

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
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### **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