



Legislation Details (With Text)

**File #:** CB 120822    **Version:** 1    **Name:** CB 120822  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 9/24/2024  
**Final Action:** 10/3/2024    **Ord. No.** Ord 127098

**Title:** AN ORDINANCE relating to land use regulations; removing restrictions on congregate residences; and amending Sections 23.42.049, 23.45.504, 23.45.508, 23.47A.004, 23.54.015, and 23.84A.032 of the Seattle Municipal Code.

**Sponsors:** Tammy J. Morales

**Indexes:**

**Attachments:** 1. Summary and Fiscal Note, 2. Summary Att 1 – SEPA Checklist, 3. Summary Att 2 - SEPA DNS, 4. Director’s Report, 5. Central Staff Memo (9/4/24), 6. Presentation (9/4/24), 7. Public Hearing Notice, 8. Signed Ordinance 127098, 9. Affidavit of Publication

Date	Ver.	Action By	Action	Result
10/3/2024	1	City Clerk	attested by City Clerk	
10/3/2024	1	Mayor	returned	
10/3/2024	1	Mayor	Signed	
10/3/2024	1	City Clerk	submitted for Mayor's signature	
9/24/2024	1	City Council	passed	Pass
9/18/2024	1	Land Use Committee	pass	Pass
9/4/2024	1	Land Use Committee	discussed	
7/30/2024	1	City Council	referred	
7/22/2024	1	Council President's Office	sent for review	
7/17/2024	1	City Clerk	sent for review	
7/17/2024	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to land use regulations; removing restrictions on congregate residences; and amending Sections 23.42.049, 23.45.504, 23.45.508, 23.47A.004, 23.54.015, and 23.84A.032 of the Seattle Municipal Code.

WHEREAS, during the 2024 Washington State legislative session the Legislature passed and Governor Inslee signed Engrossed Substitute House Bill 1998 pertaining to co-living housing; and

WHEREAS, Engrossed Substitute House Bill 1998 requires cities to allow co-living housing as a permitted use on any lot within an urban growth area that allows at least six multifamily residential units including in mixed use development, and stipulates that cities may not place certain other limiting development standards on co-housing development; and

WHEREAS, The City of Seattle's Land Use Code regulates co-living housing under the terminology "congregate residence," and Engrossed Substitute House Bill 1998 provides that local governments may use other terms to refer to co-living housing; and

WHEREAS, co-living housing/congregate residences provide a valuable housing option for many people because they can provide a relatively low-cost option that provides a private living space, often in combination with other shared community spaces that can facilitate social connections; and

WHEREAS, this proposed legislation satisfies the requirements of Engrossed Substitute House Bill 1998 by expanding the zones where congregate residences are a permitted use and by removing other constraining development standards from the Land Use Code that were specific to the congregate residence housing type; NOW, THEREFORE,

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

Section 1. Section 23.42.049 of the Seattle Municipal Code, last amended by Ordinance 126626, is amended as follows:

**23.42.049 Congregate residences**

Congregate residences are subject to the development standards for the zone in which they are located, and to the development standards for apartments where such housing type standards are specified. ~~((and to the following requirements:))~~ In any zone or instance in which a dwelling unit density limit applies to residential development, congregate residence sleeping rooms shall be treated as one-fourth of a dwelling unit for the purposes of calculating dwelling unit density.

~~((A. Common food preparation area. At least one complete common food preparation area is required~~

~~within the congregate residence, and all residents shall have access to either a common complete food preparation area or a food preparation area within a sleeping room.~~

~~B. Food preparation areas in sleeping rooms. Within a congregate residence not more than 25 percent of sleeping rooms shall have complete food preparation areas, where a complete food preparation area is identified by the presence of a plumbed sink, a stove or range, a refrigerator, and a counter top. The Director has discretion to increase the percentage up to 100 percent of sleeping rooms if the congregate residence is owned by a college or university, is affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, is a sorority or fraternity, or is owned by a not-for-profit entity or charity, or is a congregate residence that is licensed by the State and provides on-site supportive services for seniors or persons with disabilities. Supportive services include meal service, cleaning service, health services, or similar services.~~

~~C. Communal area. Communal areas such as common kitchens, lounges, recreation rooms, dining rooms, living rooms, foyers and lobbies, that are accessible to all residents of the congregate residence with sufficient accommodations for socializing and meeting shall be provided, and shall meet the following standards:~~

~~1. The total amount of communal area shall have a floor area that is at least 15 percent of the total floor area of all sleeping rooms. In calculating the total floor area of sleeping rooms, the abutting ancillary areas associated with sleeping rooms shall be included, such as: sleeping lofts, counters, closets, built-ins, and private bathrooms;~~

~~2. Service areas, including, but not limited to hallways and corridors, supply or janitorial storage areas, operations and maintenance areas, staff areas and offices, and required bicycle parking areas may not be counted toward the communal area requirement;~~

~~3. Communal areas are required in addition to any residential amenity area that is required in the zone.))~~

Section 2. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 126626, is amended as follows:

**23.45.504 Permitted and prohibited uses**

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in this Chapter 23.45.

<b>Table A for 23.45.504 Permitted and prohibited uses</b>		
<b>Uses</b>	<b>Permitted and prohibited uses by zone</b>	
	<b>LR1, LR2, and LR3</b>	<b>MR and HR</b>
A. <del>((Residential use except as listed residential uses</del>	P	P
<del>((A.1. Congregate residence))</del>	<del>((X/P<sup>1</sup>))</del>	<del>((P/X<sup>2</sup>))</del>
B. Institutions	P/CU <sup>(3)</sup> 1	P/CU <sup>(3)</sup> 1
C. Uses in existing or former public schools		
C.1. Child care centers, preschools, educational and vocational centers for the disabled, adult evening educational classes, libraries, community centers, centers for the elderly, and similar uses in public schools	P	P
C.2. Other non-school uses in existing public schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
D. Park and ride facilities		
D.1. Park and ride facilities on streets	X/CU <sup>(4)</sup> 2	X/CU <sup>(4)</sup> 2
D.2. Park and ride facilities in public parking lots	X/P <sup>(5)</sup> 3	X/P <sup>(5)</sup> 3

E. Parks and playgrounds includ	P	P
F. Ground-floor commercial use	RC/P <sup>(6)</sup> 4	RC/P <sup>(6,7)</sup> 4,5
G. Medical service uses other than -floor commercial uses	P/X <sup>(8)</sup> 6	P/CU/X <sup>(8)</sup> 6
H. Uses not otherwise permitted structures	CU	CU
I. Cemeteries	P/X <sup>(9)</sup> 7	P/X <sup>(9)</sup> 7
J. Community gardens	P	P
K. Parking, flexible-use	X/P <sup>(40)</sup> 8	P <sup>(40)</sup> 8
L. All other uses	X	X

Footnotes to Table A for 23.45.504 (<sup>1</sup> Congregate residences that are owned by a college or university that is part of the Washington State Community and Technical Colleges system, or are a sorority or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities. Supportive services include meal service, cleaning service, health services, or similar. <sup>2</sup> Congregate facilities affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities. <sup>3</sup> Permitted outright. All others are permitted only in locations within urban villages and urban centers. <sup>4</sup> Permitted in development that meets the requirements of Section 23.45.504. <sup>5</sup> Subject to subsection 23.45.504.E except in zones that include an RC designation. <sup>6</sup> Permitted in development that meets the requirements of Section 23.45.504.G and 23.45.506.F. <sup>7</sup> Subject to subsection 23.45.504.F. <sup>8</sup> Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted in the SAOD. <sup>9</sup> Subject to subsection 23.45.504.F. <sup>40</sup> Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted in the SAOD. = Permitted as an Administrative Conditional Use RC = Permitted in areas zoned Residential Community Chapter 23.46 X = Prohibited

\* \* \*

Section 3. Section 23.45.508 of the Seattle Municipal Code, last amended by Ordinance 126682, is amended as follows:

**23.45.508 General provisions**

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

B. Off-street parking shall be provided pursuant to Section 23.54.015, and as permitted by provisions of Sections 23.45.504 and 23.45.506, if applicable.

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

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

E. Assisted living facilities, congregate residences, nursing homes, and structures containing ground floor commercial uses as allowed by Chapter 23.46 in RC zones shall meet the development standards for apartments unless otherwise specified. (~~Congregate residences are subject to additional requirements as specified in Section 23.42.049.~~)

\* \* \*

Section 4. Section 23.47A.004 of the Seattle Municipal Code, last amended by Ordinance 126626, is amended as follows:

**23.47A.004 Permitted and prohibited uses**

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.47A.004 and this Section 23.47A.004, except as may be otherwise provided pursuant to Subtitle III, Division 3, Overlay Districts, of this Title 23.

B. All permitted uses are allowed as a principal use or as an accessory use, unless otherwise indicated in Table A for 23.47A.004.

C. The Director may authorize a use not otherwise permitted in the zone in a (~~landmark~~) Landmark structure, subject to the following criteria:

1. The use will not require significant alteration of the structure;

2. The design of the structure makes uses permitted in the zone impractical in the structure, or the permitted uses do not provide sufficient financial return to make use of the ((~~landmark~~)) Landmark structure feasible; and

3. The physical impacts of the use will not be detrimental to other properties in the zone or vicinity or to the public interest.

#### D. Public facilities

1. Uses in public facilities that are most similar to uses permitted outright or permitted as a conditional use under this Chapter 23.47A are permitted outright or as a conditional use, respectively, subject to the same use regulations, development standards, and conditional use criteria that govern the similar uses.

2. Permitted uses in public facilities requiring council approval. Unless specifically prohibited in Table A for 23.47A.004, uses in public facilities that are not similar to uses permitted outright or permitted as a conditional use under this Chapter 23.47A, may be permitted by the City Council.

3. In all NC zones and C zones, uses in public facilities not meeting development standards may be permitted by the Council, and the Council may waive or grant departures from development standards, if the following criteria are satisfied:

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

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

c. The waiver of or departure from the development standards is necessary to meet specific public service delivery needs; and

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

4. The City Council's use approvals, and waivers of or grants of departures from applicable development standards or conditional use criteria, contemplated by subsections 23.47A.004.D.2 and

23.47A.004.D.3, are governed by the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions.

5. Expansion of uses in public facilities

a. Major expansion. Major expansion of uses in public facilities allowed pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 may be permitted according to the criteria and process in those subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3. A major expansion of a public facility use occurs when an expansion would not meet development standards or the area of the expansion would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is greater. For the purposes of this subsection (~~(23.47A.004)~~) 23.47A.004.D, area of use includes gross floor area and outdoor area devoted actively to that use, other than as parking.

b. Minor expansion. An expansion of a use in a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities allowed pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 above may be permitted according to the provisions of Chapter 23.76, for a Type I Master Use Permit.

6. Essential public facilities. Permitted essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

7. Youth service centers existing as of January 1, 2013, in public facilities operated by King County within Urban Center Villages and replacements, additions, or expansions to such King County public facilities are permitted in NC3 zones.

E. Changes from accessory to flexible-use parking may occur, subject to Section 23.54.026.

F. Public use of accessory parking is subject to Section 23.54.027.

G. Live-work units

1. In all NC zones and C zones live-work units are permitted outright subject to the provisions of this Title 23.

2. In pedestrian-designated zones, live-work units shall not occupy more than 20 percent of the

street-level street-facing facade along designated principal pedestrian streets listed in subsection 23.47A.005.D.

3. In the Lake City and Bitter Lake Village Hub Urban Villages, live-work units shall not occupy more than 20 percent of the street-level street-facing facade.

4. Except where expressly treated as a residential use, live-work units shall be deemed a nonresidential use.

H. Adult cabarets

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

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

3. The dispersion analysis required by subsections 23.47A.004.H.1 and 23.47A.004.H.2 shall be based on the facts that exist on the earlier of:

a. ~~((the))~~ The date a complete application for a building permit for an adult cabaret for the property proposed to contain the new or expanding adult cabaret is made, or

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

I. The terms of Table A for 23.47A.004 are subject to any applicable exceptions or contrary provisions expressly provided for in this Title 23.

<b>Table A for 23.47A.004 Uses in Commercial zones</b>
--

		Permitted and prohibited uses by zone <sup>1</sup>				
Uses		NC 1	NC2	NC3	C1	C2
A. AGRICULTURAL USES						
	A.1. Animal husbandry	A	A	A	A	P
	A.2. Aquaculture	10	25	P	P	P
	A.3. Community garden	P	P	P	P	P
	A.4. Horticulture	10	25	P	P	P
	A.5. Urban farm <sup>2</sup>	P	P	P	P	P
B. CEMENTERIES		X	X	X	X	X
C. COMMERCIAL USES <sup>3</sup>						
	C.1. Animal shelters and kennels	X	X	X	X	P

	C.2. Eating and drinkin g establis hments						
		C.2.a. Drink	CU-10	CU-25	P	P	P
		C.2.b. Resta	10	25	P	P	P
	C.3. Enterta inment uses						
		C.3.a. Caba	X	P	P	P	P
		C.3.b. Moti adult	X	X	X	X	X
		C.3.c. Pano	X	X	X	X	X
		C.3.d. Sport indoor	10	25	P	P	P
		C.3.e. Sport outdoor	X	X	X <sup>5</sup>	P	P
		C.3.f. Theat facilities	X	25	P	P	P
	C.4. Food process ing and craft work <sup>2</sup>		10	25	25	P	P
	C.5. Labora tories, researc h and develo pment		10	25	P	P	P
	C.6. Lodgin g uses		X <sup>6</sup>	CU-25 <sup>6</sup>	P	P	P

	C.7. Medica l service s <sup>7</sup>	10 <sup>8</sup>	25	P	P	P
	C.8. Offices	10	25	P	35 <sup>9</sup>	35 <sup>9</sup>
	C.9. Sales and service s, automo tive					
	C.9.a. Retail automotive	10 <sup>10</sup>	25 <sup>10</sup>	P <sup>10</sup>	P	P
	C.9.b. Sales motorized v	X	25	P	P	P
	C.9.c. Vehic automotive	X	25	P	P	P
	C.10. Sales and service s, general <sup>2</sup>					
	C.10.a. Retail general <sup>2</sup>	10	25	P	P	P
	C.10.b. Retail	10 <sup>11</sup>	50	P	P	P
	C.11. Sales and service s, heavy					
	C.11.a. Con	X	X	25	P	P
	C.11.b. Con heavy	X	X	X	P	P
	C.11.c. Retail	10	25	P	P	P

		C.11.d. Retail non-household	10	25	P	P	P
		C.11.e. Wholesale	X	X	25	25	P
	C.12. Sales and services, marine						
		C.12.a. Marine	10	25	P	P	P
		C.12.b. Sales boats	X	25	P	P	P
		C.12.c. Sales boats, boat repair	10	25	P	P	P
		C.12.d. Vessels	X	X	X	S	S
		C.12.e. Vessels	10	25	P	P	P
D. HIGH-IMPACT USES			X	X	X	X	X
E. INSTITUTIONS							
	E.1. Institutions not listed below		10	25	P	P	P

	E.2. Major instituti ons subject to the provisi ons of Chapte r 23.69	P	P	P	P	P
	E.3. Religio us facilitie s	P	P	P	P	P
	E.4. School s, elemen tary or second ary	P	P	P	P	P
	E.5. Child care centers	P	P	P	P	P
F. LIV E- WO RK UNI TS <sup>12</sup>		P	P	P	P	P
G. MANUFACT URING USES						
	G.1. Manuf	X	10	25	P	P
	G.2. Manuf	X	X	X	P	P
	G.3. Manuf	X	X	X	X	X

H. PAR KS AND OPE N SPA CE		P	P	P	P	P
I. PUBLIC FACILITIES						
	I.1. Jails					
	I.1.a. Youth	X	X	P <sup>13</sup>	X	X
	I.1.b. All ot	X	X	X	X	X
	I.2. Work- release centers	CCU-10	CCU-25	CCU	CCU	CCU
J. RESIDENTIAL USES <sup>14</sup>						
	J.1. Reside ntial uses not listed below	P	P	P	P	CU <sup>15</sup>
	J.2. Caretaker's quarters	P	P	P	P	P
	J.3. Congre gate residen ce	((X/P) <sup>(16)</sup>	((X/P) <sup>(16)</sup>	((X/P) <sup>(17)</sup>	((X/P) <sup>(17)</sup>	((X/P <sup>17</sup> ) )) CU <sup>15</sup>

	J.4. Low-income housing	P	P	P	P	P
K. STORAGE USES						
	K.1. Mini-warehouses	X	X	25	40	P
	K.2. Storage, outdoor	X	X	X <sup>((48)) 16</sup>	P	P
	K.3. Warehouses	X	X	25	25	P
L. TRANSPORTATION FACILITIES						
	L.1. Cargo terminals	X	X	X	S	P
	L.2. Parking and moorage					
	L.2.a. Boat	S	S	S	S	S
	L.2.b. Dry b	X	25	P	P	P
	L.2.c. Parki	X	25	P	P	P
	L.2.d.i. Park surface park	X	CU-25	CU	CU	CU
	L.2.d.ii. Park parking gara	X	P <sup>((2+)) 19</sup>	P <sup>((2+)) 19</sup>	P <sup>((2+)) 19</sup>	P <sup>((2+)) 19</sup>
	L.2.e. Towi	X	X	X	P	P

	L.3. Passenger terminals		X	X	25	P	P
	L.4. Rail transit facilities		P	P	P	P	P
	L.5. Transportation facilities, air						
		L.5.a. Airports	X	X	X	X	X
		L.5.b. Airports	X	X	X	X	S
		L.5.c. Helipads	X	X	X	X	X
		L.5.d. Helipads	X	X	CCU	CCU	CU
	L.6. Vehicle storage and maintenance						
		L.6.a. Bus bays	X	X	X	CCU	CCU
		L.6.b. Railroads	X	X	X	X	X
		L.6.c. Railroad mechanized	X	X	X	X	X
		L.6.d. Transport personal	X	X	P	P	P
M. UTILITY USES							

M.1. Comm unicati on utilities , major (22) 20	X	X	X	CCU	CCU
M.2. Comm unicati on utilities , minor (22) 20	P	P	P	P	P
M.3. Power plants	X	X	X	X	X
M.4. Recycli ng	X	X	X	P	P/CU ((23)) 21
M.5. Sewag e treatme nt plants	X	X	X	X	X
M.6. Solid waste manag ement	X	X	X	X	X
M.7. Utility service s uses	10	25	P	P	P

KEY A =  
Permitted as an  
accessory use  
only CU =  
Administrative  
Conditional  
Use (business  
establishment  
limited to the  
multiple of  
1,000 square  
feet of any  
number  
following a  
hyphen,  
pursuant to  
Section  
23.47A.010)  
CCU =  
Council  
Conditional  
Use (business  
establishment  
limited to the  
multiple of  
1,000 square  
feet of any  
number  
following a  
hyphen,  
pursuant to  
Section  
23.47A.010) P  
= Permitted S  
= Permitted in  
shoreline areas  
only X =  
Prohibited CU-  
25 =  
Conditionally  
permitted; use  
is limited to  
25,000

25,000 square feet, pursuant to Section 23.47A.010 10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010 20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010 25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010 35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010 40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section

23.47A.010 50  
= Permitted,  
business  
establishments  
limited to  
50,000 square  
feet, pursuant  
to Section  
23.47A.010



Footnotes to  
Table A for  
23.47A.004 <sup>1</sup>  
In pedestrian-  
designated  
zones, a  
portion of the  
street-level  
street-facing  
facade of a  
structure along  
a designated  
principal  
pedestrian  
street may be  
limited to  
certain uses as  
provided in  
subsection  
23.47A.005.D.  
In pedestrian-  
designated  
zones, drive-in  
lanes are  
prohibited  
(Section  
23.47A.028). <sup>2</sup>  
In addition to  
the provisions  
in this Chapter  
23.47A, uses  
that entail  
major  
marijuana  
activity are  
subject to the  
requirements  
of Section  
23.42.058. <sup>3</sup>  
For  
commercial  
uses with drive

-in lanes, see  
Section  
23.47A.028. <sup>4</sup>  
Subject to  
subsection  
23.47A.004.H.  
<sup>5</sup> Permitted at  
Seattle Center.  
<sup>6</sup> Bed and  
breakfasts in  
existing  
structures are  
permitted  
outright with  
no maximum  
size limit. <sup>7</sup>  
Medical  
services over  
10,000 square  
feet within  
2,500 feet of a  
medical Major  
Institution  
Overlay  
boundary  
require  
conditional use  
approval,  
unless they are  
included in a  
Major  
Institution  
Master Plan or  
dedicated to  
veterinary  
services. <sup>8</sup>  
Medical  
service uses  
that are located  
in an urban  
center or urban  
village, which  
are in

operation at such location before August 1, 2015, and that routinely provide medical services on a reduced fee basis to individuals or families having incomes at or below 200 percent of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC 9902 (2), are limited to 20,000 square feet. This provision does not apply to medical service uses that are subject to a Major Institution Master Plan.<sup>9</sup> Office uses in C1 and C2 zones are permitted up to

the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010.D. Office uses in C1 and C2 zones are permitted outright with no maximum size limit if they meet the standards identified in subsection 23.47A.010.D.<sup>10</sup> Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (Section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.<sup>11</sup> Grocery stores meeting the conditions of subsection 23.47A.010.E

are permitted  
up to 23,000  
square feet in  
size. <sup>12</sup> Subject  
to subsection  
23.47A.004.G.

<sup>13</sup> Permitted  
pursuant to  
subsection  
23.47A.004.D.  
7. <sup>14</sup>

Residential  
uses may be  
limited to 20  
percent of a  
street-level  
street-facing  
facade  
pursuant to  
subsection  
23.47A.005.C.

<sup>15</sup> Residential  
uses are  
conditional  
uses in C2  
zones under  
subsection  
23.47A.006.A.  
3, except as  
otherwise  
provided above  
in Table A for  
23.47A.004 or  
in subsection  
23.47A.006.A.

3. <sup>16</sup>  
Congregate  
Residences  
that are owned  
by a college or  
university, or  
are affiliated  
with an

educational  
major  
institution that  
is part of the  
Washington  
State  
Community  
and Technical  
Colleges  
system, or are  
a sorority or  
fraternity, or  
are owned by a  
not-for-profit  
entity or  
charity, or are  
licensed by the  
State and  
provide  
supportive  
services are  
permitted  
outright. All  
others are  
prohibited.  
Supportive  
services  
include meal  
service,  
cleaning  
service, health  
services, or  
similar. <sup>17</sup>  
Congregate  
Residences  
that are owned  
by a college or  
university, or  
are affiliated  
with an  
educational  
major  
institution that

~~is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity, or are owned by a not-for-profit entity or charity, or are licensed by the State and provide supportive services are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar.)~~ <sup>(18)</sup>  
<sup>16</sup> Permitted at Seattle Center; see Section 23.47A.011. <sup>(19)</sup> <sup>17</sup>  
Flexible-use parking is subject to Section

23.54.026. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B. 2. <sup>(20)</sup> 18 Permitted as surface parking only on surface parking lots existing as of January 1, 2017. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B. 2. <sup>(21)</sup> 19 Permitted outright, except prohibited in the SAOD. <sup>(22)</sup> <sup>(22)</sup> See Chapter 23.57, Communications regulations

his regulations,  
 for regulation  
 of  
 communicatio  
 n utilities. ((23))  
<sup>21</sup> A recycling  
 use that is  
 located on the  
 same  
 development  
 site as a solid  
 waste transfer  
 station may be  
 permitted by  
 administrative  
 conditional  
 use, subject to  
 the  
 requirements  
 of subsection  
 23.47A.006.A.  
 7.

Section 5. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

**23.54.015 Required parking and maximum parking limits**

\* \* \*

<b>Table B for 23.54.015 Required parking for residential uses</b>		
<b>Use</b>		<b>Minimum parking required</b>
<b>I. General residential uses</b>		
A.	Adult family homes	1 space for each dwelling unit
B.	Artist’s studio/dwellings	1 space for each dwelling unit

C.	Assisted living facilities	1 space for each 4 assisted living; 1 space for each 2 staff member peak staffing time; plus 1 barrier passenger loading and unloading
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences	1 space for each 4 sleeping room
F.	Cottage housing developments	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home located in Chapter 22.904
I.	Multifamily residential uses, except otherwise provided in this Table 23.54.015 <sup>1</sup> , (( <sup>4</sup> )) <sup>2</sup>	1 space per dwelling unit, or 1 space each 2 small efficiency dwelling
J.	Nursing homes	1 space for each 2 staff doctors; additional space for each 3 employees; 1 space for each 6 beds
K.	Single-family dwelling units (( <sup>2</sup> ))	1 space for each dwelling unit
<b>II. Residential use requirements for specific areas</b>		
L.	All residential uses within urban center within the Station Area Overlay District (( <sup>1</sup> )) <sup>2</sup>	No minimum requirement
M.	All residential uses in commercial and multifamily zones within urban center that are not within urban center Station Area Overlay District, if residential use is located within transit service area (( <sup>1-3</sup> )) <sup>2-4</sup>	No minimum requirement
N.	Multifamily residential uses within University of Washington parking area shown on Map A for 23.54	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 0.25 spaces per dwelling units with 2 bedrooms; plus 0.25 spaces per dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within area shown on Map B for 23.54	1.5 spaces for each dwelling unit
P.	Congregate residences located within half mile walking distance of a transit stop	No minimum requirement

Footnotes to Table B  
for 23.54.015 <sup>1</sup> For  
each moderate-  
income unit and  
each low-income  
unit, no minimum  
amount of parking is  
required. ((<sup>1</sup>)) <sup>2</sup> The  
minimum amount of  
parking prescribed  
by Part I of Table B  
for 23.54.015 does  
not apply if a use,  
structure, or  
development  
qualifies for a  
greater or a lesser  
amount of minimum  
parking, including  
no parking, under  
any other provision  
of this Section  
23.54.015. If more  
than one provision in  
this Table B for  
23.54.015 is  
applicable, the  
provision requiring  
the least amount of  
minimum parking  
applies, except that  
if item O in Part II of  
Table B for  
23.54.015 applies, it  
shall supersede any  
other requirement in  
Part I or Part II of  
this Table B for  
23.54.015. ((<sup>2</sup>)) <sup>3</sup> No  
parking is required  
for single-family  
residential uses on  
lots in any

residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3. ((<sup>3</sup>))<sup>4</sup> Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal. ((<sup>4</sup> For each moderate-income unit and each low-income unit, no minimum amount of parking is required.))

\* \* \*

Table D for 23.54.015 Parking for bicycles ((1)) <sup>1</sup>		
Use	Bike parking requirements	
	Long-term	Short-term
<b>A. COMMERCIAL USES</b>		

A.1.	Eating and drinking establishments	1 per 5,000 square	1 per 1,000 square
A.2.	Entertainment uses other than theaters and spectator sports facilities	1 per 10,000 square	Equivalent to 5 per of maximum building capacity rating
	A.2.a. Theaters and spectator sports facilities	1 per 10,000 square	Equivalent to 8 per maximum building rating <sup>2</sup>
A.3.	Lodging uses	3 per 40 rentable rd	1 per 20 rentable rd plus 1 per 4,000 sq feet of conference and meeting rooms
A.4.	Medical services	1 per 4,000 square	1 per 2,000 square
A.5.	Offices and laboratories, research and development	1 per 2,000 square	1 per 10,000 square
A.6.	Sales and services, general	1 per 4,000 square	1 per 2,000 square
A.7.	Sales and services, heavy	1 per 4,000 square	1 per 10,000 square of occupied floor area spaces minimum
<b>B. INSTITUTIONS</b>			
B.1.	Institutions not listed below	1 per 4,000 square	1 per 10,000 square
B.2.	Child care centers	1 per 4,000 square	1 per 20 children. 2 spaces minimum
B.3.	Colleges	1 per 5,000 square	1 per 2,500 square
B.4.	Community clubs or centers	1 per 4,000 square	1 per 1,000 square
B.5.	Hospitals	1 per 4,000 square	1 per 10,000 square
B.6.	Libraries	1 per 4,000 square	1 per 2,000 square
B.7.	Museums	1 per 4,000 square	1 per 2,000 square
B.8.	Religious facilities	1 per 4,000 square	1 per 2,000 square

B.9.	Schools, primary and secondary	3 per classroom	1 per classroom
B.10.	Vocational or fine arts schools	1 per 5,000 square	1 per 2,500 square
C. MANUFACTURING USES		1 per 4,000 square feet	1 per 20,000 square
D. RESIDENTIAL USES <sup>3</sup>			
D.1.	Congregate residences <sup>4</sup>	1 per 4 sleeping rooms	1 per ((20)) 80 sleeping rooms. 2 spaces minimum
D.2.	Multifamily structures other than townhouse and rowhouse developments <sup>4, 5</sup>	1 per dwelling unit	1 per 20 dwelling units
D.3.	Single-family residences	None	None
D.4.	Townhouse and rowhouse developments <sup>5</sup>	1 per dwelling unit	None
E. TRANSPORTATION FACILITIES			
E.1.	Park and ride facilities on surface parking lots	At least 20 <sup>6</sup>	At least 10
E.2.	Park and ride facilities in parking garages	At least 20 if parking is the principal use of the property; zero if no parking uses are the principal use of a property	At least 10 if parking is the principal use of the property; zero if no parking uses are the principal use of a property
E.3.	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto space	None

E.4.	Rail transit facilities and passenger terminals	Spaces for 5 percent projected AM peak period daily ridership	Spaces for 2 percent projected AM peak period daily ridership
------	---	---	---

Footnotes to Table D for 23.54.015 <sup>1</sup> Required bicycle parking includes long-term and short-term amounts shown in this Table D for 23.54.015. <sup>2</sup> The Director may reduce short-term bicycle parking requirements for theaters and spectator sport facilities that provide bicycle valet services authorized through a Transportation Management Program. A bicycle valet service is a service that allows bicycles to be temporarily stored in a secure area, such as a monitored bicycle corral. <sup>3</sup> For residential uses, after the first 50 spaces for bicycles are provided, additional spaces are required at three-quarters the ratio shown in this Table D for 23.54.015. <sup>4</sup> For congregate residences or multifamily structures that are owned and operated by a not-for-profit entity serving seniors or persons with disabilities, or that are licensed by the State and provide supportive services for seniors or persons with disabilities, as a Type I decision, the Director shall have the discretion to reduce the amount of required bicycle parking to as few as zero if it can be demonstrated that residents are less likely to travel by

bicycle.<sup>5</sup> In low-income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage).<sup>6</sup> The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

Section 6. Section 23.84A.032 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended

as follows:

**23.84A.032 “R”**

\* \* \*

“Residential use” means any one or more of the following:

1. “Accessory dwelling unit” means one or more rooms that:
  - a. Are located within a principal dwelling unit or within an accessory structure on the same lot as a principal dwelling unit;
  - b. Meet the standards of Section 23.44.041, Section 23.45.545, or Chapter 23.47A, as applicable;
  - c. Are designed, arranged, and intended to be occupied by not more than one household as living accommodations independent from any other household; and
  - d. Are so occupied or vacant.
2. “Attached accessory dwelling unit” means an accessory dwelling unit that is within a principal dwelling unit.
3. “Adult family home” means an adult family home defined and licensed as such by the State of Washington in a dwelling unit.
4. “Apartment” means a multifamily residential use that is not a cottage housing development, rowhouse development, or townhouse development.
5. “Artist’s studio/dwelling” means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one household.
6. “Assisted living facility” means a use licensed by the State of Washington as a boarding home pursuant to chapter 18.20 RCW that contains at least two assisted living units for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer (e.g., moving from bed to chair or chair to bath), and bathing) or some form of cognitive impairment but who do not

need the skilled critical care provided by nursing homes. See “Assisted living unit.”

7. “Carriage house” means a dwelling unit in a carriage house structure.

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

9. “Caretaker’s quarters” means a use accessory to a non-residential use consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a caretaker or watchperson.

10. “Congregate residence” means a use in which ~~((rooms or lodging, with or without meals, are provided for any number of non-transient persons not constituting a single household))~~ sleeping rooms are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities and other common elements with other residents in a building.

11. “Cottage housing development” means a use consisting of cottages arranged on at least two sides of a common open space or a common amenity area. A cottage housing development may include a carriage house structure. See “Cottage,” “Carriage house,” and “Carriage house structure.”

12. “Detached accessory dwelling unit” means an accessory dwelling unit in an accessory structure.

13. “Domestic violence shelter” means a structure or portion of a structure managed by a nonprofit organization, which unit provides housing at a confidential location and support services for victims of domestic violence.

14. “Floating home” means a dwelling unit constructed on a float that is moored, anchored, or otherwise secured in the water.

15. “Low-income housing.”

16. “Mobile home” means a structure that is designed and constructed to be transportable in one or more sections and built on a permanent chassis, designed to be used as a dwelling unit without a permanent foundation, and connected to utilities that include plumbing, heating, and electrical systems. A structure that was transportable at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable.

17. “Mobile home park” means a tract of land that is rented for the use of more than one mobile home occupied as a dwelling unit.

18. “Multifamily residential use” means a use consisting of two or more dwelling units in a structure or portion of a structure, excluding accessory dwelling units, or a congregate residence.

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

20. “Permanent supportive housing.”

21. “Rowhouse development” means a multifamily residential use in which all principal dwelling units on the lot meet the following conditions:

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

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

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

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

- e. Each dwelling unit provides pedestrian access directly to the street that it faces; and
- f. No portion of any other dwelling unit, except for an attached accessory dwelling unit,

is located between any dwelling unit and the street faced by the front of that unit.

22. “Single-family dwelling unit” means a detached principal structure having a permanent foundation, containing one dwelling unit, except that the structure may also contain one or two attached accessory dwelling units where expressly authorized pursuant to this Title 23. A detached accessory dwelling unit is not considered a single-family dwelling unit for purposes of this Chapter 23.84A.

23. “Townhouse development” means a multifamily residential use that is not a rowhouse development, and in which:

- a. Each dwelling unit occupies space from the ground to the roof of the structure in which it is located;
- b. No portion of a dwelling unit occupies space above or below another dwelling unit, except for an attached accessory dwelling unit and except for dwelling units constructed over a shared parking garage, including shared parking garages that project up to 4 feet above grade; and
- c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line.

\* \* \*

Section 7. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

Scheereen Dedman, City Clerk

(Seal)