



# CITY OF SEATTLE

## City Council

### Agenda

Tuesday, February 10, 2026

2:00 PM

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

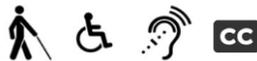
Joy Hollingsworth, Council President  
Dionne Foster, Member  
Debora Juarez, Member  
Robert Kettle, Member  
Eddie Lin, Member  
Alexis Mercedes Rinck, Member  
Maritza Rivera, Member  
Rob Saka, Member  
Dan Strauss, Member

Chair Info: 206-684-8803; [Joy.Hollingsworth@seattle.gov](mailto:Joy.Hollingsworth@seattle.gov)

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# CITY OF SEATTLE

## City Council Agenda

**February 10, 2026 - 2:00 PM**

### **Meeting Location:**

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

### **Committee Website:**

<http://www.seattle.gov/council>

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Members of the public may register for remote or in-person Public Comment to address the Council. Speakers must be registered in order to be recognized by the Chair. Details on how to register for Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period 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.

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.

Written comments must be submitted prior to 10 a.m. to ensure that they are distributed to Councilmembers prior to the start of the meeting. Comments may be submitted at [Council@seattle.gov](mailto:Council@seattle.gov) or at Seattle City Hall, Attn: Council Public Comment, 600 4th Ave., Floor 2, Seattle, WA 98104. Comments received after 10 a.m. will be distributed after the meeting to Councilmembers and included as part of the public record.

### **A. CALL TO ORDER**

### **B. ROLL CALL**

### **C. PRESENTATIONS**

**D. PUBLIC COMMENT**

*Members of the public may sign up to address the Council for up to 2 minutes on matters on this agenda; Introduction and Referral Calendar; and Council's Work Program; and total time allotted to public comment at this meeting is up to one hour.*

**E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:**

*Introduction and referral to Council committees of Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF) for committee recommendation.*

[IRC 510](#) February 10, 2026

**Attachments:** [Introduction and Referral Calendar](#)

**F. APPROVAL OF THE AGENDA****G. APPROVAL OF CONSENT CALENDAR**

*The Consent Calendar consists of routine items. A Councilmember may request that an item be removed from the Consent Calendar and placed on the regular agenda.*

**Journal:**

1. [Min 554](#) February 3, 2026

**Attachments:** [Minutes](#)

**Bills:**

2. [CB 121159](#) AN ORDINANCE appropriating money to pay certain claims for the week of January 26, 2026, through January 30, 2026, and ordering the payment thereof; and ratifying and confirming certain prior acts.

**Supporting Documents:** [Summary and Fiscal Note](#)

**H. COMMITTEE REPORTS**

Discussion and vote on Council Bills (CB), Resolutions (Res), Appointments (Appt), and Clerk Files (CF).

**FINANCE, NATIVE COMMUNITIES, AND TRIBAL GOVERNMENTS COMMITTEE:**

1. [CB 121153](#) AN ORDINANCE relating to the Social Housing Tax; authorizing the Mayor or designee to enter into an interlocal agreement with the Seattle Social Housing Developer to establish the terms and procedures for the implementation, administration, transfer, reporting, and oversight of the Social Housing Tax, including provisions for reimbursement of the City's administrative and implementation costs and outstanding loan balances; creating the Social Housing Tax Fund; and ratifying and confirming certain prior acts.

**The Committee recommends that City Council pass as amended the Council Bill (CB).**

**In Favor: 4 - Strauss, Hollingsworth, Kettle, Saka**

**Opposed: None**

**Attachments:** [Att 1 – Interlocal Agreement By and between The City of Seattle and the Seattle Social Housing Developer](#)

**Supporting Documents:** [Summary and Fiscal Note](#)

**LAND USE AND SUSTAINABILITY COMMITTEE:**

2. [CB 121093](#) AN ORDINANCE relating to land use and zoning; revising environmental review thresholds and related provisions addressing transportation-related requirements, and archaeological, and cultural resource preservation requirements; amending the title of Chapter 23.52, the title of Subchapter I of Chapter 23.52, and Sections 22.170.050, 22.170.070, 22.170.190, 23.52.004, and 25.05.800 of the Seattle Municipal Code.

**The Committee recommends that City Council pass as amended the Council Bill (CB).**

**In Favor: 4 - Lin, Strauss, Foster, Rinck**

**Opposed: None**

**Attachments:** [Full Text: CB 121093 v2](#)

**Supporting Documents:** [Summary and Fiscal Note v2](#)  
[Amendment A](#)

3. [CB 121135](#) AN ORDINANCE relating to land use and zoning; revising requirements for transportation impact analyses, transportation management plans, and construction management plans; adding new Sections 23.52.010 and 23.52.012 to the Seattle Municipal Code; amending the title of Chapter 23.52, Subchapter II, of the Seattle Municipal Code; and amending Sections 15.04.035, 23.48.230, 23.48.290, 23.48.610, 23.48.710, 23.49.019, 23.50A.360, 23.52.008, 23.71.018, and 23.90.018 of the Seattle Municipal Code.

**The Committee recommends that City Council pass as amended the Council Bill (CB).**

**In Favor: 4 - Lin, Strauss, Foster, Rinck**

**Opposed: None**

**Supporting Documents:** [Summary and Fiscal Note](#)

**I. ITEMS REMOVED FROM CONSENT CALENDAR**

**J. ADOPTION OF OTHER RESOLUTIONS**

**K. OTHER BUSINESS**

**L. ADJOURNMENT**



Legislation Text

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**File #:** IRC 510, **Version:** 1

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February 10, 2026



## Introduction and Referral Calendar

List of proposed Council Bills (CB), Resolutions (Res), Appointments (Appt) and Clerk Files (CF) to be introduced and referred to a City Council committee

<b>Record No.</b>	<b>Title</b>	<b>Committee Referral</b>
<b><u>By: Strauss</u></b>		
1. <a href="#">CB 121159</a>	AN ORDINANCE appropriating money to pay certain claims for the week of January 26, 2026, through January 30, 2026, and ordering the payment thereof; and ratifying and confirming certain prior acts.	City Council
<b><u>By: Hollingsworth</u></b>		
2. <a href="#">CB 121160</a>	AN ORDINANCE authorizing the General Manager and CEO of Seattle Public Utilities to enter into an interlocal agreement to participate in the regional Water Supply Forum to coordinate and collaborate on current and future regional drinking water supply issues in King, Snohomish, and Pierce counties; and ratifying and confirming certain prior acts.	Governance and Utilities Committee
<b><u>By: Hollingsworth</u></b>		
3. <a href="#">CB 121161</a>	AN ORDINANCE relating to the Cedar River Municipal Watershed; amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide imazapyr to treat invasive knotweed species; and ratifying and confirming certain prior acts.	Governance and Utilities Committee



Legislation Text

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**File #:** Min 554, **Version:** 1

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February 3, 2026

# SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor  
Seattle, WA 98104



## Journal of the Proceedings of the Seattle City Council

Tuesday, February 3, 2026

2:00 PM

**Council Chamber, City Hall**

**600 4th Avenue**

**Seattle, WA 98104**

**City Council**

*Joy Hollingsworth, Council President*

*Dionne Foster, Member*

*Debora Juarez, Member*

*Robert Kettle, Member*

*Eddie Lin, Member*

*Alexis Mercedes Rinck, Member*

*Maritza Rivera, Member*

*Rob Saka, Member*

*Dan Strauss, Member*

Chair Info: 206-684-8803; [Joy.Hollingsworth@seattle.gov](mailto:Joy.Hollingsworth@seattle.gov)

**A. CALL TO ORDER**

The City Council of The City of Seattle met in the Council Chamber in City Hall in Seattle, Washington, on February 3, 2026, pursuant to the provisions of the City Charter. The meeting was called to order at 2:03 p.m., with Council President Hollingsworth presiding.

**B. ROLL CALL**

**Present:** 9 - Foster, Hollingsworth, Juarez, Kettle, Lin, Rinck, Rivera, Saka, Strauss

**C. PRESENTATIONS**

There were none.

**D. PUBLIC COMMENT**

The following individuals addressed the Council:

- Donnitta Sinclair
- Alex Tsimerman
- Yvette Dinish
- Rose Legionaires
- LaRenda Myres
- Del Johnson
- Mauri Moore Shuler
- Bennett Haselton
- Howard Gale
- Adriana Figueroa
- Myrlen Moreno
- Osmaira
- Siglene
- Jonathan Toledo
- Kasandra
- Keondray L.
- Lady Scribe
- Solomon Prince
- Aries L.

*Councilmember Rinck left the meeting at 2:38 p.m.*

- Nathan Wall
- Auralie Rose
- R.C. Pemming
- Liz Park
- David Haines

*Councilmember Kettle left the meeting at 3:05 p.m.*

**E. ADOPTION OF INTRODUCTION AND REFERRAL CALENDAR:**

[IRC 509](#)      **February 3, 2026**

**By unanimous consent, the Introduction & Referral Calendar (IRC) was adopted.**

**In Favor:** 7 - Foster, Hollingsworth, Juarez, Lin, Rivera, Saka, Strauss

**Opposed:** None

**Absent(NV):** 2 - Kettle, Rinck

**F. APPROVAL OF THE AGENDA**

**G. APPROVAL OF CONSENT CALENDAR**

*Councilmember Kettle joined the meeting at 3:09 p.m.*

Motion was made by Council President Hollingsworth, duly seconded and carried, to adopt the Consent Calendar.

**Journal:**

**1. [Min 553](#) January 27, 2026**

**The Minutes were adopted on the Consent Calendar by the following vote, and the President signed the Minutes (Min):**

**In Favor:** 8 - Foster, Hollingsworth, Juarez, Kettle, Lin, Rivera, Saka, Strauss

**Opposed:** None

**Absent(NV):** 1 - Rinck

**Bills:**

**2. [CB 121157](#) AN ORDINANCE appropriating money to pay certain claims for the week of January 19, 2026, through January 23, 2026, and ordering the payment thereof; and ratifying and confirming certain prior acts.**

**The Council Bill (CB) was passed on the Consent Calendar by the following vote, and the President signed the Council Bill (CB):**

**In Favor:** 8 - Foster, Hollingsworth, Juarez, Kettle, Lin, Rivera, Saka, Strauss

**Opposed:** None

**Absent(NV):** 1 - Rinck

**H. COMMITTEE REPORTS**

There were none.

**I. ITEMS REMOVED FROM CONSENT CALENDAR**

There were none.

**J. ADOPTION OF OTHER RESOLUTIONS**

There were none.

**K. OTHER BUSINESS**

By unanimous consent, Councilmember Juarez and Councilmember Strauss were excused from the February 10, 2026, City Council meeting.

By unanimous consent, Councilmember Kettle was excused from the February 17, 2026, City Council meeting.

**L. ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 3:14 p.m.

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**Jodee Schwinn, Deputy City Clerk**

**Signed by me in Open Session, upon approval of the Council, on February 10, 2026.**

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**Joy Hollingsworth, Council President of the City Council**



Legislation Text

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**File #:** CB 121159, **Version:** 1

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**CITY OF SEATTLE**

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

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

AN ORDINANCE appropriating money to pay certain claims for the week of January 26, 2026, through January 30, 2026, and ordering the payment thereof; and ratifying and confirming certain prior acts.

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

Section 1. Payment of the sum of \$24,648,780.98 on PeopleSoft 9.2 mechanical warrants numbered 4101003556 - 4101005463 plus manual or cancellation issues for claims, e-payables of \$33,552.10 on PeopleSoft 9.2 9100015951 - 9100015959, and electronic financial transactions (EFT) in the amount of \$79,759,556.28 are presented to the City Council under RCW 42.24.180 and approved consistent with remaining appropriations in the current Budget as amended.

Section 2. Payment of the sum of \$71,342,368.63 on City General Salary Fund mechanical warrants numbered 10462179 - 10462369 plus manual warrants, agencies warrants, and direct deposits numbered 0000001 - 1016943 representing Gross Payrolls for payroll ending date January 27, 2026, as detailed in the Payroll Summary Report for claims against the City that were reported to the City Council February 05, 2026, is approved consistent with remaining appropriations in the current budget as amended.

Section 3. RCW 35.32A.090(1) states, “There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.”

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is

ratified and confirmed.

Section 5. 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 10th of February, 2026, and signed by me in open session in authentication of its passage this 10th of February, 2026.

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

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

Katie B. Wilson, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

Scheereen Dedman, City Clerk

(Seal)

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Office of City Finance	Kaitlin Klaustermeier	Lorine Cheung

### 1. BILL SUMMARY

**Legislation Title:**

AN ORDINANCE appropriating money to pay certain claims for the week of January 26, 2026, through January 30, 2026, and ordering the payment thereof; and ratifying and confirming certain prior acts. Claims include all financial payment obligations for bills and payroll paid out of PeopleSoft for the covered.

**Summary and Background of the Legislation:**

RCW 42.24.180 requires that payment of certain claims be authorized by the City Council. This bill, prepared each week by the City Treasury, authorizes the payments of funds that were previously appropriated by the City Council, so the passage of this bill does not have a direct result on the City's budget.

### 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 bill authorizes the payments of funds that were previously appropriated by the City Council, so the passage of this bill does not have a direct result on the City's budget.

**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 describe any financial costs or other impacts of *not* implementing the legislation.** The legislation authorizes the payment of valid claims. If the City does not pay its legal obligations it could face greater legal and financial liability.

#### 4. OTHER IMPLICATIONS

- a. **Please describe how this legislation may affect any departments besides the originating department.**

This type of legislation authorizes payment of bill and payroll expenses for all City departments.

- b. **Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

No.

- c. **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.**

N/A

- ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

- iii. **What is the Language Access Plan for any communications to the public?**

N/A

- d. **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.**

N/A

- 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

- e. **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?**

N/A

## 5. CHECKLIST

- Is a public hearing required?
- Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?

## 6. ATTACHMENTS

**Summary Attachments:**

None.



Legislation Text

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File #: CB 121153, Version: 2

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CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

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

AN ORDINANCE relating to the Social Housing Tax; authorizing the Mayor or designee to enter into an interlocal agreement with the Seattle Social Housing Developer to establish the terms and procedures for the implementation, administration, transfer, reporting, and oversight of the Social Housing Tax, including provisions for reimbursement of the City’s administrative and implementation costs and outstanding loan balances; creating the Social Housing Tax Fund; and ratifying and confirming certain prior acts.

WHEREAS, on February 14, 2023, Seattle voters approved Initiative 135, a citizen-initiated measure to create

an independent public development authority, the Seattle Social Housing Developer (the “PDA”), to

develop, own, and maintain public affordable social housing in Seattle; and

WHEREAS, on February 11, 2025, Seattle voters approved Proposition 1A, imposing a five percent tax rate on

employers doing business in Seattle for any annual employee compensation above \$1,000,000 (the

“Tax”), which the City is responsible for collecting and transferring to the Seattle Social Housing

Developer and is intended to support the development and operation of social housing in Seattle; and

WHEREAS, Section 5.37.070 of the Seattle Municipal Code dictates that up to 5%, but no more than

\$2,000,000, of the annual Tax revenue may be allocated to administer the Tax with the remaining

revenue to be promptly transferred to the PDA; and

WHEREAS, the City and the PDA executed a loan agreement for up to \$2,000,000 as authorized by Ordinance

127246; and

WHEREAS, cities and public agencies are authorized to enter into interlocal cooperation agreements in

accordance with chapter 39.34 RCW to jointly provide services; and

WHEREAS, the City and the PDA desire to enter into an interlocal agreement for the purpose of governing the

implementation, administration, transfer, reporting, and oversight of the Tax; NOW, THEREFORE,

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

Section 1. The Mayor or designee is authorized to enter into an interlocal agreement with the Seattle Social Housing Developer substantially in the form attached to this ordinance as Attachment 1, with such changes as the Mayor deems appropriate and are consistent with this ordinance. The interlocal agreement may not be modified or amended, except by a written agreement executed by the City and the Seattle Social Housing Developer, which is subject to approval by the City Council.

Section 2. The Director of Finance is authorized to take all necessary and appropriate action to carry out the terms of the interlocal agreement.

Section 3. A new Social Housing Tax Fund is created in the City Treasury, into which the revenues from the social housing tax in Seattle Municipal Code Chapter 5.37 will be deposited, and from which associated expenditures may be paid, including, but not limited to, City implementation costs, City administration costs, loan balances, and accrued loan interest, and from which the transfer of the net Tax proceeds to the Seattle Social Housing Developer will be made. All interest and other earnings on the Fund shall be deposited in the Fund and shall be used for the purposes of the Fund.

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 5. 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)

Attachments:

Attachment 1 - Interlocal Agreement By and between The City of Seattle and the Seattle Social Housing Developer

**INTERLOCAL AGREEMENT**

**By and between**

**THE CITY OF SEATTLE**

**AND**

**SEATTLE SOCIAL HOUSING DEVELOPER**

**dated as of xx**

## **Table of Contents**

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### **Section 2. Duration**

### **Section 3. Social Housing Tax Fund**

### **Section 4. Administrative Reimbursement**

### **Section 5. Tax Collection and Transfer Procedures**

### **Section 6. Refunds and Appeals**

### **Section 7. Legal Challenge**

### **Section 8. Refund and Credit Adjustments**

### **Section 9. Amendments**

### **Section 10. Administrator**

### **Section 11. Nondiscrimination and Compliance with Applicable Law**

### **Section 12. Dispute Resolution**

### **Section 13. Information Sharing and Taxpayer Confidentiality**

**INTERLOCAL AGREEMENT  
THE CITY OF SEATTLE  
AND  
SEATTLE SOCIAL HOUSING DEVELOPER**

THIS INTERLOCAL AGREEMENT (“Agreement”) is entered into by the City of Seattle (the “City”) and Seattle Social Housing Developer (“Developer”), a public corporation chartered by the City and doing business in the State of Washington (collectively referred to as “Parties”).

**RECITALS**

WHEREAS, On February 14, 2023, Seattle voters approved City Initiative 135, a citizen-initiated measure to create Seattle Social Housing Developer to develop, acquire, and maintain public social housing; and

WHEREAS, On February 11, 2025, Seattle voters approved City Initiative 137, Proposition 1A (“Initiative 137”), a citizen-initiated measure to levy the Social Housing Tax (“Social Housing Tax” or “Tax”) for the purpose of providing an ongoing revenue stream for Developer; and

WHEREAS, Initiative 137 states that the City is tasked with administrating the Social Housing Tax, and shall be reimbursed for its actual expenses of administrating the tax, up to the lesser of 5 percent of the annual Social Housing Tax revenue collected during each year, or \$2,000,000 per year, with the remaining revenue to be promptly transferred to Developer; and

WHEREAS, cities and public corporations are authorized to enter into interlocal agreements by chapter 39.34; and

WHEREAS, the parties acknowledge that this agreement facilitates implementation of Initiative 135 and Initiative 137, and does not amend, modify or alter any provision of either initiative.

THE PARTIES AGREE:

**Section 1. Purpose and Nature of Obligations**

(a) **Purpose.** This Agreement establishes procedures for the collection and disbursement of the Social Housing Tax by the Director, Seattle Office of City Finance (“Director”), that are not specifically addressed by Initiative 137.

(b) **Developer’s Role.** Developer agrees to use the Social Housing Tax it receives to reasonably accomplish the goals of Initiatives 135 and 137, in Developer’s sole discretion. Developer covenants that no proceeds of the Social Housing Tax will be applied in any manner that is contrary to applicable federal, state or local law or regulation or any applicable state or federal constitutional provision. Developer is not acting as the agent of the

City in its use of funds obtained under this Agreement. Developer is organized pursuant to Initiative 135, Seattle Municipal Code §3.110 and RCW 35.21.660, .670, .730-.775. RCW 35.21.750 provides as follows: “[A]ll liabilities incurred by such public corporation, commission, or authority shall be satisfied exclusively from the assets and properties of such public corporation, commission or authority and no creditor or other person shall have any right of action against the city, town, or county creating such corporation, commission, or authority on account of any debts, obligations, or liabilities of such public corporation, commission, or authority.” Developer shall be solely responsible for the use of the Social Housing Tax once received and for carrying out its duties under Initiatives 135 and 137, and shall indemnify and hold City harmless from any claim arising from or related to discharging these duties

(c) **City’s Role.** The City is acting solely in its capacity as the applicable taxing authority in the imposition, administration, collection and distribution of the proceeds of the Social Housing Tax pursuant to Initiatives 135 and 137. The City shall be solely responsible for administration, collection and distribution of the Social Housing Tax, shall indemnify and hold Developer harmless from any claim arising from or related to discharging these duties, and any amounts paid by the City to resolve such a claim shall not be from the Social Housing Tax. The City disclaims any responsibility for any use by Developer of any funds that is inconsistent with any applicable provision of law and reserves all its rights under applicable law.

## **Section 2. Duration**

(a) **Term.** The term of this Agreement shall commence effective January 1, 2025. The initial term of this Agreement shall be five years, after which time the Agreement shall be extended automatically for successive five-year terms.

(b) **Termination-Cessation of Tax.** If at any time the Social Housing Tax ceases to be imposed for any reason, this Agreement shall, once all outstanding taxes have been collected, and any audits appeals or adjustments resolved, terminate.

(c) **Termination by Notice.** Either party may terminate this Agreement by providing the other party with advance written notice no less than one year (365 days) prior to the effective date of such termination. If the notice of termination arises from a dispute between the parties, the termination will not be effective until after the parties engage in the dispute resolution process described in Section 12.

(d) **Effect of Termination.** In the event this Agreement is terminated for any reason other than the cessation of the Social Housing Tax, the Director remains obligated to continue collecting and disbursing the Social Housing tax as required by Initiative 137, as it may be from time to time amended; provided that in the case of the cessation of the tax, the City remains obligated to administer, collect and disburse the tax for all periods in which the tax was in effect. Developer shall be entitled to receive all Social Housing Tax revenues received by the City for periods in which Initiative 137 and the Social Housing Tax was in effect, unless otherwise

provided by any applicable legislation, or other applicable law in effect at the time of termination.

### **Section 3. Social Housing Tax Fund**

The City has created and maintains a special segregated fund designated as the “Social Housing Tax Fund” for the sole purpose of depositing the Social Housing Tax proceeds and making the transfers and payments required by Initiative 137. All proceeds of the Social Housing Tax will be deposited upon receipt by the Director into the Social Housing Tax Fund. All money deposited in the Social Housing Tax Fund will be transferred by the Director to the appropriate City Fund and the Seattle Social Housing Developer in accordance with applicable law and this Agreement. Interest earned on the Social Housing Tax that are within the Social Housing Tax Fund shall be retained within the Social Housing Tax Fund and used only for the purposes required by Initiative 137 and this Agreement. Interest earned on Social Housing Tax Revenues that remain within the Social Housing Tax Fund after the payments described in Sections 5(b) and 5(c) shall be retained within the Social Housing Tax Fund until disbursed under this Agreement.

### **Section 4. Administrative Reimbursement**

The City shall be compensated for its costs and expenses reasonably and actually incurred in the administration of the Seattle Social Housing Tax (“City Administration Costs”). In accordance with Initiative 137, annual compensation may not exceed the lesser of 5 percent of the tax revenue collected (after refunds and credits) from the Social Housing Tax during any year or \$2,000,000. City retains sole discretion to determine how to staff the administration of the Social Housing Tax, including by hiring new employees, utilizing contractors, or allocating a portion of existing employee time and any such staffing costs will be compensable up to the limits set in Initiative 137 as part of the City Administration Costs. Within sixty (60) days following the end of each calendar year, the Director shall prepare and submit to Developer, a detailed summary of the costs and expenses incurred by the City during the preceding calendar year in the administration of the Social Housing Tax. Developer may from time to time, but no more frequently than once per quarter, request the Director to provide an additional detailed summary of City costs and expenses for any calendar quarter, and the Director shall provide Developer such information in reasonable detail on a preliminary, unaudited basis within 60 days of receiving such request. Developer may request at the close any calendar year, at its sole costs and expense, a full financial review of the City’s books and records pertaining to the Social Housing Tax, including the costs and expenses of administering the tax and its allocation of costs and expenses. The City or its designee shall provide access to this information within 90 days of such request.

## **Section 5. Tax Collection and Transfer Procedures**

(a) **General Procedures.** As set forth in Initiative 137, the City is and shall be the tax-collecting entity for all purposes. In each tax period, the City shall collect all Social Housing Taxes due, including interest and penalties. The revenues will be collected by the Director in accordance with general rules that have been established by the City, including the City’s existing business excise tax collection procedures. No later than the last business day of February, May, August, and November (i.e., the second month following the end of each calendar quarter), the Director shall transfer to Developer the amounts remaining after first deducting from gross revenues (including interest accrued thereon) the amounts described in this section (“Social Housing Tax Net Revenues”).

(b) **Collection and Distribution of 2025 Taxes.** As set forth in Initiative 137, the initial due date for the entirety of a taxpayer’s 2025 tax liability is January 31, 2026. The date for transfer of these Social Housing Net Revenues shall be no later than March 2, 2026.

- (1) Prior to any transfer to the Seattle Social Housing Developer, the Director will deduct from the balance in the Social Housing Tax Fund:
  - (i) the full amount necessary to reimburse the City for all amounts then due (including both principal and interest) pursuant to any Loan Agreement or other loan arrangement between the Parties; and
  - (ii) the amount necessary to reimburse the City’s Administration Costs incurred during calendar year 2025 pursuant to Section 4.
- (2) On or before March 2, 2026, the Director shall transfer the remaining amounts to Developer. Such transfer shall be accompanied by a copy of a statement describing the gross revenues received as of January 31, 2026, the interest earned thereon (if any), and the total loan repayment amount deducted and paid to the City, if any, pursuant to Section 5(b)(1), above.

(c) **Ongoing Tax Collection and Distribution.** In accordance with Initiative 137, beginning with the first quarter of calendar year 2026, the Social Housing Tax will be collected by the City on a quarterly basis in accordance with the City’s generally applicable excise tax collection procedures, as they may be amended from time to time. Under these procedures, the tax filings are currently due on or before the last day of the month following the end of the calendar quarter, or other applicable reporting period (e.g., April 30, July 31, October 31, and January 31).

- (1) On a quarterly basis, the Director will deduct from gross revenues of the Social Housing Tax collected through the quarterly due date:

- (i) the full amount necessary to reimburse the City for all amounts then due (including both principal and interest) pursuant to any Loan Agreement or other loan arrangement between the Parties; and
  - (ii) (A) for the first three calendar quarters, one-fourth of the budgeted annual City Administration Costs, and (B) for the fourth calendar quarter, an amount necessary to cover the remaining administrative costs actually incurred during the calendar year, not to exceed the cumulative annual cap set forth in Initiative 137; and
  - (iii) those amounts necessary to process and fund credits, adjustments, and refunds pursuant to Section 8.
- (2) Quarterly transfers of the net Social Housing Tax revenues after these deductions, including any interest earned on Social Housing Tax Net Revenues, will be initiated by the Director on or before the last business day of February, May, August, and November. Such transfer shall be accompanied by a copy of a statement describing the gross revenues received as of the quarterly due date, the interest earned thereon (if any), and the total loan repayment amount deducted and paid to the City in respect of any Loan Agreement or other loan arrangement between the Parties.
- (3) No later than these quarterly dates, the Director will provide written notice to Developer of all monies deducted from or added to the Social Housing Tax proceeds for any previous period including but not limited to gross receipts, actual administrative reimbursements to the City, aggregate credits and refunds, interest, and any other related inflows or outflows.

## **Section 6. Refunds and Appeals**

The City will be responsible for processing refunds and handling appeals of refund denials in accordance with its generally applicable excise tax collection procedures. To the extent permitted by applicable law, the Director will provide Developer with an annual summary of the total dollar amount of taxpayer appeals and settlements for amounts subject to this Agreement. The Director shall within 7 days notify Developer of any civil, criminal, judicial, or administrative proceeding, of which it has received notice, relating to or arising out of the Social Housing Tax.

## **Section 7. Legal Challenge**

The Director shall within 7 days notify Developer of any legal challenge to the Social Housing Tax and reasonably cooperate with Developer on potential responses or defenses. The City shall be responsible to pay its own legal fees and expenses incurred in any such litigation from funds other than the Social Housing Tax. The City recognizes the Developer retains the

right to independently intervene or otherwise join the lawsuit and defend against such legal challenge.

### **Section 8. Refund and Credit Adjustments**

If the actual amount of tax receipts attributable to the Social Housing Tax for any reporting period differs from the amount previously reported or transferred to Developer, whether due to reconciliation, error, audit, or other correction, the Director shall adjust the next scheduled transfer of Social Housing Tax proceeds to account for such difference. Any overpayment shall be deducted, and any underpayment shall be added to the subsequent transfer(s), unless otherwise mutually agreed upon in writing.

All amounts necessary to process and pay refunds of and process credits against the Social Housing Tax shall be charged to Developer and shall be deducted prior to any subsequent transfer of Social Housing Tax revenues to Developer. All refunds and credits will be deducted from the Social Housing Tax proceeds prior to the transfer to Developer. The Director will provide to Developer a summary of the aggregate refund and credit amounts, and the administrative costs of processing such refund and credit amounts, for each filing period to the extent permitted by law.

### **Section 9. Amendments**

This Agreement may be amended only by the mutual written agreement of the Parties. Developer and/or the City shall submit in writing to the other party any proposed amendments. Within 60 days of a Party submitting proposed amendments, the Parties shall agree to a process and timeline for resolving any disagreement about proposed amendments. The Parties commit to working in good faith to come to agreement on any amendments.

### **Section 10. Administrator**

The City shall administer this Agreement through the Director of its Office of City Finance consistent with its terms and the terms of Initiatives 135 and 137 for the mutual benefit for the City and Developer.

### **Section 11. Nondiscrimination and Compliance with Applicable Law**

Developer shall comply with all applicable City, State and federal laws, regulations and constitutional provisions, including without limitation, provisions regarding the use of public funds, public records, public meetings, and nondiscrimination laws and regulations.

### **Section 12. Dispute Resolution**

(a) **Informal Negotiation.** The Parties shall first attempt to resolve any dispute informally through good faith negotiations between designated representatives. These

representatives shall meet within fifteen (15) business days of written notice of the dispute and shall endeavor to resolve the issue within thirty (30) business days.

(b) **Mediation.** If the dispute is not resolved through negotiation, either Party may initiate mediation by providing written notice to the other Party. Mediation shall be conducted by a mutually agreed-upon neutral third party, preferably with experience in public sector or intergovernmental disputes. Mediation shall be held in Washington State and administered under the procedures of the Washington Arbitration & Mediation Service (WAMS), unless otherwise agreed. The Parties shall cooperate fully to schedule a mediation session within 30 days of a mediation request by either party. The costs of mediation shall be shared equally by the Parties.

(c) **Litigation.** If mediation fails to resolve the dispute, any party may give notice to the other party of its intent to initiate a lawsuit, which shall not be filed until 5 court days after the notice is received.

(d) **Continuity of Services.** During the dispute resolution process, both Parties shall continue to perform their respective obligations under this Agreement to the extent reasonably possible.

(e) **Equitable Relief.** Either Party, without complying with any of Sections 12(a), (b) or (c), may seek specific performance or injunctive relief in a court of competent jurisdiction for breaches or threatened breaches where monetary damages would be inadequate and such relief is necessary to enforce the terms of this Agreement.

(f) **Governing Law and Venue.** This Agreement and any dispute arising under it shall be governed by the laws of the State of Washington. Any legal action or proceeding arising from or related to this Agreement shall be brought in a court of competent jurisdiction located in King County, Washington.

### **Section 13. Information Sharing and Taxpayer Confidentiality**

The Parties shall, in carrying out their respective obligations under this Agreement, comply with all applicable laws.

Date:  
\_\_\_\_\_

CITY OF SEATTLE

By: \_\_\_\_\_  
\_\_\_\_\_, for the City

SEATTLE SOCIAL HOUSING DEVELOPER

Date:  
\_\_\_\_\_

By: \_\_\_\_\_  
Roberto Jimenez, CEO

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Office of City Finance	Andrew Robinson	Lisa Gaccione

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to the Social Housing Tax; authorizing the Executive or designee to enter into an interlocal agreement with the Seattle Social Housing Developer to establish the terms and procedures for the implementation, administration, transfer, reporting, and oversight of the Social Housing Tax, including provisions for reimbursement of the City’s administrative and implementation costs and outstanding loan balances; creating the Social Housing Tax Fund; and ratifying and confirming certain prior acts.

#### **Summary and Background of the Legislation:**

On February 14, 2023, Seattle voters approved Initiative 135, a citizen-initiated measure to create the agency to develop, own, and maintain public affordable social housing in Seattle. On February 11, 2025, Seattle voters approved Proposition 1A which imposes a 5% tax rate on annual compensation above \$1,000,000 paid in Seattle to any employee for employers doing business in Seattle. Proceeds will support the Seattle Social Housing Developer, a public development authority.

The new tax was imposed January 1, 2025, but the first proceeds of the tax will not be collected until January 2026. The tax will be collected quarterly beginning in tax year 2026. Due to the tax collection timeline, the City and the PDA entered into a loan agreement for an amount up to \$2 million. This legislation authorizes the Executive or the Executive’s designee to enter into an Interlocal Agreement with the Seattle Social Housing Developer to define how the tax will be implemented, administered, and transferred for tax year 2025 and each subsequent year. This includes the reimbursement of the implementation and administrative costs associated with the tax, and the reimbursement for all loan balances (and interest thereon) extended by the City to the PDA.

### **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

### 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.**

No

**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.**

The additional costs will be reimbursed by proceeds of the Social Housing Tax.

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

The City risks a lawsuit if it cannot collect and distribute the Social Housing Tax.

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

### 4. OTHER IMPLICATIONS

**a. Is a public hearing required for this legislation?**

No

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

No

**c. Does this legislation affect a piece of property?**

No

**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 sets the processes for the Seattle Social Housing Developer to receive the proceeds of the Social Housing Tax. Tenant income range for Social Housing is 0-120% of average median income, so it will offer housing to those with below median income.

- ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**
- iii. **What is the Language Access Plan for any communications to the public?**

**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.**

N/A

- 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?**

No

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

No

**5. ATTACHMENTS**

**Summary Attachments:** None.



Legislation Text

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**File #:** CB 121093, **Version:** 2

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AN ORDINANCE relating to land use and zoning; revising environmental review thresholds and related provisions addressing transportation-related requirements, and archaeological, and cultural resource preservation requirements; amending the title of Chapter 23.52, the title of Subchapter I of Chapter 23.52, and Sections 22.170.050, 22.170.070, 22.170.190, 23.52.004, and 25.05.800 of the Seattle Municipal Code. The full text of the bill is attached to the legislative file.

**CITY OF SEATTLE**

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

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

..title

AN ORDINANCE relating to land use and zoning; revising environmental review thresholds and related provisions addressing transportation-related requirements, and archaeological and cultural resource preservation requirements; amending the title of Chapter 23.52, the title of Subchapter I of Chapter 23.52, and Sections 22.170.050, 22.170.070, 22.170.190, 23.52.004, and 25.05.800 of the Seattle Municipal Code.

..body

WHEREAS, the state of Washington in SB 5412 (2023) amended laws to encourage more housing and infill development in urban areas, enabling jurisdictions to adopt additional

efficiencies in relation to State Environmental Policy Act (SEPA) requirements; and

WHEREAS, the entirety of The City of Seattle is located within and designated as an Urban

Growth Area (UGA) and most development in Seattle is infill development; and

WHEREAS, in response to SB 5412, the City of Seattle’s SEPA review provisions have been

temporarily suspended since 2023 for development that includes residential uses, which

has streamlined permitting, but that suspension ends on September 30, 2025; and

WHEREAS, past revisions of SEPA categorical exemption levels have been coordinated with

the adoption of updated Comprehensive Plans in The City of Seattle; and

WHEREAS, The City of Seattle has adopted an updated Comprehensive Plan that defines new

growth planning objectives, including citywide prescriptions for the amount of residential

and employment growth for the next 20 years; and

WHEREAS, an Environmental Impact Statement (EIS) has been completed for the

Comprehensive Plan update that considers the uses and proposed density proposed for

changes in SEPA categorical exemption levels, and The City of Seattle has fulfilled other

obligations indicated in RCW 43.21C.229; and

1 WHEREAS, environmental analysis, protection, and mitigation are adequately addressed for  
2 SEPA-exempted development through adopted comprehensive plans, subarea plans, and  
3 other applicable local, state and federal development regulations; and

4 WHEREAS, the combined proposal further standardizes and simplifies codes to ensure future  
5 development proposals will address transportation, preservation of archaeological and  
6 cultural resources, and other impacts without the need for SEPA review for most  
7 individual developments; and

8 WHEREAS, the Seattle Department of Construction and Inspections has the authority to promulgate  
9 by director’s rule interpretations of SEPA exemptions for changes of use between categories  
10 of uses, expansions of outdoor areas of use, and cumulative expansions of uses; and

11 WHEREAS, the proposal is consistent with other state SEPA-related requirements and limits  
12 indicated in WAC 197-11-800, and related provisions; NOW, THEREFORE,

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

14 Section 1. Section 22.170.050 of the Seattle Municipal Code, last amended by Ordinance  
15 126357, is amended as follows:

16 **22.170.050 Definitions**

17 \* \* \*

18 “U.S. Government Meander Line” means a fixed determinable line run by the United  
19 States government along the banks of all navigable bodies of water and other important rivers  
20 and lakes for the purpose of defining the sinuosities of the shore or bank and as a means of  
21 ascertaining the areas of fractional subdivisions of the public lands bordering thereon.

22 “U.S. Government Meander Line buffer” means all areas within 200 feet of a U.S.  
23 Government Meander Line, including but not limited to within the Shoreline District as mapped  
24 in the Shoreline Master Program.

1 "Watercourse" means the route, constructed or formed by humans or by natural  
2 processes, generally consisting of a channel with bed, banks or sides, in which surface waters  
3 flow. Watercourse includes small lakes, bogs, streams, creeks, and intermittent artificial  
4 components (including ditches and culverts) but does not include designated receiving waters.

5 Section 2. Section 22.170.070 of the Seattle Municipal Code, last amended by Ordinance  
6 126357, is amended as follows:

7 **22.170.070 Application requirements for grading permits**

8 \* \* \*

9 B. Plans and information required

10 \* \* \*

11 2. Requirements for plans. The following information shall be submitted with  
12 applications for grading permits requiring plans.

- 13 a. A general vicinity map and legal description of the site;  
14 b. A site plan as required by the director of the department that will issue  
15 the permit;

- 16 c. A grading plan showing:  
17 1) An estimate of the total combined volume of excavation, filling,  
18 and other movement of earth material;  
19 2) A topographic plan, including cross-sections of the site and  
20 adjacent property, showing the existing and proposed contours of the land at not more than 2-  
21 foot contour intervals, and the location and amount of all temporary stockpiles and excavations.  
22 On steeper sites, the Director may authorize plans to show a contour interval greater than 2 feet

1 but in no case more than a 5-foot interval. The information relating to adjacent properties may be  
2 approximated;

3 3) A bar scale and north arrow;

4 4) The limits of proposed land disturbance;

5 5) Existing and proposed retaining walls, rockeries, and all other  
6 features that create sudden grade changes. Proposed retaining walls and rockeries shall include  
7 top and bottom elevations at the ends, high points, and at least every 25 feet along the feature;

8 6) Location of existing and proposed buildings, structures, hard  
9 surface, and other improvements on the site;

10 7) The approximate location of all buildings, structures, hard  
11 surface, and other improvements on adjacent land;

12 8) The location of existing and proposed drainage control facilities,  
13 drainage discharge points, watercourses, drainage patterns, and areas of standing water;

14 9) Environmentally critical areas and associated setbacks and  
15 buffers;

16 10) Areas within the Shoreline District or a U.S. Government

17 Meander Line buffer;

18 ~~((10))~~ 11) Non-disturbance areas;

19 ~~((11))~~ 12) The approximate location, type, and size of trees and  
20 other vegetation on the site;

21 ~~((12))~~ 13) Designation of trees and vegetation to be removed, and  
22 the minimum distance between tree trunks and the nearest excavation and/or fill; and



1 c. Where any portion of the grading will encroach on an adjacent property,  
2 proof of ownership of the adjacent property or an easement or authorization in accordance with  
3 Section 22.170.200;

4 d. The immediate and long-term intended use of the property;

5 e. Identification of past industrial or manufacturing uses or hazardous  
6 materials treatment, disposal, or storage that have occurred on the site;

7 f. Where a site is located in a potentially hazardous location, a copy of all  
8 applicable permit or approval applications, permits and approvals from the appropriate  
9 regulatory agencies; ~~((and))~~

10 g. When required by Section 22.807.020, a Construction Stormwater  
11 Control Plan~~((:))~~ ; and

12 h. A list of protective measures for potential archaeological and cultural  
13 resources that apply according to rules promulgated by the Director. The list shall also be  
14 included in contract documents.

15 2. Required after ~~((Initial Screening))~~ initial screening. The Director may require  
16 the following information after the initial screening of a grading permit application:

17 a. Sediment and pollution. A description of methods to be used to  
18 minimize sediment or other pollution from leaving the site during and after construction and to  
19 protect cleared areas and cut and fill slopes from erosion~~((:))~~ .

20 b. Schedule. A time schedule of operations, including, but not limited to,  
21 implementation of the applicable requirements of Sections 22.805.010 and 22.807.020, clearing,  
22 minimization of grading of unprotected soil surfaces, restoration of topsoil and vegetative cover,  
23 and construction of improvements~~((:))~~ .

1 c. Survey. A survey of boundaries and topography of the site and the  
2 grades of adjacent public rights-of-way prepared by a surveyor licensed by the State of  
3 Washington((=)) .

4 d. Geotechnical investigation((=))

5 1) When required. A geotechnical investigation may be required  
6 when an application for a grading permit is made for property located:

7 i. In potentially hazardous locations;

8 ii. In geologic hazard areas;

9 iii. In areas where grading may result in instability of the  
10 site or adjoining property;

11 iv. In areas where soils may not be suitable for the use  
12 intended;

13 v. In areas where the Director determines pollutants are  
14 likely to be present; or

15 vi. In any area where the Director determines that the  
16 information that would be supplied by a geotechnical investigation is necessary for the review of  
17 the application.

18 2) Information required. The geotechnical investigation shall  
19 provide information needed to assess potential hazards associated with the site and to determine  
20 whether a grading permit should be issued. It shall comply with rules promulgated by the  
21 Director.

22 3) Preparation. The geotechnical investigation shall be prepared by  
23 a geotechnical engineer or other equally qualified person approved by the Director. The Director

1 may require that the plans and specifications be stamped and signed by the geotechnical engineer  
2 to indicate that the grading and proposed structure comply with the conclusions and  
3 recommendations of the investigation.

4 e. Site ~~((Analysis))~~ analysis. For properties located in any of the areas  
5 identified in subsection 22.170.070.C.2.d, an analysis and report of the following site factors,  
6 prepared by a licensed civil engineer or other person approved by the Director:

7 1) The hydrology of the site and the drainage basin in which the  
8 development is located; and

9 2) The effect of grading upon surrounding properties,  
10 watercourses, and the drainage basin, including impacts on water quality and fish habitat when a  
11 stream, lake, or other body of water is affected.

12 f. Additional information. The Director may require additional information  
13 pertaining to the specific site and any other relevant information needed in order to assess  
14 potential hazards associated with the site and to determine whether a grading permit should be  
15 issued.

16 3. Fees. A fee for each grading permit and for other activities related to the  
17 enforcement of this code shall be paid as set forth in the Fee Subtitle ~~((SMC Chapters 22.900A-  
18 22.900G)))~~ .

19 Section 3. Section 22.170.190 of the Seattle Municipal Code, last amended by Ordinance  
20 126357, is amended as follows:

21 **22.170.190 General requirements**

22 \* \* \*

1 R. Land disturbing activity shall comply with provisions of applicable codes and rules  
2 promulgated by the Director describing actions and practices to protect potential archaeological  
3 and cultural resources during construction.

4 Section 4. The title of Chapter 23.52 of the Seattle Municipal Code, last amended by  
5 Ordinance 127228, is amended as follows:

6 **Chapter 23.52 TRANSPORTATION ((CONCURRENCY,)) LEVEL OF SERVICE, AND**  
7 **TRANSPORTATION IMPACT ((MITIGATION)) ANALYSIS FOR SEPA-EXEMPT**  
8 **DEVELOPMENT**

9 Section 5. The title of Subchapter I of Chapter 23.52 of the Seattle Municipal Code, last  
10 amended by Ordinance 127228, is amended as follows:

11 **Subchapter I Transportation ((Level-of-Service Project Review System)) Level of Service**

12 Section 6. Section 23.52.004 of the Seattle Municipal Code, last amended by Ordinance  
13 127375, is amended as follows:

14 **23.52.004 ((Requirement to meet transportation)) Transportation ((level-of-service**  
15 **standards)) level of service**

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

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

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

4                   A. The Comprehensive Plan ((establishes that one level of service measure is the  
5 percentage of trips that are made by )) includes goals and policies that promote travel by multiple  
6 modes. This includes goals and policies to reduce single-occupant vehicle travel and citywide  
7 vehicle miles traveled. These goals and policies also establish data measures to gauge progress  
8 across multiple modes including automobile, transit, bicycle, and pedestrian travel, both citywide  
9 and within designated Regional, Urban, and Neighborhood centers.

10                   B. Map A for 23.52.004 establishes ((the SOV mode share targets by geographic sector.))  
11 level of service goals defined as the target SOV mode share by geographic sector.

12                   ~~((B.))~~ C. To support achieving ((level of service objectives related to SOV mode share,  
13 this Chapter 23.52)) the transportation goals and policies included in the Comprehensive Plan  
14 and to support achieving level-of-service objectives related to SOV mode share shown in Map A,  
15 subsection 23.52.008 of this Chapter 23.52 specifies requirements that apply according to  
16 development size, site zoning, and type of permit review.

17                   **Map A for 23.52.004: 2035 SOV Mode Share Targets by Geographic Sector**



1  
2 ((B. Requirements. Development above the thresholds in subsection 23.52.004.A shall  
3 contribute toward achieving the SOV reduction targets identified on Map A for 23.52.004, either  
4 based on location of the development in a regional center, an urban center, or within one-half

1 ~~mile's walking distance of a light rail station, or where these locational criteria are not met, by~~  
2 ~~selecting and implementing at least one mitigation measure from a list of measures identified in a~~  
3 ~~Joint Directors' Rule adopted by the Directors of the Department of Construction and Inspections~~  
4 ~~and the Seattle Department of Transportation.))~~

5 Section 7. Section 25.05.800 of the Seattle Municipal Code, last amended by Ordinance  
6 127375, is amended as follows:

7 **25.05.800 Categorical exemptions**

8 The proposed actions contained in this Section 25.05.800 are categorically exempt from  
9 threshold determination and environmental impact statement requirements, subject to the rules  
10 and limitations on categorical exemptions contained in Section 25.05.305.

11 A. Minor new construction; flexible thresholds

12 1. The exemptions in this subsection 25.05.800.A apply to all licenses required to  
13 undertake the construction in question. To be exempt under this Section 25.05.800, the project  
14 shall be equal to or smaller than the exempt level. For a specific proposal, the exempt level in  
15 subsection 25.05.800.A.2 shall control. If the proposal is located in more than one city or county,  
16 the lower of the agencies' adopted levels shall control, regardless of which agency is the lead  
17 agency. The exemptions in this subsection 25.05.800.A apply except when the project:

- 18 a. Is undertaken wholly or partly on lands covered by water;
- 19 b. Requires a license governing discharges to water that is not exempt  
20 under RCW 43.21C.0383;
- 21 c. Requires a license governing emissions to air that is not exempt under  
22 RCW 43.21C.0381 or WAC 197-11-800(7) or 197-11-800(8); or

1 d. Requires a land use decision that is not exempt under subsection  
 2 25.05.800.F.

3 2. The following types of construction are exempt, except when undertaken  
 4 wholly or partly on lands covered by water:

5 a. The construction or location of residential or mixed-use development  
 6 ~~((containing no more than the number of dwelling units identified in Table A for 25.05.800:))~~  
 7 citywide is categorically exempt from SEPA environmental review in all zones if:

8 1) The development is consistent with subsection 25.05.800.A.1;

9 2) Citywide residential growth has not exceeded the exemption  
 10 limits established pursuant to subsection 25.05.800.A.2.i in reference to an adopted  
 11 Comprehensive Plan. Or if the exemption limits established pursuant to subsection  
 12 25.05.800.A.2.i have been exceeded, a residential or mixed-use development's exemption from  
 13 review shall be subject to a categorical exemption threshold of 200 dwelling units; and

14 3) The development does not exceed permissible use, density, or  
 15 intensity limits established by the Land Use Code or other applicable codes of The City of  
 16 Seattle.

<b><del>((Table A for 25.05.800</del></b>			
<b><del>Exemptions for residential uses</del></b>			
<b>Zone</b>	<b>Number of exempt dwelling units</b>		
	<b><del>Outside regional centers and urban centers</del></b>	<b><del>Within regional centers and urban centers where growth estimates have not been exceeded</del></b>	<b><del>Within regional centers and urban centers where growth estimates have been exceeded</del></b>
<del>NR and RSL</del>	4	4	4
<del>LR1</del>	4	200 <sup>†</sup>	20
<del>LR2</del>	6	200 <sup>†</sup>	20
<del>LR3</del>	8	200 <sup>†</sup>	20



1 65,000 gross square feet for non-retail commercial uses or 30,000 gross square feet for other  
 2 uses;

3 3) Citywide employment growth has not exceeded the exemption  
 4 limits established pursuant to subsection 25.05.800.A.2.i in reference to an adopted  
 5 Comprehensive Plan. Or, if the exemption limits established pursuant to subsection  
 6 25.05.800.A.2.i have been exceeded, a development’s exemption from review shall be subject to  
 7 a categorical exemption threshold of 30,000 gross square feet; and

8 4) The development does not exceed permissible use, density, or  
 9 intensity limits established by the Seattle Municipal Code.

<b>((Table B for 25.05.800 Exemptions for nonresidential uses</b>			
<b>Zone</b>	<b>Exempt area of use (square feet of gross floor area)</b>		
	<b>Outside regional centers and urban centers</b>	<b>Within regional centers and urban centers where growth estimates have not been exceeded</b>	<b>Within regional centers and urban centers where growth estimates have been exceeded</b>
NR, RSL, and LR1	4,000	4,000	4,000
LR2 and LR3	4,000	12,000 <sup>+</sup> or 30,000 <sup>2</sup>	12,000
MR, HR, NC1, NC2, and NC3	4,000	12,000 <sup>+</sup> or 30,000 <sup>2</sup>	12,000
C1, C2, and Seattle Mixed zones	12,000	12,000 <sup>+</sup> or 30,000 <sup>2</sup>	12,000
Industrial zones	12,000	12,000	12,000
MPC-YT	NA	12,000	12,000
Downtown zones	NA	30,000	30,000

Footnotes to Table B for 25.05.800  
 NA = not applicable  
 Regional centers and urban centers are identified in the Seattle Comprehensive Plan.  
<sup>+</sup>—New nonresidential development that is not part of a mixed-use development and that does not exceed 12,000 square feet in size is categorically exempt from the State Environmental Policy Act (SEPA).  
<sup>2</sup>—

<b><del>((Table B for 25.05.800</del></b>			
<b><del>Exemptions for nonresidential uses</del></b>			
<b>Zone</b>	<b>Exempt area of use (square feet of gross floor area)</b>		
	<b>Outside regional centers and urban centers</b>	<b>Within regional centers and urban centers where growth estimates have not been exceeded</b>	<b>Within regional centers and urban centers where growth estimates have been exceeded</b>
<sup>2</sup> Pursuant to RCW 43.21C.229, new nonresidential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in a regional center or in an urban center is categorically exempt from SEPA, unless the Department has determined that employment growth within the regional center or urban center has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.)			

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d. The construction of ~~((a))~~ flexible-use parking ~~((lot))~~ designed for ~~((40))~~ 20 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of ~~((40))~~ 20 spaces, in all zones other than Industrial and Maritime zones;

e. The construction of flexible-use parking designed for 90 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 90 spaces, in Industrial and Maritime zones;

f. Any fill or excavation of ~~((500))~~ 1,000 cubic yards or less throughout the total lifetime of the fill or excavation; and any excavation, fill, or grading necessary for an exempt project in subsections 25.05.800.A.2.a, 25.05.800.A.2.b, 25.05.800.A.2.c, or 25.05.800.A.2.d shall be exempt;

g. ~~((Mixed-use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through 25.05.800.A.2.d, unless the~~

1 ~~uses in combination may have a probable significant adverse environmental impact in the~~  
2 ~~judgment of an agency with jurisdiction (see subsection 25.05.305.A.2.b))~~ Reserved;

3 h. In zones not specifically identified in this subsection 25.05.800.A, the  
4 standards for the most similar zone addressed by this subsection 25.05.800.A apply;

5 i. For the purposes of this subsection 25.05.800.A, "mixed-use  
6 development" means development having two or more principal uses, ~~((one of which is))~~  
7 combining a non-residential use with a residential use ((comprising 50 percent or more of the  
8 gross floor area)) with at least one dwelling unit, not including caretaker's quarters or live-work  
9 units;

10 j. To implement the requirements of ~~((Table A for 25.05.800 and Table B~~  
11 ~~for 25.05.800))~~ subsections 25.05.800.A.2.a and 25.05.800.A.2.c, the Director shall establish  
12 implementation guidance by rule for how growth is measured against exemption limits and how  
13 changes to thresholds will occur if exemption limits are reached. The residential exemption  
14 limits shall consist of the residential growth ~~((estimates established in))~~ amount planned citywide  
15 by the Seattle Comprehensive Plan ((for a given area,)) minus a "cushion" of ~~((ten))~~ one-half  
16 percent to ((assure)) ensure that development does not exceed the planned-for growth  
17 ((estimates)) without SEPA review. The non-residential exemption limits shall consist of the  
18 non-residential employment growth planned citywide by the Seattle Comprehensive Plan, minus  
19 a "cushion" of one percent to assure that non-residential development does not exceed the  
20 planned-for growth without SEPA review; and

21 k. The Director shall monitor residential and employment growth and  
22 periodically publish a determination of growth citywide and for each regional and urban center.  
23 Residential growth shall include, but need not be limited to, net new units that have been built

1 and net new units in projects that have received a building permit but have not received a  
2 certificate of occupancy. Per implementation guidance established by rule, if the Director  
3 determines that citywide exemption limits have been reached (~~((for a regional center or an urban~~  
4 ~~center))~~), subsequent development will be subject to the lower thresholds as set forth in (~~Table~~  
5 ~~A for 25.05.800 and Table B for 25.05.800~~) subsections 25.05.800.A.2.a.2 and 25.05.800.A.2.c.

6 3.

7 B. Other minor new construction

8 1. The exemptions in this subsection 25.05.800.B apply to all licenses required to  
9 undertake the following types of proposals except when the project:

- 10 a. Is undertaken wholly or partly on lands covered by water;
- 11 b. Requires a license governing discharges to water that is not exempt  
12 under RCW 43.21C.0383;
- 13 c. Requires a license governing emissions to air that is not exempt under  
14 RCW 43.21C.0381 or subsection 25.05.800.H or subsection 25.05.800.I; or
- 15 d. Requires a land use decision that is not exempt under subsection  
16 25.05.800.F.

17 \* \* \*

18 6. Additions or modifications to or replacement of any building or facility  
19 exempted by subsections 25.05.800.A and 25.05.800.B when such addition, modification, or  
20 replacement will not change the character of the building or facility in a way that would remove  
21 it from an exempt class<sup>1</sup> ;

22 7. The demolition of any structure, ~~((or))~~ facility, or improvement, the  
23 construction of which would be exempted by subsections 25.05.800.A and 25.05.800.B, except

1 for structures, ((Ø)) facilities, or improvements with recognized historical significance such as  
2 listing in a historic register<sup>1</sup> ;

3 \* \* \*

4 <sup>1</sup> Footnote for subsections 25.05.800.B.6 and 25.05.800.B.7: Proposed actions that involve  
5 structures that exceed the following thresholds in Table A or B for Footnote (1)  
6 for 25.05.800.B.6 and 25.05.800.B.7 and that appear to meet criteria set forth in Chapter  
7 25.12 for Landmark designation are subject to referral to the Department of Neighborhoods  
8 pursuant to Section 25.12.370:

**Table A for Footnote (1) for 25.05.800.B.6 and 25.05.800.B.7  
Residential uses threshold for referral to Department of Neighborhoods (DON)**

<b>Zone</b>	<b>Permit applications for additions, modifications, demolition, or replacement of structures with more than the following number of dwelling units are referred to DON for landmark review:</b>
NR, RSL, LR1, NC1, NC2, NC3, C1, C2, and Industrial zones	4
LR2	6
LR3	8
MR, HR, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, SM-NG, and Downtown zones	20

9

**Table B for Footnote (1) for 25.05.800.B.6 and 25.05.800.B.7  
Non-residential uses threshold for referral to Department of Neighborhoods (DON)**

<b>Zone</b>	<b>Permit applications for additions, modifications, demolition, or replacement of structures with more than the following square footage amounts are referred to DON for landmark review:</b>
C1, C2, SM-SLU, SM-D, SM-NR, SM-U, SM-UP, SM-NG, and Industrial zones	12,000
All other zones	4,000

1

\* \* \*

1 Section 8. This ordinance shall take effect as provided by Seattle Municipal Code  
2 Sections 1.04.020 and 1.04.070.

3 Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2026,  
4 and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2026.

6 \_\_\_\_\_  
7 President \_\_\_\_\_ of the City Council

8 Approved / returned unsigned / vetoed this \_\_\_\_ day of \_\_\_\_\_, 2026.

9 \_\_\_\_\_  
10 Katie B. Wilson, Mayor

11 Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

12 \_\_\_\_\_  
13 Scheereen Dedman, City Clerk

14 (Seal)

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
SDCI	Gordon Clowers	Jennifer Breeze

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; revising environmental review thresholds and related provisions addressing transportation-related requirements, and archaeological and cultural resource preservation requirements; amending the title of Chapter 23.52, the title of Subchapter I of Chapter 23.52, and Sections 22.170.050, 22.170.070, 22.170.190, 23.52.004, and 25.05.800 of the Seattle Municipal Code.

#### **Summary and Background of the Legislation:**

This legislation amends the Land Use Code (Title 23), Environmental Policies and Procedures (Title 25), and Grading Code (Title 22). It updates the State Environmental Policy Act (SEPA) thresholds for environmental review, and other provisions relating to land use permitting, transportation, and archaeological and cultural resource preservation. This legislation focuses requirements for SEPA review so that it occurs only in limited circumstances for projects where environmental impacts would be most probable. This is supported by the City's current and proposed Comprehensive Plans' policies and related analyses. Currently, nearly all types of potential environmental impacts addressed by SEPA are already addressed via the City's policy intents, development regulations, and related requirements.

These amendments are intended to update the permit process to be more efficient, to better meet the current needs of the City, to expedite housing development, to support easier and faster permitting for small and medium-sized businesses and commercial and retail spaces, and support transit-oriented infill urban growth patterns. Implementing this legislation should help lead to new investment in residential and non-residential development, which should in turn support economic development, job growth, more housing supply, and a wider variety of housing options.

The legislation:

1. Updates SEPA categorical exemption thresholds defined citywide for residential and mixed-use development that includes housing, based on the levels of planned-for citywide growth, consistent with the updated Comprehensive Plan and consistent with the infill growth provisions of RCW 43.21C.229. These reflect that all of Seattle is defined as within an urban growth area (UGA).
2. Raises SEPA categorical exemption thresholds for stand-alone commercial development and other non-residential development citywide to the maximum SEPA exemption thresholds defined in WAC 197-11-800 and RCW 43.21C.229, which are 30,000 square feet for non-residential retail uses, and 65,000 square feet for non-residential non-retail

uses, respectively; and increases the SEPA categorical threshold for principal-use parking uses to 90 parking spaces.

3. Updates code provisions, rules, and permitting practices related to cultural and archaeological resources preservation, and what happens if such resources are discovered during construction. This includes:
  - a. Updates rules, requirements, and permit conditions for cultural and archaeological resources that may be unearthed during construction;
  - b. Extends those requirements to areas within a defined meander line buffer area, which are places where shorelines used to exist, where there is an elevated probability of cultural and archaeological resource presence;
4. Revises Section 23.52.004 relating to transportation level-of-service measures, by removing outdated text that no longer meets the intent of the Comprehensive Plan.
5. Identifies a need (which will be addressed administratively) to update noticing practices for development proposals, in order to notify the State Department of Transportation when state facilities may be affected, for their review on proposals that could impact state facilities.

In certain situations, developments below the SEPA thresholds will still require SEPA review, including:

- Due to presence of already-designated historic or landmark buildings;
- Changes-of-use in existing developed sites to a substantially more intensive use that would warrant SEPA review, per SDCI Director's Rule;
- Additions to existing buildings or uses, if the addition causes the use to exceed a SEPA review threshold for the first time, and certain additions to existing larger buildings;
- Projects that include or are part of a series of actions that together exceed a SEPA review threshold; and
- The addition of certain large features such as a tank greater than 10,000 gallons in most zones; or development of more than 90 parking spaces in a principal-use parking use.

This legislation may be decided in a timeframe that will effectively update and replace the City's SEPA review thresholds, following the expiration of a current two-year suspension of SEPA review for most residential and mixed-use development, brought about by State legislation (Senate Bill 5412), which expires on September 30, 2025.

The current suspension has considerably reduced the volume of SEPA reviews undertaken in the last two years. Economic conditions have also played a part in slowing down the rate of new development permit reviews. While past volumes of SEPA reviews ranged from approximately 100 to 200 in past years, only approximately 35 SEPA reviews were undertaken annually for proposals with decisions rendered in 2023 and 2024. These were mostly related to situations where SEPA review is still required due to special circumstances such as overwater construction

activity, presence of environmental critical areas such as wetlands, replacement of large tanks, and a handful of new uses or additions (industrial development, institutional development, or building changes-of-use) that exceeded the applicable thresholds.

For additional information, please see the Director’s Report accompanying this legislation.

This summary and fiscal note was updated by Council Central Staff on 2.5.26 to reflect indirect impacts from the proposal to the Seattle Department of Transportation’s Transportation Fund. See Section 3.d, below.

### ***Projected effects on future annual revenues***

Current economic and financing conditions are resulting in a lower rate of new development activity, with no significant changes likely in the near term. Also, a probable majority of new development proposals reviewed will be smaller-sized and below the existing SEPA thresholds, meaning they would not be affected by this legislation. This leads to a forecast of continued low volumes of potentially affected SEPA reviews, on the order of approximately 35 projects per year for 2025 and 2026, as it was in 2023 and 2024.

Analysis of 58 SEPA-reviewed development proposals that were permitted in the last 1.5 years helps to estimate the amount of future developments that may benefit from the proposed reduction in SEPA coverage. Of these 58, only approximately 17 projects (29% of the sample) could have been newly exempted by the thresholds in this legislation. This equates to an annual rate of newly exempting approximately 10 developments out of an estimated 35 total per year. The exempted developments would be due to eliminating low current SEPA thresholds, mainly in places outside of any urban center. In contrast, the other cases still expected to require SEPA review are largely due to their location over-water, or due to presence of environmentally critical areas.

This analysis evaluates an upper-end estimate of 15 total exempted projects for the coming year, in line with recent relatively slow levels of permit activity. Over the longer term, if the SEPA thresholds are raised citywide, it is possible that the annual count of exempted projects would gradually rise.

At the current land use review rate of \$467 per hour, the foregoing of 10 to 15 project permit reviews that may spend an estimated 4 to 8 hours on SEPA review tasks for a permit decision would lead to foregone revenue of approximately \$18,700 - \$56,000. While it is possible that SEPA review tasks could exceed 8 hours for large development proposals, the average time spent on SEPA review itself will continue to be relatively limited. Sample project SEPA reviews illustrate that unique SEPA-impact-based mitigation is rarely included, and the SEPA written impact analyses tend to be written with standardized language.

Other proposed amendments relating to transportation noticing practices and removing outdated code text; and adjustments to archaeological and cultural preservation process documentation such as in grading permit reviews, are not expected to result in systematic differences in use of City staff time or revenue impacts. This is due to the relative rarity of these particular

archaeological and cultural preservation processes and a low probability for them to cause significant use of SDCI staff time in future project reviews.

**2. CAPITAL IMPROVEMENT PROGRAM**

Does this legislation create, fund, or amend a CIP Project?   No

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

Does this legislation have financial impacts to the City?  Yes

<b>Expenditure Change (\$); General Fund</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		-	-	-	-
<b>Expenditure Change (\$); Other Funds</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		\$0	\$0	\$0	\$0

<b>Revenue Change (\$); General Fund</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		NA	NA	NA	NA
<b>Revenue Change (\$); Other Funds</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		(\$18,700 - \$56,000)	(\$18,700 - \$56,000)	(\$18,700 - \$56,000)	(\$18,700 - \$56,000)

<b>Number of Positions</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		-	-	-	-
<b>Total FTE Change</b>	<b>2025</b>	<b>2026 est.</b>	<b>2027 est.</b>	<b>2028 est.</b>	<b>2029 est.</b>
		-	-	-	-

**3.b. Revenues/Reimbursements**

This legislation adds, changes, or deletes revenues or reimbursements.

**Anticipated Revenue/Reimbursement Resulting from This Legislation:**

<b>Fund Name and Number</b>	<b>Dept</b>	<b>Revenue Source</b>	<b>2026 Est. Revenue</b>
Operating – 48100	SDCI	Permit fees: Construction and Inspections fund	(\$18,700-\$56,000)
<b>TOTAL</b>			<b>(\$18,700- \$56,000)</b>

**Revenue/Reimbursement Notes:**

The estimates here reflect a number of assumptions including:

- Legislation effectiveness on or before January 1, 2026;
- Implementation of a SEPA threshold applicable citywide that fully exempts residential developments regardless of zone unless special circumstances are present, such as

location in shoreline designated areas or presence of environmental critical areas mandates environmental review;

- Implementation of non-residential use thresholds citywide to the maximum degree possible under State law, as single-uses or in mixed-use development.
- Routine manners of SEPA review, impact conditioning, and decision-writing, which will limit the time spent on most SEPA component reviews to 4-8 hours per permit, and a land use review rate of \$467 per hour.
- The high-end estimate accommodates the possible occurrence of 5 more SEPA-exempted developments per year above the data-based estimate of 10 SEPA-exempted developments benefitting from the legislation.

### 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.**

~~No.~~ The legislation would reduce revenues from pro-rata payments to the Transportation Fund required by a SEPA-based transportation mitigation program applicable to South Lake Union and Northgate. Pro-rata payment from that program go towards capital improvements in South Lake Union and Northgate. The program is described in [SDCI TIP 243](#).

SDOT estimates that, since inception, the mitigation program has generated at least \$16 million for capital improvements. SDOT currently has a little less than \$1.5 million in partial payments in current accounts from the program for future expenditures on capital improvements. Changes to SEPA and TIA thresholds would reduce future revenue by an undetermined amount.

**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.**

The anticipated amount of foregone revenue is *de minimis*. The projected future volume of SEPA reviews for the foreseeable future will be low, but will still be conducted where required. SDCI does not anticipate any staffing reductions as a result of this legislation.

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

The effect of not implementing this proposed legislation would be a lost opportunity to permanently raise SEPA thresholds and would be out of step with current public policy priorities to support housing and other development in urban areas.

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

Of the other City departments, the most likely to benefit from amendments to SEPA is the Office of Housing, which funds and supports new housing developments serving below-median-income households. OH would be able to continue benefiting from SEPA categorical exemption threshold levels that minimize the need for future SEPA project review.

While higher SEPA thresholds are in effect, SDOT would receive less revenue from the SEPA-based transportation mitigation program applicable to South Lake Union and Northgate

#### **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?**

This legislation will affect development permitting practices for properties citywide.

**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.**

The effect of this legislation would be limited in the actual number of affected development actions, perhaps 10 to 15 annually.

The citywide applicability is not likely to lead to geographic disparities in how it is applied, nor to impacting any specific neighborhood or community populations, or City employee population or internal programs.

This is relevant because the prospective benefits of additional affordable housing opportunities as development outcomes, and the potential to benefit existing property owners citywide by encouraging development opportunity, is not likely to occur in an inequitable or disproportionate way. A citywide approach is not likely to lead to focused negative impacts in any particular geographic concentration.

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

NA.

**iii. What is the Language Access Plan for any communications to the public?**

This legislation is adhering to ADA accessibility principles in the materials provided for public review.

**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 supports additional housing growth in patterns that are oriented to ensuring more housing supply for a range of household incomes in places that are near mass transit opportunities (centers-based and transit-proximate). This supports an increased likelihood of transportation efficiencies through transit use, which would help the City achieve its carbon emissions objectives in a material way. See the Environmental Impact Statement for the Comprehensive Plan update.

**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.**

Similar to the response above, supporting denser residential and mixed-use growth in Seattle, in centers-based transit-proximate ways but also throughout Seattle neighborhoods, increases the chances that communities will be resilient. This is aided by populations dense enough to provide goods, services, public services, utilities, and human services in efficient ways. These outcomes support the health and livability of cities like Seattle. These cities are by definition more resilient because they do not depend on fossil fuels as much for daily living and can resist adverse effects of disruptions to infrastructure if negative events like fires occur.

**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?**

This legislation does not represent a new initiative or major programmatic expansion. Rather it is an extension of public policy trends to de-emphasize project-based environmental impact documentation in favor of streamlined permitting processes that will better achieve positive outcomes like more housing growth sooner, including growth in ways preferred by the City's Comprehensive Plan.

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

No.

## 6. ATTACHMENTS

**Summary Attachments:** None.



## Amendment A Version 1 to CB 121093 – Growth Monitoring in Manufacturing and Industrial Centers

**Sponsor:** Councilmember Lin

Require reporting on residential and employment growth in Manufacturing and Industrial Centers (MICs) and Review Conditional use Criteria for Residential Uses in MICs

**Effect:** This amendment would (1) require that the City include Manufacturing and Industrial Centers (MICs) in monitoring and reporting on residential and employment growth to inform applicable State Environmental Policy Act (SEPA) review thresholds, (2) establish the Council’s intent to review Administrative Conditional Use (ACU) criteria for approval of residential uses in Industrial and Maritime zones to protect Port of Seattle operations, and (3) request that the Office of Planning and Community Development and the Seattle Department of Construction and Inspections provide reporting to inform the review of ACU criteria.

In 2026, the Council will be considering subarea plans for both the Duwamish and Ballard Interbay-Northend Manufacturing and Industrial Centers (MICs). Additionally, the Council will be considering updates to new Industrial and Maritime zoning regulations that were initially passed through [Ordinance 126862](#) in 2023. Those regulations allow limited residential uses through an ACU approval.<sup>1</sup> ACU approvals are discretionary decisions by the SDCI Director that may be appealed to the City Hearing Examiner.

Amend Section 7 of CB 121093, as follows:

Section 7. Section 25.05.800 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

### **25.05.800 Categorical exemptions**

The proposed actions contained in this Section 25.05.800 are categorically exempt from threshold determination and environmental impact statement requirements, subject to the rules and limitations on categorical exemptions contained in Section 25.05.305.

---

<sup>1</sup> See [Seattle Municipal Code Section 23.50A.062](#) for ACU criteria.

A. Minor new construction; flexible thresholds

\*\*\*

2. The following types of construction are exempt, except when undertaken wholly or partly on lands covered by water:

a. The construction or location of residential or mixed-use development ~~((containing no more than the number of dwelling units identified in Table A for 25.05.800:))~~

citywide is categorically exempt from SEPA environmental review in all zones if:

1) The development is consistent with subsection 25.05.800.A.1;

2) Citywide residential growth has not exceeded the exemption limits established pursuant to subsection 25.05.800.A.2.i in reference to an adopted Comprehensive Plan. Or if the exemption limits established pursuant to subsection 25.05.800.A.2.i have been exceeded, a residential or mixed-use development's exemption from review shall be subject to a categorical exemption threshold of 200 dwelling units; and

3) The development does not exceed permissible use, density, or intensity limits established by the Land Use Code or other applicable codes of The City of Seattle.

<del>((Table A for 25.05.800 Exemptions for residential uses</del>			
<del>Zone</del>	<del>Number of exempt dwelling units</del>		
	<del>Outside regional centers and urban centers</del>	<del>Within regional centers and urban centers where growth estimates have not been exceeded</del>	<del>Within regional centers and urban centers where growth estimates have been exceeded</del>
<del>NR and RSL</del>	<del>4</del>	<del>4</del>	<del>4</del>
<del>LR1</del>	<del>4</del>	<del>200+</del>	<del>20</del>
<del>LR2</del>	<del>6</del>	<del>200+</del>	<del>20</del>

<del>((Table A for 25.05.800 Exemptions for residential uses</del>			
<del>Zone</del>	<del>Number of exempt dwelling units</del>		
	<del>Outside regional centers and urban centers</del>	<del>Within regional centers and urban centers where growth estimates have not been exceeded</del>	<del>Within regional centers and urban centers where growth estimates have been exceeded</del>
<del>LR3</del>	<del>8</del>	<del>200<sup>+</sup></del>	<del>20</del>
<del>NC1, NC2, NC3, C1, and C2</del>	<del>4</del>	<del>200<sup>+</sup></del>	<del>20</del>
<del>MR, HR, and Seattle Mixed zones</del>	<del>20</del>	<del>200<sup>+</sup></del>	<del>20</del>
<del>MPC-YT</del>	<del>NA</del>	<del>30<sup>+</sup></del>	<del>20</del>
<del>Downtown zones</del>	<del>NA</del>	<del>250<sup>+</sup></del>	<del>200</del>
<del>Industrial zones</del>	<del>4</del>	<del>4</del>	<del>4</del>

~~Footnotes to Table A for 25.05.800  
 NA = not applicable  
 Regional centers and urban centers are identified in the Seattle Comprehensive Plan;  
 + Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed use development located in a regional center or in an urban center is categorically exempt from the State Environmental Policy Act, unless the Department has determined that residential growth within the regional center or urban center has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.)~~

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or the property owner's agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service, or storage buildings, ~~((containing no more than the gross floor area listed in Table B for 25.05.800:))~~ citywide, is categorically exempt from SEPA environmental review in all zones if:

- 1) The development is consistent with subsection 25.05.800.A.1;

2) For stand-alone non-residential use development, not including non-residential uses located within a mixed-use structure, the gross floor area does not exceed 65,000 gross square feet for non-retail commercial uses or 30,000 gross square feet for other uses;

3) Citywide employment growth has not exceeded the exemption limits established pursuant to subsection 25.05.800.A.2.i in reference to an adopted Comprehensive Plan. Or, if the exemption limits established pursuant to subsection 25.05.800.A.2.i have been exceeded, a development’s exemption from review shall be subject to a categorical exemption threshold of 30,000 gross square feet; and

4) The development does not exceed permissible use, density, or intensity limits established by the Seattle Municipal Code.

~~((Table B for 25.05.800 Exemptions for nonresidential uses~~

Zone	Exempt area of use (square feet of gross floor area)		
	Outside regional centers and urban centers	Within regional centers and urban centers where growth estimates have not been exceeded	Within regional centers and urban centers where growth estimates have been exceeded
NR, RSL, and LR1	4,000	4,000	4,000
LR2 and LR3	4,000	12,000 <sup>1</sup> or 30,000 <sup>2</sup>	12,000
MR, HR, NC1, NC2, and NC3	4,000	12,000 <sup>1</sup> or 30,000 <sup>2</sup>	12,000
C1, C2, and Seattle Mixed zones	12,000	12,000 <sup>1</sup> or 30,000 <sup>2</sup>	12,000
Industrial zones	12,000	12,000	12,000
MPC YF	NA	12,000	12,000
Downtown zones	NA	30,000	30,000

<del>((Table B for 25.05.800 Exemptions for nonresidential uses</del>			
<del>Zone</del>	<del>Exempt area of use (square feet of gross floor area)</del>		
	<del>Outside regional centers and urban centers</del>	<del>Within regional centers and urban centers where growth estimates have not been exceeded</del>	<del>Within regional centers and urban centers where growth estimates have been exceeded</del>
<del>Footnotes to Table B for 25.05.800            NA = not applicable            Regional centers and urban centers are identified in the Seattle Comprehensive Plan.            † New nonresidential development that is not part of a mixed-use development and that does not exceed 12,000 square feet in size is categorically exempt from the State Environmental Policy Act (SEPA).            ‡ Pursuant to RCW 43.21C.229, new nonresidential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in a regional center or in an urban center is categorically exempt from SEPA, unless the Department has determined that employment growth within the regional center or urban center has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.)</del>			

d. The construction of ~~((a))~~ flexible-use parking ~~((10†))~~ designed for ~~((40))~~ 20 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of ~~((40))~~ 20 spaces, in all zones other than Industrial and Maritime zones;

e. The construction of flexible-use parking designed for 90 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 90 spaces, in Industrial and Maritime zones;

f. Any fill or excavation of ~~((500))~~ 1,000 cubic yards or less throughout the total lifetime of the fill or excavation; and any excavation, fill, or grading necessary for an exempt project in subsections 25.05.800.A.2.a, 25.05.800.A.2.b, 25.05.800.A.2.c, or 25.05.800.A.2.d shall be exempt;

g. ~~((Mixed use construction, including but not limited to projects combining residential and commercial uses, is exempt if each use, if considered separately, is exempt under the criteria of subsections 25.05.800.A.2.a through 25.05.800.A.2.d, unless the uses in combination may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction (see subsection 25.05.305.A.2.b)))~~ Reserved;

h. In zones not specifically identified in this subsection 25.05.800.A, the standards for the most similar zone addressed by this subsection 25.05.800.A apply;

i. For the purposes of this subsection 25.05.800.A, "mixed-use development" means development having two or more principal uses, ~~((one of which is))~~ combining a non-residential use with a residential use ((comprising 50 percent or more of the gross floor area)) with at least one dwelling unit, not including caretaker's quarters or live-work units;

j. To implement the requirements of ~~((Table A for 25.05.800 and Table B for 25.05.800))~~ subsections 25.05.800.A.2.a and 25.05.800.A.2.c, the Director shall establish implementation guidance by rule for how growth is measured against exemption limits and how changes to thresholds will occur if exemption limits are reached. The residential exemption limits shall consist of the residential growth ~~((estimates established in))~~ amount planned citywide by the most currently adopted Seattle Comprehensive Plan ((for a given area,)) minus a "cushion" of ~~((ten))~~ one-half percent to ((assure)) ensure that development does not exceed the planned-for growth ((estimates)) without SEPA review. The non-residential exemption limits shall consist of the non-residential employment growth planned citywide by the most currently adopted Seattle Comprehensive Plan, minus a "cushion" of one percent to assure that non-residential development does not exceed the planned-for growth without SEPA review; and

k. The Director shall monitor residential and employment growth and periodically publish a determination of growth citywide and for each regional, ~~and~~ urban, and ~~manufacturing and industrial~~ center. Residential growth shall include, but need not be limited to, net new units that have been built and net new units in projects that have received a building permit but have not received a certificate of occupancy. Per implementation guidance established by rule, if the Director determines that citywide exemption limits have been reached (~~for a regional center or an urban center~~), subsequent development will be subject to the lower thresholds as set forth in (~~Table A for 25.05.800 and Table B for 25.05.800~~) subsections 25.05.800.A.2.a.2 and 25.05.800.A.2.c. 3.

\*\*\*

Add a new Section 8 to CB 121093, as follows:

Section 8. In 2026 the Council will be considering modifications to Industrial and Maritime zone regulations and subarea plans for the Duwamish and Ballard Interbay-Northend Manufacturing and Industrial Centers (MICs). The Council intends to consider new and alternative criteria for administrative conditional use approval of residential uses in the MICs. The Council requests that the Office of Planning and Community Development and the Seattle Department of Construction and Inspections Report to the Land Use and Sustainability Committee by June 30, 2026, on permit applications for residential uses in Industrial and Maritime zones, if any, since passage of Ordinance 126862 in 2023. The report should identify conditions applied to the administrative conditional uses approvals, public comment received on the applications, and any recommended changes to conditional use criteria to address potential impacts to Port of Seattle Operations and drayage and other industrial uses.

Ketil Freeman  
Land Use and Sustainability Committee  
February 6, 2026  
D#1

[Renumber Remaining Sections]



Legislation Text

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**File #:** CB 121135, **Version:** 2

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**CITY OF SEATTLE**

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

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

AN ORDINANCE relating to land use and zoning; revising requirements for transportation impact analyses, transportation management plans, and construction management plans; adding new Sections 23.52.010 and 23.52.012 to the Seattle Municipal Code; amending the title of Chapter 23.52, Subchapter II, of the Seattle Municipal Code; and amending Sections 15.04.035, 23.48.230, 23.48.290, 23.48.610, 23.48.710, 23.49.019, 23.50A.360, 23.52.008, 23.71.018, and 23.90.018 of the Seattle Municipal Code.

WHEREAS, RCW 43.21C.229 was amended in 2023 to encourage more housing and infill development in

urban areas, enabling jurisdictions to adopt additional efficiencies in relation to State Environmental

Policy Act (SEPA) requirements; and

WHEREAS, The City of Seattle adopted an updated Comprehensive Plan that defines new growth planning

objectives, including citywide prescriptions for the amount of residential and employment growth for

the next 20 years; and

WHEREAS, an Environmental Impact Statement (EIS) has been completed for the Comprehensive Plan update

that considers the uses and proposed density proposed for changes in SEPA categorical exemption

levels, and has fulfilled other obligations indicated in RCW 43.21C.229; and

WHEREAS, environmental analysis, protection, and mitigation are adequately addressed for SEPA-exempted

development through adopted comprehensive plans, subarea plans, and other applicable local, state and

federal development regulations; and

WHEREAS, the proposal further standardizes and simplifies codes to ensure future development proposals will

address transportation and other impacts without the need for SEPA review for most individual

developments; and

WHEREAS, the proposal confirms and standardizes requirements for transportation management plans and construction management plans that support long-term transportation travel efficiencies, and avoid or minimize congestion during construction periods; NOW, THEREFORE,

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

Section 1. Section 15.04.035 of the Seattle Municipal Code, last amended by Ordinance 126732, is amended as follows:

**15.04.035 Application review considerations**

A. If the application conforms to the requirements of this Title 15 and the proposed use is consistent with the rights of the public to use the public place, the authorizing official may approve or modify the application; fix the duration and the terms or conditions of the permit; and when required upon the applicant's furnishing of a deposit, surety bond or other approved form of surety, insurance, covenant, and indemnification, and payment of all required fees, issue the permit. The original permit shall be retained by the City, and a copy shall be made available to the permittee and shall be posted or made available at the site by the permittee.

1. The Director of Transportation may, as deemed appropriate, condition the Street Use permit to address the potential impacts associated with the permitted activity.

2. The Director of Transportation may require applicants to establish a trust account in accordance with Section 15.04.042 or post a surety bond or other approved form of surety in accordance with Section 15.04.044.

B. If a development application meets thresholds in Section 23.52.012, review of associated permit applications under this Title 15 shall consider and be subject to a construction management plan required under Section 23.52.012.

~~((B-))~~ C. The permit may specify the portion of the public place that may be occupied, the dates or days and hours of use, and the allowed use, and shall only be valid for those specifications as approved by the Director of Transportation.

~~((C-))~~ D. Factors for consideration in reviewing an application include, but are not limited to, the applicant's constitutional rights and the abutter's property rights; the site and its terrain; the proposed use's effect on the public; and the impact of the proposed use on the following:

1. The paramount purpose of streets for travel and all modes of transportation;
2. Utilities; authorized secondary street uses; and any use being made by the public of the site;
3. Fire and medical access and public safety;
4. Uses under permit; street trees; and other proposed or past uses of the site;

5. Rights of light, air, and access and lateral support of abutting properties and on access or easements of properties dependent upon the public place for access;

6. The environment, including but not limited to efforts to minimize impervious surface, loss of native vegetation, and stormwater runoff;

7. Drainage, surface, and underground; springs and watercourses; wetlands or environmentally critical areas; and the stability of soils;

8. Where applicable, City land use, transportation, open space, shoreline, gardening, and maintenance policies and approved neighborhood land use plans; and

9. The ease of removal of the proposed use or the ability to return or restore the public place to original condition.

~~((D.))~~ E. In addition to the considerations in subsection ~~((15.04.035.C))~~ 15.04.035.D, where the following situations occur, factors for consideration include:

1. For public places under the jurisdiction of Seattle Parks and Recreation, their character as a park drive or boulevard, or as open space;

2. For shoreline street ends, their purpose to provide the public with visual or physical access to the water and the shoreline;

3. For submerged streets, Title 16;

4. For environmentally critical areas, the requirements of Chapter 25.09;

5. For streets or public places in the process of being vacated, the use after the vacation; and

6. For public places located in a Landmark District or Historic District subject to the provisions of Title 23 or 25, a certificate of approval from the appropriate board or commission where required.

~~((E.))~~ F. The Director of Transportation may grant a deviation from required standards using the process specified in the Right-of-Way Improvements Manual or successor rule upon determining that adequate space is provided for pedestrian passage, traffic management, and any other public-use purpose.

~~((F.))~~ G. For Street Use permits, the Director of Transportation may determine that an application has expired when the applicant has not responded to a request for additional information within six months of that request, or six months from the date of written notice that the permit is ready to issue, except for Street Use Vending applications subject to subsection 15.17.006.B. These applications may be closed by the Director of Transportation upon expiration.

Section 2. Section 23.48.230 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

**23.48.230 Additional height in certain SM-zoned areas in South Lake Union Regional Center**

\* \* \*

F. Transportation Management Program (TMP). ~~((The Master Use Permit application shall include a TMP for non-residential development consistent with requirements for TMPs in the applicable Director's Rule. The TMP shall be approved by the Director only if, after consulting with the Director of Transportation, the Director determines that no more than 40 percent of trips to and from the project will be made using single-occupant vehicles (SOVs).))~~ A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

~~((1. For purposes of measuring attainment of SOV goals contained in the TMP, the number of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator).~~

~~2. Compliance with this Section 23.48.230 does not affect the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.))~~

Section 3. Section 23.48.290 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

**23.48.290 Transportation management programs**

~~((A. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.~~

~~1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.~~

~~2. Compliance with this section does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.~~

~~B. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the~~

total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

C. Each owner subject to the requirements of this section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode share targets for trips made by travel modes other than driving alone for the South Lake Union Regional Center in 2044 that are contained in any applicable subarea plan for the Regional Center in the Seattle Comprehensive Plan.

E. All requirement to prepare and implement a TMP according to this Section 23.48.290 or to achieve additional floor area or additional height pursuant to subsections 23.48.021.D.2 or 23.48.230.f shall be satisfied solely by compliance with this Section 23.48.290.) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

Section 4. Section 23.48.610 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

#### **23.48.610 Transportation management programs**

~~((A. When a development is proposed that is expected to generate 50 or more employee or student single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.~~

~~1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.~~

~~2. Compliance with this Section does not supplant the responsibility of any employer to comply with Chapter 25.02.~~

~~B. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.~~

C. Each owner subject to the requirements of this Section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode share targets for trips made by travel modes other than driving alone for the University District Regional Center that are contained in any applicable subarea plan for the Regional Center in the Seattle Comprehensive Plan.) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

Section 5. Section 23.48.710 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

### **23.48.710 Transportation management programs**

~~((A. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.~~

~~1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.~~

~~2. Compliance with this section does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.~~

~~B. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.~~

C. Each owner subject to the requirements of this section shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D. The TMP shall be approved by the Director if, after consulting with Seattle Department of Transportation, the Director

determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone for the Uptown Regional Center that are contained in any applicable subarea plan for the Regional Center contained in the Seattle Comprehensive Plan.) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

Section 6. Section 23.49.019 of the Seattle Municipal Code, last amended by Ordinance 127376, is amended as follows:

**23.49.019 Parking quantity, location, and access requirements, and screening and landscaping of parking areas**

\* \* \*

J. Transportation management programs

~~((1. When a development is proposed that is expected to generate 50 or more employees single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.~~

~~a. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.~~

~~b. Compliance with this Section 23.49.019 does not supplant the responsibility of any employer to comply with Seattle's Commute Trip Reduction (CTR) Ordinance.~~

~~2. An applicant who proposes multifamily development that is expected to generate 50 or more vehicle trips in any one p.m. hour or demand for 25 or more vehicles parking on the street overnight shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in any applicable Director's Rule. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.~~

~~3. Each owner subject to the requirements of this Section 23.49.019 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.~~

~~4. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than~~

driving alone for the Downtown Regional Center that are contained in any applicable subarea plan for the Regional Center in the Seattle Comprehensive Plan.) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

\* \* \*

Section 7. Section 23.50A.360 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

**23.50A.360 Transportation management programs in the Industry and Innovation zone**

~~((A. When a development is proposed that is expected to generate 50 or more employee single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in any applicable Director's Rule.~~

~~1. For purposes of measuring attainment of SOV goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees using an SOV to make a trip during the expected peak hour by the total number of employee person trips during the expected peak hour.~~

~~2. Compliance with this section does not supplant the responsibility of any employer to comply with Chapter 25.02.~~

~~B. Each owner subject to the requirements of this Section 23.50A.360 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.~~

~~C. The TMP shall be approved by the Director if, after consulting with Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve a mode share target that is the average of mode share targets for regional centers, with the exception of the Downtown Regional Center, in any applicable subarea plans for regional centers in the Seattle Comprehensive Plan for trips made by employees driving alone who would work in the proposed development.) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.~~

Section 8. The title of Subchapter II of Chapter 23.52 of the Seattle Municipal Code, which section was last amended by Ordinance 126157, is amended as follows:

**Subchapter II Transportation Impact ~~((Mitigation))~~ Analysis for Actions Exempt from SEPA Review**

Section 9. Section 23.52.008 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

**23.52.008 Applicability of this Subchapter II**

A. Applicability. The requirements of this Subchapter II apply to proposed new development as described in Table A for 23.52.008. ~~((Development))~~ This type of impact analysis is not required for development located within a regional center, ~~((or an~~

urban-center,)) or major transit service area, or that is subject to SEPA environmental review per Chapter 25.05 ((is-exempt from this Subchapter II of Chapter 23.52)).

**((Table A for 23.52.008 Development location and thresholds**

<b>Development location</b>	<b>Number of dwelling units</b>	<b>Gross square feet of non-residential nonretail uses<sup>1</sup> when located in mixed-use development<sup>2</sup></b>
Regional centers, other than the Downtown Regional Center	31 to 200	Greater than 12,000 up to 30,000
Downtown Regional Center	81 to 250	Greater than 12,000 up to 30,000
Urban centers	31 to 200	Greater than 12,000 up to 30,000
Outside regional centers and urban centers	NA	NA

NA: Not applicable Footnotes to Table A for 23.52.008 <sup>1</sup> Not including gross floor area dedicated to accessory parking. <sup>2</sup> The mixed-use development must contain at least one dwelling unit.))

**Table A for 23.52.008 Development location and size that requires a transportation impact analysis in a SEPA-exempt development**

<b>Development location</b>	<b>Gross square feet of non-residential non-retail uses in a stand-alone non-residential use development<sup>1</sup></b>	<b>Gross square feet of non-residential non-retail uses<sup>1</sup> in a mixed-use development<sup>2</sup></b>
Within regional centers and major transit service areas <sup>3</sup>	Exempt	Exempt
Within portions of urban centers that exclude major transit service areas <sup>3</sup>	40,001 to 65,000	40,001 and greater
Outside regional centers, urban centers, and major transit service areas <sup>3</sup>	40,001 to 65,000	40,001 and greater

Footnotes to Table A for 23.52.008 <sup>1</sup> Not including gross floor area dedicated to accessory parking. The mixed-use development must contain at least one dwelling unit, not including caretaker's quarters or live-work units. <sup>3</sup> Major transit service areas are locations within 2,640 feet walking distance of a stop served by a major transit service, as shown on a map adopted by Director's Rule

B. ((Impact)) Transportation impact analysis required. Applicants for proposed development shall submit with the development permit application an analysis of potential transportation impacts that may result from the proposed development, including but not limited to impacts on the roadway system, transit system, and bicycle

and pedestrian networks. The transportation impact analysis must contain the following:

1. Number of additional daily and peak hour vehicular trips;
2. Likely distribution of project traffic and effects on traffic operations;
3. Availability and expected usage of transit;
4. Existing vehicular, pedestrian, and bicycle conditions, including access and connections to

transit and bicycle facilities; and

5. Collision history.

C. Impact mitigation((:-))

1. Based upon the results of the transportation impact analysis, the Director may condition permit approval, as a Type I decision, to mitigate or prevent transportation impacts.

~~((1-))~~ 2. ~~((Except as provided by subsection 23.52.008.C.2, required))~~ Required mitigation may include, but is not limited to:

- a. Changes in access;
- b. Changes in the location, number, and size of curb cuts and driveways;
- c. Provision of transit incentives, including transit pass subsidies;
- d. Bicycle parking, and shower facilities for bicycle commuters;
- e. Signage, including wayfinding;
- f. Improvements to vehicular, pedestrian, and bicycle facilities or operations including

signalization, turn channelization, right-of-way dedication, street widening, pedestrian and bicycle facilities improvements, and lighting;

- g. Transportation management ~~((plans))~~ programs;

h. Parking management strategies including, but not limited to, unbundling parking from building-space leases, reserved parking spaces for vanpools, and reduction in the amount of parking to be provided; ~~((and))~~

i. Participation in a transportation mitigation payment program or transportation management association, where available((-)) ; and

j. Support for enhanced public transportation service, ride-sharing programs, demand management, transportation systems management strategies, or other similar strategies, either as part of or separately from a transportation management program or transportation mitigation payment program.

~~((2. Mitigation that may be required for residential projects in downtown zones or the residential portion of mixed-use projects in downtown zones is limited to:~~

- ~~a. Signage, including wayfinding;~~
- ~~b. Provision of information on transit and ride-sharing programs;~~
- ~~c. Bicycle parking; and~~
- ~~d. Transportation management plans.))~~

Section 10. A new Subchapter III, which includes new Sections 23.52.010 and 23.52.012, is added to Chapter 23.52 of the Seattle Municipal Code as follows:

**Subchapter III Transportation Management Programs and Construction Management Plans requirements**

23.52.010 Transportation Management Program requirements

Transportation management programs (TMP) are a type of transportation demand management strategy that encourages the use of efficient transportation modes rather than single-occupant vehicle (SOV) modes. TMPs aid in managing congestion in transportation networks especially during peak times. Strategies may include, but are not limited to ridesharing, vanpooling, promotion of bicycling, walking and use of public transportation, transportation-efficient parking and land use policies, and high-occupancy vehicle subsidy programs. TMPs are required as indicated in this Section 23.52.010, and applicable rules promulgated by the Director.

A. Non-residential use thresholds for TMPs

1. An applicant who proposes non-residential use development or mixed-use development exceeding the thresholds in Table A for 23.52.010 in zones where a TMP is required, or is otherwise required by code provisions or Director’s Rule, shall prepare and include in their Master Use Permit application a TMP.

2. Compliance with TMP requirements does not supplant the responsibility of any employer to comply with Seattle’s Commute Trip Reduction (CTR) Ordinance requirements in Chapter 25.02.

<b>Table A for 23.52.010 TMP requirement thresholds for non-residential use development development</b>	
<b>Use</b>	<b>Minimum trigger for TMP requirements (gross square feet)<sup>1</sup></b>
Non-residential uses, except lodging	75,000
Lodging	150 lodging units
Footnotes to Table A for 23.52.010 <sup>1</sup> Not including gross floor area dedicated to required access. Gross floor area in non-required parking is included in the minimum trigger for TMP requirements.	

B. Residential use thresholds for TMPs. An applicant who proposes development with multifamily residential uses exceeding 250 dwelling units in zones where a TMP is required, or is otherwise required by code provisions or Director’s Rule, shall prepare and include in their Master Use Permit application a TMP.

C. TMP requirements

1. Non-residential development. For purposes of measuring attainment of SOV-related goals for non-residential development, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees, and students if applicable, at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees, and students if applicable, using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.

2. Residential development. For purposes of measuring attainment of SOV-related goals for residential development, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

3. In addition to meeting the requirements in this subsection 23.52.010.C, a TMP shall comply with all applicable rules promulgated by the Director.

4. Building owners shall continue to implement the TMP, submit post-occupancy performance

reporting, and conduct enforcement in accordance with any applicable Director's Rules.

5. The TMP shall be approved by the Director if, after consulting with the Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the mode-share targets for trips made by travel modes other than driving alone (~~((expressed for a growth center in the Comprehensive Plan's Transportation Element,))~~) shown in Map A for 23.52.004, or otherwise defined in relation to Commute Trip Reduction goals or long-term planning goals and policies in the Comprehensive Plan, in accordance with any applicable Director's Rules.

#### **23.52.012 Construction management plan requirements**

A. A construction management plan is required if a development application:

1. Contains 25 or more dwelling units;
2. Contains 25,000 square feet or more gross floor area in non-residential use, not including gross floor area in accessory parking use; or
3. Requires a shoring permit.

B. A construction management plan shall address:

1. Traffic management arrangements in the site vicinity;
2. Safe pedestrian connections during the construction period;
3. Utility connections and site preparations such as utility relocations;
4. Truck access routes and haul routes;
5. Time limits for large truck movements, to address congestion during peak traffic hours;
6. Construction-related parking, pursuant to Section 23.42.044;
7. Strategies for minimizing noise disruption pursuant to Chapter 25.08; and
8. A notification plan to the neighborhood.

Section 11. Section 23.71.018 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended as follows:

#### **23.71.018 Transportation management program**

~~((A. When substantial development is proposed that is expected to generate 25 or more employee or student vehicle trips in any one p.m. hour, the owner of the site upon which the substantial development is proposed shall prepare and implement a Transportation Management Program (TMP) consistent with requirements for TMPs in Director's Rule 10-2012 or its successor.~~

1. For purposes of measuring attainment of single-occupant vehicle (SOV) goals contained in the TMP, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by employees and students at the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of employees and students using an SOV to make a trip during the expected peak hour by the total number of employee and student person trips during the expected peak hour.

2. Compliance with this Section 23.71.018 does not supplant the responsibility of any employer to comply with Chapter 25.02.

B. The owner of any site who proposes multifamily substantial development which is expected to generate 50 or more vehicle trips in any one p.m. hour shall prepare and implement a TMP. The TMP shall be consistent with requirements for TMPs in Director's Rule 10-2012 or its successor. For purposes of measuring attainment of the SOV goal, the proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the largest number of vehicle trips to be made by residents of the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by dividing the total number of residential trips made by SOV during the expected peak hour by the total number of residential person trips.

C. Each owner subject to the requirements of this Section 23.71.018 shall prepare a TMP as described in rules promulgated by the Director, as part of the requirements for obtaining a master use permit.

D. The TMP shall be approved by the Director if, after consulting with Seattle Department of Transportation, the Director determines that the TMP measures are likely to achieve the SOV goals.

E. The owner of each property subject to this implementation guideline shall submit an annual progress report to the Director of Transportation, who will advise the Director of the Seattle Department of Construction and Inspections on compliance. The progress report shall contain:

1. The number of full and part-time employees, students and/or residents at a site during the peak hour;
2. A summary of the total p.m. peak hour vehicle trips generated by the site, including employees, students, and residents;
3. A description of any programs, incentives, or activities or other measures targeted to reduce vehicle trips, in which employees, students, or residents at the site participate;
4. The number of people participating in the TMP measures;
5. The peak hour proportion of SOV trips of the employees, students, and/or residents.

F. The Seattle Department of Transportation shall monitor compliance with the requirements of this Section 23.71.018. If

monitoring shows that the owner has not implemented the TMP measures or has not made sufficient progress toward achieving the TMP goals, the Director of Transportation may recommend that the Director:

1. Require modifications to the TMP program measures; and/or
2. Pursue enforcement action pursuant to the Land Use Code.

G. After approval of a TMP and issuance of a master use permit as prescribed in subsections 23.71.018.C and 23.71.018.D, if the owner applies for a master use permit for additional development, before approving the new master use permit, the Director, after consulting with the Director of Transportation, shall review the implementation of the TMP. If substantial progress has not been made in achieving the goal for the proportion of SOV trips, the Director may:

1. Require the applicant to revise the TMP to include additional measures in order to achieve compliance with the TMP goal before the issuance of a permit; and/or
2. Require measures in addition to those in the TMP that encourage alternative means of transportation for the proposed new development; and/or
3. Deny the permit if the Director determines that the owner has failed to make a good faith effort to implement the TMP; or
4. Determine that a revised or new program is not needed, and that the permit can be issued without changes to the existing TMP.

H. Compliance. To comply with this Section 23.71.018, the owner of a site subject to the requirement for a TMP, must demonstrate that he or she has an approved TMP, has submitted the required annual reports, and has succeeded in accomplishing one of the two following objectives:

1. That the owner has implemented the measures contained in the TMP for the development project; and/or
2. That the owner has met the goal for SOV trips specified in subsection A of this section. Failure to comply with the provisions of this Section 23.71.018 is a violation of the Land Use Code. The penalty for each violation is \$250 per day.

I. A fund shall be established in the City's General Fund to receive revenue from fines for violations of this Section 23.71.018. Revenue from fines shall be allocated to activities or incentives to reduce vehicle trips in the Northgate area. The Director of Transportation shall recommend to the Mayor and City Council how these funds should be allocated.

J. The Seattle Department of Transportation and the Seattle Department of Construction and Inspections shall prepare a Director's Rule explaining how each department shall implement this Section 23.71.018.)) A TMP shall be required and prepared according to the provisions of Section 23.52.010 and any applicable Director's Rules.

Section 12. Section 23.90.018 of the Seattle Municipal Code, last amended by Ordinance 127329, is amended as follows:

**23.90.018 Civil enforcement proceedings and penalties**

\* \* \*

B. Specific violations

~~((1. Violations of Section 23.71.018 are subject to penalty in the amount specified in subsection 23.71.018.H.)) 1.~~

Reserved.

2. Violation of Chapter 23.58D with respect to a failure to timely submit the report required by subsection 23.58D.004.B or to demonstrate compliance with a commitment to meet the green building standard is subject to a penalty in an amount determined by subsection 23.58D.006.

3. Violation of subsection 23.40.007.B with respect to failure to demonstrate compliance with a waste diversion plan for a structure permitted to be demolished under subsection 23.40.006.D is subject to a penalty in an amount determined as follows:

$$P = SF \times .02 \times RDR,$$

where:

P is the penalty;

SF is the total square footage of the structure for which the demolition permit was issued; and

RDR is the refuse disposal rate, which is the per ton rate established in Chapter 21.40, and in effect on the date the penalty accrues, for the deposit of refuse at City recycling and disposal stations by the largest class of vehicles.

4. Violation of subsections 23.42.140.C, 23.55.030.E.3.a.3, 23.55.030.E.3.b, 23.55.034.D.2.a, and 23.55.036.D.3.b, or, if the Seattle Department of Construction and Inspections has issued an on-premises sign permit for a particular sign and the actual sign is not being used for on-premises purposes or does not meet the definition of an on-premises sign as defined in Chapter 23.84A, are subject to a civil penalty of \$1,500 per day for each violation from the date the violation begins until compliance is achieved.

5. In zones where outdoor storage is not allowed or where the use has not been established as either accessory to the primary use or as part of the primary use and there continues to be a violation of these provisions after enforcement action has been taken pursuant to this Chapter 23.90, the outdoor storage activity is declared a nuisance and shall be subject to abatement by the City in the manner authorized by law.

\* \* \*

Section 13. 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 \_\_\_\_\_, 2026, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

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

Approved / returned unsigned / vetoed this \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

Katie B. Wilson, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

Scheereen Dedman, City Clerk

(Seal)

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
SDCI	Gordon Clowers	Jennifer Breeze

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and zoning; revising requirements for transportation impact analyses, transportation management plans, and construction management plans; adding new Sections 23.52.010 and 23.52.012 to the Seattle Municipal Code; amending the title of Chapter 23.52, Subchapter II, of the Seattle Municipal Code; and amending Sections 15.04.035, 23.48.230, 23.48.290, 23.48.610, 23.48.710, 23.49.019, 23.50A.360, 23.52.008, 23.71.018, and 23.90.018 of the Seattle Municipal Code.

#### **Summary and Background of the Legislation:**

This legislation is a companion bill to the SEPA Thresholds Update bill. Together, these will amend the Land Use Code (Title 23), State Environmental Policy Act (SEPA) review thresholds (Title 25) and other related provisions for land use permitting, transportation impact analysis and mitigation, and archaeological and cultural resources protection. The overall legislation focuses SEPA review so that it occurs only in limited circumstances for projects that would be the most likely to cause environmental impacts. The legislation ensures that the City’s overall set of policies and regulations sufficiently address the impacts of new developments by applying code requirements such that there is no need for SEPA review at a project level to avoid or mitigate environmental impacts.

This companion bill consists of code amendments related to transportation impact analysis (TIA), transportation management programs (TMPs), and construction management plan (CMP) topics. These are a subset of amendments that must undergo a SEPA review and determination because they would result in a substantive change to development standards.

The amendments address transportation-related topics.

- Amending an existing requirement for a non-SEPA-based TIA study for certain-sized development depending on its location. This would apply to development including stand-alone non-retail non-residential development larger than 40,000 square feet up to 65,000 square feet in locations outside of regional growth centers and major transit service areas, and for mixed-use development where non-retail non-residential uses greater than 40,000 square feet would be present. These categories of new development would not require SEPA review, but permit applicants would provide this TIA study so that local transportation impacts of future development can be evaluated and conditioned if the impacts warrant mitigation.
- Transportation management plans (TMPs): Consolidating requirements from several zones’ standards into one set of standards located in Chapter 23.52 of the Land Use Code.

The requirements would apply to the same range of zones as today; they would not be extended to additional zones.

- Construction management plans (CMPs): Establishing a code basis for requiring a CMP for new development that is 25 dwelling units or larger, or 25,000 square feet or larger, or requires a shoring permit. This would substitute for a typical SEPA-based condition included for development projects that have required SEPA review, and ensure that CMPs continue to be required when they are most needed.

## 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

The proposal redefines TIA study thresholds to better match the City’s policies going forward, which support infill residential and mixed-use development in growth centers with streamlined permit review requirements. The policy outlook recognizes that favoring dense growth in defined growth centers and areas well served by transit will encourage higher-efficiency transportation outcomes. This relates to proximity of residents near efficient mass transit service, and greater availability of goods and services nearby in growth centers. While this refining of TIA thresholds may result in fewer studies over the long term, they are intended to focus the study for uses where adverse transportation impacts could occur. Also, both the existing and proposed TIA study thresholds are focused in ways that limit the probable total amount of these studies for future development. This relates to a probable focus on a majority of growth occurring in growth centers and well-served transit areas such that a relatively small proportion of developments may need this kind of study.

The proposal clarifies and confirms that existing City TMP and CMP reviews (primarily conducted by SDOT) would continue for future project development reviews. TMPs are a known element of project plans that should be provided early in the permit review process, the details of which are guided by a joint SDCI/SDOT Director’s Rule. Long-term monitoring of TMP performance by SDOT staff is also assumed to continue.

CMPs are also an established SDOT body of work with dedicated staff that coordinate construction project arrangements in relation to streets, rights-of-way, traffic, construction activity timing and other logistics. The proposal would help ensure that the code supports a continuation of these efforts for projects that warrant making such arrangements. This would not increase need for staffing at SDCI or SDOT, but would aid in retaining existing levels of work related to TMPs and CMPs.

### 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.**

No.

**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.**

Costs will be absorbed by current staff in SDCI, and SDOT. The response to #3 above suggests that existing levels of TMP and CMP work by the City are likely to continue or only modestly decline over time. Also, the probable limited frequency of TIA analyses would not have much effect on demand for review by SDCI or SDOT. Therefore, low impact levels on review needs and low impacts on department costs are probable.

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

If the proposed legislation is not implemented, there is a reasonable chance that the volume of CMP work would decline over time due to the lack of a code basis related to land use permits, and because SEPA review volumes would be less than current volumes.

If the TMP code changes were not made, they would continue to be implemented in places already required by zone development standards, but the volume of TMPs that would be required as conditions of SEPA review would decline to almost zero. Other TMPs that are required by the Land Use Code in various zones would continue to be required for development that meets the existing code thresholds. The proposal clarifies the TMP thresholds for better understanding by applicants but approximately the same existing levels for TMP applicability to future development. This would result in a slight decline in overall TMP volumes, but not enough to substantially impact duties of SDCI and SDOT staff that work on transportation management topics.

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

See the discussion in the response to #3 above.

### 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?**

This legislation will affect development permitting practices for properties citywide.

**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.**

No impacts are identified. Continuing to implement TMP requirements and codifying CMP requirements would tend to result in TMPs and CMPs being required where needed citywide according to their threshold criteria. This would tend to match existing outcomes achieved citywide today and would not disproportionately affect any particular geographic area or group or community.

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

NA.

**iii. What is the Language Access Plan for any communications to the public?**

This legislation is adhering to ADA accessibility principles in the materials provided for public review.

**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.**

Continuing and reinforcing the requirements for TMPs and CMPs would ensure that daily traffic volume growth related to future development would be managed comparable to today's policies and codes, and that CMPs would be required and used approximately as often as they are today. For CMPs, this also means that coordinated construction management as performed by SDOT would continue to manage and avoid excessive carbon emissions that could otherwise be generated by congested traffic around construction sites and along routes where construction vehicles need to travel. And it would continue to ensure safe pedestrian passage by construction sites, preserving pedestrian access including access to transit options. Retaining a TIA study requirement would also tend to allow for effective traffic management on a local basis that would help avoid additional levels of carbon emission impacts from 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.**

See the response to #e.i above.

- 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?**

This legislation does not represent a new initiative or major programmatic expansion. Rather, it is an extension of existing public policy trends that would continue TMP preparation and monitoring, construction management practices, and transportation impact study practices in a manner well-supported by City codes. These also play a part in aiding realization of the City’s Comprehensive Plan, by helping round out code requirements and enabling the reduction of SEPA environmental review for future development.

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

No.

**5. ATTACHMENTS**

**Summary Attachments:** None.