

May 10, 2022

## MEMORANDUM

**To:** Transportation and Seattle Public Utilities Committee  
**From:** Lish Whitson, Analyst  
**Subject:** Council Bill 120301 – Harborview Medical Center Tunnels

---

On May 17, 2022, the Transportation and Seattle Public Utilities Committee (Committee) will discuss and possibly vote on [Council Bill \(CB\) 120301](#), which would renew approval to King County to maintain two pedestrian tunnels under 9th Avenue between Jefferson and Alder streets (Council District 3). The tunnels connect the main Harborview Hospital to Harborview’s Maleng and Research and Training buildings. The legislation would renew approval granted under [Ordinance 123842](#) for a 15-year term, after which King County would need to apply for a new term permit.

This memorandum describes the term permit renewal process and criteria and the pedestrian tunnels.

### Significant Structure Term Permit Renewals

Significant structures are structures that have “a long-anticipated duration of encroachment, impede the City’s or public’s flexibility in the use of the public place, or are necessary for the functioning of other property of the permittee.” Examples include tunnels below streets that provide utility, pedestrian, or vehicular access between private properties; public art placed in right-of-way; and overhead structures attached to buildings. [Seattle Municipal Code \(SMC\) Chapter 15.65](#) establishes the procedures and criteria for approval of and renewal of term permits for significant structures.

[SMC 15.65.073](#) states:

*If the Director of Transportation determines at term renewal that the authorizing ordinance requires an amendment, the Director shall provide a recommendation to City Council as to whether an application for a significant structure term permit renewal should be granted or denied with the appropriate terms and conditions, and the Council shall decide on the renewal and establish the terms and conditions of that renewal consistent with [Section 15.65.080](#). Approval of an amended term renewal for a significant structure term permit shall be granted only by ordinance.*

[Section 15.65.080](#) provides the terms and conditions that may be included in a term permit ordinance. These include, but are not limited to:

- the term of years that permission is granted and renewal periods, if any;
- provision for regular inspection of and procedures for closure or removal of the structure;

- requirements for performance bonds, public liability insurance, indemnification, conformance with other laws, and annual fees;
- prohibition against assignment without City consent;
- a requirement for execution and recording of a covenant ensuring that obligations and conditions imposed on the permittee run with the land, where applicable;
- public benefit mitigation elements; and
- timely acceptance of permission.

The current practice of the Seattle Department of Transportation (SDOT) is to recommend longer terms for significant structure term permits and skybridge permits. Instead of a 10-year permit that may be renewed for two additional 10-year terms, SDOT recommends issuing permits for 15-year terms, renewable once. This shift responds to the volume of term permits, the amount of work required to process a permit renewal, and the rarity of significant changes to approvals during term permit renewals.

### **Harborview Tunnels**

Harborview Medical Center is a comprehensive medical center, including inpatient and outpatient facilities. It serves as the regional trauma and burn referral center for four states and the disaster preparedness and control hospital for Seattle and King County. Its facilities are owned by King County and managed by the University of Washington. The core of the campus sits above Interstate 5 on First Hill, along 9th Avenue between Alder and James streets.

Harborview Medical Center opened on First Hill in 1931. In 1930, in advance of its opening, King County received a permit under [Ordinance 59584](#) for a pedestrian tunnel under 9th Avenue to connect the new hospital to Harborview Hall, which provided housing for nursing students. As the hospital grew – its South Wing opened in 1955 – it sought to create more grade-separated connections between its facilities. In 1956 when the first permit was up for renewal, the County received approval for two tunnels under [Ordinance 84995](#). That permit was reissued in 1981 under [Ordinance 109975](#) and 2012 under Ordinance 123842.

Ordinance 123842 allowed for three potential 10-year terms. Instead of renewing the permit for 10 years with a second possible 10-year renewal, King County has applied for a 15-year renewal of the permit, which would end in 2037, after which time King County would need to apply to repermit the tunnels.

### **Next Steps**

If the Committee recommends approval of CB 120301 at its May 17 meeting, it could be considered by the City Council as early as May 24.

cc: Aly Pennucci, Deputy Director  
Yolanda Ho, Lead Analyst