

Amendment C Version #1 to CB 120933

Sponsor: Councilmember Saka

Require covenants related to liquefaction zones be in place in perpetuity

Effect: The Stadium Transition Area Overlay District (STAOD) includes areas identified as liquefaction-prone areas – areas where, during an earthquake, the earth becomes unstable due to a combination of loose soil structure and high water tables. Liquefaction-prone areas are identified as geologic hazard environmentally critical areas (ECAs) due to the likelihood of significant damage to structures if they are not properly designed to withstand ground movement during an earthquake. The ECA code (Seattle Municipal Code (SMC) 25.09) states that the Director of the Seattle Department of Construction and Inspections (SDCI) may require that a permanent covenant be recorded to the benefit of the City prior to permitting of development in geologic hazard areas. The covenant requires the property owner to:

1. Maintain their property in such a manner as will prevent harm to the public or occupants of the property;
2. Declare that they understand the risks of building in the liquefaction zone, and that they will affirmatively convey those risks to future occupants of the building; and
3. Waive any right to assert a claim against the City for damages to the structure, except when the City is solely at fault.

The model covenant language can be found here:

<https://www.seattle.gov/Documents/Departments/SDCI/Forms/LiquefactionProneAreaCovenant.pdf>

This amendment to the proposed Stadium Transition Area Overlay District provisions requires that if a covenant is required, that the covenant will be required to be in place in perpetuity.

Amend Section 2 of Council Bill 120933 to amend subsection C of SMC section 23.74.008 as follows (new language in red with a double underline):

Section 2. Section 23.74.008 of the Seattle Municipal Code, last amended by Ordinance

126862, is amended as follows:

23.74.008 Uses.

Notwithstanding the use provisions of the underlying zone, the following use provisions apply:

Lish Whitson
Seattle City Council
March 13, 2025
D#2

* * *

C. In areas zoned Urban Industrial, residential uses are permitted as a conditional use pursuant to the criteria contained in subsection 23.50A.062.C, except that:

1. ~~((criterion))~~ Criterion 23.50A.062.C.3 does not apply within the Stadium Transition Area Overlay District; and

2. If any site is determined to be a geologic hazard area by the Director, a covenant shall be required and recorded to run with the land in perpetuity.