

**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)

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

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

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

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

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

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

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

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

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

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

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

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

A. General zoning designations. The zoning classification of land shall include one of the designations in this subsection 23.30.010.A. Only in the case of land designated "RC," the classification shall include both "RC" and one additional multifamily zone designation in this 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
<u>Maritime Manufacturing and Logistics</u>	<u>MML</u>
<u>Industry and Innovation</u>	<u>II</u>
<u>Urban Industrial</u>	<u>UI</u>

\* \* \*

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

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

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

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

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

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

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

Section 3. A new Section 23.34.097 is added to the Seattle Municipal Code as follows:  
**23.34.097 Maritime Manufacturing and Logistics (MML) zone, function, and locational criteria**

A. Function. An existing industrial area with a concentration of core and legacy industrial and maritime uses including manufacturing, warehousing, shipping, and logistics activities, and 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

d. ~~Downtown~~ ~~((; and~~

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

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

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

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

~~b. Industrial Commercial.))~~

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

a. Religious facilities;

b. ~~((Elementary))~~ Childcare centers, elementary, and secondary schools;

c. Uses associated with a Major Institution Master Plan (MIMP); or

d. Development of a major institution use within a Major Institution Overlay (MIO) district.

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

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



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

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

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

\* \* \*

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

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

\* \* \*

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

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

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

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

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

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

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

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

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

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

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

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

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

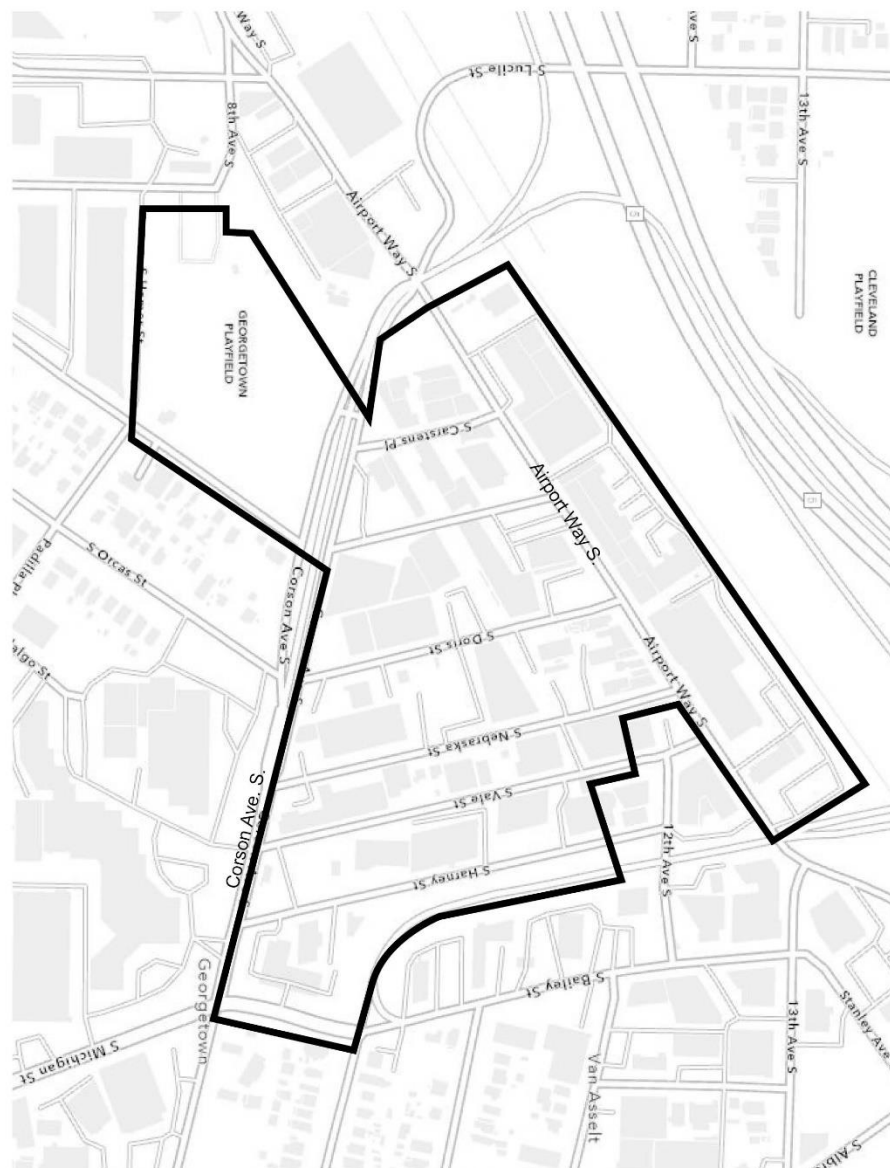
21                                  c. If the increased amount of FAR allowed under this subsection  
22 23.47A.009.J remains on the lot, the structure must remain designated as a Landmark; and

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

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

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

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



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

— Area where Georgetown specific  
 development standards apply

0 100 200 feet



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

## CHAPTER 23.50A INDUSTRIAL AND MARITIME

## **23.50A.002 Scope**

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

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

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

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

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

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

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

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

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

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

D. Public facilities

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

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

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

4. Uses in public facilities not meeting development standards. In all industrial zones, uses in public facilities not meeting development standards may be permitted by the 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
<b>K. STORAGE USES</b>					
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
<b>L. TRANSPORTATION FACILITIES</b>					
L.1. Cargo terminals	Yes	P	P	P	P
<b>L.2. Parking and moorage</b>					
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
<b>L.5. Transportation facilities, air</b>					

**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>					

## **23.50A.006 Conditional uses**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b. The residential use shall not restrict or disrupt industrial activity in the 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 1) The parking is on property that is part of the same development  
2 site as the solid waste transfer station use.

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

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

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

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

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

12 k. Outdoor storage is prohibited.

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

17 a. The use shall be located within an enclosed building except for  
18 shipbuilding;

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

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;

3) The finished product as packaged for sale or distribution shall be in such a form that product handling and shipment does not constitute a significant public health risk; and

4) The nature of the materials produced and/or the scale of manufacturing operations may be limited to minimize the degree and severity of risks to public health and safety.

9. Bus bases may be permitted as a conditional use in the MML, II, UI, and IC zones according to the following criteria:

a. The amount of industrial land occupied by the facility shall be minimized. To avoid disruption of the industrial function of the area, the presence of the facility shall not obstruct the operation or likely expansion of existing industrial uses;

b. The location of the facility shall not result in significant displacement of viable industrial uses or support activities.

c. The amount of land occupied by the facility that has access to industrial shorelines or major rail facilities shall be minimized; and

d. A transportation plan may be required to prevent conflicts with nearby industrial uses. The Director shall determine the level of detail to be disclosed in the plan based on the probable impacts and/or scale of the proposed facility.

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

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

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

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

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

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

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

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

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

1) A facility management and transportation plan shall be required. 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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **A. Applicability**

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

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

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

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

**Table A for 23.50A.008**  
**Size of use limits in Industrial zones (in square feet)**

<b>Uses subject to size limits</b>	<b>MML</b>	<b>II</b>	<b>UI (1)</b>	<b>IC</b>
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.

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

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

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

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

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

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

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

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

### **23.50A.010 Floor area**

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

<b>Table A for 23.50A.010 Floor Area Ratio (FAR) limits</b>	
<b>Zone designation</b>	<b>FAR limits for all uses</b>
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**

<b>Zone designation</b>	<b>FAR limits for all uses</b>
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.	

## 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.

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

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

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

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

1) General sales and service uses;

2) Eating and drinking establishments;

3) Entertainment use;

4) Public libraries;

5) Child care centers;

6) Religious facilities; and

7) Automotive sales and service.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 a. Mass timber construction. At least 50 percent of the gross floor area in  
23 the total development other than parking structures is constructed using mass timber construction

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

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

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

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

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

**Table A for 23.50A.012**

**FAR limits for extra floor area in II 125 and II 160 zones**

<b>Zone</b>	<b>Minimum industrial use FAR</b>	<b>Maximum FAR with Tier I</b>	<b>Maximum FAR with Tier II</b>
II 125	.5	5.25	5.75
II 160	.5	6	6.5

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

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

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

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



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

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

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

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

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

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

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

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

b. In an II 85-240 zone, in addition to satisfying the conditions of subsections 23.50A.010.B.1 and 23.50A.010.B.2, if applicable, for development to exceed the 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.

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

**Table 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

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

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

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

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

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

1. An overlay district may increase or reduce the maximum structure height.
2. Water-dependent uses within the Shoreline District are subject to only the height limits of the applicable shoreline environment in Chapter 23.60A.

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

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

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

1. In all industrial zones, vent stacks, flagpoles, and religious symbols for religious institutions are exempt from height limits, except as regulated in the Airport Height Overlay District regulations at Chapter 23.64, provided they are a minimum of 10 feet from any side or rear lot line.
2. In all industrial zones, open railings, planters, skylights, clerestories, parapets, and firewalls may extend 4 feet above the applicable height limit with unlimited rooftop coverage. Insulation material, rooftop decks and other similar features, or soil for landscaping

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. Improve public safety;

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

c. Maintain and expand the urban forest canopy;

d. Encourage healthy growth through appropriate spacing; and

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



5. Combinations of screening and landscaping requirements

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

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

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

C. General landscaping requirements in the UI zones

1. Street trees

a. Street trees are required as follows.

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

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

b. Green Factor

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

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

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

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

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

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

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

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

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

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

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

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

3) A landscaped area meeting the provisions of subsection

23.50A.018.B.3.

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

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

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

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

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

#### E. Landscaping and screening standards in the MML zone

##### 1. Solid waste transfer stations

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

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

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

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

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

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

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

2. Exceptions to street tree requirements

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

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

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

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

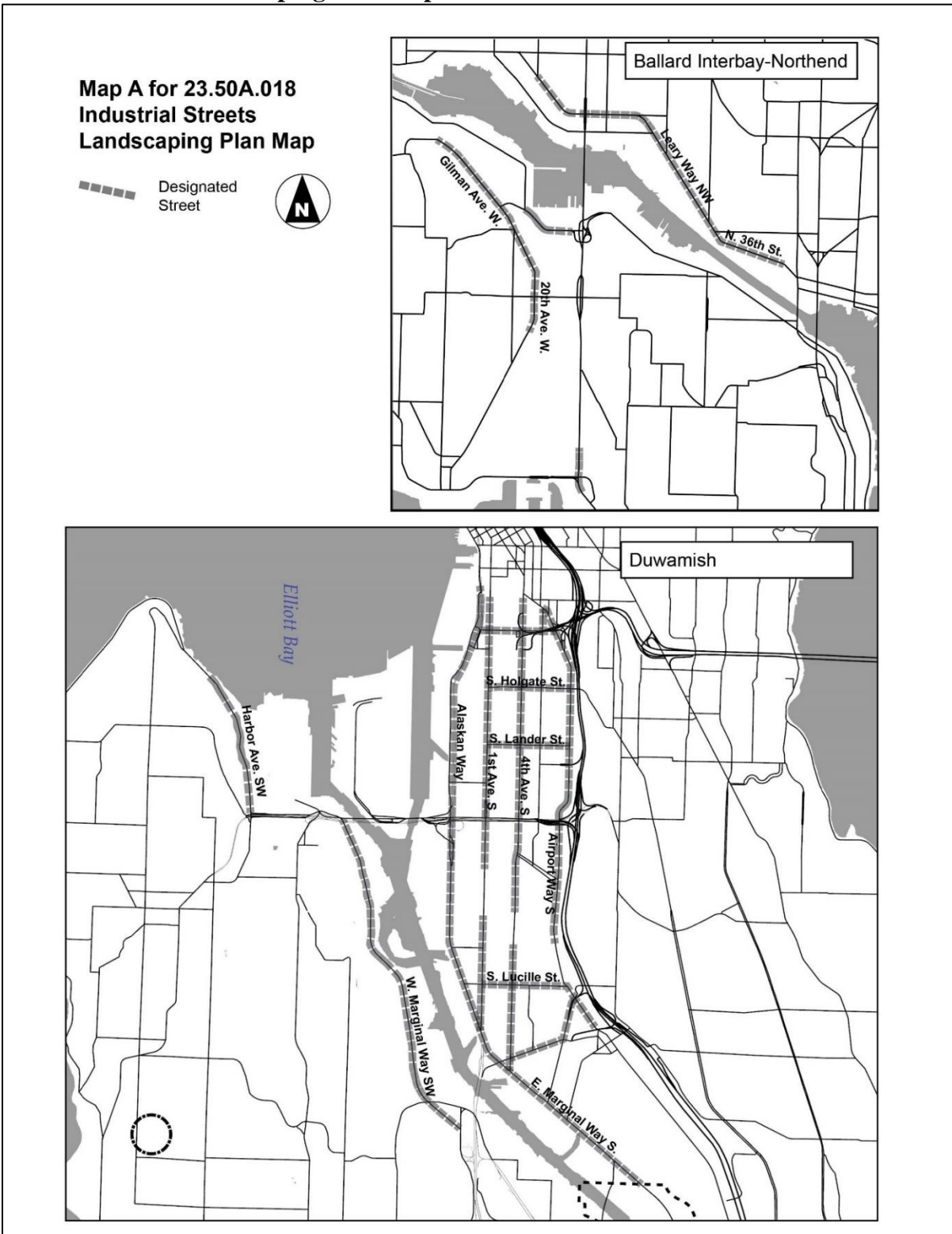
7 b. If it is not feasible to plant street trees according to City standards, a 5-  
8 foot-deep landscaped setback area is required along the street property lines and trees shall be  
9 planted there. If an on-site landscaped area is already required, the trees shall be planted there if  
10 they cannot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

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

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

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

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



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

3                   1. Surface parking areas for more than five vehicles

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

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

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

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

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

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



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

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

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

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

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

## 12 2. Parking structures

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

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

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

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

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

### 12 3. Outdoor sales and outdoor display of rental equipment

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

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

### 20 4. Drive-in businesses

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

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

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

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

#### 5. Outdoor storage and outdoor loading berths

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

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

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

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

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

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

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

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

2. Parking at street level

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

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

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

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

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

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

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

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

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

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

**23.50A.020 View corridors**

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

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

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

**23.50A.022 Venting standards**

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

**23.50A.024 Odor sources standards**

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

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

- a. Lithographic, rotogravure, or flexographic printing;
- b. Film burning;
- c. Fiberglassing;
- d. Selling of gasoline and/or storage of gasoline in tanks larger than 260 gallons;
- e. Handling of heated tars and asphalts;
- f. Incinerating (commercial);
- 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



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

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

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

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

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

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

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

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

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

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

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

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

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

The provisions of Chapter 23.58B apply in II 85-240 zones.

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

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

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

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

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

1. A minor amendment meets the following criteria:

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

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

c. No significantly greater impact would occur.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**23.53.006 Pedestrian access and circulation**

\* \* \*

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

- a. Change of use;
- b. Alterations to existing structures;
- c. Additions to existing structures that are exempt from environmental review;
- d. Construction of a detached structure accessory to a single-family dwelling unit in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County Recorder;
- e. Construction of a single-family dwelling unit on a lot in any zone, if the property owner enters into a no-protest agreement, as authorized by chapter 35.43 RCW, to future pedestrian access and circulation improvements and that agreement is recorded with the King County Recorder, and if at least one of the following conditions is met:
  - 1) The lot is on a block front where there are no existing pedestrian access and circulation improvements within 100 feet of the lot; or
  - 2) Construction of pedestrian access and circulation improvements 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                               ((4)) 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))~~**

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

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.

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

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

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

**A. General requirements**

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

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

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

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

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

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

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

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

6. Minimum right-of-way widths

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

b. Non-arterials

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

**Table A for 23.53.020**  
**Minimum right-of-way widths for existing nonarterial streets**

Zone category	Required (( <del>Right-of-way</del> ) <u>right-of-way</u> ) widths (in feet)
1. IB, IC, UI, II	52
2. IG1, IG2, <u>MML</u>	56

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

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

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

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

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

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

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

~~b. Exceptions to street tree requirements~~

~~1) Street trees required by subsection 23.53.020.B.3.a may be 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 ~~((2))~~ 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

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

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

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

#### E. Exceptions

##### 1. Streets with existing curbs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e. Remodeling and use changes within existing structures;

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

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

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

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

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

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

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

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

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

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

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

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

**23.54.015 Required parking and maximum parking limits**

\* \* \*

**C. Maximum parking limits for specific zones or areas**

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

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

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



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

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

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

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

\* \* \*

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 <sup>1</sup>			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 <sup>2</sup>		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	1 space for each 250 square feet
		B.3.b.	Sports and recreation uses <sup>3</sup>	1 space for each 500 square feet
	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 <sup>4</sup>	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	None
	H.5.	Transportation facilities, air	1 space for each 100 square feet of waiting area
	H.6.	Vehicle storage and maintenance uses	1 space for each 2,000 square feet
I.	UTILITIES		1 space for each 2,000 square feet
<b>II. Non-residential ((Use Requirements for Specific Areas)) <u>use requirements for specific areas</u></b>			
J.	Non-residential uses in urban centers or the Station Area Overlay District <sup>5</sup>		No minimum requirement
K.	Non-residential uses in urban villages that are not within an urban center or the Station Area Overlay District, if the non-residential use is located within a frequent transit service area <sup>5</sup>		No minimum requirement
L.	Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504		No minimum requirement
<u>M.</u>	<u>Non-residential uses permitted in II zones</u>		<u>No minimum requirement</u>

**Footnotes for Table A for 23.54.015**

<sup>1</sup> No parking is required for urban farms or community gardens in residential zones.

<sup>2</sup> 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.

**Table A for 23.54.015**

**Required parking for non-residential uses other than institutions**

Use	Minimum parking required
<sup>3</sup> 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. <sup>4</sup> The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. <sup>5</sup> The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a non-residential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of non-residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.	

\* \* \*

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

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

\* \* \*

**Table B for 23.58B.040**

Payment calculation amounts:

Outside Downtown, SM-SLU, SM-U, and SM-NG zones

Zone	Payment calculation amount per square foot		
	Low	Medium	High
All Industrial Buffer zones (IB)	Not applicable	Not applicable	Not applicable
All Industrial General zones (IG)	Not applicable	Not applicable	Not applicable
All Master Planned Communities— Yesler Terrace zones (MPC-YT)	Not applicable	Not applicable	Not applicable
<u>All Maritime, Manufacturing and Logistics zones (MML)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>All Urban Industrial zones (UI)</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>

<del>((IC 85-175)) II 85-240</del>	\$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

\* \* \*

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
<del>((IC 85-175)) II 85-240</del>	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%

\* \* \*

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

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

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

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

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

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

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

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



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

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

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

1. Artist's studio/dwellings;
  2. Major institutions.
- ~~((C))~~B. The following uses are prohibited:
1. Heavy manufacturing uses;
  2. High-impact uses;
  3. Solid waste management;
  4. Recycling uses;
  5. Animal shelters and kennels;
  6. Veterinary offices;
  7. Pet grooming;
  8. Airports, land and water based;
  9. Hospitals;
  10. Elementary and secondary schools;
  11. Drive-in businesses~~((,-except))~~ including gas stations;
  12. Bus bases;

13. Flexible-use parking <sup>1</sup> ; and

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

~~15. Colleges <sup>2</sup> ;))~~

14. Multifamily residential use otherwise allowed as an administrative

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

<sup>1</sup> Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for 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 Overlay Area District may reserve non-required parking only outside the overlay district and only if:

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

~~((<sup>2</sup> Training facilities for industrial trades operated by colleges and universities are permitted.))~~

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

**23.74.009 Height((;))**

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

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

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

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

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

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

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

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

**23.74.010 Development standards**

\* \* \*

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

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

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

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

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

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

2. Maximum size of use limits

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

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

**Table A for 23.74.010**

**Maximum size of use limits in the Stadium Transition Area Overlay District\***

<b><u>Uses subject to maximum size limits**</u></b>	<b><u>Maximum size limit (in square feet)</u></b>
<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>

**Key for Table A for 23.74.010**

**N.S.L. = No size limit**

**\*Size of use limits do not apply to ancillary uses in the Urban Industrial zone.**

**\*\* Where permitted under Table A for 23.50A.004.**

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

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

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

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

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

~~((b. Facade setback limits~~

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

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

~~3) The facade shall return to within 2 feet of the street property line for a minimum of 10 feet, measured parallel to the street property line, between any two setback areas that are deeper than 2 feet.))~~

2. Outdoor service areas. ~~((Gas station pumps, service))~~ Service islands, electric vehicle charging stations, and vehicular queuing lanes, ((and other service areas related to fueling)) are not allowed between any structure and the pedestrian environment area described in this Section 23.74.010. ~~((Gas station pumps, service))~~ Service islands, vehicular queuing lanes, and other service areas related to ((fueling)) automobiles must be located behind or to the side of a ~~((gas station))~~ principal use, as viewed from any street in such pedestrian environment and are not allowed between any structure on the same lot and the pedestrian environment area described in this Section 23.74.010.

3. Screening and landscaping. (~~The requirements of Sections 23.50.016, 23.50.034 and 23.50.038, including requirements contingent on location near a commercial zone, apply to all new uses and structures. Requirements in Section 23.50.038 contingent on location near a residential lot do not apply.~~) In addition to the requirements of Section 23.50A.018, the screening and landscaping requirements for outdoor storage in subsection 23.47A.016.D.2 apply, with respect to street lot lines abutting the pedestrian environment, to the following uses, where a principal or accessory use is located outdoors: outdoor storage (except for outdoor storage associated with florists and horticultural uses), sales and rental of motorized vehicles, towing services, sales and rental of large boats, dry boat storage, heavy commercial sales (except for fuel sales), heavy commercial services, outdoor sports and recreation, wholesale showrooms, (~~mini-warehouse,~~) warehouse, transportation facilities

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

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

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

6. Pedestrian walkway. Development shall provide a pedestrian walkway that is a minimum of 10 feet wide when fronting a street in the pedestrian environment. The walkway must be continuous for the length of the development site and may be designed to include sidewalk space in the public right of way and space on the site adjacent to the right of way.





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

**23.84A.018 "I"**

\* \* \*

"Infill development" means development consisting of either:

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

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

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

\* \* \*

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

**23.84A.025 "M"**

\* \* \*

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

\* \* \*

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.

\* \* \*

Section 23. 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)