Legislation Text

**File #:** CB 121270, **Version:** 1

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## The City of Seattle

# Ordinance

Council Bill

**An ordinance** relating to the Ballard Business Improvement Area; amending Section 6 of Ordinance 126911 to clarify provisions on assessment escalations.

**Recitals:**

In June 2016, ratepayers representing 60 percent of the total assessments expressed their support by petition to establish a new Ballard Improvement Area.

On September 19, 2023, the City Council passed Ordinance 126911, which established an expanded Ballard Business Improvement Area.

The Ballard Business Improvement Area has levied the special assessment on property owners since first created in 2016.

Ordinance 126911 contains language in subsection 6.E.2.b around assessment installments and annual increments, that is subject to conflicting interpretations.

It is the intent of this ordinance to remedy the ambiguity to ensure consistent and equitable application of the inflation adjustment factor across all ratepayer classifications.

The Ballard Business Improvement Area ratepayers requested a technical amendment to clarify the inflationary clause. Therefore,

**Be it ordained by The City of Seattle as follows:**



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Section 1. Section 6 of Ordinance 126911 is amended as follows:

**Section 6. Levy of special assessments.** To finance the programs authorized in Section 5 of this ordinance and as described in the Ballard Alliance Renewal and Business Plan, a 12-year special assessment shall be levied upon and collected from all owners of commercial property, multifamily residential property (buildings containing four or more residential units), and mixed-use property (multifamily residential and commercial) located within the boundaries of the Ballard Improvement Area (BIA) described in Section 4 of this ordinance and shown in Attachment A to this ordinance. Initial assessment calculations will be based on property information from the King County Assessor's Office for Value Year 2021/Tax Year 2022, as accessed on November 30, 2022, and the BIA shall annually update records based on data and information from King County and the City. Ratepayers shall be assessed by the City in 12 annual installments to be billed semi-annually beginning with the base year of authorization (2024), by applying the following assessment rates to each ratepayer:

* * *

E. Assessment Installments and Annual Increments.

1. Ratepayers will be assessed by The City of Seattle for 24 biannual installments beginning with the base year of authorization (2024).

2. For each year following the first year of authorization, the following assessment escalations will apply to the assessment formulas:

a. Year 2: Year 2 assessments will equal Year 1 assessments times the percentage change in the Consumer Price Index (CPI) for All Urban Consumers in Seattle-Tacoma-Bellevue ("CPI-U-Seattle"), October 2022 to October 2023 unless there is an increase in Building Square Feet for a given parcel. If CPI-U-Seattle is less than two percent, use two percent. If CPI-U-Seattle is more than six percent, use six percent.

If there is an increase in Building Square Feet for a given parcel, then that parcel will be recalculated using the latest available King County Assessor's data with the Land Area Factor, Building Square Foot Ceiling, and Residential Ceiling escalated by CPI-U-Seattle (between two and six percent).

b. Years 3 through 12: Use the same annual escalation scheme as for Year 2, with the percentage change ((~~of no more than 6% as the ceiling and no less than 2% as the floor, which is dependent on the CPI-U-Seattle between October 2022 and October of the year prior to the assessment year.~~)) in assessment equal to the percentage



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change in CPI-U-Seattle from October of the previous year to October of the current year. If the percentage change is less than two percent, use two percent. If the percentage change is more than six percent, use six percent. If CPI-U-Seattle is unavailable for either October of the previous year or October of the current year, use CPI-U-Seattle for the closest previous month for which it is available to calculate the percentage change.

* * *

This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council and signed in open session in authentication of its passage on .

President of the City Council
on .

Katie B. Wilson, Mayor

Attested on .

Lenné Dedman, City Clerk

*Seal*



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