

CITY OF SEATTLE
ORDINANCE _____

COUNCIL BILL _____

..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.

..body

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

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

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

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

12 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

13 Section 1. Ordinance 124552 is repealed.

14 Section 2. Section 23.42.058 of the Seattle Municipal Code, enacted by Ordinance
15 124326, is amended as follows:

16 **23.42.058 Marijuana**

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

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

22 1. ~~no production, processing, selling, or delivery of marijuana, marijuana-infused~~
23 ~~products, or useable marijuana may be conducted unless it is in association with a dwelling unit~~

1 ~~or is in association with a business establishment meeting the limitations imposed by subsection~~
2 ~~23.42.058.C; and~~

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

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

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

11 ~~1. A "licensed marijuana business establishment" within the meaning of~~
12 ~~subsection 23.42.058.D is a business establishment acting in compliance with a license issued by~~
13 ~~the state for the production, processing, selling, or delivery of marijuana, marijuana infused~~
14 ~~products, or useable marijuana under Title 69 of the Revised Code of Washington.~~

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

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

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

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

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

22 ((e))3. ((Any)) Neighborhood Commercial 1 (NC1) zones;

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

- 1 ~~((1))~~4. Pioneer Square Mixed (PSM);
2 ~~((2))~~5. International District Mixed (IDM);
3 ~~((3))~~6. International District Residential (IDR);
4 ~~((4))~~7. Downtown Harborfront 1 (DH1);
5 ~~((5))~~8. Downtown Harborfront 2 (DH2); or
6 ~~((6))~~9. Pike Market Mixed (PMM); or
7 ~~((e . Any of the following districts:))~~
8 ~~((1))~~10. Ballard Avenue Landmark District;
9 ~~((2))~~11. Columbia City Landmark District;
10 ~~((3))~~12. Fort Lawton Landmark District;
11 ~~((4))~~13. Harvard-Belmont Landmark District;
12 ~~((5))~~14. International Special Review District;
13 ~~((6))~~15. Pike Place Market Historical District;
14 ~~((7))~~16. Pioneer Square Preservation District;
15 ~~((8))~~17. Sand Point Overlay District; or
16 ~~((9))~~18. Stadium Transition Area Overlay District.

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

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

1 2. Any lot line of property having a major marijuana activity must be 1,000 feet or
2 more from any lot line of property on which any of the following uses as defined in WAC 314-
3 55-010 is located: elementary school; secondary school; or playground;

4 3. Any lot line of property having a major marijuana activity must be 500 feet or
5 more from any lot line of property on which any of the following uses as defined in WAC 314-
6 55-010 is established and operating: child care center; game arcade; library; public park; public
7 transit center; or recreation center or facility;

8 4. Any lot line of property having a major marijuana activity that includes the
9 retail sale of marijuana products must be 500 feet or more from any lot line of other property
10 containing major marijuana activity that includes the retail sale of marijuana products;

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

15 Section 3. Section 23.47A.002 of the Seattle Municipal Code, last amended by Ordinance
16 123770, is amended as follows:

17 **23.47A.002 Scope of provisions**

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

20 Neighborhood Commercial 1 (NC1) ((7)) ;

21 Neighborhood Commercial 2 (NC2) ((7)) ;

22 Neighborhood Commercial 3 (NC3) ((7)) ;

23 Commercial 1 (C1) ((7)) ; and

1 Commercial 2 (C2).

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

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

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

13 Section 4. Subsection 23.47A.004.A and Table A for 23.47A.004 of the Seattle
14 Municipal Code, which section was last amended by Ordinance 124843, are amended as follows:

15 **23.47A.004 Permitted and prohibited uses**

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

19 * * *

| 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 <u>(2)</u> | P | P | P | P | P |
| A.4. Horticulture <u>(2)</u> | 10 | 25 | P | P | P |
| A.5. Urban farm <u>(2)</u> | P | P | P | P | P |
| B. CEMETERIES | X | X | X | X | X |
| C. COMMERCIAL USES ((19))<u>(3)</u> | | | | | |
| 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)) <u>(4)</u> | 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)) <u>(5)</u> | 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 <u>(2)</u> | 10 | 25 | 25 | P | P |
| C.5. Laboratories, research and development | 10 | 25 | P | P | P |
| C.6. Lodging uses | X ((3)) <u>(6)</u> | CU-25 ((3)) <u>(6)</u> | P | P | P |
| C.7. Medical services ((4)) <u>(7)</u> | 10 | 25 | P | P | P |
| C.8. Offices | 10 | 25 | P | 35 ((5)) <u>(8)</u> | 35 ((5)) <u>(8)</u> |
| C.9. Sales and services, automotive | | | | | |
| C.9.a. Retail sales and services, automotive | 10 ((6)) <u>(9)</u> | 25 ((6)) <u>(9)</u> | P ((6)) <u>(9)</u> | P | P |
| C.9.b. Sales and rental of motorized vehicles | X | 25 | P | P | P |
| C.10. Sales and services, general <u>(2)</u> | | | | | |
| C.10.a. Retail sales and services, general <u>(2)</u> | 10 | 25 | P | P | P |
| C.10.b. Retail sales, multipurpose | 10 ((7)) <u>(10)</u> | 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)) <u>(11)</u> | P | P | P | P | P |
| G. MANUFACTURING USES | | | | | |
| G.1. Manufacturing, light <u>(2)</u> | 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)) <u>(12)</u> | 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)) <u>(13)</u> | | | | | |
| J.1. Residential uses not listed below | P | P | P | P | CU ((10)) <u>(14)</u> |
| J.2. Caretaker's quarters | P | P | P | P | P |
| J.3. Congregate residence | X/P ((11)) <u>(15)</u> | X/P ((11)) <u>(15)</u> | P/X ((12)) <u>(16)</u> | P/X ((12)) <u>(16)</u> | P/X ((12)) <u>(16)</u> |
| K. STORAGE USES | | | | | |
| K.1. Mini-warehouses | X | X | 25 | 40 | P |
| K.2. Storage, outdoor | X | X | X ((13)) <u>(17)</u> | 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 |
| <p>20 = Permitted, business establishments limited to 20,000 square feet, pursuant to Section 23.47A.010</p> <p>25 = Permitted, business establishments limited to 25,000 square feet, pursuant to Section 23.47A.010</p> <p>35 = Permitted, business establishments limited to 35,000 square feet, pursuant to Section 23.47A.010</p> <p>40 = Permitted, business establishments limited to 40,000 square feet, pursuant to Section 23.47A.010</p> <p>50 = Permitted, business establishments limited to 50,000 square feet, pursuant to Section 23.47A.010</p> <p>Footnotes to Table A for 23.47A.004 ((:))</p> <p>(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).</p> <p><u>(2) Major marijuana activity is subject to the requirements of Section 23.42.058.</u></p> <p><u>(3) For commercial uses with drive-in lanes, see Section 23.47A.028.</u></p> <p><u>(4) Subject to subsection 23.47A.004.H.</u></p> <p>((2)) <u>(5) Permitted at Seattle Center.</u></p> <p>((3)) <u>(6) Bed and breakfasts in existing structures are permitted outright with no maximum size limit.</u></p> <p>((4)) <u>(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.</u></p> <p>((5)) <u>(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.</u></p> <p>((6)) <u>(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.</u></p> <p>((7)) <u>(10) Grocery stores meeting the conditions of subsection 23.47A.010.E are permitted up to 23,000 sq. ft. in size.</u></p> <p>((8)) <u>(11) Subject to subsection 23.47A.004.G.</u></p> <p><u>(12) Permitted pursuant to subsection 23.47A.004.D.7.</u></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 |
| <p>((9)) <u>(13)</u> Residential uses may be limited to 20 percent of a street-level street-facing facade pursuant to subsection 23.47A.005.C.</p> <p>((10)) <u>(14)</u> 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.</p> <p>((11)) <u>(15)</u> 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.</p> <p>((12)) <u>(16)</u> 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.</p> <p>((13)) <u>(17)</u> Permitted at Seattle Center, see Section 23.47A.011</p> <p>((14)) <u>(18)</u> In pedestrian-designated zones, surface parking is prohibited adjacent to principal pedestrian streets pursuant to subsection 23.47A.032.B.2.</p> <p>((15)) <u>(19)</u> Permitted only on parking lots existing at least five years prior to the establishment of the park and pool lot.</p> <p>((16)) <u>(20)</u> See Chapter 23.57, Communications regulations, for regulation of communication utilities.</p> <p>((17)) Subject to subsection 23.47A.004.H.</p> <p>((18)) <u>(21)</u> 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> <p>((19)) For commercial uses with drive in lanes, see Section 23.47A.028.</p> <p>((20)) Permitted pursuant to subsection 23.47A.004.D.7.)</p> | | | | | |

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Section 5. Section 23.47A.020 of the Seattle Municipal Code, last amended by Ordinance 123046, is amended as follows:

23.47A.020 Odor standards

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

4 B. Major ~~((Θ))~~odor ~~((S))~~sources ~~((:))~~

5 1. Uses that employ the following odor-emitting processes or activities are
6 considered major odor sources:

7 a. Lithographic, rotogravure, or flexographic printing;
8 b. Film burning;
9 c. Fiberglassing;
10 d. Selling of gasoline and/or storage of gasoline in tanks larger than 260
11 gallons;

12 e. Handling of heated tars and asphalts;
13 f. Incinerating (commercial);
14 g. Tire buffing;
15 h. Metal plating;
16 i. Vapor degreasing;
17 j. Wire reclamation;
18 k. Use of boilers (greater than 106 British ~~((F))~~thermal ~~((U))~~units per
19 hour, 10,000 pounds steam per hour, or 30 boiler horsepower);

20 l. Animal food processing;
21 m. The production or processing of marijuana products by a major
22 marijuana activity; and

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

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

- 4 a. Cooking of grains;
- 5 b. Smoking of food or food products;
- 6 c. Fish or fishmeal processing;
- 7 d. Coffee or nut roasting;
- 8 e. Deep fat frying;
- 9 f. Dry cleaning.

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

16 Section 6. Section 23.48.002 of the Seattle Municipal Code, last amended by Ordinance
17 124883, is amended as follows:

18 **23.48.002 Scope of provisions**

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

1 The SM-NR designation with a height limit suffix may be applied to SM zoned land in the North
2 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 |

3
4 B. The provisions of Subchapter I for 23.48 apply in all SM zones and supplemental
5 regulations for designated areas are provided in Chapter 23.48. To the extent provisions in a
6 supplemental subchapter conflict with provisions in Subchapter I, the provisions of the
7 supplemental subchapter apply.

8 C. Other regulations, such as requirements for major marijuana activity (Section
9 23.42.058); requirements for streets, alleys, and easements ((~~in~~)) (Chapter 23.53)
10 ((Requirements for Streets, Alleys, and Easements)); ((Chapter 23.54 (Quantity and Design
11 Standards for Access, Off street Parking, and Solid Waste Storage))) quantity and design
12 standards for access, off-street parking, and solid waste storage (Chapter 23.54); ((Chapter 23.55
13 (Signs))) signs (Chapter 23.55); and ((Chapter 23.86 (Measurements))) measurements (Chapter
14 23.86) may apply to development proposals. Communication utilities and accessory
15 communication devices except as exempted in Section 23.57.002 are subject to the regulations in
16 this Chapter 23.48 and additional regulations in Chapter 23.57.

17 Section 7. Section 23.48.005 of the Seattle Municipal Code, last amended by Ordinance
18 124883, is amended as follows:

19 **23.48.005 Uses**

1 A. Permitted uses

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

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

6 3. Major marijuana activity shall comply with the requirements of Section
7 23.42.058.

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

10 1. All high-impact uses;

11 2. All heavy manufacturing uses;

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

14 4. Drive-in businesses, except gas stations;

15 5. Jails;

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

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

19 8. Principal use surface parking;

20 9. Animal shelters and kennels;

21 10. Animal husbandry;

22 11. Park and pool lots;

23 12. Park and ride lots;

- 1 13. Work release centers;
- 2 14. Recycling;
- 3 15. Solid waste management; and
- 4 16. Mobile home parks.

5 C. Conditional uses

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

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

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

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

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

17 D. Required street-level uses

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

22 a. General sales and service uses;

23 b. Eating and drinking establishments;

- 1 c. Entertainment uses;
- 2 d. Public libraries;
- 3 e. Public parks; and
- 4 f. Arts facilities.

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

7 Section 8. Section 23.48.065 of the Seattle Municipal Code, last amended by Ordinance
8 124883, is amended as follows:

9 **23.48.065 Noise and odor standards**

10 A. All permitted uses and activities are subject to the noise standards of Section
11 23.47A.018.

12 B. All permitted uses and activities are subject to the odor standards of Section
13 23.47A.020.

14 Section 9. Section 23.49.002 of the Seattle Municipal Code, last amended by Ordinance
15 122054, is amended as follows:

16 **23.49.002 Scope of provisions ((e))**

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

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

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

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

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

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

15 Section 10. Subsection 23.49.025.A of the Seattle Municipal Code, which section was
16 last amended by Ordinance 124378, is amended as follows:

17 **23.49.025 Odor, noise, light/glare, and solid waste recyclable materials storage space**
18 **standards**

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

22 1. Major odor sources

1 a. Uses that employ the following odor-emitting processes or activities are
2 considered major odor sources:

- 3 1) Lithographic, rotogravure, or flexographic printing;
- 4 2) Film burning;
- 5 3) Fiberglassing;
- 6 4) Selling of gasoline and/or storage of gasoline in tanks larger
7 than 260 gallons;
- 8 5) Handling of heated tars and asphalts;
- 9 6) Incinerating (commercial);
- 10 7) Metal plating;
- 11 8) Use of boilers (greater than 106 British thermal units per hour,
12 10,000 pounds steam per hour, or 30 boiler horsepower);
- 13 9) The production or processing of marijuana products by a major
14 marijuana activity; and
- 15 10) Other uses creating similar odor impacts.

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

- 19 1) Cooking of grains;
- 20 2) Smoking of food or food products;
- 21 3) Fish or fishmeal processing;
- 22 4) Coffee or nut roasting;
- 23 5) Deep fat frying;

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

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

5 Section 12. Section 23.49.090 of the Seattle Municipal Code, last amended by Ordinance
6 120443, is amended as follows:

7 **23.49.090 Downtown Retail Core, permitted uses ((:))**

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

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

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

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

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

19 Section 13. Section 23.49.142 of the Seattle Municipal Code, last amended by Ordinance
20 118672, is amended as follows:

21 **23.49.142 Downtown Mixed Residential, permitted uses((:))**

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

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

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

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

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

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

11 Section 14. Section 23.49.300 of the Seattle Municipal Code, last amended by Ordinance
12 117430, is amended as follows:

13 **23.49.300 Downtown Harborfront 1, uses** ~~((:))~~

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

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

19 Section 15. Section 23.49.320 of the Seattle Municipal Code, last amended by Ordinance
20 122311, is amended as follows:

21 **23.49.320 Downtown Harborfront 2, prohibited uses** ~~((:))~~

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

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

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

3 C. Adult motion picture theaters and adult panorams;

4 D. All general and heavy manufacturing uses;

5 E. Solid waste management;

6 F. Recycling;

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

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

9 I. Major marijuana activity.

10 Section 16. Subsection 23.49.338.A of the Seattle Municipal Code, which section was
11 last amended by Ordinance 122311, is amended as follows:

12 **23.49.338 Pike Market Mixed, prohibited uses.**

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

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

16 2. Outdoor storage;

17 3. Adult motion picture theaters and adult panorams;

18 4. Transportation facilities, except principal use parking;

19 5. Major communication utilities;

20 6. All general manufacturing uses;

21 7. Solid waste management;

22 8. Recycling;

23 9. All industrial uses;

1 been granted and has not expired, or are substantially underway in accordance with ~~((Section~~
 2 ~~23.04.010 D))~~ subsection 23.04.010.D, on ~~((the effective date of the ordinance codified in this~~
 3 ~~chapter.))~~ October 7, 1987.

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

6 Section 18. Subsections 23.50.012.A and 23.50.012.B and Table A for 23.50.012 of the
 7 Seattle Municipal Code, which section was last amended by Ordinance 124326, are amended as
 8 follows:

9 **23.50.012 Permitted and Prohibited Uses**

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

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

14 * * *

| Table A For 23.50.012 Uses in Industrial ((Z)) zones | | | | | |
|---|---|--|--|--|--|
| ((USES)) <u>Uses</u> | ((PERMITTED AND PROHIBITED USES BY ZONE)) <u>Permitted and prohibited uses by zone</u> | | | | |
| | 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)) <u>husbandry</u> | X | X | X | X | X |
| A.2. Aquaculture | P | P | P | P | P |
| A.3. Community ((G)) <u>garden (1)</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> |
| A.4. Horticulture | X | X | X | X | X |
| A.5. Urban ((F)) <u>farm (1)</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> | P((14)) <u>P((14))</u> ((2)) <u>((2))</u> |

| Table A For 23.50.012 | | | | | |
|---|--|----------------|--------------------------|--------------------------------------|--------------------------------------|
| Uses in Industrial ((Z)) zones | | | | | |
| ((USES)) <u>Uses</u> | ((PERMITTED AND PROHIBITED USES BY ZONE)) <u>Permitted and prohibited uses by zone</u> | | | | |
| | 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((+)) (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((+3)) (4) | P((+3)) (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)) <u>Uses</u> | ((PERMITTED AND PROHIBITED USES BY ZONE)) <u>Permitted and prohibited uses by zone</u> | | | | |
| | 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)) <u>Permitted and prohibited uses by zone</u> | | | | |
| | IB | IC | IG1 and IG2 (general) | IG1 in the Duwamish M/I Center | IG2 in the Duwamish M/I Center |
| | | ((12)) | | | |
| E.11. Private ((€)) 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(((40)) ((15))) | P or CU(((14)) ((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 ((E))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)) <u>Permitted and prohibited uses by zone</u> | | | | |
| | 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 ((F))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((4-7))(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) Major marijuana activity is regulated by Section 23.42.058.

(2) 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 November 16, 2013, 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 November 16, 2013;

(b) 10,000 square feet in IB and IC zones; and

(c) 20,000 square feet in IG2 zones.

((4)) (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 exhibition hall, and

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

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

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.)~~

~~((14) Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as indoor agricultural operations. Except for indoor~~

1 23.60A, upon showing that the occupant is a bona fide working artist, and subject to the
2 following criteria:

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

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

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

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

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

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

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

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

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

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

8 e. The park-and-pool lot is not located within ~~((three thousand~~
9 ~~€))3,000(€))~~ feet of downtown.

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

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

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

16 4. A residential use not otherwise permitted in the zone may be permitted as a
17 conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2), Industrial Buffer (IB)
18 and Industrial Commercial (IC) zones within a structure designated as a Landmark, pursuant to
19 the Seattle Municipal Code, Chapter 25.12, Landmarks Preservation, or within a structure in a
20 Landmark District, pursuant to the Seattle Municipal Code, Chapters 25.16, Ballard Avenue
21 Landmark District, or Chapter 25.28, Pioneer Square Historical District, subject to the following
22 criteria:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 1) The maximum floor area of the principal structure is limited to
22 7,000 square feet.

1 k. Outdoor storage is prohibited.

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

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

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

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

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

12 e. The use shall not produce sustained or recurrent vibrations exceeding
13 0.002g acceleration as measured on lots in nonindustrial zones.

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

17 a. Uses ((-))

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

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

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

3 b. Criteria ((-))

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

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

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

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

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

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

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

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

1 a. Uses ((-))

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

4 (2) The manufacture of Group B hazardous materials, when the
5 hazardous materials are present in quantities greater than ~~((two thousand five hundred~~
6 ~~))2,500((+)) pounds of solids, ~~((two hundred seventy five))275((+)) gallons of liquids, or ~~((one~~
7 ~~thousand))1,000((+)) cubic feet of gas at any time.~~~~~~

8 b. Criteria ((-))

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

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

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

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

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

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

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

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

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

14 12. Development of a medical service use over ~~((ten thousand (€))10,000((€))~~
15 square feet, outside but within ~~((two thousand five hundred (€))2,500((€))~~ feet of a medical Major
16 Institution overlay district boundary, shall be subject to administrative conditional use approval,
17 unless included in an adopted master plan. In making a determination whether to approve or
18 deny medical service use, the Director shall determine whether an adequate supply of industrially
19 zoned land will continue to exist. The following factors shall be used in making this
20 determination:

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

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

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

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

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

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

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

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

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

19 Section 20. Section 23.50.044 of the Seattle Municipal Code, last amended by Ordinance
20 124378, is amended as follows:

21 **23.50.044 (~~(Industrial Buffer and Industrial Commercial)~~) All Industrial zones—Standards**
22 **for major odor sources**

23 A. Major odor sources in Industrial Buffer and Industrial Commercial zones

1 1. Uses that involve the following odor-emitting processes or activities shall be
2 considered major odor sources:

- 3 a. Lithographic, rotogravure, or flexographic printing;
- 4 b. Film burning;
- 5 c. Fiberglassing;
- 6 d. Selling of gasoline and/or storage of gasoline in tanks larger than 260
7 gallons;
- 8 e. Handling of heated tars and asphalts;
- 9 f. Incinerating (commercial);
- 10 g. Metal plating;
- 11 h. Tire buffing;
- 12 i. Vapor degreasing;
- 13 j. Wire reclamation;
- 14 k. Use of boilers (greater than 106 British thermal units per hour, 10,000
15 pounds steam per hour, or 30 boiler horsepower);
- 16 l. The production or processing of marijuana products by a major
17 marijuana activity; and
- 18 m. Other uses creating similar odor impacts.

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

- 22 a. Cooking of grains;
- 23 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 shall be considered 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 21. 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 1. Retail ice dispensaries;
- 2 2. Plant nurseries;
- 3 3. Frozen food lockers;
- 4 4. Animal shelters and kennels;
- 5 5. Pet daycare, except as permitted as a street-level use in subsection 23.49.180.F
- 6 if an applicant elects to use added height under the provisions of Section 23.49.180;
- 7 6. Automotive sales and service, except gas stations located in parking garages;
- 8 7. Marine sales and service;
- 9 8. Heavy commercial services;
- 10 9. Heavy commercial sales;
- 11 10. Adult motion picture theaters;
- 12 11. Adult panorams;
- 13 12. Bowling alleys;
- 14 13. Skating rinks;
- 15 14. Major communication utilities;
- 16 15. Advertising signs and off-premises directional signs;
- 17 16. Transportation facilities, except passenger terminals, rail transit facilities,
- 18 parking garages, and streetcar maintenance bases;
- 19 17. Outdoor storage;
- 20 18. Jails;
- 21 19. Work-release centers;
- 22 20. General and heavy manufacturing uses;
- 23 21. Solid waste management;

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

2 23. Major marijuana activity; and

3 24. High-impact uses.

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

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

8 a. Drive-in businesses ((-)) ;

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

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

12 d. Motels.

13 2. Permitted automobile-oriented uses ((-)) :

14 a. Gas stations accessory to parking garages;

15 b. Accessory-use surface parking in the Subarea B shown on Map C for
16 23.66.122 and 23.66.150 either;

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

19 ((f))2) if the lot satisfies the provisions of Section 23.49.019 ((-)) ;

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

22 d. Accessory-use parking garages.

1 Section 22. Section 23.66.322 of the Seattle Municipal Code, last amended by Ordinance
2 123589, is amended as follows:

3 **23.66.322 Prohibited uses**

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

- 6 1. Adult motion picture theaters;
- 7 2. Adult panorams;
- 8 3. All general and heavy manufacturing uses;
- 9 4. All high-impact uses;
- 10 5. Solid waste management;
- 11 6. Recycling uses;
- 12 7. Automotive sales and service;
- 13 8. Bowling lanes;
- 14 9. Major communication utilities;
- 15 10. Heavy commercial sales;
- 16 11. Drive-in businesses;
- 17 12. Frozen food lockers;
- 18 13. Heavy commercial services;
- 19 14. Marine sales and services;
- 20 15. Medical testing laboratories;
- 21 16. Mortuary services;
- 22 17. Motels;
- 23 18. Outdoor storage;

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

6 a. production of marijuana involving up to 15 plants;

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

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

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

14 * * *

