

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION – 2011-2012

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 16th** for consideration in the next annual review cycle. Any proposals received after May 16th will be considered in the review process for the following year.

(Please Print or Type)

Date: **May 9, 2011**

Applicant: **Dep't of Planning & Development, City of Seattle**

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Email: **kristian.kofoed@seattle.gov**

Contact person (if not the applicant):

Mailing Address: **(same as above)**

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)

Duwamish Manufacturing & Industrial Center (see map on page 8.103 of the Neighborhood Planning Element of the Comprehensive Plan)

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: _____

Attachment A

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.

The proposed amendment is a new Element and does not change existing Elements, the Seattle Municipal Code, or the Future Land Use Map. The entire proposed Element is attached.

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.

In 2009, the Washington State Legislature amended RCW 36.70A, et seq. (Growth Management Act) to require cities with marine container ports of over a certain amount of revenue to adopt a Container Marine Terminal Element in their Comprehensive Plans. This proposed Element complies with that GMA requirement in ESHB 1959 (2009)

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?

Attachment A

Resolution 30662, Section 1 (A) lists criteria including that the amendment is required by the GMA as part of the 10 year update. This is the criterion that most closely fits this particular amendment, since the GMA requires Seattle to adopt a Container Marine Terminal Element. The amendment is also legal and fits section B criteria. Finally, it is practical to consider the amendment at this point. The amendment was considered in the 2010- 2011 cycle and was postponed to allow for additional neighborhood review which is now underway.

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?

The positive impacts will be more focused attention and increased protection of container marine terminal activities. This is in keeping with existing Comp Plan policies and current regulatory protections of the vital import/export and industrial sectors in Seattle. The Council strengthened these protections in 2007 when it adopted greater restrictions on allowed sizes of use for non-industrial occupancies. The net benefit to the Seattle community is retaining living wage industrial jobs and a diverse economic base for the city and region.

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.

The proposed Element is consistent with the protection generally afforded to industrial uses in Seattle, as documented in the Comp Plan's Land Use, Transportation and Economic Development Elements as well in the regulatory provisions of the Land Use Code. A background report analyzing the proposed Element is available.

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.

DPD and the Port of Seattle conducted extensive outreach with the industrial and container marine terminal community. Letters of support for the Element are on file with the Council and available.

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:

Attachment A

- 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.

Comprehensive Plan Policies: Marine Cargo Terminal Element

DISCUSSION

The Port of Seattle is one of the largest cargo centers in the United States, serving as the entry and exit point for marine cargo to and from the Pacific Rim and Alaska. The Port of Seattle facilities are unique among West Coast Ports: the container operations are adjacent to the urban core, abutting the busy downtown, a tourist-friendly waterfront, and two sport stadiums that attract millions of people to Seattle each year.

The marine cargo terminal (MCT) trade, in which the Port of Seattle is engaged, plays a vital role in the Seattle economy. The Port of Seattle is made up of approximately 1,400 acres of waterfront land and nearby properties. Nearly 800 acres of the Port's seaport is dedicated to container terminal operations and cargo handling. Most of the freight is shipped through the Port by intermodal containers that are transferred to or from railcars or trucks on the dock. Some of the containers are shuttled by truck between BNSF and UPRR intermodal yards. Accounting for thousands of jobs, millions of dollars of state and local taxes, and billions of dollars in business revenue and personal income, this economic sector merits special protection in the City's Comprehensive Plan as well as continuing attention in all the City-related policies and programs.

As vital as the marine cargo economic sector is, it is also vulnerable—to continuing pressures in nearby land uses, traffic infrastructure and congestion, and larger funding and economic development conditions.

The state legislation that requires this Port element also requires land use decisions to consider the long-term and widespread economic contribution of international container ports and related industrial lands and transportation systems. The legislation seeks to ensure that container ports continue to function effectively alongside vibrant city waterfronts. It identifies approaches that the City may

consider in future work programs. These include creating a “port overlay” district to specifically protect container port uses, industrial land banking, applying land use buffers or transition zones between incompatible uses, and limiting the location or size, or both, of nonindustrial uses in the core area and surrounding areas. The core area is defined as roughly coterminous with the Duwamish Manufacturing & Industrial Center. The revised state law also adds key freight transportation corridors that serve marine port facilities to the State’s list of transportation facilities of statewide significance.

In 2007, the City of Seattle’s land use code strengthened protection for industrial uses in the Duwamish by limiting the size of office and retail uses. This Comprehensive Plan Element carries forward the policy intention of that work as well as responding to the state mandate.

LAND USE POLICIES

MCT/LU1 Retain industrial designations on land that supports viable marine and rail-related industries to help preserve industrial land adjacent to rail or water-dependent transportation facilities and on adjacent land in order to preserve the viability of the port-related activities.

MCT/LU2 Continue to monitor the land area needs, including for expansion, of cargo container-related activities and take action to prevent the loss of needed land that can serve these activities.

MCT/LU3 Identify uses that may pose conflicts with nearby industrial activities, such as pedestrian-oriented commercial uses or single-purpose residential uses. Consider permit conditions to mitigate possible conflicts with industrial uses. Limit the amount of non-industrial uses that may occur on industrially designated land in order to minimize the incompatibility of uses and to prevent conversion of industrial land in the vicinity of marine container terminals or their support facilities.

MCT/LU4 Consider the value of transition areas and buffers at the edges of general industrial zones which allow a wider range of uses while not creating conflicts with preferred cargo container maritime uses. In this context, zoning provisions such as locational criteria and development standards are among the tools for defining such edge areas.

MCT/LU5 Consider how zoning designations may affect the definition of highest and best use, with the goal of maintaining the jobs and revenue that marine industrial operations generate and to protect scarce industrial land supply for industrial uses.

TRANSPORTATION POLICIES

MCT/T1 Identify and address obstacles to freight transportation that supports continued growth of container volumes at marine cargo terminal activities and intermodal rail yards.

MCT/T2 Monitor, maintain and improve key freight corridors, networks and intermodal connections that provide access to marine cargo facilities and the industrial areas around them to address bottlenecks and other access constraints. Provide safe, reliable, efficient and direct access between Port marine facilities and the state highway or interstate system, and between Port terminals and railroad intermodal facilities.

MCT/T3 Make operational, design, access and capital investments to accommodate trucks and maintain successful railroad operations and preserve mobility of goods and services. Improvements may include, but are not limited to, improvement of pavement conditions, roadway re-channelization to minimize modal conflicts, use on intelligent transportation systems (ITS), construction of critical facility links, and grade separation of modes, especially at heavily used railroad crossings.

MCT/T4 Maintain the City's classification of "Major Truck Streets." Because freight is important to the basic economy of the City and has unique right-of-way needs to support that role, freight will be the major priority on streets classified as Major Truck Streets. Street improvements that are consistent with freight mobility but also support other modes may be considered in these streets.

MCT/T5 Identify emerging freight transportation issues and work with affected transportation stakeholder groups, including the Seattle Freight Advisory Board. Provide regular opportunities for communication between the City, the freight community and other agencies and stakeholders.

MCT/T6 Continue joint City and Port efforts to implement relevant Port recommendations such as recommendations contained in the Container Terminal Access Study.

MCT/T7 Given the importance of seaport operations to the state and regional economies, develop partnerships within the City, the Port, the region and the state to advocate for project prioritization and timely funding to improve and maintain freight infrastructure, and explore funding partnerships.

MCT/T8 Maintain consistency between local, regional and State freight-related policies.

ECONOMIC DEVELOPMENT POLICIES

MCT/ED1 Encourage the siting of new businesses that support the goals for cargo container marine activities in designated Manufacturing /Industrial Centers.

MCT/ED2 Work cooperatively with other agencies to address the effects of major land use and transportation projects to avoid or mitigate construction and operational effects on the cargo freight industry.

MCT/ED3 Facilitate the creation of coalitions of industrial businesses, vocational training and other educational institutions and public agencies to help develop training programs to move trained workers into cargo container related jobs.

ENVIRONMENTAL POLICIES

MCT/E1 Identify opportunities to achieve economic, community, and environmental benefits from the development and operations of marine terminals and related industrial activities.

MCT/E2 Form partnerships with private and public maritime stakeholders to establish environmental improvement goals, including carbon emission reductions, storm water management, redevelopment and clean-up of existing marine industrial properties, sustainable design, and fish and wildlife habitat improvements. Develop strategies to achieve these goals that include developing funding mechanisms and legislative support.

MCT/E3 Work with maritime stakeholders to formulate plans for public open space, shoreline access, and fish and wildlife habitat improvements that incorporate community needs, area-wide habitat priorities with the need to maintain sufficient existing marine industrial lands for present and anticipated maritime infrastructure and cargo needs.