



SEATTLE CITY COUNCIL

Land Use Committee

Agenda

Special Meeting - Public Hearing

Thursday, May 29, 2025

2:00 PM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

Mark Solomon, Chair
Dan Strauss, Vice-Chair
Cathy Moore, Member
Alexis Mercedes Rinck, Member
Maritza Rivera, Member

Chair Info: 206-684-8802; Mark.Solomon2@seattle.gov

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May 29, 2025 - 2:00 PM
Special Meeting - Public Hearing

Meeting Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Committee Website:

<https://www.seattle.gov/council/committees/land-use>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at

<https://www.seattle.gov/council/committees/public-comment>

Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Please submit written comments to all Councilmembers four hours prior to the meeting at Council@seattle.gov or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104.

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

D. Items of Business

1. [Appt 03172](#) **Reappointment of Molly Spetalnick as member, Seattle Design Commission, for a term to February 28, 2027.**

Attachments: [Appointment Packet](#)

Briefing, Discussion, and Possible Vote

Presenter: Michael Jenkins, Executive Director, Seattle Design Commission

2. [CB 120975](#) **AN ORDINANCE relating to land use and zoning; addressing signage; clarifying requirements and supporting efficient permitting processes for light rail transit facilities; adding new Sections 23.55.070, 23.80.006, and 23.80.008 to the Seattle Municipal Code; and amending Sections 3.58.010, 3.58.080, 23.40.006, 23.40.080, 23.42.040, 23.42.055, 23.47A.004, 23.48.005, 23.49.002, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.318, 23.50A.040, 23.51A.002, 23.51A.004, 23.52.004, 23.54.015, 23.55.056, 23.76.004, 23.76.006, 23.76.010, 23.76.012, 23.76.015, 23.76.020, 23.76.026, 23.76.028, 23.76.029, 23.80.002, 23.80.004, 23.84A.026, 23.84A.038, 23.88.020, 25.08.655, 25.09.300, and 25.11.020 of the Seattle Municipal Code.**

Supporting
Documents:

[Summary and Fiscal Note](#)

[Summary Att 1 – Map of West Seattle Link Extension and Ballard Link Extension](#)

[Summary Att 2 - RSJI Summary Analysis - SDCI Light Rail Code Amendment Proposal Deliberative](#)

[Director's Report](#)

[Presentation \(5/12/2025\)](#)

Briefing, Discussion, Public Hearing, and Possible Vote

Presenters: Sara Maxana, Angela Brady, and Chris Gregorich, Seattle Department of Transportation; Lindsay King, Seattle Department of Construction and Inspections; Ketil Freeman, Council Central Staff

E. Adjournment



Legislation Text


File #: Appt 03172, **Version:** 1

Reappointment of Molly Spetalnick as member, Seattle Design Commission, for a term to February 28, 2027.

The Appointment Packet is provided as an attachment.



City of Seattle Boards & Commissions Notice of Appointment

Appointee Name: <i>Molly Spetalnick</i>		
Board/Commission Name: <i>Seattle Design Commission</i>		Position Title: <i>Urban Designer</i>
<input type="checkbox"/> Appointment OR <input checked="" type="checkbox"/> Reappointment		City Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other:		Term of Position: * 3/1/2025 to 2/28/2027 <input type="checkbox"/> Serving remaining term of a vacant position
Residential Neighborhood: <i>Brighton/New Holly</i>	Zip Code: <i>98118</i>	Contact Phone No.: [REDACTED]
Background: <i>Molly Spetalnick is an urban designer in the Seattle Offices of ZGF, an architecture and design firm with offices in Seattle, Portland, and 6 other cities in the US and Canada. Molly specializes in urban design outcomes that advance transit and transit-oriented development, mixed use projects, and master planning. Molly's recent work includes site assessments for Sound Transit parcels for future development, public engagement on concept designs for Africatown Achievement center, and design work for the Pike Pine corridor. Molly has a master's in architecture from University of Texas and a bachelor's in interior design from University of Georgia. Molly recently completed an 18-month term as the Get Engaged Commissioner on the Seattle Design Commission. We're pleased to see her transition into an additional two-year term with the Commission, filling a recent vacancy created by the resignation of Erica Bush as Urban Designer.</i>		
Authorizing Signature (original signature):  Date Signed (appointed): May 12 th , 2025		Appointing Signatory: <i>Bruce A. Harrell</i> <i>Mayor of Seattle</i>

*Term begins and end date is fixed and tied to the position and not the appointment date.

EDUCATION

[GRADUATED MAY 2019] **UNIVERSITY OF TEXAS AT AUSTIN**, SCHOOL OF ARCHITECTURE
Master of Architecture, NAAB professionally accredited program
Focus in Urban Design, Transit Oriented Development

[GRADUATED MAY 2014] **UNIVERSITY OF GEORGIA**, LAMAR DODD SCHOOL OF ART
BFA in Interior Design, CIDA professionally accredited program
Graduated Cum Laude

PROFESSIONAL EXPERIENCE

[MAR 2022-PRESENT] **SEATTLE DESIGN COMMISSION**. URBAN DESIGN COMMISSIONER [SEATTLE, WA]

- Provide comprehensive reviews for capital projects and projects that impact the public Right of Way, are located on City land, or utilize City funds.
- Advise the Mayor, City Council, and City departments about project-specific applications of context, sustainability, inspired design, exemplary partnerships, investments, and equity.
- Provide reviews for light rail alignments, stations, and station access in coordination with matrixed City staff.

[AUG 2019-PRESENT] **ZGF ARCHITECTS**. SENIOR URBAN DESIGNER [SEATTLE, WA]

URBAN DESIGN TOOLS + TECHNOLOGY | PROGRAM LEAD

- Lead the Urban Design Tools + Technology Initiative for Urban Designers in ZGF's 6 offices in order to ensure that urban design and architecture project teams clearly communicate urban spatial data and have the data necessary to help clients and stakeholders make decisions that are informed by realistic mobility scenarios, economic and real estate realities, and demographic context.
- Serve as liaison between Urban Design and Data + Strategy Teams.

LLOYD CENTER REDEVELOPMENT MIXED-USE TOD MASTER PLAN, PORTLAND

- Provided urban design services and development test-fits for 33 acre mixed use sustainable redevelopment of an aging shopping mall in a transit rich environment. Increased community connectivity and opportunities to live, work, play, and entertain.
- Collaborated with developers, potential tenants, and a broad consultant team, including transportation, economic, landscape, community outreach, and PR experts.
- Drove decision making for developer client through 30+ attendee in-person sessions in which options analysis and comparison were communicated clearly via PowerBI.
- Prepared materials to compare multiple master plan alternatives for developers, City of Portland agencies, and potential tenant groups.
- Developed alternatives for streets, open space, parcelization, and development capacity to support Portland's Central City Master Plan process and entitlements.

STATES OF OREGON AND WASHINGTON INTERSTATE BRIDGE REPLACEMENT PROGRAM STATION CONFIGURATIONS & STATION AREA PLANNING

- Provided Urban Design and Station Architecture services for new light rail alignment, stations, shared use path, and station areas to be built in coordination with a new I-5 bridge across the Columbia River from Portland, OR to Vancouver, WA.
- Developed functional configurations for elevated and at-grade light rail stations with a focus on legible vertical circulation, fare paid zones, platform configurations, and context-driven approaches.
- Integrated bike, walk, roll, and bus improvements at station locations, in station areas, and throughout project area alongside street and lane reconfiguration and preliminary design of shared use path.
- Worked for WSDOT and ODOT in coordination with TriMet and C-TRAN to incorporate station standards that will serve multiple agencies and a broad ridership.
- Coordinated with engineering team to compare alternatives for high-capacity transit, interchange improvements, urban design impacts, travel lanes, bridge height, and multi-use connections.

BARKLEY VILLAGE URBAN VILLAGE MASTER PLAN AND SUB AREA PLAN

- Managed internal Urban Design, Architecture, and Sustainability team and external consultant team that included Landscape Architecture, Civil Engineering, MEP, Resilience, Mobility, Environmental, and Parking services for 250 acre Master Plan.
- Developed RFQ for consultant teams and conducted interviews alongside client stakeholders. Developed preliminary scope and fee for full consultant team and fine-tuned with consultant input once selected.
- Lead 30+ person multi-day Visioning Sessions that included interdisciplinary consultant team and client stakeholder group, including CEO, owners, operations and maintenance, construction management, architectural advisors, financial team, marketing, and tenant management.
- Wrote and compiled Sub Area Plan and Development Regulation draft for City of Bellingham with support from full consultant team to clarify development goals, density expectations, jobs to housing ratio expectations, land stewardship intentions, mobility planning, and parking strategies for mixed use development.

CITY OF SEATTLE PIKE PINE STREETScape AND BICYCLE IMPROVEMENTS

- Completed active transportation infrastructure Schematic Design, Design Development, Construction Documentation, and Design Services During Construction for a 23 block corridor connecting Seattle's Waterfront to the Capitol Hill neighborhood through Seattle's downtown retail zone.
- Managed and coordinated consultant team of civil, structural, and electrical engineers, signalization, traffic modeling specialists, surveyors, and lighting consultants.
- Planned and supported weekly coordination with SDOT, Office of the Waterfront, King County Metro, and consultant team. Provided materials and subject matter support for meetings with SPU, SCL, Sound Transit, and other stakeholders.
- Hosted stakeholder engagement sessions to guide projects goals and Schematic Design. Prepared presentations for Seattle Design Commission to maintain accountability to stakeholder input and to City requirements.

SOUND TRANSIT 1000 NE 45TH SITE ASSESSMENT

- Completed research, graphic production, code and spatial analysis for a site assessment of a Sound Transit owned parcel in the U-District, including the exploration of different building technologies (mass timber versus concrete and steel) and incentives within the Land Use Code (the Living Building Pilot Program, open space, childcare, and affordable housing bonus options).

SOUND TRANSIT TOD INVENTORY

- Completed test fits for affordable and market rate housing, retail, townhome, and commercial uses for 24 Sound Transit surplus sites which were reported to Sound Transit Board to drive real estate portfolio decisions.
- Provided code and spatial analysis, 3D modeling, units and square footage, and walkshed mapping for presentations and reports to the Sound Transit Board to clarify the relevancy of alternatives to neighborhood context and station areas.
- Coordinated with economic consultants to compare development alternatives for affordable and market rate alternatives.
- Provided GIS mapping and spatial analysis to assess need for grocery, daycare, and other community-serving retail across municipalities served by Sound Transit ST3 expansion to help drive decisions regarding surplus Sound Transit properties.

SOUND TRANSIT STATION EXPERIENCE DESIGN GUIDELINES (SEDG)

- Co-wrote guidelines with multi-departmental Sound Transit leadership and multidisciplinary ZGF team that gained consensus across departments about architectural and urban design approaches for stations and station environments that center a seamless passenger experience.
- Prepared materials for facilitation of meetings with Passenger Experience, Design Engineering and Construction Management, Operations, Planning, Environment, and Project Development, and Portfolio Services teams to ensure that each department's input and concerns were incorporated early in the document's development, which has driven continued implementation and ownership.
- Continued to confirm successful application of SEDG during design process of ST3 projects by gathering lessons learned from design teams and Sound Transit staff, who continue to use persona exercises, decision points review, and checklists at each milestone for new alignments, including West Seattle Link Extension and Ballard Link Extension.

DOWNTOWN SEATTLE ASSOCIATION THIRD AVENUE VISION

- Studied and prepared alternatives for curb management, pedestrian through zones, cafe zones, bus facilities, bus routing, lane allocation, layover alternatives for buses through downtown Seattle in 2019, which remains a tool in the broad tool kit for improving the multifaceted conditions on Third Avenue.

METRO, TRANSIT-ORIENTED DEVELOPMENT (TOD) STUDY

- Served as Project Manager for a study of 3 affordable housing development alternatives in Lake Oswego, Oregon adjacent to bus and pedestrian improvements.
- Reviewed City of Lake Oswego Land Development Code and developed massing models to assess site capacity.
- Collaborated with Metro, the Portland Housing Bureau, and the City of Lake Oswego to align stakeholder goals for the site and review technical challenges, utilities, parking, and capacity.

AFRICATOWN COMMUNITY LAND TRUST YOUTH ACHIEVEMENT CENTER

- Provided pre-design visioning, stakeholder engagement, and massing studies for Africatown Community Land Trust's 65,456 SF Youth Achievement Center on two Sound Transit owned sites adjacent to the Columbia City Light Rail Station.
- Engaged community stakeholder groups from Community Passageways, Creative Justice, and the Youth Consortium for co-design process that prioritized voices within the BIPOC community in Columbia City.
- Provided materials to support Office of Housing Funding rounds and private funding rounds for a complex mix of community-facing commercial uses and affordable housing for youth ages 18+. Provided studies for a second building to support youth ages 13-17.

[MAR 2022- AUG 2023] **PUBLIC ART ADVISORY COMMITTEE.** SEATTLE DESIGN COMMISSIONER SEAT. [SEATTLE, WA]

- Reviewed public art programs and projects, Supported the development of art in public places including parks, libraries, community centers, roadways, bridges, and other public venues.

[MAY-DEC 2018] **MITHUN.** ARCHITECTURAL AND URBAN DESIGN RESIDENCY. [SEATTLE, WA]

- Collaborated with an array of interdisciplinary architecture, urban design, landscape architecture, and interior design teams and compiled presentations, 3D models, diagrams, and research.
- Created visualization materials for architecture, landscape architecture, and urban design projects. Materials included GIS mapping for infrastructure projects, landscape architecture materials for mixed use districts and single commercial sites, and architectural materials for mass timber affordable housing, mass timber student housing, and mixed use phased developments.

[AUG 2016 - MAY 2019] **UNIVERSITY OF TEXAS SCHOOL OF ARCHITECTURE.**

CAREER SERVICES ASSOCIATE. [AUSTIN, TX]

- Advised Urban Planning, Urban Design, Architecture, Landscape Architecture, and Interior Design undergraduate and graduate students, paired students with internships and full time positions, and planned and executed career fairs with over 100 firms, including AIA, ASLA, and APA award winners.

[JULY 2014 - JULY 2015] **MARK WORD DESIGN.** LANDSCAPE DESIGNER. [AUSTIN, TX]

- Designed exterior spaces within collaborative and cross-disciplinary landscape architecture firm.
- Engaged in permitting process and reported implications of land development code on the intersection of public and private spaces.
- Coordinated design and construction within design-build landscape architecture firm and with architects, engineers, & subcontractors

[FEB 2015] **ARTISTREE HOMES.** FREELANCE DRAFTER [CYPRESS VALLEY, TX]

- Drafted permitting set for eco hotel tree houses.

[AUG 2013 - JULY 2014] **BORK DESIGN INC.** ARCHITECTURAL DESIGNER. [ATHENS, GA]

- Participated in design of energy efficient homes that addressed local material use, cost, passive heating, and passive cooling.
- Prepared CD sets for contractors, built and rendered 3D models to aid design decisions, and designed interior built-in units. Presented designs in client meetings.

[JAN 2013] **US INSPECT.** FREELANCE SITE SURVEYOR. [ATHENS, GA]

PUBLICATIONS

[2020]

21BB MODEL REGION BERLIN BRANDENBURG

EDITED BY BARBARA HOIDN AND WILFRIED WANG

- Contributed the section “Densifying the Köpenicker Landstraße: Transit Oriented Development as a Strategy to Densify Köpenicker Landstraße”

RESEARCH EXPERIENCE

[JAN - MAY 2019]

BARCELONA AND MADRID TRANSIT RESEARCH FOR DANIELLE BRISCOE [SPAIN]

- Alongside the consortium for Cooperative Mobility for Competitive Megaregions (CM2), researched accessibility and user experience for pedestrian transit riders in metro stations throughout Barcelona and Madrid and in high speed rail stations that connect the two cities.

[MAR 2018 - MAY 2019]

RESILIENCE RESEARCH FOR FLOOD AND DROUGHT CONDITIONS [MEXICO CITY, MEXICO]

- Traveled to Mexico City to conduct case study research about landscape, architectural, infrastructural responses to flooding, drought, subsidence, and aging water infrastructure.

[SEPT - DEC 2017]

BERLIN URBAN DESIGN TOD RESEARCH FOR WILFRIED WANG [BERLIN, GERMANY]

- Conducted urban design research for transit oriented densification for 2050 Berlin with focus on an infill strategy for a 13 kilometer transit corridor and six station areas. Demonstrated the ability to accommodate a population increase of 117,500 people along a transit corridor through transit oriented development nodes that respect the fabric of their neighborhoods. This strategy, if applied across multiple transit lines, would help accommodate a population increase of 1.5 million people without sacrificing the character of Berlin’s urban neighborhoods.
- Conducted Space Syntax studies to quantify multimodal connectivity.
- Prepared boards for public opening in Berlin (2019), for the exhibition “urbainable-stadthaltig” at the Academy of Arts, Berlin (2020) and provided comprehensive research to local politicians to clarify opportunities to accommodate population growth.

SELECT VOLUNTEER INVOLVEMENT

[2018-2019]

AIA COMMITTEE ON HOMELESSNESS / BENEFITS LAW CENTER. DESIGNER. [SEATTLE, WA]

- Designed the Justice Bus, a flagship mobile law office that provides social security advocacy for people with disabilities who are low income or experiencing homelessness.

[AUG 2016]

CODENEXT PUBLIC DISCUSSION: MOBILITY. SCRIBE. [AUSTIN, TX]

- Gauged community use of transportation and presented findings of community engagement
- Organized public responses into categories that apply to new land development code

PROFESSIONAL MEMBERSHIP AND LICENSURE

[MAY 2019-PRESENT]

AIA ASSOCIATE MEMBER.

[APRIL-JUNE 2025]

Pursuing **AICP LICENSURE**, Professional Experience completed, to be documented following testing in May 2025.

Seattle Design Commission

The Seattle Design Commission advises the Mayor, City Council, and City departments on the design and environmental implications of City funded projects, projects seeking long-term or permanent use of a right of way, or public projects seeking City approval. The Commission is comprised of 10 members, as established by Seattle Municipal Code Section 3.58. Members serve a two-year term and are eligible for two consecutive terms, except the Get Engaged member who will serve a one-year term pursuant to SMC 3.51. All members are appointed by the Mayor and confirmed by the City Council.

A Chair is also appointed on each year. The Chair is selected by Commissioners for appointment by the Mayor and confirmation by the Council for a one-year term.

New appointments are underlined, reappointments in **bold**.

Roster:

*D	**G	RD	Position No.	Position Title	Name	Term Begin Date	Term End Date	Term #	Appointed By
6	M	3	1.	Urban Planner	Raymond W. Gastil	3/1/25	2/28/27	1	Mayor
1	F	2	2.	Get Engaged	Caitlin Truong	9/1/24	8/31/25	1	Mayor
6	M	4	3.	Engineer (Civil/Transportation)	Brian Markham	3/1/24	2/28/26	1	Mayor
8	F	3	4.	At-large	Shirin Masoudi	3/1/25	2/28/27	1	Mayor
1	M	3	5.	Architect	Zubin Rao	3/1/24	2/28/26	1	Mayor
6	F	5	6.	Landscape Architect	Phoebe Erin Bogert	3/1/25	2/28/27	2	Mayor
6	M	2	7.	Architect	Ben Gist	3/1/25	2/28/27	2	Mayor
6	NB	2	8.	Urban Designer	Molly Spetalnick	3/1/25	2/28/27	2	Mayor
6	M	6	9.	Transportation Planner	Kevin O'Neill (Chair appointment for 1 year)	3/1/25 3/1/25	2/28/27 2/28/26	2	Mayor
6	F	3	10.	Fine Artist	Kate Clark	3/1/24	2/28/26	1	Mayor

SELF-IDENTIFIED DIVERSITY CHART					(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Male	Female	Transgender	NB/ O/ U	Asian	Black/ African American	Hispanic/ Latino	American Indian/ Alaska Native	Other	Caucasian/ Non- Hispanic	Pacific Islander	Middle Eastern	Multiracial
Mayor	5	4		1	2					7		1	
Council													
Other													
Total	5	4		1	2					7		1	

Key:

*D List the corresponding *Diversity Chart* number (1 through 9)

**G List *gender*, M= Male, F= Female, T= Transgender, NB= Non-Binary O= Other U= Unknown

RD Residential Council District number 1 through 7 or N/A

Diversity information is self-identified and is voluntary.



Legislation Text

File #: CB 120975, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to land use and zoning; addressing signage; clarifying requirements and supporting efficient permitting processes for light rail transit facilities; adding new Sections 23.55.070, 23.80.006, and 23.80.008 to the Seattle Municipal Code; and amending Sections 3.58.010, 3.58.080, 23.40.006, 23.40.080, 23.42.040, 23.42.055, 23.47A.004, 23.48.005, 23.49.002, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.318, 23.50A.040, 23.51A.002, 23.51A.004, 23.52.004, 23.54.015, 23.55.056, 23.76.004, 23.76.006, 23.76.010, 23.76.012, 23.76.015, 23.76.020, 23.76.026, 23.76.028, 23.76.029, 23.80.002, 23.80.004, 23.84A.026, 23.84A.038, 23.88.020, 25.08.655, 25.09.300, and 25.11.020 of the Seattle Municipal Code.

WHEREAS, in November 2016, the voters of the three-county Central Puget Sound Regional Transit Authority (“Sound Transit”), including 70 percent of Seattle voters, approved Sound Transit 3 (“ST3”), a 25-year high-capacity system expansion plan which includes expansions of Link Light Rail to West Seattle, and between downtown and Ballard, jointly referred to as the West Seattle and Ballard Link Extensions project; and

WHEREAS, in May 2016, in Resolution 31668, the Council and Mayor resolved, upon voter approval, to work with Sound Transit to accelerate delivery of ST3 projects in Seattle; and

WHEREAS, as affirmed by the City Council in Resolution 31788, the City and Sound Transit executed the Partnering Agreement between Sound Transit and The City of Seattle for the West Seattle and Ballard Link Extensions Project on January 5, 2018; and

WHEREAS, The City of Seattle is proposing changes to development regulation and processes applicable to light rail transit facilities to streamline the permit review process or resolve code conflicts; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.58.010 of the Seattle Municipal Code, last amended by Ordinance 125586, is amended as follows:

3.58.010 Commission established

There is established, as of October 1, 1968, a Seattle Design Commission to act in a consulting capacity advisory to the City in connection with environmental and design aspects of ((City)) capital improvement projects, light rail transit facilities, and private or public-agency proposals for the long-term use of public rights-of-way, or the permanent use of a street, alley, or other public right-of-way subject to a vacation. The Seattle Design Commission shall serve functions and carry out duties as provided in this Chapter 3.58.

Section 2. Section 3.58.080 of the Seattle Municipal Code, last amended by Ordinance 125586, is amended as follows:

3.58.080 Advisory duties

The advisory and review function of the Commission shall include:

A. Studying capital improvement projects before design starts and formulating recommended aesthetic, environmental, and design principles and objectives that the Commission believes should be sought in developing the project. These recommendations should be discussed with the project designers and appropriate City officials before starting design work.

B. Reviewing capital improvement projects during the design period and recommending approval or changes upon completing the schematic design phase, the design development phase, and the construction document phase. It shall be the Commission's function to advise and assist the project designer and appropriate City officials in developing the project. The Commission may recommend changes in the project designer's work or recommend approval. Commission review of the construction document phase shall mean review relative to compliance with previously-determined environmental and aesthetic objectives.

C. Assisting City officials in selecting project designers. At the request of the City department with

responsibility for managing a capital improvement project, individual Commission members shall serve on the selection panel that recommends design services for executing the projects.

D. Reviewing requests for street, alley, or other public place vacations pursuant to Chapter 15.62; skybridge petitions pursuant to Chapter 15.64; or other above-grade significant structure term permit applications pursuant to Chapter 15.65. The Commission shall provide the Council with a recommendation on the proposed application or petition and any proposed public benefits associated with a petition.

E. Reviewing light rail transit facility projects and providing recommendations to the Director of the Seattle Department of Construction and Inspections and the Director of Transportation, pursuant to Section 23.80.006.

Section 3. Section 23.40.006 of the Seattle Municipal Code, last amended by Ordinance 126509, is amended as follows:

23.40.006 Demolition of housing

A demolition permit for a structure containing a dwelling unit may only be issued if one of the following conditions is met, provided that no permit for demolition of a structure containing a dwelling unit may be issued if the new use is for non-required parking:

A. The structure has not been occupied as rental housing during the prior ~~((6))~~ six months, and the demolition does not aid expansion of an adjacent non-residential use in a neighborhood residential or lowrise zone~~((, except as required for extension of light rail transit lines))~~ ;

B. A permit or approval has been issued by the Director according to the procedures set forth in Chapter 23.76~~((, Procedures for Master Use Permits and Council Land Use Decisions,))~~ to change the use of the structure or the premises;

C. A permit or approval has been issued by the Director to relocate the structure containing a dwelling unit to another lot, whether within the City limits or outside the City limits, to be used, on the new lot, as a dwelling unit;

D. A complete building permit application for construction of a new principal structure on the same lot as the structure to be demolished has been submitted to the Director, the demolition permit application and the building permit application are categorically exempt from review under Chapter 25.05, ~~((Environmental Policies and Procedures,))~~ the issuance of some other approval is not required by this Title 23 or Title 25 as a condition to issuing the demolition permit, and the Director has approved a waste diversion plan pursuant to Section 23.40.007;

E. Demolition of the structure is ordered by the Director for reasons of health and safety under Chapter 22.206 or 22.208 ~~((of the Housing and Building Maintenance Code))~~, or under the provisions of the Seattle Building Code or the Seattle Residential Code; ~~((or))~~

F. Demolition of the structure is for light rail transit facility construction; or

~~((F-))~~ G. The structure is in the MPC-YT zone.

Section 4. Section 23.40.080 of the Seattle Municipal Code, enacted by Ordinance 127054, is amended as follows:

23.40.080 Conversion to residential use in an existing structure

* * *

H. An applicant for a conversion to residential use in an existing structure meeting the criteria of subsection 23.40.080.A that vested to this Chapter 23.40 prior to ~~((the effective date of this ordinance))~~ August 12, 2024, may elect to modify the vesting date of the development pursuant to subsection ~~((23.76.026.E))~~ 23.76.026.F to a date subsequent to ~~((the effective date of this ordinance))~~ August 12, 2024.

Section 5. Section 23.42.040 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.42.040 Intermittent, temporary, and interim uses

The Director may grant, deny, or condition applications for the following intermittent, temporary, or interim uses not otherwise permitted or not meeting development standards in the zone:

A. Intermittent uses

1. A Master Use Permit for a ~~((time))~~ period of up to one year may be authorized for any use that occurs no more than two days per week and does not involve the erection of a permanent structure, provided that:

- a. The use is not materially detrimental to the public welfare; and
- b. The use does not result in substantial injury to the property in the vicinity; and
- c. The use is consistent with the spirit and purpose of the Land Use Code.

B. Temporary ~~((Four-Week-Use))~~ four-week use. A Master Use Permit for a ~~((time))~~ period of up to four weeks may be authorized for any use that does not involve the erection of a permanent structure and that meets the requirements of subsections 23.42.040.A.1.a((-)) through 23.42.040.A.1.c.

C. Temporary ~~((Uses for Up to Six Months))~~ uses for up to six months. A Master Use Permit for a ~~((time))~~ period of up to six months may be authorized for any use that does not involve the erection of any permanent structure and that meets the requirements of subsections 23.42.040.A.1.a((-)) through 23.42.040.A.1.c.

* * *

F. ~~((Light Rail Transit Facility Construction))~~ Temporary use for light rail transit facility construction. A temporary structure or use that supports the construction of a light rail transit facility may be authorized by the Director pursuant to a Master Use Permit subject to the requirements of this subsection 23.42.040.F and subsection 23.60A.209.E if the structure or use is within the Shoreline District.

1. The alignment, station locations, and maintenance base location of the light rail transit system must first be approved by the City Council by ordinance or resolution.

2. The temporary use or structure may be authorized for only so long as is necessary to support construction of the related light rail transit facility and must be terminated or removed when construction of the related light rail transit facility is completed or in accordance with the ~~((MUP))~~ Master Use Permit.

3. The applicant must submit plans for the establishment of temporary construction uses and facilities to the Director for approval. When reviewing the application, the Director shall consider the duration and severity of impacts, and the number and special needs of people and businesses exposed, such as frail, elderly, and special needs residents. Following review of proposed plans and measures to mitigate impacts of light rail transit facility construction, and prior to the issuance of any permits granting permission to establish construction facilities and uses, the Director may impose reasonable conditions to reduce construction impacts on surrounding uses and area, including but not limited to the following:

a. Noise and ~~((Grading and Drainage))~~ grading and drainage. Noise impacts will be governed by ~~((the Noise Control Ordinance-))~~ Chapter 25.08 ~~(())~~ and off-site impacts associated with grading and drainage will be governed by ~~((the Grading Code-))~~ Chapter 22.170~~(())~~ and ~~((the Stormwater Code-))~~ Chapters 22.800 through 22.808~~(())~~.

b. Light. To the extent feasible, light should be shielded and directed away from adjoining properties.

c. Best ~~((Management Practices))~~ management practices. Construction activities on the site must comply with ~~((Volume 2 of the Stormwater Director's Rules, Construction Stormwater Control Technical Requirements Manual))~~ subsection 22.805.020.D.

d. Parking and ~~((Traffic-))~~ traffic

1) Measures addressing parking and traffic impacts associated with truck haul routes, truck loading and off-loading facilities, parking supply displaced by construction activity, and temporary construction ~~(())~~ worker parking, including measures to reduce demand for parking by construction employees, must be included and must be appropriate to the temporary nature of the use.

2) Temporary parking facilities provided for construction workers need not satisfy the parking requirements of the underlying zone or the parking space standards of Section 23.54.030.

e. Local ~~((Businesses))~~ businesses. The applicant must address measures to limit

disruption of local business, including pedestrian and/or auto access to business, loss of customer activity, or other impacts due to protracted construction activity.

f. Security. The applicant must address site security and undertake measures to ensure the site is secure at all times and to limit trespassing or the attraction of illegal activity to the surrounding neighborhood.

g. Site/Design. The construction site should be designed in a manner that minimizes pedestrian/vehicle conflicts and does not unnecessarily impede pedestrian mobility around the site and through adjoining neighborhoods. Measures should also be undertaken to ensure appropriate screening of materials storage and other construction activities from surrounding streets and properties.

h. Public ~~((Information))~~ information. Actions should be taken that will inform surrounding residents and businesses of construction activities taking place and their anticipated duration, including a 24-hour phone number to seek additional information or to report problems.

i. Weather. Temporary structures must be constructed to withstand inclement weather conditions.

j. Vibration. The applicant must consider measures to mitigate vibration impacts on surrounding residents and businesses.

k. Construction management plan. The Director may require a preliminary construction management plan prior to permit approval and a final construction management plan prior to use of the site. The construction management plan shall be approved by the Director of Transportation.

4. Site ~~((Restoration.))~~ restoration

a. The applicant must also agree, in writing, to submit a restoration plan to the Director for restoring areas occupied by temporary construction activities, uses, or structures.

b. The restoration plan must be submitted and approved prior to the applicant vacating the construction site and it must include proposals for cleaning, clearing, removing construction debris, grading,

remediation of landscaping that prioritizes installation of woody vegetation wherever feasible, and restoration of grade and drainage.

c. Site restoration must generally be accomplished within 180 days of cessation of use of the site for construction uses and activities, unless otherwise agreed to between the applicant and the Director.

d. The Director will approve plans for site restoration in accordance with mitigation plans authorized under this ~~((section))~~ Section 23.42.040.

~~((5. A Master Use Permit for a temporary structure or use that supports the construction of a light rail transit facility shall not be issued until the Director has received satisfactory evidence that the applicant has obtained sufficient funding (which might include a Full Funding Agreement with a federal agency) to complete the work described in the Master Use Permit application.))~~

5. Tree and vegetation management plan (TVMP) for light rail transit facilities. A TVMP must be reviewed and approved by the Director prior to approval of the Master Use Permit. Tree removal and vegetation management activities for light rail transit facilities shall meet the requirements of this subsection 23.42.040.F.5 and comply with the approved TVMP.

a. The TVMP shall contain the following information. All information in the TVMP must be consistent with the requirements of subsections 23.42.040.F.5.b through 23.42.040.F.5.g.

1) An inventory and map of all trees anticipated to be retained and removed during construction;

2) Documentation of proposed protection methods for retained trees;

3) A description of all proposed tree mitigation;

4) Best management practices to be used during construction;

5) Site restoration requirements that prioritize installation of woody vegetation wherever feasible; and

6) Post-construction tree and vegetation management practices.

b. Trees retained during construction must be protected by approved methods consistent with the American National Standards Institute A300 standards.

c. Trees and vegetation in environmentally critical areas are subject to requirements of Chapter 25.09.

d. Trees and vegetation in shoreline environments are subject to Chapter 23.60A.

e. Trees in the right-of-way are subject to requirements of Title 15.

f. Trees on City property are subject to the requirements of applicable executive orders.

g. Except for trees in an environmentally critical area, a shoreline environment, or on City property and right-of-way, each tree removed shall be replaced by one or more new trees, the size and species of which shall be approved by the Director to comply with the following requirements. Alternatively, the removal of a tree may be replaced with an in-lieu-fee approved by the Director.

1) Tree replacement shall be designed to result, upon maturity, in a canopy cover that is at least roughly proportional to the canopy cover prior to tree removal.

2) Replacement tree species shall be native and/or culturally significant species, and resilient to climate change.

3) Tree replacement shall be prioritized in the light rail construction areas.

4) Tree maintenance and monitoring is required for a five-year period after site restoration is complete.

5) Tree replacement, site restoration, and voluntary payment in lieu must be completed prior to revenue service operation of the light rail facility.

h. Records. A public agency acting pursuant to this subsection 23.42.040.F.5 shall maintain all applicable records documenting compliance with a TVMP. A public agency shall provide the records to the Director upon request.

G. ((Reserved.

H.)) Authorized intermittent, temporary, and interim uses do not interrupt any legally established permanent use of a property.

Section 6. Section 23.42.055 of the Seattle Municipal Code, last amended by Ordinance 126855, is amended as follows:

23.42.055 Development of affordable units on property owned or controlled by a religious organization

* * *

E. Applicability. Projects that vested according to Section 23.76.026 prior to August 9, 2021, in accordance with subsection ((23.76.026.E)) 23.76.026.F and that satisfy the requirements of this Section 23.45.055 are also eligible to use the alternative development standards authorized by this Section 23.42.055 where allowed by the provisions of the zone.

Section 7. Section 23.47A.004 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.47A.004 Permitted and prohibited uses

* * *

D. Public facilities

1. Uses in public facilities that are most similar to uses permitted outright or permitted as a conditional use under this Chapter 23.47A are permitted outright or as a conditional use, respectively, subject to the same use regulations, development standards, and conditional use criteria that govern the similar uses.

2. Permitted uses in public facilities requiring council approval. Unless specifically prohibited in Table A for 23.47A.004, uses in public facilities that are not similar to uses permitted outright or permitted as a conditional use under this Chapter 23.47A, may be permitted by the ((City)) Council.

3. In all NC zones and C zones, uses in public facilities not meeting development standards may be permitted by the Council, and the Council may waive or grant departures from development standards, if the following criteria are satisfied:

a. The project provides unique services that are not provided to the community by the private sector, such as police and fire stations;

b. The proposed location is required to meet specific public service delivery needs;

c. The waiver of or departure from the development standards is necessary to meet specific public service delivery needs; and

d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.

4. The ((City)) Council's use approvals, and waivers of or grants of departures from applicable development standards or conditional use criteria, contemplated by subsections 23.47A.004.D.2 and 23.47A.004.D.3, are governed by the provisions of Chapter 23.76, Subchapter III((, Council Land Use Decisions)).

5. Expansion of uses in public facilities

a. Major expansion. Major expansion of uses in public facilities allowed pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 may be permitted according to the criteria and process in those subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3. A major expansion of a public facility use occurs when an expansion would not meet development standards or the area of the expansion would exceed either 750 square feet or ((10)) ten percent of the existing area of the use, whichever is greater. For the purposes of this subsection 23.47A.004.D, area of use includes gross floor area and outdoor area devoted actively to that use, other than as parking.

b. Minor expansion. An expansion of a use in a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities allowed pursuant to subsections 23.47A.004.D.1, 23.47A.004.D.2, and 23.47A.004.D.3 ((above)) may be permitted according to the provisions of Chapter 23.76((5)) for a Type I Master Use Permit.

6. Essential public facilities. Permitted essential public facilities ((will)) , except for light rail

transit facilities, shall also be reviewed according to the provisions of Chapter 23.80((, Essential Public Facilities)). Notwithstanding conflicting provisions in subsections 23.47A.004.D.3 and 23.47A.004.D.5, light rail transit facilities are exempt from the development standards in this Chapter 23.47A and shall be reviewed according to the provisions of Chapter 23.80.

7. Youth service centers existing as of January 1, 2013, in public facilities operated by King County within ~~((Urban Center Villages))~~ urban center villages and replacements, additions, or expansions to such King County public facilities are permitted in NC3 zones.

* * *

I. The terms of Table A for 23.47A.004 are subject to any applicable exceptions or contrary provisions expressly provided for in this Title 23.

* * *

Section 8. Section 23.48.005 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.48.005 Uses

* * *

E. Public facilities in all SM zones

1. Uses in public facilities that are most similar to uses permitted outright or permitted as a conditional use under this Chapter 23.48 are permitted outright or as a conditional use, respectively, subject to the same use regulations, development standards, and conditional use criteria that govern the similar uses.

2. Permitted uses in public facilities requiring council approval. Unless specifically prohibited in this Chapter 23.48, uses in public facilities that are not similar to uses permitted outright or permitted as a conditional use under this Chapter 23.48 may be permitted by the ~~((City))~~ Council.

3. In all SM zones, uses in public facilities not meeting development standards may be permitted by the Council, and the Council may waive or grant departures from development standards, if the following

criteria are satisfied:

a. The project provides unique services that are not provided to the community by the private sector, such as police and fire stations;

b. The proposed location is required to meet specific public service delivery needs;

c. The waiver of or departure from the development standards is necessary to meet specific public service delivery needs; and

d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.

4. The ((City)) Council's use approvals, and waivers of or grants of departures from applicable development standards or conditional use criteria, contemplated by subsections 23.48.005.E.2 and 23.48.005.E.3, are governed by the provisions of Chapter 23.76, Subchapter III.

5. Expansion of uses in public facilities

a. Major expansion. Major expansion of uses in public facilities allowed pursuant to subsections 23.48.005.E.1, 23.48.005.E.2, and 23.48.005.E.3 may be permitted according to the criteria and process in those subsections 23.48.005.E.1, 23.48.005.E.2, and 23.48.005.E.3. A major expansion of a public facility use occurs when an expansion would not meet development standards or the area of the expansion would exceed either 750 square feet or ten percent of the existing area of the use, whichever is greater. For the purposes of this Section 23.48.005, area of use includes gross floor area and outdoor area devoted actively to that use, other than as parking.

b. Minor expansion. An expansion of a use in a public facility that is not a major expansion is a minor expansion. Minor expansions to uses in public facilities allowed pursuant to subsections 23.48.005.E.1, 23.48.005.E.2, and 23.48.005.E.3 above may be permitted according to the provisions of Chapter 23.76 for a Type I Master Use Permit.

6. Essential public facilities. Permitted essential public facilities ((will)) , except for light rail

transit facilities, shall be reviewed according to the provisions of Chapter 23.80. Light rail transit facilities are exempt from the development standards in this Chapter 23.48 and shall be reviewed according to the provisions of Chapter 23.80.

Section 9. Section 23.49.002 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.49.002 Scope of provisions

A. This Chapter 23.49 details those authorized uses and their development standards which are or may be permitted in downtown zones: Downtown Office Core 1 (DOC1), Downtown Office Core 2 (DOC2), Downtown Retail Core (DRC), Downtown Mixed Commercial (DMC), Downtown Mixed Residential (DMR), Pioneer Square Mixed (PSM), International District Mixed (IDM), International District Residential (IDR), Downtown Harborfront 1 (DH1), Downtown Harborfront 2 (DH2), and Pike Market Mixed (PMM).

B. Property in the following special districts: Pike Place Market Urban Renewal Area, Pike Place Market Historic District, Pioneer Square Preservation District, International Special Review District, and the Shoreline District, are subject to both the requirements of this Chapter 23.49 and the regulations of the district.

* * *

G. Light rail transit facilities shall be reviewed according to the provisions of Chapter 23.80 and are exempt from development standards of Subchapters I through IV and Subchapters VIII through X of this Chapter 23.49.

Section 10. Section 23.49.042 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.49.042 Downtown Office Core 1, Downtown Office Core 2, and Downtown Mixed Commercial permitted uses

The provisions of this Section 23.49.042 apply in DOC1, DOC2, and DMC zones.

A. All uses are permitted outright except those specifically prohibited by Section 23.49.044 and those

permitted only as conditional uses by Section 23.49.046. Parking is allowed pursuant to Section 23.49.019 and Section 23.49.045, and major cannabis activity is allowed pursuant to Section 23.42.058.

B. All uses not prohibited shall be permitted as either principal or accessory uses.

C. Except as provided in subsection 23.49.046.D.2, uses in public facilities that are most similar to uses permitted outright under this Chapter 23.49 shall also be permitted outright subject to the same use regulations and development standards that govern the similar uses.

D. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80. Light rail transit facilities are exempt from the development standards in this Subchapter II and shall be reviewed according to the provisions of Chapter 23.80.

Section 11. Section 23.49.090 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.49.090 Downtown Retail Core, permitted uses

A. All uses are permitted outright except those that are specifically prohibited by Section 23.49.092 and those that are permitted only as conditional uses by Section 23.49.096. Parking is allowed subject to Section 23.49.019 and Section 23.49.094 and major cannabis activity is allowed subject to Section 23.42.058.

B. All uses not prohibited shall be permitted as either principal or accessory uses.

C. Except as provided in Section 23.49.096, uses in public facilities that are most similar to uses permitted outright under this Chapter 23.49 shall also be permitted outright subject to the same use regulations and development standards that govern the similar uses.

D. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80. Light rail transit facilities are exempt from the development standards in this Subchapter III and shall be reviewed according to the provisions of Chapter 23.80.

Section 12. Section 23.49.142 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.49.142 Downtown Mixed Residential, permitted uses

A. All uses are permitted outright except those specifically prohibited by Section 23.49.144 and those permitted only as conditional uses by Section 23.49.148. Parking is permitted pursuant to Section 23.49.019 and Section 23.49.146, and major cannabis activity is allowed pursuant to Section 23.42.058.

B. All uses not prohibited are permitted as either principal or accessory uses.

C. Except as provided in subsection 23.49.148.D.2, uses in public facilities that are most similar to uses permitted outright under this Chapter 23.49 are also permitted outright subject to the same use regulations and development standards that govern the similar uses.

D. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80. Light rail transit facilities shall be exempt from the development standards in this Subchapter IV and reviewed according to the provisions of Chapter 23.80.

Section 13. Section 23.49.300 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.49.300 Downtown Harborfront 1, uses

A. Uses that are permitted or prohibited in Downtown Harborfront 1 are identified in Chapter 23.60A, except that major cannabis activity is prohibited.

B. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80. Light rail transit facilities are exempt from the development standards in this Subchapter VIII and shall be reviewed according to the provisions of Chapter 23.80.

Section 14. Section 23.49.318 of the Seattle Municipal Code, last amended by Ordinance 118672, is amended as follows:

23.49.318 Downtown Harborfront 2, permitted uses((-))

A. All uses shall be permitted outright except those which are specifically prohibited in Section 23.49.320, those which are permitted only as conditional uses by Section 23.49.324, and parking, which shall

be regulated by Section 23.49.322. Additionally, uses may be further restricted by the Seattle Shoreline Master Program.

B. All uses not specifically prohibited shall be permitted as either principal or accessory uses.

C. Public ~~((Facilities.))~~ facilities

1. Except as provided in Section ~~((23.49.324.D2))~~ 23.49.324.D.2, uses in public facilities that are most similar to uses permitted outright under this ~~((chapter))~~ Chapter 23.49 shall also be permitted outright subject to the same use regulations and development standards that govern the similar uses.

2. Essential ~~((Public Facilities))~~ public facilities. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of Chapter 23.80~~((, Essential Public Facilities))~~. Light rail transit facilities are exempt from the development standards in this Subchapter IX and shall be reviewed according to the provisions of Chapter 23.80.

Section 15. Section 23.50A.040 of the Seattle Municipal Code, enacted by Ordinance 126862, is amended as follows:

23.50A.040 Permitted and prohibited uses

* * *

D. Public facilities

1. Similar uses permitted. Except as provided in subsections 23.50A.040.D.2 and 23.50A.040.D.3 and in Section 23.50A.100, uses in public facilities that are most similar to uses permitted outright or permitted by conditional use in this ~~((chapter))~~ Chapter 23.50A are also permitted outright or by conditional use, subject to the same use regulations, development standards, and administrative conditional use criteria that govern the similar uses.

2. Waivers or modification by the ~~((City))~~ Council for similar uses. The ~~((City))~~ Council may waive or modify applicable development standards or conditional use criteria for those uses in public facilities that are similar to uses permitted outright or permitted by conditional use according to Chapter 23.76,

Subchapter III, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

3. Other uses permitted in public facilities. Unless specifically prohibited, uses in public facilities that are not similar to uses permitted outright or permitted by a conditional use or special exception under this Chapter 23.50A may be permitted by the ((City)) Council. The ((City)) Council may waive or modify development standards or conditional use criteria according to Chapter 23.76, Subchapter III, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

4. Uses in public facilities not meeting development standards. In all industrial zones, uses in public facilities not meeting development standards may be permitted by the Council if the following criteria are satisfied:

- a. The project provides unique services that are not provided to the community by the private sector, such as police and fire stations; and
- b. The proposed location is required to meet specific public service delivery needs; and
- c. The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and
- d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.

5. Expansion of uses in public facilities

a. Major expansion. Major expansions may be permitted to uses in public facilities allowed pursuant to subsections 23.50A.040.D.1, 23.50A.040.D.2, and 23.50A.040.D.3 according to the same provisions and procedural requirements as described in these subsections. A major expansion of a public facility use is one that would not meet development standards, or one that would exceed the greater of 750 square feet or ten percent of its existing area, including gross floor area and areas devoted to active outdoor uses other than

parking.

b. Minor expansion. An expansion that is not a major expansion is a minor expansion.

Minor expansions may be permitted to uses in public facilities allowed pursuant to subsections 23.50A.040.D.1, 23.50A.040.D.2, and 23.50A.040.D.3 according to Chapter 23.76 for a Type I Master Use Permit if the development standards of the zone in which the public facility is located are met.

6. Essential public facilities. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to Chapter 23.80. Light rail transit facilities are exempt from the development standards in this Chapter 23.50A and shall be reviewed according to the provisions of Chapter 23.80.

* * *

Section 16. Section 23.51A.002 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.51A.002 Public facilities in neighborhood residential zones

A. Except as provided in subsections ((B, D and E of this Section 23.51A.002)) 23.51A.002.B, 23.51A.002.D, 23.51A.002.E, and 23.51A.002.G, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under Chapter 23.44 are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use. The ((City)) Council may waive or modify applicable development standards or administrative conditional use criteria according to the provisions of Chapter 23.76, Subchapter III((, Council Land Use Decisions)), with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

* * *

C. Expansion of uses in public facilities

1. Major expansion. Major expansions may be permitted for uses in public facilities allowed in

subsections 23.51A.002.A and 23.51A.002.B according to the same provisions and procedural requirements as described in these subsections. Except as provided in subsection 23.51A.002.C.2.a, a major expansion of a public facility use occurs when the proposed expansion would not meet development standards or would exceed either 750 square feet or ten percent of its existing area, whichever is greater, including gross floor area and areas devoted to active outdoor uses other than parking.

2. Minor expansion. When an expansion falls below the major expansion threshold level, it is a minor expansion. Minor expansions may be permitted for uses in public facilities allowed in subsections 23.51A.002.A and 23.51A.002.B according to the provisions of Chapter 23.76 for a Type I Master Use Permit when the development standards of the zone in which the public facility is located are met or as follows:

a. For existing sewage treatment plants for which there is a current Department of Ecology order requiring corrective action and the expansion falls below the major expansion threshold level, as a Type I Master Use Permit, the Director may waive or modify applicable development standards; provided, that:

- 1) The expansion area is at least 50 feet from the nearest lot line;
- 2) The waiver or modification of physical development standards is the least necessary to achieve the applicant's proposed solution; and
- 3) The applicant submits a construction management plan, which is approved by the Director.

b. An application vested according to the provisions of Section 23.76.026 may elect to apply subsection 23.51A.002.C.2.a to their project according to the provisions of subsection ~~((23.76.026.E))~~ 23.76.026.F.

* * *

F. Essential ~~((Public Facilities))~~ public facilities except for light rail transit facilities. Permitted essential public facilities, except for light rail transit facilities, shall also be reviewed according to the provisions of

Chapter 23.80(~~(, Essential Public Facilities)~~).

G. Light rail transit facilities. Light rail transit facilities are permitted uses in all neighborhood residential zones. Light rail transit facilities are exempt from the development standards in Chapter 23.44 and shall be reviewed according to the provisions of Chapter 23.80.

Section 17. Section 23.51A.004 of the Seattle Municipal Code, last amended by Ordinance 125558, is amended as follows:

23.51A.004 Public facilities in multifamily zones

A. Except as otherwise provided in subsections 23.51A.004.D and 23.51A.004.H, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under the applicable zoning are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards, and administrative conditional use criteria that govern the similar use.

* * *

F. Essential public facilities (~~((will))~~), except for light rail transit facilities, shall be reviewed according to the provisions of Chapter 23.80(~~(, Essential Public Facilities)~~).

G. Uses in existing or former public schools

1. Child-care centers, preschools, public or private schools, educational and vocational training for the disabled, adult evening education classes, nonprofit libraries, community centers, community programs for the elderly, and similar uses are permitted in existing or former public schools.

2. Other non-school uses are permitted in existing or former public schools pursuant to procedures established in Chapter 23.78(~~(, Establishment of Criteria for Joint Use or Reuse of Schools)~~).

H. Light rail transit facilities. Light rail transit facilities are permitted uses in all multifamily residential zones. Light rail transit facilities are exempt from the development standards in Chapter 23.45 and shall be reviewed according to the provisions of Chapter 23.80.

Section 18. Section 23.52.004 of the Seattle Municipal Code, last amended by Ordinance 125757, is

amended as follows:

23.52.004 Requirement to meet transportation level-of-service standards

A. Applicability of this Subchapter I. Development, except for light rail transit facilities, that meets the following thresholds must contribute to achieving the percentage reduction targets shown on Map A for 23.52.004, which includes options for reducing the single-occupancy vehicle (SOV) trips associated with the development:

1. Proposed development in excess of any of the following: 30 dwelling units, 30 sleeping rooms, or 4,000 square feet of gross floor area in new nonresidential uses except for proposed development as provided in subsection 23.52.004.A.2;

2. Proposed development located in IG1 or IG2 zones and having more than 30,000 square feet of gross floor area in uses categorized as agricultural, high impact, manufacturing, storage, transportation facilities, or utility uses.

* * *

Section 19. Section 23.54.015 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.54.015 Required parking and maximum parking limits

* * *

B. Required parking for specific zones and areas

1. Parking in downtown zones is regulated by Chapters 23.49 and 23.66, and not by this Section 23.54.015.

2. Parking in the MPC-YT zone is regulated by Section 23.75.180 and not by this Section 23.54.015.

3. Parking for major institution uses in the Major Institution Overlay District is regulated by Sections 23.54.015 and 23.54.016.

4. The Director shall adopt by rule a map of frequent transit service areas based on proximity to a transit station or stop served by a frequent transit route. The determination whether a proposed development site is in a scheduled frequent transit service area shall be based on the frequent transit service area map adopted by rule that exists on the date a project vests according to the standards of Section 23.76.026, provided that a rule that takes effect on a date after the project vests may be applied to determine whether the site is in a scheduled frequent transit service area, at the election of the project applicant in accordance with subsection ((23.76.026.E)) 23.76.026.F.

* * *

Table D for 23.54.015

Parking for bicycles¹

Use		Bike parking requirements	
		Long-term	Short-term
A. COMMERCIAL USES			
A.1.	Eating and drinking establishments	1 per 5,000 square feet	1 per 1,000 square feet
A.2.	Entertainment uses other than theaters and spectator sports facilities	1 per 10,000 square feet	Equivalent to 5 percent of maximum building capacity rating
	A.2.a	Theaters and spectator facilities	Equivalent to 8 per maximum building rating ²

A.3.	Lodging uses	3 per 40 rentable rooms	1 per 20 rentable rooms plus 1 per 4,000 square feet of conference and meeting rooms
A.4.	Medical services	1 per 4,000 square feet	1 per 2,000 square feet
A.5.	Offices and laboratories, research and development	1 per 2,000 square feet	1 per 10,000 square feet
A.6.	Sales and services, general	1 per 4,000 square feet	1 per 2,000 square feet
A.7.	Sales and services, heavy	1 per 4,000 square feet	1 per 10,000 square feet of occupied floor area; 2 spaces minimum
B. INSTITUTIONS			
B.1.	Institutions not listed below	1 per 4,000 square feet	1 per 10,000 square feet
B.2.	Child care centers	1 per 4,000 square feet	1 per 20 children. 2 spaces minimum
B.3.	Colleges	1 per 5,000 square feet	1 per 2,500 square feet
B.4.	Community clubs or centers	1 per 4,000 square feet	1 per 1,000 square feet
B.5.	Hospitals	1 per 4,000 square feet	1 per 10,000 square feet
B.6.	Libraries	1 per 4,000 square feet	1 per 2,000 square feet
B.7.	Museums	1 per 4,000 square feet	1 per 2,000 square feet
B.8.	Religious facilities	1 per 4,000 square feet	1 per 2,000 square feet

B.9.	Schools, primary and secondary	3 per classroom	1 per classroom
B.10.	Vocational or fine arts schools	1 per 5,000 square feet	1 per 2,500 square feet
C. MANUFACTURING USES		1 per 4,000 square feet	1 per 20,000 square feet
D. RESIDENTIAL USES ³			
D.1.	Congregate residences ⁴	1 per 4 sleeping rooms	1 per 80 sleeping rooms. 2 spaces minimum
D.2.	Multifamily structures other than townhouses and rowhouse developments ^{4,5}	1 per dwelling unit	1 per 20 dwelling units
D.3.	Single-family residences	None	None
D.4.	Townhouse and rowhouse developments ⁵	1 per dwelling unit	None
E. TRANSPORTATION FACILITIES			
E.1.	Park and ride facilities on surface parking lots	At least 20 ⁶	At least 10

E.2.	Park and ride facilities in parking garages	At least 20 if parking is the principal use of a property; zero if non-parking is the principal use of a property	At least 10 if parking is the principal use of a property; zero if non-parking uses are the principal use of a property
E.3.	Flexible-use parking garages and flexible-use parking surface lots	1 per 20 auto space	None
E.4.	((Rail transit facilities and passenger terminals)) <u>Passenger terminals</u>	Spaces for 5 percent of projected AM peak period daily ridership ⁶	Spaces for 2 percent of projected AM peak period daily ridership
E.5.	<u>Light rail transit stations</u>	<u>Regulated by subsection 23.80.008.L</u>	<u>Regulated by subsection 23.80.008.L</u>

Footnotes to Table D for
23.54.015 ¹ Required bicycle
parking includes long-term
and short-term amounts
shown in this Table D for
23.54.015. ² The Director may
reduce short-term bicycle
parking requirements for
theaters and spectator sports
facilities that provide bicycle
valet services authorized
through a Transportation
Management Program. A
bicycle valet service is a
service that allows bicycles to
be temporarily stored in a
secure area, such as a
monitored bicycle corral. ³ For
residential uses, after the first
50 spaces for bicycles are
provided, additional spaces
are required at three-quarters
the ratio shown in this Table D
for 23.54.015. ⁴ For
congregate residences or
multifamily structures that are
owned and operated by a not-
for-profit entity serving
seniors or persons with
disabilities, or that are
licensed by the State and
provide supportive services
for seniors or persons with
disabilities, as a Type I
decision, the Director shall
have the discretion to reduce
the amount of required bicycle
parking to as few as zero if it
can be demonstrated that
residents are less likely to
travel by bicycle. ⁵ In low-
income housing, there is no

income housing, there is no minimum required long-term bicycle parking requirement for each unit subject to affordability limits no higher than 30 percent of median income and long-term bicycle parking requirements may be waived by the Director as a Type I decision for each unit subject to affordability limits greater than 30 percent of median income and no higher than 80 percent of median income if a reasonable alternative is provided (e.g., in-unit vertical bike storage).⁶ The Director, in consultation with the Director of Transportation, may require more bicycle parking spaces based on the following factors: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information.

Section 20. Section 23.55.056 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.55.056 Application of regulations

Land located within the Seattle Center Sign Overlay District, as shown on Map A for 23.55.054, is subject to

the sign regulations of Chapter 23.55, except as provided in this Part 4 of Chapter 23.55. In the event of a conflict between the provisions of this Part 4 of Chapter 23.55 and other provisions of Chapter 23.55, the provisions of this Part 4 of Chapter 23.55 apply. For a project that vested to Chapter 23.55 prior to August 25, 2019, the provisions of this Part 4 of Chapter 23.55 may be applied to the project at the election of the project applicant as provided by subsection ~~((23.76.026.E))~~ 23.76.026.F.

Section 21. A new Part 5, consisting of Section 23.55.070, is added to Chapter 23.55 of the Seattle Municipal Code as follows:

Part 5 Standards for light rail transit facilities signs

23.55.070 Standards for light rail transit facilities

A. Unless specifically exempted or modified in this Section 23.55.070, signs in a light rail transit facility are subject to the applicable standards in Part 1, Part 3, and Part 4 of this Chapter 23.55. Signs in a light rail transit facility located in a special review district are subject to the applicable provisions in Chapter 23.66 and this Part 5.

B. Signs in a light rail transit facility are exempt from subsections 23.55.004.C, 23.55.004.E, 23.55.014.B, and 23.55.014.E.

C. Signs in a light rail transit facility are exempt from Part 2 of this Chapter 23.55.

D. Light rail transit facilities may have an unlimited number of signs serving wayfinding, public service, safety, and identification purposes.

E. There is no limit on the types of permissible signs except as described in Section 23.55.003 and Section 23.55.014.

F. Signs within concourses and platforms that are not oriented to be visible from adjacent public right-of-way are exempt from the standards in this Chapter 23.55.

G. Off-premises directional signs for light rail transit facilities shall not be advertising signs. Off-premises directional signs in the public right-of-way are subject to applicable requirements, conditions, and

procedures set out in Title 15.

H. Sign kiosks located on a light rail transit facility site are only subject to subsections 23.55.015.C.2.a and 23.55.015.C.2.c and are exempt from all other subsections of Section 23.55.015. Sign kiosks may be established on a light rail transit facility site in any zone.

Section 22. Section 23.76.004 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

23.76.004 Land use decision framework

A. Land use decisions are classified into five categories. Procedures for the five different categories are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Land use decisions are generally categorized by type in Table A for 23.76.004.

B. Type I and II decisions are made by the Director and are consolidated in Master Use Permits. Type I decisions are decisions made by the Director that are not appealable to the Hearing Examiner. Type II decisions are discretionary decisions made by the Director that are subject to an administrative open record appeal hearing to the Hearing Examiner; provided that Type II decisions enumerated in subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g, and SEPA decisions integrated with them as set forth in subsection 23.76.006.C.2.o, shall be made by the Council when associated with a Council land use decision and are not subject to administrative appeal. Type III decisions are made by the Hearing Examiner after conducting an open record hearing and not subject to administrative appeal. Type I, II, or III decisions may be subject to land use interpretation pursuant to Section 23.88.020.

C. Type IV and V decisions are Council land use decisions. Type IV decisions are quasi-judicial decisions made by the Council pursuant to existing legislative standards and based upon the Hearing Examiner's record and recommendation. Type IV decisions may be subject to land use interpretation pursuant to Section 23.88.020. Type V decisions are legislative decisions made by the Council in its capacity to

establish policy and manage public lands.

D. For projects requiring both a Master Use Permit and a Council land use decision as described in this ~~((chapter))~~ Chapter 23.76, the Council decision must be made prior to issuance of the Master Use Permit. All conditions established by the Council in its decision shall be incorporated in any subsequently issued Master Use Permit for the project.

E. Certain land use decisions are subject to additional procedural requirements beyond the standard procedures established in this Chapter 23.76. These requirements may be prescribed in the regulations for the zone in which the proposal is located, in other provisions of this ~~((title))~~ Title 23, or in other titles of the Seattle Municipal Code.

F. Shoreline appeals and appeals of related SEPA determinations shall be filed with the State Shoreline Hearings Board within 21 days of the receipt of the decision by the Department of Ecology as set forth in RCW 90.58.180.

G. An applicant for a permit or permits requiring more than one decision contained in the land use decision framework listed in Section 23.76.004 may either:

1. Use the integrated and consolidated process established in this ~~((chapter))~~ Chapter 23.76;
2. If the applicant includes a variance, lot boundary adjustment, or short subdivision approval and no environmental review is required for the proposed project pursuant to ~~((SMC))~~ Chapter 25.05, ~~((Environmental Policies and Procedures,))~~ file a separate Master Use Permit application for the variance, lot boundary adjustment, or short subdivision sought and use the integrated and consolidated process established in this ~~((chapter))~~ Chapter 23.76 for all other required decisions; or
3. Proceed with separate applications for each permit decision sought.

H. If notice is required pursuant to this Chapter 23.76, except mailed notice as defined in Section 23.84A.025, it may be provided by electronic means if the recipient provides an e-mail address to the Department. Notice to City agencies may be provided through the City's interoffice mail or by electronic

means.

Table A for 23.76.00 4 LAND USE DECISI ON FRAME WORK¹	
Director 's and Hearing Examin er's Decision s Requiri ng Master Use Permits TYPE I Director 's Decision (Admini strative review through land use interpret ation as allowed by Section 23.88.02 0 ²)	
*	Application of development standards for decisions
*	Uses permitted outright
*	Temporary uses, four weeks or less, and temporary u pursuant to subsection 23.42.040.F

*	Renewals of temporary uses((, except for temporary construction)))
*	Intermittent uses
*	Uses on vacant or underused lots pursuant to Section
*	Transitional encampment interim use
*	Certain street uses
*	Lot boundary adjustments
*	Modifications of features bonused under Title 24
*	Determinations of significance (EIS required) except on historic and cultural preservation
*	Temporary uses for relocation of police and fire stati
*	Exemptions from right-of-way improvement require
*	Reasonable accommodation
*	Minor amendment to a Major Phased Development p
*	Determination of whether an amendment to a proper minor
*	Streamlined design review decisions pursuant to Sec departures are requested, and design review decision 23.41.020 if no development standard departures are
*	Shoreline special use approvals that are not part of a
*	Adjustments to major institution boundaries pursuan
*	Determination that a project is consistent with a plan
*	Decision to approve, condition, or deny, based on SE to be consistent with a planned action ordinance
*	Decision to increase the maximum height for residen subsection 23.49.008.H
*	Decision to increase the maximum allowable FAR in 23.49.011.A.2.n
*	Minor revisions to an issued and unexpired MUP tha
*	Building height increase for minor communication u
*	Light rail transit facilities pursuant to Section 23.80.1
*	Application of tree provisions pursuant to Chapter 23
*	Director's acceptance of an eligibility letter for propo exemption provisions, subject to the additional requi Master Use Permit application in subsection 23.41.0
*	Director's application of development standards for applications subject to temporary design review exer
*	Waiver or modification of development standards fo design review exemption provisions in subsection 23

*	Other Type I decisions that are identified as such in
TYPE II Director's Decision (Appealable to Hearing Examine r or Shoreline es Hearing Board ³)	
*	Temporary uses, more than four weeks, except for temporary uses for light rail transit facilities and except for temporary use for light rail transit facilities <u>23.42.040.F</u>
*	Variances
*	Administrative conditional uses
*	Shoreline decisions, except shoreline special use applications and substantial development permit ³
*	Short subdivisions
*	Special exceptions
*	Design review decisions, except for streamlined design review decisions where standard departures are requested, and design review decisions, subject to design review, building height increases for MUP zones, and design review decisions in an MPC zone where standard departures are requested
((*)	Light rail transit facilities))
*	The following environmental determinations: 1. Determination of final EIS adequacy (required) 2. Determination of final EIS adequacy on historic and cultural preservation 4. A decision on SEPA policies, except for Type I decisions for a project construction pursuant to subsection 23.42.040.F, a project pursuant to subsection 23.80.004.C, or a project determined to be consistent with the Comprehensive Plan
*	Major Phased Developments
*	Downtown Planned Community Developments
*	Determination of public benefit for combined lot development
*	Major revisions to an issued and unexpired MUP that are identified as such in
*	Other Type II decisions that are identified as such in
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Footnote
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Section 23. Section 23.76.006 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

23.76.006 Master Use Permits required

A. Type I, II, and III decisions are components of Master Use Permits. Master Use Permits are required

for all projects requiring one or more of these decisions.

B. The following decisions are Type I:

1. Determination that a proposal complies with development standards;
2. Establishment or change of use for uses permitted outright, uses allowed under Section 23.42.038, temporary relocation of police and fire stations for 24 months or less, transitional encampment interim use, temporary uses for four weeks or less not otherwise permitted in the zone, ~~((and))~~ renewals of temporary uses for up to six months, ~~((except))~~ and temporary uses ~~((and facilities))~~ for light rail transit facility construction as provided in subsection 23.42.040.F;

3. The following street use approvals:

- a. Curb cut for access to parking, whether associated with a development proposal or not;
- b. Concept approval of street improvements associated with a development proposal, such as additional on-street parking, street landscaping, curbs and gutters, street drainage, sidewalks, and paving;

- c. Structural building overhangs associated with a development proposal;

- d. Areaways associated with a development proposal;

4. Lot boundary adjustments;

5. Modification of the following features bonused under Title 24:

- a. Plazas;

- b. Shopping plazas;

- c. Arcades;

- d. Shopping arcades; and

- e. Voluntary building setbacks;

6. Determinations of ~~((Significance))~~ significance (determination that an ~~((Environmental Impact Statement))~~ EIS is required) for Master Use Permits and for building, demolition, grading, and other

construction permits (supplemental procedures for environmental review are established in Chapter 25.05(~~(Environmental Policies and Procedures)~~)), except for (~~(Determinations of Significance)~~) determinations of significance based solely on historic and cultural preservation;

7. Discretionary exceptions for certain business signs authorized by subsection 23.55.042.D;

8. Waiver or modification of required right-of-way improvements;

9. Reasonable accommodation;

10. Minor amendment to Major Phased Development Permit;

11. Streamlined design review decisions pursuant to Section 23.41.018 if no development standard departures are requested pursuant to Section 23.41.012, and design review decisions in an MPC zone if no development standard departures are requested pursuant to Section 23.41.012;

12. Shoreline special use approvals that are not part of a shoreline substantial development permit;

13. Determination that a project is consistent with a planned action ordinance, except as provided in subsection 23.76.006.C;

14. Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance;

15. Determination of requirements according to subsections 23.58B.025.A.3.a, 23.58B.025.A.3.b, 23.58B.025.A.3.c, 23.58C.030.A.2.a, 23.58C.030.A.2.b, and 23.58C.030.A.2.c;

16. Determination that a light rail transit facility is consistent with the provisions of subsection 23.80.004.C;

~~((16-))~~ 17. Decision to increase the maximum height of a structure in the DOC2 500/300-550 zone according to subsection 23.49.008.F;

~~((17-))~~ 18. Decision to increase the maximum FAR of a structure in the DOC2 500/300-550 zone according to subsection 23.49.011.A.2.n;

~~((18-))~~19. Minor revisions to an issued and unexpired ~~((MUP))~~ Master Use Permit that was subject to design review, pursuant to subsection 23.41.008.G;

~~((19-))~~20. Building height departures for minor communication facilities in downtown zones, pursuant to Section 23.57.013;

~~((20-))~~21. Application of tree provisions pursuant to Chapter 25.11;

~~((21-))~~22. Director's acceptance of an eligibility letter for proposals subject to temporary design review exemption provisions subject to the additional requirement to file a valid and complete Type I or II Master Use Permit application in subsection 23.41.004.E.3;

~~((22-))~~23. Director's application of development standards for decisions on Type I or II Master Use Permit applications subject to temporary design review exemption provisions in subsection 23.41.004.E.3;

~~((23-))~~24. Waiver or modification of development standards for development proposals subject to temporary design review exemption provisions in subsection 23.41.004.E.3; and

~~((24-))~~25. Other Type I decisions.

C. The following are Type II decisions:

1. The following procedural environmental decisions for Master Use Permits and for building, demolition, grading, and other construction permits are subject to appeal to the Hearing Examiner and are not subject to further appeal to the ~~((City))~~ Council (supplemental procedures for environmental review are established in Chapter 25.05~~((Environmental Policies and Procedures)))~~):

a. Determination of Non-significance (DNS), including mitigated DNS;

b. Determination that a final ~~((Environmental Impact Statement-))~~ EIS ~~(())~~ is adequate;

and

c. Determination of ~~((Significance))~~ significance based solely on historic and cultural preservation.

2. The following decisions are subject to appeal to the Hearing Examiner (except shoreline

decisions and related environmental determinations that are appealable to the Shorelines Hearings Board):

a. Establishment or change of use for temporary uses more than four weeks not otherwise permitted in the zone or not meeting development standards, ~~((including))~~ except the establishment of temporary ~~((uses and facilities to construct a))~~ use for light rail transit ~~((system for so long as is necessary to construct the system as provided in subsection 23.42.040.F, but excepting))~~ facility construction, and temporary relocation of police and fire stations for 24 months or less;

b. Short subdivisions;

c. Variances, provided that the decision on variances sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

d. Special exceptions, provided that the decision on special exceptions sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

e. Design review decisions, except for streamlined design review decisions pursuant to Section 23.41.018 if no development standard departures are requested pursuant to Section 23.41.012, and minor revisions to an issued and unexpired ~~((MUP))~~ Master Use Permit that was subject to design review, building height increases for minor communication utilities in downtown zones, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested pursuant to Section 23.41.012;

f. Administrative conditional uses, provided that the decision on administrative conditional uses sought as part of a Council land use decision shall be made by the Council pursuant to Section 23.76.036;

g. The following shoreline decisions, provided that these decisions shall be made by the Council pursuant to Section 23.76.036 when they are sought as part of a Council land use decision (supplemental procedures for shoreline decisions are established in Chapter 23.60A):

1) Shoreline substantial development permits;

- 2) Shoreline variances; and
- 3) Shoreline conditional uses;
- h. Major Phased Developments;
- i. Determination of project consistency with a planned action ordinance, only if the project requires another Type II decision;
- j. ~~((Establishment of light rail transit facilities necessary to operate and maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;))~~ Reserved;
- k. Downtown planned community developments;
- l. Establishment of temporary uses for transitional encampments, except transitional encampment interim uses provided for in subsection 23.76.006.B.2;
- m. Decision to waive or modify development standards relating to structure width or setbacks for a youth service center pursuant to subsection 23.51A.004.B.6;
- n. Determination of requirements according to subsections 23.58B.025.A.4 and 23.58C.030.A.3;
- o. Except for projects determined to be consistent with a planned action ordinance, and except for decisions related to light rail transit facilities as described in subsection 23.76.006.B, decisions to approve, condition, or deny based on SEPA policies if such decisions are integrated with the decisions listed in subsections 23.76.006.C.2.a through 23.76.006.C.2.m; provided that, for decisions listed in subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g that are made by the Council, integrated decisions to approve, condition, or deny based on SEPA policies are made by the Council pursuant to Section 23.76.036;
- p. Determination of public benefit for combined lot development; and
- q. Major revisions to an issued and unexpired ~~((MUP))~~ Master Use Permit that was subject to design review, pursuant to subsection 23.41.008.G.

Section 24. Section 23.76.010 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

23.76.010 Applications for Master Use Permits

A.

1. Applications for Master Use Permits shall be made by the property owner, lessee, contract purchaser, a City agency, or other public agency (~~((proposing a project the location of which has been approved by the City Council by ordinance or resolution))~~), or by an authorized agent (~~((thereof))~~) of any of them. (~~((A Master Use Permit applicant shall designate a single person or entity to receive determinations and notices from the Director.))~~) A public agency, or an authorized agent of the agency, proposing a project with a location that must be approved by the Council, may apply for a Master Use Permit after the project's location is identified in a Council Bill or resolution that has been referred to the Council, or one of its committees, to consider approving the project.

2. A claim made by a person that the person possesses title to any portion of the property for which a (~~((Maser))~~) Master Use Permit application has been submitted, whether the claim is made by a judicially -filed pleading or not, is not grounds for the Department to suspend processing the application unless:

a. (~~((a))~~) A court injunction has been issued and is delivered to the Department; or

b. (~~((the))~~) The application is for a subdivision or short subdivision, the claim is made in a pleading to quiet title to a portion of the property that has been filed in court, and a copy of the pleading has been delivered to the Department.

* * *

Section 25. Section 23.76.012 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

23.76.012 Notice of application

A. Notice.

1. No notice of application is required for Type I decisions, except ~~((that))~~ a notice of application is required for:

a. All projects in MPC zones that are subject to Master Planned Community design review in Section 23.41.020, as described in subsection 23.76.012.B.6; ~~((and))~~

b. An application for a Type I permit with an interim design review exemption as described in subsection 23.41.004.E.3~~((:))~~; and

c. An application for a light rail transit facilities Type I permit as described in subsection 23.76.006.B.

2. Within 14 days after the Director determines that an application is complete, for the following types of applications, the Director shall provide notice of the application and an opportunity for public comment as described in this Section 23.76.012:

a. An application for a Type I permit with an interim design review exemption as described in subsection 23.41.004.E.3;

b. An application for a light rail transit facilities Type I permit as described in subsection 23.76.006.B;

~~((b))~~ c. Type II Master Use Permits;

~~((e-))~~ d. Type III Master Use Permits;

~~((d-))~~ e. Type IV Council land use decisions, provided that for amendments to property use and development agreements, additional notice shall be given pursuant to subsection 23.76.058.C; and

~~((e-))~~ f. The following Type V Council land use decisions:

1) Major Institution designations and revocation of Major Institution designations;

2) Concept approvals for the location or expansion of City facilities requiring Council land use approval; and

3) Waivers or modification of development standards for City facilities.

3. Other (~~((Agencies with Jurisdiction))~~) agencies with jurisdiction. The Director shall provide notice to other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the project to the extent known by the Director.

4. Early (~~((Review Determination of Nonsignificance))~~) review determination of nonsignificance (DNS). In addition to the requirements of subsection (~~((A.3 of this Section 23.76.012))~~) 23.76.012.A.3, the Director shall provide a copy of the early review DNS notice of application and environmental checklist to the following:

- a. State Department of Ecology;
- b. Affected tribes;
- c. Each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and
- d. Persons who submit a written request for this information and who provide an address for notice.

B. Types of notice required

1. For projects subject to a Type II environmental determination pursuant to Section 23.76.006 or design review pursuant to Section 23.41.004, a Type I permit with an interim design review exemption as described in subsection 23.41.004.E.3, or (~~((an application for a Type II environmental determination pursuant to Section 23.76.006 or design review pursuant to Section 23.41.004))~~) light rail transit facilities Type I permits described in subsection 23.76.006.B, the Department shall direct the installation of a large notice sign on the site, unless an exemption or alternative posting as set forth in this subsection 23.76.012.B is applicable. The large notice sign shall be located so as to be clearly visible from the adjacent street or sidewalk, and shall be removed by the applicant at the direction of the Department after final City action on the application is completed.

a. In the case of submerged land, the large notice sign shall be posted on adjacent dry land, if any, owned or controlled by the applicant. If there is no adjacent dry land owned or controlled by the applicant, notice shall be provided according to subsection 23.76.012.B.1.c.

b. Projects limited to interior remodeling, or that are subject to a Type II environmental determination pursuant to Section 23.76.006 only because of location over water or location in an environmentally critical area, are exempt from the large notice sign requirement.

c. If use of a large notice sign is neither feasible nor practicable to ~~((assure))~~ ensure that notice is clearly visible to the public, the Department shall post ten placards within 300 feet of the site.

d. The Director may require both a large notice sign and the alternative posting measures described in subsection 23.76.012.B.1.c, or may require that more than one large notice sign be posted, if necessary to ~~((assure))~~ ensure that notice is clearly visible to the public.

2. For projects that are categorically exempt from environmental review, the Director shall post one land use sign visible to the public at each street frontage abutting the site except that if there is no street frontage or the site abuts an unimproved street, the Director shall post more than one sign and/or use an alternative posting location so that notice is clearly visible to the public. The land use sign shall be removed by the applicant after final action on the application is completed.

3. For all projects requiring notice of application, the Director shall provide notice in the Land Use Information Bulletin. For projects requiring installation of a large notice sign or subject to design review pursuant to Section 23.41.014, notice in the Land Use Information Bulletin shall be published after installation of the large notice sign required in subsection 23.76.012.B.1.

4. The Director shall provide mailed notice of:

a. Applications for variances, administrative conditional uses, special exceptions, temporary uses for more than four weeks, light rail transit facilities that are Type I and Type II decisions, shoreline variances, shoreline conditional uses, short plats that do not exclusively create unit lots, early design

guidance process for administrative design review and streamlined administrative design review, subdivisions, Type IV Council land use decisions, amendments to property use and development agreements, Major Institution designations and revocation of Major Institution designations, concept approvals for the location or expansion of City facilities requiring Council land use approval, and waivers or modification of development standards for City facilities, and applications receiving an exemption from design review pursuant to temporary provisions in subsection 23.41.004.E.3; and

b. The first early design guidance meeting for a project subject to design review pursuant to Section 23.76.014.

5. For a project subject to design review, except streamlined design review pursuant to Section 23.41.018 for which no development standard departure pursuant to Section 23.41.012 is requested, notice of application shall be provided to all persons who provided an address for notice and either attended an early design guidance public meeting for the project or wrote to the Department about the proposed project before the date that the notice of application is distributed in the Land Use Information Bulletin.

6. For a project that is subject to both Type I decisions and Master Planned Community design review under Section 23.41.020, notice shall be provided as follows:

a. The Director shall provide notice of application in the Land Use Information Bulletin.

b. The Director shall post one land use sign visible to the public at each street frontage abutting the site, except that if there is no street frontage or the site abuts an unimproved street, the Director shall post more than one sign and/or use an alternative posting location so that notice is clearly visible to the public. The land use sign(s) shall be posted prior to publication of notice of application in the Land Use Information Bulletin, and shall be removed by the applicant after final action on the Master Use Permit application is completed.

c. For a project that includes a highrise structure as defined in Section 23.75.020, the Director shall also post ten placards within the right-of-way within 300 feet of the site. The land use placards

shall be posted prior to publication of notice of application in the Land Use Information Bulletin, and shall be removed by the applicant after final action on the Master Use Permit application is completed.

d. Mailed notice shall be provided consistent with subsection 23.76.012.B.5.

7. No notice is required of a Type I determination whether a project is consistent with a planned action ordinance, except that if that determination has been made when notice of application is otherwise required for the project, then the notice shall include notice of the planned action consistency determination.

C. Contents of notice

1. The City's official notice of application is the notice placed in the Land Use Information Bulletin, which shall include the following required elements as specified in RCW 36.70B.110:

- a. Date of application, date of notice of completion for the application, and the date of the notice of application;
- b. A description of the proposed project action and a list of the project permits included in the application, including if applicable:
 - 1) A list of any studies requested by the Director;
 - 2) A statement that the project relies on the adoption of a Type V Council land use decision to amend the text of Title 23;
- c. The identification of other permits not included in the application to the extent known by the Director;
- d. The identification of existing environmental documents that evaluate the proposed project, and the location where the application and any studies can be reviewed;
- e. A statement of the public comment period and the right of any person to comment on the application, request an extension of the comment period, receive notice of and participate in any hearings, and request a copy of the decision once made, and a statement of any administrative appeal rights;
- f. The date, time, location, virtual location if applicable, and type of hearing, if applicable

and if scheduled at the date of notice of the application;

g. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and the proposed project's consistency with development regulations;

h. A statement that an advisory committee is to be formed as provided in Section 23.69.032, for notices of intent to file a Major Institution master plan application;

i. Any other information determined appropriate by the Director; and

j. The following additional information if the early review DNS process is used:

1) A statement that the early review DNS process is being used and the Director expects to issue a DNS for the proposal;

2) A statement that this is the only opportunity to comment on the environment impacts of the proposal;

3) A statement that the proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

4) A statement that a copy of the subsequent threshold determination for the proposal may be obtained upon written request.

2. All other forms of notice, including but not limited to large notice and land use signs, placards, and mailed notice, shall include the following information: the project description, location of the project, date of application, location where the complete application file may be reviewed, and a statement that persons who desire to submit comments on the application or who request notification of the decision may so inform the Director in writing within the comment period specified in subsection 23.76.012.D. The Director may, but need not, include other information to the extent known at the time of notice of application. Except for the large notice sign, each notice shall also include a list of the land use decisions sought. The Director shall

specify detailed requirements for large notice and land use signs.

D. Comment period. The Director shall provide a 14-day public comment period prior to making a threshold ~~((determination of nonsignificance-))~~ DNS ((+)) or publishing a decision on the project; provided that the comment period shall be extended by 14 days if a written request for extension is submitted within the initial 14-day comment period; provided further that the comment period shall be 30 days for applications requiring shoreline decisions except that for limited utility extensions and bulkheads subject to Section 23.60A.064, the comment period shall be 20 days as specified in Section 23.60A.064. The comment period shall begin on the date notice is published in the Land Use Information Bulletin. Comments shall be filed with the Director by 5 p.m. of the last day of the comment period. If the last day of the comment period is a Saturday, Sunday, or federal or City holiday, the comment period shall run until 5 p.m. the next day that is not a Saturday, Sunday, or federal or City holiday. Any comments received after the end of the official comment period may be considered if the comment is material to review yet to be conducted.

E. If a Master Use Permit application includes more than one decision component, notice requirements shall be consolidated and the broadest applicable notice requirements imposed.

F. The mailing list used for the Land Use Information Bulletin shall be updated annually in consultation with the Director of the Department of Neighborhoods.

Section 26. Section 23.76.015 of the Seattle Municipal Code, last amended by Ordinance 126684, is amended as follows:

23.76.015 Public meetings for Type I light rail transit facilities, Type II, and Type III Master Use Permits

A. The Director may hold a public meeting on Master Use Permit applications requiring Type II or III decisions if:

1. The meeting is otherwise provided for in this Title 23, including meetings for projects subject to design review;
2. The proposed development is of broad public significance;

3. Fifty or more persons file a written request for a meeting not later than the 14th day after notice of the application is provided; or

4. The proposed development will require a shoreline conditional use or a shoreline variance.

B. The Director may combine a public meeting on a project application with any other public meetings that may be held on the project by another local, state, regional, federal or other agency, and shall do so if requested by the applicant, provided that:

1. The meeting if convened in-person shall be held within ~~((the city of))~~ Seattle; and

2. The joint meeting can be held within the time periods specified in Section 23.76.005, or the applicant agrees in writing to additional time, if needed, to combine the meetings.

C. The Director shall provide notice of all public meetings by:

1. Inclusion in the Land Use Information Bulletin;

2. Posting of at least four placards within 300 feet of the site; and

3. Provision of notice to all persons who provided an address for notice and either attended an early design guidance public meeting for the project or wrote to the Department about the proposed project before the date that notice of the meeting is distributed in the Land Use Information Bulletin.

D. The Director may hold a public meeting on all Master Use Permit applications for light rail transit facilities and temporary use for light rail transit facility construction applications. Public meetings held for light rail transit facilities applications pursuant to this subsection 23.76.015.D shall be subject to the public notice requirements of subsection 23.76.015.C.

Section 27. Section 23.76.020 of the Seattle Municipal Code, last amended by Ordinance 124378, is amended as follows:

23.76.020 Director's decisions on Type I and Type II Master Use Permits

A. Master Use Permit ~~((Review Criteria))~~ review criteria. The Director shall grant, deny, or conditionally grant approval of a Type II decision, or Type I decision for a light rail transit facility if applicable,

based on the applicant's compliance with the applicable SEPA policies pursuant to Section 25.05.660, and with the applicable substantive requirements of the Seattle Municipal Code pursuant to Section 23.76.026. If an EIS is required, the application shall be subject to only those SEPA policies in effect when the draft EIS is issued. The Director may also impose conditions in order to mitigate adverse environmental impacts associated with the construction process. The Director shall not issue a light rail transit facilities Type I decision until the alignment, transit station locations, and maintenance base location of the light rail transit system have been approved by the Council by ordinance or resolution.

B. Timing of ~~((Decisions Subject to Environmental Review))~~ decisions subject to environmental review
~~((:))~~

1. If an EIS is required, the Director's decision shall not be issued until at least seven days after publication of the final EIS, as provided by Chapter 25.05.

2. If no EIS is required, the Director's decision shall include issuance of a ~~((Determination of Nonsignificance))~~ determination of nonsignificance (DNS) for the project if not previously issued pursuant to subsection 25.05.310.C.2.

C. Notice of decisions

1. Type I. No notice of decision is required for Type I decisions, except for Type I decisions for light rail transit facilities, which shall provide notice as described in subsection 23.76.020.C.2.

2. Type II. The Director shall provide notice of all Type II decisions by:

- a. Inclusion in the Land Use Information Bulletin;
- b. Publication in the City official newspaper;
- c. Notice provided to the applicant and to persons who provided an address for notice and either submitted written comments on the application, or made a written request for notice; ~~((and))~~
- d. Filing of DNSs with the SEPA Public Information Center and distribution of DNSs as required by Section 25.05.340; and

e. Filing of any shoreline decision in a Master Use Permit with the Department of Ecology according to the requirements in WAC 173-27-130.

D. Contents of notice

1. The notice of the Director's Type I decision for a light rail transit facility shall state the nature of the applicant's proposal, a description sufficient to locate the property, and the decision of the Director. The notice shall also state that the decision is not subject to administrative appeal.

~~((1-))~~ 2. The notice of the Director's Type II decision shall state the nature of the applicant's proposal, a description sufficient to locate the property, and the decision of the Director. The notice shall also state that the decision is subject to administrative appeal or administrative review and shall describe the appropriate administrative appeal procedure.

~~((2-))~~ 3. If the Director's decision includes a mitigated DNS or other DNS requiring a 14-day comment period pursuant to Chapter 25.05(~~(, Environmental Policies and Procedures)~~), the notice of decision shall include notice of the comment period.

Section 28. Section 23.76.026 of the Seattle Municipal Code, last amended by Ordinance 127100, is amended as follows:

23.76.026 Vesting

A. Master Use Permit components other than subdivisions and short subdivisions. Except as otherwise provided in this Section 23.76.026 or otherwise required by law, applications for all Master Use Permit components other than subdivisions and short subdivisions shall be considered vested under the Land Use Code and other land use control ordinances in effect on the date:

1. That notice of the Director's decision on the application is published, if the decision is appealable to the Hearing Examiner;
2. Of the Director's decision, if the decision is not appealable to the Hearing Examiner;
3. A valid and fully complete building permit application is filed, as determined under Section

106 of the Seattle Building Code or Section R105 of the Seattle Residential Code, if it is filed prior to the date established in subsections 23.76.026.A.1 or 23.76.026.A.2; or

4. Of the filing of a letter of eligibility for exemption from design review pursuant to subsection 23.41.004.E.3, provided that a valid and complete Type I or Type II Master Use Permit application pursuant to Section 23.76.010 is filed within 90 days. If a complete Type I or Type II Master Use Permit application pursuant to Section 23.76.010 has not been filed within 90 days for a proposal associated with a filed letter of eligibility for exemption from design review, the filed letter of eligibility for exemption from design review and its relevance to establishing vesting under Title 23 shall be void. A filed letter of eligibility may be withdrawn by the applicant. A new letter of eligibility may be filed, that defines a new 90-day timeframe for providing a valid and complete Type I or Type II Master Use Permit application.

B. Subdivision and short subdivision components of Master Use Permits. An application for approval of a subdivision or short subdivision of land shall be considered under the Land Use Code and other land use control ordinances in effect when a fully complete application for such approval that satisfies the requirements of Section 23.22.020 (subdivision) or Sections 23.24.020 and 23.24.030 (short subdivision) is submitted to the Director.

C. Design review component of Master Use Permits

1. If a complete application for a Master Use Permit is filed prior to the date design review becomes required for that type of project, design review is not required.

2. Except as otherwise provided by law, a complete application for a Master Use Permit that includes a design review component other than an application described in subsection 23.76.026.C.3 shall be considered under the Land Use Code and other land use control ordinances in effect on:

a. The date a complete application for the early design guidance process or streamlined design review guidance process is submitted to the Director, provided that such Master Use Permit application is filed within 90 days of the date of the early design guidance public meeting if an early design guidance

public meeting is required, or within 90 days of the date the Director provided guidance if no early design guidance public meeting is required. If more than one early design guidance public meeting is held, then a complete application for a Master Use Permit that includes a design review component shall be considered under the Land Use Code and other land use control ordinances in effect on the date a complete application for the early design guidance process is submitted to the Director, provided that such Master Use Permit application is filed within 150 days of the first meeting. If a complete application for a Master Use Permit that includes a design review component is filed more than 150 days after the first early design guidance public meeting, then such Master Use Permit application shall be considered under the Land Use Code and other land use control ordinances in effect at the time of the early design guidance public meeting that occurred most recently before the date on which a complete Master Use Permit application was filed, provided that such Master Use Permit application is filed within 90 days of the most recent meeting; or

b. A date elected by the applicant that is later than the date established in subsection 23.76.026.C.2.a and not later than the dates established in subsections 23.76.026.A.1 through 23.76.026.A.3.

3. A complete application for a Master Use Permit that includes a Master Planned Community design review component, but that pursuant to subsection 23.41.020.C does not include an early design guidance process, shall be considered under the Land Use Code and other land use control ordinances in effect on the date the complete application is submitted.

D. Master Use Permit components for light rail transit facilities. Applications for all Master Use Permit components for light rail transit facilities shall be considered vested under the Land Use Code and other land use control ordinances in effect on the date a valid and fully complete Master Use Permit application is filed, as determined by Section 23.76.010.

~~((D-))~~ E. If an applicant elects a date for consideration of an application for Master Use Permit components pursuant to subsection 23.76.026.C.2.b after notice of the application required by Section 23.76.012 has been given, notice of the application and an opportunity to comment shall be repeated according

to Section 23.76.012.

((E-)) F. Notwithstanding any other provision of this Section 23.76.026 or this Chapter 23.76, an applicant may elect, at such time and in such manner as the Director may permit, that specific Land Use Code provisions that became effective after the applicant's application vested may nonetheless be applied to the application, pursuant to authorization for such election set forth elsewhere in this Title 23.

Section 29. Section 23.76.028 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.76.028 Type I and II Master Use Permit issuance

A. The Director shall notify the applicant when a Type I or II Master Use Permit is approved for issuance.

B. Type I Master Use Permits. A Type I Master Use Permit is approved for issuance at the time of the Director's decision that the application conforms to all applicable laws, except that for a project that requires both a Master Use Permit and a Council land use decision, the Master Use Permit is approved for issuance only after the Council land use decision is made. A Type I Master Use Permit for a light rail transit facility shall not be approved for issuance until the alignment, transit station locations, and maintenance base location of the light rail transit system have been approved by the Council by ordinance or resolution.

C. Type II Master Use Permits

1. Except as provided in subsections 23.76.028.C.2 and 23.76.028.C.3, a Type II Master Use Permit is approved for issuance on the day following expiration of the applicable City of Seattle administrative appeal period or, if appealed, on the fourth day following a final City of Seattle administrative appeal decision or the day after an appeal is dismissed.

2. A Type II Master Use Permit containing a shoreline component as defined in subsection 23.76.006.C.2.g is approved for issuance pursuant to Section 23.60A.072, except that a shoreline decision on limited utility extensions and bulkheads subject to Section 23.60A.064 is approved for issuance within 21 days

of the last day of the comment period as specified in that Section 23.60A.064.

3. For a Type II Master Use Permit that requires a Council land use decision, the Master Use Permit is approved for issuance only after the Council land use decision is made.

D. Master Use Permits shall not be issued to the applicant until all outstanding fees are paid.

Section 30. Section 23.76.029 of the Seattle Municipal Code, last amended by Ordinance 126979, is amended as follows:

23.76.029 Type I and II Master Use Permit duration and expiration date

An issued Type I or II Master Use Permit expires three years from the date a permit is approved for issuance as described in Section 23.76.028, except as follows:

A. A Master Use Permit with a shoreline component expires pursuant to WAC 173-27-090.

B. A variance component of a Master Use Permit expires as follows:

1. Variances for access, yards, setback, open space, or lot area minimums granted as part of a short plat or lot boundary adjustment run with the land in perpetuity as recorded with the King County Recorder.

2. Variances granted as separate Master Use Permits pursuant to subsection 23.76.004.G expire three years from the date the permit is approved for issuance as described in Section 23.76.028 or on the effective date of any text amendment making more stringent the development standard from which the variance was granted, whichever is sooner. If a Master Use Permit to establish the use is issued prior to the earlier of the dates specified in the preceding sentence, the variance expires on the expiration date of the Master Use Permit.

C. The time during which pending litigation related to the Master Use Permit or the property subject to the permit made it reasonable not to submit an application for a building permit, or to establish a use if a building permit is not required, is not included in determining the expiration date of the Master Use Permit.

D. Master Use Permits with a Major Phased Development or Planned Community Development component under Sections 23.45.600, 23.47A.007, 23.48.007, 23.49.036, 23.50.015, or 23.50.030 expire as

follows:

1. For the first phase, the expiration date shall be three years from the date the permit is approved for issuance;
2. For subsequent phases, the expiration date shall be determined at the time of permit issuance for each phase, and the date shall be stated in the permit.

E. Permits for uses allowed under Section 23.42.038, temporary or intermittent use permits issued pursuant to Section 23.42.040, and transitional encampment interim use permits issued under Section 23.42.056 expire on the date stated in the permit.

F. Except as otherwise provided in this subsection 23.76.029.F, Master Use Permits for development pursuant to Section 23.49.180 expire on the date set by the Director in the Master Use Permit decision, which date may be a maximum of 15 years from the date the Master Use Permit is approved for issuance. The Director shall consider the complexity of the project, economic conditions of the area in which the project is located, and the construction schedule proposed by the applicant in setting the expiration date. If no expiration date is set in the Master Use Permit decision, the expiration date is three years from the date a permit is approved for issuance.

1. In order for the Director to set the Master Use Permit expiration date, the applicant shall:
 - a. Submit with the application a site plan showing a level of detail sufficient to assess anticipated impacts of the completed project; and
 - b. Submit a proposed schedule for complying with the conditions necessary to gain the amount of extra floor area and the extra height sought for the project.
2. The expiration date of the Master Use Permit may be extended past the expiration date set in the Master Use Permit decision or the date established in this subsection 23.76.029.F if:
 - a. On the expiration date stated in the Master Use Permit decision, a building permit for the entire development has been issued, in which case the Master Use Permit is extended for the life of the

building permit if the Master Use Permit would otherwise expire earlier~~((;))~~ ; or

b. A complete application for a building permit that either is for the entire development proposed pursuant to Section 23.49.180, or is for construction to complete the entire development proposed pursuant to Section 23.49.180, is:

1) Submitted before the expiration date of the Master Use Permit; and

2) Made sufficiently complete to constitute a fully complete building permit application as defined in the Seattle Building Code, or for a highrise structure regulated under Section 403 of the Seattle Building Code, made to include the complete structural frame of the building and schematic plans for the exterior shell of the building, in either case before the expiration date of the Master Use Permit, in which case the Master Use Permit is extended for the life of the building permit issued pursuant to the application if the Master Use Permit would otherwise expire earlier.

G. The permit expires earlier pursuant to Section 22.800.100.

H. The time during which the property subject to the Master Use Permit is used for a transitional encampment interim use is not included in determining the expiration date of the Master Use Permit.

I. A Master Use Permit subject to this subsection 23.76.029.I approved for issuance after September 1, 2019, and before December 31, 2026, and that is not subject to subsections 23.76.029.A or 23.76.029.E, shall expire as follows:

1. A Master Use Permit that has not been granted a renewal under subsection 23.76.032.A by ~~((the effective date of Ordinance _____))~~ January 29, 2024 expires six years from the date the permit was approved for issuance as described in Section 23.76.028. A Master Use Permit with a six-year expiration period is not eligible for a two-year extension described in Section 23.76.032. A variance component of a Master Use Permit subject to this subsection 23.76.029.I shall expire in accordance with subsection 23.76.029.B. A Master Use Permit with a Major Phased Development or Planned Community Development component under Section 23.45.600, 23.47A.007, 23.48.007, 23.49.036, 23.50.015, or 23.50A.030 that is subject to this subsection

23.76.029.I shall expire as follows:

- a. For the first phase, six years from the date the permit is approved for issuance;
- b. For subsequent phases, expiration shall be stated in the permit.

2. A Master Use Permit that has been granted a renewal under subsection 23.76.032.A by ~~((the effective date of Ordinance _____))~~ January 29, 2024 expires three years from the date of the renewal. A Master Use Permit extended through this subsection 23.76.029.I.2 shall not be renewed beyond a period of six years from the original date the permit was approved for issuance.

J. An issued Master Use Permit for a light rail transit facility expires six years from the date the permit was approved for issuance as described in Section 23.76.028.

Section 31. Section 23.80.002 of the Seattle Municipal Code, enacted by Ordinance 117430, is amended as follows:

23.80.002 Application submittal requirements~~((:))~~

In addition to the application submittal requirements specified in other chapters and codes, applicants for essential public facilities shall address each ~~((of the))~~ applicable review criteria of this ~~((chapter))~~ Chapter 23.80 in their application materials, and provide additional information as required by the Director to complete review of the project.

Section 32. Section 23.80.004 of the Seattle Municipal Code, last amended by Ordinance 124105, is amended as follows:

23.80.004 Review criteria

A. In reviewing an application for a proposed essential public facility, except for light rail transit facilities, the decisionmaker shall consider the following:

1. Interjurisdictional ~~((Analysis))~~ analysis. A review to determine the extent to which an interjurisdictional approach may be appropriate, including consideration of possible alternative sites for the facility in other jurisdictions and an analysis of the extent to which the proposed facility is of a county-wide,

regional, or state-wide nature, and whether uniformity among jurisdictions should be considered.

2. Financial ~~((Analysis))~~ analysis. A review to determine if the financial impact upon The City of Seattle can be reduced or avoided by intergovernmental agreement.

3. Special ~~((Purpose Districts))~~ purpose districts. When the public facility is being proposed by a special purpose district, the City should consider the facility in the context of the district's overall plan and the extent to which the plan and facility are consistent with the Comprehensive Plan.

4. Measures to ~~((Facilitate Siting))~~ facilitate siting. The factors that make a particular facility difficult to site should be considered when a facility is proposed, and measures should be taken to facilitate siting of the facility in light of those factors (such as the availability of land, access to transportation, compatibility with neighboring uses, and the impact on the physical environment).

B. If the decisionmaker determines that attaching conditions to the permit approval will facilitate project siting in light of the considerations identified above, the decisionmaker may establish conditions for the project for that purpose.

C. Light rail transit facilities. Proposed light rail facility development shall comply with the development standards and permit processes in this subsection 23.80.004.C and Sections 23.80.006 and 23.80.008.

1. Light rail transit facilities necessary to support the operation and maintenance of a light rail transit system are permitted in all zones and shoreline environments within ~~((the City of))~~ Seattle, except the CP Environment; such facilities are allowed in the CP Environment if in or on existing bridges, existing tunnels, or existing infrastructure related to a bridge or tunnel, or if other locations are infeasible under regulations of Chapter 23.60A~~((, Shoreline District))~~.

2. The Director may approve a light rail transit facility pursuant to Chapter 23.76~~((, Master Use Permits and Council Land Use Decisions))~~ only if the alignment, transit station locations, and maintenance

base location of the light rail transit system have been approved by the ~~((City))~~ Council by ordinance or resolution.

3. When approving light rail transit facilities, the Director may impose reasonable conditions in order to lessen identified impacts on surrounding properties. A Master Use Permit is not required for the following, unless required by Chapter 23.60A or Chapter 25.09:

- a. ~~((at-grade))~~ At-grade, below-grade, or above-grade tracks and their supporting structures;
- b. ~~((below-grade))~~ Below-grade facilities;
- c. ~~((minor))~~ Minor alteration of light rail transit facilities involving no material expansion or change of use; ~~((and))~~ or
- d. ~~((other minor))~~ Minor new construction that, ~~((in))~~ according to the determination of the Director, is not likely to have significant adverse impacts on surrounding properties.

4. When approving light rail transit facilities, the Director may impose conditions to ensure consistency with ~~((design guidelines))~~ adopted City of Seattle Light Rail Design Guidelines developed for the light rail system by the City and the applicant.

5. The Director may waive or modify development standards applicable to a light rail transit facility if the applicant demonstrates that waiver or modification of a development standard:

- a. ~~((is))~~ Is reasonably necessary to allow the siting or proper functioning of a light rail transit facility; or
- b. ~~((will))~~ Will lessen the environmental impacts of a light rail transit facility on site or on surrounding properties; or
- c. ~~((will))~~ Will accommodate future development that will comply with development standards better than if the development standard waiver or modification were not granted~~((:))~~ ; or

d. Will fulfill the intent of adopted City of Seattle Light Rail Design Guidelines better than if the development standard waiver or modification were not granted.

6. The Director may impose reasonable conditions on any waiver or modification of development standards to ensure consistency with design guidelines developed for the light rail system by the City and the applicant, and to lessen, to the extent feasible, environmental impacts of a light rail transit facility on site or on surrounding properties.

~~((7. A master use permit for light rail transit facilities shall not be issued until the Director has received satisfactory evidence that the applicant has obtained sufficient funding (which might include a Full Funding Grant Agreement with a federal agency) to complete the work described in the master use permit application.))~~

7. Notwithstanding any contrary language in subsection 23.80.004.C.5, the Director shall not waive or modify a development standard in Chapter 25.09 for a light rail transit facility unless the applicant has applied for and been denied an environmentally critical areas exception according to subsection 25.09.300.A.2.

Section 33. A new Section 23.80.006 is added to the Seattle Municipal Code as follows:

23.80.006 Seattle Design Commission review of proposed light rail transit facilities

A. The Seattle Design Commission shall advise on the following elements of a proposed light rail transit facility development:

1. Architectural, aesthetic, and urban design qualities relating to the design of facilities, including but not limited to: building materials; appearance of massing; facade design; modulation; glazing; relationship to area character and context; and relationship to sidewalks and other public spaces;
2. Transportation, pedestrian accessibility, and circulation sufficiency;
3. Quality and type of public amenity features and spaces;

4. Wayfinding signage and features including visibility and legibility of portals/entry points;
and

5. Integration of public art into the facilities.

B. The Seattle Design Commission shall consider the adopted City of Seattle Light Rail Design Guidelines; City code requirements; information from City staff; and public comments in its advisory process.

C. The Seattle Design Commission shall provide recommendations to the Director on modifications to the design of the proposed development to better meet the intent of adopted City of Seattle Light Rail Design Guidelines. The Director shall consider the recommendations of the Seattle Design Commission when making a decision on a proposed light rail facility development, including a decision to impose conditions of approval pursuant to subsection 23.80.004.C.4.

D. When the proposed light rail transit facility is located in a special review district, the special review district board shall review the development in accordance with the authority granted to them. The Seattle Design Commission shall not review the aspects of the development that are within the special review district board's authority.

Section 34. A new Section 23.80.008 is added to the Seattle Municipal Code as follows:

23.80.008 Development standards for light rail transit facilities

In the event there is a conflict between the development standards of this Chapter 23.80 and provisions of Chapter 23.66, Chapter 25.12, or Chapter 25.16, the provisions of Chapter 23.66, Chapter 25.12, or Chapter 25.16 shall apply.

A. Blank facades. Street-facing facades and facades facing publicly accessible spaces, blank segments between 2 feet and 8 feet above the sidewalk, may not exceed 20 feet in width. For purposes of this subsection 23.80.008.A, facade segments are considered blank if they do not include at least one of the following: windows, publicly accessible doorways or entryways, porticos, architectural detailing or treatments that

provide visual interest and variety, screening, public art, murals, landscaping, or green walls.

B. Transparency. At least 60 percent transparency between 2 feet and 8 feet above the sidewalk shall be provided for all facades of publicly accessible enclosed spaces facing a street or other publicly accessible exterior spaces. Transparent areas of facades shall be designed and maintained to provide views into and out of the structure. Entryways and doorways to publicly accessible areas may be excluded from the transparency requirement if open during operation and perforated metal, or similar material allowing visibility into and out of a structure, is provided when temporarily closed.

C. Screening. Freestanding fences, walls, or retaining walls that are accessory to a light rail transit facility, exceeding 4 feet in height and facing a publicly accessible area, shall include:

1. A minimum 5-foot depth of landscaped area adjacent to the wall or fence where site dimensions and site conditions allow; and
2. Aesthetic treatment consisting of architectural detailing, artwork, trellises, decorative fencing, or similar features to provide visual interest.

D. Maximum unmodulated facade length. The maximum length of a facade without modulation is 50 feet. The Director may allow unmodulated facades to exceed 50 feet if the facades include architectural detailing, artistic features, materials, textures, transparency, or similar features to effectively modulate the building facade.

E. Entry structures and entry plazas. Entry or portal structures or portions of structures with entries to underground light rail transit stations shall be designed with building form, signage, colors, and related features and characteristics that support visibility and wayfinding at system entry points.

F. Overhead weather protection. Continuous overhead weather protection shall be provided on all light rail transit station structures that abut public pathways, at station entries, at bus loading locations, and outdoor platform waiting areas.

1. Overhead weather protection shall have a minimum depth dimension of 8 feet measured horizontally.

2. The installation of overhead weather protection shall not result in any obstructions in the sidewalk area. At ground level, the lower edge of the overhead weather protection must be a minimum of 10 feet and a maximum of 15 feet above the sidewalk.

3. Overhead weather protection at designated outdoor platform waiting areas shall protect platform waiting areas to the platform edge, or to the maximum feasible extent without interfering with the movement of trains, to minimize effects of weather on passengers at train doors.

4. Overhead weather protection in the rights-of-way shall be subject to review and approval by the Director of Transportation. Overhead weather protection for bus loading locations shall be determined by the bus service provider in coordination with the Director of Transportation.

G. Height. Light rail transit facilities, including stations and guideways, are not subject to zoned height limits except for the height limits in Chapter 23.64.

H. Landscaping

1. Green Factor. Light rail transit stations with above-grade, at-grade, or retained cut platforms, and ancillary facilities, including but not limited to venting structures and traction power substations, shall provide landscaping that achieves a Green Factor score of 0.3 or greater.

2. Street trees are required at light rail transit stations and ancillary facilities, including but not limited to venting structures and traction power substations. The Director of Transportation will determine the number, type, and placement of street trees to be provided.

I. Light and glare. Adequate lighting for pedestrians shall be provided. Exterior lighting shall be shielded and directed away from adjacent uses.

J. Odor. The venting of odors, fumes, vapors, smoke, cinders, dust, and gas shall be at least 10 feet

above finished sidewalk grade and directed away from uses located within 50 feet of the vent.

K. Access, street improvements, and motor vehicle parking.

1. The Director shall consult with the Director of Transportation to determine the required location for motor vehicle access from a right-of-way to a light rail transit facility. The access location shall enhance pedestrian safety and comfort, facilitate transit operations and maintenance, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, and minimize hazards.

2. Light rail transit stations and ancillary facilities, including but not limited to venting structures and traction power substations, shall be subject to Chapter 23.53. Light rail transit stations and ancillary facilities may not utilize the street and alley improvement exceptions in Chapter 23.53 that are based on minimum gross floor area thresholds for non-residential uses and expansions of outdoor storage or parking supply.

3. Light rail transit facilities, including motor vehicle, transit, pedestrian, bicycle, and shared micromobility facilities for operation of new light rail transit facilities, shall demonstrate a right-of-way design consistent with Chapter 23.53 and the Streets Illustrated Right-of-Way Improvements Manual or successor rule unless otherwise allowed by the Director of Transportation. Where such facilities cannot be accommodated in the right-of-way, they shall be provided on the station site. Site and right-of-way design shall be reviewed in consultation with the Director of Transportation.

4. Pedestrian lighting shall be provided in the right-of-way adjacent to light rail transit facilities.

5. Light rail transit facilities' vehicle and pedestrian access outside of the rights-of-way shall meet the following requirements unless the requirements are waived or modified by the Director to enhance pedestrian safety and comfort, facilitate transit operations and maintenance, facilitate the movement of vehicles, minimize the on-street queuing of vehicles, enhance vehicular safety, or minimize hazards:

a. A maximum of two vehicle travel lanes may be provided to connect light rail transit facilities to the right-of-way. Vehicle travel lanes have a maximum width of 9 feet, except vehicle travel lanes used by buses or freight vehicles have a maximum width of 11 feet. Lanes for bus loading and unloading and bus layover are not considered travel lanes.

b. Curb cuts for one-way traffic shall be a minimum of 12 feet and a maximum of 15 feet, and curb cuts for two-way traffic shall be a minimum of 22 feet and a maximum of 25 feet.

c. Vehicle travel lanes shall meet sight triangle requirements of subsection 23.54.030.G.

d. Pedestrian walkways shall be provided adjacent to vehicle travel lanes and have a minimum unobstructed width of 8 feet except that the minimum pedestrian walkway width shall be 18 feet adjacent to station entries and the minimum unobstructed multiuse path width shall be 12 feet where the pedestrian walkway is shared with bicycles and other mobility devices. Where pedestrian walkways and paths for bicycles and other mobility devices are separated, the paths for bicycles and other mobility devices shall comply with the minimum requirements of the Streets Illustrated Right-of-Way Improvements Manual or successor rule.

e. Pedestrian walkways shall include a horizontal or vertical separation between the walkway and a vehicle travel lane.

f. Curb ramps are required where a pedestrian walkway crosses a vehicle travel lane or right-of-way.

g. Lighting shall be provided along all travel lanes, pedestrian walkways, multiuse pathways, and bicycle facilities.

6. Vehicle parking provided at light rail transit facilities shall comply with Section 23.54.030.

L. Bicycle parking and shared micromobility device parking for light rail transit stations.

1. Definitions. For the purposes of this subsection 23.80.008.L:

“Bicycles-on-board ratio” is the assumed proportion of bicycle riders that will take their bicycles with them on a train trip, which is 50 percent.

“Central stations” are stations located within the Downtown Urban Center with greater than 10,000 projected daily boardings.

“Daily total boardings” is the projected horizon year daily passenger boarding volume at a station, as defined in a final EIS for a link extension, or other subsequent documentation if prepared for a future system expansion.

“Horizon year” means the year used in projecting the highest analyzed level of future ridership.

“Local stations” are those stations located in intermediate vicinities that are not served by central stations, mid-center stations, or terminus stations.

“Mid-center stations” are those located within one-half mile of the Downtown Urban Center or stations within the Downtown Urban Center with less than 10,000 projected daily boardings.

“Morning peak passenger ridership” is assumed as one-third of daily total boardings at a station projected for the horizon year, based on boarding volumes documented in a final EIS for a link extension, or other subsequent documentation if prepared for a future system expansion. Daily boardings generated by riders transferring to and from trains on other light rail link segments shall not be included in the daily total boardings.

“Planned bicycle mode share” is defined as an estimated proportion of a station’s total boardings that will be made by persons using bicycles as their primary means of accessing a light rail station.

“Shared micromobility” refers to fleets of small, low-speed vehicles designed for personal transport, including but not limited to bicycles and scooters, and operated as a network by for-profit, non-profit, or government entity. They are available for membership to the general public on a pay-per-use or pass basis.

“Terminus stations” are those stations located at the end of a light rail system route in the City of Seattle.

2. Bicycle parking demand “D” is calculated as the morning peak passenger ridership multiplied by the planned bicycle mode share percentages in Table A for 23.80.008, which is then multiplied by 0.5 (the bicycles-on-board ratio).

3. To serve the bicycle parking demand “D” for opening day of service, the required minimum number of bicycle parking spaces shall be provided as follows:

a. The minimum bicycle parking amount required at opening day of service at a light rail station shall be calculated using the “day-of-opening” planned bicycle travel mode share percentages in Table A for 23.80.008;

b. Two-thirds of the minimum bicycle parking shall be long-term bicycle parking;

c. One-third of the minimum bicycle parking shall be short-term bicycle parking;

d. If the bicycle parking demand “D” is less than 54 total spaces, a minimum number of 54 bicycle parking spaces shall be provided, which shall be allocated two-thirds to long-term spaces and one-third to short-term spaces;

e. Bicycle parking to meet day-of-opening requirements shall be provided on the light rail transit station site, or may be located within the right-of-way if approved by the Director of Transportation.

Table A for 23.80.008 Planned bicycle mode percentages for light rail station types		
Station type	Day-of-opening	In-reserve
Terminus	5.5%	1.5%
Local	4%	3%
Mid-center	2%	2%
Central	1%	1%

4. If average use of the bicycle parking at a light rail transit facility exceeds 85 percent of capacity at a future date, measured using methods that the Director shall adopt by rule, additional bicycle parking shall be required. The amount of additional required bicycle parking, described as the “in-reserve requirement,” shall be calculated using the planned bicycle travel mode shares for the “in-reserve requirement” in Table A for 23.80.008. In-reserve required bicycle parking may be provided on the light rail transit station site, or within 200 feet of the site, or in right-of-way if approved by the Director of Transportation.

5. The Director may require more or fewer than the minimum number of bicycle parking spaces and micromobility space requirements based on the following: area topography; pattern and volume of expected bicycle users; nearby residential and employment density; proximity to the Urban Trails system and other existing and planned bicycle facilities; projected transit ridership and expected access to transit by bicycle; and other relevant transportation and land use information. Prior to adjusting the minimum number of parking spaces for bicycles, the Director shall consult with the Director of Transportation.

6. The minimum space for shared micromobility device parking shall be: 240 square feet for terminus stations and 120 square feet for other station types.

7. Bicycle and micromobility device parking locations shall be located as close to station entrances as feasible and may be located within the right-of-way if approved by the Director of Transportation.

8. Bicycle parking shall meet the following performance standards: subsections 23.54.015.K.2.a, 23.54.015.K.2.c, 23.54.015.K.2.d, 23.54.015.K.2.e, 23.54.015.K.2.h, and 23.54.015.K.2.i.

9. Parking locations shall be provided with level-entry routes, and, if bicycle parking is located above or below the surface level, it shall be served by features such as elevators sized to accommodate bicycles and runnels on stairs to aid bicycle movement.

10. The applicant shall demonstrate bicycle parking design will accommodate a variety of bicycle types, including but not limited to, electric bikes and cargo bikes.

11. Shared micromobility device parking shall be clearly delineated, located at ground level, be without access obstructions and not encroach on pedestrian access paths, include adequate lighting, and include directional signage to promote easy wayfinding.

M. Solid waste. Solid waste and recyclable storage space shall be provided for light rail transit stations. Requirements for solid waste and recyclable storage space shall be determined by the Director in consultation with the Director of Seattle Public Utilities.

Section 35. Section 23.84A.026 of the Seattle Municipal Code, enacted by Ordinance 122311, is amended as follows:

23.84A.026 “N((;))”

* * *

"Nonconforming to development standards" means a structure, site, or development that met applicable development standards at the time it was built or established, but that does not now conform to one or more of the applicable development standards. A nonconformity to development standards may also be created by the division of land due to condemnation or sale under threat of condemnation by an agency or division of government vested with the power of condemnation. If a sale is made under threat of condemnation, such threat must be evidenced by the government agency filing an affidavit so stating with the King County Auditor. Development standards include, but are not limited to height, setbacks, lot coverage, lot area, number and location of parking spaces, open space, density, screening and landscaping, lighting, maximum size of nonresidential uses, maximum size of non-industrial use, view corridors, sidewalk width, amenity features, street-level use requirements, street facade requirements, and floor area ratios.

* * *

Section 36. Section 23.84A.038 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

23.84A.038 "T"

* * *

"Transportation facility" means a use that supports or provides a means of transporting people or goods from one location to another. Transportation facilities include but are not limited to the following:

* * *

3. "Passenger terminal" means a transportation facility where passengers embark on or disembark from carriers such as ferries, trains, buses, or planes that provide transportation to passengers for hire by land, sea, or air. Passenger terminals typically include some or all of the following: ticket counters, waiting areas, management offices, baggage handling facilities, restroom facilities, shops, and restaurants. A passenger terminal use on the waterfront may include moorage for cruise ships and/or vessels engaged in transporting passengers for hire. Activities commonly found aboard such vessels, whether moored or under way, that are incidental to the transport of passengers shall be considered part of the passenger terminal use and shall not be treated as separate uses. Metro street bus stops, monorail transit stations, and light rail transit stations are not included in this definition. Also excluded is the use of sites where passengers occasionally embark on or disembark from transportation in a manner that is incidental to a different established principal use of the site.

4. "Rail transit facility" means a transportation facility that supports or is used for public transit by rail. Rail transit facilities include but are not limited to the following:

a. "Light rail transit facility" means a structure, rail track, equipment, maintenance base, or other improvement ~~((of))~~ necessary to support a light rail transit system, including but not limited to ventilation structures, traction power substations, light rail transit stations and related passenger amenities, bus layover and intermodal passenger transfer facilities, ~~((and))~~ transit station access facilities located on or off a

light rail transit station site, and structures accessory to the development of a light rail transit system.

b. "Light rail transit station" means a light rail transit facility whether at grade, above grade, or below grade that provides pedestrian access to light rail transit vehicles and facilitates transfer from light rail to other modes of transportation. A light rail transit station may include mechanical devices such as elevators and escalators to move passengers and may also include such passenger amenities as informational signage, seating, weather protection, fountains, artwork, or concessions.

c. "Light rail transit system" means a public rail transit line that operates at grade level, above grade level, or in a tunnel and that provides high-capacity, regional transit service, owned or operated by a regional transit authority authorized under ~~((Chapter))~~ chapter 81.112 RCW. A light rail transit system may be designed to share a street right-of-way although it may also use a separate right-of-way. Commuter rail, and low capacity, or excursion rail transit service~~((, such as the Waterfront Streetcar,))~~ are not included.

* * *

Section 37. Section 23.88.020 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

23.88.020 Land use interpretations

A. Interpretations generally. A decision by the Director as to the meaning, application, or intent of any development regulation in this Title 23 or in Chapter 25.09~~((, Regulations for Environmentally Critical Areas,))~~ as it relates to a specific property, or a decision by the Director upon review of a determination of consistency of a proposed project with a planned action ordinance, is known as an "interpretation." An interpretation may be requested in writing by any person or may be initiated by the Director. Procedural provisions and statements of policy are not subject to the interpretation process. A decision by the Director that an issue is not subject to an interpretation request is final and not subject to administrative appeal. A request for an interpretation and a subsequent appeal to the Hearing Examiner, if available, are not administrative remedies that must be exhausted before judicial review of a decision subject to interpretation may be sought. An interpretation decision by the

Director may affirm, reverse, or modify all or any portion of a Type I or Type II land use decision.

B. Filing and ~~((Fees))~~ fees. Any request for interpretation shall be filed with the Director accompanied by the required fee. If a request for interpretation is included in an appeal to the Hearing Examiner of a related project decision, a copy shall be filed with the Director, accompanied by the applicable fee.

C. Timing of request

1. An interpretation that is not related to any pending project application may be requested at any time, by any person.

2. If an interpretation relates to a project application requiring no public notice pursuant to the provisions of Chapter 23.76, the following rules govern the deadline by which the request for interpretation shall be received by the Department in order for the interpretation to be applied to the pending permit application:

a. Any person may request an interpretation within 14 days after the date the project application is determined to be complete, provided that the interpretation will not apply to the project if the permit is ready to issue before or on the same day the interpretation request and fee are submitted to the Department.

b. The project applicant may request an interpretation more than 14 days after the project application is determined to be complete if ~~((he or she))~~ the project applicant agrees in writing that the time limits required by Section 23.76.005 shall be calculated from the day the interpretation is requested.

3. If an interpretation relates to a project application requiring public notice pursuant to the provisions of Chapter 23.76, the following rules govern the deadline by which the request for interpretation shall be received by the Department in order for the interpretation to be applied to the pending permit application:

a. Any person may request an interpretation prior to the end of the public comment period, including any extension, for the project application.

b. The project applicant may request an interpretation after the end of the public comment period and prior to publication of a land use decision or recommendation, if ~~((he or she))~~ the project applicant agrees in writing that the time limits required by Section 23.76.005 shall be calculated from the day the interpretation is requested.

c. Notwithstanding the above deadlines, an appeal of a Type II decision to the Hearing Examiner or a request for further consideration of a Type III recommendation may include a request that the Director issue in writing an interpretation of specified code sections, combined with an appeal of such interpretation, provided that an interpretation regarding whether a use proposed under the related project application has been correctly classified may not be requested pursuant to this subsection 23.88.020.C.3.c. A request for interpretation made pursuant to this subsection 23.88.020.C.3.c shall state with specificity:

1) How the Director's construction or application of the specified code sections is in error; and

2) How the requester believes those sections should be construed or applied.

The provisions of subsections 23.88.020.D, 23.88.020.E₂, and 23.88.020.F shall not apply to interpretations requested pursuant to this subsection 23.88.020.C.3.c. The Director shall respond to the request by issuing an interpretation in the form of a memorandum to be filed with the Hearing Examiner at least five calendar days before the hearing.

D. Notice of request for interpretation. If an interpretation relates to a project application under consideration, and is requested by a person other than the applicant for that project, notice of the request for interpretation shall be provided to the permit applicant. If an interpretation relates to the provisions of Chapter 23.60A, notice of the request shall be provided to the Washington State Department of Ecology. If an interpretation is requested by a Major Institution as to whether a proposal constitutes a major or minor amendment to an adopted Major Institution Master Plan, notice of the request shall be provided to all members of the Development Advisory Committee for that Major Institution.

E. Notice of interpretation. Notice of an interpretation shall be provided to the person requesting the interpretation, and to the applicant(s) for the specific project or projects to which the interpretation relates. If the interpretation relates to provisions of Chapter 23.60A, notice shall be provided to the Washington State Department of Ecology. If the interpretation is related to a project requiring public notice, the interpretation shall be published concurrently with other land use decisions relating to that project. Notice of any interpretation subject to appeal before the Hearing Examiner shall be provided by Land Use Information Bulletin.

F. Availability and venue of appeals

1. An interpretation that is unrelated to any specific project application, or is related to a Type III or IV decision, may be appealed by any person to the Hearing Examiner. Such an appeal shall be filed with the Hearing Examiner by 5 p.m. on the ~~((14th))~~ 14th calendar day following publication of the notice of the interpretation. If the last day of the appeal period so computed is a Saturday, Sunday, or federal or City holiday, the period shall run until 5 p.m. on the next business day. The appeal hearing on an interpretation related to a Type III Master Use Permit shall be consolidated with the open record hearing on the project application and the appeal hearing for any related environmental determination. Interpretations related to Type IV decisions shall be appealable to the Hearing Examiner in accordance with Section 23.76.052.

2. An interpretation relating to a project application that does not require public notice shall not be subject to administrative appeal.

3. An interpretation relating to a Type II Master Use Permit decision that is appealable to the Hearing Examiner shall be subject to the same appeal deadline as the related project decision, and may be appealed only if that project decision is appealed. The appeal of an interpretation shall be consolidated with the appeal of the related project decision.

4. An interpretation relating to a Type I Master Use Permit for light rail transit facilities issued pursuant to Chapters 23.42, 23.76, or 23.80 shall not be subject to administrative appeal.

* * *

Section 38. Section 25.08.655 of the Seattle Municipal Code, last amended by Ordinance 124843, is amended as follows:

25.08.655 Major public project construction variance

A. The Administrator may grant a major public project construction variance to provide relief from the exterior sound level limits established by this Chapter 25.08 during the construction periods of major public projects. A major public project construction variance shall provide relief from the exterior sound level limits during the construction or reconstruction of a major public project only to the extent the applicant demonstrates that compliance with the levels would:

1. Be unreasonable in light of public or worker safety or cause the applicant to violate other applicable regulations, including but not limited to regulations that reduce impacts on transportation infrastructure or natural resources; or
2. Render the project economically or functionally unreasonable due to factors such as the financial cost of compliance or the impact of complying for the duration of the construction or reconstruction of the major public project.

B. A major public project construction variance shall set forth the period or periods during which the variance is effective, which period or periods shall be the minimum reasonably necessary in light of the standard set forth in subsection 25.08.655.A, and the exterior sound level limits that will be in effect during the period of the variance. Different major public project construction variances may be issued for distinct phases of a construction project, or one major public project construction variance may be issued for the entire major public project. The period or periods during which a major public project construction variance is effective may be stated in terms of calendar dates or in terms of the duration of a construction project or a phase or phases of a construction project.

C. The Administrator shall condition a major public project construction variance as necessary to provide reasonable control or mitigation of the construction noise that may be expected to occur pursuant to the variance.

D. One-year review and decision

1. No later than one year after the start of construction to which a major public project construction variance applies, the Administrator shall review, and provide opportunity for public comment on, the operation of the variance during the first year, including the provisions of the Noise Management and Mitigation Plan, and the conditions of the variance. For purposes of determining the date of the start of the project's construction work, site exploration work is excluded.

2. After considering the public comments received, the Administrator may modify the terms and conditions of the variance or the Noise Management and Mitigation Plan as needed, or revoke the variance, if the Administrator determines that the current variance, the conditions of the variance, or the Noise Management and Mitigation Plan are not adequately protecting the public health and safety or reasonably controlling or mitigating the construction noise, or that there are more reasonable methods of doing so.

3. The Administrator shall make a decision whether to modify or revoke a variance pursuant to this review within one ((-)) year and 90 days after the start of construction work as provided in subsection 25.08.655.D.1.

4. Appeal. Any person aggrieved by the decision of the Administrator whether to modify a variance pursuant to this subsection 25.08.655.D may appeal such decision by filing an appeal in writing with the Hearing Examiner by 5 p.m. of the tenth day following the date of the issuance of the decision. A one-year review and decision for a Noise Management and Mitigation Plan for a light rail transit facility is not administratively appealable to the Hearing Examiner. When the last day of the appeal period is a Saturday, Sunday, or federal or City holiday, the appeal may be filed until 5 p.m. on the next business day. The Hearing

Examiner appeal shall be conducted pursuant to Section 25.08.610.

5. Effective date. The decision of the Administrator whether to modify a variance pursuant to this subsection 25.08.655.D is effective 30 days following the decision unless it is appealed to the Hearing Examiner. If the Administrator's decision is appealed to the Hearing Examiner, the Administrator's decision does not take effect and the original terms and conditions of the variance remain in effect until the effective date of the Hearing Examiner decision. The Hearing Examiner decision is a final decision of the City for purposes of chapter 36.70C RCW, and is effective 30 days from the date of the decision, unless otherwise ordered by a court. If a court stays the effective date of the decision, the original unmodified variance shall remain in effect during the stay.

Section 39. Section 25.09.300 of the Seattle Municipal Code, last amended by Ordinance 125292, is amended as follows:

25.09.300 Environmentally critical area exception

A. Types of exceptions

1. General. An applicant for a City permit to develop real property that is located in an environmentally critical area or buffer may apply to the Director for an exception to modify environmentally critical area development standards, provided that an applicant cannot apply for an exception to allow development or to obtain development credit under subsection 25.09.240.G or to relocate lot lines under Section 23.28.030. An applicant seeking relief under this Section 25.09.300 shall demonstrate that no other applicable administrative remedies in this Chapter 25.09 or Title 23 will provide sufficient relief.

2. Public projects. If development in an environmentally critical area or buffer is necessary to accommodate a public facility or public utility, the Director may grant an exception permitting the public facility or public utility using the following criteria in lieu of subsections 25.09.300.C and 25.09.300.D:

a. No reasonable alternative location will accommodate the facility or utility, as

demonstrated by an analysis of appropriate alternative locations provided by the applicant or the Director;

b. Mitigation sequencing under Section 25.09.065 is applied to the siting, design, and construction of the facility or utility;

c. All requirements of subsections 25.09.300.A.1, 25.09.300.B, 25.09.300.E, and 25.09.300.F apply; ~~((and))~~

d. In granting an exception to the development standards in Sections 25.09.090, 25.09.160, and 25.09.200 the Director shall apply the mitigation standards in Section 25.09.065 when imposing any conditions~~(())~~; and

e. A light rail transit facility within a light rail transit system with the alignment, transit station locations, and maintenance base locations approved by the Council by ordinance or resolution is exempt from subsection 25.09.300.A.2.a. For mitigation sequencing under Section 25.09.065, the light rail transit facility is exempt from subsection 25.09.065.B.1.a and the Director shall consider subsection 25.09.065.B.1.b, prioritize subsections 25.09.065.B.1.c, 25.09.065.B.1.e, and 25.09.065.B.1.f, and prioritize the extent to which the proposal creates improved ecological function. If mitigation for a light rail transit facility will change the location of a wetland and wetland buffer and/or riparian management area, the wetland buffer and riparian management area shall not extend into or past an improved right-of-way unless that portion of the riparian management area provides significant biological or hydrological function in relation to the wetland or riparian watercourse. The light rail transit facility is exempt from the submittal requirements of subsections 25.09.300.B.1.d and 25.09.300.B.1.e.

* * *

Section 40. Section 25.11.020 of the Seattle Municipal Code, last amended by Ordinance 127099, is amended as follows:

25.11.020 Exemptions

The following trees and tree activities are exempt from the provisions of this Chapter 25.11:

* * *

L. Actions undertaken to implement an approved Light Rail Transit Facility Tree and Vegetation Management Plan.

Section 41. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2025, and signed by me in open session in authentication of its passage this _____ day of _____, 2025.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2025.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2025.

Scheereen Dedman, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
SDCI	Lindsay King	Christie Parker

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to land use and zoning; addressing signage; clarifying requirements and supporting efficient permitting processes for light rail transit facilities; adding new Sections 23.55.070, 23.80.006, and 23.80.008 to the Seattle Municipal Code; and amending Sections 3.58.010, 3.58.080, 23.40.006, 23.40.080, 23.42.040, 23.42.055, 23.47A.004, 23.48.005, 23.49.002, 23.49.042, 23.49.090, 23.49.142, 23.49.300, 23.49.318, 23.50A.040, 23.51A.002, 23.51A.004, 23.52.004, 23.54.015, 23.55.056, 23.76.004, 23.76.006, 23.76.010, 23.76.012, 23.76.015, 23.76.020, 23.76.026, 23.76.028, 23.76.029, 23.80.002, 23.80.004, 23.84A.026, 23.84A.038, 23.88.020, 25.08.655, 25.09.300, and 25.11.020 of the Seattle Municipal Code.

Summary and Background of the Legislation:

This legislation updates the City’s codes to support efficient permitting processes for the construction of light rail transit facilities. This legislation fulfills the permit process improvement goals identified by the City and Sound Transit (ST) in 2019. These prior discussions identified priority subjects to explore for process reforms, including identifying, modifying and removing code and process barriers to achieve faster permitting, clarifying development standards for light rail, refining the advisory process for review of facility design, and reducing the need for multiple rounds of plan review.

This legislation amends existing code standards and provides new standards for several topics. These include: new development standards; amending permit process procedural details; requiring a tree and vegetation management plan addressing construction and post-construction periods in project subareas; clarifying environmentally critical areas permitting; clarifying a procedural detail for a major public project construction noise variance; and updating minimum bicycle and micro-mobility device parking requirements at light rail transit facilities.

The amended code will support the timely construction of the West Seattle Link Extension (WSLE) and Ballard Link Extension (BLE) projects. In October 2024, the Sound Transit Board selected the route and station locations for the West Seattle Link Extension. This action authorizes the project to move forward into the final design phase. In 2025, the Seattle City Council will approve the alignment, transit station locations, and maintenance base location of the light rail transit system by ordinance or resolution.

Permitting for WSLE is expected to start in Q2 2025, construction is expected to begin in 2027, and service is anticipated to begin in 2032. The Ballard Link Extension is still in the planning stages and opening of the extension is scheduled for 2039. The areas most affected by the future light rail transit construction projects include Downtown (including the Chinatown International District); the South Lake Union and Uptown Urban Centers; the Greater Duwamish Manufacturing and Industrial Center; and the Delridge, West Seattle Junction, Ballard, and Interbay neighborhoods. The wide variety of zoning in these areas underscores the need to provide more tailored guidance for light rail transit facility projects.

Projects Eligible Under the Proposal

Light rail code amendments will be applied to future Light Rail Transit Facilities as part of the West Seattle Link Extension, Ballard Link Extension, and associated projects. In total both link extensions include 14 light rail stations and 12 miles of light rail track. Light Rail Code Amendments will also be applied to any future light rail transit facilities including the Graham Street station.

This legislation includes the following types of code amendments:

1. Creates new development standards for light rail transit facilities. These standards address the design quality of buildings, landscaping, accessibility, and other functional qualities like lighting, weather protection, signage, and street and sidewalk sizing.
2. Establishes an advisory review process by the Seattle Design Commission (SDC) to evaluate light rail transit facility design proposals and make recommendations to Sound Transit and City Departments about the proposals' aesthetic, urban design, and functional qualities.
3. Clarifies and improves permit processes for specificity and efficiency, including:
 - a. Light rail transit facility permits are defined as "Type I" Master Use Permit reviews and will maintain public notice and comment periods. These permits can be appealed to Superior Court. Changes to temporary uses and station proposals will streamline permitting and construction and avoid procedural delays.
 - b. Permit decisions will be more focused and efficient to issue by eliminating many types of reviews and clarifying the City's authority to grant flexibility from codes and define the conditions of approval. Edits in Chapter 23.80 of the Land Use Code will allow permit decisions to focus on the most relevant topics of design and access. This legislation exempts light rail transit facilities from many development standards and permits light rail transit facilities in all downtown zones.
4. Clarifies and streamlines the content of reviews for Sound Transit (ST) projects to receive an Environmentally Critical Areas (ECA) light rail exception permit. ST will provide only the most relevant application information and analyses for the City to review permits and focus on how environmentally protective outcomes may occur even if exceptions to meeting details of the ECA codes are allowed.

5. Defines a “tree and vegetation management plan” requirement for project segments of the light rail system development. A project-wide tree and vegetation management plan will account for tree management before, during, and after construction and requires that each tree removed be replaced by one or more new trees. The tree and vegetation management plan will utilize existing tree replacement policies in environmentally critical areas, shoreline environments, and on City property or right-of-way. Street tree requirements at light rail stations will be determined by the Director of the Seattle Department of Transportation.
6. Clarifies a one-year review step for a construction noise variance for light rail transit facilities’ construction. This would maintain a single appeal opportunity for the initial decision on the construction noise variance.
7. Amends existing minimum bicycle parking requirements and adds new shared micromobility device minimum parking requirements. This defines both opening day and future parking requirements, according to different types of stations: terminus, local, mid-center, and center types. A new provision requires a variety of parking spaces to account for various types of bicycles.
8. Defines specific standards for light rail transit facility signage and includes exemptions for rules concerning signage over the right-of-way and off-premise advertising.
9. Amends the definition of “nonconforming to development standards” to include cases when land is divided due to condemnation.

These code amendments update, clarify, and revise the codes that will be applied to future Light Rail Transit Facility permits. These changes provide greater specificity in the codes and are intended to streamline, clarify, and increase the efficiency of permit reviews.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project?

☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

☐ Yes ☒ No

This legislation streamlines the review criteria for Light Rail Transit Facilities permits but does not directly change appropriations, revenues, the number of permits required, or the fees obtained through permit reviews. It is not anticipated that the legislation will have financial impacts to the City; however, a more detailed discussion is provided below.

The City and Sound Transit have financial agreements (Task Orders) to bill and collect fees on bodies of work that are necessary to advance permitting but that are not billable through permit fees. It is anticipated that any staff time required to implement the light rail code amendments to

facilities' streamlined permitting will be resourced through City of Seattle and Sound Transit Task Orders.

In addition to City of Seattle and Sound Transit Task Orders, the City budget includes a staffing reserve of \$5.2 million in 2025 and \$6.8 million in 2026. This funding is currently held in Finance General, pending the development of a detailed resource plan. The detailed plan will identify up to 50 additional staff in various City departments who will collaborate with Sound Transit on project design and engineering, environmental review and project permitting, and construction management and project impact mitigation, as well as lead on station area planning and access projects.

It is not anticipated that these light rail transit facility code amendments will have financial impacts to the City beyond what has already been considered through previous legislative processes, what will be reimbursed through Sound Transit Task Orders, and/or what the City will collect in permitting fees.

Estimated project volumes

Permit packaging discussions are ongoing with Sound Transit. Currently, we anticipate approximately 89 Master Use Permits for the West Seattle Link Extension. Since a project has not been selected for the Ballard Link Extension, we do not know the total number of permits at this time. It is anticipated that the Ballard Link Extension will have more Master Use Permits than the West Seattle Link Extension.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

None are identified to date. Sound Transit and City of Seattle have financial agreements to cover costs of project implementation to support streamlined permitting. It is anticipated that any costs required to implement the light rail code amendments will be covered by existing or future task orders with Sound Transit.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

Please see the "Summary of Financial Implications" section above.

Please describe any financial costs or other impacts of *not* implementing the legislation.

If we do not implement the legislation, permit reviews will be more complicated and take more time which in turn will require more resources for both the City of Seattle and Sound Transit, and add time to the entire permitting and system construction process. By extension, lengthening the construction period would also add to the burdens experienced by others in the city whose business and economic activities would be disrupted by construction-related impediments.

Please describe how this legislation may affect any City departments other than the originating department.

Other departments' review responsibilities for light rail proposals would not be affected by the legislation.

4. OTHER IMPLICATIONS

- a. Is a public hearing required for this legislation? Yes**
- b. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation? Yes**
- c. Does this legislation affect a piece of property?** The legislation does not directly affect a specific piece of property; however, it does indirectly affect property around future light rail transit facilities.
- d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**
 - i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

This legislation is not likely to generate significant or disproportionate burdens on communities of color or households with lower incomes.

Right-sizing bike parking requirements ensures equitable bike parking amenities at all stations and geographies.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**
Attached.
- iii. What is the Language Access Plan for any communications to the public?**
SDCI provides language access by making translation services available upon request. We have developed translated FAQ documents for public distribution and offer translation on SDCI's "changes to codes" page for light rail expansion code updates.

e. Climate Change Implications

- i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

The legislation does not increase or decrease carbon emissions in a material way; however, the construction and operation of future light rail facilities should reduce carbon emissions by providing an alternative to driving motor vehicles.

- ii. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

N/A

- f. **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)? What mechanisms will be used to measure progress towards meeting those goals?**

The legislation does not include a major initiative or programmatic expansion.

- g. **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

This legislation does not create a non-utility CIP project.

5. ATTACHMENTS

Summary Attachments:

Summary Attachment 1 – Map of West Seattle Link Extension and Ballard Link Extension

Summary Attachment 2 – RSJI Summary Analysis – SDCI Light Rail Code Amendment
Proposal Deliberative



West Seattle Link Extension



Ballard Link Extension



INTRODUCTION

The following is a draft summary memo discussing race and social justice (RSJ) topics, written about a Land Use Code amendment proposal. It relates to a mutual effort by the City of Seattle and Sound Transit (ST) to support efficiency in the upcoming permitting and development of ST's Link light rail expansion projects to serve West Seattle Link Extension and Ballard Link Extension. The need for amendments was identified in discussions between the City about how better coordination in permitting could lead to overall benefits in light rail system development to all parties, including the public.

ST is also collaborating with the City in public engagement and facilitation to gather public input about the entire range of the City's work with ST to develop the Link light rail expansion. These efforts include seeking input from a broad and diverse range of community stakeholders. This RSJ summary is a stand-alone evaluation of the code and process reform concepts based on a Racial Equity Toolkit (RET) approach.

CODE AMENDMENT PROPOSAL

The proposal consists of several targeted amendments to the City's Land Use Code and environmental codes. These will provide more specific regulations for the light rail system, and update or clarify how codes for topics like bicycle parking and tree protection should relate to light rail system development.

The major elements of the code and process reform proposal are:

1. **Create new development standards for light rail systems.** Proposed new development standards in Chapter 23.80 of the Land Use Code would set minimum performance levels and influence the quality of design outcomes for light rail transit facilities. This will help in the City's permit review process by addressing design details related to size, shape, aesthetic qualities and details about access, parking, and signs. These new standards will substitute for the general development standards of each zone's regulations, many of which do not relate to a light rail transit facility use.

Minimum development standards for aesthetic qualities

- Blank facade limits
- Facade transparency and modulation
- Landscaping and screening features
- Entry features designed for visibility and wayfinding
- Relationship to zoned height limits

Minimum development standards for functional qualities

- Overhead weather protection
- Access and street improvements (and provisions for transit-supporting features to be off-site, such as bus layover spaces)
- Bicycle parking and shared micromobility device parking requirements
- Pedestrian lighting
- Signage and wayfinding
- Light/glare and odor control
- Solid waste disposal

2. **Establish a review process by the Seattle Design Commission (SDC) to evaluate system design proposals and make recommendations.** The SDC will conduct a review of light rail development proposals and make recommendations to Sound Transit and City departments about their aesthetic and urban design qualities. City departments will consider the SDC recommendations as they prepare permit decisions on light rail developments.
3. **Clarify and improve permit processes, for specificity and efficiency.** The City proposes to make certain permits more time-efficient to obtain, by changing the “decision type” to Type I, for permits including: temporary use (where construction equipment and materials will be stored, and related activities will occur), and station design approvals. The City’s Type I permit reviews could include requiring conditions of approval.
 - A Type I decision could not be appealed to the Hearing Examiner, but could still be appealed to Superior Court.
 - Permits would be evaluated more efficiently, by eliminating unnecessary analyses in each permit decision, such as proving adequate funding for light rail.
 - Updates to procedural details such as the contents of public notices, expectations for public meetings, and the duration and timing of permits, applications, and permit reviews.
4. **Clarify and streamline the content of review for an ECA exception permit.** The proposal clarifies requirements for an environmentally critical areas “ECA exception” permit, for light rail facilities. This would streamline application materials to not require showing irrelevant scenarios about what other land uses might be possible on an affected site. Also, it would give more flexibility to approve environmental impact mitigation designs even if they are not the “minimized impact” alternative. The objective is to maximize the overall positive qualities of impact mitigation outcomes by giving more flexibility to weigh and balance “restoration” and “compensation” values along with impact “minimizing” values.
5. **Define and clarify tree requirements for light rail transit system development.** The proposal defines a new requirement for Sound Transit to create a project-wide tree protection plan. The plan would describe the system construction impacts to trees in affected properties and streets, and define how mitigation strategies will be used to protect trees and replace trees lost. The City would review and approve the plan before permit approval and construction of light rail facilities.
6. **Clarify a one-year review step for a construction noise variance for light rail transit facilities construction.** A major public project construction noise variance is likely needed to allow for certain night-time construction activities. The proposal clarifies that: a permit decision for this noise variance can be appealed to the Hearing Examiner just one time, at the permit’s time of approval. The City noise enforcement program would continue to evaluate performance and could require adjustments by ST to meet the terms of the construction noise variance.

SUMMARY ANALYSIS

The following discussion summarizes the results of SDCI’s inquiry into race and social justice subjects using the Racial Equity Toolkit as a basis. This is organized to specifically address the potential RSJ implications for the current code amendment proposal under consideration. It does not address the entire light rail system development project’s implications, for which public outreach efforts have been and continue to be conducted jointly by City of Seattle and ST.

This summary is the best expression of the draft findings of the analysis. To the extent that additional public discussion could inform a need to discuss other related subjects that have RSJ implications, this analysis should be considered a draft.

Overall Desired RSJ Outcomes for ST3 Light Rail Project Developments in Seattle

At the broad system-wide level for development of the light rail system to West Seattle and Ballard, a variety of past discussion efforts led to the following expressions of desired racial equity outcomes:

- Enhance mobility and access for communities of color and low-income populations;
- Create opportunities for equitable development that benefit communities of color;
- Avoid disproportionate impacts on communities of color and low-income populations;
- Meaningfully involve communities of color and low-income populations in the project.

Regarding desirable outcomes for station design, the priorities were identified as:

- Ensure a sense of belonging for communities of color at all stations, making sure that stations are not “white spaces,” but spaces where everyone sees themselves as belonging, feeling safe, and welcome.
- Create opportunities for community identity at each station, in ways that authentically represent community involvement in the project, such as community-driven station programming, community-driven station design, and community-driven housing options.

These cover a broad cross-section of interests related to equitable provision of service and mobility improvements that are accessible to communities of color. The desired outcomes are to avoid disproportionate impacts, and result in system facility designs that express and support community identity, are culturally sensitive, and lead to overall benefits to the people and communities served.

Desired RSJ Outcomes and Themes for the Code Amendment Proposal

The code amendment proposal has been written with an intent to achieve equitable facility and service outcomes across the city as the light rail system is expanded. This includes:

- Defining fair development standards that will be applied consistently across the city for light rail facilities during permit reviews, to support equitable design outcomes.
- Considering and avoiding the potential for regulatory approaches to be biased in treating certain parts of the city (and their resident communities) differently than others.
- Weighing the regulations and public processes about their value in giving opportunities for public comment and input during the permitting process.

- Ensuring that public values continue to be represented for topics like environmental protection and equitable provision of public amenities and transportation service.
- Identifying opportunities for permit review processes to proceed in efficient ways, and focus on the right tasks, to deliver light rail service as soon as possible with efficient use of public funds.
- Seeking to achieve community outcomes that will fully and equitably support the community’s objectives and be a net benefit to the community.

Relationship to Potential RSJ Burdens and Benefits of the Code Amendment Proposal

Benefits

The code amendment proposal is intended to provide overall benefits to the public while avoiding creating disproportionate burdens of negative impacts on any given community or individual.

This includes:

- Defining development standards that are more responsive than existing codes to design quality of light rail facilities. This should aid equity in design outcomes.
- Right-sizing bike parking requirements to ensure equitable bike parking amenities at all stations and geographies.
- Defining a continuing public forum (the Seattle Design Commission’s public meetings) to comment on and influence project design. This is where expression of community identity and values should be discussed and evaluated, to help directly influence outcomes through participation in this public advisory body.
- Maintaining public processes for notice and public comment, even where permit types may be streamlined to occur more efficiently.
- Maintaining City policy and approaches to tree protection and allocation of tree mitigation outcomes, while achieving a tree plan approach that will be better coordinated. The proposed tree and vegetation management plan requirement would offer more public access to information on broader tree management through a project-wide plan that will account for tree management before, during, and after construction
- Giving modest additional flexibility to environmental protection requirements to allow future mitigation designs that will achieve a higher amount of total public and environmental benefits while overcoming the impacts of the light rail system development (such as at Longfellow Creek crossing).
- Narrowly targeting adjustments and clarifications to permit reviews to focus on addressing the project details that matter and reducing the need to write about unnecessary topics in permit decisions.
- Defining abilities for permit processes to be concluded faster so that unnecessary delay does not contribute to longer timeframes and mounting public cost burdens as a result.

Burdens

Our review of the proposal did not identify particular likelihoods of inequities or systemic problems (“burdens”) that would be created by the contents of the code amendments. This finding is related to our interpretations of the benefits of the effort to define development standards applying across the city, with preservation of public notice and comment opportunities and venues to influence the

future light permit reviews, and preserving City policies and values for environmental protection that are shared by the public.

Examples of the questions we asked ourselves included:

- *Are there other development standards that would be more inclusive or reflective of community, or address systemic disparities?*
- *Will applicants and City reviewers fairly consider input about equity in design? How will they consciously make recommendations that reflect a diversity of perspectives and preferences, about aesthetics, equity, and community identity?*
- *Would the code proposal systemically result in “less” to certain communities in design quality, amenity, functionality, or cause more impacts?*
- *Will there be any tradeoffs or “winners and losers” caused by this proposal?*

Avoiding Bias, Disproportionate Harms, and Unintended Consequences

Our review of the code amendment proposal did not identify particular likelihoods of inequities or systemic problems related to race and social biases, disproportionate harms, or unintended consequences. The objectives of the amendments are to provide development standards that apply throughout the city equitably, with preserved opportunities for public notice and comment and have input into the City’s evaluation of design proposals as they happen. They also intend to preserve shared public values and priorities for environmental protection and enhancement. The proposal also investigates how permitting processes can be reasonably streamlined and clarified so that they focus on the most relevant topics and be completed in a time-efficient manner.

One of the most relevant subjects to disclose here is the proposal to define several permit decisions for light rail development as not appealable to the Hearing Examiner, but instead directly appealable to the Superior Court-level. The Superior Court is currently the second layer of appeal, after a Hearing Examiner process has occurred. This proposal comes along with code amendments that would preserve the public notice and comment opportunities despite the change in the public appeal opportunities. This is a unique element of this code amendment proposal.

The change in appealability is prompted for City decision-making in light of a public interest in the light rail system being buildable in a timely manner. This topic essentially asks whether a permit process with two layers of legal appeals for all permits (of which approximately 89 are anticipated for just the West Seattle Link Extension) is economically worthwhile in terms of use of public funds if the result could be a substantial extension of system development time and escalation of system development costs. Such delays are foreseeable if multiple permits for the system’s construction are challenged over time.

This proposal means that an appellant would need to go directly to Superior Court, which suggests a possible need for more legal preparation to present a case. This could dissuade some people from appealing a specific permit decision, which could be interpreted as disproportionately affecting people with lesser economic resources to make an appeal.

It should also be noted, however, that the entirety of the code amendment proposal seeks to retain public comment and participation opportunities in the permitting process. It would be preferable and

free for interested parties to attend venues such as future Seattle Design Commission public advisory review meetings (in-person or virtual) and state their specific interests in system design details. This would be the most direct and potentially successful manner for an interested party to influence future system facility designs and achieve community-specific outcomes.

This leads to a final point about the entire process that is to come regarding the light rail system design and permitting. The process for actual design of the light rail facilities is just beginning, and there will be many opportunities to participate and influence design of light rail system facilities going forward. The code amendment proposal in review here is aiming to support an equitable and consistent future permit process with suitable processes and code standards. Therefore, the code amendment proposal as a whole is written to align with and support the “Overall Desired RSJ Outcomes for ST3 Light Rail Project Developments in Seattle” as summarized earlier in this memorandum.



Director's Report and Recommendation

Light Rail Transit Facilities Code Amendments

Introduction

The Seattle Department of Construction and Inspections (SDCI) is proposing legislation to amend the Land Use Code to support efficient permitting processes for light rail transit facilities, including projects that will extend the light rail system to West Seattle and Ballard. The package of amendments provides new specific standards for several topics related to the City's review of light rail facility design and clarifies other existing codes to improve the efficiency of the City's reviews. Key topics of the amendments include: new design standards; updating permit process details; a tree and vegetation management plan; environmentally critical areas permitting; construction noise; and bicycle parking.

The proposal will fulfill the permit process improvement goals that were identified by the City and Sound Transit (ST) in 2019. These prior discussions identified priority subjects to explore for process reforms, including identifying code and process barriers for faster permitting, clarifying development standards for light rail, refining the advisory process for review of facility design, and reducing the need for multiple rounds of plan review.

The amended code will support the timely construction of the West Seattle Link Extension (WSLE) and Ballard Link Extension (BLE) projects. In October 2024, the Sound Transit Board selected the route and station locations for the West Seattle Link Extension. This action authorizes the project to move forward into the final design phase. In 2025, Seattle City Council will approve the alignment, transit station locations, and maintenance base location of the light rail transit system by ordinance or resolution. Permitting for WSLE is expected to start in Q2 2025, construction is expected to begin in 2027, and service is anticipated to begin in 2032. Ballard Link Extension is still in the planning stages and opening of the extension is scheduled for 2039.

The areas most affected by the future light rail transit construction projects include Downtown (including the Chinatown International District), South Lake Union, Uptown Urban Centers, Greater Duwamish Manufacturing and Industrial Center; and the Delridge, West Seattle Junction, Ballard, and Interbay neighborhoods. The wide variety of zoning in these areas underscores the need to provide more tailored guidance for light rail transit facility projects.

Proposal Description Summary

The legislation includes the following types of code amendments.

1. Create new development standards for light rail transit facilities. These address the design quality of buildings, landscaping, accessibility, and other functional qualities like lighting, weather protection, signage, and street and sidewalk sizing.

2. Establish an advisory review process by the Seattle Design Commission (SDC) to evaluate light rail transit facility design proposals and make recommendations to Sound Transit and City Departments about the proposals' aesthetic, urban design, and functional qualities.
3. Clarify and improve permit processes for specificity and efficiency, including:
 - 3a. Light rail transit facility permits defined as "Type I" Master Use Permit reviews will maintain public notice and comment periods. These permits can be appealed to Superior Court. Changes to temporary uses and station proposals will streamline permitting and construction and avoid procedural delays.
 - 3b. Permit decisions will be more focused and efficient to issue by eliminating unnecessary kinds of reviews and clarifying the City's authority to grant flexibility from codes and define conditions of approval. Edits in Chapter 23.80 of the Land Use Code will allow permit decisions to focus on the most relevant topics of design and access.
4. Clarify and streamline the content of reviews for Sound Transit projects to receive an Environmentally Critical Areas (ECA) light rail exception permit. ST would provide only the most relevant application information and analyses for the City to review permits and focus on how environmentally protective outcomes may occur even if exceptions to meeting details of the ECA codes are allowed.
5. Define a "tree and vegetation management plan" requirement for project segments of the light rail system development. Requiring a project-wide tree and vegetation management plan that will account for tree management before, during, and after construction.
6. Clarify a one-year review step for a construction noise variance for light rail transit facilities construction. This would maintain a single appeal opportunity for the initial decision on the construction noise variance.
7. Amend existing minimum bicycle parking requirements and add new shared micromobility device minimum parking requirements. This defines both opening day and future parking requirements, according to different types of stations: terminus, local, mid-center, and center types. A new provision would require a variety of parking spaces to account for various types of bicycles.

Discussion and Analysis of the Proposed Amendments

The proposal is a non-project code amendment action proposed by the City of Seattle. Light rail transit facilities are "essential public facilities," (RCW 36.70A.200 and WAC 365-196-550). The RCW defines essential public facilities as facilities "*that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities...*" and other similar uses.

Light rail service is an important part of the City's growth strategy in its Comprehensive Plan. Continuing to implement light rail system expansion helps support centers-based growth patterns linked by high-capacity transit service and hosting transit-oriented development. These are the most

effective comprehensive growth strategies for the city and region, because they accomplish greater overall transportation mobility, and support affordable housing, efficient land use, and economic development objectives.

The proposed amendments update, clarify, and revise the codes that will be applied to future Light Rail Transit Facility permits. These will provide greater specificity in the codes, to aid streamlining, clarity, and efficiencies of permit reviews. The major elements of the proposal are described in more detail below.

1. Create new development standards and update the definition for light rail facilities.

Proposed amendments in Chapter 23.80 and SMC 23.84 of the Land Use Code are intended to:

- Create consistent minimum standards for light rail station design across the city;
- Positively influence the quality of design outcomes for light rail transit facilities;
- Provide minimum standards that are tailored for light rail transit facility sites; and
- Update the definition of light rail transit facility to better align with the companion state law definition (RCW 81.112.020), thereby including structures necessary to support the development of a light rail transit system.

The development standards are complemented by the City of Seattle Light Rail Design Guidelines already adopted by a prior action (see SDCI Director's Rule 2-2024). The proposed development standards are design-related guidance for light rail station facilities – such as size, shape, aesthetic qualities, details about streets and access, and signage. These will substitute for the general development standards of each zone's regulations, many of which are oriented to residential, commercial, and industrial uses and do not relate to a linear light rail transit facility.

The standards include:

Minimum development standards for aesthetic qualities

- Blank facade limits
- Facade transparency and modulation
- Landscaping and screening features
- Entry features designed for visibility and wayfinding
- Relationship to zoned height limits

Minimum development standards for functional qualities

- Overhead weather protection
- Access and street improvements (and provisions for transit-supporting features to be off-site, such as bus layover spaces)
- Amend the minimum bicycle parking requirements and add new shared micromobility device parking requirements
- Landscape and street tree requirements
- Pedestrian lighting
- Signage and wayfinding

- Light/glare and odor control
- Solid waste disposal.

Why does this matter?

The new development standards will ensure high-quality design and functionality of light rail transit facility developments across the City. This will help achieve facilities that are compatible with their adjacent surroundings and serve the needs of the public and their neighborhoods. The new definition will better align with state law ensuring all light rail transit facilities are reviewed under the appropriate code provisions.

2. Establish an advisory review process by the Seattle Design Commission (SDC) to evaluate light rail transit facility design proposals and make recommendations to the Director.

Previous light rail transit facilities were reviewed by a Light Rail Review Panel which included members from several City departments and boards, including the SDC. More recently, the NE 130th Street station was reviewed by the SDC per authority granted in SMC 3.58.

The code amendments proposed in SMC 3.58 and 23.80 clarify the SDC's role and define the scope of SDC's reviews for light rail transit facilities. The SDC will advise Seattle Department of Construction and Inspections (SDCI) and Seattle Department of Transportation (SDOT) and make recommendations to inform projects permitted through Master Use Permits and Street Improvement Permit processes. The SDC will conduct reviews of light rail development proposals utilizing Light Rail Facility Design Guidelines and make recommendations to City departments about the proposals' aesthetic, urban design, and functional qualities.

The proposal limits the SDC's review to the following topics: architectural, aesthetic, and urban design qualities; transportation, pedestrian accessibility, and circulation sufficiency; quality and type of public amenity features and spaces; wayfinding legibility and signage; and public art. SDOT and SDCI will consider the SDC recommendations as they prepare future permit decisions on light rail developments. The SDC recommendations will be advisory, meaning they are not mandatory or required to be included in the final permit conditions.

Why does this matter?

The City and Sound Transit's review of the prior ST2 Light Rail Review Panel process identified a need to further refine the advisory review process. Specifically, who would lead it, the subjects of the review, and what role the advisory recommendations would have in future permitting. The proposed amendments achieve these process improvement objectives.

3. **Clarify and improve permit processes, for specificity and efficiency.** The City proposes to maintain a permit review and public notice process for Master Use Permits (MUPs) to allow construction of Light Rail Transit Facilities. The proposed MUP Type I permit process is appealable directly to Superior Court, unless they include review under chapter 23.60A or chapter 25.09. Other edits in Chapter 23.80 would clarify the code and simplify steps in permit review processes to better focus on pertinent topics and reduce the chances of unnecessary process-related delays.

3A. “Type I” Master Use Permit reviews: The proposed change to Type I MUP permits would occur for two kinds of projects:

1. Light rail essential public facilities, which include but are not limited to light rail stations, and traction power substations, which are permanent structures.
2. Temporary use permits for construction staging sites that will be needed at several locations along the path of construction, for construction equipment and materials to be stored and staged, and other related activities.

Public notice and comment opportunities retained

The proposal would create a new form of Type I permit that includes public notice, comment, sign-posting, and possible public meeting requirements, like a Type II permit. This would maintain these best practices for informing the public and inviting their comments during the permitting process. The Type I permit would also maintain the ability to require conditions of approval on the permit decision.

ECA and shoreline permits are still Type II decisions

This proposal does not impact permits with environmentally critical areas or within shoreline designated areas. These will continue to be permitted through Type II appealable decisions, and subject to the ECA code (SMC Chapter 25.09) and Shoreline Master Program (SMC 23.60A).

Other

The proposal also updates provisions related to when light rail transit facilities permits may be applied for, details about vesting, and extends the duration of an issued permit. These will allow for time efficiencies in how the design, permitting, and construction steps proceed for this essential public facility, and minimize the chances of delay due to unintended code barriers.

Why does this matter?

This proposal is made to appropriately classify the permit decisions, especially for temporary uses, to streamline the permitting and construction process by simplifying the appeal procedures. If not addressed, allowing appeals for dozens of construction-related permits would substantially increase the risks of unpredictable time delays and significant cost increases for the completion of this essential public facility.

The proposal’s retention of public notice, signage, and commenting opportunities, along with the publication of a land use decision, would continue to afford the public notice and input into the permit process. This would continue to be the most effective way for the public to engage in permitting decisions and make a difference at the time when the City will be reviewing individual

permits. This public process is in addition to years of public outreach by the City and Sound Transit on the light rail extension proposal, the Environmental Impact Statement process, and the aforementioned Seattle Design Commission process and related public meetings.

3B. Permit reviews will be easier to write and more focused: The proposal's code amendments in Chapter 23.80 (essential public facilities) would streamline the writing of permit decisions and would clarify the City's authority. Examples include:

- Eliminating analyses that are unnecessary to include in each permit decision, such as "proving" adequate funding for light rail and requiring alternatives analysis after Seattle City Council has confirmed the siting of the Essential Public Facility. These amendments will allow written permit decisions to be briefer and more focused in how they discuss future light rail projects consistency with code requirements.
- Clarifying and confirming the City's authority to require conditions of approval, as well as to grant flexibility in certain code provisions. For example, the amendments clarify the relationship to specific new light rail facility design guidelines that will be used in upcoming project permit reviews.

Why does this matter?

These amendments would directly improve the permit process by eliminating the need for individual permit decisions to write something about topics that are no longer relevant or specifically related to the permit being decided. Past City permits show that unnecessary time was spent to write about certain code requirements that request "proving" adequate funding for light rail and justifying its siting. This may pertain to other essential public facility projects, like regional jails, but it is not a factor that pertains to light rail projects. This is particularly true given that Sound Transit project funding is well-established and Sound Transit Board actions consider funding sources when they confirm the siting for the system's expansion, begin final design, and authorize construction. This kind of analysis is completely unnecessary to analyze in an individual permit decision for a light rail facility project, and thus is a candidate for streamlining of the permit process.

Clarifying and confirming the City's authority for conditions of approval and allowing flexibility in future light rail transit facility permitting will help to eliminate uncertainties about how the City will use its authority. This could aid in determining which permits are pursued by an agency, the kinds of information that is needed to support a permit, and how permits are reviewed by the City. These factors could lead to improved efficiencies and cost savings for all agencies as the design and permitting processes proceed.

4. Clarify and streamline the content of review for an Environmentally Critical Area (ECA) exception permit.

This would allow the applicant to:

- Provide application materials that contains the most relevant information for a light rail project; and
- Gain flexibility to achieve an outcome that is still environmentally protective but prioritizes the maximum ecological restoration for impacted Environmentally Critical Areas.

Most “ECA exception” permits relate to situations on single properties where there are certain challenges to siting one or more small structures. For this, the typical application materials ask for alternative designs for where else a structure could be placed on a single site and analysis that proves there is no other reasonable use of a property. This sort of analysis geared to a single site is not a good fit in relation to a linear essential public facility.

The proposal clarifies requirements for a light-rail specific “ECA exception” permit. This omits the kind of hypothetical analyses described above, but would require submittal of information that would be most helpful to evaluate an ECA exception for a light rail project with the goal of defining site improvements that minimize impacts to the environmentally critical areas.

In addition, the proposal would give a degree of added flexibility for the mitigation outcomes to give more credit for environmental “restoration” and “compensation” values in its designs, rather than strictly prioritizing “impact-minimizing” values. It would also allow critical area buffers to be defined so that existing paved road edges, for example, can be boundaries to the buffer rather than the buffers unnecessarily extending across streets onto other nearby private properties. These are all amendments that would reasonably adjust ECA requirements while at the same time promoting outcomes that will have superior benefits to the environment for certain substantial mitigation efforts that would benefit the Longfellow Creek in Delridge.

Why does this matter?

Development of a light rail transit facilities will require construction within Environmentally Critical Areas. The Sound Transit Board and the Seattle City Council confirm the location of light rail transit facilities once the environmental review for the project is complete. The guideway and station locations are located based on a variety of considerations including the anticipated impacts to environmentally sensitive areas. Once the location light rail is determined it is not appropriate to request alternative locations to site the facility at the time of permitting. The proposed code amendments focus permitting review criteria on the application mitigation sequencing criteria, specifically minimizing impacts of light rail design and construction on critical areas and maximizing the restoration of sensitive areas once construction is complete.

5. **Define a “tree and vegetation management plan” requirement for project segments of the light rail system development.** The proposal defines a new requirement for Light Rail Transit Facility construction to create a project-wide tree and vegetation management plan (TVMP) that accounts for tree management before, during, and after construction. This anticipates one plan will be prepared for the West Seattle Link Extension and one plan for the Ballard Link Extension. This is preferable to reviewing these impacts and mitigations on a permit-by-permit basis. The City would review and approve each plan before permits are approved and before construction would occur.

The plan will describe the light rail segment’s overall construction impacts to trees in affected properties and streets, and explain the proposed approaches to mitigating tree impacts, tree

protection, best management practices to be used during and after construction, and the standards for tree and vegetation management once construction is complete.

The tree and vegetation management plan would maintain existing City policies for tree replacement. It will also use an approach informed by the guidance by the Executive Order 2023-03: One Seattle Tree Plan: Growing and Fostering an Equitable Tree Canopy on Public Land. The plan would also require compliance with Title 15, chapter 23.60A, and chapter 25.09 where applicable.

A project-level tree and vegetation management plan will allow for stakeholder involvement during plan development, including Tribes and other community and environmental organizations, in advance of permit submittals.

Why does this matter?

The City's permit-by-permit tree regulations are not a good fit for this lengthy linear light rail project. The proposed TVMP will simplify permitting by putting the analyses of tree and vegetation impacts and the proposed mitigation strategies into a single document for each light rail segment.

Also, the tree-related effects of the project will occur partly on parks property and public rights-of-way, which will lead to tree losses that should be remedied according to City policies. The TVMP provides for the discussion of these impacts as well, providing an overall perspective on construction-related tree losses and replacement strategies that will enable a more holistic approach.

The holistic approach to evaluating the overall impacts and solutions will provide more transparency on tree management for the public on the linear project and streamlines review and issuance of permits. In addition, by reviewing tree impacts and mitigation approaches in advance of permitting trees can be incorporated more effectively into the final design and construction plans, allowing for more trees to be incorporated into the overall design. Finally, early coordination on tree mitigation could allow for tree replacement earlier before construction is completed.

- 6. Clarify a one-year review step for a construction noise variance for light rail transit facilities construction.** The light rail system's construction will occur over several years. Sound Transit anticipates work that will be noisy at different levels through the day, with some possible night-time activities. When construction activities exceed the noise allowed per the Noise Ordinance (SMC 25.08), a major public project construction noise variance is required. This noise variance process includes detailed review of project proposals and allows the Director to condition the construction activity to ensure that construction noise protections are well-designed and will not affect public health and safety, particularly at night.

The proposal clarifies that construction noise variances are subject to an appeal to the Hearing Examiner when the initial permit decision is made; but that, at the 1-year mark, a review of this construction noise variance would not be subject to an appeal to the Hearing Examiner. During the variance's effective period, the City's noise enforcement program would continue to evaluate performance according to the terms of the variance and could take enforcement actions or require adjustments of noise mitigation practices by ST, as needed.

Why does this matter?

Once an initial decision is published for a major public project construction noise variance, it is subject to appeal to the Hearing Examiner on grounds of merit related to mitigation of the nighttime noise. Once this appeals process has been exhausted and variance approved, construction of the project will begin while utilizing the construction hours and mitigation requirements of the noise variance. At the required one-year check-in of the noise variance decision, City staff will evaluate whether the conditions of the variance should be adjusted to address public health and safety. Allowing an additional appeals process after construction has been occurring on a large public project would present a tremendous risk to the project, extended road closures, and uncertainties in construction schedules and costs.

7. Amend existing minimum bicycle parking requirements and add new shared micromobility device minimum parking requirements.

The proposal adjusts minimum bicycle parking requirements for light rail transit station facilities, to better account for several factors that will influence demand for bicycle parking at stations. This clarifies the existing code's one-size-fits-all approach for bicycle parking that lacks key definitions and has never been used since its adoption in 2018.

The proposal accounts for probable differences in bicycle parking demand that will occur at different stations based on a typology of stations (terminus, local, mid-center and central types)

It also is based on interpretations about:

- how many people will take their bicycles on-board with them;
- peak hours of ridership;
- subtraction of train-to-train rider transfers; and
- allocation of parking for short-term and long-term types of bicycle parking.

The proposal also prescribes a minimum day-of-opening provision level of 54 bicycle parking spaces (36 long-term and 18 short-term) at any station that applies even if the minimum requirement calculation for a given station would fall below 54 spaces.

The proposal also includes a new minimum parking provision for shared micromobility devices - 120 square feet at most stations, with an additional 120 square feet (240 square feet total) at terminus stations. This would serve users of scooters and similar devices that prefer to travel the "first and last mile" on shared micromobility devices rather than parking their own bicycles or scooters at stations.

The proposal also accounts for future possible increases in bicycle usage (as projected by Seattle transportation plans) by requiring the provision of additional bicycle parking at a later date if future demand exceeds day-of-opening supply. If future monitoring identifies high parking levels, additional supply would be provided. The bicycle parking facilities would be designed in ways that accommodate possible future increases and that would accommodate a range of different types of bicycles such as cargo bicycles and motorized bicycles.

Why does this matter?

The proposal tailors the amount of bicycle parking to better match the parking supply to probable demand in the near-term and long-term. Bicycles and shared micromobility are an important part of the city's overall transportation and mobility strategies, and their usage should increase over time. The current requirements need to be revised because they lack sufficient detail to define a reasonable minimum requirement. For example, if no changes to this code are made, Downtown stations could be required to provide several hundred bicycle parking spaces which would be unnecessary based on anticipated demand, as well as physically challenging and prohibitively expensive to incorporate into the planned light rail station footprints.

Relationship to Comprehensive Plan

The legislation supports streamlined permitting to develop light rail transit facilities. Development of light rail transit facilities align with Comprehensive Plan goals and principles, such as:

Transportation Element

Goal TG 3 *Meet people's mobility needs by providing equitable access to, and encouraging use of, multiple transportation options.*

Policy T3.1. Develop and maintain high-quality, affordable, and connected bicycle, pedestrian, and transit facilities.

Policy T3.2. Improve transportation options to and within the urban centers and urban villages, where most of Seattle's jobs and population growth will occur.

Policy T3.4. Develop a citywide transit system that includes a variety of transit modes to meet passenger capacity needs with frequent, reliable, accessible, and safe service to a wide variety of destinations throughout the day and week.

Policy T3.9. Expand light rail capacity and bus reliability in corridors where travel capacity is constrained, such as crossing the Lake Washington Ship Canal or the Duwamish River, or through the Center City.

Policy T3.10. Provide high-quality pedestrian, bicycle, and bus transit access to high-capacity transit stations, in order to support transit ridership and reduce single-occupant vehicle trips.

Policy T3.14. Develop facilities and programs, such as bike sharing, that encourage short trips to be made by walking or biking.

Policy T3.16. Support and plan for innovation in transportation options and shared mobility, including car sharing, biking sharing, and transportation network companies, that can increase travel options, enhance mobility, and provide first- and last-mile connections for people.

Policy T.3.17. Implement new technologies that will enhance access to transportation and parking options.

Goal TG 7 Engage with other agencies to ensure that regional projects and programs affecting Seattle are consistent with City plans, policies, and priorities.

Policy TG7.1. Coordinate with regional, state, and federal agencies; other local governments; and transit providers when planning and operating transportation facilities and services that reach beyond the city's borders.

Policy TG7.6. Work with regional transit agency partners to expand and optimize cross-jurisdictional regional light rail and bus transit service investments that function as a single, coordinated system to encourage more trips to, from, and within Seattle on transit.

Policy TG7.7. Work with regional transit agencies to encourage them to provide service that is consistent with this Plan's growth goals and strategy.

Recommendation

The Director recommends adoption of the proposal to amend the Land Use Code to support efficient permitting processes for light rail transit facilities.

Planning for Light Rail: Land Use Code Amendments

Seattle City Council Land Use Committee
May 12, 2025

Agenda

4/30 Committee Follow-Up

1. Non-Code Amendment Issues

- Safety and User Experience on Transit
- Residential and Business Displacement

2. Code Amendment Legislation Issues

- Code Amendments Recap
- Community Engagement Highlights
- Tree + Vegetation Management Plan

Next Steps



Sound Transit 3 in Seattle

In 2016, over 70% of Seattle voters said yes to ST3.

ST3 is the largest infrastructure investment program in Seattle's history. These projects, including the West Seattle and Ballard Link Extensions, bring tremendous opportunity to transform how people reach their homes, jobs, and destinations.

The **ST3 City Team** is an interdepartmental *One Seattle* effort that partners with Sound Transit to help deliver these investments to Seattle communities. Led by the Office of the Waterfront, Civic Projects, and Sound Transit, the ST3 City Team relies on leadership and subject matter expertise across dozens of City departments.



1. Non-Code Amendment Legislation Issues

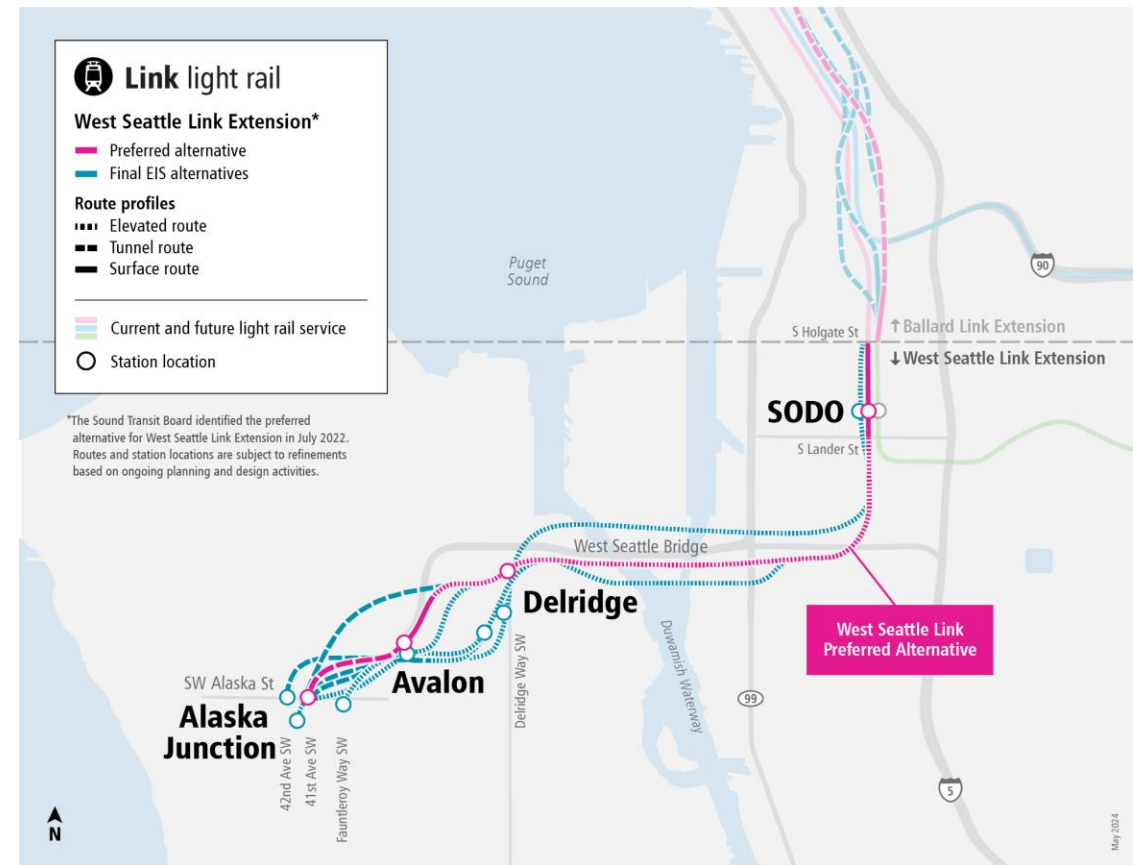
Safety and User Experience on Transit
Residential and Business Displacement

NON-CODE AMENDMENT LEGISLATION ISSUES

Background: Selecting a Preferred Alternative

Selecting the station and guideway locations is a critical opportunity to shape project outcomes, including safety, user experience, and displacement.

Following the Draft EIS, City Council adopted Council Resolution 32055 (2022) that recommended a preferred alternative for WSLE and BLE in advance of the July 2022 Sound Transit Board action.



Background: Selecting a Preferred Alternative

Council Resolution 32055 (2022) based recommendations on five values:

- Racial equity. Promote equitable benefits and avoid disparate impacts.
- **Safety + user experience.** Locate and design stations to maximize ridership and access to the Sound Transit system, providing for safe access and circulation that minimizes pedestrian risk.
- Community. **Minimize residential and business displacement** and impacts to existing neighborhood assets; ensure compatibility with housing, employment, and industrial land uses; and maximize opportunities to further equitable TOD and other community-identified priorities.
- Environmental Protection. Minimize impacts to sensitive environmental areas.
- Financial Stewardship. Facilitate responsible stewardship of taxpayer dollars by seeking highest benefit for dollars spent, helping maintain the project schedule and budget, and prioritizing future expansion opportunities in planning and design.

Safety and User Experience on Transit

Selecting a preferred alternative:

- Prioritizing safety and user experience in selection of a preferred alternative (e.g., Delridge station alternatives).

Improving safety and user experience through design and permitting:

- Advancing Crime Prevention Through Environmental Design. Final design will include interagency review on CPTED principles.
- Applying adopted Design Guidelines in permit project review process (e.g., Open Space Design & Activation; Safety & Comfort; Lighting; Intuitive Wayfinding)



Safety and User Experience

- Partnering with Sound Transit, ST, King County, community organizations, labor, law enforcement through the **King County Regional Transit Safety Task Force** to achieve measurable, sustainable safety improvements for employees and transit riders.
- Improving safety and access to transit and local destinations for people walking, rolling, biking, and driving through multiple efforts, including SDOT's **MLK, Jr Way Safety Project** and Sound Transit's **At-Grade Crossing Program**.

images/Departments/SDOT/BikeProgram/MLK PBL/MLK_Construction_Map_10042023.jpg

Judkins Park and Playfield

S WADSWORTH PL

S IRVING ST

MOUNTAINS TO SOUND TRL

Sam Smith Park

90

S ATLANTIC ST

BRADNER PL S

S MASSACHUSETTS ST

26TH AVE S

Colman Playground

S GRAND ST

S HOLGATE ST

S PLUM ST

25TH AVE S

S HILL ST

S WALKER ST

28TH AVE S

29TH AVE S

31ST AVE S

S DOSETER

S COLLEGE ST

RAINIER AVE S

M.L. KING JR WAY S

S BAYVIEW ST

30TH AVE S

32ND AVE S

33RD AVE S

34TH AVE S

S LANDER ST

S MCCLELLAN ST

S WINTHROP ST

S MOUNT BAKER BLVD

Planned Facilities:
protected bike lane

Trails

Parking addition

Parking remaining

Parking removal

Drainage improvements

Lane reduction

Sidewalk upgrade

New crosswalk

ADA curb ramp

Upgraded pedestrian walk signal

126

Residential and Business Displacement

Selecting a preferred alternative:

- For Delridge and West Seattle segments, WSLE Preferred Alternative has relatively low residential and moderate business displacement compared to other alternatives considered.

Supporting affected property owners and tenants:

- WSLE now entering design phase: Sound Transit will begin property acquisition, with comprehensive assistance to property owners and tenants affected by property acquisition or relocation.
- New: State legislation adopted this month increased cap for business displaced by Sound Transit from \$50k to \$200k and updates the amount every year 2% to adjust for inflation.



2. Code Amendment Legislation Issues

Recap

Community Engagement

Tree and Vegetation Management Plan

Recap: Light Rail Land Use Code Amendments

Sound Transit and the ST3 City Team have been working for five years to identify code changes to guide light rail design, streamline permitting, and resolve code conflicts.

Summary of proposed code changes:

Process-related improvements	1. Streamline Master Use Permit process
	2. Create project-level Preliminary Construction Management Plan
	3. Create project-level Tree & Vegetation Management Plan
Design-related improvements	4. Establish light rail-specific development standards
	5. Revise bicycle parking requirements
	6. Identify Seattle Design Commission as advisory review body

Community Engagement Highlights

The code amendment legislation was shaped by several years of community engagement.

2023-4. Station Planning Survey, Bike Survey, Bike Parking Study (ST).

2023-4. Sound Transit & City of Seattle Open Houses held in October 2023 and March 2024. Community Liaisons provide in-language support.

2023-4. Tabling at farmer's markets and other public events.

2024-5. SDC Public Meetings. Preliminary Engineering Reviews of the WSLE stations and guideway segments; Briefings on design guidelines, code amendments.



Community Engagement Highlights continued

The code amendment legislation was shaped by several years of community engagement.

2024-5. Communication to interested parties.

2024-5. Boards and Commissions: Urban Forestry Commission, Seattle Design Commission, Seattle Bicycle Board, Seattle Transit Board.

2024-5. Stakeholders: SODO BIA, Downtown ST3 Steering Committee, Delridge Neighborhood Development Association, Port of Seattle, Tribes.

2025. SEPA process: Public notice via LUIB and information provided on both SDCI and SDOT websites.



Tree and Vegetation Management Plan (TVMP)

Key advantages of the TVMP. The TVMP will streamline the permit process and lead to better outcomes for tree protection and replacement than current policy.

Transparent process with upfront engagement.

- Provides a transparent process for consolidated tree management information in advance of permitting. Current code would deal with tree impacts permit-by-permit through administrative processes.
- Includes upfront public engagement, including engagement with Urban Forestry Commission and Tribes.

Earlier tree replacement = new canopy sooner.

- The TVMP will support early tree replacement in advance of and during light rail construction.



TVMP: Potential to transplant trees?

While it may be possible to transplant trees from construction locations, the logistics are challenging and costly.

Limitations:

- Size, genus, species, accessibility (sending and receiving sites) and health condition matter
- Larger trees are harder to transplant and have lower survival rate
- Season and time needed for transplanting may not align with property acquisitions and timing of light rail construction; could result in delay for project

Costs:

- Transplant coordinated by COS to City property; City must contract out to specialists
- Much higher costs: 10-100 times higher than tree replacement
- Would likely be considered a betterment under Sound Transit policy

Outcomes:

- City experience with transplanting trees shows low survival rate

CODE AMENDMENT LEGISLATION ISSUES

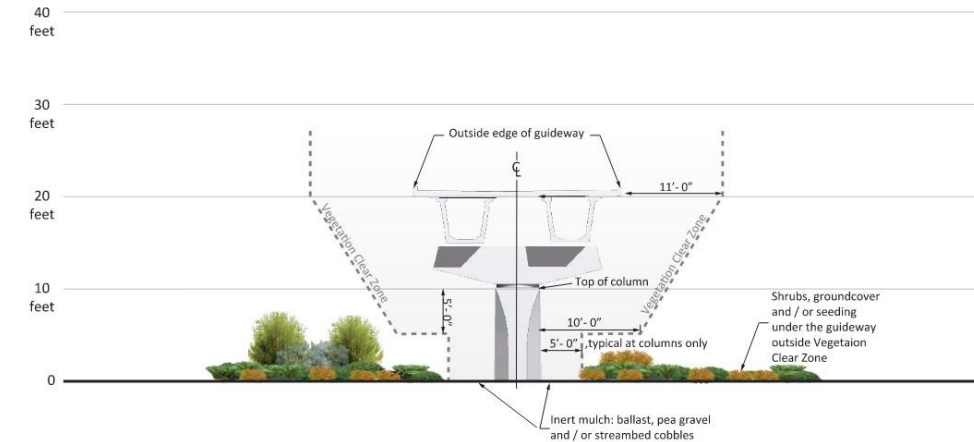
Preparing for the TVMP

As Sound Transit prepares the WSLE TVMP later this year, the City will help inform plan development AND collaborate on plan implementation.

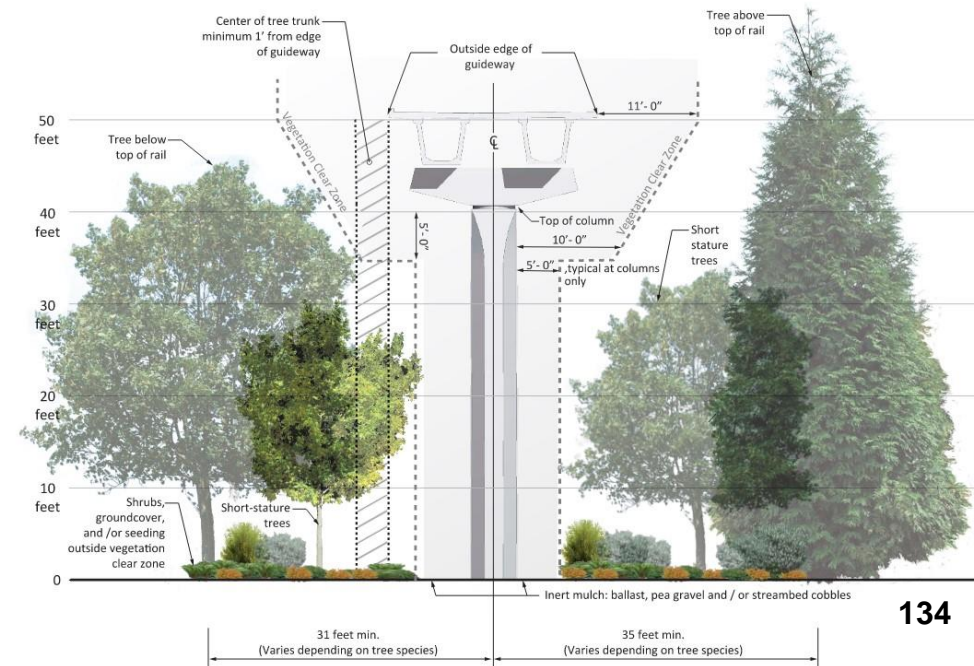
- **Engage in plan development.**
- **Encourage larger trees within the project footprint, where feasible.**
- **Develop a new Capital Improvement Program for ST3 tree replacement outside the project area.**
 - Consider strategies to encourage conifers and larger trees
 - Assess feasibility of transplanting smaller trees

ST3 City Team

Guideway Elevated 20+ feet Above Ground
Proposed Cross-Section



Guideway Elevated 50 feet Above Ground
Proposed Cross-Section



Images: Sound Transit

Code amendments streamline permitting

The West Seattle Link Extension and Ballard Link Extension Projects will require hundreds of permits.

The light rail code amendments are essential to helping deliver these projects. The amendments:

- Create clear standards
- Streamline the permitting process
- Provide a transparent, public process
- Maintain City authority to assess and mitigate impacts for light rail construction and operation



Preparing for Light Rail

Faster Light Rail Permits Ahead: Cutting Approval Time in Half

Building light rail from West Seattle to Ballard means the City of Seattle will need to review and approve a lot of permits. To help make the project move faster, we are updating the land use code to simplify the permit process and set clear rules for light rail station design. These changes will help connect Seattle neighborhoods and destinations with reliable transit sooner.

Updates will:

- Create clear standards for light rail construction
- Simplify permits by adjusting requirements to fit the need
- Clarify how people participate in light rail station design review
- Review and issue construction staging and station location permits quickly
- Reduce schedule delays by limiting appeals to one opportunity
- Continue to require public notice and comment periods for all permits

The permit process for alternative construction hours and work in Environmentally Critical Areas and Shoreline Districts does not change.

Why make these improvements?

- Streamlining the review process speeds up approval for over 90 permits, allowing light rail construction to begin sooner
- Clear design standards and a focus on key station design topics removes confusion for the public and Sound Transit
- Better coordination between the City and Sound Transit means faster permitting and less risk



SEATTLE'S LAND USE CODE

This code guides how private property is used. The rules are in place to protect public health, safety, and quality of life. Sound Transit works with us to get the land use permits necessary to ensure what they build meets Seattle's standards for design and construction of light rail.

The code does a few key things, such as, it keeps the public informed about key permit applications and uses zones to determine the kinds of buildings and activities allowed in each area. Doing so protects the environment and historic sites, makes sure buildings are the right size for the surroundings, and people can continue to easily walk and roll.

Next Steps

Code amendment legislation:

- May 29: Public hearing

Q2/Q3 2025: Additional legislation to adopt West Seattle Link Extension (WSLE) project

Q3/Q4 2025: WSLE permitting begins



Additional Questions & Comments?

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From the entire ST3 City Team:
Thank you!