



Legislation Text

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File #: CB 120163, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to City of Seattle right-of-way along the Central Waterfront; designating portions of Alaskan Way, Elliot Way, Railroad Way, and Union Street as park boulevards; repealing Ordinance 102696; authorizing the transfer of jurisdiction over portions of those right-of-way from the Seattle Department of Transportation to the Seattle Department of Parks and Recreation; and amending Appendices I and to II to Ordinance 117569 and Title 15 of the Seattle Municipal Code, and Section 11.16.125 of the Seattle Municipal Code.

WHEREAS, The City of Seattle has been planning for changes to the Central Waterfront resulting from the

Alaskan Way Viaduct Replacement Project and the Elliot Bay Seawall Replacement Project for nearly two decades; and

WHEREAS, in January 2011, Council adopted Resolution 31264, creating the Central Waterfront Committee

(CWC) to oversee development of the waterfront conceptual design and framework plan, ensuring robust and innovative public engagement, identifying public and private funding sources, and establishing the foundation for a lasting civic partnership; and

WHEREAS, in that same resolution, the Council directed the implementation of the Central Waterfront

Initiative according to the Central Waterfront Guiding Principles; and

WHEREAS, in that same resolution, the Council directed the implementation of the Central Waterfront

Improvements to, among other things, engage the entire city, remain focused on public uses and activities that attract people from all walks of life, and provide a “waterfront for all,” as articulated in the Central Waterfront Guiding Principles; and

WHEREAS, two of the key features of the new Central Waterfront include a pedestrian promenade traveling

adjacent to the piers and Elliot Bay (the “Waterfront Promenade”) and a pedestrian connection between the Pike Place Market and the Seattle Aquarium (the “Overlook Walk”); and

WHEREAS, through Resolution 31399, the Council recognized that other cities had successfully established relationships with non-profit organizations to provide consistent management of complex public spaces, and the Strategic Plan recommended developing such relationships; and

WHEREAS, through Resolution 31399, the Council supported the creation of the non-profit Friends of Waterfront Seattle (Friends) to advocate for implementing the Central Waterfront Framework Plan and Concept Design, and to be the City’s non-profit partner in helping to operate the new parks and public spaces; and

WHEREAS, in August 2014, Seattle voters approved the creation of the Seattle Park District (Park District), and funds collected by the Park District pay for operations and maintenance of Seattle parks, including an annual \$3.5 million budget with cost inflation dedicated to operations and maintenance of the Central Waterfront parks and public spaces; and

WHEREAS, in January 2019, Council adopted Ordinance 125761, authorizing a two-year pilot with the Friends of the Waterfront and anticipating that a long-term management agreement would be developed and approved at the end of the two-year period, covering the entire completed Central Waterfront with the goal of creating a “waterfront for all”; and

WHEREAS, the City recognizes the unprecedented public and private partnership on the design, planning, and construction of the Central Waterfront and recognizes the need to identify and fund a robust operations and maintenance program that protects and enhances this investment and ensures new public spaces will be safe, well-maintained, and inviting to the public both in the short and long term; and

WHEREAS, designating right-of-way along the Central Waterfront as park boulevard will facilitate the high level of maintenance and operation that has been anticipated throughout years of planning and will allow consistent maintenance, operation, and enforcement in all the areas under the Seattle Department

of Parks and Recreation’s jurisdiction; and

WHEREAS, the designation of right-of-way along the Central Waterfront as park boulevards will also further facilitate continued partnership with the Friends of the Waterfront, including Friends’ ability to program and activate the Waterfront Promenade and adjacent piers; and

WHEREAS, the Director of Transportation recommends, and the City Council finds, that the park boulevard being designated are not currently needed entirely for motorized transportation and that transfer of jurisdiction to the Department of Parks and Recreation for parks use is a desirable public use, NOW, THEREFORE,

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

Section 1. The portion of Alaskan Way, Elliott Way, Railroad Way South, and Union Street, described as follows (the “Designated Portion”) and illustrated on Exhibit 1 to this ordinance, are designated as park boulevard:

**Waterfront Park Boulevards**

That portion of Alaskan Way South from the southern extent of South King Street to Yesler Way; and

Including that portion of Alaskan Way from Yesler Way to approximately three hundred forty feet north of the northern margin of Pine Street; and

Including that portion of Elliott Way from the northern margin of Pike Street approximately six hundred seventy feet north; and

Including that portion of Union Street between Alaskan Way and Western Avenue; and

Including that portion of South Washington Street from the western margin of Alaskan Way South approximately 30 feet west; and

Including that portion of Railroad Way South between South King Street and South Charles Street; and

Including that portion of South Charles Street between Occidental Avenue South and First Avenue South.

Section 2. Ordinance 102696, which designated a portion of Alaskan Way as park boulevard, is repealed.

Section 3. The section of Appendix I to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Description and Maps of Park Drives and Boulevards) entitled “ALASKAN WAY,” last amended by Ordinance 121721, is amended as follows:

ALASKAN WAY - ~~((The westerly 20 feet of Alaskan Way from the northerly margin of University Street to a point approximately 136 feet south of Vacated Virginia Street; and all))~~ All of that portion of Alaskan Way from the northerly margin of Broad Street to the northerly margin of Bay Street, except for the railroad franchise rights-of-way granted and described in ~~((section))~~ Section 4 of Ordinance 117481.

Section 4. Appendix I to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Description of Park Drives and Boulevards) is amended by the addition of the description of the designated portion described in Section 1 of this ordinance, and the Code Reviser is directed to add it to Appendix I of Title 15 under the title “Waterfront Park Boulevards.”

Section 5. Appendix II to Ordinance 117569 and Title 15 of the Seattle Municipal Code (Corresponding Maps of Park Drives and Boulevards) is amended by the removal of the map titled “Alaskan Way” and by the addition of the map attached to this ordinance as Exhibit 1, depicting the designated portion of the Waterfront Park Boulevards described in Section 1 of this ordinance. In the event of conflict between the map in Exhibit 1 and the description in Section 1 of this ordinance, the description in Section 1 shall control.

Section 6. Section 11.16.125 of the Seattle Municipal Code, last amended by Ordinance 121389, is amended as follows:

**11.16.125 Director of Transportation-Authority-Street and alley closures((-))**

The Director of Transportation is authorized:

\* \* \*

E. To close or authorize the closure of the Waterfront Promenade, the Overlook Walk, and other areas

under the jurisdiction of the Department of Parks and Recreation in the park boulevard designated by this ordinance, or portions of those areas, for entry, travel, or use by the general public during designated hours. Unless otherwise ordered, the area shall remain open to allow access by owners and occupants of the abutting properties and their guests, government employees or emergency personnel in performance of their duties; and permittees under a street use permit issued pursuant to Title 15. The Director shall cause the area proposed to be closed to be posted with a sign or signs stating that the designated area is closed from dusk to dawn, or such other hours as the Director deems appropriate.

Section 7. The Seattle Department of Transportation (SDOT) is authorized to transfer jurisdiction of portions of the designated park boulevards described in Section 1 of this ordinance to the Seattle Department of Parks and Recreation (SPR), as generally illustrated on Exhibit 2 to this ordinance.

Section 8. Because portions of the area being designated as park boulevards are currently under construction or planned to be constructed, SDOT is authorized to transfer jurisdiction of portions of the park boulevard in phases, as portions of the project are completed. SDOT will transfer jurisdiction to SPR, in writing, directed to the Superintendent, consistent with the authorization herein, and with notice to the City Council and the City Clerk's Office, for inclusion in the associated Clerk File to this ordinance.

Section 9. SDOT and SPR are directed to enter into a memorandum of agreement setting out the specific terms of the transfer of jurisdiction, including, but not limited to:

A. Roles and responsibilities generally shall be assigned to SDOT and SPR in the areas illustrated on Exhibit 2 to this ordinance.

B. SPR shall have no responsibility for subsurface or overhead utilities, all of which continue to be the responsibility of the public or private owner.

C. SPR shall have no responsibility for the operation, maintenance or permitting for the portion of the park boulevards that functions as roadway for motorized vehicles, as well as the adjacent cycle track and western sidewalk, which shall remain under the jurisdiction of SDOT, as illustrated on Exhibit 2 to this

ordinance.

D. The typical transportation function of the right-of-way will be maintained at all times on sidewalks (not including the Waterfront Promenade), cycle tracks and roadways under the jurisdiction of SDOT, as illustrated on Exhibit 2 to this ordinance.

Section 10. 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 \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Exhibit 1 - Waterfront Park Boulevards Boundaries Map

Exhibit 2 - Illustration of Authorization to Transfer Jurisdiction for Waterfront Park Boulevard