

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

a. Legislation Title:

AN ORDINANCE relating to land use and zoning, amending Sections 7.24.020, 7.24.030, 23.42.040, 23.44.030, 23.45.504, 23.45.506, 23.45.508, 23.45.536, 23.45.570, 23.46.002, 23.46.004, 23.46.022, 23.47A.004, 23.47A.006, 23.47A.013, 23.47A.032, 23.48.020, 23.48.085, 23.48.205, 23.48.280, 23.48.605, 23.48.705, 23.49.019, 23.49.042, 23.49.044, 23.49.045, 23.49.046, 23.49.090, 23.49.094, 23.49.096, 23.49.142, 23.49.146, 23.49.148, 23.49.180, 23.49.322, 23.49.324, 23.49.338, 23.50.012, 23.50.028, 23.51A.004, 23.54.015, 23.54.016, 23.54.020, 23.54.025, 23.54.030, 23.61.008, 23.66.122, 23.66.124, 23.66.320, 23.66.324, 23.66.342, 23.71.014, 23.74.008, 23.76.004, 23.76.006, 23.76.032, 23.84A.030, 23.84A.038, and 25.05.675 of the Seattle Municipal Code (SMC); repealing Section 23.71.016 of the SMC; and adding new Sections 23.42.070, 23.54.026, and 23.54.027 to the SMC; in order to promote transportation options, update the definition of “frequent transit service,” update bicycle parking requirements, update parking space standards, update SEPA environmental review parking policies, and make clarifications.

b. Summary and background of the Legislation:

This bill reflects amendments made by the Planning Land Use and Zoning Committee (Committee) of the Council on March 21, 2018 to amend the bill introduced as Council Bill (CB) 119173. Among other amendments, the Committee recommended amending CB 119173 to exempt bicycle commuter shower facilities outside of downtown from floor area ratio calculations. That amendment included sections of the Land Use Code that were not included in the title to CB 119173. Consequently, this bill was introduced to include amended sections in the bill title.

The proposed legislation would enact several key parking policy recommendations of HALA designed to improve housing affordability and neighborhood livability. It would allow building owners to make parking available for public use when the facilities have excess capacity, which will improve the efficiency, access, and affordability of off-street parking. It would also revise regulations to provide projects flexibility in deciding how much parking to include in development projects in areas with frequent transit (Urban Centers/Villages, light rail station areas), and enact other policies to reduce the impact of parking costs on housing.

Highlights of the legislation include:

EXPAND ACCESS TO OFF-STREET PARKING

- Create a new commercial use category, “flexible-use parking,” to allow for greater sharing of parking in certain zones, including in: Lowrise 3, Midrise, Highrise, most commercial, and industrial zones; and in mixed-use development garages in light rail station areas.
- Allow park-and-ride facilities within garages as a permitted use in certain zones, including in Lowrise 3, Midrise, Highrise, most commercial, and industrial zones.
- Clarify and update parking provisions by allowing off-site parking to be within one-quarter mile (1,320 feet) of the uses served, up from 800 feet.

OTHER CHANGES IN PARKING REQUIREMENTS

- Clarify and reduce the parking requirements for rent and income-restricted housing, including for the disabled.
- Add a new maximum parking limit for flexible-use parking.
- Delete a special exception allowing more parking than the maximum parking limit in Downtown zones.
- Change the Northgate overlay zone parking provisions to be consistent with the city-wide approach.
- Provide for reduced parking minimum requirements for public uses/institutions (non-Major) in frequent transit service areas.
- Allow required parking amounts to be reduced in any zone, except Downtown zones, to a level needed to serve the parking demand for proposed uses as demonstrated by a parking demand study performed by a licensed professional engineer.
- Apply parking stall size requirements to parking for residential and live-work uses whether parking is required or not.

CLARIFY HOW FREQUENT TRANSIT SERVICE IS MEASURED

- Allow for more flexibility in route timing and total length of daily service by updating transit measurement criteria to be more consistent with King County Metro’s and the City’s transit planning, and by simplifying provisions. The proposal includes Land Use Code amendments and a Director’s Rule that describes scheduled transit service measurement criteria and other details about physical measurement and mapping.

BICYCLES

- Update bicycle parking requirements and performance standards, and consolidate the Downtown bicycle parking requirements with requirements for the rest of the city.

CHANGES TO PARKING-RELATED ENVIRONMENTAL POLICIES IN CHAPTER 25.05

- Update SEPA parking policies to better align with Comprehensive Plan and City transportation policies.

OTHER SUPPORTING CHANGES

- Require unbundling of parking space rental from multi-family dwelling unit rental and lease agreements in new and existing structures 10 dwelling units or greater in size, and new commercial lease agreements in new and existing structures 10,000 square feet or greater in size.
- Allow surface parking for up to three car share vehicles in building setbacks in commercial, Midrise, and Highrise zones.
- For new structures with a garage in zones where flexible-use parking may occur, require a pedestrian access door and route between the garage and a public right-of-way to accommodate non-resident garage access and use.

2. CAPITAL IMPROVEMENT PROGRAM

- a. Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget? ___ Yes X No

- b. Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The proposal would amend the Land Use Code to: add a new “flexible parking” category to replace the existing category of “principal use parking”; amend development standards, and environmental review policies related to parking. In addition, the amendments would simplify existing regulations related to calculation of parking requirements in areas with frequent transit service (FTS). For example, permit-applicants would no longer have to submit bus transit service data for their proposals, and SDCI reviewers would not need to validate such data. Rather, a map of FTS areas would document where reduced parking requirements would apply.

This legislation is anticipated to have minimal financial impacts to SDCI. Revised regulations will require training that will be delivered during regular staff meetings. The changes are anticipated to make it easier to implement many of the parking provisions which will likely offset any impact of implementing new parking concepts.

- c. Is there financial cost or other impacts of *not* implementing the legislation?

The proposal is timely because it addresses a topic that has created legal appeals that make the status of parking requirements uncertain. Operationally, resolving these matters with updated regulations will provide a better foundation for application and enforcement of regulations. If this legislation was not implemented, permit applicants, neighbors and City staff would face uncertainty and a confusing regulatory environment.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The proposal would help reinforce City current growth management, housing and transportation policies in ways that support the Seattle Department of Transportation (SDOT), Office of Housing (OH), and Office of Planning and Community Development (OPCD). These departments/offices were consulted in the preparation of the legislation.

b. Is a public hearing required for this legislation?

Yes. To be held during Council review process.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

Yes. The proposal related to unbundling of parking leases from residential and non-residential leases in buildings with 10 dwelling units or 10,000 square feet of non-residential space or more would create a need for additional disclosures by landlords or sellers of real property to buyers and tenants. If the proposal is adopted, the City of Seattle will post electronic notice of such ordinances, policies or resolutions, per RCW 43.110.030(2)(e), which relates to providing public information on a web site about such changes for research and real estate industry purposes.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes. A notice of the SEPA Determination of Non-Significance was published in the Daily Journal of Commerce on September 14, 2017.

e. Does this legislation affect a piece of property?

Yes. The proposal would affect regulations pertaining to parking requirements throughout the city within Urban Centers, and portions of other areas including Urban Villages and areas outside Urban Villages.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

An RSJI Racial Equity Toolkit analysis indicates the proposal will promote equity by supporting the development of affordable housing in areas with better transit accessibility and a lower transportation cost burden. Because parking is being provided in 75 percent of residential developments in areas where parking is not required, and flexible use parking will increase off-street supply available to the public, the needs of people who are dependent on driving due to income, physical abilities or other characteristics are anticipated to be met.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**

The proposal would not result in a new initiative or major programmatic expansion. Rather, it would refine existing regulatory codes to clarify SDCI staff review and decision-making on future development project proposals. It would also reinforce City current growth management, housing and transportation policies in a way that would support the continuation of current planning and implementation efforts by the Seattle Department of Transportation, Office of Housing, and Office of Planning and Community Development.

- h. Other Issues:**
None.

List attachments/exhibits below:

None.