SEATTLE CITY COUNCIL

Legislative Summary

CB 118580

Record No.: CB 118580 **Type:** Ordinance (Ord) 124969 **Status:** Passed

Version: 3 **In Control:** City Clerk

File Created: 11/04/2015

Final Action: 01/12/2016

Title: AN ORDINANCE relating to land use and zoning; repealing Ordinance 124552 and amending Sections 23.42.058, 23.47A.002, 23.47A.004, 23.47A.020, 23.48.002, 23.48.005, 23.48.065, 23.49.002, 23.49.025, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.320, 23.49.338, 23.50.002, 23.50.012, 23.50.014, 23.50.044, 23.66.122, 23.66.322, and 23.84A.025 of the Seattle Municipal Code to change marijuana zoning regulations and make technical corrections.

Notes:

Sponsors: O'Brien

Attachments:

Drafter: adam.schaefer@seattle.gov

	Date
Filed with City Clerk:	
Mayor's Signature:	
Vetoed by Mayor:	
Veto Overridden:	
Veto Sustained:	

Filing Requirements/Dept Action:

History of Legislative File **Legal Notice Published:** ☐ Yes ☐ No

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	11/10/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	11/10/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	11/12/2015	sent for review	Planning, Land Use, and Sustainability Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Sustainability Committee						

Notes:

1	Full Council	11/30/2015	referred	Planning, Land Use, and Sustainability Committee	

Action Text: The Council Bill (CB) was referred. to the Planning, Land Use, and Sustainability Committee

Notes:

1	Planning, Land Use, and Sustainability Committee	12/01/2015	discussed		

Action Text: The Council Bill (CB) was discussed in Committee.

1	Planning, Land Use, and Sustainability Committee	12/15/2015	pass as amended		Pass

Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).

In Favor: 5 Chair O'Brien, Vice Chair Burgess, Member Licata, Alternate González , Godden

Opposed: 0

Abstain: 1 Harrell

2	Full Council	01/11/2016	passed		Pass

Action Text: The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

Notes: ACTION 1:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle Municipal Code, as shown in the underlined and strike through language below:

***

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is located: elementary school;

secondary school; or playground;

3. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 500 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

4. Any lot line of property having a major marijuana activity that does not include the retail sale of marijuana products must be 250 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

45. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products must be 350 feet or more from any lot line of other property containing major marijuana activity that includes the retail sale of marijuana products;

56. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, ~~or~~ 23.42.058.C.4, or 23.42.058.C.5 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a "Notice of Marijuana Application" to The City of Seattle.

***

ACTION 2:

Motion was made by Councilmember Herbold, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle

Municipal Code, as shown in the underlined language below:

***

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is located: elementary school; secondary school; or playground;

3. Any lot line of property having a major marijuana activity must be 500 feet or more, except that in Downtown Mixed Residential and Downtown Mixed Commercial zones within that portion of the Downtown Urban Center that is west of Interstate 5, north of Yesler Way, and south of Denny Way major marijuana activity that includes the retail sale of marijuana products must be 250 feet or more, from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

4. Any lot line of property having a major marijuana activity that

includes the retail sale of marijuana products must be 350 feet or more from any lot line of other property containing major marijuana activity that includes the retail sale of marijuana products;

5. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, or 23.42.058.C.4 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a "Notice of Marijuana Application" to The City of Seattle.

***

ACTION 3:

Motion was made by Councilmember Burgess, duly seconded and carried, to amend Council Bill 118580, Section 2, Section 23.42.058 of the Seattle Municipal Code, as shown in the underlined and strike through language below:

***

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

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4. No more than two properties with major marijuana activity that includes the retail sale of marijuana products are allowed within 1000 feet of each other; ~~Any~~where any lot ~~line~~lines of two properties with existing major marijuana activity that includes the retail sale of marijuana products are located within 1000 feet of each other, any lot line of another property ~~having~~with a new major marijuana activity that includes the retail sale of marijuana products must be ~~350~~ 1000 feet or more from ~~any~~the closest lot

line of ~~other~~the property containing existing major marijuana activity that includes the retail sale of marijuana products;

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ACTION 4:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 118580, by adding a new Section 1 and renumbering subsequent bill sections, as shown in the language below:

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Section 1. Pursuant to the authority granted by RCW 69.50.331(8)(b), Section 3.C of this ordinance is intended to reduce the minimum distances between state-licensed marijuana premises and the facilities described in RCW 69.50.331(8)(a), except elementary schools, secondary schools, and playgrounds, from 1,000 feet to 500 feet for facilities that include the retail sale of marijuana products; from 1,000 feet to 250 feet for premises that do not include retail sale of marijuana products; and, within a portion of the downtown core only, from 1,000 feet to 250 feet for premises that include the retail sale of marijuana products. The City Council finds that reducing these minimum distances will not negatively impact the City of Seattle's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

[Renumber Sections]

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ACTION 5:

Motion was made and duly seconded to pass Council Bill 118580 as amended.

In Favor: 9 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

3	City Clerk	01/12/2016	submitted for Mayor's signature	Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

3	Mayor	01/12/2016	Signed	

Action Text: The Council Bill (CB) was Signed.

Notes:

3	Mayor	01/12/2016	returned	City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

3	City Clerk	01/12/2016	attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 124969

COUNCIL BILL 118580

AN ORDINANCE relating to land use and zoning; repealing Ordinance 124552 and amending Sections 23.42.058, 23.47A.002, 23.47A.004, 23.47A.020, 23.48.002, 23.48.005, 23.48.065, 23.49.002, 23.49.025, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.320, 23.49.338, 23.50.002, 23.50.012, 23.50.014, 23.50.044, 23.66.122, 23.66.322, and 23.84A.025 of the Seattle Municipal Code to change marijuana zoning regulations and make technical corrections.

WHEREAS, on October 7, 2013, Seattle City Council passed Ordinance 124326, implementing zoning restrictions on businesses involved in the production, processing, sale, and delivery of marijuana, marijuana-infused products, or useable marijuana; and

WHEREAS, a significant number of new businesses involved in the production, processing, and sale of marijuana, marijuana-infused products, or useable marijuana that are not licensed by the Washington State Liquor and Cannabis Board have opened since ordinance 124326 was passed; and

WHEREAS, state legislation amended the Revised Code of Washington (RCW), Title 69, to create a highly regulated system for the production, processing, and distribution of medical marijuana; and

WHEREAS, Seattle Resolution 31595 adopted on July 13, 2015, describes enforcement priorities for non-state-licensed marijuana businesses; and

WHEREAS, the Seattle Marijuana Business License Ordinance adopted on July 13, 2015 requires all marijuana businesses to obtain a City marijuana license;

WHEREAS, it is in the interest of the people of the City of Seattle to have clear regulations regarding where permitted marijuana businesses will be allowed to operate; and

WHEREAS, it is in the interest of the people of the City of Seattle to ensure that legitimate patients continue to have the authority to grow and process marijuana for their personal use under specific guidelines; and

WHEREAS, it is in the interest of the City of Seattle to enact clear and enforceable standards for businesses involved in the production, processing, and sale of marijuana, marijuana-infused products, or useable marijuana and to prohibit unlawful businesses that operate without a Washington State Liquor and Cannabis Board license in order to ensure appropriate oversight of product purity, packaging, security, signage and other business practices; and

WHEREAS, buffering and dispersion provisions are necessary to ensure there are sufficient business locations, but no concentration of permitted marijuana businesses; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the authority granted by RCW 69.50.331(8)(b), Section 3.C of this ordinance is intended to reduce the minimum distances between state-licensed marijuana premises and the facilities described in RCW 69.50.331(8)(a), except elementary schools, secondary schools, and playgrounds, from 1,000 feet to 500 feet for facilities that include the retail sale of marijuana products; from 1,000 feet to 250 feet for premises that do not include retail sale of marijuana products; and, within a portion of the downtown core only, from 1,000 feet to 250 feet for premises that include the retail sale of marijuana products. The City Council finds that reducing these minimum distances will not negatively impact the City of Seattle's civil regulatory enforcement, criminal law enforcement interests, public safety, or public health.

Section 2. Ordinance 124552 is repealed.

Section 3. Section 23.42.058 of the Seattle Municipal Code, enacted by Ordinance 124326, is amended as follows:

23.42.058 Marijuana

A. ((~~On any lot or on any combination of contiguous lots held in common ownership that contains no dwelling unit or business establishment, major marijuana activity may not be conducted.~~

~~B. On any lot or any combination of contiguous lots held in common ownership that contains one or more dwelling units:~~

~~1. no production, processing, selling, or delivery of marijuana, marijuana-infused products, or useable marijuana may be conducted unless it is in association with a dwelling unit or is in association with a business establishment meeting the limitations imposed by subsection 23.42.058.C; and~~

~~2. major marijuana activity may not be conducted in association with any dwelling unit.~~

~~C. Except as provided in subsection 23.42.058.D, major marijuana activity may not be conducted in association with all business establishments combined on a lot or combination of contiguous lots held in common ownership.~~

~~D. Licensed marijuana business establishments described in subsection 23.42.058.D.1 are exempt from subsection 23.42.058.C if not located in any of the restricted areas listed in subsection 23.42.058.D.2.~~

~~1. A "licensed marijuana business establishment" within the meaning of subsection 23.42.058.D is a business establishment acting in compliance with a license issued by~~

~~the state for the production, processing, selling, or delivery of marijuana, marijuana-infused products, or useable marijuana under Title 69 of the Revised Code of Washington.~~

~~2. The "restricted areas" within the meaning of subsection 23.42.058.D are:~~))

Major marijuana activity is prohibited in any dwelling unit, regardless of the zone in which the dwelling unit is located, except that major marijuana activity is allowed in caretaker's quarters unless the quarters are located in a zone or district identified in subsection 23.42.058.B.

B. Major marijuana activity is prohibited in the following zones and districts:

((~~a~~))1. ((~~Any~~)) Single-family zones;

((~~b~~))2. ((~~Any~~)) Multifamily zones;

((~~c~~))3. ((~~Any~~)) Neighborhood Commercial 1 (NC1) zones;

((~~d. Any of the following Downtown zones:~~))

((~~1~~)))4. Pioneer Square Mixed (PSM);

((~~2~~)))5. International District Mixed (IDM);

((~~3~~)))6. International District Residential (IDR);

((~~4~~)))7. Downtown Harborfront 1 (DH1);

((~~5~~)))8. Downtown Harborfront 2 (DH2); ~~or~~

((~~6~~)))9. Pike Market Mixed (PMM); ~~or~~

((~~e . Any of the following districts:~~))

((~~1~~)))10. Ballard Avenue Landmark District;

((~~2~~)))11. Columbia City Landmark District;

((~~3~~)))12. Fort Lawton Landmark District;

((~~4~~)))13. Harvard-Belmont Landmark District;

((~~5~~)))14. International Special Review District;

((~~6~~)))15. Pike Place Market Historical District;

((~~7~~)))16. Pioneer Square Preservation District;

((~~8~~)))17. Sand Point Overlay District; or

((~~9~~)))18. Stadium Transition Area Overlay District.

C. Major marijuana activity is allowed in all other zones if the activity and site meet the following requirements:

1. The person operating the major marijuana activity must have a current license issued by the State of Washington pursuant to Title 69 RCW authorizing the person to produce, process, or sell, at the proposed site, marijuana, marijuana-infused products, useable marijuana, or marijuana concentrates, or to research or test any of those products at the proposed site for quality assurance pursuant to Title 69 RCW;

2. Any lot line of property having a major marijuana activity must be 1,000 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is located: elementary school; secondary school; or playground;

3. Any lot line of property having a major marijuana activity that includes the retail sale of marijuana products, except that in Downtown Mixed Residential and Downtown Mixed Commercial zones within that portion of the Downtown Urban Center that is west of Interstate 5, north of Yesler Way, and south of Denny Way major marijuana activity that includes the retail sale of marijuana products must be 250 feet or more, must be 500 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

4. Any lot line of property having a major marijuana activity that does not include the retail sale of marijuana products must be 250 feet or more from any lot line of property on which any of the following uses as defined in WAC 314-55-010 is established and operating: child care center; game arcade; library; public park; public transit center; or recreation center or facility;

5. No more than two properties with major marijuana activity that includes the retail sale of marijuana products are allowed within 1000 feet of each other; where any lot lines of two properties with existing major marijuana activity that includes the retail sale of marijuana products are located within 1000 feet of each other, any lot line of another property with a new major marijuana activity that includes the retail sale of marijuana products must be 1000 feet or more from the closest lot line of the property containing existing major marijuana activity that includes the retail sale of marijuana products;

6. Whether a major marijuana activity complies with the locational requirements prescribed by subsections 23.42.058.C.2, 23.42.058.C.3, 23.42.058.C.4, or 23.42.058.C.5 shall be based on facts that exist on the date the Washington State Liquor and Cannabis Board issues a "Notice of Marijuana Application" to The City of Seattle.

Section 4. Section 23.47A.002 of the Seattle Municipal Code, last amended by Ordinance 123770, is amended as follows:

23.47A.002 Scope of provisions

A. This ((e))Chapter 23.47A describes the authorized uses and development standards for the following zones:

Neighborhood Commercial 1 (NC1) ((;)) ;

Neighborhood Commercial 2 (NC2) ((;)) ;

Neighborhood Commercial 3 (NC3) ((,)) ;

Commercial 1 (C1) ((,)) ; and

Commercial 2 (C2).

B. Commercial zones listed in subsection 23.47A.002.A and having an incentive zoning suffix are subject to this Chapter 23.47A and Chapter 23.58A, Incentive Provisions.

((~~B. 1~~))C((1)). Some land in C zones and NC zones may be regulated by Subtitle III, Division 3, Overlay Districts, of this Title 23.

((~~C. 1~~))D((1)). Other regulations, including but not limited to ((,)) major marijuana activity (Section 23.42.058); requirements for streets, alleys, and easements (Chapter 23.53); standards for parking quantity, access, and design (Chapter 23.54); standards for solid waste storage (Chapter 23.54); signs (Chapter 23.55); and methods for measurements (Chapter 23.86) may apply to development proposals. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this ((e))Chapter 23.47A and additional regulations in Chapter 23.57, Communications Regulations.

Section 5. Subsection 23.47A.004.A and Table A for 23.47A.004 of the Seattle Municipal Code, which section was last amended by Ordinance 124843, are amended as follows:

23.47A.004 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.47A.004 and this Section 23.47A.004, except as may be otherwise provided pursuant to subtitle III, Division 3, Overlay Districts, of this ((~~subtitle III of~~)) Title 23.

* * *

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
A. AGRICULTURAL USES					
A.1 Animal husbandry	A	A	A	A	P
A.2. Aquaculture	10	25	P	P	P
A.3. Community garden	P	P	P	P	P
A.4. Horticulture	10	25	P	P	P
A.5. Urban farm (2)	P	P	P	P	P
B. CEMETERIES	X	X	X	X	X
C. COMMERCIAL USES (((~~19~~)))(3)					
C.1. Animal shelters and kennels	X	X	X	X	P
C.2. Eating and drinking establishments					
C.2.a. Drinking establishments	CU-10	CU-25	P	P	P
C.2.b. Restaurants	10	25	P	P	P
C.3. Entertainment uses					
C.3.a. Cabarets, adult (((~~17~~)))(4)	X	P	P	P	P
C.3.b. Motion picture theaters, adult	X	X	X	X	X
C.3.c. Panorams, adult	X	X	X	X	X
C.3.d. Sports and recreation, indoor	10	25	P	P	P
C.3.e. Sports and recreation, outdoor	X	X	X(((~~2~~)))(5)	P	P

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
C.3.f. Theaters and spectator sports facilities	X	25	P	P	P
C.4. Food processing and craft work (2)	10	25	25	P	P
C.5. Laboratories, research and development	10	25	P	P	P
C.6. Lodging uses	X(((~~3~~)))(6)	CU-25(((~~3~~)))(6)	P	P	P
C.7. Medical services (((~~4~~)))(7)	10	25	P	P	P
C.8. Offices	10	25	P	35(((~~5~~)))(8)	35(((~~5~~)))(8)
C.9. Sales and services, automotive					
C.9.a. Retail sales and services, automotive	10(((~~6~~)))(9)	25(((~~6~~)))(9)	P(((~~6~~)))(9)	P	P
C.9.b. Sales and rental of motorized vehicles	X	25	P	P	P
C.10. Sales and services, general (2)					
C.10.a. Retail sales and services, general (2)	10	25	P	P	P
C.10.b. Retail sales, multipurpose	10(((~~7~~)))(10)	50	P	P	P
C.11. Sales and services, heavy					
C.11.a. Commercial sales, heavy	X	X	25	P	P

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
C.11.b. Commercial services, heavy	X	X	X	P	P
C.11.c. Retail sales, major durables	10	25	P	P	P
C.11.d. Retail sales and services, non-household	10	25	P	P	P
C.11.e. Wholesale showrooms	X	X	25	25	P
C.12. Sales and services, marine					
C.12.a. Marine service stations	10	25	P	P	P
C.12.b. Sales and rental of large boats	X	25	P	P	P
C.12.c. Sales and rental of small boats, boat parts and accessories	10	25	P	P	P
C.12.d. Vessel repair, major	X	X	X	S	S
C.12.e. Vessel repair, minor	10	25	P	P	P
D. HIGH-IMPACT USES	X	X	X	X	X
E. INSTITUTIONS					
E.1. Institutions not listed below	10	25	P	P	P
E.2. Major institutions subject to the provisions of Chapter 23.69	P	P	P	P	P
E.3. Religious facilities	P	P	P	P	P

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
E.4. Schools, elementary or secondary	P	P	P	P	P
F. LIVE-WORK UNITS (((~~8~~)))(11)	P	P	P	P	P
G. MANUFACTURING USES					
G.1. Manufacturing, light (2)	X	10	25	P	P
G.2. Manufacturing, general	X	X	X	P	P
G.3. Manufacturing, heavy	X	X	X	X	X
H. PARKS AND OPEN SPACE	P	P	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails					
I.1.a. Youth Service Centers	X	X	P(((~~20~~)))(12)	X	X
I.1.b. All other jails	X	X	X	X	X
I.2. Work-release centers	CCU-10	CCU-25	CCU	CCU	CCU
J. RESIDENTIAL USES (((~~9~~)))(13)					
J.1. Residential uses not listed below	P	P	P	P	CU(((~~10~~)))(14)
J.2. Caretaker's quarters	P	P	P	P	P
J.3. Congregate residence	X/P(((~~11~~)))(15)	X/P(((~~11~~)))(15)	P/X(((~~12~~)))(16)	P/X(((~~12~~)))(16)	P/X(((~~12~~)))(16)
K. STORAGE USES					
K.1. Mini-warehouses	X	X	25	40	P
K.2. Storage, outdoor	X	X	X(((~~13~~)))(17)	P	P

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
K.3. Warehouses	X	X	25	25	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	X	X	X	S	P
L.2. Parking and moorage					
L.2.a. Boat moorage	S	S	S	S	S
L.2.b. Dry boat storage	X	25	P	P	P
L.2.c. Parking, principal use, except as listed below(((~~14~~)))(18)	X	25	P	P	P
L.2.c.i. Park and pool lots(((~~14~~)))(18)	P(((~~15~~)))(19)	P	P	P	P
L.2.c.ii. Park and ride lots(((~~14~~)))(18)	X	X	CU	CU	CU
L.2.d. Towing services	X	X	X	P	P
L.3. Passenger terminals	X	X	25	P	P
L.4. Rail transit facilities	P	P	P	P	P
L.5. Transportation facilities, air					
L.5.a. Airports (land-based)	X	X	X	X	X
L.5.b. Airports (water-based)	X	X	X	X	S
L.5.c. Heliports	X	X	X	X	X
L.5.d. Helistops	X	X	CCU	CCU	CU
L.6. Vehicle storage and maintenance					

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
L.6.a. Bus bases	X	X	X	CCU	CCU
L.6.b. Railroad switchyards	X	X	X	X	X
L.6.c. Railroad switchyards with a mechanized hump	X	X	X	X	X
L.6.d. Transportation services, personal	X	X	P	P	P
M. UTILITY USES					
M.1. Communication utilities, major(((~~16~~)))(20)	X	X	X	CCU	CCU
M.2. Communication utilities, minor(((~~16~~)))(20)	P	P	P	P	P
M.3. Power plants	X	X	X	X	X
M.4. Recycling	X	X	X	P	P/CU(((~~18~~)))(21)
M.5. Sewage treatment plants	X	X	X	X	X
M.6. Solid waste management	X	X	X	X	X
M.7. Utility services uses	10	25	P	P	P

KEY
A = Permitted as an accessory use only
CU = Administrative Conditional Use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
CCU = Council Conditional Use (business establishment limited to the multiple of 1,000 square feet of any number following a hyphen, pursuant to Section 23.47A.010)
P = Permitted
S = Permitted in shoreline areas only
X = Prohibited
10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2

20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010
25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010
35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010
40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section 23.47A.010
50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010

Footnotes to Table A for 23.47A.004 ((÷))

(1) In pedestrian-designated zones, a portion of the street-level street-facing facade of a structure along a designated principal pedestrian street may be limited to certain uses as provided in subsection 23.47A.005.D. In pedestrian-designated zones, drive-in lanes are prohibited (Section 23.47A.028).

(2) In addition to the provisions in this Chapter 23.47A, urban farms that entail major marijuana activity are subject to the requirements of Section 23.42.058.

(3) For commercial uses with drive-in lanes, see Section 23.47A.028.

(4) Subject to subsection 23.47A.004.H.

(((~~2~~))) (5) Permitted at Seattle Center.

(((~~3~~))) (6) Bed and breakfasts in existing structures are permitted outright with no maximum size limit.

(((~~4~~))) (7) Medical services over 10,000 square feet within 2,500 feet of a medical Major Institution Overlay boundary require conditional use approval, unless they are included in a Major Institution Master Plan or dedicated to veterinary services.

(((~~5~~))) (8) Office uses in C1 and C2 zones are permitted up to the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010.D. Office uses in C1 and C2 zones are permitted outright with no maximum size limit if they meet the standards identified in subsection 23.47A.010.D.

(((~~6~~))) (9) Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (Section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.

(((~~7~~))) (10) Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 sq. ft. in size.

(((~~8~~))) (11) Subject to subsection 23.47A.004.G.

(12) Permitted pursuant to subsection 23.47A.004.D.7.

Table A for 23.47A.004 Uses in Commercial ((~~Z~~))zones					
	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone (1)				
((~~USES~~)) Uses	NC1	NC2	NC3	C1	C2
(((~~9~~))) (13) Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C. (((~~10~~))) (14) Residential uses are conditional uses in C2 zones under subsection 23.47A.006.A.3, except as otherwise provided above in Table A for 23.47A.004 or in that subsection 23.47A.006.A.3. (((~~11~~))) (15) Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services or similar. (((~~12~~))) (16) Congregate Residences that are owned by a college or university, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services; are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services or similar. (((~~13~~))) (17) Permitted at Seattle Center, see Section 23.47A.011 (((~~14~~))) (18) In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2. (((~~15~~))) (19) Permitted only on parking lots existing at least five years prior to the establishment of the park and pool lot. (((~~16~~))) (20) See Chapter 23.57, Communications regulations, for regulation of communication utilities. (((~~17) Subject to subsection 23.47A.004.H.~~ ~~(18)~~))) (21) A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7. (((~~19) For commercial uses with drive-in lanes, see Section 23.47A.028.~~ ~~(20) Permitted pursuant to subsection 23.47A.004.D.7.~~))					

Section 6. Section 23.47A.020 of the Seattle Municipal Code, last amended by Ordinance 123046, is amended as follows:

23.47A.020 Odor standards

A. The venting of odors, vapors, smoke, cinders, dust, gas, and fumes shall be at least ((~~ten (~~))10((~~)~~)) feet above finished sidewalk grade, and directed away to the extent possible from ((~~residential~~)) uses within ((~~fifty (~~))50((~~)~~)) feet of the vent.

B. Major ((~~O~~))odor ((~~S~~))sources ((~~:~~))

1. Uses that employ the following odor-emitting processes or activities are ((~~considered~~)) major odor sources:

a. Lithographic, rotogravure, or flexographic printing;

b. Film burning;

c. Fiberglassing;

d. Selling of gasoline and/or storage of gasoline in tanks larger than 260 gallons;

e. Handling of heated tars and asphalts;

f. Incinerating (commercial);

g. Tire buffing;

h. Metal plating;

i. Vapor degreasing;

j. Wire reclamation;

k. Use of boilers (greater than 106 British ((~~T~~))thermal ((~~U~~))units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower);

l. Animal food processing;

m. The production or processing of marijuana products by a major marijuana activity; and

((~~m.~~))n. Other similar processes or activities.

2. Uses that employ the following processes are considered major odor sources, except when the entire activity is conducted as part of a commercial use other than food processing or heavy commercial services:

a. Cooking of grains;

b. Smoking of food or food products;

c. Fish or fishmeal processing;

d. Coffee or nut roasting;

e. Deep fat frying;

f. Dry cleaning.

C. When an application is made for a use that is a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency (PSCAA), will determine the appropriate measures to be taken by the applicant in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken must be indicated on plans submitted to the Director and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures that were required by the permit must be maintained.

Section 7. Section 23.48.002 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

23.48.002 Scope of provisions

A. This Chapter 23.48 identifies uses that are or may be permitted in Seattle Mixed (SM) zones and establishes development standards. The SM zone boundaries are shown on the Official Land Use Map. As identified in Table A for 23.48.002, the SM-SLU designation with a height limit suffix may be applied to SM zoned land in the South Lake Union area. The SM-D designation with a height limit range may be applied to SM zoned land in the West Dravus area.

The SM-NR designation with a height limit suffix may be applied to SM zoned land in the North Rainier area.

Table A for 23.48.002 SM Zone Designations	
Zone designation	**Geographic location**
SM-SLU	South Lake Union
SM-D	West Dravus
SM-NR	North Rainier

B. The provisions of Subchapter I for 23.48 apply in all SM zones and supplemental regulations for designated areas are provided in Chapter 23.48. To the extent provisions in a supplemental subchapter conflict with provisions in Subchapter I, the provisions of the supplemental subchapter apply.

C. Other regulations, such as requirements for major marijuana activity (Section 23.42.058); requirements for streets, alleys, and easements ((~~in~~)) (Chapter 23.53) (((~~Requirements for Streets, Alleys, and Easements~~))); ((~~Chapter 23.54 (Quantity and Design Standards for Access, Off-street Parking, and Solid Waste Storage~~))) quantity and design standards for access, off-street parking, and solid waste storage (Chapter 23.54); ((~~Chapter 23.55 (Signs~~))) signs (Chapter 23.55); and ((~~Chapter 23.86 (Measurements~~))) measurements (Chapter 23.86) may apply to development proposals. Communication utilities and accessory communication devices except as exempted in Section 23.57.002 are subject to the regulations in this Chapter 23.48 and additional regulations in Chapter 23.57.

Section 8. Section 23.48.005 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

23.48.005 Uses

A. Permitted uses

1. All uses are permitted outright, either as principal or accessory uses, except those specifically prohibited by subsection 23.48.005.B and those permitted only as conditional uses by subsection 23.48.005.C.

2. Adult cabarets shall comply with the requirements of subsection 23.47A.004.H.

3. Major marijuana activity shall comply with the requirements of Section 23.42.058.

B. Prohibited uses. The following uses are prohibited as both principal and accessory uses, except as otherwise noted:

1. All high-impact uses;

2. All heavy manufacturing uses;

3. General manufacturing uses, greater than 25,000 square feet of gross floor area for an individual business establishment, except for pharmaceutical production;

4. Drive-in businesses, except gas stations;

5. Jails;

6. Adult motion picture theaters and adult ((~~panoramas~~)) panorams;

7. Outdoor storage, except for outdoor storage associated with florists and horticulture uses;

8. Principal use surface parking;

9. Animal shelters and kennels;

10. Animal husbandry;

11. Park and pool lots;

12. Park and ride lots;

13. Work release centers;

14. Recycling;

15. Solid waste management; and

16. Mobile home parks.

C. Conditional uses

1. Conditional uses are subject to the procedures described in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, and shall meet the provisions of both Section 23.42.042 and this subsection 23.48.005.C.

2. Mini-warehouses and warehouses may be permitted by the Director as administrative conditional uses if:

a. The street-level portion of a mini-warehouse or warehouse only fronts on an east/west oriented street, or an alley; and

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

c. The traffic generated will not disrupt the pedestrian character of an area by significantly increasing the potential for pedestrian-vehicle conflicts.

D. Required street-level uses

1. One or more of the uses listed in this subsection 23.48.005.D are required at street level on all lots abutting streets designated as Class 1 Pedestrian Streets shown on Map A for 23.48.240, except as required in subsection 23.48.205.A. The following uses qualify as required street-level uses:

a. General sales and service uses;

b. Eating and drinking establishments;

c. Entertainment uses;

d. Public libraries;

e. Public parks; and

f. Arts facilities.

2. Standards for required street-level uses. Required street-level uses shall meet the development standards in subsection 23.48.040.C.

Section 9. Section 23.48.065 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

23.48.065 Noise and odor standards

A. All permitted uses and activities are subject to the noise standards of Section 23.47A.018.

B. All permitted uses and activities are subject to the odor standards of Section 23.47A.020.

Section 10. Section 23.49.002 of the Seattle Municipal Code, last amended by Ordinance 122054, is amended as follows:

23.49.002 Scope of provisions ((.))

A. This ((e))Chapter 23.49 details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IDM), International District Residential (IDR), Downtown Harborfront 1 (DH1), Downtown Harborfront 2 (DH2), and Pike Market Mixed (PMM).

B. Property in the following special districts: Pike Place Market Urban Renewal Area, Pike Place Market Historic District, Pioneer Square Preservation District, International Special Review District, and the Shoreline District, are subject to both the requirements of this ((e))Chapter 23.49 and the regulations of the district.

C. Standards and guidelines for amenity features are found in the Downtown Amenity Standards.

D. Requirements for alley improvements are provided in Chapter 23.53. Standards for design of parking are provided in Chapter 23.54. Signs shall be regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86.

E. Communication utilities and accessory communication devices except as exempted in Section 23.57.002 are subject to the regulations in this ((e))Chapter 23.49 and additional regulations in Chapter 23.57.

F. Major marijuana activity is subject to the regulations in this Chapter 23.49 and additional regulations in Section 23.42.058.

Section 11. Subsection 23.49.025.A of the Seattle Municipal Code, which section was last amended by Ordinance 124378, is amended as follows:

23.49.025 Odor, noise, light/glare, and solid waste recyclable materials storage space standards

A. The venting of odors, fumes, vapors, smoke, cinders, dust, and gas shall be at least 10 feet above finished sidewalk grade, and directed away from ((~~residential~~)) uses within 50 feet of the vent.

1. Major odor sources

a. Uses that employ the following odor-emitting processes or activities are ((~~considered~~)) major odor sources:

1) Lithographic, rotogravure, or flexographic printing;

2) Film burning;

3) Fiberglassing;

4) Selling of gasoline and/or storage of gasoline in tanks larger than 260 gallons;

5) Handling of heated tars and asphalts;

6) Incinerating (commercial);

7) Metal plating;

8) Use of boilers (greater than 106 British thermal units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower);

9) The production or processing of marijuana products by a major marijuana activity; and

10) Other uses creating similar odor impacts.

b. Uses that employ the following processes are considered major odor sources, unless the entire activity is conducted as part of a commercial use other than food processing or heavy commercial services:

1) Cooking of grains;

2) Smoking of food or food products;

3) Fish or fishmeal processing;

4) Coffee or nut roasting;

5) Deep fat frying;

6) Dry cleaning; and

7) Other uses creating similar odor impacts.

2. Review of ((~~M~~))major ((~~O~~))odor ((~~S~~))sources. When an application is made for a use ((~~which~~)) that is a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency (PSCAA), shall determine the appropriate measures to be taken by the applicant in order to significantly reduce potential odor emissions and airborne pollutants. The measures to be taken shall be specified on plans submitted to the Director, and may be required as conditions for the issuance of any permit. After a permit has been issued, any measures that were required by the permit shall be maintained.

* * *

Section 12. Section 23.49.042 of the Seattle Municipal Code, last amended by Ordinance 122054, is amended as follows:

23.49.042 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed Commercial permitted uses ((~~,~~))

The provisions of this ((~~s~~))Section 23.49.042 apply in DOC1, DOC2, and DMC zones.

A. All uses ((~~shall be~~)) are permitted outright except those specifically prohibited by Section 23.49.044((~~,~~)) and those permitted only as conditional uses by Section 23.49.046. ((~~, and parking, which shall be regulated by~~)) Parking is allowed pursuant to Section 23.49.045, and major marijuana activity is allowed pursuant to Section 23.42.058.

B. All uses not prohibited shall be permitted as either principal or accessory uses.

C. Public ((~~F~~))facilities ((~~,~~))

1. Except as provided in ((~~S~~))subsection 23.49.046.D.2, uses in public facilities that are most similar to uses permitted outright under this ((~~e~~))Chapter 23.49 shall also be

permitted outright subject to the same use regulations and development standards that govern the similar uses.

2. Essential ((~~P~~))public ((~~F~~))facilities. Permitted essential public facilities shall also be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

Section 13. Section 23.49.090 of the Seattle Municipal Code, last amended by Ordinance 120443, is amended as follows:

23.49.090 Downtown Retail Core, permitted uses ((~~,~~))

A. All uses ((~~shall be~~)) are permitted outright except those which are specifically prohibited by Section 23.49.092((~~,~~)) and those which are permitted only as conditional uses by Section 23.49.096. ((~~, and parking, which shall be regulated by~~)) Parking is allowed subject to Section 23.49.094 and major marijuana activity is allowed subject to Section 23.42.058.

B. All uses not prohibited shall be permitted as either principal or accessory uses.

C. Public ((~~F~~))facilities ((~~,~~))

1. Except as provided in Section 23.49.096, uses in public facilities that are most similar to uses permitted outright under this ((~~e~~))Chapter 23.49 shall also be permitted outright subject to the same use regulations and development standards that govern the similar uses.

2. Essential ((~~P~~))public ((~~F~~))facilities. Permitted essential public facilities shall also be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

Section 14. Section 23.49.142 of the Seattle Municipal Code, last amended by Ordinance 118672, is amended as follows:

23.49.142 Downtown Mixed Residential, permitted uses((~~,~~))

A. All uses ((~~shall be~~)) are permitted outright except those specifically prohibited by Section 23.49.144((~~,~~)) and those permitted only as conditional uses by Section 23.49.148. ((~~, and~~

~~parking, which shall be regulated by~~)) Parking is permitted pursuant to Section 23.49.146, and major marijuana activity is allowed pursuant to Section 23.42.058.

B. All uses not prohibited ((~~shall be~~)) are permitted as either principal or accessory uses.

C. Public ((~~F~~))facilities ((~~:~~))

1. Except as provided in ((~~Section 23.49.148 D2~~)) subsection 23.49.148.D.2, uses in public facilities that are most similar to uses permitted outright under this ((~~e~~))Chapter 23.49 ((~~shall~~)) are also ((~~be~~)) permitted outright subject to the same use regulations and development standards that govern the similar uses.

2. Essential ((~~P~~))public ((~~F~~))facilities. Permitted essential public facilities shall also be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

Section 15. Section 23.49.300 of the Seattle Municipal Code, last amended by Ordinance 117430, is amended as follows:

23.49.300 Downtown Harborfront 1, uses ((~~:~~))

A. Uses that ((~~shall be~~)) are permitted or prohibited in Downtown Harborfront 1 are ((~~determined by the~~)) identified in Chapter 23.60A, the Seattle Shoreline Master Program, except that major marijuana activity is prohibited.

B. Essential ((~~P~~))public ((~~F~~))facilities. Permitted essential public facilities shall also be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

Section 16. Section 23.49.320 of the Seattle Municipal Code, last amended by Ordinance 122311, is amended as follows:

23.49.320 Downtown Harborfront 2, prohibited uses ((~~:~~))

The following uses ((~~shall be~~)) are prohibited as both principal and accessory uses:

A. Drive-in businesses, except gas stations located in parking garages;

B. Outdoor storage, except when accessory to water-dependent or water-related uses located in Downtown Harborfront 1 or Downtown Harborfront 2;

C. Adult motion picture theaters and adult panorams;

D. All general and heavy manufacturing uses;

E. Solid waste management;

F. Recycling;

G. All high-impact uses; ((~~and~~))

H. Work-release centers ((~~.~~)) ; and

I. Major marijuana activity.

Section 17. Subsection 23.49.338.A of the Seattle Municipal Code, which section was last amended by Ordinance 122311, is amended as follows:

23.49.338 Pike Market Mixed, prohibited uses.

A. The following uses are prohibited as both principal and accessory uses in areas outside of the Pike Place Market Historical District, Map 1K:

1. Drive-in businesses, except gas stations located in parking garages;

2. Outdoor storage;

3. Adult motion picture theaters and adult panorams;

4. Transportation facilities, except principal use parking;

5. Major communication utilities;

6. All general manufacturing uses;

7. Solid waste management;

8. Recycling;

9. All industrial uses;

10. Jails; ((~~and~~))

11. Work-release centers ((~~.~~)) ; and

12. Major marijuana activity.

* * *

Section 18. Section 23.50.002 of the Seattle Municipal Code, last amended by Ordinance 124105, is amended as follows:

23.50.002 Scope of provisions

A. There ((~~shall be~~)) are four ((~~(4)~~)) industrial classifications: General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB), and Industrial Commercial (IC). This ((e))Chapter 23.50 describes the authorized uses and development standards for the Industrial zones.

B. In addition to the regulations in this Chapter 23.50, certain industrial areas may be regulated by other chapters or titles of the Seattle Municipal Code, including but not limited to: Special Review Districts, Chapter 23.66; Landmark Districts, Chapter 25.12; or the Shoreline District, Chapter 23.60A.

C. Communication utilities and accessory communication devices except as exempted in Section 23.57.002 are subject to the regulations in this ((e))Chapter 23.50 and additional regulations in Chapter 23.57. Requirements for streets, alleys, and easements are provided in Chapter 23.53. Standards for parking access and design are provided in Chapter 23.54. Signs are regulated by Chapter 23.55. Methods for measurements are provided in Chapter 23.86. Definitions are in Chapter 23.84A.

D. For the purposes of this ((e))Chapter 23.50, the terms "existing structures or uses" mean those structures or uses which were established under permit, or for which a permit has

been granted and has not expired, or are substantially underway in accordance with ((~~Section 23.04.010 D~~)) subsection 23.04.010.D, on ((~~the effective date of the ordinance codified in this chapter.~~)) October 7, 1987.

E. Major marijuana activity is subject to the regulations in this Chapter 23.50 and additional regulations in Section 23.42.058.

Section 19. Subsections 23.50.012.A and 23.50.012.B and Table A for 23.50.012 of the Seattle Municipal Code, which section was last amended by Ordinance 124326, are amended as follows:

23.50.012 Permitted and Prohibited Uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use, according to Table A for 23.50.012 and this Section 23.50.012.

B. All permitted uses are allowed as either a principal use or an accessory use, unless otherwise indicated in Table A for 23.50.012.

* * *

Table A For 23.50.012
Uses in Industrial ((~~Z~~))zones

((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
A. AGRICULTURAL USES					
A.1. Animal ((~~H~~))husbandry	X	X	X	X	X
A.2. Aquaculture	P	P	P	P	P
A.3. Community ((~~G~~))garden	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)
A.4. Horticulture	X	X	X	X	X
A.5. Urban ((~~F~~))farm (1)	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)	P(((~~14~~)))(2)

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
B. CEMETERIES	X	X	X	X	X
C. COMMERCIAL USES					
C.1. Animal ((~~S~~))shelters and ((~~K~~))kennels	X(((~~1~~)))(3)	P	P	P	P
C.2. Eating and drinking establishments	P	P	P	P	P
C.3. Entertainment ((~~U~~))uses					
C.3.a. Cabarets, adult	P(((~~13~~)))(4)	P(((~~13~~)))(4)	X	X	X
C.3.b. Motion picture theaters, adult	X	X	X	X	X
C.3.c. Panorams, adult	X	X	X	X	X
C.3.d. Sports and recreation, indoor	P	P	P	X	P
C.3.e. Sports and recreation, outdoor	P	P	P	X	P
C.3.f. Theaters and spectator sports facilities					
C.3.f.i. Lecture and meeting halls	P	P	P	P	P
C.3.f.ii. Motion picture theaters	P	P	P	X	X
C.3.f.iii. Performing arts theaters	P	P	P	X	X
C.3.f.iv. Spectator sports facilities	P	P	P	X(((~~2~~)))(5)	X(((~~2~~)))(5)
C.4. Food processing and craft work (1)	P	P	P	P	P

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
C.5. Laboratories, Research and development	P	P	P	P	P
C.6. Lodging uses	CU	CU	CU	X	X
C.7. Medical services (((~~3~~)))(6)	P	P	P	P	P
C.8. Offices	P	P	P	P	P
C.9. Sales and services, automotive	P	P	P	P	P
C.10. Sales and services, general (1)	P	P	P	P	P
C.11. Sales and services, heavy	P	P	P	P	P
C.12. Sales and services, marine	P	P	P	P	P
D. HIGH-IMPACT USES	X	X or CU(((~~4~~)))(7)	X or CU(((~~5~~)))(8)	X or CU(((~~5~~)))(8)	X or CU(((~~5~~)))(8)
E. INSTITUTIONS					
E.1. Adult care centers	X	X	X	X	X
E.2. Child care centers	P	P	P	P	P
E.3. Colleges	EB	EB	EB(((~~17~~))(9)	X(((~~6~~)))(10)	X(((~~6~~)))(10)
E.4. Community centers and Family support centers	EB	EB	EB	P	P
E.5. Community clubs	EB	EB	EB	X	P
E.6. Hospitals	EB	EB	CU(((~~7~~)))(11)	P	P
E.7. Institutes for advanced study	P	P	P	X	X
E.8. Libraries	X	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB	EB	EB	EB	EB
E.10. Museums	EB	EB(((~~9~~)	EB	X(((~~8~~)))(13)	X(((~~8~~)))(13)

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
		))(12)			
E.11. Private ((~~C~~))clubs	EB	EB	EB	X	X
E.12. Religious facilities	P(((~~15~~)))(14)	P(((~~15~~)))(14)	P(((~~15~~)))(14)	P(((~~15~~)))(14)	P(((~~15~~)))(14)
E.13. Schools, elementary or secondary	EB	EB	EB	X	X
E.14. Vocational or fine arts schools	P	P	P	P	P
F. LIVE-WORK UNITS	X	X	X	X	X
G. MANUFACTURING USES					
G.1. Manufacturing, light (1)	P	P	P	P	P
G.2. Manufacturing, general	P	P	P	P	P
G.3. Manufacturing, heavy	CU	X or CU(((~~10~~)))(15)	P or CU(((~~11~~)))(16)	P	P
H. PARKS AND OPEN SPACE	P	P	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails	X	X	X	X	X
I.2. Work-release centers	X	X	X	X	X
I.3. Other public facilities	CCU	CCU	CCU	CCU	CCU
J. RESIDENTIAL USES					
J.1. Residential uses not listed below	X	X	X	X	X
J.2. Artist's studio/dwellings	EB/CU	EB/CU	EB/CU	EB/CU	EB/CU
J.3. Caretaker's	P	P	P	P	P

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
quarters					
J.4. Residential use, except artist's studio/dwellings and caretaker's quarters, in a landmark structure or landmark district	CU	CU	CU	CU	CU
K. STORAGE USES					
K.1. Mini-warehouses	P	P	P	X	P
K.2. Storage, outdoor	P	P	P	P	P
K.3. Warehouses	P	P	P	P	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	P	P	P	P
L.2. Parking and moorage					
L.2.a. Boat moorage	P	P	P	P	P
L.2.b. Dry boat storage	P	P	P	P	P
L.2.c. Parking, principal use, except as listed below	P	P or X(((~~15~~)))(17)	P	X(((~~2~~)))(5)	X(((~~2~~)))(5)
L.2.c.i. Park and Pool ((~~L~~))lots	P(((~~12~~)))(18)	P(((~~12~~)))(18)	P(((~~12~~)))(18)	CU	CU
L.2.c.ii. Park and Ride Lots	CU	CU	CU	CU	CU
L.2.d. Towing services	P	P	P	P	P
L.3. Passenger terminals	P	P	P	P	P
L.4. Rail ((~~T~~))transit ((~~F~~))facilities	P	P	P	P	P
L.5. Transportation					

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
facilities, air					
L.5.a. Airports (land-based)	X	CCU	CCU	CCU	CCU
L.5.b. Airports (water-based)	X	CCU	CCU	CCU	CCU
L.5.c. Heliports	X	CCU	CCU	CCU	CCU
L.5.d. Helistops	CCU	CCU	CCU	CCU	CCU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	CU	CU	CU	CU	CU
L.6.b. Railroad switchyards	P	P	P	P	P
L.6.c. Railroad switchyards with a mechanized hump	X	X	CU	CU	CU
L.6.d. Transportation services, personal	P	P	P	P	P
M. UTILITY USES					
M.1. Communication ((~~U~~))utilities, major	CU	CU	CU	CU	CU
M.2. Communication ((~~U~~))utilities, minor	P	P	P	P	P
M.3. Power ((~~P~~))plants	X	CCU	P	P	P
M.4. Recycling	P	P	P	P	P
M.5. Sewage ((~~T~~))treatment ((~~P~~))plants	X	CCU	CCU	CCU	CCU
M.6. Solid waste management					
M.6.a. Salvage yards	X	X	P	P	P
M.6.b. Solid waste transfer stations	CU(((~~17~~)))(19)	CU	CU	CU	CU
M.6.c. Solid	X	CCU	CCU	CCU	CCU

Table A For 23.50.012 Uses in Industrial ((Z))zones					
((USES))Uses	((PERMITTED AND PROHIBITED USES BY ZONE)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
waste incineration facilities					
M.6.d. Solid waste landfills	X	X	X	X	X
M.7. Utility ((S))services ((U))uses	P	P	P	P	P

KEY
CU = Administrative conditional use
CCU = Council conditional use
EB = Permitted only in a building existing on October ((5))7, 1987.
EB/CU = Administrative conditional use permitted only in a building existing on October ((5)) 7, 1987.
P = Permitted
X = Prohibited

((Notes))Footnotes to Table A for 23.50.012
(1) In addition to the provisions in this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.
(2) Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:
(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;
(b) 10,000 square feet in IB and IC zones; and
(c) 20,000 square feet in IG2 zones.
(((1))) (3) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals are permitted.
(4) Subject to subsection 23.50.012.E.
(((2))) (5) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for general parking purposes or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Area Overlay District may reserve parking. Such reserved non-required parking shall be permitted to be used for general parking purposes and is exempt from the one space per 650 square feet ratio under the following circumstances:
(a) The parking is owned and operated by the owner of the spectator sports facility or

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center

exhibition hall, and

(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and

(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.

(((~~3~~))) (6) Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

(((~~4~~))) (7) The high-impact uses listed in subsection 23.50.014.B.10 may be permitted as conditional uses.

(((~~5~~))) (8) High-impact uses may be permitted as conditional uses as provided in subsection 23.50.014.B.5.

(9) Research and education facilities that are a part of a college or university, and that are water-dependent or water-related, as defined by Section 23.60.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.

(((~~6~~))) (10) A college or university offering a primarily vocational curriculum within the zone is permitted.

(((~~7~~))) (11) Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014.B.14.

(12) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.

(((~~8~~))) (13) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

(((~~(9) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.~~)))

(14) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.

(((~~10~~))) (15) The heavy manufacturing uses listed in subsection 23.50.014.B.9 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.

(((~~11~~))) (16) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided in subsection 23.50.014.C.

(17) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.

(((~~12~~))) (18) Park and pool lots are not permitted within 3,000 feet of the Downtown Urban Center.

(((~~13) Subject to subsection 23.50.012.E.~~)))

Table A For 23.50.012 Uses in Industrial ((~~Z~~))zones					
((~~USES~~))Uses	((~~PERMITTED AND PROHIBITED USES BY ZONE~~)) Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
(((~~(14) Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as indoor agricultural operations. Except for indoor agricultural operations established prior to the effective date of this ordinance, indoor agricultural operations are not permitted in the IG1 zone. Indoor agricultural operations within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:~~ ~~a. 5,000 square feet in IG1 zones for indoor agricultural operations established prior to the effective date of this ordinance;~~ ~~b. 10,000 square feet in IB and IC zones; and~~ ~~c. 20,000 square feet in IG2 zones.~~)) (((~~(15) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.~~)) (((~~(15) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.~~)) (((~~(17)~~))) (19) Subject to subsection 23.50.014.B.7.e. (((~~(17) Research and education facilities that are a part of a college or university, and that are water-dependent or water-related, as defined by Section 23.60.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.~~))					

Section 20. Subsection 23.50.014.B of the Seattle Municipal Code, which section was last amended by Ordinance 124105, is amended as follows:

23.50.014 Conditional uses

* * *

B. Administrative ((~~C~~))conditional ((~~U~~))uses. The following uses, identified as administrative conditional uses in Table A for 23.50.012, may be permitted by the Director if the provisions of this subsection 23.50.014.B and subsection 23.50.014.A are met.

1. Artist's studio/dwellings in an existing structure may be permitted as a conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB)

and Industrial Commercial (IC) zones, except as provided in the Shoreline District, Chapter 23.60A, upon showing that the occupant is a bona fide working artist, and subject to the following criteria:

a. Artist's studio/dwellings shall generally be discouraged along arterials such as freeways, state routes and freight lines;

b. Artist's studio/dwellings shall not be allowed in areas where existing industrial uses may cause environmental or safety problems;

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

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

e. The owner(s) of a building seeking a conditional use for artist's studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable to the Director, that acknowledges that the owner(s) and occupants of the building accept the industrial character of the neighborhood and agree that existing or permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns, including any lessees of the artist's studio/dwellings.

2. Park-and-pool lots in IG1 and IG2 zones in the Duwamish Manufacturing/Industrial Center, and park-and-ride lots in General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB) and Industrial Commercial (IC) zones may be permitted as a conditional use according to the following criteria:

a. The park-and-pool lot shall not create conflict with industrial activity by causing significant additional traffic to circulate through the area;

b. The park-and-pool lot has direct vehicular access to a designated arterial improved to City standards;

c. The park-and-pool lot shall be located on an existing parking area unless no reasonable alternative exists;

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

e. The park-and-pool lot is not located within ((~~three thousand~~ (~~)~~))3,000((~~)~~)) feet of downtown.

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

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

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

4. A residential use not otherwise permitted in the zone may be permitted as a conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB) and Industrial Commercial (IC) zones within a structure designated as a Landmark, pursuant to the Seattle Municipal Code, Chapter 25.12, Landmarks Preservation, or within a structure in a Landmark District, pursuant to the Seattle Municipal Code, Chapters 25.16, Ballard Avenue

Landmark District, or Chapter 25.28, Pioneer Square Historical District, subject to the following criteria:

a. The use shall be compatible with the historic or landmark character of the structure. The Director shall request a determination regarding compatibility by the respective Board having jurisdiction over the structure or lot;

b. The residential use shall not restrict or disrupt industrial activity in the zone, and

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

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

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

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

6. A new railroad switchyard with a mechanized hump, or the expansion of such a use beyond the lot occupied as of October ((~~5~~)) 7, 1987 may be permitted as a conditional use in General Industrial 1 (IG1) and General Industrial 2 (IG2) zones, according to the following criteria:

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

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

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

a. Measures to minimize potential odor emissions and airborne pollutants shall be determined in consultation with the Puget Sound Clean Air Agency (PSCAA). These measures shall be incorporated into the design and operation of the facility;

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

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

d. Measures to minimize other impacts are incorporated into the design and operation of the facility.

e. For any portion of the principal structure containing the solid waste management use that is located in an IB zone, the following standards apply:

1) The maximum floor area of the principal structure is limited to 7,000 square feet.

2) A setback of at least 65 feet is required between any façade of the principal structure and any lot line that abuts or is across a street from a residentially zoned lot.

f. Accessory structures including scales, scale houses, entrance/exit kiosks, walls, screening, and other minor incidental improvements, including canopies over scales houses and drive lanes, are permitted in IB zones. The total area of all scale houses in IB zones shall not exceed 1,000 square feet.

g. A landscaped area at least 20 feet deep is required between any structure or any parking located in an IB zone and the nearest street lot line.

h. Parking and driveways accessory to a solid waste transfer station. Parking and driveways on property in an IB zone may be permitted as a conditional use accessory to a solid waste transfer station if:

1) The parking is on property that is part of the same development site as the solid waste transfer station use.

2) The parking meets the criteria of Section 23.50.014.A.

3) The parking is subject to analysis in any transportation plan required by the Director pursuant to subsection 23.50.014.B.7.c.

4) Driveways providing access to parking or access to the solid waste transfer station are on the same development site as the solid waste transfer station use.

i. Rooftop features on the principal structure shall not exceed the maximum height limit of the zone.

j. All transfer, handling, and compacting of materials processed by the solid waste management use shall be conducted within an enclosed structure.

k. Outdoor storage is prohibited.

8. Heavy Manufacturing uses may be permitted in the Industrial Buffer (IB) zone as a conditional use according to the following criteria:

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

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

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

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

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

9. The heavy manufacturing uses listed in subsection 23.50.014.B.9.a ((~~of this section~~)) may be permitted in the Industrial Commercial (IC) zone as a conditional use according to criteria contained in subsection 23.50.014.B.9.b.

a. Uses ((~~.~~))

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

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

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

b. Criteria ((~~:~~))

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

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

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

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

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

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

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

10. The high-impact uses listed in subsection 23.50.B.10.a ((~~of this section~~)) may be permitted as conditional uses in the Industrial Commercial (IC) zone according to the criteria contained in subsection 23.50.B.10.b ((~~of this section~~)).

a. Uses ((.))

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

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

b. Criteria ((.))

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

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

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

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

11. Bus bases may be permitted as a conditional use in the General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB) and Industrial Commercial (IC) zones according to the following criteria:

a. The amount of industrial land occupied by the facility shall be minimized. To avoid disruption of the industrial function of the area, the presence of the facility shall not obstruct the operation or likely expansion of existing industrial uses;

b. The location of the facility shall not result in significant displacement of viable industrial uses or support activities;

c. The amount of land occupied by the facility that has access to industrial shorelines or major rail facilities shall be minimized; and

d. A transportation plan may be required to prevent conflicts with nearby industrial uses. The Director shall determine the level of detail to be disclosed in the plan based on the probable impacts and/or scale of the proposed facility.

12. 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 medical service use, the Director shall determine whether an adequate supply of industrially zoned land 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 manufacturing or heavy commercial character of the industrial area; and

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

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

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

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

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

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

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

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

Section 21. Section 23.50.044 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.50.044 ((~~Industrial Buffer and Industrial Commercial~~)) <u>All Industrial</u> zones—Standards for major odor sources

A. Major odor sources <u>in Industrial Buffer and Industrial Commercial zones</u>

1. Uses that involve the following odor-emitting processes or activities ((~~shall be considered~~)) are major odor sources:

a. Lithographic, rotogravure, or flexographic printing;

b. Film burning;

c. Fiberglassing;

d. Selling of gasoline and/or storage of gasoline in tanks larger than 260 gallons;

e. Handling of heated tars and asphalts;

f. Incinerating (commercial);

g. Metal plating;

h. Tire buffing;

i. Vapor degreasing;

j. Wire reclamation;

k. Use of boilers (greater than 106 British thermal units per hour, 10,000 pounds steam per hour, or 30 boiler horsepower);

l. The production or processing of marijuana products by a major marijuana activity; and

m. Other uses creating similar odor impacts.

2. Uses that employ the following processes shall be considered major odor sources, unless the entire activity is conducted as part of a commercial use other than food processing or heavy commercial services:

a. Cooking of grains;

b. Smoking of food or food products;

c. Fish or fishmeal processing;

d. Coffee or nut roasting;

e. Deep-fat frying;

f. Dry cleaning;

g. Animal food processing; and

h. Other uses creating similar odor impacts.

B. Major odor sources in General Industrial zones

1. Uses that involve the following odor-emitting processes or activities in General Industrial zones are major odor sources:

a. The production or processing of marijuana products by a major marijuana activity.

((~~B.~~))C. When an application is made in ((~~the Industrial Buffer (IB) or Industrial Commercial (IC)~~)) an Industrial zone for a use which is determined to be a major odor source, the Director, in consultation with the Puget Sound Clean Air Agency (PSCAA), shall determine the appropriate measures to be taken by the applicant in order to significantly reduce potential odor emissions and airborne pollutants. Measures to be taken shall be indicated on plans submitted to the Director, and may be required as conditions for the issuance of any permit. Once a permit has been issued, any measures which were required by the permit shall be maintained.

Section 22. Section 23.66.122 of the Seattle Municipal Code, last amended by Ordinance 123034, is amended as follows:

23.66.122 Prohibited uses

A. The following uses are prohibited in the Pioneer Square Preservation District as both principal and accessory uses:

1. Retail ice dispensaries;

2. Plant nurseries;

3. Frozen food lockers;

4. Animal shelters and kennels;

5. Pet daycare, except as permitted as a street-level use in subsection 23.49.180.F if an applicant elects to use added height under the provisions of Section 23.49.180;

6. Automotive sales and service, except gas stations located in parking garages;

7. Marine sales and service;

8. Heavy commercial services;

9. Heavy commercial sales;

10. Adult motion picture theaters;

11. Adult panorams;

12. Bowling alleys;

13. Skating rinks;

14. Major communication utilities;

15. Advertising signs and off-premises directional signs;

16. Transportation facilities, except passenger terminals, rail transit facilities, parking garages, and streetcar maintenance bases;

17. Outdoor storage;

18. Jails;

19. Work-release centers;

20. General and heavy manufacturing uses;

21. Solid waste management;

22. Recycling uses; ((~~and~~))

23. Major marijuana activity; and

24. High-impact uses.

B. Except for the uses listed in subsection 23.66.122.B.2, automobile-oriented commercial uses are prohibited, including but not limited to the automobile-oriented uses listed in subsection 23.66.122.B.1.

1. Examples of prohibited automobile-oriented commercial uses ((~~,~~)) :

a. Drive-in businesses ((~~,~~)) ;

b. Principal and accessory surface parking areas not in existence prior to August 10, 1981 ((~~,~~)) ;

c. Principal-use parking garages for long-term parking ((~~,~~)) ; and

d. Motels.

2. Permitted automobile-oriented uses ((~~,~~)) :

a. Gas stations accessory to parking garages;

b. Accessory-use surface parking in the Subarea B shown on Map C for 23.66.122 and 23.66.150 either:

(((~~(~~))1) if the accessory-use surface parking is in a location permitted by and complies with the standards contained in Section 23.49.180; or

(((~~(~~))2) if the lot satisfies the provisions of Section 23.49.019 ((~~,~~)) ;

c. Principal-use parking garages for long-term parking in structures authorized pursuant to ((~~subsection~~)) Section 23.49.180; and

d. Accessory-use parking garages.

Section 23. Section 23.66.322 of the Seattle Municipal Code, last amended by Ordinance 123589, is amended as follows:

23.66.322 Prohibited uses

A. The following uses are prohibited as both principal and accessory uses in the entire International Special Review District:

1. Adult motion picture theaters;

2. Adult panorams;

3. All general and heavy manufacturing uses;

4. All high-impact uses;

5. Solid waste management;

6. Recycling uses;

7. Automotive sales and service;

8. Bowling lanes;

9. Major communication utilities;

10. Heavy commercial sales;

11. Drive-in businesses;

12. Frozen food lockers;

13. Heavy commercial services;

14. Marine sales and services;

15. Medical testing laboratories;

16. Mortuary services;

17. Motels;

18. Outdoor storage;

19. Plant nurseries;

20. Retail ice dispensaries;

21. Shooting galleries;

22. Skating rinks;

23. Mobile home parks;

24. Transportation facilities except: passenger terminals, rail transit facilities, and parking and moorage uses;

25. Animal shelters and kennels;

26. Jails;

27. Major marijuana activity; and

28. Work-release centers.

B. In addition to the prohibited uses listed in subsection 23.66.322.A, light manufacturing uses that occupy more than 10,000 square feet are prohibited in that portion of the International Special Review District west of Interstate 5.

C. All light manufacturing uses are prohibited in that portion of the District in an IDR zone.

Section 24. Section 23.84A.025 of the Seattle Municipal Code, last amended by Ordinance 124326, is amended as follows:

23.84A.025 "M"

* * *

"Marijuana activity, major" means, except as provided below, ((~~the~~)) any production, processing, or selling ((~~, or delivery~~)) of marijuana, marijuana-infused products, ((~~or useable~~)) usable marijuana ((~~that involves more than 45 marijuana plants, 72 ounces of useable marijuana, or an~~

~~amount of marijuana-infused product that could reasonably be produced with 72 ounces of useable marijuana.~~)) , or marijuana concentrates. Major marijuana activity does not include the following activities when they occur within a dwelling unit occupied by a qualifying patient or designated provider, as those terms are defined in RCW 69.51A.010, or within an enclosed structure that is accessory to such a dwelling unit:

a. production of marijuana involving up to 15 plants;

b. production of marijuana involving up to 60 plants if the production is conducted by a cooperative that is registered with the Washington State Liquor and Cannabis Board and operates in compliance with RCW 69.51A.043;

c. drying or incorporation into food of up to 15 marijuana plants; or

d. drying or incorporation into food of up to 60 marijuana plants if such processing is conducted by a cooperative that is registered with the Washington State Liquor and Cannabis Board and operates in compliance with chapter 69.51A RCW.

"Marijuana concentrates" means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent.

* * *

Section 25. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 26. This ordinance shall take effect and be in force immediately upon the approval by the Mayor; or if returned to the Council by the Mayor unsigned, then immediately upon its return; or if not approved and returned by the Mayor within 10 days after presentation, then on the 11th day after its presentation to the Mayor; or if vetoed by the Mayor, then immediately after its passage over his veto.

Passed by the City Council the 11th day of January, 2016, and signed by me in open session in authentication of its passage this 11th day of January, 2016.

President _____ of the City Council

Approved by me this 12th day of January, 2016.

Edward B. Murray, Mayor

Filed by me this 12th day of January, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

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333043

No. 124969,973,974,975,976

CITY OF SEATTLE,CLERKS OFFICE

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:TITLE ONLY ORDINANCES

was published on

01/29/16

The amount of the fee charged for the foregoing publication is the sum of $103.68 which amount has been paid in full.

JENNIFER A. BARNES NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 10-24-19

Subscribed and sworn to before me on

01/29/2016

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle
Title Only Ordinances

The full text of the following legislation, passed by the City Council on January 11, 2016, and published below by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar.

Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 124969

AN ORDINANCE relating to land use and zoning; repealing Ordinance 124552 and amending Sections 23.42.053, 23.47A.002, 23.47A.004, 23.47A.020, 23.48.002, 23.48.005, 23.48.065, 23.49.002, 23.49.025, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.320, 23.49.338, 23.50.002, 23.50.012, 23.50.014, 23.50.044, 23.66.122, 23.66.322, and 23.84A.025 of the Seattle Municipal Code to change marijuana zoning regulations and make technical corrections.

Ordinance 124973

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ordinance 124974

AN ORDINANCE, relating to City employment, to be known as the Pay Zone Ordinance; adjusting the pay zone structures for the City's discretionary pay programs; and ratifying and confirming certain prior acts.

Ordinance 124975

AN ORDINANCE relating to City employment; providing wage increases effective December 31, 2014, December 30, 2015, December 28, 2016 and December 27, 2017 for certain non-represented City employees and officers; providing adjustments to certain pay titles in addition to the 2015 wage increase; authorizing a $15 per hour minimum wage for all non-represented City of Seattle employees; authorizing and directing the Seattle Human Resources Director to change rates of pay for certain job titles to a minimum of $15 per hour effective April 1, 2015; authorizing paid leave for City employees who took furloughs in 2010; and ratifying and confirming certain prior acts.

Ordinance 124976

AN ORDINANCE relating to City employment; authorizing the execution of collective bargaining agreements between The City of Seattle and certain unions in the Coalition of City Unions, for the time period January 1, 2015 through December 31, 2018; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, January 29, 2016.

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