



Legislation Details (With Text)

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Final Action:	7/17/2023	Ord. No.	Ord 126858		
Title:	AN ORDINANCE relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.				
Sponsors:	Dan Strauss, Tammy J. Morales				
Indexes:					
Attachments:	1. Summary and Fiscal Note, 2. Director's Report, 3. OPCD Presentation (05/24/23), 4. Central Staff Memo (05/24/23), 5. Signed Ordinance 126858, 6. Affidavit of Publication				

Date	Ver.	Action By	Action	Result
7/17/2023	1	City Clerk	attested by City Clerk	
7/17/2023	1	Mayor	returned	
7/17/2023	1	Mayor	Signed	
7/7/2023	1	City Council	submitted for Mayor's signature	
7/5/2023	1	City Council	passed	Pass
6/26/2023	1	Land Use Committee	pass	Pass
5/24/2023	1	Land Use Committee	discussed	
5/23/2023	1	City Council	referred	
4/27/2023	1	Council President's Office	sent for review	
4/26/2023	1	City Clerk	sent for review	
4/26/2023	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; removing regulatory barriers and simplifying and increasing permitting predictability for equitable development projects by modifying requirements for small institutions in residential zones; and amending Sections 23.44.006, 23.44.022, 23.45.570, 23.54.015, and 23.84A.018 of the Seattle Municipal Code.

WHEREAS, control over the use of land has been used in North America for centuries as a tool to further the colonization, segregation, exclusion, and disinvestment of communities of color, beginning in our

region with European colonization of Coast Salish territory and continuing through the 20th century through public- and private-sector policies and practices like redlining and racially restrictive covenants; and

WHEREAS, once these explicitly racist practices were ruled unconstitutional, race-neutral zoning regulations supplanted them and served to solidify and further the exclusion of low-income people through minimum lot sizes, bans on lower-cost housing, and limits on housing supply, with particular impacts on Black, Indigenous, and people of color (BIPOC) households, which tend to have lower incomes and less wealth; and

WHEREAS, market forces and urban growth have increased displacement pressures on BIPOC communities, resulting in the documented dislocation of longtime residents, immigrants and refugees, culturally relevant businesses, and community anchors that provide stability and sustain community networks; and

WHEREAS, in 2016 the City established the Equitable Development Initiative (EDI) to address financial barriers facing community-led anti-displacement projects, and EDI has since awarded funds to dozens of projects in neighborhoods at high risk of displacement; and

WHEREAS, many EDI-funded projects include activities, like community gathering space, arts and cultural space, and educational programming, that are most closely aligned with the definition of community center use or library use in the City's Land Use Code, which are regulated as conditional uses in Neighborhood Residential zones and subject to additional requirements, longer permitting timelines, higher permitting fees, and less predictability; and

WHEREAS, some EDI-funded projects and other nonprofit community organizations in Seattle have sought to expand access to healthy, affordable, and culturally appropriate food and eating practices; reduce hunger and food insecurity; and create a more resilient and just food system; and

WHEREAS, in a highly competitive real estate market, small community organizations, particularly those led by and serving BIPOC communities, struggle to find and acquire suitable and affordable sites for their

anti-displacement projects with zoning that accommodates their intended activities and uses; and

WHEREAS, recent and current applicants for funding from EDI have identified a range of regulatory barriers facing projects proposed by nonprofit community organizations due to City zoning and land use policy; and

WHEREAS, the Office of Planning and Community Development has interviewed dozens of EDI applicants and grantees and convened a stakeholder group of equitable development practitioners and community leaders with expertise in architecture, development, and the EDI process to provide recommendations for strategies to more closely align land use policy and the City's equitable development goals; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.44.006 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.44.006 Principal uses permitted outright

The following principal uses are permitted outright in neighborhood residential zones:

A. Single-family dwelling unit((s)) ;

* * *

K. Child care centers;

L. Community centers that do not provide shelter services;

M. Community farms; and

N. Libraries.

Section 2. Section 23.44.022 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.44.022 Institutions

A. ((Institutions identified.)) Scope of standards

1. The standards of this Section 23.44.022 apply only to institutions permitted as conditional uses in neighborhood residential zones.

2. The following institutions may be permitted as conditional uses in neighborhood residential zones:

a. Community centers that provide shelter services;

b. Private schools;

c. Religious facilities;

((Libraries))

d. Existing institutes for advanced study; and

e. Other similar institutions.

3. The following institutions are prohibited in neighborhood residential zones:

a. Hospitals;

b. Colleges;

c. Museums;

d. Private clubs; and

e. Vocational schools.

B. Major ~~((Institutions))~~ institutions. Existing major institutions and major institution uses within an existing Major Institution ~~((overlay district))~~ Overlay District shall be permitted in accordance with the provisions of Chapter 23.69~~((, Major Institution Overlay Districts, and the provisions of))~~ this ~~((section))~~ Section 23.44.022.

C. Public schools shall be permitted as regulated in Section 23.51B.002.

D. General provisions~~((:))~~

1. New or expanding institutions in neighborhood residential zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.020 unless modified elsewhere in this

~~((subsection 23.44.022.D))~~ Section 23.44.022 or in a Major Institution master plan.

2. The establishment of a shelter for homeless youths and young adults in a legally established elementary or secondary school~~((;))~~ is not considered a new use or an expansion of the institutional use provided that:

- a. The use does not violate any condition of approval of the existing institutional use;
- b. The use does not require expansion of the existing structure;
- c. Any new children's play area is located at least 30 feet from any other lot in a neighborhood residential zone~~((;))~~ and at least 20 feet from any lot in a multifamily zone; and
- d. The occupants are enrolled students of the established school.

3. Institutions seeking to establish or expand on property that is developed with residential structures may expand their campus up to a maximum of ~~((2-1/2))~~ 2.5 acres. An institution campus may be established or expanded beyond ~~((2-1/2))~~ 2.5 acres if the property proposed for the expansion is substantially vacant land.

E. Dispersion. The lot line of any proposed new or expanding institution~~((, other than child care centers,))~~ shall be located at least 600 feet ~~((or more))~~ from any lot line of any other institution in a residential zone, with the following exceptions:

1. An institution may expand even though it is within 600 feet of a public school if the public school is constructed on a new site subsequent to December 12, 1985.
2. A proposed institution may be located less than 600 feet from a lot line of another institution if the Director determines that the intent of the dispersion criteria is achieved due to the presence of physical elements that provide substantial separation from other institutions, such as bodies of water, large open spaces, or topographical breaks or other elements such as arterials, freeways, or nonresidential uses~~((, which provide substantial separation from other institutions))~~.

F. Demolition of ~~((Residential Structures))~~ residential structures. No residential structure shall be

demolished, nor shall its use be changed to provide for parking. This prohibition may be waived if the demolition or change of use proposed is necessary to meet the parking requirements of ~~((this Land Use Code))~~ Title 23 and if alternative locations would have greater noise, odor, light and glare, or traffic impacts on surrounding property in residential use. If the demolition or change of use is proposed for required parking, the Director may consider waiver of parking requirements in order to preserve the residential structure and/or use. The waiver may include, but is not limited to, a reduction in the number of required parking spaces and a waiver of parking development standards such as location or screening.

G. Reuse of ~~((Existing Structures))~~ existing structures. Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures ~~((which))~~ that do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

H. Noise and ~~((Odors.))~~ odors

1. For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational areas, trash and refuse storage areas, ventilating mechanisms, sports facilities, and other noise-generating and odor-generating equipment, fixtures, or facilities. The institution shall be designed and operated in compliance with ~~((the Noise Ordinance,))~~ Chapter 25.08.

2. In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, or setting hours of operation for facilities ~~((or other similar measures))~~.

I. Landscaping

1. The Director shall promulgate rules to foster the long-term health, viability, and coverage of plantings. The rules shall address, at a minimum, the type and size of plants, spacing of plants, use of drought-

tolerant plants, and access to light and air for plants. All landscaping provided to meet the requirements of this Section 23.44.022 shall comply with these rules.

2. Landscaping that achieves a Green Factor score of 0.3 or greater, pursuant to Section 23.86.019, is required for any lot with:

- a. ~~((development))~~ Development containing more than four new dwelling units;
- b. ~~((development))~~ Development, either a new structure or an addition to an existing structure, containing more than 4,000 new square feet of non-residential uses; or
- c. ~~((any))~~ Any parking lot containing more than 20 new parking spaces for automobiles.

J. Light and ~~((Glare,))~~ glare

1. Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area, ~~((and))~~ intensity, ~~((of illumination, the))~~ and location or angle of illumination be limited.

2. Nonreflective surfaces shall be used to help reduce glare.

K. Bulk and siting

1. Lot area. If the proposed site is more than one acre in size, the Director may require the following and similar development standards:

- a. For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum;
- b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent ~~((residentially-zoned))~~ residentially zoned block fronts in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.

2. Yards. Yards of institutions shall be as required for uses permitted outright pursuant to Section

23.44.014, provided that no structure other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to the side lot line. If the Director finds that a reduced ~~((setback))~~ yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the structure in relation to nearby buildings, the ~~((sideyard-setback))~~ side yard may be reduced to 5 feet. Fences and freestanding walls of utility services uses, regulated under this Section 23.44.022 pursuant to Section 23.51A.002, shall be set back from the street lot line a minimum of 10 feet, and landscaping shall be provided between the fence or wall and the right-of-way. The Director may reduce ~~((this-setback))~~ the required yard after finding that the reduced ~~((setback))~~ yard will not significantly increase project impacts, including but not limited to noise, odor, and the scale of the fence, wall, or structure in relation to nearby buildings. Acceptable methods to reduce fence or wall impacts include changes in the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features to provide visual interest facing the street lot line. Fences and walls may obstruct or allow views to the interior of a site. Where site dimensions and conditions allow, applicants are encouraged to provide both: a landscaped ~~((setback))~~ yard between the fence or wall and the right-of-way~~((;))~~ ; and a fence or wall that provides visual interest facing the street lot line~~((;))~~ through the height, design, or construction of the fence or wall, including the use of materials, architectural detailing, artwork, vegetated trellises, decorative fencing, or similar features.

3. Institutions ~~((Located on Lots in More Than One (1) Zone Classification))~~ located on lots in more than one zone classification. For lots ~~((which))~~ that include more than one ~~((1))~~ zone classification, neighborhood residential zone provisions shall apply only to the ~~((neighborhood residential-zoned))~~ neighborhood residential-zoned lot area involved.

4. Height ~~((Limit.))~~ limit

a. Religious symbols for religious institutions may extend an additional ~~((twenty-five (25)))~~ 25 feet above the height limit.

b. For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be ~~((thirty-five (35)))~~ 35 feet if portions of the structure above ~~((thirty-five (35)))~~ 35 feet are set back at least ~~((twenty (20)))~~ 20 feet from all property lines. Pitched roofs on a gymnasium or auditorium ~~((which))~~ that have a slope of not less than ~~((four to twelve (-)) 4:12((-)))~~ may extend ~~((ten (10)))~~ 10 feet above the ~~((thirty-five (35)))~~ 35-foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the ~~((thirty-five (35)))~~ 35-foot height limit under this provision.

5. Facade ~~((Scale))~~ scale. If any facade of a new or expanding institution ~~((exceeds thirty (30) feet in length))~~ is longer than 30 feet, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of bulk. Design features ~~((which))~~ that may be required include, but are not limited to, modulation, architectural features, landscaping ~~((or))~~ , and increased yards.

L. Parking and ~~((Loading Berth Requirements.))~~ loading berth requirements

1. Quantity and ~~((Location of Off-street Parking.))~~ location of off-street parking

a. Use of transportation modes such as public transit, vanpools, carpools, and bicycles to reduce the use of single-occupancy vehicles is encouraged.

b. Parking and loading is required as provided in Section 23.54.015.

c. The Director may modify the parking and loading requirements of Section 23.54.015 and the requirements of Section 23.44.016 on a case-by-case basis using the information contained in the transportation plan prepared pursuant to subsection 23.44.022.M. The modification shall be based on adopted City policies and shall:

1) Provide a demonstrable public benefit, such as ~~((, but not limited to,))~~ reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light, and glare; and

2) Not cause undue traffic through residential streets ~~((nor))~~ or create a safety

hazard.

2. Parking (~~((Design))~~) design. Parking access and parking shall be designed as provided in (~~((Design Standards for Access and Off-street Parking,))~~) Chapter 23.54.

3. Loading (~~((Berths))~~) berths. The quantity and design of loading berths shall be as provided in (~~((Design Standards for Access and Off-street Parking,))~~) Chapter 23.54.

M. Transportation (~~((Plan))~~) plan. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions (~~((which))~~) that are larger than (~~((four thousand (4,000)))~~) 4,000 square feet of structure area and/or are required to provide an additional (~~((twenty (20)))~~) 20 or more parking spaces. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:

1. Traffic. Number of staff on site during normal working hours, number of users, guests and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution, and mitigating measures to be taken by the applicant;

2. Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking, and measures to be taken by the applicant such as preference given to some parking spaces for carpool and vanpool vehicles and provision of bicycle racks;

3. Parking (~~((Overflow))~~) overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development, and mitigating measures to be taken by the applicant;

4. Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in

the vicinity;

5. Availability of ~~((Public or Private Mass Transportation Systems))~~ public or private mass transportation systems. Route location and frequency of service~~((;))~~ and private mass transportation programs ~~((including))~~ to be provided by the applicant, such as carpools and vanpools~~((, to be provided by the applicant))~~.

N. Development ~~((Standards for Existing Institutes for Advanced Study.))~~ standards for existing institutes for advanced study

1. The institute shall be located on a lot of not less than ~~((fifteen (15)))~~ 15 acres.
2. The lot coverage for all structures shall not exceed ~~((twenty (20)))~~ 20 percent of the total lot area.
3. Structures shall be set back a minimum of ~~((twenty-five (25)))~~ 25 feet from any lot line.
4. Parking areas shall be set back a minimum of ~~((ten (10)))~~ 10 feet from any lot line.
5. In the event of expansion, parking shall be required as provided for ~~((“))~~existing institutes for advanced study~~((“))~~ in Section 23.54.015~~((, Required parking))~~.
6. Landscaping shall be provided between a lot line and any structure and shall be maintained for the duration of the use.

Section 3. Section 23.45.570 of the Seattle Municipal Code, last amended by Ordinance 126131, is amended as follows:

23.45.570 Institutions

* * *

F. Setback requirements in LR zones

1. Front setback. ~~((The minimum depth of the required front setback is determined by the average of the setbacks of structures on adjoining lots, but is not required to exceed 20 feet. The setback shall not be reduced below an average of 10 feet, and no portion of the structure may be closer than 5 feet to a front lot line.))~~ The average front setback is 10 feet, and the minimum front setback is 5 feet.

2. Rear setback. The minimum rear setback is 10 feet.

3. Side setback

a. The minimum side setback is ~~((10))~~ 5 feet ~~((from a side lot line that abuts any other residentially-zoned lot. A 5-foot setback is required in all other cases, except that the minimum side street side setback is 10 feet))~~.

b. If the depth of a structure exceeds 65 feet, an additional side setback is required for that portion of the structure in excess of 65 feet, according to Table B for 23.45.570. In lieu of providing the additional setback for the portion of the structure in excess of 65 feet deep, a lesser side setback may be provided for the portion in excess of 65 feet deep if the average setback for the entire structure is no less than the average of the setback required by subsection 23.45.570.F.3.a and the setback required under Table B for 23.45.570.

Table B for 23.45.570 Side ~~((Setback Requirements for Institutional Structures Greater than 65 in Depth in LR Zones))~~ setback requirements for institutional structures greater than 65 feet in LR zones

Structure depth in feet	Side setback requirement in feet				
	Up to 20 in height	Greater than 20 up to 40 in height	Greater than 40 up to 60 in height	Greater than 60 up to 80 in height	Greater than 80 in height
Up to 70	12	14	16	18	-
Greater than 70, up to 80	13	15	17	19	21
Greater than 80, up to 90	14	16	18	20	22
Greater than 90, up to 100	15	17	19	21	23
Greater than 100	16	18	20	22	24

4. Setbacks for ~~((Specific Items))~~ specific items. The following shall be located at least 20 feet from any abutting residentially zoned lot:

a. Emergency entrances;

- b. Main entrance door of the institutional structure;
- c. ~~((Outdoor play equipment and game courts;~~
- ~~d.))~~ Operable window of gymnasium, assembly hall, or sanctuary;
- ~~((e.))~~ d. Garbage and trash disposal mechanism;
- ~~((f.))~~ e. Kitchen ventilation;
- ~~((g.))~~ f. Air-conditioning or heating mechanism;
- ~~((h.))~~ g. Similar mechanisms and features causing noise and/or odors as determined by

the Director.

5. Accessory structures and projections from principal structures are allowed in required setbacks on lots developed with institutional uses to the same extent that those accessory structures or projections would be allowed for apartments in the zone, except that no accessory structures other than freestanding walls, fences, bulkheads, or similar structures shall be closer than 10 feet to a side lot line abutting another lot in a residential zone.

* * *

Section 4. Table C for Section 23.54.015 of the Seattle Municipal Code, which section was last amended by Ordinance 126685, is amended as follows:

23.54.015 Required parking and maximum parking limits

* * *

Table C for 23.54.015 Required ((Parking for Public Uses and Institutions)) <u>parking for public uses and institutions</u>	
Use	Minimum parking required
I. General ((Public Uses and Institutions)) <u>public uses and institutions</u>	

A.	Adult care centers ^{1, 2, ((40)) 3}	1 space for each 10 adults (clients) member, whichever is greater; plus space for each 20 adults (clients)
B.	Child care centers ^{2, 3, ((40)) 4}	1 space for each 10 children or 1 space for each 20 children, whichever is greater; plus 1 loading space for each 20 children
C.	Colleges	A number of spaces equal to 15 percent of the number of students that the facility is designed to accommodate; plus 1 space for each 100 square feet of assembly area in outdoor spectator seating areas
D.	Community centers owned and operated by the Seattle Department of Parks and Recreation (SPR) ^{1, ((4)) 6}	1 space for each 555 square feet; or 1 space for each 100 square feet
E.	Community clubs, and community centers not owned and operated by SPR ^{1, 5, 7}	1 space for each 80 square feet of floor area in public assembly rooms ((not)) containing space for every 8 fixed seats for floor seating; or if no auditorium or assembly room, 1 space for each 350 square feet ((, excluding ball court areas))
F.	Community farms ⁴	1 space plus 1 space for each 10,000 square feet, whichever is greater
((F.)) G.	Hospitals	1 space for each 2 staff doctors; plus 1 space for each 5 employees other than staff doctors; plus 1 space for each 10 beds
((G.)) H.	Institutes for advanced study, except in neighborhood residential zones	1 space for each 1,000 square feet of floor area; plus 1 space for each 10 fixed seats in assembly rooms; or 1 space for each 100 square feet of assembly area not containing fixed seating
((H.)) I.	Institutes for advanced study in neighborhood residential zones (existing) ¹	3.5 spaces for each 1,000 square feet of floor area; plus 1 space for each 1,000 square feet of floor area to house and support conference center; plus 1 space for each 1,000 square feet of conference room; whichever is greater
((I.)) J.	Libraries ^{1, 5, ((6)) 8}	1 space for each 80 square feet of floor area in public meeting rooms containing floor seating; plus 1 space for each 500 square feet of floor area ((in public meeting rooms)) of all other spaces

((J-)) <u>K.</u>	Museums ¹	1 space for each 80 square feet of assembly rooms, not containing fixed seating; or 1 space for every 10 fixed seats for floor area of assembly rooms; or 1 space for each 250 square feet of open space for the public
((K-)) <u>L.</u>	Private clubs	1 space for each 80 square feet of public assembly rooms not containing fixed seating; or 1 space for every 8 fixed seats for floor area of auditorium or assembly room, 1 space for each 250 square feet of open space, excluding ball courts
((L-)) <u>M.</u>	Religious facilities ¹	1 space for each 80 square feet of assembly rooms
((M-)) <u>N.</u>	Schools, private elementary and secondary ¹	1 space for each 80 square feet of assembly rooms, or if no auditorium, 1 space for each staff member
((N-)) <u>O.</u>	Schools, public elementary and secondary ((S-)) 7, ((8-)) 9, 10	1 space for each 80 square feet of assembly rooms, or 1 space for every 10 fixed seats for floor area of public assembly rooms containing fixed seating; or 1 space for each 250 square feet of open space for schools on a new or existing public site
((O-)) <u>P.</u>	Vocational or fine arts schools	1 space for each 2 faculty that the facility is designed to accommodate; plus 1 space for each 5 students that the facility is designed to accommodate; or 1 space for each 5 students, based on the number of students that the school is designed to accommodate
II. General ((Public Uses and Institutions for Specific Areas)) <u>public uses and institutions for specific areas</u>		
((P-)) <u>Q.</u>	General public uses, institutions and Major Institution uses, except hospitals, in urban centers or the Station Area Overlay District ⁽⁽⁹⁾⁾ 11	No minimum requirement

((Q-)) <u>R.</u>	General public uses and institutions, except hospitals, including institutes for advanced study in neighborhood residential zones, within urban villages that are not within the Station Area Overlay District, if the use is located within a frequent transit service area	No minimum requirement
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Footnotes ((for)) to Table C for
23.54.015 ¹ When this use is
permitted in a neighborhood
residential zone as a conditional
use, the Director may modify the
parking requirements pursuant to
Section 23.44.022; when the use is
permitted in a multifamily zone as
a conditional use, the Director may
modify the parking requirements
pursuant to Section 23.45.570. ²
The amount of required parking is
calculated based on the maximum
number of staff, children, or
clients that the center is designed
to accommodate on site at any one
time. ³ As a Type I decision, the
Director, in consultation with the
Director of the Seattle Department
of Transportation, may allow adult
care and child care centers to
provide loading and unloading
spaces on street, if not prevented
by current or planned
transportation projects adjacent to
their property, when no other
alternative exists. ⁴ A child care
facility, when co-located with an
assisted living facility, may count
the passenger load/unload space
required for the assisted living
facility toward its required
passenger load/unload spaces. ⁽⁽⁴⁾⁾
~~((When family support centers are
located within community centers
owned and operated by the
Department of Parks and
Recreation, the Director may
lower the combined parking
requirement by up to a maximum
of 15 percent, pursuant to
subsection 23.54.020.I.))~~ ⁵ When
this use is permitted outright in a
neighborhood residential or
multifamily zone, the Director
may reduce the parking and
loading requirements of Section

~~reducing requirements of Section~~
23.54.015 and the requirements of
Section 23.44.016 or Section
23.45.536 on a case-by-case basis
if the applicant can demonstrate
that the modification is necessary
due to the specific features,
activities, or programs of the
institution and links the reduction
to the features of the institution
that justify the reduction. Such
modifications shall be valid only
under the conditions specified, and
if those conditions change, the
standard requirement shall be
satisfied. ⁽⁶⁾ When family support
centers are located within
community centers owned and
operated by the Department of
Parks and Recreation, the Director
may lower the combined parking
requirement by up to a maximum
of 15 percent, pursuant to
subsection 23.54.020.I. ⁽⁵⁾ ⁽⁷⁾ Indoor
gymnasiums are not considered
ball courts, nor are they considered
auditoria or public assembly rooms
unless they contain bleachers
(fixed seats). If the gymnasium
contains bleachers, the parking
requirement for the gymnasium is
one parking space for every eight
fixed seats. Each 20 inches of
width of bleachers is counted as
one fixed seat for the purposes of
determining parking requirements.
If the gymnasium does not contain
bleachers and is in a school, there
is no parking requirement for the
gymnasium. If the gymnasium
does not contain bleachers and is
in a community center, the parking
requirement is one space for each
350 square feet. ⁽⁶⁾ ⁽⁸⁾ When ((a
~~library is permitted in a~~
~~neighborhood residential zone as a~~
~~conditional use, the Director may~~
~~modify the parking requirements~~

~~modify the parking requirements pursuant to Section 23.44.022; when)) a library is permitted in a multifamily or commercial zone as a conditional use, the Director may modify the parking requirements ((pursuant to Section 23.45.122; and when a library is permitted in a commercial zone, the Director may modify the parking requirements pursuant to subsection 23.44.022.L)) of Section 23.54.015 and the requirements of Section 23.45.536 or Sections 23.47A.030 and 23.47A.032 on a case-by-case basis if the applicant can demonstrate that the modification is necessary due to the specific features, activities, or programs of the institution and links the reduction to the features of the institution that justify the reduction. Such modifications shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.~~ ⁽⁽⁷⁾⁾ ⁹

For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements are determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown ~~((on))~~ in this Table C for 23.54.015 for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is 10 percent or less than that for the

existing auditorium or other place of assembly, then no additional parking is required. ^{((8)) 10}

Development standard departures may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces. ^{((9)) 11}

The general requirements of lines A through ((O)) P of this Table C for 23.54.015 for general public uses and institutions, and requirements of subsection 23.54.016.B for Major Institution uses, are superseded to the extent that a use, structure, or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a general public use, institution, or Major Institution use fits within more than one line in this Table C for 23.54.015, the least of the applicable parking requirements applies. The different parking requirements listed for certain categories of general public uses or institutions shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23. ⁽⁽¹⁰⁾⁾ ~~((The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and child care centers to provide loading and unloading spaces on street, if not prevented by current or planned transportation projects adjacent to their property, when no other alternative exists.))~~

* * *

Section 5. Section 23.84A.018 of the Seattle Municipal Code, last amended by Ordinance 126131, is amended as follows:

23.84A.018 "I"

* * *

"Institution" means structure(s) and related grounds used by organizations for the provision of educational, medical, cultural, social, and/or recreational services to the community, including but not limited to the following uses:

1. "Adult care center" means an institution that regularly provides care to a group of adults for less than ~~((twenty-four (24)))~~ 24((+)) hours a day, whether for compensation or not.

2. "College" means a post-secondary educational institution, operated by a nonprofit organization, granting associate, bachelor, and/or graduate degrees.

3. "Community club or center" means an institution used for athletic, social, civic, cultural, artistic, or recreational purposes, operated by a nonprofit organization, and open to the general public on an equal basis. Activities in a community club or center may include, but are not limited to, classes and events sponsored by nonprofit organizations, community programs for the elderly, ~~((and other similar activities))~~ social gatherings, educational programming, gardens, and art exhibits.

a. "Community center" means a community club or center use, providing direct services to people on the premises rather than carrying out only administrative functions, that is open to the general public without membership. Community centers may include accessory commercial uses including but not limited to commercial kitchens and food processing, craft work and maker spaces, cafes, galleries, co-working spaces, health clinics, office spaces, and retail sales of food and goods.

b. "Community club" means a community club or center use, membership to which is open to the general public on an equal basis.

4. "Child care center" means an institution that regularly provides care to a group of children for less than 24 hours a day, whether for compensation or not. Preschools, cooperative child care exchanges, and drop-in centers where children receive care by the day shall be considered to be child care centers.

5. "Community farm" means an institution, operated by a nonprofit organization, in which land and related structures are primarily used to grow or harvest plants for food, educational, cultural, or ecological restoration purposes, or to keep animals in accordance with Section 23.42.052. Additional activities may include but are not limited to indoor and outdoor classes and events, food processing and preparation, community programs and gatherings, and the sale of plants, harvested or prepared food, ornamental crops, and animal products such as eggs or honey but not including the slaughtering of animals or birds for meat.

~~((5-))~~ 6. "Family support center" means an institution that offers support services and instruction to families, such as parenting classes and family counseling, and is co-located with a Department of Parks and Recreation community center.

~~((6-))~~ 7. "Hospital" means an institution other than a nursing home that provides accommodations, facilities, and services over a continuous period of ~~((twenty-four-))~~24~~((-))~~ hours or more, for observation, diagnosis, and care of individuals who are suffering from illness, injury, deformity, or abnormality or from any condition requiring obstetrical, medical, or surgical services, or alcohol or drug detoxification. ~~((This definition excludes nursing homes.))~~

~~((7-))~~ 8. "Institute for advanced study" means an institution operated by a nonprofit organization for the advancement of knowledge through research, including the offering of seminars and courses, and technological and/or scientific laboratory research.

~~((8-))~~ 9. "Library" means an institution where literary, musical, artistic, or reference materials are kept for use but not generally for sale.

~~((9-))~~ 10. "Museum" means an institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of

such items is systematically managed for the purpose of exhibiting them to the public.

~~((10-))~~ 11. "Private club" means an institution used for athletic, social, or recreational purposes and operated by a private nonprofit organization, membership to which is by written invitation and election according to qualifications in the club's charter or bylaws and the use of which is generally restricted to members and their guests.

~~((11-))~~ 12. "Religious facility" means an institution, such as a church, temple, mosque, synagogue, or other structure, together with its accessory structures, used primarily for religious worship.

~~((12-))~~ 13. "School, elementary or secondary" means an institution operated by a public or nonprofit organization primarily used for systematic academic or vocational instruction through the twelfth grade.

~~((13-))~~ 14. "School, vocational or fine arts" means an institution that teaches trades, business courses, hairdressing, and similar skills on a post-secondary level, or that teaches fine arts such as music, dance, or painting to any age group, whether operated for nonprofit or profit-making purposes, except businesses that provide training, instruction, or lessons exclusively on an individual basis, which are classified as general retail sales and service uses, and except those businesses accessory to an indoor participant sports use.

~~((14-))~~ 15. "University." See "College."

Section 6. 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.

_____, Interim City Clerk

(Seal)