CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117897

AN ORDINANCE authorizing acceptance of donations from public and private sources in support of University District planning efforts, and increasing appropriation authority in the 2013 Adopted Budget contingent upon receipt of said donations.

WHEREAS, in recognition of the Comprehensive Plan's designation of the U District as an Urban Center and the community's intent to welcome a diversity of residents, expand the local job base, encourage quality and variety in the built environment, and support transit-oriented development, the Department of Planning and Development has undertaken an area-wide planning and zoning study; and

WHEREAS, the Department of Planning and Development in carrying out area-wide planning and zoning studies, must perform analysis of growth and development patterns; evaluate the environmental impacts of new development; and evaluate the influence of City regulations and policies on the development of housing and jobs; and

WHEREAS, funding to complete a thorough and meaningful analysis of zoning alternatives and development scenarios in order to guide the assessment of environmental impacts and policy decisions is often inadequate due to a lack of departmental resources and competing demands; and

WHEREAS, local stakeholders have expressed interest in providing funding to assist the City in preparing an Environmental Impact Statement (EIS) that analyzes proposals for rezoning and changes to land use controls in the U District planning area; including transportation impact analysis, urban design assessments, and analysis of development trends and alternative development or zoning scenarios; and

WHEREAS, the Department of Planning and Development will take steps consistent with Resolution 30816 to ensure that funding from private sources does not compromise the independence or objectivity of the analyses, or the City's role in the conduct, direction, or outcome of the U District Urban Design EIS and zoning proposal; and

WHEREAS, the Department of Planning and Development will provide equal access to findings and conclusions in the U District Urban Design EIS and zoning proposal development to all community partners, including the U-District Livability Partnership, the Roosevelt Neighbors' Alliance, the University District Community Club, the University Park Community Club, local residents, business and property owners, and the University of Washington; and

WHEREAS, the City Council finds that if steps are taken to ensure that contributors of funding will not exercise undue influence over the outcome of the U District Urban Design EIS and zoning proposal, then funding from public and private sources may be accepted by the Department of Planning and Development; and

WHEREAS, the Department of Planning and Development commits to using any donations they receive before using allocated general fund dollars; and

WHEREAS, if allocated general fund dollars remain after U District zoning legislation is approved by Council, the Department of Planning and Development commits to returning that money to the general fund; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of the Department of Planning and Development is hereby authorized to accept donations for the U District Urban Design Environmental Impact Statement from public and private donors in an aggregate amount of up to $200,000.

Section 2. Contingent upon receipt of the donations authorized in Section 1 of this Ordinance and, in order to pay for necessary costs and expenses to be incurred in 2013 but for which insufficient appropriations were made, the appropriation for the following in the 2013 budget is increased from the fund shown:

Fund: Planning and Development Fund (15700)

Department: Department of Planning and Development

Budget Control Level: U2900 - Planning Division

Amount: $200,000

Section 3. The appropriation made in Section 2 may be used to fund consultant assistance on zoning recommendations and environmental impact analysis in the U District, and for no other purpose.

Section 4. Unspent funds so appropriated shall carry forward to subsequent fiscal years until they are exhausted or abandoned by ordinance.

Section 5. Any act consistent with the authority of this ordinance taken after passage of this ordinance is hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its passage this _____ day of _____, 2013.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2013.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Form revised: December 12, 2012

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Planning and Development	Dave LaClergue / 733-9668	Melissa Lawrie / 684-5805

Legislation Title:
AN ORDINANCE authorizing acceptance of donations from public and private sources in support of University District planning efforts, and increasing appropriation authority in the 2013 Adopted Budget contingent upon receipt of said donations.

Summary of the Legislation:
This ordinance authorizes DPD to accept donations up to $200,000 from neighborhood stakeholders to fund consultant assistance on zoning recommendations and environmental impact analysis in the University District.

Background:
DPD has worked with the U District community over the past year to complete an Urban Design Framework (UDF) to establish new planning directions for the neighborhood. The work was conducted in coordination with other City departments, including OED, DON, SDOT and SPD. The UDF complements efforts by the community to create a plan to revitalize the neighborhood's commercial districts and to build local leadership.

A central driver of DPD's work is anticipating new growth that will be stimulated by Sound Transit's U District light rail station, scheduled to open in 2021. To help shape this new growth, DPD will develop zoning recommendations for Council consideration in 2015. For that work to proceed, DPD needs to conduct an Environmental Impact Statement (EIS) to analyze possible impacts of various zoning alternatives.

The 2012 Q4 Supplemental Ordinance provided and carried forward into 2013 $350,000 in General Fund support for the EIS. The full estimated cost of the EIS is $550,000. Organizations in the community have expressed interest in donating funds to cover that gap and move the project forward. Future development in the neighborhood will benefit from the EIS in numerous ways.

In 2005, Resolution 30816 gave direction to DPD for accepting contributions toward planning studies. The proposed ordinance is consistent with this approach.

Please check one of the following:

____ **This legislation does not have any financial implications.**

_X_ **This legislation has financial implications.**

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
Planning and Development Fund (15700)	Planning and Development	U2900 – Planning Division	$200,000	
TOTAL			**$200,000****	

**See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:
**The amount of appropriation authority to be used will not exceed the amount of donated funds received.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
Planning and Development Fund (15700)	Planning and Development	Donations from Public and Private entities to be identified	$200,000	
TOTAL			**$200,000**	

Revenue/Reimbursement Notes:

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: ***None***

Spending/Cash Flow: ***Not applicable***

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
No.

b) **What is the financial cost of not implementing the legislation?**
If outside funding is not accepted, the City would either abandon the project and keep existing zoning in the University District, or conduct a large part of the EIS using time of existing City staff, causing significant delays and impacting other planning projects.

c) **Does this legislation affect any departments besides the originating department?**
Traffic analysis is one of the major components of an EIS. The budget for the EIS includes consultant work on traffic modeling and analysis, but this consultant work will need close coordination with SDOT reviewers. If DPD is successful in obtaining contributions to support the EIS, the budget will help cover SDOT work to review the traffic analysis.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** Increased general fund support to cover the full cost of the EIS.

e) **Is a public hearing required for this legislation?**
No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.

g) **Does this legislation affect a piece of property?**
No.

h) **Other Issues:** None.

List attachments to the fiscal note below: Not applicable.

City of Seattle
Office of the Mayor

August 13, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that accepts up to $200,000 in donations from public and private sources to support U District Urban Design planning efforts. These funds will be used to analyze transportation, urban design, and environmental impacts of potential zoning changes in the urban center.

The Department of Planning and Development is working closely with the U District neighborhood and diverse community organizations to implement Comprehensive Plan goals and policies for the neighborhood. In 2012 and 2013, DPD partnered with the U District Livability Partnership and numerous community groups to develop the U District Urban Design Framework, containing preliminary recommendations for land use, transportation, and public space in the neighborhood. Before advancing any of those recommendations through proposed zoning and other regulations, we must complete an Environmental Impact Statement (EIS) to evaluate the possible environmental impacts.

The donations allowed by this bill would supplement the $350,000 already allocated in the 2012 Q4 supplemental budget legislation, helping pay for consultant assistance in planning and environmental analysis.

The work that will be funded by this bill will ensure that the impacts of potential changes to the zoning in the U District are clearly identified and available to the public before review of related legislation proceeds. Thank you for your consideration of this legislation. Should you have any questions, please contact Dave LaClergue at 733-9668.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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