



SEATTLE CITY COUNCIL

Legislative Summary

CB 119237

Record No.: CB 119237

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125587

In Control: City Clerk

File Created: 04/05/2018

Final Action: 06/01/2018

Title: AN ORDINANCE related to land use and zoning; adding a new Section 23.41.022 to the Seattle Municipal Code (SMC) and amending Section 23.76.005 of the SMC, to clarify the relationship between design review and review of street vacation petitions.

Notes:

Sponsors: O'Brien

Attachments:

Drafter: linda.diibon@seattle.gov

Date

Filed with City Clerk: 6/1/2018

Mayor's Signature: 6/1/2018

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	04/10/2018	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	04/11/2018	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
	Notes:						
1	City Council	04/16/2018	referred	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was referred. to the Sustainability and Transportation Committee						
	Notes:						

Legislative Summary Continued (CB 119237)

- 1 Sustainability and Transportation Committee 04/17/2018 discussed
- Action Text:** The Council Bill (CB) was discussed in Committee.
- Notes:**
- 1 Sustainability and Transportation Committee 05/01/2018 pass Pass
- Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).
- In Favor: 3 Chair O'Brien, Vice Chair Johnson, Member Sawant
- Opposed: 0
- 1 City Council 05/07/2018 held
- Action Text:** The Council Bill (CB) was held until May 14, 2018.
- 1 City Council 05/14/2018 held
- Action Text:** The Council Bill (CB) was held until May 21, 2018.
- Notes:**
- 1 City Council 05/21/2018 passed Pass
- Action Text:** The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
- Notes:**
- In Favor: 9 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant
- Opposed: 0
- 1 City Clerk 05/23/2018 submitted for Mayor's signature Mayor
- 1 Mayor 06/01/2018 Signed
- Action Text:** The Council Bill (CB) was Signed.
- Notes:**
- 1 Mayor 06/01/2018 returned City Clerk
- Action Text:** The Council Bill (CB) was returned. to the City Clerk
- Notes:**
- 1 City Clerk 06/01/2018 attested by City Clerk
- Action Text:** The Ordinance (Ord) was attested by City Clerk.
- Notes:**
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CITY OF SEATTLE

ORDINANCE 125587

COUNCIL BILL 119237

AN ORDINANCE related to land use and zoning; adding a new Section 23.41.022 to the Seattle Municipal Code (SMC) and amending Section 23.76.005 of the SMC, to clarify the relationship between design review and review of street vacation petitions.

WHEREAS, The City of Seattle's Street Vacation Policies were adopted in 1986 by Resolution 27527; and

WHEREAS, the City Council intends to clarify the relationship between the street vacation review process and the Design Review program; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 23.41.022 is added to the Seattle Municipal Code as follows:

23.41.022 Coordination of design review and vacations of right-of-way

A. Full design review. The following requirements apply to projects that seek the vacation of a public right-of-way pursuant to Chapter 15.62 and are subject to or for which an applicant has elected full design review pursuant to Section 23.41.004:

1. Early design guidance. Before submitting any application materials to begin the early design guidance process, an applicant shall consult with the Seattle Design Commission. The purpose of the consultation is to have the Seattle Design Commission provide recommendations to the Design Review Board before the board holds any early design guidance meetings under Section 23.41.014. The Seattle Design Commission recommendations may include any initial concerns about the proposed project and any conceptual design or siting alternatives, including any no-vacation alternatives prepared.

2. Design Review Board recommendation. The Design Review Board shall not hold a final recommendation meeting until the Seattle Design Commission makes a recommendation on the Public Trust Analysis phase of a street vacation review as described in the Street Vacation Policies.

B. Administrative design review. The following requirements apply to projects that seek the vacation of a public right-of-way pursuant to Seattle Municipal Code Chapter 15.62 and are subject to or for which an applicant has elected administrative design review pursuant to Section 23.41.004.

1. Early design guidance. Before the Director makes guideline priorities available, an applicant shall consult with the Seattle Design Commission. The purpose of the consultation is to have the Seattle Design Commission provide recommendations to the Director, prior to the Director identifying priorities pursuant to Section 23.41.016. The Seattle Design Commission recommendations may include any initial concerns about the proposed project and any conceptual design or siting alternatives, including any no-vacation alternatives prepared.

2. Design Review Board recommendation. The Director shall not make a recommendation pursuant to Section 23.41.016 until the Seattle Design Commission makes a recommendation on the Public Trust Analysis phase of a street vacation review.

Section 2. Section 23.76.005 of the Seattle Municipal Code, last amended by Ordinance 123913, is amended as follows:

23.76.005 Time for decisions

A. Except as otherwise provided in this Section 23.76.005 or otherwise agreed to by the applicant, land use decisions on applications shall be made within 120 days after the applicant has been notified that the application is complete. In determining the number of days that have

1 elapsed after the notification that the application is complete, the following periods shall be
2 excluded:

3 1. All periods of time during which the applicant has been requested by the
4 Director to correct plans, perform required studies, or provide additional required information,
5 until the Director determines that the request has been satisfied;

6 2. Any extension of time mutually agreed upon by the Director and the applicant;

7 3. For projects for which an EIS has been required, the EIS process time period
8 established in subsection 23.76.005.B;

9 4. Any time period for filing an appeal of the land use decision to the Hearing
10 Examiner, and the time period to consider and decide the appeal; and

11 5. All periods of time during which the applicant has been requested by the
12 Director to pay past-due permit fees, until the Director determines that the request has been
13 satisfied or until the permit is cancelled for failure to pay fees.

14 B. The time required to prepare an EIS shall be agreed to by the Director and applicant in
15 writing. Unless otherwise agreed to by the applicant, a final environmental impact statement
16 shall be issued by the Director within one year following the issuance of a Determination of
17 Significance for the proposal, unless the EIS consultant advises that a longer time period is
18 necessary. In that case, the additional time shall be that recommended by the consultant, not to
19 exceed an additional year.

20 C. The time limits established by subsections 23.76.005.A and B do not apply if a permit
21 application:

22 1. ~~((requires))~~ Requires an amendment to the Comprehensive Plan or the Land
23 Use Code; or

2. ~~((requires))~~ Requires the siting of an essential public facility; ~~((or))~~

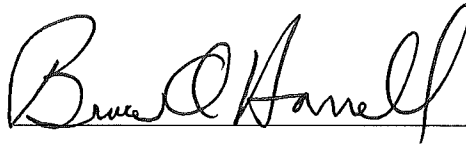
3. ~~((is))~~ Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete; ~~((or))~~ or

4. Requires the vacation of public right-of-way.

* * *

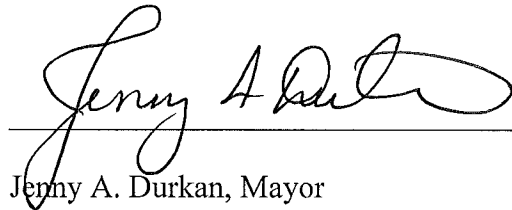
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 21st day of May, 2018,
and signed by me in open session in authentication of its passage this 21st day of
May, 2018.

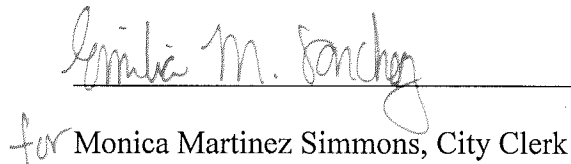


President _____ of the City Council

Approved by me this 1st day of June, 2018.


Jenny A. Durkan, Mayor

Filed by me this 1st day of June, 2018.


for Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

362893

No. 88,89,90

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.

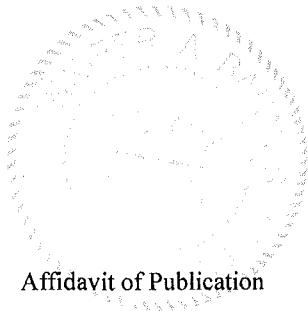
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

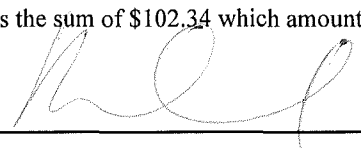
CT: TITLE ONLY 125586,87,

was published on

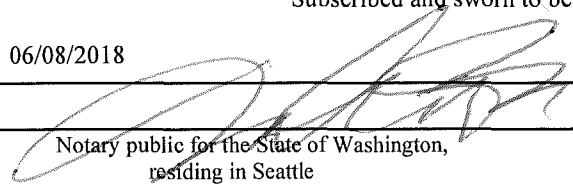
06/08/18

The amount of the fee charged for the foregoing publication is the sum of \$102.34 which amount has been paid in full.




Subscribed and sworn to before me on

06/08/2018


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on May 21, 2018, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125586

Council Bill 119234

AN ORDINANCE related to the Seattle Design Commission; amending Sections 3.58.010, 3.58.030, 3.58.050, 3.58.080, 3.58.090, and 22.900G.080 of the Seattle Municipal Code (SMC); and adding a new Section 3.58.100 to the SMC; to clarify the role of the Seattle Design Commission in reviewing petitions for long-term or permanent use of the public right-of-way and to set fees for Design Commission review of such projects.

Ordinance 125587

Council Bill 119237

AN ORDINANCE related to land use and zoning; adding a new Section 23.41.022 to the Seattle Municipal Code (SMC) and amending Section 23.76.005 of the SMC, to clarify the relationship between design review and review of street vacation petitions.

Ordinance 125588

Council Bill 119248

AN ORDINANCE amending the 2015 Seattle Building Code as adopted by Ordinance 125161; allowing the height limitation increase for Occupancy Group R-2 of Type IIIA construction be increased to six stories and 75 feet where all specified provisions are met.

Ordinance 125589

Council Bill 119254

AN ORDINANCE relating to the Ethics Code; amending Sections 4.16.030 and 4.16.070 of the Seattle Municipal Code; requiring elected officials to disclose financial interests in legislative matters prior to participating in those matters; and creating a limited exception to the requirement that elected officials disqualify themselves from participating in such matters.

Ordinance 125590

Council Bill 119257

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, June 8, 2018.

6/8(362893)