



Legislation Details (With Text)

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On agenda: 10/4/2021

Final Action: 10/12/2021 **Ord. No.** Ord 126452

Title: AN ORDINANCE relating to land use and zoning; amending maximum size of use limits and minimum parking requirements for indoor sports and recreation uses; amending Sections 23.50.027 and 23.54.015 of the Seattle Municipal Code.

Sponsors: Dan Strauss

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Director's Report, 3. Central Staff Memo, 4. Presentation (9/22/21), 5. Signed Ordinance 126452, 6. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------------------|------------------------------------|--------|
| 10/12/2021 | 1 | City Clerk | attested by City Clerk | |
| 10/12/2021 | 1 | Mayor | returned | |
| 10/12/2021 | 1 | Mayor | Signed | |
| 10/12/2021 | 1 | City Clerk | submitted for Mayor's signature | |
| 10/4/2021 | 1 | City Council | passed | Pass |
| 9/24/2021 | 1 | Land Use and Neighborhoods Committee | | |
| 9/22/2021 | 1 | Land Use and Neighborhoods Committee | discussed | |
| 8/2/2021 | 1 | City Council | referred | |
| 7/29/2021 | 1 | Council President's Office | sent for review | |
| 7/27/2021 | 1 | City Clerk | sent for review | |
| 7/27/2021 | 1 | Mayor | Mayor's leg transmitted to Council | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; amending maximum size of use limits and minimum parking requirements for indoor sports and recreation uses; amending Sections 23.50.027 and 23.54.015 of the Seattle Municipal Code.

WHEREAS, indoor sports and recreation facilities are venues that provide opportunities to community members for recreation, health, and community-building, and can support the space needs of

organizations that provide a cultural value to Seattle; and

WHEREAS, Comprehensive Plan policies for Manufacturing Industrial Centers (MIC) seek to encourage economic activity and development in Seattle's industrial areas by supporting the retention and expansion of existing industrial businesses and by providing opportunities for the creation of new businesses consistent with the character of industrial areas; and

WHEREAS, indoor sports and recreation facilities have characteristics that allow them to be relatively compatible with an industrial context compared to uses such as housing and customer-serving retail; and

WHEREAS, limiting criteria are an integrated part of this legislation and would limit the potential location of indoor sports and recreation facilities exceeding 10,000 square feet to areas with lower potential to disrupt industrial uses and would limit the potential number of such facilities; and

WHEREAS, indoor sports and recreation facilities are differentiated from spectator sports facilities that would draw crowds, and no change to existing regulations concerning spectator sports facilities in industrially-zoned areas is proposed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.50.027 of the Seattle Municipal Code, last amended by Ordinance 124172, is amended as follows:

23.50.027 Maximum size of nonindustrial use

A. Applicability

1. Except as otherwise provided in this Section 23.50.027, the maximum size of use limits on gross floor area specified in Table A for 23.50.027 apply to principal uses on a lot, and apply separately to the categories of uses. The total gross floor area occupied by uses limited under Table A for 23.50.027 shall not exceed 2.5 times the area of the lot in an IG1, IG2, IB, or IC zone.

2. 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 ~~((on))~~ in Table A for 23.50.027.

3. The maximum size of use limits in Table A for 23.50.027 do not apply to the area identified in Exhibit A for 23.50.027. In that area no single non-office use listed in Table A for 23.50.027 may exceed 50,000 square feet in size.

| Table A for 23.50.027 Size of ((Use Limits)) use limits in Industrial ((Zones)) zones | | | | | |
|--|--------------------|--------------------|-----------------|--|--|
| Uses ((Subject subject to ((Size Limits)) size limits)) | IG1 | IG2 | IB | IC ((Outside) outside the Duwamish MI | IC ((Within) within the Duwamish MI |
| Animal ((Shelters kennels)) kennels | 10,000 sq. ft. | 10,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 75,000 sq. ft. in 85-160 zone |
| Drinking establishments* | 3,000 sq. ft. | 3,000 sq. ft. | N.S.L. | N.S.L. | N.S.L. |
| Entertainment* | 10,000 sq. ft. *** | 10,000 sq. ft. *** | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 75,000 sq. ft. in 85-160 zone |
| Lodging ((Uses uses)* | 10,000 sq. ft. | 10,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 75,000 sq. ft. in 85-160 zone |
| Medical ((Services services)* | 10,000 sq. ft. | 10,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 75,000 sq. ft. in 85-160 zone |
| Office | 10,000 sq. ft. | 25,000 sq. ft. | 100,000 sq. ft. | N.S.L. | N.S.L. |
| Restaurants | 5,000 sq. ft. | 5,000 sq. ft. | N.S.L. | N.S.L. | N.S.L. |
| Retail ((Sales, Major Durables sales, major durables | 10,000 sq. ft. | 25,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 30,000 sq. ft. in 85-160 zone |
| Sales and ((Services, Automotive) services, autom | 10,000 sq. ft. | 25,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L. |
| Sales and ((Services, General services, genera | 10,000 sq. ft. | 25,000 sq. ft. | 75,000 sq. ft. | 75,000 sq. ft. | N.S.L., except 30,000 sq. ft. in 85-160 zone |

Key for Table A for 23.50.027 N.S.L. = No ((Size Limit)) size limit * Where permitted under size limit for brew pubs applies to that portion of the pub that is not used for brewing purposes sports and recreation is 50,000 sq. ft. for lots meeting the criteria of subsection 23.50.027 H.

* * *

H. The maximum size limit for indoor sports and recreation is 50,000 square feet for lots in the IG1 and IG2 zones that meet all of the following conditions:

1. Located in the Ballard Interbay Northend Manufacturing Industrial Center (BINMIC);
2. Located 500 feet or more from a shoreline;
3. Located within 300 feet of land zoned either Neighborhood Commercial (NC) or Seattle

Mixed (SM);

4. Located within 1/4 mile of a public park with active recreation use such as sports fields or sports courts; and

5. Not located within 1 mile of another indoor sports and recreation use in the BINMIC that exceeds 25,000 square feet in size.

Section 2. Table A for 23.54.015 for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 126287, is amended as follows:

23.54.015 Required parking and maximum parking limits

* * *

| Table A for 23.54.015 Required ((Parking)) parking for ((Non-residential Uses Other Than Institutions)) non-residential uses other than institutions | |
|---|------------------------------------|
| Use | Minimum parking required |
| I. General Non-residential Uses (other than institutions) | |
| A. | AGRICULTURAL USES ¹ |
| | 1 space for each 2,000 square feet |

| | | | |
|----|-----------------|--|--|
| B. | COMMERCIAL USES | | |
| | B.1. | Animal shelters and kennels | 1 space for each 2,000 square feet |
| | B.2. | Eating and drinking establishments | 1 space for each 1,000 square feet |
| | B.3. | Entertainment ((Uses)) uses, general, except as noted below ² | For public assembly areas: 1 space for each 8 fixed seats 1 space for each 1,000 square feet of public assembly area containing fixed seats |
| | | B.3.a. | Adult cabarets |
| | | B.3.b. | Sports and recreation uses ³ |
| | B.4. | Food processing and craft work | 1 space for each 2,000 square feet |
| | B.5. | Laboratories, research and development | 1 space for each 1,500 square feet |
| | B.6. | Lodging uses | 1 space for each 100 rooms; For breakfast facilities: 1 space for each single-family and multifamily zone space for each dwelling unit, 1 space for each 100 guest rooms |
| | B.7. | Medical services | 1 space for each 1,000 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 1,000 square feet |
| | | B.10.a. | Pet ((Daycare Centers ³)) daycare centers ⁴ |
| | 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 non-residential 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 pa None |
| | | H.2.b. | Towing service None |
| | | H.2.c. | Boat moorage 1 space for each |
| | | H.2.d. | Dry storage of 1 space for each |
| | H.3. | Passenger terminals | 1 space for each square feet of waiting area |
| | H.4. | Rail transit facilities | None |
| | H.5. | Transportation facilities, air | 1 space for each 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 |
| II. Non-residential Use Requirements for Specific Areas | | | |
| J. | Non-residential uses in urban centers or the Station Area Overlay District ⁽⁴⁾ § | | 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 ⁽⁴⁾ § | | No minimum requirement |
| L. | Non-residential uses permitted in MR and HR zones pursuant to Section 23.45.504 ⁽⁻⁾ | | No minimum requirement |

Footnotes for Table A for 23.54.015¹ No parking is required for urban farms or community gardens in residential zones.² Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three hours before an event is scheduled to begin and ending one hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be 50 percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one space for each ten fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least 15 days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series 15 days prior to the first event in the series. If the Director finds that a certification of projected attendance of 50 percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within 15 days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The

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. ³ For indoor sports and recreation uses that exceed 25,000 square feet in size in the Ballard Interbay Northend Manufacturing Industrial Center, the minimum requirement is 1 space for each 2,000 square feet. ⁽³⁾ ⁴ The amount of required parking is calculated based on the maximum number of staff or animals the center is designed to accommodate. ⁽⁴⁾ ⁵ The general minimum requirements of Part I of Table A for 23.54.015 are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser minimum parking requirement (which may include no requirement) under any other provision. To the extent that a non-residential use fits within more than one line in Table A for 23.54.015, the least of the applicable minimum parking requirements applies. The different parking requirements listed for certain categories of non-residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.

* * *

Section 3. 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 _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)