

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning, establishing a definition for micro-housing, amending development standards for congregate residences, amending design review thresholds, clarifying prohibition of micro-housing in single family zones, and amending income eligible household definitions for incentive programs related to micro-housing and congregate residences ; amending Sections 23.41.004; 23.42.010; 23.44.006; 23.45.508; 23.54.015; 23.54.040; 23.58A.004; 23.84A.032; and adopting new Sections 23.45.575 and 23.47A.034.

WHEREAS, The City of Seattle Comprehensive Plan states in Housing Goal 4: Achieve a mix of housing types that are attractive and affordable to a diversity of ages, incomes, household types, household sizes, and cultural backgrounds; and

WHEREAS, The City of Seattle Comprehensive Plan states in Housing Policy 20: Promote and foster, where appropriate, innovative and non-traditional housing types such as co-housing, live/work housing and attached and detached accessory dwelling units, as alternative means of accommodating residential growth and providing affordable housing options; and

WHEREAS, The City of Seattle Comprehensive Plan states in Housing Goal 13: Provide new low-income housing through market-rate housing production and assisted housing programs; and

WHEREAS, The City of Seattle Comprehensive Plan states in Housing Goal 5: Provide for lower off-street parking requirements in locations where car ownership rates are low for resident populations, to help reduce housing costs and increase affordability; and

WHEREAS, City Council finds that adoption of this ordinance will help implement those provisions of the Comprehensive Plan and will help protect and promote the health, safety and welfare of the general public; and

WHEREAS, The Seattle Department of Planning and Development (DPD) has monitored the production of Micro-Housing and Congregate Residences for over two years, and has observed that clarification of regulations related to micro-housing and congregate residences are needed to ensure the appropriate reviews and standards are in place to adequately address these emerging forms of housing development; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.41.004 of the Seattle Municipal Code, was last amended by Ordinance 123963 is amended as follows:

23.41.004 Applicability

A. Design review required((-))

1. Design review is required for any new multifamily, commercial, or industrial development proposal that exceeds one of the following thresholds in Table A for 23.41.004:

Table A for 23.41.004((-)) Thresholds for Design Review		
	<u>((Zone))Zone</u>	<u>((Threshold))Threshold</u>
a.	Lowrise (LR3)	8 dwelling units
b.	Midrise (MR)	20 dwelling units
c.	Highrise (HR)	20 dwelling units
d.	Neighborhood Commercial (NC1,2,3)	4 dwelling units or 4,000 square feet of non-residential gross floor area
e.	Commercial (C1,C2)	4 dwelling units or 12,000 square feet of non-residential gross floor area, located on a lot in an urban center or urban village ¹ , or on a lot that abuts or is across a street or alley from a lot zoned single family, or on a lot located in the area bounded by: NE 95 th St., NE 145 th St., 15 th Ave. NE, and Lake Washington
f.	Seattle Mixed (SM)	20 units or 12,000 square feet of non-residential gross floor area
g.	Industrial Commercial (IC) ((zone))within all designated urban villages and centers	12,000 square feet of non-residential gross floor area
h.	Master Planned Community (MPC) ²	20 dwelling units or 12,000 square feet of non-residential gross floor area
i.	<u>All zones – Micro-housing, or Congregate residences</u>	<u>Developments containing 6,000 to 11,999 square feet of gross floor area, are subject to Streamlined Design Review (SDR) pursuant to Section 23.41.016.</u> <u>Developments containing 12,000 to 19,999 square feet of gross floor area, are subject to Administrative Design Review (ADR) pursuant to Section 23.41.018.</u> <u>Developments containing 20,000 square feet or greater of gross floor area, are subject to full Design Review pursuant to Chapter 23.41.</u>

Footnote to Table A for 23.41.004

¹Urban centers and urban villages are identified in the Seattle Comprehensive Plan.

²If an application in a Master Planned Community zone does not include a request for departures, the applicable design review procedures are in Section 23.41.020. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014.

~~((Footnote to Table A for 23.41.004~~

~~¹Urban centers and urban villages are identified in the Seattle Comprehensive Plan.~~

~~²If an application in a Master Planned Community zone does not include a request for departures, the applicable design review procedures are in Section 23.41.020. If an application in a Master Planned Community zone includes a request for departures, then the applicable design review procedures are in Section 23.41.014.))~~

2. Design review is required for all new Major Institution development proposals that exceed any applicable threshold listed in this subsection 23.41.004.A, unless the structure is located within a Major Institution Overlay (MIO) district.

3. Design review is required for all new development proposals located in the following Downtown zones that exceed any of the following thresholds:

~~((DOC 1, DOC 2 or DMC Zones))~~

<u>Table B for 23.41.004</u>	
<u>Thresholds</u>	
<u>DOC 1, DOC 2 or DMC zones</u>	
Use	Threshold
Non-residential	50,000 square feet of gross floor area
Residential	20 dwelling units
<u>DRC, DMR, DH1 or DH2 Zones, or PMM zone outside the Pike Place Market Historical District</u>	
Use	Threshold
Non-residential	20,000 square feet of gross floor area
Residential	20 dwelling units

4. Design review is required for all new development proposals exceeding 120 feet in width on any single street frontage in the Stadium Transition Area Overlay District as shown in Map A for 23.74.004, and all new development proposals exceeding 12,000 square feet

1 of non-residential gross floor area and electing to add extra floor area above the base FAR that
2 are located in an IC 85-160 zone.

3 5. Streamlined administrative design review to protect trees. As provided in
4 Sections 25.11.070 and 25.11.080, streamlined administrative design review pursuant to Section
5 23.41.018 is required for new multifamily and commercial development proposals in Lowrise,
6 Midrise, and commercial zones if an exceptional tree, as defined in Section 25.11.020, is located
7 on the lot and is not proposed to be preserved, if design review would not otherwise be required
8 by this subsection 23.41.004.A.

9 6. New multifamily or commercial development proposals in the zones listed in
10 this subsection 23.41.004.A, that are subject to SEPA solely as a result of the provisions of
11 Section 25.05.908, Environmentally Critical Areas, are exempt from design review except as set
12 forth in subsection 23.41.004.A.5.

13 7. Design review pursuant to Section 23.41.014 is required for projects that are
14 eligible for design review under any provision of this ((s))Section 23.41.004 and that are
15 participating in the Living Building Pilot Program authorized by Section 23.40.060.

16 8. Streamlined administrative design review (SDR) pursuant to Section 23.41.018
17 is required for ~~((all new townhouses))~~the following developments~~((that include at least three~~
18 ~~townhouse units))~~, if design review is not otherwise required by this subsection 23.41.004.A.

19 a. Townhouse developments that include at least three townhouse units;

20 b. Developments containing 6,000 to 11,999 square feet of gross floor
21 area that include any amount of micro-housing or a congregate residence.

22 * * *

23 Section 2. Section 23.42.010 of the Seattle Municipal Code, was last amended by
24 Ordinance 118794, is amended as follows:

25 **23.42.010 Identification of principal permitted uses((:))**

1 Principal uses not listed in the respective zones of Subtitle III, Division 2 of ~~((SMC))~~Title
2 23, Land Use Code ~~((shall be))~~are prohibited in those zones. If a use is not listed, the Director
3 may determine that a proposed use is substantially similar to other uses permitted or prohibited
4 in the respective zones, therefore, and should also be permitted or prohibited. When a proposed
5 use has characteristics of more than one use, the Director has discretion to determine which use
6 category or categories are most similar to the proposed use for the purposes of determining
7 whether the use is permitted, and for the purposes of applying applicable development standards
8 of a zone.

9 Section 3. Section 23.44.006 of the Seattle Municipal Code, was last amended by
10 Ordinance 123378 is amended as follows:

11 **23.44.006 Principal ~~((U))~~uses ~~((P))~~permitted ~~((O))~~outright**

12 The following principal uses are permitted outright in single-family zones:

13 A. Single-family Dwelling Unit. One single-family dwelling unit per lot, except that an
14 accessory dwelling unit may also be approved pursuant to Section 23.44.041, and except as
15 approved as part of an administrative conditional use permit under Section 25.09.260(~~(:)~~). Micro-
16 housing shall not be considered a single-family dwelling unit, and is not a permitted use in
17 single-family zones:

18 * * *

19 Section 4. Section 23.45.508 of the Seattle Municipal Code, was last amended by
20 Ordinance 123495 is amended as follows:

21 **23.45.508 General provisions**

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

1 B. Off street parking shall be provided pursuant to Section 23.54.015.

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

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

8 E. Assisted living facilities, congregate (~~(housing)~~)residences, and nursing homes shall
9 meet the development standards for apartments unless otherwise specified. Congregate
10 residences are subject to additional requirements as specified in Section 23.45.575.

11 F. Single-family dwelling units. In Lowrise zones, single-family dwelling units shall
12 meet the development standards for townhouse developments, except that Section 23.45.529,
13 Design standards, does not apply. In MR and HR zones, single-family dwelling units shall meet
14 the development standards of the zone.

15 G. Proposed uses in all multifamily zones are subject to the transportation concurrency
16 level-of-service standards prescribed in Chapter 23.52.

17 H. Lots with no street frontage. For purposes of structure width, depth, and setbacks,
18 multifamily zoned lots that have no street frontage are subject to the following:

19 1. For lots that have only one alley lot line, the alley lot line shall be treated as a
20 front lot line.

21 2. For lots that have more than one alley lot line, the Director shall determine
22 which alley lot line shall be treated as the front lot line.

23 3. For lots that have no alley lot lines, the applicant may choose the front lot
24 line provided that the selected front lot line length is at least 50 percent of the width of the lot.

1 I. All use provisions and development standards applicable to MR zones, except
2 maximum height, also apply in the MR/85 zone.

3 J. Any other provision of the Seattle Municipal Code notwithstanding, an applicant is
4 not entitled to a permit for any use or development on a lot in a Lowrise zone that would be
5 inconsistent with any term, condition, or restriction contained either in any recorded agreement
6 that is in effect as to that lot and was made in connection with a rezone of the lot to LDT, L1,
7 L2, L3, or L4, or in any City Council decision or ordinance related to a rezone of the lot to
8 LDT, L1, L2, L3, or L4 conditioned on a recorded agreement prior to the effective date of the
9 ordinance introduced as Council Bill 117014.

10 Section 5. A new Section 23.45.575 is added to the Seattle Municipal Code as follows:

11 **23.45.575 Congregate residences**

12 Congregate residences are subject to the development standards for apartments for the
13 zone in which they are located and the following requirements.

14 A. Common kitchen. At least one on-site kitchen is required within the congregate
15 residence.

16 B. Kitchen facilities in sleeping rooms. Within a congregate residence not more than
17 25 percent of sleeping rooms shall have kitchen facilities within the sleeping room, where
18 kitchen facilities are identified by the presence of a plumbed sink, a connection for 220 volt
19 electrical service or natural gas line to service a stove, or both. The Director has discretion to
20 increase the percentage to a maximum of 75 percent of sleeping rooms if either of the
21 following criteria are met:

22 1. The congregate residence is owned by or directly affiliated with a college or
23 university.

24 2. The congregate residence has other characteristics or functional attributes
25 clearly identifying it as a congregate or communal living arrangement wherein residents

1 regularly and customarily engage in aspects of group or co-dependent living, such as special
2 needs housing including halfway homes, and senior living facilities not meeting the definition
3 of assisted living facility or nursing home.

4 C. Communal area. Communal areas such as common kitchen, lounges, recreation
5 rooms, dining rooms, living rooms, foyers and lobbies, and useable outdoor patios, decks or
6 gardens that are accessible to all residents of the congregate residence with sufficient
7 accommodations for socialization and meeting shall be provided:

8 1. The total amount of communal area shall have a floor area that is at least 10
9 percent of the total net floor area in congregate residence sleeping rooms and abutting ancillary
10 areas associated with the sleeping room. In calculating the total floor area of congregate
11 residence sleeping rooms, all of the area of each of the individual sleeping rooms shall be
12 counted, including counters, closets and built-ins, and the bathroom;

13 2. No service areas, including, but not limited to hallways and corridors, supply
14 closets, operations and maintenance areas, staff areas and offices, and required bicycle parking
15 areas, may be counted toward the communal area requirement;

16 3. Communal areas are required in addition to any residential amenity area that
17 may be required in the zone.

18 Section 6. A new Section 23.47A.034 is added to the Seattle Municipal Code as
19 follows:

20 **23.47A.034 Congregate residence**

21 Congregate residences are subject to the development standards for the zone in which
22 they are located and the following requirements.

23 A. Common kitchen. At least one on-site kitchen to serve the needs of the congregate
24 residence is required.

1 B. Kitchen facilities in sleeping rooms. Within a congregate residence not more than
2 25 percent of sleeping rooms shall have kitchen facilities within the sleeping room, where
3 kitchen facilities are identified by the presence of a plumbed sink, a connection for 220 volt
4 electrical service or natural gas line to service a stove, or both. The Director has discretion to
5 increase the percentage to a maximum of 75 percent of sleeping rooms if either of the
6 following criteria are met:

7 1. The congregate residence is owned by or directly affiliated with a college or
8 university.

9 2. The congregate residence has other characteristics or functional attributes
10 clearly identifying it as a congregate or communal living arrangement wherein residents
11 regularly and customarily engage in aspects of group or co-dependent living, such as special
12 needs housing formats including halfway homes, and senior living facilities not meeting the
13 definition of assisted living facility or nursing home.

14 C. Communal area. Communal areas such as common kitchen, lounges, recreation
15 rooms, dining rooms, living rooms, foyers and lobbies, and useable outdoor plazas, decks or
16 gardens, that are accessible to all residents of the congregate residence with sufficient
17 accommodations for socialization and meeting shall be provided:

18 1. The total amount of communal area shall have a floor area that is at least 10
19 percent of the total net floor area in congregate residence sleeping rooms and abutting ancillary
20 areas associated with the sleeping room. In calculating the total floor area of congregate
21 residence sleeping rooms, all of the area of each of the individual sleeping rooms shall be
22 counted, including counters, closets and built-ins, and the bathroom;

23 2. No service areas, including, but not limited to hallways and corridors, supply
24 closets, operations and maintenance areas, staff areas and offices, and required bicycle parking
25 areas, shall be counted toward the communal area requirement.

3. Required communal areas shall be in addition to any amenity area required per the zone.

Section 7. Table B and Table E for Section 23.54.015 of the Seattle Municipal Code, was last amended by Ordinance 123963, are amended as follows:

23.54.015 Required parking

* * *

Table B for 23.54.015((=)) PARKING FOR RESIDENTIAL USES		
Use	Minimum parking required	
I. General ((R))residential ((U))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 <u>and micro-housing</u>	1 space for each 4 ((residents)) <u>sleeping rooms or micros</u>
F.	Cottage housing developments	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 provided in Sections II or III of this Table B for 23.54.015 ¹ ((-+))	1 space per dwelling unit((-))
J.	Nursing homes ² ((=2))	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	1 space for each dwelling unit
II. Residential ((U))use ((R))requirements ((F))for ((S))specific ((A))areas		
L.	All residential uses within urban centers or within the Station Area Overlay District ¹ ((+))	No minimum requirement

**Table B for 23.54.015((~~z~~))
 PARKING FOR RESIDENTIAL USES**

Use		Minimum parking required
M	All residential uses in commercial 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 1,320 feet of a street with frequent transit service, measured as the walking distance from the nearest transit stop to the lot line of the lot containing the residential use ¹ ((z))	No minimum requirement
N.	Multifamily residential uses within the University of Washington parking impact area shown on Map A for 23.54.015 ¹ ((z))	1 space per dwelling unit for dwelling units with fewer than two 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 ((z))	1.5 spaces for each dwelling unit
III. Multifamily ((R))residential ((U))use ((R))requirements with ((I))income ((C))criteria		
P.	Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy at or below 30 percent of the median income ³ ((z)), for the life of the building ¹ ((z))	0.33 space for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
Q.	Multifamily residential uses: for each dwelling unit rented to and occupied by a household with an income at time of its initial occupancy of between 30 and 50 percent of the median income ³ ((z)), for the life of the building ¹ ((z))	0.75 spaces for each dwelling unit with 2 or fewer bedrooms, and 1 space for each dwelling unit with 3 or more bedrooms
R.	Low-income disabled multifamily residential uses ^{1,3} ((z))	1 space for each 4 dwelling units
S.	Low-income elderly/low-income disabled multifamily residential uses ^{1,3} ((z))	1 space for each 5 dwelling units

**Table B for 23.54.015((~~1~~))
 PARKING FOR RESIDENTIAL USES**

Use	Minimum parking required		
T.	<table border="1"> <tr> <td data-bbox="284 453 787 592">Low-income elderly multifamily residential uses¹⁻³((1)(3)) not located in urban centers or within the Station Area Overlay District</td> <td data-bbox="787 453 1385 592">1 space for each 6 dwelling units</td> </tr> </table>	Low-income elderly multifamily residential uses ¹⁻³ ((1)(3)) not located in urban centers or within the Station Area Overlay District	1 space for each 6 dwelling units
Low-income elderly multifamily residential uses ¹⁻³ ((1)(3)) not located in urban centers or within the Station Area Overlay District	1 space for each 6 dwelling units		

Footnotes for Table B for 23.54.015

¹ The general requirement of line I of Table B for 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in Section II of Table B for 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23

² For development within single-family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.

³ Notice of income restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.

~~((Footnotes for Table B for 23.54.015~~

~~(1) The general requirement of line I of Table B for 23.54.015 for multifamily residential uses is superseded to the extent that a use, structure or development qualifies for either a greater or a lesser parking requirement (which may include no requirement) under any other provision. To the extent that a multifamily residential use fits within more than one line in Table B for 23.54.015, the least of the applicable parking requirements applies, except that if an applicable parking requirement in section II of Table B for 23.54.015 requires more parking than line I, the parking requirement in line I does not apply. The different parking requirements listed for~~

~~certain categories of multifamily residential uses shall not be construed to create separate uses for purposes of any requirements related to establishing or changing a use under this Title 23.~~

~~(2) For development within single family zones the Director may waive some or all of the parking requirements according to Section 23.44.015 as a special or reasonable accommodation. In other zones, if the applicant can demonstrate that less parking is needed to provide a special or reasonable accommodation, the Director may reduce the requirement. The Director shall specify the parking required and link the parking reduction to the features of the program that allow such reduction. The parking reductions shall be valid only under the conditions specified, and if the conditions change, the standard requirements shall be met.~~

~~(3) Notice of Income Restrictions. Prior to issuance of any permit to establish, construct or modify any use or structure, or to reduce any parking accessory to a multifamily residential use, if the applicant relies upon these reduced parking requirements, the applicant shall record in the King County Recorder a declaration signed and acknowledged by the owner(s), in a form prescribed by the Director, which shall identify the subject property by legal description, and shall acknowledge and provide notice to any prospective purchasers that specific income limits are a condition for maintaining the reduced parking requirement.))~~

* * *

Table E for ((Section))23.54.015 PARKING FOR BICYCLES¹ ((4))			
Use		Bike ((P))parking ((R))requirements	
		Long-term	Short-term
A. ((COMMERCIAL USES))Commercial uses			
A.1.	Eating and drinking establishments	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.2.	Entertainment ((U))uses	1 per 12,000 square feet	1 per 40 seats and 1 per 1,000 square feet of non-seat area; 1 per 20 seats and 1 per 1,000 square feet of non-seat area in UC/SAO ² ((2))

**Table E for ((Section))23.54.015
 PARKING FOR BICYCLES¹ ((1))**

		Bike ((P))parking ((R))requirements	
Use		Long-term	Short-term
A.3.	Lodging ((U))uses	1 per 20 rentable rooms	2
A.4.	Medical services	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.5.	Offices and ((E))laboratories, research and ((D))development	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))	1 per 40,000 square feet((-))
A.6.	Sales and services, general	1 per 12,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
A.7.	Sales and services, heavy	1 per 4,000 square feet	1 per 40,000 square feet((-))
B. ((INSTITUTIONS))Institutions			
B.1.	Institutions not listed below	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))	1 per 40,000 square feet((-))
B.2.	Child care centers	1 per 4,000 square feet	1 per 40,000 square feet((-))
B.3.	Colleges	A number of spaces equal to ((ten(-))10(+)) percent of the maximum students present at peak hour plus ((five(-))5(+)) percent of employees.	None
B.4.	Community clubs or centers	1 per 4,000 square feet((-))	1 per 4,000 square feet
B.5.	Hospitals	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))	1 per 40,000 square feet((-))
B.6.	Libraries	1 per 4,000 square feet	1 per 4,000 square feet; 1 per 2,000 square feet in UC/SAO ² ((2))
B.7.	Museums	1 per 4,000 square feet	1 per 4,000 square feet
B.8.	Religious facilities	1 per 12,000 square feet	1 per 40 seats or 1 per 1,000 square feet of non-seat area
B.9.	Schools, elementary	1 per classroom	None
B.10.	Schools, secondary (middle and high)	2 per classroom	None

**Table E for ~~((Section))~~23.54.015
 PARKING FOR BICYCLES¹ ~~((1))~~**

Use		Bike ((P)) parking ((R)) requirements	
		Long-term	Short-term
B.1.	Vocational or fine arts schools	A number of spaces equal to ((ten-)) 10 ((3)) percent of the maximum students present at peak hour plus ((five-)) 5 ((3)) percent of employees.	None
C. ((MANUFACTURING USES)) Manufacturing uses		1 per 4,000 square feet	None
D. ((RESIDENTIAL USES)) Residential uses			
D.1.	Congregate residences and micro-housing.	1 per ((20)) 4 ((residents)) sleeping rooms or micros.	None
D.2.	Multi-family structures	1 per 4 units	None
E. ((TRANSPORTATION FACILITIES)) Transportation facilities			
E.1.	Park and ride lots	At least 20 ³ ((3))	None
E.2.	Principal use parking except Park and ride lots	1 per 20 auto spaces	None
E.3.	Rail transit facilities and Passenger terminals	At least 20 ³ ((3))	None
Footnote to Table E for 23.54.015			
¹ If a use is not shown on this Table E for 23.54.015, there is no minimum bicycle parking requirement.			
² For the purposes of this Table E for 23.54.015, UC/SAO means urban centers or the Station Area Overlay District.			
³ The Director in consultation with the Director of Transportation may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and, other relevant transportation and land use information.			

~~((1)) If a use is not shown on this Table E, there is no minimum bicycle parking requirement.~~

~~((2)) For the purposes of this table, UC/SAO means urban centers or the Station Area Overlay District.~~

~~((3)) The Director in consultation with the Director of Transportation may require more bicycle parking spaces based on the following factors: Area topography; pattern and volume of~~

1 ~~expected bicycle users; nearby residential and employment density; proximity to Urban Trails~~
2 ~~system and other existing and planned bicycle facilities; projected transit ridership and~~
3 ~~expected access to transit by bicycle; and, other relevant transportation and land use~~
4 ~~information.))~~

5 Section 8. Section 23.54.040 of the Seattle Municipal Code, last amended by Ordinance
6 123963, is amended as follows:

7 **23.54.040 Solid waste and recyclable materials storage and access**

8 A. Except as provided in subsection 23.54.040.I, in downtown, multifamily, master
9 planned community, and commercial zones, storage space for solid waste and recyclable
10 materials containers shall be provided as shown in Table A for 23.54.040 for all new structures,
11 and for existing structures to which two or more dwelling units are added.

12 1. Residential uses proposed to be located on separate platted lots, for which each
13 dwelling unit will be billed separately for utilities, shall provide one storage area per dwelling
14 unit that has minimum dimensions of 2 feet by 6 feet.

15 2. Residential development for which a home ownership association or other
16 single entity exists or will exist as a sole source for utility billing may meet the requirement in
17 subsection 23.54.040.A.1, or the requirement in Table A for 23.54.040.

18 3. Non-residential development shall meet the requirement in Table A for
19 23.54.040.

~~((Table A for 23.54.040: Shared Storage Space for Solid Waste Containers))~~

Table A for 23.54.040	
Shared storage space for solid waste containers	
Residential ((D)) development	Minimum ((A)) area for ((S)) shared ((S)) storage ((S)) space
((2-8 dwelling units)) 2-8 dwelling units	((84 square feet)) 84 square feet
9-15 dwelling units	150 square feet
16-25 dwelling units	225 square feet
26-50 dwelling units	375 square feet
51-100 dwelling units	375 square feet plus 4 square feet for each additional unit above 50
More than 100 dwelling units	575 square feet plus 4 square feet for each additional unit above 100, except as permitted in subsection 23.54.040.C
<u>For residential uses containing micro-housing, or for congregate residences, the Director has discretion to increase or decrease the amount of shared storage space that is required based upon the number of micros or sleeping rooms within the use or other characteristics of the proposed development.</u>	
Non-residential ((D)) development (Based on gross floor area of all structures on the lot)	Minimum ((A)) area for ((S)) shared ((S)) storage ((S)) space
0 - 5,000 square feet	82 square feet
5,001 - 15,000 square feet	125 square feet
15,001 - 50,000 square feet	175 square feet
50,001 - 100,000 square feet	225 square feet
100,001 - 200,000 square feet	275 square feet
200,001 plus square feet	500 square feet
Mixed use development that contains both residential and non-residential uses, shall meet the requirements of subsection 23.54.040.B.	

B. Mixed use development that contains both residential and non-residential uses shall meet the storage space requirements shown in Table A for 23.54.040 for residential development, plus 50 percent of the requirement for non-residential development. In mixed use developments, storage space for garbage may be shared between residential and non-residential uses, but separate spaces for recycling shall be provided.

C. For development with more than 100 dwelling units, the required minimum area for storage space may be reduced by 15 percent, if the area provided as storage space has a minimum horizontal dimension of 20 feet.

1 D. The storage space required by Table A for 23.54.040 shall meet the following
2 requirements:

3 1. For developments with ~~((8))~~eight or fewer dwelling units, the minimum
4 horizontal dimension (width and depth) for required storage space is 7 feet. For developments
5 with ~~((9))~~nine dwelling units or more, the minimum horizontal dimension of required storage
6 space is 12 feet;

7 2. The floor of the storage space shall be level and hard-surfaced, and the floor
8 beneath garbage or recycling compactors shall be made of concrete; and

9 3. If located outdoors, the storage space shall be screened from public view and
10 designed to minimize light and glare impacts.

11 * * *

12 Section 9. Section 23.58A.004 of the Seattle Municipal Code, was last amended by
13 Ordinance 124172, is amended as follows:

14 **23.58A.004 Definitions**

15 A. Scope and applicability

16 1. General rule. The terms set forth in quotations in this Section 23.58A.004,
17 when used in this Chapter 23.58A, have the meanings set forth in this Section 23.58A.004 unless
18 the context otherwise requires.

19 2. Definitions in Chapter 23.84A. Definitions in this Chapter 23.58A or in the
20 applicable provisions of the zone supersede any definitions of the same terms in Chapter 23.84A
21 for purposes of the provisions of this Chapter 23.58A, unless specified otherwise in this Chapter
22 23.58A.

23 B. Defined terms - General

24 "Affordable housing" means a unit or units of housing provided as a condition to bonus
25 floor area that are affordable to and reserved solely for "income-eligible households".
26

1 "Base FAR" or "Base floor area ratio" means the non-residential floor area that may be
2 allowed under the provisions of the zone limiting floor area, expressed as a multiple of the lot
3 area, without use of any bonuses, transfer of development capacity, other incentive provisions, or
4 any departures, waivers, variances or special exceptions.

5 "Base residential floor area" means:

6 1. For a lot in South Downtown in a PSM, IDM, IDR, DMR or DMC zone from
7 which TDP is transferred, six times the lot area; and

8 2. For all other lots, the amount of residential floor area allowable on the lot
9 under the provisions of the zone that expressly limit floor area, excluding any floor area
10 exempted from the limits, without use of any bonuses, transfer of development capacity, other
11 incentive provisions, or any departures, waivers, variances or special exceptions, and before
12 giving effect to any transfer of residential development potential to another lot.

13 "Base height limit" means the height limit that would apply under the provisions of the
14 zone based upon the proposed uses in a structure, if the applicant did not qualify for any
15 additional height dependent on the provisions of this Chapter 23.58A, after giving effect to any
16 additional height that is actually allowed for the pitched roof of a structure and any additional
17 height that is or would be allowed under the provisions of the zone because of the slope of the
18 lot, but before giving effect to any allowance for rooftop features or any departure, waiver,
19 variance or special exception.

20 "Bonus floor area" means bonus residential floor area or bonus non-residential floor area.

21 "Bonus non-residential floor area" means extra non-residential floor area allowed
22 pursuant to the bonus provisions in subchapters III and V of this Chapter 23.58A. It does not
23 include extra floor area gained through TDR.

1 "Bonus residential floor area" means extra residential floor area allowed pursuant to the
2 bonus provisions in subchapters II and V of this Chapter 23.58A. It does not include extra floor
3 area gained through TDP.

4 "Certificate of occupancy" means the first certificate of occupancy issued by the City for
5 a project, whether temporary or permanent, unless otherwise specified.

6 "Extra floor area" means extra residential floor area or extra non-residential floor area.

7 "Extra residential floor area" means the gross floor area of all residential development
8 allowed in addition to a base height limit or base floor area limit, or both, under the provisions of
9 this Chapter 23.58A or under any other provisions of this Title 23 referring to this Chapter
10 23.58A that allow a bonus or a transfer of development rights or development capacity. It
11 includes, without limitation, gross floor area in residential use in all stories wholly or in part
12 above the base height limit, and all bonus residential floor area. In the IDM 75/85-150 zone,
13 hotel use in a mixed use project may be counted as extra residential floor area subject to
14 subsection 23.49.023.A and subsection 23.49.208.E.

15 "Extra non-residential floor area" means the non-residential floor area of all non-
16 residential development allowed in addition to base FAR or to a base height limit for non-
17 residential use, or both, under the provisions of this Chapter 23.58A or under any other
18 provisions of this Title 23 referring to this Chapter 23.58A that allow a bonus or a transfer of
19 development rights or development capacity. It includes, without limitation, gross floor area in
20 non-residential use in all stories wholly or in part above the base height limit for non-residential
21 use, and all bonus non-residential floor area.

22 "Housing bonus residential floor area" means extra residential floor area allowed on
23 condition that low-income housing be provided, or that a payment in lieu thereof be made, under
24 subchapter II of this Chapter 23.58A.

1 "Housing and child care bonus non-residential floor area" means extra non-residential
2 floor area allowed under subchapter III of this Chapter 23.58A on condition that low-income
3 housing be provided or a payment in lieu of low-income housing be made and that a child care
4 facility be provided or a payment in lieu of a child care facility be made.

5 "Income-eligible households" means:

6 1. (~~In the case of~~)For rental housing units except housing units of 400 or fewer
7 net square feet, micro-housing, or a congregate residence, households with incomes no higher
8 than the lower of

9 a. eighty percent of median income as defined in Section 23.84A.025; or
10 b. the maximum level permitted for rental housing by RCW 36.70A.540
11 as in effect when the agreement for the housing to serve as affordable housing is executed.

12 2. In the case of owner-occupied housing units, households with incomes no
13 higher than the lesser of

14 a. median income, as defined in Section 23.84A.025, or
15 b. the maximum level permitted for owner-occupied housing by RCW
16 36.70A.540 as in effect when the agreement for the housing to serve as affordable housing is
17 executed.

18 3. For housing units of 400 or fewer net square feet, micro-housing, or
19 congregate residence, households with incomes no higher than 40 percent of median income as
20 defined in Section 23.84A.025.

21 "Payment option" means making a payment to the City in lieu of providing low-income
22 housing, child care, or any amenity or feature, in order to qualify for bonus floor area.

23 "Performance option" means providing or committing to provide a physical facility, or a
24 portion or feature of a project, such as low-income housing, in order to qualify for bonus floor
25 area.

1 "Provisions of the zone" means one or more provisions of another chapter of this Title 23
2 relating to allowable floor area or height, or to the allowance of extra floor area or additional
3 height, or to the transfer of development capacity, for the area in which the lot on which extra
4 floor area is used or proposed is located or the location from which TDR or TDP may be
5 transferred.

6 Section 10. Section 23.84A.032 of the Seattle Municipal Code, was last amended by
7 Ordinance 124172, is amended as follows:

8 **23.84A.032 "R"**

9 * * *

10 "Residential use" means any one or more of the following:

11 1. "Accessory dwelling unit" means one or more rooms that

12 ((f))a((+))₂ are located within an owner-occupied dwelling unit, or within
13 an accessory structure on the same lot or unit lot as an owner-occupied dwelling unit;

14 ((f))b((+))₂ meet the standards of Section 23.44.041, 23.45.545, or Chapter
15 23.47A, as applicable;

16 ((f))c((+))₂ are designed, arranged, and intended to be occupied by not
17 more than one household as living accommodations independent from any other household; and

18 ((f))d((+))₂ are so occupied or vacant.

19 2. "Adult family home" means an adult family home defined and licensed as such
20 by The State of Washington in a dwelling unit.

21 3. "Apartment" means a multifamily residential use that is not a cottage housing
22 development, rowhouse development, or townhouse development.

23 4. "Artist's studio/dwelling" means a combination working studio and dwelling
24 unit for artists, consisting of a room or suite of rooms occupied by not more than one household.

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

7 6. "Caretaker's quarters" means a use accessory to a non-residential use
8 consisting of a dwelling unit not exceeding 800 square feet of living area and occupied by a
9 caretaker or watchperson.

10 7. "Congregate residence" means a use in which rooms or lodging, with or
11 without meals, are provided for nine or more non-transient persons not constituting a single
12 household, excluding single-family dwelling units for which special or reasonable
13 accommodation has been granted.

14 8. "Cottage housing development" means a use consisting of cottages arranged
15 on at least two sides of a common open space or a common amenity area. A cottage housing
16 development may include a carriage house structure. See "Cottage," "Carriage house," and
17 "Carriage house structure."

18 9. "Detached accessory dwelling unit" means an accessory dwelling unit in an
19 accessory structure.

20 10. "Domestic violence shelter" means a dwelling unit managed by a nonprofit
21 organization, which unit provides housing at a confidential location and support services for
22 victims of domestic violence.

23 11. "Floating home" means a dwelling unit constructed on a float that is moored,
24 anchored or otherwise secured in the water.

1 12. "Mobile home park" means a tract of land that is rented for the use of more
2 than one mobile home occupied as a dwelling unit.

3 13. "Multifamily residential use" means a use consisting of two or more dwelling
4 units in a structure or portion of a structure, excluding accessory dwelling units.

5 14. "Multifamily residential use, low-income disabled" means a multifamily
6 residential use in which at least 90 percent of the dwelling units are occupied by one or more
7 persons who have a handicap as defined in the Federal Fair Housing Amendments Act and who
8 constitute a low-income household.

9 15. "Multifamily residential use, low-income elderly" means a residential use in
10 which at least 90 percent of the dwelling units are occupied by one or more persons 62 or more
11 years of age who constitute a low-income household.

12 16. "Multifamily residential use, low-income elderly/low-income disabled"
13 means a multifamily residential use in which at least 90 percent of the dwelling units (not
14 including vacant units) are occupied by a low-income household that includes a person who has
15 a handicap as defined in the Federal Fair Housing Amendment Act or a person 62 years of age or
16 older, as long as the housing qualifies for exemptions from prohibitions against discrimination
17 against families with children and against age discrimination under all applicable fair housing
18 laws and ordinances.

19 17. "Micro" means a room or rooms within micro-housing having all of the
20 following characteristics:

21 a. contains 285 square feet or less;

22 b. contains a bathroom with a toilet, bathing facility, and sink;

23 c. does not contain a food preparation area or kitchen;

24 d. no sink is located outside of the bathroom within the micro.

1 18. "Micro-housing" means a dwelling unit comprised of up to 8 rooms, each
2 room meeting the definition of micro pursuant to subsection 23.84A.032 and having a common
3 kitchen at least 120 square feet in size that may be used by each micro within the dwelling unit.

4 ~~((17))~~19. "Nursing home" means a use licensed by The State of Washington as a
5 nursing home, which provides full-time convalescent and/or chronic care for individuals who, by
6 reason of chronic illness or infirmity, are unable to care for themselves, but that does not provide
7 care for the acutely ill or surgical or obstetrical services. This definition excludes hospitals or
8 sanitariums.

9 ~~((18))~~20. "Rowhouse ~~((D))~~development" means a multifamily residential use in
10 which all principal dwelling units on the lot meet the following conditions:

11 ~~((f))a((+))~~2. each dwelling unit occupies the space from the ground to the
12 roof of the structure in which it is located;

13 ~~((f))b((+))~~2. no portion of a dwelling unit, except for an accessory dwelling
14 unit or shared parking garage, occupies space above or below another dwelling unit;

15 ~~((f))c((+))~~2. each dwelling unit is attached along at least one common wall
16 to at least one other dwelling unit, or abuts another dwelling unit on a common lot line;

17 ~~((f))d((+))~~2. the front of each dwelling unit faces a street lot line;

18 ~~((f))e((+))~~2. each dwelling unit provides pedestrian access directly to the
19 street that it faces; and

20 ~~((f))f((+))~~2. no portion of any other dwelling unit, except for an attached
21 accessory dwelling unit, is located between any dwelling unit and the street faced by the front of
22 that unit.

23 ~~((19))~~21. "Single-family dwelling unit" means a detached structure having a
24 permanent foundation, containing one dwelling unit, except that the structure may also contain
25 an accessory dwelling unit where expressly authorized pursuant to this Title 23. A detached
26

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

3 ~~((20))~~22. "Townhouse Development" means a multifamily residential use that is
4 not a rowhouse development, and in which:

5 ~~((f))a((+))~~. each dwelling unit occupies the space from the ground to the
6 roof of the structure in which it is located;

7 ~~((f))b((+))~~. no portion of a dwelling unit occupies space above or below
8 another dwelling unit, except for an attached accessory dwelling unit and except for dwelling
9 units constructed over a shared parking garage; and

10 ~~((f))c((+))~~. each dwelling unit is attached along at least one common wall
11 to at least one other dwelling unit, or abuts another dwelling unit on a common lot line.

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Section 11. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its passage this ____ day of _____, 2013.

President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)