 115, 116, 117, 118, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 142, 143, 152, 153, 154, 155, 156, 157, 167, 168, 169, 170, 171, 172, 182, 183, 184, 185, 186, 187, 189, 190, 214 and 215 of the Official Land Use Map, all as shown on Attachment 1 to this ordinance.

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

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

President _____ of the City Council

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

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

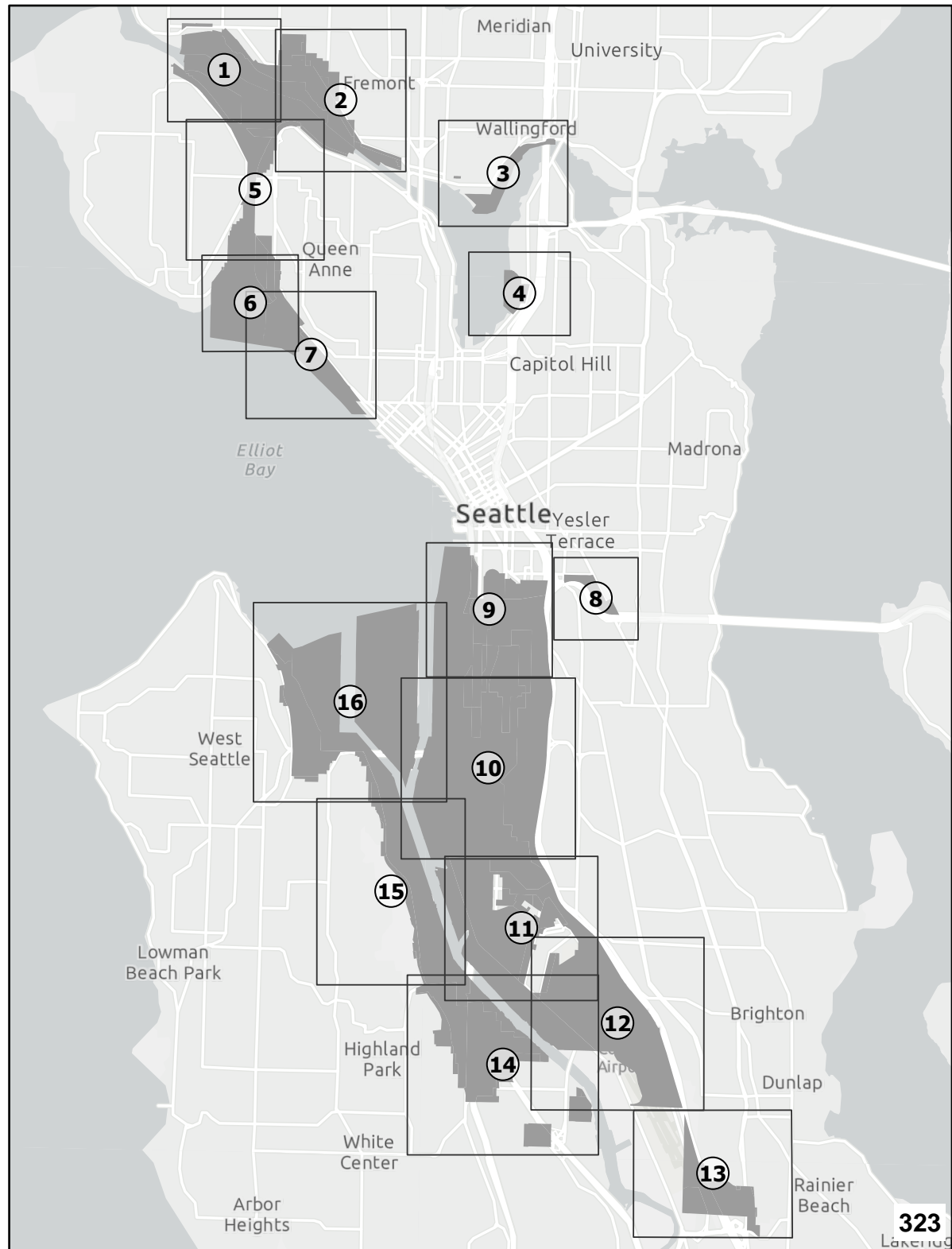
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Attachments:

Attachment 1 - Industrial & Maritime Rezone Maps

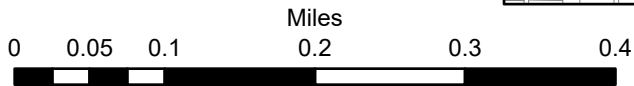
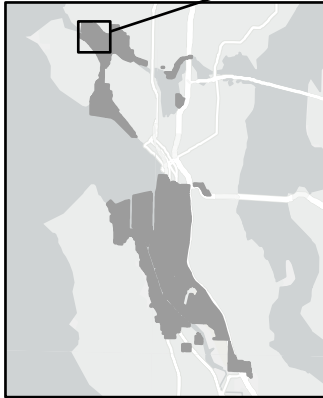
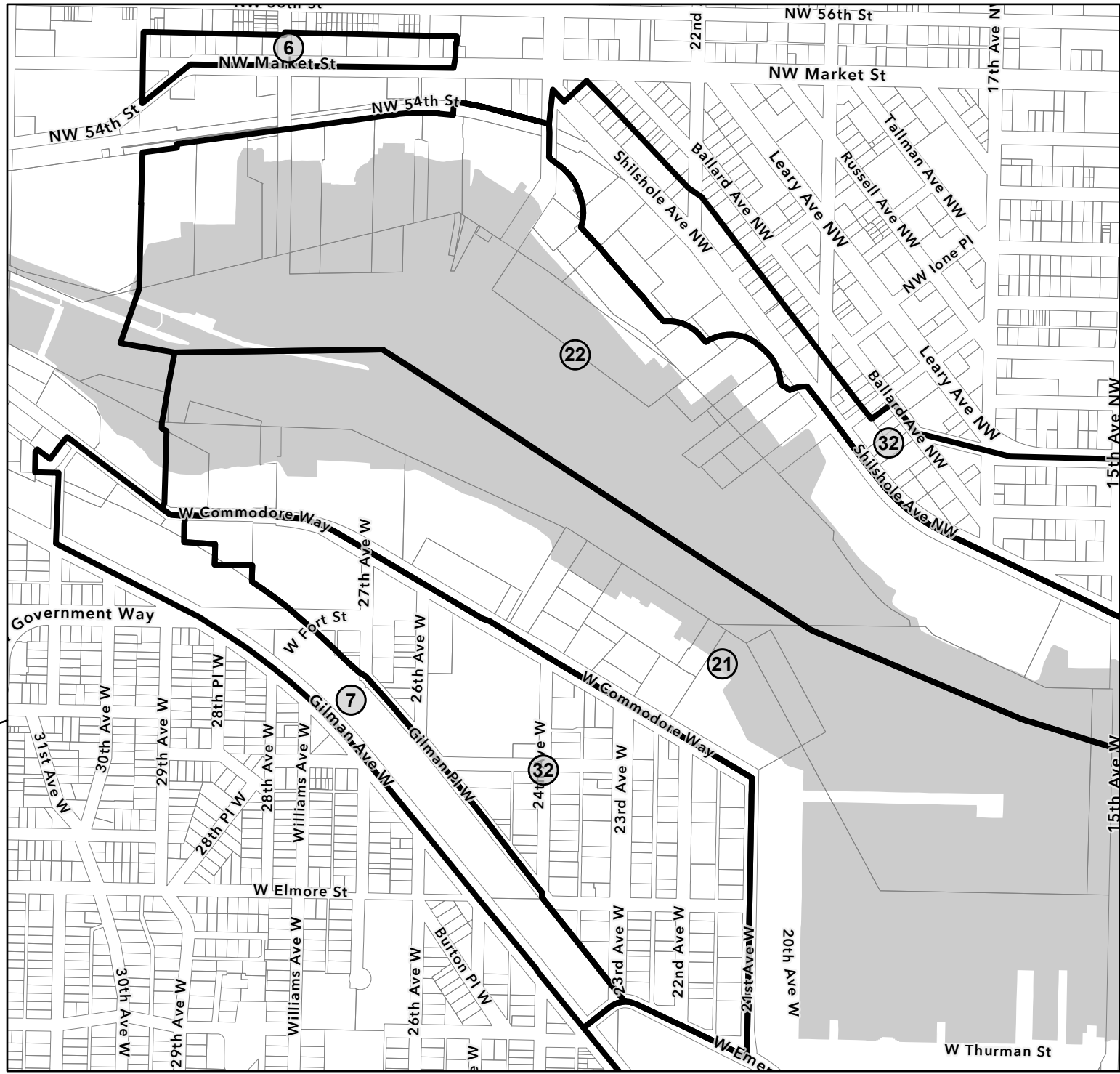
Maritime Industrial Strategy Rezones

Page Number	Area Name
1	West Ballard
2	East Ballard / Fremont
3	Wallingford
4	Eastlake
5	Fisherman's Terminal / Dravus
6	Terminal 91
7	Terminal 86
8	Judkins Park
9	SODO
10	S Spokane St
11	Georgetown
12	Boeing Field
13	S MLK / Airport Way S
14	Southpark
15	Terminal 115
16	Terminal 5 and 18



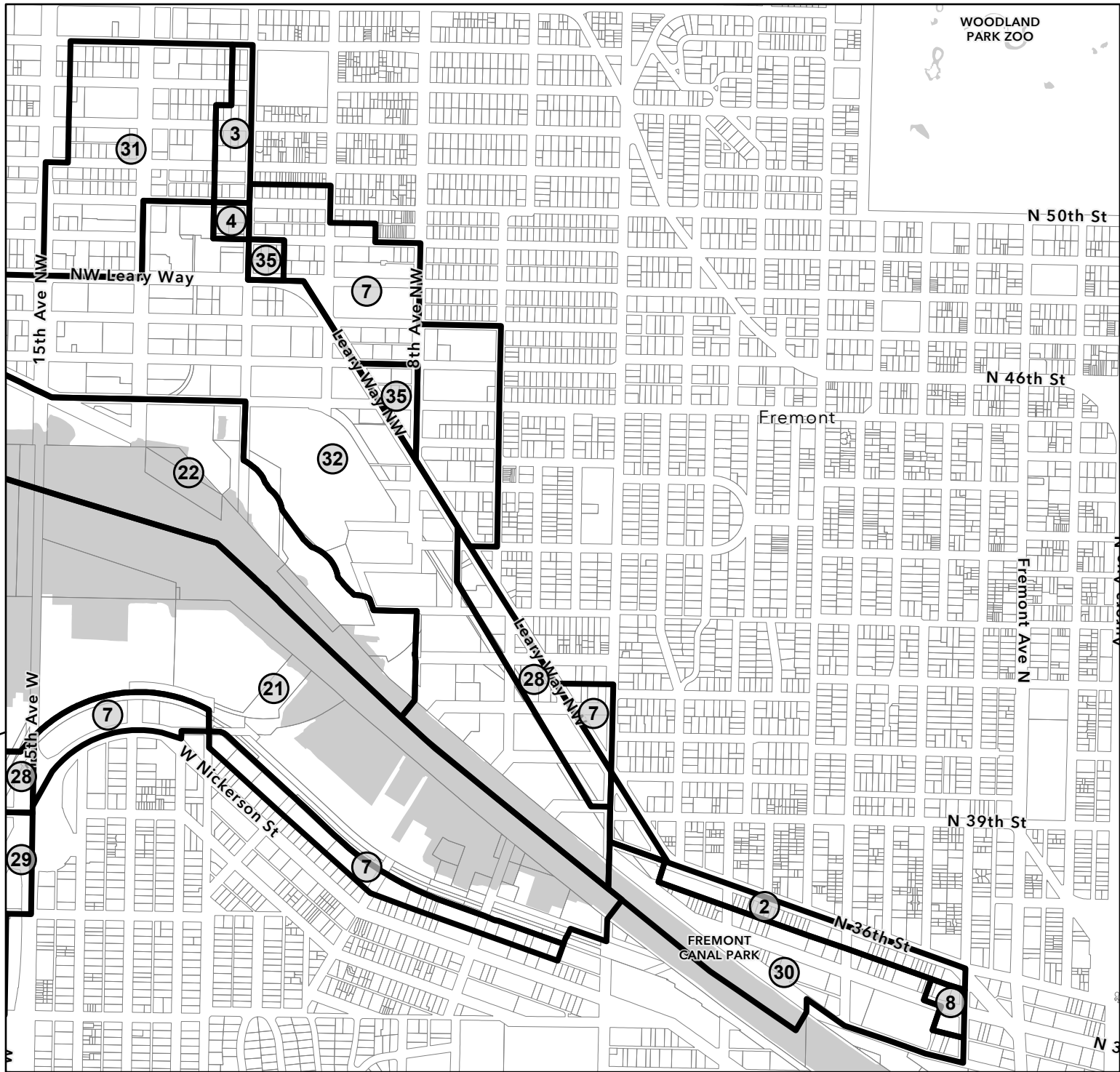
West Ballard Rezone Map

Label	Rezone
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



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



WOODLAND
PARK ZOO

N 50th St

N 46th St

Fremont

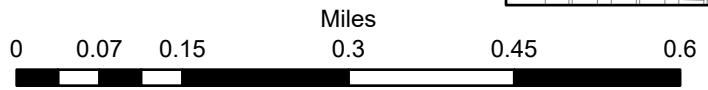
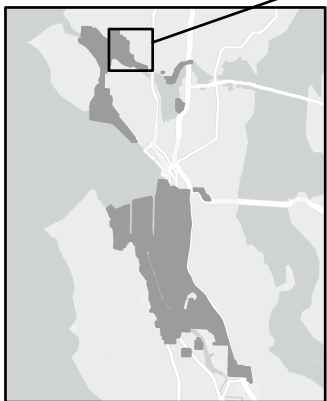
Fremont Ave N

N 39th St

FREMONT
CANAL PARK

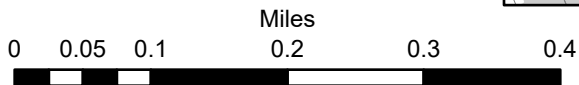
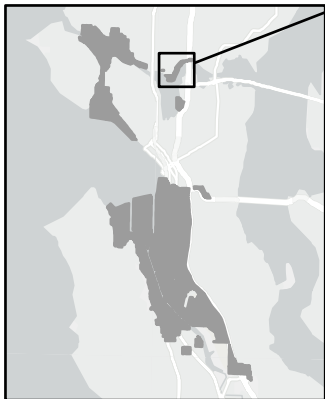
N 36th St

N 3



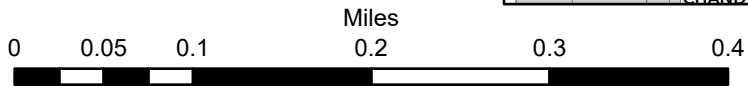
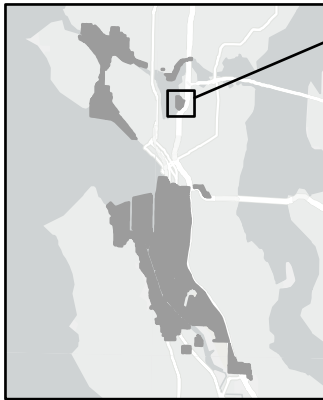
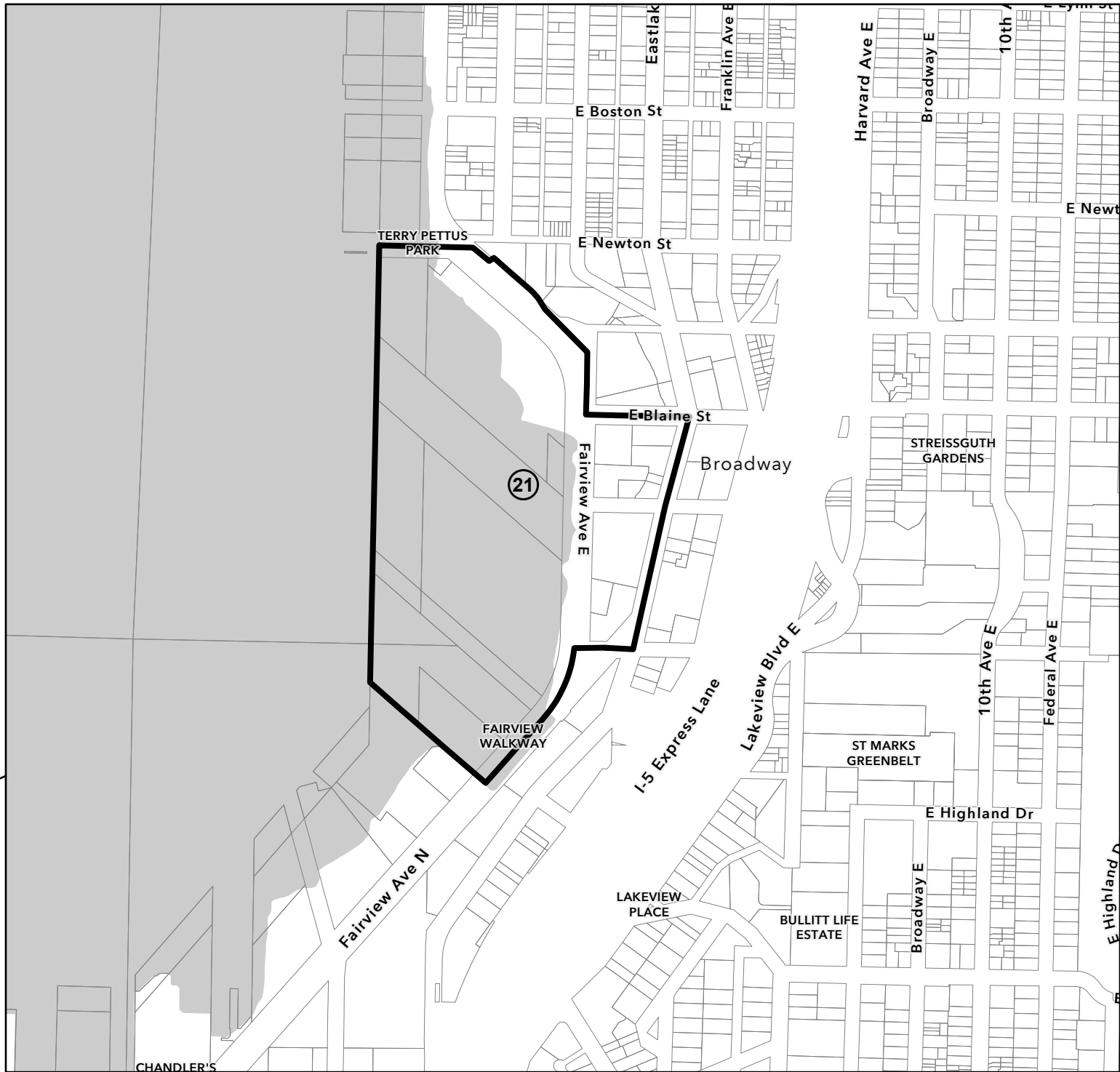
Wallingford Rezone Map

Label	Rezone
1	IB U/30 to UI U/30
7	IB U/45 to UI U/45



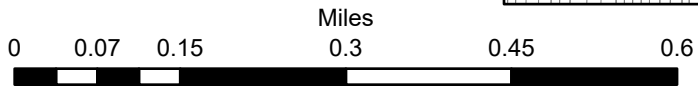
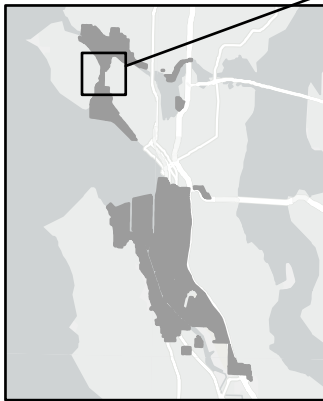
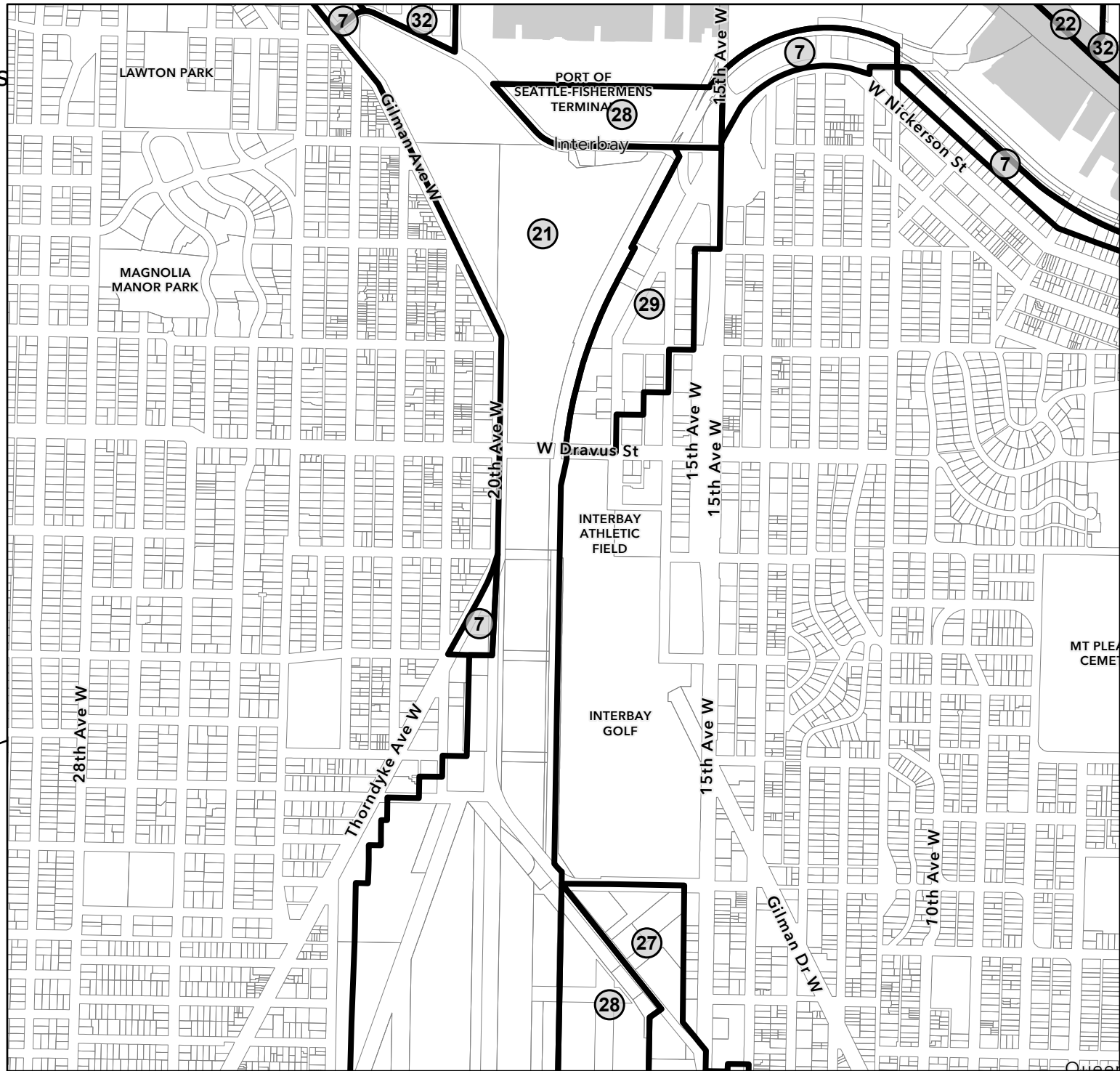
Eastlake Rezone Map

Label	Rezone
21	IG1 U/45 to MML U/45



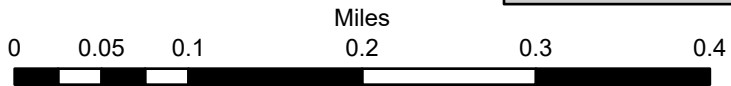
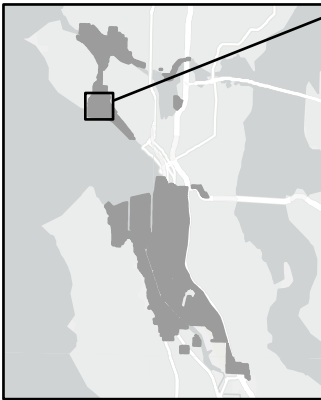
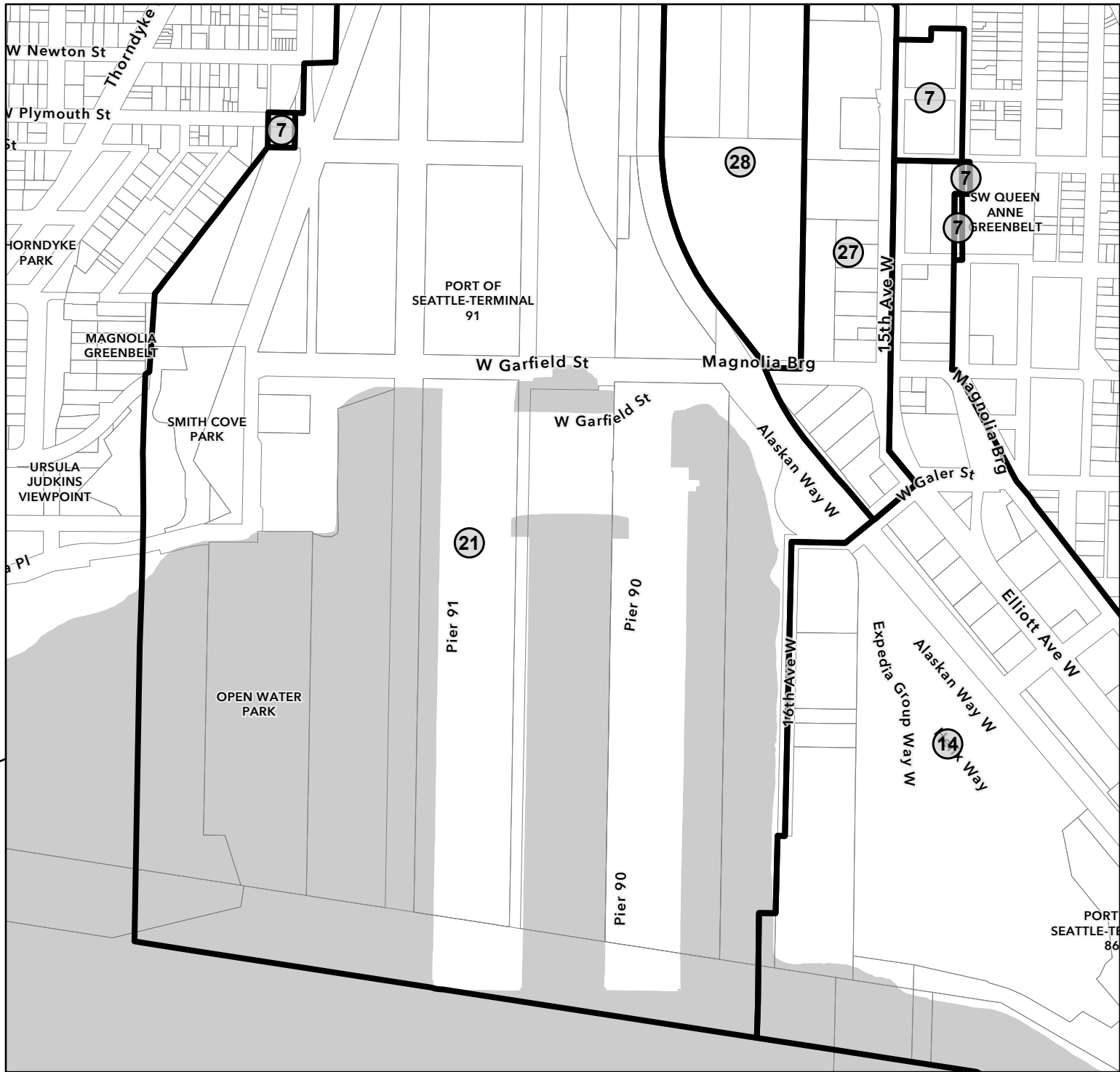
Fisherman's Terminal / Dravus Rezone Map

Label	Rezone
7	IB U/45 to UI U/45
21	IG1 U/45 to MML U/45
22	IG1 U/65 to MML U/65
27	IG2 U/45 to II U/85
28	IG2 U/45 to MML U/45
29	IG2 U/45 to UI U/45
32	IG2 U/65 to MML U/65



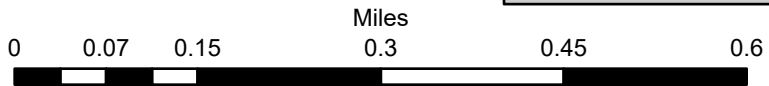
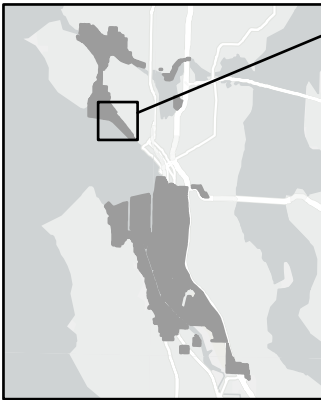
Terminal 91 Rezone Map

Label	Rezone
7	IB U/45 to UI U/45
14	IC-65 (M) to II U/85
21	IG1 U/45 to MML U/45
27	IG2 U/45 to II U/85
28	IG2 U/45 to MML U/45



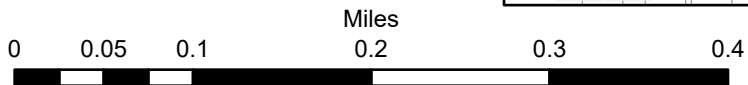
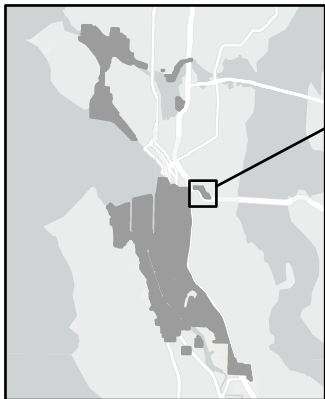
Terminal 86 Rezone Map

Label	Rezone
14	IC-65 (M) to II U/85
21	IG1 U/45 to MML U/45
27	IG2 U/45 to II U/85
42	IC-65 (M) to II U/125



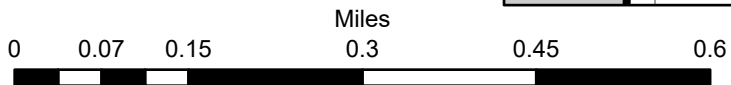
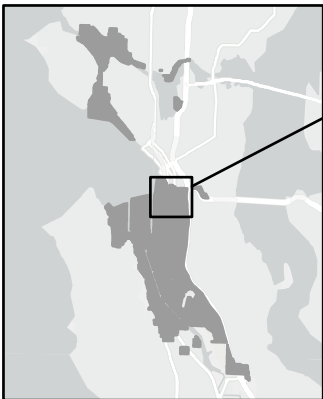
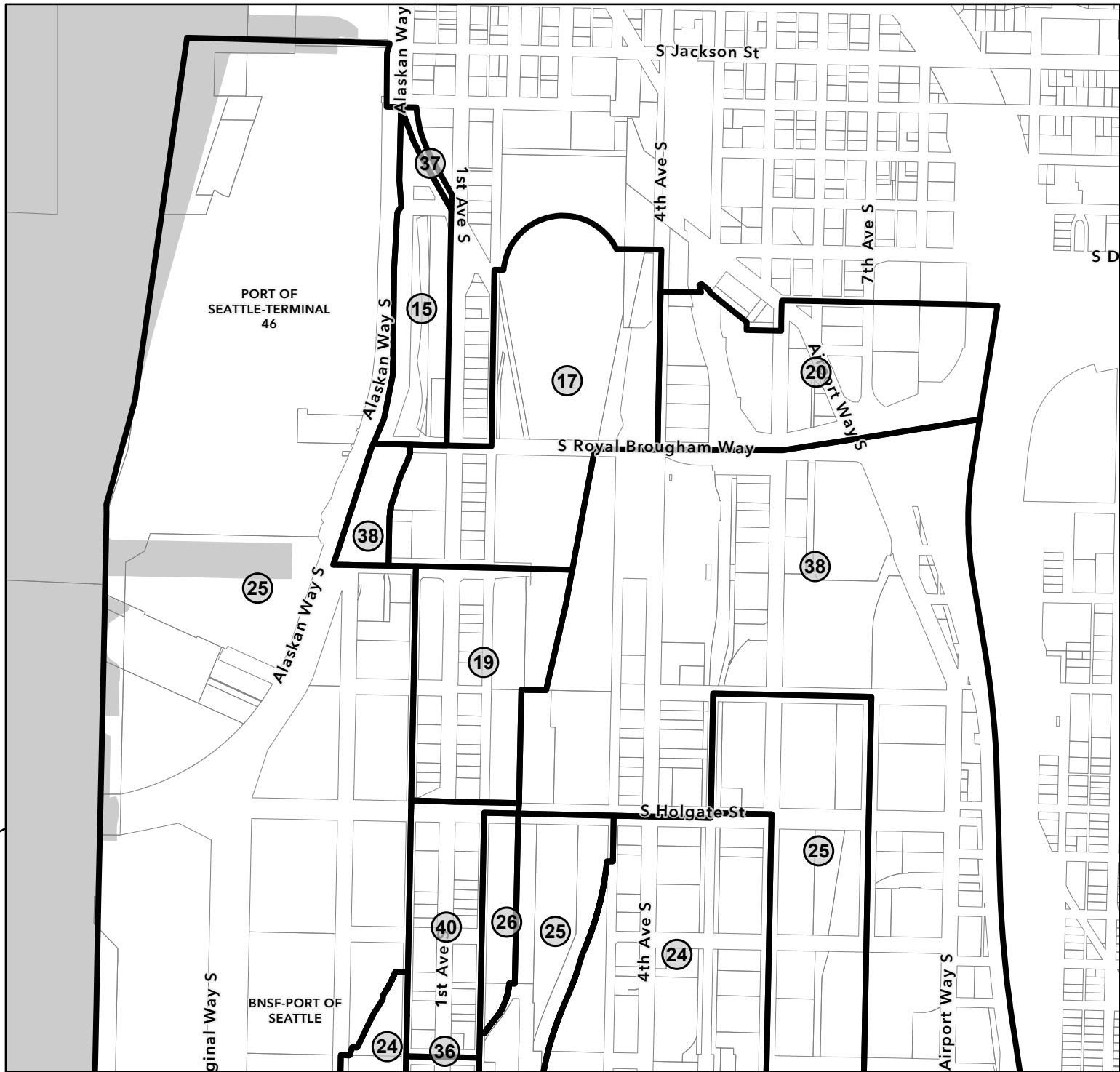
Judkins Park Rezone Map

Label	Rezone
16	IC-65 (M) to NC3-75 (M2)



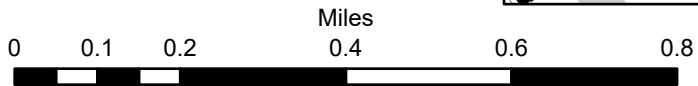
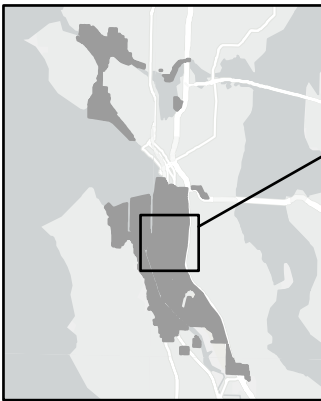
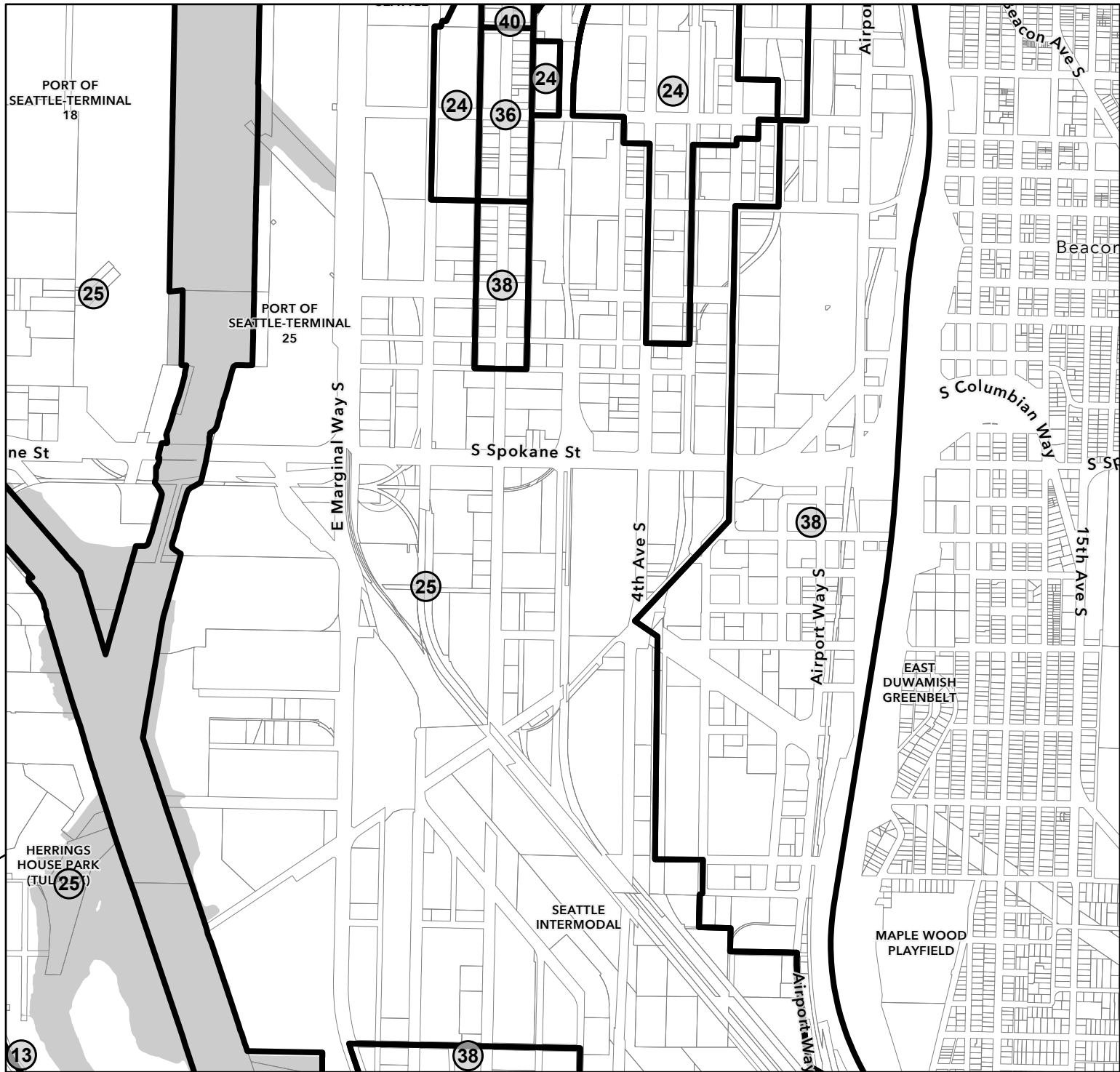
SODO Rezone Map

Label	Rezone
15	IC-65 (M) to MML U/65
17	IC-65 (M) to UI U/85
19	IC-85 (M) to UI U/85
20	IC 85-175 to II 85-240
24	IG1 U/85 to II U/160
25	IG1 U/85 to MML U/85
26	IG1 U/85 to UI U/85
36	IG2 U/85 to II U/160
37	IG2 U/85 to MML U/65
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



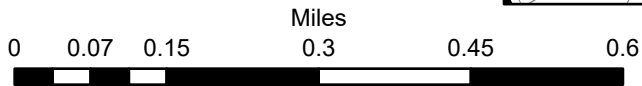
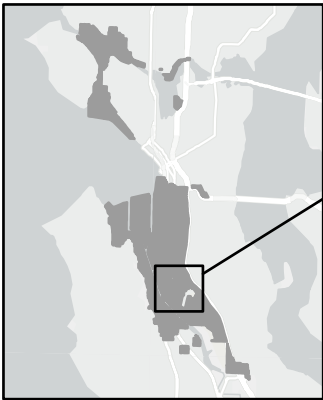
S Spokane St Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
24	IG1 U/85 to II U/160
25	IG1 U/85 to MML U/85
26	IG1 U/85 to UI U/85
36	IG2 U/85 to II U/160
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



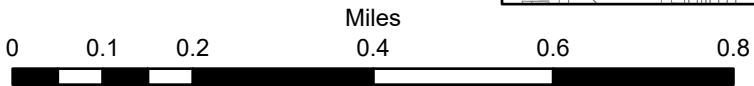
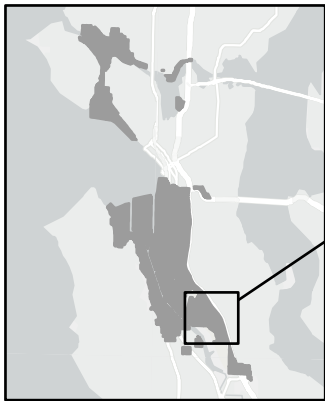
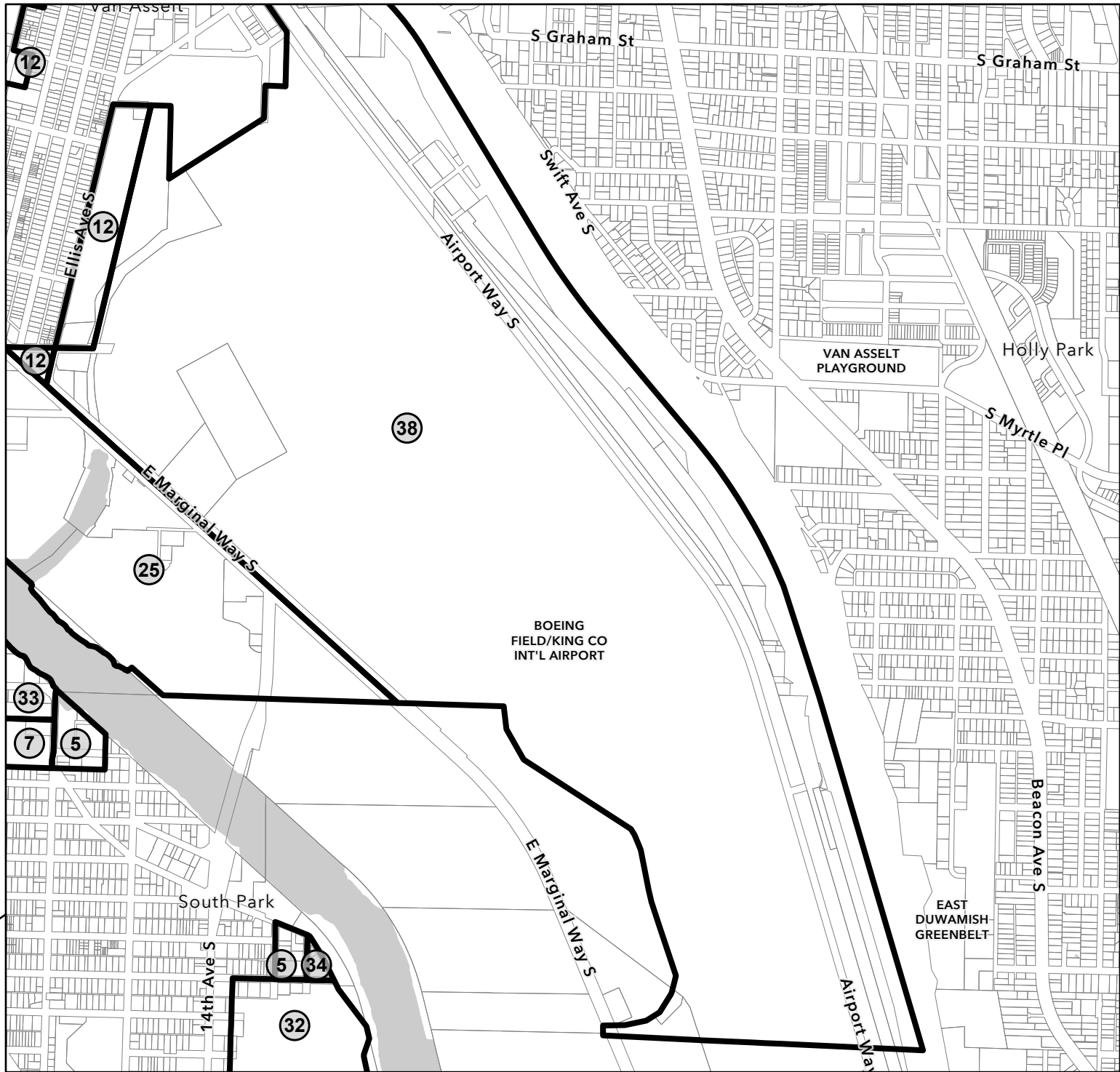
Georgetown Rezone Map

Label	Rezone
9	IB U/65 to LR2
11	IB U/65 to NC3-55 (M)
12	IB U/65 to UI U/65
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
33	IG2 U/65 to MML U/85
38	IG2 U/85 to MML U/85
39	IG2 U/85 to NC3-55 (M)
40	IG2 U/85 to UI U/85



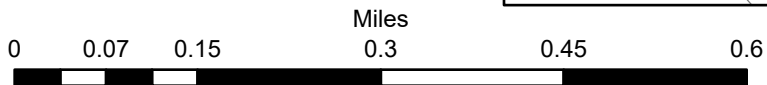
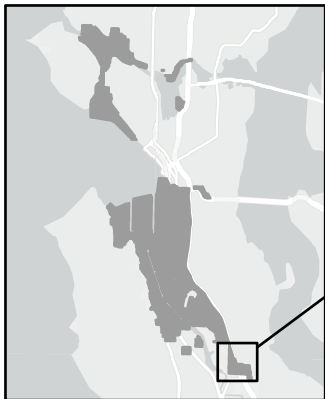
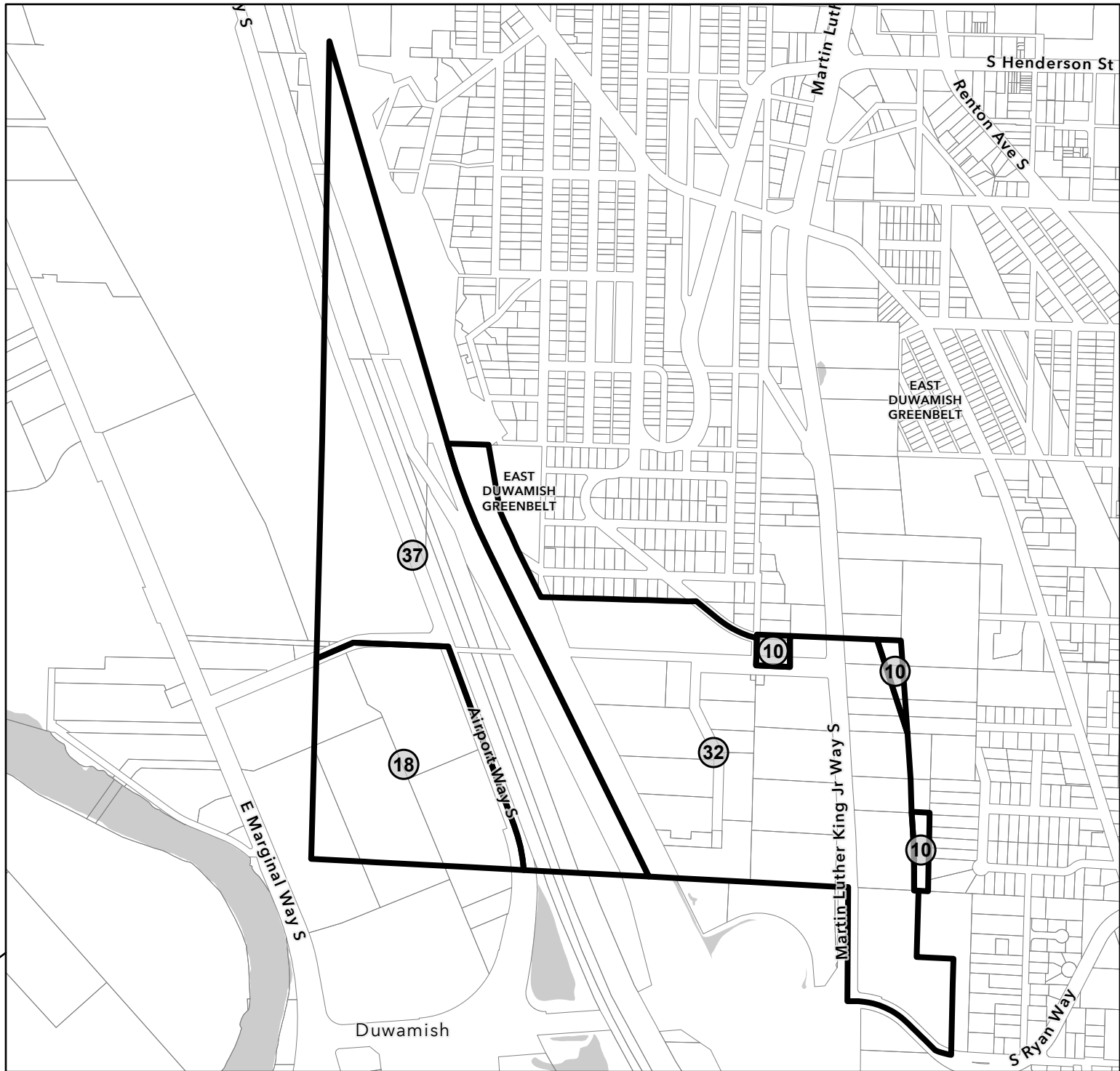
Boeing field Rezone Map

Label	Rezone
5	IB U/45 to NC3-55 (M)
7	IB U/45 to UI U/45
12	IB U/65 to UI U/65
25	IG1 U/85 to MML U/85
32	IG2 U/65 to MML U/65
33	IG2 U/65 to MML U/85
34	IG2 U/65 to NC3-55 (M)
38	IG2 U/85 to MML U/85



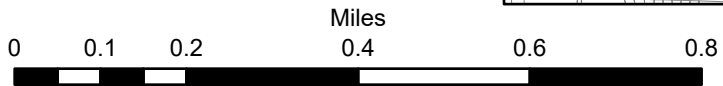
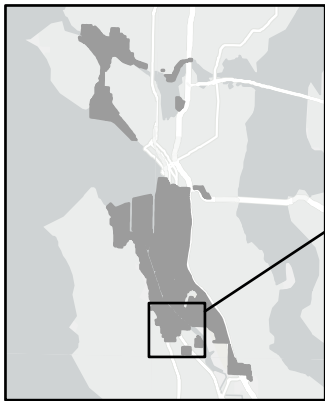
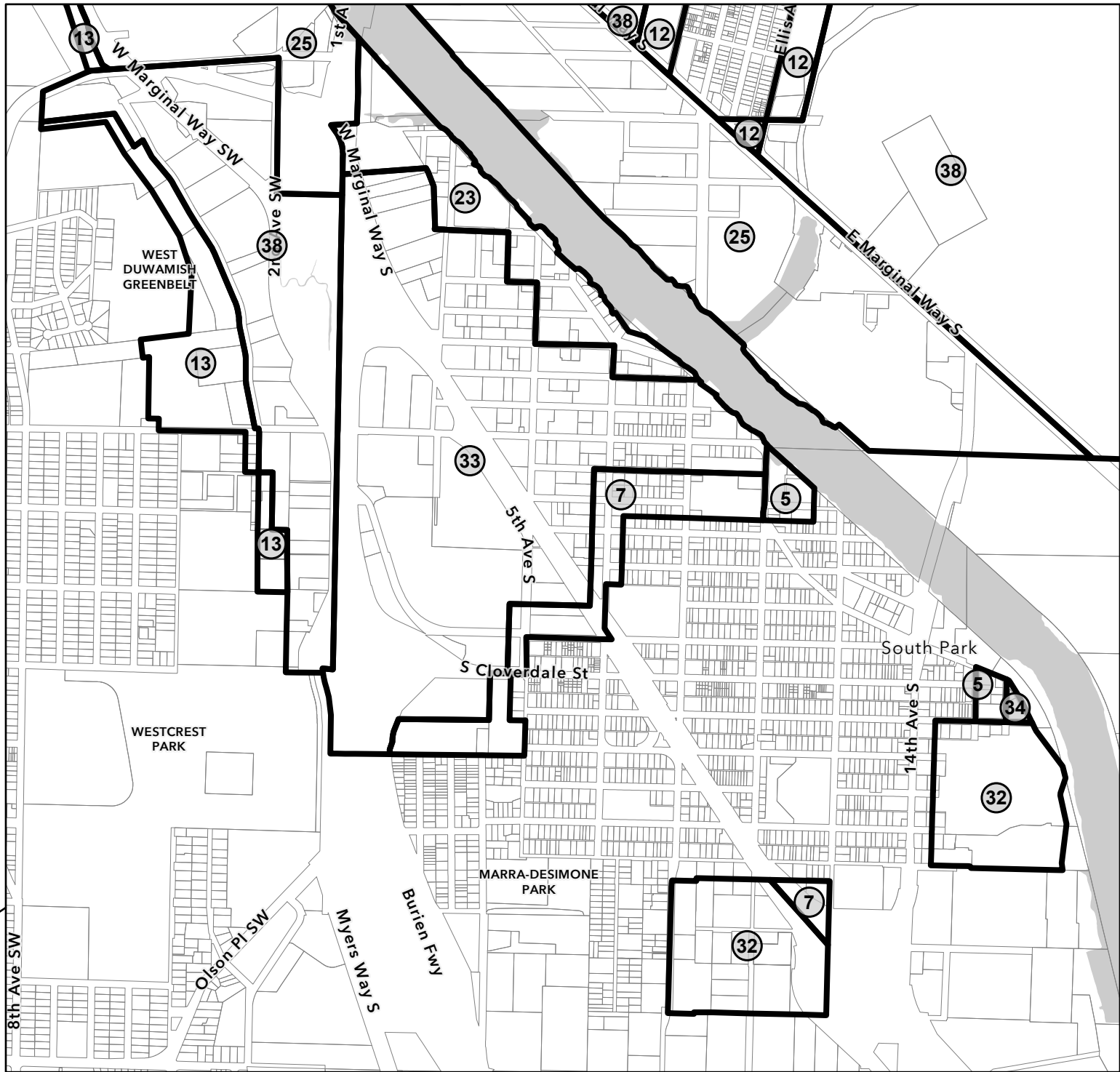
S MLK / Airport Way S Rezone Map

Label	Rezone
10	IB U/65 to MML U/65
18	IC-85 (M) to MML U/85
32	IG2 U/65 to MML U/65
37	IG2 U/85 to MML U/65



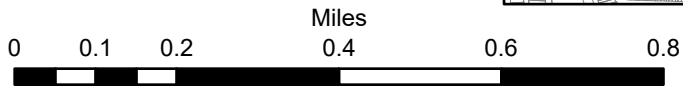
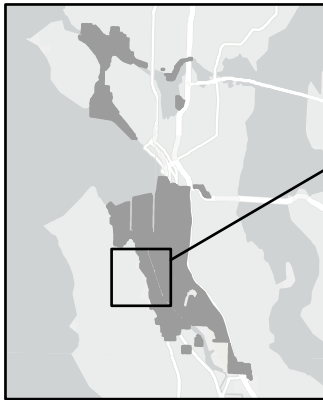
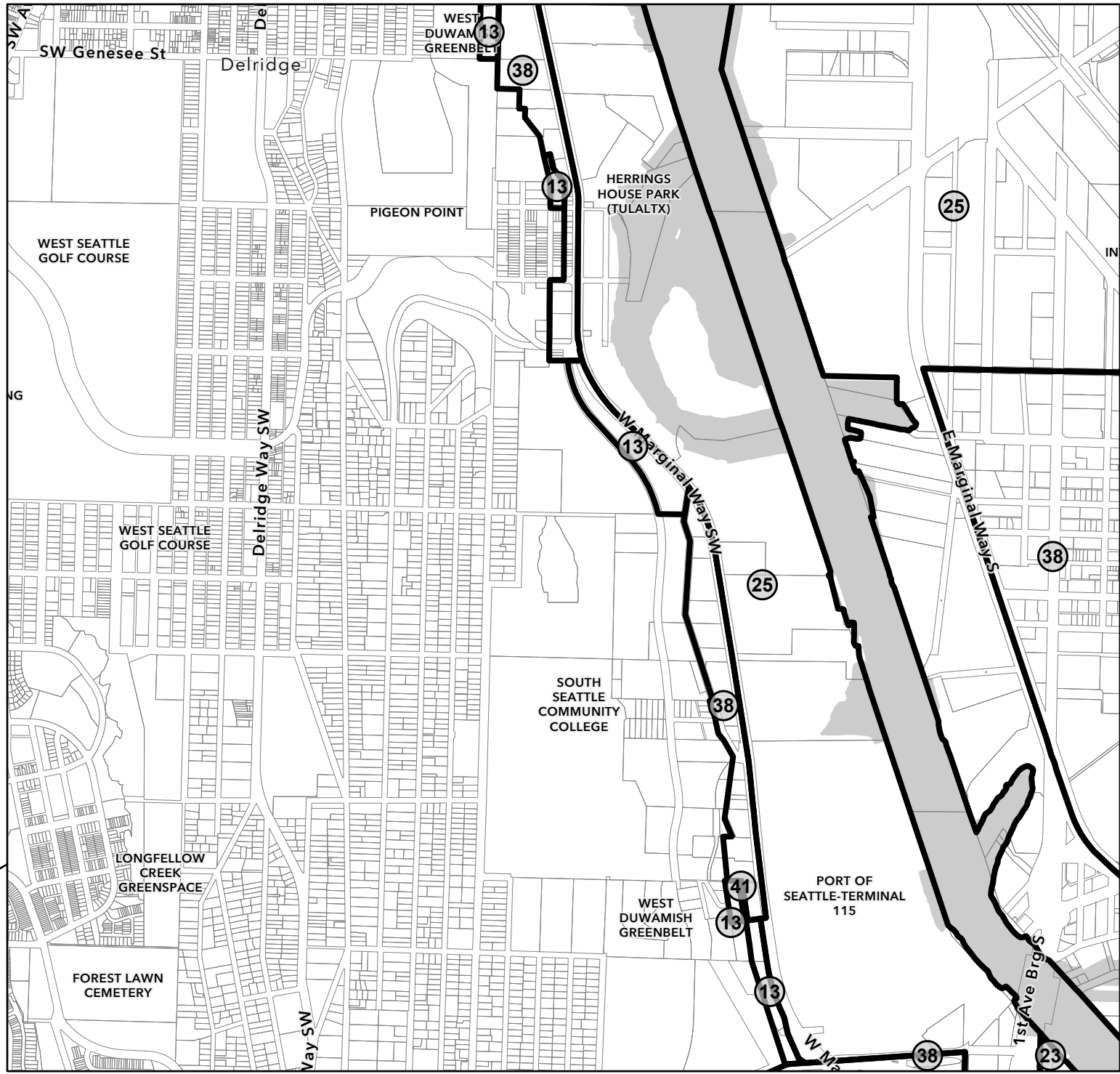
Southpark Rezone Map

Label	Rezone
5	IB U/45 to NC3-55 (M)
7	IB U/45 to UI U/45
12	IB U/65 to UI U/65
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
32	IG2 U/65 to MML U/65
33	IG2 U/65 to MML U/85
34	IG2 U/65 to NC3-55 (M)
38	IG2 U/85 to MML U/85



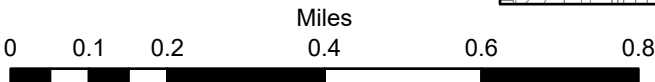
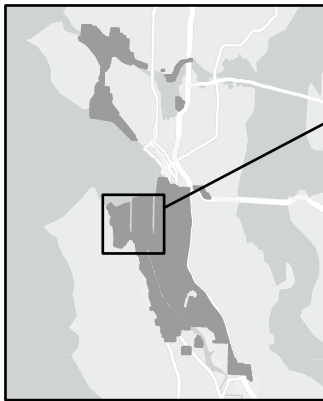
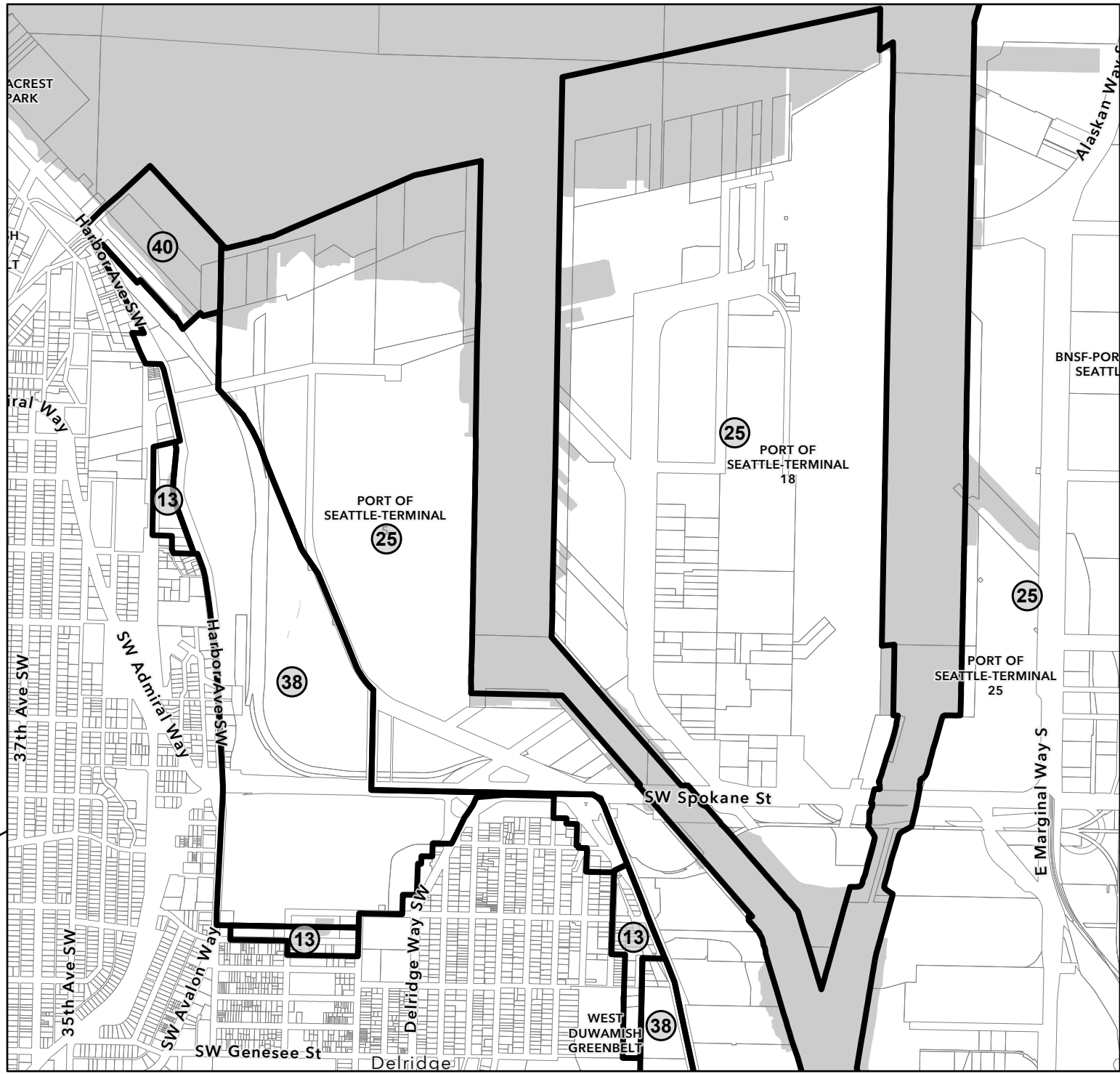
Terminal 115 Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
23	IG1 U/65 to MML U/85
25	IG1 U/85 to MML U/85
38	IG2 U/85 to MML U/85
41	NR2 to UI U/85



Terminal 5 and 18 Rezone Map

Label	Rezone
13	IB U/85 to UI U/85
25	IG1 U/85 to MML U/85
38	IG2 U/85 to MML U/85
40	IG2 U/85 to UI U/85



SUMMARY and FISCAL NOTE*

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

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

1. BILL SUMMARY

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

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

This legislation amends the Official Land Use Map to apply new industrial zones created through adoption of companion legislation in this package of ordinances. Together, this legislation package implements the land use recommendations of the Industrial and Maritime Strategy. This legislation will take effect 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

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

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

Yes, the training, implementation and technology costs involved with the Land Use Map Amendments are included in the fiscal note for companion legislation amending SMC 23.50A.

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

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

4. OTHER IMPLICATIONS

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

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

b. Is a public hearing required for this legislation?

Yes.

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

Yes.

d. Does this legislation affect a piece of property?

This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific legislation amends the land use map.

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

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

policies, will strengthen Seattle’s maritime and industrial sectors and their role in providing accessible quality jobs.

f. Climate Change Implications

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

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

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

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

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

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

This is not applicable to land use proposals.



Seattle

Seattle Industrial & Maritime Strategy

Director's Report and Recommendation

March
2023



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Executive Summary

Following a multi-year planning process that consisted of extensive stakeholder engagement, neighborhood outreach, research and analysis, and an Environmental Impact Statement, we are pleased to transmit 5 ordinances that together implement major components of the Mayor's Industrial and Maritime Strategy.

Seattle's industrial and maritime policies are more than 35-years old, and during that time, the trends and technologies impacting industrial and maritime users have experienced significant change. To reflect those changes as part of a comprehensive strategy to strengthen and grow Seattle's industrial and maritime sectors for the future, we are recommending a holistic update of our industrial and maritime policies and zoning. Debates around industrial lands have spanned decades, and therefore the adoption of this legislation will be a major milestone. This action proactively addresses industrial lands as an early component of the Comprehensive Plan major update, allowing the One Seattle Planning process to focus on other pressing topics such as expansion of housing supply.

We believe the legislation will spur progress towards the following objectives:

- Increase the quantity of living wage jobs generated from industrial lands.
- Improve environmental health for people who live or work in or near industrial areas.
- Provide long-term predictability to stakeholders that will support renewed investment.
- Promote mutually reinforcing mixes of activities at the transitions between industrial areas and urban villages or residential neighborhoods.
- Support industrially compatible employment dense transit-oriented development at existing and future high-capacity transit stations.
- Increase access to workforce and affordable housing for employees in industrial and maritime sectors.
- Position Seattle's industrial areas to respond competitively to new processes and practices.
- Ensure available and adequate locations for components of regional and statewide supply chains and regional economic clusters.
- Increase space for prototyping, entrepreneurship, and business incubation.
- Strengthen economic resiliency with the capacity to produce products locally and ensure stable distribution networks.

A brief description of the five ordinance that make up this action is below:

1. An ordinance amending the Comprehensive Plan to establish an updated vision in revised text policies for industrial land use. This ordinance amends the Future Land Use Map (FLUM) to change map designations in the Ballard and Judkins Park areas from an industrial land use designation to a mixed-use land use designation. The ordinance amends the FLUM to change the boundaries of the Manufacturing and Industrial Centers to remove parts of Georgetown and South Park.
2. An ordinance creating a new Chapter 23.50A in the Seattle Municipal Code that establishes three new industrial zones and sets out development regulations for those

zones. This ordinance amends the commercial Chapter 23.47A adding new provisions for areas of Neighborhood Commercial zoning that will be applied to the Georgetown neighborhood. It amends other sections of the Land Use Code that are related to establishing the new Chapter 23.50A.

3. An ordinance removing provisions for the Industrial Commercial zone from existing Chapter 23.50 and relocating them to the new Chapter 23.50A. The Industrial Commercial zone remains a useful and relevant zone in line with proposed policies for some areas and therefore will be relocated to new Chapter 23.50A.
4. An ordinance applying the new industrial zone classifications to the official zone map.
5. An ordinance amending the City's noise ordinance to address challenges to ongoing industrial activity in the shoreline areas of the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) that are experiencing encroachment from nonindustrial activity.

Current zoning regulations for industrial areas found in SMC Chapter 23.50 will coexist with the proposed new SMC 23.50A, if adopted, for a period. OPCD proposes to retain, for approximately one year, the existing Chapter 23.50 industrial zones in parallel with the new Chapter 23.50A, so City Council may elect to retain existing zoning in locations that need further review before the new suite of industrial zones can be applied. Once mapping is complete, OPCD expects to prepare legislation that would repeal Chapter 23.50.

In the remainder of this Director's Report and Recommendation we provide: background on the Industrial Maritime Strategy, the process to arrive at this recommendation, a discussion of how the ordinances implement the strategy, and an overview of the technical aspects of the proposed Comprehensive Plan and zoning code changes.

Background

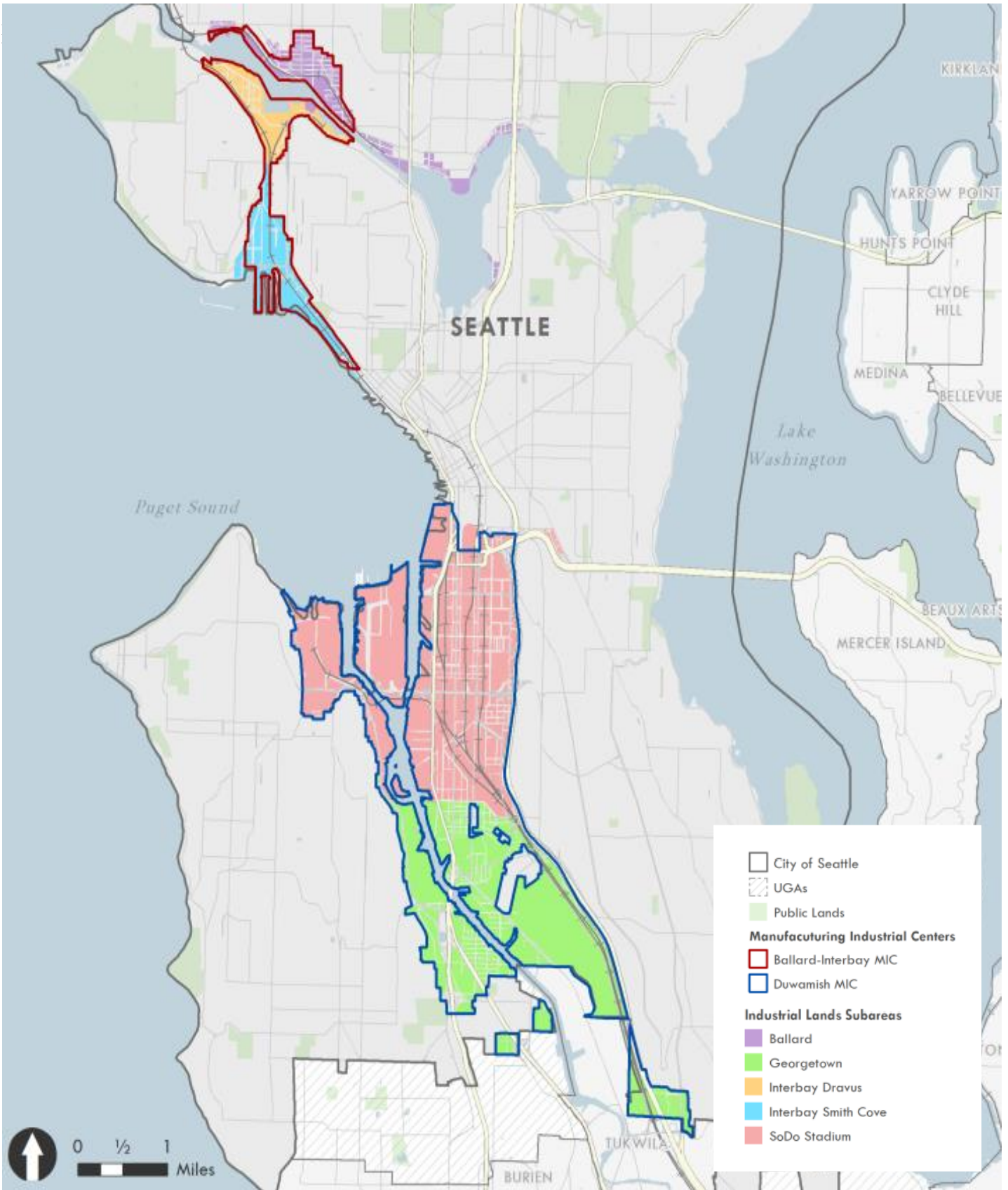
Most industrial land in Seattle is located within two Manufacturing Industrial Centers (MIC). Seattle's Greater Duwamish Manufacturing and Industrial Center (MIC) and the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) contain about 12 percent of Seattle's total land area. MICs are regional designations and are defined in the City's Comprehensive Plan as home to the city's thriving industrial businesses. There are only 11 MICs in the Puget Sound region, and they are important resources for retaining and attracting jobs and for a diversified economy. As regionally-designated Centers MICs are eligible to receive federal transportation funding through allocations by the Puget Sound Regional Council (PSRC).

Subareas within MICs with more local identities are commonly understood by community members. Subareas are considered for the purposes of analysis and local planning. A few small areas of existing industrial zoning located outside of MICs in locations such as along North Lake Union and in Judkins Park, are also a part of this action.

Seattle industrial areas employment is about 100,000, representing roughly 15% of total employment in the City. Historically, Seattle's industrial lands have captured about 6-11% of the city's employment growth. Although narratives suggest declines in industrial jobs, Seattle's industrial area employment grew at a compound annual rate of about 1.6% between 2010 and 2018. Some sectors like food-and-beverage production grew even faster, while maritime and logistics had slow and steady growth, and only aerospace and manufacturing sectors saw minor declines. (Seattle Maritime and Industrial Employment Trends. Community Attributes Inc., 2020)

Industrial and maritime jobs provide pathways to stable careers that are accessible to a broad swath of community members. Nearly two thirds of all jobs in industrial sectors are accessible without a traditional four-year college degree, and more than half of all jobs in the maritime sector are available with no formal education. Wages are competitive, with average annual earnings exceeding 70% of the Area Median Income for salaries in the construction, aerospace/aviation, and logistics sectors. A high number of jobs in logistics, maritime and manufacturing sectors remain unionized and provide high quality benefits. (Industrial Lands Employment Analysis Technical Memo. Community Attributes Inc., 2020)

While there is a lack of data to fully demonstrate the demographics of the industrial and maritime workforce, the available data does show that the largest geographic concentration for Seattle residents of workers on industrial lands are in southwest Seattle with an overall distribution across the region.



This map shows the area affected by the proposed legislation and subareas that are considered for the purposes of analysis and local planning.

Process

Industrial and Maritime Strategy Advisory Council

In 2019 the City convened an Industrial and Maritime Strategy Advisory Council to chart a blueprint for the future of industrial land in Seattle with a focus on providing equitable access to high-quality, family-wage jobs and entrepreneurship opportunities. The Advisory Council included representation from citywide stakeholders and stakeholders from four neighborhood subareas for: Ballard, Interbay, SODO/Stadium District, Georgetown/South Park. The groups represented a diverse range of interests including maritime and industrial businesses, labor, residents of adjacent neighborhoods, developers, a City Council member, and industry groups.

The Industrial and Maritime Strategy Council process lasted more than a year and a half and included various phases and levels of dialogue. The timeline below summarizes major steps. These steps were supplemented with individual outreach and dialogue between members of the strategy council, city staff, and the facilitator.

- November 2019. Project kickoff and guiding principles
- February 2020. Discuss policy alternatives and background data
- March-May 2020. Break due to COVID-19
- June 2020. Reconvene with a focus on a greater emphasis on equity and recovery
- Fall, 2020. Restorative economics training, BIPOC youth engagement
- November 2020. Listening session
- December 2020. Discuss detailed policy tables, written comments
- March 2021. Regroup and strategy framework
- April / May 2021. Strategy workshops and straw poll voting
- May 27, 2021. Final consensus recommended strategies

In May 2021 the Advisory Council recommended 11 broad strategy statements, which are shown on the following page. The consensus represented approval votes by over 85% of voting advisory group members on the package. Due to the significant amount of negotiation, dialogue and collaborative effort that went into reaching consensus, we emphasize in this report how closely the proposed legislation follows the consensus recommendations.

Investment Strategies

1. Workforce Investments to Support Access to Opportunity for BIPOC, Youth, and Women: Create, expand, and support initiatives that increase access to opportunity and economic prosperity for Black, Indigenous, and People of Color, youth, and women through manufacturing, maritime, and logistics careers.

2. Public Safety Partnership to Support Maritime and Industrial Areas: Work closely with local business and community organizations to develop and implement a proactive public safety response to elevated levels of crime within maritime and industrial lands.

3. Transportation Priorities to Improve the Movement of People and Goods: Improve the movement of people and goods and make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals.

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

11. Ongoing Stewardship Entities to Champion this Vision: Identify and grow ongoing stewardship entities with a complete range of stakeholders to champion the vision of the Industrial and Maritime Strategy, ensure its long-term implementation, and develop appropriate assessment metrics to help guide future policy decisions. In different neighborhoods, this could be an existing organization with a modified charter and/or a new organization.

This table is from the June 2021 Industrial and Maritime Strategy Advisory Council Report.

Other Focused Engagement

The relative accessibility and competitive wages provided by jobs in industrial and maritime sectors present the opportunity to benefit BIPOC community, women, and youth. The Strategy Council strongly recommended specific and proactive measures to ensure access and opportunities to a higher proportion of industrial and maritime sector jobs by BIPOC and women than it has ever had before. The City directly consulted over 116 BIPOC youth to share their lived experiences about exposure to industrial and maritime sectors.

The take-aways from the youth engagement include the youth describing a general lack of awareness of industrial and maritime careers and that youth were surprised by the diversity and number of careers and the higher wages within the maritime, manufacturing, and logistics sectors. We also heard that a clear stigma against career and technical education exists and that career decisions of youth are most influenced by their parents, as opposed to their teachers and counselors. Finally, we heard youth emphasize that environmentally friendly employers are important to their career decisions.

Environmental Impact Statement (EIS) Process

OPCD initiated an EIS process in July of 2021 to study the possible effects of implementing land use changes. The process provided community with meaningful opportunities to shape the proposal. The draft EIS included four alternatives, and the City extended the initial 45-day comment period to 60 days allowing more time for review and held public engagement events during the comment period. The City conducted a series of meetings with South Park and Georgetown community members in neighborhood locations and included comments from these communities through an additional extension to April 15, 2022. A final EIS was issued in September of 2022 that contains a Preferred Alternative. The Final EIS Preferred Alternative reflected substantial input from community, and analysis was supplemented in response to comments. (Findings from the environmental review are summarized later in this Director's Report, and in Appendix A.)



Online and Social Media Engagement

OPCD used social media and online tools to communicate directly to the public about policy issues and to increase general awareness of industrial and maritime land use issues. OPCD produced a series of video profiles highlighting industrial businesses, including woman and minority owned businesses. OPCD also highlighted news stories and articles on industrial and maritime strategy topics. The purpose

was to build community member awareness of industrial lands policy issues so more people could weigh in on proposals in a more informed way.

Other Engagement with Stakeholder Groups

In addition to formal engagement channels and meetings OPCD staff conducted regular check-ins with individuals and stakeholder groups who would be most affected by the proposed legislation. These meetings continued following completion of the Final EIS and during the formulation of this proposed legislation. Input by stakeholder groups helped to improve and refine proposed development standards. Meetings included dialogue with:

- Ballard brewers
- Ballard area property owners
- Georgetown Community Council
- Duwamish River Community Coalition
- Port of Seattle / Northwest Seaport Alliance
- Maritime labor organizations
- Service sector labor organizations
- Construction sector labor organizations
- Professional sports stadium boards
- Industrial trade groups
- Seattle Planning Commission
- Others

Implementation of the Consensus Strategies

Below we describe the direct connection between the consensus recommendations and components of the proposed land use legislation.

Consensus Strategy 5—Stronger Protections for Industrially Zoned Land:
Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

Competition for industrial land from nonindustrial uses destabilizes the vitality of industrial districts by introducing land use conflicts and driving speculative pressures that results in the displacement of industrial activity. Industrial land is priced lower than land for commercial and residential activity. Although Seattle's proximity to a deep-water port, rail and freight infrastructure, and a large workforce are locational advantages for some industrial uses, others can easily relocate to outlying areas free of land use conflicts at a price competitive or better than they can find in Seattle.

As a broader range of uses locates in industrial districts, land values rise meaning only those higher-value uses can afford to locate in these areas. This can be seen in Ballard where numerous grocery stores have displaced industrial businesses in the BINMIC, or where destination retail has been developed on land off West Armory Way in Interbay.

On a regular basis the City receives applications to remove land from our industrial areas for nonindustrial development resulting in a lack of predictability by industrial users contemplating investment/reinvestment in Seattle's industrial areas. The package of zoning amendments and Comprehensive Plan Amendments contains three specific provisions to strengthen protections for industrial land consistent with stakeholder recommendations:

- **Limit Annual Comprehensive Plan Amendments:** Removal of land from a Manufacturing Industrial Center (MIC) for non-industrial development requires an amendment to the City's Comprehensive Plan. Amendments to the City's Comprehensive Plan can occur in two ways – the annual amendment process and the major update process. The City can amend its Comprehensive Plan once a year through an annual amendment process. This process allows the public the opportunity to submit amendment proposals that are then considered by the City Council.

The proposed legislation includes new Comprehensive Plan text policy 10.3 stating the city will not consider proposals for removal of land from a MIC designation except as a part of a comprehensive plan major update or a City led study. The major update to the

Comprehensive Plan occurs every 8-10 years. Limiting Comprehensive Plan amendments to major updates will lessen speculative pressure on industrial land by sending a clear market signal that removal of land from MICs will not happen frequently. This limitation also has the benefit of allowing the City to fully review changes to land in the MICs within the overall context of the City's industrial land needs.

- **Tighten Zoning Code Loopholes:** The proposed legislation would reduce existing size of use limits on nonindustrial (i.e., retail and office uses) and apply a new Floor Area Ratio limit of 0.4 for nonindustrial uses in the Maritime Manufacturing and Logistics zone. These changes will have the practical effect of discouraging new development of box retail stores, or standalone office buildings in the new industrial zones.
- **Prohibit Mini-Storage:** Like retail and commercial uses, mini-storage developments can pay a higher price for land than industrial users. While currently permitted, this use, unlike warehouses or storage yards for logistics businesses in MICs, does not support industrial activity and has little employment benefit. This proposal would prohibit new ministorage uses in all industrial zones.

Consensus Strategy 6— High Density Industrial Development: Encourage modern industrial development that supports high density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

Seattle's Manufacturing and Industrial Centers are the proposed location of up to five future Sound Transit light rail stations. Traditionally, land use policy around light rail stations seeks to leverage these generational investments with transit-oriented development characterized by a mix of residential and employment uses. Stakeholders evaluated how best to accommodate these stations while contributing to the continuing strength of Seattle's industrial areas and recommended a strategy that leverages these transit investments with high-density employment characterized by a mix of modern industrial space supported by a range of office and other commercial uses. The proposed amendments would create a new Industry and Innovation (II) zone that encourages new development in multi-story buildings that accommodates industrial businesses, mixed with other dense employment uses such as research, design, offices and technology. Precedents for the sort of flexible mixing of industrial and non-industrial uses that are envisioned in this proposal exist in Seattle and peer cities, including Portland, OR, New York City, and Vancouver BC.

Consensus Strategy 7— Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

- Transitions between industrial and nonindustrial zones in Seattle are currently managed through the application of the industrial buffer zone. The Stakeholder group, which included community representatives from South Park, Georgetown, and Ballard combined with supplemental outreach to the South Park and Georgetown communities identified four key challenges in these transitional areas:
 - 1.) Affordable spaces for small-scale manufacturers, entrepreneurs and artists are scarce.
 - 2.) Active transportation modes like walking and biking that best facilitate residents' access to local producers are vulnerable to conflicts with freight movement when public infrastructure is inappropriately designed.
 - 3.) Entrepreneurs and small manufacturers struggle to find affordable homes near their jobs.
 - 4.) High – impact industrial uses close to nonresidential areas result in unhealthy impacts to these communities, particularly in South Park and Georgetown.
- The proposed legislation would create a new zone, the Urban Industrial (UI) Zone, that addresses these challenges. The proposed Urban Industrial zone increases pedestrian safety and facilitates freight movement by requiring street improvements that include curbs, sidewalks, pedestrian scale lighting, and street trees for new buildings or expansions. Workforce housing needs are partially addressed through allowances for small amounts of workforce housing permitted as a conditional use. It should be noted that resolving the issue of housing scarcity and affordability for workers in industrial areas will not be solved by using industrial land for significant amounts of housing (see discussion below).

Consensus Strategy 8—No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

Current land use policy prohibits new housing in industrial areas with very minor allowances for artist studio, caretakers quarters, or housing that predated the City's industrial land use policy. These

limitations are in place because large concentrations of housing in industrial areas results in land use conflicts that compromise the economic viability of industrial areas and encourages speculative pressure to use industrial land for nonindustrial uses. Residents living in industrial areas are also sometimes exposed to impacts from industrial activity including light, noise, aesthetic impacts of outdoor storage.

For these reasons the City has traditionally prohibited housing development in industrial zones. Policies discouraging housing in industrial areas are consistent with the King County Countywide Planning Policies, and the Puget Sound Regional Council policies for designating Manufacturing and Industrial Centers.

This proposal retains the general policy of limiting new residential uses on industrial land with limited adjustments to allow some new housing opportunities to support artists, makers, or industry supportive housing. The proposal also includes some areas outside of MICs where industrial zoning would be replaced by new mixed-use zones.

**Consensus Strategy 9 – Georgetown and South Park Neighborhood Goals:
Remove a few small, focused locations from industrial zoning in
Georgetown and South Park and convert them to mixed use zoning to
achieve neighborhood goals.**

The proposed Comprehensive Plan amendments include amendments to the Comprehensive Plan Future Land Use Map. Two of these amendments advance goals of the Georgetown and South Park communities consistent with the stakeholder recommendations. Both Georgetown and South Park experience impacts from adjacent industrial areas. The Georgetown community has a goal of becoming a more complete neighborhood similar to an urban village. The South Park community has a goal of increasing environmental health and making a better connection of residential communities to the Duwamish River.

Consensus Strategy 10 - Master Planning for WOSCA and Armory Sites:
Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

The Washington National Guard Armory (Armory) site currently owned by the State of Washington is home to a National Guard readiness center. The site, however, consists primarily of fill material and is subject to severe liquefaction in the event of a major earthquake. The national guard is seeking relocation and the state will explore reuse of this site to partially finance the Guard's relocation. The State commissioned a study to evaluate alternative redevelopment scenarios including a residential/commercial, a residential/industrial, and an industrial alternative and passed enabling legislation in 2022 for a public development authority to facilitate relocation. To date the PDA is not yet formed.

The Armory site is approximately 25 acres in size and is zoned Industrial General 1 and is within the boundaries of the BINMIC. The Armory site represents an important redevelopment opportunity, not just because of its size and proximity to industrial infrastructure such as freight corridors and proximity to port facilities (T91 and Fisherman's Terminal), but also because of its proximity to potential future light rail stations that are within walking distance of the site. These factors combined (size, location, access to light rail) and the fact that it is under single ownership mean that redevelopment could advance the goals of the Industrial and Maritime Strategy in significant ways.

The Washington-Oregon Shippers Cooperative Association (WOSCA) site is currently owned by the Washington State Department of Transportation (WSDOT) and was used for construction and staging for SR99 replacement. The site is at the north end of the Greater Duwamish MIC, adjacent to Terminal 46 (T46) to the west and 1st Avenue to the east. The site will either be redeveloped or surplus by the State. The WOSCA site is approximately 4.2 acres in size and is currently zoned Industrial Commercial and within the Duwamish MIC.

The proposed legislation includes a new Comprehensive Plan policy that calls explicitly for detailed site-specific master planning of these two important publicly-owned properties, before major redevelopment with uses other than traditional industrial uses. (See discussion below).

Comprehensive Plan Policy Amendments

Comprehensive Plan amendments implementing the industrial maritime strategy include amendments to text policies to set a framework for the updated industrial zones, Future Land Use Map (FLUM) amendments to enable zoning changes, and other text policy changes to address specific aspects of the strategy. Specifically, the proposed Comprehensive Plan amendments include:

1. Two new goals – one that supports dense development around high-capacity transit stations and one that supports building healthier transitions between industrial and adjacent residential areas.
2. Policies that will transition the City to a new land use framework that will guide future development around transit stations, support emerging industries and trends, and protect and support the City's legacy industries and maritime sector that rely on location specific infrastructure (Port facilities, rail, freight routes).
3. A new policy that limits any FLUM amendment that takes land out of a Manufacturing Industrial Center (MIC) to either be adopted as part of a major update to the City's comprehensive plan or as the result of a comprehensive city-led study of industrial lands that evaluates changes to industrial land designations within the context of the overall policy objectives for and supply of the City's industrial land in MICs.
4. A new policy that signals the City's intent to consider any changes in land use on the Washington State National Guard Armory in Ballard Interbay Northend MIC (BINMIC) or the WOSCA site in the Greater Duwamish MIC (MIC) through a master planning process for redevelopment of these sites.

New Land Use Goal Statements

Two new Land Use goal statements are added to provide updated guidance and guide the City's overall approach to industrial land.

- | | |
|----------|--|
| LU G10.1 | Support compact, employment-dense nodes, where emerging industries can locate in formats that require greater flexibility in the range of on-site uses and activities and are more compact than traditional industrial operations. |
| LU G10.2 | Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts. |

Proposed LU G10.1 is a recognition that changing conditions and emerging trends requires a new approach to industrial development in key locations. Changing conditions include future development of up to 5 Sound Transit light rail stations in the Manufacturing Industrial Centers. Emerging industrial trends point to a future where there will be greater demand for a broad range of design, research and development, and office type uses related to industrial sectors that can locate in multi-story buildings.

Proposed LU G10.2 recognizes that neighborhoods near industrial areas experience impacts from industrial activity that other neighborhoods do not. This goal represents the idea that better transitions between residential areas and industrial areas are necessary to equitably balance the right to a healthy community while simultaneously maintaining the City's support for its industrial areas. The goal pivots away from a mindset of buffering and separation, and towards a symbiotic relationship at the transition between neighborhoods and industrial areas.

Updated Industrial Zoning Framework

The proposed amendments include policies to establish a vision for an updated industrial land use framework. These text policies describe the intent and rationale for new zone classifications. In the near term, these policy changes are additive to existing policies about industrial land use, and do not create any inconsistencies with existing industrial land use policies.

LU 10.7 Use the following industrial zoning classifications for industrial land in Manufacturing Industrial Centers:

- **Maritime, Manufacturing and Logistics:** This zone would be intended to support the city's maritime, manufacturing, logistics and other established or legacy industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics zone.
- **Industry and Innovation:** This zone would be intended to promote employment dense nodes where emerging industries can locate and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and office uses found in multi-story buildings, compared to traditional industrial activities. Areas in MICs that are generally within one-half mile of high-capacity transit stations may be considered for the industry and innovation zone.
- **Urban Industrial Zone:** This designation would be intended to encourage a vibrant mix of uses and relatively affordable, small-scale industrial, makers, and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial zone.

In general, the Maritime, Manufacturing and Logistics (MML) Zone consolidates the existing IG1 and IG2 zones and affords industrial activity in this zone stronger policy protections and supports maritime industrial cluster industries and legacy industries.

In most instances, the Industry and Innovation (II) Zone replaces the existing Industrial-Commercial (IC) zone and in some cases Industrial Buffer (IB) zone. The zone would be applied in some additional locations close to frequent transit. This zone is intended to leverage major transit investments to create employment-dense transit oriented industrial nodes. This zone allows multi-story buildings with a greater mix of production, research and design, and office uses than is present in traditional industrial operations through an incentive structure to ensure high density employment. This zone will be located

within proximities of .5 miles of a high-capacity transit station and have limited parking. The following proposed new policies provide guidance for this zone concept:

- LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments.
- LU 10.20 In the Industry and Innovation zone, consider development standards for designated industrial portions of buildings that require development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, consider an incentive system whereby new development may access increased development capacity by including designated space for industrial uses within the structure.

In most cases, the Urban Industrial (UI) zone replaces the existing IB zone and/or portions of the IC zone. This zone provides stronger transitional areas between industrial areas and urban villages or other mixed-use neighborhoods. These areas have seen an increase in patronage from adjacent neighborhoods, with existing or potential businesses that draw from adjacent residential areas such as tasting rooms and retail showrooms. Establishing an industrial zone that supports this activity provides opportunities for small scale manufacturers, entrepreneurs, and artists to create a transitional area that is compatible with industrial activity and adjacent neighborhoods. The following proposed policies provide guidance for the new zone:

- LU 10.23 In the urban industrial zone, consider allowing a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a need for ample space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

Stronger Policy Protection for Industrial Land

In recent years, several annual amendment proposals have sought to remove land from manufacturing industrial centers. Industrial land is finite in supply and consideration of any one proposal to remove land from an MIC should occur through a comprehensive review of the city's industrial land use needs. The proposed Comprehensive Plan amendments include a new policy to establish higher thresholds for when such an amendment can be considered. This policy will send a clear market signal that will deter the type of speculation that deters investments in industrial activity.

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

Interbay Armory and the WOSCA site

The proposed amendments include a policy to establish the City's preferred approach to future redevelopment of these sites that are both within designated Manufacturing Industrial Centers.

- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.

Future Land Use Map (FLUM) Amendments

This proposal includes FLUM amendments that affect land use in four different neighborhoods. In two cases land is being removed from the Greater Duwamish MIC and redesignated for mixed-use commercial development and in the other two cases land outside of either of the MICs that is currently designated for industrial use is being reclassified to mixed use commercial.

Land in Georgetown will be removed from the Greater Duwamish MIC and designated as mixed-use commercial. The area removed includes the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S.

Land in South Park will be removed from the MIC and designated as Residential Urban Village. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space.

Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be redesignated from industrial to mixed use commercial. The area is very close to the Judkins Park light rail station, and contains few remaining industrial uses.

Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be redesignated from industrial to mixed use commercial. The strip of land is adjacent to significant mixed-use development along NW Market Street and contains few remaining industrial uses.

New Industrial Zones

The proposed ordinance creates a new SMC Chapter 23.50A that establishes three new industrial zones consistent with the strategies discussed above. The new Chapter 23.50A also retains provisions for the Industrial Commercial Zone. The summary below focuses on the key aspects that control development and on topics where the zones would differ from the existing industrial zoning framework.

Structural Changes That Apply to All New Industrial Zones

New Industrial / Nonindustrial Use Identification. To clarify uses that are “industrial” or “non-industrial” a new column in the allowable uses table would indicate whether each use (i.e. Light Manufacturing, General Retail etc.) qualifies as industrial. The industrial classification is used for the purposes of determining base (industrial) and bonus (non-industrial) development in the Industry and Innovation zone, and for determining principal industrial uses in the Urban Industrial zone.

New Information and Computer Technology (ICT) definition. A new use definition would be added to SMC Chapter 23.84A definitions. It would distinguish a subset of uses from within the broad office category that would isolate knowledge creation and innovation activities related to technology and computing. Uses in this new category are expected to provide a high proportion of basic economic activity according to economic base theory. The new definition distinguishes ICT uses from other office uses that are in service of the local economy such as accounting offices, law offices, real estate offices, etc. ICT use would be given special consideration in the proposed Industry and Innovation zone.

Prohibit Mini Storage Warehouses: In recent years, mini storage facilities have been an increasingly common use in industrial areas. Mini storage is different from warehouses and distribution centers that are part of logistics chains and support industrial and maritime sectors. Mini storage facilities are for private storage that is unrelated to industrial activity. In addition, these facilities have very low employment but can pay a higher price for industrial land. Under the proposal, mini storage would not be an allowed use in any industrial zone.

Non-Conforming Use Provisions: The new zoning framework adjusts development standards including stricter maximum size of use limits, and an incentive system for nonindustrial development in the Industry and Innovation zoned areas. Some existing businesses may not fully conform to the new standards. To provide broad leeway for existing uses to continue, a new non-conforming to development standards subsection is included in the Chapter. Existing industrial uses that were legally established would be allowed to continue and to expand if fifty percent or more of their floor area is in an industrial use, without being nonconforming certain development standard. Additionally, by an administrative conditional use, uses that exceed the maximum size of use limit but were legally established, would be able to a.) convert to another use that exceeds the maximum size of use limit b.) expand into a whole building or adjacent space, or c.) expand by up to 20 percent. The intent is to provide flexibility for existing industrial uses, while requiring new development to meet the intention of the new code.

The following sections summarize the purpose, and key standards for each of the three new Chapter 23.50A industrial zones.

Maritime Manufacturing and Logistics (MML)

Function and Purpose: An existing industrial area with a concentration of core industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities and is well served with truck, rail, and maritime or freight infrastructure. The MML zone is intended to provide long term predictability to landowners, business owners and investors that the area will remain an industrial area. The zone is intended to reduce speculative development pressure.

Development standards seek to limit unintended types of nonindustrial development such as big box retail and mini storage uses, which have been constructed in Industrial General 1 (IG1) and Industrial General 2 (IG2) zones in recent years. In general, the MML zone will consolidate and replace the existing IG1 and IG2 zones.

Locational Criteria: The Maritime Manufacturing and Logistics (MML) zone designation is most appropriate in areas generally characterized by the following:

- Areas within Seattle's Manufacturing/Industrial Centers (MICs);
- Areas with proximity to rail and/or freight infrastructure;
- Areas with proximity to the shoreline, deep-water ports, and water bodies;
- Areas around existing clusters of industrial or maritime suppliers and services; and
- Areas that are generally flat.

Proportion of MIC Land in This Zone:

- Proportion of BINMIC land in the MML zone is 76%.
- Proportion of Greater Duwamish MIC land in the MML zone is 93%.

Key Development Standards:

Permitted and Prohibited Uses: Similar to the existing IG zones, a broad range of heavy and light manufacturing uses would be permitted. Industrial uses would be permitted outright with no maximum size of use limits and few additional restrictions. A broad range of warehousing / distribution, marine and logistics transportation uses, utility uses, outdoor storage and warehouse uses (except for mini storage), laboratory, and research and development uses, food processing and craft work, and automotive uses would all be permitted outright.

A variety of non-industrial uses would also be permitted outright as a principal use but would be subject to strict maximum size of use limits and FAR sub-limits described below. These uses include commercial sales and services, office, lodging, entertainment, and Information Computer Technology (ICT).

Floor Area Ratio: The maximum floor area ratio (FAR) limit would be 2.5, which is the same as the existing IG1 and IG2 zones. This allows ample development capacity for most industrial uses including associated ancillary functions. Because most maritime, manufacturing and logistics uses all require unbuilt space for loading, truck access and circulation or layout, it is uncommon for industrial uses to approach a buildout with multiple stories that approaches the 2.5 FAR maximum.

The MML zone would introduce a new FAR sublimit of 0.4 for non-industrial uses. The 0.4 FAR maximum would be for uses not classified as industrial in the new column of the allowable uses table. The FAR sublimit is added to deter the type of piecemealing of lots to avoid maximum size of use limits that has been observed in recent decades. The proposed FAR limit would disincentivize subdivision of large sites into multiple small sites to achieve numerous parcels that each contain a use at the maximum size limit. (See also Appendix B – Non-Industrial Development Analysis.)

Height Limit. None for industrial uses. 45 feet for others. Same as existing IG zones.

Maximum Size of Use Limits. Large-sized non-industrial uses such as retail and offices do not have a connection to industrial and maritime uses, are not compatible with proposed Maritime, Manufacturing and Logistics zones, and their presence detracts from the policy intent for Manufacturing Industrial Centers. Examples of large-sized retail uses include grocery stores, pet stores, home décor stores, office supply stores, and multi-purpose box retailers such as Fred Meyer or Walmart, or stand-alone office structures.

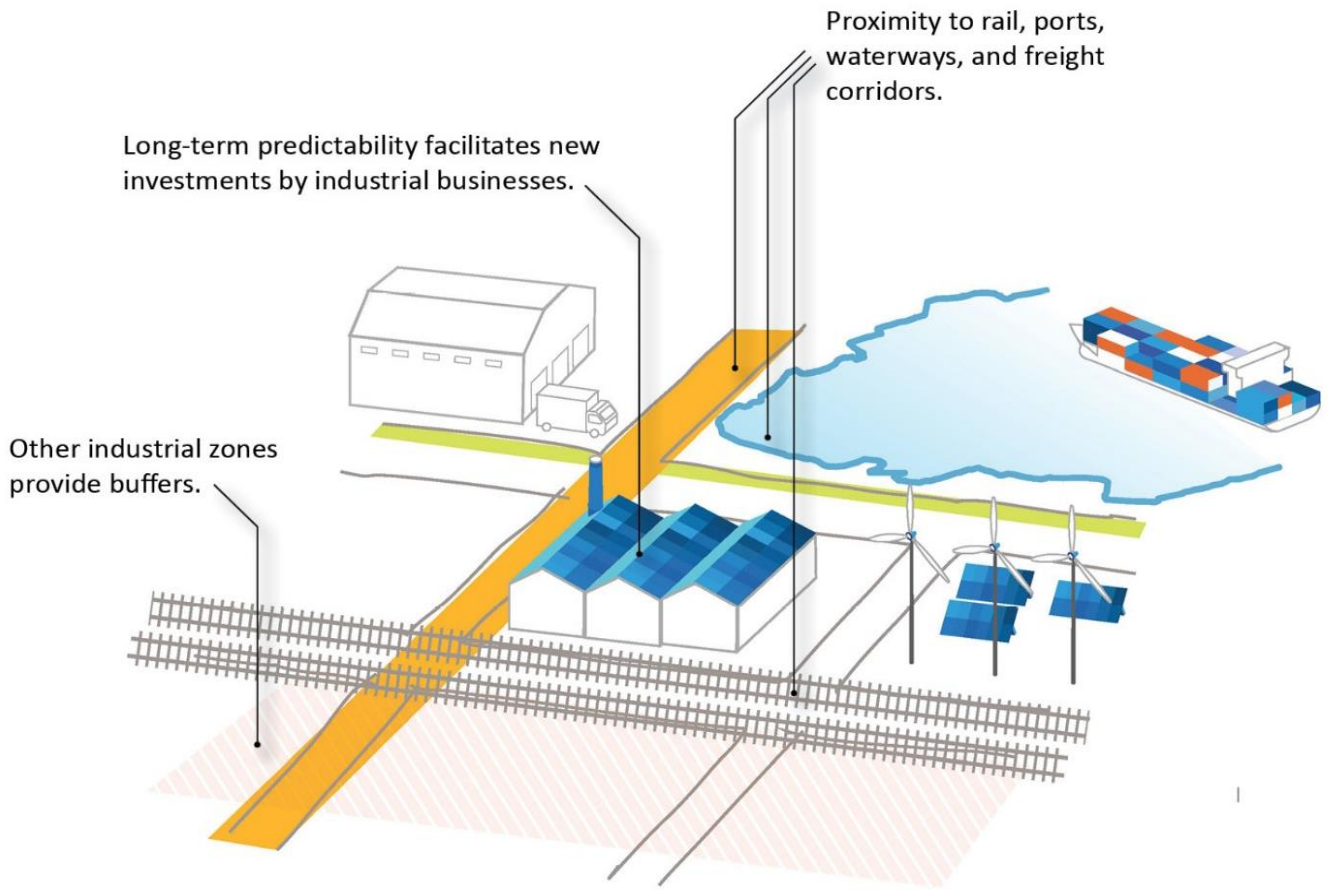
OPCD conducted an analysis to determine the approximate extent of sites and locations where unintended development of retail, office and mini storage has occurred in industrial zones, and found clusters in areas including the Interbay/Armory Way corridor, Ballard, and the Airport Way corridor in SODO. (See Appendix B).

To address the pattern of development described above, the proposed legislation would reduce maximum size of use limits in the new MML zone, for several land use categories. Levels of reduction are set to continue allowing the uses while reducing pressures and incentives for proliferation. The reductions are shown in the table below compared to the existing IG zones. The current 25,000 sq. ft. size limit for Sales and Service in the IG2 zone is conducive to formula development of grocery stores and retail box stores. Reduction to a proposed 7,500 sq. ft. maximum size would result in smaller sizes than formula retail developments. Formula office floor space sizes are usually in the 25,000 or greater range.

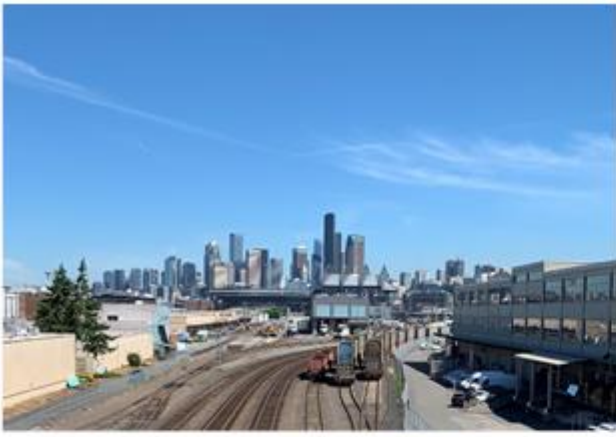
Use subject to size limits	Maximum Size of Use Limit		
	MML	IG1	IG2
Animal shelters and kennels (2)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments (3)	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
Entertainment	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lodging uses	N/A	10,000 sq. ft.	10,000 sq. ft.
Medical services	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Office	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Restaurants	3,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Retail sales, major durables	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, automotive	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, general	7,500 sq. ft.	10,000 sq. ft.	25,000 sq. ft.

New Heavy Manufacturing Conditional Use Performance Criteria. The proposed legislation includes new conditional use criteria for heavy manufacturing uses. For the first time, any new heavy manufacturing use in the MML zone would need to obtain a conditional use permit if it is located within 1,500 linear feet of residentially zoned *and* residential developed lot, or neighborhood commercial zone. This limit will not apply to land separated from residential zoning by Interstate 5. While the existing IG zones had these conditional use protections in place for limited areas adjacent to Queen Anne and Interbay, the proposed legislation extends the protections for all residential neighborhoods most notably for areas near Georgetown and South Park. To be approve the heavy manufacturing use would have to meet criteria including:

- In an enclosed building
- Hours of operation do not impact residential areas
- Truck service must be directed away from residential streets
- Shall not produce sustained noises or vibration



The diagram is a conceptual depiction of the locational criteria and general intention for the Maritime, Manufacturing and Logistics zone.



Maritime, Manufacturing and Logistics (MML) Zone

All photo credits City of Seattle. Montage: Top to bottom, left to right: Logistics operations including rail and truck movement of goods are an important function and major land use. B. Container port operations provide functions of regional and statewide significance. C. Significant employment is offered in exporting industries such as food processing and aerospace. D. Land is available for the expansion of new sectors that are expected to grow including green energy and the space industry. E. Provide long term predictability for legacy industrial operations and anchor businesses that provide critical supports to other companies. F. An ecosystem of specialized knowledge and skills is present in sectors such as maritime. G. Necessary heavy operations can locate in areas where their impacts would be minimized, away from residential populations.

Industry and Innovation (II)

Function and Purpose: The purpose of the II zone is to create a transit-oriented area characterized by modern industrial buildings that supports a mix of economic innovation and emerging industries, and commercial development with high employment density. The zone would encourage new development in multi-story buildings that accommodates dense employment uses such as research, design, offices and technology. The zone is intended to spur the creation of new high-quality light industrial space, in an amount that is equal to or greater than the amount of industrial space that exists today. The Industry and Innovation zone would address the following challenges in locations near existing or future light rail stations in industrial areas:

- Current zoning and development has not and would not create enough density near light rail to support a transit-oriented land use pattern or high transit ridership.
- Redevelopment costs in eligible locations are very expensive due to potential environmental clean ups and infrastructure needs.
- The City's current industrial zone that allows mixed commercial development (Industrial Commercial) has been dominated by new office developments without any industrial uses.

Locational Criteria: Industry and Innovation (II) zone designation is most appropriate in areas generally characterized by the following:

- Areas in Seattle's Manufacturing/Industrial Centers (MICs).
- Areas within an approximately one-half mile distance from existing or future light rail stations.
- Areas with a high potential to attract new investment in buildings and infrastructure that supports dense, knowledge-based employment.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Industry and Innovation zone is 19%.
- The proportion of land in the Greater Duwamish MIC in the Industry and Innovation zone is 3%.

Key Development Standards:

Incentive-Based System: An incentive-based system is fundamental to the proposed II zone. Developers would earn "bonus" development to build non-industrial spaces for uses like offices, only if an amount of dedicated bona-fide industrial space is included. A developer could provide industrial space at a ground floor or in a separate structure. The new industrial space would be required to be occupied by one of the qualifying industrial uses indicated in the new column of the allowed uses table. Upper floors of a building or a separate structure on a site could be occupied by other nonindustrial allowed uses. In addition to the use restriction on the dedicated industrial space, it would have minimum requirements for construction as bona-fide industrial space (see below). The inclusion of bona-fide industrial space would comprise a Tier I of potential bonus floor area.

An additional Tier II of bonus development could be accessed in one of two ways after the Tier I maximum FAR limit is reached. The developer would qualify for the Tier II increment of FAR if at least 50 percent of the structure is constructed using mass timber construction methods; or if they use Transfer of Development Rights for upgrading a vulnerable unreinforced masonry structure (URM).

Floor Area Ratio: The maximum FARs in the II zone enact the system of a base maximum and extra floor area that can be gained. For any development electing to participate in the incentive system, a minimum amount of industrial space floor area would be required, and this amount qualifies for the bonus. For each sq. ft. of industrial space provided, the development would gain the ability to construct 5 sq. ft. of non-industrial space. For example, in the II 160 zone, when the developer provides the first 0.5 FAR of industrial space they gain access to 2.5 FAR of non-industrial space. Additional bonus non-industrial space could be generated up to the Tier I maximum at the 5:1 ratio. An example in the II 160 zone would be a building that provides 1 FAR of industrial space, generating 5 FAR of nonindustrial space, to reach the maximum Tier I FAR limit of 6. The table below shows base and bonus FAR limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Compared with exiting IG zones, the proposal would substantially increase the maximum development capacity, increasing allowed floor area by two to three times. The bonus floor area could include non-industrial uses that are not allowed or are strictly size-limited under the existing IG zone. The II zone would also increase development capacity compared to the existing Industrial Commercial (IC) zones where it is applied. (See discussion below).

FAR limits Proposed Industry and Innovation (II) Zones			
Zone	Minimum Industrial Use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA
II 125	.5	5.25	5.75
II 160	.5	6	6.5
II 85-240	2	4	6
Comparison: FAR limits Existing Industrial Zones			
Zone	Maximum FAR	Maximum FAR with Bonuses	
IG1, IG2, IB	2.5	N/A	
IC 85 Zones (Except 85-175)	2.75	N/A	
IC 85-175	2.5	4.0	

Developers would have the option not to participate in the bonus development system. In this case, the development could provide all industrial space up to a maximum FAR that is similar to under existing IG zoning. The table below shows limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Floor Area Ratio (FAR) limits Industry and Innovation Zones – All Industrial Development (Not Participating in the Incentive System)	
Zone designation	FAR limit
II 85	2.75
II 125	2.5
II 160	2.5

IC	2.75
II 85-240	2.5
Comparison: FAR limits Existing Industrial Zones	
Zone	Maximum FAR
IG1, IG2, IB	2.5
IC 85 Zones (Except 85-175)	2.75
IC 85-175	2.5

Bona-Fide Industrial Space: Portions of a building qualifying as industrial space could only be occupied by industrial uses. Additionally, the space would have to meet the following development standards for construction as bona-fide industrial space.

- Load bearing floors with 250 lbs. per sq. ft. minimum capacity for ground level floors on grade, and load bearing floors with 125 lbs. per sq. ft. minimum capacity for floors above grade.
- Floor-to ceiling clearances of at least 16 feet.
- Constructed to comply with a Seattle Building Code Group occupancy classifications for an industrial use, except for ancillary support spaces that are secondary to the industrial use and occupy less than 25 percent of the industrial use floor area.
- Serviced directly by a loading dock or a freight elevator with a minimum capacity of 8,000 lbs.

Information Computer Technology (ICT): In the II zone only, ICT would be considered an eligible industrial use that could occupy the industrial portion of a structure. This is proposed because ICT uses are productive economic uses that often have dense employment and generate secondary multiplier effects in the economy. In today's technology rich context, ICT uses are a corollary to industrial uses with heavy physical processes of past eras. ICT uses are often a component of traditional industrial enterprises, when ICT activity includes design or engineering for a physical process. In the II zone, ICT would have a slightly lower bonus ratio than other industrial uses. For every 1 sq. ft. of ICT use the developer would gain 4 sq. ft. of non-industrial space capacity (instead of 5).

Application to Previously IC Zoned Land: Some areas proposed for the II zone would be changed from an existing Industrial Commercial (IC) zone. These areas are primarily in the Elliott Avenue corridor, and the area south of the Chinatown/International District. The existing IC zone already allows substantial development with non-industrial uses such as office. To account for the base condition, the proposed II zone in these areas would have a base FAR limit equal to the existing limit of the IC zone. An additional increment above this amount could be accessed according to the incentive bonus system for inclusion of industrial space (Tier I). As a result, areas previously zoned IC would gain an incentive to include bona-fide industrial space in future development.

The area of existing IC 85-170 zoning bounded by I-90 to the southeast, the Chinatown/International District to the north, and railroad tracks to the west is unique. This variant of the IC zone already allows bonus development over a base level if a development participates in the city's Mandatory Housing Affordability (MHA) program. Under the proposal, this area would be amended to a new IC 85-240 zone that would grant an additional increment of development capacity in an incentive structure, while maintaining existing development rights. The tiered bonus system would allow up to an additional 2 FAR over the existing maximum of 4, in a development that includes dedicated industrial space according to the ratio. Under the existing IC 85-170 zone, maximum development can be achieved without any industrial space. This area is notable, because it is being considered for a future light rail station in one of the alignment options being reviewed by the Sound Transit Board.

Transportation Demand Management and Parking: To encourage access by transit and other non-motorized modes the proposal would include no minimum parking requirements. In addition, there would be a maximum parking quantity limit of one space per 1,000 square feet of gross floor area. The parking maximum would be equivalent to most zones in downtown. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant would be required to prepare and implement a Transportation Management Program (TMP) that meets standards set out for TMPs in SDCI and SDOT Director's Rules. Currently, there is required parking, no parking maximum, and no TMP required in IC zones.

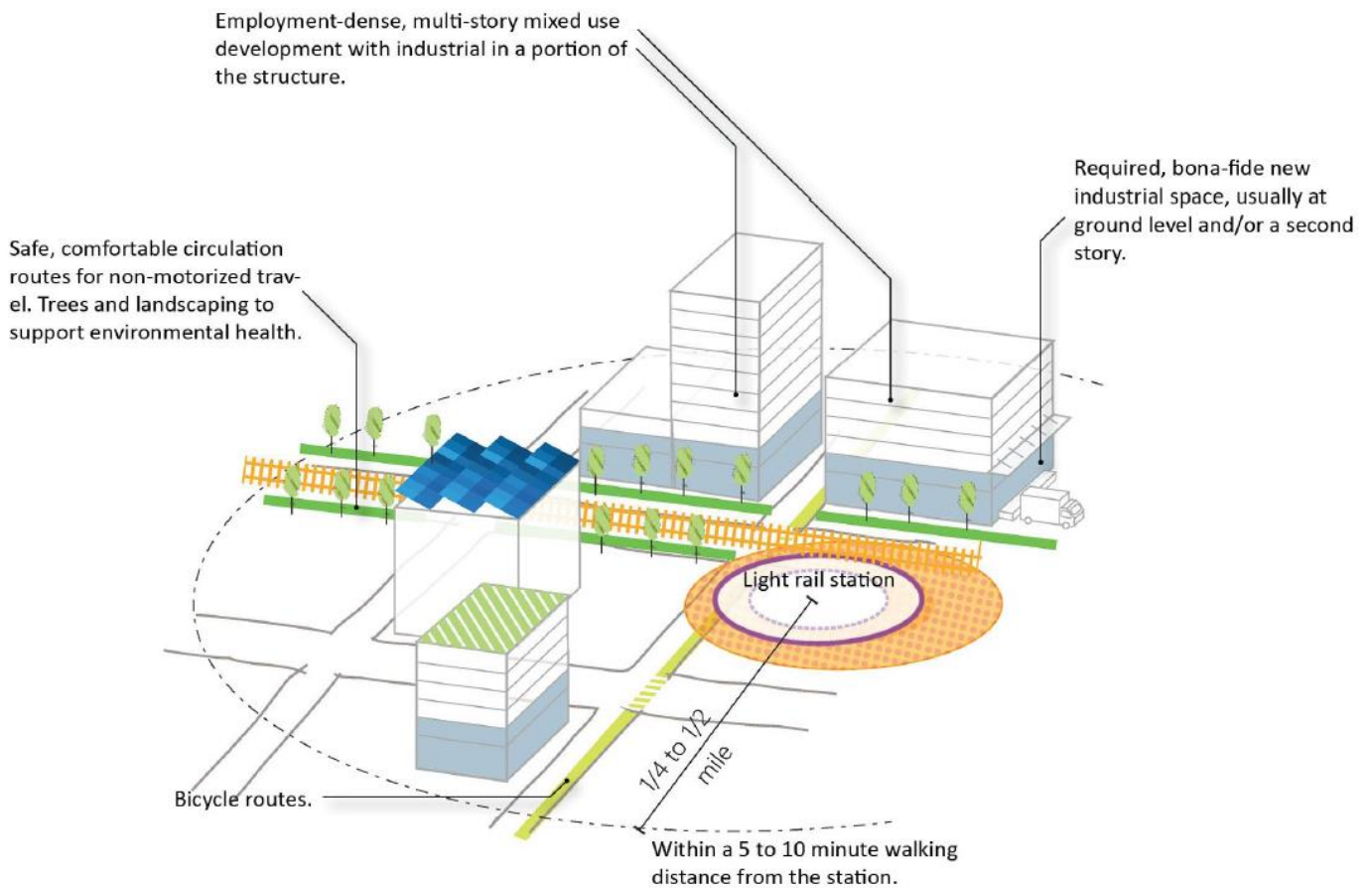
Street Improvement Standards: II development standards would require a much higher level of street improvements with development compared to the existing industrial zones. Developers would be required to provide safe, pedestrian friendly frontages with curb, sidewalks, pedestrian-scaled lighting and improved drainage systems. Additionally, development in the SODO area would be encouraged to improve the frontage of the SODO trail. Existing conditions in the areas are often lacking much of the infrastructure needed to support a pedestrian and bicycle friendly environment.

Mandatory Housing Affordability (MHA): The City's Mandatory Housing Affordability (MHA) program is often applied at the time of upzones. In areas where MHA applies, new development must either include a percentage of affordable homes or make an in-lieu payment to the City's Office of Housing (OH). Currently, no residential units are allowed in Industrial Commercial (IC) zones and no housing would be allowed in the employment-focused Industry and Innovation zone. MHA currently applies to commercial development in IC zones but not to any other industrial zones. MHA would require developers to make an in-lieu payment of \$5 - \$16 per sq. ft. on all developed floor area in the building.

The legislation does not recommend applying the MHA requirement to the proposed II zones (with the exception of the II 85-240 zone where there is already an MHA requirement), because the primary public benefit provided by development in the II zone is the generation of new bona-fide industrial space that will provide quality employment opportunities. Transit oriented development in the areas of II zoning would require substantial upgrades to infrastructure and sometimes it would require environmental remediation—also public benefits. Feasibility analysis finds that for some time development feasibility would be marginal at best. Addition of the cost of MHA could further delay the potential for cleaner, transit-oriented environments in II zoned areas.

Offsite performance: The proposed legislation includes a provision for off-site performance of bona-fide industrial space within the same MIC. Bonus nonindustrial floor area would be gained according to

the same ratio, but the industrial building could be a new stand-alone industrial structure elsewhere in the same MIC, including in the Maritime, Manufacturing and Logistics zone. The intention of including this option is to encourage investment in quality new industrial space throughout the MIC. The off-site performance would have to be in a new structure that is completed before the bonus II zone development.



The diagram is a conceptual depiction of the locational criteria and general intention for the Industry and Innovation zone.



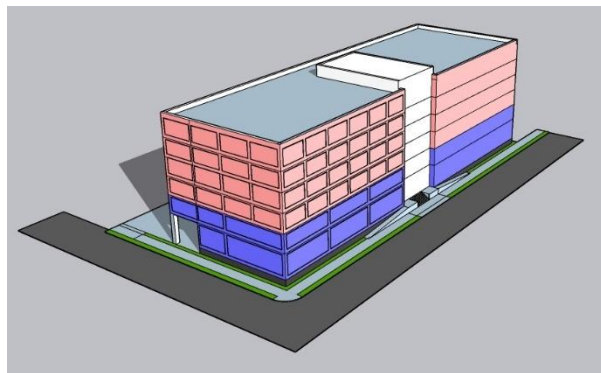
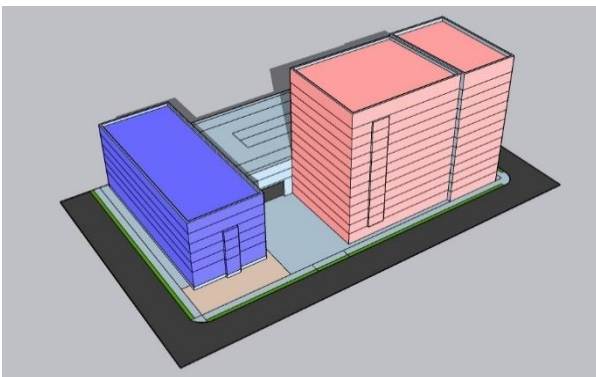
Industry and Innovation (II) Zone

Photo credits City of Seattle except as noted. Top to bottom and left to right. A. Provides space for prototyping activities that are design-oriented but require light industrial space for production and testing. B. Provides space for innovative technology-oriented companies to expand, such as First Mode - a producer of large electrical engines for trucks and industrial equipment located in SODO. (Photo credit Steve Ringman, Seattle Times) C. The West Woodland building is an example of a multi-story light industrial building in Ballard. D. New multi-story light industrial buildings are increasingly possible such as the New York building located in Portland, OR. E. Supports innovative companies that build on expertise and talent in the region such as Pure Watercraft, an electric boat motor company currently based in North Lake Union. (Photo credit: Pure Watercraft company website). F. The zone would be focused within 1/2 mile walking distance of existing or future light rail stations.



This rendering, created by SODO area property owners displays the potential character of development and associated trail and pedestrian improvements near the SODO/Lander St. light rail station. Lower floors of buildings would be occupied by industrial uses and constructed to bona fide industrial space standards.

These models indicate the general scale and composition of potential development in the II zone using the incentive system. Space in purple would be required industrial space, and space in pink would be bonus space. Example A (left) shows two separate structures on a large full-block site, and Example B (right) shows a mixed structure on a moderately sized half-block site.



Urban Industrial (UI)

Function and Purpose: The purpose of the Urban Industrial (UI) zone is to foster vibrant districts that support a mix of local manufacturing, production, arts, and a sense of place. This zone advances the stakeholder strategy of creating healthy transitions between core industrial areas and nonindustrial areas. This is a zone that due to its proximity to nonindustrial areas and businesses could draw customers from adjacent neighborhoods. It includes provisions for safe movement of pedestrians and freight.

Locational Criteria: Urban Industrial (UI) zone designation is most appropriate in areas generally characterized by the following:

- Areas at the transition between core industrial areas in Maritime Manufacturing and Logistics zones and non-industrially zoned areas or urban villages or centers;
- Areas generally within designated Manufacturing/Industrial Centers (MICs), although the UI zone could be located in limited instances outside of MICs.
- Areas in MICs characterized by small parcel sizes and a variety of small existing industrial and non-industrial structures.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Urban Industrial zone is 5%.
- The proportion of land in the Greater Duwamish MIC in the Urban Industrial zone is 4%.

Key Development Standards:

Ancillary Uses. Many of the types of industrial uses that would be found in this zone have a greater proportion of public facing functions than traditional industrial uses. Examples include breweries or distilleries which conduct industrial processes on site but also have tap and tasting rooms that are important components of their business. Traditionally, known as accessory uses, these uses are considered secondary to the primary use and should not generally exceed 50% of the business floor area. In the Urban Industrial zone, these uses will be called Ancillary uses which will be allowed to occupy up to 80% of the floor area if it is subordinate to the industrial use.

Size of Use Limits. Consistent with existing Comprehensive Plan policies to preserve industrial land for industrial uses and the stakeholder strategy to provide stronger protections for industrial land, the size of use limits for nonindustrial uses in the UI zone are stricter than the most comparable existing zone the Industrial Buffer (IB) zone. These size of use limits do not apply to ancillary uses, discussed above.

Use subject to size limits	Maximum Size of Use Limit	
	IB	UI
Animal shelters and kennels	75,000	10,000 sq. ft.
Drinking establishments	N.S.L.	3,000 sq. ft.
Entertainment	75,000 sq. ft.	25,000 sq. ft.
Lodging uses	75,000 sq. ft.	25,000 sq. ft.
Medical services	75,000 sq. ft.	15,000 sq. ft.
Office	100,000 sq. ft.	15,000 sq. ft.
Restaurants	N.S.L	3,000 sq. ft.
Retail sales, major durables	75,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.	7,500 Sq.ft.

Workforce Housing. Small amounts of workforce housing are allowed through a conditional use process. The intent is not to generate significant amounts of housing, but to provide housing that might be affordable to local workers in these industrial areas. Key conditions that must be met to develop workforce housing include:

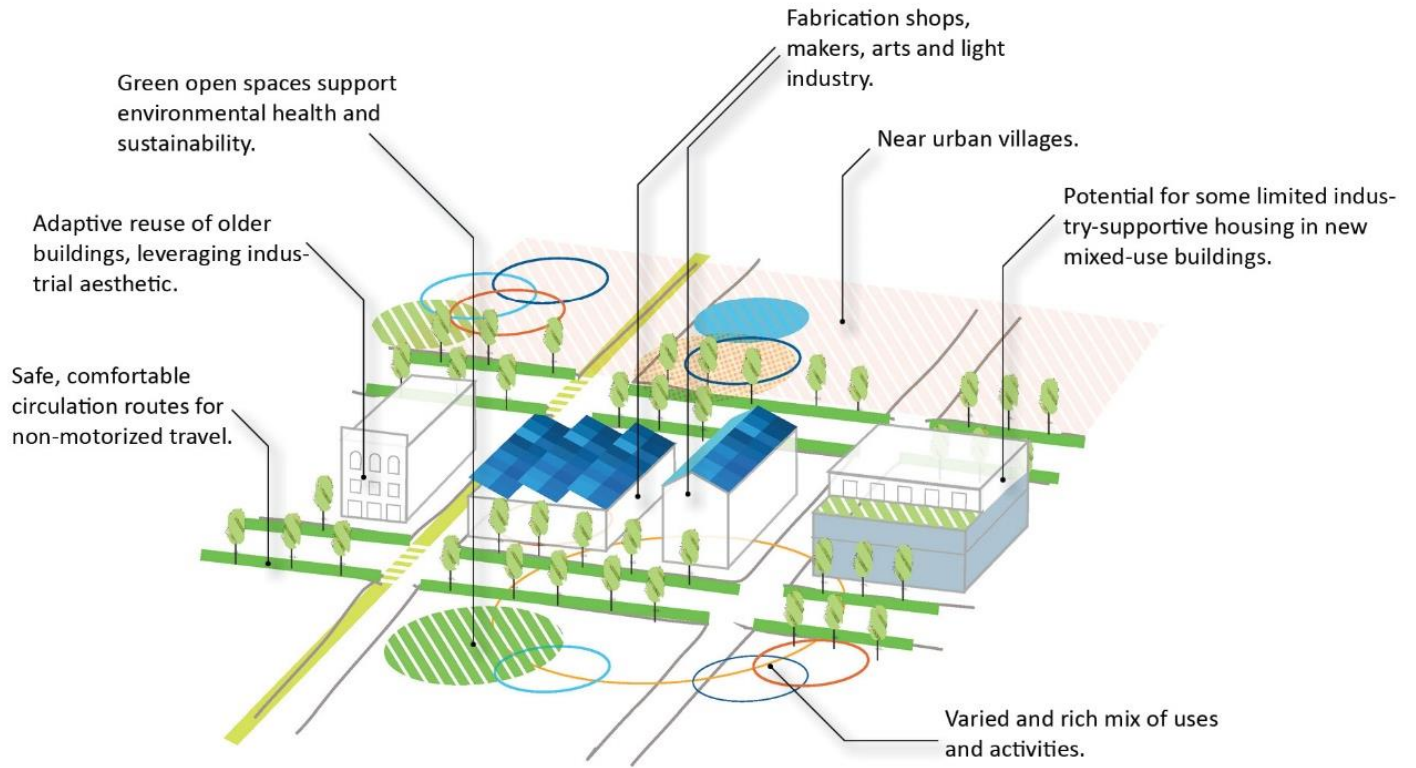
- The number of units may not exceed 50 dwelling units per acre.
- The housing is not located within 200 feet of a shoreline.
- The housing is not located within 200 feet of a major truck street.
- All dwelling units shall have sound-insulating windows sufficient to maintain an interior sound level of 60dB or below.
- The housing shall be located and designed to reduce conflict with adjacent existing industrial businesses.
- The owner must sign an acknowledgement accepting the industrial character of the neighborhood and agree that permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of the land.
- The housing is part of a mixed-use development that includes nonresidential uses permitted in the UI zone and that the residential component does not exceed 50% of the floor area of the mixed-use project.
- The residential uses must be live-work or qualify as caretakers quarters for a business on the same site (no one business may have more than three units); or the units are workforce housing. Workforce housing means they are at an affordable rent or sales price for a period of 75 years to occupants making 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.

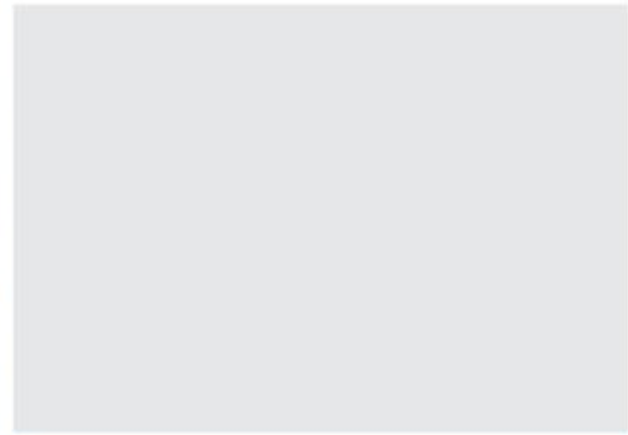
- In total, it is estimated that 880 units of housing would result in the Urban Industrial zoned areas throughout the city over an approximate 20 year time horizon. The industry supportive housing would be located primarily in Georgetown, South Park, the northeast corner of Ballard, and in the Interbay/Dravus area. (See Outcomes and Effects section below.)
- The proposed standards are calibrated to ensure that any housing would be combined in a mixed-use development with other light industrial or other allowed uses. The standards would not produce the type of dense multi-family housing typical in an urban village. For example the 50 DU/acre limit would result in approximately 60-75 apartments on a full city block development, with the remainder of the development containing other uses. Limits are intended to moderate the potential for compatibility impacts with respect to industrial uses, and the potential to create development pressure that could displace industrial uses economically.

Safe pedestrian/freight movement. Urban Industrial zones are expected to see a greater mixing of freight and pedestrian activity. For this reason, as projects are developed in these areas, they will be required to provide full street improvements that are similar to commercial or urban village areas. These improvements include construction of curbs, sidewalks, pedestrian scaled lighting, and planting of street trees for any new project or expansion of 4,000 square feet or greater. These improvements are intended to minimize conflicts between freight and pedestrian movement while providing mobility for both modes. It should also be noted that over the next year OPCD will work with SDOT on developing a street type to be included in Streets Illustrated for this zone that will offer design guidance as projects are developed.

Landscaping Requirements. In addition to new street improvement requirements landscape requirements will enhance the transition from core industrial areas to nonindustrial areas. New landscape requirements expand existing street tree requirements and apply green factor requirements to new projects, and provide for vegetated walls or fences to soften or screen outdoor storage areas.



The diagram is a depiction of the locational criteria, and general intent for the Urban Industrial zone.



Urban Industrial (UI) Zone

All photo credits City of Seattle. A. Urban Industrial zoned areas would contain clusters of brewery and distillery operations and development standards support those uses. B. Equinox Studios is an example of a company that provides a variety of small spaces for makers, artisans, and light industrial uses. C. Maker spaces can fit compatibly into an urban environment. D. The zone standards would seek to improve environmental health with higher requirements for landscaping and pedestrian and bicycle infrastructure. E. Artist and maker spaces close to urban villages provide opportunities for residents to benefit from local businesses.

Industrial Commercial (IC)

The proposal would retain existing development standards of the Chapter 23.50 Industrial Commercial zone. An abbreviated summary is provided here.

Function and Purpose: The purpose of the Industrial Commercial zone is 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. While intended to achieve a broad mix of uses, large office developments have dominated this zone.

Locational Criteria: This proposal would modify the existing locational criteria minimally. Existing locational criteria of 23.34.096 would be retained, however a criterion to limit application of the IC zone to areas outside of Manufacturing Industrial Centers would be added. Existing IC zoned land within MICs would be reclassified into the Industry and Innovation zone.

Key Development Standards:

Maximum Size of Use Limits. The Industrial Commercial zone size of use limits are lax when compared to size of use limits in other industrial zones.

Industrial Commercial Zone Maximum Size of Use Limit	
Use subject to size limits	
Animal shelters and kennels	75,000
Drinking establishments	N.S.L.
Entertainment	75,000 sq. ft.
Lodging uses	75,000 sq. ft.
Medical services	75,000 sq. ft.
Office	100,000 sq. ft.
Restaurants	N.S.L.
Retail sales, major durables	75,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.

Maximum FAR. Maximum Far in IC zones is 2.5.

Height Limits: The maximum structure height for all uses ranges from 30 feet to 85 feet.

New Mixed-Use Zones

New mixed-use zones would be added in several areas as discussed above in the Comprehensive Plan amendments section. Zoning that would be applied is described below. In all cases these zone changes would encourage mixed use development with a substantial amount of housing. Altogether these areas would be estimated to produce approximately 2,000 new homes over a 20-year time period.

South Park. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space. Both of the areas would be changed to a Neighborhood Commercial 3 zone with a 55 foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to other areas of commercial zoning in the commercial and mixed-use parts of the South Park urban village.

Judkins Park. Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be rezoned to a Neighborhood Commercial 3

zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly across of Rainier Ave. S.

West Ballard. Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be rezoned to a Neighborhood Commercial 3 zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly east of the proposed area along Market St.

Georgetown. Land in Georgetown including the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S. would be rezoned to a Neighborhood Commercial 3 zone with a 55-foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to and matches the zoning directly south of the proposed area.

The proposed zoning for Georgetown would include several features to address specific conditions and community preferences in the area. SMC Chapter 23.47A.009 Standards Applicable to Specific Areas would be amended to include a new subsection for Georgetown:

- **Arts space, or community club or center.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if development includes an arts facility operated by a for-profit or not-for-profit operator.
- **Historic preservation.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if the development rehabilitates a historic landmark.
- **Height limit increase.** The height limit is increased by 10 feet for any development that gains additional floor area for arts space, community center, or historic landmark preservation.

Other Zoning Amendments

The proposed legislation to implement the Industrial and Maritime Strategy includes three other proposed amendments to existing ordinances.

Noise Ordinance (SMC 23.08). Seattle's Noise Ordinance contains rules to minimize Seattle residents' exposure to excessive noise. Under the City's noise ordinance we screen commercial projects during plan or permit review for potential permanent and recurring noise issues associated with operating a facility. We require mitigation measures for both temporary and permanent major noise generators.

The noise ordinance:

- Sets limits for exterior sound levels in residential, commercial, and industrial districts.
- Specifies required quiet hours and hours during which construction and maintenance are allowed (see below).
- Establishes guidelines for granting variances from our ordinance.

The noise ordinance establishes dB(A) limits for receiving sites based on the use of the receiving site. In the case of residential receiving sites, for example, noise generated by industrial sources cannot exceed a dB(A) of 60 at receiving residential uses. The use is determined by zone, so residential uses in commercial zones are subject to the noise limit for commercial receiving uses. In the northwest section of the BIMIC residential projects have been developed or are being developed that directly abut core shoreline industrial uses. These residential uses, in commercial mixed-use zones pose challenges to shoreline industrial uses that have existed at this location for decades. The proposed amendment amends the Noise Ordinance to establish a limit of 70 dB(A)(Leq) for sound sources that originate on a property that is in the BINMIC and is within 200 feet of a shoreline for residential and commercial receiving areas.

IC Replacement Ordinance. The IC replacement ordinance removes provisions from the IC zone from the current SMC Chapter 23.50 – Industrial Zoning. Provisions for the IC zone would be included in the proposed Chapter 23.50A. If Council adopts Chapter 23.50A and then subsequently adopts the zoning map ordinance without amendments (discussed below) then it would also repeal the existing Chapter 23.50. If Council chooses to adopt some of the zoning map changes now but hold others until next year following more work with local stakeholders, then Chapter 23.50 would be repealed at the time that final action was taken on the zoning maps.

Zoning Map Ordinance. This ordinance contains map changes only and it would apply the new industrial zones throughout Seattle's industrial lands and apply mixed use commercial zones on some industrial land outside of the MICs or removed from the MICs through the accompanying proposed amendments to the Comprehensive Plan Future Land Use Map. The proposed mapping ordinance addresses all land currently in an industrial zoning designation in the city.

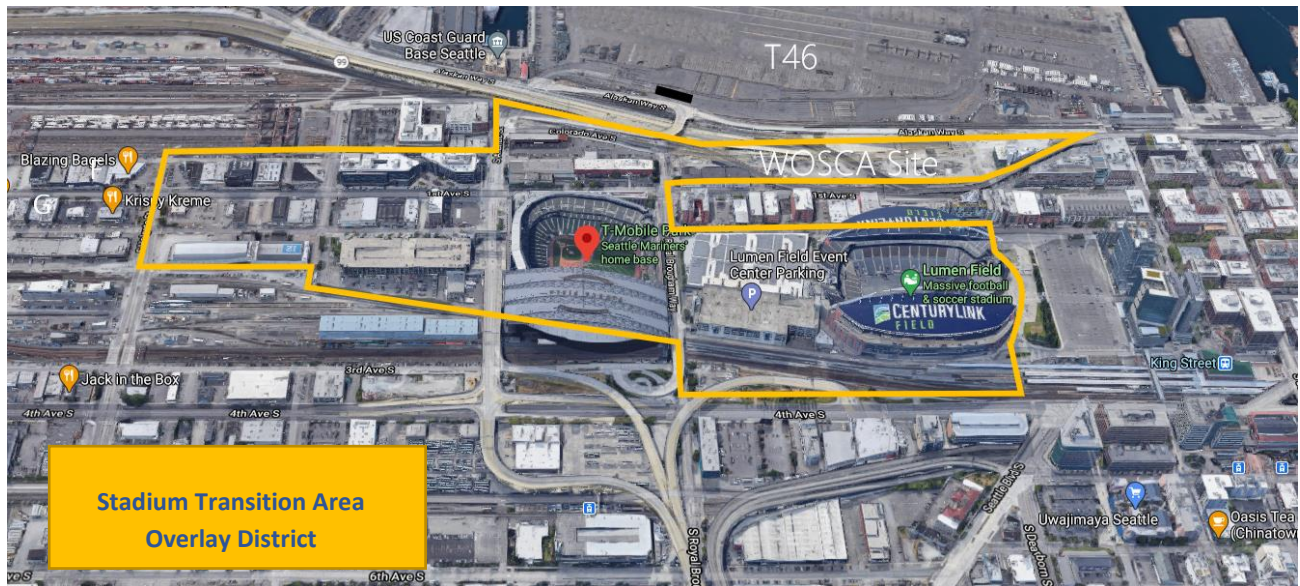
Stadium Area

Conditions near the professional sports stadiums at the north edge of the Duwamish MIC are unique. The existing Land Use Code contains a Stadium Transition Area Overlay District (STAOD). The proposed legislation would retain the STAOD and make several modifications and updates to it to reflect current conditions and aspirations for the stadium area.

Background: In June of 2000 and to address the effects of a new baseball stadium south of the Kingdome, the City of Seattle created the Stadium Transition Area Overlay District in June of 2000 (Seattle Municipal Code (SMC Chapter 23.74), Ordinance 119972). The "Purpose, intent and description of the overlay district" section of the code provides a good summary:

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 connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage

redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.



Stadium District Concept: In 2011 and 2012 the two volunteer public boards that manage the public's investment in T-Mobile Park (baseball) and CenturyLink Field and Event Center (Football and Soccer), together with the professional sports teams the venues host, prepared a Stadium District Concept Plan. The plan was a concept for what the entities believe to be the essential elements of a successful stadium district. The boards noted trends in other cities including Baltimore, Denver, and San Diego, for districts surrounding stadiums that are well-integrated with the stadium and include a wealth of complimentary and vibrant activities and a strong sense of place. The Concept Plan states core values and guiding principles adopted by both boards. It was distributed for public comment and requested to be considered by the city for formal adoption or recognition.

Stadium District stakeholders including the professional sports teams and the boards that oversee the stadiums continue to advocate for a more complete and vibrant stadium district area. They seek to upgrade amenities and experiences for visitors inside of and outside of the stadium facilities. They consider some amount of housing in and near the stadium district as an important component of a vision to create a more complete neighborhood.

Mayor Harrell and the Office of Planning and Community Development support aspects of the stadium district concept. OPCD has prepared past studies considering land use, mobility and placemaking strategies to help the district meet the needs of a wide variety of users, stakeholders, visitors, and businesses. We believe it is in the public interest to explore ways to improve the vibrancy of the area for more than just events, and to consider how activities near the stadiums can help support goals for adjacent neighborhoods. We believe these goals can be achieved while simultaneously strengthening industrial uses in the Duwamish Manufacturing Industrial Center.

Proposed Stadium Transition Area Overlay Updates: The legislation proposes several updates to the STAAD that would support goals and aspirations for a stadium district. The underlying zone for the area

would be the Urban Industrial zone. A district with a variety of small businesses and makers combined with businesses supporting events at the stadiums and entertainment venues would be supported by the UI zone. The proposed legislation includes the following features amending stadium overlay regulations:

- Allow lodging outright:** Currently, lodging (hotels) are prohibited by the overlay. Removing the prohibition would allow a small number of new hotels to be developed in the area. Hotels are appropriate because visitors to events may wish to stay close to the stadiums and therefore the hotel use has a direct linkage to the event activity. Stays close to events support convenient walking to the facilities and may alleviate the need for some car trips.
- Increase FAR Limit to 4.5.** Currently the FAR limit in the STAOD is 3.25. The increase would allow more economical buildout to an urban, 6 story scale corresponding to an 85' height limit. This scale of development would be compatible with surrounding existing structures. A dense mix of uses enabled by the increased FAR would be appropriate.
- Maximum Size of Use Flexibility for Restaurant, Retail and Office Uses.** Compared to the UI zone elsewhere, uses that have a synergy with events would have larger size of use limits as shown in the table below. To encourage the inclusion of light industrial and maker space along with event-related businesses, if a development provides 0.4 FAR of bona fide industrial space it would be exempt from the maximum size of use limit completely.

Maximum size of use limits in the Stadium Transition Area Overlay District Compared to the Urban Industrial Zone Elsewhere		
Uses subject to maximum size limits	STAOD	UI Zone Elsewhere
Animal shelters and kennels	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments	No Limit	3,000 sq. ft.
Entertainment*	25,000 sq. ft.	25,000 sq. ft. (4)
Lodging uses	No Limit	25,000 sq. ft.
Medical services	75,000 sq. ft.	25,000 sq. ft.
Office	75,000 sq. ft.	15,000 sq. ft.
Restaurants	No Limit	3,000 sq. Ft.
Retail sales, major durables	20,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	20,000 sq. ft.	75,000 sq. ft.
Sales and services, general	20,000 sq. ft.	7,500 sq. ft.

In the STAOD the maximum size of use limits shown above would be waived if a development provides at least 0.4 FAR of bona fide industrial use space.

- **Remove Requirement for Design Review.** Currently design review is required in the STAOD, and this is one of the only instances where design review is required in an industrial zone. The legislation proposes to remove the design review requirement to streamline the process for investment in new structures in the STAOD. The proposed development standards include prescriptive design-oriented regulations. Landowners have demonstrated an interest in providing a high-quality visitor-oriented environment. Removal of design review here will also have the effect of freeing up capacity for design review to move quickly for other types of projects.

Housing in the Stadium Area: Allowing housing in the stadium area is a topic of strong and divided opinions. As noted above stadium area stakeholders, and adjacent neighborhood groups in Chinatown/ID and Pioneer Square have advocated for allowing housing to support a more complete neighborhood with activity at hours outside of event times.

OPCD's analysis in the EIS and other studies reviewed the potential for some limited amount of housing in the stadium area overlay district. The Final EIS Preferred Alternative included a limited amount of industry supportive housing in the stadium area, consistent with the recommended approach for the Urban Industrial zone regulations in other parts of the city. (See UI zone section above). We estimated that over a 20-year time horizon a total of 400 – 600 housing units would be generated in the overlay if the UI zone housing provisions were applied. The housing would be in very limited locations. These would be:

- The half-block to the west of the Mariner's parking garage between Occidental Ave. S. and First Ave.;
- The block bounded by S. Holgate St., 1st Ave. S, the rail tracks, and S. Massachusetts St., and the current location of the Van Gogh immersive exhibit; and
- The block west of Dave Niehaus Way S. that contains the Mariners' Hatback Bar & Grill.

Under the proposed UI housing regulations, the housing would have to be combined with other mixed use development and would be clustered on sub-portions of the above mentioned sites. OPCD's independent analysis leads us to believe that some limited amount of housing would be compatible with the surrounding use pattern and would not cause additional adverse impacts on nearby industrial activities outside of the STAOD if carefully implemented. The siting and design of any housing, including the pedestrian environment would be important. Application of the conditional use criteria requiring soundproofing of windows, and tenant acknowledgements of the industrial environment would help mitigate potential negative effects. While stadium district advocates strongly support a housing allowance, it is also the case that no individual property owners are ready at the current time to proceed with a permit application for development that includes housing.

Other major stakeholders including the Port of Seattle and Northwest Seaport Alliance and the International Longshore and Warehouse Union (ILWU) expressed significant concerns about any

housing in the stadium district. Terminal 46 is directly west of the stadium district across highway 99. Concerns include the potential for residents to lodge noise or light and glare complaints against waterfront terminal activities, and the potential for residents moving through the area to increase pedestrian safety obstacles on local streets. These stakeholders also are concerned about the precedent of allowing any new housing in an industrial zone in general proximity to waterfront container port operations. Considerable deference to labor and institutional stakeholders with direct experience with the intricacies involved in the operation of marine terminals is warranted.

In consideration of all these factors and the totality of the information, the proposed legislation does not allow housing in the stadium overlay at this time. A specific provision in the overlay regulations would prohibit any new housing in the STAOD.

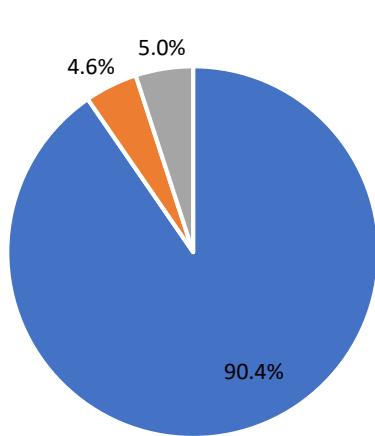
Projected Outcomes and Effects

Overall Zoning and Land Use Changes

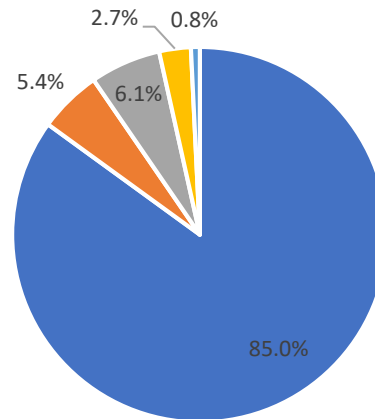
The following summarizes the aggregate effects of the proposed legislation in several key metrics. Additional detail and source studies can be found in the Final EIS and in associated studies prepared during the process to arrive at this proposal.

Zoned Area

The legislation updates zoning wholistically for the City's industrial areas. The graphic below compares the total quantity of zoned land under the City's existing industrial zoning framework as compared to the proposed legislation.



- Industrial General (IG1/IG2)
- Industrial Buffer (IB)
- Industrial Commercial (IC)



- Maritime, Manufacturing and Logistics (MML)
- Urban Industrial (UI)
- Industry and Innovation (II)
- Industrial Commercial (IC)
- Neighborhood Commercial (NC)

Land Use and Activity Patterns

In general, if the proposed legislation is implemented, we project the following shifts.

- Maintenance of the maritime and industrial base.
- Denser employment including new industrial space, near future light rail station in II zoned areas.
- Decreased rate of conversion to stand-alone office and retail uses in MML zoned areas.
- Continued additions of distribution and warehouse facilities.
- Increased development of mixed-use, flex, and light industrial uses in UI zoned areas.
- Introduction of some new industry-supportive housing.
- Additional new housing in areas removed from the Greater Duwamish MIC.
- Stronger Georgetown and South Park neighborhoods

Employment and Economic Effects

The overall amount of employment activity and the general composition is an important outcome.

Total Employment

The City's analysis includes an estimate of the employment projections for an approximate 20-year time horizon with no action, and under the proposed legislation.

Total Employment in Proposal Area		
2019	2044 Projection	
Existing	No Action	Proposed Legislation
98,500	122,000	134,000
Increase:	+ 23,500	+35,500

To put these amounts in context, the City of Seattle is planning for total citywide job growth of 169,500 jobs over the 20-year planning horizon of the One Seattle Comprehensive Plan major update. Projected employment growth of 35,500 would represent roughly 20% of total citywide job growth. This would be a moderate shift of total employment growth compared to past planning horizons into industrial areas.

Industrial Employment

It is also important to consider how much of the employment would be in industrial jobs. Results of the estimation and projections are below.

Changes in Industrial Employment in Proposal Area			
	2019	2044 Projection	
	Estimate	No Action	Proposed Legislation
Total Industrial Employment	54,500	66,400	70,850
Total Share Industrial Employment	55.3%	54.4%	52.8%

Over time, total industrial employment would increase under both the proposed action and with no action; however, under the proposed legislation, the total number is more than it would be without the changes, but the share of industrial employment would drop slightly. This reflects the increase in new bona fide industrial space that would be added under the proposal combined with the denser employment in nonindustrial uses that would also be in TOD areas. Under the proposed legislation we estimate that both MICs would maintain a percentage of industrial employment that exceeds the 50% threshold of the Puget Sound Regional Council's criteria for MIC designation.

Housing

The proposal would result in housing production in two general areas. Most of the housing production would be in new mixed-use areas that would be rezoned from an industrial zone outside of the MIC (Ballard, Judkins Park), or areas removed from MICs where new mixed-use zoning would be applied (Georgetown and South Park). These locations are estimated to yield over 2,000 units of housing as shown in the table below. The City's Mandatory Housing Affordability (MHA) program would apply. The rezones would have an MHA suffix of (M2) in Judkins Park and Ballard and these are MHA medium cost areas, while Georgetown and South Park would have an MHA suffix of (M) and are MHA low-cost areas. Applying general assumptions, the housing is expected to yield about \$19.8M for affordable housing.

A smaller amount of housing would be expected in the Urban Industrial zones within the MIC. This housing would be located in places such as near the Design Center in Georgetown, north of the South Park Urban Village, and in the northeast corner of Ballard. This housing would conform to the limiting criteria for industry-supportive housing in an industrial zone. The housing would either be caretaker quarters / makers studios, or 50% affordable at a workforce level. The total amount of the housing in the Urban Industrial zone is estimated at 880 units. MHA would not apply to these industry-supportive housing units.

In total the proposed action would yield approximately 3,000 new homes that would not be built in the absence of the legislation.

Estimated Additional Housing Units in Proposal Area	
New Mixed-Use Areas	
Ballard	565
Judkins Park	625
Georgetown	570
South Park	295
Subtotal	2,055
Urban Industrial Zones – (Ballard, Georgetown, and South Park)	
Urban Industrial Zones	880
Total	2,935

Environmental Health and Community Development

In addition to the quantifiable metrics that would stem from the proposal there would be several more qualitative outcomes that can be expected.

- **Increased landscaping, greenery, tree planting.** New standards primarily in the Urban Industrial zone would add vegetation in the areas at the transition between core industrial areas and residential neighborhoods over time as development occurs. These features can improve local air quality, reduce urban heat island effects, and generally improve the quality of the experience for those who live or work in the area.
- **Improved walkability and multi-modal connections.** New standards in the Urban Industrial zone and the Industry and Innovation zones would make significant improvements by adding sidewalk, pedestrian lighting, urban storefronts and facades, and trail or bicycle network upgrades. Locations closest to light rail stations especially would be transformed into transit-oriented environments.
- **Improved drainage and preparedness for sea level rise.** New development especially in the Urban Industrial and Industry and Innovation zones would upgrade local

stormwater drainage systems and would be better designed to withstand more frequent flooding and rising sea levels.

- **Improved cohesiveness in the Georgetown neighborhood.** The land use action would link existing residential areas of Georgetown together with a mixed use neighborhood district that includes new housing. The action would provide a more contiguous and legible Georgetown neighborhood area that has been envisioned by residents for a long time.
- **Improved connectedness of the South Park neighborhood to the Duwamish River.** The land use action would better connect the South Park urban village area to the riverfront. Two mixed use areas directly adjacent to open space resources on the River would strengthen the physical, visual, and perceptual linkage between South Park and its waterfront.

Environmental Review

Washington’s State Environmental Policy Act (SEPA) requires environmental review when a city makes changes to land use policies or zoning. OPCD prepared an EIS that analyzed how the proposed changes could affect the built and natural environment in industrial areas and adjacent communities over a 22-year period. This process allows thoughtful implementation of strategies to mitigate any adverse impacts and provides information to the public and policy makers before any decisions are made. A Final EIS on the proposed land use policy and zoning changes was issued on September 29, 2022, and received no appeals. The EIS carefully reviewed for potential adverse impacts of the proposed changes in the following topic areas:

Soils / Geology	Noise	Historic, Archaeological & Cultural Resources
Air Quality & GHG	Light & Glare	Open Space & Recreation
Water Resources	Land & Shoreline	Public Services
Plants & Animals	Housing	Utilities
Contamination	Transportation	Equity & Environmental Justice Considerations

The Draft EIS analyzed four alternatives, to review various ways of implementing the proposed land use concepts to study the best ways to achieve the City’s objectives. This included a No Action Alternative to serve as the baseline for comparison for the potential impacts of the three Action Alternatives. The Final EIS added a Preferred Alternative that responded to extensive community comment and input on the Draft EIS. The FEIS Preferred Alternative is very similar to the contents of this proposed legislation.

The FEIS identified several areas of environmental impact. In most cases the level of adverse impact would be minor or moderate and would be addressed by identified mitigation measures. For several elements of the environmental conditions would improve over time. Potential significant adverse impact related to pedestrian and bicycle safety was identified and should be an area of focus corresponding with implementation of this proposed land use legislation. (See Appendix A). Environmental review consistent with State SEPA regulations is complete, and the City Council may act on the proposed legislation.

Future Considerations

Future steps to fully implement the Industrial and Maritime Strategy include implementation of non-land use strategies, updating the Manufacturing and Industrial Centers Plans, and fine-tuning application of the new industrial zones.

Implementation of other Strategies

The Stakeholder recommendations include the following strategies that aren't directly related to land use:

- **Transportation.** Improve the movement of people and goods to make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

Implementation actions for this strategy will require coordination across agencies including SDOT, WSDOT, Sound Transit and Metro. Currently SDOT is developing the Seattle Transportation Plan which can advance the recommended transportation strategy through its work with the freight community to assess needs, opportunities, and new vision for the safe movement of freight, people, and goods through Seattle industrial areas. OPCD will work with SDOT over the next year to develop street concepts for the new Industry and Innovation and Urban Industrial zones as they update Streets Illustrated.

- **Workforce Development.** Implementation of workforce development strategies are being led by the Office of Economic Development and its partners through a variety of programs. These programs include:
 - Partnership with Seattle Maritime Academy and at least one BIPOC led CBO.
 - WA Maritime Blue Youth Maritime Collaborative
 - "Port Jobs", training in aerospace for incumbent workers at SEA
 - "Mass Timber" institute, in development with stakeholders

These efforts place an emphasis on promoting opportunities for BIPOC youth and young adults to access missing middle jobs to address City's affordability crisis. Other workforce development efforts locally are being led by Port of Seattle in partnership with WA Maritime Blue, Polytech, and Urban League.

Updated Centers Plans

Seattle's two Manufacturing Industrial Centers, the BINMIC and the Greater Duwamish MIC are designated as such by the Puget Sound Regional Council. This designation is valuable in part because that designation increases their competitiveness for federal transportation funding. By 2025 the City will need to recertify the MIC designations for both areas. This proposal, if adopted, satisfies several critical criteria for MIC redesignation – more than 75% of land is in a core industrial zone and more than 50% of employment is in industrial jobs. As part of recertification, the City will need to update the Centers Plans for both MICs by 2025. These plans establish local goals and policies addressing transportation, economic development, environment, and other areas as determined through the planning process. OPCD anticipates working with stakeholders in both MICs to update these plans over the course of 2024.

Fine Tune Zoning

The proposed legislation offers the City Council a choice regarding timing of implementation of the new industrial zoning framework. City Council could choose to rezone all industrial land with the new zones established by the proposed Chapter 23.50A or retain the existing zoning in select locations pending further community engagement. Community engagement would occur through the Centers planning process, discussed above, and would result in a second set of rezone recommendations in 2024. The proposed rezone legislation currently rezones all industrial land and its adoption would require no further action to implement the new land use framework. In considering the rezone legislation City Council may:

- Adopt the rezone legislation in its entirety and repeal the existing Chapter 23.50 as it would no longer have application to any land in Seattle; or
- Adopt most of the rezone legislation and refine application of the new zones over the next year through the Centers Planning process. In this case, Council should retain Chapter 23.50 for a period to allow for existing zones to continue to exist in select locations until a final round of rezones occurs in 2024.

Director's Recommendation

The OPCD Director makes the following findings based on the information contained in this report and related studies about the expected outcomes from the proposed policy and zoning changes over an approximate 20-year period.

The proposed action would advance the City towards the objectives stated in the Executive Summary, which are focused on strengthening economic development and resilience, improving access to employment opportunity, and improving environmental health.

All required environmental review is complete. Many environmental conditions would improve if the action is adopted and any minor adverse impacts would be considerably outweighed by the public benefits of approving the proposal.

The proposed action is based on extensive public process and stakeholder input that occurred over multiple years. Based on public and stakeholder input, the proposal represents a balancing of varied perspectives and interests.

Approval of the action would provide predictability about the City's industrial lands policy and would resolve debates that led to inaction after previous efforts.

The action would be consistent with all regional and local policies governing Manufacturing Industrial Centers.

Therefore, the OPCD Director recommends that City Council approve the five linked ordinances described in this report to implement components of the Industrial and Maritime Strategy.

Appendices List

The following documents are attached as appendices.

- A. Environmental Impact Statement Summary Folio
- B. Non-Industrial Development Analysis



SEATTLE CITY COUNCIL
CENTRAL STAFF

Industrial Maritime Strategy

LISH WHITSON, LEGISLATIVE ANALYST

LAND USE COMMITTEE

MAY 15, 2023

Legislation

CB 120568 2023 Comprehensive Plan amendments

CB 120567 Land Use Code text amendments

New Industrial chapter 23.50A

New zones: Maritime, Manufacturing, Logistics;
Industrial Innovation; Urban Industrial

CB 120569 Zoning map changes

CB 120571 Noise ordinance amendments

CB 120570 Relocating Industrial Commercial code

Industrial and Maritime Strategies

- Environmental justice and climate action
- Stronger protections for industrially zoned land
- High-density industrial development
- Healthy transitional areas near urban villages
- No new residential uses
- Georgetown and South Park neighborhood goals
- Master planning for WOSCA and Armory sites

CB 120568 – Comprehensive Plan Amendments

- Sets policy basis for new zoning regulations, including three new zones
- Changes boundaries of Duwamish Manufacturing/Industrial Center in Georgetown and South Park and removes industrial designation in Judkins Park
- Restricts future changes to industrial areas
 - *If adopted, Council should update its Comp Plan docketing resolution (Resolution 31807) to reflect this new policy*
 - *Amend rezone criteria to reflect this direction?*

CB 120567 – Land Use Code Text Amendments

II zone FAR bonuses

- Code defines Information Computer Technology (ICT) as an industrial use that is incentivized in the II zone. The bonus for ICT space is lower than that provided for the creation of space for other industrial uses.
 - *Will this dilute the ability of the bonus program to create space for traditional industry?*
 - *What happens if an ICT business wants to move into a space built for other industrial uses?*

CB 120567 – Land Use Code Text Amendments

FAR increases for commercial uses

- Bill increases the maximum floor area ratio (FAR) in the Urban Industrial and Industrial Innovation zones.

Urban Industrial: from 2.5 to 3 or 4.5, primarily for ancillary uses

Industrial Innovation: from 2.5 or 2.75 to 4.5 to 6.5, coupled with incentives for on-site or off-site industrial development, mass timber, and preservation of vulnerable masonry structures

- *Should Mandatory Housing Affordability requirements apply to commercial floor area?*

CB 120567 – Land Use Code Text Amendments

Housing in and near industrial areas

- Housing would be allowed in and near industrial areas through rezones to non-industrial zones and in the UI zone
- The UI zone and Georgetown include noise attenuation requirements for new dwelling units
 - *Should noise attenuation requirements apply more broadly?*
 - *Are there other requirements that could reduce environmental impacts of living near industrial uses? Tree requirements? Require air conditioning?*

CB 120571 – Noise Ordinance amendments

- Allows higher noise levels in residential and commercial areas near BINMIC shorelines
 - *Consider noise attenuation in new development near the BINMIC shoreline?*

Council Amendments

- Need to make sure that the bills are internally consistent – amendments to the Land Use Code bill or rezones may have impacts on the Comprehensive Plan and vice versa
- Need to be consistent with regional criteria for MICs
- Need to be within the range of alternatives studied in the FEIS
- Rezones must be consistent with rezone criteria

May 11, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Industrial Maritime Legislation

On Monday, May 15, the Land Use Committee will continue its discussion of legislation intended to update and modernize the City of Seattle’s industrial land use policies and regulations. The Committee will hear from the Seattle Planning Commission and Central Staff on issues for Council consideration they have identified in the legislation. The five bills¹ to implement the Seattle Industrial and Maritime Land Use Strategy are:

[CB 120568](#) The 2023 Comprehensive Plan amendment ordinance. This bill amends the Land Use element of the Comprehensive Plan to add new goals and update the policies related to industrial areas. The Future Land Use Map and other maps in the plan are amended to remove industrial designations from areas near South Park, Georgetown, and Judkins Park. All future industrial land use decisions would need to be consistent with these policies.

[CB 120567](#) Land Use Code amendments to implement the changes in the Comprehensive Plan Ordinance. This bill creates a new Seattle Municipal Code (SMC) Chapter 23.50A in the Land Use Code, which includes zoning provisions for three new industrial zones: Maritime, Manufacturing, and Logistics (MML); Industrial Innovation (II); and Urban Industrial (UI). The bill also incorporates the existing Industrial Commercial (IC) zone into Chapter 23.50A.

[CB 120569](#) Zoning Map amendments to rezone industrial areas from the existing industrial zoning designations to the new industrial zones created by CB 120567. The map amendments also rezone limited areas in Ballard, South Park, Georgetown, and Judkins Park from industrial to commercial and multifamily zoning districts.

[CB 120571](#) Noise code amendments to allow for higher noise levels in commercial and multifamily districts near the Ballard shoreline.

[CB 120570](#) Land Use code amendments to remove provisions related to the Industrial Commercial zone from the existing industrial Chapter 23.50. If CB 120567 is adopted, this bill should be adopted alongside it.

¹ For more detail regarding the content of each of these bills, please see the Office of Planning and Community Development’s [Director’s Report](#) on the package of bills, and their [presentation](#) at the May 10 Land Use Committee meeting.

This memorandum provides a description of industrial land use policy in Seattle and identifies a few issues for Councilmembers to consider to further mitigate the impacts of the proposed legislation.

Industrial and Maritime Uses and Land Use Policy

Industrial and maritime land uses are characterized by unique needs and impacts that have led them to be separated from other uses, particularly residential uses. Industrial uses generally include:

- Maritime: water-dependent businesses including shipping and fishing;
- Manufacturing: the production of goods;
- Logistics: the movement and storage of things;
- Support: wholesale businesses and industries like construction that support activities in throughout Seattle and region; and
- Utility and public uses: when similar to the activities above, or not appropriate in other areas, for example bus bases (similar to logistics) and the Port of Seattle (supporting maritime activities).

These uses all need large, generally flat parcels, with streets wide enough to accommodate the movement of large vehicles. Many of these uses require access to regional, national, or international transportation facilities, such as ports, interstate highways, rail lines, or airports.

These uses serve important roles in the city's and region's economy. They often provide pay family wage union jobs that are available to workers without college degrees. And they help to support businesses throughout the region. However, often, they are not able to economically compete with residential, retail and offices for the amount of space they need in other parts of the city.

These uses often have impacts that make them poor neighbors to residences and other types of businesses. Industrial processes can include higher-than-normal levels of noise, light and glare, vibrations, odors, or pollutants. Industrial land often is contaminated and needs to be remediated before it is safe for residents. Streets in industrial areas are designed to facilitate truck movement and the street network in these areas often has incomplete pedestrian and bicycle facilities. The trucks and trains required to carry both raw materials and finished goods to and from industrial businesses are more dangerous to pedestrians, bicyclists, and other vulnerable people.

People living near industrial areas on average have shorter lives and worse health outcomes than people living farther from the industrial areas.² These impacts are felt most strongly by low-income and Black, indigenous, and people of color (BIPOC) communities along the Duwamish River. In the words of the Duwamish River Community Coalition:

The Duwamish Valley neighbors are exposed to multiple environmental justice concerns and include a high percentage of susceptible or vulnerable populations. In addition, they have historically lacked access to, and influence on, decision-makers that shape the future of their communities as other, more affluent, communities in the region have.³

Many of Seattle's industrial areas are in areas with environmental constraints. The Duwamish River valley and the south end of Interbay are among the areas most likely to be inundated as sea levels rise. Flooding occurs along the Duwamish and impacts both nearby residents and businesses. Much of Seattle's industrial-zoned land is located on historic landfills, both formal and informal and is subject to liquefaction during earthquakes. The waterways that run through and serve the industrial areas are also critical habitat for fish and other aquatic creatures.

Because of these benefits, challenges, and impacts, the City and the region have identified Manufacturing/Industrial Centers (MICs) as areas where industrial uses are the preferred uses, and where residential uses are generally prohibited. Seattle has two MICs: the Greater Duwamish MIC and the Ballard-Interbay-Northend MIC (BINMIC).

The MICs are designated at the regional, county and city level. They must comply with requirements in the Puget Sound Regional Council's (PSRC) [Vision 2050](#) plan. This includes [review](#) by PSRC's Growth Management Policy Board of major changes to the boundaries of these centers,⁴ and [requirements](#) for plans for the centers. Because of updated requirements from the PSRC, the City must update its industrial policies.

² See for example the 2013 Health Impact Assessment for the Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site prepared by the University of Washington School of Public Health ([Health Impact Assessment: Duwamish Cleanup Plan | Environmental & Occupational Health Sciences \(washington.edu\)](#)) which found that residents of the 98108 zip code, had an average life expectancy at birth that was 8 years lower than the City average (73.3 years vs. 81.5 years), and had a childhood asthma hospitalization rate that was 130% higher than King County as a whole. This data is mirrored in other studies, see for example: [Residential Proximity to Environmental Hazards and Adverse Health Outcomes - PMC \(nih.gov\)](#).

³ From [Why is our work important? — Duwamish River Community Coalition \(drcc.org\)](#), accessed May 9, 2023. As of 2021, the population of Census tract 112, containing South Park, was 29% foreign-born, 25 percent Latino, and more than 66 percent people of color, including Asian, Pacific Islander, Hispanic, African American, and Native American. In that census tract, 35 percent of children and 22 percent of adults were in households with incomes below the poverty level. Fourteen percent of residents had no health insurance coverage. (American Community Survey, 2016-2021).

⁴ A major change is defined as more than 10% of the area of a center.

The proposed bills respond to these requirements, but more directly respond to the [recommendations](#) of the Industrial and Maritime Strategy Council released in 2021. In particular, the bills respond to Strategies 4 through 10:

Investment Strategies

* * *

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.
6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.
7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.
8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).
9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

* * *

Issues for Council Consideration

The proposed package of bills is intended to balance competing interests regarding the future of industrial lands in Seattle. It generally implements the strategies recommended by the Industrial and Maritime Strategy Council. However, Central Staff has identified a few issues that Councilmembers may want to consider as they weigh this legislation.

CB 120568 Comprehensive Plan Amendments

Topic	Discussion
<p><i>Restriction on changes to industrial areas</i></p> <p>The Comprehensive Plan amendment ordinance includes a new policy limiting changes to industrial areas to 1) major updates to the Comprehensive Plan or 2) a City-sponsored planning process.</p> <p>A separate policy would provide specific direction regarding future changes to two State-owned properties: the Washington National Guard Armory in Interbay, and the WOSCA site in SODO.</p>	<p>Resolution 31807 lays out the City’s process and criteria for considering changes to the Comprehensive Plan. If these amendments are adopted, the Council should update the Resolution to reflect the direction provided by these new policies. The Council may also want to consider adding a restriction on future changes to industrial areas in the rezone criteria in the Land Use Code, Chapter 23.34, which guide site-specific rezones.</p>

CB 120567 Chapter 23.50A

Topic	Discussion
<p>FAR increases for Commercial uses</p> <p>The proposed bill would significantly increase the amount of permitted FAR for non-industrial uses in the UI and II zones.</p> <p>In the UI zone, commercial uses that are ancillary to an industrial use are allowed to occupy up to 80 percent of a structure with no maximum size limit, with a maximum FAR limit of 3 or 4.5, up from the 2.5 FAR limit in the existing Industrial Buffer (IB) zone.</p> <p>The II-85 zone would have a maximum FAR limit of 4.5, the II-125 zone would have a maximum FAR limit of 5.75, and the II-160 zone would have a maximum FAR limit of 6.5 FAR. There would be no maximum size limit for commercial uses in these zones that are part of a project that participates in the bonus program. The II zone would generally replace General Industrial (IG) and Industrial Commercial (IC) zones that have FAR limits of 2.5 and 2.75, respectively.</p>	<p>Should these FAR increases be coupled with requirements for participation in Mandatory Housing Affordability program for commercial uses as has been the case with other significant upzones? For the UI zone, generally these commercial uses would need to be ancillary to an industrial use. For the II zone, the commercial uses would need to participate in the II bonus program and be part of a project that supports the creation of new industrial space.</p>

Topic	Discussion
<p>II Zone <u>FAR bonuses</u> The II zone would implement strategy 6 by allowing higher density office development through a Floor Area Ratio (FAR) bonus program.</p> <p>In the II-85 zone, in order to achieve the maximum FAR of 4.5, the project would need to provide on- or off-site industrial spaces.</p> <p>In the II-125 and II-160 zones, in order to achieve the maximum FAR of 5.75 or 6.5 FAR, projects would need to (1) provide on- or off-site industrial uses; and (2) either use mass-timber construction or acquire transferrable development rights from a vulnerable masonry structure.</p>	<p>Strategy 6 describes this approach as “creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.” The proposed bill would allow these industrial uses to be located off-site if they are within the same MIC.</p> <p>The proposed bill classifies Information Computer Technology (ICT) as an industrial use in the II zone only. A project could qualify for the bonus by only providing office space for the technology sector. Under height limit provisions that allow for unlimited height for structures in industrial use in II zones, no height limit would apply to such a structure, unless it were under a flight path.</p> <p>ICT uses can easily be accommodated in office space in other parts of the city and do not have the same space needs or impacts as other industrial uses. The effect of this approach may be to reduce the effectiveness of the II bonus in terms of creating new space for more intensive industrial uses that are not appropriate in other parts of the City.</p> <p>The proposed bill provides different bonus ratios for ICT uses compared to other industrial uses. Projects providing ICT space would be granted four additional square feet of non-industrial space for each square foot of ICT space, and five square feet for each for each square foot of non-ICT industrial space. The proposed code is not clear regarding what would occur if an ICT use seeks to move into to a space that was built with the non-ICT industrial space bonus.</p>

Topic	Discussion
<p>Housing in and near Industrial zones</p> <p>The proposed bills increase housing in and near industrial zones in two ways: (1) by allowing housing as a conditional use in UI zones, and (2) by rezoning some industrial areas to commercial or multifamily zones. Because of the impacts residential and industrial uses can have on each other, these changes should be considered carefully.</p> <p>Some of the conditions that maintain the industrial character of the UI zone include:</p> <ul style="list-style-type: none"> • Limiting residential uses to 50 percent of a project; • Limiting residential density to 50 dwelling units per acre; • Prohibiting multifamily uses within 200 feet of designated major truck streets and shorelines; • Restricting the residential use to live/work units, caretakers’ quarters, or affordable units;⁵ and • Requiring statements that owners and residents acknowledge that the housing is in an industrial area and accepting the character of the neighborhood. <p>Future residents in these units would be protected from impacts from industrial activity by requiring the installation of sound-insulating windows and landscaping requirements that would newly be applied to these districts.</p> <p>A similar requirement for noise attenuation is placed on property in Georgetown that is being rezoned from industrial to Neighborhood Commercial in Georgetown. It is not applied in other areas where similar rezones are proposed.</p>	<p>If Councilmembers want to further limit the impacts of harmful industrial uses and industrial activity on future residents in these areas, there are additional requirements they could add:</p> <ul style="list-style-type: none"> • Limiting housing near rail yards, interstates, and airports, all of which can have significant air quality, noise and vibration impacts on nearby residences; • Requiring noise attenuation for future housing units in all of these areas; • Requiring air conditioning and non-operable windows in future housing units to improve indoor air quality; • Increasing landscaping and tree requirements in the MML zone, which has limited street tree requirements and no landscaping requirements; • Requiring new industrial buildings to be set back from lot lines that are shared with all zones where residential development is permitted; • Prohibiting high impact uses near zones where residential uses are permitted; or • Requiring sidewalks be built alongside new construction near areas where residential uses are permitted.

⁵ A minimum of 50 percent of units in the project would need to be affordable at the following levels depending on the number of bedrooms: Small Efficiency Dwelling Units (SEDUs) – 60 percent of area median income (AMI); studio and one-bedroom units – 80 percent AMI; two or more bedroom units – 90 percent AMI.

CB 120571 Noise Code

Topic	Discussion
This bill would allow for higher noise levels in residential and commercial zones near the BINMIC shoreline than are permitted in other residential and commercial areas.	The impacts of this bill on new housing could be mitigated by requiring the type of noise attenuation that is proposed to be required in Georgetown in residential and commercial areas near the BINMIC shoreline, such as the western section of the Ballard Urban Village.

Key Considerations for Amendments

As Councilmembers consider amendments, please keep in mind constraints on Council changes that are embedded in the Washington State Growth Management Act (GMA), State Environmental Policy Act (SEPA), and the City’s land use regulations.

Under the GMA, land use bills must be consistent with the policies of Seattle’s Comprehensive Plan. Before proposing an amendment to the land use code amendment ordinance or rezone ordinance, please consider whether the change will be consistent with the Comprehensive Plan policies related to industrial lands. In addition to the policies included in CB 120568, there are additional goals and policies for each of the MICs that should be considered. Other policies throughout the plan may also constrain the Council’s policy choices.

In addition, the GMA requires consistency between local and regional plans. As regionally-designated centers, the City’s MICs must follow the policies for Manufacturing and Industrial Centers contained in PSRC’s Vision 2050 and King County’s Countywide Planning Policies. Amendments that would conflict with those policies should not be adopted.

The Office of Planning and Community Development (OPCD) has published an [environmental impact statement](#) (EIS) that analyzed the impacts of this proposal. Under SEPA, the Council may not consider changes to the proposal that have not been analyzed. This means that if a Councilmember wants to propose an amendment that is outside the range of alternatives studied under the EIS, additional environmental review may be required prior to Council action on the final bill. We will work with you to help identify the level of review that may be required depending on how much the amendment differs from the alternatives and potential mitigation measures studied under the FEIS.

Finally, SMC 23.34.007 states that all rezones must be guided by rezone criteria contained in SMC Chapter 23.34. The criteria in that chapter are weighed and balanced and should be considered by the Council in considering any changes zoning designations, including height limits. This Chapter is proposed to be amended by CB 120567, and the Council should consider the new criteria in that bill alongside existing criteria in Chapter 23.34.

Next Steps

Chair Strauss has requested that Councilmembers send their ideas for potential amendments to me by the end of the day Wednesday, May 17. I will compile a summary of proposed amendments to be published on May 22 so that members of the public will have a sense of the range of changes that Councilmembers are considering prior to May 24th public hearing. The Committee will consider amendments and may vote on the legislation at a special meeting scheduled for the week of June 5.

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

May 22, 2023

MEMORANDUM

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

On Wednesday, May 24, the Land Use Committee will hold a public hearing on 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.

Attached to this memorandum is the preliminary list of potential amendments that Councilmembers are considering proposing to the legislation. These amendments are preliminary concepts that may change based on public feedback and additional review.

Following the public hearing, we will prepare amendatory language for the Land Use Committee to consider at a special meeting on June 8.

Attachments:

1. Potential amendments to the Industrial and Maritime Strategy legislation

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

Attachment 1 – Table of Amendments to Industrial Maritime Strategy

#	Potential Amendment	Sponsor
1	Technical Amendments	Strauss
2	Change the required ground floor load bearing in industrial space in II zones from 250 lbs/sq ft to 125 lbs/sq ft	Strauss
3	Require Mandatory Housing Affordability (MHA) for commercial development in the Industrial Innovation (II) zone	Morales
4	Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone	Strauss
5	Increase the residential density limit in the Urban Industrial (UI) zone along the Wallingford waterfront	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
9	Allow an additional 10 feet of height in the Georgetown Live-Work district along 4th Avenue S	Strauss
10	Rezone the block at Leary Way and Dock Street to General Commercial 2 (C2) or other non-industrial zone	Strauss
11	Rezone the block at the northwest corner of Leary Way 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) and rezone to Lowrise (LR)	Strauss
13	Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 or LR3	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	Morales



Legislation Text

File #: CB 120570, **Version:** 1

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

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

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

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

..body

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

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

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

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle’s industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing safety for all travel modes;

- 1 • Aligning Seattle’s industrial and maritime strategy with key climate and environmental
- 2 protection goals; and
- 3 • Developing a proactive land use policy agenda that harnesses growth and economic
- 4 opportunities to ensure innovation and industrial jobs are a robust part of our future
- 5 economy that is inclusive of emerging industries and supportive of diverse
- 6 entrepreneurship; and

7 WHEREAS, in May of 2021 the Industrial and Maritime Strategy Council issued a report
8 recommending 11 strategies to advance the guiding principles of the Council; and

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

10 WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the
11 City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office
12 of Planning and Community Development (OPCD) issued a Determination of
13 Significance and initiated a SEPA scoping period to seek public comment on four distinct
14 land use alternatives each based on a new industrial land policy framework reflective of
15 the Strategy Council’s recommendations and received 105 comments; and

16 WHEREAS, on December 15, 2021 OPCD issued the Industrial and Maritime Strategy Draft
17 Environmental Impact Statement; and

18 WHEREAS, OPCD held two public hearings during a 75-day public comment period and
19 received 142 comments; and

20 WHEREAS, in September 2022 OPCD issued a Final Environmental Impact Statement featuring
21 a preferred alternative; and

22 WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies
23 recommended by the Industrial and Maritime Strategy Council and were studied in the

1 Industrial and Maritime Strategy Environmental Impact Statement, including: (1) an
2 ordinance amending Seattle’s Comprehensive Plan to create a new land use policy
3 framework, (2) an amendment to the Seattle Municipal Code to establish new industrial
4 zones and development standards consistent with the proposed Comprehensive Plan
5 Policies, (3) an ordinance to remove the provision of the Industrial Commercial zone
6 from the existing Seattle Municipal Code Chapter 23.50, (4) an ordinance amending Title
7 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing
8 Center, and (5) an ordinance to apply the proposed new zones to land in Seattle’s
9 industrial areas; and

10 WHEREAS, the proposed ordinance creating a new Seattle Municipal Code Chapter 23.50A to
11 establish new industrial zones and development standards also includes provisions for the
12 Industrial Commercial zone currently in Chapter 23.50; and

13 WHEREAS, the Industrial Commercial zone will continue to provide a valuable land use tool for
14 industrial areas outside of Manufacturing and Industrial Centers; and

15 WHEREAS, upon adoption of amendments to the Official Land Use Map that apply the
16 proposed new industrial land zoning framework to all industrial land, it is recommended
17 that the City Council repeal Seattle Municipal Code Chapter 23.50; and

18 WHEREAS, the provisions for the Industrial Commercial zone are included in the proposed
19 Chapter 23.50A for areas outside of Manufacturing Industrial Centers; and

20 WHEREAS, this separate ordinance removes provisions for the Industrial Commercial zone
21 from existing Chapter 23.50; and

1 WHEREAS, the Industrial Commercial zone remains a useful and relevant zone in line with
 2 proposed policies for some areas and therefore will be relocated to a new Chapter
 3 23.50A; NOW, THEREFORE,

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

5 Section 1. Section 23.50.002 of the Seattle Municipal Code, last amended by Ordinance
 6 124969, is amended as follows:

7 **23.50.002 Scope of provisions**

8 A. There are ~~((four))~~ three industrial classifications: General Industrial 1 (IG1), General
 9 Industrial 2 (IG2), and Industrial Buffer (IB) ~~((, and Industrial Commercial (IC)))~~. This Chapter
 10 23.50 describes the authorized uses and development standards for the Industrial zones.

11 * * *

12 Section 2. Table A for Section 23.50.012 of the Seattle Municipal Code, which section
 13 was last amended by Ordinance 125845, is amended as follows:

14 **23.50.012 Permitted and prohibited uses**

15 * * *

Table A for 23.50.012 Uses in Industrial zones					
Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
A. AGRICULTURAL USES					
A.1. Animal husbandry	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone					
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center	
A.2. Aquaculture	P	((P))	P	P	P	
A.3. Community garden	P((2)) (1)	((P(2)))	P((2)) (1)	P((2)) (1)	P((2)) (1)	
A.4. Horticulture	X	((X))	X	X	X	
A.5. Urban farm ((1)) 2	P((2)) (1)	((P(2)))	P((2)) (1)	P((2)) (1)	P((2)) (1)	
B. CEMETERIES	X	((X))	X	X	X	
C. COMMERCIAL USES						
C.1. Animal shelters and kennels	X(3)	((P))	P	P	P	
C.2. Eating and drinking establishments	P	((P))	P	P	P	
C.3. Entertainment uses						
	C.3.a. Cabarets, adult	P(4)	((P(4)))	X	X	X
	C.3.b. Motion picture theaters, adult	X	((X))	X	X	X
	C.3.c. Panorams, adult	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	C.3.d. Sports and recreation, indoor	P	((P))	P	X	P
	C.3.e. Sports and recreation, outdoor	P	((P))	P	X	P
	C.3.f. Theaters and spectator sports facilities					
	C.3.f.i. Lecture and meeting halls	P	((P))	P	P	P
	C.3.f.ii. Motion picture theaters	P	((P))	P	X	X
	C.3.f.iii. Performing arts theaters	P	((P))	P	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	C.3.f.iv. Spectator sports facilities	P	((P))	P	X(5)	X(5)
	C.4. Food processing and craft work ((H)) <u>2</u>	P	((P))	P	P	P
	C.5. Laboratories, ((Research)) <u>research</u> and development	P	((P))	P	P	P
	C.6. Lodging uses	CU	((CU))	CU	X	X
	C.7. Medical services (6)	P	((P))	P	P	P
	C.8. Offices	P	((P))	P	P	P
	C.9. Sales and services, automotive	P	((P))	P	P	P
	C.10. Sales and services, general ((H)) <u>2</u>	P	((P))	P	P	P
	C.11. Sales and services, heavy	P	((P))	P	P	P
	C.12. Sales and services, marine	P	((P))	P	P	P
	D. HIGH-IMPACT USES	X	((X or CU(7)))	X or CU ((8)) <u>7</u>	X or CU ((8)) <u>7</u>	X or CU ((8)) <u>7</u>

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
E. INSTITUTIONS					
E.1. Adult care centers	X	((X))	X	X	X
E.2. Child care centers	P	((P))	P	P	P
E.3. Colleges	EB	((EB))	EB ((9)) <u>8</u>	X ((10)) <u>9</u>	X ((10)) <u>9</u>
E.4. Community centers and Family support centers	EB	((EB))	EB	P	P
E.5. Community clubs	EB	((EB))	EB	X	P
E.6. Hospitals	EB	((EB))	CU ((11)) <u>10</u>	P	P
E.7. Institutes for advanced study	P	((P))	P	X	X
E.8. Libraries	X	((X))	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB ((12)) <u>11</u>	((EB))	EB ((12)) <u>11</u>	EB	EB
E.10. Museums	EB	((EB(13)))	EB	X ((14)) <u>(12)</u>	X ((14)) <u>(12)</u>
E.11. Private clubs	EB	((EB))	EB	X	X
E.12. Religious facilities	P ((15)) <u>(13)</u>	((P(15)))	P ((15)) <u>(13)</u>	P ((15)) <u>(13)</u>	P ((15)) <u>(13)</u>

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
E.13. Schools, elementary or secondary	EB	((EB))	EB	X	X
E.14. Vocational or fine arts schools	P	((P))	P	P	P
F. LIVE-WORK UNITS	X	((X))	X	X	X
G. MANUFACTURING USES					
G.1. Manufacturing, light ((H)) <u>2</u>	P	((P))	P	P	P
G.2. Manufacturing, general	P	((P))	P	P	P
G.3. Manufacturing, heavy	CU	((X or CU(16)))	P or CU ((17)) <u>(14)</u>	P	P
H. PARKS AND OPEN SPACE	P	((P))	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails	X	((X))	X	X	X
I.2. Work-release centers	X	((X))	X	X	X
I.3. Other public facilities	CCU	((CCU))	CCU	CCU	CCU
J. RESIDENTIAL USES					

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
J.1. Residential uses not listed below	X	((X))	X	X	X
J.2. Artist's studio/dwellings	EB/CU	((EB/CU))	EB/CU	EB/CU	EB/CU
J.3. Caretaker's quarters	P	((P))	P	P	P
J.4. Residential use, except artist's studio/dwellings and caretaker's quarters, in a landmark structure or landmark district	CU	((CU))	CU	CU	CU
K. STORAGE USES					
K.1. Mini-warehouses	P	((P))	P	X	P
K.2. Storage, outdoor	P	((P))	P	P	P
K.3. Warehouses	P	((P))	P	P	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	((P))	P	P	P
L.2. Parking and moorage					
	L.2.a. Boat moorage	P	((P))	P	P

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	L.2.b. Dry boat storage	P	((P))	P	P	P
	L.2.c. Parking, flexible-use	P	((P or X(18)))	P	X(5)	X(5)
	L.2.d. Park and ride facilities	P((19)) (15)	((P(19)))	P((19)) (15)	CU	CU
	L.2.e. Towing services	P	((P))	P	P	P
L.3. Passenger terminals		P	((P))	P	P	P
L.4. Rail transit facilities		P	((P))	P	P	P
L.5. Transportation facilities, air						
	L.5.a. Airports (land-based)	X	((CCU))	CCU	CCU	CCU
	L.5.b. Airports (water-based)	X	((CCU))	CCU	CCU	CCU

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((C))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
	L.5.c. Heliports	X	((CU))	CCU	CCU	CCU
	L.5.d. Helistops	CCU	((CU))	CCU	CCU	CCU
L.6. Vehicle storage and maintenance						
	L.6.a. Bus bases	CU	((CU))	CU	CU	CU
	L.6.b. Railroad switchyards	P	((P))	P	P	P
	L.6.c. Railroad switchyards with a mechanized hump	X	((X))	CU	CU	CU
	L.6.d. Transportation services, personal	P	((P))	P	P	P
M. UTILITY USES						
M.1. Communication utilities, major		CU	((CU))	CU	CU	CU

**Table A for 23.50.012
 Uses in Industrial zones**

Uses		Permitted and prohibited uses by zone				
		IB	((I))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
M.2. Communication utilities, minor		P	((P))	P	P	P
M.3. Power plants		X	((CCU))	P	P	P
M.4. Recycling		P	((P))	P	P	P
M.5. Sewage treatment plants		X	((CCU))	CCU	CCU	CCU
M.6. Solid waste management						
	M.6.a. Salvage yards	X	((X))	P	P	P
	M.6.b. Solid waste transfer stations	CU ((20)) <u>(16)</u>	((CU))	CU	CU	CU
	M.6.c. Solid waste incineration facilities	X	((CCU))	CCU	CCU	CCU
	M.6.d. Solid waste landfills	X	((X))	X	X	X

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
M.7. Utility services uses	P	((P))	P	P	P

~~((KEY))~~ Key to Table A for 23.50.012

CU = Administrative conditional use

CCU = Council conditional use

EB = Permitted only in a building existing on October 7, 1987((-))

EB/CU = Administrative conditional use permitted only in a building existing on October 7, 1987.

P = Permitted

X = Prohibited

Footnotes to Table A for 23.50.012

(1) ~~((In addition to the provision in this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.))~~ Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:

(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;

(b) 10,000 square feet in IB zones; and

(c) 20,000 square feet in IG2 zones.

(2) ~~((Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:~~

~~(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;~~

~~(b) 10,000 square feet in IB and IC zones; and~~

~~(c) 20,000 square feet in IG2 zones.))~~

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((1C))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center

In addition to the provisions of this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.

(3) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals are permitted.

(4) Subject to subsection 23.50.012.E.

(5) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used as flexible-use parking or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Area Overlay District may reserve parking. Such reserved non-required parking shall be permitted to be used as flexible-use parking and is exempt from the one-space-per-650-square-foot ratio under the following circumstances:

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

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

(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.

(6) Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

~~(((7))) The high-impact uses listed in subsection 23.50.014.B.10 may be permitted as conditional uses.~~

~~((8))) 7 High-impact uses may be permitted as conditional uses as provided in subsection 23.50.014.B.5.~~

~~(((9))) 8 Research and education facilities that are a part of a college or university, and that are water-dependent or water-related, as defined by Section 23.60.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.~~

~~(((10))) 9 A college or university offering a primarily vocational curriculum within the zone is permitted.~~

~~(((11))) 10 Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014.B.((14))12.~~

~~(((12))) 11 Major institution uses are permitted only in a building existing on October 7,~~

**Table A for 23.50.012
 Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	((IC))	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center

1987, except that such uses are permitted on properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West regardless of whether the use is located in a building existing on October 7, 1987.

~~(((13) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.~~

~~((14))~~ (12) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

~~(((15))~~ (13) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.

~~(((16) The heavy manufacturing uses listed in subsection 23.50.014.B.9 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.~~

~~((17))~~ 14) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided in subsection 23.50.014.C.

~~(((18) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.~~

~~((19))~~ (15) Park and ride facilities are not permitted within 3,000 feet of the Downtown Urban Center.

~~(((20))~~ (16) Subject to subsection 23.50.014.B.7.e.

1
 2 Section 3. Section 23.50.014 of the Seattle Municipal Code, last amended by Ordinance
 3 126685, is amended as follows:

4 **23.50.014 Conditional uses**

5 * * *

6 B. Administrative conditional uses. The following uses, identified as administrative
 7 conditional uses in Table A for 23.50.012, may be permitted by the Director if the provisions of
 8 this subsection 23.50.014.B and subsection 23.50.014.A are met.

1 1. Artist’s studio/dwellings in an existing structure may be permitted as a
2 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and Industrial Buffer
3 (IB) (~~and Industrial Commercial (IC) zones~~), except as provided in the Shoreline District,
4 Chapter 23.60A, upon showing that the occupant is a bona fide working artist, and subject to the
5 following criteria:

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

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

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

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

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

21 2. Park-and-pool lots in IG1 and IG2 zones in the Duwamish
22 Manufacturing/Industrial Center, and park-and-ride lots in General Industrial 1 (IG1), General

1 Industrial 2 (IG2), and Industrial Buffer (IB) (~~and Industrial Commercial (IC)~~) zones may be
2 permitted as a conditional use according to the following criteria:

3 a. The park-and-pool lot shall not create conflict with industrial activity by
4 causing significant additional traffic to circulate through the area;

5 b. The park-and-pool lot has direct vehicular access to a designated arterial
6 improved to City standards;

7 c. The park-and-pool lot shall be located on an existing parking area
8 unless no reasonable alternative exists;

9 d. If the proposed park-and-pool lot is located on a lot containing
10 accessory parking for other uses, there shall be no substantial conflict in the principal operating
11 hours of the lot and the other uses; and

12 e. The park-and-pool lot is not located within 3,000 feet of downtown.

13 3. Except in the Duwamish Manufacturing/Industrial Center, lodging uses may be
14 permitted as a conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and
15 Industrial Buffer (IB) (~~and Industrial Commercial (IC)~~) zones according to the following
16 criteria:

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

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

20 4. A residential use not otherwise permitted in the zone may be permitted as a
21 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), and Industrial Buffer
22 (IB) (~~and Industrial Commercial (IC)~~) zones within a structure designated as a Landmark,
23 pursuant to (~~the Seattle Municipal Code,~~) Chapter 25.12(~~(, Landmarks Preservation,)~~) or within

1 a structure in a Landmark District, pursuant to (~~(the Seattle Municipal Code,)~~) Chapter(~~(s)~~)
2 25.16(~~(, Ballard Avenue Landmark District,)~~) or Chapter 25.28, (~~(Pioneer Square Historical~~
3 ~~District,)~~) subject to the following criteria:

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

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

9 c. The surrounding uses would not be detrimental to occupants of the
10 Landmark structure.

11 5. High-impact uses may be permitted as a conditional use in General Industrial 1
12 (IG1), and General Industrial 2 (IG2) zones, according to the following criteria:

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

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

19 6. A new railroad switchyard with a mechanized hump, or the expansion of such a
20 use beyond the lot occupied as of October 7, 1987, may be permitted as a conditional use in
21 General Industrial 1 (IG1) and General Industrial 2 (IG2) zones, according to the following
22 criteria:

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

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

6 7. Solid waste transfer stations may be permitted as a conditional use in General
7 Industrial 1 (IG1), General Industrial 2 (IG2)(~~(, Industrial Commercial (IC))~~), and Industrial
8 Buffer (IB) zones according to the following criteria:

9 a. Measures to minimize potential odor emissions and airborne pollutants
10 shall be determined in consultation with the Puget Sound Clean Air Agency (PSCAA). These
11 measures shall be incorporated into the design and operation of the facility;

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

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

19 d. Measures to minimize other impacts are incorporated into the design
20 and operation of the facility.

21 e. For any portion of the principal structure containing the solid waste
22 management use that is located in an IB zone, the following standards apply:

1 1) The maximum floor area of the principal structure is limited to
2 7,000 square feet.

3 2) A setback of at least 65 feet is required between any (~~façade~~)
4 façade of the principal structure and any lot line that abuts or is across a street from a
5 residentially zoned lot.

6 f. Accessory structures including scales, scale houses, entrance/exit kiosks,
7 walls, screening, and other minor incidental improvements, including canopies over scales
8 houses and drive lanes, are permitted in IB zones. The total area of all scale houses in IB zones
9 shall not exceed 1,000 square feet.

10 g. A landscaped area at least 20 feet deep is required between any
11 structure or any parking located in an IB zone and the nearest street lot line.

12 h. Parking and driveways accessory to a solid waste transfer station.
13 Parking and driveways on property in an IB zone may be permitted as a conditional use
14 accessory to a solid waste transfer station if:

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

17 2) The parking meets the criteria of (~~Section~~) this subsection
18 23.50.014.A.

19 3) The parking is subject to analysis in any transportation plan
20 required by the Director pursuant to subsection 23.50.014.B.7.c.

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

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

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

5 k. Outdoor storage is prohibited.

6 8. Heavy (~~Manufacturing~~) manufacturing uses may be permitted in the
7 Industrial Buffer (IB) zone as a conditional use according to the following criteria:

8 a. The use shall be located within an enclosed building except for
9 shipbuilding;

10 b. The hours of operation for all processes creating any adverse impacts on
11 residentially or commercially zoned land may be limited;

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

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

16 e. The use shall not produce sustained or recurrent vibrations exceeding
17 0.002g acceleration as measured on lots in nonindustrial zones.

18 ~~((9. The heavy manufacturing uses listed in subsection 23.50.014.B.9.a may be
19 permitted in the Industrial Commercial (IC) zone as a conditional use according to criteria
20 contained in subsection 23.50.014.B.9.b.~~

21 a. Uses

1 (1) ~~Mass production of commercial or recreational vessels of any~~
2 ~~size and the production of vessels up to 120 feet in length, constructed to individual~~
3 ~~specifications; and~~

4 (2) ~~Manufacturing of electrical components, such as~~
5 ~~semiconductors and circuit boards, using chemical processes such as etching or metal coating;~~
6 ~~and~~

7 (3) ~~Production of industrial organic and inorganic chemicals, and~~
8 ~~soaps and detergents.~~

9 **b. Criteria**

10 (1) ~~Except for shipbuilding, the use shall be located within an~~
11 ~~enclosed building;~~

12 (2) ~~The hours of operation for all processes creating any impacts~~
13 ~~on residentially or commercially zoned land may be limited;~~

14 (3) ~~Truck and service traffic associated with the heavy~~
15 ~~manufacturing use shall be directed away from streets serving lots in nonindustrial zones;~~

16 (4) ~~The infrastructure of the area shall be capable of~~
17 ~~accommodating the traffic generated by the proposed use;~~

18 (5) ~~The use shall not produce sustained or recurrent vibrations~~
19 ~~exceeding 0.002g acceleration as measured on lots in nonindustrial zones;~~

20 (6) ~~The finished product as packaged for sale or distribution shall~~
21 ~~be in such a form that product handling and shipment does not constitute a significant public~~
22 ~~health risk; and~~

1 ~~(7) The nature of the materials produced and/or the scale of~~
2 ~~manufacturing operations may be limited in order to minimize the degree and severity of risks to~~
3 ~~public health and safety.~~

4 ~~10. The high impact uses listed in subsection 23.50.014.B.10.a may be permitted~~
5 ~~as conditional uses in the Industrial Commercial (IC) zone according to the criteria contained in~~
6 ~~subsection 23.50.014.B.10.b.~~

7 ~~a. Uses~~

8 ~~1) The manufacture of Group A hazardous materials, except Class~~
9 ~~A or B explosives; and~~

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

13 ~~b. Criteria~~

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

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

21 ~~3) The finished product as packaged for sale or distribution shall~~
22 ~~be in such a form that product handling and shipment does not constitute a significant public~~
23 ~~health risk; and~~

1 a. Whether the amount of medical service use development existing and
2 proposed in the vicinity would reduce the current viability or significantly impact the longer-
3 term potential of the manufacturing or heavy commercial character of the industrial area; and

4 b. Whether medical service use development would displace existing
5 manufacturing or heavy commercial uses or usurp vacant land, in areas with parcels particularly
6 suited for manufacturing or heavy commercial uses.

7 ~~((13))~~11. A nonconforming use may be converted by an administrative
8 conditional use authorization to a use not otherwise permitted in the zone based on the following
9 factors:

10 a. New uses shall be limited to those first permitted in the next more
11 intensive zone;

12 b. The Director shall evaluate the relative impacts of size, parking, traffic,
13 light, glare, noise, odor, and similar impacts of the two uses, and how these impacts could be
14 mitigated;

15 c. The Director must find that the new nonconforming use is no more
16 detrimental to property in the zone and vicinity than the existing nonconforming use.

17 ~~((14))~~12. An accessory hospital facility may be permitted as a conditional use
18 according to the following criteria:

19 a. The hospital facility is an integral element of a research and
20 development laboratory or an institute for advanced study to which it is accessory; and

21 b. The hospital use shall not be allowed in areas where industrial activity
22 may adversely affect hospital activity.

23 * * *

1 D. Council (~~Conditional Uses~~) conditional uses. The following uses are identified as
2 Council conditional uses on Table A (~~of Section~~) for 23.50.012 and may be permitted by the
3 Council when provisions of this subsection 23.50.014.D and subsection 23.50.014.A are met:

4 1. Sewage treatment plants may be permitted as a Council conditional use in
5 General Industrial 1 (IG1), and General Industrial 2 (IG2) (~~and Industrial Commercial (IC)~~)
6 zones according to the following criteria:

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

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

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

17 ~~((2))~~ 2) Measures to minimize potential odor emission and
18 airborne pollutants including methane shall meet standards of and be consistent with best
19 available technology as determined in consultation with the Puget Sound Clean Air Agency
20 (PSCAA), and shall be incorporated into the design and operation of the facility;

21 ~~((3))~~ 3) Methods of storing and transporting chlorine and other
22 hazardous and potentially hazardous chemicals shall be determined in consultation with the
23 Seattle Fire Department and incorporated into the design and operation of the facility;

1 ~~((4))~~ 4) Vehicular access suitable for trucks shall be available or
2 provided from the plant to a designated arterial improved to City standards; and

3 ~~((5))~~ 5) Landscaping and screening, separation from less-
4 intensive zones, noise, light and glare controls, and other measures to insure the compatibility of
5 the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the
6 design and operation of the facility.

7 2. Heliports may be permitted as a Council conditional use in General Industrial 1
8 (IG1), and General Industrial 2 (IG2) (~~and Industrial Commercial (IC) Zones~~) zones according
9 to the following criteria:

10 a. The heliport; is to be used for the takeoff and landing and servicing of
11 helicopters (~~which~~) that serve a public safety, news gathering, or emergency medical care
12 function; is part of a City and regional transportation plan approved by the City Council and is a
13 public facility; or is part of a City and regional transportation plan approved by the City Council
14 and is not within (~~two thousand (2,000))~~ 2,000 feet of a residential zone;

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

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

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

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

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

1 3. Airports may be permitted as a Council conditional use in the General
2 Industrial 1 (IG1)~~((;))~~ and General Industrial 2 (IG2) ~~((and Industrial Commercial (IC)))~~ zones
3 according to the following criteria:

- 4 a. A need shall be determined for the facility at the proposed location;
5 b. The impacts of the proposal shall be evaluated so that the negative
6 impacts can be satisfactorily mitigated by imposing conditions to protect other property in the
7 zone or vicinity and to protect the environment. Appropriate mitigation measures shall include,
8 but are not limited to:

9 ~~((1))~~ 1) The site shall be located so that adverse impacts
10 associated with landing and takeoff activities, including noise levels and safety conditions, will
11 not affect large numbers of people in the immediate vicinity as well as in the general landing
12 path of the flight pattern;

13 ~~((2))~~ 2) A facility management and transportation plan shall be
14 required. At a minimum, the facility management and transportation plan shall demonstrate noise
15 control, vehicle and service access, and hours of operation, and shall be incorporated into the
16 design and operation of the facility; and

17 ~~((3))~~ 3) Landscaping and screening, separation from less-
18 intensive zones, noise, light and glare controls, and other measures to insure the compatibility of
19 the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the
20 design and operation of the facility.

21 4. Solid waste incineration facilities may be permitted as a Council conditional
22 use in the General Industrial 1 (IG1) and General Industrial 2 (IG2) zones according to the
23 following criteria:

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

3 b. Measures to minimize odor emission and airborne pollutants shall be
4 determined in consultation with the Puget Sound Clean Air Agency (PSCAA). These measures
5 shall be incorporated into the design and operation of the facility;

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

9 ~~((5. Power plants may be permitted as a Council conditional use in the Industrial
10 Commercial (IC) zone according to the following criteria:~~

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

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

17 ~~c. Measures to minimize potential odor emission and airborne pollution
18 shall meet standards of the Puget Sound Clean Air Agency (PSCAA), and shall be incorporated
19 into the design and operation of the facility; and~~

20 ~~d. Landscaping and screening, separation from less intensive zones, noise,
21 light and glare controls, and other measures to insure the compatibility of the use with the
22 surrounding area and to mitigate adverse impacts shall be incorporated into the design and
23 operation of the facility.))~~

1 2. In all industrial zones, open railings, planters, skylights, clerestories,
2 greenhouses, solariums, parapets, and firewalls may extend 4 feet above the applicable height
3 limit with unlimited rooftop coverage. Insulation material, rooftop decks and other similar
4 features, or soil for landscaping located above the structural roof surface, may exceed the
5 maximum height limit by up to 2 feet if enclosed by parapets or walls that comply with this
6 subsection 23.50.020.A.2.

7 3. In all industrial zones, solar collectors may extend up to 7 feet above the
8 applicable height limit, with unlimited rooftop coverage.

9 4. Additional height is permitted for specified rooftop features according to this
10 subsection 23.50.020.A.4.

11 a. The following rooftop features may extend up to 15 feet above the
12 applicable height limit in all industrial zones, subject to subsection 23.50.020.A.4.c:

13 1) Solar collectors that exceed heights indicated by subsection
14 23.50.020.A.3;

15 2) Stair and elevator penthouses(~~(, except as provided in subsection~~
16 ~~23.50.020.A.4.b))~~);

17 3) Greenhouses and solariums;

18 4) Mechanical equipment; and

19 5) Minor communication utilities and accessory communication
20 devices, except that height is regulated according to Section 23.57.015.

21 (~~b. In an IC 85-175 zone, elevator penthouses may extend up to 25 feet~~
22 ~~above the applicable height limit, subject to subsection 23.50.020.A.4.c.))~~

1 ((e))b. The combined total coverage of all features listed in subsection
2 23.50.020.A.4 is limited to 35 percent of the roof area, or 60 percent of the roof area if the total
3 includes greenhouses.

4 5. Greenhouses shall be located at least 10 feet from the north lot line unless a
5 shadow diagram is provided that demonstrates that locating such features within 10 feet of the
6 north lot line would not shade property to the north on January 21 at noon more than would a
7 structure built to maximum permitted height and FAR.

8 ~~((6. Within an IC 85-175 zone, solar collectors and wind-driven power generators
9 may extend up to 15 feet above the applicable height limit, with unlimited rooftop coverage, and
10 are not subject to a coverage limit under subsection 23.50.020.A.4.e.))~~

11 * * *

12 Section 5. Section 23.50.026 of the Seattle Municipal Code, last amended by Ordinance
13 125791, is repealed:

14 ~~**((23.50.026 Structure height in IC zones**~~

15 ~~A. Except as may be otherwise provided in this Title 23, the maximum structure height in
16 IC zones for all uses is as designated on the Official Land Use Map, Chapter 23.32. Maximum
17 structure height may be increased or reduced as provided in this Section 23.50.026 or Section
18 23.50.020. An overlay district may increase or reduce the maximum structure height.~~

19 ~~B. Water dependent uses within the Shoreline District are subject to only the height limits
20 of the applicable shoreline environment, Chapter 23.60A.~~

21 ~~C. Within an IC 85-175 zone, the first figure shown in the zone designation is the base
22 height limit, which is the height limit for all uses, except for a structure that complies with the
23 conditions to extra floor area specified in Sections 23.50.028 and 23.50.033 on a lot that includes~~

1 ~~extra floor area. Extra floor area means non-residential chargeable floor area allowed in addition~~
2 ~~to the base FAR under Chapter 23.58A. The second figure is the applicable height limit for all~~
3 ~~uses, on a lot that includes extra floor area, for a structure that complies with the conditions to~~
4 ~~extra floor area specified in Sections 23.50.028 and 23.50.033.)~~

5 Section 6. Section 23.50.027 of the Seattle Municipal Code, last amended by Ordinance
6 126685, is amended as follows:

7 **23.50.027 Maximum size of nonindustrial use**

8 A. Applicability

9 1. Except as otherwise provided in this Section 23.50.027, the maximum size of
10 use limits on gross floor area specified in Table A for 23.50.027 apply to principal uses on a lot,
11 and apply separately to the categories of uses. The total gross floor area occupied by uses limited
12 under Table A for 23.50.027 shall not exceed 2.5 times the area of the lot in an IG1, IG2, or
13 IB((~~or IC~~)) zone.

14 2. The combined square footage of any one business establishment located on
15 more than one lot is subject to the size limitations on ~~((non-industrial))~~ nonindustrial uses
16 specified in Table A for 23.50.027.

17 3. The maximum size of use limits in Table A for 23.50.027 do not apply to the
18 North Lake Union area identified in Map A for 23.50.027. In that area no single non-office use
19 listed in Table A for 23.50.027 may exceed 50,000 square feet in size.

Table A for 23.50.027					
Size of use limits in Industrial zones					
Uses subject to size limits	IG1 (in square feet)	IG2 (in square feet)	IB (in square feet)	((IC outside the Duwamish MIC))	((IC within the Duwamish MIC))
Animal shelters and kennels*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Drinking establishments**	3,000 ((sq. ft.))	3,000 ((sq. ft.))	N.S.L.	((N.S.L.))	((N.S.L.))
Entertainment*	10,000 ((sq. ft.)).***	10,000 ((sq. ft.))***	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Lodging uses*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Medical services*	10,000 ((sq. ft.))	10,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 75,000 sq. ft. in IC 85-160 zone))
Office	10,000 ((sq. ft.))	25,000 ((sq. ft.))	100,000 ((sq. ft.))	((N.S.L.))	((N.S.L.))
Restaurants	5,000 ((sq. ft.))	5,000 ((sq. ft.))	N.S.L.	((N.S.L.))	((N.S.L.))
Retail sales, major durables	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 30,000 sq. ft. in IC 85-160 zone))

Table A for 23.50.027 Size of use limits in Industrial zones					
Uses subject to size limits	IG1 (in square feet)	IG2 (in square feet)	IB (in square feet)	((IC outside the Duwamish MIC))	((IC within the Duwamish MIC))
Sales and services, automotive	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L.))
Sales and services, general	10,000 ((sq. ft.))	25,000 ((sq. ft.))	75,000 ((sq. ft.))	((75,000 sq. ft.))	((N.S.L., except 30,000 sq. ft. in IC 85-160 zone))

Key for Table A for 23.50.027
 N.S.L. = No size limit
 * Where permitted under Table A for 23.50.012.
 ** The size limit for brew pubs applies to that portion of the pub that is not used for brewing purposes.
 *** The size limit for indoor sports and recreation is 50,000 sq. ft. for lots meeting the criteria of subsection ((23.50.027 H)) 23.50.027.H.

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B. The following exceptions to the size limitations in Table A for 23.50.027 are allowed for a structure existing as of September 26, 2007:

1. A use legally established as of September 26, 2007, that already exceeds the size limitations listed in Table A for 23.50.027 may continue.

2. Subject to the limitations in subsection 23.50.027.E, the gross floor area of a use listed in Table A for 23.50.027 and legally established as of September 26, 2007, may be converted to another category of use listed in Table A for 23.50.027 provided that the combined gross floor area devoted to uses listed in Table A for 23.50.027 does not exceed the total gross floor area of such uses legally established as of September 26, 2007.

**Table A for 23.50.028
 Floor area ratio (FAR) limits**

Zone designation	FAR limits for all uses
((All IC zones except as otherwise stated in this table))	((2.75))
((IC 65 and IC 85 zones within the Stadium Transition Area Overlay District))	((3.25))
((IC 85-175 zone))	((Base of 2.5 FAR for all permitted uses, except that the combined chargeable floor area of the following uses is limited to 1 FAR or 50,000 square feet, whichever is greater: entertainment uses; lodging uses; medical services; office; restaurant; major durables retail sales; automotive sales and services; religious facilities; and general sales and services. Maximum of 4.0 ¹ except that, if the total chargeable floor area of uses identified in the base FAR column is greater than 4.0 FAR, that amount of floor area, not to exceed 50,000 square feet, is the maximum FAR.))

((Footnote to Table A for 23.50.028
¹All floor area above the base FAR, up to the maximum FAR, is considered extra floor area and must be achieved through the provisions of subsection 23.50.028.B and Chapter 23.58A.))

((B. Extra floor area in IC 85-175

1. In an IC 85-175 zone, extra non-residential floor area as defined in Section 23.58A.004 may be added above the base FAR up to the maximum FAR allowed by Table A for 23.50.028 for development that satisfies all applicable conditions of Section 23.50.028, Section 23.50.033, and Chapter 23.58A.

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1 a. ~~Twenty five percent of any extra non residential floor area shall be~~
2 ~~gained through the transfer of TDR pursuant to Section 23.50.053.~~

3 b. ~~Seventy five percent of any extra non residential floor area shall be~~
4 ~~gained as bonus non residential floor area pursuant to Section 23.58A.024, or through the~~
5 ~~transfer of housing TDR under Section 23.50.053, or both.~~

6 2. ~~In an IC 85-175 zone, in addition to satisfying the conditions of subsection~~
7 ~~23.50.028.B.1, for development to exceed the base FAR on a lot that has an area of 50,000~~
8 ~~square feet or more, the Director shall make an individual determination of project impacts on~~
9 ~~the need for pedestrian facilities and complete a voluntary agreement between the property~~
10 ~~owner and the City to mitigate identified impacts, if any. The Director may consider the~~
11 ~~following as impact mitigation:~~

12 a. ~~Pedestrian walkways on a lot, including through block connections on~~
13 ~~through lots, where appropriate, to facilitate pedestrian circulation by connecting structures to~~
14 ~~each other and abutting streets;~~

15 b. ~~Sidewalk improvements, including sidewalk widening, to accommodate~~
16 ~~increased pedestrian volumes and streetscape improvements that will enhance pedestrian comfort~~
17 ~~and safety; and~~

18 c. ~~Measures that will contribute to the improvement of pedestrian~~
19 ~~facilities, such as the following improvements applicable to the vicinity north of South Royal~~
20 ~~Brougham Way and south of South Charles Street east of 4th Avenue South:~~

21 1) ~~Improvements to 6th Avenue South as the primary pedestrian~~
22 ~~and bicycle corridor connecting new development to the surrounding area and transit facilities;~~

1 ~~2) Improvements to facilitate pedestrian wayfinding to and from~~
2 ~~the Stadium Light Rail Station;~~

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

5 ~~4) Improved pedestrian and bicycle crossing of Airport Way South~~
6 ~~at 6th Avenue South.~~

7 ~~3. In an IC 85-175 zone, in addition to satisfying the conditions of subsections~~
8 ~~23.50.028.B.1 and 23.50.028.B.2, if applicable, for development to exceed the base FAR and~~
9 ~~include 85,000 or more square feet of gross office floor area, the Director shall make an~~
10 ~~individual determination of project impacts on the need for open space resources. The Director~~
11 ~~may limit floor area or allow floor area subject to conditions, which may include a voluntary~~
12 ~~agreement between the property owner and the City to mitigate identified impacts, if any. The~~
13 ~~Director shall take into account the findings of subsection 23.49.016.A in assessing the demand~~
14 ~~for open space generated by a typical office project in an area permitting high employment~~
15 ~~densities.~~

16 ~~a. The Director may consider the following as mitigation for open space~~
17 ~~impacts:~~

18 ~~1) Open space provided on-site or off-site, consistent with the~~
19 ~~provisions in subsection 23.49.016.C, or provided through payment in lieu, consistent with~~
20 ~~subsection 23.49.016.D, except that in all cases the open space shall be located on a lot in an IC~~
21 ~~85-175 zone that is accessible to the project occupants, and~~

1 e. Bicycle commuter shower facilities required by subsection

2 23.54.015.K.8.

3 ~~((2. In addition to areas exempt from FAR calculations in subsection~~

4 ~~23.50.028.C.1, within an IC 85-175 zone, the following exemptions from FAR calculations~~

5 ~~apply:~~

6 a. ~~As an allowance for mechanical equipment, 3.5 percent of the total~~
7 ~~chargeable gross floor area that is not otherwise exempt under this subsection 23.50.028.C.~~

8 b. ~~All gross floor area for solar collectors and wind driven power~~
9 ~~generators.~~

10 c. ~~The gross floor area of the following uses located at street level,~~
11 ~~provided that the conditions of Section 23.50.039 are satisfied:~~

12 1) ~~General sales and service uses;~~

13 2) ~~Eating and drinking establishments;~~

14 3) ~~Entertainment use;~~

15 4) ~~Public libraries;~~

16 5) ~~Child care centers;~~

17 6) ~~Religious facilities; and~~

18 7) ~~Automotive sales and service.))~~

19 ((~~3~~)2). In addition to areas exempt from FAR calculations in subsection

20 ~~((23.50.028.C.1))~~ 23.50.028.B.1, within IG1 and IG2 zones, the gross floor area of rooftop

21 recreational space accessory to office use meeting the standards of subsection 23.50.012.D is

22 exempt from FAR calculations.

1 ~~((D. Within IC 85-175 zones, gross floor area used for accessory parking within stories~~
2 ~~that are completely above finished grade is not exempt, except that in an IC 85-175 zone, if the~~
3 ~~Director finds, as a Type I decision, that locating all parking below grade is infeasible due to~~
4 ~~physical site conditions such as a high water table, contaminated soils conditions, or proximity to~~
5 ~~a tunnel, and that the applicant has placed or will place the maximum feasible amount of parking~~
6 ~~below or partially below grade, the Director may exempt all or a portion of accessory parking~~
7 ~~that is above finished grade. If any exemption is allowed under this subsection 23.50.028.D, all~~
8 ~~parking provided above grade shall be subject to the screening requirements of subsection~~
9 ~~23.50.038.B.6.))~~

10 Section 8. Section 23.50.032 of the Seattle Municipal Code, last amended by Ordinance
11 125603, is repealed:

12 ~~**((23.50.032 Industrial Commercial—Setback requirements**~~

13 ~~A. Setbacks From Residential Zones.~~

14 1. ~~A setback shall be required on lots which abut the intersection of a side and~~
15 ~~front lot line of a residentially zoned lot. The required setback shall be a triangular area. Two (2)~~
16 ~~sides of the triangle shall extend fifteen (15) feet from the intersection of the street property line~~
17 ~~and the property line abutting the residentially zoned lot. The third side shall connect these two~~
18 ~~(2) sides with a diagonal line across the lot. (See Exhibits 23.50.032 A and 23.50.032 B).~~

19 2. ~~A setback shall be required along any lot line which abuts a side or rear lot line~~
20 ~~of a residentially zoned lot, or which is across an alley from a residentially zoned lot as follows:~~

21 a. ~~Zero (0) feet for portions of structures twelve (12) feet in height or~~
22 ~~lower; and~~

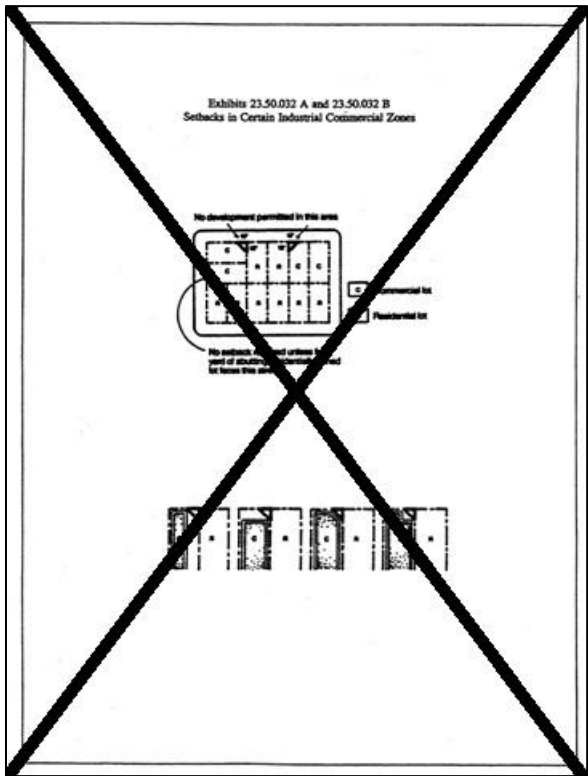
1 b. Ten (10) feet for portions of structures above twelve (12) feet in height
2 to a maximum of sixty-five (65) feet; and

3 c. For portions of structures above sixty-five (65) feet in height, an
4 additional one (1) foot of setback shall be required for every ten (10) feet in excess of sixty-five
5 (65) feet, (see Exhibit 23.50.032 B).

6 3. Half (1/2) of an alley width may be counted as part of the required setback.

7 B. No entrance, window or other opening shall be permitted closer than five (5) feet to a
8 residentially zoned lot.

9 C. A five (5) foot setback shall be required from all street property lines where street
10 trees are required and it is not feasible to plant them in accordance with City standards. The
11 setback shall be landscaped according to Section 23.50.038, Screening and landscaping
12 standards.))



13

1 Section 9. Section 23.50.033 of the Seattle Municipal Code, last amended by Ordinance
2 125291, is repealed:

3 ~~((23.50.033 Conditions for extra floor area in an IC 85-175 zone~~

4 ~~A. General. Projects in an IC 85-175 zone may add chargeable floor area above the base~~
5 ~~FAR up to the applicable maximum FAR in Section 23.50.028 if Sections 23.58A.022 and~~
6 ~~23.58A.024 for extra non-residential floor area and all the applicable conditions of this Chapter~~
7 ~~23.50 are satisfied. The provisions of this Section 23.50.033 apply to lots in an IC 85-175 zone,~~
8 ~~and only to development exceeding the base FAR.~~

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

12 ~~C. Quantity of parking, ridesharing, and transit incentive program requirements.~~
13 ~~Maximum parking limits, ridesharing, and transit incentive program requirements for non-~~
14 ~~residential uses established for Downtown zones in subsections 23.49.019.C and 23.49.019.D~~
15 ~~apply, and requirements for bicycle parking established in subsection 23.49.019.E apply.~~

16 ~~D. Seattle Green Factor landscaping requirement. Development shall achieve a minimum~~
17 ~~Green Factor score of 0.30, calculated pursuant to Section 23.86.019.)~~

18 Section 10. Section 23.50.034 of the Seattle Municipal Code, last amended by Ordinance
19 124952, is amended as follows:

20 **23.50.034 Screening and landscaping**

21 The following types of screening and landscaping may be required according to the provisions of
22 Sections 23.50.036((, 23.50.038,)) and 23.50.040:

23 A. Three-foot-high screening. Three-foot-high screening may be either:

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

5 B. View-obscuring screening. View-obscuring screening may be either:

6 1. A fence or wall 6 feet in height; or
7 2. A landscaped area with vegetation at least 5 feet in height. Landscaped areas
8 may include bioretention facilities or landscaped berms, provided that the top of the vegetation
9 will be at least 5 feet above the grade abutting the facility or berm.

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

15 D. Street trees. When required, street trees shall be provided in the planting strip
16 according to Seattle Department of Transportation Tree Planting Standards. If it is not feasible to
17 plant street trees in the planting strip according to City standards, they shall be planted in the 5-
18 foot deep landscaped setback area along the street property line. Trees planted in this setback
19 area shall be at least 2 feet from the street lot line.

20 E. Combinations of screening and landscaping requirements

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

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

2 F. Landscaping meeting Seattle Green Factor standards, pursuant to Section 23.86.019.

3 Section 11. Section 23.50.038 of the Seattle Municipal Code, last amended by Ordinance
4 126685, is repealed:

5 ~~((23.50.038 Industrial Commercial – Screening and landscaping~~

6 A. ~~Screening and landscaping requirements for all uses~~

7 1. ~~Landscaping that achieves a Green Factor score of 0.30 or greater, pursuant to~~
8 ~~Section 23.86.019, is required for any lot zoned Industrial Commercial (IC) located within a~~
9 ~~designated urban village or urban center, with:~~

10 a. ~~development containing more than four new dwelling units; or~~

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

13 c. ~~any parking lot containing more than 20 new parking spaces for~~
14 ~~automobiles.~~

15 2. ~~Standards. All landscaping provided to meet requirements under this Section~~
16 ~~23.50.038 must meet standards promulgated by the Director to provide for the long-term health,~~
17 ~~viability and coverage of plantings. The standards may include, but are not limited to, the type~~
18 ~~and size of plants, number of plants, concentration of plants, depths of soil, use of low-water use~~
19 ~~plants and access to light and air for plants.~~

20 3. ~~All uses shall provide street trees, unless it is determined by the Director to be~~
21 ~~infeasible. If it is not feasible to plant street trees in the planting strip, then they shall be provided~~
22 ~~in the required 5-foot deep landscaped area along street lot lines.~~

23 B. ~~Treatment of blank facades.~~

1 1. ~~Blank facade limits apply to the area of the facade between 2 and 8 feet above~~
2 ~~the sidewalk.~~

3 a. ~~Any portion of a facade that is not transparent shall be considered to be~~
4 ~~a blank facade. Clear or lightly tinted glass in windows, doors and display windows shall be~~
5 ~~considered transparent. Transparent areas shall allow views into the structure or into display~~
6 ~~windows from the outside.~~

7 b. ~~Portions of a facade of a structure that are separated by transparent areas~~
8 ~~of at least 2 feet in width shall be considered separate facade segments for the purposes of this~~
9 ~~subsection 23.50.038.B.~~

10 c. ~~Except as provided for in subsection 23.50.038.C.6, blank segments of~~
11 ~~facades that are 60 feet wide and greater, and within 20 feet of the street lot line shall be screened~~
12 ~~by one of the following:~~

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

15 2) ~~Trellises and vining plants attached to the wall up to a minimum~~
16 ~~height of 10 feet; or~~

17 3) ~~A landscaped area meeting subsection 23.50.034.C, landscaped~~
18 ~~areas or berms.~~

19 d. ~~The following limits on blank facade segments apply to lots in an IC~~
20 ~~85-160 zone:~~

21 1) ~~For facades facing streets that bound the Downtown Urban~~
22 ~~Center or streets shown on Map A for Section 23.50.016, blank facade segments shall not exceed~~
23 ~~15 feet in width, except that:~~

1 a) the width of a blank façade segment that includes a
2 garage door may exceed 15 feet but is limited to the width of the driveway plus 5 feet; and

3 b) the width of a blank facade segment may be increased to
4 up to 30 feet if the Director determines, as a Type I decision, that the facade is sufficiently
5 enhanced by architectural detailing, artwork, landscaping, or similar features that have visual
6 interest.

7 2) For all other street-level street-facing facades, if the street level
8 is occupied by uses other than parking, blank facade segments are limited to a width of 30 feet,
9 except that:

10 a) the width of a blank façade segment that includes a
11 garage door may exceed 30 feet but is limited to the width of the driveway plus 5 feet; and

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

16 3) If the street level of the street-facing façade is occupied by
17 parking, subsection 23.50.038.C.6 applies.

18 ~~C. Additional Screening and Landscaping Requirements for Specific Uses.~~

19 ~~1. Surface parking areas for more than five vehicles~~

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

22 b. If a surface parking area is across an alley from a lot in a residential zone, view
23 obscuring screening shall be required. A 5 foot deep landscaped area shall be required inside the

1 ~~screening. The Director may reduce or waive the screening and landscaping requirement for all~~
2 ~~or a part of the lot abutting the alley, or may waive only the landscaping requirement, if required~~
3 ~~parking can only be provided at the rear lot line and the alley is necessary to provide aisle space.~~
4 ~~In making the determination to waive or reduce the landscaping and screening requirements, the~~
5 ~~Director shall consider the following criteria:~~

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

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

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

13 ~~c. If a surface parking area or off-street loading area is directly across a~~
14 ~~street 80 feet or less in width from a lot in a residential zone, a 5 foot deep landscaped setback~~
15 ~~area from the street lot line, including street trees, shall be provided. Three foot high screening~~
16 ~~along the edge of the setback, with the landscaping on the street side of the screening, shall be~~
17 ~~provided.~~

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

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

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

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

5 ~~2. Parking Structures.~~

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

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

17 ~~c. If a parking structure is across an alley from a lot in a residential zone, a~~
18 ~~5 foot deep landscaped setback area from the alley lot line shall be provided, unless the parking~~
19 ~~structure is completely enclosed, except for driveway areas. Three foot high screening along the~~
20 ~~facade facing the alley with the landscaping on the alley side of the screening shall be provided.~~
21 ~~If the parking structure is enclosed by a solid wall, any setback area provided within 5 feet of the~~
22 ~~alley lot line shall be landscaped. The abutting or alley facade of each floor of parking shall have~~
23 ~~an opaque screen at least 3.5 feet high.~~

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

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

5 ~~3. Outdoor Sales and Outdoor Display of Rental Equipment.~~

6 ~~a. If an outdoor sales area or outdoor display of rental equipment is across~~
7 ~~an alley from a lot in a residential zone, or abutting a lot in a residential or commercial zone,~~
8 ~~view obscuring screening shall be provided along the abutting or alley lot lines.~~

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

12 ~~4. Drive-in Businesses Including Gas Stations.~~

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

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

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

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

22 ~~5. Outdoor Storage and Outdoor Loading Berths.~~

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

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

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

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

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

19 6. ~~Solid waste transfer stations.~~

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

1 ~~having different Green Factor minimum scores, the development considered as a whole shall~~
2 ~~meet the highest applicable, minimum Green Factor score.~~

3 ~~b. Solid waste transfer stations abutting or across the street from a lot in a~~
4 ~~commercial or residential zone, shall provide screening pursuant to Section 23.50.034.B.~~

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

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

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

17 ~~8. Screening and location of parking in an IC 85-175 zone. Those developments~~
18 ~~that gain extra floor area above the base FAR in an IC 85-175 zone are subject to the following,~~
19 ~~in addition to any other applicable parking screening requirements in this subsection~~
20 ~~23.50.038.C.~~

21 ~~a. All parking permitted on the lot shall be provided below grade or~~
22 ~~enclosed within a structure.~~

23 ~~b. Parking at street level.~~

1 ~~1) Parking is not permitted at street level within a structure along a~~
2 ~~lot line abutting a street bounding the Downtown Urban Center or a street shown on Map A for~~
3 ~~23.50.016, Industrial Streets Landscaping Plan, unless separated from the street by other uses,~~
4 ~~except that garage and loading doors and access to parking need not be separated.~~

5 ~~2) Parking is permitted at street level within a structure along a~~
6 ~~street lot line abutting a street not specified in subsection 23.50.038.C.6.b.1 subject to the~~
7 ~~following requirements:~~

8 ~~a) Any parking not separated from the street lot line by~~
9 ~~another use is screened from view at the street level, except that garage and loading doors and~~
10 ~~access to parking need not be screened.~~

11 ~~b) The facade facing the street lot line is enhanced by~~
12 ~~architectural detailing, artwork, landscaping, or similar visual interest features.~~

13 ~~c. Parking above street level. Parking is not permitted above street level~~
14 ~~unless it is separated from abutting street lot lines by another use, except that for structures~~
15 ~~located on a lot that is less than 150 feet in depth, as measured from the lot line with the greatest~~
16 ~~street frontage, parking is permitted above the first story under the following conditions:~~

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

20 ~~2) Above the first story of a structure, parking is permitted up to a~~
21 ~~maximum of 70 percent of the length of each street facing façade. Any additional parking must~~
22 ~~be separated from the street by another use. For structures located on corner lots, separation by~~

1 ~~another use shall be provided at the corner portion(s) of the structure for a minimum of 15~~
2 ~~percent of the length of each street-facing façade.~~

3 3) ~~For all parking located on stories above street level that is not separated~~
4 ~~from the street by another use, the parking shall be screened from view at street level, and,~~
5 ~~through the use of materials, fenestration, or other architectural treatment, the screening shall be~~
6 ~~designed to provide visual interest and to integrate the screened portions of the building façade~~
7 ~~with the overall design of the structure's street-facing facades.~~

8 4) ~~The Director may permit, as a Type I decision, exceptions to subsection~~
9 ~~23.50.038.C.6.c to permit more parking above street level than otherwise allowed, if the Director~~
10 ~~finds that locating permitted parking below grade is infeasible due to physical site conditions~~
11 ~~such as a high water table, contaminated soil conditions, or proximity to a tunnel. In such cases,~~
12 ~~the Director shall determine the maximum feasible amount of parking that can be provided~~
13 ~~below grade, if any, and the amount of additional parking to be permitted above street level.))~~

14 Section 12. Section 23.50.039 of the Seattle Municipal Code, last amended by Ordinance
15 125291, is repealed:

16 ~~((23.50.039 Street-level use requirements in an IC 85-175 zone~~

17 A. ~~In an IC 85-175 zone, on lots that abut 4th Avenue South or 6th Avenue South~~
18 ~~between Airport Way South and South Royal Brougham Way, one or more of the following~~
19 ~~street-level uses are required, consistent with the standards in subsection 23.50.039.B:~~

- 20 1. ~~General sales and service uses;~~
- 21 2. ~~Automotive sales and service~~
- 22 3. ~~Eating and drinking establishments;~~
- 23 4. ~~Entertainment uses;~~

1 ~~5. Child care facilities;~~

2 ~~6. Public libraries;~~

3 ~~7. Public parks; and~~

4 ~~8. Religious facilities.~~

5 ~~B. Street level uses shall be provided consistent with the following standards:~~

6 ~~1. Along streets requiring street level uses, a minimum of 75 percent of the street~~
7 ~~level of each street-facing facade shall be occupied by street level uses listed in subsection~~
8 ~~23.50.039.A. The remaining portion of the street level of the street-facing facade may contain~~
9 ~~other permitted uses and/or pedestrian or vehicular entrances.~~

10 ~~2. Required street level uses shall be located in a space with a minimum floor-to-~~
11 ~~floor height of 13 feet and a minimum depth of 15 feet measured from the street-facing facade.~~

12 ~~3. Required street level uses shall be located within 10 feet of the street lot line.~~

13 ~~4. Except for child care facilities, pedestrian access to required street level uses~~
14 ~~shall be provided directly from the street or other open area with access to a street. Pedestrian~~
15 ~~entrances shall be located no more than 3 feet above or below sidewalk grade or at the same~~
16 ~~elevation as any abutting open area.))~~

17 Section 13. Section 23.50.041 of the Seattle Municipal Code, enacted by Ordinance
18 125291, is repealed:

19 ~~((23.50.041 Mandatory housing affordability (MHA)~~

20 ~~The provisions of Chapter 23.58B apply in IC 85-175 zones.))~~

1 Section 14. Section 23.50.046 of the Seattle Municipal Code last amended by Ordinance
2 121477, is amended as follows:

3 **23.50.046 Industrial Buffer (~~(and Industrial Commercial)~~) zone—Light and glare**
4 **standards(~~(s)~~)**

5 * * *

6 C. When nonconforming exterior lighting (~~(in an Industrial Buffer (IB) or Industrial~~
7 ~~Commercial (IC) zone))~~) is replaced, new lighting shall conform to the requirements of this
8 (~~(section))~~) Section 23.50.046.

9 * * *

10 Section 15. Section 23.50.053 of the Seattle Municipal Code, last amended by Ordinance
11 125791, is repealed:

12 ~~**(23.50.053 Transfer of development rights within an IC 85-175 zone**~~

13 ~~A. General standards for the transfer of transferable development rights (TDR) to lots in~~
14 ~~an IC 85-175 zone~~

15 ~~1. To achieve extra non-residential floor area above the base FAR that may be~~
16 ~~allowed in an IC 85-175 zone pursuant to Section 23.50.028, an applicant may use TDR to the~~
17 ~~extent permitted under this subsection 23.50.053.A.~~

18 ~~2. South Downtown Historic TDR, open space TDR from zones within South~~
19 ~~Downtown, and housing TDR eligible to be transferred from a lot under Section 23.49.014 may~~
20 ~~be transferred from a Downtown zone to a lot eligible as a receiving site in an IC 85-175 zone.~~
21 ~~No other TDR may be used in an IC 85-175 zone under this Section 23.50.053.~~

22 ~~3. Except as expressly permitted pursuant to subsection 23.50.053.A,~~
23 ~~development rights or potential floor area may not be transferred to a lot in an IC 85-175 zone.~~

1 4. ~~No permit after the first building permit, no permit for any construction activity~~
2 ~~other than excavation and shoring, and no permit for occupancy of existing floor area by any use~~
3 ~~based upon TDR will be issued for development that includes TDR until the applicant's~~
4 ~~possession of TDR is demonstrated to the satisfaction of the Director.~~

5 B. ~~Transfer of Transferable Development Rights deeds and agreements. This subsection~~
6 ~~23.50.053.B applies to sending lots in IC zones, and to the use of TDR on receiving lots in IC~~
7 ~~zones regardless of whether the TDR are from a sending lot in an IC zone. If TDR from other~~
8 ~~zones are used on a receiving lot in an IC zone, then the provisions applicable to sending lots in~~
9 ~~the chapter(s) of this Title 23 for the zone(s) in which the sending lots are located apply.~~

10 1. ~~The fee owners of the sending lot shall execute a deed, and shall obtain the~~
11 ~~release of the TDR from all liens of record and the written consent of all holders of~~
12 ~~encumbrances on the sending lot other than easements and restrictions, unless such release or~~
13 ~~consent is waived by the Director for good cause. The deed shall be recorded in the King County~~
14 ~~real property records. If TDR are conveyed to the owner of a receiving lot described in the deed,~~
15 ~~then unless otherwise expressly stated in the deed or any subsequent instrument conveying such~~
16 ~~lot or the TDR, the TDR shall pass with the receiving lot whether or not a structure using such~~
17 ~~TDR shall have been permitted or built prior to any conveyance of the receiving lot. Any~~
18 ~~subsequent conveyance of TDR previously conveyed to a receiving lot shall require the written~~
19 ~~consent of all parties holding any interest in or lien on the receiving lot from which the~~
20 ~~conveyance is made. If the TDR are transferred other than directly from the sending lot to the~~
21 ~~receiving lot using the TDR, then after the initial transfer, all subsequent transfers also shall be~~
22 ~~by deed, duly executed, acknowledged and recorded, each referring by King County recording~~
23 ~~number to the prior deed.~~

1 2. ~~Any person may purchase any TDR that are eligible for transfer by complying~~
2 ~~with the applicable provisions of this Section 23.50.053, whether or not the purchaser is then an~~
3 ~~applicant for a permit to develop real property. Any purchaser of such TDR (including any~~
4 ~~successor or assignee) may use such TDR to obtain floor area above the applicable base on a~~
5 ~~receiving lot to the extent such use of TDR is permitted under the Land Use Code provisions in~~
6 ~~effect on the date of vesting, under applicable law, of such person's rights with respect to the~~
7 ~~issuance of permits for development of the project intended to use such TDR. The Director may~~
8 ~~require, as a condition of processing any permit application using TDR or for the release of any~~
9 ~~security posted in lieu of a deed for TDR to the receiving lot, that the owner of the receiving lot~~
10 ~~demonstrate that the TDR have been validly transferred of record to the receiving lot, and that~~
11 ~~such owner has recorded in the real estate records a notice of the filing of such permit~~
12 ~~application, stating that such TDR are not available for retransfer.~~

13 3. ~~For transfers of Landmark TDR, the owner of the sending lot shall execute and~~
14 ~~record an agreement in form and content acceptable to the Landmarks Preservation Board~~
15 ~~providing for the restoration and maintenance of the historically significant features of the~~
16 ~~structure or structures on the lot.~~

17 4. ~~For transfers of housing TDR, the owner of the sending lot shall execute and~~
18 ~~record an agreement, with the written consent of all holders of encumbrances on the sending lot,~~
19 ~~unless such consent is waived by the Director of Housing for good cause, to provide for the~~
20 ~~maintenance of the required housing on the sending lot for a minimum of 50 years. Such~~
21 ~~agreement shall commit to limits on rent and occupancy consistent with the definition of housing~~
22 ~~TDR site and acceptable to the Director of Housing.~~

1 ~~5. A deed conveying TDR may require or permit the return of the TDR to the~~
2 ~~sending lot under specified conditions, but notwithstanding any such provisions:~~

3 ~~a. The transfer of TDR to a receiving lot shall remain effective so long as~~
4 ~~any portion of any structure for which a permit was issued based upon such transfer remains on~~
5 ~~the receiving lot; and~~

6 ~~b. The City shall not be required to recognize any return of TDR unless it~~
7 ~~is demonstrated that all parties in the chain of title have executed, acknowledged and recorded~~
8 ~~instruments conveying any interest in the TDR back to the sending lot and any lien holders have~~
9 ~~released any liens thereon.~~

10 ~~6. Any agreement governing the use or development of the sending lot shall~~
11 ~~provide that its covenants or conditions shall run with the land and shall be specifically~~
12 ~~enforceable by the City of Seattle.~~

13 ~~C. Time of determination of TDR Eligible for transfer. The eligibility of a sending lot to~~
14 ~~transfer TDR, and the amount transferable from a sending lot, shall be determined as of the date~~
15 ~~of transfer from the sending lot and shall not be affected by the date of any application, permit~~
16 ~~decision or other action for any project seeking to use such TDR.~~

17 ~~D. Use of previously transferred TDR by new projects. Any project using TDR according~~
18 ~~to applicable limits on TDR in this Section 23.50.053 may use TDR that were transferred from~~
19 ~~the sending lot consistent with the provisions of this Title 23 in effect at the time of such transfer.~~

20 ~~E. Rules. The Director may promulgate rules to implement this Section 23.50.053.))~~

1 Section 16. Section 23.50.055 of the Seattle Municipal Code, last amended by Ordinance
2 125791, is repealed:

3 ~~((23.50.055 Street-facing facade requirements and upper-level development standards in an~~
4 ~~IC 85-175 zone~~

5 The following development standards apply to all lots within an IC 85-175 zone:

6 A. ~~Street-facing facade requirements. For purposes of this Section 23.50.055, balcony~~
7 ~~railings and other non-structural features or non-structural walls are not considered parts of the~~
8 ~~facade.~~

9 1. ~~Minimum facade height. A minimum facade height of 25 feet is required for~~
10 ~~facades that face streets shown on Map A for 23.50.016, Industrial Streets Landscaping Plan.~~
11 ~~The minimum facade height for facades facing other streets is 15 feet. A minimum facade height~~
12 ~~does not apply if all portions of a structure are lower than the applicable minimum facade height.~~

13 2. ~~Facade setback limits. The total area of street-level setbacks between the street~~
14 ~~lot line and the street-facing facade is limited to the area determined by multiplying the~~
15 ~~averaging factor by the width of the structure measured parallel to the abutting street.~~

16 a. ~~The averaging factor is five for facades that face streets shown on Map~~
17 ~~A for 23.50.016.~~

18 b. ~~For all other street-facing facades, the averaging factor is ten.~~

19 c. ~~The maximum width, measured along the street lot line, of any setback~~
20 ~~area exceeding a depth of 15 feet from the street lot line is 80 feet, or 30 percent of the lot~~
21 ~~frontage on that street, whichever is less.~~

22 d. ~~For all lots subject to facade setback limits, the following conditions~~
23 ~~apply:~~

1 ~~1) Parking is prohibited between the facade and the street lot line.~~

2 ~~2) The maximum setback of the facade from street lot lines within~~
3 ~~20 feet of an intersection is 10 feet.~~

4 ~~e. If the presence of a utility easement or other condition requires the~~
5 ~~street-facing facade to set back from the street lot line, the Director may, as a Type I decision,~~
6 ~~select another line to apply the standards of subsection 23.50.055.A.2. If sidewalk widening into~~
7 ~~the lot is required as mitigation pursuant to subsection 23.50.028.B, the setback area permitted~~
8 ~~by the applicable averaging factor shall be measured from the new edge of the sidewalk within~~
9 ~~the lot rather than the street lot line.~~

10 ~~3. Principal pedestrian entrances. A principal pedestrian entrance to a structure is~~
11 ~~required on facades facing streets shown on Map A for 23.50.016, Industrial Streets Landscaping~~
12 ~~Plan.~~

13 ~~4. Facade transparency requirements. Facade transparency requirements apply to~~
14 ~~the area of the facade between 2 feet and 8 feet above the sidewalk. Only clear or lightly tinted~~
15 ~~glass in windows, doors, and display windows is considered to be transparent. Transparent areas~~
16 ~~shall allow views into the structure or into display windows from the outside.~~

17 ~~a. For facades facing a street shown on Map A for 23.50.016, Industrial~~
18 ~~Streets Landscaping Plan, a minimum of 60 percent of a street-facing facade shall be transparent.~~

19 ~~b. For facades facing all other streets, a minimum of 40 percent of the~~
20 ~~street-facing facade shall be transparent.~~

21 ~~B. Upper level development standards~~

22 ~~1. Facade modulation~~

1 a. For structures exceeding 85 feet in height, modulation is required for the
2 portion of a street-facing facade above 65 feet in height if any part of the facade above that
3 height is located less than 15 feet from street lot lines. No modulation is required for portions of
4 a facade set back 15 feet or more from street lot lines.

5 b. For portions of structures subject to the modulation requirements of
6 subsection 23.50.055.B, the maximum length of a street-facing facade without modulation is
7 prescribed in Table A for 23.50.055. For purposes of this subsection 23.50.055.B, length is
8 measured parallel to each street lot line, and includes projections from the street-facing facade,
9 such as balconies, within 15 feet of street lot lines or their projection.

Table A for 23.50.055
Facade modulation in an IC 85-175 zone for structures exceeding 85 feet in height

Height of portion of structure (in feet)	Maximum length of unmodulated facade if less than 15 feet from street lot line (in feet)
65 or less	No limit
Greater than 65 up to 125	155
Greater than 125	125

10 c. Any portion of a facade subject to modulation under subsection
11 23.50.055.B.1.a that exceeds the maximum length of facade prescribed in Table A for 23.50.055
12 must include a portion set back a minimum depth of 15 feet from street lot lines for a minimum
13 length of 60 feet.

14 2. Floor area limit. The maximum floor area for any story wholly or in part above
15 85 feet in height is 25,000 square feet.

1 ~~3. Minimum separation. At all levels above a height of 85 feet, separate structures~~
2 ~~on a lot and separate portions of the same structure must be separated at all points by a minimum~~
3 ~~horizontal distance of 60 feet.)~~

4 Section 17. Section 23.42.126 of the Seattle Municipal Code, last amended by Ordinance
5 124883, is amended as follows:

6 **23.42.126 Outdoor storage areas nonconformity**

7 A. An outdoor storage area nonconforming as to screening and landscaping shall be
8 required to be screened and landscaped at the time of any structural alteration or expansion of the
9 outdoor storage area or the structure with which it is associated according to the provisions of:

- 10 1. Subsection 23.47A.016.D.2, if located in a NC zone or C zone;
11 2. Section 23.48.055, if located in the SM zone;
12 3. Subsection 23.50.016.C, if located on an industrial street designated for

13 landscaping; and/or

- 14 4. Section 23.50.036, if located in an IB zone(~~and/or~~

15 ~~5. Section 23.50.038, if located in an IC zone).~~

16 * * *

17 Section 18. Section 23.49.014 of the Seattle Municipal Code, last amended by Ordinance
18 126157, is amended as follows:

19 **23.49.014 Transfer of development rights**

20 * * *

21 G. TDR satisfying conditions to transfer under prior code

22 1. If the conditions to transfer Landmark TDR, as in effect immediately prior to
23 August 26, 2001, were satisfied on or before December 31, 2001, such TDR may be transferred

1 from the sending lot in the amounts eligible for transfer as determined under the provisions of
2 this Title 23 in effect immediately prior to August 26, 2001. If the conditions to transfer housing
3 TDR were satisfied prior to August 26, 2001, under the provisions of this Title 23 then in effect,
4 such TDR may be transferred from the sending lot in the amounts eligible for transfer
5 immediately prior to that date. If the conditions to transfer TDR from a major performing arts
6 facility were satisfied prior to August 26, 2001, under the provisions of this Title 23 then in
7 effect, such TDR may be transferred from the sending lot after that date, for use on any receiving
8 lots in zones where housing TDR may be used according to Table A for 23.49.014 (~~or as~~
9 ~~provided in Section 23.50.053~~), in an amount as determined under subsection 23.49.014.B,
10 provided that the cumulative amount of TDR that may be transferred after June 1, 2005, from
11 any sending lot based on the presence of a major performing arts facility is limited to 150,000
12 square feet.

13 2. For purposes of this subsection 23.49.014.G, conditions to transfer include,
14 without limitations, the execution by the owner of the sending lot, and recording in the King
15 County real property records, of any agreement required by the provisions of this Title 23 or the
16 Public Benefit Features Rule in effect immediately prior to August 26, 2001, but such conditions
17 do not include any requirement for a master use permit application for a project intending to use
18 TDR, or any action connected with a receiving lot. TDR transferable under this subsection
19 23.49.014.G are eligible either for use consistent with the terms of Section 23.49.011 or for use
20 by projects developed pursuant to permits issued under the provisions of this Title 23 in effect
21 prior to August 26, 2001. The use of TDR transferred under this subsection 23.49.014.G on the
22 receiving lot shall be subject only to those conditions and limits that apply for purposes of the
23 master use permit decision for the project using the TDR.

1 * * *

2 Section 19. Section 23.69.022 of the Seattle Municipal Code, last amended by Ordinance
3 123963, is amended as follows:

4 **23.69.022 Uses permitted within 2,500 feet of a Major Institution Overlay District**

5 * * *

6 B. A medical service use that is over 10,000 square feet shall be permitted to locate
7 within 2,500 feet of a medical MIO District only as an administrative conditional use subject to
8 the conditional use requirements of subsection 23.47A.006.A.4 or subsection ((~~23.50.014.B.12~~)
9 23.50.014.B.10.

10 * * *

11 Section 20. Section 23.74.010 of the Seattle Municipal Code, last amended by Ordinance
12 125791, is amended as follows:

13 **23.74.010 Development standards**

14 * * *

15 C. Pedestrian environment. The following development standards apply to each use and
16 structure, except spectator sports facilities, to the extent that the use or structure either is on a lot
17 fronting on Railroad Way South, First Avenue South, South Holgate between First Avenue
18 South and Occidental Avenue South, or Occidental Avenue South, or is within a 40-foot radius
19 measured from any of the block corners of First Avenue South or Occidental Avenue South
20 intersecting with the following streets: Railroad Way South, South Royal Brougham, South
21 Atlantic, South Massachusetts, South Holgate, and any other streets intersecting with First
22 Avenue or Occidental Avenue South that may be established between South Holgate Street and
23 Railroad Way South, as depicted in Map A for 23.74.010. Railroad Way South, First Avenue

1 South, South Holgate Street, and Occidental Avenue South within the Stadium Transition Area
2 Overlay District, and all street areas within a 40-foot radius of any of those block corners
3 described above, are referred to in this Section 23.74.010 as the "pedestrian environment," except
4 that in applying this Section 23.74.010 to a through lot abutting on Occidental Avenue South and
5 on First Avenue South, Occidental Avenue South is not considered part of the pedestrian
6 environment.

7 1. Street-facing facade requirements. The following requirements apply to street-
8 facing facades or portions thereof facing streets or portions of streets in the pedestrian
9 environment:

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

13 b. Facade setback limits

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

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

21 3) The facade shall return to within 2 feet of the street property line
22 for a minimum of 10 feet, measured parallel to the street property line, between any two setback
23 areas that are deeper than 2 feet.

1 2. Outdoor service areas. Gas station pumps, service islands, queuing lanes, and
2 other service areas related to fueling are not allowed between any structure and the pedestrian
3 environment area described in this Section 23.74.010. Gas station pumps, service islands,
4 queuing lanes, and other service areas related to fueling must be located behind or to the side of a
5 gas station, as viewed from any street in such pedestrian environment and are not allowed
6 between any structure on the same lot and the pedestrian environment area described in this
7 Section 23.74.010.

8 3. Screening and landscaping. The requirements of Sections 23.50.016((,)) and
9 23.50.034((, and 23.50.038)), including requirements contingent on location near a commercial
10 zone, apply to all new uses and structures. ((Requirements in Section 23.50.038 contingent on
11 location near a residential lot do not apply.)) In addition, the screening and landscaping
12 requirements for outdoor storage in subsection 23.47A.016.D.2 apply, with respect to street lot
13 lines abutting the pedestrian environment, to the following uses, where a principal or accessory
14 use is located outdoors: outdoor storage (except for outdoor storage associated with florists and
15 horticultural uses), sales and rental of motorized vehicles, towing services, sales and rental of
16 large boats, dry boat storage, heavy commercial sales (except for fuel sales), heavy commercial
17 services, outdoor sports and recreation, wholesale showrooms, mini-warehouse, warehouse,
18 transportation facilities (except for rail transit facilities), utilities (except for utility service uses),
19 and light and general manufacturing.

20 4. Blank facades, transparency requirements, street trees, and screening. ((~~In~~
21 ~~addition to the blank facade requirements of subsection 23.50.038.B, the~~) The blank facade
22 limits and transparency and street tree requirements of subsections 23.49.056.C, 23.49.056.D,
23 and 23.49.056.E, and the screening of parking requirements of subsection 23.49.019.B apply to

1 Section 21. 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 by me this _____ day of
11 _____, 2023.

12 _____
13 Bruce A. Harrell, Mayor

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

15 _____
16 Elizabeth M. Adkisson, Interim City Clerk

17 (Seal)

SUMMARY and FISCAL NOTE*

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

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

1. BILL SUMMARY

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

Summary and Background of the Legislation:

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

This legislation removes provisions for the Industrial Commercial zone from SMC Chapter 23.50. Provisions for the IC zone, which will only be used outside of Manufacturing Industrial Centers (MICs), are included in the proposed SMC 23.50A legislation. Following rezoning of industrial land with new zone classifications in the proposed SMC 23.50A, legislation advancing the repeal of this Chapter (SMC 23.50) will be advanced in 2024. This legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

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

Yes. The training, implementation and technology costs involved with relocating the IC zone from Chapter 23.50 to 23.50A are included in the fiscal note for companion legislation amending SMC 23.50A.

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

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

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

4. OTHER IMPLICATIONS

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

Yes. This legislation affects the Seattle Department of Construction and Inspections (SDCI) as the department responsible for administering the industrial land use provisions. In addition, Seattle IT will be responsible for updating zoning maps and updating the Accela permitting system with new zoning categories.

b. Is a public hearing required for this legislation?

Yes.

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

Yes.

d. Does this legislation affect a piece of property?

This legislation is one of five bills that together establish a new land use framework for industrial land in the City of Seattle. This specific piece of legislation removes provisions from the IC zone. The IC zone and development standards are included in the proposed SMC 23.50A and following amendments to the zoning map, Chapter 23.50 will be repealed. This legislation affects all property that is within regionally designated Manufacturing Industrial Centers, and all land zoned IG1, IG2, IB, and IC.

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

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

f. Climate Change Implications

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

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

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

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

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

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

This is not applicable to a land use proposal.



Seattle

Seattle Industrial & Maritime Strategy

Director's Report and Recommendation

March
2023



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Executive Summary

Following a multi-year planning process that consisted of extensive stakeholder engagement, neighborhood outreach, research and analysis, and an Environmental Impact Statement, we are pleased to transmit 5 ordinances that together implement major components of the Mayor's Industrial and Maritime Strategy.

Seattle's industrial and maritime policies are more than 35-years old, and during that time, the trends and technologies impacting industrial and maritime users have experienced significant change. To reflect those changes as part of a comprehensive strategy to strengthen and grow Seattle's industrial and maritime sectors for the future, we are recommending a holistic update of our industrial and maritime policies and zoning. Debates around industrial lands have spanned decades, and therefore the adoption of this legislation will be a major milestone. This action proactively addresses industrial lands as an early component of the Comprehensive Plan major update, allowing the One Seattle Planning process to focus on other pressing topics such as expansion of housing supply.

We believe the legislation will spur progress towards the following objectives:

- Increase the quantity of living wage jobs generated from industrial lands.
- Improve environmental health for people who live or work in or near industrial areas.
- Provide long-term predictability to stakeholders that will support renewed investment.
- Promote mutually reinforcing mixes of activities at the transitions between industrial areas and urban villages or residential neighborhoods.
- Support industrially compatible employment dense transit-oriented development at existing and future high-capacity transit stations.
- Increase access to workforce and affordable housing for employees in industrial and maritime sectors.
- Position Seattle's industrial areas to respond competitively to new processes and practices.
- Ensure available and adequate locations for components of regional and statewide supply chains and regional economic clusters.
- Increase space for prototyping, entrepreneurship, and business incubation.
- Strengthen economic resiliency with the capacity to produce products locally and ensure stable distribution networks.

A brief description of the five ordinance that make up this action is below:

1. An ordinance amending the Comprehensive Plan to establish an updated vision in revised text policies for industrial land use. This ordinance amends the Future Land Use Map (FLUM) to change map designations in the Ballard and Judkins Park areas from an industrial land use designation to a mixed-use land use designation. The ordinance amends the FLUM to change the boundaries of the Manufacturing and Industrial Centers to remove parts of Georgetown and South Park.
2. An ordinance creating a new Chapter 23.50A in the Seattle Municipal Code that establishes three new industrial zones and sets out development regulations for those

zones. This ordinance amends the commercial Chapter 23.47A adding new provisions for areas of Neighborhood Commercial zoning that will be applied to the Georgetown neighborhood. It amends other sections of the Land Use Code that are related to establishing the new Chapter 23.50A.

3. An ordinance removing provisions for the Industrial Commercial zone from existing Chapter 23.50 and relocating them to the new Chapter 23.50A. The Industrial Commercial zone remains a useful and relevant zone in line with proposed policies for some areas and therefore will be relocated to new Chapter 23.50A.
4. An ordinance applying the new industrial zone classifications to the official zone map.
5. An ordinance amending the City's noise ordinance to address challenges to ongoing industrial activity in the shoreline areas of the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) that are experiencing encroachment from nonindustrial activity.

Current zoning regulations for industrial areas found in SMC Chapter 23.50 will coexist with the proposed new SMC 23.50A, if adopted, for a period. OPCD proposes to retain, for approximately one year, the existing Chapter 23.50 industrial zones in parallel with the new Chapter 23.50A, so City Council may elect to retain existing zoning in locations that need further review before the new suite of industrial zones can be applied. Once mapping is complete, OPCD expects to prepare legislation that would repeal Chapter 23.50.

In the remainder of this Director's Report and Recommendation we provide: background on the Industrial Maritime Strategy, the process to arrive at this recommendation, a discussion of how the ordinances implement the strategy, and an overview of the technical aspects of the proposed Comprehensive Plan and zoning code changes.

Background

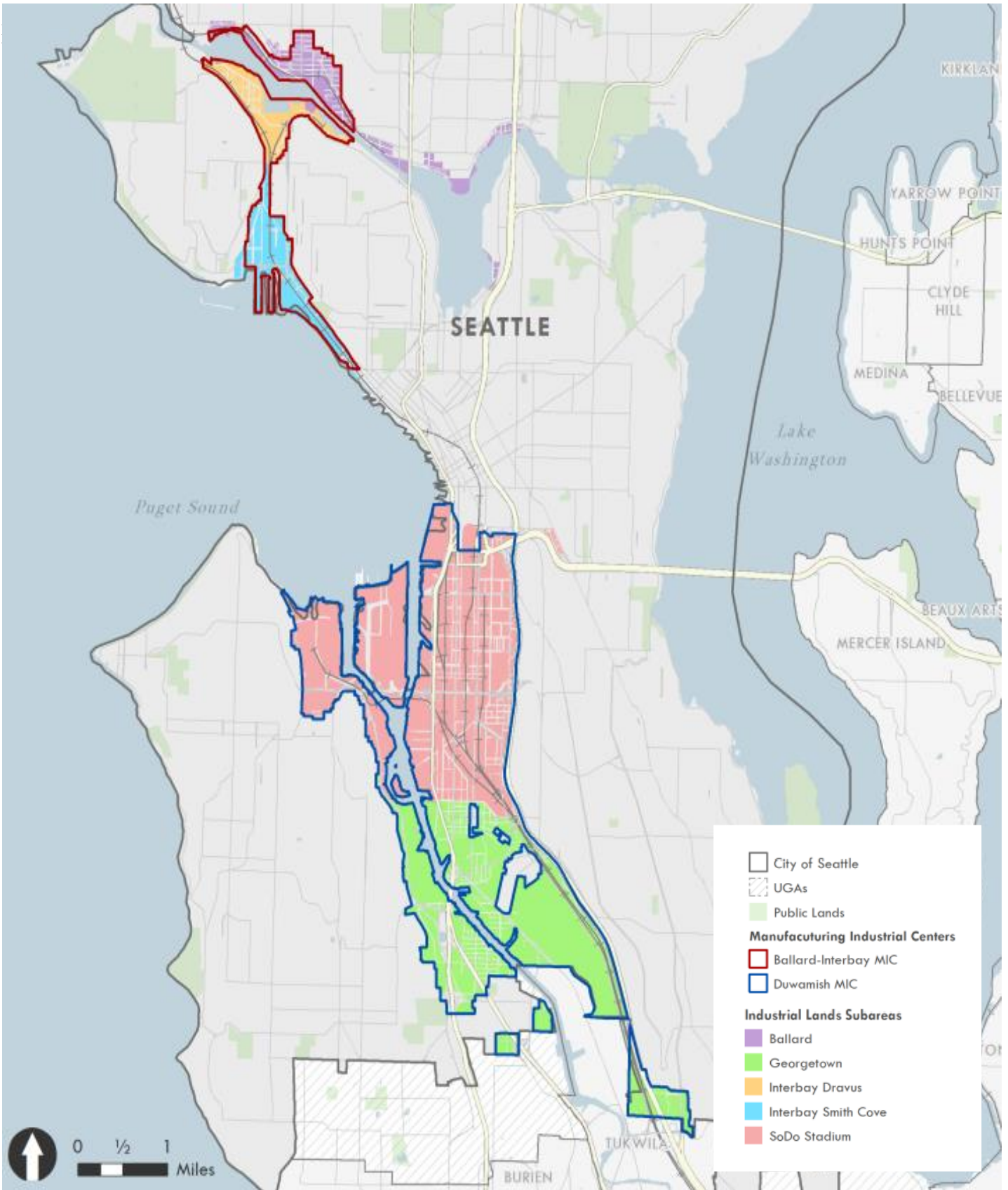
Most industrial land in Seattle is located within two Manufacturing Industrial Centers (MIC). Seattle's Greater Duwamish Manufacturing and Industrial Center (MIC) and the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) contain about 12 percent of Seattle's total land area. MICs are regional designations and are defined in the City's Comprehensive Plan as home to the city's thriving industrial businesses. There are only 11 MICs in the Puget Sound region, and they are important resources for retaining and attracting jobs and for a diversified economy. As regionally-designated Centers MICs are eligible to receive federal transportation funding through allocations by the Puget Sound Regional Council (PSRC).

Subareas within MICs with more local identities are commonly understood by community members. Subareas are considered for the purposes of analysis and local planning. A few small areas of existing industrial zoning located outside of MICs in locations such as along North Lake Union and in Judkins Park, are also a part of this action.

Seattle industrial areas employment is about 100,000, representing roughly 15% of total employment in the City. Historically, Seattle's industrial lands have captured about 6-11% of the city's employment growth. Although narratives suggest declines in industrial jobs, Seattle's industrial area employment grew at a compound annual rate of about 1.6% between 2010 and 2018. Some sectors like food-and-beverage production grew even faster, while maritime and logistics had slow and steady growth, and only aerospace and manufacturing sectors saw minor declines. (Seattle Maritime and Industrial Employment Trends. Community Attributes Inc., 2020)

Industrial and maritime jobs provide pathways to stable careers that are accessible to a broad swath of community members. Nearly two thirds of all jobs in industrial sectors are accessible without a traditional four-year college degree, and more than half of all jobs in the maritime sector are available with no formal education. Wages are competitive, with average annual earnings exceeding 70% of the Area Median Income for salaries in the construction, aerospace/aviation, and logistics sectors. A high number of jobs in logistics, maritime and manufacturing sectors remain unionized and provide high quality benefits. (Industrial Lands Employment Analysis Technical Memo. Community Attributes Inc., 2020)

While there is a lack of data to fully demonstrate the demographics of the industrial and maritime workforce, the available data does show that the largest geographic concentration for Seattle residents of workers on industrial lands are in southwest Seattle with an overall distribution across the region.



This map shows the area affected by the proposed legislation and subareas that are considered for the purposes of analysis and local planning.

Process

Industrial and Maritime Strategy Advisory Council

In 2019 the City convened an Industrial and Maritime Strategy Advisory Council to chart a blueprint for the future of industrial land in Seattle with a focus on providing equitable access to high-quality, family-wage jobs and entrepreneurship opportunities. The Advisory Council included representation from citywide stakeholders and stakeholders from four neighborhood subareas for: Ballard, Interbay, SODO/Stadium District, Georgetown/South Park. The groups represented a diverse range of interests including maritime and industrial businesses, labor, residents of adjacent neighborhoods, developers, a City Council member, and industry groups.

The Industrial and Maritime Strategy Council process lasted more than a year and a half and included various phases and levels of dialogue. The timeline below summarizes major steps. These steps were supplemented with individual outreach and dialogue between members of the strategy council, city staff, and the facilitator.

- November 2019. Project kickoff and guiding principles
- February 2020. Discuss policy alternatives and background data
- March-May 2020. Break due to COVID-19
- June 2020. Reconvene with a focus on a greater emphasis on equity and recovery
- Fall, 2020. Restorative economics training, BIPOC youth engagement
- November 2020. Listening session
- December 2020. Discuss detailed policy tables, written comments
- March 2021. Regroup and strategy framework
- April / May 2021. Strategy workshops and straw poll voting
- May 27, 2021. Final consensus recommended strategies

In May 2021 the Advisory Council recommended 11 broad strategy statements, which are shown on the following page. The consensus represented approval votes by over 85% of voting advisory group members on the package. Due to the significant amount of negotiation, dialogue and collaborative effort that went into reaching consensus, we emphasize in this report how closely the proposed legislation follows the consensus recommendations.

Investment Strategies

1. Workforce Investments to Support Access to Opportunity for BIPOC, Youth, and Women: Create, expand, and support initiatives that increase access to opportunity and economic prosperity for Black, Indigenous, and People of Color, youth, and women through manufacturing, maritime, and logistics careers.

2. Public Safety Partnership to Support Maritime and Industrial Areas: Work closely with local business and community organizations to develop and implement a proactive public safety response to elevated levels of crime within maritime and industrial lands.

3. Transportation Priorities to Improve the Movement of People and Goods: Improve the movement of people and goods and make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals.

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

11. Ongoing Stewardship Entities to Champion this Vision: Identify and grow ongoing stewardship entities with a complete range of stakeholders to champion the vision of the Industrial and Maritime Strategy, ensure its long-term implementation, and develop appropriate assessment metrics to help guide future policy decisions. In different neighborhoods, this could be an existing organization with a modified charter and/or a new organization.

This table is from the June 2021 Industrial and Maritime Strategy Advisory Council Report.

Other Focused Engagement

The relative accessibility and competitive wages provided by jobs in industrial and maritime sectors present the opportunity to benefit BIPOC community, women, and youth. The Strategy Council strongly recommended specific and proactive measures to ensure access and opportunities to a higher proportion of industrial and maritime sector jobs by BIPOC and women than it has ever had before. The City directly consulted over 116 BIPOC youth to share their lived experiences about exposure to industrial and maritime sectors.

The take-aways from the youth engagement include the youth describing a general lack of awareness of industrial and maritime careers and that youth were surprised by the diversity and number of careers and the higher wages within the maritime, manufacturing, and logistics sectors. We also heard that a clear stigma against career and technical education exists and that career decisions of youth are most influenced by their parents, as opposed to their teachers and counselors. Finally, we heard youth emphasize that environmentally friendly employers are important to their career decisions.

Environmental Impact Statement (EIS) Process

OPCD initiated an EIS process in July of 2021 to study the possible effects of implementing land use changes. The process provided community with meaningful opportunities to shape the proposal. The draft EIS included four alternatives, and the City extended the initial 45-day comment period to 60 days allowing more time for review and held public engagement events during the comment period. The City conducted a series of meetings with South Park and Georgetown community members in neighborhood locations and included comments from these communities through an additional extension to April 15, 2022. A final EIS was issued in September of 2022 that contains a Preferred Alternative. The Final EIS Preferred Alternative reflected substantial input from community, and analysis was supplemented in response to comments. (Findings from the environmental review are summarized later in this Director's Report, and in Appendix A.)



Online and Social Media Engagement

OPCD used social media and online tools to communicate directly to the public about policy issues and to increase general awareness of industrial and maritime land use issues. OPCD produced a series of video profiles highlighting industrial businesses, including woman and minority owned businesses. OPCD also highlighted news stories and articles on industrial and maritime strategy topics. The purpose

was to build community member awareness of industrial lands policy issues so more people could weigh in on proposals in a more informed way.

Other Engagement with Stakeholder Groups

In addition to formal engagement channels and meetings OPCD staff conducted regular check-ins with individuals and stakeholder groups who would be most affected by the proposed legislation. These meetings continued following completion of the Final EIS and during the formulation of this proposed legislation. Input by stakeholder groups helped to improve and refine proposed development standards. Meetings included dialogue with:

- Ballard brewers
- Ballard area property owners
- Georgetown Community Council
- Duwamish River Community Coalition
- Port of Seattle / Northwest Seaport Alliance
- Maritime labor organizations
- Service sector labor organizations
- Construction sector labor organizations
- Professional sports stadium boards
- Industrial trade groups
- Seattle Planning Commission
- Others

Implementation of the Consensus Strategies

Below we describe the direct connection between the consensus recommendations and components of the proposed land use legislation.

Consensus Strategy 5—Stronger Protections for Industrially Zoned Land:
Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

Competition for industrial land from nonindustrial uses destabilizes the vitality of industrial districts by introducing land use conflicts and driving speculative pressures that results in the displacement of industrial activity. Industrial land is priced lower than land for commercial and residential activity. Although Seattle's proximity to a deep-water port, rail and freight infrastructure, and a large workforce are locational advantages for some industrial uses, others can easily relocate to outlying areas free of land use conflicts at a price competitive or better than they can find in Seattle.

As a broader range of uses locates in industrial districts, land values rise meaning only those higher-value uses can afford to locate in these areas. This can be seen in Ballard where numerous grocery stores have displaced industrial businesses in the BINMIC, or where destination retail has been developed on land off West Armory Way in Interbay.

On a regular basis the City receives applications to remove land from our industrial areas for nonindustrial development resulting in a lack of predictability by industrial users contemplating investment/reinvestment in Seattle's industrial areas. The package of zoning amendments and Comprehensive Plan Amendments contains three specific provisions to strengthen protections for industrial land consistent with stakeholder recommendations:

- **Limit Annual Comprehensive Plan Amendments:** Removal of land from a Manufacturing Industrial Center (MIC) for non-industrial development requires an amendment to the City's Comprehensive Plan. Amendments to the City's Comprehensive Plan can occur in two ways – the annual amendment process and the major update process. The City can amend its Comprehensive Plan once a year through an annual amendment process. This process allows the public the opportunity to submit amendment proposals that are then considered by the City Council.

The proposed legislation includes new Comprehensive Plan text policy 10.3 stating the city will not consider proposals for removal of land from a MIC designation except as a part of a comprehensive plan major update or a City led study. The major update to the

Comprehensive Plan occurs every 8-10 years. Limiting Comprehensive Plan amendments to major updates will lessen speculative pressure on industrial land by sending a clear market signal that removal of land from MICs will not happen frequently. This limitation also has the benefit of allowing the City to fully review changes to land in the MICs within the overall context of the City's industrial land needs.

- **Tighten Zoning Code Loopholes:** The proposed legislation would reduce existing size of use limits on nonindustrial (i.e., retail and office uses) and apply a new Floor Area Ratio limit of 0.4 for nonindustrial uses in the Maritime Manufacturing and Logistics zone. These changes will have the practical effect of discouraging new development of box retail stores, or standalone office buildings in the new industrial zones.
- **Prohibit Mini-Storage:** Like retail and commercial uses, mini-storage developments can pay a higher price for land than industrial users. While currently permitted, this use, unlike warehouses or storage yards for logistics businesses in MICs, does not support industrial activity and has little employment benefit. This proposal would prohibit new ministorage uses in all industrial zones.

Consensus Strategy 6— High Density Industrial Development: Encourage modern industrial development that supports high density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

Seattle's Manufacturing and Industrial Centers are the proposed location of up to five future Sound Transit light rail stations. Traditionally, land use policy around light rail stations seeks to leverage these generational investments with transit-oriented development characterized by a mix of residential and employment uses. Stakeholders evaluated how best to accommodate these stations while contributing to the continuing strength of Seattle's industrial areas and recommended a strategy that leverages these transit investments with high-density employment characterized by a mix of modern industrial space supported by a range of office and other commercial uses. The proposed amendments would create a new Industry and Innovation (II) zone that encourages new development in multi-story buildings that accommodates industrial businesses, mixed with other dense employment uses such as research, design, offices and technology. Precedents for the sort of flexible mixing of industrial and non-industrial uses that are envisioned in this proposal exist in Seattle and peer cities, including Portland, OR, New York City, and Vancouver BC.

Consensus Strategy 7— Healthy Transitional Areas near Urban Villages:

Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

- Transitions between industrial and nonindustrial zones in Seattle are currently managed through the application of the industrial buffer zone. The Stakeholder group, which included community representatives from South Park, Georgetown, and Ballard combined with supplemental outreach to the South Park and Georgetown communities identified four key challenges in these transitional areas:
 - 1.) Affordable spaces for small-scale manufacturers, entrepreneurs and artists are scarce.
 - 2.) Active transportation modes like walking and biking that best facilitate residents' access to local producers are vulnerable to conflicts with freight movement when public infrastructure is inappropriately designed.
 - 3.) Entrepreneurs and small manufacturers struggle to find affordable homes near their jobs.
 - 4.) High – impact industrial uses close to nonresidential areas result in unhealthy impacts to these communities, particularly in South Park and Georgetown.
- The proposed legislation would create a new zone, the Urban Industrial (UI) Zone, that addresses these challenges. The proposed Urban Industrial zone increases pedestrian safety and facilitates freight movement by requiring street improvements that include curbs, sidewalks, pedestrian scale lighting, and street trees for new buildings or expansions. Workforce housing needs are partially addressed through allowances for small amounts of workforce housing permitted as a conditional use. It should be noted that resolving the issue of housing scarcity and affordability for workers in industrial areas will not be solved by using industrial land for significant amounts of housing (see discussion below).

Consensus Strategy 8—No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

Current land use policy prohibits new housing in industrial areas with very minor allowances for artist studio, caretakers quarters, or housing that predated the City's industrial land use policy. These

limitations are in place because large concentrations of housing in industrial areas results in land use conflicts that compromise the economic viability of industrial areas and encourages speculative pressure to use industrial land for nonindustrial uses. Residents living in industrial areas are also sometimes exposed to impacts from industrial activity including light, noise, aesthetic impacts of outdoor storage.

For these reasons the City has traditionally prohibited housing development in industrial zones. Policies discouraging housing in industrial areas are consistent with the King County Countywide Planning Policies, and the Puget Sound Regional Council policies for designating Manufacturing and Industrial Centers.

This proposal retains the general policy of limiting new residential uses on industrial land with limited adjustments to allow some new housing opportunities to support artists, makers, or industry supportive housing. The proposal also includes some areas outside of MICs where industrial zoning would be replaced by new mixed-use zones.

**Consensus Strategy 9 – *Georgetown and South Park Neighborhood Goals:*
Remove a few small, focused locations from industrial zoning in
Georgetown and South Park and convert them to mixed use zoning to
achieve neighborhood goals.**

The proposed Comprehensive Plan amendments include amendments to the Comprehensive Plan Future Land Use Map. Two of these amendments advance goals of the Georgetown and South Park communities consistent with the stakeholder recommendations. Both Georgetown and South Park experience impacts from adjacent industrial areas. The Georgetown community has a goal of becoming a more complete neighborhood similar to an urban village. The South Park community has a goal of increasing environmental health and making a better connection of residential communities to the Duwamish River.

Consensus Strategy 10 - Master Planning for WOSCA and Armory Sites:
Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

The Washington National Guard Armory (Armory) site currently owned by the State of Washington is home to a National Guard readiness center. The site, however, consists primarily of fill material and is subject to severe liquefaction in the event of a major earthquake. The national guard is seeking relocation and the state will explore reuse of this site to partially finance the Guard's relocation. The State commissioned a study to evaluate alternative redevelopment scenarios including a residential/commercial, a residential/industrial, and an industrial alternative and passed enabling legislation in 2022 for a public development authority to facilitate relocation. To date the PDA is not yet formed.

The Armory site is approximately 25 acres in size and is zoned Industrial General 1 and is within the boundaries of the BINMIC. The Armory site represents an important redevelopment opportunity, not just because of its size and proximity to industrial infrastructure such as freight corridors and proximity to port facilities (T91 and Fisherman's Terminal), but also because of its proximity to potential future light rail stations that are within walking distance of the site. These factors combined (size, location, access to light rail) and the fact that it is under single ownership mean that redevelopment could advance the goals of the Industrial and Maritime Strategy in significant ways.

The Washington-Oregon Shippers Cooperative Association (WOSCA) site is currently owned by the Washington State Department of Transportation (WSDOT) and was used for construction and staging for SR99 replacement. The site is at the north end of the Greater Duwamish MIC, adjacent to Terminal 46 (T46) to the west and 1st Avenue to the east. The site will either be redeveloped or surplus by the State. The WOSCA site is approximately 4.2 acres in size and is currently zoned Industrial Commercial and within the Duwamish MIC.

The proposed legislation includes a new Comprehensive Plan policy that calls explicitly for detailed site-specific master planning of these two important publicly-owned properties, before major redevelopment with uses other than traditional industrial uses. (See discussion below).

Comprehensive Plan Policy Amendments

Comprehensive Plan amendments implementing the industrial maritime strategy include amendments to text policies to set a framework for the updated industrial zones, Future Land Use Map (FLUM) amendments to enable zoning changes, and other text policy changes to address specific aspects of the strategy. Specifically, the proposed Comprehensive Plan amendments include:

1. Two new goals – one that supports dense development around high-capacity transit stations and one that supports building healthier transitions between industrial and adjacent residential areas.
2. Policies that will transition the City to a new land use framework that will guide future development around transit stations, support emerging industries and trends, and protect and support the City's legacy industries and maritime sector that rely on location specific infrastructure (Port facilities, rail, freight routes).
3. A new policy that limits any FLUM amendment that takes land out of a Manufacturing Industrial Center (MIC) to either be adopted as part of a major update to the City's comprehensive plan or as the result of a comprehensive city-led study of industrial lands that evaluates changes to industrial land designations within the context of the overall policy objectives for and supply of the City's industrial land in MICs.
4. A new policy that signals the City's intent to consider any changes in land use on the Washington State National Guard Armory in Ballard Interbay Northend MIC (BINMIC) or the WOSCA site in the Greater Duwamish MIC (MIC) through a master planning process for redevelopment of these sites.

New Land Use Goal Statements

Two new Land Use goal statements are added to provide updated guidance and guide the City's overall approach to industrial land.

- | | |
|----------|--|
| LU G10.1 | Support compact, employment-dense nodes, where emerging industries can locate in formats that require greater flexibility in the range of on-site uses and activities and are more compact than traditional industrial operations. |
| LU G10.2 | Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts. |

Proposed LU G10.1 is a recognition that changing conditions and emerging trends requires a new approach to industrial development in key locations. Changing conditions include future development of up to 5 Sound Transit light rail stations in the Manufacturing Industrial Centers. Emerging industrial trends point to a future where there will be greater demand for a broad range of design, research and development, and office type uses related to industrial sectors that can locate in multi-story buildings.

Proposed LU G10.2 recognizes that neighborhoods near industrial areas experience impacts from industrial activity that other neighborhoods do not. This goal represents the idea that better transitions between residential areas and industrial areas are necessary to equitably balance the right to a healthy community while simultaneously maintaining the City's support for its industrial areas. The goal pivots away from a mindset of buffering and separation, and towards a symbiotic relationship at the transition between neighborhoods and industrial areas.

Updated Industrial Zoning Framework

The proposed amendments include policies to establish a vision for an updated industrial land use framework. These text policies describe the intent and rationale for new zone classifications. In the near term, these policy changes are additive to existing policies about industrial land use, and do not create any inconsistencies with existing industrial land use policies.

LU 10.7 Use the following industrial zoning classifications for industrial land in Manufacturing Industrial Centers:

- **Maritime, Manufacturing and Logistics:** This zone would be intended to support the city's maritime, manufacturing, logistics and other established or legacy industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics zone.
- **Industry and Innovation:** This zone would be intended to promote employment dense nodes where emerging industries can locate and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and office uses found in multi-story buildings, compared to traditional industrial activities. Areas in MICs that are generally within one-half mile of high-capacity transit stations may be considered for the industry and innovation zone.
- **Urban Industrial Zone:** This designation would be intended to encourage a vibrant mix of uses and relatively affordable, small-scale industrial, makers, and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial zone.

In general, the Maritime, Manufacturing and Logistics (MML) Zone consolidates the existing IG1 and IG2 zones and affords industrial activity in this zone stronger policy protections and supports maritime industrial cluster industries and legacy industries.

In most instances, the Industry and Innovation (II) Zone replaces the existing Industrial-Commercial (IC) zone and in some cases Industrial Buffer (IB) zone. The zone would be applied in some additional locations close to frequent transit. This zone is intended to leverage major transit investments to create employment-dense transit oriented industrial nodes. This zone allows multi-story buildings with a greater mix of production, research and design, and office uses than is present in traditional industrial operations through an incentive structure to ensure high density employment. This zone will be located

within proximities of .5 miles of a high-capacity transit station and have limited parking. The following proposed new policies provide guidance for this zone concept:

- LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments.
- LU 10.20 In the Industry and Innovation zone, consider development standards for designated industrial portions of buildings that require development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, consider an incentive system whereby new development may access increased development capacity by including designated space for industrial uses within the structure.

In most cases, the Urban Industrial (UI) zone replaces the existing IB zone and/or portions of the IC zone. This zone provides stronger transitional areas between industrial areas and urban villages or other mixed-use neighborhoods. These areas have seen an increase in patronage from adjacent neighborhoods, with existing or potential businesses that draw from adjacent residential areas such as tasting rooms and retail showrooms. Establishing an industrial zone that supports this activity provides opportunities for small scale manufacturers, entrepreneurs, and artists to create a transitional area that is compatible with industrial activity and adjacent neighborhoods. The following proposed policies provide guidance for the new zone:

- LU 10.23 In the urban industrial zone, consider allowing a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a need for ample space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

Stronger Policy Protection for Industrial Land

In recent years, several annual amendment proposals have sought to remove land from manufacturing industrial centers. Industrial land is finite in supply and consideration of any one proposal to remove land from an MIC should occur through a comprehensive review of the city's industrial land use needs. The proposed Comprehensive Plan amendments include a new policy to establish higher thresholds for when such an amendment can be considered. This policy will send a clear market signal that will deter the type of speculation that deters investments in industrial activity.

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

Interbay Armory and the WOSCA site

The proposed amendments include a policy to establish the City's preferred approach to future redevelopment of these sites that are both within designated Manufacturing Industrial Centers.

- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.

Future Land Use Map (FLUM) Amendments

This proposal includes FLUM amendments that affect land use in four different neighborhoods. In two cases land is being removed from the Greater Duwamish MIC and redesignated for mixed-use commercial development and in the other two cases land outside of either of the MICs that is currently designated for industrial use is being reclassified to mixed use commercial.

Land in Georgetown will be removed from the Greater Duwamish MIC and designated as mixed-use commercial. The area removed includes the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S.

Land in South Park will be removed from the MIC and designated as Residential Urban Village. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space.

Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be redesignated from industrial to mixed use commercial. The area is very close to the Judkins Park light rail station, and contains few remaining industrial uses.

Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be redesignated from industrial to mixed use commercial. The strip of land is adjacent to significant mixed-use development along NW Market Street and contains few remaining industrial uses.

New Industrial Zones

The proposed ordinance creates a new SMC Chapter 23.50A that establishes three new industrial zones consistent with the strategies discussed above. The new Chapter 23.50A also retains provisions for the Industrial Commercial Zone. The summary below focuses on the key aspects that control development and on topics where the zones would differ from the existing industrial zoning framework.

Structural Changes That Apply to All New Industrial Zones

New Industrial / Nonindustrial Use Identification. To clarify uses that are “industrial” or “non-industrial” a new column in the allowable uses table would indicate whether each use (i.e. Light Manufacturing, General Retail etc.) qualifies as industrial. The industrial classification is used for the purposes of determining base (industrial) and bonus (non-industrial) development in the Industry and Innovation zone, and for determining principal industrial uses in the Urban Industrial zone.

New Information and Computer Technology (ICT) definition. A new use definition would be added to SMC Chapter 23.84A definitions. It would distinguish a subset of uses from within the broad office category that would isolate knowledge creation and innovation activities related to technology and computing. Uses in this new category are expected to provide a high proportion of basic economic activity according to economic base theory. The new definition distinguishes ICT uses from other office uses that are in service of the local economy such as accounting offices, law offices, real estate offices, etc. ICT use would be given special consideration in the proposed Industry and Innovation zone.

Prohibit Mini Storage Warehouses: In recent years, mini storage facilities have been an increasingly common use in industrial areas. Mini storage is different from warehouses and distribution centers that are part of logistics chains and support industrial and maritime sectors. Mini storage facilities are for private storage that is unrelated to industrial activity. In addition, these facilities have very low employment but can pay a higher price for industrial land. Under the proposal, mini storage would not be an allowed use in any industrial zone.

Non-Conforming Use Provisions: The new zoning framework adjusts development standards including stricter maximum size of use limits, and an incentive system for nonindustrial development in the Industry and Innovation zoned areas. Some existing businesses may not fully conform to the new standards. To provide broad leeway for existing uses to continue, a new non-conforming to development standards subsection is included in the Chapter. Existing industrial uses that were legally established would be allowed to continue and to expand if fifty percent or more of their floor area is in an industrial use, without being nonconforming certain development standard. Additionally, by an administrative conditional use, uses that exceed the maximum size of use limit but were legally established, would be able to a.) convert to another use that exceeds the maximum size of use limit b.) expand into a whole building or adjacent space, or c.) expand by up to 20 percent. The intent is to provide flexibility for existing industrial uses, while requiring new development to meet the intention of the new code.

The following sections summarize the purpose, and key standards for each of the three new Chapter 23.50A industrial zones.

Maritime Manufacturing and Logistics (MML)

Function and Purpose: An existing industrial area with a concentration of core industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities and is well served with truck, rail, and maritime or freight infrastructure. The MML zone is intended to provide long term predictability to landowners, business owners and investors that the area will remain an industrial area. The zone is intended to reduce speculative development pressure.

Development standards seek to limit unintended types of nonindustrial development such as big box retail and mini storage uses, which have been constructed in Industrial General 1 (IG1) and Industrial General 2 (IG2) zones in recent years. In general, the MML zone will consolidate and replace the existing IG1 and IG2 zones.

Locational Criteria: The Maritime Manufacturing and Logistics (MML) zone designation is most appropriate in areas generally characterized by the following:

- Areas within Seattle's Manufacturing/Industrial Centers (MICs);
- Areas with proximity to rail and/or freight infrastructure;
- Areas with proximity to the shoreline, deep-water ports, and water bodies;
- Areas around existing clusters of industrial or maritime suppliers and services; and
- Areas that are generally flat.

Proportion of MIC Land in This Zone:

- Proportion of BINMIC land in the MML zone is 76%.
- Proportion of Greater Duwamish MIC land in the MML zone is 93%.

Key Development Standards:

Permitted and Prohibited Uses: Similar to the existing IG zones, a broad range of heavy and light manufacturing uses would be permitted. Industrial uses would be permitted outright with no maximum size of use limits and few additional restrictions. A broad range of warehousing / distribution, marine and logistics transportation uses, utility uses, outdoor storage and warehouse uses (except for mini storage), laboratory, and research and development uses, food processing and craft work, and automotive uses would all be permitted outright.

A variety of non-industrial uses would also be permitted outright as a principal use but would be subject to strict maximum size of use limits and FAR sub-limits described below. These uses include commercial sales and services, office, lodging, entertainment, and Information Computer Technology (ICT).

Floor Area Ratio: The maximum floor area ratio (FAR) limit would be 2.5, which is the same as the existing IG1 and IG2 zones. This allows ample development capacity for most industrial uses including associated ancillary functions. Because most maritime, manufacturing and logistics uses all require unbuilt space for loading, truck access and circulation or layout, it is uncommon for industrial uses to approach a buildout with multiple stories that approaches the 2.5 FAR maximum.

The MML zone would introduce a new FAR sublimit of 0.4 for non-industrial uses. The 0.4 FAR maximum would be for uses not classified as industrial in the new column of the allowable uses table. The FAR sublimit is added to deter the type of piecemealing of lots to avoid maximum size of use limits that has been observed in recent decades. The proposed FAR limit would disincentivize subdivision of large sites into multiple small sites to achieve numerous parcels that each contain a use at the maximum size limit. (See also Appendix B – Non-Industrial Development Analysis.)

Height Limit. None for industrial uses. 45 feet for others. Same as existing IG zones.

Maximum Size of Use Limits. Large-sized non-industrial uses such as retail and offices do not have a connection to industrial and maritime uses, are not compatible with proposed Maritime, Manufacturing and Logistics zones, and their presence detracts from the policy intent for Manufacturing Industrial Centers. Examples of large-sized retail uses include grocery stores, pet stores, home décor stores, office supply stores, and multi-purpose box retailers such as Fred Meyer or Walmart, or stand-alone office structures.

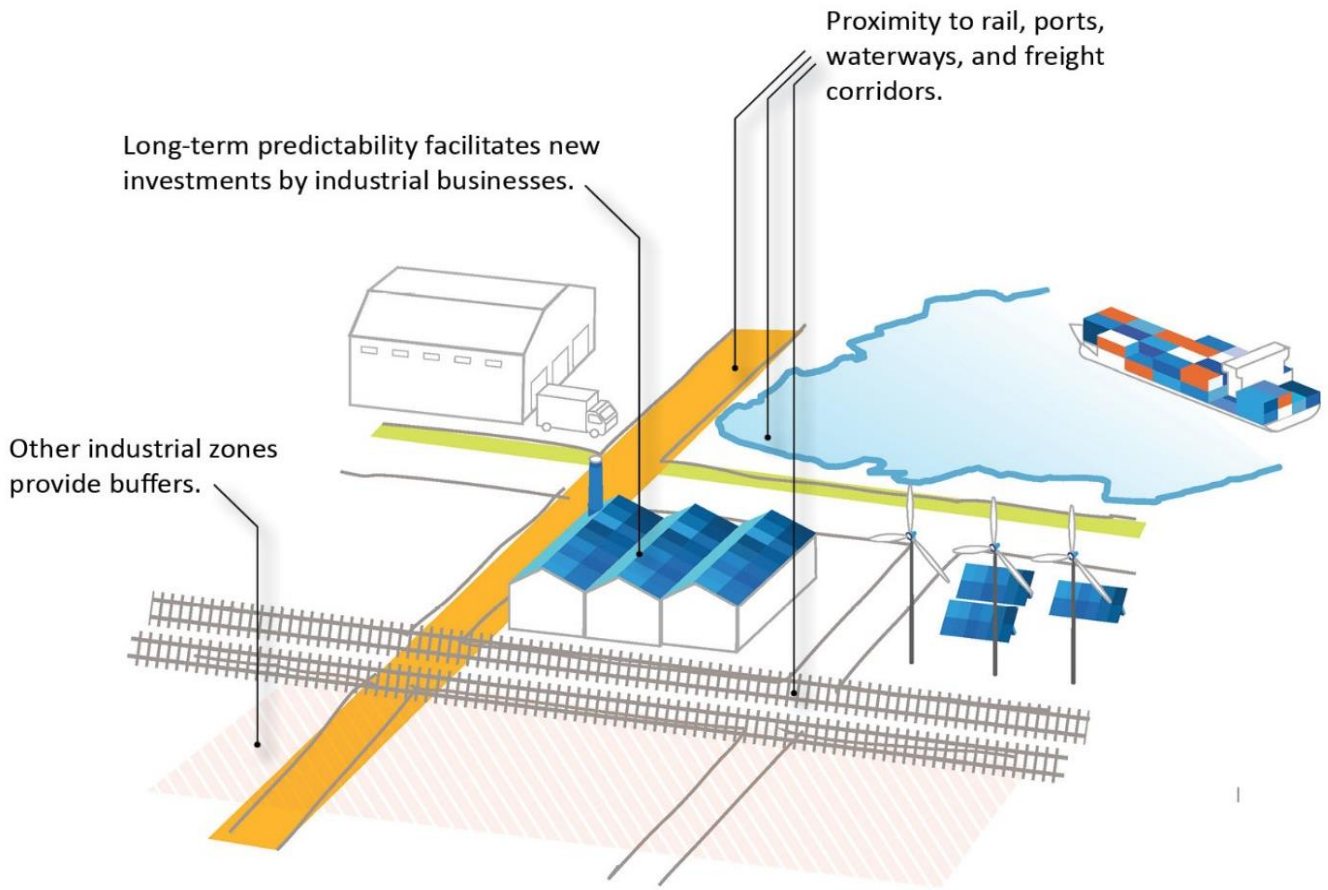
OPCD conducted an analysis to determine the approximate extent of sites and locations where unintended development of retail, office and mini storage has occurred in industrial zones, and found clusters in areas including the Interbay/Armory Way corridor, Ballard, and the Airport Way corridor in SODO. (See Appendix B).

To address the pattern of development described above, the proposed legislation would reduce maximum size of use limits in the new MML zone, for several land use categories. Levels of reduction are set to continue allowing the uses while reducing pressures and incentives for proliferation. The reductions are shown in the table below compared to the existing IG zones. The current 25,000 sq. ft. size limit for Sales and Service in the IG2 zone is conducive to formula development of grocery stores and retail box stores. Reduction to a proposed 7,500 sq. ft. maximum size would result in smaller sizes than formula retail developments. Formula office floor space sizes are usually in the 25,000 or greater range.

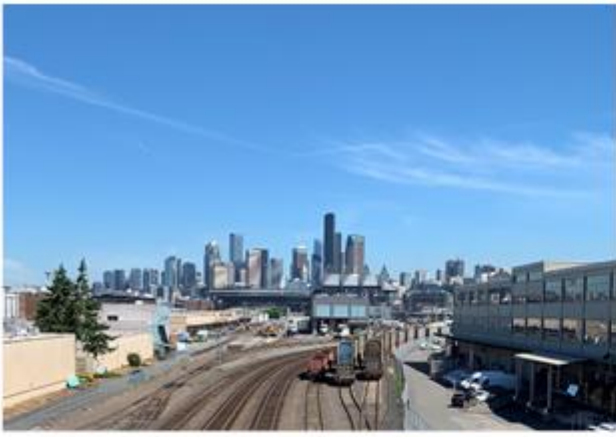
Use subject to size limits	Maximum Size of Use Limit		
	MML	IG1	IG2
Animal shelters and kennels (2)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments (3)	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
Entertainment	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lodging uses	N/A	10,000 sq. ft.	10,000 sq. ft.
Medical services	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Office	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Restaurants	3,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Retail sales, major durables	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, automotive	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, general	7,500 sq. ft.	10,000 sq. ft.	25,000 sq. ft.

New Heavy Manufacturing Conditional Use Performance Criteria. The proposed legislation includes new conditional use criteria for heavy manufacturing uses. For the first time, any new heavy manufacturing use in the MML zone would need to obtain a conditional use permit if it is located within 1,500 linear feet of residentially zoned *and* residential developed lot, or neighborhood commercial zone. This limit will not apply to land separated from residential zoning by Interstate 5. While the existing IG zones had these conditional use protections in place for limited areas adjacent to Queen Anne and Interbay, the proposed legislation extends the protections for all residential neighborhoods most notably for areas near Georgetown and South Park. To be approve the heavy manufacturing use would have to meet criteria including:

- In an enclosed building
- Hours of operation do not impact residential areas
- Truck service must be directed away from residential streets
- Shall not produce sustained noises or vibration



The diagram is a conceptual depiction of the locational criteria and general intention for the Maritime, Manufacturing and Logistics zone.



Maritime, Manufacturing and Logistics (MML) Zone

All photo credits City of Seattle. Montage: Top to bottom, left to right: Logistics operations including rail and truck movement of goods are an important function and major land use. B. Container port operations provide functions of regional and statewide significance. C. Significant employment is offered in exporting industries such as food processing and aerospace. D. Land is available for the expansion of new sectors that are expected to grow including green energy and the space industry. E. Provide long term predictability for legacy industrial operations and anchor businesses that provide critical supports to other companies. F. An ecosystem of specialized knowledge and skills is present in sectors such as maritime. G. Necessary heavy operations can locate in areas where their impacts would be minimized, away from residential populations.

Industry and Innovation (II)

Function and Purpose: The purpose of the II zone is to create a transit-oriented area characterized by modern industrial buildings that supports a mix of economic innovation and emerging industries, and commercial development with high employment density. The zone would encourage new development in multi-story buildings that accommodates dense employment uses such as research, design, offices and technology. The zone is intended to spur the creation of new high-quality light industrial space, in an amount that is equal to or greater than the amount of industrial space that exists today. The Industry and Innovation zone would address the following challenges in locations near existing or future light rail stations in industrial areas:

- Current zoning and development has not and would not create enough density near light rail to support a transit-oriented land use pattern or high transit ridership.
- Redevelopment costs in eligible locations are very expensive due to potential environmental clean ups and infrastructure needs.
- The City's current industrial zone that allows mixed commercial development (Industrial Commercial) has been dominated by new office developments without any industrial uses.

Locational Criteria: Industry and Innovation (II) zone designation is most appropriate in areas generally characterized by the following:

- Areas in Seattle's Manufacturing/Industrial Centers (MICs).
- Areas within an approximately one-half mile distance from existing or future light rail stations.
- Areas with a high potential to attract new investment in buildings and infrastructure that supports dense, knowledge-based employment.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Industry and Innovation zone is 19%.
- The proportion of land in the Greater Duwamish MIC in the Industry and Innovation zone is 3%.

Key Development Standards:

Incentive-Based System: An incentive-based system is fundamental to the proposed II zone. Developers would earn "bonus" development to build non-industrial spaces for uses like offices, only if an amount of dedicated bona-fide industrial space is included. A developer could provide industrial space at a ground floor or in a separate structure. The new industrial space would be required to be occupied by one of the qualifying industrial uses indicated in the new column of the allowed uses table. Upper floors of a building or a separate structure on a site could be occupied by other nonindustrial allowed uses. In addition to the use restriction on the dedicated industrial space, it would have minimum requirements for construction as bona-fide industrial space (see below). The inclusion of bona-fide industrial space would comprise a Tier I of potential bonus floor area.

An additional Tier II of bonus development could be accessed in one of two ways after the Tier I maximum FAR limit is reached. The developer would qualify for the Tier II increment of FAR if at least 50 percent of the structure is constructed using mass timber construction methods; or if they use Transfer of Development Rights for upgrading a vulnerable unreinforced masonry structure (URM).

Floor Area Ratio: The maximum FARs in the II zone enact the system of a base maximum and extra floor area that can be gained. For any development electing to participate in the incentive system, a minimum amount of industrial space floor area would be required, and this amount qualifies for the bonus. For each sq. ft. of industrial space provided, the development would gain the ability to construct 5 sq. ft. of non-industrial space. For example, in the II 160 zone, when the developer provides the first 0.5 FAR of industrial space they gain access to 2.5 FAR of non-industrial space. Additional bonus non-industrial space could be generated up to the Tier I maximum at the 5:1 ratio. An example in the II 160 zone would be a building that provides 1 FAR of industrial space, generating 5 FAR of nonindustrial space, to reach the maximum Tier I FAR limit of 6. The table below shows base and bonus FAR limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Compared with exiting IG zones, the proposal would substantially increase the maximum development capacity, increasing allowed floor area by two to three times. The bonus floor area could include non-industrial uses that are not allowed or are strictly size-limited under the existing IG zone. The II zone would also increase development capacity compared to the existing Industrial Commercial (IC) zones where it is applied. (See discussion below).

FAR limits Proposed Industry and Innovation (II) Zones			
Zone	Minimum Industrial Use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA
II 125	.5	5.25	5.75
II 160	.5	6	6.5
II 85-240	2	4	6
Comparison: FAR limits Existing Industrial Zones			
Zone	Maximum FAR	Maximum FAR with Bonuses	
IG1, IG2, IB	2.5	N/A	
IC 85 Zones (Except 85-175)	2.75	N/A	
IC 85-175	2.5	4.0	

Developers would have the option not to participate in the bonus development system. In this case, the development could provide all industrial space up to a maximum FAR that is similar to under existing IG zoning. The table below shows limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Floor Area Ratio (FAR) limits Industry and Innovation Zones – All Industrial Development (Not Participating in the Incentive System)	
Zone designation	FAR limit
II 85	2.75
II 125	2.5
II 160	2.5

IC	2.75
II 85-240	2.5
Comparison: FAR limits Existing Industrial Zones	
Zone	Maximum FAR
IG1, IG2, IB	2.5
IC 85 Zones (Except 85-175)	2.75
IC 85-175	2.5

Bona-Fide Industrial Space: Portions of a building qualifying as industrial space could only be occupied by industrial uses. Additionally, the space would have to meet the following development standards for construction as bona-fide industrial space.

- Load bearing floors with 250 lbs. per sq. ft. minimum capacity for ground level floors on grade, and load bearing floors with 125 lbs. per sq. ft. minimum capacity for floors above grade.
- Floor-to ceiling clearances of at least 16 feet.
- Constructed to comply with a Seattle Building Code Group occupancy classifications for an industrial use, except for ancillary support spaces that are secondary to the industrial use and occupy less than 25 percent of the industrial use floor area.
- Serviced directly by a loading dock or a freight elevator with a minimum capacity of 8,000 lbs.

Information Computer Technology (ICT): In the II zone only, ICT would be considered an eligible industrial use that could occupy the industrial portion of a structure. This is proposed because ICT uses are productive economic uses that often have dense employment and generate secondary multiplier effects in the economy. In today's technology rich context, ICT uses are a corollary to industrial uses with heavy physical processes of past eras. ICT uses are often a component of traditional industrial enterprises, when ICT activity includes design or engineering for a physical process. In the II zone, ICT would have a slightly lower bonus ratio than other industrial uses. For every 1 sq. ft. of ICT use the developer would gain 4 sq. ft. of non-industrial space capacity (instead of 5).

Application to Previously IC Zoned Land: Some areas proposed for the II zone would be changed from an existing Industrial Commercial (IC) zone. These areas are primarily in the Elliott Avenue corridor, and the area south of the Chinatown/International District. The existing IC zone already allows substantial development with non-industrial uses such as office. To account for the base condition, the proposed II zone in these areas would have a base FAR limit equal to the existing limit of the IC zone. An additional increment above this amount could be accessed according to the incentive bonus system for inclusion of industrial space (Tier I). As a result, areas previously zoned IC would gain an incentive to include bona-fide industrial space in future development.

The area of existing IC 85-170 zoning bounded by I-90 to the southeast, the Chinatown/International District to the north, and railroad tracks to the west is unique. This variant of the IC zone already allows bonus development over a base level if a development participates in the city's Mandatory Housing Affordability (MHA) program. Under the proposal, this area would be amended to a new IC 85-240 zone that would grant an additional increment of development capacity in an incentive structure, while maintaining existing development rights. The tiered bonus system would allow up to an additional 2 FAR over the existing maximum of 4, in a development that includes dedicated industrial space according to the ratio. Under the existing IC 85-170 zone, maximum development can be achieved without any industrial space. This area is notable, because it is being considered for a future light rail station in one of the alignment options being reviewed by the Sound Transit Board.

Transportation Demand Management and Parking: To encourage access by transit and other non-motorized modes the proposal would include no minimum parking requirements. In addition, there would be a maximum parking quantity limit of one space per 1,000 square feet of gross floor area. The parking maximum would be equivalent to most zones in downtown. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant would be required to prepare and implement a Transportation Management Program (TMP) that meets standards set out for TMPs in SDCI and SDOT Director's Rules. Currently, there is required parking, no parking maximum, and no TMP required in IC zones.

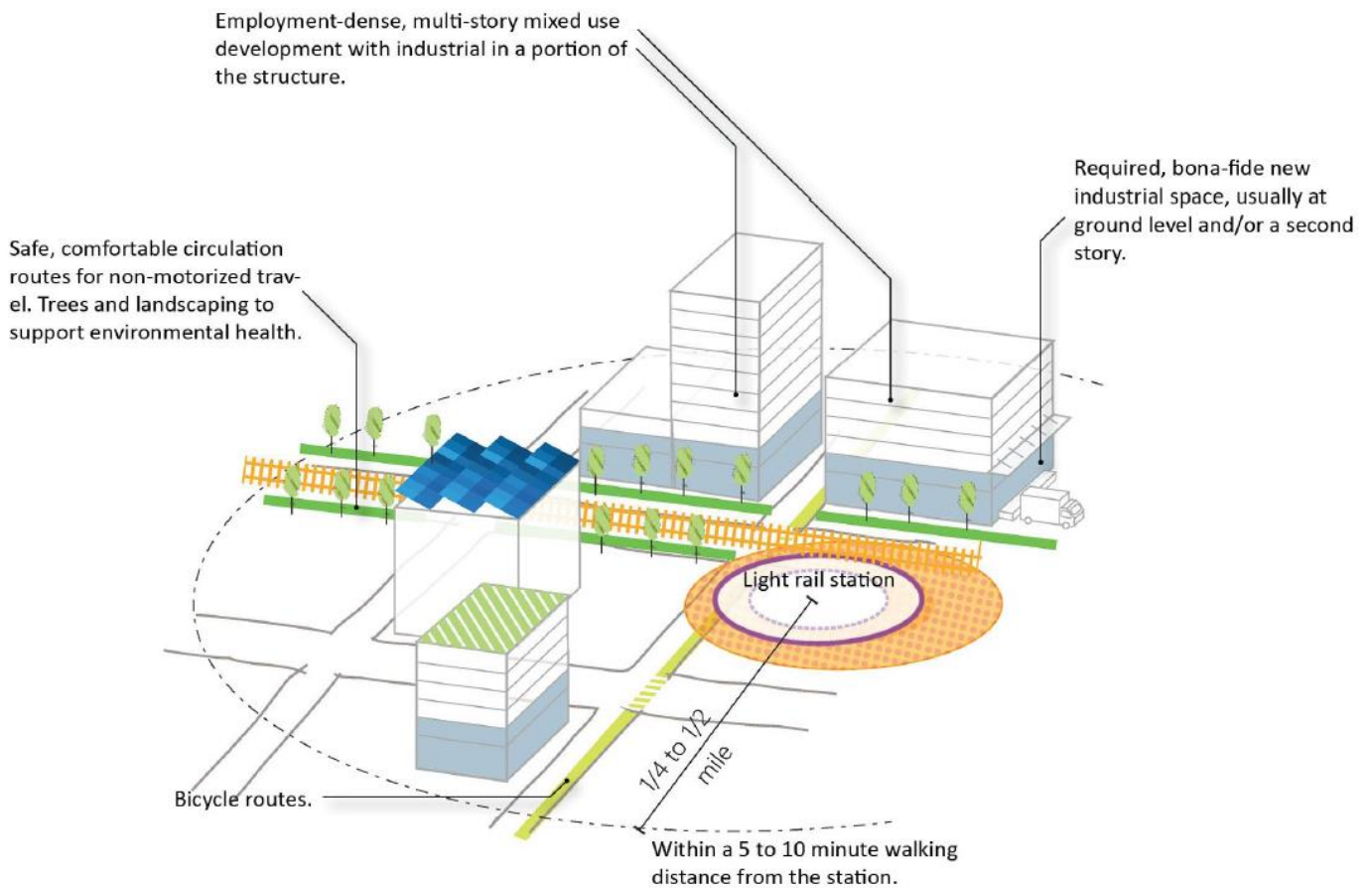
Street Improvement Standards: II development standards would require a much higher level of street improvements with development compared to the existing industrial zones. Developers would be required to provide safe, pedestrian friendly frontages with curb, sidewalks, pedestrian-scaled lighting and improved drainage systems. Additionally, development in the SODO area would be encouraged to improve the frontage of the SODO trail. Existing conditions in the areas are often lacking much of the infrastructure needed to support a pedestrian and bicycle friendly environment.

Mandatory Housing Affordability (MHA): The City's Mandatory Housing Affordability (MHA) program is often applied at the time of upzones. In areas where MHA applies, new development must either include a percentage of affordable homes or make an in-lieu payment to the City's Office of Housing (OH). Currently, no residential units are allowed in Industrial Commercial (IC) zones and no housing would be allowed in the employment-focused Industry and Innovation zone. MHA currently applies to commercial development in IC zones but not to any other industrial zones. MHA would require developers to make an in-lieu payment of \$5 - \$16 per sq. ft. on all developed floor area in the building.

The legislation does not recommend applying the MHA requirement to the proposed II zones (with the exception of the II 85-240 zone where there is already an MHA requirement), because the primary public benefit provided by development in the II zone is the generation of new bona-fide industrial space that will provide quality employment opportunities. Transit oriented development in the areas of II zoning would require substantial upgrades to infrastructure and sometimes it would require environmental remediation—also public benefits. Feasibility analysis finds that for some time development feasibility would be marginal at best. Addition of the cost of MHA could further delay the potential for cleaner, transit-oriented environments in II zoned areas.

Offsite performance: The proposed legislation includes a provision for off-site performance of bona-fide industrial space within the same MIC. Bonus nonindustrial floor area would be gained according to

the same ratio, but the industrial building could be a new stand-alone industrial structure elsewhere in the same MIC, including in the Maritime, Manufacturing and Logistics zone. The intention of including this option is to encourage investment in quality new industrial space throughout the MIC. The off-site performance would have to be in a new structure that is completed before the bonus II zone development.



The diagram is a conceptual depiction of the locational criteria and general intention for the Industry and Innovation zone.



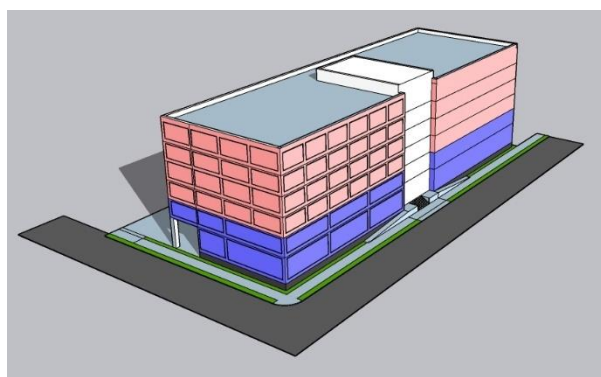
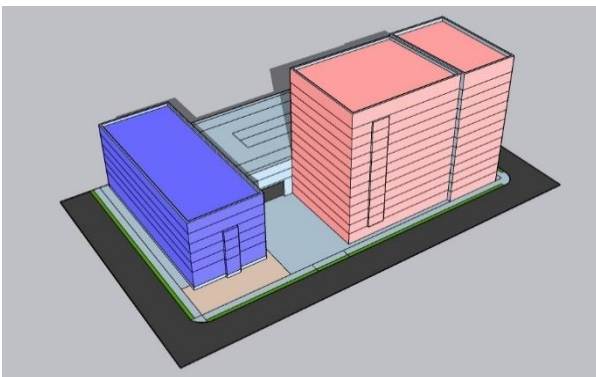
Industry and Innovation (II) Zone

Photo credits City of Seattle except as noted. Top to bottom and left to right. A. Provides space for prototyping activities that are design-oriented but require light industrial space for production and testing. B. Provides space for innovative technology-oriented companies to expand, such as First Mode - a producer of large electrical engines for trucks and industrial equipment located in SODO. (Photo credit Steve Ringman, Seattle Times) C. The West Woodland building is an example of a multi-story light industrial building in Ballard. D. New multi-story light industrial buildings are increasingly possible such as the New York building located in Portland, OR. E. Supports innovative companies that build on expertise and talent in the region such as Pure Watercraft, an electric boat motor company currently based in North Lake Union. (Photo credit: Pure Watercraft company website). F. The zone would be focused within 1/2 mile walking distance of existing or future light rail stations.



This rendering, created by SODO area property owners displays the potential character of development and associated trail and pedestrian improvements near the SODO/Lander St. light rail station. Lower floors of buildings would be occupied by industrial uses and constructed to bona fide industrial space standards.

These models indicate the general scale and composition of potential development in the II zone using the incentive system. Space in purple would be required industrial space, and space in pink would be bonus space. Example A (left) shows two separate structures on a large full-block site, and Example B (right) shows a mixed structure on a moderately sized half-block site.



Urban Industrial (UI)

Function and Purpose: The purpose of the Urban Industrial (UI) zone is to foster vibrant districts that support a mix of local manufacturing, production, arts, and a sense of place. This zone advances the stakeholder strategy of creating healthy transitions between core industrial areas and nonindustrial areas. This is a zone that due to its proximity to nonindustrial areas and businesses could draw customers from adjacent neighborhoods. It includes provisions for safe movement of pedestrians and freight.

Locational Criteria: Urban Industrial (UI) zone designation is most appropriate in areas generally characterized by the following:

- Areas at the transition between core industrial areas in Maritime Manufacturing and Logistics zones and non-industrially zoned areas or urban villages or centers;
- Areas generally within designated Manufacturing/Industrial Centers (MICs), although the UI zone could be located in limited instances outside of MICs.
- Areas in MICs characterized by small parcel sizes and a variety of small existing industrial and non-industrial structures.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Urban Industrial zone is 5%.
- The proportion of land in the Greater Duwamish MIC in the Urban Industrial zone is 4%.

Key Development Standards:

Ancillary Uses. Many of the types of industrial uses that would be found in this zone have a greater proportion of public facing functions than traditional industrial uses. Examples include breweries or distilleries which conduct industrial processes on site but also have tap and tasting rooms that are important components of their business. Traditionally, known as accessory uses, these uses are considered secondary to the primary use and should not generally exceed 50% of the business floor area. In the Urban Industrial zone, these uses will be called Ancillary uses which will be allowed to occupy up to 80% of the floor area if it is subordinate to the industrial use.

Size of Use Limits. Consistent with existing Comprehensive Plan policies to preserve industrial land for industrial uses and the stakeholder strategy to provide stronger protections for industrial land, the size of use limits for nonindustrial uses in the UI zone are stricter than the most comparable existing zone the Industrial Buffer (IB) zone. These size of use limits do not apply to ancillary uses, discussed above.

Use subject to size limits	Maximum Size of Use Limit	
	IB	UI
Animal shelters and kennels	75,000	10,000 sq. ft.
Drinking establishments	N.S.L.	3,000 sq. ft.
Entertainment	75,000 sq. ft.	25,000 sq. ft.
Lodging uses	75,000 sq. ft.	25,000 sq. ft.
Medical services	75,000 sq. ft.	15,000 sq. ft.
Office	100,000 sq. ft.	15,000 sq. ft.
Restaurants	N.S.L	3,000 sq. ft.
Retail sales, major durables	75,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.	7,500 Sq.ft.

Workforce Housing. Small amounts of workforce housing are allowed through a conditional use process. The intent is not to generate significant amounts of housing, but to provide housing that might be affordable to local workers in these industrial areas. Key conditions that must be met to develop workforce housing include:

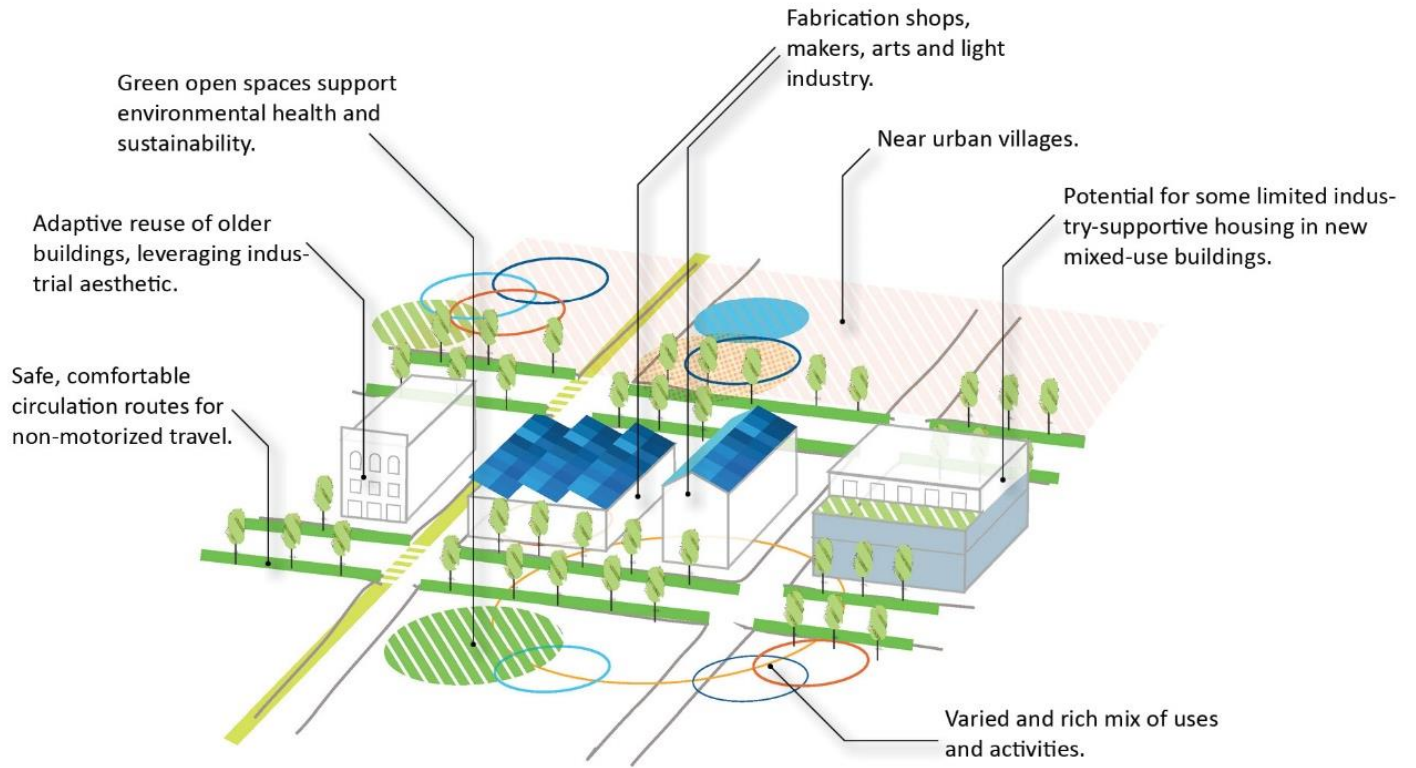
- The number of units may not exceed 50 dwelling units per acre.
- The housing is not located within 200 feet of a shoreline.
- The housing is not located within 200 feet of a major truck street.
- All dwelling units shall have sound-insulating windows sufficient to maintain an interior sound level of 60dB or below.
- The housing shall be located and designed to reduce conflict with adjacent existing industrial businesses.
- The owner must sign an acknowledgement accepting the industrial character of the neighborhood and agree that permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of the land.
- The housing is part of a mixed-use development that includes nonresidential uses permitted in the UI zone and that the residential component does not exceed 50% of the floor area of the mixed-use project.
- The residential uses must be live-work or qualify as caretakers quarters for a business on the same site (no one business may have more than three units); or the units are workforce housing. Workforce housing means they are at an affordable rent or sales price for a period of 75 years to occupants making 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.

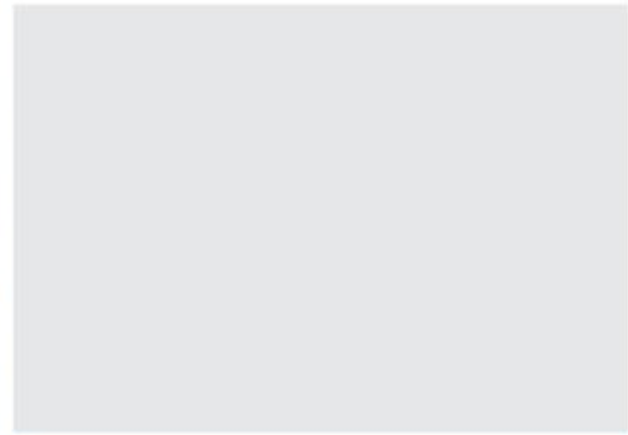
- In total, it is estimated that 880 units of housing would result in the Urban Industrial zoned areas throughout the city over an approximate 20 year time horizon. The industry supportive housing would be located primarily in Georgetown, South Park, the northeast corner of Ballard, and in the Interbay/Dravus area. (See Outcomes and Effects section below.)
- The proposed standards are calibrated to ensure that any housing would be combined in a mixed-use development with other light industrial or other allowed uses. The standards would not produce the type of dense multi-family housing typical in an urban village. For example the 50 DU/acre limit would result in approximately 60-75 apartments on a full city block development, with the remainder of the development containing other uses. Limits are intended to moderate the potential for compatibility impacts with respect to industrial uses, and the potential to create development pressure that could displace industrial uses economically.

Safe pedestrian/freight movement. Urban Industrial zones are expected to see a greater mixing of freight and pedestrian activity. For this reason, as projects are developed in these areas, they will be required to provide full street improvements that are similar to commercial or urban village areas. These improvements include construction of curbs, sidewalks, pedestrian scaled lighting, and planting of street trees for any new project or expansion of 4,000 square feet or greater. These improvements are intended to minimize conflicts between freight and pedestrian movement while providing mobility for both modes. It should also be noted that over the next year OPCD will work with SDOT on developing a street type to be included in Streets Illustrated for this zone that will offer design guidance as projects are developed.

Landscaping Requirements. In addition to new street improvement requirements landscape requirements will enhance the transition from core industrial areas to nonindustrial areas. New landscape requirements expand existing street tree requirements and apply green factor requirements to new projects, and provide for vegetated walls or fences to soften or screen outdoor storage areas.



The diagram is a depiction of the locational criteria, and general intent for the Urban Industrial zone.



Urban Industrial (UI) Zone

All photo credits City of Seattle. A. Urban Industrial zoned areas would contain clusters of brewery and distillery operations and development standards support those uses. B. Equinox Studios is an example of a company that provides a variety of small spaces for makers, artisans, and light industrial uses. C. Maker spaces can fit compatibly into an urban environment. D. The zone standards would seek to improve environmental health with higher requirements for landscaping and pedestrian and bicycle infrastructure. E. Artist and maker spaces close to urban villages provide opportunities for residents to benefit from local businesses.

Industrial Commercial (IC)

The proposal would retain existing development standards of the Chapter 23.50 Industrial Commercial zone. An abbreviated summary is provided here.

Function and Purpose: The purpose of the Industrial Commercial zone is 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. While intended to achieve a broad mix of uses, large office developments have dominated this zone.

Locational Criteria: This proposal would modify the existing locational criteria minimally. Existing locational criteria of 23.34.096 would be retained, however a criterion to limit application of the IC zone to areas outside of Manufacturing Industrial Centers would be added. Existing IC zoned land within MICs would be reclassified into the Industry and Innovation zone.

Key Development Standards:

Maximum Size of Use Limits. The Industrial Commercial zone size of use limits are lax when compared to size of use limits in other industrial zones.

Industrial Commercial Zone Maximum Size of Use Limit	
Use subject to size limits	
Animal shelters and kennels	75,000
Drinking establishments	N.S.L.
Entertainment	75,000 sq. ft.
Lodging uses	75,000 sq. ft.
Medical services	75,000 sq. ft.
Office	100,000 sq. ft.
Restaurants	N.S.L.
Retail sales, major durables	75,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.

Maximum FAR. Maximum Far in IC zones is 2.5.

Height Limits: The maximum structure height for all uses ranges from 30 feet to 85 feet.

New Mixed-Use Zones

New mixed-use zones would be added in several areas as discussed above in the Comprehensive Plan amendments section. Zoning that would be applied is described below. In all cases these zone changes would encourage mixed use development with a substantial amount of housing. Altogether these areas would be estimated to produce approximately 2,000 new homes over a 20-year time period.

South Park. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space. Both of the areas would be changed to a Neighborhood Commercial 3 zone with a 55 foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to other areas of commercial zoning in the commercial and mixed-use parts of the South Park urban village.

Judkins Park. Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be rezoned to a Neighborhood Commercial 3

zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly across of Rainier Ave. S.

West Ballard. Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be rezoned to a Neighborhood Commercial 3 zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly east of the proposed area along Market St.

Georgetown. Land in Georgetown including the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S. would be rezoned to a Neighborhood Commercial 3 zone with a 55-foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to and matches the zoning directly south of the proposed area.

The proposed zoning for Georgetown would include several features to address specific conditions and community preferences in the area. SMC Chapter 23.47A.009 Standards Applicable to Specific Areas would be amended to include a new subsection for Georgetown:

- **Arts space, or community club or center.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if development includes an arts facility operated by a for-profit or not-for-profit operator.
- **Historic preservation.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if the development rehabilitates a historic landmark.
- **Height limit increase.** The height limit is increased by 10 feet for any development that gains additional floor area for arts space, community center, or historic landmark preservation.

Other Zoning Amendments

The proposed legislation to implement the Industrial and Maritime Strategy includes three other proposed amendments to existing ordinances.

Noise Ordinance (SMC 23.08). Seattle's Noise Ordinance contains rules to minimize Seattle residents' exposure to excessive noise. Under the City's noise ordinance we screen commercial projects during plan or permit review for potential permanent and recurring noise issues associated with operating a facility. We require mitigation measures for both temporary and permanent major noise generators.

The noise ordinance:

- Sets limits for exterior sound levels in residential, commercial, and industrial districts.
- Specifies required quiet hours and hours during which construction and maintenance are allowed (see below).
- Establishes guidelines for granting variances from our ordinance.

The noise ordinance establishes dB(A) limits for receiving sites based on the use of the receiving site. In the case of residential receiving sites, for example, noise generated by industrial sources cannot exceed a dB(A) of 60 at receiving residential uses. The use is determined by zone, so residential uses in commercial zones are subject to the noise limit for commercial receiving uses. In the northwest section of the BIMIC residential projects have been developed or are being developed that directly abut core shoreline industrial uses. These residential uses, in commercial mixed-use zones pose challenges to shoreline industrial uses that have existed at this location for decades. The proposed amendment amends the Noise Ordinance to establish a limit of 70 dB(A)(Leq) for sound sources that originate on a property that is in the BINMIC and is within 200 feet of a shoreline for residential and commercial receiving areas.

IC Replacement Ordinance. The IC replacement ordinance removes provisions from the IC zone from the current SMC Chapter 23.50 – Industrial Zoning. Provisions for the IC zone would be included in the proposed Chapter 23.50A. If Council adopts Chapter 23.50A and then subsequently adopts the zoning map ordinance without amendments (discussed below) then it would also repeal the existing Chapter 23.50. If Council chooses to adopt some of the zoning map changes now but hold others until next year following more work with local stakeholders, then Chapter 23.50 would be repealed at the time that final action was taken on the zoning maps.

Zoning Map Ordinance. This ordinance contains map changes only and it would apply the new industrial zones throughout Seattle's industrial lands and apply mixed use commercial zones on some industrial land outside of the MICs or removed from the MICs through the accompanying proposed amendments to the Comprehensive Plan Future Land Use Map. The proposed mapping ordinance addresses all land currently in an industrial zoning designation in the city.

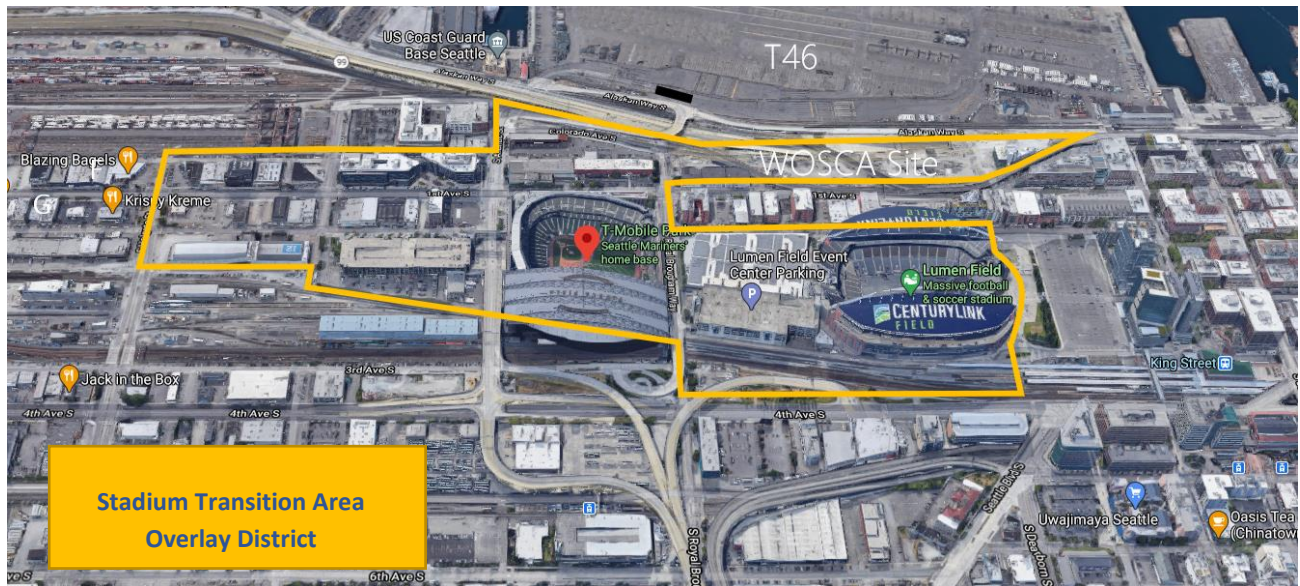
Stadium Area

Conditions near the professional sports stadiums at the north edge of the Duwamish MIC are unique. The existing Land Use Code contains a Stadium Transition Area Overlay District (STAOD). The proposed legislation would retain the STAOD and make several modifications and updates to it to reflect current conditions and aspirations for the stadium area.

Background: In June of 2000 and to address the effects of a new baseball stadium south of the Kingdome, the City of Seattle created the Stadium Transition Area Overlay District in June of 2000 (Seattle Municipal Code (SMC Chapter 23.74), Ordinance 119972). The "Purpose, intent and description of the overlay district" section of the code provides a good summary:

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 connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage

redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.



Stadium District Concept: In 2011 and 2012 the two volunteer public boards that manage the public's investment in T-Mobile Park (baseball) and CenturyLink Field and Event Center (Football and Soccer), together with the professional sports teams the venues host, prepared a Stadium District Concept Plan. The plan was a concept for what the entities believe to be the essential elements of a successful stadium district. The boards noted trends in other cities including Baltimore, Denver, and San Diego, for districts surrounding stadiums that are well-integrated with the stadium and include a wealth of complimentary and vibrant activities and a strong sense of place. The Concept Plan states core values and guiding principles adopted by both boards. It was distributed for public comment and requested to be considered by the city for formal adoption or recognition.

Stadium District stakeholders including the professional sports teams and the boards that oversee the stadiums continue to advocate for a more complete and vibrant stadium district area. They seek to upgrade amenities and experiences for visitors inside of and outside of the stadium facilities. They consider some amount of housing in and near the stadium district as an important component of a vision to create a more complete neighborhood.

Mayor Harrell and the Office of Planning and Community Development support aspects of the stadium district concept. OPCD has prepared past studies considering land use, mobility and placemaking strategies to help the district meet the needs of a wide variety of users, stakeholders, visitors, and businesses. We believe it is in the public interest to explore ways to improve the vibrancy of the area for more than just events, and to consider how activities near the stadiums can help support goals for adjacent neighborhoods. We believe these goals can be achieved while simultaneously strengthening industrial uses in the Duwamish Manufacturing Industrial Center.

Proposed Stadium Transition Area Overlay Updates: The legislation proposes several updates to the STAOD that would support goals and aspirations for a stadium district. The underlying zone for the area

would be the Urban Industrial zone. A district with a variety of small businesses and makers combined with businesses supporting events at the stadiums and entertainment venues would be supported by the UI zone. The proposed legislation includes the following features amending stadium overlay regulations:

- Allow lodging outright:** Currently, lodging (hotels) are prohibited by the overlay. Removing the prohibition would allow a small number of new hotels to be developed in the area. Hotels are appropriate because visitors to events may wish to stay close to the stadiums and therefore the hotel use has a direct linkage to the event activity. Stays close to events support convenient walking to the facilities and may alleviate the need for some car trips.
- Increase FAR Limit to 4.5.** Currently the FAR limit in the STAOD is 3.25. The increase would allow more economical buildout to an urban, 6 story scale corresponding to an 85' height limit. This scale of development would be compatible with surrounding existing structures. A dense mix of uses enabled by the increased FAR would be appropriate.
- Maximum Size of Use Flexibility for Restaurant, Retail and Office Uses.** Compared to the UI zone elsewhere, uses that have a synergy with events would have larger size of use limits as shown in the table below. To encourage the inclusion of light industrial and maker space along with event-related businesses, if a development provides 0.4 FAR of bona fide industrial space it would be exempt from the maximum size of use limit completely.

Maximum size of use limits in the Stadium Transition Area Overlay District Compared to the Urban Industrial Zone Elsewhere		
Uses subject to maximum size limits	STAOD	UI Zone Elsewhere
Animal shelters and kennels	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments	No Limit	3,000 sq. ft.
Entertainment*	25,000 sq. ft.	25,000 sq. ft. (4)
Lodging uses	No Limit	25,000 sq. ft.
Medical services	75,000 sq. ft.	25,000 sq. ft.
Office	75,000 sq. ft.	15,000 sq. ft.
Restaurants	No Limit	3,000 sq. Ft.
Retail sales, major durables	20,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	20,000 sq. ft.	75,000 sq. ft.
Sales and services, general	20,000 sq. ft.	7,500 sq. ft.

In the STAOD the maximum size of use limits shown above would be waived if a development provides at least 0.4 FAR of bona fide industrial use space.

- **Remove Requirement for Design Review.** Currently design review is required in the STAOD, and this is one of the only instances where design review is required in an industrial zone. The legislation proposes to remove the design review requirement to streamline the process for investment in new structures in the STAOD. The proposed development standards include prescriptive design-oriented regulations. Landowners have demonstrated an interest in providing a high-quality visitor-oriented environment. Removal of design review here will also have the effect of freeing up capacity for design review to move quickly for other types of projects.

Housing in the Stadium Area: Allowing housing in the stadium area is a topic of strong and divided opinions. As noted above stadium area stakeholders, and adjacent neighborhood groups in Chinatown/ID and Pioneer Square have advocated for allowing housing to support a more complete neighborhood with activity at hours outside of event times.

OPCD's analysis in the EIS and other studies reviewed the potential for some limited amount of housing in the stadium area overlay district. The Final EIS Preferred Alternative included a limited amount of industry supportive housing in the stadium area, consistent with the recommended approach for the Urban Industrial zone regulations in other parts of the city. (See UI zone section above). We estimated that over a 20-year time horizon a total of 400 – 600 housing units would be generated in the overlay if the UI zone housing provisions were applied. The housing would be in very limited locations. These would be:

- The half-block to the west of the Mariner's parking garage between Occidental Ave. S. and First Ave.;
- The block bounded by S. Holgate St., 1st Ave. S, the rail tracks, and S. Massachusetts St., and the current location of the Van Gogh immersive exhibit; and
- The block west of Dave Niehaus Way S. that contains the Mariners' Hatback Bar & Grill.

Under the proposed UI housing regulations, the housing would have to be combined with other mixed use development and would be clustered on sub-portions of the above mentioned sites. OPCD's independent analysis leads us to believe that some limited amount of housing would be compatible with the surrounding use pattern and would not cause additional adverse impacts on nearby industrial activities outside of the STAOD if carefully implemented. The siting and design of any housing, including the pedestrian environment would be important. Application of the conditional use criteria requiring soundproofing of windows, and tenant acknowledgements of the industrial environment would help mitigate potential negative effects. While stadium district advocates strongly support a housing allowance, it is also the case that no individual property owners are ready at the current time to proceed with a permit application for development that includes housing.

Other major stakeholders including the Port of Seattle and Northwest Seaport Alliance and the International Longshore and Warehouse Union (ILWU) expressed significant concerns about any

housing in the stadium district. Terminal 46 is directly west of the stadium district across highway 99. Concerns include the potential for residents to lodge noise or light and glare complaints against waterfront terminal activities, and the potential for residents moving through the area to increase pedestrian safety obstacles on local streets. These stakeholders also are concerned about the precedent of allowing any new housing in an industrial zone in general proximity to waterfront container port operations. Considerable deference to labor and institutional stakeholders with direct experience with the intricacies involved in the operation of marine terminals is warranted.

In consideration of all these factors and the totality of the information, the proposed legislation does not allow housing in the stadium overlay at this time. A specific provision in the overlay regulations would prohibit any new housing in the STAOD.

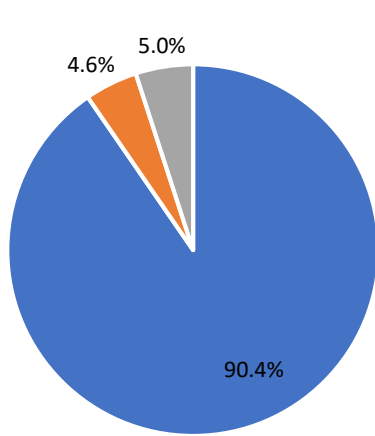
Projected Outcomes and Effects

Overall Zoning and Land Use Changes

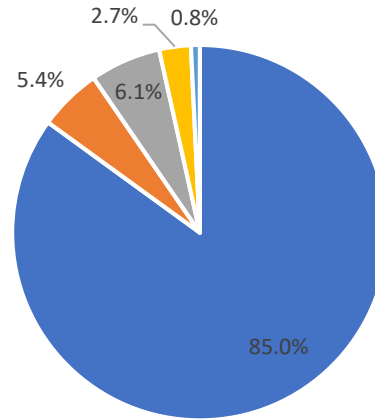
The following summarizes the aggregate effects of the proposed legislation in several key metrics. Additional detail and source studies can be found in the Final EIS and in associated studies prepared during the process to arrive at this proposal.

Zoned Area

The legislation updates zoning wholistically for the City's industrial areas. The graphic below compares the total quantity of zoned land under the City's existing industrial zoning framework as compared to the proposed legislation.



- Industrial General (IG1/IG2)
- Industrial Buffer (IB)
- Industrial Commercial (IC)



- Maritime, Manufacturing and Logistics (MML)
- Urban Industrial (UI)
- Industry and Innovation (II)
- Industrial Commercial (IC)
- Neighborhood Commercial (NC)

Land Use and Activity Patterns

In general, if the proposed legislation is implemented, we project the following shifts.

- Maintenance of the maritime and industrial base.
- Denser employment including new industrial space, near future light rail station in II zoned areas.
- Decreased rate of conversion to stand-alone office and retail uses in MML zoned areas.
- Continued additions of distribution and warehouse facilities.
- Increased development of mixed-use, flex, and light industrial uses in UI zoned areas.
- Introduction of some new industry-supportive housing.
- Additional new housing in areas removed from the Greater Duwamish MIC.
- Stronger Georgetown and South Park neighborhoods

Employment and Economic Effects

The overall amount of employment activity and the general composition is an important outcome.

Total Employment

The City's analysis includes an estimate of the employment projections for an approximate 20-year time horizon with no action, and under the proposed legislation.

Total Employment in Proposal Area		
2019	2044 Projection	
Existing	No Action	Proposed Legislation
98,500	122,000	134,000
Increase:	+ 23,500	+35,500

To put these amounts in context, the City of Seattle is planning for total citywide job growth of 169,500 jobs over the 20-year planning horizon of the One Seattle Comprehensive Plan major update. Projected employment growth of 35,500 would represent roughly 20% of total citywide job growth. This would be a moderate shift of total employment growth compared to past planning horizons into industrial areas.

Industrial Employment

It is also important to consider how much of the employment would be in industrial jobs. Results of the estimation and projections are below.

Changes in Industrial Employment in Proposal Area			
	2019	2044 Projection	
	Estimate	No Action	Proposed Legislation
Total Industrial Employment	54,500	66,400	70,850
Total Share Industrial Employment	55.3%	54.4%	52.8%

Over time, total industrial employment would increase under both the proposed action and with no action; however, under the proposed legislation, the total number is more than it would be without the changes, but the share of industrial employment would drop slightly. This reflects the increase in new bona fide industrial space that would be added under the proposal combined with the denser employment in nonindustrial uses that would also be in TOD areas. Under the proposed legislation we estimate that both MICs would maintain a percentage of industrial employment that exceeds the 50% threshold of the Puget Sound Regional Council's criteria for MIC designation.

Housing

The proposal would result in housing production in two general areas. Most of the housing production would be in new mixed-use areas that would be rezoned from an industrial zone outside of the MIC (Ballard, Judkins Park), or areas removed from MICs where new mixed-use zoning would be applied (Georgetown and South Park). These locations are estimated to yield over 2,000 units of housing as shown in the table below. The City's Mandatory Housing Affordability (MHA) program would apply. The rezones would have an MHA suffix of (M2) in Judkins Park and Ballard and these are MHA medium cost areas, while Georgetown and South Park would have an MHA suffix of (M) and are MHA low-cost areas. Applying general assumptions, the housing is expected to yield about \$19.8M for affordable housing.

A smaller amount of housing would be expected in the Urban Industrial zones within the MIC. This housing would be located in places such as near the Design Center in Georgetown, north of the South Park Urban Village, and in the northeast corner of Ballard. This housing would conform to the limiting criteria for industry-supportive housing in an industrial zone. The housing would either be caretaker quarters / makers studios, or 50% affordable at a workforce level. The total amount of the housing in the Urban Industrial zone is estimated at 880 units. MHA would not apply to these industry-supportive housing units.

In total the proposed action would yield approximately 3,000 new homes that would not be built in the absence of the legislation.

Estimated Additional Housing Units in Proposal Area	
New Mixed-Use Areas	
Ballard	565
Judkins Park	625
Georgetown	570
South Park	295
Subtotal	2,055
Urban Industrial Zones – (Ballard, Georgetown, and South Park)	
Urban Industrial Zones	880
Total	2,935

Environmental Health and Community Development

In addition to the quantifiable metrics that would stem from the proposal there would be several more qualitative outcomes that can be expected.

- **Increased landscaping, greenery, tree planting.** New standards primarily in the Urban Industrial zone would add vegetation in the areas at the transition between core industrial areas and residential neighborhoods over time as development occurs. These features can improve local air quality, reduce urban heat island effects, and generally improve the quality of the experience for those who live or work in the area.
- **Improved walkability and multi-modal connections.** New standards in the Urban Industrial zone and the Industry and Innovation zones would make significant improvements by adding sidewalk, pedestrian lighting, urban storefronts and facades, and trail or bicycle network upgrades. Locations closest to light rail stations especially would be transformed into transit-oriented environments.
- **Improved drainage and preparedness for sea level rise.** New development especially in the Urban Industrial and Industry and Innovation zones would upgrade local

stormwater drainage systems and would be better designed to withstand more frequent flooding and rising sea levels.

- **Improved cohesiveness in the Georgetown neighborhood.** The land use action would link existing residential areas of Georgetown together with a mixed use neighborhood district that includes new housing. The action would provide a more contiguous and legible Georgetown neighborhood area that has been envisioned by residents for a long time.
- **Improved connectedness of the South Park neighborhood to the Duwamish River.** The land use action would better connect the South Park urban village area to the riverfront. Two mixed use areas directly adjacent to open space resources on the River would strengthen the physical, visual, and perceptual linkage between South Park and its waterfront.

Environmental Review

Washington’s State Environmental Policy Act (SEPA) requires environmental review when a city makes changes to land use policies or zoning. OPCD prepared an EIS that analyzed how the proposed changes could affect the built and natural environment in industrial areas and adjacent communities over a 22-year period. This process allows thoughtful implementation of strategies to mitigate any adverse impacts and provides information to the public and policy makers before any decisions are made. A Final EIS on the proposed land use policy and zoning changes was issued on September 29, 2022, and received no appeals. The EIS carefully reviewed for potential adverse impacts of the proposed changes in the following topic areas:

Soils / Geology	Noise	Historic, Archaeological & Cultural Resources
Air Quality & GHG	Light & Glare	Open Space & Recreation
Water Resources	Land & Shoreline	Public Services
Plants & Animals	Housing	Utilities
Contamination	Transportation	Equity & Environmental Justice Considerations

The Draft EIS analyzed four alternatives, to review various ways of implementing the proposed land use concepts to study the best ways to achieve the City’s objectives. This included a No Action Alternative to serve as the baseline for comparison for the potential impacts of the three Action Alternatives. The Final EIS added a Preferred Alternative that responded to extensive community comment and input on the Draft EIS. The FEIS Preferred Alternative is very similar to the contents of this proposed legislation.

The FEIS identified several areas of environmental impact. In most cases the level of adverse impact would be minor or moderate and would be addressed by identified mitigation measures. For several elements of the environmental conditions would improve over time. Potential significant adverse impact related to pedestrian and bicycle safety was identified and should be an area of focus corresponding with implementation of this proposed land use legislation. (See Appendix A). Environmental review consistent with State SEPA regulations is complete, and the City Council may act on the proposed legislation.

Future Considerations

Future steps to fully implement the Industrial and Maritime Strategy include implementation of non-land use strategies, updating the Manufacturing and Industrial Centers Plans, and fine-tuning application of the new industrial zones.

Implementation of other Strategies

The Stakeholder recommendations include the following strategies that aren't directly related to land use:

- **Transportation.** Improve the movement of people and goods to make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

Implementation actions for this strategy will require coordination across agencies including SDOT, WSDOT, Sound Transit and Metro. Currently SDOT is developing the Seattle Transportation Plan which can advance the recommended transportation strategy through its work with the freight community to assess needs, opportunities, and new vision for the safe movement of freight, people, and goods through Seattle industrial areas. OPCD will work with SDOT over the next year to develop street concepts for the new Industry and Innovation and Urban Industrial zones as they update Streets Illustrated.

- **Workforce Development.** Implementation of workforce development strategies are being led by the Office of Economic Development and its partners through a variety of programs. These programs include:
 - Partnership with Seattle Maritime Academy and at least one BIPOC led CBO.
 - WA Maritime Blue Youth Maritime Collaborative
 - "Port Jobs", training in aerospace for incumbent workers at SEA
 - "Mass Timber" institute, in development with stakeholders

These efforts place an emphasis on promoting opportunities for BIPOC youth and young adults to access missing middle jobs to address City's affordability crisis. Other workforce development efforts locally are being led by Port of Seattle in partnership with WA Maritime Blue, Polytech, and Urban League.

Updated Centers Plans

Seattle's two Manufacturing Industrial Centers, the BINMIC and the Greater Duwamish MIC are designated as such by the Puget Sound Regional Council. This designation is valuable in part because that designation increases their competitiveness for federal transportation funding. By 2025 the City will need to recertify the MIC designations for both areas. This proposal, if adopted, satisfies several critical criteria for MIC redesignation – more than 75% of land is in a core industrial zone and more than 50% of employment is in industrial jobs. As part of recertification, the City will need to update the Centers Plans for both MICs by 2025. These plans establish local goals and policies addressing transportation, economic development, environment, and other areas as determined through the planning process. OPCD anticipates working with stakeholders in both MICs to update these plans over the course of 2024.

Fine Tune Zoning

The proposed legislation offers the City Council a choice regarding timing of implementation of the new industrial zoning framework. City Council could choose to rezone all industrial land with the new zones established by the proposed Chapter 23.50A or retain the existing zoning in select locations pending further community engagement. Community engagement would occur through the Centers planning process, discussed above, and would result in a second set of rezone recommendations in 2024. The proposed rezone legislation currently rezones all industrial land and its adoption would require no further action to implement the new land use framework. In considering the rezone legislation City Council may:

- Adopt the rezone legislation in its entirety and repeal the existing Chapter 23.50 as it would no longer have application to any land in Seattle; or
- Adopt most of the rezone legislation and refine application of the new zones over the next year through the Centers Planning process. In this case, Council should retain Chapter 23.50 for a period to allow for existing zones to continue to exist in select locations until a final round of rezones occurs in 2024.

Director's Recommendation

The OPCD Director makes the following findings based on the information contained in this report and related studies about the expected outcomes from the proposed policy and zoning changes over an approximate 20-year period.

The proposed action would advance the City towards the objectives stated in the Executive Summary, which are focused on strengthening economic development and resilience, improving access to employment opportunity, and improving environmental health.

All required environmental review is complete. Many environmental conditions would improve if the action is adopted and any minor adverse impacts would be considerably outweighed by the public benefits of approving the proposal.

The proposed action is based on extensive public process and stakeholder input that occurred over multiple years. Based on public and stakeholder input, the proposal represents a balancing of varied perspectives and interests.

Approval of the action would provide predictability about the City's industrial lands policy and would resolve debates that led to inaction after previous efforts.

The action would be consistent with all regional and local policies governing Manufacturing Industrial Centers.

Therefore, the OPCD Director recommends that City Council approve the five linked ordinances described in this report to implement components of the Industrial and Maritime Strategy.

Appendices List

The following documents are attached as appendices.

- A. Environmental Impact Statement Summary Folio
- B. Non-Industrial Development Analysis



SEATTLE CITY COUNCIL
CENTRAL STAFF

Industrial Maritime Strategy

LISH WHITSON, LEGISLATIVE ANALYST

LAND USE COMMITTEE

MAY 15, 2023

Legislation

CB 120568 2023 Comprehensive Plan amendments

CB 120567 Land Use Code text amendments

New Industrial chapter 23.50A

New zones: Maritime, Manufacturing, Logistics;
Industrial Innovation; Urban Industrial

CB 120569 Zoning map changes

CB 120571 Noise ordinance amendments

CB 120570 Relocating Industrial Commercial code

Industrial and Maritime Strategies

- Environmental justice and climate action
- Stronger protections for industrially zoned land
- High-density industrial development
- Healthy transitional areas near urban villages
- No new residential uses
- Georgetown and South Park neighborhood goals
- Master planning for WOSCA and Armory sites

CB 120568 – Comprehensive Plan Amendments

- Sets policy basis for new zoning regulations, including three new zones
- Changes boundaries of Duwamish Manufacturing/Industrial Center in Georgetown and South Park and removes industrial designation in Judkins Park
- Restricts future changes to industrial areas
 - *If adopted, Council should update its Comp Plan docketing resolution (Resolution 31807) to reflect this new policy*
 - *Amend rezone criteria to reflect this direction?*

CB 120567 – Land Use Code Text Amendments

II zone FAR bonuses

- Code defines Information Computer Technology (ICT) as an industrial use that is incentivized in the II zone. The bonus for ICT space is lower than that provided for the creation of space for other industrial uses.
 - *Will this dilute the ability of the bonus program to create space for traditional industry?*
 - *What happens if an ICT business wants to move into a space built for other industrial uses?*

CB 120567 – Land Use Code Text Amendments

FAR increases for commercial uses

- Bill increases the maximum floor area ratio (FAR) in the Urban Industrial and Industrial Innovation zones.

Urban Industrial: from 2.5 to 3 or 4.5, primarily for ancillary uses

Industrial Innovation: from 2.5 or 2.75 to 4.5 to 6.5, coupled with incentives for on-site or off-site industrial development, mass timber, and preservation of vulnerable masonry structures

- *Should Mandatory Housing Affordability requirements apply to commercial floor area?*

CB 120567 – Land Use Code Text Amendments

Housing in and near industrial areas

- Housing would be allowed in and near industrial areas through rezones to non-industrial zones and in the UI zone
- The UI zone and Georgetown include noise attenuation requirements for new dwelling units
 - *Should noise attenuation requirements apply more broadly?*
 - *Are there other requirements that could reduce environmental impacts of living near industrial uses? Tree requirements? Require air conditioning?*

CB 120571 – Noise Ordinance amendments

- Allows higher noise levels in residential and commercial areas near BINMIC shorelines
 - *Consider noise attenuation in new development near the BINMIC shoreline?*

Council Amendments

- Need to make sure that the bills are internally consistent – amendments to the Land Use Code bill or rezones may have impacts on the Comprehensive Plan and vice versa
- Need to be consistent with regional criteria for MICs
- Need to be within the range of alternatives studied in the FEIS
- Rezones must be consistent with rezone criteria

May 11, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Industrial Maritime Legislation

On Monday, May 15, the Land Use Committee will continue its discussion of legislation intended to update and modernize the City of Seattle’s industrial land use policies and regulations. The Committee will hear from the Seattle Planning Commission and Central Staff on issues for Council consideration they have identified in the legislation. The five bills¹ to implement the Seattle Industrial and Maritime Land Use Strategy are:

[CB 120568](#) The 2023 Comprehensive Plan amendment ordinance. This bill amends the Land Use element of the Comprehensive Plan to add new goals and update the policies related to industrial areas. The Future Land Use Map and other maps in the plan are amended to remove industrial designations from areas near South Park, Georgetown, and Judkins Park. All future industrial land use decisions would need to be consistent with these policies.

[CB 120567](#) Land Use Code amendments to implement the changes in the Comprehensive Plan Ordinance. This bill creates a new Seattle Municipal Code (SMC) Chapter 23.50A in the Land Use Code, which includes zoning provisions for three new industrial zones: Maritime, Manufacturing, and Logistics (MML); Industrial Innovation (II); and Urban Industrial (UI). The bill also incorporates the existing Industrial Commercial (IC) zone into Chapter 23.50A.

[CB 120569](#) Zoning Map amendments to rezone industrial areas from the existing industrial zoning designations to the new industrial zones created by CB 120567. The map amendments also rezone limited areas in Ballard, South Park, Georgetown, and Judkins Park from industrial to commercial and multifamily zoning districts.

[CB 120571](#) Noise code amendments to allow for higher noise levels in commercial and multifamily districts near the Ballard shoreline.

[CB 120570](#) Land Use code amendments to remove provisions related to the Industrial Commercial zone from the existing industrial Chapter 23.50. If CB 120567 is adopted, this bill should be adopted alongside it.

¹ For more detail regarding the content of each of these bills, please see the Office of Planning and Community Development’s [Director’s Report](#) on the package of bills, and their [presentation](#) at the May 10 Land Use Committee meeting.

This memorandum provides a description of industrial land use policy in Seattle and identifies a few issues for Councilmembers to consider to further mitigate the impacts of the proposed legislation.

Industrial and Maritime Uses and Land Use Policy

Industrial and maritime land uses are characterized by unique needs and impacts that have led them to be separated from other uses, particularly residential uses. Industrial uses generally include:

- Maritime: water-dependent businesses including shipping and fishing;
- Manufacturing: the production of goods;
- Logistics: the movement and storage of things;
- Support: wholesale businesses and industries like construction that support activities in throughout Seattle and region; and
- Utility and public uses: when similar to the activities above, or not appropriate in other areas, for example bus bases (similar to logistics) and the Port of Seattle (supporting maritime activities).

These uses all need large, generally flat parcels, with streets wide enough to accommodate the movement of large vehicles. Many of these uses require access to regional, national, or international transportation facilities, such as ports, interstate highways, rail lines, or airports.

These uses serve important roles in the city's and region's economy. They often provide pay family wage union jobs that are available to workers without college degrees. And they help to support businesses throughout the region. However, often, they are not able to economically compete with residential, retail and offices for the amount of space they need in other parts of the city.

These uses often have impacts that make them poor neighbors to residences and other types of businesses. Industrial processes can include higher-than-normal levels of noise, light and glare, vibrations, odors, or pollutants. Industrial land often is contaminated and needs to be remediated before it is safe for residents. Streets in industrial areas are designed to facilitate truck movement and the street network in these areas often has incomplete pedestrian and bicycle facilities. The trucks and trains required to carry both raw materials and finished goods to and from industrial businesses are more dangerous to pedestrians, bicyclists, and other vulnerable people.

People living near industrial areas on average have shorter lives and worse health outcomes than people living farther from the industrial areas.² These impacts are felt most strongly by low-income and Black, indigenous, and people of color (BIPOC) communities along the Duwamish River. In the words of the Duwamish River Community Coalition:

The Duwamish Valley neighbors are exposed to multiple environmental justice concerns and include a high percentage of susceptible or vulnerable populations. In addition, they have historically lacked access to, and influence on, decision-makers that shape the future of their communities as other, more affluent, communities in the region have.³

Many of Seattle's industrial areas are in areas with environmental constraints. The Duwamish River valley and the south end of Interbay are among the areas most likely to be inundated as sea levels rise. Flooding occurs along the Duwamish and impacts both nearby residents and businesses. Much of Seattle's industrial-zoned land is located on historic landfills, both formal and informal and is subject to liquefaction during earthquakes. The waterways that run through and serve the industrial areas are also critical habitat for fish and other aquatic creatures.

Because of these benefits, challenges, and impacts, the City and the region have identified Manufacturing/Industrial Centers (MICs) as areas where industrial uses are the preferred uses, and where residential uses are generally prohibited. Seattle has two MICs: the Greater Duwamish MIC and the Ballard-Interbay-Northend MIC (BINMIC).

The MICs are designated at the regional, county and city level. They must comply with requirements in the Puget Sound Regional Council's (PSRC) [Vision 2050](#) plan. This includes [review](#) by PSRC's Growth Management Policy Board of major changes to the boundaries of these centers,⁴ and [requirements](#) for plans for the centers. Because of updated requirements from the PSRC, the City must update its industrial policies.

² See for example the 2013 Health Impact Assessment for the Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site prepared by the University of Washington School of Public Health ([Health Impact Assessment: Duwamish Cleanup Plan | Environmental & Occupational Health Sciences \(washington.edu\)](#)) which found that residents of the 98108 zip code, had an average life expectancy at birth that was 8 years lower than the City average (73.3 years vs. 81.5 years), and had a childhood asthma hospitalization rate that was 130% higher than King County as a whole. This data is mirrored in other studies, see for example: [Residential Proximity to Environmental Hazards and Adverse Health Outcomes - PMC \(nih.gov\)](#).

³ From [Why is our work important? — Duwamish River Community Coalition \(drcc.org\)](#), accessed May 9, 2023. As of 2021, the population of Census tract 112, containing South Park, was 29% foreign-born, 25 percent Latino, and more than 66 percent people of color, including Asian, Pacific Islander, Hispanic, African American, and Native American. In that census tract, 35 percent of children and 22 percent of adults were in households with incomes below the poverty level. Fourteen percent of residents had no health insurance coverage. (American Community Survey, 2016-2021).

⁴ A major change is defined as more than 10% of the area of a center.

The proposed bills respond to these requirements, but more directly respond to the [recommendations](#) of the Industrial and Maritime Strategy Council released in 2021. In particular, the bills respond to Strategies 4 through 10:

Investment Strategies

* * *

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.
6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.
7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.
8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).
9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

* * *

Issues for Council Consideration

The proposed package of bills is intended to balance competing interests regarding the future of industrial lands in Seattle. It generally implements the strategies recommended by the Industrial and Maritime Strategy Council. However, Central Staff has identified a few issues that Councilmembers may want to consider as they weigh this legislation.

CB 120568 Comprehensive Plan Amendments

Topic	Discussion
<p><i>Restriction on changes to industrial areas</i></p> <p>The Comprehensive Plan amendment ordinance includes a new policy limiting changes to industrial areas to 1) major updates to the Comprehensive Plan or 2) a City-sponsored planning process.</p> <p>A separate policy would provide specific direction regarding future changes to two State-owned properties: the Washington National Guard Armory in Interbay, and the WOSCA site in SODO.</p>	<p>Resolution 31807 lays out the City’s process and criteria for considering changes to the Comprehensive Plan. If these amendments are adopted, the Council should update the Resolution to reflect the direction provided by these new policies. The Council may also want to consider adding a restriction on future changes to industrial areas in the rezone criteria in the Land Use Code, Chapter 23.34, which guide site-specific rezones.</p>

CB 120567 Chapter 23.50A

Topic	Discussion
<p>FAR increases for Commercial uses</p> <p>The proposed bill would significantly increase the amount of permitted FAR for non-industrial uses in the UI and II zones.</p> <p>In the UI zone, commercial uses that are ancillary to an industrial use are allowed to occupy up to 80 percent of a structure with no maximum size limit, with a maximum FAR limit of 3 or 4.5, up from the 2.5 FAR limit in the existing Industrial Buffer (IB) zone.</p> <p>The II-85 zone would have a maximum FAR limit of 4.5, the II-125 zone would have a maximum FAR limit of 5.75, and the II-160 zone would have a maximum FAR limit of 6.5 FAR. There would be no maximum size limit for commercial uses in these zones that are part of a project that participates in the bonus program. The II zone would generally replace General Industrial (IG) and Industrial Commercial (IC) zones that have FAR limits of 2.5 and 2.75, respectively.</p>	<p>Should these FAR increases be coupled with requirements for participation in Mandatory Housing Affordability program for commercial uses as has been the case with other significant upzones? For the UI zone, generally these commercial uses would need to be ancillary to an industrial use. For the II zone, the commercial uses would need to participate in the II bonus program and be part of a project that supports the creation of new industrial space.</p>

Topic	Discussion
<p>II Zone <u>FAR bonuses</u> The II zone would implement strategy 6 by allowing higher density office development through a Floor Area Ratio (FAR) bonus program.</p> <p>In the II-85 zone, in order to achieve the maximum FAR of 4.5, the project would need to provide on- or off-site industrial spaces.</p> <p>In the II-125 and II-160 zones, in order to achieve the maximum FAR of 5.75 or 6.5 FAR, projects would need to (1) provide on- or off-site industrial uses; and (2) either use mass-timber construction or acquire transferrable development rights from a vulnerable masonry structure.</p>	<p>Strategy 6 describes this approach as “creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.” The proposed bill would allow these industrial uses to be located off-site if they are within the same MIC.</p> <p>The proposed bill classifies Information Computer Technology (ICT) as an industrial use in the II zone only. A project could qualify for the bonus by only providing office space for the technology sector. Under height limit provisions that allow for unlimited height for structures in industrial use in II zones, no height limit would apply to such a structure, unless it were under a flight path.</p> <p>ICT uses can easily be accommodated in office space in other parts of the city and do not have the same space needs or impacts as other industrial uses. The effect of this approach may be to reduce the effectiveness of the II bonus in terms of creating new space for more intensive industrial uses that are not appropriate in other parts of the City.</p> <p>The proposed bill provides different bonus ratios for ICT uses compared to other industrial uses. Projects providing ICT space would be granted four additional square feet of non-industrial space for each square foot of ICT space, and five square feet for each for each square foot of non-ICT industrial space. The proposed code is not clear regarding what would occur if an ICT use seeks to move into to a space that was built with the non-ICT industrial space bonus.</p>

Topic	Discussion
<p>Housing in and near Industrial zones</p> <p>The proposed bills increase housing in and near industrial zones in two ways: (1) by allowing housing as a conditional use in UI zones, and (2) by rezoning some industrial areas to commercial or multifamily zones. Because of the impacts residential and industrial uses can have on each other, these changes should be considered carefully.</p> <p>Some of the conditions that maintain the industrial character of the UI zone include:</p> <ul style="list-style-type: none"> • Limiting residential uses to 50 percent of a project; • Limiting residential density to 50 dwelling units per acre; • Prohibiting multifamily uses within 200 feet of designated major truck streets and shorelines; • Restricting the residential use to live/work units, caretakers’ quarters, or affordable units;⁵ and • Requiring statements that owners and residents acknowledge that the housing is in an industrial area and accepting the character of the neighborhood. <p>Future residents in these units would be protected from impacts from industrial activity by requiring the installation of sound-insulating windows and landscaping requirements that would newly be applied to these districts.</p> <p>A similar requirement for noise attenuation is placed on property in Georgetown that is being rezoned from industrial to Neighborhood Commercial in Georgetown. It is not applied in other areas where similar rezones are proposed.</p>	<p>If Councilmembers want to further limit the impacts of harmful industrial uses and industrial activity on future residents in these areas, there are additional requirements they could add:</p> <ul style="list-style-type: none"> • Limiting housing near rail yards, interstates, and airports, all of which can have significant air quality, noise and vibration impacts on nearby residences; • Requiring noise attenuation for future housing units in all of these areas; • Requiring air conditioning and non-operable windows in future housing units to improve indoor air quality; • Increasing landscaping and tree requirements in the MML zone, which has limited street tree requirements and no landscaping requirements; • Requiring new industrial buildings to be set back from lot lines that are shared with all zones where residential development is permitted; • Prohibiting high impact uses near zones where residential uses are permitted; or • Requiring sidewalks be built alongside new construction near areas where residential uses are permitted.

⁵ A minimum of 50 percent of units in the project would need to be affordable at the following levels depending on the number of bedrooms: Small Efficiency Dwelling Units (SEDUs) – 60 percent of area median income (AMI); studio and one-bedroom units – 80 percent AMI; two or more bedroom units – 90 percent AMI.

CB 120571 Noise Code

Topic	Discussion
This bill would allow for higher noise levels in residential and commercial zones near the BINMIC shoreline than are permitted in other residential and commercial areas.	The impacts of this bill on new housing could be mitigated by requiring the type of noise attenuation that is proposed to be required in Georgetown in residential and commercial areas near the BINMIC shoreline, such as the western section of the Ballard Urban Village.

Key Considerations for Amendments

As Councilmembers consider amendments, please keep in mind constraints on Council changes that are embedded in the Washington State Growth Management Act (GMA), State Environmental Policy Act (SEPA), and the City’s land use regulations.

Under the GMA, land use bills must be consistent with the policies of Seattle’s Comprehensive Plan. Before proposing an amendment to the land use code amendment ordinance or rezone ordinance, please consider whether the change will be consistent with the Comprehensive Plan policies related to industrial lands. In addition to the policies included in CB 120568, there are additional goals and policies for each of the MICs that should be considered. Other policies throughout the plan may also constrain the Council’s policy choices.

In addition, the GMA requires consistency between local and regional plans. As regionally-designated centers, the City’s MICs must follow the policies for Manufacturing and Industrial Centers contained in PSRC’s Vision 2050 and King County’s Countywide Planning Policies. Amendments that would conflict with those policies should not be adopted.

The Office of Planning and Community Development (OPCD) has published an [environmental impact statement](#) (EIS) that analyzed the impacts of this proposal. Under SEPA, the Council may not consider changes to the proposal that have not been analyzed. This means that if a Councilmember wants to propose an amendment that is outside the range of alternatives studied under the EIS, additional environmental review may be required prior to Council action on the final bill. We will work with you to help identify the level of review that may be required depending on how much the amendment differs from the alternatives and potential mitigation measures studied under the FEIS.

Finally, SMC 23.34.007 states that all rezones must be guided by rezone criteria contained in SMC Chapter 23.34. The criteria in that chapter are weighed and balanced and should be considered by the Council in considering any changes zoning designations, including height limits. This Chapter is proposed to be amended by CB 120567, and the Council should consider the new criteria in that bill alongside existing criteria in Chapter 23.34.

Next Steps

Chair Strauss has requested that Councilmembers send their ideas for potential amendments to me by the end of the day Wednesday, May 17. I will compile a summary of proposed amendments to be published on May 22 so that members of the public will have a sense of the range of changes that Councilmembers are considering prior to May 24th public hearing. The Committee will consider amendments and may vote on the legislation at a special meeting scheduled for the week of June 5.

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

May 22, 2023

MEMORANDUM

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

On Wednesday, May 24, the Land Use Committee will hold a public hearing on 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.

Attached to this memorandum is the preliminary list of potential amendments that Councilmembers are considering proposing to the legislation. These amendments are preliminary concepts that may change based on public feedback and additional review.

Following the public hearing, we will prepare amendatory language for the Land Use Committee to consider at a special meeting on June 8.

Attachments:

1. Potential amendments to the Industrial and Maritime Strategy legislation

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

Attachment 1 – Table of Amendments to Industrial Maritime Strategy

#	Potential Amendment	Sponsor
1	Technical Amendments	Strauss
2	Change the required ground floor load bearing in industrial space in II zones from 250 lbs/sq ft to 125 lbs/sq ft	Strauss
3	Require Mandatory Housing Affordability (MHA) for commercial development in the Industrial Innovation (II) zone	Morales
4	Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone	Strauss
5	Increase the residential density limit in the Urban Industrial (UI) zone along the Wallingford waterfront	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
9	Allow an additional 10 feet of height in the Georgetown Live-Work district along 4th Avenue S	Strauss
10	Rezone the block at Leary Way and Dock Street to General Commercial 2 (C2) or other non-industrial zone	Strauss
11	Rezone the block at the northwest corner of Leary Way 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) and rezone to Lowrise (LR)	Strauss
13	Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 or LR3	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	Morales



Legislation Text

File #: CB 120571, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

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

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

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle’s industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing

safety for all travel modes;

- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021 the Industrial and Maritime Strategy Council issued a report recommending 11 strategies to advance the guiding principles of the Council; and

WHEREAS, land use issues are addressed in six of the 11 strategies; and

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development (OPCD) issued a Determination of Significance and initiated a SEPA scoping period to seek public comment on four distinct land use alternatives each based on a new industrial land policy framework reflective of the Strategy Council’s recommendations and received one-hundred and five comments; and

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

WHEREAS, OPCD held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022 OPCD issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended by the Industrial and Maritime Strategy Council and were studied in the Industrial and Maritime

Strategy Environmental Impact Statement and includes an ordinance amending Seattle’s Comprehensive Plan to create a new land use policy framework, an amendment to the Seattle Municipal Code to establish new industrial zones and development standards consistent with the proposed Comprehensive Plan Policies, an ordinance to remove the provision of the Industrial Commercial zone from the existing Seattle Municipal Code Chapter 23.50, an ordinance amending Title 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing Center, and an ordinance to apply the proposed new zones to land in Seattle’s industrial areas; and

WHEREAS, Ballard stakeholders raised the issue of the challenges of continuing to operate on industrial shorelines in the Ballard Interbay North Manufacturing Industrial Center caused by encroachment of nonindustrial uses; and

WHEREAS, there are no industrial land use conflicts caused by encroaching nonindustrial land uses on other industrial shorelines; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 25.08.100 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

25.08.100 Districts

"District" means the land use zones to which the provisions of this Chapter 25.08 are applied. For the purposes of this Chapter 25.08:

- A. "Residential District" includes zones defined as residential zones and NC1 zones in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.
- B. "Commercial District" includes zones designated as NC2, NC3, SM, SM-SLU, SM-D, SM-NR, C1, C2, DOC1, DOC2, DRC, DMC, PSM, IDM, DH1, DH2, PMM, ~~((and))~~ IB, and UI in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.
- C. "Industrial District" includes zones designated as IG1, IG2, MML, II, and IC in ~~((the Land Use Code~~

of the City of Seattle,)) Title 23.

D. For any zone not listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C, the Administrator may determine that the zone is substantially similar to a zone listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C and may classify it similarly for purposes of this ((chapter)) Chapter 25.08.

Section 2. Section 25.08.410 of the Seattle Municipal Code, last amended by Ordinance 122923, is amended as follows:

25.08.410 Exterior sound level limits((-))

A. The exterior sound level limits are based on the Leq during the measurement interval, using a minimum measurement interval of ((+)) one minute for a constant sound source, or a one-hour measurement for a non-continuous sound source. For sound sources located within the City, the exterior sound level limits are as ((follows)) shown in Table A for 25.08.410:

((Exterior sound level limits))

Table A for 25.08.410 Exterior sound level limits			
District of ((Sound Source) sound source	District of ((Receiving Property)) receiving property		
	Residential (dB (A)) (Leq)	Commercial (dB(A)) (Leq)	Industrial (dB(A)) (Leq)
Residential	55	57	60
Commercial	57	60	65
Industrial	60 ¹	65 ¹	70
Footnote for Table A for 25.08.410 ¹ Except the sound level limit from a sound source that originates on Interbay Northend Manufacturing and Industrial Center (BINMIC) and is within 200 feet of a shoreline is residential and commercial receiving property districts.			

B. During a measurement interval, Lmax may exceed the exterior sound level limits shown in subsection 25.08.410.A by no more than 15 dB(A).

Section 3. This ordinance shall take effect and be in force: 90 days after its approval or unsigned and

returned by the Mayor; 90 days after the City Council's reconsidered passage after its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105 days after its passage by the City Council.

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

President _____ of the City Council

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

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

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

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to noise in industrial shorelines; amending sections 25.08.100 and 25.08.410 of the Seattle Municipal Code to modify exterior sound limits for land in the Ballard Interbay Northend Manufacturing Industrial Center located within 200 feet of the shoreline.

Summary and Background of the Legislation: This proposal is a result of work conducted in developing the Industrial and Maritime Strategy. The purpose of the legislation is to reduce land use conflicts where new residential development is encroaching on maritime industrial activity in the Ballard Interbay Northend Manufacturing and Industrial Center (BINMIC). This ordinance raises the exterior sound limit for residential uses from activity taking place within 200 feet of the shoreline within the BINMIC. The legislation will be effective 90 days after enactment.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term, or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?
No.

4. OTHER IMPLICATIONS

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

Yes. This legislation affects the Seattle Department of Construction and Inspections (SDCI) as it is the department responsible for enforcing Section 25.08 of the Seattle Municipal Code.

b. Is a public hearing required for this legislation?

Yes.

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

Yes.

d. Does this legislation affect a piece of property?

This proposed ordinance complements the other four pieces of legislation that together establish a new land use framework for industrial land in the City of Seattle. This specific legislation reduces the burden placed on industrial businesses in complying with the City's noise ordinance due to encroaching residential development in the BINMIC.

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

This ordinance will contribute to the viability of industrial maritime businesses in the BINMIC. These businesses are a source of good quality jobs accessible without a college education. Supporting the viability of these businesses, coupled with other efforts of the City to connect BIPOC youth to these career opportunities, may improve economic outcomes for vulnerable or historically disadvantaged communities.

f. Climate Change Implications

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

Emissions will not be materially impacted by this noise ordinance; however, OPCD prepared an EIS for the industrial and maritime proposal which found that due to the combination of existing requirements for industrial operating permits from the Puget Sound Clean Air Agency—and ongoing requirements for improvements in vehicle emissions control, fuel economy, technology improvements, and overall fuel mix—local emissions under the proposal will be lower than existing conditions over a 20-year time frame.

Maritime activities and their impact on the Puget Sound air shed, including the MICs, would continue similarly as they would today. With existing and planned regulatory requirements and local infrastructure improvements, these maritime emissions are expected to decrease over the next twenty years, even if cargo volumes and cruise ship visits increase.

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

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

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

This is not applicable to land use proposals.



Seattle

Seattle Industrial & Maritime Strategy Director's Report and Recommendation

March
2023



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Executive Summary

Following a multi-year planning process that consisted of extensive stakeholder engagement, neighborhood outreach, research and analysis, and an Environmental Impact Statement, we are pleased to transmit 5 ordinances that together implement major components of the Mayor's Industrial and Maritime Strategy.

Seattle's industrial and maritime policies are more than 35-years old, and during that time, the trends and technologies impacting industrial and maritime users have experienced significant change. To reflect those changes as part of a comprehensive strategy to strengthen and grow Seattle's industrial and maritime sectors for the future, we are recommending a holistic update of our industrial and maritime policies and zoning. Debates around industrial lands have spanned decades, and therefore the adoption of this legislation will be a major milestone. This action proactively addresses industrial lands as an early component of the Comprehensive Plan major update, allowing the One Seattle Planning process to focus on other pressing topics such as expansion of housing supply.

We believe the legislation will spur progress towards the following objectives:

- Increase the quantity of living wage jobs generated from industrial lands.
- Improve environmental health for people who live or work in or near industrial areas.
- Provide long-term predictability to stakeholders that will support renewed investment.
- Promote mutually reinforcing mixes of activities at the transitions between industrial areas and urban villages or residential neighborhoods.
- Support industrially compatible employment dense transit-oriented development at existing and future high-capacity transit stations.
- Increase access to workforce and affordable housing for employees in industrial and maritime sectors.
- Position Seattle's industrial areas to respond competitively to new processes and practices.
- Ensure available and adequate locations for components of regional and statewide supply chains and regional economic clusters.
- Increase space for prototyping, entrepreneurship, and business incubation.
- Strengthen economic resiliency with the capacity to produce products locally and ensure stable distribution networks.

A brief description of the five ordinance that make up this action is below:

1. An ordinance amending the Comprehensive Plan to establish an updated vision in revised text policies for industrial land use. This ordinance amends the Future Land Use Map (FLUM) to change map designations in the Ballard and Judkins Park areas from an industrial land use designation to a mixed-use land use designation. The ordinance amends the FLUM to change the boundaries of the Manufacturing and Industrial Centers to remove parts of Georgetown and South Park.
2. An ordinance creating a new Chapter 23.50A in the Seattle Municipal Code that establishes three new industrial zones and sets out development regulations for those

zones. This ordinance amends the commercial Chapter 23.47A adding new provisions for areas of Neighborhood Commercial zoning that will be applied to the Georgetown neighborhood. It amends other sections of the Land Use Code that are related to establishing the new Chapter 23.50A.

3. An ordinance removing provisions for the Industrial Commercial zone from existing Chapter 23.50 and relocating them to the new Chapter 23.50A. The Industrial Commercial zone remains a useful and relevant zone in line with proposed policies for some areas and therefore will be relocated to new Chapter 23.50A.
4. An ordinance applying the new industrial zone classifications to the official zone map.
5. An ordinance amending the City's noise ordinance to address challenges to ongoing industrial activity in the shoreline areas of the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) that are experiencing encroachment from nonindustrial activity.

Current zoning regulations for industrial areas found in SMC Chapter 23.50 will coexist with the proposed new SMC 23.50A, if adopted, for a period. OPCD proposes to retain, for approximately one year, the existing Chapter 23.50 industrial zones in parallel with the new Chapter 23.50A, so City Council may elect to retain existing zoning in locations that need further review before the new suite of industrial zones can be applied. Once mapping is complete, OPCD expects to prepare legislation that would repeal Chapter 23.50.

In the remainder of this Director's Report and Recommendation we provide: background on the Industrial Maritime Strategy, the process to arrive at this recommendation, a discussion of how the ordinances implement the strategy, and an overview of the technical aspects of the proposed Comprehensive Plan and zoning code changes.

Background

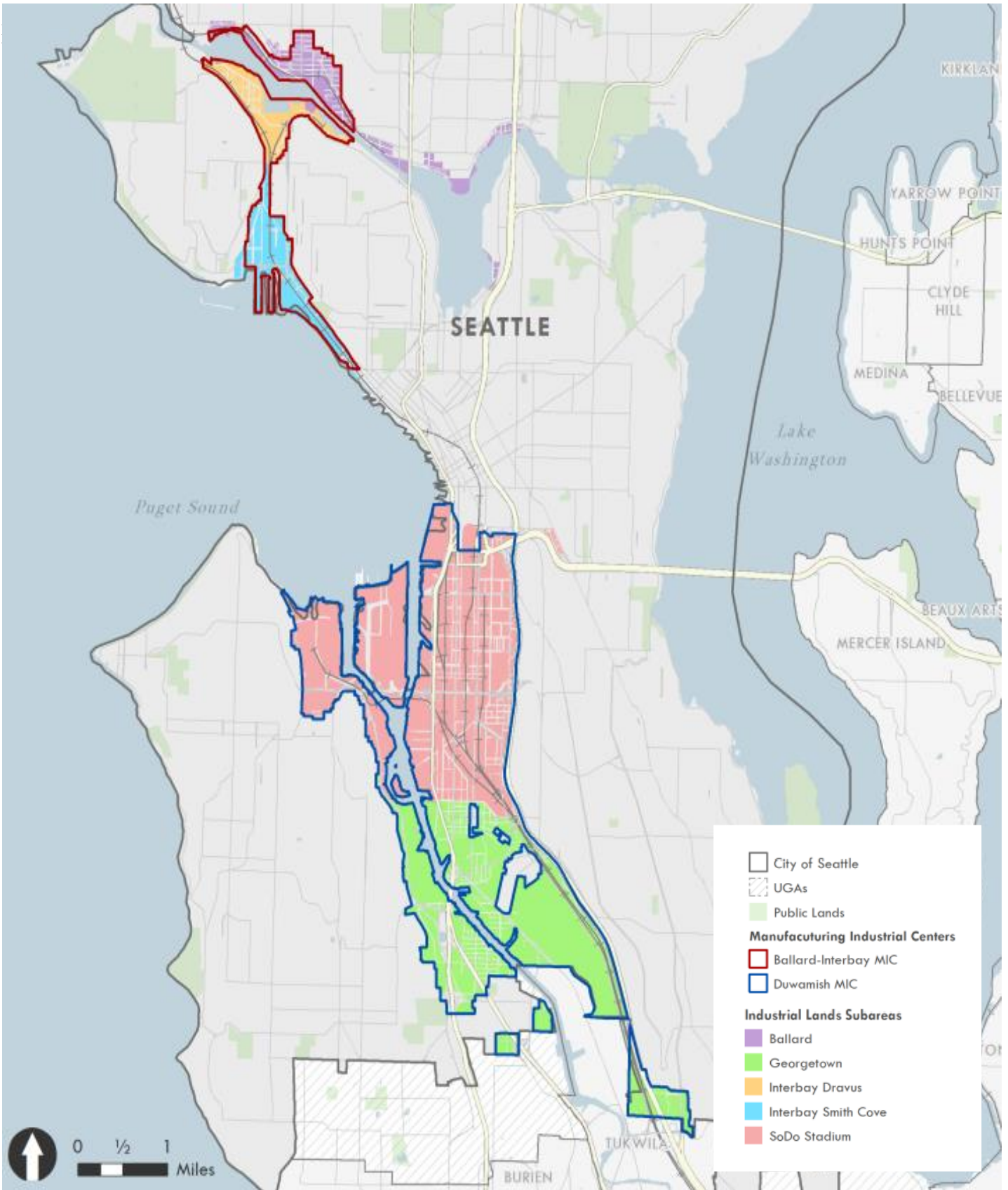
Most industrial land in Seattle is located within two Manufacturing Industrial Centers (MIC). Seattle's Greater Duwamish Manufacturing and Industrial Center (MIC) and the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC) contain about 12 percent of Seattle's total land area. MICs are regional designations and are defined in the City's Comprehensive Plan as home to the city's thriving industrial businesses. There are only 11 MICs in the Puget Sound region, and they are important resources for retaining and attracting jobs and for a diversified economy. As regionally-designated Centers MICs are eligible to receive federal transportation funding through allocations by the Puget Sound Regional Council (PSRC).

Subareas within MICs with more local identities are commonly understood by community members. Subareas are considered for the purposes of analysis and local planning. A few small areas of existing industrial zoning located outside of MICs in locations such as along North Lake Union and in Judkins Park, are also a part of this action.

Seattle industrial areas employment is about 100,000, representing roughly 15% of total employment in the City. Historically, Seattle's industrial lands have captured about 6-11% of the city's employment growth. Although narratives suggest declines in industrial jobs, Seattle's industrial area employment grew at a compound annual rate of about 1.6% between 2010 and 2018. Some sectors like food-and-beverage production grew even faster, while maritime and logistics had slow and steady growth, and only aerospace and manufacturing sectors saw minor declines. (Seattle Maritime and Industrial Employment Trends. Community Attributes Inc., 2020)

Industrial and maritime jobs provide pathways to stable careers that are accessible to a broad swath of community members. Nearly two thirds of all jobs in industrial sectors are accessible without a traditional four-year college degree, and more than half of all jobs in the maritime sector are available with no formal education. Wages are competitive, with average annual earnings exceeding 70% of the Area Median Income for salaries in the construction, aerospace/aviation, and logistics sectors. A high number of jobs in logistics, maritime and manufacturing sectors remain unionized and provide high quality benefits. (Industrial Lands Employment Analysis Technical Memo. Community Attributes Inc., 2020)

While there is a lack of data to fully demonstrate the demographics of the industrial and maritime workforce, the available data does show that the largest geographic concentration for Seattle residents of workers on industrial lands are in southwest Seattle with an overall distribution across the region.



This map shows the area affected by the proposed legislation and subareas that are considered for the purposes of analysis and local planning.

Process

Industrial and Maritime Strategy Advisory Council

In 2019 the City convened an Industrial and Maritime Strategy Advisory Council to chart a blueprint for the future of industrial land in Seattle with a focus on providing equitable access to high-quality, family-wage jobs and entrepreneurship opportunities. The Advisory Council included representation from citywide stakeholders and stakeholders from four neighborhood subareas for: Ballard, Interbay, SODO/Stadium District, Georgetown/South Park. The groups represented a diverse range of interests including maritime and industrial businesses, labor, residents of adjacent neighborhoods, developers, a City Council member, and industry groups.

The Industrial and Maritime Strategy Council process lasted more than a year and a half and included various phases and levels of dialogue. The timeline below summarizes major steps. These steps were supplemented with individual outreach and dialogue between members of the strategy council, city staff, and the facilitator.

- November 2019. Project kickoff and guiding principles
- February 2020. Discuss policy alternatives and background data
- March-May 2020. Break due to COVID-19
- June 2020. Reconvene with a focus on a greater emphasis on equity and recovery
- Fall, 2020. Restorative economics training, BIPOC youth engagement
- November 2020. Listening session
- December 2020. Discuss detailed policy tables, written comments
- March 2021. Regroup and strategy framework
- April / May 2021. Strategy workshops and straw poll voting
- May 27, 2021. Final consensus recommended strategies

In May 2021 the Advisory Council recommended 11 broad strategy statements, which are shown on the following page. The consensus represented approval votes by over 85% of voting advisory group members on the package. Due to the significant amount of negotiation, dialogue and collaborative effort that went into reaching consensus, we emphasize in this report how closely the proposed legislation follows the consensus recommendations.

Investment Strategies

1. Workforce Investments to Support Access to Opportunity for BIPOC, Youth, and Women: Create, expand, and support initiatives that increase access to opportunity and economic prosperity for Black, Indigenous, and People of Color, youth, and women through manufacturing, maritime, and logistics careers.

2. Public Safety Partnership to Support Maritime and Industrial Areas: Work closely with local business and community organizations to develop and implement a proactive public safety response to elevated levels of crime within maritime and industrial lands.

3. Transportation Priorities to Improve the Movement of People and Goods: Improve the movement of people and goods and make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals.

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

11. Ongoing Stewardship Entities to Champion this Vision: Identify and grow ongoing stewardship entities with a complete range of stakeholders to champion the vision of the Industrial and Maritime Strategy, ensure its long-term implementation, and develop appropriate assessment metrics to help guide future policy decisions. In different neighborhoods, this could be an existing organization with a modified charter and/or a new organization.

This table is from the June 2021 Industrial and Maritime Strategy Advisory Council Report.

Other Focused Engagement

The relative accessibility and competitive wages provided by jobs in industrial and maritime sectors present the opportunity to benefit BIPOC community, women, and youth. The Strategy Council strongly recommended specific and proactive measures to ensure access and opportunities to a higher proportion of industrial and maritime sector jobs by BIPOC and women than it has ever had before. The City directly consulted over 116 BIPOC youth to share their lived experiences about exposure to industrial and maritime sectors.

The take-aways from the youth engagement include the youth describing a general lack of awareness of industrial and maritime careers and that youth were surprised by the diversity and number of careers and the higher wages within the maritime, manufacturing, and logistics sectors. We also heard that a clear stigma against career and technical education exists and that career decisions of youth are most influenced by their parents, as opposed to their teachers and counselors. Finally, we heard youth emphasize that environmentally friendly employers are important to their career decisions.

Environmental Impact Statement (EIS) Process

OPCD initiated an EIS process in July of 2021 to study the possible effects of implementing land use changes. The process provided community with meaningful opportunities to shape the proposal. The draft EIS included four alternatives, and the City extended the initial 45-day comment period to 60 days allowing more time for review and held public engagement events during the comment period. The City conducted a series of meetings with South Park and Georgetown community members in neighborhood locations and included comments from these communities through an additional extension to April 15, 2022. A final EIS was issued in September of 2022 that contains a Preferred Alternative. The Final EIS Preferred Alternative reflected substantial input from community, and analysis was supplemented in response to comments. (Findings from the environmental review are summarized later in this Director's Report, and in Appendix A.)



Online and Social Media Engagement

OPCD used social media and online tools to communicate directly to the public about policy issues and to increase general awareness of industrial and maritime land use issues. OPCD produced a series of video profiles highlighting industrial businesses, including woman and minority owned businesses. OPCD also highlighted news stories and articles on industrial and maritime strategy topics. The purpose

was to build community member awareness of industrial lands policy issues so more people could weigh in on proposals in a more informed way.

Other Engagement with Stakeholder Groups

In addition to formal engagement channels and meetings OPCD staff conducted regular check-ins with individuals and stakeholder groups who would be most affected by the proposed legislation. These meetings continued following completion of the Final EIS and during the formulation of this proposed legislation. Input by stakeholder groups helped to improve and refine proposed development standards. Meetings included dialogue with:

- Ballard brewers
- Ballard area property owners
- Georgetown Community Council
- Duwamish River Community Coalition
- Port of Seattle / Northwest Seaport Alliance
- Maritime labor organizations
- Service sector labor organizations
- Construction sector labor organizations
- Professional sports stadium boards
- Industrial trade groups
- Seattle Planning Commission
- Others

Implementation of the Consensus Strategies

Below we describe the direct connection between the consensus recommendations and components of the proposed land use legislation.

Consensus Strategy 5—Stronger Protections for Industrially Zoned Land:
Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.

Competition for industrial land from nonindustrial uses destabilizes the vitality of industrial districts by introducing land use conflicts and driving speculative pressures that results in the displacement of industrial activity. Industrial land is priced lower than land for commercial and residential activity. Although Seattle's proximity to a deep-water port, rail and freight infrastructure, and a large workforce are locational advantages for some industrial uses, others can easily relocate to outlying areas free of land use conflicts at a price competitive or better than they can find in Seattle.

As a broader range of uses locates in industrial districts, land values rise meaning only those higher-value uses can afford to locate in these areas. This can be seen in Ballard where numerous grocery stores have displaced industrial businesses in the BINMIC, or where destination retail has been developed on land off West Armory Way in Interbay.

On a regular basis the City receives applications to remove land from our industrial areas for nonindustrial development resulting in a lack of predictability by industrial users contemplating investment/reinvestment in Seattle's industrial areas. The package of zoning amendments and Comprehensive Plan Amendments contains three specific provisions to strengthen protections for industrial land consistent with stakeholder recommendations:

- **Limit Annual Comprehensive Plan Amendments:** Removal of land from a Manufacturing Industrial Center (MIC) for non-industrial development requires an amendment to the City's Comprehensive Plan. Amendments to the City's Comprehensive Plan can occur in two ways – the annual amendment process and the major update process. The City can amend its Comprehensive Plan once a year through an annual amendment process. This process allows the public the opportunity to submit amendment proposals that are then considered by the City Council.

The proposed legislation includes new Comprehensive Plan text policy 10.3 stating the city will not consider proposals for removal of land from a MIC designation except as a part of a comprehensive plan major update or a City led study. The major update to the

Comprehensive Plan occurs every 8-10 years. Limiting Comprehensive Plan amendments to major updates will lessen speculative pressure on industrial land by sending a clear market signal that removal of land from MICs will not happen frequently. This limitation also has the benefit of allowing the City to fully review changes to land in the MICs within the overall context of the City's industrial land needs.

- **Tighten Zoning Code Loopholes:** The proposed legislation would reduce existing size of use limits on nonindustrial (i.e., retail and office uses) and apply a new Floor Area Ratio limit of 0.4 for nonindustrial uses in the Maritime Manufacturing and Logistics zone. These changes will have the practical effect of discouraging new development of box retail stores, or standalone office buildings in the new industrial zones.
- **Prohibit Mini-Storage:** Like retail and commercial uses, mini-storage developments can pay a higher price for land than industrial users. While currently permitted, this use, unlike warehouses or storage yards for logistics businesses in MICs, does not support industrial activity and has little employment benefit. This proposal would prohibit new ministorage uses in all industrial zones.

Consensus Strategy 6— High Density Industrial Development: Encourage modern industrial development that supports high density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.

Seattle's Manufacturing and Industrial Centers are the proposed location of up to five future Sound Transit light rail stations. Traditionally, land use policy around light rail stations seeks to leverage these generational investments with transit-oriented development characterized by a mix of residential and employment uses. Stakeholders evaluated how best to accommodate these stations while contributing to the continuing strength of Seattle's industrial areas and recommended a strategy that leverages these transit investments with high-density employment characterized by a mix of modern industrial space supported by a range of office and other commercial uses. The proposed amendments would create a new Industry and Innovation (II) zone that encourages new development in multi-story buildings that accommodates industrial businesses, mixed with other dense employment uses such as research, design, offices and technology. Precedents for the sort of flexible mixing of industrial and non-industrial uses that are envisioned in this proposal exist in Seattle and peer cities, including Portland, OR, New York City, and Vancouver BC.

Consensus Strategy 7— Healthy Transitional Areas near Urban Villages:

Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.

- Transitions between industrial and nonindustrial zones in Seattle are currently managed through the application of the industrial buffer zone. The Stakeholder group, which included community representatives from South Park, Georgetown, and Ballard combined with supplemental outreach to the South Park and Georgetown communities identified four key challenges in these transitional areas:
 - 1.) Affordable spaces for small-scale manufacturers, entrepreneurs and artists are scarce.
 - 2.) Active transportation modes like walking and biking that best facilitate residents' access to local producers are vulnerable to conflicts with freight movement when public infrastructure is inappropriately designed.
 - 3.) Entrepreneurs and small manufacturers struggle to find affordable homes near their jobs.
 - 4.) High – impact industrial uses close to nonresidential areas result in unhealthy impacts to these communities, particularly in South Park and Georgetown.
- The proposed legislation would create a new zone, the Urban Industrial (UI) Zone, that addresses these challenges. The proposed Urban Industrial zone increases pedestrian safety and facilitates freight movement by requiring street improvements that include curbs, sidewalks, pedestrian scale lighting, and street trees for new buildings or expansions. Workforce housing needs are partially addressed through allowances for small amounts of workforce housing permitted as a conditional use. It should be noted that resolving the issue of housing scarcity and affordability for workers in industrial areas will not be solved by using industrial land for significant amounts of housing (see discussion below).

Consensus Strategy 8—No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).

Current land use policy prohibits new housing in industrial areas with very minor allowances for artist studio, caretakers quarters, or housing that predated the City's industrial land use policy. These

limitations are in place because large concentrations of housing in industrial areas results in land use conflicts that compromise the economic viability of industrial areas and encourages speculative pressure to use industrial land for nonindustrial uses. Residents living in industrial areas are also sometimes exposed to impacts from industrial activity including light, noise, aesthetic impacts of outdoor storage.

For these reasons the City has traditionally prohibited housing development in industrial zones. Policies discouraging housing in industrial areas are consistent with the King County Countywide Planning Policies, and the Puget Sound Regional Council policies for designating Manufacturing and Industrial Centers.

This proposal retains the general policy of limiting new residential uses on industrial land with limited adjustments to allow some new housing opportunities to support artists, makers, or industry supportive housing. The proposal also includes some areas outside of MICs where industrial zoning would be replaced by new mixed-use zones.

**Consensus Strategy 9 – Georgetown and South Park Neighborhood Goals:
Remove a few small, focused locations from industrial zoning in
Georgetown and South Park and convert them to mixed use zoning to
achieve neighborhood goals.**

The proposed Comprehensive Plan amendments include amendments to the Comprehensive Plan Future Land Use Map. Two of these amendments advance goals of the Georgetown and South Park communities consistent with the stakeholder recommendations. Both Georgetown and South Park experience impacts from adjacent industrial areas. The Georgetown community has a goal of becoming a more complete neighborhood similar to an urban village. The South Park community has a goal of increasing environmental health and making a better connection of residential communities to the Duwamish River.

Consensus Strategy 10 - Master Planning for WOSCA and Armory Sites:
Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

The Washington National Guard Armory (Armory) site currently owned by the State of Washington is home to a National Guard readiness center. The site, however, consists primarily of fill material and is subject to severe liquefaction in the event of a major earthquake. The national guard is seeking relocation and the state will explore reuse of this site to partially finance the Guard's relocation. The State commissioned a study to evaluate alternative redevelopment scenarios including a residential/commercial, a residential/industrial, and an industrial alternative and passed enabling legislation in 2022 for a public development authority to facilitate relocation. To date the PDA is not yet formed.

The Armory site is approximately 25 acres in size and is zoned Industrial General 1 and is within the boundaries of the BINMIC. The Armory site represents an important redevelopment opportunity, not just because of its size and proximity to industrial infrastructure such as freight corridors and proximity to port facilities (T91 and Fisherman's Terminal), but also because of its proximity to potential future light rail stations that are within walking distance of the site. These factors combined (size, location, access to light rail) and the fact that it is under single ownership mean that redevelopment could advance the goals of the Industrial and Maritime Strategy in significant ways.

The Washington-Oregon Shippers Cooperative Association (WOSCA) site is currently owned by the Washington State Department of Transportation (WSDOT) and was used for construction and staging for SR99 replacement. The site is at the north end of the Greater Duwamish MIC, adjacent to Terminal 46 (T46) to the west and 1st Avenue to the east. The site will either be redeveloped or surplus by the State. The WOSCA site is approximately 4.2 acres in size and is currently zoned Industrial Commercial and within the Duwamish MIC.

The proposed legislation includes a new Comprehensive Plan policy that calls explicitly for detailed site-specific master planning of these two important publicly-owned properties, before major redevelopment with uses other than traditional industrial uses. (See discussion below).

Comprehensive Plan Policy Amendments

Comprehensive Plan amendments implementing the industrial maritime strategy include amendments to text policies to set a framework for the updated industrial zones, Future Land Use Map (FLUM) amendments to enable zoning changes, and other text policy changes to address specific aspects of the strategy. Specifically, the proposed Comprehensive Plan amendments include:

1. Two new goals – one that supports dense development around high-capacity transit stations and one that supports building healthier transitions between industrial and adjacent residential areas.
2. Policies that will transition the City to a new land use framework that will guide future development around transit stations, support emerging industries and trends, and protect and support the City's legacy industries and maritime sector that rely on location specific infrastructure (Port facilities, rail, freight routes).
3. A new policy that limits any FLUM amendment that takes land out of a Manufacturing Industrial Center (MIC) to either be adopted as part of a major update to the City's comprehensive plan or as the result of a comprehensive city-led study of industrial lands that evaluates changes to industrial land designations within the context of the overall policy objectives for and supply of the City's industrial land in MICs.
4. A new policy that signals the City's intent to consider any changes in land use on the Washington State National Guard Armory in Ballard Interbay Northend MIC (BINMIC) or the WOSCA site in the Greater Duwamish MIC (MIC) through a master planning process for redevelopment of these sites.

New Land Use Goal Statements

Two new Land Use goal statements are added to provide updated guidance and guide the City's overall approach to industrial land.

- | | |
|----------|--|
| LU G10.1 | Support compact, employment-dense nodes, where emerging industries can locate in formats that require greater flexibility in the range of on-site uses and activities and are more compact than traditional industrial operations. |
| LU G10.2 | Develop transitions between industrial areas and adjacent neighborhoods that support healthy communities, reduce adverse environmental impacts, and minimize land use conflicts. |

Proposed LU G10.1 is a recognition that changing conditions and emerging trends requires a new approach to industrial development in key locations. Changing conditions include future development of up to 5 Sound Transit light rail stations in the Manufacturing Industrial Centers. Emerging industrial trends point to a future where there will be greater demand for a broad range of design, research and development, and office type uses related to industrial sectors that can locate in multi-story buildings.

Proposed LU G10.2 recognizes that neighborhoods near industrial areas experience impacts from industrial activity that other neighborhoods do not. This goal represents the idea that better transitions between residential areas and industrial areas are necessary to equitably balance the right to a healthy community while simultaneously maintaining the City's support for its industrial areas. The goal pivots away from a mindset of buffering and separation, and towards a symbiotic relationship at the transition between neighborhoods and industrial areas.

Updated Industrial Zoning Framework

The proposed amendments include policies to establish a vision for an updated industrial land use framework. These text policies describe the intent and rationale for new zone classifications. In the near term, these policy changes are additive to existing policies about industrial land use, and do not create any inconsistencies with existing industrial land use policies.

LU 10.7 Use the following industrial zoning classifications for industrial land in Manufacturing Industrial Centers:

- **Maritime, Manufacturing and Logistics:** This zone would be intended to support the city's maritime, manufacturing, logistics and other established or legacy industrial clusters. Areas that have significant industrial activity, accessibility to major industrial infrastructure investments, or locational needs (Port facilities, shipyards, freight rail, and shoreline access) may be considered for the maritime, manufacturing, and logistics zone.
- **Industry and Innovation:** This zone would be intended to promote employment dense nodes where emerging industries can locate and leverage investments in high-capacity transit. These industrial transit-oriented districts may be characterized by emerging industries and high-density industrial employment that combine a greater mix of production, research and design, and office uses found in multi-story buildings, compared to traditional industrial activities. Areas in MICs that are generally within one-half mile of high-capacity transit stations may be considered for the industry and innovation zone.
- **Urban Industrial Zone:** This designation would be intended to encourage a vibrant mix of uses and relatively affordable, small-scale industrial, makers, and arts spaces. Areas located at transitions from industrial to commercial and residential areas traditionally zoned for buffer purposes may be considered for the urban industrial zone.

In general, the Maritime, Manufacturing and Logistics (MML) Zone consolidates the existing IG1 and IG2 zones and affords industrial activity in this zone stronger policy protections and supports maritime industrial cluster industries and legacy industries.

In most instances, the Industry and Innovation (II) Zone replaces the existing Industrial-Commercial (IC) zone and in some cases Industrial Buffer (IB) zone. The zone would be applied in some additional locations close to frequent transit. This zone is intended to leverage major transit investments to create employment-dense transit oriented industrial nodes. This zone allows multi-story buildings with a greater mix of production, research and design, and office uses than is present in traditional industrial operations through an incentive structure to ensure high density employment. This zone will be located

within proximities of .5 miles of a high-capacity transit station and have limited parking. The following proposed new policies provide guidance for this zone concept:

- LU 10.19 In the industry and innovation zone, consider development regulations that are compatible with employment-dense transit-oriented development. Seek to establish minimum density standards to ensure employment density at a level necessary to leverage transit investments.
- LU 10.20 In the Industry and Innovation zone, consider development standards for designated industrial portions of buildings that require development that meets the needs of industrial businesses including load-bearing floors, freight elevators, and adequate freight facilities.
- LU 10.21 In the industry and innovation zone, consider an incentive system whereby new development may access increased development capacity by including designated space for industrial uses within the structure.

In most cases, the Urban Industrial (UI) zone replaces the existing IB zone and/or portions of the IC zone. This zone provides stronger transitional areas between industrial areas and urban villages or other mixed-use neighborhoods. These areas have seen an increase in patronage from adjacent neighborhoods, with existing or potential businesses that draw from adjacent residential areas such as tasting rooms and retail showrooms. Establishing an industrial zone that supports this activity provides opportunities for small scale manufacturers, entrepreneurs, and artists to create a transitional area that is compatible with industrial activity and adjacent neighborhoods. The following proposed policies provide guidance for the new zone:

- LU 10.23 In the urban industrial zone, consider allowing a range of ancillary non-industrial uses. Recognize that industrial businesses in this zone have a need for ample space for such uses as tasting rooms and retail facilities that directly support the industrial activity of the business.
- LU 10.24 In the urban industrial zone, consider establishing buffer standards to ease the transition from industrial areas to urban villages and other non-industrial parts of Seattle.

Stronger Policy Protection for Industrial Land

In recent years, several annual amendment proposals have sought to remove land from manufacturing industrial centers. Industrial land is finite in supply and consideration of any one proposal to remove land from an MIC should occur through a comprehensive review of the city's industrial land use needs. The proposed Comprehensive Plan amendments include a new policy to establish higher thresholds for when such an amendment can be considered. This policy will send a clear market signal that will deter the type of speculation that deters investments in industrial activity.

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

Interbay Armory and the WOSCA site

The proposed amendments include a policy to establish the City's preferred approach to future redevelopment of these sites that are both within designated Manufacturing Industrial Centers.

- LU 10.25 Recognize the unique development opportunities that the Washington National Guard Armory in the BINMIC and the WOSCA site in the Duwamish MIC represent. Work with the State of Washington or other future owners of these sites to develop a comprehensive industrial redevelopment plan that maximizes public benefits and reflects its location within a manufacturing / industrial center. This plan should include features such as green infrastructure, district energy and waste management programs, and workforce equity commitments.

Future Land Use Map (FLUM) Amendments

This proposal includes FLUM amendments that affect land use in four different neighborhoods. In two cases land is being removed from the Greater Duwamish MIC and redesignated for mixed-use commercial development and in the other two cases land outside of either of the MICs that is currently designated for industrial use is being reclassified to mixed use commercial.

Land in Georgetown will be removed from the Greater Duwamish MIC and designated as mixed-use commercial. The area removed includes the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S.

Land in South Park will be removed from the MIC and designated as Residential Urban Village. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space.

Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be redesignated from industrial to mixed use commercial. The area is very close to the Judkins Park light rail station, and contains few remaining industrial uses.

Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be redesignated from industrial to mixed use commercial. The strip of land is adjacent to significant mixed-use development along NW Market Street and contains few remaining industrial uses.

New Industrial Zones

The proposed ordinance creates a new SMC Chapter 23.50A that establishes three new industrial zones consistent with the strategies discussed above. The new Chapter 23.50A also retains provisions for the Industrial Commercial Zone. The summary below focuses on the key aspects that control development and on topics where the zones would differ from the existing industrial zoning framework.

Structural Changes That Apply to All New Industrial Zones

New Industrial / Nonindustrial Use Identification. To clarify uses that are “industrial” or “non-industrial” a new column in the allowable uses table would indicate whether each use (i.e. Light Manufacturing, General Retail etc.) qualifies as industrial. The industrial classification is used for the purposes of determining base (industrial) and bonus (non-industrial) development in the Industry and Innovation zone, and for determining principal industrial uses in the Urban Industrial zone.

New Information and Computer Technology (ICT) definition. A new use definition would be added to SMC Chapter 23.84A definitions. It would distinguish a subset of uses from within the broad office category that would isolate knowledge creation and innovation activities related to technology and computing. Uses in this new category are expected to provide a high proportion of basic economic activity according to economic base theory. The new definition distinguishes ICT uses from other office uses that are in service of the local economy such as accounting offices, law offices, real estate offices, etc. ICT use would be given special consideration in the proposed Industry and Innovation zone.

Prohibit Mini Storage Warehouses: In recent years, mini storage facilities have been an increasingly common use in industrial areas. Mini storage is different from warehouses and distribution centers that are part of logistics chains and support industrial and maritime sectors. Mini storage facilities are for private storage that is unrelated to industrial activity. In addition, these facilities have very low employment but can pay a higher price for industrial land. Under the proposal, mini storage would not be an allowed use in any industrial zone.

Non-Conforming Use Provisions: The new zoning framework adjusts development standards including stricter maximum size of use limits, and an incentive system for nonindustrial development in the Industry and Innovation zoned areas. Some existing businesses may not fully conform to the new standards. To provide broad leeway for existing uses to continue, a new non-conforming to development standards subsection is included in the Chapter. Existing industrial uses that were legally established would be allowed to continue and to expand if fifty percent or more of their floor area is in an industrial use, without being nonconforming certain development standard. Additionally, by an administrative conditional use, uses that exceed the maximum size of use limit but were legally established, would be able to a.) convert to another use that exceeds the maximum size of use limit b.) expand into a whole building or adjacent space, or c.) expand by up to 20 percent. The intent is to provide flexibility for existing industrial uses, while requiring new development to meet the intention of the new code.

The following sections summarize the purpose, and key standards for each of the three new Chapter 23.50A industrial zones.

Maritime Manufacturing and Logistics (MML)

Function and Purpose: An existing industrial area with a concentration of core industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities and is well served with truck, rail, and maritime or freight infrastructure. The MML zone is intended to provide long term predictability to landowners, business owners and investors that the area will remain an industrial area. The zone is intended to reduce speculative development pressure.

Development standards seek to limit unintended types of nonindustrial development such as big box retail and mini storage uses, which have been constructed in Industrial General 1 (IG1) and Industrial General 2 (IG2) zones in recent years. In general, the MML zone will consolidate and replace the existing IG1 and IG2 zones.

Locational Criteria: The Maritime Manufacturing and Logistics (MML) zone designation is most appropriate in areas generally characterized by the following:

- Areas within Seattle's Manufacturing/Industrial Centers (MICs);
- Areas with proximity to rail and/or freight infrastructure;
- Areas with proximity to the shoreline, deep-water ports, and water bodies;
- Areas around existing clusters of industrial or maritime suppliers and services; and
- Areas that are generally flat.

Proportion of MIC Land in This Zone:

- Proportion of BINMIC land in the MML zone is 76%.
- Proportion of Greater Duwamish MIC land in the MML zone is 93%.

Key Development Standards:

Permitted and Prohibited Uses: Similar to the existing IG zones, a broad range of heavy and light manufacturing uses would be permitted. Industrial uses would be permitted outright with no maximum size of use limits and few additional restrictions. A broad range of warehousing / distribution, marine and logistics transportation uses, utility uses, outdoor storage and warehouse uses (except for mini storage), laboratory, and research and development uses, food processing and craft work, and automotive uses would all be permitted outright.

A variety of non-industrial uses would also be permitted outright as a principal use but would be subject to strict maximum size of use limits and FAR sub-limits described below. These uses include commercial sales and services, office, lodging, entertainment, and Information Computer Technology (ICT).

Floor Area Ratio: The maximum floor area ratio (FAR) limit would be 2.5, which is the same as the existing IG1 and IG2 zones. This allows ample development capacity for most industrial uses including associated ancillary functions. Because most maritime, manufacturing and logistics uses all require unbuilt space for loading, truck access and circulation or layout, it is uncommon for industrial uses to approach a buildout with multiple stories that approaches the 2.5 FAR maximum.

The MML zone would introduce a new FAR sublimit of 0.4 for non-industrial uses. The 0.4 FAR maximum would be for uses not classified as industrial in the new column of the allowable uses table. The FAR sublimit is added to deter the type of piecemealing of lots to avoid maximum size of use limits that has been observed in recent decades. The proposed FAR limit would disincentivize subdivision of large sites into multiple small sites to achieve numerous parcels that each contain a use at the maximum size limit. (See also Appendix B – Non-Industrial Development Analysis.)

Height Limit. None for industrial uses. 45 feet for others. Same as existing IG zones.

Maximum Size of Use Limits. Large-sized non-industrial uses such as retail and offices do not have a connection to industrial and maritime uses, are not compatible with proposed Maritime, Manufacturing and Logistics zones, and their presence detracts from the policy intent for Manufacturing Industrial Centers. Examples of large-sized retail uses include grocery stores, pet stores, home décor stores, office supply stores, and multi-purpose box retailers such as Fred Meyer or Walmart, or stand-alone office structures.

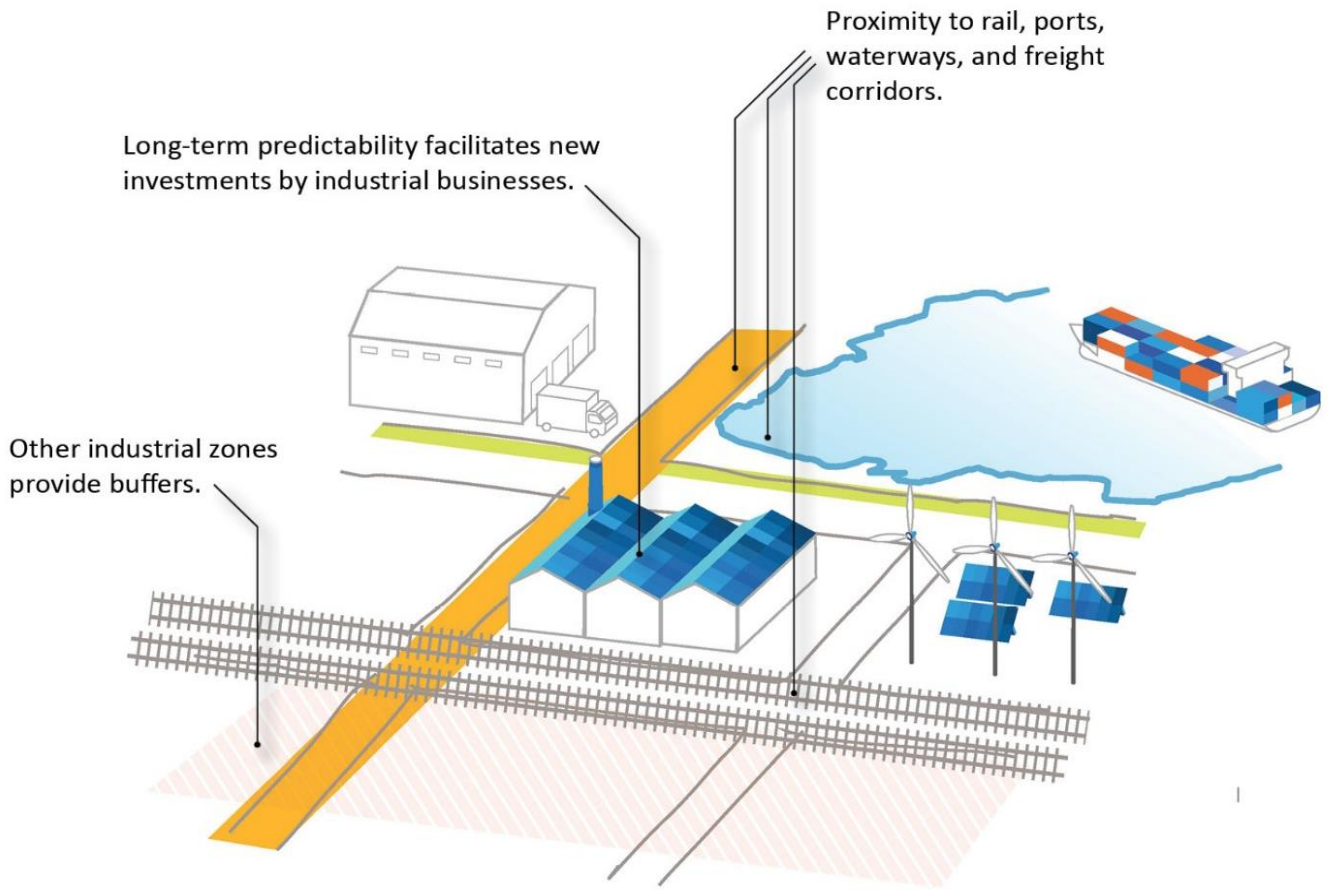
OPCD conducted an analysis to determine the approximate extent of sites and locations where unintended development of retail, office and mini storage has occurred in industrial zones, and found clusters in areas including the Interbay/Armory Way corridor, Ballard, and the Airport Way corridor in SODO. (See Appendix B).

To address the pattern of development described above, the proposed legislation would reduce maximum size of use limits in the new MML zone, for several land use categories. Levels of reduction are set to continue allowing the uses while reducing pressures and incentives for proliferation. The reductions are shown in the table below compared to the existing IG zones. The current 25,000 sq. ft. size limit for Sales and Service in the IG2 zone is conducive to formula development of grocery stores and retail box stores. Reduction to a proposed 7,500 sq. ft. maximum size would result in smaller sizes than formula retail developments. Formula office floor space sizes are usually in the 25,000 or greater range.

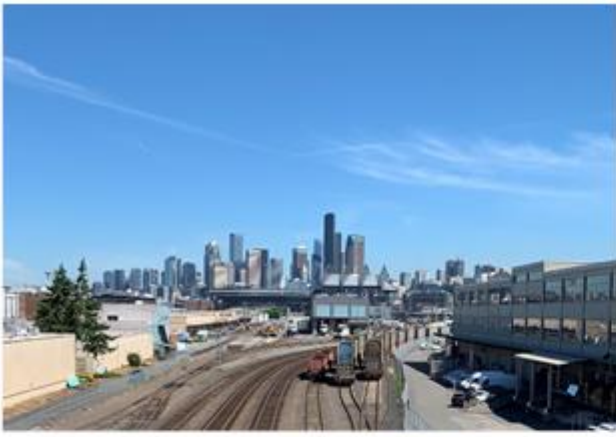
Use subject to size limits	Maximum Size of Use Limit		
	MML	IG1	IG2
Animal shelters and kennels (2)	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments (3)	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.
Entertainment	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Lodging uses	N/A	10,000 sq. ft.	10,000 sq. ft.
Medical services	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.
Office	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Restaurants	3,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Retail sales, major durables	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, automotive	10,000 sq. ft.	10,000 sq. ft.	25,000 sq. ft.
Sales and services, general	7,500 sq. ft.	10,000 sq. ft.	25,000 sq. ft.

New Heavy Manufacturing Conditional Use Performance Criteria. The proposed legislation includes new conditional use criteria for heavy manufacturing uses. For the first time, any new heavy manufacturing use in the MML zone would need to obtain a conditional use permit if it is located within 1,500 linear feet of residentially zoned *and* residential developed lot, or neighborhood commercial zone. This limit will not apply to land separated from residential zoning by Interstate 5. While the existing IG zones had these conditional use protections in place for limited areas adjacent to Queen Anne and Interbay, the proposed legislation extends the protections for all residential neighborhoods most notably for areas near Georgetown and South Park. To be approve the heavy manufacturing use would have to meet criteria including:

- In an enclosed building
- Hours of operation do not impact residential areas
- Truck service must be directed away from residential streets
- Shall not produce sustained noises or vibration



The diagram is a conceptual depiction of the locational criteria and general intention for the Maritime, Manufacturing and Logistics zone.



Maritime, Manufacturing and Logistics (MML) Zone

All photo credits City of Seattle. Montage: Top to bottom, left to right: Logistics operations including rail and truck movement of goods are an important function and major land use. B. Container port operations provide functions of regional and statewide significance. C. Significant employment is offered in exporting industries such as food processing and aerospace. D. Land is available for the expansion of new sectors that are expected to grow including green energy and the space industry. E. Provide long term predictability for legacy industrial operations and anchor businesses that provide critical supports to other companies. F. An ecosystem of specialized knowledge and skills is present in sectors such as maritime. G. Necessary heavy operations can locate in areas where their impacts would be minimized, away from residential populations.

Industry and Innovation (II)

Function and Purpose: The purpose of the II zone is to create a transit-oriented area characterized by modern industrial buildings that supports a mix of economic innovation and emerging industries, and commercial development with high employment density. The zone would encourage new development in multi-story buildings that accommodates dense employment uses such as research, design, offices and technology. The zone is intended to spur the creation of new high-quality light industrial space, in an amount that is equal to or greater than the amount of industrial space that exists today. The Industry and Innovation zone would address the following challenges in locations near existing or future light rail stations in industrial areas:

- Current zoning and development has not and would not create enough density near light rail to support a transit-oriented land use pattern or high transit ridership.
- Redevelopment costs in eligible locations are very expensive due to potential environmental clean ups and infrastructure needs.
- The City's current industrial zone that allows mixed commercial development (Industrial Commercial) has been dominated by new office developments without any industrial uses.

Locational Criteria: Industry and Innovation (II) zone designation is most appropriate in areas generally characterized by the following:

- Areas in Seattle's Manufacturing/Industrial Centers (MICs).
- Areas within an approximately one-half mile distance from existing or future light rail stations.
- Areas with a high potential to attract new investment in buildings and infrastructure that supports dense, knowledge-based employment.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Industry and Innovation zone is 19%.
- The proportion of land in the Greater Duwamish MIC in the Industry and Innovation zone is 3%.

Key Development Standards:

Incentive-Based System: An incentive-based system is fundamental to the proposed II zone. Developers would earn "bonus" development to build non-industrial spaces for uses like offices, only if an amount of dedicated bona-fide industrial space is included. A developer could provide industrial space at a ground floor or in a separate structure. The new industrial space would be required to be occupied by one of the qualifying industrial uses indicated in the new column of the allowed uses table. Upper floors of a building or a separate structure on a site could be occupied by other nonindustrial allowed uses. In addition to the use restriction on the dedicated industrial space, it would have minimum requirements for construction as bona-fide industrial space (see below). The inclusion of bona-fide industrial space would comprise a Tier I of potential bonus floor area.

An additional Tier II of bonus development could be accessed in one of two ways after the Tier I maximum FAR limit is reached. The developer would qualify for the Tier II increment of FAR if at least 50 percent of the structure is constructed using mass timber construction methods; or if they use Transfer of Development Rights for upgrading a vulnerable unreinforced masonry structure (URM).

Floor Area Ratio: The maximum FARs in the II zone enact the system of a base maximum and extra floor area that can be gained. For any development electing to participate in the incentive system, a minimum amount of industrial space floor area would be required, and this amount qualifies for the bonus. For each sq. ft. of industrial space provided, the development would gain the ability to construct 5 sq. ft. of non-industrial space. For example, in the II 160 zone, when the developer provides the first 0.5 FAR of industrial space they gain access to 2.5 FAR of non-industrial space. Additional bonus non-industrial space could be generated up to the Tier I maximum at the 5:1 ratio. An example in the II 160 zone would be a building that provides 1 FAR of industrial space, generating 5 FAR of nonindustrial space, to reach the maximum Tier I FAR limit of 6. The table below shows base and bonus FAR limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Compared with exiting IG zones, the proposal would substantially increase the maximum development capacity, increasing allowed floor area by two to three times. The bonus floor area could include non-industrial uses that are not allowed or are strictly size-limited under the existing IG zone. The II zone would also increase development capacity compared to the existing Industrial Commercial (IC) zones where it is applied. (See discussion below).

FAR limits Proposed Industry and Innovation (II) Zones			
Zone	Minimum Industrial Use FAR	Maximum FAR with Tier I	Maximum FAR with Tier II
II 85	2.75	4.5	NA
II 125	.5	5.25	5.75
II 160	.5	6	6.5
II 85-240	2	4	6
Comparison: FAR limits Existing Industrial Zones			
Zone	Maximum FAR	Maximum FAR with Bonuses	
IG1, IG2, IB	2.5	N/A	
IC 85 Zones (Except 85-175)	2.75	N/A	
IC 85-175	2.5	4.0	

Developers would have the option not to participate in the bonus development system. In this case, the development could provide all industrial space up to a maximum FAR that is similar to under existing IG zoning. The table below shows limits for the proposed II zones and compares them to FAR limits under the existing industrial zones.

Floor Area Ratio (FAR) limits Industry and Innovation Zones – All Industrial Development (Not Participating in the Incentive System)	
Zone designation	FAR limit
II 85	2.75
II 125	2.5
II 160	2.5

IC	2.75
II 85-240	2.5
Comparison: FAR limits Existing Industrial Zones	
Zone	Maximum FAR
IG1, IG2, IB	2.5
IC 85 Zones (Except 85-175)	2.75
IC 85-175	2.5

Bona-Fide Industrial Space: Portions of a building qualifying as industrial space could only be occupied by industrial uses. Additionally, the space would have to meet the following development standards for construction as bona-fide industrial space.

- Load bearing floors with 250 lbs. per sq. ft. minimum capacity for ground level floors on grade, and load bearing floors with 125 lbs. per sq. ft. minimum capacity for floors above grade.
- Floor-to ceiling clearances of at least 16 feet.
- Constructed to comply with a Seattle Building Code Group occupancy classifications for an industrial use, except for ancillary support spaces that are secondary to the industrial use and occupy less than 25 percent of the industrial use floor area.
- Serviced directly by a loading dock or a freight elevator with a minimum capacity of 8,000 lbs.

Information Computer Technology (ICT): In the II zone only, ICT would be considered an eligible industrial use that could occupy the industrial portion of a structure. This is proposed because ICT uses are productive economic uses that often have dense employment and generate secondary multiplier effects in the economy. In today's technology rich context, ICT uses are a corollary to industrial uses with heavy physical processes of past eras. ICT uses are often a component of traditional industrial enterprises, when ICT activity includes design or engineering for a physical process. In the II zone, ICT would have a slightly lower bonus ratio than other industrial uses. For every 1 sq. ft. of ICT use the developer would gain 4 sq. ft. of non-industrial space capacity (instead of 5).

Application to Previously IC Zoned Land: Some areas proposed for the II zone would be changed from an existing Industrial Commercial (IC) zone. These areas are primarily in the Elliott Avenue corridor, and the area south of the Chinatown/International District. The existing IC zone already allows substantial development with non-industrial uses such as office. To account for the base condition, the proposed II zone in these areas would have a base FAR limit equal to the existing limit of the IC zone. An additional increment above this amount could be accessed according to the incentive bonus system for inclusion of industrial space (Tier I). As a result, areas previously zoned IC would gain an incentive to include bona-fide industrial space in future development.

The area of existing IC 85-170 zoning bounded by I-90 to the southeast, the Chinatown/International District to the north, and railroad tracks to the west is unique. This variant of the IC zone already allows bonus development over a base level if a development participates in the city's Mandatory Housing Affordability (MHA) program. Under the proposal, this area would be amended to a new IC 85-240 zone that would grant an additional increment of development capacity in an incentive structure, while maintaining existing development rights. The tiered bonus system would allow up to an additional 2 FAR over the existing maximum of 4, in a development that includes dedicated industrial space according to the ratio. Under the existing IC 85-170 zone, maximum development can be achieved without any industrial space. This area is notable, because it is being considered for a future light rail station in one of the alignment options being reviewed by the Sound Transit Board.

Transportation Demand Management and Parking: To encourage access by transit and other non-motorized modes the proposal would include no minimum parking requirements. In addition, there would be a maximum parking quantity limit of one space per 1,000 square feet of gross floor area. The parking maximum would be equivalent to most zones in downtown. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant would be required to prepare and implement a Transportation Management Program (TMP) that meets standards set out for TMPs in SDCI and SDOT Director's Rules. Currently, there is required parking, no parking maximum, and no TMP required in IC zones.

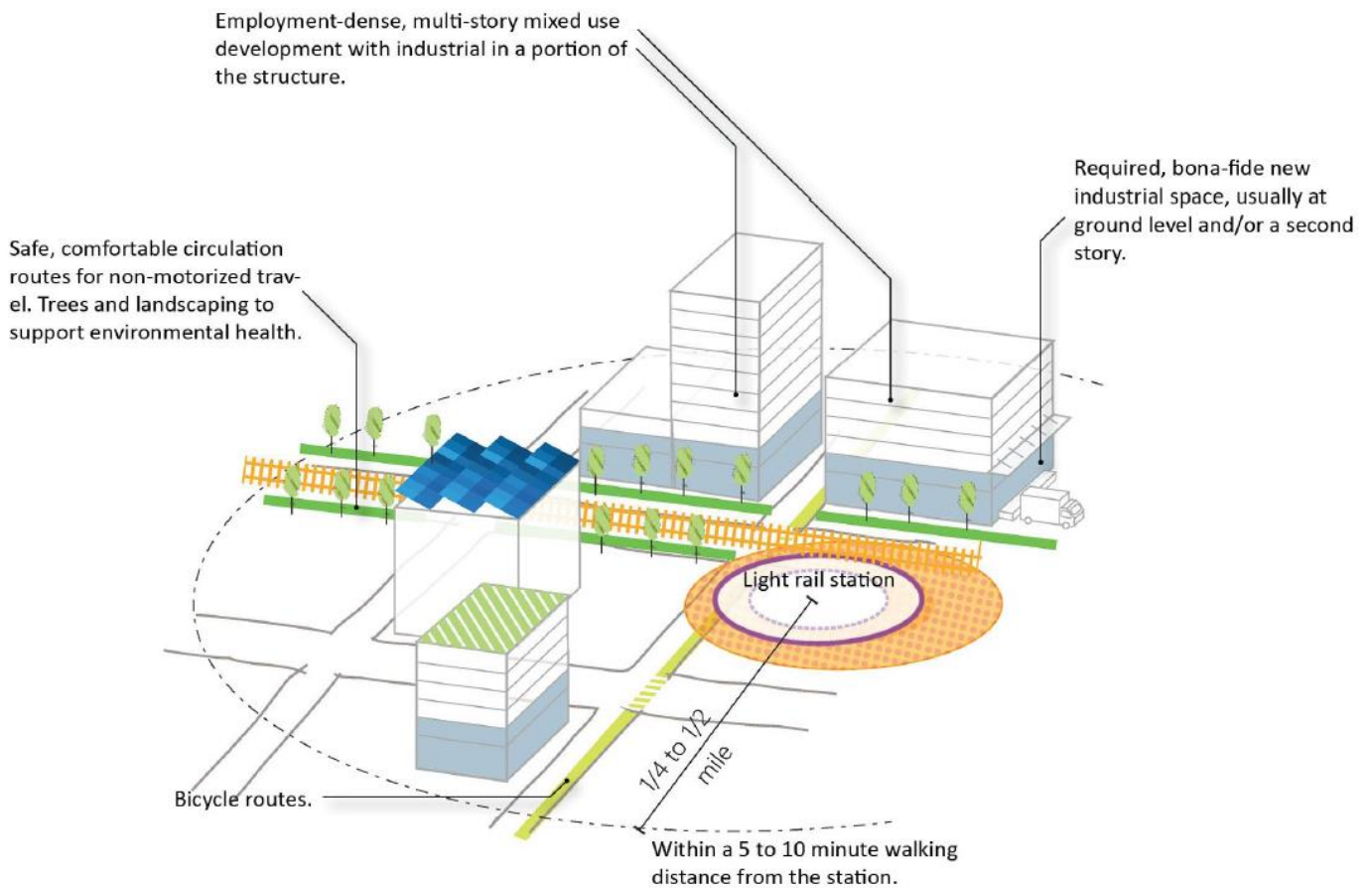
Street Improvement Standards: II development standards would require a much higher level of street improvements with development compared to the existing industrial zones. Developers would be required to provide safe, pedestrian friendly frontages with curb, sidewalks, pedestrian-scaled lighting and improved drainage systems. Additionally, development in the SODO area would be encouraged to improve the frontage of the SODO trail. Existing conditions in the areas are often lacking much of the infrastructure needed to support a pedestrian and bicycle friendly environment.

Mandatory Housing Affordability (MHA): The City's Mandatory Housing Affordability (MHA) program is often applied at the time of upzones. In areas where MHA applies, new development must either include a percentage of affordable homes or make an in-lieu payment to the City's Office of Housing (OH). Currently, no residential units are allowed in Industrial Commercial (IC) zones and no housing would be allowed in the employment-focused Industry and Innovation zone. MHA currently applies to commercial development in IC zones but not to any other industrial zones. MHA would require developers to make an in-lieu payment of \$5 - \$16 per sq. ft. on all developed floor area in the building.

The legislation does not recommend applying the MHA requirement to the proposed II zones (with the exception of the II 85-240 zone where there is already an MHA requirement), because the primary public benefit provided by development in the II zone is the generation of new bona-fide industrial space that will provide quality employment opportunities. Transit oriented development in the areas of II zoning would require substantial upgrades to infrastructure and sometimes it would require environmental remediation—also public benefits. Feasibility analysis finds that for some time development feasibility would be marginal at best. Addition of the cost of MHA could further delay the potential for cleaner, transit-oriented environments in II zoned areas.

Offsite performance: The proposed legislation includes a provision for off-site performance of bona-fide industrial space within the same MIC. Bonus nonindustrial floor area would be gained according to

the same ratio, but the industrial building could be a new stand-alone industrial structure elsewhere in the same MIC, including in the Maritime, Manufacturing and Logistics zone. The intention of including this option is to encourage investment in quality new industrial space throughout the MIC. The off-site performance would have to be in a new structure that is completed before the bonus II zone development.



The diagram is a conceptual depiction of the locational criteria and general intention for the Industry and Innovation zone.



Industry and Innovation (II) Zone

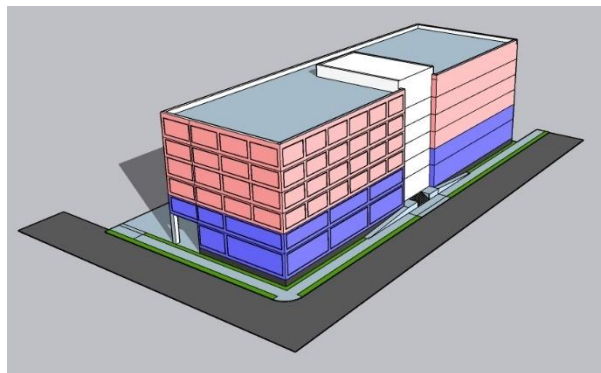
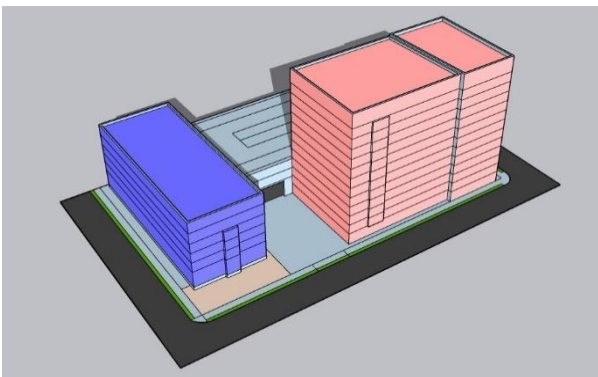
Photo credits City of Seattle except as noted. Top to bottom and left to right. A. Provides space for prototyping activities that are design-oriented but require light industrial space for production and testing. B. Provides space for innovative technology-oriented companies to expand, such as First Mode - a producer of large electrical engines for trucks and industrial equipment located in SODO. (Photo credit Steve Ringman, Seattle Times) C. The West Woodland building is an example of a multi-story light industrial building in Ballard. D. New multi-story light industrial buildings are increasingly possible such as the New York building located in Portland, OR. E. Supports innovative companies that build on expertise and talent in the region such as Pure Watercraft, an electric boat motor company currently based in North Lake Union. (Photo credit: Pure Watercraft company website). F. The zone would be focused within 1/2 mile walking distance of existing or future light rail stations.



LOOKING SE ALONG THE LIGHT RAIL CORRIDOR

This rendering, created by SODO area property owners displays the potential character of development and associated trail and pedestrian improvements near the SODO/Lander St. light rail station. Lower floors of buildings would be occupied by industrial uses and constructed to bona fide industrial space standards.

These models indicate the general scale and composition of potential development in the II zone using the incentive system. Space in purple would be required industrial space, and space in pink would be bonus space. Example A (left) shows two separate structures on a large full-block site, and Example B (right) shows a mixed structure on a moderately sized half-block site.



Urban Industrial (UI)

Function and Purpose: The purpose of the Urban Industrial (UI) zone is to foster vibrant districts that support a mix of local manufacturing, production, arts, and a sense of place. This zone advances the stakeholder strategy of creating healthy transitions between core industrial areas and nonindustrial areas. This is a zone that due to its proximity to nonindustrial areas and businesses could draw customers from adjacent neighborhoods. It includes provisions for safe movement of pedestrians and freight.

Locational Criteria: Urban Industrial (UI) zone designation is most appropriate in areas generally characterized by the following:

- Areas at the transition between core industrial areas in Maritime Manufacturing and Logistics zones and non-industrially zoned areas or urban villages or centers;
- Areas generally within designated Manufacturing/Industrial Centers (MICs), although the UI zone could be located in limited instances outside of MICs.
- Areas in MICs characterized by small parcel sizes and a variety of small existing industrial and non-industrial structures.

Proportion of MIC Land in This Zone:

- The proportion of land in the BINMIC in the Urban Industrial zone is 5%.
- The proportion of land in the Greater Duwamish MIC in the Urban Industrial zone is 4%.

Key Development Standards:

Ancillary Uses. Many of the types of industrial uses that would be found in this zone have a greater proportion of public facing functions than traditional industrial uses. Examples include breweries or distilleries which conduct industrial processes on site but also have tap and tasting rooms that are important components of their business. Traditionally, known as accessory uses, these uses are considered secondary to the primary use and should not generally exceed 50% of the business floor area. In the Urban Industrial zone, these uses will be called Ancillary uses which will be allowed to occupy up to 80% of the floor area if it is subordinate to the industrial use.

Size of Use Limits. Consistent with existing Comprehensive Plan policies to preserve industrial land for industrial uses and the stakeholder strategy to provide stronger protections for industrial land, the size of use limits for nonindustrial uses in the UI zone are stricter than the most comparable existing zone the Industrial Buffer (IB) zone. These size of use limits do not apply to ancillary uses, discussed above.

Use subject to size limits	Maximum Size of Use Limit	
	IB	UI
Animal shelters and kennels	75,000	10,000 sq. ft.
Drinking establishments	N.S.L.	3,000 sq. ft.
Entertainment	75,000 sq. ft.	25,000 sq. ft.
Lodging uses	75,000 sq. ft.	25,000 sq. ft.
Medical services	75,000 sq. ft.	15,000 sq. ft.
Office	100,000 sq. ft.	15,000 sq. ft.
Restaurants	N.S.L	3,000 sq. ft.
Retail sales, major durables	75,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.	7,500 Sq.ft.

Workforce Housing. Small amounts of workforce housing are allowed through a conditional use process. The intent is not to generate significant amounts of housing, but to provide housing that might be affordable to local workers in these industrial areas. Key conditions that must be met to develop workforce housing include:

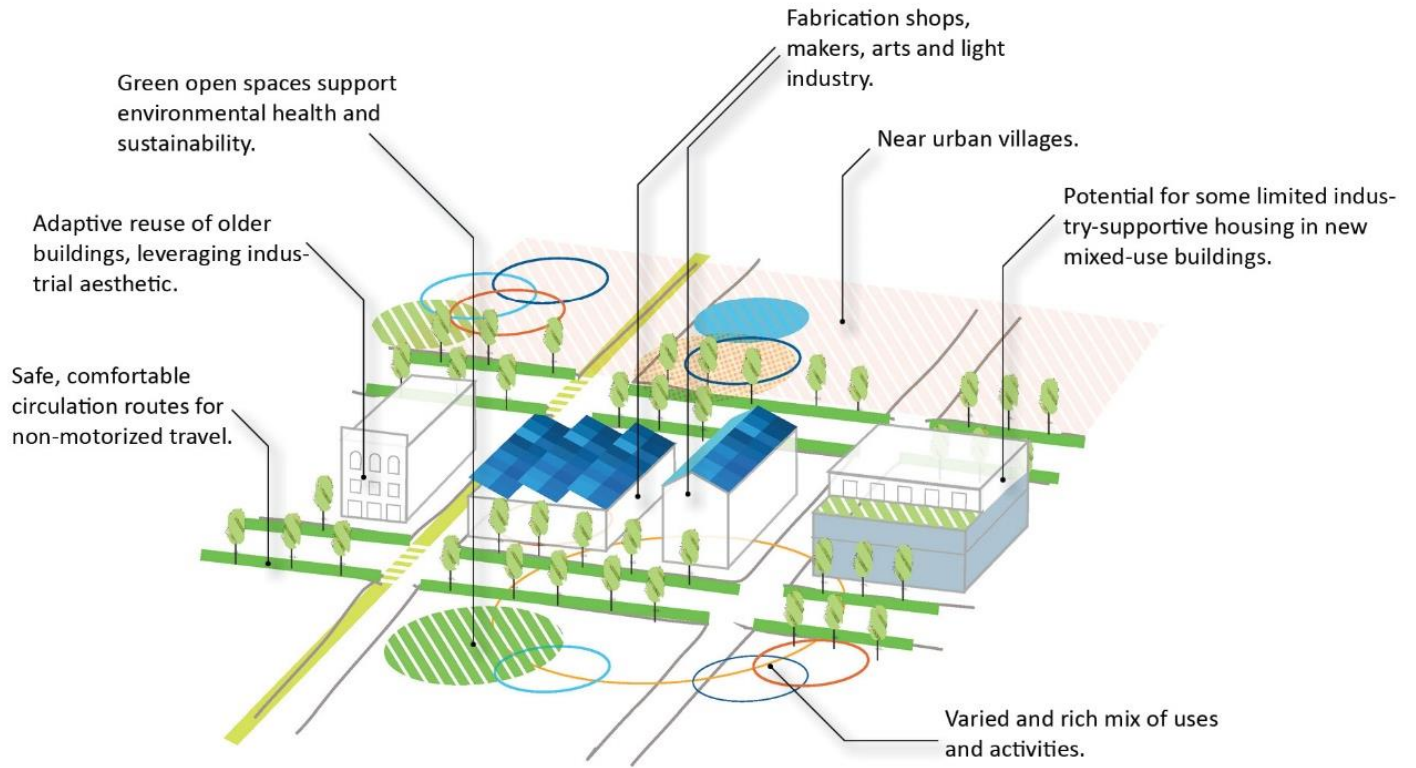
- The number of units may not exceed 50 dwelling units per acre.
- The housing is not located within 200 feet of a shoreline.
- The housing is not located within 200 feet of a major truck street.
- All dwelling units shall have sound-insulating windows sufficient to maintain an interior sound level of 60dB or below.
- The housing shall be located and designed to reduce conflict with adjacent existing industrial businesses.
- The owner must sign an acknowledgement accepting the industrial character of the neighborhood and agree that permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of the land.
- The housing is part of a mixed-use development that includes nonresidential uses permitted in the UI zone and that the residential component does not exceed 50% of the floor area of the mixed-use project.
- The residential uses must be live-work or qualify as caretakers quarters for a business on the same site (no one business may have more than three units); or the units are workforce housing. Workforce housing means they are at an affordable rent or sales price for a period of 75 years to occupants making 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.

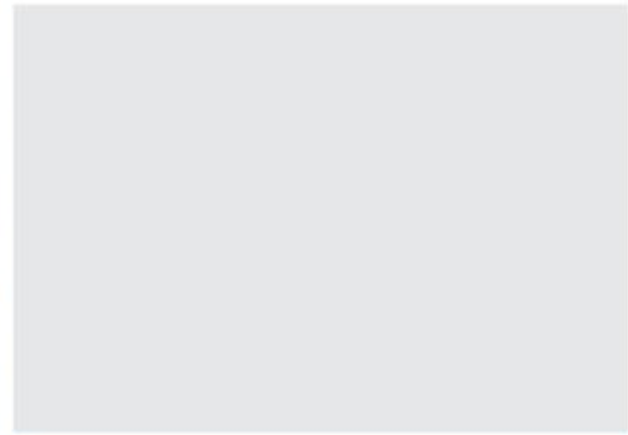
- In total, it is estimated that 880 units of housing would result in the Urban Industrial zoned areas throughout the city over an approximate 20 year time horizon. The industry supportive housing would be located primarily in Georgetown, South Park, the northeast corner of Ballard, and in the Interbay/Dravus area. (See Outcomes and Effects section below.)
- The proposed standards are calibrated to ensure that any housing would be combined in a mixed-use development with other light industrial or other allowed uses. The standards would not produce the type of dense multi-family housing typical in an urban village. For example the 50 DU/acre limit would result in approximately 60-75 apartments on a full city block development, with the remainder of the development containing other uses. Limits are intended to moderate the potential for compatibility impacts with respect to industrial uses, and the potential to create development pressure that could displace industrial uses economically.

Safe pedestrian/freight movement. Urban Industrial zones are expected to see a greater mixing of freight and pedestrian activity. For this reason, as projects are developed in these areas, they will be required to provide full street improvements that are similar to commercial or urban village areas. These improvements include construction of curbs, sidewalks, pedestrian scaled lighting, and planting of street trees for any new project or expansion of 4,000 square feet or greater. These improvements are intended to minimize conflicts between freight and pedestrian movement while providing mobility for both modes. It should also be noted that over the next year OPCD will work with SDOT on developing a street type to be included in Streets Illustrated for this zone that will offer design guidance as projects are developed.

Landscaping Requirements. In addition to new street improvement requirements landscape requirements will enhance the transition from core industrial areas to nonindustrial areas. New landscape requirements expand existing street tree requirements and apply green factor requirements to new projects, and provide for vegetated walls or fences to soften or screen outdoor storage areas.



The diagram is a depiction of the locational criteria, and general intent for the Urban Industrial zone.



Urban Industrial (UI) Zone

All photo credits City of Seattle. A. Urban Industrial zoned areas would contain clusters of brewery and distillery operations and development standards support those uses. B. Equinox Studios is an example of a company that provides a variety of small spaces for makers, artisans, and light industrial uses. C. Maker spaces can fit compatibly into an urban environment. D. The zone standards would seek to improve environmental health with higher requirements for landscaping and pedestrian and bicycle infrastructure. E. Artist and maker spaces close to urban villages provide opportunities for residents to benefit from local businesses.

Industrial Commercial (IC)

The proposal would retain existing development standards of the Chapter 23.50 Industrial Commercial zone. An abbreviated summary is provided here.

Function and Purpose: The purpose of the Industrial Commercial zone is 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. While intended to achieve a broad mix of uses, large office developments have dominated this zone.

Locational Criteria: This proposal would modify the existing locational criteria minimally. Existing locational criteria of 23.34.096 would be retained, however a criterion to limit application of the IC zone to areas outside of Manufacturing Industrial Centers would be added. Existing IC zoned land within MICs would be reclassified into the Industry and Innovation zone.

Key Development Standards:

Maximum Size of Use Limits. The Industrial Commercial zone size of use limits are lax when compared to size of use limits in other industrial zones.

Industrial Commercial Zone Maximum Size of Use Limit	
Use subject to size limits	
Animal shelters and kennels	75,000
Drinking establishments	N.S.L.
Entertainment	75,000 sq. ft.
Lodging uses	75,000 sq. ft.
Medical services	75,000 sq. ft.
Office	100,000 sq. ft.
Restaurants	N.S.L.
Retail sales, major durables	75,000 sq. ft.
Sales and services, automotive	75,000 sq. ft.
Sales and services, general	75,000 sq. ft.

Maximum FAR. Maximum Far in IC zones is 2.5.

Height Limits: The maximum structure height for all uses ranges from 30 feet to 85 feet.

New Mixed-Use Zones

New mixed-use zones would be added in several areas as discussed above in the Comprehensive Plan amendments section. Zoning that would be applied is described below. In all cases these zone changes would encourage mixed use development with a substantial amount of housing. Altogether these areas would be estimated to produce approximately 2,000 new homes over a 20-year time period.

South Park. The two areas in South Park proposed for removal from the MIC are at the north and south edges of urban village adjacent to the Duwamish River, and both include or are next to a public open space. Both of the areas would be changed to a Neighborhood Commercial 3 zone with a 55 foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to other areas of commercial zoning in the commercial and mixed-use parts of the South Park urban village.

Judkins Park. Land in Judkins Park that is generally bounded by I-90 on the south and west, S. Dearborn Street to the north, and Rainier Ave S. to the west would be rezoned to a Neighborhood Commercial 3

zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly across of Rainier Ave. S.

West Ballard. Land in west Ballard generally bounded by NW Market Street on the south, the alley between NW 56th Street and NW Market Street to the north, 30th Ave NW to the west and approximately 26th Ave NW to the east will be rezoned to a Neighborhood Commercial 3 zone with a 75-foot height limit. An MHA suffix of (M2) would be applied. The height limit and intensity of the NC3-75 zone is equal to and matches the zoning directly east of the proposed area along Market St.

Georgetown. Land in Georgetown including the Georgetown Playfield and the land that is bound roughly by Corson Avenue South, South Harney Street, and the rail right-of-way on the north side of Airport Way S. would be rezoned to a Neighborhood Commercial 3 zone with a 55-foot height limit (NC3-55). An MHA suffix of (M) would be applied. The height limit and intensity of the NC3-55 zone is equal to and matches the zoning directly south of the proposed area.

The proposed zoning for Georgetown would include several features to address specific conditions and community preferences in the area. SMC Chapter 23.47A.009 Standards Applicable to Specific Areas would be amended to include a new subsection for Georgetown:

- **Arts space, or community club or center.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit of the zone if development includes an arts facility operated by a for-profit or not-for-profit operator.
- **Historic preservation.** An additional increment of up to 1.0 FAR is permitted above the maximum FAR limit if the development rehabilitates a historic landmark.
- **Height limit increase.** The height limit is increased by 10 feet for any development that gains additional floor area for arts space, community center, or historic landmark preservation.

Other Zoning Amendments

The proposed legislation to implement the Industrial and Maritime Strategy includes three other proposed amendments to existing ordinances.

Noise Ordinance (SMC 23.08). Seattle's Noise Ordinance contains rules to minimize Seattle residents' exposure to excessive noise. Under the City's noise ordinance we screen commercial projects during plan or permit review for potential permanent and recurring noise issues associated with operating a facility. We require mitigation measures for both temporary and permanent major noise generators.

The noise ordinance:

- Sets limits for exterior sound levels in residential, commercial, and industrial districts.
- Specifies required quiet hours and hours during which construction and maintenance are allowed (see below).
- Establishes guidelines for granting variances from our ordinance.

The noise ordinance establishes dB(A) limits for receiving sites based on the use of the receiving site. In the case of residential receiving sites, for example, noise generated by industrial sources cannot exceed a dB(A) of 60 at receiving residential uses. The use is determined by zone, so residential uses in commercial zones are subject to the noise limit for commercial receiving uses. In the northwest section of the BIMIC residential projects have been developed or are being developed that directly abut core shoreline industrial uses. These residential uses, in commercial mixed-use zones pose challenges to shoreline industrial uses that have existed at this location for decades. The proposed amendment amends the Noise Ordinance to establish a limit of 70 dB(A)(Leq) for sound sources that originate on a property that is in the BINMIC and is within 200 feet of a shoreline for residential and commercial receiving areas.

IC Replacement Ordinance. The IC replacement ordinance removes provisions from the IC zone from the current SMC Chapter 23.50 – Industrial Zoning. Provisions for the IC zone would be included in the proposed Chapter 23.50A. If Council adopts Chapter 23.50A and then subsequently adopts the zoning map ordinance without amendments (discussed below) then it would also repeal the existing Chapter 23.50. If Council chooses to adopt some of the zoning map changes now but hold others until next year following more work with local stakeholders, then Chapter 23.50 would be repealed at the time that final action was taken on the zoning maps.

Zoning Map Ordinance. This ordinance contains map changes only and it would apply the new industrial zones throughout Seattle's industrial lands and apply mixed use commercial zones on some industrial land outside of the MICs or removed from the MICs through the accompanying proposed amendments to the Comprehensive Plan Future Land Use Map. The proposed mapping ordinance addresses all land currently in an industrial zoning designation in the city.

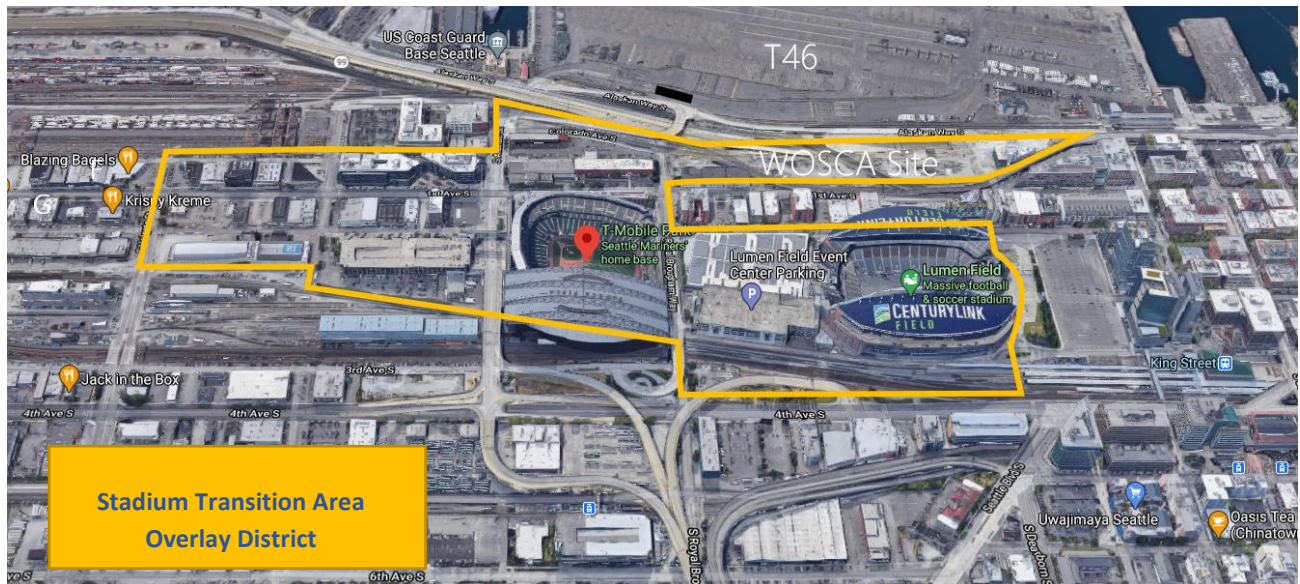
Stadium Area

Conditions near the professional sports stadiums at the north edge of the Duwamish MIC are unique. The existing Land Use Code contains a Stadium Transition Area Overlay District (STAOD). The proposed legislation would retain the STAOD and make several modifications and updates to it to reflect current conditions and aspirations for the stadium area.

Background: In June of 2000 and to address the effects of a new baseball stadium south of the Kingdome, the City of Seattle created the Stadium Transition Area Overlay District in June of 2000 (Seattle Municipal Code (SMC Chapter 23.74), Ordinance 119972). The "Purpose, intent and description of the overlay district" section of the code provides a good summary:

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 connection with downtown; discourage encroachment on nearby industrial uses to the south; and create a pedestrian-friendly streetscape. Allowing a mix of uses, including office development, is intended to encourage

redevelopment and to maintain the health and vibrancy of the area during times when the sports facilities are not in operation.



Stadium District Concept: In 2011 and 2012 the two volunteer public boards that manage the public's investment in T-Mobile Park (baseball) and CenturyLink Field and Event Center (Football and Soccer), together with the professional sports teams the venues host, prepared a Stadium District Concept Plan. The plan was a concept for what the entities believe to be the essential elements of a successful stadium district. The boards noted trends in other cities including Baltimore, Denver, and San Diego, for districts surrounding stadiums that are well-integrated with the stadium and include a wealth of complimentary and vibrant activities and a strong sense of place. The Concept Plan states core values and guiding principles adopted by both boards. It was distributed for public comment and requested to be considered by the city for formal adoption or recognition.

Stadium District stakeholders including the professional sports teams and the boards that oversee the stadiums continue to advocate for a more complete and vibrant stadium district area. They seek to upgrade amenities and experiences for visitors inside of and outside of the stadium facilities. They consider some amount of housing in and near the stadium district as an important component of a vision to create a more complete neighborhood.

Mayor Harrell and the Office of Planning and Community Development support aspects of the stadium district concept. OPCD has prepared past studies considering land use, mobility and placemaking strategies to help the district meet the needs of a wide variety of users, stakeholders, visitors, and businesses. We believe it is in the public interest to explore ways to improve the vibrancy of the area for more than just events, and to consider how activities near the stadiums can help support goals for adjacent neighborhoods. We believe these goals can be achieved while simultaneously strengthening industrial uses in the Duwamish Manufacturing Industrial Center.

Proposed Stadium Transition Area Overlay Updates: The legislation proposes several updates to the STAOD that would support goals and aspirations for a stadium district. The underlying zone for the area

would be the Urban Industrial zone. A district with a variety of small businesses and makers combined with businesses supporting events at the stadiums and entertainment venues would be supported by the UI zone. The proposed legislation includes the following features amending stadium overlay regulations:

- Allow lodging outright:** Currently, lodging (hotels) are prohibited by the overlay. Removing the prohibition would allow a small number of new hotels to be developed in the area. Hotels are appropriate because visitors to events may wish to stay close to the stadiums and therefore the hotel use has a direct linkage to the event activity. Stays close to events support convenient walking to the facilities and may alleviate the need for some car trips.
- Increase FAR Limit to 4.5.** Currently the FAR limit in the STAOD is 3.25. The increase would allow more economical buildout to an urban, 6 story scale corresponding to an 85' height limit. This scale of development would be compatible with surrounding existing structures. A dense mix of uses enabled by the increased FAR would be appropriate.
- Maximum Size of Use Flexibility for Restaurant, Retail and Office Uses.** Compared to the UI zone elsewhere, uses that have a synergy with events would have larger size of use limits as shown in the table below. To encourage the inclusion of light industrial and maker space along with event-related businesses, if a development provides 0.4 FAR of bona fide industrial space it would be exempt from the maximum size of use limit completely.

Maximum size of use limits in the Stadium Transition Area Overlay District Compared to the Urban Industrial Zone Elsewhere		
Uses subject to maximum size limits	STAOD	UI Zone Elsewhere
Animal shelters and kennels	10,000 sq. ft.	10,000 sq. ft.
Drinking establishments	No Limit	3,000 sq. ft.
Entertainment*	25,000 sq. ft.	25,000 sq. ft. (4)
Lodging uses	No Limit	25,000 sq. ft.
Medical services	75,000 sq. ft.	25,000 sq. ft.
Office	75,000 sq. ft.	15,000 sq. ft.
Restaurants	No Limit	3,000 sq. Ft.
Retail sales, major durables	20,000 sq. ft.	15,000 sq. ft.
Sales and services, automotive	20,000 sq. ft.	75,000 sq. ft.
Sales and services, general	20,000 sq. ft.	7,500 sq. ft.

In the STAOD the maximum size of use limits shown above would be waived if a development provides at least 0.4 FAR of bona fide industrial use space.

- **Remove Requirement for Design Review.** Currently design review is required in the STAOD, and this is one of the only instances where design review is required in an industrial zone. The legislation proposes to remove the design review requirement to streamline the process for investment in new structures in the STAOD. The proposed development standards include prescriptive design-oriented regulations. Landowners have demonstrated an interest in providing a high-quality visitor-oriented environment. Removal of design review here will also have the effect of freeing up capacity for design review to move quickly for other types of projects.

Housing in the Stadium Area: Allowing housing in the stadium area is a topic of strong and divided opinions. As noted above stadium area stakeholders, and adjacent neighborhood groups in Chinatown/ID and Pioneer Square have advocated for allowing housing to support a more complete neighborhood with activity at hours outside of event times.

OPCD's analysis in the EIS and other studies reviewed the potential for some limited amount of housing in the stadium area overlay district. The Final EIS Preferred Alternative included a limited amount of industry supportive housing in the stadium area, consistent with the recommended approach for the Urban Industrial zone regulations in other parts of the city. (See UI zone section above). We estimated that over a 20-year time horizon a total of 400 – 600 housing units would be generated in the overlay if the UI zone housing provisions were applied. The housing would be in very limited locations. These would be:

- The half-block to the west of the Mariner's parking garage between Occidental Ave. S. and First Ave.;
- The block bounded by S. Holgate St., 1st Ave. S, the rail tracks, and S. Massachusetts St., and the current location of the Van Gogh immersive exhibit; and
- The block west of Dave Niehaus Way S. that contains the Mariners' Hatback Bar & Grill.

Under the proposed UI housing regulations, the housing would have to be combined with other mixed use development and would be clustered on sub-portions of the above mentioned sites. OPCD's independent analysis leads us to believe that some limited amount of housing would be compatible with the surrounding use pattern and would not cause additional adverse impacts on nearby industrial activities outside of the STAOD if carefully implemented. The siting and design of any housing, including the pedestrian environment would be important. Application of the conditional use criteria requiring soundproofing of windows, and tenant acknowledgements of the industrial environment would help mitigate potential negative effects. While stadium district advocates strongly support a housing allowance, it is also the case that no individual property owners are ready at the current time to proceed with a permit application for development that includes housing.

Other major stakeholders including the Port of Seattle and Northwest Seaport Alliance and the International Longshore and Warehouse Union (ILWU) expressed significant concerns about any

housing in the stadium district. Terminal 46 is directly west of the stadium district across highway 99. Concerns include the potential for residents to lodge noise or light and glare complaints against waterfront terminal activities, and the potential for residents moving through the area to increase pedestrian safety obstacles on local streets. These stakeholders also are concerned about the precedent of allowing any new housing in an industrial zone in general proximity to waterfront container port operations. Considerable deference to labor and institutional stakeholders with direct experience with the intricacies involved in the operation of marine terminals is warranted.

In consideration of all these factors and the totality of the information, the proposed legislation does not allow housing in the stadium overlay at this time. A specific provision in the overlay regulations would prohibit any new housing in the STAOD.

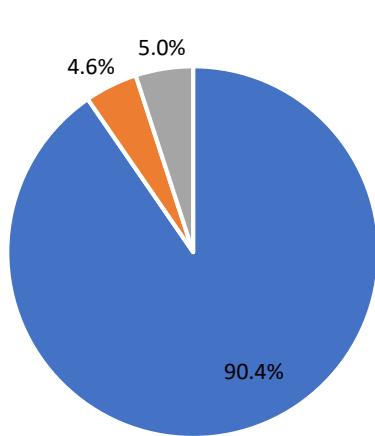
Projected Outcomes and Effects

Overall Zoning and Land Use Changes

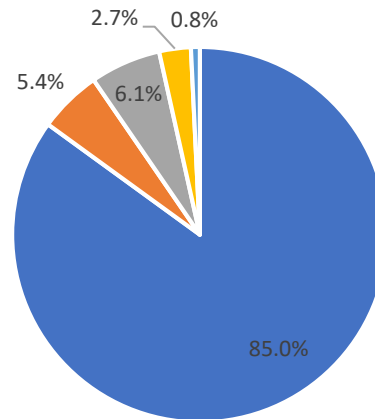
The following summarizes the aggregate effects of the proposed legislation in several key metrics. Additional detail and source studies can be found in the Final EIS and in associated studies prepared during the process to arrive at this proposal.

Zoned Area

The legislation updates zoning wholistically for the City's industrial areas. The graphic below compares the total quantity of zoned land under the City's existing industrial zoning framework as compared to the proposed legislation.



- Industrial General (IG1/IG2)
- Industrial Buffer (IB)
- Industrial Commercial (IC)



- Maritime, Manufacturing and Logistics (MML)
- Urban Industrial (UI)
- Industry and Innovation (II)
- Industrial Commercial (IC)
- Neighborhood Commercial (NC)

Land Use and Activity Patterns

In general, if the proposed legislation is implemented, we project the following shifts.

- Maintenance of the maritime and industrial base.
- Denser employment including new industrial space, near future light rail station in II zoned areas.
- Decreased rate of conversion to stand-alone office and retail uses in MML zoned areas.
- Continued additions of distribution and warehouse facilities.
- Increased development of mixed-use, flex, and light industrial uses in UI zoned areas.
- Introduction of some new industry-supportive housing.
- Additional new housing in areas removed from the Greater Duwamish MIC.
- Stronger Georgetown and South Park neighborhoods

Employment and Economic Effects

The overall amount of employment activity and the general composition is an important outcome.

Total Employment

The City's analysis includes an estimate of the employment projections for an approximate 20-year time horizon with no action, and under the proposed legislation.

Total Employment in Proposal Area		
2019	2044 Projection	
Existing	No Action	Proposed Legislation
98,500	122,000	134,000
Increase:	+ 23,500	+35,500

To put these amounts in context, the City of Seattle is planning for total citywide job growth of 169,500 jobs over the 20-year planning horizon of the One Seattle Comprehensive Plan major update. Projected employment growth of 35,500 would represent roughly 20% of total citywide job growth. This would be a moderate shift of total employment growth compared to past planning horizons into industrial areas.

Industrial Employment

It is also important to consider how much of the employment would be in industrial jobs. Results of the estimation and projections are below.

Changes in Industrial Employment in Proposal Area			
	2019	2044 Projection	
	Estimate	No Action	Proposed Legislation
Total Industrial Employment	54,500	66,400	70,850
Total Share Industrial Employment	55.3%	54.4%	52.8%

Over time, total industrial employment would increase under both the proposed action and with no action; however, under the proposed legislation, the total number is more than it would be without the changes, but the share of industrial employment would drop slightly. This reflects the increase in new bona fide industrial space that would be added under the proposal combined with the denser employment in nonindustrial uses that would also be in TOD areas. Under the proposed legislation we estimate that both MICs would maintain a percentage of industrial employment that exceeds the 50% threshold of the Puget Sound Regional Council's criteria for MIC designation.

Housing

The proposal would result in housing production in two general areas. Most of the housing production would be in new mixed-use areas that would be rezoned from an industrial zone outside of the MIC (Ballard, Judkins Park), or areas removed from MICs where new mixed-use zoning would be applied (Georgetown and South Park). These locations are estimated to yield over 2,000 units of housing as shown in the table below. The City's Mandatory Housing Affordability (MHA) program would apply. The rezones would have an MHA suffix of (M2) in Judkins Park and Ballard and these are MHA medium cost areas, while Georgetown and South Park would have an MHA suffix of (M) and are MHA low-cost areas. Applying general assumptions, the housing is expected to yield about \$19.8M for affordable housing.

A smaller amount of housing would be expected in the Urban Industrial zones within the MIC. This housing would be located in places such as near the Design Center in Georgetown, north of the South Park Urban Village, and in the northeast corner of Ballard. This housing would conform to the limiting criteria for industry-supportive housing in an industrial zone. The housing would either be caretaker quarters / makers studios, or 50% affordable at a workforce level. The total amount of the housing in the Urban Industrial zone is estimated at 880 units. MHA would not apply to these industry-supportive housing units.

In total the proposed action would yield approximately 3,000 new homes that would not be built in the absence of the legislation.

Estimated Additional Housing Units in Proposal Area	
New Mixed-Use Areas	
Ballard	565
Judkins Park	625
Georgetown	570
South Park	295
Subtotal	2,055
Urban Industrial Zones – (Ballard, Georgetown, and South Park)	
Urban Industrial Zones	880
Total	2,935

Environmental Health and Community Development

In addition to the quantifiable metrics that would stem from the proposal there would be several more qualitative outcomes that can be expected.

- **Increased landscaping, greenery, tree planting.** New standards primarily in the Urban Industrial zone would add vegetation in the areas at the transition between core industrial areas and residential neighborhoods over time as development occurs. These features can improve local air quality, reduce urban heat island effects, and generally improve the quality of the experience for those who live or work in the area.
- **Improved walkability and multi-modal connections.** New standards in the Urban Industrial zone and the Industry and Innovation zones would make significant improvements by adding sidewalk, pedestrian lighting, urban storefronts and facades, and trail or bicycle network upgrades. Locations closest to light rail stations especially would be transformed into transit-oriented environments.
- **Improved drainage and preparedness for sea level rise.** New development especially in the Urban Industrial and Industry and Innovation zones would upgrade local

stormwater drainage systems and would be better designed to withstand more frequent flooding and rising sea levels.

- **Improved cohesiveness in the Georgetown neighborhood.** The land use action would link existing residential areas of Georgetown together with a mixed use neighborhood district that includes new housing. The action would provide a more contiguous and legible Georgetown neighborhood area that has been envisioned by residents for a long time.
- **Improved connectedness of the South Park neighborhood to the Duwamish River.** The land use action would better connect the South Park urban village area to the riverfront. Two mixed use areas directly adjacent to open space resources on the River would strengthen the physical, visual, and perceptual linkage between South Park and its waterfront.

Environmental Review

Washington’s State Environmental Policy Act (SEPA) requires environmental review when a city makes changes to land use policies or zoning. OPCD prepared an EIS that analyzed how the proposed changes could affect the built and natural environment in industrial areas and adjacent communities over a 22-year period. This process allows thoughtful implementation of strategies to mitigate any adverse impacts and provides information to the public and policy makers before any decisions are made. A Final EIS on the proposed land use policy and zoning changes was issued on September 29, 2022, and received no appeals. The EIS carefully reviewed for potential adverse impacts of the proposed changes in the following topic areas:

Soils / Geology	Noise	Historic, Archaeological & Cultural Resources
Air Quality & GHG	Light & Glare	Open Space & Recreation
Water Resources	Land & Shoreline	Public Services
Plants & Animals	Housing	Utilities
Contamination	Transportation	Equity & Environmental Justice Considerations

The Draft EIS analyzed four alternatives, to review various ways of implementing the proposed land use concepts to study the best ways to achieve the City’s objectives. This included a No Action Alternative to serve as the baseline for comparison for the potential impacts of the three Action Alternatives. The Final EIS added a Preferred Alternative that responded to extensive community comment and input on the Draft EIS. The FEIS Preferred Alternative is very similar to the contents of this proposed legislation.

The FEIS identified several areas of environmental impact. In most cases the level of adverse impact would be minor or moderate and would be addressed by identified mitigation measures. For several elements of the environmental conditions would improve over time. Potential significant adverse impact related to pedestrian and bicycle safety was identified and should be an area of focus corresponding with implementation of this proposed land use legislation. (See Appendix A). Environmental review consistent with State SEPA regulations is complete, and the City Council may act on the proposed legislation.

Future Considerations

Future steps to fully implement the Industrial and Maritime Strategy include implementation of non-land use strategies, updating the Manufacturing and Industrial Centers Plans, and fine-tuning application of the new industrial zones.

Implementation of other Strategies

The Stakeholder recommendations include the following strategies that aren't directly related to land use:

- **Transportation.** Improve the movement of people and goods to make transit and freight networks work for industrial and maritime users with better service and facilities; improved last mile connections for active transportation, transit, and freight, including large truck access to shoreline and railroad uses; and advocating for a tunnel alignment for Ballard and Interbay future light rail.

Implementation actions for this strategy will require coordination across agencies including SDOT, WSDOT, Sound Transit and Metro. Currently SDOT is developing the Seattle Transportation Plan which can advance the recommended transportation strategy through its work with the freight community to assess needs, opportunities, and new vision for the safe movement of freight, people, and goods through Seattle industrial areas. OPCD will work with SDOT over the next year to develop street concepts for the new Industry and Innovation and Urban Industrial zones as they update Streets Illustrated.

- **Workforce Development.** Implementation of workforce development strategies are being led by the Office of Economic Development and its partners through a variety of programs. These programs include:
 - Partnership with Seattle Maritime Academy and at least one BIPOC led CBO.
 - WA Maritime Blue Youth Maritime Collaborative
 - "Port Jobs", training in aerospace for incumbent workers at SEA
 - "Mass Timber" institute, in development with stakeholders

These efforts place an emphasis on promoting opportunities for BIPOC youth and young adults to access missing middle jobs to address City's affordability crisis. Other workforce development efforts locally are being led by Port of Seattle in partnership with WA Maritime Blue, Polytech, and Urban League.

Updated Centers Plans

Seattle's two Manufacturing Industrial Centers, the BINMIC and the Greater Duwamish MIC are designated as such by the Puget Sound Regional Council. This designation is valuable in part because that designation increases their competitiveness for federal transportation funding. By 2025 the City will need to recertify the MIC designations for both areas. This proposal, if adopted, satisfies several critical criteria for MIC redesignation – more than 75% of land is in a core industrial zone and more than 50% of employment is in industrial jobs. As part of recertification, the City will need to update the Centers Plans for both MICs by 2025. These plans establish local goals and policies addressing transportation, economic development, environment, and other areas as determined through the planning process. OPCD anticipates working with stakeholders in both MICs to update these plans over the course of 2024.

Fine Tune Zoning

The proposed legislation offers the City Council a choice regarding timing of implementation of the new industrial zoning framework. City Council could choose to rezone all industrial land with the new zones established by the proposed Chapter 23.50A or retain the existing zoning in select locations pending further community engagement. Community engagement would occur through the Centers planning process, discussed above, and would result in a second set of rezone recommendations in 2024. The proposed rezone legislation currently rezones all industrial land and its adoption would require no further action to implement the new land use framework. In considering the rezone legislation City Council may:

- Adopt the rezone legislation in its entirety and repeal the existing Chapter 23.50 as it would no longer have application to any land in Seattle; or
- Adopt most of the rezone legislation and refine application of the new zones over the next year through the Centers Planning process. In this case, Council should retain Chapter 23.50 for a period to allow for existing zones to continue to exist in select locations until a final round of rezones occurs in 2024.

Director's Recommendation

The OPCD Director makes the following findings based on the information contained in this report and related studies about the expected outcomes from the proposed policy and zoning changes over an approximate 20-year period.

The proposed action would advance the City towards the objectives stated in the Executive Summary, which are focused on strengthening economic development and resilience, improving access to employment opportunity, and improving environmental health.

All required environmental review is complete. Many environmental conditions would improve if the action is adopted and any minor adverse impacts would be considerably outweighed by the public benefits of approving the proposal.

The proposed action is based on extensive public process and stakeholder input that occurred over multiple years. Based on public and stakeholder input, the proposal represents a balancing of varied perspectives and interests.

Approval of the action would provide predictability about the City's industrial lands policy and would resolve debates that led to inaction after previous efforts.

The action would be consistent with all regional and local policies governing Manufacturing Industrial Centers.

Therefore, the OPCD Director recommends that City Council approve the five linked ordinances described in this report to implement components of the Industrial and Maritime Strategy.

Appendices List

The following documents are attached as appendices.

- A. Environmental Impact Statement Summary Folio
- B. Non-Industrial Development Analysis



SEATTLE CITY COUNCIL
CENTRAL STAFF

Industrial Maritime Strategy

LISH WHITSON, LEGISLATIVE ANALYST

LAND USE COMMITTEE

MAY 15, 2023

Legislation

CB 120568 2023 Comprehensive Plan amendments

CB 120567 Land Use Code text amendments

New Industrial chapter 23.50A

New zones: Maritime, Manufacturing, Logistics;
Industrial Innovation; Urban Industrial

CB 120569 Zoning map changes

CB 120571 Noise ordinance amendments

CB 120570 Relocating Industrial Commercial code

Industrial and Maritime Strategies

- Environmental justice and climate action
- Stronger protections for industrially zoned land
- High-density industrial development
- Healthy transitional areas near urban villages
- No new residential uses
- Georgetown and South Park neighborhood goals
- Master planning for WOSCA and Armory sites

CB 120568 – Comprehensive Plan Amendments

- Sets policy basis for new zoning regulations, including three new zones
- Changes boundaries of Duwamish Manufacturing/Industrial Center in Georgetown and South Park and removes industrial designation in Judkins Park
- Restricts future changes to industrial areas
 - *If adopted, Council should update its Comp Plan docketing resolution (Resolution 31807) to reflect this new policy*
 - *Amend rezone criteria to reflect this direction?*

CB 120567 – Land Use Code Text Amendments

II zone FAR bonuses

- Code defines Information Computer Technology (ICT) as an industrial use that is incentivized in the II zone. The bonus for ICT space is lower than that provided for the creation of space for other industrial uses.
 - *Will this dilute the ability of the bonus program to create space for traditional industry?*
 - *What happens if an ICT business wants to move into a space built for other industrial uses?*

CB 120567 – Land Use Code Text Amendments

FAR increases for commercial uses

- Bill increases the maximum floor area ratio (FAR) in the Urban Industrial and Industrial Innovation zones.

Urban Industrial: from 2.5 to 3 or 4.5, primarily for ancillary uses

Industrial Innovation: from 2.5 or 2.75 to 4.5 to 6.5, coupled with incentives for on-site or off-site industrial development, mass timber, and preservation of vulnerable masonry structures

- *Should Mandatory Housing Affordability requirements apply to commercial floor area?*

CB 120567 – Land Use Code Text Amendments

Housing in and near industrial areas

- Housing would be allowed in and near industrial areas through rezones to non-industrial zones and in the UI zone
- The UI zone and Georgetown include noise attenuation requirements for new dwelling units
 - *Should noise attenuation requirements apply more broadly?*
 - *Are there other requirements that could reduce environmental impacts of living near industrial uses? Tree requirements? Require air conditioning?*

CB 120571 – Noise Ordinance amendments

- Allows higher noise levels in residential and commercial areas near BINMIC shorelines
 - *Consider noise attenuation in new development near the BINMIC shoreline?*

Council Amendments

- Need to make sure that the bills are internally consistent – amendments to the Land Use Code bill or rezones may have impacts on the Comprehensive Plan and vice versa
- Need to be consistent with regional criteria for MICs
- Need to be within the range of alternatives studied in the FEIS
- Rezones must be consistent with rezone criteria

May 11, 2023

MEMORANDUM

To: Land Use Committee
From: Lish Whitson, Analyst
Subject: Industrial Maritime Legislation

On Monday, May 15, the Land Use Committee will continue its discussion of legislation intended to update and modernize the City of Seattle’s industrial land use policies and regulations. The Committee will hear from the Seattle Planning Commission and Central Staff on issues for Council consideration they have identified in the legislation. The five bills¹ to implement the Seattle Industrial and Maritime Land Use Strategy are:

[CB 120568](#) The 2023 Comprehensive Plan amendment ordinance. This bill amends the Land Use element of the Comprehensive Plan to add new goals and update the policies related to industrial areas. The Future Land Use Map and other maps in the plan are amended to remove industrial designations from areas near South Park, Georgetown, and Judkins Park. All future industrial land use decisions would need to be consistent with these policies.

[CB 120567](#) Land Use Code amendments to implement the changes in the Comprehensive Plan Ordinance. This bill creates a new Seattle Municipal Code (SMC) Chapter 23.50A in the Land Use Code, which includes zoning provisions for three new industrial zones: Maritime, Manufacturing, and Logistics (MML); Industrial Innovation (II); and Urban Industrial (UI). The bill also incorporates the existing Industrial Commercial (IC) zone into Chapter 23.50A.

[CB 120569](#) Zoning Map amendments to rezone industrial areas from the existing industrial zoning designations to the new industrial zones created by CB 120567. The map amendments also rezone limited areas in Ballard, South Park, Georgetown, and Judkins Park from industrial to commercial and multifamily zoning districts.

[CB 120571](#) Noise code amendments to allow for higher noise levels in commercial and multifamily districts near the Ballard shoreline.

[CB 120570](#) Land Use code amendments to remove provisions related to the Industrial Commercial zone from the existing industrial Chapter 23.50. If CB 120567 is adopted, this bill should be adopted alongside it.

¹ For more detail regarding the content of each of these bills, please see the Office of Planning and Community Development’s [Director’s Report](#) on the package of bills, and their [presentation](#) at the May 10 Land Use Committee meeting.

This memorandum provides a description of industrial land use policy in Seattle and identifies a few issues for Councilmembers to consider to further mitigate the impacts of the proposed legislation.

Industrial and Maritime Uses and Land Use Policy

Industrial and maritime land uses are characterized by unique needs and impacts that have led them to be separated from other uses, particularly residential uses. Industrial uses generally include:

- Maritime: water-dependent businesses including shipping and fishing;
- Manufacturing: the production of goods;
- Logistics: the movement and storage of things;
- Support: wholesale businesses and industries like construction that support activities in throughout Seattle and region; and
- Utility and public uses: when similar to the activities above, or not appropriate in other areas, for example bus bases (similar to logistics) and the Port of Seattle (supporting maritime activities).

These uses all need large, generally flat parcels, with streets wide enough to accommodate the movement of large vehicles. Many of these uses require access to regional, national, or international transportation facilities, such as ports, interstate highways, rail lines, or airports.

These uses serve important roles in the city's and region's economy. They often provide pay family wage union jobs that are available to workers without college degrees. And they help to support businesses throughout the region. However, often, they are not able to economically compete with residential, retail and offices for the amount of space they need in other parts of the city.

These uses often have impacts that make them poor neighbors to residences and other types of businesses. Industrial processes can include higher-than-normal levels of noise, light and glare, vibrations, odors, or pollutants. Industrial land often is contaminated and needs to be remediated before it is safe for residents. Streets in industrial areas are designed to facilitate truck movement and the street network in these areas often has incomplete pedestrian and bicycle facilities. The trucks and trains required to carry both raw materials and finished goods to and from industrial businesses are more dangerous to pedestrians, bicyclists, and other vulnerable people.

People living near industrial areas on average have shorter lives and worse health outcomes than people living farther from the industrial areas.² These impacts are felt most strongly by low-income and Black, indigenous, and people of color (BIPOC) communities along the Duwamish River. In the words of the Duwamish River Community Coalition:

The Duwamish Valley neighbors are exposed to multiple environmental justice concerns and include a high percentage of susceptible or vulnerable populations. In addition, they have historically lacked access to, and influence on, decision-makers that shape the future of their communities as other, more affluent, communities in the region have.³

Many of Seattle's industrial areas are in areas with environmental constraints. The Duwamish River valley and the south end of Interbay are among the areas most likely to be inundated as sea levels rise. Flooding occurs along the Duwamish and impacts both nearby residents and businesses. Much of Seattle's industrial-zoned land is located on historic landfills, both formal and informal and is subject to liquefaction during earthquakes. The waterways that run through and serve the industrial areas are also critical habitat for fish and other aquatic creatures.

Because of these benefits, challenges, and impacts, the City and the region have identified Manufacturing/Industrial Centers (MICs) as areas where industrial uses are the preferred uses, and where residential uses are generally prohibited. Seattle has two MICs: the Greater Duwamish MIC and the Ballard-Interbay-Northend MIC (BINMIC).

The MICs are designated at the regional, county and city level. They must comply with requirements in the Puget Sound Regional Council's (PSRC) [Vision 2050](#) plan. This includes [review](#) by PSRC's Growth Management Policy Board of major changes to the boundaries of these centers,⁴ and [requirements](#) for plans for the centers. Because of updated requirements from the PSRC, the City must update its industrial policies.

² See for example the 2013 Health Impact Assessment for the Proposed Cleanup Plan for the Lower Duwamish Waterway Superfund Site prepared by the University of Washington School of Public Health ([Health Impact Assessment: Duwamish Cleanup Plan | Environmental & Occupational Health Sciences \(washington.edu\)](#)) which found that residents of the 98108 zip code, had an average life expectancy at birth that was 8 years lower than the City average (73.3 years vs. 81.5 years), and had a childhood asthma hospitalization rate that was 130% higher than King County as a whole. This data is mirrored in other studies, see for example: [Residential Proximity to Environmental Hazards and Adverse Health Outcomes - PMC \(nih.gov\)](#).

³ From [Why is our work important? — Duwamish River Community Coalition \(drcc.org\)](#), accessed May 9, 2023. As of 2021, the population of Census tract 112, containing South Park, was 29% foreign-born, 25 percent Latino, and more than 66 percent people of color, including Asian, Pacific Islander, Hispanic, African American, and Native American. In that census tract, 35 percent of children and 22 percent of adults were in households with incomes below the poverty level. Fourteen percent of residents had no health insurance coverage. (American Community Survey, 2016-2021).

⁴ A major change is defined as more than 10% of the area of a center.

The proposed bills respond to these requirements, but more directly respond to the [recommendations](#) of the Industrial and Maritime Strategy Council released in 2021. In particular, the bills respond to Strategies 4 through 10:

Investment Strategies

* * *

4. Environmental Justice and Climate Action: Address environmental inequities and protect industrial-adjacent communities from environmental harms, transition to a climate pollution free freight network, and prepare for a changing climate.

Land Use Strategies

5. Stronger Protections for Industrially Zoned Land: Strengthen protections for industrially zoned lands within Seattle by establishing higher thresholds to remove industrial land designations and closing loopholes that have allowed significant non-industrial development within industrially zoned lands.
6. High Density Industrial Development: Encourage modern industrial development that supports high-density employment near transit stations and near existing industrial-commercial areas by creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.
7. Healthy Transitional Areas near Urban Villages: Foster increased employment and entrepreneurship opportunities with a vibrant mix of affordable, small-scale places for light industry, makers, and creative arts, as well as industry supporting ancillary retail.
8. No New Residential Uses: No new residential uses on industrial and maritime lands. Limited adjustments to existing allowances in transitional zones to support industry and arts entrepreneurship opportunities. Any limited adjustments to existing allowances in transitional zones would be determined after additional study of potential impacts, including an Environmental Impact Statement (EIS).
9. Georgetown and South Park Neighborhood Goals: Remove a few small, focused locations from industrial zoning in Georgetown and South Park and convert them to mixed use zoning to achieve neighborhood goals

Action Strategies

10. Master Planning for WOSCA and Armory Sites: Recognizing the time limitations of this process and the specialized nature of these sites, partner with agencies of the State of Washington, Department of Transportation (WOSCA), and Department of Commerce (Armory), or future owners on a master planning process for industrial redevelopment specifically designed for each site based on the guiding principles of this workgroup.

* * *

Issues for Council Consideration

The proposed package of bills is intended to balance competing interests regarding the future of industrial lands in Seattle. It generally implements the strategies recommended by the Industrial and Maritime Strategy Council. However, Central Staff has identified a few issues that Councilmembers may want to consider as they weigh this legislation.

CB 120568 Comprehensive Plan Amendments

Topic	Discussion
<p><i>Restriction on changes to industrial areas</i></p> <p>The Comprehensive Plan amendment ordinance includes a new policy limiting changes to industrial areas to 1) major updates to the Comprehensive Plan or 2) a City-sponsored planning process.</p> <p>A separate policy would provide specific direction regarding future changes to two State-owned properties: the Washington National Guard Armory in Interbay, and the WOSCA site in SODO.</p>	<p>Resolution 31807 lays out the City’s process and criteria for considering changes to the Comprehensive Plan. If these amendments are adopted, the Council should update the Resolution to reflect the direction provided by these new policies. The Council may also want to consider adding a restriction on future changes to industrial areas in the rezone criteria in the Land Use Code, Chapter 23.34, which guide site-specific rezones.</p>

CB 120567 Chapter 23.50A

Topic	Discussion
<p>FAR increases for Commercial uses</p> <p>The proposed bill would significantly increase the amount of permitted FAR for non-industrial uses in the UI and II zones.</p> <p>In the UI zone, commercial uses that are ancillary to an industrial use are allowed to occupy up to 80 percent of a structure with no maximum size limit, with a maximum FAR limit of 3 or 4.5, up from the 2.5 FAR limit in the existing Industrial Buffer (IB) zone.</p> <p>The II-85 zone would have a maximum FAR limit of 4.5, the II-125 zone would have a maximum FAR limit of 5.75, and the II-160 zone would have a maximum FAR limit of 6.5 FAR. There would be no maximum size limit for commercial uses in these zones that are part of a project that participates in the bonus program. The II zone would generally replace General Industrial (IG) and Industrial Commercial (IC) zones that have FAR limits of 2.5 and 2.75, respectively.</p>	<p>Should these FAR increases be coupled with requirements for participation in Mandatory Housing Affordability program for commercial uses as has been the case with other significant upzones? For the UI zone, generally these commercial uses would need to be ancillary to an industrial use. For the II zone, the commercial uses would need to participate in the II bonus program and be part of a project that supports the creation of new industrial space.</p>

Topic	Discussion
<p>II Zone <u>FAR bonuses</u> The II zone would implement strategy 6 by allowing higher density office development through a Floor Area Ratio (FAR) bonus program.</p> <p>In the II-85 zone, in order to achieve the maximum FAR of 4.5, the project would need to provide on- or off-site industrial spaces.</p> <p>In the II-125 and II-160 zones, in order to achieve the maximum FAR of 5.75 or 6.5 FAR, projects would need to (1) provide on- or off-site industrial uses; and (2) either use mass-timber construction or acquire transferrable development rights from a vulnerable masonry structure.</p>	<p>Strategy 6 describes this approach as “creating density bonuses for employment uses (i.e., office, R&D, etc.) if coupled with industrial uses in the same project.” The proposed bill would allow these industrial uses to be located off-site if they are within the same MIC.</p> <p>The proposed bill classifies Information Computer Technology (ICT) as an industrial use in the II zone only. A project could qualify for the bonus by only providing office space for the technology sector. Under height limit provisions that allow for unlimited height for structures in industrial use in II zones, no height limit would apply to such a structure, unless it were under a flight path.</p> <p>ICT uses can easily be accommodated in office space in other parts of the city and do not have the same space needs or impacts as other industrial uses. The effect of this approach may be to reduce the effectiveness of the II bonus in terms of creating new space for more intensive industrial uses that are not appropriate in other parts of the City.</p> <p>The proposed bill provides different bonus ratios for ICT uses compared to other industrial uses. Projects providing ICT space would be granted four additional square feet of non-industrial space for each square foot of ICT space, and five square feet for each for each square foot of non-ICT industrial space. The proposed code is not clear regarding what would occur if an ICT use seeks to move into to a space that was built with the non-ICT industrial space bonus.</p>

Topic	Discussion
<p>Housing in and near Industrial zones</p> <p>The proposed bills increase housing in and near industrial zones in two ways: (1) by allowing housing as a conditional use in UI zones, and (2) by rezoning some industrial areas to commercial or multifamily zones. Because of the impacts residential and industrial uses can have on each other, these changes should be considered carefully.</p> <p>Some of the conditions that maintain the industrial character of the UI zone include:</p> <ul style="list-style-type: none"> • Limiting residential uses to 50 percent of a project; • Limiting residential density to 50 dwelling units per acre; • Prohibiting multifamily uses within 200 feet of designated major truck streets and shorelines; • Restricting the residential use to live/work units, caretakers’ quarters, or affordable units;⁵ and • Requiring statements that owners and residents acknowledge that the housing is in an industrial area and accepting the character of the neighborhood. <p>Future residents in these units would be protected from impacts from industrial activity by requiring the installation of sound-insulating windows and landscaping requirements that would newly be applied to these districts.</p> <p>A similar requirement for noise attenuation is placed on property in Georgetown that is being rezoned from industrial to Neighborhood Commercial in Georgetown. It is not applied in other areas where similar rezones are proposed.</p>	<p>If Councilmembers want to further limit the impacts of harmful industrial uses and industrial activity on future residents in these areas, there are additional requirements they could add:</p> <ul style="list-style-type: none"> • Limiting housing near rail yards, interstates, and airports, all of which can have significant air quality, noise and vibration impacts on nearby residences; • Requiring noise attenuation for future housing units in all of these areas; • Requiring air conditioning and non-operable windows in future housing units to improve indoor air quality; • Increasing landscaping and tree requirements in the MML zone, which has limited street tree requirements and no landscaping requirements; • Requiring new industrial buildings to be set back from lot lines that are shared with all zones where residential development is permitted; • Prohibiting high impact uses near zones where residential uses are permitted; or • Requiring sidewalks be built alongside new construction near areas where residential uses are permitted.

⁵ A minimum of 50 percent of units in the project would need to be affordable at the following levels depending on the number of bedrooms: Small Efficiency Dwelling Units (SEDUs) – 60 percent of area median income (AMI); studio and one-bedroom units – 80 percent AMI; two or more bedroom units – 90 percent AMI.

CB 120571 Noise Code

Topic	Discussion
This bill would allow for higher noise levels in residential and commercial zones near the BINMIC shoreline than are permitted in other residential and commercial areas.	The impacts of this bill on new housing could be mitigated by requiring the type of noise attenuation that is proposed to be required in Georgetown in residential and commercial areas near the BINMIC shoreline, such as the western section of the Ballard Urban Village.

Key Considerations for Amendments

As Councilmembers consider amendments, please keep in mind constraints on Council changes that are embedded in the Washington State Growth Management Act (GMA), State Environmental Policy Act (SEPA), and the City's land use regulations.

Under the GMA, land use bills must be consistent with the policies of Seattle's Comprehensive Plan. Before proposing an amendment to the land use code amendment ordinance or rezone ordinance, please consider whether the change will be consistent with the Comprehensive Plan policies related to industrial lands. In addition to the policies included in CB 120568, there are additional goals and policies for each of the MICs that should be considered. Other policies throughout the plan may also constrain the Council's policy choices.

In addition, the GMA requires consistency between local and regional plans. As regionally-designated centers, the City's MICs must follow the policies for Manufacturing and Industrial Centers contained in PSRC's Vision 2050 and King County's Countywide Planning Policies. Amendments that would conflict with those policies should not be adopted.

The Office of Planning and Community Development (OPCD) has published an [environmental impact statement](#) (EIS) that analyzed the impacts of this proposal. Under SEPA, the Council may not consider changes to the proposal that have not been analyzed. This means that if a Councilmember wants to propose an amendment that is outside the range of alternatives studied under the EIS, additional environmental review may be required prior to Council action on the final bill. We will work with you to help identify the level of review that may be required depending on how much the amendment differs from the alternatives and potential mitigation measures studied under the FEIS.

Finally, SMC 23.34.007 states that all rezones must be guided by rezone criteria contained in SMC Chapter 23.34. The criteria in that chapter are weighed and balanced and should be considered by the Council in considering any changes zoning designations, including height limits. This Chapter is proposed to be amended by CB 120567, and the Council should consider the new criteria in that bill alongside existing criteria in Chapter 23.34.

Next Steps

Chair Strauss has requested that Councilmembers send their ideas for potential amendments to me by the end of the day Wednesday, May 17. I will compile a summary of proposed amendments to be published on May 22 so that members of the public will have a sense of the range of changes that Councilmembers are considering prior to May 24th public hearing. The Committee will consider amendments and may vote on the legislation at a special meeting scheduled for the week of June 5.

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

May 22, 2023

MEMORANDUM

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

On Wednesday, May 24, the Land Use Committee will hold a public hearing on 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.

Attached to this memorandum is the preliminary list of potential amendments that Councilmembers are considering proposing to the legislation. These amendments are preliminary concepts that may change based on public feedback and additional review.

Following the public hearing, we will prepare amendatory language for the Land Use Committee to consider at a special meeting on June 8.

Attachments:

1. Potential amendments to the Industrial and Maritime Strategy legislation

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

Attachment 1 – Table of Amendments to Industrial Maritime Strategy

#	Potential Amendment	Sponsor
1	Technical Amendments	Strauss
2	Change the required ground floor load bearing in industrial space in II zones from 250 lbs/sq ft to 125 lbs/sq ft	Strauss
3	Require Mandatory Housing Affordability (MHA) for commercial development in the Industrial Innovation (II) zone	Morales
4	Expand street tree planting requirements in the Manufacturing, Maritime and Logistics (MML) zone	Strauss
5	Increase the residential density limit in the Urban Industrial (UI) zone along the Wallingford waterfront	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
9	Allow an additional 10 feet of height in the Georgetown Live-Work district along 4th Avenue S	Strauss
10	Rezone the block at Leary Way and Dock Street to General Commercial 2 (C2) or other non-industrial zone	Strauss
11	Rezone the block at the northwest corner of Leary Way 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) and rezone to Lowrise (LR)	Strauss
13	Remove the area at the western end of Commodore Way near 31st Avenue W from the BINMIC and rezone to C2 or LR3	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	Morales



Legislation Text

File #: CB 120582, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.

WHEREAS, control over the use of land has been used in North America for centuries as a tool to further the colonization, segregation, exclusion, and disinvestment of communities of color, beginning in our region with European colonization of Coast Salish territory and continuing through the 20th century through public- and private-sector policies and practices like redlining and racially restrictive covenants; and

WHEREAS, once these explicitly racist practices were ruled unconstitutional, race-neutral zoning regulations supplanted them and served to solidify and further the exclusion of low-income people through minimum lot sizes, bans on lower-cost housing, and limits on housing supply, with particular impacts on Black, Indigenous, and people of color (BIPOC) households, which tend to have lower incomes and less wealth; and

WHEREAS, market forces and urban growth have increased displacement pressures on BIPOC communities, resulting in the documented dislocation of longtime residents, immigrants and refugees, culturally relevant businesses, and community anchors that provide stability and sustain community networks; and

WHEREAS, in 2016 the City established the Equitable Development Initiative (EDI) to address financial barriers facing community-led anti-displacement projects, and EDI has since awarded funds to dozens

of projects in neighborhoods at high risk of displacement; and

WHEREAS, many EDI-funded projects include activities, like community gathering space, arts and cultural space, and educational programming, that are most closely aligned with the definition of community center use or library use in the City’s Land Use Code, which are regulated as conditional uses in Neighborhood Residential zones and subject to additional requirements, longer permitting timelines, higher permitting fees, and less predictability; and

WHEREAS, some EDI-funded projects and other nonprofit community organizations in Seattle have sought to expand access to healthy, affordable, and culturally appropriate food and eating practices; reduce hunger and food insecurity; and create a more resilient and just food system; and

WHEREAS, in a highly competitive real estate market, small community organizations, particularly those led by and serving BIPOC communities, struggle to find and acquire suitable and affordable sites for their anti-displacement projects with zoning that accommodates their intended activities and uses; and

WHEREAS, recent and current applicants for funding from EDI have identified a range of regulatory barriers facing projects proposed by nonprofit community organizations due to City zoning and land use policy; and

WHEREAS, the Office of Planning and Community Development has interviewed dozens of EDI applicants and grantees and convened a stakeholder group of equitable development practitioners and community leaders with expertise in architecture, development, and the EDI process to provide recommendations for strategies to more closely align land use policy and the City’s equitable development goals; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in neighborhood residential zones:

A. Single-family dwelling unit((-)) ;

* * *

K. Child care centers;

L. Community centers that do not provide shelter services;

M. Community farms; and

N. Libraries.

Section 2. Section 23.44.022 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.44.022 Institutions

A. ~~((Institutions identified.))~~ Scope of standards

1. The standards of this Section 23.44.022 apply only to institutions permitted as conditional uses in neighborhood residential zones.

2. The following institutions may be permitted as conditional uses in neighborhood residential zones:

a. Community centers that provide shelter services;

b. Private schools;

c. Religious facilities;

~~((Libraries))~~

d. Existing institutes for advanced study; and

e. Other similar institutions.

3. The following institutions are prohibited in neighborhood residential zones:

a. Hospitals;

b. Colleges;

- c. Museums;
- d. Private clubs; and
- e. Vocational schools.

B. Major ~~((Institutions))~~ institutions. Existing major institutions and major institution uses within an existing Major Institution ~~((overlay district))~~ Overlay District shall be permitted in accordance with the provisions of Chapter 23.69~~((, Major Institution Overlay Districts, and the provisions of))~~ this ~~((section))~~ Section 23.44.022.

C. Public schools shall be permitted as regulated in Section 23.51B.002.

D. General provisions~~((;))~~

1. New or expanding institutions in neighborhood residential zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.020 unless modified elsewhere in this ~~((subsection 23.44.022.D))~~ Section 23.44.022 or in a Major Institution master plan.

2. The establishment of a shelter for homeless youths and young adults in a legally established elementary or secondary school~~((;))~~ is not considered a new use or an expansion of the institutional use provided that:

- a. The use does not violate any condition of approval of the existing institutional use;
- b. The use does not require expansion of the existing structure;
- c. Any new children's play area is located at least 30 feet from any other lot in a neighborhood residential zone~~((;))~~ and at least 20 feet from any lot in a multifamily zone; and
- d. The occupants are enrolled students of the established school.

3. Institutions seeking to establish or expand on property that is developed with residential structures may expand their campus up to a maximum of ~~((2-1/2))~~ 2.5 acres. An institution campus may be established or expanded beyond ~~((2-1/2))~~ 2.5 acres if the property proposed for the expansion is substantially vacant land.

E. Dispersion. The lot line of any proposed new or expanding institution(~~(, other than child care centers,~~) shall be located at least 600 feet (~~(or more)~~) from any lot line of any other institution in a residential zone, with the following exceptions:

1. An institution may expand even though it is within 600 feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.
2. A proposed institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria is achieved due to the presence of physical elements that provide substantial separation from other institutions, such as bodies of water, large open spaces, or topographical breaks or other elements such as arterials, freeways, or nonresidential uses(~~(, which provide substantial separation from other institutions)~~).

F. Demolition of (~~(Residential Structures)~~) residential structures. No residential structure shall be demolished, nor shall its use be changed to provide for parking. This prohibition may be waived if the demolition or change of use proposed is necessary to meet the parking requirements of (~~(this Land Use Code)~~) Title 23 and if alternative locations would have greater noise, odor, light and glare, or traffic impacts on surrounding property in residential use. If the demolition or change of use is proposed for required parking, the Director may consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location or screening.

G. Reuse of (~~(Existing Structures)~~) existing structures. Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures (~~(which)~~) that do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

H. Noise and (~~(Odors-)~~) odors

1. For the purpose of reducing potential noise and odor impacts, the Director shall consider the

location on the lot of the proposed institution, on-site parking, outdoor recreational areas, trash and refuse storage areas, ventilating mechanisms, sports facilities, and other noise-generating and odor-generating equipment, fixtures, or facilities. The institution shall be designed and operated in compliance with ~~((the Noise Ordinance,))~~ Chapter 25.08.

2. In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, or setting hours of operation for facilities ~~((or other similar measures))~~.

I. Landscaping

1. The Director shall promulgate rules to foster the long-term health, viability, and coverage of plantings. The rules shall address, at a minimum, the type and size of plants, spacing of plants, use of drought-tolerant plants, and access to light and air for plants. All landscaping provided to meet the requirements of this Section 23.44.022 shall comply with these rules.

2. Landscaping that achieves a Green Factor score of 0.3 or greater, pursuant to Section 23.86.019, is required for any lot with:

a. ~~((development))~~ Development containing more than four new dwelling units;

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

c. ~~((any))~~ Any parking lot containing more than 20 new parking spaces for automobiles.

J. Light and ~~((Glare.))~~ glare

1. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area, ~~((and))~~ intensity, ~~((of illumination, the))~~ and location or angle of illumination be limited.

2. Nonreflective surfaces shall be used to help reduce glare.

K. Bulk and siting

1. Lot area. If the proposed site is more than one acre in size, the Director may require the following and similar development standards:

a. For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum;

b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent (~~residentially zoned~~) residentially zoned block fronts in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.

2. Yards. Yards of institutions shall be as required for uses permitted outright pursuant to Section 23.44.014, provided that no structure other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to the side lot line. If the Director finds that a reduced (~~setback~~) yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings, the (~~sideyard setback~~) side yard may be reduced to 5 feet. Fences and freestanding walls of utility services uses, regulated under this Section 23.44.022 pursuant to Section 23.51A.002, shall be set back from the street lot line a minimum of 10 feet, and landscaping shall be provided between the fence or wall and the right-of-way. The Director may reduce (~~this setback~~) the required yard after finding that the reduced (~~setback~~) yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the fence, wall, or structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide

both: a landscaped (~~(setback)~~) yard between the fence or wall and the right-of-way(~~(s)~~) ; and a fence or wall that provides visual interest facing the street lot line(~~(s)~~) through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

3. Institutions (~~(Located on Lots in More Than One (1) Zone Classification)~~) located on lots in more than one zone classification. For lots (~~(which)~~) that include more than one (~~((1))~~) zone classification, neighborhood residential zone provisions shall apply only to the (~~(neighborhood residential-zoned)~~) neighborhood residential-zoned lot area involved.

4. Height (~~(Limit)~~) limit

a. Religious symbols for religious institutions may extend an additional (~~(twenty-five (25))~~) 25 feet above the height limit.

b. For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be (~~(thirty-five (35))~~) 35 feet if portions of the structure above (~~(thirty-five (35))~~) 35 feet are set back at least (~~(twenty (20))~~) 20 feet from all property lines. Pitched roofs on a gymnasium or auditorium (~~(which)~~) that have a slope of not less than (~~(four to twelve (-) 4:12((?))~~) may extend (~~(ten (10))~~) 10 feet above the (~~(thirty-five (35))~~) 35-foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the (~~(thirty-five (35))~~) 35-foot height limit under this provision.

5. Facade (~~(Scale)~~) scale. If any facade of a new or expanding institution (~~(exceeds thirty (30) feet in length)~~) is longer than 30 feet, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of bulk. Design features (~~(which)~~) that may be required include, but are not limited to, modulation, architectural features, landscaping (~~(or)~~) , and increased yards.

L. Parking and (~~(Loading Berth Requirements:))~~ loading berth requirements

1. Quantity and (~~(Location of Off-street Parking:))~~ location of off-street parking

a. Use of transportation modes such as public transit, vanpools, carpools, and bicycles to reduce the use of single-occupancy vehicles is encouraged.

b. Parking and loading is required as provided in Section 23.54.015.

c. The Director may modify the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 on a case-by-case basis using the information contained in the transportation plan prepared pursuant to subsection 23.44.022.M. The modification shall be based on adopted City policies and shall:

1) Provide a demonstrable public benefit, such as ~~((, but not limited to,))~~ reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light, and glare; and

2) Not cause undue traffic through residential streets ~~((nor))~~ or create a safety hazard.

2. Parking ~~((Design))~~ design. Parking access and parking shall be designed as provided in ~~((Design Standards for Access and Off-street Parking,))~~ Chapter 23.54.

3. Loading ~~((Berths))~~ berths. The quantity and design of loading berths shall be as provided in ~~((Design Standards for Access and Off-street Parking,))~~ Chapter 23.54.

M. Transportation ~~((Plan))~~ plan. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions ~~((which))~~ that are larger than ~~((four thousand (4,000)))~~ 4,000 square feet of structure area and/or are required to provide an additional ~~((twenty (20)))~~ 20 or more parking spaces. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:

1. Traffic. Number of staff on site during normal working hours, number of users, guests and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of

the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution, and mitigating measures to be taken by the applicant;

2. Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking, and measures to be taken by the applicant such as preference given to some parking spaces for carpool and vanpool vehicles and provision of bicycle racks;

3. Parking (~~((Overflow))~~) overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development, and mitigating measures to be taken by the applicant;

4. Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;

5. Availability of (~~((Public or Private Mass Transportation Systems))~~) public or private mass transportation systems. Route location and frequency of service(~~(;)~~) and private mass transportation programs (~~((including))~~) to be provided by the applicant, such as carpools and vanpools(~~(, to be provided by the applicant))~~).

N. Development (~~((Standards for Existing Institutes for Advanced Study-))~~) standards for existing institutes for advanced study

1. The institute shall be located on a lot of not less than (~~((fifteen (15)))~~) 15 acres.

2. The lot coverage for all structures shall not exceed (~~((twenty (20)))~~) 20 percent of the total lot area.

3. Structures shall be set back a minimum of (~~((twenty-five (25)))~~) 25 feet from any lot line.

4. Parking areas shall be set back a minimum of (~~((ten (10)))~~) 10 feet from any lot line.

5. In the event of expansion, parking shall be required as provided for (~~((“))~~)existing institutes for advanced study(~~((“))~~) in Section 23.54.015(~~(, Required parking))~~).

6. Landscaping shall be provided between a lot line and any structure and shall be maintained for the duration of the use.

Section 3. Section 23.45.570 of the Seattle Municipal Code, last amended by Ordinance 126131, is amended as follows:

23.45.570 Institutions

* * *

F. Setback requirements in LR zones

1. Front setback. ~~((The minimum depth of the required front setback is determined by the average of the setbacks of structures on adjoining lots, but is not required to exceed 20 feet. The setback shall not be reduced below an average of 10 feet, and no portion of the structure may be closer than 5 feet to a front lot line.))~~ The average front setback is 10 feet, and the minimum front setback is 5 feet.

2. Rear setback. The minimum rear setback is 10 feet.

3. Side setback

a. The minimum side setback is ~~((10))~~ 5 feet ~~((from a side lot line that abuts any other residentially-zoned lot. A 5-foot setback is required in all other cases, except that the minimum side street side setback is 10 feet)).~~

b. If the depth of a structure exceeds 65 feet, an additional side setback is required for that portion of the structure in excess of 65 feet, according to Table B for 23.45.570. In lieu of providing the additional setback for the portion of the structure in excess of 65 feet deep, a lesser side setback may be provided for the portion in excess of 65 feet deep if the average setback for the entire structure is no less than the average of the setback required by subsection 23.45.570.F.3.a and the setback required under Table B for 23.45.570.

Table B for 23.45.570 Side ((Setback Requirements for Institutional Structures Greater than 65 in-Depth in LR Zones)) <u>setback requirements for institutional structures greater than 65 feet in in LR zones</u>
--

Structure depth in feet	Side setback requirement in feet				
	Up to 20 in height	Greater than 20 up to 40 in height	Greater than 40 up to 60 in height	Greater than 60 up to 80 in height	Greater than 80 in height
Up to 70	12	14	16	18	-
Greater than 70, up to 80	13	15	17	19	21
Greater than 80, up to 90	14	16	18	20	22
Greater than 90, up to 100	15	17	19	21	23
Greater than 100	16	18	20	22	24

4. Setbacks for ~~((Specific Items))~~ specific items. The following shall be located at least 20 feet from any abutting residentially zoned lot:

- a. Emergency entrances;
- b. Main entrance door of the institutional structure;
- c. ~~((Outdoor play equipment and game courts;~~
- ~~d.))~~ Operable window of gymnasium, assembly hall, or sanctuary;
- ~~((e.))~~ d. Garbage and trash disposal mechanism;
- ~~((f.))~~ e. Kitchen ventilation;
- ~~((g.))~~ f. Air-conditioning or heating mechanism;
- ~~((h.))~~ g. Similar mechanisms and features causing noise and/or odors as determined by

the Director.

5. Accessory structures and projections from principal structures are allowed in required setbacks on lots developed with institutional uses to the same extent that those accessory structures or projections would be allowed for apartments in the zone, except that no accessory structures other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to a side lot line abutting

another lot in a residential zone.

* * *

Section 4. Table C for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 126685, is amended as follows:

23.54.015 Required parking and maximum parking limits

* * *

Table C for 23.54.015 Required ((Parking for Public Uses and Institutions)) <u>parking for public uses and institutions</u>		
Use	Minimum parking required	
I. General ((Public Uses and Institutions)) <u>public uses and institutions</u>		
A.	Adult care centers ^{1, 2, ((40))} <u>3</u>	1 space for each 10 adults (clients) member, whichever is greater; plus space for each 20 adults (clients)
B.	Child care centers ^{2, 3, ((40))} <u>4</u>	1 space for each 10 children or 1 space for each 20 children, whichever is greater; plus 1 loading space for each 20 children
C.	Colleges	A number of spaces equal to 15 percent of the number of students that the facility is designed to accommodate; plus 1 space for each 100 square feet of assembly area in outdoor spectator seating areas
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) ^{1, ((4))} <u>6</u>	1 space for each 555 square feet; or 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by SPR ^{1, 5, 7}	1 space for each 80 square feet of floor area for public assembly rooms ((not)) <u>con-</u> space for every 8 fixed seats for floor seats; or if no auditorium or assembly 350 square feet ((, excluding ball court) <u>areas</u>

F.	Community farms ⁴	1 space plus 1 space for each 10,000 square feet of floor area, or 10 spaces, whichever is greater
(F.) G.	Hospitals	1 space for each 2 staff doctors; plus 1 space for each 5 employees other than staff doctors
(G.) H.	Institutes for advanced study, except in neighborhood residential zones	1 space for each 1,000 square feet of floor area plus 1 space for each 10 fixed seats in assembly rooms; or 1 space for each 1,000 square feet of floor area in assembly area not containing fixed seats
(H.) I.	Institutes for advanced study in neighborhood residential zones (existing) ¹	3.5 spaces for each 1,000 square feet of floor area; or 1 space for each 1,000 square feet of floor area to house and support conference centers; or 1 space for each 1,000 square feet of conference room; whichever is greater
(I.) J.	Libraries ^{1, 5, ((6)) 8}	1 space for each 80 square feet of floor area for public meeting rooms containing fixed seats for every 500 square feet of floor area (excluding public meeting rooms) of all other uses
(J.) K.	Museums ¹	1 space for each 80 square feet of floor area for assembly rooms, not containing fixed seats for every 10 fixed seats for floor area; or 1 space for each 250 square feet of floor area for the public
(K.) L.	Private clubs	1 space for each 80 square feet of floor area for public assembly rooms not containing fixed seats for every 8 fixed seats for floor area; or 1 space for each auditorium or assembly room, 1 space for each 100 square feet of floor area, excluding ball courts
(L.) M.	Religious facilities ¹	1 space for each 80 square feet of floor area for assembly rooms
(M.) N.	Schools, private elementary and secondary ¹	1 space for each 80 square feet of floor area for assembly rooms, or if no auditorium, 1 space for each staff member
(N.) O.	Schools, public elementary and secondary ^{((5.)) 7, ((8)) 9, 10}	1 space for each 80 square feet of floor area for assembly rooms, or 1 space for every 100 square feet of floor area for public assembly rooms containing fixed seats in schools on a new or existing public site
(O.) P.	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 5 students than faculty that the facility is designed to accommodate; plus 1 space for each 5 students, based on the number of students that the school is designed to accommodate

II. General ((Public Uses and Institutions for Specific Areas)) <u>public uses and institutions for specific areas</u>		
<p>((P.)) <u>Q.</u></p>	<p>General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ⁽⁹⁾ <u>11</u></p>	<p>No minimum requirement</p>
<p>((Q.)) <u>R.</u></p>	<p>General public uses and institutions, except hospitals, including institutes for advanced study in neighborhood residential zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a frequent transit service area</p>	<p>No minimum requirement</p>

Footnotes ((for)) to Table C for 23.54.015 ¹ When this use is permitted in a neighborhood residential zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when the use is permitted in a multifamily zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.570. ² The amount of required parking is calculated based on the maximum number of staff, children, or clients that the center is designed to accommodate on site at any one time. ³ As a Type I decision, the Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists. ⁴ A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces. ⁽⁴⁾ ~~((When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I.))~~ ⁵ When this use is permitted outright in a neighborhood residential or multifamily zone, the Director

may reduce the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 or Section 23.45.536 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied. ⁶ When family support centers are located within community centers owned and operated by the Department of Parks and Recreation, the Director may lower the combined parking requirement by up to a maximum of 15 percent, pursuant to subsection 23.54.020.I. ⁽⁵⁾ ⁷ Indoor gymnasiums are not considered ball courts, nor are they considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the gymnasium is one parking space for every eight fixed seats. Each 20 inches of width of bleachers is counted as one fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement is one space for each 350 square feet. ⁽⁶⁾ ⁸ When ((a library is permitted in a

~~neighborhood residential zone as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when)) a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements ((pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements pursuant to subsection 23.44.022.L)) of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied. ⁽⁷⁾ 2~~

For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown ~~((~~∅~~))~~ in this Table C for 23.54.015 for the increase in floor area or increase in number of seats

area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the existing auditorium or other place of assembly, then no additional parking is required. ⁽⁸⁾ 10

Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces. ⁽⁹⁾ 11

The general requirements of lines A through ~~((Θ))~~ P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ⁽⁴⁰⁾ ~~((The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned~~

transportation projects adjacent to their property, when no other alternative exists.))

* * *

Section 5. Section 23.84A.018 of the Seattle Municipal Code, last amended by Ordinance 126131, is amended as follows:

23.84A.018 "I"

* * *

"Institution" means structure(s) and related grounds used by organizations for the provision of educational, medical, cultural, social, and/or recreational services to the community, including but not limited to the following uses:

1. "Adult care center" means an institution that regularly provides care to a group of adults for less than ~~((twenty-four (24)))~~24(+) hours a day, whether for compensation or not.

2. "College" means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor, and/or graduate degrees.

3. "Community club or center" means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, ~~((and other similar activities))~~ social gatherings, educational programming, gardens, and art exhibits.

a. "Community center" means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

b. "Community club" means a community club or center use, membership to which is open to the general public on an equal basis.

4. "Child care center" means an institution that regularly provides care to a group of children for less than 24 hours a day, whether for compensation or not. Preschools, cooperative child care exchanges, and drop-in centers where children receive care by the day shall be considered to be child care centers.

5. "Community farm" means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

~~((5-))~~ 6. "Family support center" means an institution that offers support services and instruction to families, such as parenting classes and family counseling, and is co-located with a Department of Parks and Recreation community center.

~~((6-))~~ 7. "Hospital" means an institution other than a nursing home that provides accommodations, facilities, and services over a continuous period of ~~((twenty-four (24)))~~ 24 hours or more, for observation, diagnosis, and care of individuals who are suffering from illness, injury, deformity, or abnormality or from any condition requiring obstetrical, medical, or surgical services, or alcohol or drug detoxification. ~~((This definition excludes nursing homes.))~~

~~((7-))~~ 8. "Institute for advanced study" means an institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

~~((8-))~~ 9. "Library" means an institution where literary, musical, artistic, or reference materials are kept for use but not generally for sale.

~~((9-))~~ 10. "Museum" means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

~~((10-))~~ 11. "Private club" means an institution used for athletic, social, or recreational purposes and operated by a private nonprofit organization, membership to which is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is generally restricted to members and their guests.

~~((11-))~~ 12. "Religious facility" means an institution, such as a church, temple, mosque, synagogue, or other structure, together with its accessory structures, used primarily for religious worship.

~~((12-))~~ 13. "School, elementary or secondary" means an institution operated by a public or nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

~~((13-))~~ 14. "School, vocational or fine arts" means an institution that teaches trades, business courses, hairdressing, and similar skills on a post-secondary level, or that teaches fine arts such as music, dance, or painting to any age group, whether operated for nonprofit or profit-making purposes, except businesses that provide training, instruction, or lessons exclusively on an individual basis, which are classified as general retail sales and service uses, and except those businesses accessory to an indoor participant sports use.

~~((14-))~~ 15. "University." See "College."

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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

President _____ of the City Council

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

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

_____, Interim City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Office of Planning and Community Development (OPCD)	Nick Welch	Christie Parker

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

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.

Summary and Background of the Legislation: The Office of Planning and Community Development (OPCD) proposes a suite of Land Use Code amendments that remove regulatory barriers facing equitable development projects. These code changes support anti-displacement projects, including those funded by the City’s Equitable Development Initiative (EDI), by simplifying and removing uncertainty from the permitting process and updating code language to provide clarity and consistency for the types of activities these projects tend to include.

In 2016, the City established EDI to address financial barriers to equitable development. Since then, dozens of community-led projects have received funding, but many continue to face regulatory hurdles that thwart, complicate, delay, and add cost to these projects. One reason for this is the types of uses these projects often include. Many EDI projects combat displacement through inclusion of community gathering space, arts and cultural space, civic and educational programming, and other community uses. These activities generally align most closely with the Land Use Code definition of a “community center,” a type of small institution permitted in residential zones only as a conditional use. Conditional uses are subject to several requirements and limits beyond the standards for other uses, like additional setbacks, dispersion requirements, and a discretionary approval process that adds time and cost.

This legislation addresses specific land use barriers that many EDI applicants and grantees are currently facing. This legislation:

- Allows community centers and libraries as institution uses permitted outright in Neighborhood Residential zones rather than requiring a conditional use permit that adds time, cost, and uncertainty for applicants
- Modifies the amount of off-street parking required for community centers and libraries
- Defines and provides standards for “community farms” as a type of institution allowed outright in Neighborhood Residential zones

- Modifies the definition of “community club or center” to better reflect the types of activities and programming commonly included in EDI projects and increase predictability in the permitting process
- Allows community centers to include certain accessory commercial uses, subject to limits, to let these institutions provide additional community services and generate revenue that supports the nonprofit organization
- For institutions in LR zones, applies setback requirements consistent with those for uses permitted outright in the zone rather than requiring larger setbacks, and eliminates specific setback requirements for outdoor play equipment and game courts

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

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

No.

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

Some current and likely future EDI-funded projects would continue to require conditional use permits in order to proceed, which can add costs to a project by extending the timeline, increasing permit review fees, and requiring more specialized professional expertise to navigate and complete the design and permitting process.

4. OTHER IMPLICATIONS

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

The proposal affects the permitting pathway that SDCI follows for some small institutions. Projects that include uses affected by the proposal (community centers, libraries, and community farms) also sometimes include low-income housing funded by OH.

b. Is a public hearing required for this legislation?

Yes. A public hearing is expected to be held in April or May 2023.

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

Yes. Notice is required for the public hearing and will be published in the Daily Journal of Commerce. Notice was also required and provided for the SEPA determination of non-significance published March 23, 2023.

d. Does this legislation affect a piece of property?

The legislation affects certain small institution uses throughout Seattle.

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

The legislation is intended to support anti-displacement projects funded through the Equitable Development Initiative. EDI grantees tend to be community organizations led by and/or serving people of color, and their projects are community-driven strategies in areas with high risk of displacement. This legislation, and OPCD's broader Equitable Development Zoning effort of which it is an initial implementing action, reflects interviews with EDI applicants and grantees and the guidance of an EDI stakeholder group that has convened since June 2022.

OPCD is currently developing a project website where information will be posted, with translations available on request.

f. Climate Change Implications

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

No.

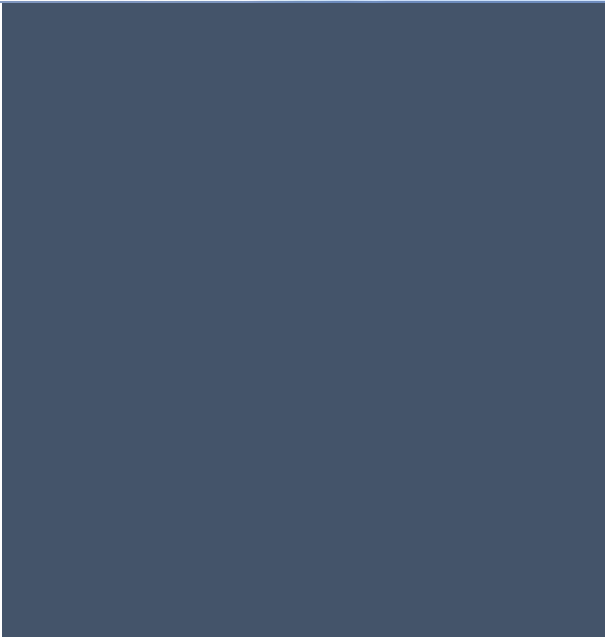
2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

The proposal would reduce regulatory barriers to help equitable development projects succeed. While unlikely on its own to substantially alter the number, frequency, or size of these community-serving institutions, the legislation would support institutions that provide services that can help communities at risk of displacement stay in place and

sustain cultural networks, which will become more important in the future as these communities face the effects of climate change.

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

This legislation is the first implementation action from OPCD's Equitable Development Zoning (EDZ) initiative, which aims to align land use policy more closely with the City's equitable development goals. This proposed legislation intends to simplify and streamline the permitting process for EDI-funded projects. Over time, EDZ aims to encourage equitable development uses more broadly through land use tools. Intended outcomes include faster and more predictable permitting processes for EDI projects, more suitable sites for equitable development uses throughout the city, and ultimately more regulatory and programmatic support for community-driven anti-displacement efforts.



**Equitable Development
Zoning Code Changes**

Director's Report



April 2023



Seattle
Office of Planning &
Community Development

Dear neighbors,

In 2016, Seattle established the Equitable Development Initiative (EDI) to address financial barriers facing community-driven efforts to combat displacement, increase access to opportunity, and strengthen cultural networks. Since then, dozens of community-led projects have been awarded funding, received permits, and begun construction with the support of this initiative.

However, community-driven anti-displacement projects, including those that receive City funding awards through EDI, continue to face challenges. Seattle's highly competitive real estate market makes site acquisition exceedingly difficult for small, BIPOC-led community organizations. Even when they have a site, organizations may find the zoning or land use provisions do not fully accommodate their vision. Given the variety of activities and uses these projects often include to support community needs, they must navigate a complex permitting process.

The legislation OPCD has developed, in partnership with EDI stakeholders, would begin to address these challenges. Specifically, it would remove regulatory barriers that create a more complicated and restrictive pathway for small community-oriented institution uses, which projects funded by EDI often include. It addresses specific barriers identified by recent and current EDI-funded projects. We are grateful to the EDI applicants, grantees, practitioners, and leaders who have shared their experiences, identified ways for us to better align land use policy with our equitable development vision, and shaped the proposed legislation.

This is a small but important step towards supporting community-driven solutions to displacement pressure — and we must take others. We envision a Seattle where longtime residents can remain in place, diverse cultural communities can flourish, new neighbors are welcomed, and displaced communities are welcomed back. As we shape future growth in our city and region, we must ensure our policy and investment decisions are aligned and commensurate with that vision. We look forward to further actions, guided by our EDI partners, to strengthen the City's anti-displacement tools.



Rico Quirindongo, Acting Director

Seattle Office of Planning and Community Development

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INTRODUCTION

The Office of Planning and Community Development (OPCD) proposes a suite of Land Use Code amendments that would remove regulatory barriers facing equitable development projects. These code changes would support anti-displacement projects, including those funded by the City's Equitable Development Initiative (EDI), by simplifying and removing uncertainty from the permitting process and updating code language to provide clarity and consistency for the types of activities these projects tend to include.

In 2016, the City established EDI to address financial barriers to equitable development. Since then, dozens of community-led projects have received funding, but many continue to face regulatory hurdles that thwart, complicate, delay, and add cost to these projects. One reason for this is the types of uses these projects often include. In addition to affordable housing, many EDI projects combat displacement through inclusion of community gathering space, arts and cultural space, civic and educational programming, and other community uses. These activities generally align most closely with the Land Use Code definition of a "community center," a type of small institution permitted in residential zones only as a conditional use. Conditional uses are subject to several requirements and limits beyond the standards for other uses, like additional setbacks, dispersion requirements, and a discretionary approval process that adds time and cost.

The proposed legislation would address specific land use barriers that many EDI applicants and grantees are currently facing. This legislation would:

- Allow community centers and libraries as institution uses permitted outright in Neighborhood Residential zones rather than requiring a conditional use permit that adds time, cost, and uncertainty for applicants
- Modify the amount of off-street parking required for community centers and libraries
- Define and provide standards for "community farms" as a type of institution allowed outright in Neighborhood Residential zones
- Modify the definition of "community club or center" to better reflect the types of activities and programming commonly included in EDI projects and increase predictability in the permitting process
- Allow community centers to include certain accessory commercial uses, subject to limits, to let these institutions provide additional community services and generate revenue that supports the nonprofit organization
- For institutions in LR zones, apply setback requirements consistent with those for uses permitted outright in the zone rather than requiring larger setbacks, and eliminate specific setback requirements for outdoor play equipment and game courts

The proposed legislation is part of an Equitable Development Zoning (EDZ) effort that OPCD has undertaken in partnership with equitable development stakeholders. This report summarizes the genesis of the EDZ work, documents the engagement process and the input that has shaped this proposal, and provides detail on the intent and likely outcomes of each proposed code change described above.

BACKGROUND

Historical context

Land use regulation has its origins in segregation, exclusion, and disinvestment. Throughout history, people of color were systematically deprived of access to housing, land security, homeownership, and development. Early examples in our region include the colonization of Coast Salish territory, laws that barred Black and Indigenous people from residing in Washington State and in Seattle, and the forced incarceration of Japanese and Japanese-American people during World War II. In the 20th century, racially restrictive covenants and redlining prohibited people of color from living in most Seattle neighborhoods and accessing loans to pursue homeownership, respectively. Once they were ruled unconstitutional, these explicitly racist practices gave way to facially race-neutral zoning, land use, and growth management frameworks with both intended and unintended harms for communities of color. In recent decades, urban growth and development pressures

have resulted in gentrification that displaces communities of color. As Seattle's current economic and population boom drives housing and land prices upward, cultural communities struggle to remain in place, maintain cultural anchors, and flourish.

Barriers to equitable development

To address this legacy of historical exclusion and disinvestment, the City has prioritized equitable development through Comprehensive Plan policy, its Equitable Development Monitoring Program, and EDI investments in community-led anti-displacement projects. Despite this commitment, City regulations often impede, complicate, and add costs for the projects that EDI funds. Many of Seattle's current land use rules were not developed with equitable development outcomes in mind. As a result, the City's land use regulations may be hindering progress towards a more equitable future.

EDI-funded projects face various challenges beyond securing funding: finding a suitable development site the organization can afford; contending with zoning that limits allowed uses and may not accommodate the project vision; and navigating a complex regulatory process. This is especially true when a project requires a conditional use approval or contract rezone, which introduce uncertainty, complexity, additional requirements, and higher costs. These barriers are more challenging for smaller BIPOC-led organizations — which are often focused on a specific purpose or mission and undertaking development for the first time — than for larger, established developers with resources and specialized real estate expertise.

For these reasons, collaboration, technical assistance, and regulatory reform are critical to the success of EDI-funded projects. In 2020, OPCD began EDZ to identify ways to align City land use regulation more closely with its equitable development goals. The proposed legislation is a first phase in implementing EDZ strategies that would remove barriers to equitable development projects. The proposed legislation focuses on targeted code issues that recent and current EDI stakeholders have identified. Future actions will address other land use and zoning challenges facing equitable development projects.

STAKEHOLDER ENGAGEMENT

The proposal is informed by several rounds of engagement with EDI stakeholders from 2020 to the present. In late 2020 and early 2021, OPCD met with a group of people engaged in community development and connected to EDI projects for early conversations about how land use regulations were affecting equitable development objectives and how the City might address these issues. As part of the 2022 and 2023 EDI funding rounds, applicants were asked if they had experienced or anticipated facing land use barriers with their projects and would be open to discussing these issues with staff. OPCD staff working on EDZ then interviewed those self-identified applicants to discuss their projects, identify the land use and zoning issues they may face, and discuss potential solutions. OPCD staff interviewed 21 applicants across the two funding rounds.

This initial engagement identified several themes about the challenges facing EDI projects:

- A range of City regulations related to land use and development commonly create challenges for EDI projects
- Sites available and affordable to community organizations who have applied for or received EDI funding often have zoning that does not accommodate their proposed uses, and sites with more flexible zoning are scarce, more costly, and harder to acquire
- The permitting process is complex, costly, and uncertain, especially for projects that involve conditional uses and for community organizations undertaking development for the first time
- The complexity of permitting and the competitiveness of the real estate system together favor larger, experienced developers and investors with specialized expertise over small, often BIPOC-led organizations

In spring 2022, OPCD convened a stakeholder group of practitioners and community leaders who had been or are currently involved in equitable development projects and who have experience in development, architecture, community organizing, anti-displacement work, and arts and cultural space. This stakeholder

group included Donald King, Grace Leong, Gregory Davis, Inye Wokoma, Keith Tucker, Leah Martin, Rizwan Rizwi, Slayman Appadolo, Tara Lawal, Willard Brown, and Yordanos Teferi. This group has met roughly once a month since June 2022 to guide the direction of OPCD's EDZ work and advise specifically on the components of the proposed legislation. The group discussed OPCD's draft proposal for code changes in its first two meetings in June and July 2022. Staff then presented and discussed an updated proposal in January 2023. Based on their experience carrying equitable development projects through the permitting process, the stakeholders identified the proposed code changes as valuable short-term reforms to help EDI projects succeed. The group discussed and made recommendations on further land use strategies that would help equitable development projects, like support through the permitting process, expedited permitting, and alternative development standards. OPCD continues to work with the stakeholders to explore and develop proposals for these additional strategies.

PROPOSAL

Based on the direction from EDI stakeholders over the last two years, OPCD proposes to amend several provisions of the Land Use Code (Seattle Municipal Code Title 23) to remove regulatory hurdles to equitable development projects. The proposed code changes would simplify, streamline, and increase the predictability of the permitting process for uses that EDI-funded projects typically include. The following sections summarize each proposed code change.

Allow community centers and libraries outright in Neighborhood Residential zones

In Neighborhood Residential zones, certain uses are permitted as of right and others as conditional uses. Certain institutions are allowed only as conditional uses and are subject to various additional provisions, including a dispersion requirement, additional setback requirements, and a discretionary permit review process. The proposed legislation would modify the list of principal uses permitted outright in Section 23.44.006 to allow community centers that do not include shelter services and libraries as uses allowed without a conditional use review. (Community centers that include shelter services would remain a conditional use subject to all existing requirements and processes.) This change would provide a simpler, shorter, and more predictable permitting process for EDI projects that include activities that align with the use definitions for community center and library. These uses would no longer be required to locate at least 600 feet from any other institution in a residential zone, which can limit the sites available for equitable development projects. They would be subject to the height, floor area, lot coverage, and yard requirements of the zone.

Modify the amount of off-street parking required for community centers and libraries

Parking standards for institutions are established in Section 23.54.015. The proposal would modify the requirements for community centers and libraries as follows:

Use	Minimum parking required
Community clubs, and community centers not owned and operated by SPR	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms ((not)) containing fixed seats; plus ((1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room;)) 1 space for each 350 square feet ((, excluding ball courts)) of all other indoor areas
Libraries	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms <u>containing fixed seats</u> ; plus 1 space for each 500 square feet of floor area ((, excluding auditoria and public meeting rooms)) of all other areas

Stakeholder input and staff research suggest that the existing parking requirements exceed the actual daily parking needs of many community centers. The high number of spaces required can limit the amount of site area available for other programming and services, foreclose outdoor activity spaces, and increase impervious surfaces. The propose would reduce the requirement to match more closely what research suggests is a reasonable amount for these uses based on actual project needs.

Modify the definition of "community club or center"

The proposal would amend the definition of "community club or center" as a type of institution use in Section 23.84A.018 as follows:

“Community club or center” means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, social gatherings, educational programming, gardens, art exhibits, and other similar activities.

As discussed earlier, several recent and current EDI-funded projects have been permitted or are in the process of being permitted under as a community center use. The proposed modification would better align the definition with the types of activities these projects typically include, like spaces geared toward cultural and artistic programming, community gathering space, and outdoor uses. These amendments expand language that is used to describe (but not limit) the activities allowed as a community club or community center use.

Define and provide standards for “community farms”

The proposal would add a new definition for “community farm” as a type of institution in Section 23.84A.018 as follows:

“Community farm” means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

Like community centers and libraries, community farms would be allowed outright in NR zones. The following parking requirements would apply:

Use	Minimum parking required
<u>Community farms</u>	<u>1 space plus 1 space for each 10,000 square feet of site area, or 10 spaces, whichever is greater</u>

Community centers and other nonprofits are occasionally centered around mission-driven agricultural uses that aim to improve health and food access outcomes. These projects often include food and agricultural education and seek to provide culturally relevant foods and eating practices to their communities. Several EDI applicants and grantees are pursuing projects related to urban agriculture. City codes currently lack a use type category that adequately encompasses the multifaceted nature of community farms, making it difficult for these community-oriented agricultural uses to arise and flourish. Instead, these projects typically must apply as an “urban farm” or “community garden,” neither which allows the specific mix of uses and programming needed for these community-driven projects. Urban farms are allowed only as accessory uses, not principal uses, requiring them to find a principal use to which they can be accessory. Urban farms are also subject to provisions, like standards for size and required proximity to a principal use, aimed more at for-profit entities. Community gardens are allowed as principal uses but cannot sell produce or plants, which community-oriented farms may wish to do to generate revenue that supports their operation and mission. Allowing community farms as a principal use would let nonprofits use parcels across the city that are challenging for typical development due to size, location, or access issues.

The proposed definition of “community farm” would resemble “community garden” but allow the sale of produce. It would be permitted outright as a principal use in NR zones. Like “community center” use, it would require operation and management by a nonprofit. A minimum parking requirement would ensure space for one or more employees is provided along with parking spaces for deliveries, loading and unloading, customers, and community members attending events, commensurate with the size of the community farm. All development standards of the zone would apply, meaning any structures created as part of the community farm would be subject to the same height, size, coverage, and siting standards as any other permitted use (like housing).

Allow community centers to include certain accessory commercial uses

The proposal would modify the definition of "community center" to stipulate that certain commercial activities are allowed as accessory uses, as follows:

"Community center" means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

This change would provide flexibility for these institutions to include commercial spaces as part of the overall community center programming that could expand the financial opportunities available to the nonprofit that operates the community center and provide permanent or pop-up spaces for small, local businesses. It could also support more walkable and complete communities by allowing retail and services to be integrated throughout neighborhoods. As an accessory use, these commercial uses would have to be incidental to the principal use, which would serve to limit its scale within a project and require a relationship between the commercial use and the activities of the community center programming.

Modify setback requirements for institutions in LR zones

Community centers, libraries, and other institutions in Lowrise Multifamily zones are currently subject to additional setback requirements beyond the standards for uses permitted outright (like housing). Established in 23.45.570.F, these standards add complexity and can constrain site design and configuration. The proposal would amend this subsection to provide setbacks more consistent with the setbacks required for uses permitted outright.

ANALYSIS

Permit review

Because the proposed changes would not apply exclusively to projects funded by EDI, or even projects understood to constitute "equitable development" regardless of their funding, but rather to all projects permitted as community centers or libraries, staff considered whether they could have unintended consequences by removing regulatory barriers for projects that are less aligned with equitable development outcomes. As defined in Section 23.84A, both types of institutional uses provide public services. Community centers must be operated by a nonprofit, and libraries provide literary and other material for use but generally not for sale. These components of the use definition provide constraints on the number and type of projects likely to benefit from the proposal beyond the intended focus on equitable development projects.

We also sought to gauge how often permits for community center and library uses are issued overall. We analyzed all records since 2012 categorized in City permitting data as an "institution" or "community center" use, since both terms sometimes appear as the primary use category. This produced a dataset of 284 permit applications. Only a subset of the permits were issued or completed, and many were expired, but we analyzed the full dataset to produce a high-end estimate of the number of permits issued during this period. We reviewed the project description and/or plan sets for each permit to determine 1) the type of activity proposed (new construction, addition/alteration, change of use, temporary or interim use, etc.), and 2) the type of institution involved (community center, school, university, medical facility, religious facility, etc.). Because the proposal would modify permitting requirements only in Neighborhood Residential zones, we sought to gauge how often these small institutions are permitted in this zone (albeit as a conditional use) as well as how common they are citywide as an indicator of overall production.

Of the 284 permits analyzed overall, 45 were for new construction (16 percent), 134 were additions or alterations (47 percent), 36 were for a change of use (13 percent), and 63 were for temporary or interim uses (22 percent). This suggests that most permits for institution uses do not involve new buildings. In terms of the specific types of uses involved for each permit, 43 were for "community center" uses (15 percent) and 10

were for “library” uses (four percent), the two categories of institutions affected by the proposed change.¹ For context, one-third of permits were for development related to a school, college, or university; five percent were for childcare facilities, and five percent were for religious facilities.

Permits for transitional encampments or shelters related to the City’s homelessness response comprised 26 percent of the dataset (74 permits). Most of these were for temporary or interim use permits (59 permits). A transitional encampment on property owned or controlled by a religious organization is currently an allowed use in all zones per Section 23.42.054, and a transitional encampment is allowed as an interim use on any site in all zones per Section 23.42.056. The proposed legislation would make no changes to the policies and requirements for transitional encampments. Shelters have occasionally been permitted as part of community centers.² The proposed legislation would make no changes to the policies and requirements for these shelters and would continue to require a conditional use permit for community centers that include shelter services. Only community centers that do not include shelter services would be allowed outright in NR zones.

When filtered to Neighborhood Residential zones, the dataset includes 40 permits. More than half (21 permits) are related to schools. None is related to a library. The following five are related to community center uses. Two of these projects (representing the three highlighted permits) are EDI grantees and discussed below as case studies.

Record number	Project address	Applicant name	Project description in permitting records	Application date
6596636-CN	2000 MLK Jr Way S		Construct alterations to the Seattle Parks Amy Yee Tennis Center, per plans. Mechanical included this permit	10/26/2017
3035572-LU	911 24th Ave	Wa Na Wari Renovation	Land use application to change the use of a single-family dwelling unit to institution (community center). No change to parking.	2/28/2020
6752281-CN	911 24th Ave	Wa Na Wari Renovation	Construct alterations for accessibility improvements to community arts center [Wa Na Wari], per plan.	12/30/2020
3036192-LU	5959 39th Ave S	Cham Refugee Community Center	Land use application to allow a 2-story institution (community center and religious facility). Two existing single family dwelling units to remain. All other buildings to be demolished. Parking for 62 vehicles proposed.	6/2/2020
6838706-CN	4649 Sunnyside Ave N	Good Shepherd Center	Voluntary seismic retrofit for institutional building [GOOD SHEPHERD CENTER], per plan.	10/23/2021

In sum, the number of permit applications for community center and library uses citywide over roughly a decade is relatively small (53 permits), and only 13 of those permits were for new construction, with the remainder involving additions or alterations, a change of use, or some other land use or development activity. Likewise, since 2012 only 40 permit applications were submitted in NR zones for all institution uses, and only a handful were related to the types of institutions affected by the proposed legislation. Together, these data points suggest that the proposal could provide important benefits for EDI projects that follow this permitting path and would not have a widespread or frequent effect in NR zones overall.

Exhibit 1 below shows the location of Neighborhood Residential (NR and RSL) and Lowrise (LR) zones affected by the proposal. Exhibit 2 shows the location of permits since 2012 for community center and other institution use by zone category, as discussed above.

Exhibit 1: Location of zones affected by the proposed code changes

¹ We categorized community centers operated by Seattle Parks and Recreation separately from other community centers.

² Shelters are included in the definition for “Human services use,” a use prohibited in Neighborhood Residential zones.

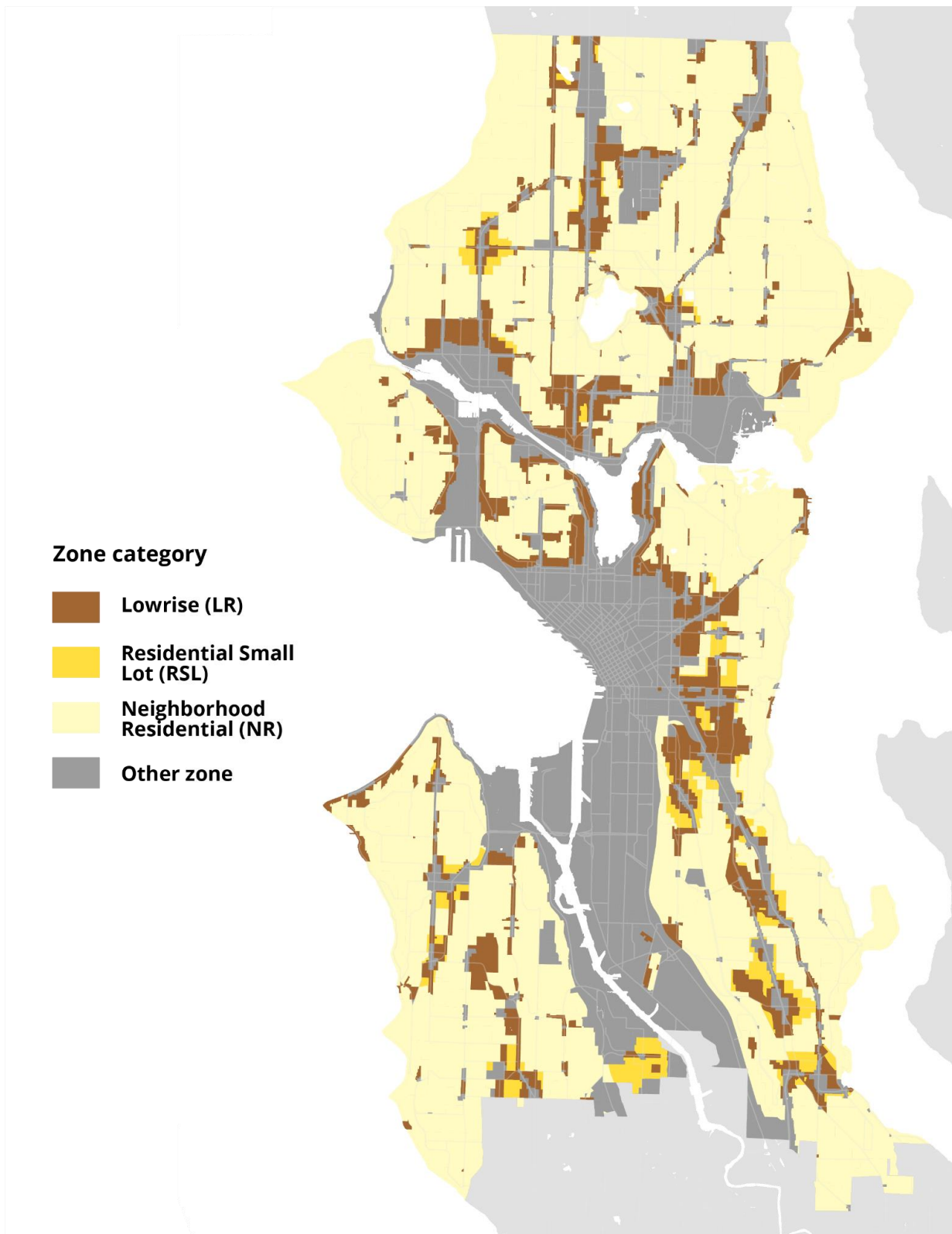
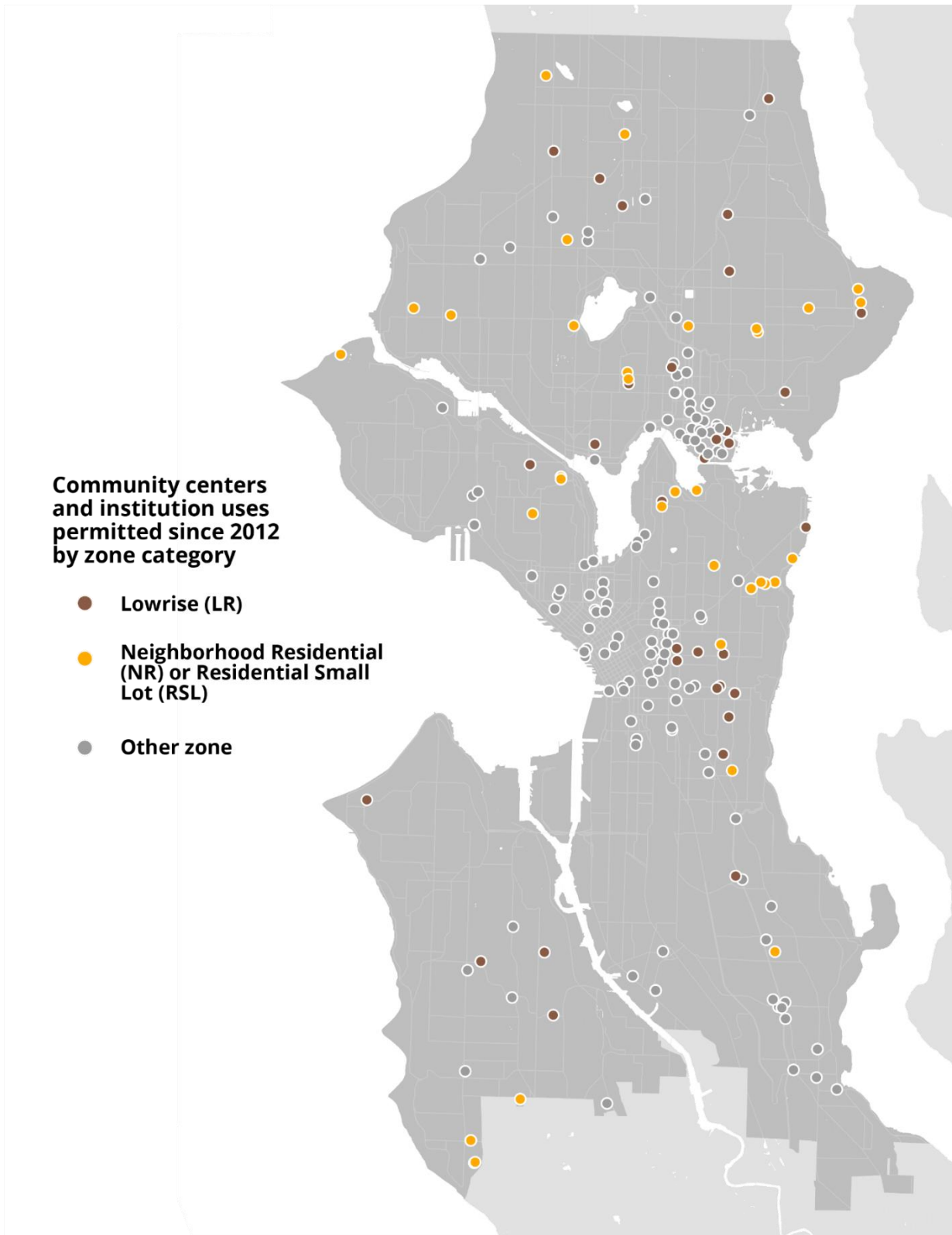


Exhibit 2: Permits since 2012 for community center use or other institution use



Comprehensive Plan consistency

The proposed legislation is generally consistent with and would support City goals and policies related to anti-displacement strategies and small institutions, as documented in the Comprehensive Plan:

LU G2 Provide zoning and accompanying land use regulations that

- allow a variety of housing types to accommodate housing choices for households of all types and income levels;
- support a wide diversity of employment-generating activities to provide jobs for a diverse residential population, as well as a variety of services for residents and businesses; and
- accommodate the full range of public services, institutions, and amenities needed to support a racially and economically diverse, sustainable urban community.

LU 2.4 Limit nonresidential uses in residential zones to those necessary or highly compatible with the function of residential neighborhoods.

LU 3.1 Regulate public facilities and small institutions to promote compatibility with other developments in the area.

LU 3.2 Allow public facilities and small institutions to depart from development standards, if necessary to meet their particular functional requirements, while maintaining general design compatibility with the surrounding area's scale and character. Require public facilities and small institutions to adhere to zoned height limits, except for spires on religious institutions. Consider providing greater flexibility for schools in recognition of their important role in the community.

LU 3.3 Allow standards to be modified for required off-street parking associated with public facilities and small institutions based on the expected use and characteristics of the facility and the likely impacts on surrounding parking and development conditions, and on existing and planned transportation facilities in the area.

LU 3.4 Avoid clusters of public facilities and small institutions in residential areas if such concentrations would create or further aggravate parking shortages, traffic congestion, and noise in the area.

LU 3.5 Allow nonconforming public facilities and small institutions to expand or make structural changes, provided these alterations comply with the zone's development standards and do not increase the structure's nonconformity.

CASE STUDIES

Recent and current EDI-funded projects provide instructive examples of the types of projects that could be affected by the proposed changes.

Wa Na Wari

Wa Na Wari is a Black cultural space project located in a structure formerly used as a detached residence in a Residential Small Lot (RSL) zone in the Central Area. Wa Na Wari provides space for art exhibits, performances, workshops, and community gatherings focused on sustaining the cultural identity of Seattle's Black community. To convert the house to a community center use, the nonprofit had to obtain a change of use permit and an administrative conditional use permit. The project involved only interior renovations and no new construction or expansion of the existing structures on the lot. Wa Na Wari is located within 600 feet of two existing institution uses (a church and a school), but since it would be sited within an existing structure the City's permit review concluded that impacts would be minor. No mitigation was required. The organization incurred permitting fees of almost \$10,000 to obtain the change of use and conditional use permit.



Nurturing Roots

Founded in 2016, Nurturing Roots is a nonprofit community farm in Beacon Hill focused on healthy food choices and creating community through gardening. Their work brings community together through volunteer opportunities, hosting various events, and partnering with local restaurants to support food and environmental justice, food access, education, and reengaging people and environment. As an urban farm, the project could not be permitted as a standalone project and had to be permitted as an accessory use to the adjacent church. This arrangement between property owners and projects can create challenges for future permitting needed for expansion, repairs, and desired uses on site.



Cham Community Center

The Cham Refugee Community proposes to build a community center in the Rainier Valley for the Cham Diaspora and other underserved immigrants and refugees and communities of color as an anchor in the tide of gentrification and displacement. The project would include a community gathering space, a learning facility that hosts ESL and computer literacy classes, and affordable housing and commercial space. The center will accommodate and celebrate the rich heritage, cultural values and needs of this welcoming and hospitable community. Under current regulations, much of the project site will be devoted to 62 surface parking spaces required for the proposed community center use. But for this requirement, the organization could expand their community gathering space. Under the proposal, the project would be required to have 14 parking stalls, allowing more of the site to be used for community facilities or open space instead of parking lot, if the organization revises their proposal.



Estelita's Library

Estelita's Library is a small library, gathering space, and cultural space project located in the Central District. When paired with setback requirements, the small size and trapezoidal shape of the lot made typical residential or commercial development challenging. The founders partnered with a local nonprofit to design and construct a 225-square-foot building to provide community space and a deck with an accessible entrance ramp. Due to regulations and permitting challenges, the project had to be permitted as a kiosk and was later reestablished as a library (institution use) after completing a more complex administrative conditional use process that



was required since the project could not meet setback and dispersion provisions. This project illustrates the permitting challenges that face innovating community-driven projects on highly constrained sites. While the proposed code changes do not address the specific issues Estelita's Library encountered due to site constraints, it does aim to enable more small, community-driven projects by simplifying the permitting process and reducing regulatory hurdles.

RECOMMENDATION

OPCD recommends adoption of the proposed Land Use Code amendments. The proposal responds directly to the experience of many EDI-funded projects that have faced hurdles navigating land use policies and permitting processes and reflects guidance from stakeholders with expertise in equitable development work. While they do not address all challenges that community-led anti-displacement projects must overcome, the proposed code changes are a worthwhile first step towards greater alignment of land use regulation and equitable development.

Equitable Development Zoning

Legislation to remove code barriers to EDI projects

Land Use Committee

May 24, 2023



In this presentation

- The origin & purpose of Equitable Development Zoning
- Themes from work with stakeholders
- Proposed code changes
- Case studies

Addressing barriers to equitable development

- EDI began in 2016 to address financial barriers BIPOC organizations faced in trying advance their anti-displacement projects
- Since then, we have heard repeatedly from EDI partners that the City's **land use and zoning regulations present additional barriers** that hinder and delay their projects — even once funded by the City
- We are pursuing Equitable Development Zoning (EDZ) strategies to remove those barriers and **prioritize community-driven anti-displacement projects** in our land use policy

What is equitable development?

“Public and private investments, programs, and policies that meet the needs of marginalized populations, reduce disparities, and expand access to quality-of-life outcomes.”

Definition used by the City’s Equitable Development Initiative

EDI drivers used to review funding applications:

Advance economic mobility and opportunity

Promote transportation mobility and connectivity

Prevent residential, commercial, and cultural displacement

Development healthy and safe neighborhoods

Build on local cultural assets

Enable equitable access to all neighborhoods



Ethiopian Village



Central Area Youth Association (CAYA)



William Grose Center for Cultural Innovation Africatown

The challenge

We fund equitable development through EDI but regulate it in ways that hinder, delay, complicate, and add cost to these projects by:

- Limiting allowed uses and development
- Adding costs due fees and requirements
- Creating delay and uncertainty
- Requiring specialized expertise that distracts from organization mission

Permitting can be complex, costly, and uncertain, especially for equitable development uses and BIPOC-led community orgs undertaking development for the first time.

The purpose of EDZ

Align land use policy with our equitable development goals

- Help equitable development projects succeed by removing the barriers they face in City regulations and processes
- Provide resources and supports that increase access to the development process for BIPOC communities and organizations
- Shift development policy & process to prioritize community-supportive equitable development

Themes from engagement

Conversations with EDI stakeholders
2020-2021

Interviews with EDI RFP applicants
2021 & 2022

Stakeholder group
June 2022–ongoing

- Multiple City regulations are creating challenges for EDI projects
- The sites available and affordable to EDI organizations may not accommodate their proposed uses
- Current zoning generally doesn't facilitate or encourage equitable development outcomes
- EDI projects often need a conditional use permit or a contract rezone that add cost, time, and uncertainty in order to accommodate intended uses & vision
- The real estate market and complex permitting together favor larger, experienced developers over small BIPOC-led organizations
- EDZ strategies should include an explicit focus on BIPOC-led equitable development & anti-displacement projects wherever possible

EDZ strategies we are pursuing

Short- and longer-term ideas based on this engagement for how to support equitable development outcomes with City land use and zoning processes and tools:

ongoing

Permitting support for EDI projects

Opportunity: Grow current SDCI permit advisor position with more staff support & resources to guide EDI projects

near-term

Legislation to remove code barriers to ED projects

longer-term

Flexibility for equitable development

Opportunity: Projects that meet definition & criteria for equitable development could unlock alternative standards (height, floor area, wider range of uses)

EDZ code changes legislation

Problem: Equitable development projects, including those the City has funded through EDI, tend to face a complex permit process and extra requirements

1. EDI projects are often permitted as **institutions**, which means an extended discretionary permit process that adds time, and restrictions on site selection and project design.
2. EDI projects often involve community-oriented uses that are limited or prohibited in certain zones, like small commercial spaces to support the operations of a community organization

EDZ code changes legislation

Proposal: remove regulatory barriers identified by past and current EDI stakeholders

1. Allow community centers and libraries as institution uses permitted outright in Neighborhood Residential zones
2. Modify the amount of off-street parking required for community centers and libraries
3. Define and provide standards for “community farms” as a type of institution allowed outright in Neighborhood Residential zones
4. Modify the definition of “community club or center” to better reflect the types of activities and programming commonly included in EDI projects and increase predictability in the permitting process
5. Allow community centers to include certain accessory commercial uses
6. For institutions in LR zones, apply setback requirements consistent with those for uses permitted outright

1. Allow community centers and libraries outright in NR zones

Problem: In NR zones, certain institutions are allowed only as conditional uses and are subject to various additional provisions, including a dispersion requirement, additional setback requirements, and a discretionary permit review process that adds time, cost, and uncertainty for applicants.

Proposal: Allow community centers that do not include shelter services and libraries as uses permitted without a conditional use review. (Community centers that include shelter services would remain a conditional use subject to all existing requirements and processes.)

How this advances equitable development: This change would provide a simpler, shorter, and more predictable permitting process for EDI projects that include activities that align with the use definitions for community center and library. These uses would no longer be required to locate at least 600 feet from any other institution in a residential zone, which can limit the sites available for equitable development projects.

2. Modify the amount of off-street parking required for community centers and libraries

Problem: Stakeholder input suggests current parking requirements exceed actual needs for community centers and limits site area available for other programming and activities, foreclose outdoor activity spaces, and increase impervious surfaces.

Proposal: Amend parking standards for community centers and libraries as follows:

Use	Minimum parking required
Community clubs, and community centers not owned and operated by SPR	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms ((not)) containing fixed seats; plus ((1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room,)) 1 space for each 350 square feet ((, excluding ball courts)) <u>of all other indoor areas</u>
Libraries	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms <u>containing fixed seats</u> ; plus 1 space for each 500 square feet of floor area ((, excluding auditoria and public meeting rooms)) <u>of all other areas</u>

How this advances equitable development: Right-sized requirements allow more of an organizations limited site area to go towards community-serving activities.

3. Modify the definition of “community club or center”

Problem: EDI-funded projects are often permitted with a community center use, but the definition for this use does not fully reflect the range of activities equitable development projects often include.

Proposal: Amend the definition of “community center” as follows:

“Community club or center” means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, ~~((and other similar activities))~~ social gatherings, educational programming, gardens, and art exhibits.

How this advances equitable development: The proposed modification better aligns the definition with what EDI stakeholders are proposing, giving these projects greater clarity and predictability in the permitting process. The amendment expands language used to described (but not limit) the activities allowed as a community club or community center use.

4. Define and provide standards for “community farms”

Problem: City codes currently lack a use type that adequately aligns with the community-oriented urban agriculture projects several EDI stakeholders are currently pursuing.

Proposal: Add a new definition for “community center” as a type of institution:

“Community farm” means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

How this advances equitable development: Projects aiming to improve health and food access outcomes would be allowed outright in NR zones. The proposed definition would give these projects more clarity and predictability in permitting and expand access for future projects to sites in residential zones.

5. Allow community centers to include certain accessory commercial uses

Problem: Community organizations that operate a “community center” cannot include commercial spaces as part of their programming. Sites in mixed-use zones where commercial use is allowed are often more expensive and competitive to acquire.

Proposal: Amend the definition of “community center” as follows:

“Community center” means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

How this advances equitable development: Flexibility to include commercial spaces as part of their programming expands the financial opportunities available to nonprofits that operate community centers and can provide permanent or pop-up spaces for small local businesses.

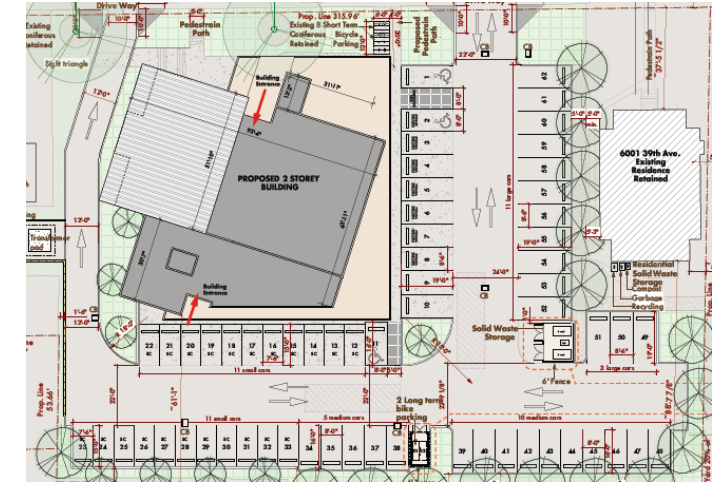
6. Modify setback requirements for institutions in LR zones

Problem: Community centers, libraries, and other institutions in LR zones are subject to additional setback requirements beyond the standards for uses permitted outright (like housing). These standards add complexity and can constrain site design and configuration.

Proposal: Amend SMC 23.45.570.F to provide setbacks consistent with those required for uses permitted outright in LR zones.

How this advances equitable development: Sites in LR zones can be more attainable or affordable for small community organizations compared to commercial zones. But EDI projects often include institution uses that may be less feasible or infeasible on sites in LR zones, especially small sites, due to additional setback requirements. This change slightly increases the physical feasibility of these projects in LR zones.

What this means for EDI-funded projects



Wa Na Wari

Problem: Black cultural space project in the Central Area underwent a costly and uncertain process to obtain a conditional use permit

Solution: Allowing arts & cultural facilities and other community centers outright in residential zones removes regulatory barriers to these anti-displacement efforts

Nurturing Roots

Problem: Nonprofit urban agriculture project had to be permitted as accessory use to the adjacent church, creating a complicated arrangement.

Solution: Defining “community farm” and reducing restrictions on their location and size would help this environmental justice and food access projects flourish.

Cham Community Center

Problem: Much of this organization’s site must be devoted to parking required for community center use

Solution: Relaxing parking requirements for community centers would allow this community to expand their gathering space



SEATTLE
CITY HALL



May 22, 2023

MEMORANDUM

To: Land Use Committee
From: Yolanda Ho, Supervising Analyst
Subject: Equitable Development Zoning (CB 120582)

On May 24, 2023, the Land Use Committee (Committee) will receive an initial briefing from the Office of Planning and Community Development (OPCD) on Council Bill (CB) 120582 that would amend the Land Use Code (Seattle Municipal Code Title 23) to reduce regulatory barriers for anti-displacement projects, including those funded through the City's [Equitable Development Initiative \(EDI\)](#).

This memorandum provides background information on EDI, describes CB 120582, and lays out next steps.

Background

During the prior major update to the Comprehensive Plan, the City centered the issue of race and social equity, recognizing that Seattle's rapid growth was creating disproportionately negative impacts on Black, Indigenous, and people of color (BIPOC). Specifically, the City's analysis revealed that these residents and the institutions and businesses that serve them were being displaced from their neighborhoods, and in some cases Seattle entirely, due to redevelopment and rapidly increasing rent and home prices.

In response to these findings, the City created EDI in 2016 to provide a dedicated resource for projects intended to help prevent displacement, and potentially create opportunities for residents and businesses who have been displaced to return. Such projects frequently have difficulty with financing because they are led by small, community-based organizations rather than well-established developers that are viewed as lower risk by traditional financial institutions. EDI funds myriad anti-displacement efforts, including but not limited to organizational capacity building, affordable housing, commercial space, and community centers. Related, the Council passed [Ordinance 126173](#) that permanently established the 13-member EDI Advisory Board in 2020.

Over the years, the City has steadily increased funding for EDI projects with a mix of ongoing and one-time resources, allowing EDI to support over 40 community-led projects to date. EDI was initially funded in 2016 with \$16 million from the one-time proceeds of the sale of Civic Square Block and primarily relies on ongoing support from the General Fund, Short-Term Rental Tax Fund, and JumpStart Fund. The 2023 Adopted Budget includes \$24.6 million for EDI grants.

CB 120582

EDI grants have advanced the City's racial equity goals by increasing access to capital for BIPOC-led organizations to acquire land and construct projects that support their communities. However, as these projects have entered the land use permitting phase, they have encountered regulatory barriers that increase costs, delay timelines, and create uncertainty about permitting decisions.

CB 120582 is intended to address some of the barriers that have been identified by EDI stakeholders. Generally, it would:

- Change community centers and libraries in Neighborhood Residential zones from conditional uses¹ to institutions permitted outright;
- Reduce requirements for off-street parking for community centers and libraries;
- Create a new definition for "community farm" as a type of institution distinct from an "urban farm" (accessory use, more appropriate for for-profit entities) or "community garden" (principal use, sale of food products or plants prohibited). The legislation would allow for the sale of food products and plants, establish standards and minimum parking requirements, and make community farms a principal use allowed outright in Neighborhood Residential zones;
- Expand the definition of "community club or center" to include activities and programming commonly included in EDI projects, such as social gatherings, educational programs, gardens, and art exhibits;
- Allow community centers to include certain accessory commercial uses, such as commercial kitchens, co-working spaces, and health clinics, so that these institutions can provide additional community services and generate revenue for the nonprofit organization; and
- For institutions in Lowrise zones, apply setback requirements consistent with those for uses permitted outright rather than requiring larger setbacks, and eliminate specific setback requirements for outdoor play equipment and game courts.

These proposed changes would apply to all such projects in the applicable zones, not only those funded by EDI. For more detailed information about the proposal and anticipated impacts, please see the [OPCD Director's Report](#).

OPCD conducted environmental review as required by the State Environmental Policy Act (SEPA) and published a Determination of Non-Significance (DNS) on March 23, 2023. The DNS received no appeals before the appeal period ended on April 14, 2023.

¹ Conditional uses are subject to additional provisions, as determined by the Seattle Department of Construction and Inspections, intended to reduce potential negative impacts to other properties in the vicinity.

Next Steps

The Committee will hold the required public hearing, continue discussion, and possibly vote at its special meeting on June 26, 2023.

cc: Esther Handy, Director
Aly Pennucci, Deputy Director