

December 3, 2018

## MEMORANDUM

**To:** Planning, Land Use and Zoning Committee  
**From:** Lish Whitson, Council Central Staff  
**Subject:** CB 119424: 2018 Comprehensive Plan Amendments

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On December 5, the Planning, Land Use and Zoning (PLUZ) Committee will hold a public hearing, discuss and may vote<sup>1</sup> on Council Bill (CB) [119424](#). CB 119424 would make two changes to the Comprehensive Plan. These changes, among other possible changes not being advanced in 2018, were docketed for consideration through [Resolution 31762](#) in 2017. These amendments would:

1. Amend Land Use Goal LU6 to clarify the City's goals in regulating off-street parking; and
2. Amend the boundary of the Ballard/Interbay/Northend Manufacturing/Industrial Center (BINMIC) adjacent to Seattle Pacific University.

These amendments were reviewed in a Determination of Nonsignificance that was published on October 23, 2017. Other docketed items included in Resolution 31762 may be considered in 2019. This memorandum discusses the two amendments under consideration, providing history and context for the amendments.

### Background

Resolution 31762 adopted August 7, 2017 identified four classes of amendments that may be considered in 2018:

1. Amendments to Comprehensive Plan goals and policies of the Comprehensive Plan proposed by members of the public;
2. Mandatory Housing Affordability amendments;
3. Manufacturing/Industrial amendments; and
4. Impact fee amendments.

The intent was to consider all four classes of amendments in 2018, however, due to ongoing environmental review and studies, only the amendments contained in CB 119424 are ready for Council consideration this year. Other amendments may be considered in 2019.

The Council expects to introduce legislation to implement Comprehensive Plan amendments related to the Mandatory Housing Affordability program in January. The Council may

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<sup>1</sup> Under the Washington State Growth Management Act, the Comprehensive Plan may only be amended once a year except in limited circumstances not present here. If PLUZ decides not to take action on the bill at its December 5 meeting or at another meeting prior to the final Council meeting on December 17, the bill would need to be held until 2019, and considered alongside any other 2019 Comprehensive Plan amendments.

concurrently consider amendments related to impact fees if environmental appeals related to those amendments are resolved. Amendments related to manufacturing/industrial areas may also be considered alongside the Mandatory Housing Affordability-related amendments.

In the Director's report on the 2017-2018 Comprehensive Plan Docket (see Attachment 1), the Office of Planning and Community Development (OPCD) recommended against adopting an amendment related to spillover parking from urban centers and villages. OPCD originally recommended supporting an amendment to include a definition of "concurrency." "Concurrent with development" is defined under the Growth Management Act ([RCW 36.70A.070\(6\)\(b\)](#)). After additional discussion, OPCD staff conveyed to Central Staff that having a definition of the term in the Comprehensive Plan that is separate from the definition of "concurrency" in the Growth Management Act is not advisable. Unless Councilmembers ask to continue review of these two amendments, they will be removed from the docket for further consideration.

The Planning Commission reviewed the two amendments in CB 119424 and on November 14, 2018 sent a letter recommending approval of the amendment to Land Use Goal 6 and recommended not adopting the proposed change to the BINMIC boundary until the broader suite of changes to Industrial land policies can be considered (see Attachment 2).

## **Amendments**

### **1. Land Use Goal 6 (LU G6) – Off-street Parking**

The City Neighborhood Council-Neighborhood Planning and Land Use Committee, Wallingford Chamber of Commerce, and Wallingford Community Council collectively submitted a proposal to replace three words to Goal LU6 as follows:

*Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, ~~lower construction costs~~ increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city.*

The intent was to provide a linkage between affordable housing and regulating off-street parking. This is consistent with the City's approach to regulating parking for projects that include affordable housing. However, the City has also recognized that construction costs of housing contribute to the cost of that housing. Structured parking spaces cost a significant amount of money. The City does consider the opportunity to lower construction costs for housing when it regulates off-street parking.

In analyzing the proposed amendment, OPCD recommended adding the phrase "increase affordable housing" without deleting the phrase "lower construction costs." In their report they stated: "Reducing parking requirements can directly result in lowered construction costs, which can result in more affordable housing... both builder and purchaser can benefit from the reduced cost of lower parking requirements." Consequently, the proposed amendment in front

of the Committee includes both the existing language regarding lowering construction costs and the proposed language regarding increasing affordable housing, as follows:

*LU G6: Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, lower construction costs to reduce the cost of housing and increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city.*

## 2. Future Land Use Map – BINMIC Boundary

Seattle Pacific University submitted a proposal to remove two blocks from the BINMIC. The area in question is generally bounded by the alley north of W Nickerson Street, east of 8<sup>th</sup> Avenue Southwest, south of the Ship Canal Trail and west of 3<sup>rd</sup> Avenue W. These blocks are located where the BINMIC abuts the SPU Major Institution boundary. The University would like to explore expanding the University's Campus in this area the next time they update their Major Institution Master Plan. The University has, in recent years acquired some of the industrially zoned properties on the block between 6<sup>th</sup> Avenue W and 3<sup>rd</sup> Avenue W as they became available, with the intention that any future institutional expansion would not affect nearby residentially-zoned properties to the south.

The Comprehensive Plan's policies generally discourage removing areas from industrial use. For example, Growth Strategy policy GS 1.21 states: "Maintain land that is uniquely accessible to water, rail, and regional highways for continued industrial use." BINMIC policy BI-P2 states: "Preserve land in the BINMIC for industrial activities, such as manufacturing, warehousing, marine uses, transportation, utilities, construction, and services to businesses."

However, the Major Institution policies in the Land Use element recognize the benefits that Major Institutions, such as local Universities, provide the City, and call for balancing the benefits of the Major Institution against the impacts of their growth. For example, LU 13.3 states that it's the City's policy to "Balance the need for major institutions to grow and change with the need to maintain the livability and vitality of neighboring areas." LU 13.4 states: "...Where appropriate, establish MIO boundaries for better integration between major institution areas and less intensive zones."

Further, this proposed FLUM amendment is consistent with Plan policies allowing Major Institutions flexibility to carry out their special public purposes, such as education. For example, LU G12 states: "Provide flexibility in standard zone provisions or supplement those provisions to achieve special public purposes in areas where unique conditions exist, such as ...major institutions."

Here, the two-block area proposed to be removed from the BINMIC boundary is not uniquely accessible to water, rail and regional highways. The change would keep land in the shoreline

district within BINMIC. Moreover, the proposed changes to the BINMIC boundary would not, by themselves, change the zoning or allow the University to expand its campus into the area. The University would first need to prepare an updated Campus Master Plan, including community engagement and outreach, and determine through that process that it is their preference to expand the Major Institution boundaries to the north. This would then require approval by the City Council through a quasi-judicial review process.

cc: Kirstan Arestad, Central Staff Director  
Ketil Freeman, Supervising Analyst

**Attachments:**

1. Director's Report 2017 to 2018 Amendments to the Seattle Comprehensive Plan, Office of Planning and Community Development, October 2017
2. Letter from the Seattle Planning Commission, November 14, 2018

**Director’s Report**  
**2017 to 2018 Amendments**  
**to the Seattle Comprehensive Plan**



**Office of Planning and Community Development**

**October 2017**

## **Director's Report: Comprehensive Plan Annual Amendments 2017-18**

The Comprehensive Plan is the City's response to the State of Washington Growth Management Act (GMA) requirement to prepare a Comprehensive Plan ("Plan") which includes specific elements. The GMA limits cities to no more than one group of amendments per year. The City's regular annual amendment process begins with the City Council receiving proposed amendments from the public, Council members and the Executive. Following review as to whether the proposals meet Council's adopted criteria for further analysis, the Council adopts a Resolution directing the Office of Planning and Community Development (OPCD) and the Planning Commission to make recommendations as to whether any or all of those proposals should be added to the Plan.

In August 2017, the City Council adopted Resolution 31762 to docket proposals for further analysis. In this Report, OPCD recommends one proposal that would amend the Plan's Future Land Use Map (FLUM) and five proposals that would change the text of the Plan. This Report reflects OPCD's analysis of those proposals that are not proceeding on separate legislative paths, as described herein.

**1. Proposal: Amend land use element policies to reduce the spillover of parking from urban centers and villages into the surrounding community.**

**Applicant: Neighborhood Planning and Land Use Committee, City Neighborhood Council**

**Element: Land Use**

The applicant has proposed to amend an existing Land Use goal and add two new policies:

LUG6 Regulate off-street parking to address parking demand in ways that reduce spillover parking into areas outside of urban center and urban village boundaries, reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, lower construction costs, create attractive and walkable environments, and promote economic development throughout the city. (Underlined language shows applicant's proposed amendment to LUG6.)

Two new policies are also proposed:

LU6.X Establish off-street parking requirements for developments occurring at the boundaries of urban centers and urban villages to reduce spillover parking from zones of greater intensity to zones of lesser intensity.

LU6.X Require mitigation of permanent parking impacts from all development when parking utilization on streets within 800 feet of a proposed development reaches 85 percent utilization.

## **Background and Analysis**

A core component of the City's multi-pronged growth strategy is investing in transportation system improvements that reduce reliance on single-occupancy vehicles (SOV). Among many other consequences, SOV trips create demand for parking. The City's transportation investments will augment non-SOV modes of travel, as well as provide affordable alternatives for Seattleites to access places where they work, shop and play. As these investments come on line, they will reduce the need for SOV trips and the parking demand those trips create.

The high construction cost of building parking spaces in a new building affects both developers and eventual owners or tenants. To facilitate affordable and denser housing in certain areas, the City has decided to not set minimum Land Use Code parking requirements in urban centers and commercial or multi-family zones within urban villages. (There are no minimum parking requirements for most uses in Urban Centers, Station Area Overlay Districts, or in commercial and multi-family zones within urban villages, if the use is located within 1,320 feet of a street with frequent transit service.) The City recognizes that a possible consequence is that some parking will “spill over”, including in the less dense areas at the boundaries of urban villages. In the EIS for the 2016 major update to the Plan, the City acknowledged that new development will create increased parking demand, which will result in spillover parking impacts. Implementation of existing Plan policies will, over time, reduce parking demand to help address these impacts.

LU G6 articulates this general policy direction: “regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, lower construction costs, create attractive and walkable environments, and promote economic development throughout the city.” (emphasis added).

Similarly, the existing policies under LU G6 set a direction for regulations that will reduce SOV trips and parking impacts. For example, LU 6.1 calls for: “Establish[ing] parking requirements where appropriate for both single-occupant vehicles and their alternatives at levels that further this Plan’s goal to increase the use of public transit, car pools, walking, and bicycles as alternatives to the use of single-occupant vehicles. (emphasis added) LU 6.3 allows market forces to calculate parking requirements in areas well-served by transit, such as urban centers and urban villages.

Seen against this policy background, the applicant’s proposed amendments would set the City on a fundamentally different course than the City’s adopted growth strategy. In addition, the level of detail in the applicant’s second proposal is inappropriate for a policy document such as the Plan. The City’s Code and SEPA ordinance are more appropriate documents to articulate the City’s mitigation authority, and the authority to mitigate parking impacts, including cumulative impacts in urban centers/villages, is already present in the City’s SEPA ordinance. Moreover, the applicant fails to present any analysis showing that an 85% utilization rate is a burden on a residential area, or if



there should be different considerations for day- and night-time utilization rates.

### **Recommendation**

OPCD does not recommend approval of the proposed amendments, which would set the City on a significantly different course than recently adopted policy. In addition, the applicant's more specific proposals are at an inappropriate level of detail for the Comprehensive Plan.

### **2. Proposal: Amend the Glossary to add a definition of "Concurrency."**

**Applicant: Neighborhood Planning and Land Use Committee, City Neighborhood Council**

**Plan component: Glossary**

### **Background and Analysis**

Concurrency is required by the State GMA and applies state-wide including to Seattle. The GMA defines concurrency at RCW 36.70A.070(6) (b), as part of the required Transportation Element:

For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

The term "concurrent" is related to the City's newly-adopted multi-modal level-of-service approach, but is only used once in the current Plan as a reference to how performance is measured on state highways. Adding this definition to the Plan's Glossary will assist users of the Plan.

### **Recommendation**

OPCD recommends adding the RCW definition for transportation concurrency to the Plan's Glossary. This would provide useful background and guidance for citizens as to what concurrency means within the context of GMA requirements for the Plan's Transportation Element.

Proposed addition to the Plan Glossary, defining "[C]oncurrent with the development" to mean that "Transportation improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years" and

citing RCW 36.70A.070(6) (b).

**Proposal: Amend Land Use Goal 6 to state that increasing affordable housing is a goal in setting parking requirements, rather than lowering construction costs, as currently stated.**

**Applicant: Neighborhood Planning and Land Use Committee (City Neighborhood Council), Wallingford Chamber of Commerce, and Wallingford Community Council**

**Element: Land Use**

### **Background and Analysis**

The applicant proposes to amend LU G6 as follows:

Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, ~~lower construction costs~~ increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city. (strikethrough shows language proposed to be deleted; underlined language is proposed to be added.)

LU G6 provides are multiple purposes to consider in adopting parking regulations, including reducing the cost of housing to the eventual purchaser or renter by more flexible parking requirements that reduce SOV trips and their associated parking demand. With the cost of building parking representing a significant portion of a typical construction budget, reduced parking requirements can benefit the builder and ultimately, the owner or tenant of the finished building by lowered construction building costs. In the sense that reducing building costs of building can indirectly help increase affordable housing, OPCD agrees with the applicant's proposed addition to LU G6.

However, OPCD does not agree with the applicant's proposed deletion. Reducing parking requirements can directly result in lowered construction costs, which can result in more affordable housing. Therefore, OPCD recommends the following clarification of LU G6, as an alternative to the applicant's proposal. This language demonstrates that both builder and purchaser can benefit from the reduced cost of lower parking requirements:

LU G6: Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, lower construction costs to reduce the cost of and increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city. (new language proposed by OPCD shown in underline)

### **Recommendation**

OPCD recommends the language shown above.

**3. Proposal: Amend the boundaries of the Wallingford Residential Urban Village to remove single-family zoned properties from the urban village.**

**Applicant: Wallingford Community Council / Donn Cave**

**Plan component: FLUM**

**4. Proposal: Amend the boundaries of the West Seattle Junction Hub Urban Village to remove single-family zoned properties from the urban village.**

**Applicant: Junction Neighborhood Organization (JuNO) Land Use Committee / Janine Rees**

**Plan component: FLUM**

OPCD will present a separate ordinance that addresses potential amendments to urban village boundaries, and analysis of those amendments will be contained in a report accompanying that ordinance.

**5. Proposal: Amend policies MJ-P13, MJ-P14, and MJ-P19 to require formal community planning engagement as a pre-requisite for further amendments to these policies.**

**Applicant: Morgan Community Association (MoCA) / Deb Barker, Cindy Barker**

**Element: Neighborhood Planning Element, Morgan Junction Neighborhood Plan**

OPCD has conducted outreach to the Morgan Community Association, responding to Council's request in the docketing resolution. Based on that outreach, OPCD will respond to the MoCA proposals in an ordinance that will be transmitted in 2018 to address legislative issues related to

implementation of the Mandatory Housing Affordability proposal.

**6. Proposal: Add an additional goal to LU92 as follows: Provide for more affordable family housing to suit larger families with children and extended families by encouraging larger multi-family units in low density multi-family areas.**

**Applicant: Greg Hill**

**Element: Land Use**

### **Background and Analysis**

Although the applicant proposes to amend LU 92, that policy was deleted in the major update to the Plan. LU 8.9 expresses current Plan policies related to the former LU 92: “Establish low-rise multifamily zones to accommodate various housing choices in the low-to moderate-density range, including walk-up apartments, town houses, row houses, duplexes, triplexes, and cottage housing.”

Existing Plan goals already address this issue in the context of variable household type and are appropriately more general than the applicant's proposed language. LU G2 provides an example:

LU G2 Provide zoning and accompanying land use regulations that ...allow a variety of housing types to accommodate housing choices for households of all types and income levels... (emphasis added)

LU G8 Allow a variety of housing types and densities...suitable for a broad array of households and income levels... (emphasis added).

Specific policies under LU G8 also address housing at the more general level that is appropriate to the Plan. These include LU 8.8: “Allow a variety of attached housing types to accommodate a wide diversity of households in multifamily zones.” (emphasis added), and LU 8.9: “Establish lowrise multifamily zones to accommodate various housing choices in the low- to moderate-density range suitable for a broad array of households and incomes, including walk-up apartments, town houses, row houses, duplexes, triplexes, and cottage housing.” (emphasis added)

Similarly, the Plan policies under the Housing Element are clearly intended to apply city-wide.

Several examples of Housing Element policies show the City's current and continuing commitment to provide all Seattle residents with fair and affordable housing.

G3: Achieve a mix of housing types that provide opportunity and choice throughout Seattle for people of various ages, races, ethnicities, and cultural backgrounds and for a variety of household sizes, types, and incomes. (emphasis added)

H 3.1: Identify and implement strategies, including development standards and design guidelines reflecting unique characteristics of each neighborhood, to accommodate an array of housing designs that meet the needs of Seattle's varied households. (emphasis added)

Housing Policy 3.3 Encourage the development of family-sized housing affordable for households with a broad range of incomes in areas with access to amenities and services. (emphasis added)

### **Recommendation**

OPCD does not recommend this proposal. As the cited Plan language shows, the City intends to provide affordable housing on a city-wide basis for varied households with a broad range of incomes..

**7. Proposal: Amend policies in the Land Use Element as follows** (strikethrough and underline show applicant's proposed revisions):

Revision of existing LU 5.6: "Establish setbacks in residential areas ~~as needed~~ to allow for the preservation or planting of trees; for adequate light, air, and ground-level open space; ~~to~~ help provide privacy; ~~to promote public health and urban wildlife~~; for compatibility with the existing development pattern; and ~~to~~ separate residential uses from more intensive uses.

Revision of existing LU 5.7: "Employ development standards in residential zones that address the use of the ground level of new development sites to fit with existing patterns of landscaping, especially front yards in single-family residential areas, yard areas in every multifamily lot, and to encourage permeable surfaces and vegetation."

Revision of existing LU 5.8: "Establish tree and landscaping requirements that preserve and enhance the City's physical and aesthetic character and recognize the value of trees and landscaping

in addressing public health, urban wildlife, stormwater management, pollution reduction, heat island mitigation, and other issues.”

Docketing Resolution 31762 summarized these proposals as “allow for yards and trees in multifamily areas.”

Applicant: Chris Leman

Element: Land Use

### **Background and Analysis**

The current language in LU 5.6 identifies various policy purposes that can be accomplished by setbacks in residential areas, including privacy, open space, separation from more intensive uses, and compatibility with the existing development pattern. Applicant proposes an unnecessary level of specificity in LU 5.6 by identifying particular types of open space amenities such as trees. LU 5.6 notes several purposes that setbacks can serve, including planting trees and to provide opportunities for passive recreation to improve health. Because the existing language is inclusive when describing the purpose of setbacks, applicant's proposed addition of public health and urban wildlife as policy benefits of setbacks is superfluous.

The applicant's proposed amendment to LU 5.7 is inconsistent with that policy's purpose and a significant change from current City policy. LU 5.7 calls for “development standards in residential zones...to fit with existing patterns of landscaping”. The existing pattern of landscaping in single-family zones includes Code-required front, side and rear yards and significant lot coverage maximums. Proposing, as the applicant does, a development standard calling for “yard areas in every multifamily lot” would not be consistent with the pattern of landscaping in multi-family zones, where yards are not required and required setbacks are much smaller compared to single-family requirements. Since the proposal is not based on existing patterns of landscaping, it would not fit within the scope of LU 5.7.

The language of LU 5.8 is intended to be inclusive but not exhaustive, as indicated by the existing phrase “and other issues.” Thus, the applicant's additions of other policy purposes to LU 5 is unnecessary.

## **Recommendation**

OPCD does not recommend this proposal. Much of the proposed language is superfluous to existing Plan policies or misunderstands the more general policy level at which the Plan operates.

**8. Proposal: In order to maintain the character of Seattle's neighborhoods and retain existing affordable housing, discourage the demolition of residences and displacement of residents, while supporting redevelopment that enhances its community and furthers the goals of the Plan.**

**Applicant: Chris Leman**

**Element: Land Use**

## **Background and Analysis**

This Plan anticipates that over the next twenty years, Seattle will add 70,000 housing units and 115,000 jobs as Seattle's share of King County's projected twenty-year growth. These estimates are the minimums that the City is planning for. Since the Plan was first adopted, Seattle has experienced more than its expected share of residential growth — adding more than sixty-seven thousand new housing units, compared to the original Plan's estimate of fifty thousand to sixty thousand. If this pace continues, it is likely that more growth will occur than forecasted by these minimum planning estimates.

Seattle is a built-up city, meaning that most of the land area is platted, occupied by structures and served by utilities. (see Plan's Glossary definition of "built city"). Data in the Plan's Land Use Appendix show that relatively little vacant land remains for development, especially within the urban centers and villages to which the Plan's growth strategy directs most future growth.

Implicit in this scarcity and in the adopted growth strategy is the fact that redevelopment of existing structures will occur through replacement of existing structures and infill development. GS 1.5 provides an example of the Plan's relevant policy direction:

GS 1.5 Encourage infill development in underused sites, particularly in urban centers and villages. (emphasis added)

Given this direction, to adopt the applicant's proposed policy discouraging demolition of residences would be inconsistent with the growth strategy. Redevelopment in many, although not all, cases will require demolition of existing structures.

In addition to demolition, the applicant's proposal seeks to discourage displacement of residents. The Plan already contains existing anti-displacement policies, including:

H 2.6 Seek to identify affordable housing at risk of demolition and work to mitigate the displacement of residents ahead of planned up zones.

H 5.9 Use strategies that will reduce the potential for displacement of marginalized populations when making decisions related to funding or locating rent/income restricted housing.

H 5.10 Encourage rental-housing owners to preserve, rehabilitate, or redevelop their properties in ways that limit housing displacement, maintain affordable, healthy, and safe living conditions for current residents, and consider cultural and economic needs of the surrounding neighborhood. (emphasis added)

These policies give sufficient direction on displacement.

Finally, the applicant's proposed language to "support...redevelopment that enhances its community and furthers the goals of the Plan" is superfluous because development allowed under the Plan's current policies will inherently further the Plan's goals.

### **Recommendation**

OPCD does not recommend inclusion of this proposed amendment. Limiting demolition would be inconsistent with the City's adopted Growth Strategy and existing policies appropriately guide the City's policies related to displacement.



## **9. Proposal:**

**1) Establish zone and rezone criteria and procedures that will guide decisions about which zone will provide the best match for the characteristics of an area and will most clearly further City goals.**

**2) Ensure that zoning, rezones and conditional uses are done with public notice, outreach, and inclusiveness; and with a regard for local conditions, community preferences and neighborhood plans.**

**Applicant: Chris Leman**

**Element: Land Use**

### **Background and Analysis**

The applicant's first proposal relates to rezoning criteria. Existing Plan policies provide appropriately general guidance about the appropriate locations and functions of certain zoning categories. One example is LU G8, describing the role that multifamily zones play in the City's overall land use strategy: "Allow a variety of housing types and densities that is suitable for a broad array of households and income levels, and that promotes walking and transit use near employment concentrations, residential services, and amenities."

Although the Plan identifies the need for rezone criteria to be established (see, for example, LU 8.4: "Establish evaluation criteria for rezoning land to multifamily designations that support the urban village strategy") it is the Code, not the Plan, that provides those more specific regulatory criteria. These are set forth in SMC Chapter 23.34 for each zoning category. Nor is the Plan the appropriate document to find rezoning procedures as the applicant proposes – those are found in SMC Chapter 23.76. The applicant's proposal incorrectly characterizes the Plan as a regulatory document when instead it sets forth general policies that, in turn, guide specific and implementing Code provisions.

The second proposal relates to inclusive public notice and outreach. The newly adopted Community Involvement Element of the Plan already addresses the applicant's concerns. For example:

CI 1.4 Build community capacity for meaningful and authentic community involvement, enhance the ability of community members, including those of marginalized communities, to develop the knowledge and skills to effectively participate in planning and decision-making

processes.

CI 1.5 Provide a wide range of opportunities for obtaining information and involvement in decision-making processes.

These Plan provisions are implemented by existing City regulations that require project-level outreach, including those in SMC 23.76 and the City's SEPA ordinance.

The applicant seeks to promote inclusive outreach. Existing Plan and Code provisions relating to outreach are designed to be inclusive and to consider local conditions and community preferences. For example, CI G2: "Work with a broad range of community members to plan for future homes, jobs, recreation, transportation options and gathering places in their community." Another example is found in the Plan at CI 2.1: "Use an inclusive community involvement process in all community planning efforts."

With respect to the applicant's proposal to change how neighborhood plans are regarded, the Plan already identifies the appropriate role for "neighborhood plans" as "reflect[ing] the history, character, and vision of the community but...remain[ing] consistent with the overall citywide vision and strategy of the Comprehensive Plan." (Community Involvement Element, Discussion section, "Land Use and Community Planning over time")

The applicant cites five policies (LU 1, LU 3, LU 5, LU 76, and LU 164) that were in the Plan prior to revisions made as part of the recent major update to the Plan. The applicant argues that without these five policies the Plan can no longer provide "meaningful guidance in the process and substance of zoning, rezone, and conditional use decisions." (Leman, Amendment Application)

The language in LU 1 was carried over in the new policy LU 1.1: "Use the Future Land Use Map to identify where different types of development may occur in support of the urban village strategy" and has not substantially changed.

Former policy LU 3 related to rezone evaluation criteria. The Glossary in the Plan carries forward a

definition of rezone criteria: “a set of considerations specified in the Land Use Code that helps determine the appropriate locations for applying the City’s various zoning designations.” The City’s long-standing practice is to use the Code for these more specific regulatory criteria, and SMC 23.34 continues to provide the specific rezone criteria applied by SDCI in evaluating rezone applications.

The language of LU 5 was not carried over directly into the new version of the Plan. However, the intention of LU 5 is carried forward through the Plan’s general guidance for City regulations. This guidance can be found in the Introduction to the Plan (“Application and Implementation”):

“Although the City will use the Plan to direct the development of regulations that govern land use and development, it will not use the Plan to review applications for specific development projects...”

As discussed above, more specific regulatory provisions are provided in the Code (SMC Chapter 23.34).

LU 76 was carried over in the new version of the Plan and restated in LU 8.5. Similarly, LU 164 was restated in the new LU 10.15.

### **Recommendation**

OPCD does not recommend this proposal. Existing Plan policies or glossary entries, cited above, appropriately address the issues raised in the proposed amendments.

## **10. Manufacturing/Industrial Amendments**

A. Application to amend the Future Land Use Map to remove the Interbay Armory property from the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) and designate it a “Commercial/Mixed-Use” area.

Applicant: Jeffrey Hummel

Plan component: FLUM

B. Application to amend the Future Land Use Map to remove property located at 1819-1893 15th Avenue West and 1855-2033 15th Avenue West from the BINMIC and designate it "Mixed Use/Commercial."

Applicant: Ian Morrison

Plan component: FLUM

C. Application to amend the boundaries of the BINMIC and amend policies and the Seattle Municipal Code to allow for expansion of the Major Institution use onto industrial land outside of the BINMIC and south of the ship canal.

Applicant: Seattle Pacific University

Plan component: FLUM

D. Application to amend the Future Land Use Map to remove Pier One, located at 2130 Harbor Avenue SW, from the Greater Duwamish Manufacturing/Industrial Center and designate it Mixed Use/Commercial.

Applicant: Jimmy Blais

Plan component: FLUM

### **Background and Analysis**

In 2016 the Mayor convened an Industrial Lands Advisory Panel charged with making recommendations that would ensure that the Plan balances growth with the needs of Seattle's maritime and manufacturing industries. Formation of the panel was motivated in part by the frequent requests from property owners of industrially zoned land to have the designation of their land changed to allow a wider range of uses. The proposals listed above are examples of such requests. In reviewing these proposals, the Panel has not made judgments about their merits but has suggested that numbers 1, 2, and 4 should not be decided until the Panel's work has concluded, and thus are not addressed in this Report. Some of those amendments would be addressed in further planning studies the Panel has recommended. However, the Panel determined that review of proposal 10.C could proceed as part of this year's amendment cycle.

### Recommendations from the Advisory Panel for 2017-2018 Plan Amendments

The Advisory Panel has recommended two amendments to the Land Use Element to proceed as part of this year's amendment cycle. These are new policies that originally arose from an earlier study as possible amendments to the Plan. The Panel has determined that these policies will provide more predictability in decision making about changes to the designation of land in the manufacturing/industrial centers:

LU 10.2.5 Allow removal of land from a designated M/IC only when either:

1. All of the following are true:
  - a. the proposed use for the land is identified;
  - b. there is insufficient appropriately zoned land elsewhere in the city for the proposed use;
  - c. the proposed use would not displace an existing industrial use; and
  - d. the proposed use would not adversely affect nearby industrial operations;

or

2. Removal is recommended as a result of a planning process initiated by the City that includes a wide range of industrial and non-industrial stakeholders.

LU 10.21.5 Allow new IC zoning in the M/IC, only when it is recommended as a result of a planning process initiated by the City that includes a wide range of industrial and non-industrial stakeholders.

Proposal #10.C: Modification of FLUM map for area designated BINMIC and Industrial

As described in Proposal #3, Seattle Pacific University is proposing to modify the FLUM so that an area adjacent to the University, currently designated both Industrial and within the boundaries of the Ballard Interbay Northend Manufacturing/Industrial Center (BINMIC), would be removed from BINMIC, but still shown as Industrial. (see map at page 20) The University has, in recent years, acquired some of these industrially zoned properties north of Nickerson Street as they become available, with the intention that any future institutional expansion will not affect nearby residentially-zoned properties to the south.

Some of these acquired properties are designated on the FLUM as being within the BINMIC and zoned Industrial General 1 (IG1). Current Code provisions (SMC 23.69.022) allow for Major

Institution related uses to be located within buildings existing since 1987 on parcels within 2,500 feet of the MIO boundary if the uses meet IG1 use and development standards. The applicant intends to request a parallel Code amendment to allow uses in new buildings, as well as existing buildings, located in industrial zones and outside of Manufacturing/Industrial Centers. (M/ICs)

The proposed FLUM change removes the same geographical area that will be specified in the Code amendment language from the BINMIC while maintaining the FLUM designation of those parcels as Industrial. If Council adopts both the FLUM change and the Code change, the University will have the flexibility to locate necessary uses in new buildings in this small area as well as existing buildings.

This proposed FLUM amendment is consistent with Plan policies allowing Major Institutions flexibility to carry out their special public purposes, such as education. For example, LU G12 states: "Provide flexibility in standard zone provisions or supplement those provisions to achieve special public purposes in areas where unique conditions exist, such as ...major institutions."

The FLUM designation will continue to be Industrial, limiting the allowable uses consistent with existing Plan policies. Existing Code provisions will continue to protect surrounding industrial lands.

The applicant's original proposal included a change to a Plan policy, but discussions between City staff and the applicant suggests that the proposed FLUM change will suffice.

### **Recommendation**

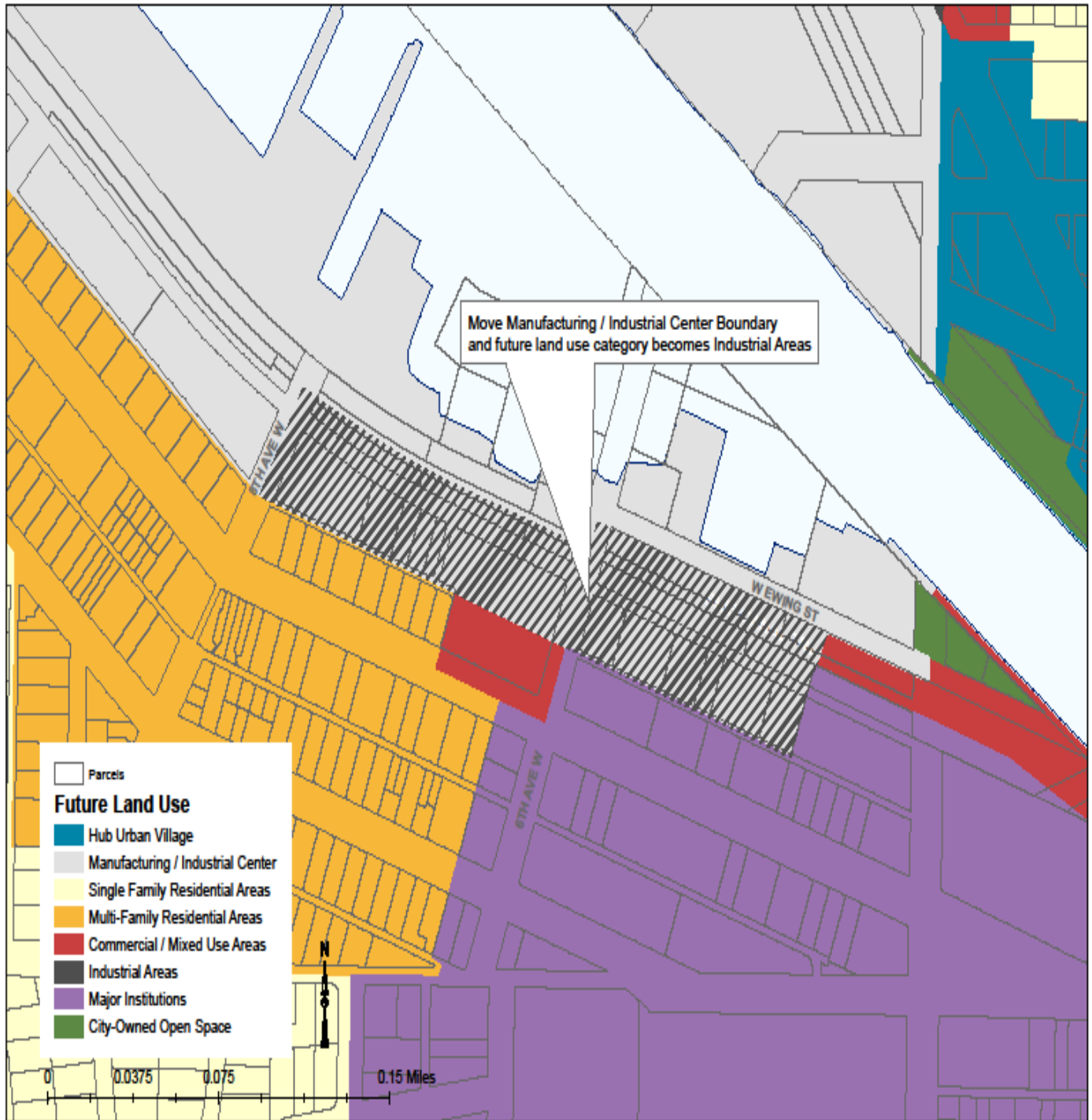
OPCD recommends that consideration of proposals 10.A, 10.B. and 10.D be postponed until work recommended by the Industrial Lands Advisory Panel is completed. This work includes land use studies in the Ballard, Interbay, and Duwamish areas.

OPCD recommends approval of the two amendments proposed by the Advisory Panel and also recommends proposal 10.C. These changes to industrial land use policies will provide more predictable decisions. Existing Plan policies provide flexibility for Major Institutions and the special public purposes, such as education, that they fulfill. Combined with the potential Code amendment,

this proposal will help the University accomplish the public purposes of a major institution. The Plan provides flexibility to allow Major Institutions to fulfill their special public purposes, such as education. This proposal strikes an appropriate balance between the Plan's goals for industrial lands and Major Institutions.

### **Impact fee amendments**

These amendments are being addressed through an OPCD work plan and continuing discussions between the Executive and Council. As those efforts progress, OPCD will be better able to determine if Plan amendments in this cycle are useful or necessary for implementing potential impact fees. No OPCD recommendations are made in this Report.







November 14 2018

Honorable Councilmember Rob Johnson, Chair  
Planning, Land Use, and Zoning Committee  
*via e-mail*

Dear Councilmember Johnson,

The Seattle Planning Commission is pleased to provide our comments and recommendations on proposed 2017-2018 Comprehensive Plan amendments. Providing recommendations on annual Comprehensive Plan proposals is a mandate of the Commission and a responsibility we are pleased to fulfill as stewards of Seattle's Comprehensive Plan.

**Proposed FLUM Amendments**

**Proposal: Seattle Pacific University**

**Planning Commission recommendation: Do Not Adopt**

The applicant is requesting to remove 4.7 acres from the Ballard Interbay Northend Manufacturing and Industrial Center (BINMIC) to allow for expansion of Seattle Pacific University's Major Institution use onto industrial land. The Planning Commission does not recommend approval of this proposed amendment. The Commission has consistently recommended against removing land from a Manufacturing and Industrial Center (MIC) through a change to the Future Land Use Map (FLUM) in the absence of a broader industrial lands study resulting in revised policy. We strongly believe that removing industrial lands from a MIC would have significant cumulative impacts on important living wage jobs and the broader economy. We understand that this proposed amendment is unique among other similar FLUM changes that we have seen over the last several years because the University is not a private property owner requesting to change the land use designation of their property to a commercial, residential, or mixed-use designation. We also understand that the underlying land use designation would remain industrial and the University's campus expansion efforts would be subject to a separate Major Institution Master Plan process. However, we believe that this FLUM change could be perceived as setting a precedent for removing industrial lands from a regionally-significant MIC. Once industrial land is changed to another use, it will most likely never be returned to industrial use.

Commissioners

- Tim Parham, *Chair*
- Michael Austin, *Vice-Chair*
- Eileen Canola
- Sandra Fried
- David Goldberg
- Veronica Guenther
- Grace Kim
- Rick Mohler
- Marj Press
- Kelly Rider
- Julio Sanchez
- Amy Shumann
- Lauren Squires
- Jamie Stroble
- Patti Wilma

Staff

- Vanessa Murdock  
*Executive Director*
- Connie Combs  
*Policy Analyst*
- John Hoey  
*Senior Policy Analyst*
- Robin Magonegil  
*Administrative Analyst*

The Planning Commission would like to express its frustration with the lack of policy direction from the City regarding industrial lands. The Planning Commission has reviewed multiple proposed Comprehensive Plan Amendments related to industrial lands over the last several years, including repeat amendments from the same property owners. The Commission docketed several proposed FLUM changes in 2017 pending a response from the Mayor's Task Force on Industrial Lands. Resolution 31762 directed the Executive to "*provide recommendations of potential amendments to Comprehensive Plan policies related to industrial lands including policies to strengthen the long-term viability of Manufacturing/Industrial Centers and a re-evaluation of the Stadium District for Council consideration in 2018.*" In the absence of any recommendations from the Mayor's Task Force on Industrial Lands or the Executive, the Commission has been and will continue to be consistent in our recommendations against removing industrial lands from the MICs. We look forward to reviewing policies that address all industrial-zoned areas once the Task Force's recommendations are received. At that time, it can be determined whether proposals such as this would be consistent with any policy changes relative to the BINMIC.

### **Proposed Amendments to Goals and Policies**

#### **Proposal: Transportation element and appendix impact fee amendments**

#### **Planning Commission recommendation: Adopt**

In Resolution 31762, the Council requested that the Executive forward "*any amendments necessary to support implementation of an impact fee program for public streets, roads, and other transportation improvements...*" The Commission supports adoption of the proposed amendment enabling the potential development of a transportation impact fee program. We recommend approval of the proposed transportation project list as an appropriate representation of investments needed to implement the current Capital Improvement Program, the adopted transportation modal plans, and projects identified through the Move Seattle levy planning process that are not funded by the current levy. The Planning Commission recommends adding replacement of the 4<sup>th</sup> Avenue S. viaduct to the transportation impact fees project list. We look forward to providing input on the policy implications, including the cumulative effects of a transportation impact fee program with Mandatory Housing Affordability requirements, and the particulars of any proposed impact fee program in.

(A single Commissioner voted against the recommendation to adopt this proposed amendment)

#### **Proposal: Parking and affordable housing**

#### **Planning Commission recommendation: Adopt as revised**

The applicant has submitted a proposed amendment that would revise Land Use Goal 6 to state that increasing affordable housing is a goal in setting parking requirements, rather than lowering construction costs as currently stated. The original text of the revised goal as proposed by the applicant is as follows:

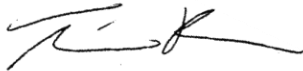
*LU G6: Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, ~~lower construction costs~~ increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city.*

The Office of Planning and Community Development (OPCD) has recommended maintaining the original text and adding language from the applicant's proposal to make the goal clearer. The Commission recommends approval of the amendment as revised with OPCD's suggested language as shown below:

*LU G6: Regulate off-street parking to address parking demand in ways that reduce reliance on automobiles, improve public health and safety, reduce greenhouse gas emissions, lower construction costs to reduce the cost of and increase affordable housing, create attractive and walkable environments, and promote economic development throughout the city.*

We appreciate the opportunity to review these proposed Comprehensive Plan amendments and provide our recommendations. If you have any further questions please call either me or Vanessa Murdock, Seattle Planning Commission Executive Director at (206) 733-9271.

Sincerely,



Tim Parham, Chair  
Seattle Planning Commission

cc:

Mayor Jenny Durkan

Seattle City Councilmembers

Sam Assefa, David Driskell, Michael Hubner, Kristian Kofoed; Office of Planning and  
Community Development

Ketil Freeman, Eric McConaghy, Lish Whitson; Council Central Staff

**SEATTLE PLANNING COMMISSION RECORD OF DISCLOSURES & RECUSALS:**

Commissioner Michael Austin recused himself from discussion of the FLUM amendment proposed by Seattle Pacific University. Mr. Austin works for Perkins + Will and is working as a consultant to Seattle Pacific University on their campus planning.