

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

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.

..body

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;

- 1 • Improving the movement of people and goods to and within industrial zones and
2 increases safety for all travel modes;
- 3 • Aligning Seattle’s industrial and maritime strategy with key climate and
4 environmental protection goals; and
- 5 • Developing a proactive land use policy agenda that harnesses growth and
6 economic opportunities to ensure innovation and industrial jobs are a robust part of our
7 future economy that is inclusive of emerging industries and supportive of diverse
8 entrepreneurship; and

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

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

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

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

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

1 WHEREAS, in September 2022 Office of Planning and Community Development issued a Final
2 Environmental Impact Statement featuring a preferred alternative; and

3 WHEREAS, OPCD is proposing five ordinances that together implement the land use strategies
4 recommended by the Industrial and Maritime Strategy Council and were studied in the
5 Industrial and Maritime Strategy Environmental Impact Statement and includes an
6 ordinance amending Seattle’s Comprehensive Plan to create a new land use policy
7 framework, an amendment to the Seattle Municipal Code to establish new industrial
8 zones and development standards consistent with the proposed Comprehensive Plan
9 Policies, an ordinance to remove the provision of the Industrial Commercial zone from
10 the existing Seattle Municipal Code Chapter 23.50, an ordinance amending Title 25 to
11 address noise in the shoreline areas of the Ballard Interbay Northend Manufacturing
12 Center, and an ordinance to apply the proposed new zones to land in Seattle’s industrial
13 areas; and

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

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

19 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

20 Section 1. Section 25.08.100 of the Seattle Municipal Code, last amended by Ordinance
21 124883, is amended as follows:

22 **25.08.100 ((-)) Districts**

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

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

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

8 C. "Industrial District" includes zones designated as IG1, IG2, MML, II, and IC in ~~((the~~
9 ~~Land Use Code of the City of Seattle,))~~ Title 23.

10 D. For any zone not listed in subsections 25.08.100.A, 25.08.100.B, or 25.08.100.C, the
11 Administrator may determine that the zone is substantially similar to a zone listed in subsections
12 25.08.100.A, 25.08.100.B, or 25.08.100.C and may classify it similarly for purposes of this
13 ~~((chapter))~~ Chapter 25.08.

14 Section 2. Section 25.08.410 of the Seattle Municipal Code, last amended by Ordinance
15 122923, is amended as follows:

16 **25.08.410 ~~((-)) Exterior sound level limits~~((-))~~~~**

17 A. The exterior sound level limits are based on the Leq during the measurement interval,
18 using a minimum measurement interval of ~~((4))~~ one minute for a constant sound source, or a
19 one-hour measurement for a non-continuous sound source. For sound sources located within the
20 City, the exterior sound level limits are as ~~((follows))~~ shown in Table A for 25.08.410:

21 **~~((Exterior sound level limits))~~**

Table A for 25.08.410

Exterior sound level limits

District of ((Sound Source)) sound source	District of ((Receiving Property)) receiving property		
	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 property within the Ballard Interbay Northend Manufacturing and Industrial Center (BINMIC) and is within 200 feet of a shoreline is 70 (dB(A)) (Leq) in both residential and commercial receiving property districts.

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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

1 its veto by the Mayor; or, if not returned by the Mayor within ten days after presentation, 105
2 days after its passage by the City Council.

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

6 _____
7 President _____ of the City Council

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

9 _____
10 Bruce A. Harrell, Mayor

11 Filed by me this _____ day of _____, 2023.

12 _____
13 Elizabeth M. Adkisson, Interim City Clerk

14 (Seal)

15 Attachments (if any):