



SEATTLE CITY COUNCIL

Legislative Summary

CB 119504

Record No.: CB 119504

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125846

In Control: City Clerk

File Created: 04/17/2019

Final Action: 06/21/2019

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

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Mayor's Letter on Returning Bill Unsigned

Drafter: patrick.wigren@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	City Clerk	04/23/2019	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	04/24/2019	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						
	Notes:						
1	City Council	05/06/2019	referred	Civil Rights, Utilities, Economic Development, and Arts Committee			

Legislative Summary Continued (CB 119504)

Action Text: The Council Bill (CB) was referred. to the Civil Rights, Utilities, Economic Development, and Arts Committee

1	Civil Rights, Utilities, Economic Development, and Arts Committee	06/04/2019	pass	Pass
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Action Text: The Committee recommends that City Council pass the Council Bill (CB).

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

Opposed: 0

Abstain: 1 Alternate Pacheco

1	City Council	06/10/2019	passed	Pass
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Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 8 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant

Opposed: 1 Councilmember Pacheco

1	City Clerk	06/14/2019	submitted for Mayor's signature	Mayor
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Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

1 Mayor 06/21/2019 returned unsigned

Action Text: The Council Bill (CB) was returned unsigned.

1	Mayor	06/21/2019	returned	City Clerk
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Action Text: The Council Bill (CB) was returned. to the City Clerk

1 City Clerk 06/21/2019 attested by City Clerk

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

CITY OF SEATTLE

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.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council makes the following legislative findings of fact and declarations:

A. The City Council incorporates by reference the findings of fact contained in Ordinance 125650.

B. In August 2018, the City Council passed and the Mayor signed Ordinance 125650 establishing an interim boundary expansion for the Pike Place Market Historical District through July 23, 2019.

C. The City is currently studying the historical significance of the Showbox theater, the historical connection between the Pike Place Market and Showbox theater, and the impacts of a permanent expansion of the Historical District, as appropriate.

D. The study is ongoing but will likely not be completed in time to allow the City Council enough time to adequately review the study's findings and take final action by July 23, 2019.

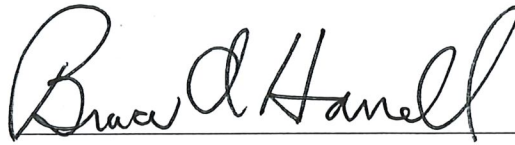
E. Revised Code of Washington (RCW) 36.70A.390 authorizes the City to extend the duration of an interim official control by ordinance for one or more six-month periods.

Section 2. Pursuant to RCW 36.70A.390, the interim official control created by Sections 2 and 3 of Ordinance 125650 is renewed for six months by amending Section 5 of Ordinance 125650 as follows:

1 Section 5. Sunset provision. Sections 2 and 3 of this ordinance shall expire on the
2 earlier of: (a) (~~ten months from the effective date of this ordinance~~) January 23, 2020 or
3 (b) the date an ordinance establishing the boundaries of a permanent expansion becomes
4 effective.

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 _____ day of _____, 2019.

Returned Unsigned by Mayor

Jenny A. Durkan, Mayor

Filed by me this 21st day of June, 2019.



Monica Martinez Simmons, City Clerk

(Seal)



FILED
CITY OF SEATTLE

19 JUN 21 PM 4:22

City of Seattle

CITY CLERK

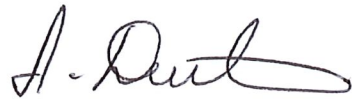
June 21, 2019

Monica Martinez Simmons
Seattle City Clerk
600 4th Avenue, 3rd Floor
Seattle, WA 98124

Dear Ms. Martinez Simmons,

I have returned Council Bill 119504 unsigned. This morning, King County Superior Court Judge Patrick Oishi ruled that the City Council's bill that temporarily expanded the boundaries of the Pike Place Market Historical District to include the Showbox Theatre was an "illegal spot zone" that violated due process. In light of Judge Oishi's ruling, I understand that Council Bill 119504 is of questionable validity. The City Attorney's Office and outside counsel will evaluate the impacts of the ruling on this ordinance to understand our future legal options.

Sincerely,

Jenny A. Durkan
Mayor of Seattle

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Legislative	Yolanda Ho/256-5989	N/A

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

Summary and background of the Legislation:

The proposed legislation would amend Ordinance 125650, which temporarily expanded the boundary of the Pike Place Market Historical District to include the Showbox Theater, to extend this expansion for an additional six months. The City is currently engaging in the analysis necessary to consider a permanent boundary expansion, but this work is not anticipated to be completed by the time the initial ten-month interim expansion expires on July 23, 2019.

For additional information on the background of the interim boundary expansion, please see the summary and fiscal note to Ordinance 125650.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes ☒ No

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.

Is there financial cost or other impacts of *not* implementing the legislation?
No.

4. OTHER IMPLICATIONS

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

The legislation affects the Seattle Department of Construction and Inspections, which administers the City's Land Use Code and other codes that regulate development of the built

and natural environment, and the Department of Neighborhoods, which administers the City's historic preservation programs.

b. Is a public hearing required for this legislation?

Yes, a public hearing is required by RCW 36.70A.390. That hearing will be held on May 31, 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 the hearing notice is required in the Daily Journal of Commerce.

e. Does this legislation affect a piece of property?

Yes, see Attachment A to Ordinance 125650.

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?

Not applicable.

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.

List attachments/exhibits below:

None.

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.

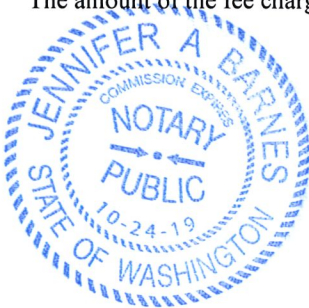
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

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)