

Ordinance No. 119971

PC

Council Bill No. 113162

The City of Seattle  
Council Bill/Ordinance

AN ORDINANCE relating to land use, amending Sections 23.60.844 and 23.60.848 of the Seattle Municipal Code to prohibit eating and drinking establishments and mini-warehouses in the Urban Industrial environment of the Shoreline District.

4/25/00 pass  
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CF No. \_\_\_\_\_

Date Introduced:	<u>APR 17 2000</u>	
Date 1st Referred:	To: (committee)	<u>Neighborhoods, Sustainability &amp; Community Development</u>
	<u>APR 17 2000</u>	
Date Re - Referred:	To: (committee)	<u>Committee</u>
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>6-12-00</u>	<u>9-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>6-13-00</u>	<u>6/16/00</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
<u>6/16/00</u>	<u>3/1/00</u>	
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

6-12-00 Pass

This file is complete and ready

*Law Department*

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: CONLIN  
Councilmember

**Committee Action:**

4/25/00 passed unanimously 9-0 amended 4-0

Conlin yes  
Licata yes  
Nicastro yes  
Torago yes

(E)  
(A)

6-12-00 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

*Law Department*

Law Dept. Review

OMP  
Review

City Clerk  
Review

Electronic  
Copy Loaded

Indexed

ORDINANCE 119971

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4 AN ORDINANCE relating to land use, amending Sections 23.60.844 and 23.60.848 of the  
5 Seattle Municipal Code to prohibit eating and drinking establishments and mini-  
6 warehouses in the Urban Industrial environment of the Shoreline District.

7  
8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9  
10 Section 1. Section 23.60.844 of the Seattle Municipal Code (SMC), which  
11 Section was last amended by Ordinance 117893, is hereby amended as follows:

12  
13 SMC 23.60.844 Conditional uses on waterfront lots in the UI Environment.

14  
15 The following uses may be authorized on waterfront lots in the UI Environment by  
16 the Director, with the concurrence of DOE, as either principal or accessory uses if the  
17 criteria for conditional uses in WAC 173-27-160 are satisfied:

18 A. Yacht, boat or beach clubs which do not have eating and drinking  
19 establishments and recreational marinas when:

20 1. a. Not located where frequent interference with the turning  
21 basins or navigational areas of large vessels or other conflict with shipping is likely to occur,  
22 and

23 b. Not located where likely to conflict with manufacturing uses  
24 because of dust, noise or other environmental factors, or parking and loading access  
25 requirements or other safety factors, and

26 2. If located outside the Duwamish area, the yacht, boat or beach club or  
27 marina is located on a lot not suitable for a water-dependent or water-related manufacturing  
28 use, or for permitted water-dependent commercial uses because of:

29 a. Shallow water depth, or  
30 b. An inadequate amount of dry land; provided((=:)) that  
31 yacht, boat or beach clubs may have non-water-dependent facilities over water only when:

32 (1). The dry-land portion of the lot is less than fifty (50)  
33 feet in depth, and

34 (2). The location of such facilities on the dry-land portion  
35 of the lot is not feasible.

36 B. Non-water-dependent Commercial Uses.

37 1. The following non-water-dependent commercial uses when meeting  
38 the criteria of subsection B2:

39 a. Sale of boat parts or accessories;  
40 b. Personal and household retail sales and services;  
41 c. Eating and drinking establishments in the Ballard Interbay

42 Northend Manufacturing/Industrial Center;

43 d. Nonhousehold sales and services except commercial laundries;

44 e. Offices;

45 f. Mini warehouse in the Ballard Interbay Northend

46 Manufacturing/Industrial Center; and

47 g. Food processing and craft work.  
48

- 1                   2.     The uses listed in subsection B1 are permitted when:  
2                   a.     The total of non-water-dependent commercial uses occupy no  
3 more than ten (10) percent of the dry-land portion of the lot; and  
4                   b.     The non-water-dependent commercial uses are located to  
5 accommodate any water-dependent or water-related uses on the lot.  
6                   3.     The uses identified in subsection B1 may be relocated on a lot  
7 provided the requirements of subsection B2 are met.  
8

9                   **Section 2.**     Section 23.60.848 of the SMC, which Section was last amended by  
10 Ordinance 118663, is hereby amended as follows:  
11

12                   **SMC 23.60.848 Principal uses prohibited on waterfront lots in the UI Environment.**  
13

14                   The following principal uses are prohibited on waterfront lots in the UI  
15 Environment:

- 16                   A.     Residential uses;  
17                   B.     The following commercial uses:  
18                   1.     Medical services,  
19                   2.     Animal services,  
20                   3.     Automotive retail sales and service,  
21                   4.     Parking, principal use,  
22                   5.     Lodging,  
23                   6.     Mortuary services,  
24                   7.     Heavy commercial services,  
25                   8.     Entertainment uses,  
26                   9.     Personal transportation services,  
27                   10.    Passenger terminal, non-water-dependent,  
28                   11.    Cargo terminal, non-water-dependent,  
29                   12.    Transit vehicle bases,  
30                   13.    Helistops, and  
31                   14.    Heliports,  
32                   15.    Mini-warehouses in the Duwamish Manufacturing/Industrial Center,  
33                   and  
34                   16.    Eating and drinking establishments in the Duwamish  
35                   Manufacturing/Industrial Center;  
36                   C.     Salvage and recycling uses, non-water-dependent;  
37                   D.     The following utilities:  
38                   1.     Communication utilities,  
39                   2.     Solid waste transfer stations, non-water-dependent,  
40                   3.     Power plants, and  
41                   4.     Sewage treatment plants, located outside of the Duwamish area;  
42                   E.     High-impact uses, non-water-dependent;  
43                   F.     All institutional uses except shoreline recreation facilities of colleges and  
44 universities and boat and yacht clubs without eating and drinking facilities;  
45                   G.     Public facilities not authorized by Section 23.60.854 and those that are non-  
46 water-dependent or non-water-related;  
47                   H.     Agricultural uses except aquaculture;  
48                   I.     All open space uses except shoreline recreation; and

1 J. Groins and similar structures which block the flow of sand to adjacent  
2 beaches, except for drift sills or other structures which are part of a natural beach protection  
3 system.  
4

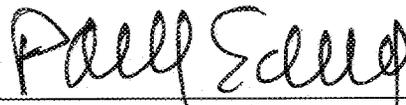
5 **Section 3.** The provisions of this ordinance are declared to be separate and  
6 severable. The invalidity of any particular provisions shall not affect the validity of any  
7 other provision.  
8

9 **Section 4.** This ordinance shall take effect and be in force on whichever is the  
10 later of: the effective date of approval and adoption by the Department of Ecology; or thirty  
11 (30) days from and after its approval by the Mayor, but if not approved and returned by the  
12 Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal  
13 Code Section 1.04.020.  
14

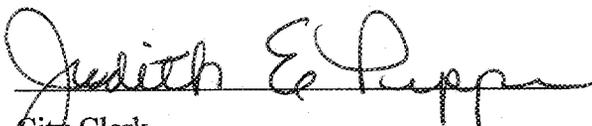
15 Passed by the City Council the 12<sup>th</sup> day of June, 2000, and signed by  
16 me in open session in authentication of its passage this 12<sup>th</sup> day of June,  
17 2000.

18   
19 \_\_\_\_\_  
20 President of the City Council

21 Approved by me this 16<sup>th</sup> day of JUNE, 2000.

22   
23 \_\_\_\_\_  
24 Paul Schell, Mayor

25  
26 Filed by me this 16<sup>th</sup> day of June, 2000.

27   
28 \_\_\_\_\_  
29 City Clerk

30 (SEAL)  
31





# City of Seattle

Paul Schell, Mayor

## Department of Design, Construction and Land Use

R. F. Krochalis, Director

### MEMORANDUM

**TO:** City Council President Margaret Pageler  
via Law Department

**FROM:** Rick Krochalis, Director *RKS for RKK*

**DATE:** March 29, 2000

**SUBJECT:** Implementation of Greater Duwamish Manufacturing/Industrial Center Plan;  
Rezone and Creation of Stadium Transition Area Overlay District; Urban  
Industrial Environment/Shoreline Amendment

#### Transmittal

With this memorandum we are transmitting for City Council consideration three ordinances. These ordinances amend the Land Use Code to implement the Greater Duwamish Manufacturing/Industrial Center Plan.

#### Background

Pursuant to the neighborhood planning element of the City's Comprehensive Plan, a plan was developed by the Greater Duwamish Planning Committee for the Duwamish Manufacturing/Industrial Center. These amendments implement the intent of the Duwamish Manufacturing/Industrial Plan. The amendments also respond to public comment received on earlier versions of these proposed amendments at two public hearings, on September 23, 1999 and on February 16, 2000.

If adopted, the ordinances would amend the Land Use Code as follows:

- 1) Imposing new restrictions or further restrictions, including size limits, on uses in IG1 (Industrial General 1) and IG2 (Industrial General 2) zones within the Duwamish Manufacturing/Industrial Centers.
- 2) Rezoning an area around the stadia to encourage development of uses complementary to sports facilities, create a safe pedestrian environment for those attending events and concentrate development in this relatively small area so as to minimize conflicts with industrial uses. Specific development standards, size and FAR limits and design guidelines accomplish these purposes.
- 3) Amending the Urban Industrial Shoreline Environment to prohibit restaurants, brewpubs, taverns and mini-warehouses, which are currently conditional uses.



## **SEPA Environmental Review Determination**

The Strategic Planning Office conducted SEPA review of the proposed amendments and issued a Determination of Non-Significance. The decision was not appealed.

## **Public Hearing Scheduled**

The draft ordinance will be discussed by the Seattle City Council Neighborhoods, Sustainability and Community Development Committee. The Committee's discussion and vote is scheduled for Tuesday, April 11, 2000, at 2:00 p.m. in the City Council Chamber, 11th Floor of the Municipal Building, 600 Fourth Avenue.

## **Non-Financial Legislation**

The proposed legislation has no financial implications.

If you have any questions about the proposed legislation, please contact Kristian Kofoed by email at [kristian.kofoed@ci.seattle.wa.us](mailto:kristian.kofoed@ci.seattle.wa.us) or by phone at (206) 233-7191.



## ORDINANCE

1  
2  
3  
4 AN ORDINANCE relating to land use, amending Sections 23.60.844 and 23.60.848 of the  
5 Seattle Municipal Code to prohibit eating and drinking establishments and mini-  
6 warehouses in the Urban Industrial environment of the Shoreline District.

7  
8 NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS  
9 FOLLOWS:

10  
11 Section 1. Section 23.60.844 of the Seattle Municipal Code (SMC), which  
12 Section was last amended by Ordinance 117893, is hereby amended as follows:

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14 SMC 23.60.844 Conditional uses on waterfront lots in the UI Environment.

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16 The following uses may be authorized on waterfront lots in the UI Environment by  
17 the Director, with the concurrence of DOE, as either principal or accessory uses if the  
18 criteria for conditional uses in WAC 173-27-160 are satisfied:

19 A. Yacht, boat or beach clubs which do not have eating and drinking  
20 establishments and recreational marinas when:

21 1. a. Not located where frequent interference with the turning  
22 basins or navigational areas of large vessels or other conflict with shipping is likely to occur,  
23 and

24 b. Not located where likely to conflict with manufacturing uses  
25 because of dust, noise or other environmental factors, or parking and loading access  
26 requirements or other safety factors, and

27 2. If located outside the Duwamish area, the yacht, boat or beach club or  
28 marina is located on a lot not suitable for a water-dependent or water-related manufacturing  
29 use, or for permitted water-dependent commercial uses because of:

30 a. Shallow water depth, or  
31 b. An inadequate amount of dry land; provided((:)) that  
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33 (1). The dry-land portion of the lot is less than fifty (50)  
34 feet in depth, and

35 (2). The location of such facilities on the dry-land portion  
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37 B. Non-water-dependent Commercial Uses.

38 1. The following non-water-dependent commercial uses when meeting  
39 the criteria of subsection B2:

40 a. Sale of boat parts or accessories;

41 b. Personal and household retail sales and services;  
42 ((e Eating and drinking establishments;))

43 c.((d)). Nonhousehold sales and services except commercial  
44 laundries;

45 d.((e)). Offices; and

46 ((f. Mini-warehouse; and ))

47 e. ((g)). Food processing and craft work.  
48

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3 more than ten (10) percent of the dry-land portion of the lot; and  
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25                   7.     Heavy commercial services,  
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31                   13.    Helistops, and  
32                   14.    Heliports,  
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34                   16.    Eating and drinking establishments;  
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43 universities and boat and yacht clubs without eating and drinking facilities;  
44                   G.     Public facilities not authorized by Section 23.60.854 and those that are non-  
45 water-dependent or non-water-related;  
46                   H.     Agricultural uses except aquaculture;  
                  I.     All open space uses except shoreline recreation; and

1 J. Groins and similar structures which block the flow of sand to adjacent  
2 beaches, except for drift sills or other structures which are part of a natural beach protection  
3 system.  
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5 Section 3. The provisions of this ordinance are declared to be separate and  
6 severable. The invalidity of any particular provisions shall not affect the validity of any  
7 other provision.  
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9 Section 4. This ordinance shall take effect and be in force on whichever is the  
10 later of: the effective date of approval and adoption by the Department of Ecology; or thirty  
11 (30) days from and after its approval by the Mayor, but if not approved and returned by the  
12 Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal  
13 Code Section 1.04.020.  
14

15 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2000, and signed by  
16 me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_,  
17 2000.

18 \_\_\_\_\_  
19 President of the City Council

20  
21 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2000.

22  
23 \_\_\_\_\_  
24 Paul Schell, Mayor

25  
26 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

27  
28 \_\_\_\_\_  
29 City Clerk

30 (SEAL)  
31

**From:** Joyce Kling  
**To:** Margaret Carter  
**Date:** Wed, Apr 12, 2000 12:32 PM  
**Subject:** Titles I sent earlier

Jackets and ordinances have been prepared for the shorelines and rezone ordinances (the last two titles I sent you). You'll get them soon. The other two are close to done. JK



**From:** Joyce Kling  
**To:** Margaret Carter  
**Date:** Wed, Apr 12, 2000 12:16 PM  
**Subject:** Document4

The other two titles for Monday's referral calendar. JK



**AN ORDINANCE** relating to land use, amending Plat 43E, page 115, Plat 44W, page 116, Plat 50E, page 129, and Plat 51W, page 130 of the Official Land Use Map, Seattle Municipal Code Section 23.32.016, to rezone property generally bounded by Alaskan Way South, Railroad Way South, First Avenue South, South Royal Brougham Way, Fourth Avenue South, South Holgate Street, and Utah Avenue South, and implementing a rezone recommendation of the Greater Duwamish Manufacturing/Industrial Center Plan.

**AN ORDINANCE** relating to land use, amending Sections 23.60.844 and 23.60.848 of the Seattle Municipal Code to prohibit eating and drinking establishments and mini-warehouses in the Urban Industrial environment of the Shoreline District.



**AN ORDINANCE** relating to land use, amending Plat 43E, page 115, Plat 44W, page 116, Plat 50E, page 129, and Plat 51W, page 130 of the Official Land Use Map, Seattle Municipal Code Section 23.32.016, to rezone property generally bounded by Alaskan Way South, Railroad Way South, First Avenue South, South Royal Brougham Way, Fourth Avenue South, South Holgate Street, and Utah Avenue South, and implementing a rezone recommendation of the Greater Duwamish Manufacturing/Industrial Center Plan.

**AN ORDINANCE** relating to land use, amending Sections 23.60.844 and 23.60.848 of the Seattle Municipal Code to prohibit eating and drinking establishments and mini-warehouses in the Urban Industrial environment of the Shoreline District.

CB 113162

By: Conluri

TO:

Neighborhoods,  
Sustainability &  
Community Development  
Committee

STATE OF WASHINGTON - KING COUNTY

119865  
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:119971 ORD IN FUL

was published on

06/29/00

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

*[Handwritten signature]*

Subscribed and sworn to before me on

06/29/00

*[Handwritten signature]*

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 119971

AN ORDINANCE relating to land use, amending Sections 23.60.844 and 23.60.848 of the Seattle Municipal Code to prohibit eating and drinking establishments and mini-warehouses in the Urban Industrial environment of the Shoreline District.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Section 23.60.844 of the Seattle Municipal Code (SMC), which Section was last amended by Ordinance 117893, is hereby amended as follows:

### SMC 23.60.844. CONDITIONAL USES ON WATERFRONT LOTS IN THE UI ENVIRONMENT.

The following uses may be authorized on waterfront lots in the UI Environment by the Director, with the concurrence of DOE, as either principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

A. Yacht, boat or beach clubs which do not have eating and drinking establishments and recreational marinas when:

1. a. Not located where frequent interference with the turning basins or navigational areas of large vessels or other conflict with shipping is likely to occur, and

b. Not located where likely to conflict with manufacturing uses because of dust, noise or other environmental factors, or parking and loading access requirements or other safety factors, and

2. If located outside the Duwamish area, the yacht, boat or beach club or marina is located on a lot not suitable for a water-dependent or water-related manufacturing use, or for permitted water-dependent commercial uses because of

a. Shallow water depth, or  
b. An inadequate amount of dry land, provided that yacht, boat or beach clubs may have non-water-dependent facilities over water only when:

(1) The dry land portion of the lot is less than fifty (50) feet in depth, and

(2) The location of such facilities on the dry land portion of the lot is not feasible.

B. Non-water-dependent Commercial Uses.

1. The following non-water-dependent commercial uses when meeting the criteria of subsection B2:

a. Sale of boat parts or accessories,  
b. Personal and household retail sales and services,

c. Eating and drinking establishments in the Ballard Interbay Northend Manufacturing/Industrial Center,

d. Nonhousehold sales and services except commercial laundries,

e. Offices,

f. Mini warehouse in the Ballard Interbay Northend Manufacturing/Industrial Center, and

g. Food processing and craft work.

2. The uses listed in subsection B1 are

ch are part of a natural beach protection system.

SECTION 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provisions shall not affect the validity of any other provision.

SECTION 4. This ordinance shall take effect and be in force on whichever is the later of the effective date of approval and adoption by the Department of Ecology, or 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 12th day of June, 2000, and signed by me in open session in authentication of its passage this 12th day of June, 2000.

MARGARET PAGELER,  
President of the City Council.  
Approved by me this 16th day of June, 2000.

PAUL SCHELL,  
Mayor.  
Filed by me this 16th day of June, 2000.  
(Seal) JUDITH E. PIPPIN,  
City Clerk.  
Publication ordered by JUDITH PIPPIN,  
City Clerk.

(**Boldface denotes deletion.**)

Date of official publication in Daily Journal of Commerce, Seattle, June 29, 2000. 6/29(119971CI)