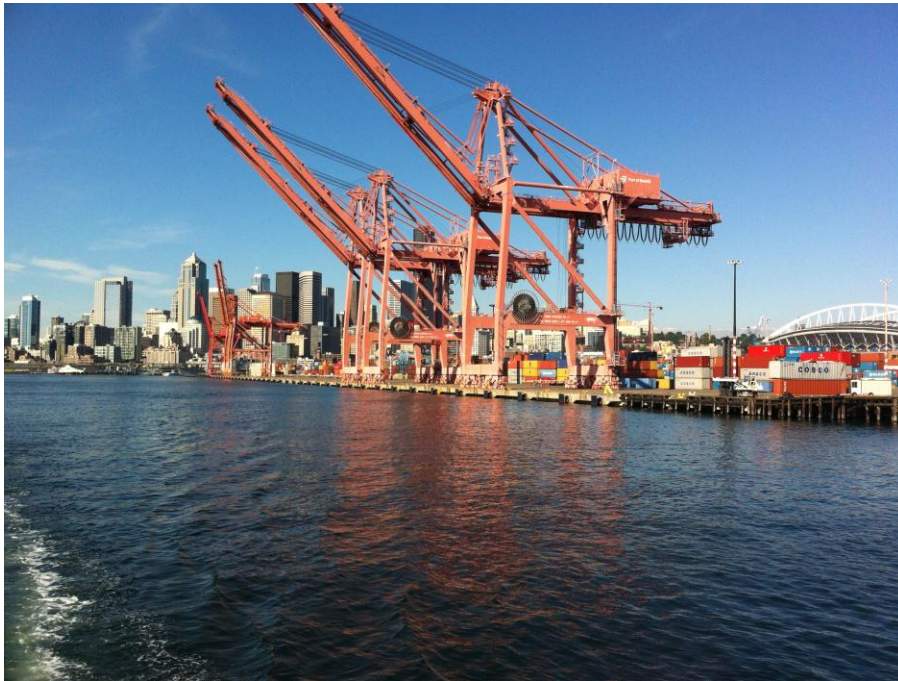


REPORT TO THE PORT OF SEATTLE

SODO ARENA PROPOSAL

SEATTLE DUWAMISH MANUFACTURING
AND INDUSTRIAL CENTER

Land Use and Planning Issues



“Planning plays a key role in guiding Seattle’s long-term development” –Department of Planning and Development, City of Seattle, 2012

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DUWAMISH MANUFACTURING AND INDUSTRIAL CENTER PROPOSED SPORTS/ENTERTAINMENT ARENA IN SODO

LAND USE AND PLANNING ISSUES

HISTORY, BACKGROUND, AND PLANNING CONTEXT

This report examines the historical, land use and planning context for the proposed sports and entertainment facility at the Sodo site. By necessity it is a preliminary review and cannot substitute for a full analysis of adverse impacts that would be the responsibility of the lead reviewing agency and project proponent.

Overview and Summary Recommendations

As the Seattle metropolitan region continues to grow, scarce and finite industrial lands are under intense long term pressure for conversion to non-industrial uses. Preservation of Seattle's industrial lands is vital to the Port of Seattle, which operates the state's largest gateway for seaborne international and domestic trade largely within the Duwamish Manufacturing Industrial Center. These operations alone support more than 33,000 jobs in the region. The ability of the port to prosper and fulfill its economic development mission depends on the efficient movement of cargo between shipping terminals, rail yards, transload facilities and distribution centers. The Port's Century Agenda strategic plan sets an aggressive goal to generate 100,000 new jobs across the region in maritime, aviation, and other industries, and increase marine cargo volume by over 1 million TEUs. Land and infrastructure capacity in the Duwamish Industrial Area must be reserved to support these goals for jobs and economic growth.

In February, investor Chris Hansen announced his proposal for a regional public facility for a sports and entertainment of approximately 700,000 square feet in area, with seating for up to 19,000 people, located south of the existing CenturyLink and Safeco Field stadiums. Mr. Hansen has also expressed his ambition to co-develop a sports entertainment district surrounding the arena, in Sodo, which he has compared to Staples Stadium LA Live in Los Angeles, with sports-related bars, restaurants, and retail uses.

The proposed SODO sports arena will likely result in incompatible non-industrial development within the industrial area as well as significantly more traffic congestion that would interfere with port operations. As such, the proposed arena would run counter to state, regional and Seattle city policies intended to protect and enhance industrial areas. Further, the proposed arena Memorandum of Understanding does not provide for a thorough review of potential alternative sites, adverse impacts, and potential mitigation as required by law under the Washington State Environmental Policy Act (SEPA).

KEY RECOMMENDATIONS

Based on my review and an analysis of the legislative history, planning framework, land use policies, code, and the proposed MOU, I offer five key recommendations:

1. The City should remove language from the MOU that binds the City to a specific location.
2. The City should exercise its discretionary SEPA authority now and initiate a programmatic EIS that will examine alternative sites.
3. The City, the Port, and stakeholder interest groups should engage in meaningful discussions about essential policy issues and infrastructure needs of the Duwamish MIC.
4. The City and Port should commit to working collaboratively, pursuant to the Container Port provisions of the State Growth Management Act (GMA), in the longer term to establish stronger protections for manufacturing and industrial uses in the Duwamish MIC and further restrict conversions of industrial lands to non-industrial uses.
5. Consider a mechanism for a long term stabilizing plan such as the creation of a new Port District Overlay, or Planned Manufacturing and Industrial District such as Chicago's highly successful Planned Manufacturing District (PMD) model.

By entering into cooperative discussions, the City has the opportunity to reap the benefits of a potential new sports facility while also remaining faithful to state, regional, and local policies intended to strengthen vital economic activities of our industrial areas.

LAND USE AND PLANNING CONTEXT

The Sodo District

The proposed "SoDo" area is not an official land designation and does not have precise boundaries, but has come to refer generally to a sub-area of the Duwamish Manufacturing and Industrial Center that is south of Pioneer Square, with a mix of businesses and uses that encompass Safeco Field and Century Link stadium. The origin of the term "SoDo," or South of the Kingdome, dates back to around 1990, when investors and city planners sought, for marketing purposes to give more identity to the changing character of the south city industrial area. Early use of the term is also found in the former Sears' West Coast distribution Center (now Starbuck's) Sodo Center (1992), and the SODO Business Association, an organization established in 1993 to bring greater government attention to the south central industrial area. Its major concerns (ironically) had to do with the city's new comprehensive plan, Kingdome replacement options, transportation, and gentrification of the industrial lands.¹

¹ Seattle Times, "Sodo" Area Quietly Blooming," July 3, 1990.

Growth Management Act (GMA)

With the passage of the Growth Management Act (GMA) RCW 36.70A, in 1990, the Washington State Legislature sought to create a method for comprehensive land use planning involving citizens, communities, counties, cities, and the private sector that would prevent uncoordinated and unplanned growth. The Legislature found this type of uncontrolled growth posed a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of Washington State. To address this threat, the GMA requires counties of a certain size and growth rate, and the cities within them, to adopt comprehensive plans and development regulations which are guided by 14 goals which include the consideration of transportation, housing, economic development, natural resource industries, property rights, and the environment. Regional Manufacturing/Industrial Centers are areas legally defined as having statewide importance under GMA.

In 2009, the legislature amended the GMA to require cities with container ports, like the City of Seattle, to add a container port element to their GMA comprehensive plans to protect maritime industrial areas from incompatible land uses and to protect vital freight corridors.

The City is required under state law to engage in the collaborative planning approach (as described in the container port element, RCW 36.70A.085 (3). This approach requires that port elements adopted under subsections (1) and (2) of this section be developed collaboratively between the city and the applicable port, and must establish policies and programs that:

3. (a) Define and protect the core areas of port and port-related industrial uses within the city;
(b) Provide reasonably efficient access to the core area through freight corridors within the city limits; and
(c) Identify and resolve key land use conflicts along the edge of the core area, and minimize and mitigate, to the extent practicable, incompatible uses along the edge of the core area.
4. Port elements adopted under subsections (1) and (2) of this section must be:
 - (a) Completed and approved by the city according to the schedule specified in RCW 36.70A.130; and
 - (b) Consistent with the economic development, transportation, and land use elements of the city's comprehensive plan, and consistent with the city's capital facilities plan.

To date, while the required container port element has been incorporated by the city into the comprehensive plan, I am not aware of programs or regulatory protections that have been developed collaboratively between the Port and City for the Duwamish MIC, as required under the new state law.

The Duwamish Manufacturing/Industrial Center

Long before GMA, the Duwamish Manufacturing and Industrial Center (MIC), has been in industrial use in Seattle for over 100 years. The MIC is bounded by the southern shores of Elliott Bay to the west, I-5 to the east, includes Harbor Island, two-thirds of Boeing Field, and extends five miles south of Seattle's downtown on both sides of the Duwamish Waterway to Boeing Access road at the city limit. The MIC comprises 4,936 acres of marine and industrial land, totaling 84 percent of the city's industrially zoned land. Three major land uses predominate in the MIC: 32% commercial, 26% industrial, and 23% warehousing. In 2002, there were only about 214 acres of vacant land (less than 4 % of the total acreage) in the MIC, available for new development. Marine industrial uses are of the highest intensity in the MIC, with specific focus on inter-modal break-bulk and container cargo terminals supporting the transfer of cargo between ship, barge, rail, and truck. The Duwamish MIC is the Port of Seattle's primary marine shipping area, with deep-water berths, wharfs, piers, shipyards, dry-docks, container cranes, on-dock rail, container yards, cargo distribution and warehousing, oil and petroleum storage facilities, and major railroad yards.²

Total land area devoted to industrial and water-dependent uses has declined significantly in Seattle over the last few decades, increasing the importance of this unique and limited industrial resource.

Duwamish MIC Planning Context

The Duwamish MIC was designated in 1994 in the City of Seattle's Comprehensive Plan, *Toward a Sustainable Seattle*, under the Growth Management Act (GMA), as one of eight Manufacturing/Industrial Centers in the state targeted for employment growth. It has the largest concentration of family wage jobs (3,500 businesses and over 63,000 jobs) in the Puget Sound region, and is the most intensively utilized manufacturing/industrial center in the Washington State. The 20-year employment growth target for the MIC is for 10,860 new jobs. The Puget Sound Regional Council, central Puget Sound's transportation, economic, and growth management planning organization, emphasized the importance of the Duwamish MIC in its 2002 Urban Centers Report:

"The MIC is a vital international trade and transportation crossroads, receiving and distributing goods via roadway, water, rail and air. Its ability to provide multiple modes of transportation represents a unique asset to the region and an enhancement to the local business environment."³

Regional designation of a manufacturing/industrial center under GMA is made by affirmative vote of the PSRC Executive Board, after careful consideration of the recommendation of the Growth Management Policy Board, a presentation of the jurisdiction, and extensive staff analysis. The designation is intended to assist countywide and local jurisdictions to more

² Puget Sound Regional Council, *Vision 2040 Report*, <http://psrc.org/growth/centers>

³ Puget Sound Regional Council *2002 Urban Centers Report*, 2011.
<http://psrc.org/assets/270/duwamish.pdf>

effectively implement the region's growth and transportation strategies, and to be consistent with and advance provisions of VISION 2040 plan to guide regional growth.⁴

To be eligible, a proposed center must be located within an urban growth boundary, and preferably within a city. The qualifying manufacturing industrial center must:

- demonstrate compatibility with VISION 2040
- have a minimum of at least 10,000 jobs
- growth target level of at least 20,000 jobs
- show sufficient zoned development capacity to adequately accommodate growth targets
- be *planned* future land use and zoned for at least for 80% for manufacturing and industrial land uses
- show the jurisdiction's commitment to the MIC planning expectations for environmental protections; land uses; economic objectives; public services and capital facilities; transportation and movement of freight, and plans and strategies to *identify and address deficiencies*

King County Countywide Planning Policies

Countywide Planning Policies (CPPs) are adopted and ratified by cities to address growth management issues in King County. The CPPs provide a countywide vision and serve as a framework for each jurisdiction to develop its own comprehensive plan, which, under GMA, must be consistent with the overall vision for the future of King County.

A regional concern and major objective of the Countywide Planning Policies is the protection and management of resource lands, including manufacturing and industrial:

*"Manufacturing/Industrial Employment Centers are key components of the regional economy. These areas are characterized by a significant amount of manufacturing, industrial, and advanced technology employment. They differ from other employment areas, such as business/office parks in that a land base and the segregation of major non-manufacturing uses are essential elements of their operation."*⁵

The location and number of regional Manufacturing/Industrial Centers in King County were determined through the joint local and Countywide adoption process based on a specific set of adopted growth management goals and selection criteria (LU-52 – LU-59). The Countywide Planning Policies governing Manufacturing Industrial Centers include 7 specific criteria that are ostensibly intended to ensure that all jurisdictions in King County work to:

⁴ PSRC , *Designation Procedures for New Regional Growth Centers and Regional Manufacturing Industrial Centers*, 2011, <http://psrc.org/growth/centers/centers-procedures/>

⁵ King County Countywide Planning Policies, p. 31, 2008. <http://your.kingcounty.gov/ddes/compplan/CPP-current.pdf>.

- 1) Preserve and aggregate manufacturing industrial lands for manufacturing industrial uses;
- 2) Discourage land uses which are not compatible with manufacturing industrial uses;
- 3) Limit the size of offices and retail, unless accessory;
- 4) Support the development of a regional industrial siting policy to promote industrial activity;
- 5) Accommodate growth of 10,000 jobs;
- 6) Design access to the regional Manufacturing/Industrial Centers to facilitate the mobility of employees by transit, and the movement of goods by truck, rail or waterway as appropriate; and
- 7) and for all jurisdictions, demonstrate compliance with these criteria through their comprehensive plans and by establishing strategies to support the protection and viability of Manufacturing/Industrial Centers in King County.⁶

City of Seattle Comprehensive Plan

Seattle's Comprehensive Plan, *Toward A Sustainable Seattle*, is required under Washington State law by the Growth Management Act (GMA) in order to guide regional growth and coordinate land use and transportation goals and policies with King County and other jurisdictions. The Seattle Planning Commission has stewardship responsibility over Seattle's Comprehensive Plan.

The Comprehensive Plan provides 37 Policies and 16 Goals for the Duwamish MIC, including Land Use, Economic, Transportation, Urban Village, and Container Cargo elements of the plan.⁷ Specific Plan goals and policies for Seattle's Manufacturing and Industrial centers are clear, unequivocal and direct in expressing the City's intent to protect its designated industrial lands and deep harbor shipping activities:

UV G22 Ensure that adequate accessible industrial land remains available to promote a diversified employment base and sustain Seattle's contribution to regional high-wage job growth.

UVG23 Promote the use of industrial land for industrial purposes.

UV19 Zoning that promotes manufacturing, industrial, and advanced technology uses and discourages uses that are not compatible with industrial areas.

UV21 Promote manufacturing and industrial employment growth, including manufacturing uses, advanced technology industries, and a wide range of industrial-related commercial functions, such as warehouse and distribution activities, in manufacturing/industrial centers.

UV22 Strive to retain and expand existing manufacturing and industrial activity.

⁶ King County Countywide Planning Policies, p. 37, 2008. <http://your.kingcounty.gov/ddes/compplan/CPP-current.pdf>.

⁷ Rebecca Herzfeld, "Zoning and Permitting for proposed arena," Seattle City Council Legislative Department Memorandum, July 16, 2012

UV23 Maintain land that is uniquely accessible to water, rail, and regional highways for continued industrial use.

UV24 Limit in manufacturing/industrial areas those commercial or residential uses that are unrelated to the industrial function, that occur at intensities posing short- and long-term conflicts for industrial uses, or that threaten to convert significant amounts of industrial land to non-industrial uses.

UV24.1 The City should limit its own uses on land in the manufacturing/industrial centers to uses that are not appropriate in other zones and should discourage other public entities from siting non industrial uses in manufacturing/industrial centers. An exception for essential public facilities should be provided.

LU 27 Limit in industrial and manufacturing areas commercial or residential uses unrelated to industrial function that occur at intensities posing short and long term conflicts for industrial uses, or threaten to convert significant amounts of industrial land to non-industrial uses.

And in April this year, as part of the 2011-2012 Comprehensive Plan annual amendment process, the City Council added a new Container Port Element (Council Ordinance Number: 123854) to the Plan in order to comply with the 2009 state law. Adoption of this amendment to the city's Comprehensive Plan was required under the Washington State the Growth Management Act (RCW 36.70A.085), because container ports in Washington State were recognized as *"increasingly challenged by the conversion of industrial properties to non industrial uses that...hinder port operations, restrict efficient movement of freight, and limit opportunities for improvements to existing port-related facilities."*

The container port element requires the City to adopt regulatory controls, i.e., zoning regulations, that are consistent with this new comprehensive plan element. Land use regulatory controls are supposed to implement the comprehensive plan policies, (See RCW 36.70A.085 (6) (a)). Creation of a port overlay district is one of the options mentioned in the GMA to accomplish this purpose.

Duwamish Manufacturing and Industrial Center Neighborhood Plan

On June 12, 2000, after more than four years and thousands of hours of intensive citizen volunteer and stakeholder participation, the City Council passed a watershed package of legislation including: amendments to the City's Comprehensive Plan; changes to the land use regulations; the Stadium Transition Area Overlay District; and adoption of the Greater Duwamish Manufacturing and Industrial Center Neighborhood Plan and implementation strategies.

The 95 page Duwamish MIC Neighborhood Plan advanced a vision for the Duwamish MIC as a “vital economic and transportation crossroads of regional significance.”⁸

The Duwamish MIC Neighborhood Plan also recommended specific goals and policies intended to ensure the viability and expansion of manufacturing and industrial activity in the Duwamish MIC, and to support and implement the following objectives:

- Restrict incompatible or competing land uses within the M & I Center;
- Encourage manufacturing and industrial job retention and growth;
- Establish a growth target of 10,860 new family wage industrial jobs;
- Retain and improve access to, and transportation within, the M & I Center; and
- Retain existing businesses and encourage new manufacturing industrial development within the M & I Center.

The 2000 Duwamish MIC Plan’s Executive Summary offered a stern, if not prescient warning about the harm that could come by government indifference and inaction to long-term cumulative impacts of conversions and redevelopment of industrial lands in the MIC:

“The cumulative impacts of major construction projects, explosive regional growth and seriously congested transportation system have degraded the viability of the Duwamish M&I Center over the past decade. Continued and intensified pressure to redevelop industrial land for non-industrial purposes is the most significant threat to this vital resource. If the M & I Center is to remain viable, it is imperative that Governmental decision-makers become educated on issues affecting the M & I Center and the that all elements of the City and County government take a proactive role in defending the M & I Center from further destabilization.”

Zoning and Land Use Regulation

The Seattle Land Use Code contains five zone groups that regulate development in the city. They are Single Family Residential, Multifamily, Commercial, Industrial, and Downtown. There are a number of zones within each group, and most can be placed anywhere in the city where broad functional and locational criteria exist to support those zones. The industrial group includes four zone classifications, which are found in several different areas of the city.

The underlying regulations in Seattle’s land use code are not isolated, stand-alone provisions. All land use regulation must be consistent with the applicable planning and land use policies in the comprehensive plan. The legal framework for zoning can be seen in the context of five applicable planning, land use policies, and zoning regulations that sports and entertainment facility and retail development must be in compliance with under the city’s land use code. In order of conformance they are:

⁸ City of Seattle, “Duwamish Manufacturing and Industrial Center Neighborhood Plan,” 2000. <http://www.seattle.gov/neighborhoods/npi/plans/duwa/>

- 1) The regional designation under GMA of Duwamish Manufacturing and Industrial Center
- 2) The City of Seattle's Comprehensive Plan;
- 3) The MIC Neighborhood Plan (embedded in Comprehensive Plan);
- 4) The Stadium Transition Area Overlay District; and
- 5) Land use zone designation Industrial Commercial-85 (IC-85).

Industrial Commercial (IC) 85 zone: Most of the property proposed for the new arena south of Safeco Field is zoned Industrial Commercial (IC) and is within the Stadium Transition Area Overlay District (STAOD). The intent of the IC zone is to promote development of businesses which combine a mix of industrial/manufacturing with commercial uses, as well as technology research and development. The underlying IC zone allows spectator sports facilities, and office, restaurant and retail uses and there are no size limits for non-industrial uses in portions of the IC zone that are within the Duwamish MIC. However, the STAOD prohibits hotels and residential uses, as do the IG zones in the Duwamish MIC in order to minimize conflicts with industrial uses (SMC 23.50.012 Table A and 23.7). The north end of the STAOD [CenturyLink and North Lot area] adjacent to Pioneer Square, extends beyond the Duwamish MIC.

The arena proponent also proposes use of a narrow, elongated strip of land currently owned by the Burlington Northern and Santa Fe Railroad (BNSF) immediately to the east of the full block arena site. However, the adjacent property is outside the STAOD and zoned Industrial General (IG2), which prohibits spectator sports facilities use in the Duwamish MIC. The land would need to be purchased from BNSF, and require a rezone to IC to allow stadium use.

Parking Requirements: The minimum parking requirement prescribed for spectator sports facilities in the code is: "1 space for each 8 fixed seats in public assembly areas, or 1 space for each 100 square feet of public assembly area not containing fixed seats." Assuming fixed seating for 19,000 spectators, this would result in a minimum parking requirement of 2,375 spaces.⁹ An estimate of the gross square footage for that number of parking spaces is in the range of 700,000 to 850,000 square feet. This number does not include minimum parking requirements for complementary retail and commercial uses, such as the sports entertainment retail mall contemplated by arena proponent.

The proponent has produced no information on how much parking would be provided, or where the parking would be located. The STAOD establishes a maximum number of parking spaces per use, but it does not apply to spectator sports facilities. If the required arena parking is located within the STAOD, it may also be used for general parking (and possibly to support the retail entertainment mall traffic). Required parking for a spectator sports facility that is located within the STAOD is exempt from the parking maximum ratio REGARDLESS of whether it is shared with another facility.¹⁰ Outside the STAOD, IG zones within the Duwamish MIC do allow reserved parking tied to a spectator sports facility that is located inside the STAOD beyond the minimum required number of spaces for the spectator sports facility (SMC Table A for 23.50.012, Note 2).

⁹ SMC. Section 23.54.015, Table A.

¹⁰ Rebecca Herzfeld, Senior Policy Analyst, City of Seattle Legislative Department Memorandum to City Council, *"Parking, access and loading requirements for the proposed arena,"* June 13, 2012.

It is highly unlikely that the proposed arena site at S. Holgate, which comprises approximately 280,000 square feet in area (including S. Occidental right of way), could physically accommodate both the 700,000 square foot arena and 900,000 square foot parking structure, if both were to be built on the same site. Additional land near the sports facility site that would most likely be needed to accommodate such a large parking structure but a specific site has not been identified.

The proponent has revealed no details or plans for how the entire sports/entertainment complex would be configured, or how much more land will be needed to complete the full build-out. Furthermore, this area of the former Duwamish tide flats consists of land fill known for having a high water table and poor soils, which would most likely make underground parking not feasible. Another option is for the sports arena to share at least some of the required parking through covenants with other nearby parking lot/garage owners, such as the Mariners. A significant parking shortage could arise, however, on days when Safeco Field or CenturyLink Field events overlap with the activities at the proposed new arena.

It is important to note that lands surrounding the subject property outside the STAOD, to the west of S. Utah Street, south of South Holgate, and immediately east of the subject property (BNSF), are in active manufacturing/industrial use and all zoned either IG1 or IG2. The land use code expressly disallows expansion of the STAOD boundary to the south and east, where it would further encroach on active manufacturing/ industrial uses. In any event, a boundary expansion would require a Council approved rezone.

Street Vacations: The proponent would also likely seek to vacate South Occidental for the block between S. Holgate and S. Massachusetts and possibly a half block of S. Massachusetts north of the subject site, in order to accommodate the size, configuration, parking needs, loading and access requirements for the new 700, 000 square foot sports facility. This could alter or restrict vehicular access to Safeco garage to the north of the subject site. A new service access road to the east between the arena site and the Safeco parking garage might be needed, with the potential to consume more land in industrial use.

Stadium Transition Area Overlay District (STAOD) –Purpose and Intent

Land located within the Stadium Transition Area District (STAOD), including the arena site, is subject to the underlying (IC-85) zone, except as otherwise expressly provided in the land use code and as modified and further defined by the STAOD. Special overlay districts are provided for in the code typically establish regulations in addition to what the underlying zoning provides. Overlays accomplish specific city policy objectives in specific areas of the city. The existing overlays in the city's land use code are many, and vary greatly. They include historic districts, transit/station areas, shorelines, major health care and educational institutions, and some neighborhood business districts. They typically establish both use and development regulations in addition to the underlying zone, and in case of conflict, *the overlay provisions prevail*.¹¹

At the time of adoption by the Seattle City Council of the package of stadium-related legislation in June, 2000, the stated purpose and intent for establishing the Stadium Transition Area

¹¹ Legislative and Executive Staff Report, "Stadium Transition Area," p. 2, City of Seattle, 2000.

Overlay District was to implement the City's Comprehensive Plan and Duwamish MIC Neighborhood Plan. The STAOD was further intended to encourage a mix of complementary uses and redevelopment that would serve to: 1) support a pedestrian friendly streetscape, and 2) avoid conflicts and discourage encroachment on nearby industrial uses to the south of Safeco Field.¹²

When the stadium transition area boundaries were being studied by city staff in 2000, the southern boundary of the rezone was first proposed by the executive to be drawn just beyond Safeco Field at S. Massachusetts Street, in recognition of the land occupied by Safeco Field, former Kingdome, and future Qwest Field (now CenturyLink). However, the City Council opted to extend the boundary to S. Holgate in the final legislation in order to accommodate more mixed use development to complement the sports facilities.

There is nothing in the legislative record or staff reports to indicate that the STAOD was intended to support a third sports stadium. Capacity for a third sports stadium within the rezone and STAOD boundary was never analyzed, questioned, or even contemplated by staff, the executive or city council.¹³

ENVIRONMENTAL REVIEW ISSUES

SEPA Issues and the Arena Memorandum of Understanding

The proposed Memorandum of Understanding (MOU) for the Seattle Sports and Entertainment Facility is described as an "enforceable agreement" of the parties, that expressly intends to legally bind the city and county to a set of terms and conditions regarding, among other things, the size, location, design, development, and operation of a 700,00 square foot multi-purpose arena. It specifically calls out the location of the "Project Site" as south of downtown, where the proponent has already acquired land. The proposed MOU is silent on specifics of parking requirements and the proponent's plans to co-develop other sports and entertainment related retail uses near the arena.

The MOU acknowledges that "the Project is subject to review and potential mitigation under... the State Environmental Policy Act (SEPA)," but includes qualifying language that states the "City and County may not take any 'action' within the meaning of SEPA except as authorized by law." The Port, Duwamish area businesses, and local land use lawyers have raised serious concerns recently about the city and county committing to a specific location without the any evaluation of alternative sites and potential adverse environmental impacts, and moving hastily to approve the "binding and enforceable" MOU in advance of SEPA review.

¹² SMC. Chapter 23.74.002, *Stadium Transition Area Overlay District, Purpose and Intent*, 2000.

¹³ Peter Steinbrueck, Seattle City Council President, 2000, Expert Testimony to King County Council Transportation Committee, June 19, 2012.

EIS Precedent studies – Stadium Siting and Location Criteria

Under SEPA, a formal study of environmental impacts (EIS) and possible mitigation is conducted once the lead agency (in this case the Seattle Department of Planning and Development) has made a threshold determination that adverse impacts are possible or likely to occur by the proposed action. The steps involve an initial public comment and scoping phase to determine which elements of the environment, such as air, water quality, utilities, cultural resources, land use, and transportation, must be reviewed and possibly mitigated in the EIS process. A draft EIS is then published for further public review and comment, and a Final EIS is completed. The Final EIS is used by the lead regulatory agency to guide its decision in determining what conditions (mitigation) must be placed on the project for permit approval.¹⁴

The Port urges a phased approach to environmental review of the arena as described in the July 18, 2012 letter to the City and County Councils:

“The first phase would be a programmatic EIS that would evaluate and compare respective impacts of several alternative sites besides the proposed Sodo site. This would provide the independent, critical evaluation necessary for the informed selection of the most appropriate location for the arena. Similarly, site alternative sites for CenturyLink, Safeco Field, [as well as for Key Arena, and the Kingdome] were extensively evaluated through the environmental review process to determine which of the alternative sites offered the greatest locational advantages and fewest impacts on existing businesses, traffic, and infrastructure. For an informed selection of the most appropriate location for the [proposed] sports arena, it is critical that reasonable alternatives to the Sodo arena site be evaluated first. Once a preferred site is determined through programmatic review, a project level EIS would evaluate project specific impacts wherever the arena is proposed to be located. If the project site is in the Duwamish Industrial Center, this environmental review would closely examine the likely adverse impacts to industrial uses, transportation, railroad, and port maritime operations.”¹⁵

Rebecca Herzfeld, Senior Policy Analyst for the Seattle Legislative Department noted in a recent staff report to the City Council that environmental conditions imposed on the baseball and football stadiums in Sodo were limited to *project specific* impacts including requirements for Transportation Management Plans, pedestrian amenities, water conservation measures, and construction-related impacts.¹⁶ However, the comparative impacts analysis gained through programmatic environmental review of alternative sites is, *in itself* a process for determining least adverse environmental impacts needing to be mitigated.

¹⁴ Preston Gates & Ellis LLP, “Washington Environmental Law Handbook,” Third Edition. 1997.

¹⁵ Tay Yoshitani, Port of Seattle CEO, “Letter to City and County Councils,” July 18, 2012

¹⁶ Rebecca Herzfeld, Senior Policy Analyst, City of Seattle Legislative Department Memorandum to City Council, “Parking, access and loading requirements for the proposed arena,” June 13, 2012.

Seattle Planning Commission Report to City Council

At the request of the Seattle City Council, the Planning Commission prepared a recent report on the arena proposal and their responses to the Council's questions related to planning, land use, and transportation related issues raised by the proposal. The Commission concluded that the proposed location of the arena in Sodo "...has the potential to generate adverse impacts that may threaten the container port, maritime, industrial, and manufacturing sectors – which have been found to be vital to the health and resilience of our local state and regional economy and that are expressly protected and promoted by the City's guiding policy document: the *Comprehensive Plan*."¹⁷

The Seattle Planning Commission, established by city charter in 1946, is an independent voluntary advisory body of 16 members appointed by the Mayor and City Council. Its members represent a diversity of experience, viewpoints and professional expertise, particularly in planning, land use, and development. The role of the Commission is to advise the Mayor and City Council and City departments on broad planning goals, policies, and major projects shaping the physical development of Seattle. Using the long-range vision and framework of the Seattle Comprehensive Plan, the Commission reviews and makes recommendations on land use and zoning, transportation, and neighborhood planning issues. The Seattle Planning Commission is the *steward* of Seattle's Comprehensive Plan, *Toward a Sustainable Seattle*, a 20 year vision which guides new growth in population, jobs, and development, steers the City's capital expenditures, and informs new regulations under GMA.

The Planning Commission's report to the City Council closely examined the proposed arena's location and potential impacts in its relationship to not only the City's land use regulations, and also the larger planning framework of the Comprehensive Plan, Countywide Policies, Regional Vision 2040, and statewide planning goals and policies. The Commission recommended that no action on the MOU be taken by the City without more thorough review and analysis.

The report cites a "lack of sufficient information" to identify and mitigate potential adverse impacts to the Port and related manufacturing and industrial uses. The Commission sees an "inherent risk" in locating another sports and entertainment facility at the Sodo location, and a "strong likelihood" that living wage jobs and neighboring businesses will be displaced, and the Ports cargo operations and freight mobility further hampered and disrupted. The Commission recommends establishing a new Port District or other planning mechanism that would strengthen the MIC as a manufacturing and industrial "sanctuary, with further restrictions on the amount of non-industrial uses that have been proven to undermine industrial and port operations."¹⁸

¹⁷ Seattle Planning Commission, "Review of the Proposed Sport Arena in the Duwamish Manufacturing and Industrial Center," July 27, 2012.
<http://www.seattle.gov/planningcommission/docs/SPCreviewofproposedSODOarena.pdf>

¹⁸ Seattle Planning Commission, City of Seattle, "Review of the Proposed Arena in the Duwamish Manufacturing and Industrial Center," July 27, 2012

CONCLUSION

Unlike commercial and residential uses which can occur in a many other areas throughout the city and region, industrial uses are extremely limited geographically, and the land, deep harbor access, and logistical resources cannot be duplicated elsewhere-- and are nonrenewable.

Marine and industrial uses, once widely located throughout the city, are today concentrated in the Ballard-Interbay area, SODO, Harbor Island and Duwamish River areas due to non-industrial commercial and residential development pressures. Conversion to non-industrial uses over time is irreversible, and permanently diminishes the extremely limited land supply in the region available for industrial uses. The interrelated land use and economic impacts were exemplified in development of Safeco Field, which resulted in the displacement of approximately 31 businesses and 763 high wage industrial, manufacturing and warehouse jobs in the Duwamish MIC.¹⁹

The proposed Sodo arena complex, along with the proposed sports related entertainment mall, is at odds with the entire body of planning framework, and with the preponderance of land use and economic policies at the highest levels from state to the local, intended to support, protect, and promote industrial and manufacturing uses in the Duwamish MIC as a regional industrial sanctuary.

Should this proposal advance to the site-specific project phase without a programmatic environmental study of alternatives, it may be vulnerable to an appeal not just under SEPA rules, but as a growth management issue, particularly since it would likely impinge on the Port current operations, and capacity to grow its marine industrial functions where state law intends it - in the designated Duwamish Manufacturing and Industrial Center.

SEPA requires the project proponent in the initial phase of environmental review to provide an analysis of "reasonable alternatives," and identify potential adverse impacts and determine acceptable mitigation measures. It is not the responsibility of the Port or other affected businesses in the Duwamish MIC to prove they would be harmed.

As the project has not undergone any detailed environmental review, it is not possible to anticipate the full range of impacts and potential mitigation that could be required. But given the inherent geographical and land constraints in the Duwamish MIC, it is highly unlikely that another multi-block sports arena and entertainment mall of this size can be accommodated at the proposed location in SoDo, without further encroaching on active industrial lands and spurring increased property speculation and the long-term conversion of limited industrial land to non-industrial uses.

¹⁹ Baseball Stadium FEIS, June 1996

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☐ Duwamish Manufacturing
& Industrial Center

 Stadium Transition
Area Overlay District

■ non-required reserved stadium parking allowed

■ proposed arena site

 associated development

— proposed pedestrian mall

— railroads

■ industrial general

■ industrial commercial

■ downtown

■ multi-family

- single family

REFERENCES

Planning Policies

Greater Duwamish Manufacturing/Industrial Center Neighborhood Plan, 2000
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APPENDIX

SEATTLE COMPREHENSIVE PLAN - CONTAINER PORT ELEMENT

LAND USE POLICIES

CP/LU1 Help preserve cargo container activities by retaining industrial designations on land that supports marine and rail- related industries including industrial land adjacent to rail or water-dependent transportation facilities.

CP/LU2 Continue to monitor the land area needs, including for expansion, of cargo container-related activities and take action to prevent the loss of needed land that can serve these activities.

CP/LU3 Discourage non-industrial land uses, such as retail and residential, in industrially-zoned areas to minimize conflicts between uses and to prevent conversion of industrial land in the vicinity of cargo container terminals or their support facilities.

CP/LU4 Consider how zoning designations may affect the definition of highest and best use, with the goal of maintaining the jobs and revenue that cargo container activities generate and to protect scarce industrial land supply for cargo container industries, such as marine and rail-related industries.

CP/LU5 Consider the value of transition areas at the edges of general industrial zones which allow a wider range of uses while not creating conflicts with preferred cargo container activities and uses. In this context, zoning provisions such as locational criteria and development standards are among the tools for defining such edge areas.

TRANSPORTATION POLICIES

CP/T1 Monitor, maintain and improve key freight corridors, networks and intermodal connections that provide access to cargo container facilities and the industrial areas around them to address bottlenecks and other access constraints. Provide safe, reliable, efficient and direct access between Port marine facilities and the state highway or interstate system, and between Port terminals and railroad intermodal facilities, recognizing that Port operations must address other transportation needs, such as pedestrian safety.

CP/T2 Make operational, design, access and capital investments to accommodate trucks and maintain successful railroad operations and preserve mobility of goods and services. Improvements may include, but are not limited to, improvement of pavement conditions, commute trip reduction strategies, including through transportation management associations, roadway re-channelization to minimize modal conflicts, use of intelligent transportation systems, construction of critical facility links, and grade separation of modes, especially at heavily used railroad crossings.

CP/T3 Maintain the City's classification of "Major Truck Streets." Because freight is important to the basic economy of the City and has unique right-of-way needs to support that role, freight will be the major priority on streets classified as Major Truck Streets. Street improvements that

are consistent with freight mobility but also support other modes may be considered in these streets.

CP/T4 Identify emerging cargo container freight transportation issues and work with affected stakeholder groups, including the Seattle Freight Advisory Board. Provide regular opportunities for communication between the City, the freight community, other affected communities, and other agencies and stakeholders.

CP/T5 Continue joint City and Port efforts to implement relevant Port recommendations such as recommendations contained in the Container Terminal Access Study.

CP/T6 Given the importance of cargo container terminal operations to the state and regional economies, develop partnerships within the City, the Port, the region and the State to advocate for project prioritization and timely funding to improve and maintain freight infrastructure, and explore funding partnerships.

CP/T7 Maintain consistency between local, regional and State freight-related policies.

KINGDOME SITE SELECTION PROCESS 1976 - 1971

1967 State legislation appointing six member stadium commission to make complete study and investigate acquisition.

Commission together with consultants reviewed 94 sites and selected 11 sites for further study. Consultants concluded that South Park was best suburban site, and Seattle Center best urban site. Stadium Commission recommended Seattle Center

Seattle Center site was rejected by voters in May, 1970.

Governor appointed a new State Stadium Commission, new round of site selection process, public meetings, site visits held throughout summer 1970. A technical Committee made up of planners, architects, and engineers served as staff to Commission.

Review of over 100 site proposals located throughout King County, narrowed to 60, then to 17, then 5 sites recommended by the Commission: Dearborn, King Street, Longacres, Riverton, and Seattle Center. Sicks Stadium and South Park were added, Seattle Center deleted.

Site Selection Evaluative Criteria

1. Accessibility – car and public transportation
2. Parking capacity
3. Site Configuration, characteristics
4. Utility – ability to attract variety of events
5. Environment suitability for future development
6. Disruption/displacement of existing businesses or residents
7. Support facilities nearby to complement stadium related activities
8. Expansion flexibility capacity, parking, complementary uses, etc
9. Local climate conditions

CENTURYLINK (QUEST) STADIUM - SITE SELECTION PROCESS

Key Selection Criteria

- 1) Adequate Vehicular Access**
- 2) Efficient Pedestrian Circulation**
- 3) Land Capacity, Stadium Size and Configuration, Parking**
- 4) Location within Urban Growth Boundary**
- 5) Adequate Infrastructure**
- 6) Compatibility with Surrounding Land Uses**

stadium. The stadium would include loading docks, employee facilities, pressbox, team locker rooms, restaurants, broadcast facilities, and administrative offices for the PSA and the NFL team.

The PSA generally concurs with the previous studies that the NFL Stadium Facility Program is a reasonable set of criteria. Conceptual designs and the layout of the stadium and exhibition center project are based on these criteria, and feature a horseshoe-shaped stadium approximately 900 feet long and 750 feet wide, with an additional 35 feet around the perimeter for service access and pedestrian space. The conceptual design approved by the Task Force, and general research data on the financial aspects of professional football developed by a PSA financial consultant (Deloitte & Touche, 1997), confirm that the proposed scope of the stadium and exhibition center project, including its size, is consistent with new and planned NFL stadiums around the country.

2.2 IDENTIFICATION OF ALTERNATIVES

2.2.1 Previous Studies and Comparisons of Alternatives

In 1996, prior to voter approval of the Stadium Act, King County formed the Seahawks/Kingdome Renovation Task Force. Among other things, the Task Force was charged with evaluating potential locations for a new or renovated NFL football stadium. Also in 1996, the County, through the Task Force, commissioned an NFL Stadium Options Study to specifically evaluate alternatives to the Kingdome site. Results of the Options Study were reported to the Task Force in October 1996, and information from it was included as part of the Task Force Final Report in 1997.

HOK Sport, a national sport facility design and consulting firm headquartered in Kansas City, prepared the Options Study. HOK worked with King County and subconsultants Shannon & Wilson (geotechnical and environmental consultants), Football Northwest (Seattle Seahawks), Entranco (transportation consultant), Leibsohn & Company (commercial real estate services), and Foster Pepper & Shefelman (legal services) to identify and evaluate alternatives (HOK Sport 1996a). As noted in the Fact Sheet, the Options Study is incorporated by reference into this Draft EIS.

The Options Study generally used the NFL Stadium Facility Program to formulate siting criteria. For initial screening of potential alternatives, the Options Study identified sites that could accommodate a stadium with seating capacity for 72,000, including suite and club seats, and parking for approximately 22,500 automobiles within 1 mile of the facility. Alternative sites also had to provide the following:

- adequate vehicular access and egress to and from a peripheral road system, which would allow minimum patron departure time following an event;
- efficient pedestrian circulation systems for maximum flexibility and freedom of choice of entrance at the perimeter of the facility; and
- adequate size for the stadium and parking for 4,000 to 5,000 cars in nearby structured parking, with an additional 17,000 spaces available within walking distance (in suburban locations, 100+ acres).

PLANNED MANUFACTURING DISTRICTS – CHICAGO MODEL

PMDs – Growing Chicago Business for 20 Years

In the early 1980s Clybourn Avenue was considered by many a gritty industrial wasteland, used primarily as a shortcut downtown for drivers. That changed in 1988 when the first Planned Manufacturing District (PMD) was created along Clybourn Avenue, dramatically changing the area into what it is today by transforming old industrial sites into a retail “buffer” zone while solidifying the heavier industrial “core” sub-district to the west. The PMD succeeded in its intentions – to foster the city’s industrial base, maintain the city’s diversified economy, and encourage industrial investment, modernization and expansion by providing stable and predictable industrial environments.

Since then 14 other PMDs have been created in Chicago. Cities nationwide have noticed their success, including New York, Seattle, Portland and Milwaukee, and have studied them as models for their own economic development. PMDs have proven to be one of the most successful zoning tools used to retain industrial jobs and encourage manufacturing and industrial growth in Chicago, and are celebrating 20 years of nurturing and strengthening local businesses.

How have PMDs benefited local businesses?

Many Chicago businesses can be called success stories in no small part because of PMDs. Several businesses attribute their growth to the role of PMDs.

□□□□□ Doepel, owner of **Chicago Scenic Studios**, remembers life as a business owner 30 years ago before PMDs. “The creation of PMDs was a perfect solution for my business. I have been in the Goose Island PMD for 10 years now, and it allows me the space to grow my business and the security of knowing my business is not in jeopardy from encroachment by non-industrial uses.”

□from □□Kersten, president of family-owned **Water Saver Faucet**, said “we like our current location in the Chicago-Halsted PMD because it is centrally situated in the city, which offers a diversity of skilled employees and has many transportation options for our employees to commute to work. In fact, we have been so successful in our PMD that we have plans of expanding into the Goose Island PMD.”

□o**C.H. Robinson**, one of the world’s largest third-party logistics firms, has found a home in the Clybourn Corridor PMD. Patrick Nolan, director of the Chicago Central office, emphasizes how their city location is critical to attracting their college educated workforce, and how the movement into the Clybourn PMD helped almost double their number of employees, from 400 in 2005 to more than 760 to date.

□their □□□Labkon, owner of family-owned **General Iron**, and Jay Goltz, CEO and founder of The Goltz Group – comprised of **Artists’ Frame Service**, Jayson Home & Garden, and Chicago Art Source – can also attest to the advantages of operating

and expanding their businesses within a PMD.

How has Chicago's long-term economic development plans benefited from the PMDs?

Historically, the movement of residential and commercial businesses into an industrial area created friction regarding land-use compatibility, safety problems and traffic issues—leading to displacement of industry and loss of high-paying jobs. Ted Wysocki, president and CEO of the **Local Economic and Employment Development (LEED) Council** stresses how PMDs have enabled industry in Chicago's neighborhoods to grow and thrive with long-term land use planning and public investment in infrastructure and other key supports. For example, before the Goose Island PMD was created in 1991, the area was home to 25 firms employing 1,000 people. Today these numbers have more than doubled to over 60 firms employing nearly 5,000 people.

The LEED Council is instrumental in supporting industrial businesses and head-of-household jobs on Chicago's near north side, and helped create many of the city's PMDs, including the Clybourn Corridor and Goose Island PMDs. For more information, contact LEED Council's Director of Economic Development, **Mike Holzer** at (773) 929-5552 x225 or at mike@leedcouncil.org

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Seattle Planning Commission July 2012 Report to Council, End Notes

1. [Comp Plan 101](#) and [Seattle's Comprehensive Plan](#) webpages.
2. The Commission notes that the eastern portion of the proposed site as depicted in the [May 31, 2012 presentation](#) to City Council lies outside of the Stadium Transition Area Overlay District and is zoned Industrial General 2, which prohibits spectator sports facilities within the Duwamish Manufacturing and Industrial Center.
3. [Seattle Municipal Code 23.74.002 B](#): "There should be well-defined edges between the pedestrian activity of the Stadium Transition Area and industrial activity surrounding it. The portion of Fourth Avenue South that is north of Royal Brougham and the main line railroad tracks create a strong edge to the east and should be the eastern boundary. South Holgate Street, the first major cross street to the south of Safeco Field, should be the southern boundary. Boundaries should not be shifted farther into the industrial area."
4. Governor's Container Ports Initiative: [Recommendations of the Container Ports and Land Use Work Group Main Report](#), January 2009, pages 1-2: "As use of port lands has increased, our major cities face pressure to redevelop areas that have historically been industrial. While this urban development is attractive and provides many benefits, it cannot be sustained without parallel industrial economic development...competing visions for the use of our industrial shorelines, conflicts between high-traffic trucking corridors and pedestrian-friendly neighborhood redevelopment, and changes in zoning that push warehouse and distribution centers away from designated harbor areas, have the potential to significantly impair port operations and limit future economic development opportunities." [The Future of Seattle's Industrial Lands](#), Seattle Planning Commission, 2007, page 7: "Pressure on industrial lands, a phenomenon not unique to Seattle, is a major concern for many industrial business owners...this pressure is pushing land costs up, forcing businesses out of Seattle or limiting their opportunities to expand, and promoting the increasing number of requests for the conversion of industrial lands to non-industrial uses."
5. [PSRC Vision 2040](#) and King County Countywide Planning Policies provide regional guidance for Seattle's Comprehensive Plans as required by the State Growth Management Act. Manufacturing and Industrial Centers are regional designations of "locations for increased employment" and a key aspect of the Regional Growth Strategy.
6. "Regional manufacturing industrial centers are locations of more intensive industrial activity. These centers are characterized by large contiguous blocks served by the region's major transportation infrastructure, including roads, rail, and port facilities. VISION 2040 discourages non-supportive land uses in regional manufacturing industrial centers, such as retail, non-related offices, or housing, in order to preserve the basic sector industries located in these centers. These centers are expected to accommodate a significant share of the region's manufacturing employment growth."
7. [King County Countywide Planning Policies](#): "Manufacturing/Industrial Employment Centers are key components of the regional economy. These areas are characterized by

a significant amount of manufacturing, industrial, and advanced technology employment. They differ from other employment areas, such as business/office parks, in that a land base and the segregation of major non-manufacturing uses are essential elements of their operation.”

8. [Seattle Municipal Code 23.74](#) Stadium Transition Area Overlay District. As noted in ii above, the eastern portion of the proposed site appears to be outside of the transition area.
- 9.
10. [Seattle Municipal Code 23.50](#) Industrial.
11. [City of Seattle’s Street Vacation Policies](#), amended July 2009, page 4: “There is no right under the land use code or elsewhere to vacate or to develop public right-of-way. In order to do so, a discretionary legislative approval must be obtained from the City Council and, under State law, the Council may not vacate right-of-way unless it determines that to do so is in the public interest...the Council is not bound by land use policies and codes in making street vacation decisions and may condition or deny vacations as necessary to protect the public interest. The City will generally deny vacations as necessary to protect the public interest. The City will generally not support vacations that do not advance City planning goals, particularly if inconsistent with the desired intensity of development and preferred uses.”
12. [Greater Duwamish Manufacturing and Industrial Center Neighborhood Plan](#), April 27, 1999, page i.
13. [RCW 36.70A.085](#) requires the container port element for Seattle’s Comprehensive Plan. Findings – Intent – 2009 c514: “(1) The legislature finds that Washington’s marine container ports operate within a complex system of marine terminal operations, truck and train transportation corridors, and industrial services that together support a critical amount of our state and national economy, including key parts of our state’s manufacturing and agricultural sectors, and directly create thousands of high-wage jobs throughout our region. (2) The legislature further finds that the container port services are increasingly challenged by the conversion of industrial properties to nonindustrial uses, leading to competing and incompatible uses that can hinder port operations, restrict efficient movement of freight, and limit the opportunity for improvements to existing port-related facilities. (3) It is the intent of the legislature to ensure that local land use decisions are made in consideration of the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and to ensure that container ports continue to function effectively alongside vibrant city waterfronts.”
14. [Puget Sound Regional Council 2002 Urban Centers Report Duwamish Manufacturing/Industrial Center](#), page 2: “The regional significance of the Greater Duwamish Manufacturing and Industrial Center to the City of Seattle and the Puget Sound Region cannot be overemphasized...The Duwamish MIC provides the largest concentration of family wage jobs in the Puget Sound region, generating enormous tax and export revenues...The MIC is a vital international trade and transportation crossroads, receiving and distributing goods via roadway, water, rail and air. Its ability to

provide multiple modes of transportation represents a unique asset to the region and an enhancement to the local business environment.”

15. [King County Countywide Planning Policies](#), updated December 2010: FW-15, FW-16, LU-51, LU-52, LU-54, LU-58, and LU-60.
16. [Seattle Comprehensive Plan, Urban Village Element](#): UVG23 Promote the use of industrial land for industrial purposes. UV21 Promote manufacturing and industrial employment growth, including manufacturing uses, advanced technology industries, and a wide range of industrial-related commercial functions, such as warehouse and distribution activities, in manufacturing/industrial centers. UV22 Strive to retain and expand existing manufacturing and industrial activity. UV23 Maintain land that is uniquely accessible to water, rail, and regional highways for continued industrial use. UV24 Limit in manufacturing/industrial areas those commercial or residential uses that are unrelated to the industrial function, that occur at intensities posing short- and long-term conflicts for industrial uses, or that threaten to convert significant amounts of industrial land to non-industrial uses.
17. Legislative/Executive Staff Report on the Stadium Transition Area, page 4: “Over the last five years, there has been intense development in this area, including the construction of Safeco Field and the Seattle Exhibition Center and the issuance of permits for the Football Stadium...The change in development pattern and intensity justifies a re-evaluation of the zone criteria as applied to the site...recommendations include a strong connection between this area and downtown, while maintaining a clear separation between the fairly intense commercial development occurring at the north end of the Manufacturing and Industrial Center and the industrial area further south.”
18. [RCW 36.70A.085 finding \(2\)](#). Director’s [Report on the Mayor’s Recommended Comprehensive Plan 2011 Annual Amendments](#), City of Seattle Department of Planning and Development, November 2011, page 4.
19. [Basic Industries Economic Impact Analysis](#), City of Seattle Office of Economic Development, July 2009, pages 27, 32-33.
20. Governor’s Container Ports Initiative: [Recommendations of the Container Ports and Land Use Work Group Main Report](#), January 2009, page ii.
21. [America’s Container Ports: Linking Markets at Home and Abroad](#), U.S. Department of Transportation Research and Innovative Technology Administration, January 2011, page 6, table 1.
22. [Ordinance 123854](#) adopted the new Container Port Element of Seattle’s Comprehensive Plan, relevant policies include: LU3, LU5, L7, ED1, and ED2.