

ORDINANCE No. 114866

COUNCIL BILL No. 107720

The City of

AN ORDINANCE relating to land use and zoning, amending Section 23.84.016 and adding a new Section 23.40.006 to the Seattle Municipal Code to add interim provisions requiring an approved replacement use prior to the demolition or change of use of housing units, and declaring an emergency.

HHS 12/5/89
PASS 3-0 AS AMENDED

Honorable President:

Your Committee on _____

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

COMPTROLLER FILE No. _____

Introduced: <u>Nov. 04, 1989</u>	By: <u>Nolan P</u>
Referred: <u>Dec. 09, 1989</u>	To: <u>Housing & Home Services</u>
Referred:	To:
Referred:	To:
Reported: <u>DEC 1 1989</u>	Second Reading: <u>DEC 1 1989</u>
Third Reading: <u>DEC 1 1989</u>	Signed: <u>DEC 1 1989</u>
Presented to Mayor: <u>DEC 1 1989</u>	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on _____

was referred the within Council Bill No. _____

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

Vote 8-0

Committee Chair

ORDINANCE 114866

1 AN ORDINANCE relating to land use and zoning, amending
2 Section 23.84.016 and adding a new Section 23.40.006 to
3 the Seattle Municipal Code to add interim provisions
4 requiring an approved replacement use prior to the
demolition or change of use of housing units, and
declaring an emergency.

5 WHEREAS, the supply of housing, especially those rental
6 housing units available to the City's low and moderate
7 income residents, is being steadily diminished by demolition
and change of use; and

8 WHEREAS, significant numbers of housing units have been
9 lost in recent years to office and commercial development,
10 with large numbers of additional units in danger of
11 demolition; and

12 WHEREAS, it is reasonable to require that a replacement
13 use be established prior to demolition of housing to
14 preserve such housing until another use is imminent, and
15 such a requirement is an appropriate use of the City's
police powers; and

16 WHEREAS, the replacement use requirement will help to
17 avoid depletion of the City's housing stock through the
18 premature or unnecessary demolition or change of use of
19 housing units; and

20 WHEREAS, the replacement use requirement is a critical
21 element of the City's efforts to preserve its housing stock,
22 and its removal would create an immediate threat of
demolition of affordable housing; and

23 WHEREAS, the downtown low-income housing demolition
24 moratorium is scheduled to end December 30, 1989; and

25 WHEREAS, Due to emergency conditions, it is necessary
26 to suspend the notice and hearing requirements of the Land
27 Use Code, but a Council hearing will be held on a permanent
28 replacement use requirement;

1 BE IT ENACTED BY THE CITY OF SEATTLE AS FOLLOWS:

2 Section 1. That Section 23.84.016 of the Seattle
3 Municipal Code, as last amended by Ordinance 114486, is
4 amended to read as follows:

5 23.84.016 "H."

6 * * *

7 "Housing unit" means any dwelling unit, housekeeping
8 unit, guest room, dormitory, or single occupancy unit.

9 * * *

10 Section 2. That Seattle Municipal Code Chapter 23.40
11 is amended by adding a new Section 23.40.006 to read as
12 follows:

13 23.40.006 Demolition of Housing

14 No demolition permit for a structure containing a
15 housing unit shall be issued unless one of the following
16 conditions are satisfied:

17 A. A permit or approval has been issued by the
18 Director according to the procedures set forth in Chapter
19 23.76, Procedures for Master Use Permits and Council Land
20 Use Decisions, to change the use of the structure or the
21 premises; provided that no Housing Demolition permit may
22 issue if the new use is for a parking lot which is not
23 otherwise required by this Land Use Code; or

24 B. A permit or approval has been issued by the
25 Director to relocate the structure containing housing units
26 to another site within the City to be used, on the new site,
27 as housing units; or

28 C. Demolition of the structure is ordered by the
Director for reasons of health and safety under Chapter
22.206 or 22.208 of the Housing and Building Maintenance
Code or under the provisions of the Seattle Building Code.

1 D. The housing unit(s) to be demolished have been
2 continuously vacant since January 1, 1974.

3 Section 3. For the reasons cited in the preamble, the
4 City Council finds that an emergency exists that
5 necessitates immediate adoption of this ordinance. This
6 ordinance shall take effect immediately upon its approval by
7 the Mayor or passage over his veto, and shall remain in
8 effect until May 15, 1990.

9 Section 4. If any provision of this ordinance or its
10 application to any person or circumstance is declared
11 illegal the remainder of the ordinance or its application to
12 other persons or circumstances shall not be affected
13 thereby.
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1 Passed by three fourths vote of all members of the City
2 Council the 11th day of December, 1989, and signed by me
3 in open session in authentication of its passage this 11th
4 day of December 1989.

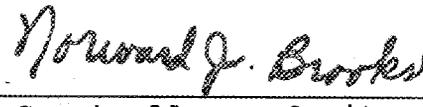
5 
6 _____
7 President of the City Council

8 Approved by me this 15th day of December, 1989.

9 
10 _____
11 Mayor

12 Filed by me this 15th day of December 1989.

13 ATTEST:

14 
15 _____
16 City Comptroller and City Clerk

17 BY: 
18 _____
19 Deputy Clerk

20 (SEAL)

21 Published _____

22 891130
23 /hpo2.doc

ORIGINAL PG.3 - PRIOR TO AMENDMENT

1 Section 3. For the reasons cited in the preamble, the
2 City Council finds that an emergency exists that
3 necessitates immediate adoption of this ordinance. This
4 ordinance shall take effect immediately upon its approval by
5 the Mayor or passage over his veto, and shall remain in
effect until May 15, 1990.

6 Section 4. If any provision of this ordinance or its
7 application to any person or circumstance is declared
8 illegal the remainder of the ordinance or its application to
9 other persons or circumstances shall not be affected
10 thereby.
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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Jane Bland

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

22076
City of Seattle

—ss.

No.

Affidavit of Publication

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

ORD/114866

was published on

12/21/69

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Bethany Merriam

Subscribed and sworn to before me on

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 114886

AN ORDINANCE relating to land use and zoning, amending Section 23.84.016 and adding a new Section 23.40.006 to the Seattle Municipal Code to add interim provisions requiring an approved replacement use prior to the demolition or change of use of housing units, and declaring an emergency.

WHEREAS, the supply of housing, especially those rental housing units available to the City's low and moderate income residents, is being steadily diminished by demolition and change of use; and

WHEREAS, significant numbers of housing units have been lost in recent years to office and commercial development, with large numbers of additional units in danger of demolition; and

WHEREAS, it is reasonable to require that a replacement use be established prior to demolition of housing to preserve such housing until another use is imminent, and such requirement is an appropriate use of the City's police powers; and

WHEREAS, the replacement use requirement will help to avoid depletion of the City's housing stock through the premature or unnecessary demolition or change of use of housing units; and

WHEREAS, the replacement use requirement is a critical element of the City's efforts to preserve its housing stock, and its removal would create an immediate threat of demolition of affordable housing; and

WHEREAS, the downtown low-income housing demolition moratorium is scheduled to end December 30, 1989; and

WHEREAS, Due to emergency conditions, it is necessary to suspend the notice and hearing requirements of the Land Use Code, but a Council hearing will be held on a permanent replacement use requirement.

BE IT ENACTED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 23.84.016 of the Seattle Municipal Code, as last amended by Ordinance 114486, is amended to read as follows:

23.84.016 "H"

* * *

"Housing unit" means any dwelling unit, housekeeping unit, guest room, dormitory, or single occupancy unit.

* * *

Section 2. That Seattle Municipal Code Chapter 23.40 is amended by adding a new Section 23.40.006 to read as follows:

23.40.006 Demolition of Housing

No demolition permit for a structure containing a housing unit shall be issued unless one of the following conditions are satisfied:

A. A permit or approval has been issued by the Director according to the procedures set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions, to change the use of the structure or the premises, provided that no Housing Demolition permit may issue if the new use is for a parking lot which is not otherwise required by this Land Use Code; or

B. A permit or approval has been issued by the Director to relocate the structure containing housing units to another site within the City to be used, on the new site, as housing units; or

C. Demolition of the structure is ordered by the Director for reasons of health and safety under Chapter 22.206 or 22.208 of the Housing and Building Maintenance Code or under the provisions of the Seattle Building Code.

D. The housing unit(s) to be demolished have been continuously vacant since January 1, 1974.

Section 3. For the reasons cited in the preamble, the City Council finds that an emergency exists that necessitates immediate adoption of this ordinance. This ordinance shall take effect immediately upon its approval by the Mayor or passage over his veto, and shall remain in effect until May 15, 1990.

Section 4. If any provision of this ordinance or its application to any person or circumstance is declared illegal the remainder of the ordinance or its application to other persons or circumstances shall not be affected thereby.

Passed by three fourths vote of all members of the City Council the 11th day of December, 1989, and signed by me in open session in authentication of its passage this 11th day of December, 1989.

SAM SMITH,
President of the City Council.
Approved by me this 15th day of December, 1989.

CHARLES ROYER,
Mayor.
Filed by me this 15th day of December, 1989.

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, December 21, 1989. (23876)