

Ordinance No. 121145

Council Bill No. 114501

The City of Seattle
Council Bill/Ordinance

An ordinance relating to land use and zoning; amending Seattle Municipal Code Sections 23.45.110, 23.46.004, 23.47.001, 23.47.006, 23.47.010, 23.47.028, 23.47.042, 23.48.008, 23.50.014, 23.50.027, 23.53.020, 23.53.030, 23.54.015, 23.66.234, 23.72.008, 23.84.004, 23.84.010, 23.84.012, 23.84.030, 23.84.038, to amend the City's land use regulations relating to eating and drinking establishments.

5/6/03 Pass 3-0

5-12-03 Passed

CF No. _____

Date Introduced: <u>MAR 10 2003</u>		
Date 1st Referred: <u>MAR 10 2003</u>	To: (committee) <u>Land Use Committee</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>5-12-03</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>5-13-03</u>	Date Approved: <u>5/20/03</u>	
Date Returned to City Clerk: <u>5/20/03</u>	Date Published: <u>60 PAP</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

9

NICASTRO

Councilmember

Committee Action:

5/6/03 Pass 3-0 (UN RC, MP)

5-12-03 Passed 9-0

This file is complete and ready for presentation to Full Council.

Committee:

(Initial/Date)

Law Department

Handwritten notes:
5/12/03
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Review

Law Dept. Review

OMP Review

City Clerk Review

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Indexed

Section 3. Chart A of Section 23.47.004 of the Seattle Municipal Code, which section was last amended by Ordinance 120661, is amended as follows:

COMMERCIAL USES: CHART A
For Section 23.47.004

	NC1	NC2	ZONES		
			NC3	C1	C2
I. COMMERCIAL USE					
A. Retail Sales and Services					
1. Personal and Household Retail Sales and Services					
- Multi-purpose 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/CU ¹				
3. Animal Services²					
- Animal health services	P	P	P	P	P
- Kennels	X	X	X	X	P
- Animal shelters	X	X	X	X	X
- Pet grooming services	P	P	P	P	P
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



COMMERCIAL USES: CHART A
 For Section 23.47.004 (Continued)

	NC1	NC2	ZONES NC3	C1	C2
- 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 restaurant (750 sq. ft. and under)))	((P))	((P))	((P))	((P))	((P))
- Restaurants with drive-in lanes	X	X	CU	P	P
((-Fast food restaurant (over 750 sq. ft.)))	((CU))	((CU))	((CU))	((CU))	((CU))
((-Tavern))Drinking Establishment	CU	CU	P	P	P
((-Brewpub))	((CU))	((CU))	((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
8. Mortuary services					
	X	P	P	P	P
9. Existing cemeteries ¹⁴					
	P	P	P	P	P

Section 4. Subsection B of Section 23.47.006 of the Seattle Municipal Code which section was last amended by Ordinance 120691, is amended as follows:

23.47.006 Conditional Uses



1 B. The following uses, identified as administrative conditional uses on Chart A of
2 Section 23.47.004, may be permitted by the Director when the provisions of this subsection and
3 subsection A are met:

4 1. ~~((Fast food restaurants))~~Restaurants that ~~((which have a gross floor area~~
5 ~~greater than seven hundred fifty (750) square feet are identified as heavy traffic generators and))~~
6 include drive-in lanes may be permitted in NC3 zones as a conditional use according to the
7 following criteria:
8

9 a. The design of the structure, including architectural treatment, signage,
10 landscaping and lighting, is compatible with other structures in the vicinity; and
11

12 b. Appropriate litter-control measures are provided; and

13 c. The applicant, if required by the Director, prepares an analysis of
14 traffic, circulation and parking impacts, and demonstrates that the use does not:

15 (1) Cause significant additional traffic to circulate through
16 adjacent residential neighborhoods, or

17 (2) Disrupt the pedestrian character of an area by significantly
18 increasing the potential for pedestrian-vehicle conflicts, or

19 (3) Create traffic or access problems which will require the
20 expenditure of City funds to mitigate, or

21 (4) Interfere with peak-hour transit operations, by causing auto
22 traffic to cross a designated high-occupancy vehicle lane adjacent to the lot, or

23 (5) Cause cars waiting to use the facility to queue across the
24 sidewalk or onto the street, or
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1 (6) Interrupt established retail or service frontage designed to
2 serve pedestrians;

3 ((d. In addition to the criteria in subsections B1a, B1b and B1c, in
4 pedestrian designated zones, the use shall not:

5 (1) Include a drive in facility, or

6 (2) Provide any accessory parking, or

7 (3) Attract a significant number of customers who drive to the
8 pedestrian district for the primary purpose of patronizing the business. This shall be determined
9 by a transportation analysis of travel modes and patterns of customers of similar businesses in
10 the same or similar commercial areas, which shall be prepared by a traffic consultant retained by
11 the applicant;))

12 ((e.))d. ((Fast food restaurants which))Restaurants that are drive-in
13 businesses shall also comply with the provisions of Section 23.47.028, standards for drive-in
14 businesses.

15 2. ((Taverns and brewpubs))Drinking establishments in NC1 and NC2 zones may
16 be permitted as conditional uses. A ((tavern or brewpub)) drinking establishment in an NC1 or
17 NC2 zone shall be evaluated according to the following criteria:

18 a. The size of the ((tavern or brewpub)) drinking establishment, design of
19 the structure, signing and illumination, shall be compatible with the character of the commercial
20 area and other structures in the vicinity, particularly in areas where a distinct and definite pattern
21 or style has been established.

22 b. The location, access and design of parking shall be compatible with
23 adjacent residential zones.
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1 c. Special consideration shall be given to the location and design of the
2 doors and windows of (~~taverns and brewpubs~~) drinking establishments to ensure that noise
3 standards will not be exceeded. The Director may require additional setbacks and/or restrict
4 openings on lots which abut residential zones.

5
6 d. (~~Taverns and brewpubs~~) Drinking establishments shall not generate
7 traffic which creates traffic congestion or further aggravates spillover parking on residential
8 streets.

9
10 3. Park-and-ride lots in NC3, C1 and C2 zones may be permitted as conditional uses.

11 a. Conditional Use Criteria.

12
13 (1) The park-and-ride lot shall have direct vehicular access to a
14 designated arterial improved to City standards.

15
16 (2) If the proposed park-and-ride lot is located on a lot containing
17 accessory parking for other uses, there shall be no substantial conflict in the principal operating
18 hours of the park- and-ride lot and the other uses.

19
20 b. Mitigating Measures. Landscaping and screening in addition to that
21 required for surface parking areas, noise mitigation, vehicular access controls, signage
22 restrictions, and other measures may be required to provide comfort and safety for pedestrians
23 and bicyclists and to insure the compatibility of the park-and-ride lot with the surrounding area.

24
25 4. Single-purpose residential structures may be permitted outright, permitted as
26 an administrative conditional use or prohibited as provided by Section 23.47.004 E. In order to
27 conserve the limited amount of commercially zoned land for commercial uses, single-purpose
28



1 residential structures shall generally not be allowed in commercial zones. However, additions to,
2 or on-site accessory structures for, existing single-family structures are permitted outright.

3 Where single-purpose residential structures may be permitted as an administrative conditional
4 use, such a permit may be granted only when the following circumstances exist:

5
6 a. Due to location or parcel size, the proposed site is not suited for
7 commercial development; or

8
9 b. There is substantial excess supply of land available for commercial use
10 near the proposed site, evidenced by such conditions as a lack of commercial activity in existing
11 commercial structures for a sustained period, commercial structures in disrepair, and vacant or
12 underused commercially zoned land; provided that single-purpose residential development shall
13 not interrupt an established commercial street front. As used in this subsection, an "established
14 commercial street front" may be intersected by streets or alleys, and some lots with no current
15 commercial use.
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18 5. Residential Uses in C2 Zones.

19
20 a. In order to conserve the limited amount of commercially zoned land
21 for commercial uses, residential uses in single-purpose or mixed-use structures shall generally
22 not be allowed in C2 zones. However, additions to, or on-site accessory structures for, existing
23 single-family structures shall be permitted outright. Residential uses in single-purpose or mixed-
24 use structures may be permitted in C2 zones as administrative conditional uses according to the
25 following criteria:
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1 (1) Availability of Suitable Land for C2 Activities. Residential
2 uses shall generally be discouraged in areas which have limited vacant land and where, due to
3 terrain and large parcel size, land is particularly suitable for commercial rather than residential
4 development.

5
6 (2) Relationship to Transportation Systems. Residential uses shall
7 generally be discouraged in areas with direct access to major transportation systems such as
8 freeways, state routes and freight rail lines.

9
10 (3) Compatibility With Surrounding Areas. Residential uses shall
11 not be allowed in close proximity to industrial areas and/or in areas where nonresidential uses
12 may create a nuisance or adversely affect the desirability of the area for living purposes.

13
14 b. Residential uses required to obtain a shoreline conditional use shall
15 not be required to obtain an administrative conditional use.

16
17 6. Development of a medical service use over ten thousand (10,000) square feet,
18 outside but within two thousand five hundred (2,500) feet of a medical Major Institution overlay
19 district boundary, shall be subject to administrative conditional use approval, unless included in
20 an adopted master plan. In making a determination whether to approve or deny a medical service
21 use, the Director shall determine whether an adequate supply of commercially zoned land for
22 businesses serving neighborhood residents will continue to exist. The following factors shall be
23 used in making this determination:
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1 a. Whether the amount of medical service use development existing and
 2 proposed in the vicinity would reduce the current viability or significantly impact the longer-
 3 term potential of the neighborhood-serving character of the commercial area; and

4
 5 b. Whether medical service use development would displace existing
 6 neighborhood-serving commercial uses at street level or disrupt a continuous commercial street
 7 front, particularly of retail and personal services uses, or significantly detract from an area's
 8 overall neighborhood-serving commercial character.

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11 Section 5. Chart B of Section 23.47.010 of the Seattle Municipal Code, which section
 12 was last amended by Ordinance 119239, is amended as follows:

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CHART B					
For Section 23.47.010					
Nonresidential Uses Subject to Maximum Size Limit	ZONE				
	NC1*	NC2*¹	NC3*¹	C1	C2
Nonresidential uses including institutions and public facilities unless otherwise specified	4,000 sq. ft.	15,000 sq. ft.	N.M.S.L.	N.M.S.L. 35,000 sq. ft. ²	N.M.S.L. 35,000 sq. ft. ²
Medical services	10,000 sq. ft.	15,000 sq. ft.	N.M.S.L.	N.M.S.L.	N.M.S.L.
Multi-purpose convenience store	10,000 sq. ft.	50,000 sq. ft.	N.M.S.L.	N.M.S.L.	N.M.S.L.
Food processing and craft work	4,000 sq. ft.	5,000 sq. ft.	10,000 sq. ft.	N.M.S.L.	N.M.S.L.
Light manufacturing	X	5,000 sq. ft.	10,000 sq. ft.	N.M.S.L.	N.M.S.L.

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1	((Fast-food restaurant ²))	((750-sq.-ft.))	((750-sq.-ft.))	((750-sq.-ft.))	((750-sq.-ft.))	((750-sq.-ft.))
2						
3	Fuel sales	4,000 sq. ft.	8,000 sq. ft.	N.M.S.L.	N.M.S.L.	N.M.S.L.
4	Sales, service and rental of commercial equipment and construction materials	X	X	25,000 sq. ft.	N.M.S.L.	N.M.S.L.
5	Passenger terminals					
6						
7						
8	Indoor participant sports and recreation	4,000 sq. ft.	15,000 sq. ft.	25,000 sq. ft. ³	N.M.S.L.	N.M.S.L.
9						
10	General manufacturing	X	X	X	15,000 sq. ft.	N.M.S.L.
11						
12	Wholesale showroom warehouse	X	X	15,000 sq. ft.	25,000 sq. ft.	N.M.S.L.
13						
14	Mini-warehouses	X	X	15,000 sq. ft.	40,000 sq. ft.	N.M.S.L.
15	Public schools	N.M.S.L.	N.M.S.L.	N.M.S.L.	N.M.S.L.	N.M.S.L.
16	<hr/>					
17	N.M.S.L.	- No Maximum Size Limitations.				
18	*	- Increases in maximum size limits may be allowed for operating business establishments according to provisions of subsection G.				
19	X	- Does not apply, use not permitted in zone.				
20	¹	- Maximum size for all nonresidential uses in NC2/R and NC3/R is described in Section 23.47.010 A2.				
21	²	Fast food restaurants larger than seven hundred fifty (750) square feet are conditional uses-))				
22	²	- At the Seattle Center, maximum size limit does not apply.				
23	³	- No maximum size limitation for nonresidential uses except office uses in C1 and C2 zones shall be limited to the size of the lot area or thirty-five thousand (35,000) square feet, whichever is greater. Office uses in C1 and C2 zones may be exempt from this limit if the structure meets specified standards for NC zones as listed in Section 23.47.010A3.				

Section 6. Subsection A of Section 23.47.028 of the Seattle Municipal Code, which section was last amended by Ordinance 120611, is amended as follows:



23.47.028 Standards for drive-in businesses.

A. Number of Drive-in Lanes Permitted.

1. Zones Designated NC2/R and NC3/R. Drive-in businesses are prohibited in zones designated NC2/R and NC3/R.

2. NC1 Zones. Gas stations shall be limited to a maximum of four (4) drive-in lanes. Other drive-in businesses are prohibited.

3. NC2 Zones. Restaurants with drive-in lanes are prohibited. All other drive-in businesses in NC2 zones shall be limited to a maximum of two (2) drive-in lanes, except gas stations which shall be allowed a maximum of four (4) drive-in lanes.

4. NC3 Zones. All drive-in businesses in NC3 zones shall be limited to a maximum of four (4) drive-in lanes, except gas stations which shall have no restrictions on the number of drive-in lanes. Restaurants with drive-in lanes are subject to conditional use approval pursuant to Section 23.47.006.

5. C1 and C2 Zones. There shall be no restriction on the number of drive-in lanes in C1 and C2 zones.

Section 7. Section 23.47.042 of the Seattle Municipal Code, which section was last amended by Ordinance 120609, is amended as follows:

23.47.042 Uses in Pedestrian-designated zones.

~~((B. Fast food restaurants up to twenty five hundred (2,500) square feet in size which provide indoor dining areas and do not provide off street parking shall be permitted outright. All~~



1 ~~other heavy traffic generators may be permitted as a conditional use, subject to the provisions of~~
2 ~~Section 23.47.006.)~~

3 ((C))B. Drive-in businesses, including gas stations, are prohibited in pedestrian-
4 designated zones.

5 ((D))C. Street-level Uses Required.

6
7 1. Street-level uses shall be required along the principal pedestrian street
8 front, except as provided in subsection D4, and shall be limited to the following retail sales and
9 service and office uses if permitted in the underlying commercial zone:

- 10 a. Personal and household retail sales and service uses;
11 b. Eating and drinking establishments;
12 c. Customer service offices;
13 d. Entertainment uses;
14 e. Pet grooming services;
15 f. Public library.

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18 2. A minimum of eighty (80) percent of each street frontage to which street-
19 level use requirements apply shall be occupied by uses listed in subsection D1. The remaining
20 twenty (20) percent of the street frontage may contain other permitted uses and/or pedestrian
21 entrances (Exhibit 23.47.042 A).

22
23 3. Required street-level uses shall be set back no more than ten (10) feet
24 from the street property line and shall occupy at least the first ten (10) feet above sidewalk
25 grade.

26
27 4. Street-level use requirements shall not apply to public school
28 development along principal pedestrian streets.

1
2 Section 8. Subsection B of Section 23.48.008 of the Seattle Municipal Code, which
3 section was last amended by Ordinance 118302, is amended as follows:

4 **23.48.008 Conditional uses.**

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7 B. The following uses may be permitted by the Director as administrative conditional
8 uses when the provisions of this subsection and subsection A are met:

9 1. Mini-warehouses and Warehouses. The Director may authorize mini-
10 warehouses or warehouses if:

11 a. The mini-warehouse or warehouse, at the street level, fronts only on an
12 east/west oriented Class II Pedestrian Street, as depicted on Map B, or an alley; and

13 b. Vehicular entrances, including those for loading operations, will not
14 disrupt traffic or transit routes; and

15 c. The traffic generated will not disrupt the pedestrian character of an
16 area by significantly increasing the potential for pedestrian-vehicle conflicts on Class I
17 Pedestrian Streets or north/south oriented Class II Pedestrian Streets.
18

19 ~~((2. Fast food Restaurants which Have a Gross Floor Area Greater than Seven
20 Hundred fifty Square Feet. The Director may authorize such fast food restaurants if:~~

21 ~~a. The use does not include a drive in facility; and~~

22 ~~b. Appropriate litter control measures are provided; and~~

23 ~~c. The applicant, if required by the Director, prepares an analysis of
24 traffic, circulation and parking impacts, and demonstrates that the use does not:
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1 b. Artist's studio/dwellings shall not be allowed in areas where existing
2 industrial uses may cause environmental or safety problems;

3 c. Artist's studio/dwellings shall not be located where they may restrict or
4 disrupt industrial activity;

5 d. The nature of the artist's work shall be such that there is a genuine
6 need for the space; and

7 e. The owner(s) of a building seeking a conditional use for artist's
8 studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable
9 to the Director, that acknowledges that the owner(s) and occupants of the building accept the
10 industrial character of the neighborhood and agree that existing or permitted industrial uses do
11 not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and
12 equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns,
13 including any lessees of the artist's studio/dwellings.
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18 2. Park-and-pool lots in IG1 and IG2 zones in the Duwamish
19 Manufacturing/Industrial Center, and park-and-ride lots in General Industrial 1 (IG1), General
20 Industrial 2 (IG2), Industrial Buffer (IB) and Industrial Commercial (IC) zones may be permitted
21 as a conditional use according to the following criteria:
22

23 a. The lot shall not create conflict with industrial activity by causing
24 significant additional traffic to circulate through the area;

25 b. The lot has direct vehicular access to a designated arterial improved to
26 City standards;
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1 c. The lot shall be located on an existing parking area unless no
2 reasonable alternative exists;

3 d. If the proposed lot is located on a lot containing accessory parking for
4 other uses, there shall be no substantial conflict in the principal operating hours of the lot and
5 the other uses; and
6

7 e. The lot is not located within three thousand (3,000) feet of downtown.
8

9 3. Except in the Duwamish Manufacturing/Industrial Center, lodging uses may
10 be permitted as a conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2),
11 Industrial Buffer (IB) and Industrial Commercial (IC) zones according to the following criteria:
12

13 a. The use is designed primarily to serve users in the industrial area; and
14

15 b. The use is designed and located to minimize conflicts with industrial
16 uses in the area.
17

18 4. A residential use not otherwise permitted in the zone may be permitted as a
19 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB)
20 and Industrial Commercial (IC) zones within a structure designated as a Landmark, pursuant to
21 the Seattle Municipal Code, Chapter 25.12, Landmarks Preservation, or within a structure in a
22 Landmark District, pursuant to the Seattle Municipal Code, Chapters 25.16, Ballard Avenue
23 Landmark District, or Chapter 25.28, Pioneer Square Historical District, subject to the following
24 criteria:
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1 a. The use shall be compatible with the historic or landmark character of
2 the structure. The Director shall request a determination regarding compatibility by the
3 respective Board having jurisdiction over the structure or lot;

4
5 b. The residential use shall not restrict or disrupt industrial activity in the
6 zone; and

7
8 c. The surrounding uses would not be detrimental to occupants of the
9 Landmark structure.

10
11 5. High Impact 1 uses may be permitted as a conditional use in General
12 Industrial 1 (IG1), and General Industrial 2 (IG2) zones, according to the following criteria:

13 a. The lot is located so that large concentrations of people, particularly in
14 residential and commercial areas, are not exposed to unreasonable adverse impacts;

15
16 b. A management plan may be required. The Director may determine the
17 level of detail to be disclosed in the plan based on the probable impacts and/or the scale of the
18 effects. Discussion of materials handling and storage, odor control, transportation and other
19 factors may be required.

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21
22 6. A new railroad switchyard with a mechanized hump, or the expansion of such
23 a use beyond the lot occupied at the date of adoption of the ordinance codified in this
24 section(Note 1) may be permitted as a conditional use in General Industrial 1 (IG1) and General
25 Industrial 2 (IG2) zones, according to the following criteria:
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1 a. The lot is located so that large concentrations of people, particularly in
2 residential and commercial areas, are not exposed to unreasonable adverse impacts;

3
4 b. Measures to minimize the impacts of noise, light and glare, and other
5 measures to insure the compatibility of the use with the surrounding area and to mitigate adverse
6 impacts shall be incorporated into the design and operation of the facility.

7
8 7. Solid waste transfer stations may be permitted as a conditional use in General
9 Industrial 1 (IG1), General Industrial 2 (IG2) and Industrial Commercial (IC) zones according to
10 the following criteria:

11
12 a. Measures to minimize potential odor emissions and airborne pollutants
13 shall be determined in consultation with the Puget Sound Air Pollution Control Agency
14 (PSAPCA). These measures shall be incorporated into the design and operation of the facility;

15
16 b. Measures to maximize control of rodents, birds and other vectors shall
17 be determined in consultation with the Seattle/King County Department of Public Health. These
18 measures shall be incorporated into the design and operation of the facility;

19
20 c. A transportation plan may be required. The Director shall determine
21 the level of detail to be disclosed in the plan such as estimated trip generation, access routes and
22 surrounding area traffic counts, based on the probable impacts and/or scale of the proposed
23 facility; and

24
25 d. Measures to minimize other impacts are incorporated into the design
26 and operation of the facility.
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1 8. Heavy Manufacturing uses may be permitted in the Industrial Buffer (IB) zone
2 as a conditional use according to the following criteria:

3 a. The use shall be located within an enclosed building except for
4 shipbuilding;

5 b. The hours of operation for all processes creating any adverse impacts
6 on residentially or commercially zoned land may be limited;

7 c. Truck and service traffic associated with the heavy manufacturing use
8 shall be directed away from streets serving lots in nonindustrial zones;

9 d. The infrastructure of the area shall be capable of accommodating the
10 traffic generated by the proposed use; and

11 e. The use shall not produce sustained or recurrent vibrations exceeding
12 0.002g acceleration as measured on lots in nonindustrial zones.

13 9. The Heavy Manufacturing uses listed in subsection B9a of this section may be
14 permitted in the Industrial Commercial (IC) zone as a conditional use according to criteria
15 contained in subsection B9b.

16 a. Uses.

17 (1) Mass production of commercial or recreational vessels of any
18 size and the production of vessels up to one hundred and twenty (120) feet in length, constructed
19 to individual specifications; and



1 (2) Manufacturing of electrical components, such as
2 semiconductors and circuit boards, using chemical processes such as etching or metal coating;
3 and

4
5 (3) Production of industrial organic and inorganic chemicals, and
6 soaps and detergents.

7
8 b. Criteria.

9 (1) Except for shipbuilding, the use shall be located within an
10 enclosed building;

11
12 (2) The hours of operation for all processes creating any impacts
13 on residentially or commercially zoned land may be limited;

14
15 (3) Truck and service traffic associated with the heavy
16 manufacturing use shall be directed away from streets serving lots in nonindustrial zones;

17
18 (4) The infrastructure of the area shall be capable of
19 accommodating the traffic generated by the proposed use;

20
21 (5) The use shall not produce sustained or recurrent vibrations
22 exceeding 0.002g acceleration as measured on lots in nonindustrial zones;

23
24 (6) The finished product as packaged for sale or distribution shall
25 be in such a form that product handling and shipment does not constitute a significant public
26 health risk; and



1 (7) The nature of the materials produced and/or the scale of
2 manufacturing operations may be limited in order to minimize the degree and severity of risks to
3 public health and safety.

4
5 10. The High Impact uses listed in subsection B10a of this section may be
6 permitted as conditional uses in the Industrial Commercial (IC) zone according to the criteria
7 contained in subsection B10b of this section.

8
9 a. Uses.

10 (1) The manufacture of Group A hazardous materials, except
11 Class A or B explosives; and

12
13 (2) The manufacture of Group B hazardous materials, when the
14 hazardous materials are present in quantities greater than two thousand five hundred (2,500)
15 pounds of solids, two hundred seventy-five (275) gallons of liquids, or one thousand (1,000)
16 cubic feet of gas at any time.

17
18 b. Criteria.

19 (1) The lot is located so that large concentrations of people,
20 particularly in residential and commercial areas, are not exposed to unreasonable adverse
21 impacts;
22

23 (2) A management plan may be required. The Director may
24 determine the level of detail to be disclosed in the plan based on the probable impacts and/or the
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1 scale of the effects. Discussion of materials handling and storage, odor control, transportation
2 and other factors may be required;

3 (3) The finished product as packaged for sale or distribution shall
4 be in such a form that product handling and shipment does not constitute a significant public
5 health risk; and
6

7 (4) The nature of the materials produced and/or the scale of
8 manufacturing operations may be limited in order to minimize the degree and severity of risks to
9 public health and safety.
10

11 ~~((11. Fast food restaurants that have a gross floor area greater than seven
12 hundred fifty (750) square feet are identified as heavy traffic generators and, where not
13 permitted outright, may be permitted as a conditional use in the General Industrial 1 (IG1),
14 General Industrial 2 (IG2), Industrial Buffer (IB) and Industrial Commercial (IC) zones
15 according to the following criteria:~~

16 ~~a. The Director may require that the applicant prepare an analysis of
17 traffic, circulation, and parking impacts and demonstrate that the use will not:~~

18 ~~(1) Cause significant additional traffic to circulate through nearby
19 residential neighborhoods;~~

20 ~~(2) Disrupt the pedestrian flow of an area by significantly
21 increasing the potential for pedestrian vehicle conflicts;~~

22 ~~(3) Create traffic or access problems which may require the
23 expenditure of City funds to mitigate;~~
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1 12. Development of a medical service use over ten thousand (10,000) square
2 feet, outside but within two thousand five hundred (2,500) feet of a medical Major Institution
3 overlay district boundary, shall be subject to administrative conditional use approval, unless
4 included in an adopted master plan. In making a determination whether to approve or deny
5 medical service use, the Director shall determine whether an adequate supply of industrially
6 zoned land will continue to exist. The following factors shall be used in making this
7 determination:
8

9 a. Whether the amount of medical service use development existing and
10 proposed in the vicinity would reduce the current viability or significantly impact the longer-
11 term potential of the manufacturing or heavy commercial character of the industrial area; and
12

13 b. Whether medical service use development would displace existing
14 manufacturing or heavy commercial uses or usurp vacant land, in areas with parcels particularly
15 suited for manufacturing or heavy commercial uses.
16

17 13. A nonconforming use may be converted by an administrative conditional use
18 authorization to a use not otherwise permitted in the zone based on the following factors:
19

20 a. New uses shall be limited to those first permitted in the next more
21 intensive zone;
22

23 b. The Director shall evaluate the relative impacts of size, parking,
24 traffic, light, glare, noise, odor and similar impacts of the two (2) uses, and how these impacts
25 could be mitigated;
26
27
28



1 c. The Director must find that the new nonconforming use is no more
2 detrimental to property in the zone and vicinity than the existing nonconforming use.

3 14. An accessory hospital facility may be permitted as a conditional use
4 according to the following criteria:
5

6 a. The hospital facility is an integral element of a research and
7 development laboratory or an institute for advanced study to which it is accessory; and
8

9 b. The hospital use shall not be allowed in areas where industrial activity
10 may adversely affect hospital activity.

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1
2 Section 10. Chart B of Section 23.50.027 of the Seattle Municipal Code, which section
3 was last amended by Ordinance 120155, is amended as follows:

4 ***

5 **CHART B**

6 **GENERAL INDUSTRIAL ZONES WITHIN DUWAMISH M/
7 CENTER**

8 **Categories of Uses
9 Subject to Size of
10 Use Limits**

IG1

IG2

Office uses

50,000 sq. ft.

100,000 sq. ft.

11 Retail sales and service
12 (except for restaurants and
13 drinking establishments (~~fast food restaurants over
750 sq. ft. taverns and
brew pubs~~)))

25,000 sq. ft.

50,000 sq. ft.

14 Restaurants ((and fast food
15 restaurants over 750 sq. ft.))

5,000 sq. ft.

5,000 sq. ft.

16 ((Taverns and brew
17 pubs*))Drinking
establishments

3,000 sq. ft.

3,000 sq. ft.

18 Meeting halls

N.M.S.L.

5,000 sq. ft.

19 N.M.S.L. = No Maximum Size Limits

20 ((~~* The maximum size limit for brew pubs applies to that portion of the pub that is not used for
21 brewing purposes.~~))

22 Section 11. Subsection D of Section 23.53.015 of the Seattle Municipal Code, which
23 section was last amended by Ordinance 119239, is amended as follows:

24 **23.53.015 Improvement requirements for existing streets in residential and commercial
25 zones.**

26 ***

27 D. Exceptions.
28



1 1. Streets With Existing Curbs.

2 a. Streets With Right-of-Way Greater Than or Equal to the Minimum

3 Width. When a street with existing curbs abuts a lot and the existing right-of-way is greater than
4 or equal to the minimum width established in subsection A6 of this section, but the roadway
5 width is less than the minimum established in the Street Improvement Manual, the following
6 requirements shall be met:
7

8 (1) All structures on the lot shall be designed to accommodate the
9 grade of the future street improvements.

10 (2) A no-protest agreement to future street improvements shall be
11 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King
12 County Department of Records and Elections.

13 (3) If there is no sidewalk, a sidewalk shall be constructed in the
14 portion of the right-of-way abutting the lot, except when the following types of projects are
15 proposed:
16

17 i. Remodeling and use changes within existing structures;

18 and
19

20 ii. Additions to existing structures which are exempt from
21 environmental review.

22 b. Streets With Less than the Minimum Right-of-Way Width. When a

23 street with existing curbs abuts a lot and the existing right-of-way is less than the minimum
24 width established in subsection A5 of this section, the following requirements shall be met:
25

26 (1) Setback Requirement. A setback equal to half the difference
27 between the current right-of-way width and the minimum right-of-way width established in
28



1 subsection A6 of this section shall be required; provided, however, that if a setback has been
2 provided under this provision, other lots on the block shall provide the same setback. In all
3 residential zones except Highrise zones, an additional three (3) foot setback shall also be
4 required. The area of the setback may be used to meet any development standards, except that
5 required parking may not be located in the setback. Underground structures which would not
6 prevent the future widening and improvement of the right-of-way may be permitted in the
7 required setback by the Director of Construction and Land Use after consulting with the Director
8 of Transportation.
9

10 (2) Grading Requirement. When a setback is required, all
11 structures on the lot shall be designed to accommodate the grade of the future street according to
12 the Street Improvement Manual.
13

14 (3) No-protest Agreement Requirement. A no-protest agreement
15 to future street improvements shall be required, as authorized by RCW Chapter 35.43. The
16 agreement shall be recorded with the King County Department of Records and Elections.
17

18 2. Projects With Reduced Improvement Requirements.

19 a. One (1) or Two (2) Dwelling Units. When one (1) or two (2) dwelling
20 units are proposed to be constructed, or one (1) or two (2) Single Family zoned lots are proposed
21 to be created, the following requirements shall be met:
22

23 (1) If there is no existing hard-surfaced roadway, a crushed-rock
24 roadway at least sixteen (16) feet in width shall be required, according to the Street
25 Improvement Manual.

26 (2) All structures on the lot(s) shall be designed to accommodate
27 the grade of the future street improvements.
28



1 (3) A no-protest agreement to future street improvements shall be
2 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King
3 County Department of Records and Elections.

4 b. Other Projects With Reduced Requirements. The types of projects
5 listed in this subsection D2b are exempt from right-of-way dedication requirements and are
6 subject to the street improvement requirements of this subsection:
7

8 (1) Types of Projects.

9 i. Proposed developments which contain fewer than ten
10 (10) units in SF, LDT and L1 zones, and six (6) residential units in all other zones;

11 ii. The following uses when they are smaller than seven
12 hundred fifty (750) square feet of gross floor area: (~~fast-food restaurants,~~) major and minor
13 vehicle repair uses, and multipurpose convenience stores;

14 iii. Nonresidential structures which have less than four
15 thousand (4,000) square feet of gross floor area and which do not contain uses listed in
16 subsection D2b(1)ii which are larger than seven hundred fifty (750) square feet;

17 iv. Structures containing a mix of residential and
18 nonresidential uses, if there are fewer than ten (10) units in SF, LDT and L1 zones, or fewer
19 than six (6) residential units in all other zones, and the square footage of nonresidential use is
20 less than specified in subsections D2b(1)ii and D2b(1)iii;

21 v. Remodeling and use changes within existing structures;

22 vi. Additions to existing structures which are exempt from
23 environmental review; and
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1 b. The existence of a bridge, viaduct or structure such as a substantial
2 retaining wall makes widening the right-of-way impractical or undesirable.

3 c. Widening the right-of-way and/or improving the street would
4 adversely affect the character of the street, as it is defined in an adopted neighborhood plan or
5 adopted City plan for green street, boulevards, or other special rights-of-way, or would
6 otherwise conflict with the stated goals of such a plan.
7

8 d. Widening and/or improving the right-of-way would eliminate street
9 access to an existing lot.

10 e. Widening and/or improving the right-of-way would make building on
11 a lot infeasible by reducing it to dimensions where development standards cannot reasonably be
12 met.
13

14 f. One (1) or more substantial principal structures on the same side of the
15 block as the proposed project are located in the area needed for future expansion of the right-of-
16 way and the structure(s)' condition and size make future widening of the remainder of the right-
17 of-way unlikely.
18

19 g. Widening and/or improving the right-of-way is impractical because
20 topography would preclude the use of the street for vehicular access to the lot, for example due
21 to an inability to meet the required twenty (20) percent maximum driveway slope.
22

23 h. Widening and/or improving the right-of-way is not necessary because
24 it is adequate for current and potential pedestrian and vehicular traffic, for example, due to the
25 limited number of lots served by the development or because the development on the street is at
26 zoned capacity.
27
28



1 Section 12. Subsection E of Section 23.53.020 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 120611, is amended as follows:

3 **23.53.020 Improvement Requirements for Existing Streets in Industrial Zones**

4 ***

5 E. Exceptions.

6 1. Streets With Existing Curbs.

7 a. Streets With Right-of-Way Greater Than or Equal to the Minimum
8 Right-of-Way Width. When a street with existing curbs abuts a lot and the existing right-of-way
9 is greater than or equal to the minimum width established in subsections B or D of this section,
10 and the existing right-of-way is greater than or equal to the minimum width established in
11 subsection A of this section, but the roadway width is less than the minimum established in the
12 Street Improvement Manual, the following requirements shall be met:
13
14

15 (1) All structures on the lot shall be designed to accommodate the
16 grade of the future street improvements.

17 (2) A no-protest agreement to future street improvements shall be
18 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the title to
19 the property with the King County Department of Records and Elections.
20

21 (3) If there is no sidewalk, a sidewalk shall be constructed, except
22 when the following projects are proposed:

- 23 i. Remodeling and use changes within existing structures;
24 ii. Additions to existing structures which are exempt from
25 environmental review.
26
27
28



1 b. Streets With Less Than the Minimum Right-of-Way Width. When a
2 street with existing curbs abuts a lot and the existing right-of-way is less than the minimum
3 width established in subsection A6 of this section, the following requirements shall be met:

4 (1) Setback Requirement. A setback equal to half the difference
5 between the current right-of-way width and the minimum right-of-way width established in
6 subsection A6 of this section shall be required; provided, however, that if a setback has been
7 provided under this provision, other lots on the block shall provide the same setback. The area
8 of the setback may be used to meet any development standard, except that required parking may
9 not be located in the setback. Underground structures which would not prevent the future
10 widening and improvements of the right-of-way may be permitted in the required setback by the
11 Director after consulting with the Director of Transportation.
12

13 (2) Grading Requirement. When a setback is required, all
14 structures on the lot shall be designed to accommodate the grade of the future street, according
15 to the Street Improvement Manual.
16

17 (3) A no-protest agreement to future street improvements shall be
18 required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the title
19 with the King County Department of Records and Elections.
20

21 2. Projects With Reduced Improvement Requirements. The following types of
22 projects are exempt from all dedication and improvement requirements of subsections B, C and
23 D of this section, but shall meet the setback, grading and no-protest requirements of subsection
24 E1b if the street right-of-way abutting the lot has less than the minimum right-of-way width
25 established in subsection A of this section or does not meet the grade of future street
26 improvements.
27
28



1 a. Structures with fewer than ten (10) artist's studio dwellings;
2 b. The following uses when they are smaller than seven hundred fifty
3 (750) square feet of gross floor area: (~~fast-food restaurants;~~) major and minor vehicle repair
4 uses; and multipurpose convenience stores;

5 c. Nonresidential structures which have less than four thousand (4,000)
6 square feet of gross floor area and which do not contain uses listed in subsection E2b of this
7 section which are larger than seven hundred fifty (750) square feet;

8 d. Structures containing a mix of artist's studio dwellings and
9 nonresidential uses, if there are fewer than ten (10) artist's studio dwellings, and the square
10 footage of nonresidential use is less than specified in subsections E2b and E2c of this section;

11 e. Remodeling and use changes within existing structures;

12 f. Additions to existing structures which are exempt from environmental
13 review; and

14 g. Expansions of a surface parking area or open storage area of less than
15 twenty (20) percent of parking area or storage area or number of parking spaces.

16 3. Exceptions From Required Street Improvements. The Director may waive or
17 modify the requirements for paving, dedication, setbacks, grading, no-protest agreements,
18 landscaping and pedestrian walkway installation when it is determined that one (1) or more of
19 the following conditions are met:

20 a. Location in an environmentally critical area, disruption of existing
21 drainage patterns, or removal of natural features such as significant trees makes widening and/or
22 improving the right-of-way impractical or undesirable.

1 b. The existence of a bridge, viaduct or structure such as a substantial
2 retaining wall makes widening the right-of-way impractical or undesirable.

3 c. Widening the right-of-way and/or improving the street would
4 adversely affect the character of the street, as it is defined in an adopted neighborhood plan or
5 adopted City plan for Green Streets, boulevards, or other special right-of-way, or would
6 otherwise conflict with the stated goals of such a plan.
7

8 d. Widening and/or improving the right-of-way would make building on
9 a lot infeasible by reducing it to dimensions where development standards cannot reasonably be
10 met.
11

12 e. Widening and/or improving the right-of-way would eliminate street
13 access to an existing lot.

14 f. One (1) or more substantial principal structures on the same side of the
15 block as the proposed project are located in the area needed for future expansion of the right-of-
16 way and the structure(s)' condition and size make future widening of the remainder of the right-
17 of-way unlikely.
18

19 g. Widening and/or improving the right-of-way is impractical because
20 topography would preclude the use of the street for vehicular access to the lot, for example due
21 to an inability to meet the required twenty (20) percent maximum driveway slope.
22

23 h. Widening and/or improving the right-of-way is not necessary because
24 it is adequate for current and potential pedestrian and vehicular traffic, for example, due to the
25 limited number of lots served by the development or because the development on the street is at
26 zoned capacity.
27
28



1 Section 13. Subsection E of Section 23.53.030 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 118414, is amended as follows:

3
4 **23.53.030 Alley improvements in all zones.**

5 ***

6
7 E. Existing Alleys Which Meet the Minimum Width. Except as provided in subsection
8 G of this section and except for one (1) and two (2) dwelling unit developments that abut an
9 alley that is not improved but is in common usage, when an existing alley meets the minimum
10 right-of-way width established in subsection D of this section, the following requirements shall
11 be met:

12
13 1. When the alley is used for access to parking spaces, open storage, or loading
14 berths on a lot, the following improvements shall be provided:

15 a. For the following types of projects, the entire width of the portion of
16 the alley abutting the lot, and the portion of the alley between the lot and a connecting street,
17 shall be improved to at least the equivalent of a crushed rock surface, according to the Street
18 Improvement Manual. The applicant may choose the street to which the improvements will be
19 installed. If the alley does not extend from street to street, and the connecting street is an arterial
20 designated on Exhibit 23.53.015 A , either the remainder of the alley shall be improved so that it
21 is passable to a passenger vehicle, or a turnaround shall be provided. The turnaround may be
22 provided by easement.
23
24

25 (1) Residential structures with fewer than ten (10) units;



1 (2) The following uses when they are smaller than seven hundred
2 fifty (750) square feet of gross floor area: ~~((fast-food restaurants,))~~ major and minor vehicle
3 repair uses, and multipurpose convenience stores;

4 (3) Nonresidential structures which have less than four thousand
5 (4,000) square feet of gross floor area and which do not contain uses listed in subsection E1a(2)
6 which are larger than seven hundred fifty (750) square feet;

7 (4) Structures containing a mix of residential and nonresidential
8 uses, if the residential use is less than ten (10) units, and the square footage of nonresidential
9 uses is less than specified in subsections E1a(2) and E1a(3);
10

11 (5) Remodeling and use changes within existing structures;

12 (6) Additions to existing structures which are exempt from
13 environmental review; and
14

15 (7) Expansions of a surface parking area or open storage area of
16 less than twenty (20) percent of parking area or storage area or number of parking spaces.
17

18 b. For projects not listed in subsection E1a, the entire width of the
19 portion of the alley abutting the lot, and the portion of the alley between the lot and a connecting
20 street, shall be paved. The applicant may choose the street to which the pavement will be
21 installed. If the alley does not extend from street to street, and the connecting street is an arterial
22 designated on Exhibit 23.53.015 A, either the remainder of the alley shall be improved so that it
23 is passable to a passenger vehicle, or a turnaround shall be provided. The turnaround may be
24 provided by easement.
25

26 2. When the alley is not used for access, if the alley is not fully improved, all
27 structures shall be designed to accommodate the grade of the future alley improvements, and a
28

1 no-protest agreement to future alley improvements shall be required, as authorized by RCW

2 Chapter 35.43. The agreement shall be recorded with the King County Department of Records
3 and Elections.

4 ***

5 Section 14. Subsections E and I and Chart A of Section 23.54.015 of the Seattle
6 Municipal Code, which section was last amended by Ordinance 120953, are amended as
7 follows:
8

9 **23.54.015 Required parking.**

10 ***

11 E. In all zones, no parking shall be required for the first twenty-five hundred (2,500)
12 square feet of gross floor area of nonresidential uses in a structure. This waiver shall not apply
13 to structures or portions of structures occupied by (~~fast food restaurants,~~) restaurants with
14 drive-in lanes, motion picture theaters, administrative offices or institutional uses, including
15 Major Institution uses. When two (2) or more uses, with different parking ratios occupy a
16 structure, the twenty-five (2,500) square foot waiver shall be prorated based on the area
17 occupied by the nonresidential uses for which the parking waiver is permitted.
18

19 ***

20
21 **I. Bicycle Parking.**

22 1. In L2, L3, L4, MR and HR zones, and the SCM zone, for apartments and
23 terraced housing, spaces for bicycles shall be provided in a safe and convenient location,
24 according to the following chart:
25
26
27
28



Number of Units	Number of Bicycle Spaces Required
5-10	1
11-20	2
More than 20	1 for every 10 units

2. Bicycle parking spaces shall be provided by all institutions in multifamily zones. The number of required bicycle parking spaces shall be five (5) percent of the number of required vehicle spaces. All bicycle spaces should be sheltered from the weather, visible from the institution, and conveniently located.

3. Bicycle parking facilities, either off-street or in the street right-of-way, shall be provided in NC1, NC2, NC3, C1 zones, and the SCM zone for any new use which requires twenty (20) or more automobile parking spaces according to Chart A. Automobile service stations, and other drive-in businesses except ((fast-food)) restaurants with drive-in lanes, shall be exempted from this requirement. All bicycle parking facilities in the street right-of-way shall conform to Seattle Department of Transportation standards.

a. The number of required bicycle parking spaces shall be ten (10) percent of the number of required off-street auto parking spaces.

b. When any covered automobile parking is provided, all bicycle parking shall be covered.

4. Bicycle parking facilities accessory to nonresidential uses shall be located on the lot or within eight hundred (800) feet of the lot. Bicycle parking accessory to residential uses shall be located on-site. Bicycle parking facilities shared by more than one (1) use are encouraged. When located off-street, bicycle and automobile parking areas shall be separated by a barrier or painted lines.



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 space for each dwelling unit
Adult motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Adult panoram	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Airport, land-based (waiting area)	1 space for each 100 square feet
Airport, water-based (waiting area)	1 space for each 100 square feet
Animal services	1 space for each 350 square feet
Animal husbandry (retail area only)	1 space for each 350 square feet
Aquaculture (retail area only)	1 space for each 350 square feet
Artist's studio/dwelling	1 space for each dwelling unit
Assisted living facility ²	1 space for each 4 assisted living units plus 1 space 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 Section 23.54.035
Automotive parts or accessory sales	1 space for each 350 square feet
Ball courts	1 space per court

1	Bed and breakfast	1 space for each dwelling, plus 1 space for each 2 guest rooms or suites
2	Bowling alley	5 spaces for each lane
3	((Brewpub))	((1 space for each 200 square feet))
4	Business support services	1 space for each 2,000 square feet
5	Business incubators	1 space for each 1,000 square feet
6	Carwash	1 space for each 2,000 square feet
7	Caretaker's quarters	1 space for each dwelling unit
8	Cargo terminal	1 space for each 2,000 square feet
9	Cemetery	None
10	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
11	Colleges	A number of spaces equal 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 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
12	Commercial laundries	1 space for each 2,000 square feet
13	Commercial moorage	1 space for each 140 lineal feet of moorage
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1		
2	Communication utilities	1 space for each 2,000 square feet
3		
4	Community centers ^{1,2} and	1 space for each 80 square feet of floor area of
5	Community clubs ^{1,2}	all auditoria and public assembly rooms not
6		containing fixed seats; or 1 space for every 8
7		fixed seats for floor area containing fixed seats;
8		or if no auditorium or assembly room, 1 space
9	Community centers owned and	for each 350 square feet, excluding ball courts
10	operated by the Seattle Department	
11	of Parks and Recreation	
12	(DOPAR) ^{1,2,3}	1 space for each 555 square feet
13	Congregate residences	
14		1 space for each 4 residents
15	Construction services	1 space for each 2,000 square feet.
16	Custom and craft work	1 space for each 1,000 square feet
17	Dance halls (dance floor and table	1 space for each 100 square feet
18	area)	
19	<u>Drinking establishment</u>	<u>1 space for each 200 square feet.</u>
20	Dry storage of boats	1 space for each 2,000 square feet
21	Family support centers located in	1 space for each 100 square feet
22	community centers owned and	
23	operated by the Seattle DOPAR ³	
24	Floating homes	1 space for each dwelling unit
25	Food processing for human	1 space for each 1,000 square feet
26	consumption	
27	Gas station	1 space for each 2,000 square feet
28	General retail sales and services	1 space for each 350 square feet
	Ground-floor businesses in	None, maximum of 10 spaces
	multifamily zones	

1	Heavy commercial services	1 space for each 2,000 square feet
2	Heliports (waiting area)	1 space for each 100 square feet
3	High-impact uses	1 space for each 1,500 square feet or as determined by the Director
4		
5	Horticultural uses (retail area only)	1 space for each 350 square feet
6	Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional space for each 5 employees; plus 1 space for each 6 beds
7		
8	Hotels	1 space for each 4 sleeping rooms or suites
9	Institute for advanced study ¹	1 space for each 1,000 square feet of administrative offices and similar spaces; plus 1 space for each 10 fixed seats in all auditoria and public assembly rooms; or 1 space for each 100 square feet of public assembly area not containing fixed seats
10		
11		
12		
13	Institutes for advanced study in single-family zones (existing)	3.5 spaces for each 1,000 square feet of office space; plus 10 spaces for each 1,000 square feet of additional building footprint to house and support conference center activities; or 37 spaces for each 1,000 square feet of actual conference rooms to be constructed, whichever is greater
14		
15		
16		
17		
18		
19	Kennel	1 space for each 2,000 square feet
20	Lecture and meeting hall	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
21		
22	Library ¹⁰	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
23		
24		
25		
26		
27	Major durables, sales, service, and rental	1 space for each 2,000 square feet
28		

1	Manufacturing, general	1 space for each 1,500 square feet
2	Manufacturing, heavy	1 space for each 1,500 square feet
3	Manufacturing, light	1 space for each 1,500 square feet
4	Marine service station	1 space for each 2,000 square feet
5	Medical services	1 space for each 350 square feet
6	Miniature golf	1 space for each 2 holes
7	Mini-warehouse	1 space for each 30 storage units
8	Mobile home park	1 space for each mobile home
9	Mortuary services	1 space for each 350 square feet
10	Motels	1 space for each sleeping room or suite
11	Motion picture studio	1 space for each 1,500 square feet
12	Motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
13	Multifamily uses, ⁴ except as otherwise provided below ¹³	Development sites containing 2—10 dwelling units: 1.1 spaces for each dwelling unit Development sites containing 11—30 dwelling units: 1.15 spaces for each dwelling unit Development sites containing 31—60 dwelling units: 1.2 spaces for each dwelling unit Development sites containing more than 60 dwelling units: 1.25 spaces for each dwelling unit In addition, for all multifamily uses 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
14		
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When at least 50 percent of the dwelling units in a multifamily use have 3 bedrooms, an additional .25 spaces per bedroom for each unit with 3 bedrooms shall be required; and

Any multifamily use that 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 bedrooms⁵

Multifamily uses 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, unless another provision below allows fewer parking spaces

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 above⁵

Multifamily uses, when within the Alki area as shown on Map B following this section, unless another provision below allows fewer parking spaces

1.5 spaces for each dwelling unit

Multifamily uses, for development sites that contain a total of 10 or fewer dwelling units, all in ground-related structures

1 space for each dwelling unit

Multifamily uses, when located in Center City neighborhoods¹², for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median family income, adjusted for household size, for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area, as defined by the United States Department of Housing and Urban Development (HUD)¹⁴, for the life of the building

0.33 space for each dwelling unit with 2 or fewer bedrooms, and 0.5 space for each dwelling unit with 3 or more bedrooms



1 Multifamily uses, when located in
2 Center City neighborhoods¹², for
3 each dwelling unit rented to and
4 occupied by a household with an
5 income at time of its initial
6 occupancy of between 30 and 50
7 percent of the median family
8 income, adjusted for household size,
9 for the Seattle-Bellevue-Everett
10 Primary Metropolitan Statistical
11 Area, as defined by HUD¹⁴, for the
12 life of the building

0.5 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

9 Multifamily uses, when located
10 outside of Center City
11 neighborhoods¹², for each dwelling
12 unit rented to and occupied by a
13 household with an income at time of
14 its initial occupancy at or below 30
15 percent of the median family
16 income, adjusted for household size,
17 for the Seattle-Bellevue-Everett
18 Primary Metropolitan Statistical
19 Area, as defined by HUD¹⁴, for the
20 life of the building

0.33 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

17 Multifamily uses, when located
18 outside of Center City
19 neighborhoods¹², for each dwelling
20 unit with 2 or fewer bedrooms
21 rented to and occupied by a
22 household with an income at time of
23 its initial occupancy of between 30
24 and 50 percent of the median family
25 income, adjusted for household size,
26 for the Seattle-Bellevue-Everett
27 Primary Metropolitan Statistical
28 Area, as defined by HUD¹⁴, for the
life of the building

0.75 spaces for each dwelling unit



1		
2	Multifamily uses occupied by low-	1 space for each 6 dwelling units
3	income elderly households	
4	Multifamily uses occupied by low-	1 space for each 4 dwelling units
5	income disabled households	
6	Multifamily uses occupied by low-	1 space for each 5 dwelling units
7	income elderly/low-income disabled	
8	households	
9	Multifamily uses, when within the	1 space for each dwelling unit
10	Seattle Cascade Mixed zone or the	
11	Pike/Pine Overlay District	
12	Multifamily uses, when within the	1 space for every 2 dwelling units
13	Pike/Pine Overlay District, for each	
14	dwelling unit rented to and occupied	
15	by a household with an income at	
16	time of its initial occupancy at or	
17	below 60 percent of the median	
18	family income, adjusted for	
19	household size, for the Seattle-	
20	Bellevue-Everett Primary	
21	Metropolitan Statistical Area, as	
22	defined by HUD, at rent not	
23	exceeding 30 percent of 60 percent	
24	of median family income, adjusted	
25	for household size, for the life of the	
26	building	
27	Multipurpose convenience store	1 space for each 350 square feet
28	Museum ¹	1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 space 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
	Nonhousehold sales and services,	1 space for each 2,000 square feet
	except sales, service and rental of	
	office equipment	

1	Nursing homes ⁶	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
2		
3	Office, administrative	1 space for each 1,000 square feet
4	Office, customer service	1 space for each 350 square feet
5	Outdoor storage	1 space for each 2,000 square feet
6	Parks	None
7		
8	Participant sports and recreation, indoor or outdoor, unless otherwise specified	1 space for each 350 square feet
9		
10	Passenger terminals (waiting area)	1 space for each 100 square feet
11	Performing arts theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
12		
13	Personal transportation services	1 space for each 2,000 square feet
14	Playgrounds	None
15		
16	Power plants	1 space for each 2,000 square feet
17	Private club ¹	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
18		
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21	Railroad rights-of-way	None
22		
23	Railroad switchyard with or without mechanized hump	1 space for each 2,000 square feet
24		
25	Recreational marinas	1 space for each 75 lineal feet of moorage
26	Recycling center	1 space for each 2,000 square feet
27	Recycling collection station	None
28		

1	Religious facility ¹	1 space for each 80 square feet of all auditoria and public assembly rooms
2		
3	Research and development laboratory	1 space for each 1,000 square feet
4	Restaurant	1 space for each 200 square feet
5	((Restaurant, fast-food))	((1 space for each 100 square feet))
6	Sale and rental of large boats	1 space for each 2,000 square feet
7	Sale and rental of motorized vehicles	1 space for each 2,000 square feet
8		
9	Sale of boat parts and accessories	1 space for each 350 square feet
10	Sale of heating fuel	1 space for each 2,000 square feet
11	Sales, service and rental of commercial equipment	1 space for each 2,000 square feet
12		
13	Sales, service and rental of office equipment	1 space for each 350 square feet
14	Salvage yard	1 space for each 2,000 square feet
15		
16	School, private elementary and secondary ^{1,2}	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
17		
18	School, public elementary and secondary ^{1,2,7}	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space 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
19		
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21	Sewage treatment plant	1 space for each 2,000 square feet
22		
23	Single-family dwelling units	1 space for each dwelling unit
24	Skating rink (rink area)	1 space for each 100 square feet
25	Solid waste transfer station	1 space for each 2,000 square feet
26		
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1		
2	Specialty food stores	1 space for each 350 square feet
3	Spectator sports facility ¹¹	1 space for each 10 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
4		
5	Sport range	1 space for each 2 stations
6	Swimming pool (water area)	1 space for each 150 square feet
7	((Taverns))	((1 space for each 200 square feet))
8		
9	Transit vehicle base	1 space for each 2,000 square feet
10	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 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
11		
12		
13		
14	Utility service uses	1 space for each 2,000 square feet
15	Vehicle and vessel repair	1 space for each 2,000 square feet
16	Vocational or fine arts school	1 space for each 2 faculty plus full-time employees; plus 1 space for each 5 students (based on the maximum number of students in attendance at any one time)
17		
18		
19	Warehouse	1 space for each 1,500 square feet
20	Wholesale showroom	1 space for each 1,500 square feet
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2 Work-release centers

1 space for each 2 full-time staff members; plus
1 space for each 5 residents; plus 1 space for
each vehicle operated in connection with the
work-release center

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

13 ² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered
14 auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the
15 gymnasium contains bleachers, the parking requirement for the entire gymnasium shall
16 be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of
17 width of bleachers shall be counted as one (1) fixed seat for the purposes of determining
18 parking requirements. If the gymnasium does not contain bleachers and is in a school,
19 there is no parking requirement for the gymnasium. If the gymnasium does not contain
20 bleachers and is in a community center, the parking requirement shall be one (1) space
21 for each three hundred fifty (350) square feet. If the gymnasium does not contain
22 bleachers and is in a community center owned and operated by the Department of Parks
23 and Recreation (DOPAR), the parking requirement shall be one (1) space for each five
24 hundred fifty-five (555) square feet.

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

28 ⁴ Parking spaces required for multifamily uses 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 that, in the
determination of the Director, is capable of being used as a bedroom.

1
2 ⁶When specified in single-family zones, Section 23.44.015, the Director may waive
3 some or all of the parking requirements.

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

13 ⁸Development standards departure may be granted or required pursuant to the
14 procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted
15 number of parking spaces.

16 ⁹A child care facility, when co-located with an assisted living facility, may count the
17 passenger load/unload space required for the assisted living facility toward its required
18 passenger load/unload spaces.

19 ¹⁰When a library is permitted in single-family zones as a conditional use, the Director
20 may modify the parking requirements pursuant to Section 23.44.022; when a library is
21 permitted in multifamily zones as a conditional use, the Director may modify the
22 parking requirements pursuant to Section 23.45.122; and when a library is permitted in
23 commercial zones, the Director may modify the parking requirements pursuant to
24 Section 23.44.022 L.
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1 ¹¹ Required parking for spectator sports facilities or exhibition halls must be available
2 when the facility or exhibition hall is in use. A facility shall be considered to be "in use"
3 during the period beginning three (3) hours before an event is scheduled to begin and
4 ending one (1) hour after a scheduled event is expected to end. For sports events of
5 variable or uncertain duration, the expected event length shall be the average length of
6 the events of the same type for which the most recent data are available, provided it is
7 within the past five (5) years. During an inaugural season, or for nonrecurring events,
8 the best available good faith estimate of event duration will be used. A facility will not
9 be deemed to be "in use" by virtue of the fact that administrative or maintenance
10 personnel are present. The Director may reduce the required parking for any event when
11 projected attendance for a spectator sports facility is certified to be fifty (50) percent or
12 less of the facility's seating capacity, to an amount not less than that required for the
13 certified projected attendance, at the rate of one (1) space for each ten (10) fixed seats of
14 certified projected attendance. An application for reduction and the certification shall be
15 submitted to the Director at least fifteen (15) days prior to the event. When the event is
16 one of a series of similar events, such certification may be submitted for the entire series
17 fifteen (15) days prior to the first event in the series. If the Director finds that a
18 certification of projected attendance of fifty (50) percent or less of the seating capacity is
19 based on satisfactory evidence such as past attendance at similar events or advance
20 ticket sales, the Director shall, within fifteen (15) days of such submittal, notify the
21 facility operator that a reduced parking requirement has been approved, with any
22 conditions deemed appropriate by the Director to ensure adequacy of parking if expected
23 attendance should change. The parking requirement reduction may be applied for only if
24 the goals of the facility's Transportation Management Plan are otherwise being met. The
25 Director may revoke or modify a parking requirement reduction approval during a
26 series, if projected attendance is exceeded.

17 ¹² For purposes of this section, Center City neighborhoods are the following urban
18 villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and
19 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

20 ¹³ These general requirements for multifamily uses are superseded to the extent that a
21 use, structure or development qualifies for either a greater or a lesser parking
22 requirement under any provision below. To the extent that more than one of the
23 provisions below applies to a multifamily use, the least of the applicable parking
24 requirements applies. The different parking requirements for certain multifamily uses
25 listed below shall not be construed to create separate uses for purposes of any
26 requirements related to establishing or changing a use under this title.



1 23.45.006, the following principal uses are permitted outright within structures existing as of the
2 effective date of this chapter:¹

- 3 1. Food processing for human consumption;
- 4 2. Horticultural use;
- 5 3. Institutions, except hospital;
- 6 4. Lecture and meeting halls;
- 7 5. Medical service uses;
- 8 6. Office; and
- 9 7. Restaurants((without cocktail lounges)).

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12
13 Section 17. Section 23.84.004 of the Seattle Municipal Code, which section was last
14 amended by Ordinance 120117, is amended as follows:

15 **23.84.004 "B"**

16 ***

17
18 (~~"Brewpub." See "Eating and drinking establishment."~~)

19 ***

20 Section 18. Section 23.84.010 of the Seattle Municipal Code, which section was last
21 amended by Ordinance 119974, is amended as follows:

22 **23.84.010 "E"**

23 ***

24
25 "Eating and drinking establishment" means a retail sales and service use in which food
26 and/or beverages are prepared and sold at retail for immediate consumption.



1 ((1. "Brewpub" means an eating and drinking establishment which produces on
2 the premises a maximum of two thousand (2,000) barrels per year of beer, ale or other malt
3 beverage, as determined by the brewpub's filings of barrelage tax reports to the Washington
4 State Liquor Control Board, for sale only on the premises.))

5 ((2. "Fast food restaurant" means an eating and drinking establishment, in which
6 the manner of preparation, packaging, and service of the product enables and/or encourages its
7 consumption outside the restaurant, and which has most of the following characteristics: Quick
8 food service is offered and sales transactions are completed within a very short time period; food
9 is already prepared and held for service, or able to be prepared quickly; the menu is limited, but
10 usually includes a main course and beverages; food is generally served in disposable wrappings
11 or containers, with disposable utensils; and/or orders are not generally taken at a customer's
12 table.))

13 ((3))1. "Restaurant" means an establishment in which food and/or beverage
14 preparation and service is provided for individual consumption either on- or off-premise.
15 ((eating and drinking establishment which has most of the following characteristics: Products
16 sold are generally consumed within an enclosed structure at tables and/or at a counter; taking
17 food and drink from the restaurant is purely incidental, except for limited take-out service which
18 uses the same kitchen as the main restaurant and has a similar menu; food is served using
19 nondisposable containers and utensils; and consumption of food in vehicles on the premises is
20 discouraged by the nature of the service. A restaurant may or may not have a separate area, or
21 cocktail lounge, where alcoholic beverages are served without full food service.))

22 2. "Drinking Establishment" means a licensed enterprise in which alcoholic
23 beverages may be purchased and consumed on premise; which limits patronage to adults of
24

1 legal age for the consumption of alcohol; and in which limited food service may be accessory to
2 the service of alcoholic beverages. Drinking establishments may include taverns, saloons,
3 brewpubs, bars, pubs, or cocktail lounges associated with restaurants.

4 ((4. ~~"Tavern" means an eating and drinking establishment in which the serving~~
5 ~~of food is incidental to the serving of beer and/or wine.~~))

6 ***

7
8 Section 19. Section 23.84.012 of the Seattle Municipal Code, which section was last
9 amended by Ordinance 118302, is amended as follows:

10 **23.84.012 Definitions -- F.**

11 ***

12
13 ((~~"Fast food restaurant." See "Eating and drinking establishment."~~))

14 "Formula fast food restaurant" means, for purposes of application within the
15 International Special Review District, an establishment required by contractual or other
16 arrangements to offer some or all of the following:

17 (a) standardized menus, ingredients, food preparation, decor, external facade and/or
18 uniforms;

19 (b) pre-prepared food in a ready-to-consume state;

20 (c) sold over the counter in disposable containers and wrappers;

21 (d) selected from a limited menu;

22 (e) for immediate consumption on or off the premises;

23 (f) where the customer pays before eating.

24 ***

25
26 Section 20. Section 23.84.030 of the Seattle Municipal Code, which section was last
27 amended by Ordinance 120443, is amended as follows:



1
2 **23.84.030 Definitions -- P**

3 ***

4
5 "Personal and household retail sales and service" means a retail sales and service use in
6 which goods are rented or sold or services are provided primarily for household and personal
7 use rather than for business establishments, institutions, or government agencies, but excluding
8 uses in which primarily building materials and/or heating fuel are sold. Examples of personal
9 and household retail sales are bookstores, furniture stores, and grocery stores. Examples of
10 personal and household services are shoe repair, hair- cutting salons, and dry cleaning.

11 1. "General personal and household retail sales and service" means a personal
12 and household retail sales and service use which is not a multi-purpose convenience store, major
13 durables sales and service, or a specialty food store.

14 2. "Major durables, sales, service and rental" means a personal and household
15 retail sales and service use in which large household items, such as but not limited to furniture
16 or appliances, are rented or sold.

17 3. "Multi-purpose convenience store" means a personal and household retail
18 sales and service use in which a wide range of items frequently purchased for household use are
19 rented or sold. Examples of multi-purpose convenience stores include but are not limited to
20 grocery, hardware, drug, and variety stores.

21 ~~((4. "Specialty food store" means a personal and household retail sales and
22 service use in which food such as salads, deli meats, desserts, baked goods, whole pizzas, and
23 other ready-to-eat foods are prepared and sold, generally for consumption on other premises.
24 Specialty packaged foods, and/or bulk items such as cheese, may also be sold, and the square
25 footage of any area used for seating for the immediate consumption of food shall be no more
26 than three hundred (300) square feet. If more than three hundred (300) square feet are devoted to
27 seating space, the entire use shall be considered an eating and drinking establishment rather than
28 a specialty food store.))~~



1 Section 21. Section 23.84.038 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 120443, is amended as follows:

3 **23.84.038 Definitions -- T**

4 (~~"Tavern." See "Eating and drinking establishment."~~)

5 ***

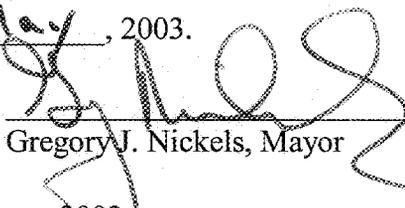
6
7 Section 22. The provisions of this ordinance are declared to be separate and severable.
8 The invalidity of any particular provision shall not affect the validity of any other provision.

9
10 Section 23. This ordinance shall take effect and be in force thirty (30) days from and
11 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
12 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

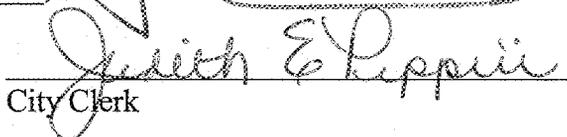
13 Passed by the City Council the 12th day of May, 2003, and signed by me in
14 open session in authentication of its passage this 12th day of May, 2003.

15
16 
17 President _____ of the City Council

18 Approved by me this 22 day of May, 2003.

19 
20 Gregory J. Nickels, Mayor

21 Filed by me this 22nd day of May, 2003.

22 
23 City Clerk

24
25 (Seal)
26
27
28

Fiscal Note

Each piece of legislation that appropriates funds, creates position authority, or will create a financial impact through policy direction or otherwise, requires a fiscal note. The fiscal note should be drafted by department staff and should include all relevant financial information. After preparation by departmental staff, the Department of Finance will review and make necessary revisions before transmittal to Council.

Department:	Contact Person/Phone:	DOF Analyst/Phone:
DCLU	C. Susan McLain, (206) 684-0432	

Legislation Title:

AN ORDINANCE relating to eating and drinking establishments, updating definitions, establishing a conditional use criterion for certain higher-impact types of establishments, correcting minor errors, and amending SMC Sections 23.45.110, 23.46.004, 23.47.001, 23.47.006, 23.47.010, 23.47.028, 23.47.042, 23.48.008, 23.50.014, 23.50.027, 23.53.020, 23.53.030, 23.54.015, 23.66.234, 23.72.008, 23.84.004, 23.84.010, 23.84.012, 23.84.030, 23.84.038.

Summary of the Legislation:

The attached ordinance will update the definitions for restaurants and specify which restaurants are subject to an administrative conditional use (ACU) process. The proposal responds to current trends in the food service industry. The amendments would also update definitions for establishments that serve alcoholic beverages in order to accommodate emerging trends in restaurants concepts as well as changes in the State Liquor Control Board rules.

This ordinance does not have financial implications.

Appropriations (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Anticipated Appropriation
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*

Notes:

Expenditures (in \$1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Anticipated Expenditures
TOTAL			0	0

** This is line of business for operating budgets, and program or project for capital improvements*



McLain
 February 27, 2003
 Eating and Drinking Establishments Ordinance
 Version #1

Anticipated Revenue/Reimbursement (in \$1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
TOTAL			0	0

Notes:

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL			0	0

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

Background (Include brief description which states the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

Please see attached Director's Report and Recommendation dated January 14, 2003.

The financial cost of not implementing the legislation (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

Possible alternatives to the legislation which could achieve the same or similar objectives (Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

Is the legislation subject to public hearing requirements (If yes, what public hearings have been held to date):

Other Issues (including long-term implications of the legislation):

Attachment: Director's Report and Recommendation



DIRECTOR'S REPORT AND RECOMMENDATION

EATING AND DRINKING ESTABLISHMENTS

January 14, 2003

INTRODUCTION

The Department of Design, Construction and Land Use (DCLU) is proposing a Land Use Code Amendment related to restaurants and taverns.

- 1) The amendment would re-define restaurants and establish a conditional use criterion for certain higher-impact types of restaurants. The proposal is designed to respond to current trends in the food service industry.
- 2) Further amendments would replace the categorical distinctions among purveyors of alcoholic beverages with one category in order to accommodate emerging trends in restaurant concepts and changes in the State Liquor Control Board rules.

BACKGROUND

The current approach to identifying eating and drinking establishments was adopted in the mid-1980s. It was based on a number of definitions intended to distinguish between food service formats including "restaurant," "fast food restaurant," and "specialty food store." Similarly, drinking establishments are categorized as "tavern," "brewpub," and "restaurant with cocktail lounge." Over the past two decades, many new eating and drinking concepts have emerged that blur the lines previously drawn by these terms. Today we find ourselves with too many definitions, several of which can apply to any one project. This has resulted in unnecessary complexity in the Code, and an uneven relationship between regulations and impacts.

Permitted Uses (and the Administrative Conditional Use)

Depending upon their classification, similar eating and/or drinking establishments can be subject to very different permit process requirements. The current definitions require fine-grained distinctions that are based on operations rather than impacts. Frequently, few differences exist between eating and drinking establishments in different classifications.

For example, it is not always clear if a restaurant use should be classified as a "fast food restaurant" or a "restaurant" based on the nature of the service provided. However, unlike an identified "restaurant" a use identified as a "fast food restaurant" is subject to Administrative Conditional Use (ACU) approval. The conditional use requirement adds time to the permit approval process leading to higher business costs when potential impacts may not warrant the additional analysis.



The ACU review is currently used to analyze impacts relating to building design, litter control, traffic, and consistency with a neighborhood's pedestrian character. However, many of these potential impacts are also addressed through development and use standards within specific zones. The use of standards rather than ACU review is addressed in more detail in the Analysis section of this report.

Drinking establishments also face inconsistencies between classifications and regulatory requirements. A "restaurant with cocktail lounge" is prohibited in NC1 zones (small scale, pedestrian-oriented commercial areas), for example, whereas a "tavern" or "brewpub" may be permitted pending conditional use analysis. This distinction appears to call out the nature of the product—"hard liquor" versus "beer and wine"—rather than the establishment's potential for impacts.

The existing Land Use Code defines various types of eating and drinking establishments:

**Within the "eating and drinking establishments" definition
(23.84.010):**

"Restaurant" means an eating and drinking establishment which has most of the following characteristics: Products sold are generally consumed within an enclosed structure at tables and/or at a counter; taking food and drink from the restaurant is purely incidental, except for limited take-out service which uses the same kitchen as the main restaurant and has a similar menu; food is served using nondisposable containers and utensils; and consumption of food in vehicles on the premises is discouraged by the nature of the service. A restaurant may or may not have a separate area, or cocktail lounge, where alcoholic beverages are served without full food service."

"Fast-food restaurant" means an eating and drinking establishment, in which the manner of preparation, packaging, and service of the product enables and/or encourages its consumption outside the restaurant, and which has most of the following characteristics: Quick food service is offered and sales transactions are completed within a very short time period; food is already prepared and held for service, or able to be prepared quickly; the menu is limited, but usually includes a main course and beverages; food is generally served in disposable wrappings or containers, with disposable utensils; and/or orders are not generally taken at a customer's table."

"Brewpub" means an eating and drinking establishment which produces on the premises a maximum of two thousand (2,000) barrels per year of beer, ale or other malt beverage..."

"Tavern" means an eating and drinking establishment in which the serving of food is incidental to the serving of beer and/or wine."

**Within the "retail sales
and services" definition
(23.84.030):**

"Specialty food store: a personal and household retail sales and service use in which food such as salads, deli meats, desserts, baked goods, whole pizzas, and other ready-to-eat foods are prepared and sold, generally for consumption on other premises. Specialty packaged foods, and/or bulk items such as cheese, may also be sold, and the square footage of any area used for seating for the immediate consumption of food shall be no more than three hundred (300) square feet. If more than three hundred (300) square feet are devoted to seating space, the entire use shall be considered an eating and drinking establishment rather than a specialty food store. (SMC 23.84.030)"



Summary of Existing Permitted and Conditional Uses

Zone	Specialty Food/Retail Sales	Restaurant	Fast Food Restaurant	Drive In Lanes	Restaurant with cocktail lounge	Taverns/Brewpubs
Downtown Zones	permitted	permitted	permitted (subject to special review in the I.D.)	prohibited	permitted	permitted
Industrial Zones	permitted	permitted	ACU required for fast food greater than 750 square feet	permitted	permitted	permitted
Commercial 1 and 2 (C1 and C2)	permitted	permitted		permitted	permitted	permitted
Neighborhood Commercial 3 (NC3)	permitted	permitted		permitted	permitted	permitted
Neighborhood Commercial 1 and 2 (NC1, NC2)	permitted	permitted		prohibited in NC1, otherwise permitted		administrative conditional use
Pedestrian Overlay	permitted according to underlying zoning.		Permitted up to 2,500 sf with indoor seating and no parking.	prohibited	permitted according to the underlying zone	
Midrise and Highrise (MR and HR)	permitted according to development standards		prohibited	prohibited	prohibited	prohibited
Residential-Commercial (RC)			prohibited	prohibited	prohibited	prohibited

Comprehensive Plan Goals and Policies

Land Use Goals. Seattle's Comprehensive Plan directs the City to distinguish between auto-oriented and pedestrian-oriented uses. The Urban Villages strategy "promotes compact, more pedestrian-oriented development and alternative (non-auto) transportation choices ... to encourage getting around without a car" (Vision). Goal LG68 and policy L199 identifies Neighborhood Commercial (NC) zones as "commercial areas with a development pattern, mix of uses and intensity of activity generally oriented to pedestrian



and transit use.” Goal LG69, on the other hand, states that “general commercial zones accommodate activities highly dependent on automobile access.”

Economic Goals. The Economic element of Seattle’s Comprehensive Plan calls for balancing these two zoning objectives by striving “to provide a wide range of goods and services to residents and businesses in urban centers and villages by encouraging appropriate retail development in these areas (ED37).”

Regulatory Environment. The Comprehensive Plan further encourages the City to “consider ways to conduct permit processing within shorter timeframes, streamline regulations, eliminate unnecessary layers of control and promote predictability in the review of permit application (ED17).” In the summer of 2002, Mayor Greg Nickels emphasized a shortened land use review process and simplified Land Use Code as important to the city’s economic vitality.

ANALYSIS

The Land Use Code identifies specific types of restaurants in order to regulate impacts and ensure that the use is consistent with underlying zoning and the surrounding neighborhood. The current definitions and criteria for conditional use are out of date and therefore are no longer effective. Thus, DCLU is proposing to update the definitions and the conditional use process to accomplish the following goals:

1. Simplify and shorten the permit review process whenever reasonable.
2. Encourage economic vitality.
3. Ensure that impacts are consistent with the pedestrian- or automobile-orientation of the underlying zone.

Restaurant Definitions. DCLU proposes to broaden the definition of “restaurant” in place of the outdated “fast food restaurant” and “specialty food” definitions. At the time the current definitions were adopted, Seattle’s fast food market was dominated by auto-oriented national chains such as McDonalds and Burger King, and local chains such as Dick’s Hamburgers. Most fast food restaurants featured a drive-in and a stand-alone structure surrounded by a sizable parking lot. Some national chains continue to employ this model today. Tricon restaurants (Taco Bell, Pizza Hut and KFC) continue to require sites with highly visible parking that can accommodate drive-in lanes. Burger King and McDonald’s develop free-standing buildings surrounded by ample parking and drive-in capacity.

Today, however, numerous “fast service” restaurant concepts look very different from the fast food giants that dominated the market in the 1980s. These restaurants present a sizable array of menus, operations, business structures, and customer service requirements. For example, Starbucks Corporation features both small restaurants in pedestrian-oriented neighborhoods and, increasingly, large free-standing buildings with drive-in facilities (300 drive-in facilities exist in North America, according to the Puget



Sound Business Journal, October 2002). Subway Sandwiches stores are often located within larger commercial and mixed use buildings. These restaurants rarely accommodate drive-in lanes, even if allowed by zoning. Similarly, Taco del Mar, a Northwest chain, develops stores that are often located in pedestrian-oriented neighborhoods.

Many of the newer, smaller fast service formats differ from traditional fast food restaurants in important ways. These newer restaurants share the following characteristics:

- oriented toward walk-up rather than drive-up/drive-in business,
- sales volumes in walk-up stores are low enough to avoid significant traffic impacts,
- square footage needs are relatively small,
- adaptable to existing commercial or mixed-use buildings,
- consistent with the character of pedestrian-oriented neighborhoods.

These characteristics make fast-service restaurants indistinguishable in terms of impacts from other restaurants that are often identified as "specialty food" or simply as "restaurant" under Seattle's Land Use Code. Cities around the country have begun to allow outright fast-service restaurant uses that conform to surrounding pedestrian-oriented neighborhood character. Development standards are effectively used to require design characteristics that are suited to pedestrian-orientation and neighborhood scale. Development standards in many other jurisdictions (and in some zoning designations in Seattle) include requiring buildings to abut the sidewalk with windows that allow pedestrians to see into the establishment. Parking is located in the rear or underneath the building and drive-in lanes are not allowed.

The proposed amendments would treat all restaurants similarly under the Land Use Code. However, restaurants with drive-in facilities would require conditional use analysis as discussed in the next section. The updated definition of "restaurant" would include all business establishments that offer food and/or beverages for individual consumption either on- or off-premises. For example, coffee shops that serve individual portions of beverages and pastries fall into this category, as would both sit-down restaurants and "to go" restaurants. An exception to this general principle is the International Special Review District. In this special area of the city, "formula fast food restaurants" would continue to be reviewed by the International Special Review Board.

Drive-in facilities. Both the Institute for Transportation Engineers (ITE) and recent parking surveys conducted by the Seattle Department of Transportation confirm the difficulty in distinguishing "fast food" from "sit down" restaurants in terms of operations and traffic impacts. Based on available data and DCLU's experience regulating restaurant uses, however, restaurants with drive-in facilities impact traffic volumes to a greater extent than fast service sit-down restaurants. Therefore, the proposed amendments would prohibit restaurants with drive-in lanes in NC1 and NC2 zones, and pedestrian overlay districts. These zones include development standards to encourage pedestrian-oriented development. Parking is required to be located to the rear or side of a

structure, thus discouraging automobile conflicts with pedestrians by limiting auto traffic across sidewalks. This standard provides a rational basis for prohibiting drive-in facilities for restaurants in these zones.

Neighborhood Commercial 3 (NC3) zones are generally oriented toward pedestrians, but also serve a citywide or regional customer base. In NC3 zones, the proposed amendments would require administrative conditional use review and approval for restaurants with drive-in facilities. Conditional use criteria would ensure that the NC3 zone will continue to function as a pedestrian-oriented neighborhood business district while allowing a greater variety of service options under controlled circumstances. The existing ACU includes analysis of traffic impacts, consistency with pedestrian uses, litter, and design considerations.

Commercial zones (C1 and C2) are intended to serve local and regional clientele through small, medium to large businesses. Drive-in lanes would be allowed outright in commercial zones (C1 and C2). The location of parking in C1 and C2 zones is not limited, and development standards in these zones encourage automobile-oriented businesses. For this reason DCLU proposes that drive-in restaurants in commercial zones be allowed outright.

Drinking establishments. As noted earlier, three categories are used to regulate establishments that serve alcoholic beverages in Seattle's Land Use Code: "restaurant with lounge," "tavern" and "brewpub." In the past, business concepts were easily captured by these categories in part due to the nature of the Washington State Liquor Control Board rules. The State Liquor Board Rules affect business practices that also are regulated through Seattle's Land Use Code.

According to these Rules, a business serving spirits was previously required to admit minors. Establishments that admit minors were—and are—required to operate as a bona fide restaurant and to distinguish dining from lounge areas with an identifiable barrier. This allowed establishments that serve spirits to be neatly categorized as a "restaurant with lounge" under Seattle's Land Use Code. Liquor Control Board Rules also stipulate that taverns, unlike establishments that serve spirits, shall serve only beer and wine and may not permit minors on the premises. Taverns are not required to feature either a kitchen or a dining area.

In the mid-1990s, however, the State Liquor Control Board relaxed some of its rules with regard to the service of spirits. Two of the more important changes allowed businesses to emphasize the sale and consumption of alcohol over food:

- The Board relaxed kitchen requirements allowing businesses to expend fewer resources on food preparation and service.
- Establishments that serve spirits are now allowed to prohibit minors from the entire premises, thereby eliminating the need to create barriers between areas designated for eating and areas designated for the consumption of alcohol.

These two actions helped pave the way for a recent trend in businesses: bars, nightclubs, pubs and other establishments that serve hard liquor without featuring an apparent "restaurant" eating area.

The above trend presents DCLU and business owners with the challenge of fitting new business concepts into old definitions. The definition of "restaurant" describes food service with a separate bar. The definition of "tavern" includes only the service of beer and wine. As a result, numerous uses have been classified as "taverns"—because food service is incidental to the service of alcoholic beverages—even though they serve spirits in addition to beer and wine.

Lively commercial areas need all kinds of businesses, including a diversity of eating and drinking establishments. However, historically, Seattle has more carefully assessed the impact of alcoholic beverage-oriented establishments in small-scale neighborhood commercial areas. Experience indicates that restaurants that serve liquor are not more likely to create undue impacts than those that serve beer and wine. However, businesses that prohibit minors from the premises are allowed, under State Liquor Control Board rules, to emphasize the sale of alcohol over the sale and service of food.

For these reasons, DCLU recommends creating one "drinking establishment" definition as follows: "Drinking Establishment" means a licensed enterprise in which alcoholic beverages may be purchased and consumed on premise; which limits patronage to adults of legal age for the consumption of alcohol; and in which limited food service may be accessory to the service of alcoholic beverages. Drinking establishments may include taverns, saloons, brewpubs, bars, pubs, or cocktail lounges associated with restaurants."

RECOMMENDATIONS

The proposed amendment updates the definitions of restaurants based on current business practices. Further, the amendment more precisely identifies restaurants that are incompatible with pedestrian-oriented development by replacing the current size-based conditional use threshold with the presence of a drive-in lane as the criterion. The Department of Design, Construction and Land Use recommends:

1. Consolidate restaurant uses under one definition—"restaurants"—and eliminate "fast food restaurant" and "specialty food store" (23.84.010 and 23.84.012). A definition for "formula fast food restaurant" would apply only to the International Special Review District.
2. The presence of a drive-in lane becomes the criterion for Administrative Conditional Use and is applied in NC3 zones (23.47.006).
3. Prohibit restaurants with drive-in lanes in NC1 zones, NC2 zones (23.47.028) and pedestrian-designated commercial areas (P1 and P2 overlays).

DCLU further recommends that the categories associated with drinking establishments be consolidated by eliminating definitions that appear to regulate uses in the same or similar ways. The distinction between establishments that serve beer and wine as compared to those that serve spirits is also eliminated. Instead, establishments (restaurants, bars and taverns) that prohibit minors from most of the premises are identified as drinking establishments and are called out for additional analysis in the permitting process.

4. Consolidate all alcoholic-related uses into one definition entitled "drinking establishment" (23.84.008, 23.84.010, 23.84.038).
5. Require Administrative Conditional Use analysis for drinking establishments in NC1 and NC2 zones (23.47.006).

Summary of Proposed Permitted and Conditional Uses
 (Refer to the chart outlining existing conditions on page 3.)

Zone	Restaurant	Restaurants with drive-in lanes	Drinking Establishments
Downtown	permitted	prohibited	permitted
Commercial Zones (C1, C2)	permitted	permitted	permitted
Neighborhood Commercial 3 (NC3)	permitted	administrative conditional use	permitted
Neighborhood Commercial 1 & 2 (NC1, NC2)	permitted	prohibited	administrative conditional use
Pedestrian Overlay (P1, P2)	permitted according to underlying zone	prohibited	Permitted according to underlying zone
Midrise and Highrise zones (MR, HR)	permitted	prohibited	prohibited
Residential Commercial (RC)	permitted	prohibited	prohibited
Industrial Zones (I)	permitted	permitted	permitted

● Denotes recommended changes to the Land Use Code.



CONCLUSION

The proposed amendments to the Land Use Code will encourage thriving mixed-use commercial areas that feature many options for dining and entertainment. The amendments strike a sensible balance among many objectives. Overall, the proposal moves the City toward the following goals:

- update the Land Use Code to reflect current business practices;
- closely match permitting requirement to potential impacts;
- simplify the Code and permitting requirements when reasonable; and
- continue to protect and enhance neighborhood character.

The current Code regulates eating and drinking establishments according to definitions that no longer reflect current business practices. This has resulted in unnecessary complexity in the Code, an uneven relationship between regulations and impacts, and administrative processes that create hardships for businesses while providing nominal benefits to the surrounding community.

The proposed amendments will replace the multiple categories with one definition for “restaurant” and one definition for “drinking establishment.” Higher impact uses—such as restaurants with drive-through lanes or drinking establishments in small neighborhood commercial areas—will continue to undergo administrative conditional use analysis to mitigate potential traffic, parking or noise impacts. For these reasons we encourage the approval and adoption of the proposed amendments.



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

February 27, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

The attached ordinance would amend Seattle's Land Use Code to update the definitions for restaurants and establishments that serve alcoholic beverages. The ordinance also specifies which restaurants are subject to an administrative conditional use (ACU) process. Not only does the proposed ordinance respond to emerging trends in restaurant concepts and changes in State Liquor Control Board rules, but it also simplifies regulations that will aid small businesses.

The proposal is an important first step toward simplifying our commercial code by replacing the multiple definitions for eating and drinking establishments with two simple definitions: "restaurant" and "drinking establishment." The city's small-scale pedestrian-oriented neighborhood commercial districts and surrounding residential areas would continue to enjoy some protection from the unavoidable impacts of eating and drinking establishments to the extent reasonable.

Thank you for your consideration of this legislation. Should you have questions please contact Susan McLain at 684-0432.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a horizontal line.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

159243
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

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:ORDINANCE 121145

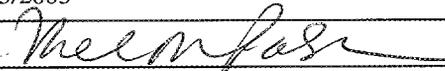
was published on

6/5/2003



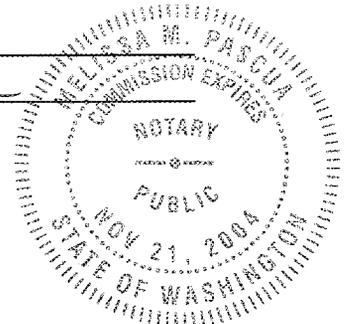
Subscribed and sworn to before me on

6/5/2003



Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



Business incubators

Carwash

1 space for each 1,000 square feet

1 space for each 1,000

(PSAPCA). These measures shall

underused commercially zoned land; provided that single-purpose residential development shall not interrupt an established commercial street front. As used in this subsection, an "established commercial street front" may be intersected by streets or alleys, and some lots with no current commercial use.

5. Residential Uses in C2 Zones.

a. In order to conserve the limited amount of commercially zoned land for commercial uses, residential uses in single-purpose or mixed-use structures shall generally not be allowed in C2 zones. However, additions to, or on-site accessory structures for, existing single-family structures shall be permitted outright. Residential uses in single-purpose or mixed-use structures may be permitted in C2 zones as administrative conditional uses according to the following criteria:

(1) Availability of Suitable Land for C2 Activities. Residential uses shall generally be discouraged in areas which have limited vacant land and where, due to terrain and large parcel size, land is particularly suitable for commercial rather than residential development.

(2) Relationship to Transportation Systems. Residential uses shall generally be discouraged in areas with direct access to major transportation systems such as freeways, state routes and freight rail lines.

(3) Compatibility With Surrounding Areas. Residential uses shall not be allowed in close proximity to industrial areas and/or in areas where nonresidential uses may create a nuisance or adversely affect the desirability of the area for living purposes.

b. Residential uses required to obtain a shoreline conditional use shall not be required to obtain an administrative conditional use.

6. Development of a medical service use over ten thousand (10,000) square feet, outside but within two thousand five hundred (2,500) feet of a medical Major Institution overlay district boundary, shall be subject to administrative conditional use approval, unless included in an adopted master plan. In making a determination whether to approve or deny a medical service use, the Director shall determine whether an adequate supply of commercially zoned land for businesses serving neighborhood residents will continue to exist. The following factors shall be used in making this determination:

a. Whether the amount of medical service use development existing and proposed in the vicinity would reduce the current viability or significantly impact the longer-term potential of the neighborhood-serving character of the commercial area, and

b. Whether medical service use development would displace existing neighborhood-serving commercial uses at street level or disrupt a continuous commercial street front, particularly of retail and personal services uses, or significantly detract from an area's overall neighborhood-serving character.

2. NC1

lanes. Other drive-in businesses in NC2 zones shall be limited to eating and drinking establishments.

AN ORDINANCE relating to land use and zoning, to amend Ordinance 1136, as amended, to add to the list of permitted commercial uses in NC2 zones eating and drinking establishments.

BE IT ORDAINED BY THE CITY OF SEATTLE

Section 1. Subsection B of Section 23.45.110

section was last amended by Ordinance 1136, as amended, to add to the list of permitted commercial uses in NC2 zones eating and drinking establishments.

B. Permitted Commercial Uses. The following commercial uses in Midrise and Highrise zones shall be permitted:

1. Personal and household services;
2. Medical services;
3. Restaurants (without food preparation);
4. Business support services;
5. Offices; and
6. Food processing and craft businesses.

C. Ground-floor commercial uses shall be permitted:

1. All business, service, repair and maintenance uses shall be conducted wholly within an enclosed structure. All goods produced shall be stored in an enclosed structure. All street loading shall be limited to those which do not produce noise, vibration, refuse matter or water-carried matter.
2. The maximum gross floor area of a multi-purpose convenience store shall be no greater than four thousand (4,000) square feet.
3. Processes and equipment shall be limited to those which do not produce noise, vibration, refuse matter or water-carried matter.
4. Parking shall be required.
5. No loading berths shall be provided, loading berths shall be located on the rear or side of the building.
6. Identifying signs shall be permitted.

Section 2. Subsection B of Section 23.46.004

section was last amended by Ordinance 1136, as amended, to add to the list of permitted commercial uses in NC2 zones eating and drinking establishments.

23.46.004 Uses.

B. The following commercial uses shall be permitted:

1. Personal and household services;

City of Seattle

ORDINANCE

9-08105-6 FAX: 206-461-3000 Douglas A. Douglas Mayor

Section 7 amended by Ordinance 23.47.042 Uses

((B-F) provide indoor other heavy tr

Section 23.47

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