

June 1, 2018

**MEMORANDUM**

**To:** Planning, Land Use and Zoning (PLUZ) Committee  
**From:** Eric McConaghy, Council Central Staff  
**Subject:** Council Bill (CB) 119269 -- Land Use Omnibus Legislation

Approximately every two years, the Seattle Department of Construction and Inspections (SDCI) develops an omnibus bill amending the Land Use Code and other regulatory codes administered by SDCI (Code). The omnibus bill corrects typographical errors, corrects cross-references, clarifies existing regulations, and makes other minor amendments identified by SDCI in the course of Code administration. The omnibus bill is not intended to be a vehicle for addressing significant policy issues. Inevitably, some proposed amendments are substantive and represent policy choices for the Council.

On March 6, the Mayor transmitted the 2018 land use omnibus bill, [Council Bill \(CB\) 119217](#). PLUZ Committee received a briefing from SDCI and Central Staff on CB 119217 on April 4, hosted a public hearing on April 18, and discussed the bill on May 16.

On May 16, the Committee discussed new amendments requested by SDCI that were not included in the Mayor’s recommended bill. Because some of the new amendments to the bill would alter sections of the Code that were not included in the Mayor’s bill, Central Staff has prepared a substitute bill that includes these sections. This substitute bill, [CB 119269](#), is scheduled for introduction and referral to PLUZ on Monday, June 4. PLUZ will next discuss the bill, and possibly act on the legislation, on June 6.

**Amendments included in the Substitute Land Use Omnibus Bill**

Following the discussion at PLUZ on May 16, Central Staff prepared a substitute bill for introduction and referral that includes the following amendments compared to the transmitted bill. Most were discussed previously in the memo dated May 11 and were shown as amendments to the transmitted bill in a draft substitute bill attached to the same memo.

*Table 1: Amendments to Land Use Omnibus Bill incorporated into CB 119269*

Amendment	Description
<b>Previously discussed</b>	
1. Establish a higher floor area threshold of 15,000 square feet, up from 8,000 square feet, below which rowhouse development would be exempt from Design Review.	The new design review thresholds, in <a href="#">Ordinance 125429</a> are based on square footage of development rather than development type, in general. The concern is that the square footage thresholds are contrary to the existing Code language in 23.41.004.A.7, which requires streamlined design review (SDR) for townhouses but deliberately excluded rowhouses to provide an incentive to build rowhouses. See bill section 7.
2. Correct footnote in Table B 23.54.015 per CB 119221 (CB 119173), dealing with off-street parking requirements	This amendment clarifies that a change to the footnote per <a href="#">Ordinance 125558</a> dealing with parking requirements would not affect parking requirements in the Alki area. See bill section 60.

Amendment	Description
3. Correct language in Environmental Critical Area (ECA) code (25.09.090) due to drafting error in <a href="#">Ordinance 125248</a>	This amendment clarifies that the maximum amount of development allowed through the small project waiver is limited to a total of 750 square feet of site disturbance, and that a maximum of 300 square feet of that development is allowed in the steep slope erosion hazard area and required buffer together. See bill section 87.
4. Correct error in Seattle Mixed (SM) zones in Section 23.48.240 due to a drafting error in Ordinance 125267	In error, the names of several SM zones were not updated to correspond with the zone changes as part <a href="#">Ordinance 125267</a> . Also, in the same section, SDCI staff have identified an older drafting error that included an SM zone that should not be included. See bill section 36.
5. Correct two typos in the Central Area Design Guidelines adopted by <a href="#">Ordinance 125562</a> .	On pages 14 and 16, the Central Area Guidelines should reference Citywide Guideline CS3.B, in the Seattle Design Guidelines. See bill section 90.
6. Edit SMC 23.86.002.B Fractions to remove the phrase, "bicycle spaces."	This correction acknowledges that rounding of measurements for bicycle parking is handled in new subsection 23.54.015.K.1 per the recent off-street parking legislation, <a href="#">Ordinance 125558</a> . See bill section 79.
7. Do not rezone property zoned as DOC2 500/300-550 to DOC2 550/300-550.	The substitute bill does not rezone DOC2 500/300-550 to increase height for non-residential uses as included in the transmitted bill. See Central Staff memo to PLUZ dated May 11 for discussion.
8. Reconcile land use omnibus bill with recently adopted off-street parking ordinance.	These are technical amendments in several bill sections that reconcile the omnibus legislation with recent changes adopted with the off-street parking bill ( <a href="#">Ordinance 125558</a> ) dealing with bicycle parking.
<b>New</b>	
9. Amend the definition of "amenity area" to include swimming pools	This is an amendment to the definition of "amenity area" found in SMC 23.84A.002 "A". See bill section 75.
10. Extend the effective date for certain sections of <a href="#">Ordinance 125429</a> , dealing with design review.	The substitute bill includes amendments to extend the effective date for certain sections of Ordinance 125429, dealing with changes to the City's Design Review Program, from July 1, 2018 to October 1, 2018 to allow adequate time allow for SDCI to prepare for implementation. See bill sections 91 and 93.
11. Correction of an error affecting section 510.10 of the Building Code adopted with <a href="#">CB 119248</a> .	Specifically, changes to section 510.10 of the Building Code made by CB 119248 would have allowed for additive exceptions for Type IIIA construction. That could have, theoretically, allowed 9-story wood-frame buildings. See Section 92 of the substitute bill. SDCI noticed the error after Council passage. See bill section 92.

**Next steps**

PLUZ is anticipated to act on the omnibus legislation on June 6, following briefing and discussion. This may include making amendments to [CB 119269](#) and adopting a recommendation regarding the bill to City Council. If PLUZ does recommend the legislation to Full Council, then the Full Council could act on the omnibus legislation as soon as June 11.

cc: Kirstan Arestad, Central Staff Director  
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