



Legislation Details (With Text)

File #: CB 119451 **Version:** 2 **Name:** CB 119451
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 1/28/2019

Final Action: 2/6/2019 **Ord. No.** Ord 125764

Title: AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for development in areas currently used as mobile home parks; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Sponsors: Kshama Sawant, Mike O'Brien

Indexes:

Attachments: 1. Mayor's Letter on Returning Bill Unsigned, 2. Summary and Fiscal Note, 3. Proposed Amendment, 4. Signed Ordinance 125764, 5. Affidavit of Publication

Date	Ver.	Action By	Action	Result
2/6/2019	2	City Clerk	attested by City Clerk	
2/6/2019	2	Mayor	returned	
2/6/2019	2	Mayor	returned unsigned	
1/28/2019	2	City Clerk	submitted for Mayor's signature	
1/28/2019	1	City Council	passed as amended	Pass
1/22/2019	1	City Council	referred	
1/22/2019	1	Council President's Office	sent for review	
1/22/2019	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for development in areas currently used as mobile home parks; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council (“Council”) hereby makes the following legislative findings of fact and declarations:

- A. Seattle is facing increasing affordability challenges and many Seattle residents are cost-

burdened;

B. Severe housing cost burdens disproportionately impact low-income households;

C. Mobile homes provide affordable shelter for a substantial number of elderly and low-income residents;

D. The few remaining mobile home parks within Seattle are under increased development pressure and the residents of those parks are at risk of being displaced;

E. Similar pressures within the county and region are reducing the number of available sites within and outside Seattle to which mobile homes can relocate;

F. With respect to the affordable housing provided by mobile homes, current development regulations may need to be amended to better advance the housing affordability policies of the City's Comprehensive Plan;

G. A work plan to develop alternative development regulations encouraging preservation of affordable housing provided by the market will inform how the City mitigates development pressure and potential displacement of low-income mobile home residents; and

H. A temporary moratorium is necessary to allow the City to develop that work plan and alternative development regulations.

Section 2. The Council hereby adopts a moratorium on the filing, acceptance, processing, and/or approval of any application to establish a new principal or accessory use, or change a principal or accessory use, for any site currently used as a mobile home park, as defined in Section 23.84A.032 of the Seattle Municipal Code.

Section 3. The moratorium set forth in this ordinance shall be in effect for a period of one year from the date this ordinance is effective and shall automatically expire after the one-year period unless the same is extended as provided by statute, or unless terminated sooner by the Council.

Section 4. Pursuant to RCW 36.70A.390, the Council will hold a public hearing within 60 days of

adoption of this moratorium to take public testimony and consider adopting further findings.

Section 5. Under RCW 36.70A.390, the Council approves the following work plan for the development of regulations to address the issues in this ordinance and directs the Office of Planning and Community Development and the Seattle Department of Construction and Inspections to transmit proposed legislation for referral to the Planning, Land Use and Zoning (PLUZ) Committee of the Council by September 30, 2019.

Analyze Current Land Uses and Development Trends, Draft Legislation, and Conduct State Environmental Policy Act (SEPA) Review on Proposed Regulations	February 2019 to May 2019
Report to PLUZ Committee on Preliminary Options for Consideration	April 2019
Publish SEPA Threshold Determination	June 2019
Mayor Transmits Legislation to Council	September 2019
Council Deliberations and Public Hearing on Proposed Permanent Controls	October 2019 to December 2019
Permanent Controls Effective	January 2020

Section 6. Under Seattle Municipal Code Section 25.05.880, the Council finds that an exemption from conducting State Environmental Protection Act (SEPA) review before adopting a moratorium is necessary to prevent new vesting of development rights leading to development that would displace existing mobile home park tenants. SEPA review of any permanent regulations modifying existing regulations will be conducted according to the work plan in Section 5 of this ordinance.

Section 7. Based on the authority of RCW 36.70A.390 and the findings in Section 1 of this ordinance, Section 23.76.062 of the Seattle Municipal Code is waived for the adoption of this ordinance.

Section 8. Based on the findings of fact set forth in Section 1 of this ordinance, the City Council hereby finds and declares that this ordinance is a public emergency ordinance, which shall take effect immediately and is necessary for the protection of the public health, safety, and welfare. The City Council may, in its sole discretion, renew said moratorium for one or more six-month period in accordance with state law.

Section 9. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its

application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 10. By reason of the findings set out in this ordinance, and the emergency that is declared to exist, this ordinance shall become effective immediately upon its passage by a 3/4 vote of the Council, and its approval by the Mayor, as provided by Article 4, subsection 1(I) of the Charter of the City.

Passed by a 3/4 vote of all members of the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)