

ORDINANCE No.

115906

COUNCIL BILL No.

108654

The City of

AN ORDINANCE relating to land use and zoning, amending Sections 23.69.032, 23.78.002, 23.78.010, 23.78.012, 23.78.014, and 23.79.004 of the Seattle Municipal Code to change references from the Department of Community Development to the Department of Neighborhoods.

Honorable President:

Your Committee on

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

COMPTROLLER FILE No.

Introduced: JUL 22 1991	By: DONALDSON
Referred: JUL 22 1991	To: Land Use
Referred:	To:
Referred:	To:
Reported: OCT 2 1991	Second Reading: OCT 2 1991
Third Reading: OCT 23 1991	Signed: OCT 23 1991
Presented to Mayor: OCT 23 1991	Approved: NOV 4 1991
Returned to City Clerk: NOV 4 1991	Published:
Vetoes by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Sept 30, 1991
Wanda Moten By D
Full Council vote



Law Department

The City of Seattle--Legislative Department

012,
Code to
y

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:

at 30, 1991 Held in Full Council for Journal

Motion by Douglas

Council vote 6-0

Committee Chair

ORDINANCE 115906

1
2 AN ORDINANCE relating to land use and zoning, amending
3 Sections 23.69.032, 23.78.002, 23.78.010, 23.78.012,
4 23.78.014, and 23.79.004 of the Seattle Municipal Code to
5 change references from the Department of Community
6 Development to the Department of Neighborhoods

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

8 Section 1. That Section 23.69.032 of the Seattle
9 Municipal Code, as last amended by Ordinance 115002, is
10 further amended as follows:

11 **23.69.032 Master Plan process.**

12 * * *

13 B. Formation of a Citizens Advisory Committee.

14 1. Immediately following submittal of a notice of intent
15 to prepare a master plan, the institution shall initiate the
16 establishment of a citizens advisory committee of at least six
17 (6), but no more than twelve (12), members.

18 2. Where there is more than one (1) major institution in
19 the same general area, as determined by the Director, a single
20 advisory committee serving more than one (1) institution shall
21 be permitted.

22 3. The institution, in consultation with the Director of
23 ((Community-Development)) the Department of Neighborhoods,
24 shall develop a list of potential members to serve on the
25 advisory committee. Groups from which members may be selected
26 for appointment to the advisory committee shall include area
27 community groups, residents, property owners, and business
28 persons; consumer groups using the services of the
institution; and any other persons or organizations directly

1 affected by the actions of the institution. To the extent
2 possible, members of the advisory committee should possess
3 expertise or experience in such areas as neighborhood
4 organization and issues, land use and zoning, architecture or
5 landscape architecture, economic development, building
6 development and educational or medical services. A non-
7 management representative of the institution shall be
8 included.

9 4. Members of the advisory committee shall have no direct
10 economic relationship with the institution except as provided
11 in subsection B3.

12 5. The Director of ((Community-Development)) the
13 Department of Neighborhoods shall review the list of potential
14 members and recommend to the Council those individuals
15 appropriate to achieve a balanced, independent and
16 representative committee. After the recommendation has been
17 submitted, the Department of ((Community-Development))
18 Neighborhoods may convene the advisory committee. The Council
19 may confirm the advisory committee composition, make changes
20 in the size and/or composition of the advisory committee, or
21 remand the matter to the Director of ((BEB)) the Department of
22 Neighborhoods for further action. The Council shall establish
23 the final composition of the committee through a memorandum of
24 agreement with the institution, prepared by the Department of
25 ((Community-Development)) Neighborhoods, and adopted by
26 resolution.

27 6. For each member, an alternate(s) shall also be
28 selected for service on the advisory committee. Alternates
shall fill-in for members only when the latter are unable to

1 serve. Individual members may be replaced by the represented
2 group subject to the approval of the Director of ((DEB)) the
3 Department of Neighborhoods without Council confirmation.

4
5 7. Four (4) nonvoting ex-officio members of the advisory
6 committee shall represent the major institution, the
7 Department of Construction and Land Use, the Department of
8 ((Community-Development)) Neighborhoods and the Seattle
9 Engineering Department.

10 8. The Committee shall be staffed by the Department of
11 ((Community-Development)) Neighborhoods with the cooperation
12 and assistance of the major institution. Technical assistance
13 to the committee shall be provided by the Department of
14 Construction and Land Use, the Engineering Department and the
15 Department of ((Community-Development)) Neighborhoods.

16 9. During the master plan review and adoption process, the
17 Council may, in the interest of ensuring representative
18 community participation on the advisory committee, amend the
19 size and/or composition of the advisory committee.

20 10. The City-University Community Advisory Committee
21 (CUCAC) shall serve as the advisory committee for the
22 University of Washington.

23
24 11. The Director of the ((DEB)) Department of Neighborhoods
25 shall promulgate rules applicable to advisory committees,
26 including terms of office, selection of chairpersons, and
27 methods of conflict resolution.

28 * * *

1 Section 2. That Section 23.78.002 of the Seattle
2 Municipal Code, as last amended by Ordinance 110381, is
3 further amended to read as follows:

4 **23.78.002 Application for establishment of criteria.**

5
6 A. The Seattle School District or other owner of a public
7 school structure may apply for the establishment of criteria
8 for nonschool use of an existing or former public school
9 structure. Applications shall be made to the Director of
10 ~~((DEB))~~ the Department of Neighborhoods.

11
12 B. On receipt of an application, the Director of ~~((DEB))~~
13 the Department of Neighborhoods shall convene a School Use
14 Advisory Committee (SUAC) to secure the comments of the public
15 and make recommendations for school use criteria for the
16 school. The committee shall operate pursuant to rules
17 promulgated by the Director of ~~((DEB))~~ the Department of
Neighborhoods. The committee shall consist of the following:

18 1. A representative of the City selected by the Director
19 of ~~((DEB))~~ the Department of Neighborhoods, to act as
20 chairperson;

21 2. A representative of the Seattle School District, or
22 if the structure is no longer owned by the Seattle School
23 District, a representative of the structure owner;

24 3. Two (2) persons residing or owning property within
25 three hundred feet (300') of the school site, selected by the
26 Director of ~~((DEB))~~ the Department of Neighborhoods in
27 cooperation with the community organization(s) representing
28 the area;

 4. A representative of the PTSA or parents' group,
selected by the appropriate organization if "joint use" (both

1 public school classrooms and nonschool uses) is contemplated
2 by the application; or a representative of the neighborhood,
3 selected by the Director of ((BEB)) the Department of
4 Neighborhoods, in cooperation with the community
5 organization(s) representing the area, if joint use is not
6 contemplated in the application;

7 5. A representative of the neighborhood, selected by the
8 Director of ((BEB)) the Department of Neighborhoods;

9 6. A representative at large selected by the Joint
10 Advisory Commission on Education (JACE); and

11 7. A representative of the Department shall be invited
12 to sit as a nonvoting member.

13 Section 3. That Section 23.78.010 of the Seattle
14 Municipal Code, as last amended by Ordinance 110793, is
15 further amended to read as follows:

16 **23.78.010 SUAC responsibilities.**

17 The SUAC shall:

18 * * *

19
20 D. Recommend criteria to the Director of ((BEB)) the
21 Department of Neighborhoods no later than ninety (90) days
22 after its first meeting unless a ten (10) day extension is
23 requested, in writing, by a majority of the SUAC and granted
24 by the Director of ((BEB)) the Department of Neighborhoods.

25 Section 4. That Section 23.78.012 of the Seattle
26 Municipal Code, as last amended by Ordinance 110381, is
27 further amended to read as follows:
28

1 23.78.012 Duties of Director of ((BEB)) the Department of
2 Neighborhoods (DON).

3
4 A. The Director of ((BEB)) DON shall establish final use
5 criteria and permitted uses for the school structures and
6 grounds based on the SUAC's recommendations within ten(10)
7 days of the receipt of the recommendations. If the Director of
8 ((BEB)) DON modifies the recommendations of the SUAC, the
9 reasons for the modification shall be put forth in writing.

10 B. Notification of the Director of ((BEB's)) DON's decision
11 shall be published in the City official newspaper within seven
12 (7) days of the date the decision is made. Notice, including
13 the date of its publication, shall also be posted in a
14 conspicuous place in ((BEB)) the Department of Neighborhoods
15 and shall be included in the general mailed release. Notice
16 of the decision shall also be mailed on the date of the
17 decision to the applicant, and to persons who have requested
18 specific notice in a timely manner.

19 The notice of the decision shall state the address of the
20 school and briefly state the decision made by the Director of
21 ((BEB)) DON. The notice shall also state that the school use
22 criteria are subject to appeal and shall describe the
23 appropriate appeal procedure.

24
25 Section 5. That Section 23.78.014 of the Seattle
26 Municipal Code, as last amended by Ordinance 110381, is
27 further amended to read as follows:
28

1
2 **23.79.004 Application for development standard departure.**

3
4 On receipt of an application for development standard
5 departure or upon initiation of the process by the Director,
6 the Director shall forward an application to the Director of
7 ((BEB)) DON who shall convene a Development Standard Advisory
8 Committee, hereinafter called the advisory committee, to
9 secure the comments of the public and make recommendations for
10 modifications of development standards. The advisory
11 committee shall operate pursuant to rules promulgated by the
12 Director of ((BEB)) DON. To the extent that members of the
13 following groups are available, the advisory committee shall
14 consist of:

15 A. A representative of the City selected by the Director of
16 ((BEB)) DON to act as nonvoting chairperson;

17 * * *

18
19 C. A person residing within three hundred feet (300') of
20 the school site and a person owning property or a business
21 within three hundred feet (300') of the school site, selected
22 by the Director of ((BEB)) DON in cooperation with the
23 community organization(s) representing the area;

24 D. Two (2) representatives of the neighborhood, selected
25 by the Director of ((BEB)) DON in cooperation with the
26 community organization(s) representing the area;

27 * * *

1 G. Two (2) representatives of the parents of the school to
2 be replaced, expanded or remodeled, selected by the Director
3 of ((BEB)) DON in cooperation with the school's PTSA or other
4 school parent organization; and

5 * * *

6
7 Section 7. This ordinance shall take effect and be in
8 force thirty days from and after its passage and approval by
9 the Mayor; otherwise it shall take effect at the time it shall
10 become law under the provisions of the City Charter.
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1 PASSED by the City Council the 28th day of
2 October , 1991, and signed by me in open session in
3 authentication of its passage this 28th day of October
4 , 1991.

Tom Thib

Pro Tem President of the City Council

7 Approved by me this 4th day of November , 1991.

Norman B. Fier

Mayor

11 Filed by me this 4th day of November , 1991.

13 ATTEST: Norman J. Brooks

14 City Comptroller and City Clerk

15 BY: Margaret Carter

17 Deputy

19 (SEAL)
Published _____

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Seattle
Department of Construction and Land Use

Dennis J. McLerran, Director
Norman S. Rice, Mayor



RECEIVED OMB

JUN 21 1991

M E M O R A N D U M

TO: Paul Kraabel, President, Seattle City Council
via Andrew J. Lofton, Director, Office of
Management and Budget

FROM: Dennis J. McLerran, Director *DJ-M*

DATE: June 21, 1991

SUBJECT: Amendments to the Land Use Code Shifting Certain
Current Responsibilities from DCD to DON

The attached Land Use Code amendment follows the direction given in Ordinance 115345, adopted in October 1990, in shifting certain existing responsibilities from the Department of Community Development to the newly created Department of Neighborhoods. These responsibilities have been performed by the Neighborhood Assistance division in the Department of Community Development and, following this ordinance, will be undertaken by the same staff now situated in the Department of Neighborhoods. With the shift in location of staff, the following existing duties will be the responsibility of DON: working with advisory committees for major institutions writing a master plan, for re-use of former schools, and for departures from school development standards.

Since this ordinance is administrative and merely formalizes previous City Council decisions, no environmental or public review is needed. No new staff are needed, and there is no effect on the City's budget.

If you have any questions about the proposed ordinance, please call Diane Althaus at 233-3894.

City of Seattle

Executive Department-Office of Management and Budget

Andrew J. Lofton, Director
Norman B. Rice, Mayor



June 25, 1991

The Honorable Mark Sidran
City Attorney
City of Seattle

Mark Sidran / *NR* / *7/2/91*

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT Construction and Land Use (DCLU)

SUBJECT: An ordinance relating to land use and zoning, amending Sections 23.69.032, 23.78.002, 23.78.010, 23.78.012, 23.78.014, and 23.79.004 of the Seattle Municipal Code to charge references from the Department of Community Development to the Department of Neighborhoods.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Desiree Leigh, 4-8080.

Sincerely,

Norman B. Rice
Mayor

by

Andrew Lofton
ANDREW J. LOFTON
Budget Director

AL/dl/lwc

Enclosure

cc: Director, DCLU

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:

[Handwritten Signature]

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

10816
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:115906

was published on

11/08/91

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

H. Kells

Subscribed and sworn to before me on

11/08/91

James E. Richardson

Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 115386

AN ORDINANCE relating to land use and zoning, amending Sections 23.69.032, 23.78.002, 23.78.010, 23.78.012, 23.78.014, and 23.79.004 of the Seattle Municipal Code to change references from the Department of Community Development to the Department of Neighborhoods

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Section 23.69.032 of the Seattle Municipal Code, as last amended by Ordinance 115002, is further amended as follows:

23.69.032 Master Plan process.

* * *

B. Formation of a Citizens Advisory Committee.

1. Immediately following submittal of a notice of intent to prepare a master plan, the institution shall initiate the establishment of a citizens advisory committee of at least six (6), but no more than twelve (12), members.

2. Where there is more than one (1) major institution in the same general area, as determined by the Director, a single advisory committee serving more than one (1) institution shall be permitted.

3. The institution, in consultation with the Director of ((Community-Development)) the Department of Neighborhoods, shall develop a list of potential members to serve on the advisory committee. Groups from which members may be selected for appointment to the advisory committee shall include area community groups, residents, property owners, and business persons; consumer groups using the services of the institution; and any other persons or organizations directly affected by the actions of the institution. To the extent possible, members of the advisory committee should possess expertise or experience in such areas as neighborhood organization and issues, land use and zoning, architecture or landscape architecture, economic development, building development and educational or medical services. A non-management representative of the institution shall be included.

4. Members of the advisory committee shall have no direct economic relationship with the institution except as provided in subsection B3.

5. The Director of ((Community-Development)) the Department of Neighborhoods shall review the list of potential members and recommend to the Council those individuals appropriate to achieve a balanced, independent and representative committee. After the recommendation has been submitted, the Department of ((Community-Development)) Neighborhoods may convene the advisory committee. The Council may confirm the advisory committee composition, make changes

B. On receipt of an application, the Director of ((SDB)) the Department of Neighborhoods shall convene a School Use Advisory Committee (SUAC) to secure the comments of the public and make recommendations for school use criteria for the school. The committee shall operate pursuant to rules promulgated by the Director of ((SDB)) the Department of Neighborhoods. The committee shall consist of the following:

1. A representative of the City selected by the Director of ((SDB)) the Department of Neighborhoods, to act as chairperson;

2. A representative of the Seattle School District, or if the structure is no longer owned by the Seattle School District, a representative of the structure owner;

3. Two (2) persons residing or owning property within three hundred feet (300') of the school site, selected by the Director of ((SDB)) the Department of Neighborhoods in cooperation with the community organization(s) representing the area;

4. A representative of the PTSA or parents' group, selected by the appropriate organization if "joint use" (both public school classrooms and nonschool uses) is contemplated by the application; or a representative of the neighborhood, selected by the Director of ((SDB)) the Department of Neighborhoods, in cooperation with the community organization(s) representing the area, if joint use is not contemplated in the application;

5. A representative of the neighborhood, selected by the Director of ((SDB)) the Department of Neighborhoods;

6. A representative at large selected by the Joint Advisory Commission on Education (JACE); and

7. A representative of the Department shall be invited to sit as a nonvoting member.

Section 3. That Section 23.78.010 of the Seattle Municipal Code, as last amended by Ordinance 110793, is further amended to read as follows:

23.78.010 SUAC responsibilities.

The SUAC shall:

* * *

D. Recommend criteria to the Director of ((SDB)) the Department of Neighborhoods no later than ninety (90) days after its first meeting unless a ten (10) day extension is requested, in writing, by a majority of the SUAC and granted by the Director of ((SDB)) the Department of Neighborhoods.

Section 4. That Section 23.78.012 of the Seattle Municipal Code, as last amended by Ordinance 110381, is further amended to read as follows:

23.78.012 Duties of Director of ((SDB)) the Department of Neighborhoods (DOW).