

February 1, 2018

## MEMORANDUM

**To:** Planning, Land Use and Zoning Committee  
**From:** Ketil Freeman and Lish Whitson, Council Central Staff  
**Subject:** Council Bill 119173: Off-street parking regulations: Bicycle Parking and Frequent Transit Service

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On February 7 the Planning, Land Use and Zoning Committee (PLUZ) will receive a briefing on parking issues contained in [Council Bill 119173](#) (CB 119173). This bill would amend the City's off-street parking regulations for both cars and bicycles to increase opportunities for shared parking, thus setting new or reinforcing existing parking policies in places where Seattle invests in frequent transit service. No changes to on-street parking management are proposed as part of this legislation.

This memo: (1) summarizes portions of the bill related to off-street parking requirements for bicycles, and the definition of frequent transit service, and (2) identifies additional potential issues that the Committee may address in its review of the legislation.

Issues and options not related to bicycle parking and parking reductions for frequent transit service are set out in the memo discussed in PLUZ on January 17. A public hearing has been scheduled for the February 21 PLUZ Committee meeting.

### Summary of CB 119173

CB 119173 is a comprehensive review of off-street parking regulations for both motor vehicles and bicycles. The legislation responds to one of the recommendations of the Housing Affordability and Livability Agenda (HALA). It covers a wide range of parking-related topics:

- “Unbundling” of parking: requiring that renting or leasing of parking be covered by a separate agreement from rental agreements and leases,
- Calling non-required or public parking "flexible use parking" and broadening the locations where flexible use parking is permitted and how it can be used,
- Allowing more flexibility for park and rides,
- Allowing for more flexibility for the public to use required accessory parking,
- Adopting a new definition of frequent transit service through a Seattle Department of Construction and Inspections (SDCI) Director's Rule,
- Adopting new bicycle parking quantity and design standards,
- Expanding the distance off-site, off-street parking is allowed from a use,
- Adjusting parking requirements for affordable dwelling units,
- Adding design standards to allow for the public use of accessory parking,
- Limiting exceptions to maximum parking requirements, and
- Clarifying SEPA policies

The proposed regulations build on a body of scholarship and practice that finds significant negative impacts to requiring more parking than will be used.<sup>1</sup> Among those negative impacts are additional car trips and resulting congestion; increased development costs and reduced development density, resulting in increased rents; and negative urban design character and reduced pedestrian activity. In recognition of these impacts, Seattle has chosen to reduce or remove off-street parking requirements in areas where there is good access to transit, starting with Downtown Seattle in the 1980s, commercial zones in 2006, and multifamily zones in 2009.

In recognition of the impact of development costs on housing costs, the HALA Task Force made three recommendations regarding off-street parking requirements:

- Do not re-introduce parking mandates in urban villages;
- Review the definition of frequent transit service; and
- Reduce parking requirements for multifamily housing outside urban villages

CB 119173 is SDCI's response to these proposals. CB 119173 also seeks to address two findings of the Seattle Hearing Examiner related to the definition of frequent transit service.

### **Key SDCI Recommendations**

This section summarizes key recommendations of CB 119173 relating to ***bicycle parking*** and the ***definition of Frequent Transit Service***.

#### 1. Bicycle Parking

The proposed legislation modifies existing Land Use Code bicycle parking requirements to help implement [Comprehensive Plan](#) and [Seattle Bicycle Master Plan](#) goals, which include increasing bicycle's share of transportation modes used for commuting. Data from the 2012 American Community Survey indicate that approximately 4.1 percent of Seattle residents commute by bicycle. Proposed standards are derived in part from best practices promulgated by the Association of Pedestrian and Bicycle Professionals. Generally, the proposal would:

- Consolidate bicycle parking requirements and performance standards in one Land Use Code chapter;
- Establish new performance standards for the location and design of bicycle parking to improve accessibility for users;
- Expand the requirement for bicycle commuter shower facilities for office uses to areas outside of downtown and lower the square footage threshold, above which the requirement applies, from 250,000 square feet to 100,000 square feet; and
- Generally, increase the requirement to provide short and long term bicycle parking for most land uses.

Council offices have heard from some constituents about concerns related to (1) how new requirements would impact building functions; (2) whether increased requirements are appropriate for certain land uses, such as rail transit facilities; (2) and whether the Land Use Code should establish a minimum

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<sup>1</sup> Much of this scholarship is contained in Donald Shoup, *The High Cost of Free Parking* (Chicago: American Planning Association, Planner's Press, 2011). More recent studies have generally upheld Shoup's thesis.

square footage standard for each bicycle space to increase the chance the spaces will be usable. Preliminary options related to these issues are set out in Attachment 1 for discussion.

## 2. Frequent Transit Service

In 2008, the City removed or lowered parking requirements for projects in commercial and multifamily zones that are within 1,320 feet (a quarter mile) of “frequent transit service.” Transit service was defined as follows:

"Transit service, frequent" means transit service headways in at least one direction of 15 minutes or less for at least 12 hours per day, 6 days per week, and transit service headways of 30 minutes or less for at least 18 hours every day.<sup>2</sup>

The application of this definition has been the subject of two cases in front of the Seattle Hearing Examiner. In the first case, “Neighbors Encouraging Reasonable Development” related to a project in West Seattle, the Hearing Examiner determined that SDCI did not have authority to average trips across an hour, because the word “average” did not appear in the definition of frequent transit service.<sup>3</sup> In the second case, “Livable Phinney” related to a project in Phinney Ridge, the Hearing Examiner ruled that “when presented with reliable data showing that bus service does not meet the definition of frequent transit service well over a third of the time over a period of months, the Department cannot simply ignore such information.”<sup>4</sup> The Hearing Examiner remanded that topic for more analysis within a Land Use Interpretation requested by the appellants. SDCI is nearing completion of that interpretation.

A map showing areas that meet the definition of frequent transit service under current City policy, consistent with the West Seattle finding, taking into account these decisions is included in Attachment 2. The Executive has proposed to amend the definition of frequent transit service. The new definition would be adopted by Director’s Rule, rather than being established in the Land Use Code. It would rely on the promulgation of maps that show the parcels where the designation applies.

The draft Director’s Rule would rely on the following metrics:

“An area shall be defined and mapped as having “frequent transit service” if it is within one-quarter mile (1,320 feet) walking distance of a transit stop or stops with transit service headways meeting the following scheduled frequency:

- Transit trips for at least 12 hours per day, 6 days per week, with intervals between service of no more than 18 minutes and a frequency of not less than four scheduled trips per every 1.10 hours (which denotes a 10% hourly limit on variability in transit scheduling practices) and
- Transit trips for at least 17 hours of every day of the week with intervals between transit service of no more than 35 minutes and a frequency of not less than two scheduled trips per every 1.10 hours (also denoting a 10% hourly limit on variability.”

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<sup>2</sup> [Seattle Municipal Code \(SMC\) Section 23.84A.038.](#)

<sup>3</sup> [Neighbors Encouraging Reasonable Development. Hearing Examiner File No. MUP-14-006.](#)

<sup>4</sup> [Livable Phinney. Hearing Examiner File No. S-17-002.](#)

Any qualifying period with sufficiently frequent scheduled service may be counted. The periods need not be consecutive to be counted...”

There are a number of changes in the proposed definition that should be highlighted:

- It relies on maps that show exactly where the frequent transit service parking requirements apply. This provides consistency and clarity for both developers and neighbors. The maps can be updated as transit agencies update their schedules.
- It uses scheduled trips. This provides for predictability in developing the maps.
- It provides for some flexibility in scheduling. Transit schedules are not always completely regular. In particular, transit schedules can vary due to varying levels of congestion throughout the day, the need to coordinate transfers among different routes and changes in ridership demand.
- It is based on service at each stop and allows for bundling of multiple routes that serve a single stop.

Seattle Department of Transportation (SDOT) and SDCI have developed an alternative measure for Council consideration. This definition is intended to provide an easier, more streamlined, more user-friendly definition of Frequent Transit Service for parking reduction allowances.

It would continue to rely on the adoption of maps by Director’s Rule. The alternative definition would classify an area as having frequent transit service if it is:

Within one-quarter mile (1,320 feet) walking distance of a transit stop or stops served by at least one route or co-scheduled segments of overlapping routes with transit service headways in a typical week generally meeting the following scheduled frequencies:

Weekdays	Saturdays and Sundays
<ul style="list-style-type: none"> <li>• Scheduled headways of approximately 15 minutes in each direction from 6 AM to 7 PM and</li> <li>• Scheduled headways of approximately 30 minutes in each direction from 7 PM to 12 AM.</li> </ul>	<ul style="list-style-type: none"> <li>• Scheduled headways of approximately 30 minutes in each direction from 6 AM to 12 AM.</li> </ul>
<ul style="list-style-type: none"> <li>• 15-minute headways would be calculated as scheduled service generally providing an average of at least four trips an hour in each direction across the time period, with no individual hour having less than three trips.</li> <li>• 30-minute headways would be calculated as scheduled service generally providing an average of at least two trips an hour in each direction across the time period, with no individual hour having less than one trip.</li> </ul>	

Headways would be average across the timeframes listed above. For example, service must provide at least four trips per hour over a 13-hour period from 6 AM to 7 PM, or at least 52 total trips with no hour having less than three trips.

This definition does the following:

- It relies on frequency of service on routes or co-scheduled segments of routes rather than measuring service at each transit stop. A co-scheduled route occurs when two routes with different origins and destinations share a route for a significant portion of the route and are timed together to provide service meeting or exceeding the scheduled headways. The portions of the 3 and 4, 31 and 32, and 131 and 132 Metro routes are the only co-scheduled routes that currently meet the alternative definition.
- It explicitly relies on scheduled headways rather than actual headways. This allows for predictability in determining whether a route meets the standard.
- It is based on an average across each multiple hours to reflect scheduling anomalies. For example, transit trips are often scheduled such that there is one fewer trip in the hour before peak hour in order to be able to add a trip during peak commute times.
- It reflects how transit service is scheduled, with fewer trips on weekends and after seven p.m.
- It maintains consistency with how the Seattle Department of Transportation measures frequent transit service.
- It creates a concrete list of routes that can easily be verified by buses serving stops within the one-quarter mile walking distance.

Applying this definition results in some changes in the affected areas, see Attachment 2. Route 60 with service from Westwood Village through South Park, Georgetown and Beacon Hill to Broadway would meet this new definition. Portions of Martin Luther King Jr. Way along the Route 106 do not meet this definition of Frequent Transit Service.

### **Bicycle Parking and Frequent Transit Service Issues**

Councilmembers and Central Staff have identified a number of changes that the Committee may want to consider to the proposed legislation. These potential amendments are described in Attachment 1.

### **Next Steps**

At the February 7 PLUZ Committee meeting, we intend to discuss the recommendations related to bicycle parking and the frequent transit service standard. A public hearing is scheduled for the PLUZ Committee meeting on February 21. This will allow for consideration of amendments and potential vote in March.

### **Attachment:**

1. Potential issues
2. Frequent Transit Service maps

cc: Kirstan Arestad, Central Staff Director  
Ketil Freeman, Supervising Analyst

**Attachment 1: Potential Issues for Council Consideration of CB 119073: Bicycle Parking and Transit Service Parking Reductions**

Topic	Issue	Options	Discussion
A. Bicycle Parking	1. Space Impacts on Building Functions	a. Pass the proposed regulations as recommended by SDCI.	<p>Some architects and developers have indicated that the proposed bicycle parking requirements could interfere with other functions of a building, such as common areas in multifamily buildings, and reduce the amount of developable area that could be put to commercial or residential use.</p> <p>Currently, bike parking is exempt from FAR limitations downtown as an allowable street level use. See <a href="#">SMC 23.49.011.B.1.b</a>. However, bike parking is not expressly exempted from FAR limitations in all other commercial and multifamily zones, although, as a practical matter, it may be exempt depending on whether it is located above or below grade.</p> <p>Council could consider exempting some or all required, covered bicycle parking from FAR limitations. Exempting bike parking floor area from FAR limitations could result in development of bulkier buildings.</p>
		b. Exempt required, covered bicycle parking from Floor Area Ratio (FAR) limitations.	
	2. Commuter Shower Facilities	a. Pass the proposed regulations as recommended by SDCI.	CB 19073 would require shower facilities in buildings with over 100,000 square feet in office use. Two showers would be required for every 100,000 square feet.
		b. Exempt required shower facilities from FAR requirements	

**Attachment 1: Potential Issues for Council Consideration of CB 119073: Bicycle Parking and Transit Service Parking Reductions**

Topic	Issue	Options	Discussion
		<p>c. Modify the square footage threshold for required shower facilities</p>	<p>Shower facilities are exempt from FAR limitations downtown. See <a href="#">SMC 23.49.011.B.1.p.</a> However, as with required, covered bicycle parking, shower facilities are not expressly exempted in other zones.</p> <p>Council could consider exempting required shower facilities from FAR limitations and /or increasing or reducing the square footage threshold above which shower facilities are required.</p>
	<p>3. Ratios</p>	<p>a. Pass the proposed regulations as recommended by SDCI.</p>	<p>CB 119073 would increase bicycle parking ratios for most land uses. Some ratios would exceed those promulgated by the Association of Pedestrian and Bicycle Professionals, but they would be in the range of requirements currently being contemplated, or already established, in peer cities, such as Portland and Vancouver.</p> <p>Portland is currently considering changes to bicycle parking regulations. Those changes could include tiered requirements based on mode split goals and whether a use is in, or near, the central city or in an outer neighborhood. See <a href="#">Report of the Bicycle Parking Stakeholder Advisory Committee</a>,</p>
<p>b. Modify standards for other land uses by geography.</p>			

**Attachment 1: Potential Issues for Council Consideration of CB 119073: Bicycle Parking and Transit Service Parking Reductions**

Topic	Issue	Options	Discussion
			<p>Portland Bureau of Transportation, p.19-22. Council could consider revising proposed ratios based on a similar approach.</p>
	4. Applicability to Public Transportation Facilities	<p>a. Pass the proposed regulations as recommended by SDCI.</p> <p>b. Modify standards for transportation facilities or allow for discretionary review.</p>	<p>Sound Transit and King County Metro are concerned about how the proposed ratios will impact design of future light rail and park and ride facilities. SoundTransit currently provides bike lockers and cages at some light rail stations. Those facilities are available for rent. SoundTransit is exploring options to increase turnover of bicycle parking and also trying to understand how the availability dockless bikeshare is effecting demand for rented bicycle parking at light rail stations.</p> <p>Council could establish a discretionary review process to allow the SDCI and SDOT Director to modify bicycle parking requirements for future facilities based on demand information provided by transit agencies.</p>
B. Frequent Transit Service	1. Definition	<p>a. Do not change the definition of Frequent Transit Service</p> <p>b. Amend the Code to adopt a new definition of Frequent Transit Service based on issues discussed below. Make this definition the definitive source for information on whether a parcel is within an area with Frequent Transit Service.</p>	<p>Council Bill 119073 would remove the definition of “Frequent Transit Service” from the code and refer to maps adopted by a Seattle Department of Construction and Inspections (SDCI) Director’s Rule as the source of information regarding whether a parcel is in an area with Frequent Transit Service. This allows for flexibility; the</p>



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Topic	Issue	Options	Discussion
		<p>c. Adopt maps through a Director’s Rule to show the outcome of applying the definition of “Frequent Transit Service”. Make the Director’s Rule maps the definitive source for information on whether a parcel is within an area with Frequent Transit Service.</p>	<p>definition of Frequent Transit Service could change over time through adoption of a new Director’s Rule. This may be more authority than the Council is willing to delegate to the SDCI Director.</p> <p>The Council could, instead, adopt a definition of Frequent Transit Service in the code, and use maps adopted through Director’s Rule to clarify which parcels are affected by the definition. This would allow SDCI to update the maps annually based on changes to transit service, but would still allow for certainty regarding whether a property was within or outside of the Frequent Transit Service area.</p> <p>Or, the Council could keep the definition of Frequent Transit Service without reference to maps in a Director’s Rule. This would maintain the Council’s authority to set the definition, but would lose some certainty for both the public and applicants.</p>
		<p>d. Adopt a definition of “Frequent Transit Service” and maps showing the outcome of applying that definition through an SDCI Director’s Rule. Make the Director’s Rule maps the definitive source for information on whether a parcel is within an area with Frequent Transit Service. (Executive Proposal)</p>	
	<p>2. Trip averaging</p>	<p>a. Adopt a definition of frequent transit service that allows for the averaging of trips across an hour</p>	<p>Transit routes do not always run at equivalent intervals. Because of shift changes, congestion, and a desire to meet the needs of passengers, there are minor variations in bus trip headways. The current code does not mention averaging of bus schedules. The Executive’s proposal would</p>
		<p>b. Adopt a definition of frequent transit service that does not allow for averaging</p>	

**Attachment 1: Potential Issues for Council Consideration of CB 119073: Bicycle Parking and Transit Service Parking Reductions**

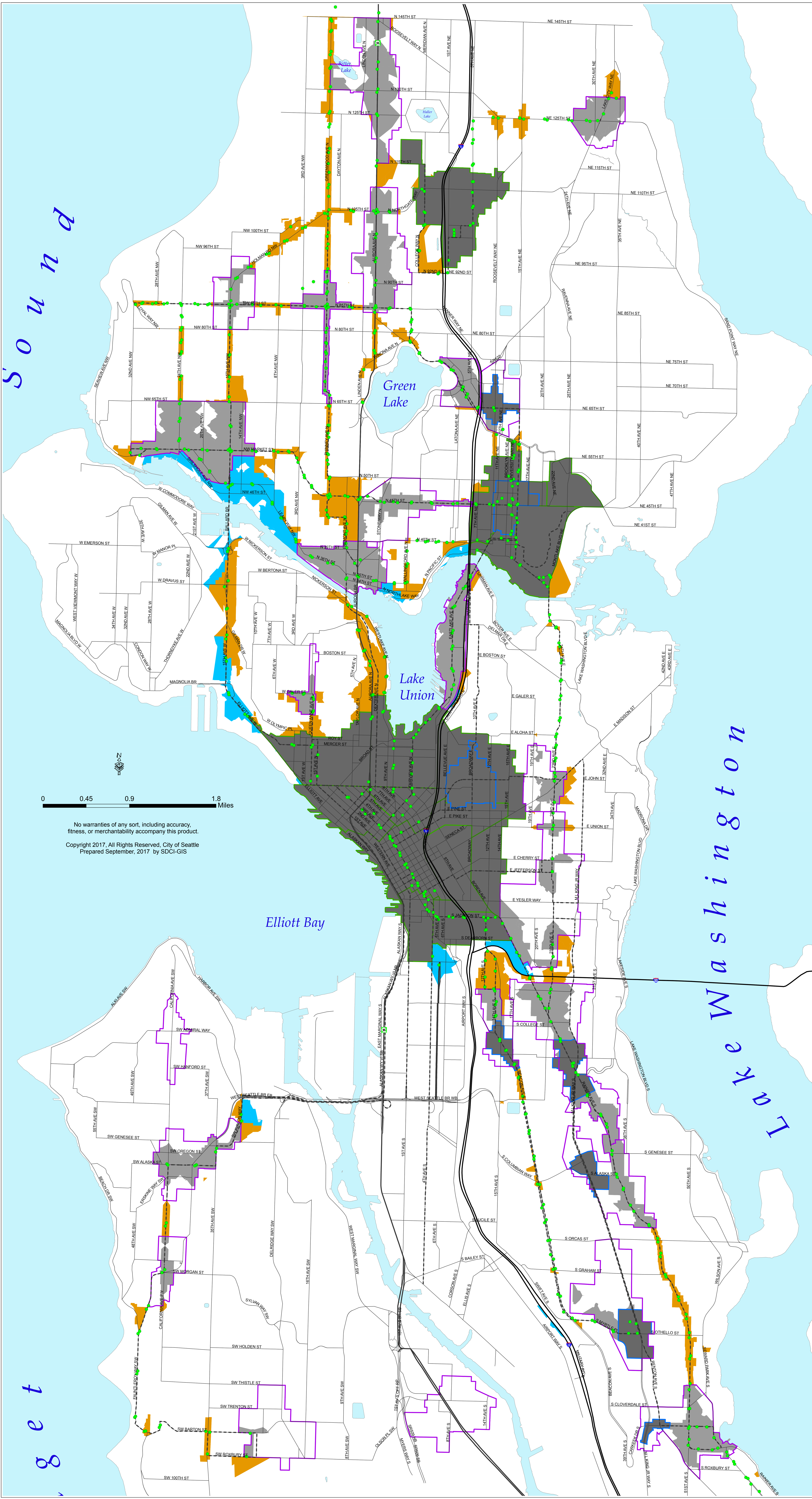
Topic	Issue	Options	Discussion
			<p>have adopted a rule that builds in flexibility without using averaging. The revised proposal uses averaging of trips across each hour.</p>
	<p>3. Scheduled vs. actual service</p>	<p>a. Adopt a definition based on actual service frequency</p> <p>b. Adopt a definition based on scheduled service frequency</p>	<p>Buses do not always arrive at their scheduled time. Bus arrival times can fluctuate in Seattle depending on the time of day or day of week. Factors such as traffic congestion, demand for bus service and characteristics of bus riders may result in buses arriving earlier or later than their scheduled time. King County Metro considers buses on time if they arrive between one minute before and five minutes after the scheduled departure time. When buses aren't meeting their scheduled arrival times over a longer period, transit agencies will adjust their schedules, and the City may intervene to help address choke points in the system. In a recent case in Phinney Ridge, the Hearing Examiner in a case where actual transit trip data was available, remanded the topic of scheduled vs. actual service frequency back to the Department for analysis. This matter is under review and has not yet resulted in any finding that changes City policy on the frequent transit</p>

**Attachment 1: Potential Issues for Council Consideration of CB 119073: Bicycle Parking and Transit Service Parking Reductions**

Topic	Issue	Options	Discussion
			definition. Developers, property owners, and neighbors need predictability to understand whether property meets the Frequent Transit Service definition.



# Existing Conditions, areas with parking flexibility due to Frequent Transit Service



0 0.45 0.9 1.8 Miles

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## Legend

3,914 Acres

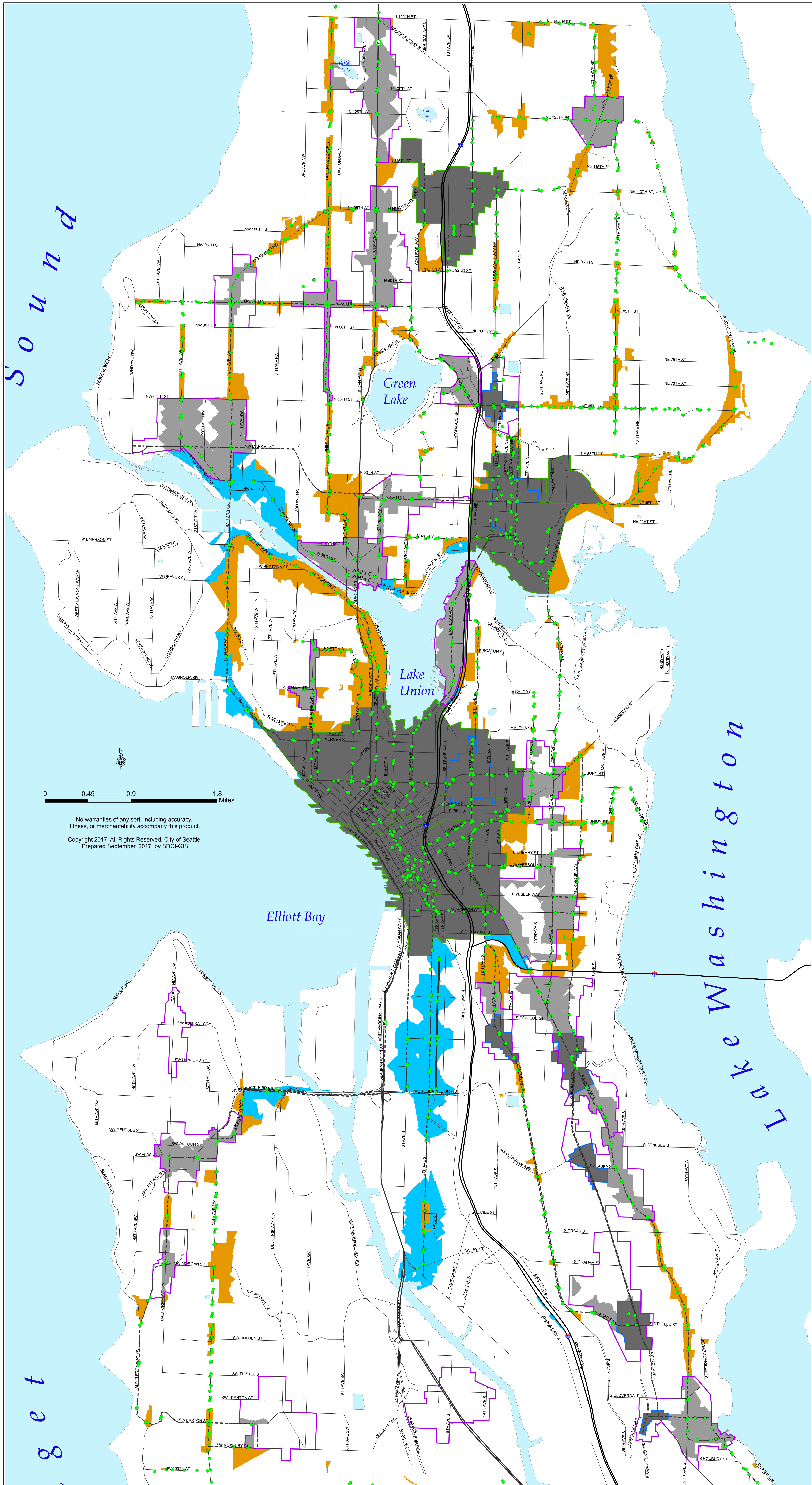


- No parking minimum for all uses except hospitals (Urban Centers, Station Area Overlays)
- No parking minimum for all uses except hospitals if frequent transit is available within 1/4 mile (Urban Villages)
- Multifamily and commercial zones with a 50% reduction to minimum parking required in 23.54.015 if frequent transit within 1/4 mile (see 23.54.020.F)
- Industrial zones with a 15% reduction\* to minimum parking required in 23.54.015 if frequent transit within 1/4 mile (see 23.54.020.F) \*Use of additional strategies in 23.54.020.F allow a maximum of 50% reduction.
- SDOT Frequent Transit Corridor
- Bus Stops Along Frequent Transit Corridor
- Station Area Overlay District
- Urban Villages





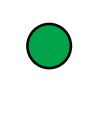




Source: Seattle Department of Transportation Frequent Transit Service Corridor, King County Metro Transit Stop locations, DPD Urban Center / Urban Village / Link Light Rail Station Overlay Districts



# Areas with parking flexibility due to Frequent Transit Service with Proposal



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<b>Legend</b> 3,914 Acres 	 No parking minimum for all uses except hospitals (Urban Centers, Station Area Overlays)	 SDOT Frequent Transit Corridor
	 No parking minimum for all uses except hospitals if frequent transit is available within 1/4 mile (Urban Villages)	 Bus Stops Along Frequent Transit Corridor
	 Multifamily and commercial zones with a 50% reduction to minimum parking required in 23.54.015 if frequent transit within 1/4 mile (see 23.54.020.F)	 Station Area Overlay District
	 Industrial zones with a 15% reduction* to minimum parking required in 23.54.015 if frequent transit within 1/4 mile (see 23.54.020.F) *Use of additional strategies in 23.54.020.F allow a maximum of 50% reduction.	 Urban Villages

Source: Seattle Department of Transportation Frequent Transit Service Corridor, King County Metro Transit Stop locations, DPD Urban Center / Urban Village / Link Light Rail Station Overlay Districts

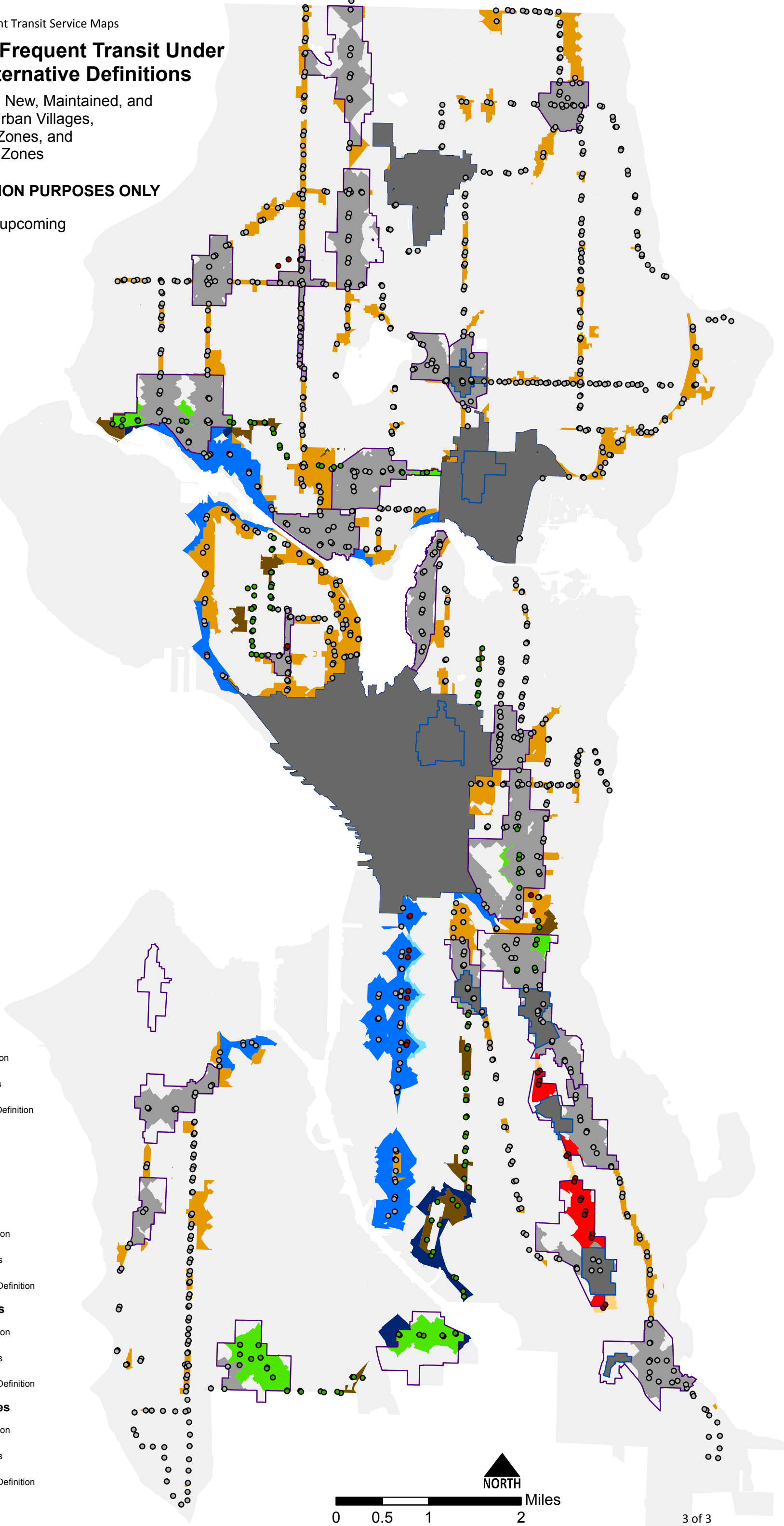


# Stops Served by Frequent Transit Under Proposed and Alternative Definitions

W/ Walksheds Indicating New, Maintained, and Removed Coverage in Urban Villages, Multifamily/Commercial Zones, and Manufacturing/Industrial Zones

**DRAFT: FOR DISCUSSION PURPOSES ONLY**

New definition assumes upcoming March '18 trip adds



## Legend

### Frequent Transit Stops

- Added Under Proposed Definition
- Included Under Both Definitions
- Not Included Under Proposed Definition

- Urban Centers
- Station Overlay Districts
- Urban Villages

### Urban Villages

- Added Under Proposed Definition
- Included Under Both Definitions
- Not Included Under Proposed Definition

### Multifamily/Commercial Zones

- Added Under Proposed Definition
- Included Under Both Definitions
- Not Included Under Proposed Definition

### Manufacturing/Industrial Zones

- Added Under Proposed Definition
- Included Under Both Definitions
- Not Included Under Proposed Definition

- City of Seattle

