



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.

Table A for 23.45.504 Permitted and prohibited uses		
Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR
A. ((Residential use except as high-density residential uses	P	P
((A.1. Congregate residence))	((X/P¹))	((P/X²))
B. Institutions	P/CU ⁽⁽³⁾⁾ 1	P/CU ⁽⁽³⁾⁾ 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 street	X/CU ⁽⁽⁴⁾⁾ 2	X/CU ⁽⁽⁴⁾⁾ 2
D.2. Park and ride facilities in public	X/P ⁽⁽⁵⁾⁾ 3	X/P ⁽⁽⁵⁾⁾ 3

E. Parks and playgrounds include	P	P
F. Ground-floor commercial uses	RC/P ⁽⁽⁶⁾⁾ 4	RC/P ^{((6,7))} 4,5
G. Medical service uses other than ground-floor commercial uses	P/X ⁽⁽⁸⁾⁾ 6	P/CU/X ⁽⁽⁸⁾⁾ 6
H. Uses not otherwise permitted in structures	CU	CU
I. Cemeteries	P/X ⁽⁽⁹⁾⁾ 7	P/X ⁽⁽⁹⁾⁾ 7
J. Community gardens	P	P
K. Parking, flexible-use	X/P ⁽⁽¹⁰⁾⁾ 8	P ⁽⁽¹⁰⁾⁾ 8
L. All other uses	X	X

Footnotes to Table A for 23.45.504 (⁽¹⁾ 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. ⁽²⁾ 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 permitted outright. All others are permitted only in locations within urban villages and urban centers that include meal service, health services, or similar.) ⁽⁽³⁾⁾ 1 Institutions meeting development standards are permitted outright pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institutional Station Area Overlay Districts (SAODs); otherwise, permitted as an administrative conditional use as of January 1, 2017. ⁽⁽⁵⁾⁾ 3 Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted in the SAOD. ⁽⁽⁶⁾⁾ 4 Permitted in development that meets the requirements of Section 23.45.504 that includes an RC designation. ⁽⁽⁷⁾⁾ 5 Subject to subsection 23.45.504.E except in zones that include 23.45.504.G and 23.45.506.F. ⁽⁽⁹⁾⁾ 7 Subject to subsection 23.45.504.F. ⁽⁽¹⁰⁾⁾ 8 Prohibited in LR1 and LR2 zones as surface parking on surface parking lots existing as of January 1, 2017; permitted outright in general commercial zones. = Permitted as an Administrative Conditional Use RC = Permitted in areas zoned Residential Commercial 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.

Table A for 23.47A.004 Uses in Commercial zones
--

		Permitted and prohibited uses by zone ¹				
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 ²	P	P	P	P	P
B. CEMETERIES		X	X	X	X	X
C. COMMERCIAL USES ³						
	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 ⁵	P	P
	C.3.f. Theat facilities	X	25	P	P	P
	C.4. Food process ing and craft work ²	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 ⁶	CU-25 ⁶	P	P	P

	C.7. Medical services ⁷	10 ⁸	25	P	P	P
	C.8. Offices	10	25	P	35 ⁹	35 ⁹
	C.9. Sales and services, automotive					
	C.9.a. Retail automotive	10 ¹⁰	25 ¹⁰	P ¹⁰	P	P
	C.9.b. Sales motorized vehicles	X	25	P	P	P
	C.9.c. Vehicle automotive	X	25	P	P	P
	C.10. Sales and services, general ²					
	C.10.a. Retail general ²	10	25	P	P	P
	C.10.b. Retail	10 ¹¹	50	P	P	P
	C.11. Sales and services, heavy					
	C.11.a. Commercial	X	X	25	P	P
	C.11.b. Commercial 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 institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
	E.3. Religious facilities	P	P	P	P	P
	E.4. Schools, elementary or secondary	P	P	P	P	P
	E.5. Child care centers	P	P	P	P	P
F. LIV E- WORK UNITS ¹²		P	P	P	P	P
G. MANUFACTURING USES						
	G.1. Manufacturing	X	10	25	P	P
	G.2. Manufacturing	X	X	X	P	P
	G.3. Manufacturing	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 ¹³	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 ¹⁴							
	J.1. Reside ntial uses not listed below		P	P	P	P	CU ¹⁵
	J.2. Caretaker's quarters		P	P	P	P	P
	J.3. Congre gate residen ce		((X/)) P ⁽⁽¹⁶⁾⁾	((X/)) P ⁽⁽¹⁶⁾⁾	((X/)) P ⁽⁽¹⁷⁾⁾	((X/)) P ⁽⁽¹⁷⁾⁾	((X/P ¹⁷)) CU ¹⁵

	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 ⁽⁽⁴⁸⁾⁾ 16	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. Par parking gara	X	P ⁽⁽²⁴⁾⁾ 19	P ⁽⁽²⁴⁾⁾ 19	P ⁽⁽²⁴⁾⁾ 19	P ⁽⁽²⁴⁾⁾ 19
	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. Airport	X	X	X	X	X
		L.5.b. Airport	X	X	X	X	S
		L.5.c. Helipad	X	X	X	X	X
		L.5.d. Helipad	X	X	CCU	CCU	CU
	L.6. Vehicle storage and maintenance						
		L.6.a. Bus bays	X	X	X	CCU	CCU
		L.6.b. Rail	X	X	X	X	X
		L.6.c. Rail mechanized	X	X	X	X	X
		L.6.d. Transit 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

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

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 ¹
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). ²
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. ³
For
commercial
uses with drive

-in lanes, see
Section
23.47A.028. ⁴
Subject to
subsection
23.47A.004.H.
⁵ Permitted at
Seattle Center.
⁶ Bed and
breakfasts in
existing
structures are
permitted
outright with
no maximum
size limit. ⁷
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. ⁸
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.⁹
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.
¹⁰ 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. ¹¹
Grocery stores
meeting the
conditions of
subsection
23.47A.010.E

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

¹³ Permitted
pursuant to
subsection
23.47A.004.D.
7. ¹⁴

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

¹⁵ 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. ((¹⁶
~~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. ¹⁷
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.)⁽⁽¹⁸⁾⁾
¹⁶ Permitted at
Seattle Center;
see Section
23.47A.011. ((
<sup>19))¹⁷
Flexible-use
parking is
subject to
Section</sup>

subsection
23.54.026. In
pedestrian-
designated
zones, surface
parking is
prohibited
adjacent to
principal
pedestrian
streets
pursuant to
subsection
23.47A.032.B.
2. ⁽⁽²⁰⁾⁾ 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. ⁽⁽²¹⁾⁾ 19
Permitted
outright,
except
prohibited in
the SAOD. ⁽⁽²²
⁾⁾ 20 See
Chapter 23.57,
Communicatio
ns regulations

its regulations,
for regulation
of
communicatio
n utilities. ((23))
²¹ 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

* * *

Table B for 23.54.015 Required parking for residential uses		
Use		Minimum parking required
I. General residential uses		
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 lot in Chapter 22.904
I.	Multifamily residential uses, except otherwise provided in this Table $23.54.015^1, ((^4))^2$	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 $((^2)$	1 space for each dwelling unit
II. Residential use requirements for specific areas		
L.	All residential uses within urban within the Station Area Overlay $((^3))^2$	No minimum requirement
M.	All residential uses in commercial and multifamily zones within urban that are not within urban center Station Area Overlay District, if residential use is located within transit service area $((^1-3))^2, 4$	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 with fewer than 2 bedrooms; plus spaces per dwelling units with 2 bedrooms; plus 0.25 spaces per for dwelling units with 3 or more
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 ¹ For
each moderate-
income unit and
each low-income
unit, no minimum
amount of parking is
required. ((¹)) ² 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. ((²)) ³ 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. ((³))⁴ 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. ((⁴ 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)) ¹		
Use	Bike parking requirements	
	Long-term	Short-term
A. COMMERCIAL USES		

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 ²
A.3.	Lodging uses	3 per 40 rentable room	1 per 20 rentable room plus 1 per 4,000 square 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. INSTITUTIONS			
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 ³			
D.1.	Congregate residences ⁴	1 per 4 sleeping rooms	1 per ((20)) 80 sleeping rooms. 2 spaces minimum
D.2.	Multifamily structures other than townhouse and rowhouse developments ^{4, 5}	1 per dwelling unit	1 per 20 dwelling units
D.3.	Single-family residences	None	None
D.4.	Townhouse and rowhouse developments ⁵	1 per dwelling unit	None
E. TRANSPORTATION FACILITIES			
E.1.	Park and ride facilities on surface parking lots	At least 20 ⁶	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 not; parking uses are the principal use of a property	At least 10 if parking is the principal use of the property; zero if not; 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
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Footnotes to Table D for 23.54.015. ¹ Required bicycle parking includes long-term and short-term amounts shown in this Table D for 23.54.015. ² 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. ³ 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. ⁴ 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.⁵ 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).⁶ 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)