



Legislation Details (With Text)

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On agenda: 6/27/2023
Final Action: 6/30/2023 **Ord. No.** Ord 126845

Title: AN ORDINANCE relating to land use regulation of home occupations; amending Sections 23.42.050, 23.55.020, 23.55.022, 23.55.028, 23.55.030, and 23.55.036 of the Seattle Municipal Code to establish permanent provisions for home occupation businesses.

Sponsors: Dan Strauss

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Central Staff Memo (5/15/23), 3. Central Staff Presentation (5/15/23), 4. Central Staff Presentation (6/14/23), 5. Signed Ordinance 126845, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
6/30/2023	1	City Clerk	attested by City Clerk	
6/30/2023	1	Mayor	returned	
6/30/2023	1	Mayor	Signed	
6/30/2023	1	City Clerk	submitted for Mayor's signature	
6/27/2023	1	City Council	passed	Pass
6/14/2023	1	Land Use Committee	pass	Pass
5/15/2023	1	Land Use Committee	discussed	
3/7/2023	1	City Council	referred	
3/2/2023	1	Council President's Office	sent for review	
3/1/2023	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use regulation of home occupations; amending Sections 23.42.050, 23.55.020, 23.55.022, 23.55.028, 23.55.030, and 23.55.036 of the Seattle Municipal Code to establish permanent provisions for home occupation businesses.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.42.050 of the Seattle Municipal Code, last amended by Ordinance 126131, is amended as follows:

23.42.050 Home occupations

A home occupation of a person residing in a dwelling unit is permitted outright in all zones as an accessory use to any residential use permitted outright or to a permitted residential conditional use, subject to the following requirements:

A. The occupation is clearly incidental to the use of the dwelling unit as a dwelling.

~~((B. Commercial deliveries and pickups to the dwelling unit are limited to one per day Monday through Friday. No commercial deliveries or pickups are permitted on Saturday, Sunday or federal holidays.~~

~~C. Customer visits are by appointment only.~~

D)) B. The occupation may be conducted within any legal principal or accessory dwelling unit or structure, and in outdoor locations on the lot.

1. Home occupation businesses may be conducted by residents of a principal dwelling unit and/or an accessory dwelling unit.

2. The presence of one home occupation does not preclude a resident of another legally established dwelling unit on the property from also conducting a home occupation.

3. Outdoor play areas for child care programs, and outdoor activities customarily incidental to the residential use, are permitted.

~~((E))~~ C. Parking of vehicles associated with the home occupation is permitted anywhere that parking is permitted on the lot, including required parking spaces.

~~((F. To preserve the residential appearance of the dwelling unit, there shall be no evidence of the home occupation visible from the exterior of the structure, provided that:))~~

D. Visual evidence of home occupations

~~((1. Outdoor play areas for child care programs and outdoor activities customarily incidental to the residential use are permitted;~~

2)) 1. Interior and exterior alterations and additions that comply with the development standards

of the zone are permitted;

((3)) 2. Alterations and additions that are required by licensing or construction codes for child care programs are permitted; and

((4)) 3. Signs identifying the home occupation are permitted subject to compliance with Chapter 23.55, Signs.

((G)) E. No outdoor storage is permitted in connection with a home occupation.

~~((H. Except for child care programs, no more than two persons who are not residents of a dwelling unit on the lot may work in a home occupation, regardless of whether the persons work full or part time or are compensated.~~

~~F))~~ F. ~~((The))~~ An automotive retail sales and services home occupation shall not cause a substantial increase in on-street parking congestion or a substantial increase in traffic within the immediate vicinity.

~~((J))~~ G. A maximum of ~~((two))~~ three passenger vehicles, vans, and similar vehicles, associated with the home occupation, each not exceeding a gross vehicle weight of 10,000 pounds are permitted to ~~((operate in connection with))~~ be at the home occupation site, independent of commercial deliveries and pickups. ~~((as provided for in subsection 23.42.050.B.))~~ For lots developed with a single-family dwelling in NR zones, this limit is in addition to the outdoor parking limit in subsection 23.44.016.C.3.

~~((K))~~ H. The home occupation shall be conducted so that noise, odor, smoke, dust, light and glare, and electrical interference and other similar ~~((impacts are not detectable by sensory perception))~~ types of spillover effects do not create negative impacts at or beyond the property line of the lot where the home occupation is located.

I. No portion of a home occupation shall be a drive-in business.

Section 2. Section 23.55.020 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.55.020 Signs in neighborhood residential zones

* * *

D. The following signs are permitted in all neighborhood residential zones:

1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;
2. Memorial signs or ~~((tables))~~ tablets, and the name of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;
3. Signs for public facilities indicating danger and/or providing service or safety information;
4. National, state, and institutional flags;
5. For any nonresidential use allowed in the zone except for elementary or secondary schools, one electric or nonilluminated double-faced identifying wall or ground sign not to exceed 15 square feet of area per sign face on each street frontage;
6. On-premises directional signs not exceeding 8 square feet in area. One such sign is permitted for each entrance or exit to a surface parking area or parking garage;
7. For elementary or secondary schools, one electric or nonilluminated double-faced identifying sign, not to exceed 30 square feet of area per sign face on each street frontage, provided that the signs shall be located and landscaped so that light and glare impacts on surrounding properties are reduced, and so that any illumination is controlled by a timer set to turn off by 10 p.m.
8. One nonilluminated sign bearing the name of a home occupation not exceeding ~~((64 square inches))~~ 5 square feet in area.

* * *

Section 3. Section 23.55.022, of the Seattle Municipal Code, last amended by Ordinance 123046, is amended as follows:

23.55.022 Signs in multifamily zones

* * *

D. The following signs are permitted in all multifamily zones:

1. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;
2. Memorial signs or tablets, and the names of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;
3. Signs for public facilities indicating danger and/or providing service or safety information;
4. National, state, and institutional flags;
5. One electric, externally illuminated or nonilluminated sign bearing the name of a home occupation not exceeding ~~((64 square inches))~~ 5 square feet in area;
6. One nonilluminated wall or ground identification sign for multifamily structures on each street or alley frontage in addition to signs permitted by subsection 23.55.022.D.2. For structures of 16 units or less, the maximum area of each sign face is 16 square feet. One square foot of sign area is permitted for each additional unit over 16, to a maximum area of 50 square feet per sign face;
7. For institutions other than elementary and secondary schools, one electric or nonilluminated double-faced identifying wall or ground sign on each street frontage, not to exceed 24 square feet of area per sign face;
8. One electric, externally illuminated or nonilluminated sign bearing the name of a bed and breakfast, not exceeding 64 square inches in area;
9. For elementary or secondary schools, one electric or nonilluminated double-faced identifying sign, not to exceed 30 square feet of area per sign face on each street frontage, provided that the signs shall be located and landscaped so that light and glare impacts on surrounding properties are reduced, and that any illumination is controlled by a timer set to turn off by 10 p.m.

* * *

Section 4. Section 23.55.028 of the Seattle Municipal Code, last amended by Ordinance 123649, is

amended as follows:

23.55.028 Signs in NC1 and NC2 zones

* * *

D. On-premises (~~(Signs.)~~) signs

1. The following signs are permitted in addition to the signs permitted by subsections 23.55.028.D.2, 23.55.028.D.3, and 23.55.028.D.4:

a. Electric, externally illuminated or nonilluminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

b. Memorial signs or tablets, and the names of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;

c. Signs for public facilities indicating danger and/or providing service or safety information;

d. National, state, and institutional flags;

e. One under-marquee sign that does not exceed 10 square feet in area;

f. One electric, externally illuminated or non-illuminated sign bearing the name of a home occupation, not exceeding (~~(64 square inches)~~) 5 square feet in area.

2. Number and (~~(Type of Signs Allowed for Business Establishments.)~~) type of signs allowed for business establishments

a. Each business establishment may have one ground, roof, projecting, or combination sign (Type A sign) for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection 23.55.028.D.2.a, each business establishment may have one wall, awning, canopy, marquee, or under-marquee sign (Type B sign) for each 30 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. In addition to the signs permitted by subsections 23.55.028.D.2.a and D.2.b, each multiple business center and drive-in business may have one pole sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys. Such pole signs may be for a drive-in business or for an individual business establishment located in a multiple business center, or may identify a multiple business center.

d. Individual businesses that are not drive-in businesses and that are not located in a multiple business center may have one pole sign in lieu of a Type A sign permitted by ~~((Section))~~ subsection 23.55.028.D.2.a for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

3. Maximum ~~((Area of Signs for Nonresidential Uses and Live-work Units))~~ area of signs for nonresidential uses and live-work units. The maximum area of all signs for each business establishment permitted in subsection 23.55.028.D.2 is 185 square feet, and the maximum area of any one Type A sign is 72 square feet, provided that the maximum area of pole signs for gas stations that identify the price of motor fuel being offered by numerals of equal size is 96 square feet.

4. Identification ~~((Signs for Multifamily Structures.))~~ signs for multifamily structures

a. One identification sign bearing the name of a multifamily structure is permitted on each street or alley frontage of a residential use in addition to the signs permitted by subsection 23.55.028.D.1.

b. Identification signs may be wall, ground, awning, canopy, marquee, under-marquee, or projecting signs.

c. For structures of 24 units or less, the maximum area of each sign face is 24 square feet. One square foot of sign area is permitted for each additional unit over 24, to a maximum of 50 square feet per sign face.

5. Sign ~~((Height.))~~ height

a. The maximum height for any portion of a pole, projecting, or combination sign is 25 feet.

b. The maximum height for any portion of a wall or under-marquee sign is 20 feet or the height of the cornice of the structure to which the sign is attached, whichever is greater.

c. Marquee signs may not exceed a height of 30 inches above the top of the marquee, and total vertical dimension shall not exceed 5 feet.

d. No portion of a roof sign shall exceed a height of 25 feet above grade.

* * *

Section 5. Section 23.55.030 of the Seattle Municipal Code, last amended by Ordinance 124457, is amended as follows:

23.55.030 Signs in NC3, C1, C2, and SM zones

* * *

E. (~~On-Premises Signs.~~) On-premises signs

1. The following signs are permitted in addition to the signs permitted by subsections 23.55.030.E.2 and 23.55.030.E.3:

a. Electric, externally illuminated or non-illuminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

b. Memorial signs or tablets, and the names of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;

c. Signs for public facilities indicating danger and/or providing service or safety information;

d. National, state, and institutional flags;

e. One under-marquee sign that does not exceed 10 square feet in area;

f. One electric, externally illuminated or non-illuminated sign bearing the name of a home occupation, not to exceed (~~64 square inches~~) 5 square feet in area.

2. Number and (~~Type of Signs Allowed for Business Establishments.~~) type of signs allowed for

business establishments

a. Each business establishment may have one ground, roof, projecting, or combination sign (Type A sign) for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs permitted by subsection 23.55.030.E.2.a, each business establishment may have one wall, awning, canopy, marquee, or under-marquee sign (Type B sign) for each 30 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. In addition to the signs permitted by subsections 23.55.030.E.2.a and 23.55.030.E.2.b, each multiple business center and drive-in business may have one pole sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys. Such pole signs may be for a drive-in business or for an individual business establishment located in a multiple business center, or may identify a multiple business center.

d. Individual businesses that are not drive-in businesses and that are not located in multiple business centers may have one pole sign in lieu of a Type A sign permitted by subsection 23.55.030.E.2.a for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

e. If the principal use or activity on the lot is outdoor retail sales, banners and strings of pennants maintained in good condition are permitted in addition to the signs permitted by subsections 23.55.030.E.2.a, 23.55.030.E.2.b, and 23.55.030.E.2.c.

3. Maximum (~~Area~~) area

a. NC3 and SM zones (~~(-)~~)

1) The maximum area of each face of a pole, ground, roof, projecting, or combination sign is 72 square feet plus 2 square feet for each foot of frontage over 36 feet on public rights-of-way, except alleys, to a maximum area of 300 square feet, provided that:

i. The maximum area for signs for multiple business centers, and signs for

business establishments located within 100 feet of a state route right-of-way that is not designated in Section 23.55.042 as a landscaped or scenic view section, is 600 square feet; and

ii. The maximum area for pole signs for gas stations that identify the price of motor fuel being offered by numerals of equal size is 96 square feet.

2) There is no maximum area limit for awning, canopy, marquee, or under-marquee signs.

3) The maximum area for each wall sign is 672 square feet.

b. C1 and C2 Zones. There is no maximum area limit for on-premises signs for business establishments in C1 and C2 zones except the maximum area for each wall sign is 672 square feet.

4. Identification (~~(Signs for Multifamily Structures.)~~) signs for multifamily structures

a. One identification sign is permitted on each street or alley frontage of a multifamily structure.

b. Identification signs may be wall, ground, awning, canopy, marquee, under-marquee, or projecting signs.

c. The maximum area of each sign is 72 square feet.

5. Sign (~~(Height.)~~) height

a. The maximum height for any portion of a projecting or combination sign is 65 feet above existing grade, or the maximum height limit of the zone, whichever is less.

b. The maximum height limit for any portion of a pole sign is 30 feet; except for pole signs for multiple business centers and for business establishments located within 100 feet of a state route right-of-way that is not designated in Section 23.55.042 as a landscaped or scenic view section, for which a maximum height of 40 feet is permitted.

c. The maximum height for any portion of a wall, marquee, under-marquee, or canopy sign is 20 feet or the height of the cornice of the structure to which the sign is attached, whichever is greater.

d. No portion of a roof sign shall:

- 1) Extend beyond the height limit of the zone;
- 2) Exceed a height above the roof in excess of the height of the structure on

which the sign is located; or

- 3) Exceed a height of 30 feet above the roof, measured from a point on the roof

line directly below the sign or from the nearest adjacent parapet.

* * *

Section 6. Section 23.55.036 of the Seattle Municipal Code, last amended by Ordinance 124457, is amended as follows:

23.55.036 Signs in IB, IC, IG1 and IG2 zones

* * *

D. On-premises (~~(Signs.)~~) signs

1. The following signs are permitted in addition to the signs permitted by subsections 23.55.036.D.2, 23.55.036.D.3, and 23.55.036.D.4:

a. Electric, externally illuminated, or non-illuminated signs bearing the name of the occupant of a dwelling unit, not exceeding 64 square inches in area;

b. Memorial signs or tablets, and the names of buildings and dates of building erection if cut into a masonry surface or constructed of bronze or other noncombustible materials;

c. Signs for public facilities indicating danger and/or providing service or safety information;

d. National, state, and institutional flags;

e. One under-marquee sign not exceeding 10 square feet in area;

f. One electric, externally illuminated, or non-illuminated sign bearing the name of a home occupation, not exceeding (~~(64 square inches)~~) 5 square feet in area.

2. Number and (~~(Type of Signs Allowed for Business Establishments.)~~) type of signs allowed for business establishments

a. Except as further restricted in subsection 23.55.036.D.5, each business establishment may have one ground, roof, projecting, or combination sign (Type A sign) for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

b. In addition to the signs allowed by subsection 23.55.036.D.2.a, each business establishment may have one wall, awning, canopy, marquee, or under-marquee sign (Type B sign) for each 30 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

c. Multiple business centers may have one pole, ground, wall, marquee, under-marquee, projecting, or combination sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

d. Individual businesses that are not drive-in businesses and that are not located in multiple business centers may have one pole sign in lieu of a Type A sign permitted by subsection 23.55.036.D.2.a for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

e. In addition to the signs allowed by subsections 23.55.036.d.2.a and 23.55.036.D.2.b, drive-in business establishments may have one pole sign for each 300 lineal feet, or portion thereof, of frontage on public rights-of-way, except alleys.

f. Where the principal use or activity on the lot is outdoor retail sales, banners and strings of pennants maintained in good condition shall be permitted in addition to the signs permitted by subsections 23.55.036.D.2.a and 23.55.036.D.2.b.

3. Maximum (~~(Area)~~) area. There is no maximum area limit for on-premises signs for business establishments, except as follows:

a. As set forth in subsection 23.55.036.D.5; and

b. The maximum area for each wall sign is 672 square feet except that the maximum area

for each wall sign for spectator sports facilities with a seating capacity of 40,000 or greater shall be 3,000 square feet.

4. Identification (~~(Signs for Multifamily Structures.)~~) signs for multifamily structures

- a. One (~~((1))~~) identification sign shall be permitted on each street or alley frontage of a multifamily structure.
- b. Identification signs may be wall, ground, awning, canopy, marquee, under-marquee, or projecting signs.
- c. The maximum area of each sign shall be (~~(seventy-two (72))~~) 72 square feet.

5. Sign (~~(Height.)~~) height

- a. The maximum height for any portion of a projecting or combination sign shall be (~~(sixty-five (65))~~) 65 feet above existing grade, or the maximum height limit of the zone, whichever is less.
- b. The maximum height limit for any portion of a pole sign shall be (~~(thirty (30))~~) 30 feet; except for pole signs for multiple business centers and for business establishments located within (~~(one hundred (100))~~) 100 feet of a state route right-of-way which is not designated in Section 23.55.042 as a landscaped or scenic view section, which shall have a maximum height of (~~(forty (40))~~) 40 feet.
- c. The maximum height for any portion of a wall, marquee, under-marquee, or canopy sign shall be (~~(twenty (20))~~) 20 feet or the height of the cornice of the structure to which the sign is attached, whichever is greater.
- d. No portion of a roof sign shall:

(1) Extend beyond the height limit of the zone for office uses, except that spectator sports facilities with a seating capacity of (~~(forty thousand (40,000))~~) 40,000 or greater and more than one (~~((1))~~) roof level may have up to two (~~((2))~~) identification signs, with the vertical dimension of lettering or characters limited to (~~(twelve (12))~~) 12 feet and a maximum total area for both signs limited to (~~(three thousand (3,000))~~) 3,000 square feet; provided, the sign height does not exceed the highest roof level. One (~~((1))~~)

additional identification sign may be applied to each surface of the highest roof level, provided it does not exceed the height of that roof level.

(2) Exceed a height above the roof in excess of the height of the structure on which the sign is located; or

(3) Exceed a height of ~~((thirty (30)))~~ 30 feet above the roof measured from a point on the roof line directly below the sign or from the nearest adjacent parapet.

* * *

Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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

President _____ of the City Council

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

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)