

Resolution No. 31117

# The City of Seattle – Legislative Department

Resolution sponsored by: *Samuel Lamm*

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 31016.

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred: <b>2.23.09</b>	To: (committee): <b>Planning, Land Use and Neighborhoods</b>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <b>3.2.09</b>	Date Presented to Mayor: <del>3.2.09</del>
Date Signed by Mayor: <b>—</b>	Date Returned to City Clerk: <b>3.2.09</b>
Published by Title Only <input checked="" type="checkbox"/>	Date Returned Without Concurrence:
Published in Full Text <input checked="" type="checkbox"/>	

## Committee Action:

Date	Recommendation	Vote
<b>2.25.9</b>	<b>APPROVE</b>	<b>3-0 SC, TW, TR</b>

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

## Full Council Action:

Date	Decision	Vote
<b>3/2/09</b>	<b>Adopted</b>	<b>9-0</b>

*Law Department*

RESOLUTION 31117

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A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 31016.

WHEREAS, Council finds that the City's procedures for amending the Seattle Comprehensive Plan, contained in Resolution 31016, should be amended to provide a more effective review process; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

**Section 1. Applicability.** The procedures prescribed by this resolution apply to proposed amendments to the Comprehensive Plan.

**Section 2. Procedures for Annual Amendments.** The Comprehensive Plan amendment process generally entails a two step process that begins on April 1 of a calendar year and ends on March 31 of the following calendar year. First, the Council screens all proposed amendments and decides which amendments it will later consider for possible adoption. This screening step typically occurs by July 20 for amendments that will be considered in the following year. Second, after the Council has selected the proposed amendments that it wants to consider for possible adoption, additional analysis of those proposed amendments occurs. The Council then votes on whether to approve the proposed amendments by March 31 of the following year.

A. Certain Amendment Types to be Considered Once Per Year. Except for amendments that may be considered more frequently than once a year pursuant to RCW 36.70A.130, the City Council will consider proposed amendments to the Comprehensive Plan once every year. Proposed amendments that may be considered once a year only are called "annual amendments."



1                   B. Annual Amendments to Follow This Section 2 and Section 4 General

2 Procedures. Annual amendments shall follow the procedures of this section in addition to the  
3 general procedures in Section 4 below.

4                   C. Annual Amendments to be Considered Concurrently. The Council will  
5 consider proposed annual amendments concurrently so the cumulative effect of the proposed  
6 amendments can be ascertained. The Council prefers to consider implementing measures  
7 concurrently with related annual amendments.  
8

9                   D. Annual Schedule. The Council will provide notice of the opportunity to  
10 propose Comprehensive Plan amendments no later than April 1 each year. Proposed  
11 amendments to the Comprehensive Plan may be submitted to the City Council at any time.  
12 However, in order to be considered for possible adoption in the next calendar year, a proposed  
13 amendment must be submitted by May 15 of the previous year, except as otherwise provided by  
14 these procedures. Amendments proposed by City Councilmembers should be submitted by May  
15 30.  
16

17                   E. Selection of Amendments to be Considered. The Council will transmit all the  
18 proposed amendments to the Planning Commission with a request for its recommendation on  
19 which amendments should be considered for further review. The Council will also transmit the  
20 proposed amendments to the Department of Planning and Development (DPD). The Planning  
21 Commission and DPD should each submit their recommendations to the Council by June 20 in  
22 order for them to be considered.  
23

24                   F. Identification of Amendments for Consideration. The Council will identify in a  
25 resolution those amendments that it will consider in the current annual amendment process. This  
26 resolution is called the policy docket. The Council intends to adopt this resolution by July 20.  
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1 Council's decision to place a proposed amendment on the policy docket does not constitute a  
2 decision or recommendation that the proposed amendment should be adopted nor does it  
3 preclude later Council action to add or delete an amendment for consideration.

4 G. Optional Public Hearing on Amendments Proposed for Council Consideration.

5 Depending upon the number and nature of proposed amendments, the Council may hold a public  
6 hearing before it decides which proposed amendments will be placed on the policy docket for  
7 consideration in the next round of review. The Council will provide notice of the hearing by  
8 publication in the City's official newspaper and the Land Use Information Bulletin a minimum of  
9 fifteen days before the scheduled hearing.  
10

11 **Section 3. Amendments that May be Considered More Frequently than Once Per**  
12 **Year.**

13  
14 A. Designation of Amendments that May be Considered More Frequently Than  
15 Once Per Year. Amendments that may be considered more frequently than once per year are the  
16 following:

- 17 1. the initial adoption of a subarea plan;
- 18 2. amendments of the Seattle Shoreline Master Program component of the  
19 Comprehensive Plan;
- 20 3. amendments of the capital facilities element that occur concurrently  
21 with adoption or amendment of the budget;
- 22 4. emergency amendments; and
- 23 5. amendments proposed as a result of a remand or order issued by the  
24 Growth Management Hearings Board or a court.  
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1                   B. Procedures for Considering Amendments That May be Considered More  
2 Frequently Than Once Per Year. Amendments that may be considered more frequently than  
3 once per year shall be considered according to the General Procedures in Section 4. The  
4 procedures of Section 2, Procedures for Annual Amendments, are not required in the review of  
5 amendments that may be considered more than once per year.

6                   **Section 4. General Procedures.**

7                   A. What can be Amended. Proposed amendments may include changes to  
8 policies, the future land use map, appendices, or other components of the Plan.

9                   B. Who May Propose Amendments. Anyone may propose an amendment to the  
10 Comprehensive Plan.  
11

12                   C. How to Propose an Amendment. Anyone wishing to propose an amendment  
13 must complete the Comprehensive Plan amendment application in a form substantially similar to  
14 that shown in Attachment A to this Resolution and submit the proposed amendment application  
15 in writing to the City Council. Proposed annual amendments submitted after May 15 will be  
16 considered in the following year's annual amendment process, except as provided by these  
17 procedures. Proposed amendments rejected in a previous amendment process generally will not  
18 be reconsidered for at least three years.  
19

20                   D. Information to Include with Amendments. The Council will consider only  
21 complete applications for Comprehensive Plan amendments. A complete application shall  
22 include the following information: 1) the element of the Comprehensive Plan that is proposed for  
23 amendment; 2) a clear statement of what the proposed amendment is intended to accomplish;  
24 3) proposed amendatory language, when applicants have specific language they would like  
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1 considered; and 4) an explanation of why the amendment is being proposed and how it meets the  
2 guidelines adopted in Resolution 30662.

3 The Council may return an application to the applicant if the application is not filled out  
4 correctly or if further information is required.

5 E. Review of Proposed Amendments.

6 1. DPD Review

7 a. DPD will review each amendment on the policy docket in  
8 coordination with other City departments, and in consultation with the Planning Commission.  
9 DPD will establish dates by which departments should submit their analyses to DPD.

10 b. DPD will conduct and pay for any environmental review  
11 required by the State Environmental Policy Act (SEPA) for proposed amendments. DPD should  
12 complete SEPA review before submitting its written report to the Council. If an environmental  
13 impact statement is required, the time to develop a recommendation on that amendment could  
14 extend beyond the initial annual cycle.

15 c. DPD will solicit comment regarding the proposed amendment(s)  
16 from the public. DPD may conduct public meetings and will provide notification and  
17 opportunities for public comment as it deems appropriate to the nature of the proposed  
18 amendment.

19 d. DPD will prepare a written report for the Council that includes  
20 an analysis of each proposed amendment, and a recommendation on whether each proposed  
21 amendment should be approved, approved with amendments, or denied. DPD will submit the  
22 report, together with legislation that would adopt the recommended amendments, to the City  
23 Council no later than November 20.



1                                   2. Planning Commission Review. The Planning Commission will review  
2 and analyze each amendment on the policy docket resolution and the DPD recommendations,  
3 and by February 15 will prepare a written recommendation to the Council on whether each  
4 proposed amendment should be approved, approved with amendments, or denied.

5                                   F. Council Public Hearing, Notice, and Comments.

6                                   1. Except for emergency amendments, the City Council will hold at least  
7 one public hearing to receive public comment on the proposed Comprehensive Plan amendments  
8 on the policy docket and any implementing regulatory measures. DPD will give notice of the  
9 hearing in the same manner that it gives notice of proposed Land Use Code amendments  
10 pursuant to Seattle Municipal Code 23.76.062. Anyone may provide written comments to the  
11 City Council regarding proposed Comprehensive Plan amendments.  
12

13                                   2. If the Council chooses to consider a new amendment or a change to a  
14 proposed amendment after notice of the public hearing on the proposed amendments on the  
15 policy docket has been given, the Council will provide an opportunity for review and comment  
16 on the change or new amendment. The timing and extent of the opportunity for review and  
17 comment will be based up the scope and content of the proposed change or new amendment, and  
18 shall be consistent with Revised Code of Washington (RCW) 36.70A.035.  
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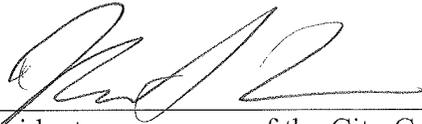
20                                   G. Transmittal to State. Except for emergency amendments, at least 60 days prior  
21 to the expected date of final Council action on the proposed amendments, DPD will transmit a  
22 copy of the proposed amendments to the State of Washington Department of Community, Trade  
23 and Economic Development (CTED). DPD will transmit a copy of any adopted amendment to  
24 CTED within ten days after adoption by the Council.  
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26                                   **Section 5.** Resolution 31016 is repealed.  
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Adopted by the City Council the 2nd day of March, 2009, and signed by me in  
open session in authentication of its adoption this 2nd day of March, 2009.

  
\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Filed by me this 2<sup>nd</sup> day of March, 2009.

  
\_\_\_\_\_  
City Clerk

(Seal)

Attachment A: Comprehensive Plan Amendment Application



**City of Seattle**  
**COMPREHENSIVE PLAN AMENDMENT APPLICATION**

Use this application to propose a change in the policies, future land use map, appendices, or other components of the adopted City of Seattle Comprehensive Plan. Applications are due to the Seattle City Council no later than 5:00 p.m. on May 15th for consideration in the next annual review cycle. If May 15th falls on a weekend, the deadline is the Friday closest to that date. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date:

Applicant:

Mailing Address:

City:                      State:      Zip:                      Phone:

Email:

Contact person (if not the applicant):

Mailing Address:

Email:

City:                      State:      Zip:                      Phone:

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary)

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application**

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.
  - a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
  - b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.
  - c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.
2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.
3. Describe why the proposed change meets the criteria adopted in Resolution 30662 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?
4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?
5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.
6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

Attachment A to Comprehensive Plan Amendment Resolution



Your comprehensive Plan Amendment Application must be received by the City Council no later than 5:00 p.m. on May 15th to be considered in the next year's annual review process. You can send your application via e-mail (the preferred method) to [compplan@seattle.gov](mailto:compplan@seattle.gov), or via regular mail to: Office of the City Clerk, 600 Fourth Avenue, Floor 3, PO Box 34025, Seattle, Washington 98124-4025.

### **Criteria for Comprehensive Plan Amendment Selection (from Resolution 30662)**

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

- A. The amendment or policy is appropriate for the Comprehensive Plan because:
- The amendment is not appropriate as a regulatory measure, and warrants a Comprehensive Plan amendment;
  - The amendment is not better addressed as a budgetary or programmatic decision;
  - The amendment is not better addressed through another planning process, such as neighborhood planning; or
  - The Growth Management Act (GMA) mandates the amendment as part of the 10-year update.
- B. The amendment is legal - the amendment meets existing state and local laws.
- C. It is practical to consider the amendment because:
- The timing of the amendment is appropriate and Council will have sufficient information necessary to make an informed decision;
  - City staff will be able to conduct sufficient analysis and to develop policy and any related development regulations within the available time frame;
  - The proposed amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council is interested in significantly changing existing policy;
  - The amendment has not been recently rejected; and
  - If the proposed change is to neighborhood plan policies, there has been a neighborhood review process to develop the proposal, or a neighborhood review process can be conducted prior to final Council consideration of the amendment.



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Legislative	Rebecca Herzfeld/684-8148	Not Applicable

**Legislation Title:**

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 31016.

• **Summary of the Legislation:**

This resolution would change the current process for amending the Comprehensive Plan so that instead of annual amendments being accomplished within a *calendar* year, the review process would begin on April 1 of one year and end on March 31 of the following year.

• **Background:**

The new schedule is intended to improve the effectiveness of the review process by:

- Moving the time period for the public to propose amendments to the second quarter, avoiding the holiday season.
- Moving the time period for the public to comment on the amendments to the fall, rather than the summer, when many people take vacations.
- Providing time for the Council to fully review the proposed amendments without the conflicting demands of the annual budget review in the fall.

The legislation also would provide a more complete application form for proposing Comprehensive Plan amendments.

X **This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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235902  
CITY OF SEATTLE, CLERKS OFFICE

No. 31117

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

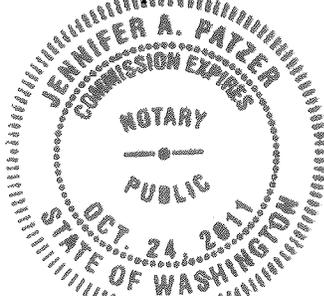
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE-ONLY RESOLUTION

was published on

03/13/09

The amount of the fee charged for the foregoing publication is the sum of \$ 28.30, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

03/13/09

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

#### TITLE-ONLY PUBLICATION

The full text of the following resolutions, passed by the City Council

on March 2, 2009, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

#### RESOLUTION NO. 31117

A RESOLUTION establishing procedures for amendment of the Seattle Comprehensive Plan, and repealing Resolution 31016.

Date of publication in the Seattle Daily Journal of Commerce, March 13, 2009.

3/13(235902)