



Transportation & Public Works Special Meeting Agenda

Thursday, November 7, 2019
4:00 PM to 6:00 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 time limit.	Chair	5
3	Prior Minutes Approval	Approval of Oct 24 TPW minutes	Chair	5
4	Right of Way Standards	Discussion/Action	Will Appleton	100
5	<u>Future Meeting Topics:</u> Sound Transit Parking Tax; Tukwila International Blvd. Reconfiguration; Final Acceptance of several CIP projects; Sewer District Easement near Kent Elementary and Grandview Park; Complete Streets Ordinance			
6	Adjourn	Adjourn Meeting	Chair	5



Special Transportation & Public Works Committee Meeting Minutes

**Approve Prior
Meeting Minutes**

Thursday, October 24, 2019
3:00 PM – 4:30 PM
SeaTac City Hall – Riverton Room

Members:	Present:	Absent:	Commence: 3:06 PM Adjourn: 4:24 PM
Peter Kwon, Chair	X		
Rick Forschler	X		
Pam Fernald	X		

Other Councilmembers in attendance: CM Wachtel; CM Tombs

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

Other Staff Present: Mark Johnsen, Sr. Assistant City Attorney

Public Comment.	None
1. Approve Prior Meetings' Minutes	Oct 3 TPW Minutes were approved to move to Full Council approval on November 12.
2. Waste Reduction & Recycling Education Grant	<p>Presentation/Action State Department of Ecology is offering grants for waste contamination reduction. City Staff applied for and received an \$80,000 grant for waste reduction and recycling education in the amount of \$80,000 (\$60,000 from Ecology, \$20,000 match from the City).</p> <p>The program will support a program design to reduce contamination in participating multi-family and hotel properties by 50%, hopefully reducing the cost of operations and also save rate payers money. A consultant experienced in reducing multi-family and hotel/motel properties waste stream will be utilized.</p> <p>The program will utilize educational materials from King County – “Empty, Clean and Dry”; Recology internships to make educational visits to a specified number of multi-family properties; Recology pre- and post-program audits; and Refugee Women’s Alliance (ReWA) to develop culturally relevant educational materials (like posters showing culturally relevant foodstuffs and how to dispose of properly).</p> <p>Project costs will include consultant fees, education and outreach efforts, language and text translation, and project management and mileage.</p>

	<p>The project will target 25 to 35 multifamily properties and 10 to 15 hotels in the City of SeaTac.</p> <p>The Committee approved the grant program to move to full Council on November 12.</p>
<p>3. Right of Way Standards</p>	<p>Discussion/Action</p> <p>Staff brought back before the Committee the draft Right of Way Standards draft code changes that were reviewed on September 19, to update the Committee on any comments, inputs from the Stakeholders Meeting held on October 7. 25 developers were invited, and 3 attended. Staff commented that they found that developers were concerned more with knowing what is expected of them upfront above the cost of the frontage improvements expected. Knowing in advance helps them to determine whether the cost is acceptable for each individual project, as opposed to not knowing upfront and finding out later in the planning/permitting process that something extra is now required.</p> <p>Staff is seeking approval to move forward to a Planning Commission Public Hearing on November 19, presenting the SeaTac Municipal Code (SMC) changes to address private development improvements within the ROW to guide Capital Improvement Projects. Specifically, the code changes address:</p> <ol style="list-style-type: none"> 1. Frontage Improvements: Generally, (see summary table attached), the construction of a new building or expansion of an existing building will require frontage improvements (landscape strip, curb, gutter, sidewalk). 2. Right of Way Dedication: Generally, and as needed, (see summary table attached), the construction of a new building or expansion of an existing building will require the dedication of ROW to the City for immediate or future improvements. 3. Deferral of Improvements: remove code language that allows for the deferral of improvements as it is problematic for many reasons. 4. Right of Way Cross Section: Review and update the ROW cross section to reflect City policy and implement the City's vision. <p>The proposed modifications to SMC will ensure that developers are able to obtain accurate information early in the project design phase regarding ROW dedication and improvements that may be required as part of their development. This provides for developer certainty, consistent application of City code and a contiguous and unified streetscape through the City.</p> <p>A question was raised about the requirement in some cases to dedicate right of way to the City. The Committee wanted to be sure that value was being given to the property owner in those cases. As an example, water or sewer ULID projects guarantee that the property value will increase equal to or greater than the improvement costs to the owner.</p>

	<p>Sr. Assistant City Attorney Mark Johnsen state that RCW 82.02.020 specifies that the City would have to demonstrate that it is reasonably necessary as part of the development to require the frontage improvement or dedication of right of way. For instance, a new hotel that has many new vehicle trips arriving and departing the new development, make it necessary to create pedestrian facilities that separate pedestrians from the street or parking lot.'</p> <p>Is there a demonstrated need for pedestrian access? We can't just require it because we want to.</p> <p>Is there a need for a turn pocket or a new right turn lane? There must be a correlation between the specific development and the asked-for improvement.</p> <p>For instance if we already have 60 feet of right of way at the development roadway, we wont' ask for more.</p> <p>Several questions were raised and debated about requiring frontage improvement (sidewalks) that won't be connected to anything for a while. Do we really want to require a developer to put it in, or take fee in lieu of the sidewalk for future improvements. Pros and cons were debated on both sides of the discussion.</p> <p>The draft code changes were approved by the Committee to bring to the November 19 Planning Commission Public Hearing, but will be brought back before T&PW Committee at a Special T&PW meeting on November to further discuss the topics raised.</p>
4. Adjourn	Adjourn Meeting



MEMORANDUM

To: Transportation and Public Works Committee
From: William Appleton, Public Works Director
Date: 11/07/2019
Subject: ROW Standards Update

Committee Action Requested:

Staff will provide an overview of the proposed code changes and request that Committee members ask any remaining or outstanding questions that they may have at this meeting.

Please refer to the attached PowerPoint Presentation.

Summary of Proposed Changes

Right-Of-Way Standards

It is proposed to make edits and changes to four key areas of the SeaTac Municipal Code, all pertaining to improvements within the Right-of-Way (ROW).

1. Frontage Improvements
2. Right of Way Dedication
3. Deferral of Improvements
4. Right of Way Cross Section

Below is a summary table which identifies the existing text, proposed text and Notes/description.

Existing Code	Proposed Code	Notes
1. Frontage Improvements		
<p>What Triggers Improvements</p> <p>Whenever a building permit with a project value in excess of seventy-five thousand dollars (\$75,000) or grading and drainage permit with a project value in excess of seventy-five thousand dollars (\$75,000) is applied for under provisions of City ordinances to:</p> <p>A. Construct a new building or expand an existing building to be used for:</p> <ul style="list-style-type: none"> • Multiple-residence structure consisting of three (3) or more dwelling units; or • Public assembly; or • Commercial purposes; or • Industrial purposes; or • Construct or expand a parking lot; or 	<p>Applicability. Street frontage improvements of right-of-way shall occur where a development is applied for under the provisions of city ordinances for:</p> <ul style="list-style-type: none"> • A subdivision or shortplat; • Construction of a new building, or expansion of an existing building encompassing more than 50% of the gross floor area (GFA) or an increase of more than 12,000 square feet of GFA of the building/complex, that is used for either public assembly, commercial purposes, industrial uses, townhouses or a multi family complex; • Construction of a new surface parking lot or structured parking building for 	<p>Applicability provides the 'trigger' for the code standards.</p> <p>Key changes include:</p> <ul style="list-style-type: none"> • Requiring frontage improvements (sidewalk, landscape strip) for single family or ADU construction where it is in excess of \$250k. • Replace the \$75,000 project value trigger with gross floor area expansion criteria (to be consistent with SEPA thresholds). • Shortplat of 2 lots will be required to do frontage

	<ul style="list-style-type: none"> Expand or modify a building in connection with a change of use. In this instance a change of use would be a change in land use as described by the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual for the purposes of calculating Transportation Mitigation Fees per Chapter 11.15 SMC; Create a subdivision of property per SMC Title 14; 	<p>the sole purpose of parking where the project value is in excess of seventy five thousand dollars (\$75,000);</p> <ul style="list-style-type: none"> The expansion of an existing parking area (surface parking or structured parking) for the purposes of commercial use where the project value is in excess of seventy five thousand dollars (\$75,000); Construct or expand a single family dwelling unit or construct a new detached ADU, where construction improvements are in excess of \$250,000. 	<p>improvements (existing language is unclear).</p> <ul style="list-style-type: none"> Removed change of use applicability. <p>No Change:</p> <ul style="list-style-type: none"> Parking (new or expansion) of commercial parking. Subdivision of property. The requirement for improvements remains the same.
<p>Payment of improvements</p>	<p>... the applicant for such building or grading and drainage permit shall simultaneously make application for a permit, as an integral part of such new construction or alteration, for the construction of such off-site improvements as may be required by the Public Works Director, or designee, including, but not limited to, sidewalks, curbs, gutters, street paving, traffic signalization, water mains, drainage facilities, sanitary sewers, all improvements required by any applicable ordinance and all necessary appurtenances. Such off-site improvements (except traffic signalization systems) shall extend the full distance of the real property to be improved upon and which adjoins property dedicated as a public street. Traffic signalization off-site improvements shall be installed pursuant to the provisions of all applicable ordinances. (Ord. 04-1008 § 3)</p>	<p>Street frontage improvements shall be installed along the entire street frontage of the property at the sole cost of the developer as directed by the Director or designee. Street frontage improvements may include, but not be limited to curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, public utility relocation, franchise utility relocation, landscaping strip, street trees and landscaping, irrigation, on street parking, street pavement widening, bicycle lanes, safety railings, street signs, pavement marking, and channelization. The street frontage improvements may be continued off-site if necessary to provide a safe accessible transition.</p>	<p>Existing text per SMC 13.200.010 Off-site improvements, rewritten for better organization and some minor changes for clarification.</p>

<p>Timing</p>		<p>Timing. Required street frontage improvements shall be complete prior to issuance of any certificate of occupancy (including temporary certificate of occupancy) or finalization of a permit for new construction, or prior to final approval for subdivisions or short subdivisions.</p>	<p>Clarification language added and will require all improvements to be installed prior to issuance of a Certificate of Occupancy. Deferral of improvements is proposed to be removed from code.</p>
<p>Discretion</p>		<p>When (due to site topography, city plans for improvement projects, or other similar reasons) the Director or designee determines that street frontage improvements cannot or should not be constructed at the time of building, subdivision, or short subdivision construction, the developer shall, prior to issuance of the building permit or final approval for subdivisions and short subdivisions, at the direction of the Director or designee, and as authorized by and in a manner consistent with RCW <u>82.02.020</u>:</p> <ul style="list-style-type: none"> • Pay to the city an amount equal to the developer's cost of installing the required improvements prior to issuance of a building permit. Such construction value to be based on reasonable estimates of costs, as approved by the director: or • Record an agreement to not protest a local improvement district to improve the street frontage; or 	<p>New language. Provides greater clarity and alternative options for instances where improvements cannot or should not be made.</p>

Local Improvement District		<ul style="list-style-type: none"> • Director may waive the requirements or costs to install improvements 	<p>New language: If an applicant/developer has previously installed street improvements, and in the event an LID is introduced, credit will be provided so as to prevent a developer/owner having to pay twice for an improvement.</p>
2. Right-Of-Way Dedication			
When Dedication is Required	<p>The existing code establishes minimum standards for the dedication (and improvement) of streets as related to any and all subdivision applications.</p>	<p>Applicability: Dedication of right-of-way shall occur, unless otherwise waived in Section 14.27.020 (D) where a development is applied for under the provisions of city ordinances for:</p> <ul style="list-style-type: none"> • A subdivision or shortplat; • Construction of a new building, or expansion of an existing building encompassing more than 50% of the gross floor area (GFA) or an increase of more than 12,000 square feet of GFA of 	<p>New text requires a dedication of right-of-way when triggered by the actions identified.</p> <p>ROW Dedication is already required for shortplats and subdivisions.</p> <p>Additional criteria added to:</p> <ol style="list-style-type: none"> 1. Coincide with proposed ROW frontage improvements;


		<p>the building/complex, that is used for either public assembly, commercial purposes, industrial uses, townhouses or a multi family complex;</p> <ul style="list-style-type: none"> • Construction of a new surface parking lot or structured parking building for the sole purpose of parking where the project value is in excess of seventy five thousand dollars (\$75,000); • The expansion of an existing parking area (surface parking or structured parking) for the purposes of commercial use where the project value is in excess of seventy five thousand dollars (\$75,000); • Construct or expand a single family dwelling unit or construct a new detached ADU, where construction improvements are in excess of \$250,000. 	<p>2. It is necessary for the City to obtain ROW for maintenance, street improvements, street expansion;</p> <p>3. Provides certainty for both the developer and plan reviewer.</p>
Timing		<p>Timing. Dedication shall occur at the time of recording for subdivision or shortplat, or prior to the issuance of a Certificate of Occupancy (including temporary certificate of occupancy) or the finalization of a permit.</p>	<p>Provides clarity and process.</p>
Requirement for Dedication		<p>As necessary, the city shall require the dedication of right-of-way by the developer as a condition of development approval. The developer is required to dedicate right-of-way to accommodate:</p> <ul style="list-style-type: none"> • Motorized and nonmotorized transportation facilities including but not limited to bicycle lanes, street lighting, and traffic control devices; and/or 	<p>Identifies the criteria for dedication and why it is important.</p>

		<ul style="list-style-type: none"> • Street frontage improvements where the existing right-of-way is not adequate; and/or • The extension of existing or future public street improvements; and/or • Planned improvements identified in the SeaTac City Code, or standards or adopted plans including, but not limited to: Transportation Master Plan, 6 year Transportation Improvement Plan, and the Comprehensive Plan; and/or • For maintenance of city road and/or drainage facilities; and/or • Mitigation of direct impacts of a development; and/or 	<p>New Code. Deviation language and criteria to be added to provide flexibility as needed. Criteria and process has not been determined at this time.</p>
<p>Deviation to Requirements</p>		<p>Any modification to the minimum right-of-way requirement or exemption to these standards may be granted by the Director subject to review through the deviation process and will be reviewed on a case by case basis based on specific site conditions.</p> <p>Dedication of Private Roads as Public Streets.</p> <p>A. Consideration of acceptance of a private road is subject to the requirements of city policies and codes. Final acceptance is subject to city council approval and the following:</p> <ol style="list-style-type: none"> 1. The private road meeting all public street design and construction standards; 2. Acceptability of road and public utilities construction, including pavement condition; 	<p>New Code. Provides criteria for acceptance of private roads and requires approval by Council.</p>
<p>Dedication of Private Roads as Public Streets.</p>			

3 Deferral of Improvements

		<ol style="list-style-type: none"> 3. Condition of title; 4. Survey monumentation; 5. Consideration of maintenance costs; and 6. A demonstrated public benefit. 	
<p>Deferral of Improvements</p>	<p>Per Title 14, onsite and offsite improvements can be deferred by an applicant by posting a bond, financial guarantee or recording a restrictive covenant. Improvements can be deferred up to 3 years.</p>	<p>Required street frontage improvements may not be deferred.</p>	<p>Allowing shortplats to be recorded without improvements is problematic as it places the onus on the City to take action against a bond and install any improvements not completed by the applicant.</p> <p>Example: Someone can legally purchase a lot, come in for a building permit, and if the developer of the shortplat 'deferred' the improvements through a covenant or financial means, the new owner is unable to obtain a building permit and in some instances will be required to pay for the improvements and obtain permits from the City.</p> <p>A Bond can be very challenging and time consuming for staff to 'pull' and removes staff from City business to project manage private construction.</p>

4 Right of Way Cross Section

<p>Sidewalk and Landscape Strip</p>		<p>Key elements include:</p> <p>Landscape strips stipulated at:</p> <ul style="list-style-type: none"> • 6' along principal and minor arterials. • 4' along collector and local roads <p>Sidewalk Widths stipulated at:</p> <ul style="list-style-type: none"> • 8' along principal arterials. • 6' along minor arterials, collector and local roads. <p>On street parking designated by street.</p>	<p>Policy Direction: Provide sidewalks and safe conditions for all residents and visitors.</p>  <p>Thickened shoulder will be required to be replaced with a sidewalk and landscape strip.</p>
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