

ORDINANCE No. 118566

INDEXED

Law

COUNCIL BILL No. 111696

The City

AN ORDINANCE relating to land use and zoning; amending Section 23.22.106 of the Seattle Municipal Code to clarify that preliminary plats are subject to Hearing Examiner and not Council approval.

OK

Honorable President:

Your Committee on _____

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

COMPTROLLER FILE No. _____

| | |
|---------------------------------------|---|
| Introduced: APR 14 1997 | By: DRAGO |
| Referred: APR 14 1997 | To: Business, Economic & Community Development Committee |
| Referred: | To: |
| Referred: | To: |
| Reported: APR 21 1997 | Second Reading: APR 21 1997 |
| Third Reading: APR 21 1997 | Signed: APR 21 1997 |
| Presented to Mayor: APR 22 1997 | Approved: MAY - 1 1997 |
| Returned to City Clerk: MAY 1 1997 | Published: <i>Full</i> |
| Vetoed by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

Full

NO DISK

Law Department

The City of Seattle--Legislative Department

Seattle Municipal
Council approval

OK

REPORT OF COMMITTEE

Date Reported
and Adopted

able President:

ommittee on

ch was referred the within Council Bill No.

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

As per 20

Full Council vote 7-0

10 disks

Committee Chair

ORDINANCE 118566

AN ORDINANCE relating to land use and zoning; amending Section 23.22.106 of the Seattle Municipal Code to clarify that preliminary plats are subject to Hearing Examiner and not Council approval.

WHEREAS, in Ordinance 118012 preliminary plat approval was changed from a Type IV decision requiring Council approval to a Type III decision requiring Hearing Examiner approval; and

WHEREAS, the reference to the Council in Section 23.22.106 of the Seattle Municipal Code was overlooked; and

WHEREAS, this procedural change is categorically exempt from the requirements of SEPA; and

WHEREAS, a public hearing was held on this proposed amendment on April 1, 1997; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.22.106 of the Seattle Municipal Code, as adopted by Ordinance 110570, is amended as follows:

23.22.106 Exceptions.

Exceptions from the design standards and improvement requirements set forth in this subchapter may be authorized by the ((Council)) Hearing Examiner in those instances where it is deemed that hardship, topography or other factual deterrent conditions prevail, and in such manner as it considers necessary to maintain the intent and purpose of the regulations and requirements. Approval by the ((Council)) Hearing Examiner of a preliminary plat on which variations and exceptions are clearly indicated shall constitute authorization of the variations and exceptions.

Section 2. This ordinance shall take effect and be in force 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 21 day of April, 1997, and signed by me in open session in authentication of its passage this 21 day of April, 1997.

Jan Drago
President of the City Council

Approved by me this 1 day of May, 1997.

Norman B. Rice
Norman B. Rice, Mayor

Filed by me this 1 day of May, 1997.

Janice E. Pappan
City Clerk

(Seal)

City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor



April 7, 1997

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

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

REQUESTING Construction and Land Use
DEPARTMENT:

SUBJECT: AN ORDINANCE relating to land use and zoning; amending Section
23.22.106 of the Seattle Municipal Code to clarify the preliminary
plats are subject to Hearing Examiner and not Council approval.

*OK / MK
4/7/97*

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 OMP. Any specific questions regarding the legislation can be directed to Pascal St. Gerard at 684-8085.

Sincerely,

Norman B. Rice
Mayor

by

TOM TIERNEY *T.M.T.*
Director

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Enclosure

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:

San Diego

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

City of Seattle

ORDINANCE 118566

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IAN DRAGO
President of the City Council
Approved by me this 1st day of May, 1997.

NORMAN B. RICE,
Mayor.
Filed by me this 1st day of May, 1997.

(Seal) JUDITH E. PIPPIN,
City Clerk.
Publication ordered by JUDITH PIPPIN, City Clerk.

(**Bold face denotes deletion**)

Date of official publication in Daily Journal of Commerce, Seattle, May 14, 1997. 5/14/80653

STATE OF WASHINGTON - KING COUNTY

City Clerk

—SS.

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 118566

was published on

05/14/97

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

Subscribed and sworn to before me on

05/14/97

Notary Public for the State of Washington, residing in Seattle