



## Transportation & Public Works Meeting Agenda

Thursday, June 6, 2019  
5:30 PM to 6:30 PM  
SeaTac City Hall – Riverton Room

Councilmembers:  
Peter Kwon, Chair  
Rick Forschler  
Pam Fernald

A quorum of the Council may be present

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer;

TIME	TOPIC	PROCESS	WHO	TIME
1	Call to order		Chair	
2	Public Comment	Please raise your hand if you'd like to speak. Public comments are limited to 10 minutes total, 3 minutes per individual. Time may be reduced for each speaker in order to stay within the overall 10 minute time limit.	Chair	5
3	Prior Minutes Approval	Approval of May 16 TPW Minutes	Chair	5
4	Right of Way Uses, Continued	Discussion/Recommendation	Will Appleton	45
	<u>Future Meeting Topics:</u> Sound Transit Parking Tax; Project Final Acceptances; IB Turn-back; Tukwila International Boulevard Reconfiguration; ROW Standards; Concurrency; Autonomous Vehicles			
5	Adjourn	Adjourn Meeting	Chair	5



# Transportation & Public Works Committee Meeting Minutes

Approve Prior  
Meeting Minutes

Thursday, May 16, 2019  
4:30 PM – 6:00 PM  
SeaTac City Hall – Riverton Room

Members:	Present:	Absent:	Commence: 4:31 PM Adjourn: 6:05 PM
Peter Kwon, Chair	X		
Rick Forschler		X	
Pam Fernald	X		

Other Councilmembers in attendance: Stan Tombs

Staff Coordinator: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer;

Other Staff Present: Mason Giem, PW Programs Coordinator; Sean Clark, PW Maintenance Supervisor; Kamal Mahmoud, Engineering Manager; Lauren Kirk, Civil Engineer 1

1. Public Comment	No public comment
2. Approve Prior Meetings' Minutes	May 2nd T&PW Minutes were approved to go to Council
3. King County Solid Waste Comprehensive Plan	<p>Update</p> <p>The current King County Solid Waste Comprehensive Plan was set in 2001. The 2019 update will provide for the next 6 to 20 years. It is required by RCW, and will guide actions by King County, all cities in King County except Seattle and Milton, and private companies that provide curbside collection and processing of recyclable materials.</p> <p>The Plan addresses the many public and private components of the regional solid waste system, including 1. King County's operation of the Cedar Hills Regional Landfill, 2. City efforts to promote recycling and provide for curbside pickup of materials, and 3. Private companies' collection of materials at curbside and operation of processing facilities that convert recyclable and organic materials into marketable products.</p> <p>The Plan has been in development since 2016; public comment on the draft was collected January 8 through March 8 2019; and the King County Council voted on it in April, 2019. Next steps: Cities have four months to review and adopt the plan and then final State approval from Department of Ecology will be the last step.</p>

	<p>Key recommendations in the plan update include continuing to develop all usable areas of the Cedar Hills Landfill without increasing its footprint, develop the remaining transfer stations in King County that have not been rebuilt yet, and continuing to establish the goal of 70% diversion of recyclables away from the landfill through partnerships with cities. The Plan includes a menu of actions that cities can take to reach the 70% recycling goal.</p> <p>The next plan update will identify Post-Cedar Hills Disposal.</p> <p>Within a week, the draft Comp Plan and links to Frequently Asked Questions and other Facts will be delivered to the City of SeaTac, and staff will get the information out to the residents and businesses.</p> <p>Comments can be directed to Mason Giem, Public Works Programs Coordinator, <a href="mailto:mgiem@seatacwa.gov">mgiem@seatacwa.gov</a>, to communicate to Council and back to King County for answers.</p> <p>Prior to Council action in September, the draft plan will be brought back before the T&amp;PW Committee for further comments.</p>
<p>South 216<sup>th</sup> Street Safety Treatments (Hairpin Turn)</p>	<p>Discussion/Recommendation</p> <p>Staff are asking for a recommendation on three options brought forward at this meeting to address safety issues along South 216<sup>th</sup> Street east of Military Road South – through the hairpin turn.</p> <p>City staff have identified three potential options for the Committee’s consideration:</p> <ol style="list-style-type: none"> <li>1. Dead end 35th Ave South and 37th Place South (Estimated cost \$25,000 to \$75,000)</li> <li>2. Reconfigure the roadway to a one-way street in the northbound direction (uphill), which will include emergency and passenger vehicle turn around on 35th Ave South. (\$77,000 to \$224,000)</li> <li>3. Roadway Improvement Project from South 216th Street/35th Ave South to 40th Place South (\$102,000 - \$135,000), to include installation of concrete barriers, high friction pavement, centerline delineation, updated signage and guardrail repairs. Also being considered are speed humps and LED signage through the hairpin.</li> </ol> <p>After discussing the merits of the several options, it was decided that Staff would pursue Option 3. A comprehensive traffic impact study shall be conducted prior to further consideration of Options 1 and 2.</p> <p>Further details about implementation of Option 3 will be brought back before Committee at a future date.</p>
<p>4. Adjourn</p>	<p><u>Adjourn Meeting</u></p>

**Approve Prior Meeting Minutes**



# MEMORANDUM

To: Transportation and Public Works Committee  
Through: William Appleton, Public Works Director  
Date: 5/29/2019  
Subject: Right of Way Uses – Continued Discussion

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## **Purpose:**

To continue the Right of Way uses discussion from where it was left off at the 5/2/19 T&PW Committee meeting. Staff will present to Committee recommendations regarding the various types of private uses that could be permitted within the public Right-of-Way (ROW) as well as associated maintenance responsibilities in order to inform the development of our ROW Standards and ROW use policies moving forward.

## **Background:**

Public right-of-way is in most cases an easement in favor of a city or county for public travel and use over real property. While the city or county may not own the fee title to the underlying land, the city or county is responsible for maintenance, operations and oversight of the ROW within their jurisdiction for that purpose.

In many cases adjacent private property owners will knowingly construct improvements or place obstructions within the ROW; some examples include: signs, fences, paved parking, architectural boulders/rocks, and extensive landscaping. In other cases, because there is no clear demarcation between ROW and private property (water meters, power poles, and other utility appurtenances are only good for approximating the boundary between ROW and private property), property owners mistakenly construct improvements within the ROW thinking that they are located on their property. In all cases, it is the responsibility of the jurisdiction, specifically the Public Works Department within SeaTac, to manage all uses and improvements within the ROW to ensure safety, functionality and benefit for the traveling public.

## **Administration and Implementation:**

To manage ROW uses and responsibilities in an effective and consistent manner moving forward, code language should be drafted and adopted that supports ROW policies and procedures designed to address improvements within the ROW (permitted, unpermitted, preexisting, etc.).

In addition to uses in the ROW, policies with respect to maintenance within the ROW need to be developed and captured in code for the same reasons. Specifically, policies regarding level of service and responsibilities of adjacent property owners need to be addressed.

### Staff Recommendations:

To date, the T&PW Committee has met three times on this topic and provided staff their input. Below are staff recommendations based on this feedback.

#### Private Improvements within ROW

The City should not assume any risk associated with private improvements (beyond basic landscaping) within the Right-of-Way (ROW) that have not been permitted through a revocable ROW Use Permit. Revocable ROW Use Permits shall be recorded against the property (legal description and Tax ID number) which will ensure that owners, both current and future, are aware of their commitment for continued use of the ROW. Permitting these types of improvements allows for adjacent property owners to derive additional benefit from use of the ROW, but shifts the associated risk to the property owner and documents that, in the event the ROW is needed for Public use, the abutting owner is responsible for the cost of removing the improvements. No use of the ROW is allowed to obstruct sight distance or present a hazard to the traveling public. Unopened ROW, ROW that is not currently used for a public purpose and is unimproved, shall be treated in the same fashion as opened ROW.

Improvements requiring approval and a Revocable ROW Use Permit:

- Extensive landscaping (and associated appurtenances) within the ROW (value driven) may be considered an improvement to the ROW that requires a Revocable Right-of-Way Use Permit.
- Irrigation Systems
- Fences, Gates
- Permanent signage
- Improved parking surfaces
- Improvements deemed non-temporary in the opinion of the City Engineer

*Note: Improvements within the ROW may require a ROW Use Permit to construct.*

Improvements allowed without a Revocable Right-of-Way Use Permit:

- Lawns
- Shrubbery (No fruit bearing shrubs and no vegetable gardens in the ROW)
- Trees (from approved list & meeting setbacks, no fruit bearing trees)

#### Existing Private Improvements within the ROW

- Private improvements, similar in character to those that would be allowed through a Revocable Use Permit, constructed prior to the incorporation of the City and not found to be a hazard to the public will be allowed to remain in place without the need for a Revocable Use Permit provided:
  - They are properly maintained
  - Are not built back new
  - Are removed at the time of significant redevelopment
  
- As private improvements constructed within the ROW after City incorporation (opened and unopened) are identified, those that would require a Revocable ROW Use Permit will either be required to be removed from the ROW by the responsible party or permitted as appropriate. (Existing driveway connections and paved parking areas would be the exceptions).
  
- Regardless of when constructed, the remedy for any structures found in the ROW shall either be removal or acquisition of the subject ROW through the vacation process if applicable.

#### Unopened ROW

- The City shall seek to vacate unopened ROW that is not deemed to have present or future value to the public (RCW 35.79).
  
- Unopened ROW shall be subject to the same requirements outline above regarding Private Improvements within ROW.

#### Driveways

- Only asphalt concrete shall be allowed in the ROW as a driving/parking surface. During Public Works projects within the ROW, any pre-existing Portland concrete driveways extending into the ROW shall be removed and replaced with asphalt concrete up to the private property line.
  
- In the event sidewalks are being installed as part of a city project, the private driveway material shall be matched between the back of the sidewalk and the property line (driveway approach).

## Parking

- Parking shall not be allowed within ROW behind sidewalk improvements.
- Parking shall not be allowed within ROW behind an open conveyance ditch.
- Parking is only allowed within ROW that has an improved surface suitable for vehicles (asphalt, concrete, gravel). Parking on grass in the ROW is not allowed.

## ROW maintenance

### Abutting property owners:

- Are responsible for the maintenance of all vegetation (excluding city-planted street trees) and landscaping within the ROW fronting their property, including the landscaping strip.
- Are responsible for the repair and/or maintenance of sidewalks unless determined otherwise by the City Engineer. If a property owner believes the damaged sidewalk and/or sidewalk needing replacement is/are the city's or someone else's responsibility, the property owner must notify the City Engineer in writing with sufficient documentation of the cause of the damage and justification of why the repair and/or replacement should not be considered the responsibility of the abutting property owner.
- Are responsible for the maintenance of sidewalks including the removal of debris, snow and other obstructions.
- If vegetation within the ROW is not maintained to the satisfaction of the city, it shall be removed by the City.

## Trees in the ROW

- Trees in the ROW (other than street trees) are not maintained by the city. Hazard trees (those trees in danger of falling due to disease or structural defect) identified within the ROW shall be removed by the city.
- Abutting property owners that would like to remove otherwise healthy trees within the ROW shall obtain the necessary approvals from the City first and shall be responsible for all costs associated with the activity. Annual tree trimming would not require permission of the City unless the tree is a City owned street tree.
- The maintenance and/or removal of trees within the ROW that are in contact with overhead utilities are the responsibility of the utility company.
- City shall remove trees/ debris from within the ROW. Portions of trees/debris that fall onto private property are the responsibility of the property owner to address.

### Next Steps

Draft policies and code will be brought back to committee for review and recommendation. This work will be undertaken in parallel with the development of the Public Works ROW Standards and completed in 2019.