



Legislation Details (With Text)

File #: Res 31807 **Version:** 1 **Name:**

Type: Resolution (Res) **Status:** Adopted

In control: City Clerk

On agenda: 4/23/2018

Final Action: **Ord. No.**

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.

Sponsors: Rob Johnson

Indexes:

Attachments: 1. Att A - Comprehensive Plan Amendment Application, 2. Summary and Fiscal Note, 3. Central Staff Memo (04/04/18), 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
4/23/2018	1	City Clerk	attested by City Clerk	
4/23/2018	1	City Council	adopted	Pass
4/18/2018	1	Planning, Land Use, and Zoning Committee	adopt	Pass
4/4/2018	1	Planning, Land Use, and Zoning Committee	discussed	
4/2/2018	1	City Council	referred	
3/29/2018	1	Council President's Office	sent for review	
3/29/2018	1	City Clerk	sent for review	

CITY OF SEATTLE

RESOLUTION _____

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WHEREAS, Resolution 31402 repealed and replaced the factors or criteria used to select proposed Comprehensive Plan amendments for analysis and possible adoption, as set forth in Resolutions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 _____ day of _____, 2018, and signed by me in open session in authentication of its adoption this _____ day of _____, 2018.

President _____ of the City Council

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A - Comprehensive Plan Amendment Application