Kristian Kofoed
DPD Youth Service Centers ORD
July 1, 2014
Version #13

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 118202

AN ORDINANCE relating to land use and zoning, amending Sections 23.47A.004, 23.51A.004, 23.84A.020 and 23.84A.046 of the Seattle Municipal Code, to establish a definition for and allow youth service centers, and provide development standards for youth service centers existing as of January 1, 2013 in public facilities operated by King County.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.47A.004 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.47A.004 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use according to Table A for 23.47A.004 and this Section 23.47A.004, except as may be otherwise provided pursuant to Division 3, Overlay Districts, of this subtitle III of Title 23.

* * *

D. Public ((~~F~~))facilities((~~.~~))

* * *

7. Youth service centers existing as of January 1, 2013, in public facilities operated by King County within Urban Center Villages and replacement, additions, or expansions to such King County public facilities are permitted in NC3 zones.

Table A for 23.47A.004 Uses in Commercial Zones					
	PERMITTED AND PROHIBITED USES BY ZONE(1)				
USES	NC1	NC2	NC3	C1	C2
* * *					
I. PUBLIC FACILITIES					
I.1. Jails	((~~X~~))	((~~X~~))	((~~X~~))	((~~X~~))	((~~X~~))
I.1.a Youth Service Centers	X	X	P(17)	X	X
I.1.b All other jails	X	X	X	X	X
I.2. Work Release Centers	CCU-10	CCU-25	CCU	CCU	CCU
* * *					
Key * * * FOOTNOTES to Table for 23.47A.004 * * * (17) Permitted pursuant to subsection 23.47A.004.D.7.					

Section 2. Section 23.51A.004 of the Seattle Municipal Code, last amended by Ordinance 123495, is amended as follows:

23.51A.004 Public facilities in multifamily zones

A. Except as otherwise provided in ((~~subsection D of~~)) subsection 23.51A.004.D, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under the applicable zoning are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use.

B. The following uses in public facilities are permitted outright in all multifamily zones if the development standards for institutions in Section((~~s~~)) 23.45.570, other than dispersion requirements, are met, except as otherwise provided in subsection 23.51A.004.B.6:

1. Police precinct stations;

2. Fire stations;

3. Public boat moorages;

4. Utility service uses; ((~~and~~))

5. Other uses similar to any of the uses listed in this subsection 23.51A.004.B((~~.~~)); and

6. Youth service centers existing as of January 1, 2013, in public facilities operated by King County in an LR3 zone within an Urban Center Village and replacement, additions or expansions to such King County public facilities. For youth service centers, the development standards for institutions in Section 23.45.570 apply, and subsections 23.45.570.D and 23.45.570.F relating to structure width and setbacks may be waived or modified by the Director as a Type II decision. The Director's decision to waive or modify standards shall be based on a finding that the waiver or modification is needed to accommodate unique programming, public service delivery, or structural needs of the facility and that the following urban design objectives are met. The Director's decision shall include conditions to mitigate all substantial impacts caused by such a waiver or modification.

a. Objective 1: Create visual interest along and activate each street frontage. Examples for achieving this objective include, but are not limited to, the following:

1) Incorporate prominent entrances and other features that welcome pedestrians;

2) Add visual interest using architectural detailing of the facade, transparency, decorative materials or design features;

3) Use signage consistent with the Sign Code, Chapter 23.55, that helps orient pedestrians and adds interest to the street environment.

b. Objective 2: Create a continuous pedestrian environment along each frontage of the development in LR3. Examples for achieving this objective include, but are not limited to, the following:

1) Incorporate shade and rain protection, such as awnings, building overhangs, benches, free-standing pavilions or kiosks;

2) Where site dimensions and program conditions allow, provide a landscaped setback between the structure and sidewalk;

3) Design new or existing bus stops to integrate transit shelters, benches and decorative treatments with the adjacent facade.

c. Objective 3: Address the bulk and scale of the building by design treatments that transition to the scale of nearby development. Examples for achieving this objective include, but are not limited to, the following:

1) Break down the apparent scale of the building and reduce the impact of blank walls by using modulation or decorative facade elements, such as material, shape, color, architectural detailing, painting, screening, artwork, or vegetated walls;

2) Use landscaped setbacks where appropriate.

C. Unless specifically prohibited in subsection 23.51A.004.D((~~D of this Section 23.51A.004~~)), uses in new public facilities not specifically listed in subsection 23.51A.004.B ((~~A or B of this Section 23.51A.004~~))or permitted pursuant to subsection 23.51A.004.A, or that are listed in or permitted pursuant to subsections 23.51A.004.A or 23.51A.004.B((~~A or B of this Section 23.51A.004~~)) but do not meet applicable development standards or administrative conditional use criteria, may be permitted by the City Council according to the provisions of Chapter 23.76, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions. In making the decision, the Council may waive or grant

departures from development standards or administrative conditional use criteria for public facilities, if the following criteria are satisfied:

1. The location of the public facility addresses public service needs, and any waiver or departure from development standards or administrative conditional use criteria is necessitated by those public service delivery needs; and

2. The impact of the public facility on surrounding properties has been addressed in the design, siting, landscaping, and screening of the facility.

D. The following public facilities are prohibited in all multifamily zones:

1. Jails((:)), except for youth service centers existing as of January 1, 2013, in public facilities operated by King County within an Urban Center Village;

2. Work-release centers;

3. Bus bases;

4. Park and ride lots;

5. Sewage treatment plants;

6. Animal control shelters; and

7. Post office distribution centers.

E. Expansion of uses in public facilities((:))

1. Major expansion. Major expansion of public facilities that are permitted by ((~~subsection C of this S~~))subsection 23.51A.004.C may be approved by the City Council, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as ((~~a~~))Type V land use decisions, subject to the criteria of subsections 23.51A.004.C.1 and 23.51A.004.C.2((~~of this Section 23.51A.004~~)). A major expansion of a public facility occurs if an expansion would not meet development standards or, except for expansion of the Washington State Convention and Trade Center, the area of the expansion would exceed either 750 square feet or 10 percent of the existing area of the use, whichever is greater. A major expansion of the

Washington State Convention and Trade Center is one that is 12,000 square feet or more in size. For the purposes of this subsection 23.51A.004.E.1, "area of the use" includes gross floor area and outdoor area devoted actively to that use, excluding parking.

2. Minor expansion. An expansion of a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities that are permitted by subsections 23.51A.004.A, 23.51A.004.B, or 23.51A.004.C ((~~of this Section 23.51A.004~~))are permitted outright.

F. Essential public facilities will be reviewed according to the provisions of Chapter 23.80, Essential Public Facilities.

G. Uses in existing or former public schools((:))

1. Child-care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses are permitted in existing or former public schools.

2. Other non-school uses are permitted in existing or former public schools pursuant to procedures established in Chapter 23.78, Establishment of Criteria for Joint Use or Reuse of Schools.

Section 3. Section 23.84A.020 of the Seattle Municipal Code, last amended by Ordinance 122311, is amended as follows:

23.84A.020 "J((,))"

"Jail" means a public facility, including a youth service center, for the incarceration of persons under warrant, awaiting trial on felony or misdemeanor charges, convicted but not yet sentenced, or serving a sentence upon conviction. This definition does not include facilities for programs providing alternatives to imprisonment such as prerelease, work release, or probationary programs, except when provided in conjunction with a youth service center.

* * *

Section 4. Section 23.84A.046 of the Seattle Municipal Code, last amended by Ordinance 122475, is amended as follows:

23.84A.046 "Y((,))"

* * *

Youth Service Centers: See "Jails." A youth service center means youth detention facility, holding cells, courtrooms, classroom space, a gymnasium for detained youth, and related uses, including but not limited to administrative offices and meeting rooms.

Section 5. 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 _____, 2014, and signed by me in open session in authentication of its passage this _____ day of _____, 2014.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2014.

_____

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2014.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Form revised: February 26, 2014

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
DPD	Kristian Kofoed / 233-7191	Melissa Lawrie / 684-5805

Legislation Title:
AN ORDINANCE relating to land use and zoning, amending Sections 23.47A.004, 23.51A.004, 23.84A.020 and 23.84A.046 of the Seattle Municipal Code, to establish a definition for and allow youth service centers, and provide development standards for youth service centers existing as of January 1, 2013 in public facilities operated by King County.

Summary of the Legislation:

The legislation would:

1. Define Youth Service Center (YSC) as "A youth service center means youth detention facility, holding cells, courtrooms, classroom space, a gymnasium for detained youth, and related uses including but not limited to administrative offices and meeting rooms."
2. Allow replacement of or additions to YSCs existing as of January 1, 2013 in facilities operated by King County in Neighborhood Commercial 3 and Lowrise 3 zones.
3. Allow the DPD Director as a Type II Land Use Decision (includes notice to neighbors, opportunity for comment and appeal of the DPD decision to the Hearing Examiner) to modify or waive maximum structure width and setback standards for YSCs based on programming, service and structural needs and compliance with proposed Urban Design Objectives.

Background:

In 2012, King County voters approved a nine-year levy increase providing $210 million in funding for the Children and Family Justice Center project on 12th Avenue in the Central District. The approved facility would use the proposed amendments.

Please check one of the following:

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

____ **This legislation has financial implications.**

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?**
None.

c) **Does this legislation affect any departments besides the originating department?**
No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
No alternatives have been identified.

e) **Is a public hearing required for this legislation?**
Yes. The City Council must hold a public hearing.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
Yes. Publication of notice of the Council public hearing will be made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin.

g) **Does this legislation affect a piece of property?**
The legislation is of general application to property having the characteristics described in the ordinance.

h) **Other Issues:** None.

List attachments to the fiscal note below: None.

City of Seattle
Edward B. Murray
Mayor

August 12, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that amends the Land Use Code to define a new land use for Youth Service Center (YSC) and allow the use at existing facilities operated by King County in Neighborhood Commercial 3 (NC3) and Lowrise (LR3) zones. The amendments would also authorize the Director of the Department of Planning and Development to waive or modify standards for structure setbacks and maximum width limits for YSCs in LR3 zones.

The amendments would support King County's replacement of the facility on 12th Avenue, which is more than 40 years old and no longer meets the needs of the region. King County has made replacement of the facility its highest priority capital project since 2008. In 2011 and early 2012, King County undertook a study of different options for replacing the facility. The Study recommended full replacement of the facility on the same site.

Based on that recommendation, the King County Council placed a levy lift lid measure on the August 2012 ballot. King County voters approved the measure, providing nine-year property tax funding or $210 million for construction of a new Youth Services Center also called the Children and Family Justice Center (CFJC).

Thank you for your consideration of this legislation. Should you have questions, please contact Kristian Kofoed in the Department of Planning and Development at 233-7191.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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