

ORDINANCE No.

119238

COUNCIL BILL No.

112337

Law Department

The City

AN ORDINANCE relating to land use and providing for Assisted Living facilities by amending Sections 23.45.004, 23.47.004, 23.49.026, 23.50.012, 23.54.015, 23.54.030, 23.54.035, and 23.84.032, and adding new Sections 23.45.082, 23.47.035, and 23.48.035.

Honorable President:

Your Committee on

to which was referred the within Council report that we have considered the same

COMPTROLLER FILE No.

Introduced: SEP 14 1998	By: DRAGO
Referred: SEP 14 1998	To: Business, Economic & Community Development Committee
Referred:	To:
Referred:	To:
Reported: 11-30-98	Second Reading:
Third Reading: 11-30-98	Signed: 11-30-98
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Returned to City Clerk: DEC 2 1998	Published: full 33 pgs.
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

11-30-98 Full Co

(Excuse)

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

committee on

h was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

11/3/98 Do pass as amended ~~6-0~~ 3-0
30-98 Full Council: Passed As Amended 6-0
(Excused: Conlin, McIver, Pageler)



Committee Chair

ORDINANCE 119238

AN ORDINANCE relating to land use and providing for Assisted Living facilities by amending Sections 23.45.004, 23.47.004, 23.49.026, 23.50.012, 23.54.015, 23.54.030, 23.54.035, and 23.84.032, and adding new Sections 23.45.082, 23.47.035, and 23.48.035.

WHEREAS, the City's Comprehensive Plan, originally adopted in 1994 and most recently amended in 1997, includes a housing goal of allowing the elderly the opportunity to remain in their own neighborhood as their housing needs change; and

WHEREAS, the City's Comprehensive Plan includes a housing policy that calls for allowing and encouraging a range of housing types for the elderly, including but not limited to independent living, various degrees of assisted living, and skilled nursing care facilities; and striving to increase opportunities for the elderly to live in ground-related housing with services nearby;

WHEREAS, the community benefits when children and older adults have opportunities to interact with one another, the City's Land Use Code should not only allow such intergenerational opportunities but encourage them, and the City Council intends to facilitate such opportunities through this amendment to the Land Use Code and through future ordinances;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.45.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 119151, is further amended as follows:

23.45.004 Principal uses permitted outright.

A. The following principal uses shall be permitted outright in all multifamily zones:

1. Single-family dwelling units;
2. Multifamily structures;
3. Congregate residences;
4. Adult family homes;
5. Nursing homes;
6. Assisted Living facilities;
7. Institutions meeting all development standards;
- ~~((7))~~8. Major Institution and Major Institution uses within Major Institution Overlay Districts subject to Chapter 23.69;
- ~~((8))~~9. Public facilities meeting all development standards;
- ~~((9))~~10. Existing cemeteries; and
- ~~((10))~~11. Public or private parks and playgrounds including customary buildings and activities.

* * *

Section 2. A new Section 23.45.082 is hereby added to the Seattle Municipal Code to read as follows:

23.45.082 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 3. Subsection E and Chart A of Section 23.47.004 of the Seattle Municipal Code, as last amended by Ordinance 119217, is further amended as follows:

23.47.004 Permitted and prohibited uses.

* * *

E. Residential Uses.

* * *

COMMERCIAL USES: CHART A
For Section 23.47.004

	ZONES				
	NC1	NC2	NC3	C1	C2
I. COMMERCIAL USE					
A. Retail Sales and Service					
1. Personal and Household Retail Sales and Services					
- Multipurpose convenience stores	P	P	P	P	P
- General retail sales and service	P	P	P	P	P
- Major durables sales, service and rental	P	P	P	P	P
- Specialty food stores	P	P	P	P	P
2. Medical Services	P	P/CU 1	P/CU 1	P/CU 1	P/CU 1
3. Animal Services²					
- Animal health services	P	P	P	P	P
- Kennels	X	X	X	X	<u>P</u>
- Animal shelters	X	X	X	X	<u>X</u>
4. Automotive Retail Sales and Services					
- Gas Stations	P	P	P	P	P
- Sales and rental of motorized vehicles	X	P	P	P	P
- Vehicle repair, minor	P	P	P	P	P
- Vehicle repair, major	X	P	P	P	P
- Car wash	X	P	P	P	P
- Towing services	X	X	X	P	P
- Automotive parts or accessory sales	P	P	P	P	P
5. Marine Retail Sales and Services					
- Sales and rental of large boats	X	P	P	P	P
- Vessel repair, minor	P	P	P	P	P
- Vessel repair, major	X	X	X	S	S
- Marine service station	P	P	P	P	P
- Dry storage of boats	X	P	P	P	P
- Recreational marinas	S	S	S	S	S
- Commercial moorage	S	S	S	S	S
- Sale of boat parts or accessories	P	P	P	P	P
6. Eating and Drinking Establishments					
- Restaurants without cocktail lounges	P	P	P	P	P
- Restaurants with cocktail lounges	X	P	P	P	P
- Fast-food restaurants (750 square feet and under)	CU	CU	CU	CU	CU
- Fast-food restaurant (over 750 square feet)	CU	CU	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
- Tavern	CU	CU	P	P	P
- Brewpub	<u>CU</u>	<u>CU</u>	P	P	P
7. Lodging					
- Hotel	X	X	P	P	P
- Motel	X	X	P	P	P
- Bed and breakfast	P ³	P ³	P	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
8.	Mortuary Services	X	P	P	P	P
9.	Existing Cemeteries	P	P	P	P	P
B.	Principal Use Parking	X	P	P	P	P
C.	Non-Household Sales and Service					
1.	Business support services	P	P	P	P	P
2.	Business incubator	P	P	P	P	P
3.	Sales, service and rental of office equipment		X	P	P	P
4.	Sales, service and rental of commercial equipment and construction materials	X	X	P	P	P
5.	Sale of heating fuel	X	X	P	P	P
6.	Heavy commercial services	X	X	X	P	P
	- Construction services	X	X	X	P	P
	- Commercial laundries	X	X	X	P	P
D.	Offices					
1.	Customer service office	P	P	P	P	P
2.	Administrative office	P	P	P	P	P
E.	Entertainment					
1.	Places of Public Assembly					
	- Performing arts theater	X	P	P	P	P
	- Spectator sports facility	X	P	P	P	P
	- Lecture and meeting halls	X	P	P	P	P
	- Motion picture theater	X	P	P	P	P
	- Adult motion picture theater	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
	- Adult panorams	X	X	X	X	X
2.	Participant Sports and Recreation					
	- Indoor	P	P	P	P	P
	- Outdoor	X	X	X ⁴	P	P
F.	Wholesale Showroom	X	X	P	P	P
G.	Mini-Warehouse	X	X	P	P	P
H.	Warehouse	X	X	P	P	P
I.	Outdoor Storage	X	X	X ⁵	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES			
		NC1	NC2	NC3	C1 C2
J. Transportation Facilities					
1. Personal transportation services	X	X	P	P	P
2. Passenger terminals	X	X	P	P	P
3. Cargo terminals	X	X	X	S	P
4. Transit vehicle base	X	X	X	CCU ⁶	CCU
5. Helistops	X	X	CCU ⁷	CCU ⁷	6
6. Heliports	X	X	X	X	CCU
7. Airport, land-based	X	X	X	X	7
8. Airport, water-based	X	X	X	X	X
9. Railroad switchyard	X	X	X	X	X
10. Railroad switchyard with mechanized hump	X	X	X	X	S X X
K. Food Processing and Craft Work					
1. Food processing for human consumption	P	P	P	P	P
2. Custom and craft work	P	P	P	P	P
L. Research and Development Laboratories					
	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
II. SALVAGE AND RECYCLING					
A. Recycling Collection Station	P	P	P	P	P
B. Recycling Center	X	X	X	P	P
C. Salvage Yard	X	X	X	X	X
III. UTILITIES					
A. Utility Service Uses	P	P	P	P	P
B. Major Communication Utility ⁸	X	X	X	CCU	CCU
C. Minor Communication Utility ⁸	P	P	P	P	P
D. Solid Waste Transfer Station	X	X	X	X	X
E. Power Plants	X	X	X	X	X
F. Sewage Treatment Plants	X	X	X	X	X
G. Solid Waste Incineration Facility	X	X	X	X	X
H. Solid Waste Landfill	X	X	X	X	X
IV. MANUFACTURING					
A. Light Manufacturing	X	P	P	P	P
B. General Manufacturing	X	X	X	P	P
C. Heavy Manufacturing	X	X	X	X	X

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
V.	HIGH IMPACT USES	X	X	X	X	X
VI.	INSTITUTIONS					
	A. Institute for Advanced Study	P	P	P	P	P
	B. Private Club	P	P	P	P	P
	C. Child Care Center	P	P	P	P	P
	D. Museum	P	P	P	P	P
	E. School, Elementary or Secondary	P	P	P	P	P
	F. College	P	P	P	P	P
	G. Community Center	P	P	P	P	P
	H. Community Club	P	P	P	P	P
	I. Vocational or Fine Arts School	P	P	P	P	P
	J. Hospital	P	P	P	P	P
	K. Religious Facility	P	P	P	P	P
	L. University	P	P	P	P	P
	M. Major Institutions within a Major Institution Overlay District subject to Chapter 23.69	P	P	P	P	P
VII.	PUBLIC FACILITIES					
	A. Jails	X	X	X	X	X
	B. Work-Release Centers ⁹	CCU	CCU	CCU	CCU	CCU
VIII.	PARK AND POOL/RIDE LOT					
	A. Park and Pool Lots	P ¹⁰	P	P	P	P
	B. Park and Ride Lots	X	X	CU	CU	CU
IX.	RESIDENTIAL ¹¹					
	A. Single-Family Dwelling Units	P/CU ¹²	P/CU ¹²	P/CU ¹²	P/CU ¹²	CU ¹²
	B. Multi-Family Structures	P/CU	P/CU	P/CU	P/CU	CU
	C. Congregate Residences	P/CU	P/CU	P/CU	P/CU	CU
	D. Floating Homes	S	S	S	S	S
	E. Mobile Home Park	X	X	X	P	CU
	F. Artist Studio/Dwelling	P/CU	P/CU	P/CU	P/CU	CU
	G. Caretaker's Quarters	P	P	P	P	P
	H. Adult Family Homes	P/CU	P/CU	P/CU	P/CU	P
	I. Home Occupations	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³
	J. Nursing Homes	P	P	P	P	P
	K. Assisted Living Facilities	P/CU	P/CU	P/CU	P/CU	CU
X.	OPEN SPACE					
	A. Parks	P	P	P	P	P
	B. Playgrounds	P	P	P	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
XI.	AGRICULTURAL USES					

A. Animal Husbandry	X ¹³	X ¹³	X ¹³	X ¹³	P
B. Horticultural Uses	P	P	P	P	P
C. Aquaculture	P	P	P	P	P

P - Permitted

X - Prohibited

CU - Administrative Conditional Use

CCU - Council Conditional Use

S - Permitted only in the Shoreline District, when permitted
by the Seattle Shoreline Master Program

1. Medical service uses over ten thousand (10,000) square feet, within two thousand five hundred (2,500) feet of a medical Major Institution Overlay District boundary, shall required administrative conditional use approval, unless included in an adopted Major Institution Master Plan or located in a downtown zone. See Section 23.47.006.

2. The keeping of animals for other than business purposes shall be regulated by Section 23.47.026.

3. In existing structures only.

4. Outdoor participant sports and recreation uses are permitted at the Seattle Center.

5. Outdoor storage is permitted at the Seattle Center, subject to the provisions of Section 23.47.011.

6. New transit vehicle bases accommodating one hundred fifty (150) or fewer buses or existing transit vehicle bases seeking to expand.

7. Permitted only as an accessory use according to Section 23.47.006.

8. See Chapter 23.57 for regulation of communication utilities.

9. Subject to dispersion criteria in Section 23.47.006

10. Permitted only on parking lots existing at least five (5) years prior to the proposed establishment of the park and pool lot.

11. See subsection 23.47.004E.

12. An accessory dwelling unit added to a single-family residence shall be allowed outright and shall not require a separate conditional use permit. The unit shall be considered accessory to the single-family residences, shall meet the standards listed for accessory dwelling units in Section 23.44.025 and shall not be considered a separate dwelling unit for all development standard purposes in commercial zones.

13. Permitted only as an accessory use.

* * *

Section 4. A new Section 23.47.035 is hereby added to the Seattle Municipal Code to read as follows:

23.47.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 5. A new Section 23.48.035 is hereby added to the Seattle Municipal Code to read as follows:

23.48.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 6. A new subsection C of Section 23.49.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 117202, is further amended as follows:

23.49.026 General ((area)) requirements for residential uses.

* * *

C. Assisted Living Facilities Use and Development Standards.

1. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

a. Density. Density limits do not apply to Assisted Living facilities; and

b. Open Space and Common Recreation Area. Open space and common recreation area requirements do not apply to Assisted Living facilities.

2. Other Requirements

a. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

b. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

c. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided

1 with comfortable seating, and gardens or other outdoor landscaped areas that are accessible
2 to wheelchairs and walkers) with sufficient accommodations for socialization and meeting
3 with friends and family shall be provided:

4 (1) The total amount of communal area shall, at a
5 minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In
6 calculating the total floor area in Assisted Living units, all of the area of each of the
7 individual units shall be counted, including counters, closets and built-ins, but excluding the
8 bathroom;

9 (2) No service areas, including, but not limited to, the
10 facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance
11 areas, staff areas and offices, and rooms used only for counseling or medical services, shall
12 be counted toward the communal area requirement; and

13 (3) A minimum of four hundred (400) square feet of the
14 required communal area shall be provided outdoors, with no dimension less than ten (10)
15 feet. A departure from the required amount and/or dimension of outdoor communal space
16 may be permitted as part of the design review process, pursuant to 23.41.012A.

17
18
19 **Section 7.** Chart A for Section 23.50.012 of the Seattle Municipal Code, which
20 Section was last amended by Ordinance 118794, is further amended as follows:
21

23.50.012 Permitted and prohibited uses.

* * *

**INDUSTRIAL USES
CHART A
for Section 23.50.012**

<u>Uses</u>	<u>Zones</u>	<u>IB</u>	<u>IC</u>	<u>IG1 and IG2</u>
I. Manufacturing				
A. Light manufacturing	P	P	P	P
B. General manufacturing	P	P	P	P
C. Heavy manufacturing	CU	X or CU ¹	P or CU ²	
II. High-impact Uses.				
	X	X or CU ³	X or CU ⁴	
III. Commercial				
A. Retail Sales and Service				
1. Personal and household sales and services	P	P	P	P
2. Medical services	P/CU ⁵	P/CU ⁵	P/CU ⁵	P/CU ⁵
3. Animal services				
a. Animal health services	P	P	P	P
b. Kennel	X	P	P	P
4. Automotive retail sales and service	P	P	P	P
5. Marine retail sales and service	P	P	P	P
6. Eating and drinking establishment				
a. Fast food restaurants over 750 square feet	CU	CU	CU	CU
b. Fast food restaurants under 750 square feet	P	P	P	P
c. Restaurants with or without cocktail lounges	P	P	P	P
d. Tavern	P	P	P	P
e. Brewpub	P	P	P	P
7. Lodging	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
8. Mortuary service	P	P	P	P
9. Existing cemeteries	P	P	P	P
10. New cemeteries	X	X	X	X
B. Principal use parking, surface area or garage	P	P	P	P
C. Nonhousehold sales and services	P	P	P	P
D. Office	P	P	P	P

INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
E. Entertainment			
1. Places of public assembly			
a. Performing arts theater	P	P	P
b. Spectator sports facility	P	P	P
c. Lecture and meeting halls	P	P	P
d. Motion picture theater	P	P	P
e. Motion picture theater, adult	X	X	X
f. Adult panorams	X	X	X
2. Participant sports and recreation			
a. Indoor	P	P	P
b. Outdoor	P	P	P
F. Wholesale showroom	P	P	P
G. Mini-warehouse	P	P	P
H. Warehouse	P	P	P
I. Outdoor storage	P	P	P
J. Transportation Facilities			
1. Personal transportation services	P	P	P
2. Passenger terminal	P	P	P
3. Cargo terminal	P	P	P
4. Transit vehicle base	CU	CU	CU
5. Helistop	CCU	CCU	CCU
6. Heliport	X	CCU	CCU
7. Airport, land-based	X	CCU	CCU
8. Airport, water-based	X	CCU	CCU
9. Railroad switchyard	P	P	P
10. Railroad switchyard with mechanized hump	X	X	CU
K. Food processing and craft work	P	P	P
L. Research and development laboratory	P	P	P
IV. Salvage and Recycling			
A. Recycling collection station	P	P	P
B. Recycling center	P	P	P
C. Salvage yard	X	X	P

INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
V. Utilities			
A. Utility services use	P	P	P
B. Major communication utility ⁶	CU	CU	CU
C. Minor communication utility ⁶	P	P	P
D. Solid waste transfer station	X	CU	CU
E. Power plant	X	CCU	P
F. Sewage treatment plant	X	CCU	CCU
G. Solid waste incineration facility	X	CCU	CCU
H. Solid waste landfills	X	X	X
VI. Institutions			
A. Institute for advanced study	P	P	P
B. Private clubs	EB	EB	EB
C. Child care center	P	P	P
D. Museum	EB	EB	EB
E. School, elementary or secondary	EB	EB	EB
F. College	EB	EB	EB
G. Community center	EB	EB	EB
H. Community club	EB	EB	EB
I. Vocational or fine arts school	P	P	P
J. Hospital	EB	CU ⁸	EB
K. Religious facility	EB	EB	EB
L. University	EB	EB	EB
M. Major institutions., subject to the provisions of Chapter 23.69	EB	EB	EB

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
VII. Public Facilities			
A. Jails	X	X	X
B. Work-release centers	X	X	X
C. Other public facilities	CCU	CCU	CCU
VII. Park and Pool/Ride Lots			
A. Park and pool lots	P ⁷	P ⁷	P ⁷
B. Park and ride lots	CU	CU	CU
IX. Residential			
A. Single-family dwelling units	X	X	X
B. Multi-family structures	X	X	X
C. Congregate residences	X	X	X
D. Adult family homes	X	X	X
E. Floating homes	X	X	X
F. Mobil home park	X	X	X
G. Nursing homes	X	X	X
H. Artist's studio/dwelling	EB/CU	EB/CU	EB/CU
I. Caretaker's quarters	P	P	P
J. <u>Assisted Living facility</u>	<u>X</u>	<u>X</u>	<u>X</u>
K. Residential use except artist's studio/dwelling and caretaker's quarters in a landmark structure or landmark district	CU	CU	CU
X. Open Space			
A. Parks	P	P	P
B. Playgrounds	P	P	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
XI. Agricultural Uses			
A. Animal husbandry	X	X	X
B. Horticultural use	X	X	X
C. Aquaculture	P	P	P

P = Permitted
X = Prohibited
CU = Administrative conditional use
CCU = Council conditional use
EB = Permitted only in a building existing on October 5, 1987

1. The Heavy Manufacturing uses listed in subsection B10 of Section 23.50.014 may be permitted as conditional uses. All other Heavy Manufacturing uses are prohibited.
2. Heavy Manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided at subsection C of Section 23.50.014.
3. The High-impact uses listed at subsection B10 of Section 23.50.014 may be permitted as conditional uses.
4. High-impact 1 uses may be permitted as a conditional use as provided at subsection B5 of Section 23.50.014.
5. Medical service uses over 10,000 square feet, within 2,500 feet of medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted major institution master plan or located in a downtown zone. See Section 23.50.014.
6. See Chapter 23.57 for regulation of major and minor communication utilities and accessory communication devices.
7. Park and pool lots are not permitted within three thousand feet (3,000') of downtown.
8. Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study as provided by subsection B15 of Section 23.50.014.

* * *

Section 8. Chart A for Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by CB 112403, is further amended as follows:

23.54.015 Required parking.

* * *

Chart A
for Section 23.54.015
PARKING

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients).
Adult family home	1 for each dwelling unit.
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
<u>Assisted Living facility⁹</u>	<u>1 for each 4 Assisted Living units plus 1 for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space; plus loading berth requirements per 23.54.035.</u>
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ball courts	1 per court.
Bed and breakfast	1 for each dwelling, plus 1 for each 2 guest rooms or suites.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Business support services	1 for each 2,000 square feet
Business incubators	1 for each 1,000 square feet.
Car wash	1 for each 2,000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2,000 square feet.
Cemetery	None.
Child care center ^{1,9}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Colleges ¹	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2,000 square feet.
Community centers ^{1,2} and community clubs ^{1,2}	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1,2,3}	1 for each 555 square feet.
Congregate residences	1 for each 4 residents.
Construction services	1 for each 2,000 square feet.
Custom and craft work	1 for each 1,000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Dry storage of boats	1 for each 2,000 square feet.
Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 for each 100 square feet.
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1,000 square feet.
Gas station	1 for each 2,000 square feet.
General retail sales and services	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ground-floor businesses in multi-family zones	None, maximum of 10.
Heavy commercial services	1 for each 2,000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High-impact uses	1 for each 1,500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study ¹	1 for each 1,000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms; or 1 for each 100 square feet of public assembly area not containing fixed seats.
Institutes for advanced study in single-family zones (existing)	3.5 for each 1,000 square feet of office space; plus 10 for each 1,000 square feet of additional building footprint to house and support conference center activities, or 37 for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater.
Kennel	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2,000 square feet.
Manufacturing, general	1 for each 1,500 square feet.
Manufacturing, heavy	1 for each 1,500 square feet.
Manufacturing, light	1 for each 1,500 square feet.
Marine service station	1 for each 2,000 square feet.
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture studio	1 for each 1,500 square feet
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Multi-family structures ⁴ except those listed below	<p>Lots containing 2-10 dwelling units: 1.1 for each dwelling unit.</p> <p>Lots containing 11-30 dwelling units: 1.15 for each dwelling unit.</p> <p>Lots containing 31-60 dwelling units: 1.2 for each dwelling unit.</p> <p>Lots containing more than 60 dwelling units: 1.25 for each dwelling unit</p> <p>In addition, for all multi-family structures whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet, an additional .0002 spaces per square foot in excess of 500 shall be required up to a maximum additional .15 spaces per dwelling unit; and</p> <p>When at least 50 percent of the dwelling units in a multi-family structure have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and</p> <p>Any multi-family structure which contains a dwelling unit with 4 or more bedrooms shall be required to provide an additional .25 spaces per bedroom⁵ for each unit with 4 or more bedrooms.</p>
Multi-family structures containing dwelling units with 2 or more bedrooms, when within the area impacted by the University of Washington as shown on Map A following this section	<p>1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above.⁵</p>

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Multi-family structures, when within the Alki area as shown on Map B following this section	1.5 spaces per unit.
Multi-family development, for those ground-related structures within the development with 10 units or fewer	1 for each dwelling unit.
Multi-family structures for low-income elderly	1 for each 6 dwelling units.
Multi-family structures for low-income disabled	1 for each 4 dwelling units.
Multi-family structures: low-income elderly/low income disabled	1 for each 5 dwelling units
Multi-purpose convenience store	1 for each 350 square feet.
Museum ¹	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2,000 square feet.
Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1,000 square feet.
Office, customer service	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Outdoor storage	1 for each 2,000 square feet.
Parks	None.
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2,000 square feet.
Playgrounds	None.
Power plants	1 for each 2,000 square feet.
Private club ¹	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats of floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None.
Railroad switchyard	1 for each 2,000 square feet.
Railroad switchyard with mechanized hump	1 for each 2,000 square feet.
Recreational marinas	1 for each 75 lineal feet of moorage.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Recycling center	1 for each 2,000 square feet.
Recycling collection station	None.
Religious facility ¹	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 1,000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast-food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2,000 square feet.
Sale and rental of large boats	1 for each 2,000 square feet.
Sale and rental of motorized vehicles	1 for each 2,000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts and accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2,000 square feet.
Salvage yard	1 for each 2,000 square feet.
School, private elementary and secondary ^{1, 2}	1 for each 80 square feet of all auditoria and public assembly room, or if no auditorium or assembly room, 1 for each staff member.
School, public elementary and secondary ^{1, 2, 7}	1 for each 80 square feet of all auditoria or public assembly rooms, or 1 for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Sewage treatment plant	1 for each 2,000 square feet.
Single-family dwelling units	1 for each dwelling unit
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2,000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Transit vehicle base	1 for each 2,000 square feet.
Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2,000 square feet.
Vehicle repair, major	1 for each 2,000 square feet.
Vehicle repair, minor	1 for each 2,000 square feet.
Vessel repair, major	1 for each 2,000 square feet.
Vessel repair, minor	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 1,500 square feet.
Wholesale showroom	1 for each 1,500 square feet.
Work-release centers	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the work-release center.

¹ When permitted in single-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of Seattle Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty inches (20") of width of bleachers shall be counted as one (1) 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 shall be one (1) space for each three hundred and fifty (350) square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five (555) square feet.

³ When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen percent (15%), pursuant to Section 23.54.020 I.

⁴ Parking spaces required for multi-family structures may be provided as tandem spaces according to subsection B of Section 23.54.020.

⁵ Bedroom--Any habitable room as defined by the Building Code which, in the determination of the Director, is capable of being used as a bedroom.

⁶ When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

⁷ For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Chart A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent (10%) or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.

⁸ Development standards departure 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 Child care facilities, when co-located with Assisted Living facilities, may count the passenger load/unload space required for the Assisted Living facility toward its required passenger load/unload spaces.

* * *

Section 9. Subsection B of Section 23.54.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 118414, is further amended as follows:

23.54.030 Parking space standards.

* * *

B. Parking Space Requirements. The required size of parking spaces shall be determined by whether the parking is for a residential or nonresidential use. In structures containing both residential and nonresidential uses, parking which is clearly set aside and reserved for residential use shall meet the standards of subsection B1; otherwise, all parking for the structure shall meet the standards of subsection B2.

1. Residential Uses.

a. When five (5) or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium car, as described in subsection A2 of this section.

b. When more than five (5) parking spaces are provided, a minimum of sixty percent (60%) of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent (40%) of the parking spaces may be striped for any size, provided that when parking spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted Living facilities. Parking spaces shall be provided as in subsections a and b above, except that a minimum of two spaces shall be striped for a large vehicle.

2. Nonresidential Uses.

a. When ten (10) or fewer parking spaces are provided, a maximum of twenty-five percent (25%) of the parking spaces may be striped for small vehicles. A minimum of seventy-five percent (75%) of the spaces shall be striped for large vehicles.

b. When between eleven (11) and nineteen (19) parking spaces are provided, a minimum of twenty-five percent (25%) of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

c. When twenty (20) or more parking spaces are provided, a minimum of thirty-five percent (35%) of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least six feet nine inches (6' 9y) on at least one (1) floor, and there shall be at least one (1) direct entrance from the street for all parking garages accessory to nonresidential uses and all principal use parking garages which is at least six feet nine inches (6' 9y) in height.

* * *

Section 10. Table A for Section 23.54.035 of the Seattle Municipal Code, which Section was last amended by Ordinance 118409, is further amended as follows:

23.54.035 Loading berth requirements and space standards.

A. Quantity of Loading Spaces.

* * *

Table for Section 23.54.035 A

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Animal services	Agricultural uses	Airport, land-based
Business incubator	Airport, water-based	
	<u>Assisted Living facilities</u>	
Business support	Automotive parts or accessory sales	Cargo terminals
Car wash	Eating and drinking establishments	Commercial laundries services
Custom and craft work	Heavy commercial services except commercial laundries and construction services	Construction services
Entertainment uses	Institute for advanced study	Food processing for human consumption
Gas station	Mini-warehouse	High-impact uses
Helistop and heliport	Mortuary services	Hospitals
Institutions, except hospitals and institutes for advanced study	Passenger terminal	Manufacturing
Lodging	Personal and household retail sales and services	Outdoor storage
Marine retail sales, services	Recycling collection stations	Recycling center (separate facilities)
Medical services	Research and development laboratory	Sale of heating fuel
Offices	Sales, service and rental of equipment	Sales, service and rental of commercial equipment and construction materials

Table for Section 23.54.035 A (continued)

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Personal transportation services	Transit vehicle base	Salvage yard
Sales and rental of motorized vehicles	Utilities	Warehouse
Towing services	Vehicular repair, major and minor	Wholesale showroom

* * *

Section 11. Section 23.84.032 of the Seattle Municipal Code, which Section was last amended by CB 112403, is further amended as follows:

23.84.032 "R."

* * *

"Residential use" means any one (1) of the following uses:

1. "Adult family home" means a residential use as defined and licensed by the State of Washington in a dwelling unit.

2. "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 (1) household.

3. "Assisted Living facility" means a multifamily residential use licensed by the State of Washington as a Boarding Home pursuant to RCW 18.20, 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. An Assisted Living facility contains multiple Assisted Living units. An Assisted Living unit is a dwelling unit permitted only in an Assisted Living facility.

((3))4. "Caretaker's quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred (800) square feet of living area and occupied by a caretaker or watchperson.

((4))5. "Congregate residence" means a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons, excluding single-family residences for which special or reasonable accommodation has been granted.

((5))6. "Domestic violence shelter" means a dwelling unit managed by a nonprofit organization which provides housing at a confidential location and support services for victims of family violence.

1 ((6))7. "Floating home" means a dwelling unit constructed on a float, which is
2 moored, anchored or otherwise secured in the water.

3 ((7))8. "Mobile home park" means a residential use in which a tract of land is rented
4 for the use of more than one (1) mobile home occupied as a dwelling unit.

5 ((8))9. "Multifamily structure" means a structure or portion of a structure containing
6 two (2) or more dwelling units.

7 ((9))10. "Nursing home" means a residence, licensed by the state, that provides full-
8 time convalescent and/or chronic care for individuals who, by reason of chronic illness or
9 infirmity, are unable to care for themselves. No care for the acutely ill or surgical or
10 obstetrical services shall be provided in such a residence. This definition excludes hospitals
11 or sanitariums.

12 ((10))11. "Single-family dwelling unit" means a detached structure containing one (1)
13 dwelling unit and having a permanent foundation. The structure may also contain an
14 accessory dwelling unit.

15 * * *

16
17
18 **Section 12.** Within thirty (30) months from the effective date of this ordinance, or
19 longer if necessary to enable study of a sufficient number of facilities established to
20 substantiate the study, DCLU shall submit to the City Council an evaluation of Assisted
21 Living facilities. This study shall evaluate elements of the facilities such as but not limited
22 to:

23
24 A. Attributes of the facilities, e.g.:

- 25 1. Services provided to the residents
26 2. Average number of units per facility
27 3. Average age of residents
28 4. Number of couples
29 5. Number of residents still driving or maintaining cars on site

30 B. Traffic and parking impacts, including loading and unloading spaces;

31 C. Amount and design of communal area, particularly outdoor areas;

32 D. Use, location and design of non-residential (e.g., commercial, institutions)
33 street level spaces;

34 E. Compatibility of use and structure with neighboring development; and

35 F. A discussion of permitting and enforcement issue, particularly those
36 presented by independent senior housing units co-located with Assisted Living units in
37 continuum care facilities.

38
39 In preparing this study, DCLU shall consult with plan reviewers and permitters, developers
40 and care providers, facility staff, residents and neighbors, industry representatives and the
41 State Department of Social and Health Services. DCLU may make recommendations based
42 on the findings of the study.
43
44



City of Seattle

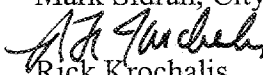
Paul Schell, Mayor

Department of Construction and Land Use

R. F. Krochalis, Director

MEMORANDUM

TO: Sue Donaldson, City Council President, via
Mark Sidran, City Attorney

FROM: 
Rick Krochalis

DATE: September 4, 1998

SUBJECT: PROPOSED ASSISTED LIVING LAND USE CODE AMENDMENTS

Transmittal

I am pleased to transmit for City Council consideration proposed legislation to adopt amendments to the Land Use Code pertaining to Assisted Living.

Background and Recommendation

The Executive proposes to establish a new residential use and development standards for Assisted Living facilities under the regulation of the Land Use Code, Title 23, of the Seattle Municipal Code. According to the Puget Sound Regional Council, the number of people 65 and older in the region will double in the next 20 years. As the population grows older, the need for Assisted Living residences has become more and more apparent. We are seeing a demand for this type of housing now. Since the Land Use Code was primarily developed in the 1980s, the Land Use Code does not specifically accommodate such facilities. The intent of the proposed code amendment is to create development standards appropriate to these facilities and to regulate the use accordingly. This proposed amendment is part of my commitment made to housing at the March, 1998 Community Conference on Affordable Housing.

This proposed new use, Assisted Living facilities, is generally intended for people who do not need the critical care provided by nursing homes, but who, nonetheless, have a need for assistance with activities of daily living. To ensure that a basic level of care is provided to residents, this proposal includes the requirement of a State Boarding Home license. It is further proposed that Assisted Living facilities be permitted in all zones where residential uses are permitted, except single family zones. Assisted Living projects would be required to meet development standards of the zone, except density and open space. The exemption from density limits would allow sufficient density to provide

effective and efficient care, in a manner similar to nursing homes. Communal area, which may be provided indoors or outdoors, would be required in an amount equal to 20% of the total floor area in private units. Proposed parking requirements are intended primarily to serve visitors and staff. The proposed new use and development standards are designed to work in single-purpose facilities or together with existing regulations for independent housing or nursing homes in facilities offering a continuum of care.

SEPA Environmental Review Determination

DCLU has completed environmental review and issued a Determination of Non-Significance (no environmental impact statement required) on August 13, 1998. No appeals were filed prior to the end of the appeal period on August 28, 1998.

Public Hearing Scheduled

A public hearing on this legislation has been scheduled before the City Council Business, Economic and Community Development Committee on September 22 at 6:30 PM in the City Council Chamber.

Cost of Implementation

The cost implications of this proposed legislation are insignificant. There would be one-time implementation costs to cover staff training, copying of ordinances, and printing of new Land Use Code pages.

If you have any questions about this proposed legislation, please contact Mary Beth Binns, DCLU, 233-7198.

Mayor's Report and Recommendations

Assisted Living Facilities

September 8, 1998

SUMMARY OF RECOMMENDATIONS

The Executive proposes to establish Assisted Living facilities as a new residential use under the regulation of the Land Use Code, Title 23, of the Seattle Municipal Code. This proposed new residential use is generally intended for people who have a need for assistance with activities of daily living, but who do not need the critical care provided by nursing homes.

Assisted Living facilities are proposed to be defined as follows:

“Assisted Living facility” means a multifamily residential use licensed by the State of Washington as a Boarding Home pursuant to RCW 18.20, 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. An Assisted Living facility contains multiple Assisted Living units. An Assisted Living unit is a dwelling unit permitted only in an Assisted Living facility.

Assisted Living facilities are proposed to be permitted in all zones where multifamily residential uses are permitted (multifamily, commercial, downtown, and Cascade Mixed zones). They would not be permitted in Single Family zones. An Assisted Living facility would be limited by: 1) the size of the building envelope according to the development standards of the zone, and 2) the space needs for other social, health and residential service requirements associated with such a facility. An Assisted Living unit would be limited by: 1) the minimum unit size established by State standards for Assisted Living facilities (WAC 388-110-140), and 2) the Seattle Building Code. There would be no other density limit for such residential development.

Parking in all zones where parking is required for multifamily residential use, would be required at a ratio of 1 parking space per 5 dwelling units, primarily to serve visitors and the occasional Assisted Living resident who may own a car. In addition, parking is required for staff at a ratio of 1 space per 2 employees on duty at peak staffing time.

A communal area requirement is proposed in an amount equal to 20 percent of the total floor area in Assisted Living units, which may be provided indoors as well as outdoors.

INTRODUCTION

According to the Puget Sound Regional Council, the number of people 65 and older in the region will double in the next 20 years. As the population grows older, the need for assisted living residences has become more and more apparent. We are currently seeing a demand for this type of housing. Since the Land Use Code was primarily developed in the 1980s, it does not include standards that are designed to accommodate such facilities. The intent of the proposed code amendment is to create development standards appropriate to these facilities and to regulate the use accordingly. This proposed amendment is part of the Department of Construction and Land Use's commitment made to housing at the March, 1998 Community Conference on Affordable Housing.

Assisted Living has no fixed definition in this State, within the industry, or across the country. In practice, Assisted Living facilities provide more care than independent senior housing or retirement communities, but provide less care than the acute care of hospitals or the continuous critical skilled care provided by nursing homes. Assisted Living facilities provide support services for people who need assistance with activities of daily living (ADLs), which are defined as eating, toileting, ambulation, transfer (e.g., moving from bed to chair or chair to bath), body care, and bathing.

The U.S. Bureau of the Census estimates that 10 percent of individuals aged 65 to 74, 30 percent of individuals aged 75 to 84, and 50 percent of individuals aged 85 and older, need assistance with ADLs. According to the 1996 *Overview of the Assisted Living Industry*¹, the average assisted living resident is an 84 year old woman who needs assistance with three ADLs.

This proposal establishes development standards for Assisted Living facilities, which provide individual living units for residents. The proposed new use and development standards are designed to accommodate Assisted Living units, whether in single-purpose facilities or in combination with independent housing or nursing homes in facilities offering a continuum of care².

EXISTING REGULATORY FRAMEWORK

The State of Washington oversees Assisted Living facilities that intend to take in Medicaid residents. In order to provide care for Medicaid residents, an Assisted Living facility in Washington State must be a licensed Boarding Home pursuant to RCW 18.20.³ In addition, the

¹ Coopers and Lybrand LLP, for the Assisted Living Federation of America, 1996 Overview of the Assisted Living Industry (1997), 20 pages.

² In commercial zones, Assisted Living facilities may also be provided in mixed-use or single-purpose structures, as permitted by the zone designation.

³ "Boarding home" means "any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to 3 or more aged persons not related by blood or marriage. It shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution or section thereof which is otherwise licensed and regulated under provisions

Boarding Home must have a service contract with the Department of Social and Health Services (DSHS), pursuant to WAC 388-110. In the State of Washington, there are approximately 450 licensed Boarding Homes, 111 of which have Assisted Living facility contracts. Twenty-four of the State's Assisted Living facilities are in King County. Half of these are located in Seattle. They are Ballard Manor, Exeter House, Foss Home and Village, Fred Lind Manor, Heritage House at the Market, Legacy House, Mount St. Vincent, Nikkei Manor, Norse Home Retirement Center, Northhaven II, and Park Shore. These were developed over the past 40 years under a variety of use categories and regulations, some of which have been changed or eliminated since the projects were originally permitted.

Assisted Living facilities typically offer individual dwelling units for residents and are thus treated as a multifamily use under existing Land Use Code provisions. They could be subject to density limitations in some zones and required to provide parking at a ratio of 1 to 1½ space(s) per dwelling unit.⁴

Assisted Living facilities are distinguished from Adult Family Homes, Nursing Homes and Congregate Residences. The latter do not provide individual dwelling units for their residents. Adult Family Homes and Congregate Residences are each considered a single family dwelling unit under the Land Use Code. Nursing homes and adult family homes are regulated by the state. Nursing homes are further distinguished by the more advanced level of medical care they provide for the residents.

In terms of impacts, Assisted Living facilities function more like nursing homes than apartments. The intent of this proposed code amendment is to create development standards more appropriate to these facilities and to regulate the use according to how it functions. Proposed parking requirements are intended primarily to serve visitors and staff. Proposed regulation of building size without consideration of density in terms of "units," would allow facilities to provide effective and efficient care functioning more like a nursing home than individual dwelling units in a multifamily development.

of state law providing specifically for the licensing and regulation of such a home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by Department of Housing and Urban Development (last date of revision, December 1994)" (RCW 18.20.020).

⁴ The ratio varies according to size and geographic location of facility and type and numbers of units. The amount of required parking is 1 space per 4 units if the facility is intended to serve low income disabled, and 1 to 6 for low income elderly. Parking is not required for residential uses in downtown zones.

ANALYSIS and RECOMMENDATIONS

This proposal would establish a new residential use and development standards appropriate to how Assisted Living facilities function. In addition, the proposed requirements are intended to help ensure that the facility fits in with its surroundings, and are allowed in areas where such facilities can benefit from and provide a benefit to the community in which they are located.

The proposed definition is intended to clearly define the new residential use and its requirements:

“Assisted Living facility” means a multifamily residential use licensed by the State of Washington as a Boarding Home pursuant to RCW 18.20, 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. An Assisted Living facility contains multiple Assisted Living units. An Assisted Living unit is a dwelling unit permitted only in an Assisted Living facility.

1. Zones Where Assisted Living Is Permitted

In order to determine which zones would be appropriate for such use, it was necessary first to consider both the location and development needs of such facilities, and how those needs would best fit within the City’s zoning categories. Second, it was important to consider where such facilities would be compatible with the other uses allowed in the zone.

Recommendation: Assisted Living facilities, a multifamily residential use, would be permitted in all multifamily, commercial, downtown and Cascade Mixed zones where multifamily residential uses are permitted. The facility would be required to meet the standards of the zone in which it is located, unless otherwise described below. Such facilities would not be permitted in Single Family zones since they are typically of a scale that would not be appropriate in single family areas.

2. Boarding Home License

Since the proposed development standards are created to accommodate the specific needs of Assisted Living facilities and their residents, it is important to have assurances that non-Assisted Living facilities would not be able to develop under the standards for Assisted Living facilities.

Recommendation: This proposal would require Assisted Living facilities to have a State Boarding Home license, pursuant to RCW 18.20, to ensure that a basic level of care is provided to residents. By definition, a Boarding Home is a home or other institution which is for the purpose of providing care to aged persons not related by blood or marriage. By definition, a Boarding Home is not independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the

Department of Housing and Urban Development. Among other things, the licensing standards include requirements for staffing, construction, resident room furnishings, bathrooms, food and nutrition services, common areas ("day rooms"), laundry, maintenance and housekeeping, limited nursing services, health care services, safety measures and quality assurance, and medication services. There is an initial registration fee and an annual license maintenance fee based on a per-bed basis. For an average facility of 40 units, licensure at 1998 rates would cost approximately \$1,600 at start-up and a little more than \$2,000 annually.

This proposal would not require that the facility have a service contract with the State for Assisted Living care, since not all providers intend to serve Medicaid residents. The Boarding Home license adequately ensures the level of care to be provided by such facilities, without adding another requirement that would be too restrictive for certain facilities.

3. Density of Assisted Living Residences

Assisted Living facilities function more like nursing homes than apartments in terms of their impacts and services, so that restrictions on number of units allowed was not deemed appropriate.

The data on parking demand and traffic impact reveal that Assisted Living facilities have substantially less impact per unit than single family homes and apartments, and less of an impact than nursing homes (refer to item 5, Parking Requirements). Under the Land Use Code, nursing homes are limited in size only by the regulations limiting the size of the building envelope; density in terms of units is not a consideration. Under existing Land Use Code provisions, the Assisted Living unit with a kitchen or kitchenette is considered a dwelling unit, and a facility of multiple units is therefore regulated as a multifamily use. As such, it is subject to density limitations in several zones. However, the impacts (e.g., parking, traffic and noise) of Assisted Living facilities are very different from multifamily development; therefore, it is more appropriate to limit the size of Assisted Living facilities by the allowable building envelope, as nursing homes are, than by a unit density. The Land Use Code would control the building envelope; the Building Code would control the minimum unit size.

If Assisted Living facilities are to be limited only by the size of the building envelope, the facilities would likely still provide for fewer people than nursing homes of the same size. Assisted Living units are likely to be, on average, larger on a per-person basis than rooms in a typical nursing home. Most units in Assisted Living facilities serve one resident, while rooms in a nursing home may serve two people. Existing facilities with a Washington State Assisted Living contract are smaller in terms of residents served than local nursing homes. Nursing homes in Seattle have on average 100 beds, while the typical sizes of Assisted Living facilities located in Seattle range between 50 and 60 units.

Recommendation: Assisted Living facilities would be required to meet the development standards of the zone, including setbacks, structure height, width and depth, lot coverage, and

landscaping; however, Assisted Living facilities would not be required to comply with density limits.

An Assisted Living facility would be limited by: 1) the size of the building envelope according to the development standards of the zone, and 2) the space needs for other social, health and residential service requirements associated with such a facility. An Assisted Living unit would be limited by: 1) the minimum unit size established by State standards for Assisted Living facilities (WAC 388-110-140), and 2) the Seattle Building Code.

4. Type of Permit in Commercial Zones

Although Assisted Living facilities may be likely to locate in multifamily zones, some providers may determine that a commercial location is appropriate due to the availability of retail goods and services within close walking distances for residents, staff and visitors. Furthermore, Assisted Living facilities and their residents rely on quick access to hospitals and emergency services, medical, laundry and grocery supplies, health and beauty care, and good transit service, all of which may be readily available in or near commercial areas.

In commercial zones, an issue has been raised related to whether single purpose Assisted Living facilities should be allowed or whether commercial use at street level should be required. In pedestrian designated commercial areas, single purpose residential development is not allowed; however, in most other commercial areas single purpose residential development may be allowed through a conditional use approval process. However, in order to encourage mixed-use development, there is currently no density limit for the residential portion of a mixed-use development, whereas single purpose residential has a fairly restrictive density limit. The result is that the difference in density limit is so great, most development in commercial zones these days has been mixed-use. However, under the proposed amendment, an Assisted Living facility would not have an incentive to do mixed-use development since there would be no density limit. Therefore, the likelihood of having commercial use voluntarily provided at street level is not as great as with other residential development. Regardless, this proposal recognizes Assisted Living facilities function similarly to nursing homes, and therefore, proposes to treat them the same in terms of allowing them outright in commercial zones in single purpose development. While Assisted Living units may occupy commercially zoned land for a use other than a traditional commercial use, they provide a service similar to nursing homes, hospitals and other institutions, which are permitted outright in commercial zones.

Recommendation: Assisted Living facilities would be permitted outright in all commercial zones, whether in a mixed-use structure or as a single purpose residential use, except in pedestrian designated zones⁵. Projects meeting SEPA thresholds would be required to undergo

⁵ Pedestrian zones require neighborhood-serving commercial uses at street level. The street level commercial requirement would also apply to areas that require mixed-use development once identified in neighborhood plans that have been approved by City Council.

Design Review, as with other residential development, which would help ensure appropriateness of scale and character for the neighborhood.

5. Parking Requirements

Parking for Assisted Living facilities is primarily to serve visitors and staff. The vast majority of residents are not likely to drive and do not own cars although, according to industry data, occasionally a resident (1 in 20) will keep a car on site.⁶

Institute of Traffic Engineers (ITE) data for nursing homes, when compared with industry data for Assisted Living facilities, demonstrates that Assisted Living facilities generate less traffic and parking demand than nursing homes, and considerably less per unit than single family dwellings (ITE 210) and apartments (ITE 220).⁷

	Assisted Living	Nursing Homes	Single Family	Apartment
Traffic generation	1.72 trips/unit	2.60 trips/bed	9.55 trips/unit	6.28 trips/unit
Parking demand	0.22 space/unit	0.28 spaces/bed	*	*

* data not available

Recommendation: A parking requirement for Assisted Living facilities would be added to the Land Use Code, when parking is required for other residential uses. This proposal establishes the requirement of one parking space per 5 Assisted Living units plus 1 space per two employees (not volunteers) on shift during the peak staffing hours. The proposed Assisted Living parking requirement is slightly higher than for nursing homes (nursing homes require parking at a ratio of one space per six beds) for two reasons. First, an occasional resident does keep a car on site, as observed in national trends although in an informal interview of Assisted Living facilities in Seattle, no provider could recall a single incident. Second, visitation is an important component of Assisted Living programs. Administrators create opportunities for family gatherings and strongly encourage, and even solicit visitation.

The staff parking requirement is to be calculated to meet the demand of the peak staffing period. Assisted Living facilities tend to concentrate services on the weekdays during the day, and staff requirements are heavier at these times. Visitors are encouraged to avoid meal times and certain programmed service times. Visitation, therefore, tends to be higher in the evenings and on weekends when staff levels are lower. The surplus staff parking in the evenings and on weekends would help meet the increased demand for visitor parking at those times.

At least one of the required parking stalls would be required to be sized for a large vehicle. Residents may use the public transit system, but are more likely to be shuttled to appointments

⁶ American Seniors Housing Association, "Assisted Living Residences: A Study of Traffic and Parking Implications," (1997), based on Coopers and Lybrand LLP, "The Assisted Living Industry 1996" (1997).

⁷ Id.

and events in the transportation (vans) provided by the facility. This proposal would also require one barrier-free passenger loading/unloading space.

6. Communal Area Requirements

The policies for multifamily development require the provision of sufficient outdoor open space primarily for the use of residents. However, outdoor space is not necessarily appropriate for all Assisted Living residents. In some instances, the frail or cognitively-impaired elderly need to remain indoors. Decks and rooftop gardens may pose safety problems. For these reasons, this proposal would allow the provider to determine how best to serve their residents with the appropriate ratio of indoor to outdoor space.

Recommendation: The proposal would require communal area be provided in an amount equal to or greater than 20 percent of the total floor area in Assisted Living units. This figure was arrived at by considering State requirements and discussing with providers the amount they have determined to be appropriate for their residents. This amount is greater than the State's day room requirement for Boarding Homes. The State requires 150 square feet or 10 square feet per resident, whichever is greater, in Boarding Homes licensed on or before December 31, 1988, or 150 square feet or 20 square feet per resident, whichever is greater, in Boarding Homes licensed after December 31, 1988. For a new Assisted Living facility of 40 units, with a unit size of 220 square feet, the State would require a minimum of 800 square feet of communal area. This proposal would require a minimum of 1760 square feet, roughly twice as much. Some of the State-contracted Assisted Living facilities in Seattle already provide more than 20 percent of residential floor area in communal areas. The multifamily open space standard would not apply to this type of residential development.

In calculating the amount of floor area in Assisted Living units, the area within the walls of the individual unit, including counter and closet space, but not the bathroom, shall be included in the calculation. The exclusion of the bathroom in this calculation is intended to maintain consistency with WAC 388-110-140, minimum unit size, and to encourage development of large and easily accessible bathrooms.

Those areas that may be counted toward the communal area requirement include, but are not limited to, solariums, decks and porches, recreation rooms, dining rooms, and living rooms. Foyers and lobbies that are provided with comfortable seating, and gardens and landscaped areas that are accessible to wheelchairs and walkers, could also be counted toward the communal area requirement. Areas that may not be counted toward the communal area requirement include, but are not limited to, the facility kitchen, laundry, hallways and corridors, operations and maintenance areas, staff areas and offices, rooms for counseling or medical services, or supply closets. The Boarding Home licensing standard requires comfortable furniture and furnishings meeting resident needs. It also requires the provision of one room (e.g., a dining room) that can accommodate a majority of residents at one time.

Development standards in the Land Use Code would also require a facility kitchen. This kitchen is to be used for meal service (but not necessarily preparation) for residents, and may be used by residents and visitors if allowed by the provider. The Boarding Home licensing requirements regulate food and nutrition.

CONCLUSIONS

The proposed Land Use Code recommendations are intended to facilitate the development of comfortable and efficient Assisted Living facilities while helping to ensure that the facilities providing Assisted Living care are of an appropriate scale and character for the neighborhood. The impacts from Assisted Living facilities on neighborhoods are anticipated to be similar to, if not less than, nursing homes of a comparable size. Facilities providing Assisted Living have been found to provide for fewer residents and generate less parking and traffic on average than nursing homes. These amendments would provide for the residential needs of a large and growing segment of our population.



Seattle City Council

PUBLIC HEARING SIGN-UP SHEET

Assisted Living Facilities

INFORMATION ON THIS SIGN-UP SHEET IS PUBLIC RECORD

#	(PLEASE PRINT) NAME	ORGANIZATION	(OPTIONAL) ADDRESS	ZIP	(OPTIONAL) PHONE/FAX
1	CARL ANDERSON	King County Property Services	100 Admin-500 Fourth Ave	98104	206-2472
2	DONALD GEDDES	Small Business Owner TATZ A BETTER PLACE	2348 CALIFORNIA AVE SW	98116	933-8244
3	BRIAN LIVINGSTON	CIVIC FOUNDATION			
4	DENNIS ROSS	ADMIRAL CC	2008 CALIFORNIA SW	98119	935615
5	KARA BARBER	Seattle City Council	3421 E Superior St	98122	324 1548
6	JOHN SHOESMITH	DIETICH MITHUN NEUTRETS	414 OLIVE WAY SUITE 500	98101	623 3344
7	LIZ FUECK		4511 50th Ave SW Seattle	98114	937-3321
8	Kit Kratt		1925 Walnut Ave SW	98116	932 7127
9	Jeannie Hale	Lawehurst Com. Club	3425 W. Lawehurst Dr. NE	98108	525-5135 fax 525-9631
10	Dee McGovigle	JOHN STONE DEVELOPMENT	1424 E. WEEDCLIFF	98203	453-5477 / 838-0933

ORDINANCE _____

AN ORDINANCE relating to land use and providing for Assisted Living facilities by amending Sections 23.45.004, 23.47.004, 23.49.026, 23.50.012, 23.54.015, 23.54.030, 23.54.035, and 23.84.032, and adding new Sections 23.45.082, 23.47.035, and 23.48.035.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.45.004 of the Seattle Municipal Code, which Section was last amended by Ordinance _____, is further amended as follows:

23.45.004 Principal uses permitted outright.

A. The following principal uses shall be permitted outright in all multifamily zones:

1. Single-family dwelling units;
2. Multifamily structures;
3. Congregate residences;
4. Adult family homes;
5. Nursing homes;
6. Assisted Living facilities;
7. Institutions meeting all development standards;
- ~~((7))~~8. Major Institution and Major Institution uses within Major Institution Overlay Districts subject to Chapter 23.69;
- ~~((8))~~9. Public facilities meeting all development standards;
- ~~((9))~~10. Existing cemeteries; and
- ~~((10))~~11. Public or private parks and playgrounds including customary buildings and activities.

* * *

Section 2. A new Section 23.45.082 is hereby added to the Seattle Municipal Code to read as follows:

23.45.082 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom; and

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement.

Section 3. Chart A for Section 23.47.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 118762, is further amended as follows:

Section 23.47.004 Permitted and prohibited uses.

* * *

23.47.004 Permitted and Prohibited Uses

**COMMERCIAL USES: CHART A
For Section 23.47.004**

		ZONES				
		NC1	NC2	NC3	C1	C2
I. COMMERCIAL USE						
A. Retail Sales and Service						
1. Personal and Household Retail Sales and Services						
- Multipurpose convenience stores	P	P	P	P	P	P
- General retail sales and service	P	P	P	P	P	P
- Major durables sales, service and rental	P	P	P	P	P	P
- Specialty food stores	P	P	P	P	P	P
2. Medical Services	P	P/CU ¹	P/CU ¹	P/CU ¹	P/CU ¹	P/CU ¹

COMMERCIAL USES: CHART A
For Section 23.47.004 (continued)

	ZONES				
	NC1	NC2	NC3	C1	C2
3. Animal Services²					
- Animal health services	P	P	P	P	P
- Kennels	X	X	X	X	X
- Animal shelters	X	X	X	X	X
4. Automotive Retail Sales and Services					
- Gas Stations	P	P	P	P	P
- Sales and rental of motorized vehicles	X	P	P	P	P
- Vehicle repair, minor	P	P	P	P	P
- Vehicle repair, major	X	P	P	P	P
- Car wash	X	P	P	P	P
- Towing services	X	X	X	P	P
- Automotive parts or accessory sales	P	P	P	P	P
5. Marine Retail Sales and Services					
- Sales and rental of large boats	X	P	P	P	P
- Vessel repair, minor	P	P	P	P	P
- Vessel repair, major	X	X	X	S	S
- Marine service station	P	P	P	P	P
- Dry storage of boats	X	P	P	P	P
- Recreational marinas	S	S	S	S	S
- Commercial moorage	S	S	S	S	S
- Sale of boat parts or accessories	P	P	P	P	P
6. Eating and Drinking Establishments					
- Restaurants without cocktail lounges	P	P	P	P	P
- Restaurants with cocktail lounges	X	P	P	P	P
- Fast-food restaurants (750 square feet and under)	P	P	P	P	P
- Fast-food restaurant (over 750 square feet)	CU	CU	CU	CU	CU
- Tavern	CU	CU	P	P	P
- Brewpub	P	P	P	P	P
7. Lodging	CU	CU	CU	CU	CU
- Hotel	X	X	P	P	P
- Motel	X	X	P	P	P
- Bed and breakfast	P ³	P ³	P	P	P
8. Mortuary Services	X	P	P	P	P
9. Existing Cemeteries¹⁴	P	P	P	P	P
B. Principal Use Parking	X	P	P	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
C. Non-Household Sales and Service						
1. Business support services		P	P	P	P	P
2. Business incubator		P	P	P	P	P
3. Sales, service and rental of office equipment		X	P	P	P	P
4. Sales, service and rental of commercial equipment and construction materials		X	X	P	P	P
5. Sale of heating fuel		X	X	P	P	P
6. Heavy commercial services		X	X	X	P	P
- Construction services		X	X	X	P	P
- Commercial laundries		X	X	X	P	P
D. Offices						
1. Customer service office		P	P	P	P	P
2. Administrative office		P	P	P	P	P
E. Entertainment						
1. Places of Public Assembly						
- Performing arts theater		X	P	P	P	P
- Spectator sports facility		X	P	P	P	P
- Lecture and meeting halls		X	P	P	P	P
- Motion picture theater		X	P	P	P	P
- Adult motion picture theater		X	X	X	X	X
- Adult panorams		X	X	X	X	X
2. Participant Sports and Recreation						
- Indoor		P	P	P	P	P
- Outdoor		X	X	X ⁴	P	P
F. Wholesale Showroom		X	X	P	P	P
G. Mini-Warehouse		X	X	P	P	P
H. Warehouse		X	X	P	P	P
I. Outdoor Storage		X	X	X ⁵	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (continued)

1
2
3
4
5

		ZONES				
		NC1	NC2	NC3	C1	C2
J. Transportation Facilities						
1.	Personal transportation services	X	X	P	P	P
2.	Passenger terminals	X	X	P	P	P
3.	Cargo terminals	X	X	X	S	P
4.	Transit vehicle base	X	X	X	CCU ⁶	CCU ⁶
5.	Helistops	X	X	CCU ⁷	CCU ⁷	CCU ⁷
6.	Heliports	X	X	X	X	X
7.	Airport, land-based	X	X	X	X	X
8.	Airport, water-based	X	X	X	X	S
9.	Railroad switchyard	X	X	X	X	X
10.	Railroad switchyard with mechanized hump	X	X	X	X	X
K. Food Processing and Craft Work						
1.	Food processing for human consumption	P	P	P	P	P
2.	Custom and craft work	P	P	P	P	P
L. Research and Development Laboratories		P	P	P	P	P
II. SALVAGE AND RECYCLING						
A.	Recycling Collection Station	P	P	P	P	P
B.	Recycling Center	X	X	X	P	P
C.	Salvage Yard	X	X	X	X	X
III. UTILITIES						
A.	Utility Service Uses	P	P	P	P	P
B.	Major Communication Utility ⁸	X	X	X	CCU	CCU
C.	Minor Communication Utility ⁸	P	P	P	P	P
D.	Solid Waste Transfer Station	X	X	X	X	X
E.	Power Plants	X	X	X	X	X
F.	Sewage Treatment Plants	X	X	X	X	X
G.	Solid Waste Incineration Facility	X	X	X	X	X
H.	Solid Waste Landfill	X	X	X	X	X
IV. MANUFACTURING						
A.	Light Manufacturing	X	P	P	P	P
B.	General Manufacturing	X	X	X	P	P
C.	Heavy Manufacturing	X	X	X	X	X

COMMERCIAL USES: CHART A
For Section 23.47.004 (continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
V.	HIGH IMPACT USES	X	X	X	X	X
VI.	INSTITUTIONS					
	A. Institute for Advanced Study	P	P	P	P	P
	B. Private Club	P	P	P	P	P
	C. Child Care Center	P	P	P	P	P
	D. Museum	P	P	P	P	P
	E. School, Elementary or Secondary	P	P	P	P	P
	F. College	P	P	P	P	P
	G. Community Center	P	P	P	P	P
	H. Community Club	P	P	P	P	P
	I. Vocational or Fine Arts School	P	P	P	P	P
	J. Hospital	P	P	P	P	P
	K. Religious Facility	P	P	P	P	P
	L. University	P	P	P	P	P
	M. Major Institutions within a Major Institution Overlay District subject to Chapter 23.69	P	P	P	P	P
VII.	PUBLIC FACILITIES					
	Jails	X	X	X	X	X
	Work-Release Centers ⁹	CCU	CCU	CCU	CCU	CCU
VIII.	PARK AND POOL/RIDE LOT					
	A. Park and Pool Lots	P ¹⁰	P	P	P	P
	B. Park and Ride Lots	X	X	CU	CU	CU
IX.	RESIDENTIAL ¹¹					
	A. Single-Family Dwelling Units	P/CU ¹²	P/CU ¹²	P/CU ¹²	P/CU ¹²	CU ¹²
	B. Multi-Family Structures	P/CU	P/CU	P/CU	P/CU	CU
	C. Congregate Residences	P/CU	P/CU	P/CU	P/CU	CU
	D. Floating Homes	S	S	S	S	S
	E. Mobile Home Park	X	X	X	P	CU
	F. Artist Studio/Dwelling	P/CU	P/CU	P/CU	P/CU	CU
	G. Caretaker's Quarters	P	P	P	P	P
	H. Adult Family Homes	P/CU	P/CU	P/CU	P/CU	P
	I. Home Occupations	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³
	J. Nursing Homes	P	P	P	P	P
	K. Assisted Living facility	P	P	P	P	P
X.	OPEN SPACE					
	A. Parks	P	P	P	P	P
	B. Playgrounds	P	P	P	P	P

COMMERCIAL USES: CHART A For Section 23.47.004 (continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
XI.	AGRICULTURAL USES					
	A. Animal Husbandry	X ¹³	X ¹³	X ¹³	X ¹³	P
	B. Horticultural Uses	P	P	P	P	P
	C. Aquaculture	P	P	P	P	P
	P - Permitted					
	X - Prohibited					
	CU - Administrative Conditional Use					
	CCU - Council Conditional Use					
	S - Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program					
	1. Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, shall required administrative conditional use approval, unless included in an adopted Major Institution Master Plan or located in a downtown zone. See Section 23.47.006.					
	2. The keeping of animals for other than business purposes shall be regulated by Section 23.47.026.					
	3. In existing structures only.					
	4. Outdoor participant sports and recreation uses are permitted at the Seattle Center.					
	5. Outdoor storage is permitted at the Seattle Center, subject to the provisions of Section 23.47.011.					
	6. New transit vehicle bases accommodating 150 or fewer buses or existing transit vehicle bases seeking to expand.					
	7. Permitted only as an accessory use according to Section 23.47.006.					
	8. See Chapter 23.57 for regulation of communication utilities.					
	9. Subject to dispersion criteria in Section 23.47.006					
	10. Permitted only on parking lots existing at least five years prior to the proposed establishment of the park and pool lot.					
	11. Residential uses in mixed-use development are permitted outright in NC1, NC2, NC3 and C1 zones. Single-purpose residential structures, other than nursing homes and Assisted Living facilities, are permitted in NC1, NC2, NC2/R, NC3, NC3/R and C1 zones only as an administrative conditional use according to the provisions of Section 23.47.023, except where the height limit is 85 feet or higher. All residential uses, other than nursing homes and Assisted Living facilities, in the C2 zones are subject to an administrative conditional use approval. Nursing homes and Assisted Living facilities are permitted outright in all commercial zones, whether in a mixed use structure or a single-purpose residential use, except in Pedestrian-Designated Zones (See Section 23.47.040).					
	12. An accessory dwelling unit added to a single-family residence shall be allowed outright and shall not require a separate conditional use permit. The unit shall be considered accessory to the single-family residences, shall meet the standards listed for accessory dwelling units in Section 23.44.041 and shall not be considered a separate dwelling unit for any development standard purposes in commercial zones.					
	13. Permitted only as an accessory use.					
	14. Subject to criteria in Section 23.47.004.					

* * *

Section 4. A new Section 23.47.035 is hereby added to the Seattle Municipal Code to read as follows:

23.47.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom; and

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement.

Section 5. A new Section 23.48.035 is hereby added to the Seattle Municipal Code to read as follows:

23.48.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom; and

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement.

Section 6. A new subsection C of Section 23.49.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 117202, is further amended as follows:

23.49.026 General ((area)) requirements for residential uses.

* * *

C. Assisted Living Facilities Use and Development Standards.

1. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

a. Density. Density limits do not apply to Assisted Living facilities; and

b. Open Space and Common Recreation Area. Open space and common recreation area requirements do not apply to Assisted Living facilities.

2. Other Requirements

a. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

b. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

c. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

(1). The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom; and

(2). No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and

maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement.

Section 7. Chart A for Section 23.50.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is further amended as follows:

23.50.012 Permitted and prohibited uses.

* * *

**INDUSTRIAL USES
CHART A
for Section 23.50.012**

<u>Uses</u>	<u>IB</u>	<u>Zones</u> <u>IC</u>	<u>IG1 and IG2</u>
I. Manufacturing			
A. Light manufacturing	P	P	P
B. General manufacturing	P	P	P
C. Heavy manufacturing	CU	X or CU ¹	P or CU ²
II. High-impact Uses.	X	X or CU ³	X or CU ⁴
III. Commercial			
A. Retail Sales and Service			
1. Personal and household sales and services	P	P	P
2. Medical services	P/CU ⁵	P/CU ⁵	P/CU ⁵
3. Animal services			
a. Animal health services	P	P	P
b. Kennel	X	P	P
4. Automotive retail sales and service	P	P	P
5. Marine retail sales and service	P	P	P
6. Eating and drinking establishment			
a. Fast food restaurants over 750 square feet	CU	CU	CU
b. Fast food restaurants under 750 square feet	P	P	P
c. Restaurants with or without cocktail lounges	P	P	P
d. Tavern	P	P	P
e. Brewpub	P	P	P
7. Lodging	CU	CU	CU
8. Mortuary service	P	P	P
9. Existing cemeteries	P	P	P
10. New cemeteries	X	X	X
B. Principal use parking, surface area or garage	P	P	P
C. Nonhousehold sales and services	P	P	P
D. Office	P	P	P

INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)

Uses	Zones		
	IB	IC	IG1 and IG2
E. Entertainment			
1. Places of public assembly			
a. Performing arts theater	P	P	P
b. Spectator sports facility	P	P	P
c. Lecture and meeting halls	P	P	P
d. Motion picture theater	P	P	P
e. Motion picture theater, adult	X	X	X
f. Adult panoramas	X	X	X
2. Participant sports and recreation			
a. Indoor	P	P	P
b. Outdoor	P	P	P
F. Wholesale showroom	P	P	P
G. Mini-warehouse	P	P	P
H. Warehouse	P	P	P
I. Outdoor storage	P	P	P
J. Transportation Facilities			
1. Personal transportation services	P	P	P
2. Passenger terminal	P	P	P
3. Cargo terminal	P	P	P
4. Transit vehicle base	CU	CU	CU
5. Helistop	CCU	CCU	CCU
6. Heliport	X	CCU	CCU
7. Airport, land-based	X	CCU	CCU
8. Airport, water-based	X	CCU	CCU
9. Railroad switchyard	P	P	P
10. Railroad switchyard with mechanized hump	X	X	CU
K. Food processing and craft work	P	P	P
L. Research and development laboratory	P	P	P
IV. Salvage and Recycling			
A. Recycling collection station	P	P	P
B. Recycling center	P	P	P
C. Salvage yard	X	X	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
V. Utilities			
A. Utility services use	P	P	P
B. Major communication utility ⁶	CU	CU	CU
C. Minor communication utility ⁶	P	P	P
D. Solid waste transfer station	X	CU	CU
E. Power plant	X	CCU	P
F. Sewage treatment plant	X	CCU	CCU
G. Solid waste incineration facility	X	CCU	CCU
H. Solid waste landfills	X	X	X
VI. Institutions			
A. Institute for advanced study	P	P	P
B. Private clubs	EB	EB	EB
C. Child care center	P	P	P
D. Museum	EB	EB	EB
E. School, elementary or secondary	EB	EB	EB
F. College	EB	EB	EB
G. Community center	EB	EB	EB
H. Community club	EB	EB	EB
I. Vocational or fine arts school	P	P	P
J. Hospital	EB	CU ⁸	EB
K. Religious facility	EB	EB	EB
L. University	EB	EB	EB
M. Major institutions., subject to the provisions of Chapter 23.69	EB	EB	EB

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
VII. Public Facilities			
A. Jails	X	X	X
B. Work-release centers	X	X	X
C. Other public facilities	CCU	CCU	CCU
VII. Park and Pool/Ride Lots			
A. Park and pool lots	P ⁷	P ⁷	P ⁷
B. Park and ride lots	CU	CU	CU
IX. Residential			
A. Single-family dwelling units	X	X	X
B. Multi-family structures	X	X	X
C. Congregate residences	X	X	X
D. Adult family homes	X	X	X
E. Floating homes	X	X	X
F. Mobil home park	X	X	X
G. Nursing homes	X	X	X
H. Artist's studio/dwelling	EB/CU	EB/CU	EB/CU
I. Caretaker's quarters	P	P	P
J. <u>Assisted Living facility</u>	<u>X</u>	<u>X</u>	<u>X</u>
K. Residential use except artist's studio/dwelling and caretaker's quarters in a landmark structure or landmark district	CU	CU	CU
X. Open Space			
A. Parks	P	P	P
B. Playgrounds	P	P	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
XI. Agricultural Uses			
A. Animal husbandry	X	X	X
B. Horticultural use	X	X	X
C. Aquaculture	P	P	P

P = Permitted
X = Prohibited
CU = Administrative conditional use
CCU = Council conditional use
EB = Permitted only in a building existing on October 5, 1987

1. The Heavy Manufacturing uses listed in subsection B10 of Section 23.50.014 may be permitted as conditional uses. All other Heavy Manufacturing uses are prohibited.
2. Heavy Manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided at subsection C of Section 23.50.014.
3. The High-impact uses listed at subsection B10 of Section 23.50.014 may be permitted as conditional uses.
4. High-impact 1 uses may be permitted as a conditional use as provided at subsection B5 of Section 23.50.014.
5. Medical service uses over 10,000 square feet, within 2,500 feet of medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted major institution master plan or located in a downtown zone. See Section 23.50.014.
6. See Chapter 23.57 for regulation of major and minor communication utilities and accessory communication devices.
7. Park and pool lots are not permitted within three thousand feet (3,000') of downtown.
8. Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study as provided by subsection B15 of Section 23.50.014.

* * *

Section 8. Chart A for Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by Ordinance 118624, is further amended as follows:

23.54.015 Required parking.

* * *

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients).
Adult family home	1 for each dwelling unit.
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
<u>Assisted Living facility</u>	<u>1 for each 5 Assisted Living units plus 1 for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space</u>
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ball courts	1 per court.
Bed and breakfast	1 for each dwelling, plus 1 for each 2 guest rooms or suites.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Business support services	1 for each 2,000 square feet
Business incubators	1 for each 1,000 square feet.
Car wash	1 for each 2,000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2,000 square feet.
Cemetery	None.
Child care center ¹	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Colleges ¹	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2,000 square feet.
Community centers ^{1, 2} and community clubs ^{1, 2}	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1, 2, 3}	1 for each 555 square feet.
Congregate residences	1 for each 4 residents.
Construction services	1 for each 2,000 square feet.
Custom and craft work	1 for each 1,000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Dry storage of boats	1 for each 2,000 square feet.
Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 for each 100 square feet.
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1,000 square feet.
Gas station	1 for each 2,000 square feet.
General retail sales and services	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ground-floor businesses in multi-family zones	None, maximum of 10.
Heavy commercial services	1 for each 2,000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High-impact uses	1 for each 1,500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study ¹	1 for each 1,000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms; or 1 for each 100 square feet of public assembly area not containing fixed seats.
Institutes for advanced study in single-family zones (existing)	3.5 for each 1,000 square feet of office space; plus 10 for each 1,000 square feet of additional building footprint to house and support conference center activities, or 37 for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater.
Kennel	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2,000 square feet.
Manufacturing, general	1 for each 1,500 square feet.
Manufacturing, heavy	1 for each 1,500 square feet.
Manufacturing, light	1 for each 1,500 square feet.
Marine service station	1 for each 2,000 square feet.
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture studio	1 for each 1,500 square feet
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.

Use	Parking Requirements
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Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Multi-family structures, when within the Alki area as shown on Map B following this section	1.5 spaces per unit.
Multi-family development, for those ground-related structures within the development with 10 units or fewer	1 for each dwelling unit.
Multi-family structures for low-income elderly and low-income disabled	1 for each 4 dwelling units.
Multi-purpose convenience store	1 for each 350 square feet.
Museum ¹	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2,000 square feet.
Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1,000 square feet.
Office, customer service	1 for each 350 square feet.
Outdoor storage	1 for each 2,000 square feet.
Parks	None.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2,000 square feet.
Playgrounds	None.
Power plants	1 for each 2,000 square feet.
Private club ¹	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats of floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None.
Railroad switchyard	1 for each 2,000 square feet.
Railroad switchyard with mechanized hump	1 for each 2,000 square feet.
Recreational marinas	1 for each 75 lineal feet of moorage.
Recycling center	1 for each 2,000 square feet.
Recycling collection station	None.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Religious facility ¹	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 1,000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast-food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2,000 square feet.
Sale and rental of large boats	1 for each 2,000 square feet.
Sale and rental of motorized vehicles	1 for each 2,000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts or accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2,000 square feet.
Salvage yard	1 for each 2,000 square feet.
School, private elementary and secondary ^{1, 2}	1 for each 80 square feet of all auditoria and public assembly room, or if no auditorium or assembly room, 1 for each staff member.
School, public elementary and secondary ^{1, 2, 7}	1 for each 80 square feet of all auditorium or public assembly rooms, or 1 for every 8 fixed seats in auditoriums or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.
Sewage treatment plant	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Single-family dwelling units	1 for each dwelling unit
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2,000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Transit vehicle base	1 for each 2,000 square feet.
Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2,000 square feet.
Vehicle repair, major	1 for each 2,000 square feet.
Vehicle repair, minor	1 for each 2,000 square feet.
Vessel repair, major	1 for each 2,000 square feet.
Vessel repair, minor	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 1,500 square feet.
Wholesale showroom	1 for each 1,500 square feet.
Work-release centers	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the work-release center.

¹ When permitted in single-family zones, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of Seattle Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty inches (20") of width of bleachers shall be counted as one (1) 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 shall be one (1) space for each 350 square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five square feet.

³ When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen percent (15%), pursuant to Section 23.54.020 I.

⁴ Parking spaces required for multi-family structures may be provided as tandem spaces according to subsection B of Section 23.54.020.

⁵ Bedroom--Any habitable room as defined by the Building Code which, in the determination of the Director, is capable of being used as a bedroom.

⁶ When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

⁷ For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Chart A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent (10%) or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.

⁸ Development standards departure 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.

* * *

Section 9. Subsection B of Section 23.54.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 118414, is further amended as follows:

23.54.030 Parking space standards.

* * *

B. **Parking Space Requirements.** The required size of parking spaces shall be determined by whether the parking is for a residential or nonresidential use. In structures containing both residential and nonresidential uses, parking which is clearly set aside and reserved for residential use shall meet the standards of subsection B1; otherwise, all parking for the structure shall meet the standards of subsection B2.

1. **Residential Uses.**

a. When five (5) or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium car, as described in subsection A2 of this section.

b. When more than five (5) parking spaces are provided, a minimum of sixty percent (60%) of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent (40%) of the parking spaces may be striped for any size, provided that when parking

spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted Living facilities. Parking spaces shall be provided as in subsections a and b above, except that a minimum of one space shall be striped for a large vehicle.

2. Nonresidential Uses.

a. When ten (10) or fewer parking spaces are provided, a maximum of twenty-five percent (25%) of the parking spaces may be striped for small vehicles. A minimum of seventy-five percent (75%) of the spaces shall be striped for large vehicles.

b. When between eleven (11) and nineteen (19) parking spaces are provided, a minimum of twenty-five percent (25%) of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

c. When twenty (20) or more parking spaces are provided, a minimum of thirty-five percent (35%) of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least six feet nine inches (6' 9y) on at least one (1) floor, and there shall be at least one (1) direct entrance from the street for all parking garages accessory to nonresidential uses and all principal use parking garages which is at least six feet nine inches (6' 9y) in height.

* * *

Section 10. Table A for Section 23.54.035 of the Seattle Municipal Code, which Section was last amended by Ordinance 118409, is further amended as follows:

23.54.035 Loading berth requirements and space standards.

A. Quantity of Loading Spaces.

* * *

Table for Section 23.54.035 A

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Animal services	Agricultural uses	<u>Assisted Living facilities</u>
Business incubator	Airport, water-based	Airport, land-based
Business support	Automotive parts or accessory sales	Cargo terminals
Car wash	Eating and drinking establishments	Commercial laundries services
Custom and craft work	Heavy commercial services except commercial laundries and construction services	Construction services
Entertainment uses	Institute for advanced study	Food processing for human consumption
Gas station	Mini-warehouse	High-impact uses
Helistop and heliport	Mortuary services	Hospitals
Institutions, except hospitals and institutes for advanced study	Passenger terminal	Manufacturing
Lodging	Personal and household retail sales and services	Outdoor storage
Marine retail sales, services	Recycling collection stations	Recycling center (separate facilities)
Medical services	Research and development laboratory	Sale of heating fuel
Offices	Sales, service and rental of equipment	Sales, service and rental of commercial equipment and construction materials

Table for Section 23.54.035 A (continued)

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Personal transportation services	Transit vehicle base	Salvage yard
Sales and rental of motorized vehicles	Utilities	Warehouse
Towing services	Vehicular repair, major and minor	Wholesale showroom

* * *

Section 11. Section 23.84.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is further amended as follows:

23.84.032 "R."

* * *

"Residential use" means any one (1) of the following uses:

1. "Assisted Living facility" means a multifamily residential use licensed by the State of Washington as a Boarding Home pursuant to RCW 18.20, 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. An Assisted Living facility contains multiple Assisted Living units. An Assisted Living unit is a dwelling unit permitted only in an Assisted Living facility.

2. "Adult family home" means a residential use as defined and licensed by the State of Washington in a dwelling unit.

3. "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 (1) household.

4. "Caretaker's quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred (800) square feet of living area and occupied by a caretaker or watchperson.

5. "Congregate residence" means a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.

6. "Domestic violence shelter" means a dwelling unit managed by a nonprofit organization which provides housing at a confidential location and support services for victims of family violence.

7. "Floating home" means a dwelling unit constructed on a float, which is moored, anchored or otherwise secured in the water.

8. "Mobile home park" means a residential use in which a tract of land is rented for the use of more than one (1) mobile home occupied as a dwelling unit.

9. "Multifamily structure" means a structure or portion of a structure containing two (2) or more dwelling units.

10. "Single-family dwelling unit" means a detached structure containing one (1) dwelling unit and having a permanent foundation. The structure may also contain an accessory dwelling unit.

* * *

Section 12. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 13. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 1998, and signed by me in open session in authentication of its passage this _____ day of _____, 1998.

President of the City Council

Approved by me this _____ day of _____, 1998.

Paul Schell, Mayor

Filed by me this _____ day of _____, 19____.

City Clerk

(SEAL)

ORDINANCE _____

AN ORDINANCE relating to land use and providing for Assisted Living facilities by amending Sections 23.45.004, 23.47.004, 23.49.026, 23.50.012, 23.54.015, 23.54.030, 23.54.035, and 23.84.032, and adding new Sections 23.45.082, 23.47.035, and 23.48.035.

WHEREAS, the City's Comprehensive Plan, originally adopted in 1994 and most recently amended in 1997, includes a housing goal of allowing the elderly the opportunity to remain in their own neighborhood as their housing needs change; and

WHEREAS, the City's Comprehensive Plan includes a housing policy that calls for allowing and encouraging a range of housing types for the elderly, including but not limited to independent living, various degrees of assisted living, and skilled nursing care facilities; and striving to increase opportunities for the elderly to live in ground-related housing with services nearby; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 23.45.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 119151, is further amended as follows:

23.45.004 Principal uses permitted outright.

A. The following principal uses shall be permitted outright in all multifamily zones:

1. Single-family dwelling units;
2. Multifamily structures;
3. Congregate residences;
4. Adult family homes;
5. Nursing homes;
6. Assisted Living facilities;
- ~~7.~~ Institutions meeting all development standards;
- ~~((7))~~8. Major Institution and Major Institution uses within Major Institution Overlay Districts subject to Chapter 23.69;
- ~~((8))~~9. Public facilities meeting all development standards;
- ~~((9))~~10. Existing cemeteries; and
- ~~((10))~~11. Public or private parks and playgrounds including customary buildings and activities.

* * *

Section 2. A new Section 23.45.082 is hereby added to the Seattle Municipal Code to read as follows:

23.45.082 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 3. Section 23.47.004 of the Seattle Municipal Code, as last amended by CB 112432, is further amended as follows:

23.47.004 Permitted and prohibited uses.

* * *

E. Residential Uses.

1. Residential use in single-purpose residential structures. Residential use in single-purpose residential structures is permitted as an administrative conditional use, unless:

a. the structure is located within an area in which the use is either permitted outright or prohibited, as shown on the Map 23.47.004 A; or

1 b. the use is a nursing home, in which case it is permitted
2 outright, unless it is located in a Pedestrian-Designated zone, in which case the use is
3 prohibited; or

4 c. the structure is located within a zone which has a height limit
5 of 85 feet or higher, in which case the use is prohibited.

6 d. the use is an Assisted Living facility in a C1 zone, in which
7 case it is permitted outright.

8 2. Residential use in mixed use structures. Residential use in mixed-use
9 development is permitted outright in NC1, NC2, NC3 and C1 zones, provided that nursing
10 homes are permitted in all zones except in Pedestrian-Designated zones at street level (See
11 Section 23.47.040). The non-residential use portion of an Assisted Living facility in a
12 mixed use development may include uses associated with the Assisted Living facility, such
13 as activity rooms, administrative offices, lounges, mail room, dining area, or lobby, provided
14 that the non-residential portion of the development does not include private living units.

15 * * *

COMMERCIAL USES: CHART A For Section 23.47.004

	ZONES				
	NC1	NC2	NC3	C1	C2
I. COMMERCIAL USE					
A. Retail Sales and Service					
1. Personal and Household Retail Sales and Services					
- Multipurpose convenience stores	P	P	P	P	P
- General retail sales and service	P	P	P	P	P
- Major durables sales, service and rental	P	P	P	P	P
- Specialty food stores	P	P	P	P	P
2. Medical Services	P	P/CU ¹	P/CU ¹	P/CU ¹	P/CU ¹
3. Animal Services²					
- Animal health services	P	P	P	P	P
- Kennels	X	X	X	X	<u>P</u>
- Animal shelters	X	X	X	X	X
4. Automotive Retail Sales and Services					
- Gas Stations	P	P	P	P	P
- Sales and rental of motorized vehicles	X	P	P	P	P
- Vehicle repair, minor	P	P	P	P	P
- Vehicle repair, major	X	P	P	P	P
- Car wash	X	P	P	P	P
- Towing services	X	X	X	P	P
- Automotive parts or accessory sales	P	P	P	P	P
5. Marine Retail Sales and Services					
- Sales and rental of large boats	X	P	P	P	P
- Vessel repair, minor	P	P	P	P	P
- Vessel repair, major	X	X	X	S	S
- Marine service station	P	P	P	P	P
- Dry storage of boats	X	P	P	P	P
- Recreational marinas	S	S	S	S	S
- Commercial moorage	S	S	S	S	S
- Sale of boat parts or accessories	P	P	P	P	P
6. Eating and Drinking Establishments					
- Restaurants without cocktail lounges	P	P	P	P	P
- Restaurants with cocktail lounges	X	P	P	P	P
- Fast-food restaurants (750 square feet and under)	P	P	P	P	P
- Fast-food restaurant (over 750 square feet)	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
- Tavern	CU	CU	P	P	P
- Brewpub	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
7. Lodging					
- Hotel	X	X	P	P	P
- Motel	X	X	P	P	P
- Bed and breakfast	P ³	P ³	P	P	P

1
2
3
4
5

COMMERCIAL USES: CHART A **For Section 23.47.004 (Continued)**

	ZONES				
	NC1	NC2	NC3	C1	C2
8. Mortuary Services	X	P	P	P	P
9. Existing Cemeteries	P	P	P	P	P
B. Principal Use Parking	X	P	P	P	P
C. Non-Household Sales and Service					
1. Business support services	P	P	P	P	P
2. Business incubator	P	P	P	P	P
3. Sales, service and rental of office equipment		X	P	P	P
4. Sales, service and rental of commercial equipment and construction materials	X	X	P	P	P
5. Sale of heating fuel	X	X	P	P	P
6. Heavy commercial services	X	X	X	P	P
- Construction services	X	X	X	P	P
- Commercial laundries	X	X	X	P	P
D. Offices					
1. Customer service office	P	P	P	P	P
2. Administrative office	P	P	P	P	P
E. Entertainment					
1. Places of Public Assembly					
- Performing arts theater	X	P	P	P	P
- Spectator sports facility	X	P	P	P	P
- Lecture and meeting halls	X	P	P	P	P
- Motion picture theater	X	P	P	P	P
- Adult motion picture theater	X	X	X	X	X
- Adult panorams	X	X	X	X	X
2. Participant Sports and Recreation					
- Indoor	P	P	P	P	P
- Outdoor	X	X	X ⁴	P	P
F. Wholesale Showroom	X	X	P	P	P
G. Mini-Warehouse	X	X	P	P	P
H. Warehouse	X	X	P	P	P
I. Outdoor Storage	X	X	X ⁵	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
J. Transportation Facilities						
1. Personal transportation services		X	X	P	P	P
2. Passenger terminals		X	X	P	P	P
3. Cargo terminals		X	X	X	S	P
4. Transit vehicle base		X	X	X	CCU ⁶	CCU ⁶
5. Helistops		X	X	CCU ⁷	CCU ⁷	CCU ⁷
6. Heliports		X	X	X	X	X
7. Airport, land-based		X	X	X	X	X
8. Airport, water-based		X	X	X	X	S
9. Railroad switchyard		X	X	X	X	X
10. Railroad switchyard with mechanized hump		X	X	X	X	X
K. Food Processing and Craft Work						
1. Food processing for human consumption		P	P	P	P	P
2. Custom and craft work		P	P	P	P	P
L. Research and Development Laboratories						
		P	P	P	P	P
II. SALVAGE AND RECYCLING						
A. Recycling Collection Station		P	P	P	P	P
B. Recycling Center		X	X	X	P	P
C. Salvage Yard		X	X	X	X	X
III. UTILITIES						
A. Utility Service Uses		P	P	P	P	P
B. Major Communication Utility ^a		X	X	X	CCU	CCU
C. Minor Communication Utility ^a		P	P	P	P	P
D. Solid Waste Transfer Station		X	X	X	X	X
E. Power Plants		X	X	X	X	X
F. Sewage Treatment Plants		X	X	X	X	X
G. Solid Waste Incineration Facility		X	X	X	X	X
H. Solid Waste Landfill		X	X	X	X	X
IV. MANUFACTURING						
A. Light Manufacturing		X	P	P	P	P
B. General Manufacturing		X	X	X	P	P
C. Heavy Manufacturing		X	X	X	X	X

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2
V.	HIGH IMPACT USES	X	X	X	X	X
VI.	INSTITUTIONS					
	A. Institute for Advanced Study	P	P	P	P	P
	B. Private Club	P	P	P	P	P
	C. Child Care Center	P	P	P	P	P
	D. Museum	P	P	P	P	P
	E. School, Elementary or Secondary	P	P	P	P	P
	F. College	P	P	P	P	P
	G. Community Center	P	P	P	P	P
	H. Community Club	P	P	P	P	P
	I. Vocational or Fine Arts School	P	P	P	P	P
	J. Hospital	P	P	P	P	P
	K. Religious Facility	P	P	P	P	P
	L. University	P	P	P	P	P
	M. Major Institutions within a Major Institution Overlay District subject to Chapter 23.69	P	P	P	P	P
VII.	PUBLIC FACILITIES					
	A. Jails	X	X	X	X	X
	B. Work-Release Centers ⁹	CCU	CCU	CCU	CCU	CCU
VIII.	PARK AND POOL/RIDE LOT					
	A. Park and Pool Lots	P ¹⁰	P	P	P	P
	B. Park and Ride Lots	X	X	CU	CU	CU
IX.	RESIDENTIAL ¹¹					
	A. Single-Family Dwelling Units	P/CU ¹²	P/CU ¹²	P/CU ¹²	P/CU ¹²	CU ¹²
	B. Multi-Family Structures	P/CU	P/CU	P/CU	P/CU	CU
	C. Congregate Residences	P/CU	P/CU	P/CU	P/CU	CU
	D. Floating Homes	S	S	S	S	S
	E. Mobile Home Park	X	X	X	P	CU
	F. Artist Studio/Dwelling	P/CU	P/CU	P/CU	P/CU	CU
	G. Caretaker's Quarters	P	P	P	P	P
	H. Adult Family Homes	P/CU	P/CU	P/CU	P/CU	P
	I. Home Occupations	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³
	J. Nursing Homes	P	P	P	P	P
	K. Assisted Living Facilities	P/CU	P/CU	P/CU	P	CU
X.	OPEN SPACE					
	A. Parks	P	P	P	P	P
	B. Playgrounds	P	P	P	P	P

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

		ZONES				
		NC1	NC2	NC3	C1	C2

XI. AGRICULTURAL USES

A. Animal Husbandry	X ¹³	X ¹³	X ¹³	X ¹³	P
B. Horticultural Uses	P	P	P	P	P
C. Aquaculture	P	P	P	P	P

P - Permitted

X - Prohibited

CU - Administrative Conditional Use

CCU - Council Conditional Use

S - Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program

1. Medical service uses over ten thousand (10,000) square feet, within two thousand five hundred (2,500) feet of a medical Major Institution Overlay District boundary, shall required administrative conditional use approval, unless included in an adopted Major Institution Master Plan or located in a downtown zone. See Section 23.47.006.

2. The keeping of animals for other than business purposes shall be regulated by Section 23.47.026.

3. In existing structures only.

4. Outdoor participant sports and recreation uses are permitted at the Seattle Center.

5. Outdoor storage is permitted at the Seattle Center, subject to the provisions of Section 23.47.011.

6. New transit vehicle bases accommodating one hundred fifty (150) or fewer buses or existing transit vehicle bases seeking to expand.

7. Permitted only as an accessory use according to Section 23.47.006.

8. See Chapter 23.57 for regulation of communication utilities.

9. Subject to dispersion criteria in Section 23.47.006

10. Permitted only on parking lots existing at least five (5) years prior to the proposed establishment of the park and pool lot.

11. See subsection 23.47.004E.

12. An accessory dwelling unit added to a single-family residence shall be allowed outright and shall not require a separate conditional use permit. The unit shall be considered accessory to the single-family residences, shall meet the standards listed for accessory dwelling units in Section 23.44.025 and shall not be considered a separate dwelling unit for all development standard purposes in commercial zones.

13. Permitted only as an accessory use.

* * *

Section 4. A new Section 23.47.035 is hereby added to the Seattle Municipal Code to read as follows:

23.47.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided.

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 5. A new Section 23.48.035 is hereby added to the Seattle Municipal Code to read as follows:

23.48.035 Assisted Living Facilities Use and Development Standards.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount and/or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

Section 6. A new subsection C of Section 23.49.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 117202, is further amended as follows:

23.49.026 General ((area)) requirements for residential uses.

* * *

C. Assisted Living Facilities Use and Development Standards.

1. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

a. Density. Density limits do not apply to Assisted Living facilities; and

b. Open Space and Common Recreation Area. Open space and common recreation area requirements do not apply to Assisted Living facilities.

2. Other Requirements

a. Minimum unit size. Assisted Living units shall be designed to meet the minimum square footage required by WAC 388-110-140.

b. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

c. Communal area. Communal areas (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided

1 with comfortable seating, and gardens or other outdoor landscaped areas that are accessible
2 to wheelchairs and walkers) with sufficient accommodations for socialization and meeting
3 with friends and family shall be provided:

4 (1) The total amount of communal area shall, at a
5 minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In
6 calculating the total floor area in Assisted Living units, all of the area of each of the
7 individual units shall be counted, including counters, closets and built-ins, but excluding the
8 bathroom:

9 (2) No service areas, including, but not limited to, the
10 facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance
11 areas, staff areas and offices, and rooms used only for counseling or medical services, shall
12 be counted toward the communal area requirement; and

13 (3) A minimum of four hundred (400) square feet of the
14 required communal area shall be provided outdoors, with no dimension less than ten (10)
15 feet. A departure from the required amount and/or dimension of outdoor communal space
16 may be permitted as part of the design review process, pursuant to 23.41.012A.

17
18
19 **Section 7.** Chart A for Section 23.50.012 of the Seattle Municipal Code, which
20 Section was last amended by Ordinance 118794, is further amended as follows:
21

23.50.012 Permitted and prohibited uses.

* * *

**INDUSTRIAL USES
CHART A
for Section 23.50.012**

<u>Uses</u>	<u>IB</u>	<u>Zones</u> <u>IC</u>	<u>IG1 and IG2</u>
I. Manufacturing			
A. Light manufacturing	P	P	P
B. General manufacturing	P	P	P
C. Heavy manufacturing	CU	X or CU ¹	P or CU ²
II. High-impact Uses.	X	X or CU ³	X or CU ⁴
III. Commercial			
A. Retail Sales and Service			
1. Personal and household sales and services	P	P	P
2. Medical services	P/CU ⁵	P/CU ⁵	P/CU ⁵
3. Animal services			
a. Animal health services	P	P	P
b. Kennel	X	P	P
4. Automotive retail sales and service	P	P	P
5. Marine retail sales and service	P	P	P
6. Eating and drinking establishment			
a. Fast food restaurants over 750 square feet	CU	CU	CU
b. Fast food restaurants under 750 square feet	P	P	P
c. Restaurants with or without cocktail lounges	P	P	P
d. Tavern	P	P	P
e. Brewpub	P	P	P
7. Lodging	<u>CU</u>	<u>CU</u>	<u>CU</u>
8. Mortuary service	P	P	P
9. Existing cemeteries	P	P	P
10. New cemeteries	X	X	X
B. Principal use parking, surface area or garage	P	P	P
C. Nonhousehold sales and services	P	P	P
D. Office	P	P	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
E. Entertainment			
1. Places of public assembly			
a. Performing arts theater	P	P	P
b. Spectator sports facility	P	P	P
c. Lecture and meeting halls	P	P	P
d. Motion picture theater	P	P	P
e. Motion picture theater, adult	X	X	X
f. Adult panorams	X	X	X
2. Participant sports and recreation			
a. Indoor	P	P	P
b. Outdoor	P	P	P
F. Wholesale showroom	P	P	P
G. Mini-warehouse	P	P	P
H. Warehouse	P	P	P
I. Outdoor storage	P	P	P
J. Transportation Facilities			
1. Personal transportation services	P	P	P
2. Passenger terminal	P	P	P
3. Cargo terminal	P	P	P
4. Transit vehicle base	CU	CU	CU
5. Helistop	CCU	CCU	CCU
6. Heliport	X	CCU	CCU
7. Airport, land-based	X	CCU	CCU
8. Airport, water-based	X	CCU	CCU
9. Railroad switchyard	P	P	P
10. Railroad switchyard with mechanized hump	X	X	CU
K. Food processing and craft work	P	P	P
L. Research and development laboratory	P	P	P
IV. Salvage and Recycling			
A. Recycling collection station	P	P	P
B. Recycling center	P	P	P
C. Salvage yard	X	X	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
V. Utilities			
A. Utility services use	P	P	P
B. Major communication utility ⁶	CU	CU	CU
C. Minor communication utility ⁶	P	P	P
D. Solid waste transfer station	X	CU	CU
E. Power plant	X	CCU	P
F. Sewage treatment plant	X	CCU	CCU
G. Solid waste incineration facility	X	CCU	CCU
H. Solid waste landfills	X	X	X
VI. Institutions			
A. Institute for advanced study	P	P	P
B. Private clubs	EB	EB	EB
C. Child care center	P	P	P
D. Museum	EB	EB	EB
E. School, elementary or secondary	EB	EB	EB
F. College	EB	EB	EB
G. Community center	EB	EB	EB
H. Community club	EB	EB	EB
I. Vocational or fine arts school	P	P	P
J. Hospital	EB	CU ⁸	EB
K. Religious facility	EB	EB	EB
L. University	EB	EB	EB
M. Major institutions., subject to the provisions of Chapter 23.69	EB	EB	EB

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
VII. Public Facilities			
A. Jails	X	X	X
B. Work-release centers	X	X	X
C. Other public facilities	CCU	CCU	CCU
VII. Park and Pool/Ride Lots			
A. Park and pool lots	P ⁷	P ⁷	P ⁷
B. Park and ride lots	CU	CU	CU
IX. Residential			
A. Single-family dwelling units	X	X	X
B. Multi-family structures	X	X	X
C. Congregate residences	X	X	X
D. Adult family homes	X	X	X
E. Floating homes	X	X	X
F. Mobil home park	X	X	X
G. Nursing homes	X	X	X
H. Artist's studio/dwelling	EB/CU	EB/CU	EB/CU
I. Caretaker's quarters	P	P	P
J. <u>Assisted Living facility</u>	<u>X</u>	<u>X</u>	<u>X</u>
K. Residential use except artist's studio/dwelling and caretaker's quarters in a landmark structure or landmark district	CU	CU	CU
X. Open Space			
A. Parks	P	P	P
B. Playgrounds	P	P	P

**INDUSTRIAL USES
CHART A
for Section 23.50.012 (continued)**

<u>Uses</u>	<u>Zones</u>		
	IB	IC	IG1 and IG2
XI. Agricultural Uses			
A. Animal husbandry	X	X	X
B. Horticultural use	X	X	X
C. Aquaculture	P	P	P

P = Permitted
X = Prohibited
CU = Administrative conditional use
CCU = Council conditional use
EB = Permitted only in a building existing on October 5, 1987

1. The Heavy Manufacturing uses listed in subsection B10 of Section 23.50.014 may be permitted as conditional uses. All other Heavy Manufacturing uses are prohibited.
2. Heavy Manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided at subsection C of Section 23.50.014.
3. The High-impact uses listed at subsection B10 of Section 23.50.014 may be permitted as conditional uses.
4. High-impact 1 uses may be permitted as a conditional use as provided at subsection B5 of Section 23.50.014.
5. Medical service uses over 10,000 square feet, within 2,500 feet of medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted major institution master plan or located in a downtown zone. See Section 23.50.014.
6. See Chapter 23.57 for regulation of major and minor communication utilities and accessory communication devices.
7. Park and pool lots are not permitted within three thousand feet (3,000') of downtown.
8. Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study as provided by subsection B15 of Section 23.50.014.

* * *

Section 8. Chart A for Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by CB 112403, is further amended as follows:

23.54.015 Required parking.

* * *

Chart A
for Section 23.54.015
PARKING

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients).
Adult family home	1 for each dwelling unit.
Adult motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Adult panoram	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
<u>Assisted Living facility</u>	<u>1 for each 5 Assisted Living units plus 1 for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space</u>
Airport, land-based (waiting area)	1 for each 100 square feet.
Airport, water-based (waiting area)	1 for each 100 square feet.
Animal services	1 for each 350 square feet.
Animal husbandry (retail area only)	1 for each 350 square feet.
Aquaculture (retail area only)	1 for each 350 square feet.
Artist's studio/dwelling	1 for each dwelling unit.
Automotive parts or accessory sales	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ball courts	1 per court.
Bed and breakfast	1 for each dwelling, plus 1 for each 2 guest rooms or suites.
Bowling alley	5 for each lane.
Brewpub	1 for each 200 square feet.
Business support services	1 for each 2,000 square feet
Business incubators	1 for each 1,000 square feet.
Car wash	1 for each 2,000 square feet.
Caretaker's quarters	1 for each dwelling unit.
Cargo terminal	1 for each 2,000 square feet.
Cemetery	None.
Child care center ¹	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 children.
Colleges ¹	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Commercial laundries	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Commercial moorage	1 for each 140 lineal feet of moorage.
Communication utilities	1 for each 2,000 square feet.
Community centers ^{1,2} and community clubs ^{1,2}	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1,2,3}	1 for each 555 square feet.
Congregate residences	1 for each 4 residents.
Construction services	1 for each 2,000 square feet.
Custom and craft work	1 for each 1,000 square feet.
Dance halls (dance floor and table area)	1 for each 100 square feet.
Dry storage of boats	1 for each 2,000 square feet.
Family support centers located in community centers owned and operated by the Seattle DOPAR ³	1 for each 100 square feet.
Floating homes	1 for each dwelling unit.
Food processing for human consumption	1 for each 1,000 square feet.
Gas station	1 for each 2,000 square feet.
General retail sales and services	1 for each 350 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Ground-floor businesses in multi-family zones	None, maximum of 10.
Heavy commercial services	1 for each 2,000 square feet.
Heliports (waiting area)	1 for each 100 square feet.
High-impact uses	1 for each 1,500 square feet or as determined by the Director.
Horticultural uses (retail area only)	1 for each 350 square feet.
Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 for each 6 beds.
Hotels	1 for each 4 sleeping rooms or suites.
Institute for advanced study ¹	1 for each 1,000 square feet of administrative offices and similar spaces; plus 1 for each 10 fixed seats in all auditoria and public assembly rooms; or 1 for each 100 square feet of public assembly area not containing fixed seats.
Institutes for advanced study in single-family zones (existing)	3.5 for each 1,000 square feet of office space; plus 10 for each 1,000 square feet of additional building footprint to house and support conference center activities, or 37 for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater.
Kennel	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Lecture and meeting hall	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Major durables, sales, service, and rental	1 for each 2,000 square feet.
Manufacturing, general	1 for each 1,500 square feet.
Manufacturing, heavy	1 for each 1,500 square feet.
Manufacturing, light	1 for each 1,500 square feet.
Marine service station	1 for each 2,000 square feet.
Medical services	1 for each 350 square feet.
Miniature golf	1 for each 2 holes.
Mini-warehouse	1 for each 30 storage units.
Mobile home park	1 for each mobile home.
Mortuary services	1 for each 350 square feet.
Motels	1 for each sleeping room or suite.
Motion picture studio	1 for each 1,500 square feet
Motion picture theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Multi-family structures ⁴ except those listed below	<p>Lots containing 2-10 dwelling units: 1.1 for each dwelling unit.</p> <p>Lots containing 11-30 dwelling units: 1.15 for each dwelling unit.</p> <p>Lots containing 31-60 dwelling units: 1.2 for each dwelling unit.</p> <p>Lots containing more than 60 dwelling units: 1.25 for each dwelling unit</p> <p>In addition, for all multi-family structures whose average gross floor area per dwelling unit, excluding decks and all portions of a structure shared by multiple dwelling units, exceeds 500 square feet, an additional .0002 spaces per square foot in excess of 500 shall be required up to a maximum additional .15 spaces per dwelling unit; and</p> <p>When at least 50 percent of the dwelling units in a multi-family structure have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and</p> <p>Any multi-family structure which contains a dwelling unit with 4 or more bedrooms shall be required to provide an additional .25 spaces per bedroom for each unit with 4 or more bedrooms.⁵</p> <p>1.5 spaces per unit with 2 or more bedrooms. The requirement for units with 3 or more bedrooms contained above shall also apply. All other requirements for units with fewer than 2 bedrooms shall be as contained above.⁵</p>
Multi-family structures containing dwelling units with 2 or more bedrooms, when within the area impacted by the University of Washington as shown on Map A following this section	

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Multi-family structures, when within the Alki area as shown on Map B following this section	1.5 spaces per unit.
Multi-family development, for those ground-related structures within the development with 10 units or fewer	1 for each dwelling unit.
Multi-family structures for low-income elderly and low-income disabled	1 for each 4 dwelling units.
Multi-purpose convenience store	1 for each 350 square feet.
Museum ¹	1 for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public.
Non-household sales and services, except sales, service and rental of office equipment	1 for each 2,000 square feet.
Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 for each 6 beds.
Office, administrative	1 for each 1,000 square feet.
Office, customer service	1 for each 350 square feet.
Outdoor storage	1 for each 2,000 square feet.
Parks	None.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Participant sports and recreation, indoor, unless otherwise specified	1 for each 350 square feet.
Participant sports and recreation, outdoor, unless otherwise specified	1 for each 350 square feet.
Passenger terminals (waiting area)	1 for each 100 square feet.
Performing arts theater	1 for each 8 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Personal transportation services	1 for each 2,000 square feet.
Playgrounds	None.
Power plants	1 for each 2,000 square feet.
Private club ¹	1 for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 for every 8 fixed seats of floor area containing fixed seats; or if no auditorium or assembly room, 1 for each 350 square feet, excluding ball courts.
Railroad rights-of-way	None.
Railroad switchyard	1 for each 2,000 square feet.
Railroad switchyard with mechanized hump	1 for each 2,000 square feet.
Recreational marinas	1 for each 75 lineal feet of moorage.
Recycling center	1 for each 2,000 square feet.
Recycling collection station	None.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Religious facility ¹	1 for each 80 square feet of all auditoria and public assembly rooms.
Research and development laboratory	1 for each 1,000 square feet.
Restaurant	1 for each 200 square feet.
Restaurant, fast-food	1 for each 100 square feet.
Sales, service and rental of commercial equipment	1 for each 2,000 square feet.
Sale and rental of large boats	1 for each 2,000 square feet.
Sale and rental of motorized vehicles	1 for each 2,000 square feet.
Sales, service and rental of office equipment	1 for each 350 square feet.
Sale of boat parts and accessories	1 for each 350 square feet.
Sale of heating fuel	1 for each 2,000 square feet.
Salvage yard	1 for each 2,000 square feet.
School, private elementary and secondary ^{1, 2}	1 for each 80 square feet of all auditoria and public assembly room, or if no auditorium or assembly room, 1 for each staff member.
School, public elementary and secondary ^{1, 2, 7}	1 for each 80 square feet of all auditoria or public assembly rooms, or 1 for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site.
Sewage treatment plant	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Single-family dwelling units	1 for each dwelling unit
Skating rink (rink area)	1 for each 100 square feet.
Solid waste transfer station	1 for each 2,000 square feet.
Specialty food stores	1 for each 350 square feet.
Spectator sports facility	1 for each 10 fixed seats or 1 for each 100 square feet of spectator assembly area not containing fixed seats.
Sport range	1 for each 2 stations.
Swimming pool (water area)	1 for each 150 square feet.
Taverns	1 for each 200 square feet.
Transit vehicle base	1 for each 2,000 square feet.
Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 for each 100 square feet of spectator assembly area in outdoor spectator sports facilities.
Utility service uses	1 for each 2,000 square feet.
Vehicle repair, major	1 for each 2,000 square feet.
Vehicle repair, minor	1 for each 2,000 square feet.
Vessel repair, major	1 for each 2,000 square feet.
Vessel repair, minor	1 for each 2,000 square feet.

Chart A
for Section 23.54.015 (continued)
PARKING

Use	Parking Requirements
Vocational or fine arts school	1 for each 2 faculty and full-time employees; plus 1 for each 5 students (based on the maximum number of students in attendance at any one time).
Warehouse	1 for each 1,500 square feet.
Wholesale showroom	1 for each 1,500 square feet.
Work-release centers	1 for each 2 full-time staff members; plus 1 for each 5 residents; plus 1 for each vehicle operated in connection with the work-release center.

¹ When permitted in single-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multi-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of Seattle Transportation, may allow adult care and child care centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty inches (20") of width of bleachers shall be counted as one (1) 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 shall be one (1) space for each three hundred and fifty (350) square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five (555) square feet.

³ When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen percent (15%), pursuant to Section 23.54.020 I.

⁴ Parking spaces required for multi-family structures may be provided as tandem spaces according to subsection B of Section 23.54.020.

⁵ Bedroom--Any habitable room as defined by the Building Code which, in the determination of the Director, is capable of being used as a bedroom.

⁶ When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

⁷ For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if an auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Chart A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten percent (10%) or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.

⁸ Development standards departure 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.

* * *

Section 9. Subsection B of Section 23.54.030 of the Seattle Municipal Code, which Section was last amended by Ordinance 118414, is further amended as follows:

23.54.030 Parking space standards.

* * *

B. Parking Space Requirements. The required size of parking spaces shall be determined by whether the parking is for a residential or nonresidential use. In structures containing both residential and nonresidential uses, parking which is clearly set aside and reserved for residential use shall meet the standards of subsection B1; otherwise, all parking for the structure shall meet the standards of subsection B2.

1. Residential Uses.

a. When five (5) or fewer parking spaces are provided, the minimum required size of a parking space shall be for a medium car, as described in subsection A2 of this section.

b. When more than five (5) parking spaces are provided, a minimum of sixty percent (60%) of the parking spaces shall be striped for medium vehicles. The minimum size for a medium parking space shall also be the maximum size. Forty percent (40%) of the parking spaces may be striped for any size, provided that when parking

spaces are striped for large vehicles, the minimum required aisle width shall be as shown for medium vehicles.

c. Assisted Living facilities. Parking spaces shall be provided as in subsections a and b above, except that a minimum of one space shall be striped for a large vehicle.

2. Nonresidential Uses.

a. When ten (10) or fewer parking spaces are provided, a maximum of twenty-five percent (25%) of the parking spaces may be striped for small vehicles. A minimum of seventy-five percent (75%) of the spaces shall be striped for large vehicles.

b. When between eleven (11) and nineteen (19) parking spaces are provided, a minimum of twenty-five percent (25%) of the parking spaces shall be striped for small vehicles. The minimum required size for these small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

c. When twenty (20) or more parking spaces are provided, a minimum of thirty-five percent (35%) of the parking spaces shall be striped for small vehicles. The minimum required size for small parking spaces shall also be the maximum size. A maximum of sixty-five percent (65%) of the parking spaces may be striped for small vehicles. A minimum of thirty-five percent (35%) of the spaces shall be striped for large vehicles.

d. The minimum vehicle clearance shall be at least six feet nine inches (6' 9y) on at least one (1) floor, and there shall be at least one (1) direct entrance from the street for all parking garages accessory to nonresidential uses and all principal use parking garages which is at least six feet nine inches (6' 9y) in height.

* * *

Section 10. Table A for Section 23.54.035 of the Seattle Municipal Code, which Section was last amended by Ordinance 118409, is further amended as follows:

23.54.035 Loading berth requirements and space standards.

A. Quantity of Loading Spaces.

* * *

Table for Section 23.54.035 A

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Animal services	Agricultural uses	<u>Assisted Living facilities</u>
Business incubator	Airport, water-based	Airport, land-based
Business support	Automotive parts or accessory sales	Cargo terminals
Car wash	Eating and drinking establishments	Commercial laundries services
Custom and craft work	Heavy commercial services except commercial laundries and construction services	Construction services
Entertainment uses	Institute for advanced study	Food processing for human consumption
Gas station	Mini-warehouse	High-impact uses
Helistop and heliport	Mortuary services	Hospitals
Institutions, except hospitals and institutes for advanced study	Passenger terminal	Manufacturing
Lodging	Personal and household retail sales and services	Outdoor storage
Marine retail sales, services	Recycling collection stations	Recycling center (separate facilities)
Medical services	Research and development laboratory	Sale of heating fuel
Offices	Sales, service and rental of equipment	Sales, service and rental of commercial equipment and construction materials

Table for Section 23.54.035 A (continued)

<u>Low Demand</u>	<u>Medium Demand</u>	<u>High Demand</u>
Personal transportation services	Transit vehicle base	Salvage yard
Sales and rental of motorized vehicles	Utilities	Warehouse
Towing services	Vehicular repair, major and minor	Wholesale showroom

* * *

Section 11. Section 23.84.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 118794, is further amended as follows:

23.84.032 "R."

* * *

"Residential use" means any one (1) of the following uses:

1. "Assisted Living facility" means a multifamily residential use licensed by the State of Washington as a Boarding Home pursuant to RCW 18.20, 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. An Assisted Living facility contains multiple Assisted Living units. An Assisted Living unit is a dwelling unit permitted only in an Assisted Living facility.

2. "Adult family home" means a residential use as defined and licensed by the State of Washington in a dwelling unit.

3. "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 (1) household.

4. "Caretaker's quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit not exceeding eight hundred (800) square feet of living area and occupied by a caretaker or watchperson.

5. "Congregate residence" means a dwelling unit in which rooms or lodging, with or without meals, are provided for nine (9) or more nontransient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.

* * *

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Jan. DeSoto

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

100156
City of Seattle, City Clerk

—ss.

No. FULL ORDINAN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 119238

was published on

12/17/98

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

R. Patterson
Subscribed and sworn to before me on

12/17/98

McClintock
Notary Public for the State of Washington,
residing in Seattle

COMMERCIAL USES: CHART A
For Section 23.47.004 (Continued)

records
by Public-
Summons by
No. 98-2-26183
in the real property de-
scribed in the complaint
for over a century the legal
of Commerce has been serving the legal
12/24/99 222

City of Seattle

ORDINANCE NO. 119238

AN ORDINANCE relating to land use and providing for Assisted Living facilities by amending Sections 23.45.004, 23.47.004, 23.49.026, 23.50.012, 23.54.015, 23.54.030, 23.54.035, and 23.84.032, and adding new Sections 23.45.082, 23.47.035, and 23.48.035.

WHEREAS, the City's Comprehensive Plan, originally adopted in 1994 and most recently amended in 1997, includes a housing goal of allowing the elderly the opportunity to remain in their own neighborhood as their housing needs change; and

WHEREAS, the City's Comprehensive Plan includes a housing policy that calls for allowing and encouraging a range of housing types for the elderly, including but not limited to independent living, various degrees of assisted living, and skilled nursing care facilities; and striving to increase opportunities for the elderly to live in ground-related housing with services nearby;

WHEREAS, the community benefits when children and older adults have opportunities to interact with one another, the City's Land Use Code should not only allow such intergenerational opportunities but encourage them; and the City Council intends to facilitate such opportunities through this amendment to the Land Use Code and through future ordinances;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Subsection A of Section 23.45.004 of the Seattle Municipal Code, which Section was last amended by Ordinance 113151, is further amended as follows:

23.45.004 PRINCIPAL USES PERMITTED OUTRIGHT.

A. The following principal uses shall be permitted outright in all multifamily zones:

1. Single-family dwelling units;
2. Multifamily structures;
3. Congregate residences;
4. Adult family homes;
5. Nursing homes;
6. Assisted Living facilities;
7. Institutions meeting all development standards;

(7)9. Major Institutions and Major Institution uses within Major Institution Overlay Districts subject to Chapter 23.69;

(8)9. Public facilities meeting all development standards;

(9)10. Existing cemeteries; and

(10)11. Public or private parks and playgrounds including customary buildings and activities.

SECTION 2. A new Section 23.45.082 is hereby added to the Seattle Municipal Code to read as follows:

23.45.082 ASSISTED LIVING FACILITIES USE AND DEVELOPMENT STANDARDS.

A. Assisted Living facilities shall be subject to the development standards of the zone in which they are located except as provided below:

1. Density. Density limits do not apply to Assisted Living facilities; and
2. Open Space. Open space requirements do not apply to Assisted Living facilities.

B. Other Requirements

1. Minimum unit size. Assisted Living

units shall be designed to meet the minimum square footage required by WAC 398-110-140.

2. Facility kitchen. There shall be provided a kitchen on-site which services the entire Assisted Living facility.

3. Communal area. Communal area (e.g., solariums, decks and porches, recreation rooms, dining rooms, living rooms, foyers and lobbies that are provided with comfortable seating, and gardens or other outdoor landscaped areas that are accessible to wheelchairs and walkers) with sufficient accommodations for socialization and meeting with friends and family shall be provided:

a. The total amount of communal area shall, at a minimum, equal twenty percent (20%) of the total floor area in Assisted Living units. In calculating the total floor area in Assisted Living units, all of the area of each of the individual units shall be counted, including counters, closets and built-ins, but excluding the bathroom;

b. No service areas, including, but not limited to, the facility kitchen, laundry, hallways and corridors, supply closets, operations and maintenance areas, staff areas and offices, and rooms used only for counseling or medical services, shall be counted toward the communal area requirement; and

c. A minimum of four hundred (400) square feet of the required communal area shall be provided outdoors, with no dimension less than ten (10) feet. A departure from the required amount or dimension of outdoor communal space may be permitted as part of the design review process, pursuant to 23.41.012A.

SECTION 3. Subsection E and Chart A of Section 23.47.004 of the Seattle Municipal Code, as last amended by Ordinance 119217, is further amended as follows:

23.47.004 PERMITTED AND PROHIBITED USES.

E. Residential Uses.

1. Residential use in single-purpose residential structures. Residential use in single-purpose residential structures is permitted as an administrative conditional use, unless:

a. the structure is located within an area in which the use is either permitted outright or prohibited, as shown on the Map 23.47.004 A; or

b. the use is a nursing home, in which case it is permitted outright, unless it is located in a Pedestrian-Designated zone, in which case the use is prohibited; or

c. the structure is located within zone which has a height limit of 85 feet or higher, in which case the use is prohibited.

2. Residential use in mixed use structures. Residential use in mixed-use developments is permitted outright in NC1, NC2, NC3 and C1 zones, provided that nursing homes are permitted in all zones except in Pedestrian-Designated zones at street level (See Section 23.47.40). Except in Pedestrian-Designated zones at street level, where the provisions of Subchapter IV of Chapter 23.47 shall apply, the street-level non-residential use portion of an Assisted Living facility in a mixed use development may include, in addition to the uses permitted in Section 23.47.032, uses associated with the Assisted Living facility, such as activity rooms, administrative offices, lounges, mail room, dining area, or lobby, provided that the non-residential portion of the development does not include private living units. All other provisions of Subchapter IV of Chapter 23.47 shall apply.

COMMERCIAL USES: CHART A

For Section 23.47.004

I. COMMERCIAL USE

A. Retail Sales and Service

1. Personal and Household Retail Sales and Services

- Multipurpose convenience stores
- General retail sales and service
- Major durables sales, service and rental
- Specialty food stores

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

NC1 NC2 NC3 C1 C2

L. Research and Development Laboratories

SALVAGE AND RECYCLING

A. Recycling Collection Station

B. Recycling Center

C. Salvage Yard

UTILITIES

A. Utility Service Uses

B. Major Communication Utilities

C. Minor Communication Utilities

D. Solid Waste Transfer Station

E. Power Plants

F. Sewage Treatment Plants

G. Solid Waste Incineration Facility

H. Solid Waste Landfill

MANUFACTURING

A. Light Manufacturing

B. General Manufacturing

C. Heavy Manufacturing

HIGH IMPACT USES

INSTITUTIONS

A. Institute for Advanced Study

B. Private Club

C. Child Care Center

D. Museum

E. School, Elementary or Secondary

F. College

G. Community Center

H. Community Club

I. Vocational or Fine Arts School

J. Hospital

K. Religious Facility

L. University

M. Major Institutions within a Major Institution Overlay District subject to Chapter 23.69

PUBLIC FACILITIES

A. Jails

B. Work-Release Centers

PARK AND POOL/RIDE LOT

A. Park and Pool Lots

B. Park and Ride Lots

RESIDENTIAL

A. Single-Family Dwelling Units

B. Multi-Family Structures

C. Congregate Residences

D. Floating Homes

E. Mobile Home Park

F. Artist Studio/Dwelling

G. Caretaker's Quarters

H. Adult Family Homes

I. Home Occupations

J. Nursing Homes

K. Assisted Living Facilities

OPEN SPACE

A. Parks

B. Playgrounds

AGRICULTURAL USES

A. Animal Husbandry

B. Horticultural Uses

C. Aquaculture

F. Permitted

X. Prohibited

CU. Administrative Conditional Use

CCU. Council Conditional Use

S. Permitted only in the Shoreline District, when permitted by the Seattle Shoreline Master Program

1. Medical service uses over ten thousand (10,000) square feet, within two thousand five hundred (2,500) feet of a medical facility within District boundaries, shall require administrative conditional use approval, unless included in an adopted Major Institution Master Plan or located in a downtown zone. See Section 23.47.006.

2. The keeping of animals for other than business purposes shall be regulated by Section 23.47.016.

3. In existing structures only.

4. Outdoor participant sports and recreation uses are permitted at the Seattle Center.

5. Outdoor storage is permitted at the Seattle Center, subject to the provisions of Section 23.47.011.