

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..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.

..body

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 is adopting 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.

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

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

- 7 1. The paramount purpose of streets for travel and all modes of transportation;
- 8 2. Utilities; authorized secondary street uses; and any use being made by the
9 public of the site;
- 10 3. Fire and medical access and public safety;
- 11 4. Uses under permit; street trees; and other proposed or past uses of the site;
- 12 5. Rights of light, air, and access and lateral support of abutting properties and on
13 access or easements of properties dependent upon the public place for access;
- 14 6. The environment, including but not limited to efforts to minimize impervious
15 surface, loss of native vegetation, and stormwater runoff;
- 16 7. Drainage, surface, and underground; springs and watercourses; wetlands or
17 environmentally critical areas; and the stability of soils;
- 18 8. Where applicable, City land use, transportation, open space, shoreline,
19 gardening, and maintenance policies and approved neighborhood land use plans; and
- 20 9. The ease of removal of the proposed use or the ability to return or restore the
21 public place to original condition.

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

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

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

5 3. For submerged streets, Title 16;

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

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

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

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

16 (~~(F-))~~ G. For Street Use permits, the Director of Transportation may determine that an
17 application has expired when the applicant has not responded to a request for additional
18 information within six months of that request, or six months from the date of written notice that
19 the permit is ready to issue, except for Street Use Vending applications subject to subsection
20 15.17.006.B. These applications may be closed by the Director of Transportation upon
21 expiration.

22 Section 2. Section 23.48.230 of the Seattle Municipal Code, last amended by Ordinance
23 125291, is amended as follows:

23.48.230 Additional height in certain SM-zoned areas in the South Lake Union Urban 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, enacted by Ordinance 125291, 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 1. For purposes of measuring attainment of SOV goals contained in the TMP, the
2 proportion of SOV trips shall be calculated for the p.m. hour in which an applicant expects the
3 largest number of vehicle trips to be made by employees at the site (the p.m. peak hour of the
4 generator). The proportion of SOV trips shall be calculated by dividing the total number of
5 employees using an SOV to make a trip during the expected peak hour by the total number of
6 employee person trips during the expected peak hour.

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

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

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

21 D. The TMP shall be approved by the Director if, after consulting with Seattle
22 Department of Transportation, the Director determines that the TMP measures are likely to
23 achieve the mode share targets for trips made by travel modes other than driving alone for the

~~South Lake Union Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's
Transportation Element.~~

~~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, enacted by Ordinance
125267, 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.~~

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

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

13 ~~D. The TMP shall be approved by the Director if, after consulting with the Seattle~~
14 ~~Department of Transportation, the Director determines that the TMP measures are likely to~~
15 ~~achieve the mode share targets for trips made by travel modes other than driving alone for the~~
16 ~~University Community Urban Center in 2035 that are contained in Seattle's Comprehensive~~
17 ~~Plan's Transportation Element.)) A TMP shall be required and prepared according to the~~
18 ~~provisions of Section 23.52.010 and any applicable Director's Rules.~~

19 Section 5. Section 23.48.710 of the Seattle Municipal Code, enacted by Ordinance
20 125432, is amended as follows:

21 **23.48.710 Transportation management programs**

22 ((A. When a development is proposed that is expected to generate 50 or more employee
23 single-occupant vehicle (SOV) trips in any one p.m. hour, the applicant shall prepare and

1 ~~implement a Transportation Management Program (TMP) consistent with requirements for~~
2 ~~TMPs in any applicable Director's Rule.~~

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

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

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

20 ~~C. Each owner subject to the requirements of this section shall prepare a TMP as~~
21 ~~described in rules promulgated by the Director, as part of the requirements for obtaining a master~~
22 ~~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 Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's Transportation Element.))~~ 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 125815, 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.~~

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

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

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

15 4. ~~The TMP shall be approved by the Director if, after consulting with the Seattle~~
16 ~~Department of Transportation, the Director determines that the TMP measures are likely to~~
17 ~~achieve the mode share targets for trips made by travel modes other than driving alone for the~~
18 ~~Downtown Urban Center in 2035 that are contained in Seattle's Comprehensive Plan's~~
19 ~~Transportation Element.))~~ A TMP shall be required and prepared according to the provisions of
20 Section 23.52.010 and any applicable Director's Rules.

21 * * *

22 Section 7. Section 23.50A.360 of the Seattle Municipal Code, enacted by Ordinance
23 126862, 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 Urban Centers with the exception of the Downtown Urban Center in Seattle 2035 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 126157, 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 ((an urban center or urban village)) a regional 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		
Development location	Number of dwelling units	Gross square feet of non-residential uses¹ when located in a mixed-use development²
Urban centers, other than the Downtown Urban Center	31 to 200	Greater than 12,000 up to 30,000
Downtown Urban Center	81 to 250	Greater than 12,000 up to 30,000
Urban villages	31 to 200	Greater than 12,000 up to 30,000
Outside urban centers and urban villages	NA	NA

NA: Not applicable

Footnotes to Table A for 23.52.008:

¹Not including gross floor area dedicated to accessory parking.

²The 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

<u>Development Location</u>	<u>Gross square feet of non-residential non-retail uses in a stand-alone non-residential use development¹</u>	<u>Gross square feet of non-residential non-retail uses¹ in a mixed-use development²</u>
<u>Within regional centers and major transit service areas³</u>	<u>Exempt</u>	<u>Exempt</u>
<u>Within portions of urban centers that exclude major transit service areas³</u>	<u>40,001 to 65,000</u>	<u>40,001 and greater</u>
<u>Outside regional centers, urban centers, and major transit service areas³</u>	<u>40,001 to 65,000</u>	<u>40,001 and greater</u>

Footnotes to Table A for 23.52.008

¹ Not including gross floor area dedicated to accessory parking.

² The mixed-use development must contain at least one dwelling unit.

³ 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. Transportation ((~~Impact~~)) 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.

Table A for 23.52.010 TMP requirement thresholds for non-residential use development and mixed-use development	
Use	Minimum trigger for TMP requirements (gross square feet)¹
Non-residential uses, except lodging	75,000
Lodging	150 lodging units
Footnotes to Table A for 23.52.010	
¹ Not including gross floor area dedicated to accessory parking.	

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

1 students if applicable, using an SOV to make a trip during the expected peak hour by the total
2 number of employee and student person trips during the expected peak hour.

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

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

11 4. Building owners shall continue to implement the TMP, submit post-occupancy
12 performance reporting, and conduct enforcement in accordance with any applicable Director's
13 Rules.

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

20 **23.52.012 Construction management plan requirements**

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

22 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~~

1 ~~an applicant expects the largest number of vehicle trips to be made by employees and students at~~
2 ~~the site (the p.m. peak hour of the generator). The proportion of SOV trips shall be calculated by~~
3 ~~dividing the total number of employees and students using an SOV to make a trip during the~~
4 ~~expected peak hour by the total number of employee and student person trips during the expected~~
5 ~~peak hour.~~

6 ~~2. Compliance with this Section 23.71.018 does not supplant the responsibility of~~
7 ~~any employer to comply with Chapter 25.02.) A TMP shall be required and prepared according~~
8 ~~to the provisions of Section 23.52.010 and any applicable Director's Rules.~~

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

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

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

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

5 ~~1. The number of full and part-time employees, students and/or residents at a site~~
6 ~~during the peak hour;~~

7 ~~2. A summary of the total p.m. peak hour vehicle trips generated by the site,~~
8 ~~including employees, students, and residents;~~

9 ~~3. A description of any programs, incentives, or activities or other measures~~
10 ~~targeted to reduce vehicle trips, in which employees, students, or residents at the site participate;~~

11 ~~4. The number of people participating in the TMP measures;~~

12 ~~5. The peak hour proportion of SOV trips of the employees, students, and/or~~
13 ~~residents.~~

14 ~~F. The Seattle Department of Transportation shall monitor compliance with the~~
15 ~~requirements of this Section 23.71.018. If monitoring shows that the owner has not implemented~~
16 ~~the TMP measures or has not made sufficient progress toward achieving the TMP goals, the~~
17 ~~Director of Transportation may recommend that the Director:~~

18 ~~1. Require modifications to the TMP program measures; and/or~~

19 ~~2. Pursue enforcement action pursuant to the Land Use Code.~~

20 ~~G. After approval of a TMP and issuance of a master use permit as prescribed in~~
21 ~~subsections 23.71.018.C and 23.71.018.D, if the owner applies for a master use permit for~~
22 ~~additional development, before approving the new master use permit, the Director, after~~
23 ~~consulting with the Director of Transportation, shall review the implementation of the TMP. If~~

1 ~~substantial progress has not been made in achieving the goal for the proportion of SOV trips, the~~
2 ~~Director may:~~

3 ~~1. Require the applicant to revise the TMP to include additional measures in order~~
4 ~~to achieve compliance with the TMP goal before the issuance of a permit; and/or~~

5 ~~2. Require measures in addition to those in the TMP that encourage alternative~~
6 ~~means of transportation for the proposed new development; and/or~~

7 ~~3. Deny the permit if the Director determines that the owner has failed to make a~~
8 ~~good faith effort to implement the TMP; or~~

9 ~~4. Determine that a revised or new program is not needed, and that the permit can~~
10 ~~be issued without changes to the existing TMP.~~

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

14 ~~1. That the owner has implemented the measures contained in the TMP for the~~
15 ~~development project; and/or~~

16 ~~2. That the owner has met the goal for SOV trips specified in subsection A of this~~
17 ~~section. Failure to comply with the provisions of this Section 23.71.018 is a violation of the Land~~
18 ~~Use Code. The penalty for each violation is \$250 per day.~~

19 ~~I. A fund shall be established in the City's General Fund to receive revenue from fines for~~
20 ~~violations of this Section 23.71.018. Revenue from fines shall be allocated to activities or~~
21 ~~incentives to reduce vehicle trips in the Northgate area. The Director of Transportation shall~~
22 ~~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.))~~

Section 12. Section 23.90.018 of the Seattle Municipal Code, last amended by Ordinance 127211, 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

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

4 4. Violation of subsections 23.55.030.E.3.a.3, 23.55.030.E.3.b, 23.55.034.D.2.a,
5 and 23.55.036.D.3.b, or, if the Seattle Department of Construction and Inspections has issued an
6 on-premises sign permit for a particular sign and the actual sign is not being used for on-
7 premises purposes or does not meet the definition of an on-premises sign as defined in Chapter
8 23.84A, are subject to a civil penalty of \$1,500 per day for each violation from the date the
9 violation begins until compliance is achieved.

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

15 * * *

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 _____, 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)