

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to land use regulations, removing restrictions on congregate residences, amending Sections 23.42.049, 23.45.504, 23.45.508, 23.47A.004, 23.84A.032, and 23.54.015 of the Seattle Municipal Code.

..body

WHEREAS, during the 2024 Washington State legislative session the Legislature passed and

Governor Inslee signed Engrossed Substitute House Bill 1998 pertaining to co-living housing; and

WHEREAS, Engrossed Substitute House Bill 1998 requires cities to allow co-living housing as a permitted use on any lot within an urban growth area that allows at least six multifamily residential units including in mixed use development, and stipulates that cities may not place certain other limiting development standards on co-housing development; and

WHEREAS, The City of Seattle’s Land Use Code regulates co-living housing under the terminology “congregate residence,” and Engrossed Substitute House Bill 1998 provides that local governments may use other terms to refer to co-living housing; and

WHEREAS, co-living housing/congregate residences provide a valuable housing option for many people because they can provide a relatively low-cost option that provides a private living space, often in combination with other shared community spaces that can facilitate social connections; and

WHEREAS, this proposed legislation satisfies the requirements of Engrossed Substitute House Bill 1998 by expanding the zones where congregate residences are a permitted use and by removing other constraining development standards from the Land Use Code that were specific to the congregate residence housing type; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.42.049 of the Seattle Municipal Code, last amended by Ordinance 126626, is amended as follows:

23.42.049 Congregate residences

Congregate residences are subject to the development standards for the zone in which they are located, and to the development standards for apartments where such housing type standards are specified. ~~((, and to the following requirements:))~~ In any zone or instance in which a dwelling unit density limit applies to residential development, congregate residence sleeping rooms shall be treated as one-fourth of a dwelling unit for the purposes of calculating dwelling unit density.

~~((A. Common food preparation area. At least one complete common food preparation area is required within the congregate residence, and all residents shall have access to either a common complete food preparation area or a food preparation area within a sleeping room.~~

~~B. Food preparation areas in sleeping rooms. Within a congregate residence not more than 25 percent of sleeping rooms shall have complete food preparation areas, where a complete food preparation area is identified by the presence of a plumbed sink, a stove or range, a refrigerator, and a counter top. The Director has discretion to + the percentage up to 100 percent of sleeping rooms if the congregate residence is owned by a college or university, is affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, is a sorority or fraternity, or is owned by a not for profit entity or charity, or is a congregate residence that is licensed by the State and provides on-site supportive services for seniors or persons with disabilities. Supportive services include meal service, cleaning service, health services, or similar services.~~

~~C. Communal area. Communal areas such as common kitchens, lounges, recreation rooms, dining rooms, living rooms, foyers and lobbies, that are accessible to all residents of the congregate residence with sufficient accommodations for socializing and meeting shall be provided, and shall meet the following standards:~~

~~1. The total amount of communal area shall have a floor area that is at least 15 percent of the total floor area of all sleeping rooms. In calculating the total floor area of sleeping rooms, the abutting ancillary areas associated with sleeping rooms shall be included, such as: sleeping lofts, counters, closets, built-ins, and private bathrooms;~~

~~2. Service areas, including, but not limited to hallways and corridors, supply or janitorial storage areas, operations and maintenance areas, staff areas and offices, and required bicycle parking areas may not be counted toward the communal area requirement;~~

~~3. Communal areas are required in addition to any residential amenity area that is required in the zone.))~~

Section 2. Section 23.45.504 of the Seattle Municipal Code, last amended by Ordinance 126626, is amended as follows:

23.45.504 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.45.504 and this Section 23.45.504. Uses not referred to in Table A for 23.45.504 are prohibited, unless otherwise indicated in this Chapter 23.45 or Chapters 23.51A, 23.51B, or 23.57. Communication utilities and accessory communication devices, except as exempted in Section 23.57.002, are subject to the regulations in this Chapter 23.45 and additional regulations in Chapter 23.57. Public facilities are subject to the regulations in Section 23.51A.004.

- 1 B. All permitted uses are allowed as a principal use or as an accessory use, unless
2 otherwise indicated in this Chapter 23.45.

Table A for 23.45.504 Permitted and prohibited uses		
Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR
A. ((Residential use)) <u>All residential uses</u> ((except as listed below))	P	P
((A.1. Congregate residence))	((X/P¹))	((P/X²))
B. Institutions	P/CU ⁽⁽³⁾⁾ 1	P/CU ⁽⁽³⁾⁾ 1
C. Uses in existing or former public schools		
C.1. Child care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses in existing or former public schools	P	P
C.2. Other non-school uses in existing or former public schools	Permitted pursuant to procedures established in Chapter 23.78	Permitted pursuant to procedures established in Chapter 23.78
D. Park and ride facilities		
D.1. Park and ride facilities on surface parking lots	X/CU ⁽⁽⁴⁾⁾ 2	X/CU ⁽⁽⁴⁾⁾ 2
D.2. Park and ride facilities in parking garages	X/P ⁽⁽⁵⁾⁾ 3	X/P ⁽⁽⁵⁾⁾ 3
E. Parks and playgrounds including customary uses	P	P
F. Ground-floor commercial uses	RC/P ⁽⁽⁶⁾⁾ 4	RC/P ^{((6,7))} 4,5
G. Medical service uses other than permitted ground-floor commercial uses	P/X ⁽⁽⁸⁾⁾ 6	P/CU/X ⁽⁽⁸⁾⁾ 6
H. Uses not otherwise permitted in Landmark structures	CU	CU
I. Cemeteries	P/X ⁽⁽⁹⁾⁾ 7	P/X ⁽⁽⁹⁾⁾ 7
J. Community gardens	P	P
K. Parking, flexible-use	X/P ⁽⁽¹⁰⁾⁾ 8	P ⁽⁽¹⁰⁾⁾ 8
L. All other uses	X	X
Footnotes to Table A for 23.45.504 ((¹ Congregate residences that are owned by a college or university; or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity; or are owned by a not for profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or		

Table A for 23.45.504

Permitted and prohibited uses

Uses	Permitted and prohibited uses by zone	
	LR1, LR2, and LR3	MR and HR
<p>persons with disabilities are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services, or similar.</p> <p>² Congregate residences that are owned by a college or university; or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity; or are owned by a not-for-profit entity or charity; or are licensed by the State and provide on-site supportive services for seniors or persons with disabilities 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.))</p> <p>((³) ¹ Institutions meeting development standards are permitted outright; all others are administrative conditional uses pursuant to Section 23.45.506. The provisions of this Chapter 23.45 shall apply to Major Institution uses as provided in Chapter 23.69.</p> <p>((⁴) ² Prohibited in Station Area Overlay Districts (SAODs); otherwise, permitted as an administrative conditional use pursuant to Section 23.45.506 on surface parking existing as of January 1, 2017.</p> <p>((⁵) ³ Prohibited in LR1 and LR2 zones, including LR1/RC and LR2/RC. Permitted outright in LR3, MR, HR, and LR3/RC zones, except prohibited in the SAOD.</p> <p>((⁶) ⁴ Permitted in development that meets the requirements of Section 23.42.055 and Chapter 23.46 even if it is not located in a zone that includes an RC designation.</p> <p>((⁷) ⁵ Subject to subsection 23.45.504.E except in zones that include an RC designation.</p> <p>((⁸) ⁶ Subject to subsections 23.45.504.G and 23.45.506.F.</p> <p>((⁹) ⁷ Subject to subsection 23.45.504.F.</p> <p>((¹⁰) ⁸ Prohibited in LR1 and LR2 zones. Permitted outright in all other multifamily zones as surface parking on surface parking lots existing as of January 1, 2017; permitted outright in garages; subject to Section 23.54.026.</p> <p>P = Permitted outright</p> <p>CU = Permitted as an Administrative Conditional Use</p> <p>RC = Permitted in areas zoned Residential Commercial (RC), and subject to the provisions of the RC zone, Chapter 23.46</p> <p>X = Prohibited</p>		

1 * * *

2 Section 3. Section 23.45.508 of the Seattle Municipal Code, last amended by Ordinance

3 126682, is amended as follows:

23.45.508 General provisions

A. Except for structures related to an urban farm, a structure occupied by a permitted use other than a residential use may be partially or wholly converted to a residential use even if the structure does not conform to the development standards for residential uses in multifamily zones.

B. Off-street parking shall be provided pursuant to Section 23.54.015, and as permitted by provisions of Sections 23.45.504 and 23.45.506, if applicable.

C. Expansions of nonconforming converted structures and conversions of structures occupied by nonconforming uses are regulated by Sections 23.42.108 and 23.42.110.

D. Methods for measurements are provided in Chapter 23.86. Requirements for streets, alleys, and easements are provided in Chapter 23.53. Standards for parking and access and design are provided in Chapter 23.54. Standards for solid waste and recyclable materials storage space are provided in Section 23.54.040. Standards for signs are provided in Chapter 23.55.

E. Assisted living facilities, congregate residences, nursing homes, and structures containing ground floor commercial uses as allowed by Chapter 23.46 in RC zones shall meet the development standards for apartments unless otherwise specified. ~~((Congregate residences are subject to additional requirements as specified in Section 23.42.049.))~~

* * *

Section 4. Section 23.47A.004 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.47A.004 Permitted and prohibited uses

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

4 B. All permitted uses are allowed as a principal use or as an accessory use, unless
5 otherwise indicated in Table A for 23.47A.004.

6 C. The Director may authorize a use not otherwise permitted in the zone in a
7 ((~~landmark~~)) Landmark structure, subject to the following criteria:

8 1. The use will not require significant alteration of the structure;
9 2. The design of the structure makes uses permitted in the zone impractical in
10 the structure, or the permitted uses do not provide sufficient financial return to make use of the
11 ((~~landmark~~)) Landmark structure feasible; and

12 3. The physical impacts of the use will not be detrimental to other properties in
13 the zone or vicinity or to the public interest.

14 D. Public facilities

15 1. Uses in public facilities that are most similar to uses permitted outright or
16 permitted as a conditional use under this Chapter 23.47A are permitted outright or as a
17 conditional use, respectively, subject to the same use regulations, development standards, and
18 conditional use criteria that govern the similar uses.

19 2. Permitted uses in public facilities requiring council approval. Unless
20 specifically prohibited in Table A for 23.47A.004, uses in public facilities that are not similar
21 to uses permitted outright or permitted as a conditional use under this Chapter 23.47A, may be
22 permitted by the City Council.

1 3. In all NC zones and C zones, uses in public facilities not meeting
2 development standards may be permitted by the Council, and the Council may waive or grant
3 departures from development standards, if the following criteria are satisfied:

4 a. The project provides unique services that are not provided to the
5 community by the private sector, such as police and fire stations;

6 b. The proposed location is required to meet specific public service
7 delivery needs;

8 c. The waiver of or departure from the development standards is
9 necessary to meet specific public service delivery needs; and

10 d. The relationship of the project to the surrounding area has been
11 considered in the design, siting, landscaping, and screening of the facility.

12 4. The City Council's use approvals, and waivers of or grants of departures from
13 applicable development standards or conditional use criteria, contemplated by subsections
14 23.47A.004.D.2 and 23.47A.004.D.3, are governed by the provisions of Chapter 23.76,
15 Subchapter III, Council Land Use Decisions.

16 5. Expansion of uses in public facilities

17 a. Major expansion. Major expansion of uses in public facilities allowed
18 pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 may be
19 permitted according to the criteria and process in those subsections 23.47A.004.D.1,
20 23.47A.004.D.2, and 23.47A.004.D.3. A major expansion of a public facility use occurs when
21 an expansion would not meet development standards or the area of the expansion would
22 exceed either 750 square feet or 10 percent of the existing area of the use, whichever is greater.

For the purposes of this subsection 23.47A.004, area of use includes gross floor area and outdoor area devoted actively to that use, other than as parking.

b. Minor expansion. An expansion of a use in a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities allowed pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 above may be permitted according to the provisions of Chapter 23.76, for a Type I Master Use Permit.

6. Essential public facilities. Permitted essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

7. Youth service centers existing as of January 1, 2013, in public facilities operated by King County within Urban Center Villages and replacements, additions, or expansions to such King County public facilities are permitted in NC3 zones.

E. Changes from accessory to flexible-use parking may occur, subject to Section 23.54.026.

F. Public use of accessory parking is subject to Section 23.54.027.

G. Live-work units

1. In all NC zones and C zones live-work units are permitted outright subject to the provisions of this Title 23.

2. In pedestrian-designated zones, live-work units shall not occupy more than 20 percent of the street-level street-facing facade along designated principal pedestrian streets listed in subsection 23.47A.005.D.

3. In the Lake City and Bitter Lake Village Hub Urban Villages, live-work units shall not occupy more than 20 percent of the street-level street-facing facade.

4. Except where expressly treated as a residential use, live-work units shall be deemed a nonresidential use.

H. Adult cabarets

1. Any lot line of property containing any proposed new or expanding adult cabaret must be 800 feet or more from any lot line of property on which any of the following uses has been established by permit or otherwise recognized as a legally established use: community center; child care center; school, elementary or secondary; or public parks and open space use.

2. Any lot line of property containing any proposed new or expanding adult cabaret must be 600 feet or more from any lot line of property for which a permit has been issued for any other adult cabaret.

3. The dispersion analysis required by subsections 23.47A.004.H.1 and 23.47A.004.H.2 shall be based on the facts that exist on the earlier of:

a. ~~((the))~~ The date a complete application for a building permit for an adult cabaret for the property proposed to contain the new or expanding adult cabaret is made, or

b. ~~((the))~~ The date of publication of notice of the Director's decision on the Master Use Permit application to establish or expand an adult cabaret use, if the decision can be appealed to the Hearing Examiner, or the date of the Director's decision if no Hearing Examiner appeal is available.

I. The terms of Table A for 23.47A.004 are subject to any applicable exceptions or contrary provisions expressly provided for in this Title 23.

Table A for 23.47A.004 Uses in Commercial zones						
		Permitted and prohibited uses by zone ¹				
Uses		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 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 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 ⁵	P	P
	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 ⁶	CU-25 ⁶	P	P	P
	C.7. Medical services ⁷	10 ⁸	25	P	P	P
	C.8. Offices	10	25	P	35 ⁹	35 ⁹
	C.9. Sales and services, automotive					
	C.9.a. Retail sales and services, automotive	10 ¹⁰	25 ¹⁰	P ¹⁰	P	P
	C.9.b. Sales and rental of motorized vehicles	X	25	P	P	P
	C.9.c. Vehicle repair, major automotive	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 ¹¹	50	P	P	P

Table A for 23.47A.004 Uses in Commercial zones						
		Permitted and prohibited uses by zone ¹				
Uses		NC1	NC2	NC3	C1	C2
C.11. Sales and services, heavy						
	C.11.a. Commercial sales, heavy	X	X	25	P	P
	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
	E.4. Schools, elementary or secondary	P	P	P	P	P
	E.5. Child care centers	P	P	P	P	P
F. LIVE-WORK UNITS ¹²		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 ¹³	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 ¹⁴						
	J.1. Residential uses not listed below	P	P	P	P	CU ¹⁵
	J.2. Caretaker's quarters	P	P	P	P	P

Table A for 23.47A.004 Uses in Commercial zones						
		Permitted and prohibited uses by zone ¹				
Uses		NC1	NC2	NC3	C1	C2
	J.3. Congregate residence	((X/)) P ((+6))	((X/)) P ((+6))	((X/)) P ((+7))	((X/)) P ((+7))	((X/)) P ((+7))
	J.4. Low-income housing	P	P	P	P	P
K. STORAGE USES						
	K.1. Mini-warehouses	X	X	25	40	P
	K.2. Storage, outdoor	X	X	X ((+8)) 16	P	P
	K.3. Warehouses	X	X	25	25	P
L. TRANSPORTATION FACILITIES						
	L.1. Cargo terminals	X	X	X	S	P
	L.2. Parking and moorage					
	L.2.a. Boat moorage	S	S	S	S	S
	L.2.b. Dry boat storage	X	25	P	P	P
	L.2.c. Parking, flexible-use ((+9)) 17	X	25	P	P	P
	L.2.d.i. Park and ride facilities on surface parking lots ((+9)) 18	X	CU-25	CU	CU	CU
	L.2.d.ii. Park and ride facilities in parking garages	X	P ((+24)) 19	P ((+24)) 19	P ((+24)) 19	P ((+24)) 19
	L.2.e. 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					
	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 ((+22)) 20	X	X	X	CCU	CCU
	M.2. Communication utilities, minor ((+22)) 20	P	P	P	P	P
	M.3. Power plants	X	X	X	X	X
	M.4. Recycling	X	X	X	P	P/CU ((+23)) 21

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

		Permitted and prohibited uses by zone ¹				
Uses		NC1	NC2	NC3	C1	C2
	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

CU-25 = Conditionally permitted; use is limited to 25,000 square feet, pursuant to Section 23.47A.010

10 = Permitted, business establishments limited to 10,000 square feet, pursuant to Section 23.47A.010

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

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

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

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

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

Footnotes to Table A for 23.47A.004

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

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

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

⁴ Subject to subsection 23.47A.004.H.

⁵ Permitted at Seattle Center.

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

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

⁸ Medical service uses that are located in an urban center or urban village, which are in operation at such location before August 1, 2015, and that routinely provide medical services on a reduced fee basis to individuals or families having incomes at or below 200 percent of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC 9902(2), are limited to 20,000 square feet. This provision does not apply to medical service uses that are subject to a Major Institution Master Plan.

⁹ Office uses in C1 and C2 zones are permitted up to the greater of 1 FAR or 35,000 square feet as provided in subsection 23.47A.010.D. Office uses in C1 and C2 zones are permitted outright with no maximum size limit if they meet the standards identified in subsection 23.47A.010.D

¹⁰ Gas stations and other businesses with drive-in lanes are not permitted in pedestrian-designated zones (Section 23.47A.028). Elsewhere in NC zones, establishing a gas station may require a demonstration regarding impacts under Section 23.47A.028.

¹¹ Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 square

Table A for 23.47A.004 Uses in Commercial zones					
			Permitted and prohibited uses by zone ¹		
Uses	NC1	NC2	NC3	C1	C2
<p>feet in size.</p> <p>¹² Subject to subsection 23.47A.004.G.</p> <p>¹³ Permitted pursuant to subsection 23.47A.004.D.7.</p> <p>¹⁴ Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C.</p> <p>¹⁵ Residential uses are conditional uses in C2 zones under subsection 23.47A.006.A.3, except as otherwise provided above in Table A for 23.47A.004 or in subsection 23.47A.006.A.3.</p> <p>((¹⁶ Congregate Residences that are owned by a college or university, or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services are permitted outright. All others are prohibited. Supportive services include meal service, cleaning service, health services, or similar.</p> <p>¹⁷ Congregate Residences that are owned by a college or university, or are affiliated with an educational major institution that is part of the Washington State Community and Technical Colleges system, or are a sorority or fraternity, or are owned by a not for profit entity or charity, or are licensed by the State and provide supportive services are permitted outright. All others are permitted only in locations within urban villages and urban centers. Supportive services include meal service, cleaning service, health services, or similar.))</p> <p>((48)) ¹⁶ Permitted at Seattle Center; see Section 23.47A.011.</p> <p>((49)) ¹⁷ Flexible-use parking is subject to Section 23.54.026. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.</p> <p>((20)) ¹⁸ Permitted as surface parking only on surface parking lots existing as of January 1, 2017. In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.</p> <p>((21)) ¹⁹ Permitted outright, except prohibited in the SAOD.</p> <p>((22)) ²⁰ See Chapter 23.57, Communications regulations, for regulation of communication utilities.</p> <p>((23)) ²¹ A recycling use that is located on the same development site as a solid waste transfer station may be permitted by administrative conditional use, subject to the requirements of subsection 23.47A.006.A.7.</p>					

* * *

Section 5. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 126862, is amended as follows:

23.54.015 – Required parking and maximum parking limits

* * *	
Table B for 23.54.015 Required parking for residential uses	
Use	Minimum parking required
I. General residential uses	

A.	Adult family homes	1 space for each dwelling unit
B.	Artist's studio/dwellings	1 space for each dwelling unit
C.	Assisted living facilities	1 space for each 4 assisted living units; plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space
D.	Caretaker's quarters	1 space for each dwelling unit
E.	Congregate residences	1 space for each 4 sleeping rooms
F.	Cottage housing developments ⁴	1 space for each dwelling unit
G.	Floating homes	1 space for each dwelling unit
H.	Mobile home parks	1 space for each mobile home lot as defined in Chapter 22.904
I.	Multifamily residential uses, except as otherwise provided in this Table B for 23.54.015 ^{1, 4}	1 space per dwelling unit, or 1 space for each 2 small efficiency dwelling units
J.	Nursing homes	1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds
K.	Single-family dwelling units ^{2, 4}	1 space for each dwelling unit
II. Residential use requirements for specific areas		
L.	All residential uses within urban centers or within the Station Area Overlay District ¹	No minimum requirement
M.	All residential uses in commercial, RSL, and multifamily zones within urban villages that are not within urban center or the Station Area Overlay District, if the residential use is located within a frequent transit service area ^{1, 3}	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ¹	1 space per dwelling unit for dwelling units with fewer than 2 bedrooms; plus 1.5 spaces per dwelling units with 2 or more bedrooms; plus 0.25 spaces per bedroom for dwelling units with 3 or more bedrooms
O.	Multifamily dwelling units, within the Alki area shown on Map B for 23.54.015 ¹	1.5 spaces for each dwelling unit
P.	Congregate residences located within a frequent transit service area	No minimum requirement

Footnotes to Table B for 23.54.015

¹ The minimum amount of parking prescribed by Part I of Table B for 23.54.015 does not apply if a use, structure, or development qualifies for a greater or a lesser amount of minimum parking, including no parking, under any other provision of this Section 23.54.015. If more than one provision in this Table B for 23.54.015 is applicable, the provision requiring the least amount of minimum parking applies, except that if item O in Part II of Table B for 23.54.015 applies, it shall supersede any other requirement in Part I or Part II of this Table B for 23.54.015.

² No parking is required for single-family residential uses on lots in any residential zone that are less than 3,000 square feet in size or less than 30 feet in width where access to parking is permitted through a required yard or setback abutting a street according to the standards of subsections 23.44.016.B.2, 23.45.536.C.2, or 23.45.536.C.3.

³ Except as provided in Footnote 4, the minimum amounts of parking prescribed by Part 1 of Table B for 23.54.015 apply within 1,320 feet of the Fauntleroy Ferry Terminal.

⁴ For each moderate-income unit and each low-income unit, no minimum amount of parking is required.

* * *

Section 6. Section 23.84A.032 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.84A.032 “R”

* * *

“Residential use” means any one or more of the following:

1. “Accessory dwelling unit” means one or more rooms that:

a. Are located within a principal dwelling unit or within an accessory structure on the same lot as a principal dwelling unit;

b. Meet the standards of Section 23.44.041, Section 23.45.545, or Chapter 23.47A, as applicable;

c. Are designed, arranged, and intended to be occupied by not more than one household as living accommodations independent from any other household; and

d. Are so occupied or vacant.

2. “Attached accessory dwelling unit” means an accessory dwelling unit that is within a principal dwelling unit.

3. “Adult family home” means an adult family home defined and licensed as such by the State of Washington in a dwelling unit.

4. “Apartment” means a multifamily residential use that is not a cottage housing development, rowhouse development, or townhouse development.

5. “Artist’s studio/dwelling” means a combination working studio and dwelling unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

6. “Assisted living facility” means a use licensed by the State of Washington as a boarding home pursuant to chapter 18.20 RCW that contains at least two assisted living units for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer (e.g., moving from bed to chair or chair to bath), and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes. See “Assisted living unit.”

7. “Carriage house” means a dwelling unit in a carriage house structure.

8. “Carriage house structure” means a structure within a cottage housing development, in which one or more dwelling units are located on the story above an enclosed parking garage at ground level that either abuts an alley and has vehicle access from that alley, or is located on a corner lot and has access to the parking in the structure from a driveway that abuts and runs parallel to the rear lot line of the lot. See also “Carriage house.”

9. “Caretaker’s quarters” means a use accessory to a non-residential use consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a caretaker or watchperson.

10. “Congregate residence” means a use in which ~~((rooms or lodging, with or without meals, are provided for any number of non-transient persons not constituting a single household))~~ sleeping rooms are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities and other common elements with other residents in a building.

11. “Cottage housing development” means a use consisting of cottages arranged on at least two sides of a common open space or a common amenity area. A cottage housing development may include a carriage house structure. See “Cottage,” “Carriage house,” and “Carriage house structure.”

12. “Detached accessory dwelling unit” means an accessory dwelling unit in an accessory structure.

13. “Domestic violence shelter” means a structure or portion of a structure managed by a nonprofit organization, which unit provides housing at a confidential location and support services for victims of domestic violence.

14. “Floating home” means a dwelling unit constructed on a float that is moored, anchored, or otherwise secured in the water.

15. “Low-income housing.”

16. “Mobile home” means a structure that is designed and constructed to be transportable in one or more sections and built on a permanent chassis, designed to be used as

1 a dwelling unit without a permanent foundation, and connected to utilities that include
2 plumbing, heating, and electrical systems. A structure that was transportable at the time of
3 manufacture is still considered to meet this definition notwithstanding that it is no longer
4 transportable.

5 17. “Mobile home park” means a tract of land that is rented for the use of more
6 than one mobile home occupied as a dwelling unit.

7 18. “Multifamily residential use” means a use consisting of two or more
8 dwelling units in a structure or portion of a structure, excluding accessory dwelling units.

9 19. “Nursing home” means a use licensed by the State of Washington as a
10 nursing home, which provides full-time convalescent and/or chronic care for individuals who,
11 by reason of chronic illness or infirmity, are unable to care for themselves, but that does not
12 provide care for the acutely ill or surgical or obstetrical services. This definition excludes
13 hospitals or sanitariums.

14 20. “Permanent supportive housing.”

15 21. “Rowhouse development” means a multifamily residential use in which all
16 principal dwelling units on the lot meet the following conditions:

17 a. Each dwelling unit occupies the space from the ground to the roof of
18 the structure in which it is located;

19 b. No portion of a dwelling unit, except for an accessory dwelling unit or
20 shared parking garage, occupies space above or below another dwelling unit;

21 c. Each dwelling unit is attached along at least one common wall to at
22 least one other dwelling unit, with habitable interior space on both sides of the common wall,
23 or abuts another dwelling unit on a common lot line;

d. The front of each dwelling unit faces a street lot line;

e. Each dwelling unit provides pedestrian access directly to the street that it faces; and

f. No portion of any other dwelling unit, except for an attached accessory dwelling unit, is located between any dwelling unit and the street faced by the front of that unit.

22. “Single-family dwelling unit” means a detached principal structure having a permanent foundation, containing one dwelling unit, except that the structure may also contain one or two attached accessory dwelling units where expressly authorized pursuant to this Title

23. A detached accessory dwelling unit is not considered a single-family dwelling unit for purposes of this Chapter 23.84A.

23. “Townhouse development” means a multifamily residential use that is not a rowhouse development, and in which:

a. Each dwelling unit occupies space from the ground to the roof of the structure in which it is located;

b. No portion of a dwelling unit occupies space above or below another dwelling unit, except for an attached accessory dwelling unit and except for dwelling units constructed over a shared parking garage, including shared parking garages that project up to 4 feet above grade; and

c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line.

* * *

Section 7. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2024,
and signed by me in open session in authentication of its passage this _____ day of
_____, 2024.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2024.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2024.

Scheereen Dedman, City Clerk

(Seal)