

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Monday, June 18, 2018

2:00 PM

Council Chamber, City Hall
600 Fourth Avenue
Seattle, WA 98104

City Council

Bruce Harrell, Council President

Sally Bagshaw

M. Lorena González

Lisa Herbold

Rob Johnson

Debora Juarez

Teresa Mosqueda

Mike O'Brien

Kshama Sawant

Chair Info: 206-684-8804; Bruce.Harrell@seattle.gov

A. CALL TO ORDER

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on June 18, 2018, pursuant to the provisions of the City Charter. The meeting was called to order at 2:04 p.m., with Council President Harrell presiding.

B. ROLL CALL

Present: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

C. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR

[IRC 165](#)**June 18, 2018**ACTION 1:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar.

ACTION 2:

By unanimous consent, Council Rule III.A.6., relating to circulation of a Council Bill for introduction by 5:00 p.m. on the preceding business day, was suspended to allow consideration of an amendment to the proposed Introduction and Referral Calendar.

ACTION 3:

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend the proposed Introduction and Referral Calendar by introducing Council Bill 119292, and by referring it to the Sustainability and Transportation Committee.

CB 119292, AN ORDINANCE amending Ordinance 125471, which conditioned the Seattle Department of Transportation's 2018 grant applications.

ACTION 4:

Motion was made and duly seconded to adopt the proposed Introduction and Referral Calendar as amended.

The Motion carried, and the Introduction & Referral Calendar (IRC) was adopted as amended by the following vote:

In Favor: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

D. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

E. APPROVAL OF THE JOURNAL

There were no Minutes presented for approval.

F. PRESENTATIONS

Councilmember Bagshaw presented a Proclamation recognizing June 15, 2018, as Elder Abuse Awareness Day in Seattle. By unanimous consent, the Council Rules were suspended to allow Councilmember Bagshaw to present the Proclamation to Page Ulrey, King County Senior Deputy Prosecutor.

G. PUBLIC COMMENT

Sharon Lee addressed the Council regarding Agenda item 1, Council Bill 119275.

Rebecca Almo addressed the Council regarding Agenda item 1, Council Bill 119275.

MacKenzie Chase addressed the Council regarding Agenda item 4, Council Bill 119258.

John Bancroft addressed the Council regarding Agenda item 4, Council Bill 119258.

Marguerite Richard addressed the Council regarding a non-Agenda item.

Michael Bell addressed the Council regarding a non-Agenda item.

Phyllis Campano addressed the Council regarding Agenda item 4, Council Bill 119258.

H. PAYMENT OF BILLS

[CB 119281](#) **AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.**

Motion was made and duly seconded to pass Council Bill 119281.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed Bill:

In Favor: 9 - Bagshaw, González, Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

I. COMMITTEE REPORTS

FINANCE AND NEIGHBORHOODS COMMITTEE:

1. [CB 119275](#) **AN ORDINANCE amending Ordinance 125493, which amended the 2018 Budget (Ordinance 125475); changing appropriations to various departments and budget control levels; and creating positions in the Human Services Department.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 3 - Bagshaw, González , Mosqueda

Opposed: None

ACTION 1:

Motion was made by Councilmember Bagshaw, duly seconded and carried, to amend Council Bill 119275, by substituting version 3 for version 2.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 119275 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

GENDER EQUITY, SAFE COMMUNITIES, NEW AMERICANS, AND EDUCATION COMMITTEE:

2. [CB 119277](#) **AN ORDINANCE relating to noise control; establishing an alternative enforcement 75-foot standard for determining excessive vehicle noise; and amending Section 25.08.430 of the Seattle Municipal Code.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 4 - González , Mosqueda, Johnson, Herbold

Opposed: None

ACTION 1:

Motion was made by Councilmember Mosqueda, duly seconded and carried, to amend Council Bill 119277, by adding a new Section 2, and renumbering the remaining sections accordingly, as shown in the underlined language below:

Section 2. The Seattle Police Department shall report to the City Council on the locations of citations, demographic information regarding citations, and disposition of citations. Reporting shall occur on at least a quarterly basis to the Chair and membership of the committee with oversight of public safety, beginning no later than January 31, 2019.

ACTION 2:

Motion was made and duly seconded to pass Council Bill 119277 as amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

In Favor: 8 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien

Opposed: 1 - Sawant

PLANNING, LAND USE, AND ZONING COMMITTEE:

3. [CB 119269](#) **AN ORDINANCE relating to land use and zoning; correcting typographical errors, correcting section references, clarifying regulations, and making minor amendments; amending Sections 22.206.130, 23.24.040, 23.28.020, 23.28.030, 23.30.020, 23.41.004, 23.41.012, 23.42.040, 23.42.048, 23.44.006, 23.44.008, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.44.041, 23.45.510, 23.45.514, 23.45.518, 23.45.536, 23.45.545, 23.45.570, 23.46.002, 23.47A.008, 23.47A.009, 23.47A.013, 23.47A.014, 23.47A.016, 23.48.005, 23.48.020, 23.48.220, 23.48.225, 23.48.231, 23.48.240, 23.48.245, 23.48.250, 23.48.620, 23.48.640, 23.48.645, 23.48.722, 23.48.735, 23.49.008, 23.49.011, 23.49.015, 23.49.023, 23.49.032, 23.49.106, 23.49.108, 23.49.164, 23.50.014, 23.50.016, 23.50.030, 23.50.032, 23.51A.002, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.61.014, 23.66.030, 23.66.332, 23.72.004, 23.73.024, 23.75.085, 23.75.160, 23.76.004, 23.76.006, 23.76.012, 23.76.022, 23.76.028, 23.76.034, 23.84A.002, 23.84A.004, 23.84A.032, 23.84A.046, 23.86.002, 23.86.006, 23.86.007, 23.86.032, 25.05.030, 25.05.610, 25.05.800, 25.08.940, 25.09.090, 25.11.070, and 25.11.080 of the Seattle Municipal Code; adding a new Section 23.22.059 to the Seattle Municipal Code; repealing Section 23.50.029 of the Seattle Municipal Code; and amending Section 510 of the 2015 Seattle Building Code.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 2 - Johnson, O'Brien

Opposed: None

ACTION 1:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 119269, by deleting Section 91, amending Section 92, and renumbering the remaining sections accordingly, as shown in Attachment 1 to the Minutes.

ACTION 2:

Motion was made by Councilmember Johnson, duly seconded and carried, to amend Council Bill 119269, by amending Section 44, Seattle Municipal Code Section 23.49.008, as shown in Attachment 2 to the Minutes.

ACTION 3:

Motion was made and duly seconded to pass Council Bill 119269 as

amended.

The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

SELECT COMMITTEE ON FAMILIES, EDUCATION, PRE-SCHOOL, AND PROMISE LEVY:

4. [CB 119258](#) **AN ORDINANCE relating to regular property taxes; providing for the submission to the qualified electors of the City at an election to be held on November 6, 2018, a proposition to lift the limit on regular property taxes under chapter 84.55 RCW and authorize the City to levy additional taxes for up to seven years for the purpose of providing education services designed to improve access to early learning and high-quality preschool, K-12 school and community-based investments, K-12 school health, and post-secondary and job readiness opportunities for Seattle students; implementing exemptions for low income seniors, disabled veterans, and other people who are disabled as defined in RCW 84.36.381; authorizing a creation of a designated fund; directing the application of levy proceeds; establishing eligibility requirements for partners; establishing accountability and reporting structures; providing for the facilitation of communication between the City and stakeholders; providing for partnership agreements with Seattle School District and Seattle Colleges District; requiring a forthcoming Implementation and Evaluation Plan; proposing a ballot title; and authorizing the implementation of agreements for this levy lid lift which will be commonly known as the Families, Education, Preschool, and Promise Levy.**

The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 5 - González , Johnson, Harrell, Herbold, O'Brien

Opposed: None

Absent(NV): 1 - Juarez

The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

J. ADOPTION OF OTHER RESOLUTIONS

5. [Res 31821](#) **A RESOLUTION relating to education services; accompanying an ordinance requesting the 2018 Families, Education, Preschool and Promise Levy to replace two expiring levies to fund early learning and preschool, college and K-12 education support, and job readiness, and providing further direction regarding implementation of the programs funded by such levy.**

ACTION 1:

Motion was made and duly seconded to adopt Resolution 31821.

ACTION 2:

Motion was made, duly seconded and carried, to amend Resolution 31821, by amending Section 3.A, as shown in the underlined language below:

Section 3.A. Parent-Child Home Program (PCHP). Provide full funding for PCHP with Sweetened Beverage Tax (SBT) proceeds or other General Fund resources in future proposed budgets. In determining funding availability from SBT proceeds, Council expects the Executive to follow the guidance of the SBT Community Advisory Board. If SBT or other General Fund resources are insufficient to support PCHP, the Executive shall shift funding priorities and propose amendments to the FEPP Plan to ensure that PCHP is fully funded.

ACTION 3:

Motion was made and duly seconded to adopt Resolution 31821 as amended.

The Motion carried, the Resolution (Res) was adopted as amended by the following vote, and the President signed the Resolution:

In Favor: 9 - Bagshaw, González , Harrell, Herbold, Johnson, Juarez, Mosqueda, O'Brien, Sawant

Opposed: None

K. OTHER BUSINESS

There was none.

L. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 3:46 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on July 9, 2018.

Bruce Harrell, President of the City Council

Monica Martinez Simmons, City Clerk

Att 1 - ACTION 1 of CB 119269

Att 2 - ACTION 2 of CB 119269

Att 1 – ACTION 1 of CB 119269

The ~~double strikethrough in red~~ indicates the language that would be removed from the bill. The double underline in red indicates the language that would be added to the bill.

* * *

~~Section 91. Section 33 of Ordinance 125429, as last amended by Ordinance 125520, which is attached to this ordinance as Exhibit B, is amended as follows:~~

~~Section 33. Sections 3 through 6, Sections 8 through 15, Sections 17 through 27, and Sections 29 through 31 of this ordinance shall take effect and be in force on ((July 1, 2018)) October 1, 2018, to ensure there is adequate time for rule making and any adjustments in business practices. Section 28 of this ordinance shall take effect and be in force on March 1, 2018.~~

Section 91 92. Section 510 of the 2015 Seattle Building Code, last amended by the ordinance introduced as Council Bill 119248, is amended as follows:

SECTION 510

SPECIAL PROVISIONS

510.1 General. The provisions in Sections 510.2 through 510.10 shall permit the use of special conditions that are exempt from, or modify, the specific requirements of this chapter regarding the allowable *building heights* and *areas of buildings* based on the occupancy classification and type of construction, provided the special condition complies with the provisions specified in this section for such condition and other applicable requirements of this code. The provisions of sections 510.2 through 510.7 are to be considered independent and separate from each other.

Interpretation I510: Sections 510.2 through 510.7 are not permitted to be used in combination with each other. Sections 510.8 through 510.10 are permitted to be used in combination with Section 510.2.

* * *

510.10 Group R-2 buildings of Type IIIA construction. The height limitation for *buildings* of Type IIIA construction in Group R-2 shall be increased to six *stories* (~~and 75 feet (22 860 mm)~~) where all of the following conditions are met:

1. The first story of Type IIIA construction is separated from stories above with a *horizontal assembly* having a *fire-resistance rating* of not less than 2 hours.
2. All stories of Type IIIA construction greater than 6,000 gross square feet shall be subdivided into compartments, by 2-hour fire-resistance rated *fire walls*, with areas of not more than 12,000 gross square feet.
3. Each compartment shall have an enclosed *exit access stairway*, and a standpipe system in accordance with Section 905.
4. Unprotected vertical openings, including unenclosed *exit access stairways*, shall not penetrate floor/ceiling assemblies between stories of Type IIIA construction or between stories of Type IIIA and Type IA construction.
5. Mezzanines shall not be allowed in any story of the Type IIIA construction.
6. The maximum total design *dead load* shall be 50 psf for all roof areas above the sixth story of Type IIIA construction.

Note: The *dead load* shall be calculated as specified in Chapter 2 and Section 1607.12.3.1.

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Note: The maximum total design *dead load* of 50 psf is permitted to be applied over the entire roof area above the sixth story of Type IIIA construction.

Section ~~92~~ 93. Sections 7, 8, 69, 70, 71, 88, and 89 of this ordinance shall take effect and be in force on July 1, 2018. ~~October 1, 2018~~.

Section ~~93~~ 94. 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.

* * *

Att 2 – ACTION 2 of CB 119269

The ~~double strikethrough in red~~ indicates the language that would be removed from the bill. The double underline in red indicates the language that would be added to the bill.

* * *

Section 44. Section 23.49.008 of the Seattle Municipal Code, last amended by Ordinance 125374, is amended as follows:

23.49.008 Structure height

The following provisions regulating structure height apply to all property in Downtown zones except the DH1 zone. Structure height for PSM, IDM, and IDR zones is regulated by this Section 23.49.008, and by Sections 23.49.178, 23.49.208, and 23.49.236.

A. Base and maximum height limits

1. Except as otherwise provided in this Section 23.49.008, maximum structure heights for Downtown zones are as designated on the Official Land Use Map. In certain zones, as specified in this Section 23.49.008, the maximum structure height may be allowed only for particular uses or only on specified conditions, or both. If height limits are specified for portions of a structure that contain specified types of uses, the applicable height limit for the structure is the highest applicable height limit for the types of uses in the structure, unless otherwise specified.

2. Except in the PMM zone, the base height limit for a structure is the lowest of the maximum structure height or the lowest other height limit, if any, that applies pursuant to this Title 23 based upon the uses in the structure, before giving effect to any bonus for which the structure qualifies under this Chapter 23.49 and to any special exceptions or departures authorized under this Chapter 23.49. In the PMM zone the base height limit is the maximum height permitted pursuant to urban renewal covenants.

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3. In zones listed below in this subsection 23.49.008.A.3, the applicable height limit for portions of a structure that contain non-residential and live-work uses is shown as the first figure after the zone designation (except that there is no such limit in DOC1), and the base height limit for portions of a structure in residential use is shown as the first figure following the “/”. The third figure shown is the maximum residential height limit. Except as stated in subsection 23.49.008.D, the base residential height limit is the applicable height limit for portions of a structure in residential use if the structure does not use the bonus available under Section 23.49.015, and the maximum residential height limit is the height limit for portions of a structure in residential use if the structure uses the bonus available under Section 23.49.015:

DOC1 Unlimited/450-unlimited

DOC2 ~~((500))550~~ 500/300-550

DMC 340/290-440

DMC 240/290-440.

* * *

~~((F.))~~ H. In the DOC2 500/300-550 zone, as a Type I decision, the Director may increase the maximum height for residential uses to 640 feet, allow up to 40,000 square feet of non-residential floor area to exceed the maximum height limit for non-residential uses up to 640 feet, or both, provided that:

1. The structure is located on a block with an existing tower that exceeds 160 feet in height and that has at least 50 percent of gross floor area in residential use; and

2. The lot with the structure either:

a. ~~((abuts))~~ Abuts the lot with the existing tower or

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b. ~~((is))~~ Is across an alley from the lot with the existing tower and has lot area, which could be developed with a tower meeting the requirements of Section 23.49.058, located within 22 lineal feet of any portion of the lot with the existing tower; and

3. The average ~~((residential))~~ gross floor area of the structure per story above a height of 85 feet is not more than 11,200 square feet; and

4. All portions of the structure above a height of 85 feet: ~~((are set back from the lot line closest to the lot with the existing tower by:))~~

a. Are set back from the lot line closest to the lot with the existing tower by at least 15 feet, if the lot on which the structure is located is across an alley from the lot with the existing tower; or

b. Are set back from the lot line closest to the lot with the existing tower by at least 30 feet, if the lot on which the structure is located abuts the lot with the existing tower; or

c. Are separated from all portions of the existing tower by at least 45 feet, except that the projection of unenclosed decks and balconies, and architectural features such as cornices, shall be disregarded in calculating tower separation. This subsection 23.49.008.H.4.c applies only if the lot on which the structure is located is across an alley from the lot with the existing tower.

5. For the purposes of this subsection ~~((23.49.008.F))~~ 23.49.008.H, any setback from the lot line closest to the lot with the existing tower is measured from the lot line after any dedication required by Section 23.53.030.

6. For the purposes of this subsection ~~((23.49.008.F))~~ 23.49.008.H, a tower is “existing” if it meets the requirements of subsection 23.49.058.D.7.