



Legislation Text

File #: CB 119797, 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 Ordinance 126006, 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.

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 six months by Ordinance 126006.

D. Although the City has worked to develop 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 July 10, 2020.

E. Work on permanent regulations has been limited due to the February 29 and March 3 proclamations of civil emergency by Governor Inslee and Mayor Durkan, respectively, related to the spread of COVID-19.

F. 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.

G. The Governor's Proclamation 20-28 prohibits agencies from taking action (as defined in RCW 42.30.020), unless the matter is: (1) necessary and routine; or (2) necessary to respond to the COVID-19 public health emergency.

H. This legislation is necessary to respond to the COVID-19 public health emergency because the City Council cannot consider and act on permanent regulations that would be effective before the expiration of the temporary moratorium. Without an extension of the moratorium, the Seattle Department of Construction and Inspections must accept permit applications to develop sites currently used as mobile home parks. If this were to occur residents of current mobile home parks could be displaced, which is contrary to the public interest as described in the findings of fact contained in Ordinance 125764. It is also contrary to the public health interest in responding to the COVID-19 public health emergency, as follows:

1. Residents of current mobile home parks are primarily low-income and elderly and, consequently, have a higher risk of severe illness due to COVID-19;
2. Public Health - Seattle and King County has recommended that people at higher risk of severe illness stay home and away from large groups of people as much as possible;
3. In September 2018 the Seattle Women's Commission and the King County Bar Association's report *Losing Home: The Human Cost of Eviction in Seattle* ("Losing Home Report") found that seniors disproportionately experience housing insecurity and that most evicted respondents became homeless;
4. As of April 21, 2020, cases of COVID-19 in King County shelters and housing for people experiencing homelessness were rising and had reached 112 people, with one death in a quarantine facility, an increase from the 27 confirmed cases on April 7;
5. Redevelopment of mobile home parks would include loss of residential tenure and physical and economic displacement of current residents to an increased risk of exposure to COVID-19, if they become homeless; and
6. Extending the current moratorium is necessary for the City to develop and consider

permanent regulations that could increase housing security for mobile home park residents and mitigate the risk of future COVID-19 exposure to current residents and other members of the community.

I. This legislation is also necessary and routine. To preserve the status quo while allowing time to develop permanent regulations, this legislation is necessary to extend the current moratorium beyond its current expiration date of July 10, 2020. The Council routinely extended moratoria for such purposes before the Governor's Proclamation.

Section 2. The moratorium first set forth in Ordinance 125764, and extended by Ordinance 126006, shall be extended and in effect for a period of six months from the date the ordinance introduced as Council Bill 119797 is effective, and shall automatically expire after the six-month period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 3. 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 _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)