



Legislation Text

File #: CB 120213, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; extending for six months a moratorium established by Ordinance 125764, and extended by Ordinances 126006, 126090, 126241, and 126362, 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; and ratifying and confirming certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council makes the following legislative findings of fact and declarations:

A. The Council incorporates by reference the findings of fact contained in Ordinance 125764.

B. In January 2019, the City Council passed Ordinance 125764, establishing 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.

C. That moratorium was extended for four additional six-month periods by Ordinance 126006 (December 2019), Ordinance 126090 (June 2020), Ordinance 126241 (November 2020), and Ordinance 126362 (June 2021).

D. On April 26, 2021, the Council issued a State Environmental Policy Act (SEPA) threshold determination of non-significance for permanent regulations creating a Mobile Home Park Overlay District to help preserve the remaining mobile home parks in Seattle.

E. That threshold determination of non-significance was appealed to the City Hearing Examiner on May 17, 2021, by Bella Bee, LLC (“Appellant”).

F. The Appellant and the City reached a settlement agreement on the appeal and on September 13, 2021, the appeal was dismissed by the Hearing Examiner.

G. On October 18, 2021, the Council introduced Council Bill 120206, incorporating the terms of the settlement agreement and creating a Mobile Home Park Overlay District.

H. Although the City has worked to develop and propose permanent regulations, the work has not been completed and the City Council will not be able to consider and act on permanent regulations until after the expiration of the moratorium on January 11, 2022.

I. Work on permanent regulations has been limited due to the February 29, 2020, and March 3, 2020, proclamations of civil emergency by Governor Jay Inslee and Mayor Jenny Durkan, respectively, related to the spread of Coronavirus Disease 2019 (“COVID-19”), and due to the SEPA appeal to the City Hearing Examiner.

J. Revised Code of Washington (RCW) 36.70A.390 authorizes the City to extend the duration of a moratorium by ordinance for one or more six-month periods.

Section 2. The moratorium first set forth in Ordinance 125764, and extended by Ordinances 126006, 126090, 126241, and 126362, shall be extended and in effect for a period of six months from the effective date of this ordinance, and shall automatically expire on the earlier of the effective date of the ordinance introduced as Council Bill 120206 creating a Mobile Home Park Overlay District, or after the six-month period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 3. Any act relating to the filing, acceptance, processing, and/or approval of permits and permit applications consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by

me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)