

ORDINANCE No. 113354

COUNCIL BILL No. 105967

AN ORDINANCE relating to land use and zoning; amending the Zoning Ordinance (Title 24) to permit sewage treatment plants in the General Industrial (IG) and Heavy Industrial (IH) zones as a Council conditional use; and amending the Land Use Code (Title 23) to permit expansion or reconfiguration of existing sewage treatment plants as a Council conditional use in single-family zones only when there is no feasible alternative location.

The City of

Honorable President:

Your Committee on

to which was referred the within report that we have considered the

COMPTROLLER FILE No.

Introduced: JAN 12 1987	By: STREET
Referred: JAN 13 1987	To: LAND USE
Referred:	To:
Referred:	To:
Reported: MAR 16 1987	Second Reading: MAR 16 1987
Third Reading: MAR 16 1987	Signed: MAR 16 1987
Presented to Mayor: MAR 17 1987	Approved: MAR 28 1987
Returned to City Clerk: MAR 26 1987	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

5

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

President:

Committee on

Land Use

was referred the within Council Bill No.

105967

that we have considered the same and respectfully recommend that the same:

Pass as amended

3/6/87

Vote 9-0



Committee Chair

ORDINANCE

113354

1
2
3 AN ORDINANCE relating to land use and zoning; amending the
4 Zoning Ordinance (Title 24) to permit sewage treatment
5 plants in the General Industrial (IG) and Heavy Industrial
6 (IH) zones as a Council conditional use; and amending the
7 Land Use Code (Title 23) to permit expansion or reconfigu-
8 ration of existing sewage treatment plants as a Council
9 conditional use in single-family zones only when there is
10 no feasible alternative location.

11 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

12 Section 1. Section 24.080.200 of the Seattle Municipal
13 Code as last amended by Ordinance 109837 is further amended by
14 the addition of the following definition:

15 "Sewage treatment plant" means a use in which
16 sanitary or combined sewage is received, treated,
17 and discharged, but does not include: conveyance
18 lines and associated underground storage facilities;
19 pumping stations; or commercial or industrial
20 facilities for "pre-treatment" of sewage prior to
21 discharge into the sewer system.

22 Section 2. Section 24.56.030 of the Seattle Municipal
23 Code relating to principal conditional uses permitted in the
24 General Industrial (IG) zone, as last amended by Ordinance
25 109737, is further amended to read as follows:

26 24.56.030 Principal conditional uses permitted
27 by Council.

28 The following uses are permitted when authorized
by the Council in accordance with Chapter ((24.72))
23.76 of Title 23:

A. Jails and work-release centers subject to
the following conditions:

1. When nearby or associated uses and
other conditions in the immediate environs
would not adversely affect persons
residing in the facility;

((B-)) 2. When the facility will not
usurp land which is needed for or better
suited to commercial usage by virtue of
special attributes such as railroad access
and proximity of established commercial
development.

1 B. Sewage treatment plants subject to the
2 following conditions:

3 1. The site shall be located so that adverse
4 impacts would not affect large concentrations
5 of people, particularly in residential and
6 commercial areas;

7 2. The benefits to the public that would
8 be provided by the use shall out-weigh
9 the negative impacts of the use as
10 mitigated pursuant to subsection B.3;
11 and

12 3. The negative impacts of the use can
13 be satisfactorily mitigated by imposing
14 conditions to protect other property in
15 the zone or vicinity and to protect the
16 environment. Appropriate mitigation
17 measures shall include but are not limited
18 to:

19 a. A facility management and transpor-
20 tation plan shall be required. The
21 level and kind of detail to be
22 disclosed in the plan shall be based
23 on the probable impacts and/or scale
24 of the proposed facility, and shall
25 at a minimum include discussion of
26 sludge transportation, noise control,
27 and hours of operation;

28 b. Measures to minimize potential
 odor emission and airborne pollu-
 tants including methane shall meet
 standards of and be consistent with
 best available technology as
 determined in consultation with the
 Puget Sound Air Pollution Control
 Agency (PSAPCA), and shall be
 incorporated into the design and
 operation of the facility;

c. Methods of storing and transpor-
 ting chlorine and other hazardous
 and potentially hazardous chemicals
 shall be determined in consultation
 with the Seattle Fire Department and
 incorporated into the design and
 operation of the facility;

d. Vehicular access suitable for
 trucks is available or provided from
 the plant to a designated arterial
 improved to City standards;

1 e. Landscaping and screening, separation
2 from less intensive zones, noise,
3 light and glare controls, and other
4 measures to insure the compatibility
5 of the use with the surrounding area
6 and to mitigate adverse impacts shall
7 be incorporated into the design and
8 operation of the facility.

9 Section 3. Section 23.44.036 of the Seattle Municipal
10 Code relating to public projects and City facilities in
11 single-family zones, as last amended by Ordinance 112890 is
12 further amended to read as follows:

13 23.44.036 Council approval of public
14 projects and City facilities.

15 A. Permitted Public Projects and City Facilities.
16 The establishment or expansion of the following
17 public uses in single-family zones may be permitted
18 by the Council according to the procedures for
19 approving public projects and City facilities
20 provided in Chapter 23.76, Procedures for Master
21 Use Permits and Council Land Use Decisions.

- 22 1. Police precinct station;
- 23 2. Fire station;
- 24 3. Public boat moorage;
- 25 4. Utility services use;
- 26 5. Other similar use.

27 The proponent of any such use shall demonstrate
28 the existence of a public necessity for location or
expansion of the use in a single-family zone.

B. Sewage Treatment Plants. The expansion or
21 reconfiguration (which term shall include
22 reconstruction, redevelopment, relocation on the
23 site, or intensification of treatment capacity) of
24 existing sewage treatment plants in single-family
25 zones may be permitted if there is no feasible
26 alternative location in a zone where the use is
27 permitted and the conditions imposed under
28 subsections B3 and B4 are met.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
1. Applicable procedures. The decision on an application for the expansion or reconfiguration of a sewage treatment plant shall be a Type IV Council land use decision. If an application for an early determination of feasibility is required to be filed pursuant to subsection B2, the early determination of feasibility will also be a Council land use decision subject to Section 23.76.038 through Section 23.76.056.
 2. Need for feasible alternative determination. The proponent shall demonstrate that there is no feasible alternative location in a zone where establishment of the use is permitted.
 - a. The Council's decision as to the feasibility of alternative location(s) shall be based upon the Single Family Policies and a full consideration of the environmental, social and economic impacts on the community.
 - b. The determination of feasibility may be the subject of a separate application for a Council land use decision prior to submission of an application for a project-specific approval if the Director determines that the expansion or reconfiguration proposal is complex, involves the phasing of programmatic and project-specific decisions or affects more than one site in a single-family zone.
 - c. Application for an early determination of feasibility shall include:
 - (1) The scope and intent of the proposed project in the single-family zone and appropriate alternative(s) in zones where establishment of the use is permitted, identified by the Applicant or the Director;
 - (2) The necessary environmental documentation as determined by the Director, including an assessment of the impacts of the proposed project and of the permitted-zone alternative(s), according to the State and local SEPA Guidelines;
 - (3) Information on the overall sewage treatment system which outlines the interrelationship of facilities in single-family zones and in zones where establishment of the use is permitted;
 - (4) Schematic plans outlining dimensions, elevations, locations on site and similar specifications for the proposed project and for the alternative(s).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

d. If a proposal or any portion of a proposal is also subject to a feasible or reasonable alternative location determination under Section 24.60.427 of Title 24, the Plan Shoreline Permit application and the early determination application will be considered in one determination process.

3. Conditions for Approval of Proposal.

a. The project shall be located so that adverse impacts on residential areas shall be minimized;

b. A facility management and transportation plan shall be required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control, and hours of operation;

c. Measures to minimize potential odor emission and airborne pollutants including methane shall meet standards of and be consistent with best available technology as determined in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), and shall be incorporated into the design and operation of the facility;

d. Methods of storing and transporting chlorine and other hazardous and potentially hazardous chemicals shall be determined in consultation with the Seattle Fire Department and incorporated into the design and operation of the facility;

e. Vehicular access suitable for trucks is available or provided from the plant to a designated arterial improved to City standards;

f. Landscaping and screening, separation from less intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

1 4. Substantial Conformance. If the application
2 for a project specific proposal is submitted
3 after an early determination that location of
4 the sewage treatment plant is not feasible in a
5 zone where establishment of the use is
6 permitted, the proposed project must be in
7 substantial conformance with the feasibility
8 determination.

9 Substantial conformance shall include, but not
10 be limited to, a determination that:

11 a. There is no net substantial increase
12 in the environmental impacts of the
13 project-specific proposal as compared to
14 the impacts of the proposal as approved
15 in the feasibility determination.

16 b. Conditions included in the feasibility
17 determination are met.

18 ((B-)) C. Development Standards.

19 1. Public projects and City facilities shall
20 be developed according to the development
21 standards applicable to institutions, Section
22 23.44.022, unless the Council determines that
23 a particular standard must be waived or
24 changed.

25 ((C-)) D. Uses Accessory to a Public Project or
26 City Facility. Any use permitted elsewhere in this
27 chapter as accessory to a principal use permitted
28 outright or as an administrative conditional use
is also permitted as an accessory use to a public
project or City facility unless otherwise specified
in the subtitle.

((D-)) E. Prohibited Uses. The following public
projects and City facilities are prohibited in
single-family zones:

1. Jails
2. Metro operating bases
3. Park and ride lots
4. Establishment of new sewage treatment plants
5. Solid waste transfer stations
6. Animal control shelters
7. Post office distribution centers
8. Other similar uses.

(To be used for all Ordinances except Emergency.)

Section 4. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 16th day of March, 1987, and signed by me in open session in authentication of its passage this 16th day of March, 1987.

[Signature]
President of the City Council.

Approved by me this 26th day of March, 1987.

[Signature]
Mayor.

Filed by me this 26th day of March, 1987.

Attest: *Norman O. Brooks*
City Comptroller and City Clerk.

(SEAL)

Published

By *Heresa J. Dunbar*
Deputy Clerk.

#12

JB:ED:et
2/24/87
7:ORD10.

APR 9 2 40 PM '87

CB 105967

BY THE DIVISION OF
RECORDS & LITIGATIONS
KING COUNTY

87/04/09
RECD F
CASHSL

11.00

#0922 E

***11.00

ORDINANCE

113354

8704090922

AN ORDINANCE relating to land use and zoning; amending the Zoning Ordinance (Title 24) to permit sewage treatment plants in the General Industrial (IG) and Heavy Industrial (IH) zones as a Council conditional use; and amending the Land Use Code (Title 23) to permit expansion or reconfiguration of existing sewage treatment plants as a Council conditional use in single-family zones only when there is no feasible alternative location.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 24.080.200 of the Seattle Municipal Code as last amended by Ordinance 109837 is further amended by the addition of the following definition:

"Sewage treatment plant" means a use in which sanitary or combined sewage is received, treated, and discharged, but does not include: conveyance lines and associated underground storage facilities; pumping stations; or commercial or industrial facilities for "pre-treatment" of sewage prior to discharge into the sewer system.

Section 2. Section 24.56.030 of the Seattle Municipal Code relating to principal conditional uses permitted in the General Industrial (IG) zone, as last amended by Ordinance 109737, is further amended to read as follows:

24.56.030 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter ((24.72)) 23.76 of Title 23:

A. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility;

((B-)) 2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

1 B. Sewage treatment plants subject to the
2 following conditions:

3 1. The site shall be located so that adverse
4 impacts would not affect large concentrations
5 of people, particularly in residential and
6 commercial areas;

7 2. The benefits to the public that would
8 be provided by the use shall out-weigh
9 the negative impacts of the use as
10 mitigated pursuant to subsection B.3;
11 and

12 3. The negative impacts of the use can
13 be satisfactorily mitigated by imposing
14 conditions to protect other property in
15 the zone or vicinity and to protect the
16 environment. Appropriate mitigation
17 measures shall include but are not limited
18 to:

19 a. A facility management and transpor-
20 tation plan shall be required. The
21 level and kind of detail to be
22 disclosed in the plan shall be based
23 on the probable impacts and/or scale
24 of the proposed facility, and shall
25 at a minimum include discussion of
26 sludge transportation, noise control,
27 and hours of operation;

28 b. Measures to minimize potential
odor emission and airborne pollu-
tants including methane shall meet
standards of and be consistent with
best available technology as
determined in consultation with the
Puget Sound Air Pollution Control
Agency (PSAPCA), and shall be
incorporated into the design and
operation of the facility;

c. Methods of storing and transpor-
ting chlorine and other hazardous
and potentially hazardous chemicals
shall be determined in consultation
with the Seattle Fire Department and
incorporated into the design and
operation of the facility;

d. Vehicular access suitable for
trucks is available or provided from
the plant to a designated arterial
improved to City standards;

8704090922

8704090922

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

e. Landscaping and screening, separation from less intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

Section 3. Section 23.44.036 of the Seattle Municipal Code relating to public projects and City facilities in single-family zones, as last amended by Ordinance 112890 is further amended to read as follows:

23.44.036 Council approval of public projects and City facilities.

A. Permitted Public Projects and City Facilities. The establishment or expansion of the following public uses in single-family zones may be permitted by the Council according to the procedures for approving public projects and City facilities provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

- 1. Police precinct station;
- 2. Fire station;
- 3. Public boat moorage;
- 4. Utility services use;
- 5. Other similar use.

The proponent of any such use shall demonstrate the existence of a public necessity for location or expansion of the use in a single-family zone.

B. Sewage Treatment Plants. The expansion or reconfiguration (which term shall include reconstruction, redevelopment, relocation on the site, or intensification of treatment capacity) of existing sewage treatment plants in single-family zones may be permitted if there is no feasible alternative location in a zone where the use is permitted and the conditions imposed under subsections B3 and B4 are met.

8704090922

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. Applicable procedures. The decision on an application for the expansion or reconfiguration of a sewage treatment plant shall be a Type IV Council land use decision. If an application for an early determination of feasibility is required to be filed pursuant to subsection B2, the early determination of feasibility will also be a Council land use decision subject to Section 23.76.038 through Section 23.76.056.

2. Need for feasible alternative determination. The proponent shall demonstrate that there is no feasible alternative location in a zone where establishment of the use is permitted.
 - a. The Council's decision as to the feasibility of alternative location(s) shall be based upon the Single Family Policies and a full consideration of the environmental, social and economic impacts on the community.

 - b. The determination of feasibility may be the subject of a separate application for a Council land use decision prior to submission of an application for a project-specific approval if the Director determines that the expansion or reconfiguration proposal is complex, involves the phasing of programmatic and project-specific decisions or affects more than one site in a single-family zone.

 - c. Application for an early determination of feasibility shall include:
 - (1) The scope and intent of the proposed project in the single-family zone and appropriate alternative(s) in zones where establishment of the use is permitted, identified by the Applicant or the Director;

 - (2) The necessary environmental documentation as determined by the Director, including an assessment of the impacts of the proposed project and of the permitted-zone alternative(s), according to the State and local SEPA Guidelines;

 - (3) Information on the overall sewage treatment system which outlines the interrelationship of facilities in single-family zones and in zones where establishment of the use is permitted;

 - (4) Schematic plans outlining dimensions, elevations, locations on site and similar specifications for the proposed project and for the alternative(s).

8704090922

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

d. If a proposal or any portion of a proposal is also subject to a feasible or reasonable alternative location determination under Section 24.60.427 of Title 24, the Plan Shoreline Permit application and the early determination application will be considered in one determination process.

3. Conditions for Approval of Proposal.

a. The project shall be located so that adverse impacts on residential areas shall be minimized;

b. A facility management and transportation plan shall be required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control, and hours of operation;

c. Measures to minimize potential odor emission and airborne pollutants including methane shall meet standards of and be consistent with best available technology as determined in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), and shall be incorporated into the design and operation of the facility;

d. Methods of storing and transporting chlorine and other hazardous and potentially hazardous chemicals shall be determined in consultation with the Seattle Fire Department and incorporated into the design and operation of the facility;

e. Vehicular access suitable for trucks is available or provided from the plant to a designated arterial improved to City standards;

f. Landscaping and screening, separation from less intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

8704090922

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. Substantial Conformance. If the application for a project specific proposal is submitted after an early determination that location of the sewage treatment plant is not feasible in a zone where establishment of the use is permitted, the proposed project must be in substantial conformance with the feasibility determination.

Substantial conformance shall include, but not be limited to, a determination that:

a. There is no net substantial increase in the environmental impacts of the project-specific proposal as compared to the impacts of the proposal as approved in the feasibility determination.

b. Conditions included in the feasibility determination are met.

((B-)) C. Development Standards.

1. Public projects and City facilities shall be developed according to the development standards applicable to institutions, Section 23.44.022, unless the Council determines that a particular standard must be waived or changed.

((E-)) D. Uses Accessory to a Public Project or City Facility. Any use permitted elsewhere in this chapter as accessory to a principal use permitted outright or as an administrative conditional use is also permitted as an accessory use to a public project or City facility unless otherwise specified in the subtitle.

((D-)) E. Prohibited Uses. The following public projects and City facilities are prohibited in single-family zones:

1. Jails
2. Metro operating bases
3. Park and ride lots
4. Establishment of new sewage treatment plants
5. Solid waste transfer stations
6. Animal control shelters
7. Post office distribution centers
8. Other similar uses.

(To be used for all Ordinances except Emergency.)

Section 4. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

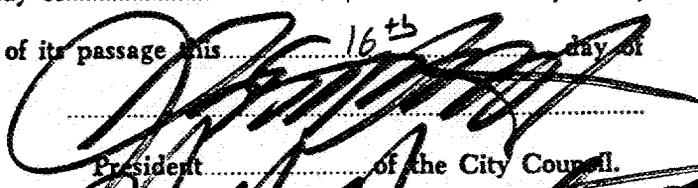
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this 30th day of March, 1987

NORWARD J. BROOKS
Comptroller and City Clerk

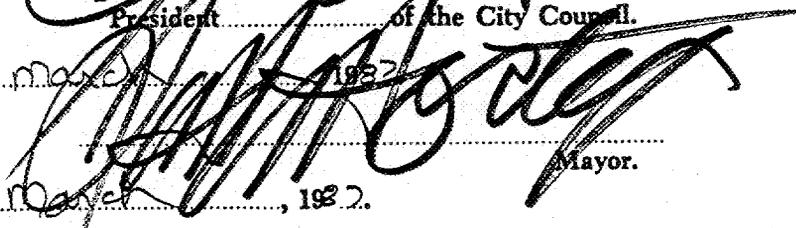
By: 
Deputy Clerk

Section 5... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 16th day of March, 1987,
and signed by me in open session in authentication of its passage this 16th day of March, 1987.


President of the City Council.

Approved by me this 26th day of March, 1987.

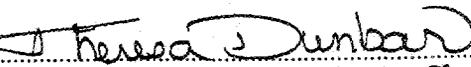

Mayor.

Filed by me this 26th day of March, 1987.

Attest: 
City Comptroller and City Clerk.

(SEAL)

Published.....

By: 
Deputy Clerk.

8704090922

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE

AN ORDINANCE relating to land use and zoning; amending the Zoning Ordinance (Title 24) to permit sewage treatment plants in the General Industrial (IG) and Heavy Industrial (IH) zones as a Council conditional use; and amending the Land Use Code (Title 23) to permit expansion or reconfiguration of existing sewage treatment plants as a Council conditional use in single-family zones only when there is no feasible alternative location.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 24.080.200 of the Seattle Municipal Code as last amended by Ordinance 109837 is further amended by the addition of the following definition:

"Sewage treatment plant" means a use in which sanitary or combined sewage is received, treated, and discharged, but does not include conveyance lines and associated underground storage facilities, pumping stations, or commercial or industrial facilities for pre-treatment of sewage prior to discharge into the sewer system.

Section 2. Section 24.56.030 of the Seattle Municipal Code as last amended by Ordinance 109737 is further amended to read as follows:

24.56.030 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter ((24.72)) 23.76 of Title 23:

A. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect person residing in the facility;

((B-)) 2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

- 1 4. Utility services use;
- 2 5. Other similar use.

3 The proponent of any such use shall
4 demonstrate the existence of a public necessity
5 for location or expansion of the use in a single-
6 family zone.

7 B. Sewage Treatment Plants. The expansion or
8 reconfiguration of existing sewage treatment plants
9 in single-family zones may be permitted by the Council
10 as a Council conditional use according to the procedures
11 provided in Chapter 23.76, Procedures for Master Use
12 Permits and Council Land Use Decisions. The proponent
13 shall demonstrate the existence of a public necessity
14 for expansion or reconfiguration of the use in a single-
15 family zone and shall show that there is no feasible
16 alternative location in a zone where the use is permitted.

17 ~~((B*))~~ C. Development Standards. Public projects and
18 City facilities shall be developed, expanded or
19 reconfigured according to the development standards
20 applicable to institutions, Section 23.44.022, unless
21 the Council determines that a particular standard must
22 be waived or changed.

23 ~~((C*))~~ D. Uses Accessory to a Public Project or City
24 Facility. Any use permitted elsewhere in this chapter
25 as accessory to a principal use permitted outright or
26 as an administrative conditional use is also permitted
27 as an accessory use to a public project or City facility
28 unless otherwise specified in the subtitle.

~~((D*))~~ E. Prohibited Uses. The following public projects
and City facilities are prohibited in single-family zones:

1. Jails
2. Metro operating bases
3. Park and ride lots
4. New sewage treatment plants
5. Solid waste transfer stations
6. Animal control shelters
7. Post office distribution centers
8. Other similar uses.

(To be used for all Ordinances except Emergency.)

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the day of, 19 ..,
and signed by me in open session in authentication of its passage this day of
....., 19 ..

President of the City Council.

Approved by me this day of, 19 ..

Mayor.

Filed by me this day of, 19 ..

Attest:
City Comptroller and City Clerk.

(SEAL)

Published

By
Deputy Clerk.

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 113354

was published on March 31, 1987

R. Spicuzza

Subscribed and sworn to before me on

March 31, 1987

Jeanne Summers
Notary Public for the State of Washington,
residing in Seattle.

City of Seattle

ORDINANCE 11884

AN ORDINANCE relating to land use and zoning; amending the Zoning Ordinance (Title 24) to permit sewage treatment plants in the General Industrial (IG) and Heavy Industrial (IH) zones as a Council conditional use; and amending the Land Use Code (Title 23) to permit expansion or reconfiguration of existing sewage treatment plants as a Council conditional use in single-family zones only when there is no feasible alternative location.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 24.080.200 of the Seattle Municipal Code as last amended by Ordinance 109837 is further amended by the addition of the following definition:

"Sewage treatment plant" means a use in which sanitary or combined sewage is received, treated, and discharged, but does not include: conveyance lines and associated underground storage facilities; pumping stations; or commercial or industrial facilities for "pre-treatment" of sewage prior to discharge into the sewer system.

Section 2. Section 24.56.030 of the Seattle Municipal Code relating to principal conditional uses permitted in the General Industrial (IG) zone, as last amended by Ordinance 109737, is further amended to read as follows:

24.56.030 Principal conditional uses permitted by Council.

The following uses are permitted when authorized by the Council in accordance with Chapter ((24.74)) 23.76 of Title 23:

A. Jails and work-release centers subject to the following conditions:

1. When nearby or associated uses and other conditions in the immediate environs would not adversely affect persons residing in the facility;

((B-)) 2. When the facility will not usurp land which is needed for or better suited to commercial usage by virtue of special attributes such as railroad access and proximity of established commercial development.

B. Sewage treatment plants subject to the following conditions:

1. The site shall be located so that adverse impacts would not affect large concentrations of people, particularly in residential and commercial areas;

2. The benefits to the public that would be provided by the use shall outweigh the negative impacts of the use as mitigated pursuant to subsection B.3; and

3. The negative impacts of the use can be satisfactorily mitigated by imposing conditions to protect other property in the zone or vicinity and to protect the environment. Appropriate mitigation measures shall include but are not limited to:

a. A facility management and transportation plan shall be required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control, and hours of operation;

b. Measures to minimize potential odor emission and airborne pollutants including methane shall meet standards of and be consistent with best available technology as determined in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), and shall be incorporated into the design and operation of the facility;

c. Methods of storing and transporting chlorine and other hazardous and potentially hazardous chemicals shall be determined in consultation with the Seattle Fire Department and incorporated into the design and operation of the facility;

d. Vehicular access suitable for trucks is available or provided from the plant to a designated arterial improved to city standards;

e. Landscape and screening, separation from less intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

Section 3. Section 23.44.038 of the Seattle Municipal Code relating to public projects and City facilities in single-family zones, as last amended by Ordinance 112890 is further amended to read as follows:

23.44.038 Council approval of public projects and City facilities.

A. Permitted Public Projects and City Facilities. The establishment or expansion of the following public uses in single-family zones may be permitted by the Council according to the procedures for approving public projects and City facilities provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

1. Police precinct station;
2. Fire station;
3. Public boat moorage;
4. Utility services use;
5. Other similar use.

The proponent of any such use shall demonstrate the existence of a public necessity for location or expansion of the use in a single-family zone.

B. Sewage Treatment Plants. The expansion or reconfiguration (which term shall include reconstruction, redevelopment, relocation on the site, or intensification of treatment capacity) of existing sewage treatment plants in single-family zones may be permitted if there is no feasible alternative location in a zone where the use is permitted and the conditions imposed under subsections B3 and B4 are met.

1. Applicable procedures. The decision on an application for the expansion or reconfiguration of a sewage treatment plant shall be a Type IV Council land use decision. If an application for an early determination of feasibility is required to be filed pursuant to subsection B2, the early determination of feasibility will also be a Council land use decision subject to Section 23.76.038 through Section 23.76.056.

2. Need for feasible alternative determination. The proponent shall demonstrate that there is no feasible alternative location in a zone where establishment of the use is permitted.

a. The Council's decision as to the feasibility of alternative location(s) shall be based upon the Single Family Policies and a full consideration of the environmental, social and economic impacts on the community.

b. The determination of feasibility may be the subject of a separate application for a Council land use decision prior to submission of an application for a project-specific approval if the Director determines that the expansion or reconfiguration proposal is complex, involves the phasing of programmatic and project-specific decisions or affects more than one site in a single-family zone.

c. Application for an early determination of feasibility shall include:

(1) The scope and intent of the proposed project in the single-family zone and appropriate alternative(s) in zones where establishment of the use is permitted, identified by the Applicant or the Director;

(2) The necessary environmental documentation as determined by the Director, including an assessment of the impacts of the proposed project and of the permitted zone alternative(s), according to the State and local SEPA Guidelines;

(3) Information on the overall sewage treatment system which outlines the interrelationship of facilities in single-family zones and in zones where establishment of the use is permitted;

(4) Schematic plans outlining dimensions, elevations, locations on site and similar specifications for the proposed project and for the alternative(s).

d. If a proposal or any portion of a proposal is also subject to a feasible or reasonable alternative location determination under Section 24.60.427 of Title 24, the Plan Shoreline Permit application and the early determination application will be considered in one determination process.

3. Conditions for Approval of Proposal.

a. The project shall be located so that adverse impacts on residential areas shall be minimized;

b. A facility management and transportation plan shall be required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control, and hours of operation;

c. Measures to minimize potential odor emission and airborne pollutants including methane shall meet standards of and be consistent with best available technology as determined in consultation with the Puget Sound Air Pollution Control Agency (PSAPCA), and shall be incorporated into the design and operation of the facility;

d. Methods of storing and transporting chlorine and other hazardous and potentially hazardous chemicals shall be determined in consultation with the Seattle Fire Department and incorporated into the design and operation of the facility;

e. Vehicular access suitable for trucks is available or provided from the plant to a designated arterial improved to City standards;

f. Landscaping and screening, separation from less intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

2

4. Substantial Conformance. If the application for a project specific proposal is submitted after an early determination that location of the sewage treatment plant is not feasible in a zone where establishment of the use is permitted, the proposed project must be in substantial conformance with the feasibility determination.

Substantial conformance shall include, but not be limited to, a determination that:

a. There is no net substantial increase in the environmental impacts of the project-specific proposal as compared to the impacts of the proposal as approved in the feasibility determination.

b. Conditions included in the feasibility determination are met.

C. Development Standards.

1. Public projects and City facilities shall be developed according to the development standards applicable to institutions, Section 23.44.022, unless the Council determines that a particular standard must be waived or changed.

((B-)) D. Uses Accessory to a Public Project or City Facility. Any use permitted elsewhere in this chapter as accessory to a principal use permitted outright or as an administrative conditional use is also permitted as an accessory use to a public project or City facility unless otherwise specified in the subtitle.

((B-)) E. Prohibited Uses. The following public projects and City facilities are prohibited in single-family zones:

1. Jails
2. Metro operating bases
3. Park and ride lots
4. Establishment of new sewage treatment plants
5. Solid waste transfer stations
6. Animal control shelters
7. Post office distribution centers
8. Other similar uses.

Section 4. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 16th day of March, 1987, and signed by me in open session in authentication of its passage this 16th day of March, 1987.

SAM SMITH,
President of the City Council.

Approved by me this 26th day of March, 1987.

SAM SMITH,
Acting Mayor.

Filed by me this 26th day of March, 1987.

Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.

(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, March 31, 1987. (C-788-X)