
Council Bill Number: 115745

Ordinance Number: 122310

AN ORDINANCE related to land use and zoning, amending various sections of the Shoreline District Chapter of the Land Use Code, Chapter 23.60 of the Seattle Municipal Code, and repealing Chapter 23.84.

Status: Passed

Note: Performance Based Pricing AT Parking Pay Stations

Vote: 9-0

Date filed with the City Clerk: 2006/12/21

Date of Mayor's signature: 2006/12/12 ([about the signature date](#))

Date introduced/referred to committee: 2006/09/25

Committee: Urban Development and Planning

Sponsor: STEINBRUECK

Committee Recommendation: Pass

Index Terms: LAND-USE-CODE, COMMERCIAL-AREAS, SHORELANDS, LAND-USE-PLANNING

Fiscal Note: [Fiscal Note to Council Bill No. 115745](#)

Electronic Copy: [PDF scan of Ordinance No. 122310](#)

Reference: Amending: Ord 116770

Text:

ORDINANCE _____

AN ORDINANCE related to land use and zoning, amending various sections of the Shoreline District Chapter of the Land Use Code, Chapter 23.60 of the Seattle Municipal Code, and repealing Chapter 23.84.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.60.246 of the Seattle Municipal Code, which Section was last amended by Ordinance 118663, is amended as follows:

SMC 23.60.246 Prohibited uses in the CN Environment.

The following uses shall be prohibited as principal or accessory uses in the CN Environment:

A. Residential uses;

B. Commercial uses;

C. Utilities, except utility lines;

~~D. Salvage and recycling uses;~~

~~E~~D. Manufacturing uses;

~~FE~~. High-impact uses;

~~GE~~. Institutional uses;

~~HG~~. Public facilities not authorized ~~by~~ pursuant to Section 23.60.248;

~~HH~~. All shoreline recreation uses except underwater diving areas and reefs;

~~JI~~. Agricultural uses except aquaculture;

~~KJ~~. Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system; and

~~EK~~. Landfill ~~which that~~ creates dry land, except for wildlife habitat mitigation or enhancement.

Section 2. Section 23.60.306 of the Seattle Municipal Code, which Section was last amended by Ordinance 118663, is amended as follows:

SMC 23.60.306 Prohibited uses in the CP Environment.

The following uses shall be prohibited as principal or accessory uses in the CP Environment:

A. Residential uses;

B. Commercial uses including accessory parking;

C. Utility uses, except utility lines;

~~D. Salvage and recycling uses;~~

~~ED~~. Manufacturing uses;

~~FE~~. High-impact uses;

~~GE~~. Institutional uses except permitted shoreline recreational uses;

~~HG~~. Public facilities not authorized ~~by~~ pursuant to Section 23.60.308;

~~HH~~. Shoreline recreation uses except underwater diving areas or reefs, bicycle and pedestrian paths and viewpoints;

~~JI~~. Agricultural uses except aquaculture;

~~KJ~~. The following protective structures:

1. Bulkheads on Class I beaches, and

2. Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system; and

~~EK~~. Landfill ~~which that~~ creates dry land except as part of wildlife or fisheries habitat.

Section 3. Subsection C of Section 23.60.365 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended as follows:

SMC 23.60.365 Administrative conditional uses in the CR Environment.

The following uses may be authorized by the Director, with the concurrence of the Department of Ecology, as principal or accessory use, if the criteria for administrative conditional uses in WAC 173- 27-160 are satisfied:

* * *

C. The following uses may be authorized in the CR Environment either as principal or accessory uses:

1. The following uses when associated with a public park:

a. Small craft center,

b. Boat launching ramp for auto-trailerred boats,

c. The following non-water-dependent commercial uses:

(1) ~~Sale and rental of small boats, boat parts and accessories,~~

(2) ~~Personal and household retail~~ General sales and services,

(3) Major durables retail sales, and

~~(3)~~(4) Eating and drinking establishments;

2. Community yacht, boat and beach clubs when:

a. No eating and drinking establishments are included in the use,

b. No more than one (1) pier or float is included in the use, and

c. Any accessory pier or float meets the standards of Section 23.60.204 for piers and floats accessory to residential development.

Section 4. Section 23.60.368 of the Seattle Municipal Code, which Section was last amended by Ordinance 118663, is amended as follows:

SMC 23.60.368 Prohibited uses in the CR Environment.

The following uses shall be prohibited as principal uses in the CR Environment:

A. Residential uses except those permitted by Section 23.60.365 A;

B. Commercial uses except those specifically permitted by Section 23.60.365 C;

C. Utility uses except utility lines;

~~D. Salvage and recycling uses;~~

~~E~~D. Manufacturing uses;

~~F~~E. High-impact uses;

~~GE~~. Institutional uses except community clubs meeting the criteria of Section 23.60.365 C;

~~HG~~. Public facilities not authorized ~~by pursuant to~~ Section 23.60.370;

~~HH~~. ~~Parks and o~~Open space uses except shoreline recreation uses permitted by Section 23.60.360 ~~AB~~ ;

~~HI~~. Agricultural uses except aquaculture;

~~KJ~~. The following shoreline protective structures:

1. Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system, and

2. Bulkheads on Class I beaches; and

~~EK~~. Landfill ~~which that~~ creates dry land except as part of habitat mitigation or enhancement.

Section 5. Section 23.60.424 of the Seattle Municipal Code, which Section was last amended by Ordinance 113674, is amended as follows:

SMC 23.60.424 Special uses permitted on waterfront lots in the CM Environment.

The following uses may be authorized by the Director on waterfront lots in the CM Environment as either principal or accessory uses if the special use criteria in Section 23.60.032 are satisfied:

A. The following commercial uses:

1. Sale or rental of large boats,

2. Marine service station, and

3. Vessel repair, minor;:

B. The following transportation facility uses:

~~4~~1. Recreational marina,

~~5~~2. Dry ~~storage of boats~~ storage,

~~6~~3. Water-dependent passenger terminals, provided that the impact of terminal operation on adjacent residential neighborhoods and streets can be mitigated, and

~~7~~4. Airports, water-based;

~~BC~~. Streets;

~~CD~~. Bridges;

~~DE~~. Expansion of existing sewage treatment plants, not including expansion for additional treatment capacity or the addition of a new treatment level;

~~EE~~. Public facilities, water-dependent or water- related;

~~FG~~. The following institutional uses:

1. New yacht, boat and beach clubs,
2. Institute for advanced study, water-dependent or water-related,
3. Museum, water-dependent or water-related, and
4. Shoreline recreation accessory to a school, college or university;

GH. The following shoreline protective structures:

1. Natural beach protection, and
2. Bulkheads to support a water-dependent or water-related use, or to enclose a permitted landfill area, or to prevent erosion on Class II or Class III beaches when natural beach protection is not a practical alternative;

HI. Dredging, when the dredging is necessary for a water-dependent or water-related use;

IJ. The following types of landfill:

1. Landfill on submerged lands ~~which~~ that does not create dry land, if necessary for a water-dependent or water-related use or for the installation of a bridge or utility line,
2. Landfill for the creation of wildlife or fisheries habitat as mitigation or enhancement, and
3. Landfill on submerged land ~~which~~ that creates dry land:
 - a. When the dry land is necessary for a water-dependent or water-related use, and
 - b. If more than two (2) square yards of dry land per linear yard of shoreline is created, the landfill meets the following additional criteria:
 - (1) No reasonable alternative to the landfill exists,
 - (2) The development provides a clear public benefit, and
 - (3) The landfill site is not located in Lake Union or Portage Bay.

Section 6. Section 23.60.426 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended as follows:

SMC 23.60.426 Conditional uses permitted in the CM Environment.

The following uses may be authorized in the CM Environment by the Director, with the concurrence of the Department of Ecology, as principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

A. Non-water-dependent commercial uses associated with a recreational marina:

1. The following uses associated with a recreational marina may be permitted when meeting the criteria in subsection A2:
 - a. Sale and rental of small boats, boat parts ~~or~~ and accessories, and
 - b. Eating and drinking establishments;

2. a. The use is associated with a recreational marina with at least nine thousand (9,000) lineal feet of moorage,
- b. The size and location of the use will not restrict efficient use of the site for water-dependent recreation or public access, and
- c. The use is located on dry land, provided the use may be located over water if the lot has a depth of less than fifty (50) feet and a dry land location is not feasible;

B. Non-water-dependent commercial uses on historic ships:

1. The following uses may be permitted on an historic ship when meeting the criteria in subsection B2:

- a. ~~Sale and rental of small boats, boat parts and accessories,~~
- b. ~~Personal and household retail~~General sales and services,
- c. ~~Major durables retail sales,~~ and
- d. Eating and drinking establishments;

2. a. The use is located on a ship designated as historic by the Landmarks Preservation Board or listed on the National Register of Historic Places,

- b. The use is compatible with the existing design and/or construction of the ship without significant alteration,
- c. Other uses permitted outright or as special uses are not practical because of ship design or such uses cannot provide adequate financial support necessary to sustain the ship in a reasonably good physical condition,
- d. A Certificate of Approval has been obtained from the Landmarks Preservation Board, and
- e. No other historic ship containing restaurant or retail uses is located within one-half (1/2) mile of the proposed site;

C. Non-water-dependent commercial uses associated with a public park:

1. The following uses associated with a public park may be permitted when meeting the criteria of subsection C2:

- a. ~~Sale and rental of small boats, boat parts and accessories,~~
- b. ~~Personal and household retail~~General sales and services,
- c. ~~Major durables retail sales,~~ and
- d. Eating and drinking establishments;

2. a. The use is associated with a public park,

- b. The use is located on a lot ~~which~~ that does not exceed two thousand four hundred (2,400) square feet in area, and
- c. All personal and household goods sold or rented are for use on the lot or immediate adjacent waters.

Section 7. Section 23.60.430 of the Seattle Municipal Code, which Section was last amended by Ordinance 118663, is amended as follows:

SMC 23.60.430 Prohibited principal uses on waterfront lots in the CM Environment.

The following uses are prohibited as principal uses on waterfront lots in the CM Environment:

A. Residential uses;

B. The following commercial uses:

1. Vessel repair, major,

~~2. Commercial moorage,~~

~~3. Tugboat services,~~

~~4. Sale and rental of small boats, boat parts and accessories except when permitted as a conditional use,~~

~~5. Personal and household retail General sales and services except when permitted as a conditional use,~~

~~6. Medical services,~~

~~7. Animal services Animal shelters and kennels,~~

~~8. Automotive retail sales and services,~~

~~9. Eating and drinking establishments except when permitted as a conditional use,~~

~~10. Lodging,~~

~~11. Mortuary services,~~

~~12. Nonhousehold Heavy sales and services except major durables retail sales when permitted as a conditional use,~~

~~13. Parking, principal use,~~

~~14. Offices,~~

~~15. Entertainment uses,~~

~~16. Wholesale showrooms,~~

~~17. Mini-warehouses,~~

~~18. Warehouses,~~

~~19. Outdoor storage,~~

~~20. Personal transportation services,~~

~~21. Passenger terminals, non-water-dependent,~~

~~22. Cargo terminals,~~

~~23. Transit vehicle bases,~~

~~24. Helistops and heliports;~~

~~25. Airports, land-based;~~

~~26~~12. Research and development laboratories, and

~~27~~13. Food processing and craft work uses;

C. ~~Salvage and recycling uses;~~The following transportation facilities uses:

1. Commercial moorage.

2. Tugboat services.

3. Principal use parking.

4. Vehicle storage and maintenance.

5. Non-water-dependent passenger terminals.

6. Cargo terminals.

7. Helistops and heliports, and

8. Land-based airports;

D. Railroads;

E. The following utilities:

1. Communication utilities,

2. Solid waste ~~management~~transfer stations,

3. Power plants, ~~and~~

4. New sewage treatment plants , and

5. Recycling;

F. Storage uses;

~~FG~~. Manufacturing uses;

~~GH~~. High-impact uses;

~~HI~~. Institutional uses except those specifically

permitted under Sections 23.60.420 and 23.60.422;

~~IJ~~. Public facilities not authorized ~~by~~ pursuant to Section 23.60.436 and those that are non-water- dependent;

~~JK~~. Parks and Open space uses except shoreline recreation;

~~KL~~. Agricultural uses except aquaculture; and

~~EM~~. The following shoreline protective structures:

1. Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system, and
2. Bulkheads on Class I beaches.

Section 8. Section 23.60.484 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.484 Special uses in the CW Environment.

The following uses may be authorized in the CW Environment by the Director if the special use criteria of Section 23.60.032 are satisfied:

A. Community yacht, boat and beach clubs;

B. Shoreline recreation;

C. The following commercial uses:

1. Vessel repair, minor, and

2. ~~Commercial moorage,~~

3. ~~Tugboat services,~~

4 Rental of boats, ~~and~~

5. ~~Airport, water-based;~~

D. The following transportation facility uses:

1. Commercial moorage,

2. Tugboat services, and

3. Airport, water-based;

~~DE~~. Museum, water-dependent;

~~EF~~. Public facilities, water-dependent or water- related;

~~FG~~. Shoreline protective structures;

~~GH~~. Utility lines, excluding communication utilities;

~~HI~~. Dredging necessary to maintain or improve navigation channels, to install utility lines or for a water- dependent or water-related use; and

~~IJ~~. Landfill ~~which that~~ does not create dry land.

Section 9. Section 23.60.486 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended as follows:

SMC 23.60.486 Conditional uses in the CW Environment.

The following uses may be authorized in the CW Environment by the Director with the concurrence of the Department of Ecology as principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

A. Commercial uses:

1. Vessel repair, major, of historic ships;

B. Non-water-dependent commercial uses on historic ships:

1. The following uses may be permitted on an historic ship when meeting the criteria in subsection B2:

a. Sale ~~and rental of small boats,~~ boat parts and accessories,

b. ~~Personal and household retail~~ General sales and services,

c. Major durables retail sales, and

d. Eating and drinking establishments;

2. a. The ship is designated as historic by the Landmarks Preservation Board or listed on the National Register of Historical Places,

b. The use is compatible with the existing design and/or construction of the ship without significant alteration,

c. Other uses permitted outright are impractical because of ship design or such uses cannot provide adequate financial support to sustain the ship in a reasonably good physical condition,

d. A certificate of approval has been obtained from the Landmarks Preservation Board, and

e. No other historic ship containing restaurant or retail uses is located within one-half (1/2) mile of the proposed site.

Section 10. Section 23.60.488 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.488 Prohibited uses in the CW Environment.

The following uses shall be prohibited as principal and accessory uses in the CW Environment;

A. The following commercial uses:

1. Marine service station,

2. Sale of large boats,

3. Sale ~~and rental of small boats,~~ boat parts and accessories,

4. ~~Dry boat storage,~~

5. ~~Recreational marina;~~

64. All non-water-dependent commercial uses except those permitted on historic ships, and

75. Vessel repair, major, except of historic ships;

B. The following transportation facility uses:

1. Dry boat storage, and

2. Recreational marina;

~~BC.~~ Residential uses;

~~CD.~~ Institutional uses not permitted above;

~~D. Salvage and recycling uses;~~

E. Manufacturing uses;

F. Agricultural uses;

G. Utility uses, except utility lines;

H. High-impact uses; and

I. Landfill on submerged land ~~which~~ that creates dry land.

Section 11. Section 23.60.544 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.544 Prohibited uses on waterfront lots in the UR Environment.

The following uses shall be prohibited as principal uses on waterfront lots in the UR Environment:

A. Commercial uses;

B. Transportation facility uses:

C. Storage uses:

~~BD.~~ The following utilities:

1. Major and minor communication utilities,

2. Solid waste ~~management~~ transfer stations,

3. Power plants, ~~and~~

4. Sewage treatment plants, and

5. Recycling;

~~C. Salvage and recycling uses;~~

DE. Manufacturing uses;

EF. High-impact uses;

FG. The following institutional uses:

1. Institutions, non-water-dependent,
2. Private yacht, boat and beach clubs;

GH. Public facilities not authorized by pursuant to Section 23.60.550;

HI. Agricultural uses;

IJ. Parks and Open space uses except shoreline recreation;

JK. The following shoreline protective structures:

1. Groins and similar structures ~~which~~ that block the flow of sand to adjacent beaches, except drift sills or other structures ~~which~~ that are part of a natural beach protection system, and
2. Bulkheads on Class I beaches.

Section 12. Section 23.60.600 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.600 Uses permitted outright on waterfront lots in the US Environment.

The following uses shall be permitted outright on waterfront lots in the Urban Stable environment as either principal or accessory uses:

A. The following residential uses:

1. Residences on dry land when the underlying zoning is Residential Commercial (RC) and when the residential use is located above the ground floor of a structure containing nonresidential uses on the ground floor,
2. Existing residences on dry land provided there is no increase in the number of units,
3. Existing over-water single-family residences provided there is no additional water coverage, and
4. Floating home moorages or the expansion of floating home moorages, when:

a. Located in Lake Union or Portage Bay,

b. Occupied solely by no more than two (2) existing floating homes as defined in subsection A4 of Section 23.60.196, under any of the following conditions:

(1) The floating homes have been evicted from other moorage pursuant to the provisions of subsections E, G or H of Section 7.20.040, Seattle Municipal Code, or

(2) The floating homes have been relocated from other moorage pursuant to a settlement agreement entered into prior to April 1, 1987 between a moorage owner and a tenant floating-home owner arising out of a legal action for eviction,

c. No more than one (1) such moorage or moorage expansion is permitted per lot established as of April 1, 1987, and

d. The moorage is added to a recreational marina, commercial moorage, or floating home moorage existing as of ~~the effective date of the ordinance codified in this chapter~~ December 31, 1987;

B. The following commercial uses:

1. Marine ~~retail~~ sales and services,
2. Food processing, water-related, and
3. Wholesale showroom, ~~mini-warehouse, warehouse and open storage, water-related, and;~~

C. Storage uses, water-related:

~~4~~D. Passenger terminals, water-dependent;

~~E~~E. 1. The following non-water-dependent commercial uses on dry land when the requirements of subsection ~~E~~E2 are met:

a. ~~Personal and household retail~~ General sales and services,

b. Major durables retail sales,

~~b~~c. Eating and drinking establishments,

~~e~~d. Offices outside the Lake Union area,

~~d~~e. Offices in the Lake Union area above the ground floor of a structure when permitted uses other than office or residential uses occupy the ground-floor level, and parking on the ground-floor level is limited to required parking,

~~e~~f. Entertainment uses, and

~~f~~g. Custom and craft work,

2. The uses listed in subsection ~~E~~E1 shall be permitted when a water- dependent use occupies forty (40) percent of the dry-land portion of the lot or the development provides one

(1) or more of the following facilities or amenities in addition to regulated public access:

a. Facilities for the moorage, restoration, or reconstruction of one (1) or more historic vessels,

b. Terminal facilities for one (1) or more cruise ships, harbor tour boats, or foot passenger ferries,

c. More than five hundred (500) lineal feet of moorage for commercial fishing vessels at rates equivalent to that charged at public moorage facilities,

d. Facilities for a maritime museum or waterfront interpretive center that is a separate nonprofit organization existing at time of application,

e. More than one thousand five hundred (1,500) lineal feet of saltwater moorage for recreational vessels,

f. A major public open space, occupying at least one-third (1/3) of the dry-land lot area, ~~which that~~ includes a public walkway with benches and picnic tables along the entire water frontage, and connecting public walkways to adjacent sites and any nearby public parks or other public facilities. The Director shall require adequate signed parking for the

open space, or

g. Other facilities or amenities similar to those listed above ~~that~~ which provide an opportunity for substantial numbers of people to enjoy the shoreline, when approved by the Director;

~~DE~~. Streets, railroads and bridges;

~~EG~~. The following utilities:

1. Utility lines,
2. Utility service uses whose operations require a shoreline location, and
3. Minor communication utilities, except freestanding transmission towers;

~~FH~~. Light and general manufacturing uses, water- dependent or water-related;

~~GI~~. Water-dependent or water-related institutions or facilities of institutions, except non-water-dependent facilities of yacht, boat and beach clubs;

~~HJ~~. Yacht, boat or beach clubs which have non- water-dependent facilities, provided that such facilities may be located over water only when:

1. The dry-land portion of the lot is less than fifty (50) feet in depth,
2. Location of such facilities on the dry-land portion of the lot is not feasible, and
3. The facilities or amenities required by Section 23.60.600 C are provided;

~~HK~~. Public facilities, water-dependent or water- related;

~~HL~~. Open space uses; and

~~KM~~. Aquaculture.

Section 13. Subsections B and C of Section 23.60.604 of the Seattle Municipal Code, which Section was last amended by Ordinance 119871, are amended as follows:

SMC 23.60.604 Conditional uses on waterfront lots in the US Environment.

The following uses may be authorized on waterfront lots in the US Environment by the Director, with the concurrence of the Department of Ecology, as either principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

* * *

B. The following non-water-dependent uses located over water on lots with a depth of less than fifty (50) feet of dry land:

1. Eating and drinking establishments meeting the criteria of subsection ~~EE2~~ of Section 23.60.600,
2. Marine ~~retail~~ sales and services,
3. General Personal and household retail sales and service uses,

4. Entertainment uses, and

5. Custom and craft work;

C. Non-water-dependent commercial uses on historic ships:

1. The following uses may be permitted on an historic ship when meeting the criteria in subsection C2 below:

a. ~~Sale and rental of small boats, boat parts and accessories,~~

b. ~~Personal and household retail~~ General sales and services,

c. Major durables retail sales, and

d. Eating and drinking establishments,

2. a. The ship is designated as historic by the Landmarks Preservation Board or listed on the National Register of Historical Places,

b. The use is compatible with the existing design and/or construction of the ship without significant alteration,

c. Uses permitted outright are impractical because of the ship design and/or the permitted uses cannot provide adequate financial support necessary to sustain the ship in a reasonably good physical condition,

d. A certificate of approval has been obtained from the Landmarks Preservation Board, and

e. No other historic ship containing restaurant or retail uses is located within one-half (1/2) mile of the proposed site.

Section 14. Section 23.60.606 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.606 Prohibited uses on waterfront lots in the US Environment.

The following uses shall be prohibited as principal uses on waterfront lots in the US environment:

A. New residences over water and residential uses at or below the ground floor, except as permitted as conditional uses by pursuant to Section 23.60.604;

B. The following commercial uses:

1. Medical services,

2. Animal shelters and kennels ~~services,~~

3. Pet grooming,

~~4. Automotive retail~~ sales and services,

~~5. Lodging,~~

~~5. Mortuary services,~~

~~6. Parking, principal use, Food processing, non- water-dependent,~~

7. ~~Nonhousehold~~ Heavy sales and services except water-dependent wholesale showrooms,

8. Ground-level offices in the Lake Union area,

9. ~~Non-water-dependent wholesale showroom, mini-warehouse, warehouse and outdoor storage uses,~~ Research and development laboratories, and

10. Off-premises signs;:

C. The following transportation facility uses:

1. Parking, principal use,

~~2.~~ Personal transportation services,

~~3.~~ Passenger terminals, non-water- dependent,

~~4.~~ Cargo terminals,

~~5.~~ Transit vehicle bases,

~~6.~~ Helistops and heliports, and

~~7.~~ Airports, land-based;:

~~8.~~ Food processing, non-water-dependent, and

~~9.~~ Research and development laboratory;

C. Salvage and recycling uses;

D. The following manufacturing uses:

1. Light and general manufacturing, non-water-dependent, and

2. Heavy manufacturing uses;

E. High-impact uses;

F. The following utilities:

1. Major communication utilities,

2. Solid waste management~~transfer stations,~~

3. Power plants,

4. Recycling uses,

5. Sewage treatment plants, and

6. Freestanding transmission towers for minor communication utilities;

G. Storage uses;

~~GH.~~ Public facilities not authorized by pursuant to Section 23.60.612 and those that are non-water- dependent;

~~HI.~~ Institutional uses, non-water-dependent;

~~IJ.~~ Agricultural uses except aquaculture; and

~~JK.~~ Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system.

Section 15. Subsection A of Section 23.60.608 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended as follows:

SMC 23.60.608 Permitted uses on upland lots in the US Environment.

A. Uses Permitted Outright.

1. Uses permitted outright on waterfront lots in the US Environment are permitted outright on upland lots and are not subject to the requirements of Section 23.60.600 ~~E~~ E to provide special public benefits.

2. Additional uses permitted outright on upland lots:

a. The following residential uses:

(1) Single-family and multifamily residences, and

(2) Congregate residences and nursing homes;

b. The following commercial uses:

(1) Medical services,

(2) ~~Animal services~~ shelters and kennels,

(3) Pet grooming,

~~(3)~~(4) Automotive ~~retail~~ sales and service,

~~(4)~~ Parking, principal use;

(5) Lodging,

~~(6)~~ Mortuary services;

~~(7)~~(6) Nonhousehold Heavy sales and service,

~~(8)~~ Wholesale showroom, mini-warehouse, warehouse and outdoor storage uses, non-water-dependent,

~~(9)~~(7) Research and development laboratories, and

~~(10)~~(8) Ground-level offices in the Lake Union area;

c. Parking, principal use;

d. Storage uses;

e. ~~Recycling collection stations;~~

~~de.~~ Light and general manufacturing uses;

ef. Institutional uses; and

fg. Public facilities.

* * *

Section 16. Subsection E of Section 23.60.636 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, is amended as follows:

SMC 23.60.636 View corridors in the US Environment.

* * *

E. A view corridor or corridors of not less than sixty-five (65) percent of the width of the lot shall be provided on the waterfront lots fronting on Seaview Avenue Northwest between the north boundary of 38th Avenue Northwest and the south boundary of vacated Northwest 80th Street. The following may be located in the required view corridors:

1. Open wet moorage;
2. Dry ~~storage of boats~~ storage; and
3. Parking for both water-dependent and non-water- dependent uses.

Section 17. Section 23.60.660 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.660 Uses permitted outright on waterfront lots in the UH Environment.

The following uses shall be permitted over water or on dry-land portions of waterfront lots in the Urban Harborfront environment as either principal or accessory uses:

A. The following commercial uses:

1. ~~Personal and household retail~~ General sales and services,
2. Marine ~~retail~~ sales and services,
3. Eating and drinking establishments,
4. Existing hotels, provided that expansion of the hotel use shall be prohibited and expansion only for public access shall be permitted,
5. ~~Parking over water when accessory to a water- dependent or water- related use,~~
6. ~~Parking on dry land when accessory to a permitted use,~~
7. ~~5.~~ Offices when located above wharf level,

~~86.~~ Entertainment uses,

~~9.~~ Passenger terminals, water-dependent,

~~10.~~ Breakbulk cargo terminals;

~~117.~~ Research and development laboratories, water-dependent, and

~~128.~~ Food processing and craft work uses;

B. The following transportation facilities:

1. Parking over water when accessory to a water- dependent or water- related use,

2. Parking on dry land when accessory to a permitted use,

3. Passenger terminals, water-dependent, and

4. Breakbulk cargo terminals;

BC. Light manufacturing uses, water-dependent or water-related;

CD. Streets, railroads and bridges;

DE. The following institutions:

1. Institutes for advanced study, water-dependent or water-related,

2. Maritime museums,

3. Colleges that have water-dependent or water-related facilities,

4. Community centers,

5. Vocational schools, water-dependent or water-related,

6. Community yacht, boat, and beach clubs, and

7. Child care centers when located above wharf level;

EE. The following public facilities:

1. Public facilities, water-dependent or water-related, and

2. Public facilities that are part of an approved public improvement plan for the Harbor front adopted by the Council;

FG. Shoreline Recreation;

GH. Aquaculture; and

HJ. Minor communication utilities, except freestanding transmission

towers.

Section 18. Section 23.60.664 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended as follows:

SMC 23.60.664 Administrative conditional uses permitted on waterfront lots in the UH Environment.

The following uses may be authorized over water or on dry-land portions of waterfront lots in the UH Environment by the Director, with the concurrence of the Department of Ecology, as either principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

A. The following commercial uses:

- ~~1. Outdoor storage, water-related or water-dependent,~~
- ~~2. Warehouses, water-related or water-dependent,~~
- ~~3. Wholesale showrooms, and~~
- ~~4. Research and development laboratories, non-water-dependent;~~

B. The following storage uses:

1. Outdoor storage, water-related or water-dependent, and
2. Warehouses, water-related or water-dependent;

BC. Non-water-dependent commercial uses on historic ships:

1. The following uses may be permitted on an historic ship when meeting the criteria in subsection C2 below:

- a. ~~Sale and rental of small boats, boat parts and~~ accessories,
- b. ~~Personal and household retail~~ General sales and services,
- c. Major durables retail sales, and

d. Eating and drinking establishments,

2. a. The ship is designated as historic by the Landmarks Preservation Board or listed on the National Register of Historic Places,

b. The use is compatible with the existing design and/or construction of the ship without significant alteration,

c. Uses permitted outright are not practical because of ship design and/or cannot provide adequate financial support necessary to sustain the ship in a reasonably good physical condition,

d. The use shall obtain a certificate of approval from the Landmarks Preservation Board, and

e. No other historic ship containing restaurant or retail uses is located within one-half (1/2) mile of the proposed site, unless the proposed site is within the Historic Character Area;

CD. Light manufacturing uses, non-water-dependent, ~~that~~ which:

1. Are part of a mixed-use development when the light manufacturing uses occupy no more than twenty-five (25)

percent of the developed portion of the lot,

2. Contribute to the maritime or tourist character of the area, and
3. Are located to accommodate water-dependent or water-related uses on site;

DE. The following non-water-dependent institutions:

1. Institutes for advanced study,
2. Museums,
3. Colleges, and
4. Vocational schools.

Section 19. Section 23.60.668 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.668 Prohibited uses on waterfront lots in the UH Environment.

The following uses are prohibited as principal uses on waterfront lots in the UH Environment:

A. Residential uses;

B. The following commercial uses:

1. Medical services,
2. Animal shelters and kennels services,
3. Pet grooming,
34. Automotive retailsales and service,
45. Lodging, except existing hotels,
5. Mortuary services,
6. Offices at wharf/street level,
7. Adult motion picture theaters and panorams, and
8. Parking, principal use,
- 8.9. Nonhousehold Heavy sales and services except wholesale showrooms and major durables retail sales;-
10. Mini-warehouses,

C. The following transportation facilities:

1. Parking, principal use,
42. Personal transportation services,

~~123.~~ Cargo terminals, except breakbulk,

~~134.~~ ~~Transit vehicle~~ Bus bases,

~~145.~~ Heliports,

~~156.~~ Airports, land-based, and

~~167.~~ Airports, water-based;

D. Mini-warehouses.

~~C. Salvage and recycling uses;~~

~~D.E.~~ The following utilities:

1. Solid waste management~~transfer stations,~~

2. Power plants,

3. Sewage treatment plants,

4. Recycling.

5. Major communication utilities, and

~~56.~~ Freestanding transmission towers for minor communication utilities;

~~E.F.~~ General and heavy manufacturing;

~~F.G.~~ The following institutional uses:

1. Schools, elementary or secondary,

2. Hospitals,

3. Religious facilities, and

4. Private yacht, boat and beach clubs;

~~G.H.~~ Public facilities or projects that are non_ water-dependent except those that are part of a public improvement plan for the harborfront adopted by the Council;

~~H.I.~~ High-impact uses;

~~H.J.~~ Agriculture uses except aquaculture;

~~J.K.~~ Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except drift sills or other structures ~~which that~~ are part of a natural beach protection system; and

~~K.L.~~ Landfill ~~which that~~ creates dry land.

Section 20. Subsection A of Section 23.60.670 of the Seattle Municipal Code, which Section was enacted by Ordinance

113466, is amended as follows:

SMC 23.60.670 Permitted uses on upland lots in the UH Environment.

A. Uses Permitted Outright. The following uses shall be permitted outright on upland lots as principal or accessory uses in the UH Environment:

1. Uses permitted outright on waterfront lots in the UH environment;

2. Additional uses permitted outright on upland lots:

a. Residential uses,

b. The following commercial uses:

(1) ~~Nonhousehold retail~~ Heavy sales and services,

(2) ~~Warehouses,~~

(3) Medical services,

(4) (3) Lodging,

(5) (4) Offices at street level,

c. The following transportation facilities.

(6) (1) Parking garages, principal use,

(7) (2) Surface parking areas, principal use,

(8) (3) Personal transportation services,

d. Warehouses,

ee. Institutions, and

ff. Public facilities.

* * *

Section 21. Section 23.60.720 of the Seattle Municipal Code, which Section was enacted by Ordinance 120927, is amended as follows:

SMC 23.60.720 Uses permitted outright on waterfront lots in the UM Environment.

The following uses shall be permitted outright on waterfront lots in the Urban Maritime Environment as either principal or accessory uses:

A. The following commercial uses:

1. Marine ~~retail~~ sales and services, except marinas and sale and rental of small boats, boat parts ~~or~~ and accessories,

2. ~~Tugboat services,~~

~~3. Wholesale showrooms, warehouse and outdoor storage uses, water- dependent or water-related, and~~

~~4. Passenger terminals, water-dependent,~~

~~5. Cargo terminals, water-dependent or water-related,~~

~~6. Food processing, water-dependent or water- related;~~

B. The following transportation facilities:

1. Tugboat services,

2. Passenger terminals, water-dependent, and

3. Cargo terminals, water-dependent or water-related;

C. The following storage uses:

1. Warehouses, water-dependent or water-related, and

2. Outdoor storage, water-dependent or water-related;

BD. Streets, railroads and bridges;

CE. The following utilities:

1. Utility lines,

2. Utility public service uses whose operations require a shoreline location, and

3. Minor communication utilities, except freestanding transmission towers;

DE. The following institutional uses:

1. Water-dependent or water-related research and education facilities of colleges and universities,

2. Shoreline recreation facilities of schools, colleges and universities, and

3. Water-dependent or water-related colleges, institutes for advanced study and vocational schools;

EG. Light and general manufacturing uses, water- dependent or water- related;

FH. Public facilities, water-dependent or water- related;

GI. Shoreline recreation uses; and

HJ. Aquaculture.

Section 22. Subsections B and C of Section 23.60.724 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, are amended as follows:

SMC 23.60.724 Conditional uses on waterfront lots in the UM Environment.

The following uses may be authorized on waterfront lots in the UM Environment by the Director, with the concurrence of the Department of Ecology, as either principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

* * *

B. Non-water-dependent commercial and manufacturing uses:

1. The following non-water-dependent commercial, ~~storage,~~ and manufacturing uses may be permitted as principal uses on dry land or over water when meeting the criteria of subsection B2 or B3:

- a. Sale ~~and rental of small boats,~~ boat parts and accessories,
- b. ~~Personal and household retail~~General sales and services,
- c. Eating and drinking establishments,
- d. ~~Nonhousehold~~Heavy sales and services except commercial laundries,
- e. Offices,
- f. Warehouse,~~wholesale showroom,~~ mini-warehouse, outdoor storage,
- g. Food processing and craft work, and
- h. Light, general and heavy manufacturing,

2. The above uses are permitted on dry land when:

- a. The non-water-dependent commercial uses occupy no more than ten (10) percent of the dry-land area of the lot except that when the lot provides more than nine thousand (9,000) lineal feet of moorage for commercial vessels, the non-water-dependent commercial uses may occupy up to twenty (20) percent of the dry-land area of the lot,
- b. The total of all non-water-dependent commercial and manufacturing uses occupy no more than twenty (20) percent of the dry land area of the lot, and
- c. The uses are located on site to accommodate water-dependent or water-related uses on site,

3. The uses listed in subsection B1 are permitted on dry land or over water when:

- a. The lot has less than fifty (50) feet of dry land and, if located over water, a dry-land location of the uses is not feasible,
- b. The non-water-dependent commercial uses occupy no more than five (5) percent of the total lot area including submerged lands,
- c. The total of all non-water-dependent commercial and manufacturing uses occupy no more than ten (10) percent of the total lot area including submerged land, and
- d. The non-water-dependent uses are located to accommodate the water- dependent or water-related uses on site,

4. The uses permitted in subsection B1 may be relocated on a lot provided the requirements of subsection B2 or B3 are met;

C. Multifamily residential and research and development laboratory uses when:

1. The lot abuts a lot designated Urban Residential;
2. All Urban Stable Development Standards are met;
3. The facilities or amenities required by Section 23.60.600 ~~EE~~ are provided;
4. Residential uses are limited to locations on dry land and above the ground floor of a structure; and
5. Not located within one hundred (100) feet of an abutting lot designated Urban Industrial;

* * *

Section 23. Section 23.60.728 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.728 Prohibited uses on waterfront lots in the UM Environment.

The following principal uses are prohibited on waterfront lots:

A. Residential uses, except where permitted as a conditional use pursuant to subsection C of Section 23.60.724;

B. The following commercial uses:

1. Medical services,
2. Animal ~~services~~ shelters and kennels,
3. Pet grooming,
- ~~4. Automotive retail sales and service,~~
4. Parking, principal use,
5. Lodging,
6. ~~Mortuary services~~,
7. Entertainment uses, except where permitted as a conditional use pursuant to Section 23.60.724 D,
- ~~8. Commercial laundries, and~~
8. Research and development laboratories, except where permitted as a conditional use pursuant to subsection C of Section 23.60.724;

C. The following transportation facility uses:

1. Parking, principal use,
- ~~9~~2. Personal transportation services,
- ~~10~~3. Passenger terminals, non-water- dependent,

~~14.~~ Cargo terminals, non-water-dependent,

~~15.~~ ~~Transit vehicle~~Bus bases,

~~16.~~ Helistops,

~~17.~~ Heliports,

~~18.~~ Airports, land-based, and

~~19.~~ Covered wet moorage on Lake Union and Portage Bay, ~~and~~;

~~17.~~ ~~Research and development laboratories, except where permitted as a conditional use pursuant to subsection C of Section 23.60.724;~~

~~C.~~ ~~Salvage and recycling uses;~~

D. High-impact uses;

E. The following utilities:

1. Major communication utilities,

2. Solid waste management~~transfer stations~~,

3. Recycling,

~~34.~~ Power plants,

45. Sewage treatment plants, and

~~56.~~ Freestanding transmission towers for minor communication utilities;

F. Institutions, non-water-dependent;

G. The following water-dependent institutions: Yacht, boat and beach clubs that have eating and drinking establishments;

H. Public facilities not authorized ~~by~~pursuant to Section 23.60.734 and those that are non-water-dependent;

I. Agricultural uses except aquaculture;

J. Open space uses except shoreline recreation;

K. Groins and similar structures ~~which~~ that block the flow of sand to adjacent beaches, except for drift sills or other structures ~~which~~ that are part of a natural beach protection system.

Section 24. Subsection A of Section 23.60.730 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.730 Permitted uses on upland lots in the UM Environment.

A. Uses Permitted Outright.

1. Uses permitted outright on waterfront lots in the UM Environment are permitted outright on upland lots.

2. Additional uses permitted outright on upland lots:

a. Commercial Uses.

(1) ~~Sale and rental of small boats, boat parts and accessories,~~

(2) ~~Personal and household retail~~ General sales and service uses,

(3) Medical services,

(4) ~~Animal services~~ shelters and kennels,

(5) ~~Automotive retail~~ sales and service,

(6) Eating and drinking establishments,

(7) ~~Nonhousehold~~ Heavy sales and services,

(8) Food processing and craft work,

(9) Offices except in the Lake Union area, and

(10) Research and development laboratories; Wholesale showroom, mini-warehouse, warehouse and outdoor storage,

b. Storage uses;

c. The following transportation facilities:

~~(9)~~(1) Cargo terminals, non- water-dependent,

~~(10)~~(2) Personal transportation services,

~~(11)~~(3) Passenger terminals, non-water-dependent,

~~(12)~~(4) Transit vehicle base;

~~(13)~~ Food processing;

~~(14)~~ Custom and craft work;

~~(15)~~ Offices except in the Lake Union area, and

~~(16)~~ Research and development laboratories;

b.d. Recycling centers;

e.g. Light and general manufacturing uses, non-water-dependent;

d.f. Public facilities; and

e.g. Minor communication utilities, except freestanding transmission towers.

* * *

Section 25. Section 23.60.780 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.780 Uses permitted outright on waterfront lots in the UG Environment

The following uses shall be permitted outright on waterfront lots in the Urban General Environment as either principal or accessory uses:

A. Existing dwelling units;

B. The following commercial uses:

1. ~~Personal and household retail~~General sales and services,
2. Medical services,
3. Animal ~~services~~shelters and kennels,
4. Marine ~~retail~~sales and services,
5. Eating and drinking establishments,
6. ~~Nonhousehold~~Heavy sales and service uses,
7. Office uses,
8. Entertainment uses,
9. Research and development laboratories,
10. Food processing and craft work uses; ~~Wholesale showroom~~;
- C. Storage uses; ~~mini-warehouse, warehouse and outdoor storage~~;

D. The following transportation facilities:

10. Passenger terminals, water-dependent or water-related,
- ~~244.~~ 241. Cargo terminals, water-dependent or water-related; ~~and~~
- ~~12. Research and development laboratories;~~

E. Streets;

F. Bridges;

G. Railroads;

FH. The following utilities:

1. Utility lines,

2. Utility service uses whose operations require a shoreline location,
3. Solid waste transfer stations that are water-related, and
4. Minor communication utilities, except freestanding transmission towers;

~~GI.~~ Manufacturing uses;

~~HJ.~~ Institutional uses;

~~IK.~~ Public Facilities;

~~JL.~~ Parks and Open space uses; and

~~KM.~~ Aquaculture, ~~and~~

~~L.~~ Food processing and craft work uses.

Section 26. Section 23.60.786 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.786 Prohibited principal uses on waterfront lots in the UG Environment.

The following uses are prohibited as principal uses on waterfront lots in the UG Environment:

A. Residential uses except artist studio/dwellings;

B. The following commercial uses:

1. Automotive ~~retail~~ sales and service uses,
2. Lodging uses, and
3. Mortuary services;

C. The following transportation facilities:

- ~~4~~1. Parking, principal uses,
- ~~5~~2. Personal transportation services,
- ~~6~~3. Passenger terminals, non-water- dependent,
- ~~7~~4. Cargo terminals, non-water-dependent,
- ~~8~~5. ~~Transit vehicle~~Bus bases,
- ~~9~~6. Helistops,
- ~~10~~7. Heliports, and
- ~~11~~8. Airports, land-based;

~~C.~~ Salvage and recycling uses;

D. The following utilities:

1. Major communication utility,
2. Solid waste ~~transfer stations~~management, non-water-dependent,
3. Recycling uses,
4. Power plants,
45. Sewage treatment plants, and
56. Freestanding transmission towers for minor communication utilities;

E. Agricultural uses except aquaculture; and

F. Groins and similar structures ~~which that~~ block the flow of sand to adjacent beaches, except for drift sills or other structures ~~which that~~ are part of a natural beach protection system.

Section 27. Subsection A of Section 23.60.788 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, is amended as follows:

SMC 23.60.788 Permitted uses on upland lots in the UG Environment.

The following uses are permitted on upland lots in the UG Environment:

A. Uses Permitted Outright.

1. Uses permitted outright on waterfront lots are permitted outright on upland lots.
2. Additional ~~commercial~~uses permitted outright:
 - a. Automotive ~~retail~~sales and services; and
 - b. Parking, principal use.

* * *

Section 28. Section 23.60.840 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.840 Uses permitted outright on waterfront lots in the UI Environment.

The following uses shall be permitted outright on waterfront lots in the Urban Industrial Environment as either principal or accessory uses:

A. Existing dwelling units;

B. The following commercial uses:

1. Marine ~~retail~~sales and services except ~~marinas and sale and rental of small boats, boat parts or and~~ accessories,
2. ~~Tugboat services;~~

~~32.~~ Research and development laboratories,

~~43.~~ Wholesale showrooms, and

~~4.~~ Food processing and craft work, water-dependent or water-related;

C. The following storage uses:

~~1.~~ Warehouses, and

~~2.~~ Outdoor storage uses;

D. The following transportation facilities:

~~1.~~ Tugboat services,

~~2.~~ Commercial moorage,

~~3.~~ Dry boat storage,

~~54.~~ Passenger terminals, water-dependent or water-related, and

~~65.~~ Cargo terminals, water-dependent or water-related; and

~~7.~~ Food processing and craft work, water-dependent or water-related;

~~C.~~ Salvage and recycling uses, water-dependent or water-related;

~~DE.~~ Streets, railroads and bridges;

~~EE.~~ The following utilities:

~~1.~~ Utility lines,

~~2.~~ Solid waste management uses transfer stations, water-dependent or water-related,

~~3.~~ Recycling uses, water-dependent or water-related,

~~4.~~ Utility service uses whose operations require a shoreline location, and

~~45.~~ Minor communication utilities, except freestanding transmission towers;

~~FG.~~ Manufacturing uses;

~~GH.~~ The following institutional uses:

~~1.~~ Water-dependent or water-related research and education facilities of colleges and universities,

~~2.~~ Shoreline recreation facilities of colleges and universities, and

~~3.~~ Water-dependent or water-related colleges, institutes for advanced study, and vocational schools;

~~HI.~~ High-impact uses, water-dependent or water-related;

~~H~~. Public facilities, water-dependent or water-related;

~~J~~. Shoreline recreation uses; and

~~K~~. Aquaculture.

Section 29. Subsection B of Section 23.60.844 of the Seattle Municipal Code, which Section was last amended by Ordinance 119971, is amended as follows:

SMC 23.60.844 Conditional uses on waterfront lots in the UI Environment.

The following uses may be authorized on waterfront lots in the UI Environment by the Director, with the concurrence of DOE, as either principal or accessory uses if the criteria for conditional uses in WAC 173-27-160 are satisfied:

* * *

B. Non-water-dependent Commercial Uses.

1. The following non-water-dependent commercial uses when meeting the criteria of subsection B2:

a. ~~Sale and rental of small boats, boat parts and~~ accessories;

b. ~~Personal and household retail~~ General sales and services;

c. Eating and drinking establishments in the Ballard Interbay Northend Manufacturing/Industrial Center;

d. ~~Nonhousehold~~ Heavy sales and services except commercial laundries and wholesale showrooms;

e. Offices;

f. Mini-warehouse in the Ballard Interbay Northend Manufacturing/Industrial Center; and

g. Food processing and craft work.

2. The uses listed in subsection B1 are permitted when:

a. The total of non-water-dependent commercial uses occupy no more than ten (10) percent of the dry-land portion of the lot; and

b. The non-water-dependent commercial uses are located to accommodate any water-dependent or water-related uses on the lot.

3. The uses identified in subsection B1 may be relocated on a lot provided the requirements of subsection B2 are met.

Section 30. Section 23.60.848 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, is amended as follows:

SMC 23.60.848 Principal uses prohibited on waterfront lots in the UI Environment.

The following principal uses are prohibited on waterfront lots in the UI Environment:

A. Residential uses;

B. The following commercial uses:

1. Medical services,
2. Animal ~~services~~ shelters and kennels,
3. Pet grooming,
- ~~34.~~ Automotive ~~retailsales~~ and service,
4. ~~Parking, principal use,~~
5. Lodging,
6. ~~Mortuary services,~~
- ~~76.~~ Heavy commercial services,
- ~~87.~~ Entertainment uses, and
8. Eating and drinking establishments in the Duwamish Manufacturing/Industrial Center;

C. The following transportation facility uses:

1. Parking, principal use,
- ~~92.~~ Personal transportation services,
- ~~103.~~ Passenger terminal, non-water- dependent,
- ~~114.~~ Cargo terminal, non-water-dependent,
- ~~125.~~ Transit vehicle bases,
- ~~136.~~ Helistops, and
- ~~147.~~ Heliports;:

D. 15. Mini-warehouses in the Duwamish Manufacturing/Industrial Center; ~~and~~

~~16.~~ ~~Eating and drinking establishments in the Duwamish Manufacturing/Industrial Center;~~

~~C. Salvage and recycling uses, non-water-dependent;~~

~~E~~D. The following utilities:

1. Major communication utilities,
2. Solid waste management~~transfer stations,~~ non-water-dependent,
3. Recycling uses, non-water-dependent.
- ~~34.~~ Power plants,

45. Sewage treatment plants, located outside of the Duwamish area, and

56. Freestanding transmission towers for minor communication utilities;

EF. High-impact uses, non-water-dependent;

FG. All institutional uses except shoreline recreation facilities of colleges and universities and boat and yacht clubs without eating and drinking facilities;

GH. Public facilities not authorized by pursuant to Section 23.60.854 and those that are ~~non-~~ neither water-dependent nor ~~non-~~ water-related;

HI. Agricultural uses except aquaculture;

IJ. All open space uses except shoreline recreation; and

JK. Groins and similar structures ~~which that~~ block the flow of sand to

adjacent beaches, except for drift sills or other structures ~~which that~~ are part of a natural beach protection system.

Section 31. Subsection A of Section 23.60.850 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, is amended as follows:

SMC 23.60.850 Permitted uses on upland lots in the UI Environment.

A. Uses Permitted Outright.

1. Principal and accessory uses permitted outright on waterfront lots in the UI Environment are permitted outright on upland lots.

2. Additional uses permitted outright:

a. All commercial uses;

b. ~~Salvage and recycling~~ Solid waste management uses that are non-water-dependent, except for solid waste transfer stations;

c. Recycling uses, non-water-dependent;

d. ~~Parks and~~ Open space uses;

e. The following institutions:

(1) Vocational and fine arts schools,

(2) Uses connected to a major institution and permitted by an approved master plan;

f. All agricultural uses.

* * *

Section 32. Section 23.60.900 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, is amended as follows:

SMC 23.60.900 Definitions generally.

For the purpose of this chapter, certain terms and words are defined. The definitions established in this Subchapter XVI are in addition to definitions contained in Chapters 24.08 and 23.84A, which are also applicable to this chapter. In the event that a definition in this chapter differs from a definition of the same term in Chapter 24.08 or Chapter 23.84A, the definition in this chapter shall apply in the Shoreline District.

Section 33. The following subsection of Section 23.60.902 of the Seattle Municipal Code, which Section was last amended by Ordinance 121477, is amended as follows:

SMC 23.60.902 "A."

* * *

"Agriculture use" means the following uses ~~as defined in Chapter 23.84, Definitions:~~

Animal husbandry;

Aquaculture;

~~Horticultural use.~~

* * *

Section 34. The following subsections of Section 23.60.906 of the Seattle Municipal Code, which Section was last amended by Ordinance 120927, are amended as follows:

SMC 23.60.906 "C."

* * *

"Commercial use" means the following uses ~~as defined in Chapter 23.84, Definitions:~~

-- ~~Retail~~General retail sales and services;

-- ~~Principal use parking;~~

-- ~~Nonhousehold~~Heavy sales and services;

-- Eating and drinking establishments;

-- Lodging;

-- Offices;

-- Entertainment;

-- Automotive sales and services;

-- Marine sales and services;

-- Animal shelters and kennels;

-- ~~Wholesale showroom;~~

-- Warehouse;

-- Mini-warehouse;

-- Outdoor storage;

-- Transportation facilities;

-- Food processing and craft work;

-- Medical services;

-- Research and development laboratories.

"Commercial moorage" means a ~~marine retail sales and service~~ parking and moorage use in which a system of piers, buoys, or floats is used to provide moorage, primarily for commercial vessels, except barges, for sale or rent, usually on a monthly or yearly basis. Minor vessel repair, haulout, dry boat storage, tugboat dispatch offices, and other services are also often accessory to or associated with the use.

Communication Devices and Utilities (and Related Terms). See Section 23.84A.006 "C."

* * *

Section 35. The following subsection of Section 23.60.908 of the Seattle Municipal Code, which Section was last amended by Ordinance 121276, is amended as follows:

SMC 23.60.908 "D."

* * *

"Dry ~~boat storage of boats~~" means a parking and moorage ~~marine retail sales and service~~ use, in which space on a lot on dry land or inside a building over-~~water~~ or on dry land, is rented or sold to the public or to members of a yacht, boat or beach club for the purpose of storing boats. Sometimes referred to as dry moorage.

Section 36. Section 23.60.918 of the Seattle Municipal Code, which Section was enacted by ordinance 113466, is amended as follows:

SMC 23.60.918 "I."

"Institutions" means the following uses ~~as defined in Chapter 23.84, Definitions~~:

-- Institute for advanced study;

-- Private club;

-- ~~Day~~Child care center;

-- Museum;

-- School, elementary or secondary;

-- College;

- Community club and center;
- Community club;
- Vocational or fine arts school;
- Hospital;
- Religious facility.;
- ~~University.~~

Section 37. The following subsections of Section 23.60.926 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, are amended as follows:

SMC 23.60.926 "M."

"Manufacturing" means the following uses as defined in Chapter 23.84A, Definitions:

- Light manufacturing;
- General manufacturing;
- Heavy manufacturing.

"Marina, recreational" means a ~~marine retail sales and service parking and moorage~~ use, in which a system of piers, buoys, or floats is used to provide moorage, primarily for pleasure craft, for sale or rent, usually on a monthly or yearly basis. Minor vessel repair, haulout, dry boat storage and other services are also often accessory to or associated with the use.

"Marine ~~retail sales and service~~" means a ~~retail sales and service~~ commercial use ~~which that~~ includes one (1) or more of the following uses:

- Sale or rental of large boats;
- Marine service station;
- Major or minor vessel repair;
- Sale and rental of small boats, of boat parts or ~~and~~ accessories.;

~~-- Recreational marina;~~

~~-- Commercial moorage;~~

~~-- Dry storage of boats;~~

~~-- Tugboat services.~~

"Marine service station" means a marine ~~retail sales and service~~ use in which fuel for boats is sold, and where accessory uses including but not limited to towing or minor vessel repair may also be provided.

* * *

"Mortuary service" means a medical service use which provides services including but not limited to the preparation of the dead for burial or cremation, viewing of the body and funerals.

Section 38. The following subsection of Section 23.60.934 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, is amended, and a subsection thereof is repealed, as follows:

SMC 23.60.934 "R."

* * *

~~"Residential use" means the following uses as defined in Chapter 23.84, Definitions:~~

- ~~-- Artist's studio/dwelling;~~
- ~~-- Boarding houseAssisted living facility;~~
- ~~-- Caretaker's quarters;~~
- ~~-- Floating home;~~
- ~~-- Mobile home park;~~
- ~~-- Multifamily structure;~~
- ~~-- Single-family dwelling unit;~~
- ~~-- Congregate residence.~~

* * *

~~"Retail sales and service use" means the following uses, as defined in Chapter 23.84, Definitions:~~

- ~~-- Personal and household retail sales and service;~~
- ~~-- Medical services;~~
- ~~-- Animal services;~~
- ~~-- Automobile retail sales and service;~~
- ~~-- Marine retail sales and service;~~
- ~~-- Eating and drinking establishments;~~
- ~~-- Lodging;~~
- ~~-- Mortuary services.~~

Section 39. The following subsections of Section 23.60.936 of the Seattle Municipal Code, which Section was last amended by Ordinance 118793, are amended, and a subsection thereof is repealed, as follows:

SMC 23.60.936 "S."

"Sale and/or rental of large boats" means a marine ~~retail~~ sales and service use in which boats sixteen (16) feet or more in

length are rented or sold. ~~The sale or rental of smaller boats shall be defined as a major durables sales and service use.~~

"Sale and rental of small boats, boat parts ~~or~~ and accessories" means a marine ~~retail~~ sales and service use in which goods are rented or sold primarily for use on boats and ships but excluding uses in which fuel for boats and ships is the primary item sold. Examples of goods sold include navigational instruments, marine hardware and paints, nautical publications, nautical clothing such as foul-weather gear, marine engines, and boats less than sixteen (16) feet in length.

~~"Salvage and recycling" means the following uses, as defined in Chapter 23.84, Definitions:~~

~~-- Recycling collection station;~~

~~-- Recycling center;~~

~~-- Salvage yard.~~

* * *

Section 40. Section 23.60.938 of the Seattle Municipal Code, which Section was enacted by Ordinance 113466, is amended as follows:

SMC 23.60.938 "T."

"Transportation facilities" means the following uses ~~as defined in Chapter 23.84, Definitions:~~

-- Rail transit facilities;

-- Vehicle storage and maintenance;

-- Air transportation facilities;

~~-- Airport, land-based;~~

-- Cargo terminal;

~~-- Heliport;~~

~~-- Helistop;~~

-- Passenger terminal;

-- Parking and moorage; and

-- Tugboat services.

~~-- Personal transportation services;~~

~~-- Transit vehicle base.~~

"Tugboat services" means a ~~retail sales and service~~ transportation facility use which that consists of moorage for more than one (1) tugboat and dispatch offices, ~~except. Uses which that facilities that~~ include barge moorage and loading and unloading facilities for barges as well as tugboat moorages ~~shall be~~ are not tugboat services and are classified as cargo terminals.

Section 41. The following subsection of Section 23.60.940 of the Seattle Municipal Code, which Section was last

amended by Ordinance 118793, is amended as follows:

SMC 23.60.940 "U."

* * *

"Utilities" means the following uses as defined in ~~Chapter 23.84, Definitions:~~

- Communication utility;
- ~~Utilities~~ service uses;
- Solid waste ~~management~~transfer station;
- Recycling;
- Sewage treatment plant;
- Power plant; and
- ~~Solid waste processing facility~~;
- ~~Solid waste incineration facility~~
- Utility lines.

* * *

Section 42. Chapter 23.84 of the Seattle Municipal Code is repealed.

Section 43. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 44. This ordinance shall take effect and be in force on whichever is the later of: (a) the effective date of approval of the amendments in this ordinance by the Washington State Department of Ecology; or (b) (i) thirty (30) days from and after approval by the Mayor or, (ii) if not approved and returned by the Mayor within (10) days after presentation, then as provided by Municipal Code Section 1.04.020; or (c) the effective date of new Seattle Municipal Code chapters 23.84A and 23.47A, providing definitions for the Land Use Code and regulating uses and developments in the City's commercial zones, whether through passage of C.B. 115746, as introduced or as it may be amended, or through another ordinance.

Passed by the City Council the ____ day of _____, 2006, and signed by me in open session in authentication of its passage this ____ day of _____, 2006.

President _____ of the City Council

Approved by me this ____ day of _____, 2006.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2006.

City Clerk

(Seal)

version #8