



SEATTLE CITY COUNCIL

Legislative Summary

CB 119489

Record No.: CB 119489

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125845

In Control: City Clerk

File Created: 02/20/2019

Final Action: 06/18/2019

Title: AN ORDINANCE relating to land use and zoning; allowing limited expansion of Major Institution uses in a portion of Industrial General 1 and 2 zones and Industrial Buffer zones located near Seattle Pacific University; and amending Sections 23.50.012 and 23.69.024 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Johnson

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bonita.chinn@seattle.gov

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	Mayor	03/19/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	03/19/2019	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	03/21/2019	sent for review	Planning, Land Use, and Zoning Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Zoning Committee						
	Notes:						
1	City Council	04/01/2019	referred	Planning, Land Use, and Zoning Committee			

Action Text: The Council Bill (CB) was referred. to the Planning, Land Use, and Zoning Committee

Notes:

- 1 Planning, Land Use, and 05/15/2019 discussed
Zoning Committee

Action Text: The Council Bill (CB) was discussed in Committee.

- 1 Planning, Land Use, and 06/05/2019 pass Pass
Zoning Committee

Action Text: The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 3 Chair Pacheco, Vice Chair O'Brien, Member Herbold

Opposed: 0

- 1 City Council 06/10/2019 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Juarez,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Pacheco, Councilmember Sawant

Opposed: 0

- 1 City Clerk 06/14/2019 submitted for Mayor
Mayor's signature

- 1 Mayor 06/17/2019 Signed

Action Text: The Council Bill (CB) was Signed.

- 1 Mayor 06/18/2019 returned City Clerk

- 1 City Clerk 06/18/2019 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

CITY OF SEATTLE

ORDINANCE

125845

COUNCIL BILL

119489

AN ORDINANCE relating to land use and zoning; allowing limited expansion of Major Institution uses in a portion of Industrial General 1 and 2 zones and Industrial Buffer zones located near Seattle Pacific University; and amending Sections 23.50.012 and 23.69.024 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.50.012 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.50.012 Permitted and prohibited uses

A. All uses are permitted outright, prohibited, or permitted as a conditional use, according to Table A for 23.50.012 and this Section 23.50.012.

* * *

**Table A for 23.50.012
Uses in Industrial zones**

Uses	Permitted and prohibited uses by zone				
	IB	IC	IG1 and IG2 (general)	IG1 in the Duwamish M/I Center	IG2 in the Duwamish M/I Center
* * *					
E. INSTITUTIONS					
E.1. Adult care centers	X	X	X	X	X
E.2. Child care centers	P	P	P	P	P
E.3. Colleges	EB	EB	EB(9)	X(10)	X(10)
E.4. Community centers and Family support centers	EB	EB	EB	P	P
E.5. Community clubs	EB	EB	EB	X	P

E.6. Hospitals	EB	EB	CU(11)	P	P
E.7. Institutes for advanced study	P	P	P	X	X
E.8. Libraries	X	X	X	X	X
E.9. Major institutions subject to the provisions of Chapter 23.69	EB(12)	EB	EB(12)	EB	EB
E.10. Museums	EB	EB(((42))) (13)	EB	X(((43))) (14)	X(((43))) (14)
E.11. Private clubs	EB	EB	EB	X	X
E.12. Religious facilities	P(((44))) (15)	P(((44))) (15)	P(((44))) (15)	P(((44))) (15)	P(((44))) (15)
E.13. Schools, elementary or secondary	EB	EB	EB	X	X
E.14. Vocational or fine arts schools	P	P	P	P	P
F. LIVE-WORK UNITS	X	X	X	X	X
G. MANUFACTURING USES					
G.1. Manufacturing, light (1)	P	P	P	P	P
G.2. Manufacturing, general	P	P	P	P	P
G.3. Manufacturing, heavy	CU	X or CU(((45))) (16)	P or CU(((46))) (17)	P	P
H. PARKS AND OPEN SPACE	P	P	P	P	P
I. PUBLIC FACILITIES					
I.1. Jails	X	X	X	X	X
I.2. Work-release centers	X	X	X	X	X
I.3. Other public facilities	CCU	CCU	CCU	CCU	CCU
J. RESIDENTIAL USES					

J.1. Residential uses not listed below	X	X	X	X	X
J.2. Artist's studio/dwellings	EB/CU	EB/CU	EB/CU	EB/CU	EB/CU
J.3. Caretaker's quarters	P	P	P	P	P
J.4. Residential use, except artist's studio/dwellings and caretaker's quarters, in a landmark structure or landmark district	CU	CU	CU	CU	CU
K. STORAGE USES					
K.1. Mini-warehouses	P	P	P	X	P
K.2. Storage, outdoor	P	P	P	P	P
K.3. Warehouses	P	P	P	P	P
L. TRANSPORTATION FACILITIES					
L.1. Cargo terminals	P	P	P	P	P
L.2. Parking and moorage					
L.2.a. Boat moorage	P	P	P	P	P
L.2.b. Dry boat storage	P	P	P	P	P
L.2.c. Parking, flexible-use	P	P or X(((17)))(18)	P	X(5)	X(5)
L.2.d. Park and ride facilities	P(((18))) (19)	P(((18))) (19)	P(((18))) (19)	CU	CU
L.2.e. Towing services	P	P	P	P	P
L.3. Passenger terminals	P	P	P	P	P
L.4. Rail transit facilities	P	P	P	P	P
L.5. Transportation facilities, air					
L.5.a. Airports (land-based)	X	CCU	CCU	CCU	CCU

L.5.b. Airports (water-based)	X	CCU	CCU	CCU	CCU
L.5.c. Heliports	X	CCU	CCU	CCU	CCU
L.5.d. Helistops	CCU	CCU	CCU	CCU	CCU
L.6. Vehicle storage and maintenance					
L.6.a. Bus bases	CU	CU	CU	CU	CU
L.6.b. Railroad switchyards	P	P	P	P	P
L.6.c. Railroad switchyards with a mechanized hump	X	X	CU	CU	CU
L.6.d. Transportation services, personal	P	P	P	P	P
M. UTILITY USES					
M.1. Communication utilities, major	CU	CU	CU	CU	CU
M.2. Communication utilities, minor	P	P	P	P	P
M.3. Power plants	X	CCU	P	P	P
M.4. Recycling	P	P	P	P	P
M.5. Sewage treatment plants	X	CCU	CCU	CCU	CCU
M.6. Solid waste management					
M.6.a. Salvage yards	X	X	P	P	P
M.6.b. Solid waste transfer stations	CU(((49))) <u>(20)</u>	CU	CU	CU	CU
M.6.c. Solid waste incineration facilities	X	CCU	CCU	CCU	CCU
M.6.d. Solid waste landfills	X	X	X	X	X
M.7. Utility services uses	P	P	P	P	P
KEY CU = Administrative conditional use CCU = Council conditional use					

EB = Permitted only in a building existing on October 7, 1987.

EB/CU = Administrative conditional use permitted only in a building existing on October 7, 1987.

P = Permitted

X = Prohibited

Footnotes to Table A for 23.50.012

(1) In addition to the provisions in this Chapter 23.50, urban farms that entail major marijuana activity are regulated by Section 23.42.058.

(2) Except within designated manufacturing and industrial centers, where they are permitted only on rooftops and/or as agricultural uses within an enclosed building. Except for agricultural uses within an enclosed building operating prior to January 4, 2016, agricultural uses within an enclosed building are not permitted in the IG1 zone. Agricultural uses within an enclosed building within designated manufacturing and industrial centers (excluding associated office or food processing areas) shall not exceed:

(a) 5,000 square feet in IG1 zones for agricultural uses within an enclosed building established prior to January 4, 2016;

(b) 10,000 square feet in IB and IC zones; and

(c) 20,000 square feet in IG2 zones.

(3) Animal shelters and kennels maintained and operated for the impounding, holding and/or disposal of lost, stray, unwanted, dead or injured animals are permitted.

(4) Subject to subsection 23.50.012.E.

(5) Parking required for a spectator sports facility or exhibition hall is allowed and shall be permitted to be used as flexible-use parking or shared with another such facility to meet its required parking. A spectator sports facility or exhibition hall within the Stadium Transition Area Overlay District may reserve parking. Such reserved non-required parking shall be permitted to be used as flexible-use parking and is exempt from the one-space-per-650-square-foot ratio under the following circumstances:

(a) The parking is owned and operated by the owner of the spectator sports facility or exhibition hall, and

(b) The parking is reserved for events in the spectator sports facility or exhibition hall, and

(c) The reserved parking is outside of the Stadium Transition Area Overlay District, and south of South Royal Brougham Way, west of 6th Avenue South and north of South Atlantic Street. Parking that is covenanted to meet required parking will not be considered reserved parking.

(6) Medical service uses over 10,000 square feet, within 2,500 feet of a medical Major Institution Overlay District boundary, require administrative conditional use approval, unless included in an adopted major institution master plan. See Section 23.50.014.

(7) The high-impact uses listed in subsection 23.50.014.B.10 may be permitted as conditional uses.

(8) High-impact uses may be permitted as conditional uses as provided in subsection 23.50.014.B.5.

(9) Research and education facilities that are a part of a college or university, and that are water-dependent or water-related, as defined by Section 23.60A.944, are permitted in new and existing buildings in the Ballard/Interbay Northend Manufacturing & Industrial Center.

(10) A college or university offering a primarily vocational curriculum within the zone is

permitted.

(11) Hospitals may be permitted as a conditional use where accessory to a research and development laboratory or an institute for advanced study pursuant to subsection 23.50.014.B.14.

(12) Major institution uses are permitted only in a building existing on October 7, 1987, except that such uses are permitted on properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West regardless of whether the use is located in a building existing on October 7, 1987.

~~((12))~~(13) On IC zoned parcels within the Ballard Hub Urban Village and abutting Market Street, museums are allowed in new buildings or structures.

~~((13))~~(14) Museums are prohibited except in buildings or structures that are designated City of Seattle landmarks.

~~((14))~~(15) Transitional encampments accessory to religious facilities or to principal uses located on property owned or controlled by a religious organization are regulated by Section 23.42.054.

~~((15))~~(16) The heavy manufacturing uses listed in subsection 23.50.014.B.9 may be permitted as a conditional use. All other heavy manufacturing uses are prohibited.

~~((16))~~(17) Heavy manufacturing uses may be permitted as a conditional use within the Queen Anne Interbay area as provided in subsection 23.50.014.C.

~~((17))~~(18) Prohibited in an IC 85-160 zone for development that exceeds the base FAR limit.

~~((18))~~(19) Park and ride facilities are not permitted within 3,000 feet of the Downtown Urban Center.

~~((19))~~(20) Subject to subsection 23.50.014.B.7.e.

Section 2. Section 23.69.024 of the Seattle Municipal Code, last amended by Ordinance 123649, is amended as follows:

23.69.024 Major Institution designation

* * *

B. New Major Institutions((:))

1. When a medical or educational institution makes application for new development, or when a medical or educational institution applies for designation as a Major Institution, the Director will determine whether the institution meets, or would meet upon completion of the proposed development, the definition of a Major Institution in Section 23.84A.025. Measurement of an institution's site or gross floor area in order to determine

whether it meets minimum standards for Major Institution designation shall be according to the provisions of Section 23.86.036.

2. If the Director determines that Major Institution designation is required, the Director may not issue any permit that would result in an increase in area of Major Institution uses until the institution is designated a Major Institution, a Major Institution Overlay District is established, and a master plan is prepared according to the provisions of Part 2, Major Institution Master Plan.

3. The Director's determination that an application for a Major Institution designation is required will be made in the form of an interpretation subject to the procedures of Section 23.88.020.

4. The procedures for designation of a Major Institution are as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The Council will grant or deny the request for Major Institution designation by resolution.

5. If the Council designates a new Major Institution, a Major Institution Overlay District must be established by ordinance according to the procedures for amendments to the Official Land Use Map (rezones) in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions.

6. A new Major Institution Overlay District may not be established and a Major Institution Overlay District Boundary may not be expanded in single-family (~~or Industrial~~) zones.

7. Boundaries of a Major Institution Overlay District and maximum height limits shall be established or amended in accordance with the rezone criteria contained in Section 23.34.124, and the purpose and intent of this (~~chapter~~) Chapter 23.69 as described in Section

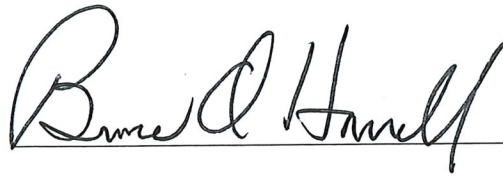
23.69.002, except that acquisition, merger, or consolidation involving two Major Institutions is governed by the provisions of Section 23.69.023.

8. A new Major Institution Overlay District may not be established and a Major Institution Overlay District Boundary may not be expanded in Industrial zones, except within Industrial-zoned properties located outside of the Ballard/Interbay/Northend Manufacturing and Industrial Center that are located in an area south of the Lake Washington Ship Canal, east of 8th Avenue West, north of West Nickerson Street, and west of 3rd Avenue West.

* * *

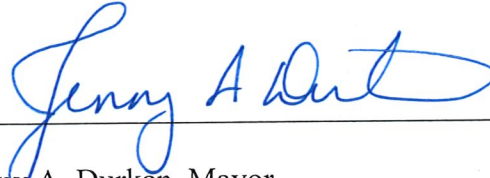
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of June, 2019,
and signed by me in open session in authentication of its passage this 10th day of
June, 2019.



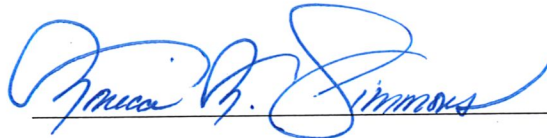
President _____ of the City Council

Approved by me this 17th day of June, 2019.



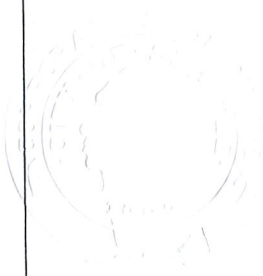
Jenny A. Durkan, Mayor

Filed by me this 18th day of June, 2019.



Monica Martinez Simmons, City Clerk

(Seal)



SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	Executive Contact/Phone:
SDCI	Eric Engmann /206-386-5518	Christie Parker /206-684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; allowing limited expansion of Major Institution uses in a portion of Industrial General 1 and 2 zones and Industrial Buffer zones located near Seattle Pacific University; and amending Sections 23.50.012 and 23.69.024 of the Seattle Municipal Code.

Summary and background of the Legislation: The legislation amends the Land Use Code to allow new major institution uses to operate more freely within in a limited area zoned Industrial General 1 (IG1) and Industrial Buffer (IB). This area was recently removed from the Ballard/Interbay/Northend Manufacturing and Industrial Center (BINMIC) by the City Council and is northwest of the existing Seattle Pacific University campus.

This legislation will allow for limited expansion just outside the existing major institution district boundary for Seattle Pacific University. The subject properties will retain the existing industrial zoning categories. The legislation would also allow for the future expansion of the Seattle Pacific Major Institution Overlay district into this area. Current regulations prohibit expansion of a major institution overlay into industrial zones. The proposed legislation would keep these restrictions in place, except for this specific area. A map of the area affected by the proposed legislation is listed as Attachment A.

Existing regulations in the Major Institution Overlay section of the Land Use Code allow major institution uses within 2,500 feet of an existing major institution overlay district. However, Industrial zones only allow for major institution uses in existing buildings constructed before October 7, 1987. Many of the possible major institution uses (including but not limited to sports and recreation facilities and parking) are outdoor uses.

Seattle Pacific University has indicated that they need this small increase in area for future expansion of the University. This limited expansion would occur away from existing residential development to the south and west of the institution, as requested by the neighborhood. It would also create a limited opportunity for the University to reassess uses on this land, on which the University is the primary land holder.

2. CAPITAL IMPROVEMENT PROGRAM

a. Does this legislation create, fund, or amend a CIP Project? ___ Yes ___X___ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget? ___ Yes ___X___ No
- b. Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No. Any future development of this land will be purchased, operated and maintained by the Major Institution. SDCI can accommodate the permit reviews with existing staffing and with costs to be recovered by permit fees. No fiscal impacts are anticipated.

- c. Is there financial cost or other impacts of *not* implementing the legislation?

Without this legislation, Seattle Pacific University would need to reevaluate initial locations for future expansion. Much of the University is bordered by residential uses and expansion into the residential areas would conflict with Seattle Municipal Code and Comprehensive Plan regulations and policies.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?

This legislation will primarily impact SDCI.

- b. Is a public hearing required for this legislation?

Yes. The City Council is required to hold a public hearing on the proposal. The public hearing is anticipated to be held in early 2019.

- c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

- d. 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 SDCI land use bulletin, Seattle Services Portal. Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation, and publication of notice of the environmental determination will be made in *The Daily Journal of Commerce* and in the Seattle Services Portal.

- e. Does this legislation affect a piece of property?

Yes. This legislation creates a limited area of approximately three city blocks of land where new major institution buildings and uses can occur. A map of the area affected by the proposed legislation is listed as Attachment A.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation is intended to allow limited expansion of major institution uses. According to the City's Comprehensive Plan, 1 in 8 jobs in the City occur at major institutions. This would allow additional job opportunities including those from vulnerable or historically disadvantaged communities. Any specific expansion plans such as a Major Institution Master Plan or site-specific development plan would provide additional opportunities to assess the RSJI principles.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

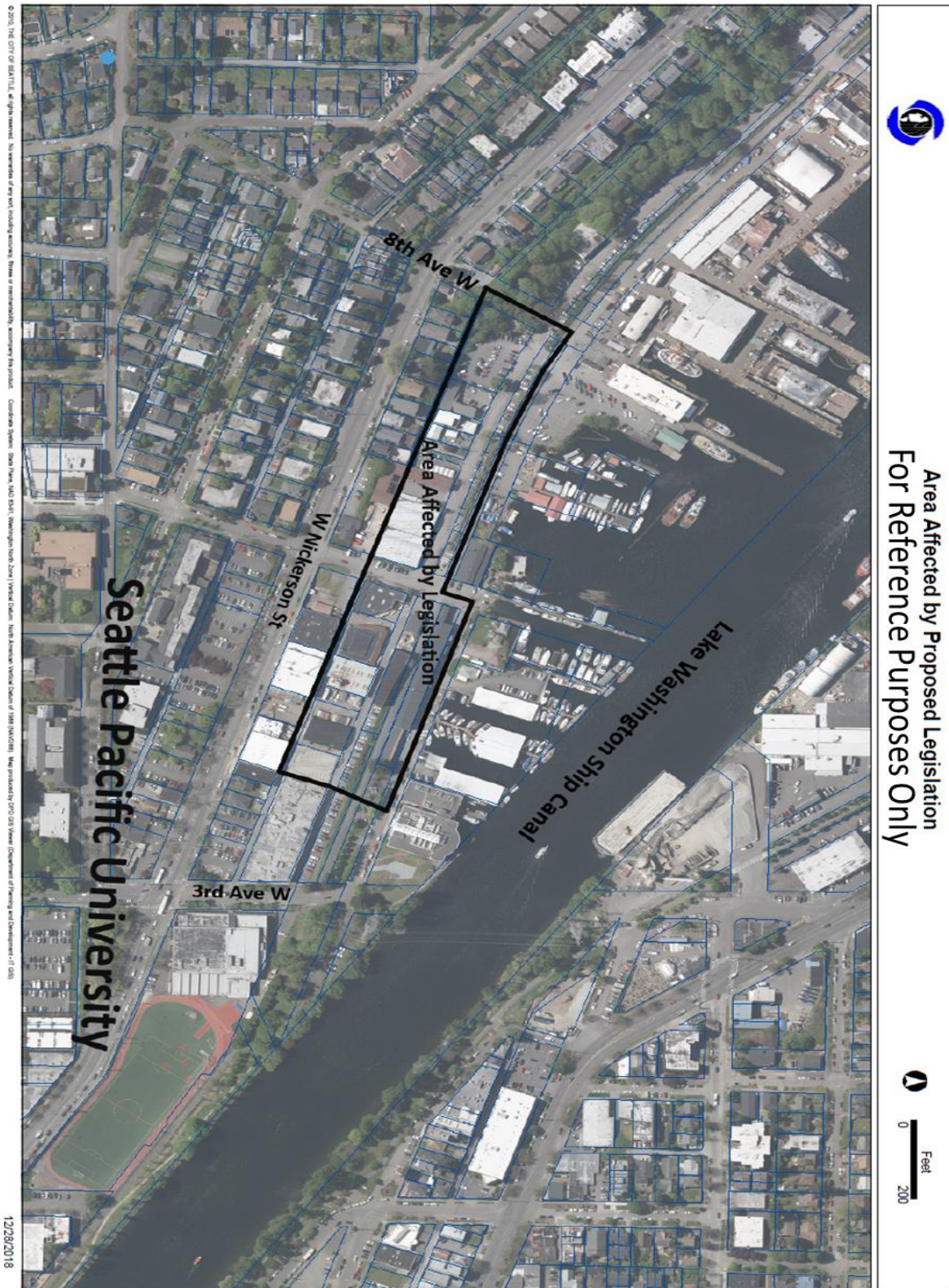
Not applicable to this proposal.

h. Other Issues:

None.

List attachments/exhibits below:

Summary Attachment A: Map of Area Affected by the Proposed Legislation



STATE OF WASHINGTON -- KING COUNTY

--SS.

375355

No.

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.

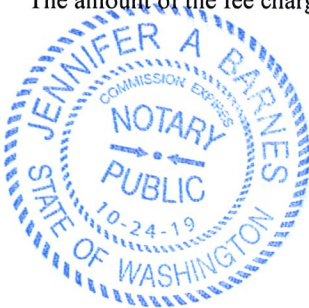
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125839-846 TITLE ONLY

was published on

06/27/19

The amount of the fee charged for the foregoing publication is the sum of \$136.28.



Affidavit of Publication

A handwritten signature in blue ink, likely of the subscriber, written over a horizontal line.

Subscribed and sworn to before me on

06/27/2019

A handwritten signature in blue ink, likely of the notary public, written over a horizontal line.

Notary public for the State of Washington
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 10, 2019, 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 125839

Council Bill 119538

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

Ordinance 125840

Council Bill 119507

AN ORDINANCE relating to fair housing; establishing a one-year prohibition on use of rental housing bidding platforms; amending Section 7.24.020 of the Seattle Municipal Code; and adding a new Section 7.24.090 to the Seattle Municipal Code.

Ordinance 125841

Council Bill 119535

AN ORDINANCE relating to the Fort Lawton Redevelopment Plan Application; authorizing a Memorandum of Agreement setting forth the terms of collaboration between The City of Seattle and Seattle School District No. 1 in the redevelopment of the former Fort Lawton Army Reserve Center.

Ordinance 125842

Council Bill 119510

AN ORDINANCE related to land use and zoning, amending page 52 of the Official Land Use Map, Seattle Municipal Code Chapter 23.32, to rezone property at the Fort Lawton Army Reserve Center.

Ordinance 125843

Council Bill 119505

AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010 and 23.41.012 of the Seattle Municipal Code to remove the Ballard Municipal Center Master Plan Area Guidelines and adopt the Ballard Neighborhood Design Guidelines, and delete reference to the Ballard Municipal Center Master Plan Area Guidelines.

Ordinance 125844

Council Bill 119506

AN ORDINANCE relating to land use and zoning; amending Section 23.41.010 of the Seattle Municipal Code to approve the Capitol Hill Neighborhood Design Guidelines, 2019.

Ordinance 125845

Council Bill 119489

AN ORDINANCE relating to land use and zoning; allowing limited expansion of Major Institution uses in a portion of Industrial General 1 and 2 zones and Industrial Buffer zones located near Seattle Pacific University; and amending Sections 23.50.012 and 23.69.024 of the Seattle Municipal Code.

Ordinance 125846

Council Bill 119504

AN ORDINANCE relating to the Pike Place Market Historical District; amending Ordinance 125650 to extend its effective date by six months.

Date of publication in the Seattle Daily Journal of Commerce, June 27, 2019.

6/27(375355)