Ordinance No. 122925

The City of Seattle – Legislative Department

Council Bill No. 116439

Council Bill/Ordinance sponsored by: [illegible]

An ordinance relating to land use and zoning, amending Seattle Municipal Code 23.50.012 (Chart A) to create an exception to the general requirement that museums in IG2 zones may only occupy buildings existing as of October 5, 1987

Committee Action:

Date	Recommendation	Vote
2.25.9	VOTE TO VOTE	3.0 SC, TB, TR
2.25.9	APPROVE	3.0 SC, TB, TR

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
3/2/09	Pass	9-0

Related Legislation File: 309852

Date Introduced and Referred: 1-20-09	To: (committee): Planning, Land Use and Neighborhoods
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 3.2.09	Date Presented to Mayor: 3.3.09
Date Signed by Mayor:	Date Returned to City Clerk:
Published by Title Only Published in Full Text	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

Law Department

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

January 13, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that grants an exception to the general requirement that museums located in industrial zones outside the Duwamish Manufacturing/Industrial Center are allowed only in buildings existing as of October 5, 1987. The exception granted by this Bill will enable the Nordic Heritage Museum to relocate to a new structure in Ballard.

Operating Ballard's Nordic Heritage Museum in a more central location will help achieve the Comprehensive Plan's cultural heritage goals and the adopted policies of the Ballard/Crown Hill Neighborhood Plan. The campaign for this relocation has received public support and expressions of support from City Council members, as well. The proposed Bill will allow museums in new buildings only if they meet specific locational criteria: the parcel is located outside a Manufacturing/Industrial Center, is in the Ballard Hub Urban Village and abuts Northwest Market Street. This proposal is consistent with the City's general policies of protecting industrial land since it does not change the type of use allowed on industrial zoned land, and the locational criteria substantially limit the number of qualifying parcels to 1/10 of one percent of all industrial land in the city.

Thank you for your consideration of this legislation. Should you have questions, please contact Kristian Kofoed at 206-233-7191.

Sincerely,

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749
Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

CITY CLERK

ORDINANCE 122925

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code 23.50.012 (Chart A) to create an exception to the general requirement that museums in IG2 zones may only occupy buildings existing as of October 5, 1987.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chart A of Section 23.50.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 122411, is amended as follows:

Chart A for Section 23.50.012
Uses in Industrial Zones

	PERMITTED AND PROHIBITED USES BY ZONE				
USE	**IB**	**IC**	**IG1 and IG2 (general)**	**IG1 in the Duwamish M/I Center**	**IG2 in the Duwamish M/I Center**
* * *					
C. COMMERCIAL USES					
C.1. Animal Shelters and Kennels	X (1)	P	P	P	P
C.2. Eating and drinking establishments	P	P	P	P	P
C.3. Entertainment Uses					
C.3.a. Cabarets, adult	P (((~~12~~))) (13)	P (((~~12~~))) (13)	X	X	X
C.3.b. Motion picture theaters, adult	X	X	X	X	X
C.3.c. Panorams, adult	X	X	X	X	X
C.3.d. Sports and recreation, indoor	P	P	P	X	P
C.3.e. Sports and recreation, outdoor	P	P	P	X	P
C.3.f. Theaters and spectator sports facilities					
C.3.f.i. Lecture and meeting halls	P	P	P	P	P
C.3.f.ii. Motion picture theaters	P	P	P	X	X
C.3.f.iii. Performing arts theaters	P	P	P	X	X
C.3.f.iv. Spectator sports facilities	P	P	P	X (2)	X (2)
C.4. Food processing and craft work	P	P	P	P	P
C.5. Laboratories, Research and	P	P	P	P	P

CITY CLERK

	PERMITTED AND PROHIBITED USES BY ZONE				
USE	**IB**	**IC**	**IG1 and IG2 (general)**	**IG1 in the Duwamish M/I Center**	**IG2 in the Duwamish M/I Center**
development					
C.6. Lodging uses	CU	CU	CU	X	X
C.7. Medical services (3)	P	P	P	P	P
C.8. Offices	P	P	P	P	P
C.9. Sales and services, automotive	P	P	P	P	P
C.10. Sales and services, general	P	P	P	P	P
C.11. Sales and services, heavy	P	P	P	P	P
C.12. Sales and services, marine	P	P	P	P	P
***					
E. INSTITUTIONS					
E.1. Adult care centers	X	X	X	X	X
E.2. Child care centers	P	P	P	P	P
E.3. Colleges	EB	EB	EB	X (6)	X (6)
E.4. Community centers and Family support centers	EB	EB	EB	P	P
E.5. Community clubs	EB	EB	EB	X	P
E.6. Hospitals	EB	EB	CU(7)	P	P
E.7. Institutes for advanced study	P	P	P	X	X
E.8. Libraries	X	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB	EB	EB	EB	EB
E.10. Museums	EB	EB	EB (9)	X (8)	X (8)
E.11. Private Clubs	EB	EB	EB	X	X
E.12. Religious facilities	P	P	P	P	P
E.13. Schools, elementary or secondary	P	P	P	P	P
E.14. Vocational or fine arts schools	P	P	P	P	P
***					
G. MANUFACTURING USES					
G.1. Manufacturing, light	P	P	P	P	P
G.2. Manufacturing, general	P	P	P	P	P
G.3. Manufacturing, heavy	CU	X or CU (((~~9~~))) (10)	P or CU (((~~10~~))) (11)	P	P
***					
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	P	P	P	P

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	PERMITTED AND PROHIBITED USES BY ZONE				
USE	**IB**	**IC**	**IG1 and IG2 (general)**	**IG1 in the Duwamish M/I Center**	**IG2 in the Duwamish M/I Center**
L.2. Parking and moorage					
L.2.a. Boat moorage	P	P	P	P	P
L.2.b. Dry boat storage	P	P	P	P	P
L.2.c. Parking, principal use, except as listed below	P	P	P	X (2)	X (2)
L.2.c.i. Park and Pool Lots	P(((~~11~~))) (12)	P(((~~11~~))) (12)	P (((~~11~~))) (12)	CU	CU
L.2.c.ii. Park and Ride Lots	CU	CU	CU	CU	CU
L.2.d. Towing services	P	P	P	P	P
L.3. Passenger terminals	P	P	P	P	P
L.4. Rail Transit Facilities	P	P	P	P	P
L.5. Transportation facilities, air					
L.5.a. Airports (land-based)	X	CCU	CCU	CCU	CCU
L.5.b. Airports (water-based)	X	CCU	CCU	CCU	CCU
L.5.c. Heliports	X	CCU	CCU	CCU	CCU
L.5.d. Helistops	CCU	CCU	CCU	CCU	CCU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	CU	CU	CU	CU	CU
L.6.b. Railroad switchyards	P	P	P	P	P
L.6.c. Railroad switchyards with a mechanized hump	X	X	CU	CU	CU
L.6.d. Transportation services, personal	P	P	P	P	P
* * *					

KEY

CU = Administrative conditional use

CCU = Council conditional use

EB = Permitted only in a building existing on October 5, 1987

EB/CU = Administrative conditional use permitted only in a building existing on October 5, 1987.

CITY CLERK

P = Permitted

X = Prohibited

NOTES

(1) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals are permitted.

(2) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for general parking purposes or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Overlay Area District may reserve parking. Such reserved non-required parking shall be permitted to be used for general parking purposes and is exempt from the one (1) space per six hundred fifty (650) square feet ratio under the following circumstances:

(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and

(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and

(c) The reserved parking is outside of the Stadium Transition Overlay Area District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.

(3) Medical service uses over ten thousand (10,000) square feet, within two thousand five hundred (2,500) feet of a medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

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(4) The high-impact uses listed at subsection B10 of Section 23.50.014 may be permitted as conditional uses.

(5) High-impact uses may be permitted as conditional uses as provided at subsection B5 of Section 23.50.014.

(6) A college or university offering a primarily vocational curriculum within the zone is permitted.

(7) Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014 B14.

(8) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

(9) On IG2 zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.

(((~~(9)~~))) (10) The heavy manufacturing uses listed in subsection B9 of Section 23.50.014 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.

(((~~(10)~~))) (11) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided at subsection C of Section 23.50.014.

CITY CLERK

((~~(11)~~)) (12) Park and pool lots are not permitted within three thousand (3,000) feet of the Downtown Urban Center.

((~~(12)~~)) (13) Subject to subsection 23.50.012 E.

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 2nd day of March, 2009, and signed by me in open session in authentication of its passage this 2nd day of March, 2009.

President _____ of the City Council

Approved by me this 10th day of March, 2009.

Gregory J. Nickels, Mayor

Filed by me this 11th day of March, 2009.

City Clerk

(Seal)

CITY CLERK

Form revised February 6, 2008

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
DPD	Kristian Kofoed / 233-7191	Karen Grove / 684-5805

Legislation Title:
An ordinance relating to land use and zoning, amending Seattle Municipal Code 23.50.012 (Chart A) to create an exception to the general requirement that museums in IG2 zones may only occupy buildings existing as of October 5, 1987.

Summary of the Legislation:
The proposed Ordinance would allow museums to occupy new buildings on parcels zoned General Industrial 2 (IG2). These parcels must be outside Manufacturing Industrial Centers, within the Ballard Hub Urban Village and abutting Northwest Market Street. This change will allow the Nordic Heritage Museum to relocate to a new structure in Ballard, consistent with the goals of the Comprehensive Plan and adopted policies of the Ballard/Crown Hill Neighborhood Plan.

Background:
Currently, outside the Duwamish Manufacturing/Industrial Center, museums are permitted in IG2 zones if they occupy buildings existing as of October 5, 1987. This allowance will continue. The proposal is to also allow museums in new buildings if they meet specific locational criteria: the parcels are located outside a Manufacturing/Industrial Center, within the Ballard Hub Urban Village and abutting Northwest Market Street. These criteria will substantially limit the amount of industrially zoned land that could be affected by the proposed text amendment. The proposal is consistent with the City's general policies of protecting industrial land, and will help accomplish Comprehensive Plan Cultural Resource goals and Neighborhood Planning goals for the Ballard Hub Urban Village.

Please check one of the following:

__x__ This legislatio n does not have any financial implications.

Attachment A: Director's Report and Recommendation

CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

235906 No.
CITY OF SEATTLE,CLERKS OFFICE

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:ORDINANCE 122925

was published on

03/16/09

The amount of the fee charged for the foregoing publication is the sum of $ 778.25, which amount has been paid in full.

Subscribed and sworn to before me on

03/16/09

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT. 24, 2011
STATE OF WASHINGTON

City of Seattle

ORDINANCE 122925

AN ORDINANCE relating to land use and zoning, amending Seattle Municipal Code 23.50.012 (Chart A) to create an exception to the general requirement that museums in IG2 zones may only occupy buildings existing as of October 5, 1987.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chart A of Section 23.50.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 122411, is amended as follows:

Chart A for Section 23.50.012
Uses in Industrial Zones

USE	PERMITTED AND PROHIBITED USES BY ZONE				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
		* * *			
C. COMMERCIAL USES					
C.1. Animal Shelters and Kennels	X (1)	P	P	P	P
C.2. Eating and drinking establishments	P	P	P	P	P
C.3. Entertainment Uses					
C.3.a. Cabarets, adult	P ((~~(12)~~)) (13)	P ((~~(12)~~)) (13)	X	X	X
C.3.b. Motion picture theaters, adult	X	X	X	X	X
C.3.c. Panorams, adult	X	X	X	X	X
C.3.d. Sports and recreation, indoor	P	P	P	X	P
C.3.e. Sports and recreation, outdoor	P	P	P	X	P
C.3.f. Theaters and spectator sports facilities					
C.3.f.i. Lecture and meeting halls	P	P	P	P	P
C.3.f.ii. Motion picture theaters	P	P	P	X	X
C.3.f.iii. Performing arts theaters	P	P	P	X	X
C.3.f.iv. Spectator sports facilities	P	P	P	X (2)	X (2)
C.4. Food processing and craft work	P	P	P	P	P
C.5. Laboratories, Research and development	P	P	P	P	P
C.6. Lodging uses	CU	CU	CU	X	X
C.7. Medical services (3)	P	P	P	P	P
C.8. Offices	P	P	P	P	P
C.9. Sales and services, automotive	P	P	P	P	P
C.10. Sales and services, general	P	P	P	P	P
C.11. Sales and services, heavy	P	P	P	P	P
C.12. Sales and services, marine	P	P	P	P	P
		***			

(3) Medical service uses over ten thousand (10,000) square feet, within two thousand five hundred (2,500) feet of a medical Major Institution Overlay District boundary, shall require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

(4) The high-impact uses listed at subsection B10 of Section 23.50.014 may be permitted as conditional uses.

(5) High-impact uses may be permitted as conditional uses as provided at subsection B5 of Section 23.50.014.

(6) A college or university offering a primarily vocational curriculum within the zone is permitted.

(7) Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014 B14.

(8) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

(9) On IG2 zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.

((~~(9)~~)) (10) The heavy manufacturing uses listed in subsection B9 of Section 23.50.014 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.

((~~(10)~~)) (11) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided at subsection C of Section 23.50.014.

((~~(11)~~)) (12) Park and pool lots are not permitted within three thousand (3,000) feet of the Downtown Urban Center.

((~~(12)~~)) (13) Subject to subsection 23.50.012 E.

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 2nd day of March, 2009, and signed by me in open session in authentication of its passage this 2nd day of March, 2009.

RICHARD CONLIN,

President of the City Council.

Approved by me this 10th day of March, 2009,

GREGORY J. NICKELS,

Mayor.

Filed by me this 11th day of Marcvh, 2009.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Daily Journal of Commerce, March 16, 2009. 3/16 (235906

E. INSTITUTIONS					
E.1. Adult care centers	X	X	X	X	X
E.2. Child care centers	P	P	P	P	P
E.3. Colleges	EB	EB	EB	X (6)	X (6)
E.4. Community centers and Family support centers	EB	EB	EB	P	P
E.5. Community clubs	EB	EB	EB	X	P
E.6. Hospitals	EB	EB	CU(7)	P	P
E.7. Institutes for advanced study	P	P	P	X	X
E.8. Libraries	X	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB	EB	EB	EB	EB
E.10. Museums	EB	EB	EB (9)	X (8)	X (8)
E.11. Private Clubs	EB	EB	EB	X	X
E.12. Religious facilities	P	P	P	P	P
E.13. Schools, elementary or secondary	P	P	P	P	P
E.14. Vocational or fine arts schools	P	P	P	P	P
		***			
G. MANUFACTURING USES					
G.1. Manufacturing, light	P	P	P	P	P
G.2. Manufacturing, general	P	P	P	P	P
G.3. Manufacturing, heavy	CU	X or CU (((~~9~~))) (10)	P or CU (((~~10~~))) (11)	P	P
		***			
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	P	P	P	P
L.2. Parking and moorage					
L.2.a. Boat moorage	P	P	P	P	P
L.2.b. Dry boat storage	P	P	P	P	P
L.2.c. Parking, principal use, except as listed below	P	P	P	X (2)	X (2)
L.2.c.i. Park and Pool Lots	P(((~~11~~))) (12)	P(((~~11~~))) (12)	P (((~~11~~))) (12)	CU	CU
L.2.c.ii. Park and Ride Lots	CU	CU	CU	CU	CU
L.2.d. Towing services	P	P	P	P	P
L.3. Passenger terminals	P	P	P	P	P
L.4. Rail Transit Facilities	P	P	P	P	P
L.5. Transportation facilities, air					
L.5.a. Airports (land-based)	X	CCU	CCU	CCU	CCU
L.5.b. Airports (water-based)	X	CCU	CCU	CCU	CCU
L.5.c. Heliports	X	CCU	CCU	CCU	CCU
L.5.d. Helistops	CCU	CCU	CCU	CCU	CCU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	CU	CU	CU	CU	CU
L.6.b. Railroad switchyards	P	P	P	P	P
L.6.c. Railroad switchyards with a mechanized hump	X	X	CU	CU	CU
L.6.d. Transportation services, personal	P	P	P	P	P
		***			

Y

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(2) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used for general parking purposes or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Overlay Area District may reserve parking. Such reserved non-required parking shall be permitted to be used for general parking purposes and is exempt from the one (1) space per six hundred fifty (650) square feet ratio under the following circumstances:

(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and

(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and

(c) The reserved parking is outside of the Stadium Transition Overlay Area District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.