

## **SUMMARY and FISCAL NOTE**

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

**Legislation Title:** AN ORDINANCE relating to land use and zoning; 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.