

January 24, 2025

## MEMORANDUM

**To:** Governance, Accountability and Economic Development Committee  
**From:** Lish Whitson, Analyst  
**Subject:** CB 120933: Stadium District Housing

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On January 24, 2025, the Governance, Accountability and Economic Development Committee (Committee) will receive a briefing on Council Bill (CB) 120933, which would amend the provisions of the Land Use Code to allow residential uses as a conditional use in the Stadium Transition Area Overlay District (STAOD). The STAOD is intended to provide a safe pedestrian environment for those attending events and to support a pedestrian character within the district, while minimizing conflicts with industrial uses.

In 2023, the area within the STAOD was primarily rezoned to the Urban Industrial (UI) zone, but unlike other UI zones, most residential uses were prohibited within the STAOD.<sup>1</sup> The proposed bill would amend the STAOD provisions to allow residential uses under most of the conditions that apply to other UI districts in Seattle.

### Stadium Transition Area Overlay District

The STAOD (Seattle Municipal Code (SMC) [Chapter 23.74](#)) was adopted in 2000, a year after T-Mobile Park opened and during the construction of Lumen Field. Overlay districts modify the underlying requirements of the zones within the district. For example, while recycling facilities are allowed in most industrial zones, they are prohibited in the STAOD in order to limit impacts on the pedestrian environment. Permitted densities are also higher in the STAOD than in comparable zones in other parts of the city.

In 2023, with the adoption of the [Industrial and Maritime Strategy](#) zoning changes, the Stadium District was predominantly rezoned to the Urban Industrial (UI) zone.<sup>2</sup> Most of the UI zone provisions apply within the STAOD. However, residential uses, which may be permitted as conditional uses in other UI zones, are prohibited in the STAOD.

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<sup>1</sup> The September 2022 [Final Environmental Impact Statement](#) for the Seattle Industrial and Maritime Study did analyze the type of housing in the STAOD contemplated by CB 120933. It identified impacts to allowing housing in the STAOD, but no significant adverse impacts that could not be mitigated. The Mayor decided not to include allowing housing in the STAOD in his proposed [code amendments](#) implementing the Industrial and Maritime zoning changes.

<sup>2</sup> One block, a former warehouse facility for the Washington and Oregon Shippers Cooperative Association, now owned by the Washington State Department of Transportation, was zoned Maritime, Manufacturing and Logistics. It is now the subject of a targeted planning process: <https://www.c40reinventingcities.org/en/professionals/sites-in-competition/wosca-site-1940.html>.

## UI Zone

The UI zone was created to “provide an integrated and healthy transition between core industrial areas and neighboring urban villages, residential, and mixed-use areas. These areas contain a mix of affordable, small-scale places for light industry, makers, brewing and distilling, creative arts, and industry supporting ancillary retail, office, or research activity. This area also provides limited opportunities for workforce housing that supports industrial uses. The area functions as a place for residents and workers from nearby urban villages or centers to patronize and experience unique local industrial businesses.” (SMC [23.34.099](#)) UI zones are found along the edges of the industrial areas, including Frelard, South Park and Georgetown.

UI zones allow a mix of uses including both industrial and non-industrial uses. However, the most intensive industrial uses are not permitted within the UI zone. Some uses, like lodging, that are not allowed in the most intensive industrial areas, are allowed in the UI zone.

UI zones also allow housing as an administrative conditional use.<sup>3</sup> The following general conditions apply to all conditional uses in industrial areas from SMC [23.50A.060](#):

- A. 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.
- B. The benefits to the public that would be provided by the use shall outweigh the negative impacts of the use.
- C. Landscaping and screening, vehicular access controls, and other measures shall insure the compatibility of the use with the surrounding area and mitigate adverse impacts.
- D. 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.

Additionally, the following specific conditions apply to residential uses in UI zones, per SMC [23.50A.062.C](#):

- C. Residential use in UI zones. Residential uses are permitted as an administrative conditional use in UI zones if all of the following criteria are met. The residential use may be part of a Major Phased Development.
  1. The residential use shall not exceed a density limit of 50 dwelling units per acre; and
  2. The residential use shall not be located within 200 feet of a shoreline; and
  3. The residential use shall not be within 200 feet of a designated major truck street; and

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<sup>3</sup> “Use” means the purpose for which land or a structure is designed, built, arranged, intended, occupied, maintained, let or leased.” (SMC [23.84A.040](#)) A “conditional use” is a use that may be permitted as long as conditions specified in the Land Use Code are met. An “administrative conditional use” is a conditional use that can be authorized by the Seattle Department of Construction and Inspections (SDCI) as part of review of a master use permit. SDCI decisions regarding administrative conditional uses may be appealed to the Seattle Hearing Examiner.

4. All dwelling units shall have sound-insulating windows sufficient to maintain interior sound levels at 60 decibels or below in consideration of existing environmental noise levels at the site. The applicant shall submit an analysis of existing noise levels and documentation of the sound insulating capabilities of windows as part of the conditional use permit application; and
5. All dwelling units shall have a permanently installed air cooling system and a balanced ventilation system, which may be combined. The ventilation system shall filter any outdoor air supply through filters rated MERV 13 or higher as determined by the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE). The air cooling and ventilation systems shall be indicated on the plan; and
6. The residential use shall be located, designed, and configured in a manner to reduce potential conflict with adjacent existing industrial business operations; and
7. The owner(s) of a building seeking a conditional use for the residential use must sign and record a covenant and equitable servitude, on a form acceptable to the Director, that acknowledges that the owner(s) and occupants of the building accept the industrial character of the neighborhood and agree that existing or permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns, including any lessees of the residential use; and
8. The residential use shall be a part of a mixed-use development that includes non-residential uses permitted in UI zones, and the residential use component shall not exceed 50 percent of the total floor area of the mixed use development; and
9. Occupancies of dwelling units are voluntarily limited by the building owner to support the availability of housing that is affordable to area workers, such that the residential use consists of either:
  - a. All dwelling units are live-work units in which the commercial activity qualifies as industrial, or are caretakers' quarters associated with a business on the same site provided no single business shall have more than three associated caretakers' quarters; or
  - b. A minimum of 50 percent of the dwelling units are made available at affordable rent or affordable sale price for a period of 75 years beginning January 1 of the year following final certificate of occupancy to eligible households with annual incomes at or below 60 percent of median income for SEDUs, 80 percent of median income for studio and one-bedroom units, and 90 percent of median income for two-bedroom and larger units. Standardized procedures and definitions established by the Office of Housing for administration of [Chapter 5.73](#) shall apply. Dwelling units eligible for the multifamily housing tax exemption may be counted towards the minimum 50 percent.

Approval of conditional uses are classified as Type II decisions under the Land Use Code and may be appealed to the Seattle Hearing Examiner.

### **Council Bill 120933**

CB 120933 would amend the provisions of the STAOD in order to allow residential uses to be a conditional use in the STAOD UI zones under most of the conditions listed above. The one exception is criterion 3 prohibiting residential uses within 200 feet of a major truck street. Because most of the arterials in the STAOD are designated as major truck streets, maintaining this criterion would effectively prevent residential uses in the STAOD. Removing that condition would allow residential uses in the STAOD, subject to the remaining conditions listed above.

### **Next Steps**

The Committee will hold a public hearing on the bill at a meeting on February 24, at 9:30 AM. The Committee is currently scheduled to vote on the bill at its February 27<sup>th</sup> meeting, which would allow for a City Council vote on the bill in March.

cc: Ben Noble, Director  
Yolanda Ho, Deputy Director