



Legislation Text

File #: CB 120571, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to noise in industrial shorelines; amending Sections 25.08.100 and 25.08.410 of the Seattle Municipal Code to modify exterior sound limits for land in the Ballard Interbay Northend Manufacturing Industrial Center located within 200 feet of the shoreline.

WHEREAS, in 2019 the City convened an Industrial and Maritime Strategy Council to advise the City on development of an Industrial and Maritime Strategy; and

WHEREAS, the stakeholder committee consisted of a City-wide committee and four regional committees representing Georgetown/South Park, SODO, Interbay, and Ballard; and

WHEREAS, the principles that guided the Industry and Maritime Strategy Council focused on:

- Actions to strengthen racial equity and recovery;
- Using the power of local workers and companies to chart a blueprint for the future using the principles of restorative economics to support the cultural, economic, and political power of communities most impacted by economic and racial inequities;
- Strengthening and growing Seattle's industrial and maritime sectors so communities that have been excluded from the prosperity of our region can benefit from our future growth;
- Promoting equitable access to high quality, family-wage jobs and entrepreneurship for Black, Indigenous, and People of Color through an inclusive industrial economy and ladders of economic opportunity;
- Improving the movement of people and goods to and within industrial zones and increasing

safety for all travel modes;

- Aligning Seattle’s industrial and maritime strategy with key climate and environmental protection goals; and
- Developing a proactive land use policy agenda that harnesses growth and economic opportunities to ensure innovation and industrial jobs are a robust part of our future economy that is inclusive of emerging industries and supportive of diverse entrepreneurship; and

WHEREAS, in May 2021 the Industrial and Maritime Strategy Council issued a report recommending 11 strategies to advance the guiding principles of the Council; and

WHEREAS, land use issues are addressed in six of the 11 strategies; and

WHEREAS, on July 8, 2021, pursuant to the State Environmental Policy Act (SEPA) and the City’s environmental polices set out in Seattle Municipal Code Chapter 23.50, the Office of Planning and Community Development (OPCD) issued a Determination of Significance and initiated a SEPA scoping period to seek public comment on four distinct land use alternatives each based on a new industrial land policy framework reflective of the Strategy Council’s recommendations and received one-hundred and five comments; and

WHEREAS, on December 15, 2021 the Office of Planning and Community Development (OPCD) issued the Industrial and Maritime Strategy Draft Environmental Impact Statement; and

WHEREAS, OPCD held two public hearings during a 75-day public comment period and received 142 comments; and

WHEREAS, in September 2022 OPCD issued a Final Environmental Impact Statement featuring a preferred alternative; and

WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies recommended by the Industrial and Maritime Strategy Council and were studied in the Industrial and Maritime

Strategy Environmental Impact Statement and includes an ordinance amending Seattle's Comprehensive Plan to create a new land use policy framework, an amendment to the Seattle Municipal Code to establish new industrial zones and development standards consistent with the proposed Comprehensive Plan Policies, an ordinance to remove the provision of the Industrial Commercial zone from the existing Seattle Municipal Code Chapter 23.50, an ordinance amending Title 25 to address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing Center, and an ordinance to apply the proposed new zones to land in Seattle's industrial areas; and

WHEREAS, Ballard stakeholders raised the issue of the challenges of continuing to operate on industrial shorelines in the Ballard Interbay North Manufacturing Industrial Center caused by encroachment of nonindustrial uses; and

WHEREAS, there are no industrial land use conflicts caused by encroaching nonindustrial land uses on other industrial shorelines; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 25.08.100 of the Seattle Municipal Code, last amended by Ordinance 124883, is amended as follows:

25.08.100 Districts

"District" means the land use zones to which the provisions of this Chapter 25.08 are applied. For the purposes of this Chapter 25.08:

A. "Residential District" includes zones defined as residential zones and NC1 zones in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.

B. "Commercial District" includes zones designated as NC2, NC3, SM, SM-SLU, SM-D, SM-NR, C1, C2, DOC1, DOC2, DRC, DMC, PSM, IDM, DH1, DH2, PMM, ~~((and))~~ IB, and UI in ~~((the Land Use Code of the City of Seattle,))~~ Title 23.

C. "Industrial District" includes zones designated as IG1, IG2, MML, II, and IC in ~~((the Land Use Code~~

of the City of Seattle,)) Title 23.

D. For any zone not listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C, the Administrator may determine that the zone is substantially similar to a zone listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C and may classify it similarly for purposes of this ((chapter)) Chapter 25.08.

Section 2. Section 25.08.410 of the Seattle Municipal Code, last amended by Ordinance 122923, is amended as follows:

25.08.410 Exterior sound level limits((-))

A. The exterior sound level limits are based on the Leq during the measurement interval, using a minimum measurement interval of ((+)) one minute for a constant sound source, or a one-hour measurement for a non-continuous sound source. For sound sources located within the City, the exterior sound level limits are as ((follows)) shown in Table A for 25.08.410:

((Exterior sound level limits))

Table A for 25.08.410 Exterior sound level limits			
District of ((Sound Source)) <u>sound source</u>	District of ((Receiving Property)) <u>receiving property</u>		
	Residential (dB (A)) (Leq)	Commercial (dB(A)) (Leq)	Industrial (dB(A)) (Leq)
Residential	55	57	60
Commercial	57	60	65
Industrial	60 ¹	65 ¹	70
Footnote for Table A for 25.08.410 ¹ Except the sound level limit from a sound source that originates on Interbay Northend Manufacturing and Industrial Center (BINMIC) and is within 200 feet of a shoreline is residential and commercial receiving property districts.			

B. During a measurement interval, Lmax may exceed the exterior sound level limits shown in subsection 25.08.410.A by no more than 15 dB(A).

Section 3. This ordinance shall take effect and be in force: 90 days after its approval or unsigned and

returned by the Mayor; 90 days after the City Council's reconsidered passage after its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105 days after its passage by the City Council.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)