



# Street Vacations & Term Permits

Transportation Committee

February 6, 2024

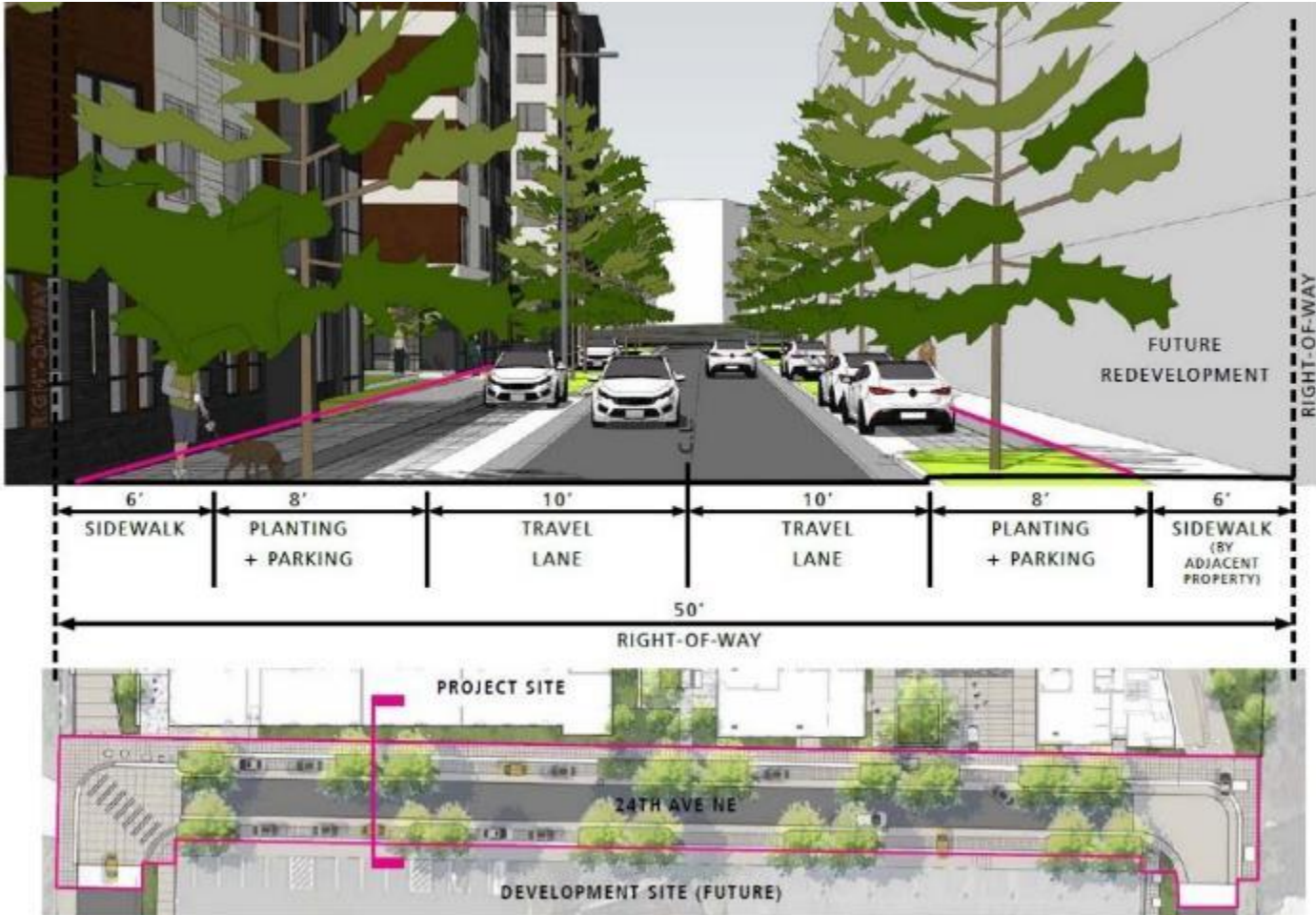


# Presentation Outline

- Introductions
- What is right-of-way (ROW)?
- Street Vacation Policies
  - Public Trust Analysis
  - Public Benefits
- Street Vacation Examples
- Significant Structure Term Permits
- Skybridge Term Permit
- Term Permit Process



# What is Right-of-Way (ROW)?



Trailside - 24<sup>th</sup> Ave NE improvements

- Property dedicated or acquired for public transportation and utility use, including streets and alleys
- Held in public trust - City acts as trustee
- Generally created by plat or dedication
- No rights to vacate or use for private purposes
- Vacated property may only be acquired by abutting property owners
- Vacation must be in public interest (e.g. public trust, public benefits)

# City Council Street Vacation Policies



Adopted policies per Resolution 31809 (2018), and criteria per RCW 35.79, and SMC 15.62



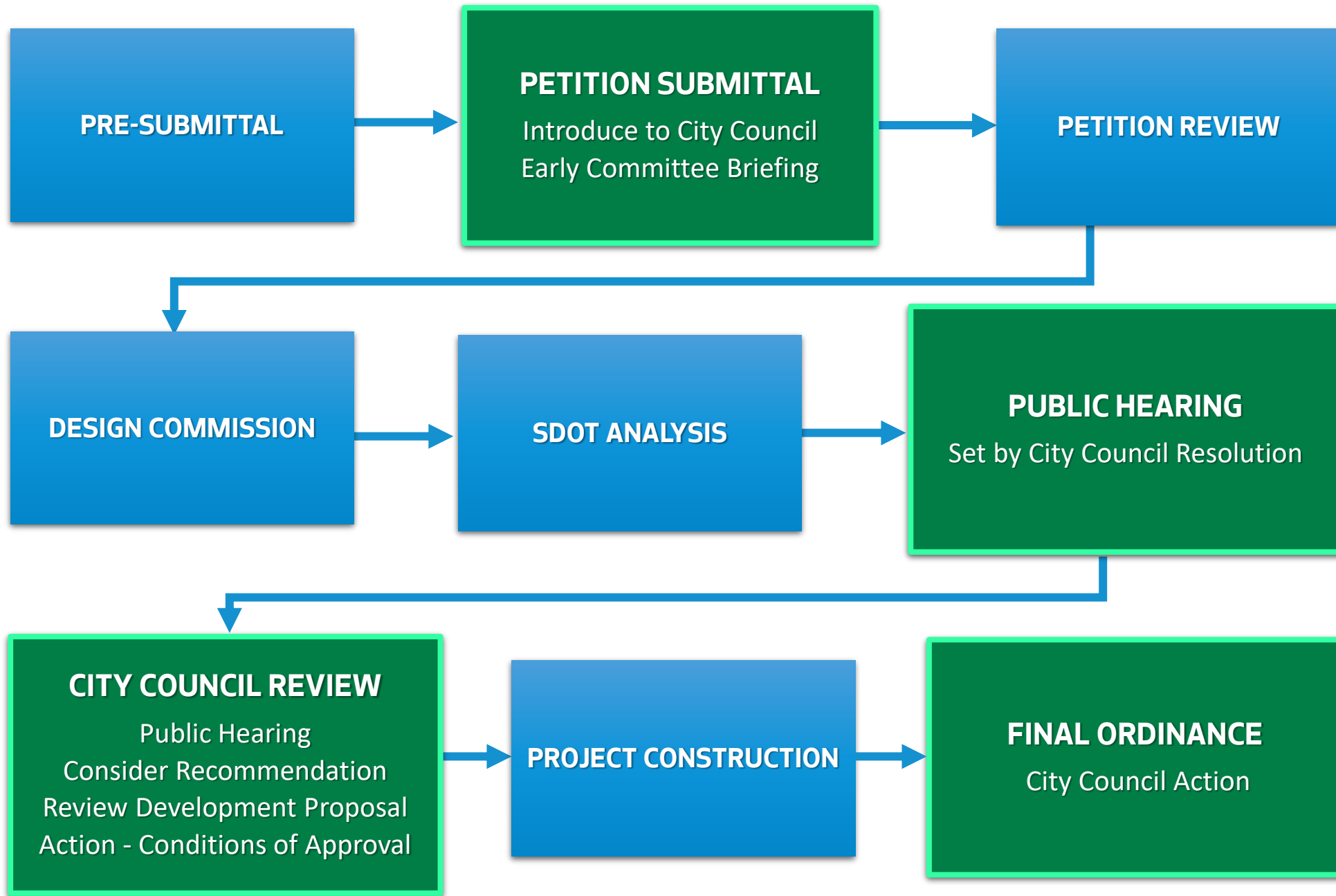
Policies establish the principles of the review process and information required



Policies define "public benefit analysis" and "public trust"



Legislative function under State law, SDOT administers the process at request of City Council



# Step 1: Vacation Public Trust Analysis

## Based on role of streets and alleys:

- Circulation
- Access
- Utilities
- Open Space
- Light and Air
- Views
- Free Speech
- Public Assembly
- Land Use and Urban Form





# Step 2: Vacation Public Benefits

## Overview

- Long-term benefit to the public
- Proportional to the benefit gained due to the vacation
- Beyond mitigating the impacts of development or code requirements
- Consider race and social equity (such as off-site public improvements)
- Include ideas from community

## Categories

- Physical - streetscape enhancements, art, wayfinding, plazas, bike and ped enhancements, etc
- Community programming
- Real property
- On-site or off-site
- Payment of funds in certain circumstances (in addition to other fees)

# Vacation Overview: Lennar Ovation

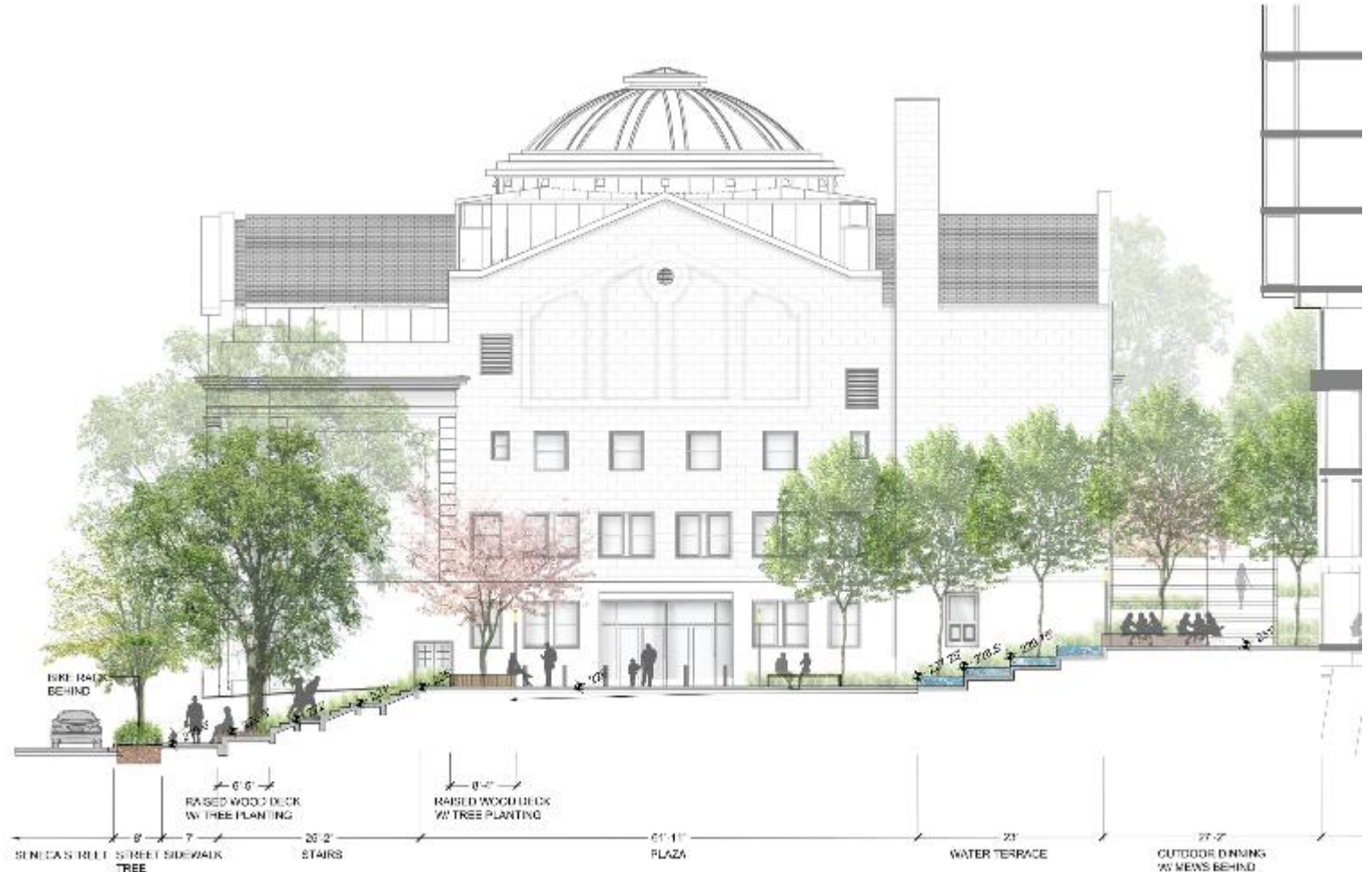


Existing Alley  
3,842 SF



# Vacation Public Benefit Example: Lennar Ovation

- Public Plaza
- Town Hall Improvements
- ROW Improvements
- Freeway Park Connection





# How Street Vacations Change Seattle





# Significant Structure Term Permits

**Significant structures:** objects that have a long duration in ROW, impede City's or public's use of the public space, or necessary for functions of the adjacent property, for example:

- Tunnels, pipelines, private utilities, and plazas

City Council approves these objects by ordinance for a fixed time, or Term. Recommendation to Council following review by SDOT and Seattle Design Commission (SDC).

Public benefit mitigation may be required



King County Alki Transformer



# Skybridge Term Permits

Seattle Municipal Code (SMC) defines the three types of skybridges:

- **Public use:** open to everyone and no access barriers
  - **Semi-public use:** open to everyone, but access may be limited or through a private structure
  - **Private use:** access is restricted for private users only
- The City discourages strictly private skybridges but has allowed skybridges for public or semi-public uses
  - SDOT leads interdepartmental review through Skybridge Review Committee (SRC)
  - SDC reviews and makes recommendation to SDOT Director
  - Public benefit mitigation required



UW Skybridge

# Term Permit Process

- ❑ **Step 1:** Resolution – early conceptual approval for new projects and occurs after SDC review (if applicable). Identifies conditions to be met prior to final approval
- ❑ **Step 2:** Ordinance – occurs at 100% design, after conditions have been met, and is the final approval
  - **New structures** – set duration, terms and conditions
  - **Term permit renewal** – at specified points, may amend existing ordinance or SDOT may renew administratively
  - **Term permit expiration** – at end of term, continued use requires a new application

City Council reviews and decides to approve, deny or modify legislation.



Fremont Solar Collector





# Questions?

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# Skybridge Review

SDOT and the SRC review for code compliance, technical feasibility, and policy objectives:

- Consider compelling need that cannot be accommodated on private property
- Provide recommendation to Seattle Design Commission (SDC)

SDC reviews urban design implications, impact on surrounding streets, and merits of public benefit proposal



Pike Place Market Skybridge