

ORDINANCE No.

118408

NOV 18 1996

COUNCIL BILL No.

111440

The City of Seattle--Legislative

AN ORDINANCE relating to the Seattle Shoreline Master Program; implementing the provisions of RCW 36.70A.480, which require that the goals and policies of the Seattle Shoreline Master Program be considered an element of the Seattle Comprehensive Plan, and that the associated regulations be considered a part of the Seattle Shoreline Master Program development regulations; implementing a provision of RCW 90.58.030, which requires a change in the substantial development permit exemption for construction of a private, noncommercial dock; and implementing a provision of Chapter 62, Laws of 1996, which requires a change, etc.

INDEXED

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend

BECU Do pass

9/30/96 Refer to Committee of the Whole
Action

Full Council vote 8-0

COMPTROLLER FILE No.

Introduced: 9-23-96	By: Drago
Referred: SEP 23 1996	To: Business, Economic & Community Development Committee
Referred:	To:
Referred:	To:
Reported: NOV 18 1996	Second Reading: NOV 18 1996
Third Reading: NOV 18 1996	Signed: NOV 18 1996
Presented to Mayor: NOV 19 1996	Approved: NOV 26 1996
Returned to City Clerk: NOV 26 1996	Published: Full 11/24/96
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Committee Chair

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

The within Council Bill No. _____
considered the same and respectfully recommend

BECD Do pass 8-0

Refer to Committee of the Whole

Full Council vote 8-0

Committee Chair

oversize

The City of Seattle--Legislative Department

INDEXED

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____

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

BECD Do pass 2-0

*9/30/96 refer to Committee of the Whole see 9/30/96 Agenda recommendation
action.*

Full Council vote 8-0

Committee Chair

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AN ORDINANCE relating to the Seattle Shoreline Master Program; implementing the provisions of RCW 36.70A.480, which require that the goals and policies of the Seattle Shoreline Master Program be considered an element of the Seattle Comprehensive Plan, and that the associated regulations be considered a part of the Seattle Shoreline Master Program development regulations; implementing a provision of RCW 90.58.030, which requires a change in the substantial development permit exemption for construction of a private, noncommercial dock; and implementing a provision of Chapter 62, Laws of 1996, which requires a change related to shoreline permit expiration; repealing Section 23.12.130, Shoreline Policies; and amending Chapter 23.34, Amendments to Official Land Use Map (Rezones), Chapter 23.60, Shoreline District, and Chapter 25.05, Environmental Policies and Procedures, of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.12.130 of the Seattle Municipal Code, Shoreline Policies, which Section was adopted by Ordinance 117929, is repealed.

Section 2. Subsection D is amended and a new Subsection F is added to Seattle Municipal Code Section 23.34.007, which Section was adopted by Ordinance 117430, to read as follows:

23.34.007 Rezone evaluation.

D. Compliance with the provisions of this chapter shall constitute consistency with the comprehensive Plan for the Purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Area Objectives shall be used in shoreline environment redesignations as provided in SMC 23.60.060B3.

E. The procedures and locational criteria for shoreline environment redesignations are located in Sections 23.60.060 and 23.60.220, respectively.

Section 3. Subsections F and G of Seattle Municipal Code Section 23.34.008, which Section was last amended by Ordinance 117929, are amended as follows:

23.34.008 General rezone criteria.

F. Impact Evaluation. The evaluation of a proposed rezone shall consider the possible negative and positive impacts on the area proposed for rezone and its surroundings.
1. Factors to be examined include, but are not limited to, the following:

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- a. Housing, particularly low-income housing;
 - b. Public services;
 - c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;
 - d. Pedestrian safety;
 - e. Manufacturing activity;
 - f. Employment activity;
 - g. Character of areas recognized for architectural or historic value;
 - h. Shoreline view, public access and recreation.
2. Service Capacities. Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:
- a. Street Access to the area;
 - b. Street capacity in the area;
 - c. Transit service;
 - d. Parking capacity;
 - e. Utility and sewer capacity;
 - f. Shoreline navigation.
- G. Changed Circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstance shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this chapter.

Section 4. Subsection B of Section 23.60.002 of the Seattle Municipal Code, which Section was last amended by Ordinance 113764, is amended as follows:

23.60.002 Title and purpose.

- B. Purpose. It is the purpose of this chapter to implement the policy and provisions of the Shoreline Management Act of 1971(1:) and the Shoreline Goals and Policies of (~~Resolution 25173 and the Shoreline Implementation Guidelines of Resolution 27618~~) the Seattle Comprehensive Plan by regulating development of the shorelines of the City in order to:
- 1. Protect the ecosystems of the shoreline areas;
 - 2. Encourage water-dependent uses;
 - 3. Provide for maximum public use and enjoyment of the shorelines of the City; and
 - 4. Preserve, enhance and increase views of the water and access to the water.

Section 5. Section 23.60.004 of the Seattle Municipal Code, which Section was adopted by Ordinance 113466, is amended as follows:

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23.60.004 Shoreline goals and policies.

~~((A. The Shoreline Implementation Guidelines, together with the Shoreline Goals and Policies, constitute the shoreline element of the Land Use Policies and shall be referred to as the "Shoreline Policies.")~~

~~((B.))~~ The Shoreline Goals and Policies are part of the Land Use Element of Seattle's Comprehensive Plan. The Shoreline Goals and Policies and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 shall be considered in making all discretionary decisions in the Shoreline District and in making discretionary decisions on lands adjacent to the shoreline where the intent of the Land Use Code is a criterion and the proposal may have an adverse impact on the Shoreline District. They shall also be considered by the Director in the promulgation of rules and interpretation decisions. The Shoreline Goals and Policies do not constitute regulations and shall not be the basis for enforcement actions.

Section 6. Section 23.60.012 of the Seattle Municipal Code, which Section was adopted by Ordinance 113466, is amended as follows:

23.60.012 Literal construction

This chapter shall be exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes of Chapter 90.58 RCW, the State Shoreline Management Act of 1971. This chapter shall not be used when construing other chapters of this title (~~or Title 24~~) except for shoreline development or as stated in Section 23.60.014 and 23.60.022.

Section 7. Subsection B of Section 23.60.060 of the Seattle Municipal Code, which Section was adopted by Ordinance 113466, is amended as follows:

23.60.060 Procedures for shoreline environment redesignations.

* * *

B. A request for a shoreline environment redesignation is considered a rezone, a Council land use decision subject to the provisions of Chapter 23.76, and shall be evaluated against the following criteria (~~in Implementation Guideline A5: Shoreline Environment Redesignations~~):

1. The Shoreline Management Act. The proposed redesignation shall be consistent with the intent and purpose of the Shoreline Management Act (RCW 90.58) and with Department of Ecology Guidelines (WAC 173-16).
2. Shorelines of Statewide Significance. If the area is within a shoreline of statewide significance the redesignation shall be consistent with the preferences for shorelines of statewide significance as given in RCW 90.58.020.
3. Comprehensive Plan Shoreline Area Objectives. In order to ensure that the intent of the Seattle Shoreline Master Program is met the proposed redesignation shall be consistent with the Comprehensive Plan Shoreline Area Objectives in which the proposed redesignation is located.

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4. Harbor Areas. If the area proposed for a shoreline designation change is within or adjacent to a harbor area, the impact of the redesignation on the purpose and intent of harbor areas as given in Article XV and XVII of the State Constitution shall be considered.

5. Consistency with Underlying Zoning. The proposed redesignation shall be consistent with the appropriate land use policies for the area unless overriding shoreline considerations exist.

6. Rezone Evaluation. The proposed redesignation shall comply with the Rezone evaluation provisions in Section 23.34.007.

7. General Rezone Criteria. The proposed redesignation shall meet the general rezone standards in Section 23.34.008, Subsections A through J.

* * *

Section 8. Section 23.60.074 of the Seattle Municipal Code, which Section was adopted by Ordinance 113466, is amended as follows:

23.60.074. Effective date of substantial development permits and time limits for permit validity.

A. The effective date of a substantial development permit shall be the date of the last action required on the substantial development permit and all other government permits and approvals for the development that authorize the development to proceed, including all administrative and legal actions on any permits or approvals.

B. The following time requirements shall apply to all substantial development permits:

1. ~~((A-))~~ Construction or substantial progress toward construction, as defined in WAC 173-14-060 as now constituted or hereafter amended, of a project for which a permit has been granted pursuant to this chapter must be undertaken within two (2) years ~~((after final approval))~~ of the effective date of the permit or the permit shall terminate; provided, that upon written request from the applicant filed before the expiration date, the Director may extend the two (2) year period ~~((for a reasonable time based on factors such as the inability to expeditiously obtain other governmental permits))~~ for up to one (1) year if the failure to undertake the project was based on reasonable factors, or as provided in WAC 173-14-060.

2. ~~((B-))~~ If a project for which a permit has been granted pursuant to the chapter has not been completed within five (5) years after ~~((approval))~~ the effective date of the permit, or within a shorter time period required by the permit, the Director shall review the permit, and upon a showing of good cause, do either of the following, as provided in WAC 173-14-060:

- a. ~~((1-))~~ Extend the permit for one (1) year; or
- b. ~~((2-))~~ Terminate the permit.

3. ~~((C-))~~ The Plan Shoreline Permit shall be valid for a period of five (5) years or as otherwise permitted by WAC 173-14-060. Project-specific shoreline permits must be applied for within that period to be considered pursuant to the determination made under the Plan Shoreline Permit. Development under project-specific permits shall conform to the time limits outlined in subsections A and B.

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Section 9. Section 23.60.220 of the Seattle Municipal Code, which Section was adopted by Ordinance 113466, is amended as follows:

23.60.220. Environments established.

A. The following shoreline environments and the boundaries of these environments are established on the Official Land Use Map as authorized in Chapter 23.32.

B. For the purpose of this chapter, the Shoreline District is divided into eleven (11) environments designated below.

ENVIRONMENT	DESIGNATION
Conservancy Navigation	CN
Conservancy Preservation	CP
Conservancy Recreation	CR
Conservancy Management	CM
Conservancy Waterway	CW
Urban Residential	UR
Urban Stable	US
Urban Harborfront	UH
Urban Maritime	UM
Urban General	UG
Urban Industrial	UI

C. The purpose and locational criteria for each shoreline environment designation are described below.

1. **Conservancy Navigation (CN) Environment.**
 - a. **Purpose.** The purpose of the CN Environment is to preserve open water for navigation.
 - b. **Locational Criteria.** Submerged lands used as a fairway for vessel navigation.
 - c. ((B-)) Submerged lands seaward of the Outer Harbor Line, Construction Limit Line or other navigational boundary which are not specifically designated or shown on the Official Land Use Map shall be designated Conservancy Navigation.
2. **Conservancy Preservation (CP) Environment.**
 - a. **Purpose.** The purpose of the CP Environment is to preserve, protect, restore, or enhance certain areas which are particularly biologically or geologically fragile and to encourage the enjoyment of those areas by the public. Protection of such areas is in the public interest.
 - b. **Locational Criteria:** Dry or submerged lands owned by a public agency and possessing particularly fragile biological, geological or other natural resources which warrant preservation or restoration.
3. **Conservancy Recreation (CR) Environment.**
 - a. **Purpose.** The purpose of the CR shoreline environment is to protect areas for environmentally related purposes, such as public and private parks, aquaculture areas, residential piers, underwater recreational sites, fishing grounds, and migratory fish routes. While the natural environment is not maintained in a pure state, the activities to be carried on provide minimal adverse impact. The intent of the CR environment is to use the natural ecological system for production of food, for recreation, and to provide access by the public for recreational use of the shoreline. Maximum effort to preserve.

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1 enhance or restore the existing natural ecological, biological, or hydrological conditions shall be
2 made in designing, developing, operating and maintaining recreational facilities.

3 b. Locational Criteria.

4 (1) Dry or submerged lands generally owned by a public agency
5 and developed as a park, where the shoreline possesses biological, geological or other natural
6 resources that can be maintained by limiting development.

7 (2) Residentially zoned submerged lands in private or public
8 ownership located adjacent to dry lands designated Urban Residential where the shoreline
9 possesses biological, geological or other natural resources that can be maintained by limiting
10 development.

11 4. Conservancy Management (CM) Environment.

12 a. The purpose of the CM shoreline environment is to conserve and
13 manage areas for public purposes, recreational activities and fish migration routes. While the
14 natural environment need not be maintained in a pure state, developments shall be designed to
15 minimize adverse impacts to natural beaches, migratory fish routes and the surrounding
16 community.

17 b. Locational Criteria.

18 (1) Dry or submerged land in sensitive areas generally
19 owned by a public agency, developed with a major public facility, including navigation locks,
20 sewage treatment plants, ferry terminals and public and private parks containing active
21 recreation areas.

22 (2) Waterfront lots containing natural beaches or a natural
23 resource such as fish migration routes or fish feeding areas which require management but
24 which are compatible with recreational development.

25 5. Conservancy Waterway (CW) Environment

26 a. Purpose. The purpose of the CW Environment is to preserve the
27 waterways for navigation and commerce, including public access to and from water areas.
28 Since the waterways are public ways for water transport, they are designated CW to provide
29 navigational access to adjacent properties, access to and from land for the loading and
30 unloading of watercraft and temporary moorage.

31 b. Locational Criteria. Waterways on Lake Union and Portage

32 Bay.

33 6. Urban Residential (UR) Environment

34 a. Purpose. The purpose of the UR environment is to protect
35 residential areas in a manner consistent with the Single Family and Multifamily Residential Area
36 Policies.

37 b. Locational Criteria.

38 (1) Areas where the underlying zoning is Single Family or
39 Multifamily residential.

40 (2) Areas where the predominant development is Single
41 Family or Multifamily residential.

42 (3) Areas where steep slopes, shallow water, poor wave
43 protection, poor vehicular access or limited water access make water-dependent uses
44 impractical.

45 (4) Areas with sufficient dry land lot area to allow for
46 residential development totally on dry land.

47 7. Urban Stable (US) Environment.

48 a. Purpose.

49 (1) Provide opportunities for substantial numbers of people
50 to enjoy the shorelines by encouraging water-dependent recreational uses and by permitting
51 nonwater dependent commercial uses if they provide substantial public access and other public
52 benefits.

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- (2) Preserve and enhance views of the water from adjacent streets and upland residential areas.
- (3) Support water-dependent uses by providing services such as marine-related retail and moorage.
- b. Locational Criteria.
 - (1) Areas where the underlying zoning is Commercial or Industrial.
 - (2) Areas with small amounts of dry land between the shoreline and the first parallel street, with steep slopes, limited truck and rail access or other features making the area unsuitable for water-dependent or water-related industrial uses.
 - (3) Areas with large amounts of submerged land in relation to dry land and sufficient wave protection for water-dependent recreation.
 - (4) Areas where the predominant land use is water-dependent recreational or nonwater-dependent commercial.
- 8. Urban Harborfront (UH) Environment
 - a. Purpose. The purpose of the UH Environment is to encourage economically viable water-dependent uses to meet the needs of waterborne commerce, facilitate the revitalization of Downtown's waterfront, provide opportunities for public access and recreational enjoyment of the shoreline, preserve and enhance elements of historic and cultural significance and preserve views of Elliott Bay and the land forms beyond.
 - b. Locational Criteria.
 - (1) Areas where the underlying zoning is a Downtown zone.
 - (2) Areas in or adjacent to a State Harbor Area.
 - (3) Areas where the water area is developed with finger piers and transit sheds.
- 9. Urban Maritime (UM) Environment.
 - a. Purpose. The purpose of the UM environment is to preserve areas for water-dependent and water-related uses while still providing some views of the water from adjacent streets and upland residential areas. Public access shall be second in priority to water-dependent uses unless provided on street ends, parks or other public lands.
 - b. Locational Criteria.
 - (1) Areas where the underlying zoning is industrial or Commercial 2.
 - (2) Areas with sufficient dry land for industrial uses but generally in smaller parcels than in UJ environments.
 - (3) Areas developed predominantly with water-dependent manufacturing or commercial uses or a combination of manufacturing-commercial and recreational water-dependent uses.
 - (4) Areas with concentrations of state waterways for use by commerce and navigation.
 - (5) Areas near, but not necessarily adjacent to residential or neighborhood commercial zones which require preservation of views and protection from the impacts of heavy industrialization.
- 10. Urban General (UG) Environment.
 - a. Purpose. The purpose of the UG environment is to provide for economic use of commercial and manufacturing areas which are not suited for full use by water-dependent businesses. Public access or viewing areas shall be provided by nonwater-dependent uses where feasible.
 - b. Locational Criteria.
 - (1) Areas with little or no water access, which makes the development of water-dependent uses impractical.

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- (2) Areas where the underlying zoning is Commercial 2 or Industrial.
 - (3) Areas developed with nonwater-dependent manufacturing, warehouses, or offices.
11. Urban Industrial (UI) Environment.
- a. Purpose. The purpose of the Urban Industrial environment is to provide for efficient use of industrial shorelines by major cargo facilities and other water-dependent and water-related industrial uses. Views shall be secondary to industrial development and public access shall be provided mainly on public lands or in conformance with an area-wide Public Access Plan.
 - b. Locational Criteria.
 - (1) Areas where the underlying zoning is Industrial.
 - (2) Areas with large amounts of level dry land in large parcels suitable for industrial use.
 - (3) Areas with good rail and truck access.
 - (4) Areas adjacent to or part of major industrial centers which provide support services for water-dependent and other industry.
 - (5) Areas where predominant uses are manufacturing warehousing, major port cargo facilities or other similar uses.

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D. Submerged lands. The environmental designation given to waterfront dry land shall be extended to the Outer Harbor Line, Construction Limit Line, or other navigational boundary on Lake Union, on Portage Bay, in industrially zoned areas, and in the Urban Harborfront area. On Puget Sound, Lake Washington and Green Lake submerged lands shall be designated to preserve them for public or recreational purposes.

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Section 10. Subsection C of Seattle Municipal Code 23.60.724, which Section was last amended by Ordinance 117230, is amended as follows:

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

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- 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 C are provided;
 - 4. Residential uses are limited to locations on dry land above the ground floor of a structure; and
 - 5. Not located within one hundred feet (100') of an abutting lot designated (~~Urban Maritime or~~) Urban Industrial.

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Section 11. The Subsection entitled "Substantial Development" of Section 23.60. 936 of the Seattle Municipal Code, which Section was last amended by Ordinance 117789, is further amended as follows:

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23.60.932 "S"

"Substantial Development" means any development of which the total cost or fair market value exceeds Two Thousand Five Hundred Dollars (\$2,500.00) or any development which materially interferes with the normal public use of the water or shorelines of the City, except that the following shall not be considered substantial developments for the purposes of this subtitle:

G. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of (a) single (family) and multifamily residences. This exception applies if either:

1. In salt waters, the (least) fair market value of ((which)) the dock does not exceed Two Thousand Five Hundred Dollars (\$2,500.00); or
2. In fresh waters, the fair market value of the dock does not exceed Ten Thousand Dollars (\$10,000.00), but if subsequent construction having a fair market value exceeding Two Thousand Five Hundred dollars (\$2,500.00) occurs within five (5) years of completion of the prior construction, the subsequent construction shall be considered a substantial development for the purpose of this Chapter.

Section 12. Subsections G and J of Section 25.05.675 of the Seattle Municipal Code, which Sections were last amended by Ordinance 117929, are further amended as follows:

Section 25.05.675 Specific environmental policies.

G. Height, Bulk and Scale.

1. Policy Background.

a. The City's adopted Land Use Policies are intended to provide for smooth transition between industrial, commercial, and residential areas, to preserve the character of individual city neighborhoods and to reinforce natural topography. The Land Use Policies are set forth in SMC Chapter 23.12, the Shoreline Goals and Policies are set forth in the Land Use Element of the Seattle Comprehensive Plan, and the procedures and locational criteria for shoreline environment redesignations are set forth in SMC Chapters 23.60.060 and 23.60.220, respectively.

b. The Land Use Code (Title 23) which implements these policies controls height, bulk and scale but cannot anticipate or address all substantial adverse impacts resulting from incongruous height, bulk and scale. For example, unanticipated adverse impacts may occur when a project is located on a site with unusual topographic features or on a site which is substantially larger than the prevalent platting pattern in an area.

c. Whenever new land use policies are adopted, adverse impacts may result when height, bulk and scale permitted by previously adopted zoning conflicts with the new land use policies.

2. Policies.

a. It is the City's policy that the height, bulk and scale of development projects should be reasonably compatible with the general character of

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development anticipated by the adopted Land Use Policies set forth in SMC Chapter 23.12, the Shoreline Goals and Policies set forth in the Land Use Element of the Seattle Comprehensive Plan, and the procedures and locational criteria for shoreline environment redesignations set forth in SMC Chapters 23.60.060 and 23.60.220, respectively, for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.

b. Subject to the Overview Policy set forth in SMC Section 25.05.665, the decision-maker may condition or deny a project to mitigate the adverse impacts of substantially incompatible height, bulk and scale. Mitigating measures may include but are not limited to:

- i. Limiting the height of the development;
- ii. Modifying the bulk of the development;
- iii. Modifying the development's facade including but not limited to color and finish material;
- iv. Reducing the number or size of accessory structures or relocating accessory structures including but not limited to towers, railings, and antennae;
- v. Repositioning the development on the site; and
- vi. Modifying or requiring setbacks, screening, landscaping or other techniques to offset the appearance of incompatible height, bulk and scale.

c. The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the design review process shall be presumed to comply with these height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decisionmaker pursuant to these height, bulk and scale policies on projects that have undergone design review shall comply with design guidelines applicable to the project.

J. Land Use.

1. Policy Background.

a. The City has adopted land use policies and code which are designed, in part, to minimize or prevent impacts resulting from incompatible land use. The land use policies are set forth in SMC Chapter 23.12, the Shoreline Goals and Policies set forth in the Land Use Element of the Seattle Comprehensive Plan, and the procedures and locational criteria for shoreline environment redesignations are set forth in SMC Chapters 23.60.060 and 23.60.220, respectively.

b. The adopted Land Use Code (Title 23) cannot identify or anticipate all possible uses and all potential land use impacts.

c. When land use policy changes are adopted, adverse land use impacts may result when a proposed project includes uses which may be consistent with the applicable zoning requirements but are in conflict with the new land use policies.

d. Adverse cumulative land use impacts may result when a particular use or uses permitted under the zoning code occur in an area to such an extent that they foreclose opportunities for higher-priority, preferred uses called for in the City's land use policies.

e. Density-related impacts of development are addressed under the policies set forth in subsections G (height, bulk and scale), M (parking), R (traffic), and O (public services and facilities) and are not addressed under this policy.

2. Policies.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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a. It is the City's policy to ensure that proposed uses in development projects are reasonable compatible with surrounding uses are consistent with any applicable, adopted City land use policies for the area in which the project is located.
b. Subject to the Overview Policy set forth in SMC 25.05.665, the decisionmaker may condition or deny any project to mitigate adverse land use impacts associated with a proposed project and achieve consistency with the applicable City land use policies set forth in SMC Chapter 23.12, the Shoreline Goals and Policies set forth in the Land Use Element of the Seattle Comprehensive Plan, the procedures and locational criteria for shoreline environment redesignations set forth in SMC Chapters 23.60.060 and 23.60.220, respectively, and with the environmentally critical areas policies.

Section 13. 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 14. This ordinance shall take effect and be in force on whichever is the later of: the effective date of approval and adoption by the Department of Ecology; or thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 18 day of November, 1996, and signed by me in open session in authentication of its passage this 18 day of November, 1996.

Landis
President of the City Council

Approved by me this 26 day of November, 1996.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 26 day of November, 1996.

Judith E. Papp
City Clerk

(SEAL)

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STATE OF WASHINGTON - KING COUNTY

74971
City of Seattle, City Clerk

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No. ORDINANCE IN

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

CT:ORD 118408

was published on

12/13/96

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

A. Randall
Subscribed and sworn to before me on

12/13/96

M. Colvany
Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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