SEATTLE CITY COUNCIL

Legislative Summary

Res 31807

Record No.: Res 31807 **Type:** Resolution (Res) **Status:** Adopted

Version: 1 **Ord. no:** **In Control:** Planning, Land Use, and Zoning Committee

File Created: 03/28/2018

Final Action: 04/23/2018

Title: A RESOLUTION relating to the Seattle Comprehensive Plan; revising the procedures and the criteria for consideration of proposed amendments to the Comprehensive Plan as part of the annual "docket," and repealing Resolutions 31402 and 31117.

Notes:

Sponsors: Johnson

Attachments: Att A - Comprehensive Plan Amendment Application

Drafter: patrick.wigren@seattle.gov

	Date
Filed with City Clerk:	
Mayor's Signature:	
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	03/29/2018	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	03/29/2018	sent for review	Planning, Land Use, and Zoning Committee			
	Action Text: The Resolution (Res) was sent for review. to the Planning, Land Use, and Zoning Committee						
	Notes:						
1	Full Council	04/02/2018	referred	Planning, Land Use, and Zoning Committee			
1	Planning, Land Use, and Zoning Committee	04/04/2018	discussed				
	Action Text: The Resolution (Res) was discussed in Committee.						

Notes:

1	Planning, Land Use, and Zoning Committee	04/18/2018	adopt	Pass

Action Text: The Committee recommends that Full Council adopt the Resolution (Res).

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

Opposed: 0

1	Full Council	04/23/2018	adopted	Pass

Action Text: The Resolution (Res) was adopted by the following vote, and the President signed the Bill:

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	04/23/2018	attested by City Clerk

Action Text: The Resolution (Res) was attested by City Clerk.

Notes:

CITY OF SEATTLE

RESOLUTION 31807

A RESOLUTION relating to the Seattle Comprehensive Plan; revising the procedures and the criteria for consideration of proposed amendments to the Comprehensive Plan as part of the annual "docket," and repealing Resolutions 31402 and 31117.

WHEREAS, the Seattle City Council ("Council") finds that the City's procedures for amending the Seattle Comprehensive Plan, contained in Resolution 31117, should be revised to clarify the process; and

WHEREAS, Resolution 31402 repealed and replaced the factors or criteria used to select proposed Comprehensive Plan amendments for analysis and possible adoption, as set forth in Resolutions 30662, 30766, 30860, 30976, 31049, 31117, 31146, 31233, and 31313; and

WHEREAS, Council finds that applicants and staff will benefit from updated criteria that provide additional clarity about when an amendment is appropriate, including an amendment to the Future Land Use Map; and

WHEREAS, Council finds that applicants and staff will also benefit from the consolidation of all procedures and criteria regarding proposed amendments to the Comprehensive Plan as part of the annual docket into a single resolution; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:

Section 1. Applicability. The procedures prescribed by this resolution apply to proposed amendments to the Comprehensive Plan. Nothing in this resolution precludes or requires the City to amend the Comprehensive Plan in any calendar year pursuant to Revised Code of Washington (RCW) 36.70A.130.

Section 2. The City Council ("Council") recognizes the number, complexity, and interdependency of potential land use policy and proposed development regulation changes under active consideration at the time of the adoption of this resolution. To effectively manage the time and resources necessary to analyze the changes currently under active consideration and to communicate effectively with the community regarding the proposed changes, Council will not call for annual Comprehensive Plan amendments from the public for the 2018-2019 annual cycle. Council intends that the procedures and criteria established in this resolution be applied for the next annual amendment cycle initiated by the Council.

Section 3. General procedures for annual Comprehensive Plan amendments.

A. Certain amendment types to be considered once per year. Except for amendments that may be considered more frequently than once a year pursuant to Revised Code of Washington (RCW) 36.70A.130, the City Council may consider proposed amendments to the Comprehensive Plan once per year.

B. Two-step docketing process. The annual Comprehensive Plan amendment process generally begins on April 15 of a calendar year and ends on March 31 of the following calendar year. The process includes two steps:

1. In the first step, the Council applies the criteria in Section 7 of this resolution to screen all proposed amendments. This screening step typically occurs by August 15 and will result in the adoption of a resolution identifying proposed amendments that Council believes warrant further consideration for action in the following year. The amendments identified for further consideration are together called the "docket."

2. In the second step, after the Council has selected the proposed amendments to consider for possible adoption, executive staff conducts additional analysis of

those proposed amendments. The Council then considers and votes on whether to approve the proposed amendments by March 31 of the following year.

Section 4. Annual Comprehensive Plan amendment process, Step One.

A. Call for annual amendments. If the City Council intends to consider Comprehensive Plan amendments as part of an annual cycle, the Council will provide notice of the opportunity to propose Comprehensive Plan amendments no later than April 15. Proposed amendments rejected in a previous amendment process generally will not be reconsidered for at least three years.

B. Proposing an annual amendment. If Council calls for annual amendments, anyone wishing to propose an amendment for consideration the following year must complete the Comprehensive Plan Amendment Application, substantially similar in form to that shown in Attachment A to this resolution, by May 15.

C. The Chair of the Committee that oversees the Comprehensive Plan may add to or modify the application form, as appropriate.

D. Complete application required. Anyone wishing to propose an amendment must submit the proposed amendment application in writing to the Council in the manner specified on the application. The Council will consider only complete applications for Comprehensive Plan amendments. The Council may return an application to the applicant if the application is not filled out correctly or if further information is required.

E. Council request for review by Planning Commission and the Office of Planning and Community Development (OPCD). The Council will transmit all proposed amendments to the Planning Commission and to OPCD requesting their separate recommendations on which amendments should be considered for further review.

F. Independent recommendations of the Planning Commission and OPCD. The Planning Commission and OPCD should each submit their independent recommendations to the Council by July 15 to be considered by Council. The Council requests that the Office of Planning and Community Development and the Seattle Planning Commission apply the criteria in Section 7 of this resolution when making recommendations about proposed amendments for future Comprehensive Plan dockets.

G. Identification of amendments for review and analysis. Considering the criteria in Section 7 of this resolution, the Council will identify in a resolution the docket of amendments that it will consider as part of the annual amendment process. The Council intends to adopt the resolution identifying the docket by August 15. Council's decision to place a proposed amendment on the docket does not constitute a decision or recommendation that the proposed amendment should be adopted; nor does it preclude later Council action to add or delete an amendment for consideration.

H. Optional public hearing on amendments proposed for the docket. Depending upon the number and nature of proposed amendments, the Council may hold a public hearing before it decides which proposed amendments will be placed on the docket for consideration in the next round of review. The Council will provide notice of the hearing by publication in the City's official newspaper and the Land Use Information Bulletin a minimum of 15 days before the scheduled hearing.

Section 5. Annual Comprehensive Plan amendment process, Step Two.

A. OPCD review of docketed amendments. OPCD will review each amendment on the docket in coordination with other City departments, and in consultation with the Planning Commission.

1. OPCD will establish dates by which departments should submit their analyses to OPCD.

2. OPCD will conduct any environmental review required by the State Environmental Policy Act (SEPA) for each amendment on the docket. OPCD shall complete SEPA review before submitting its written report to the Council. If an environmental impact statement is likely to be required by an amendment, the time to develop a recommendation on that amendment may extend beyond the initial annual cycle.

3. OPCD will solicit comments regarding the proposed amendment(s) from the public. OPCD may conduct public meetings and will provide notification and opportunities for public comment as it deems appropriate to the nature of the proposed amendment.

4. OPCD will prepare a written report for the Council that includes an analysis of each proposed amendment, and a recommendation on whether each proposed amendment should be approved, approved with amendments, or denied. OPCD will submit the report, together with legislation that would adopt the recommended amendments, to the Council no later than December 31.

B. Planning Commission Review. The Planning Commission will review and analyze each amendment on the docket resolution and the OPCD recommendations. By March 1, the Planning Commission will prepare a written recommendation to the Council on whether each proposed amendment should be approved, approved with amendments, or denied.

C. Concurrent consideration. The Council will consider concurrently the proposed annual amendments on the docket along with any other proposed Comprehensive Plan amendments, so the cumulative effect of the proposed amendments can be ascertained. Similarly,

the Council prefers to consider implementing measures concurrently with related annual amendments.

D. Council public hearing, notice, and comments. Except for emergency amendments, the Council will hold at least one public hearing to receive public comment on the proposed Comprehensive Plan amendments on the docket and any implementing regulatory measures.

1. The City will provide notice of the hearing in the same manner that it gives notice of proposed Land Use Code amendments pursuant to Seattle Municipal Code 23.76.062. Anyone may provide written comments to the Council regarding proposed Comprehensive Plan amendments.

2. If the Council chooses to consider a new amendment or a change to a proposed amendment after notice of the public hearing on the proposed amendments on the docket has been given, the Council will provide an opportunity for review and comment on the change or new amendment. The timing and extent of the opportunity for review and comment will be based upon the scope and content of the proposed change or new amendment, and shall be consistent with RCW 36.70A.035.

Section 6. Transmittal to the State. Except for emergency amendments, at least 60 days prior to the expected date of final Council action on the proposed amendments, OPCD will transmit a copy of the proposed amendments to the Washington State Department of Commerce ("Commerce"). OPCD will also transmit a copy of any adopted amendment to Commerce within ten days after adoption by the Council.

Section 7. Criteria for selecting proposed Comprehensive Plan amendments to be placed on the annual docket for analysis and possible adoption. The Council considers a variety of

criteria in determining whether a proposed Comprehensive Plan amendment will be placed on the amendment docket for a given year. Among those criteria are the following:

A. The amendment is legal under state and local law.

B. The amendment is appropriate for the Comprehensive Plan because:

1. It is consistent with the role of the Comprehensive Plan under the State Growth Management Act;

2. It is consistent with the Countywide Planning Policies and with the multi-county policies contained in the Puget Sound Regional Council's regional growth strategy;

3. Its intent cannot be accomplished by a change in regulations alone;

4. It is not better addressed as a budgetary or programmatic decision; and

5. It is not better addressed through another process, such as activities identified in departmental work programs under way or expected soon, within which the suggested amendment can be considered alongside other related issues.

C. It is practical to consider the amendment because:

1. The timing of the amendment is appropriate, and Council will have sufficient information to make an informed decision;

2. City staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Seattle Municipal Code, and to conduct sufficient analysis and public review; and

3. The amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council wishes to consider changing the vision or established policy.

D. If the amendment has previously been proposed, relevant circumstances have changed significantly so that there is sufficient cause for reconsidering the proposal.

E. If the amendment would change a neighborhood plan, there is evidence that proponents of the amendment, or other persons, have effectively communicated the substance and purpose of the amendment with those who could be affected by the amendment and there is documentation provided of community support for the amendment.

F. The amendment is likely to make a material difference in a future City regulatory or funding decision.

G. A proposal that would change the boundary of an urban center, urban village, or manufacturing/industrial center requires an amendment to the Future Land Use Map (FLUM), regardless of the area's size. However, an amendment that proposes to change the FLUM is not necessary and will not be considered when it would affect an area that is less than a full block in size and is located adjacent to other land designated on the FLUM for a use that is the same as – or is compatible with – the proposed designation.

Section 8. Resolution 31117 and Resolution 31402 are repealed.

Adopted by the City Council the 23rd day of April, 2018, and signed by me in open session in authentication of its adoption this 23rd day of April, 2018.

Bruce O Harrell

President _____ of the City Council

Filed by me this 23rd day of April, 2018.

Monica Martinez Simmons

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A – Comprehensive Plan Amendment Application

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose an amendment to the goals, policies, Future Land Use Map, appendices, or other components of the adopted City of Seattle Comprehensive Plan.

Applications are due to the Seattle City Council (sent electronically to: compplan@seattle.gov) no later than 5:00 p.m. on May 15th for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year. *(Please Print or Type)*

Applicant: Date:

Email:

Street Address:

City: State: Zip: Phone:

Contact person (if not the applicant):

Email:

Street Address:

City: State: Zip: Phone:

Name of general area, location, or site that would be affected by this proposed amendment (attach additional sheets if necessary):

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant
Signature:_____ Date:_____

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions. If appropriate, attach any additional sheets, supporting maps or graphics. If you use separate sheets to provide your answers, then answer each question separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.), maps, goals and/or policies you propose to amend.

> a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
>
> b. If you anticipate that the proposed Comprehensive Plan amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) that would need to be changed. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.
>
> c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area(s) proposed to be changed. List the address(es) for each property, the current land use category as shown on the Future Land Use Map and the proposed new land use category for each property in the area to be changed. Identify your relationship to the owner(s) of the property. Describe how the change is consistent with Policy LU1.5, which states "Require Future Land Use Map amendments only when needed to achieve a significant change to the intended function of a large area."

2. For amendments to goals and policies only: Describe how the issue is currently addressed in the Comprehensive Plan. Why is a change needed?

3. Describe why the proposed change meets each of the criteria established in Resolution (number) which sets criteria for Council to consider an amendment to the Comprehensive Plan.

4. What other options are there for meeting the goal or objectives of the amendment? Why is a Comprehensive Plan amendment needed to meet the goals or objectives?

5. What do you anticipate will be the impacts of the proposed amendment, including impacts to the geographic area affected? Why will the proposed amendment result in a net

benefit to the community? Please include any data, research, or analysis that supports the proposed amendments.

6. How does the proposed amendment support the existing goals and policies of the Comprehensive Plan? If the proposal would change existing goals and policies or add new goals and policies to the Comprehensive Plan, describe how the proposed amendment is consistent with the Washington State Growth Management Act (http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A), the Puget Sound Regional Council's Vision 2040 (http://www.psrc.org/growth/vision2040/), and the King County Countywide Planning Policies (http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/CPPs.aspx).

7. Is there public support for this proposed amendment? If the amendment would change the Future Land Use Map or a Neighborhood Plan, please list any meetings that you have held or other communication you have had with the community about the amendment. If the amendment would have a citywide impact, please list any organizations that you have discussed the amendment with. *Notes: You may attach letters of support for the amendment or other documentation. The City will provide public notice and opportunity for public comment, and environmental review for all applications.*

8. Has the proposed amendment been considered before by the Council? If so, when was it considered and what was the outcome? If the amendment has been previously rejected, please explain either:

- How the proposal has changed since it was last rejected, or
- Changed circumstances since the proposal was last considered that support reconsideration of the proposal.

Submit the application electronically via email at compplan@seattle.gov

Questions?
Name(s) of Central Staff primary contact
Contact information

STATE OF WASHINGTON -- KING COUNTY

--ss.

361763 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:31806-807 TITLE ONLY

was published on

05/09/18

The amount of the fee charged for the foregoing publication is the sum of $41.88 which amount has been paid in full.

Subscribed and sworn to before me on

05/09/2018

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on April 23, 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.

Resolution 31806

A RESOLUTION adopting General Rules and Procedures of the Seattle City Council; superseding Resolutions 31639 and 31659.

Resolution 31807

A RESOLUTION relating to the Seattle Comprehensive Plan; revising the procedures and the criteria for consideration of proposed amendments to the Comprehensive Plan as part of the annual "docket," and repealing Resolutions 31402 and 31117.

Date of publication in the Seattle Daily Journal of Commerce, May 9, 2018.

5/9(361763)