

Ordinance No. 121563

we

Council Bill No. 114974

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to land use and zoning and to the permitting and approval process for light rail transit facilities; amending Seattle Municipal Code sections 23.41.004, 23.42.040, 23.47.042, 23.47.050, and 23.80.004, and authorizing the Seattle Design Commission to delegate some of its functions.

8/10/04 *Pass*

CF No. _____

Date Introduced:	<u>JUL 26 2004</u>	
Date 1st Referred:	<u>JUL 29 2004</u>	To: (committee) TRANSPORTATION
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>8/16/04</u>	Full Council Vote: <u>7-0</u>
Date Presented to Mayor:	<u>8/17/04</u>	Date Approved: <u>8/24/04</u>
Date Returned to City Clerk:	<u>8/25/04</u>	Date Published: <u>11/9/04</u>
Date Vetted by Mayor:		T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

8-16-04 *Passed*

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin
Councilmember

Committee Action:

8/10/04 Passed unanimously 7-0 yes
Conlin, Rammussen, Godden

8-16-04 Passed 7-0 (Excused: Compton, Sternbruneh)

This file is complete and ready for presentation to Full Council. Committee: RC 8/10/04
(initial/date)

Leg Department

Law Dept. Review

OMP Review

(V)
City Clerk Review

BMS
Electronic Copy Loaded

Indexed

ORDINANCE 121563

1
2 AN ORDINANCE relating to land use and zoning and to the permitting and approval process for
3 light rail transit facilities; amending Seattle Municipal Code sections 23.41.004,
4 23.42.040, 23.47.042, 23.47.050, and 23.80.004, and authorizing the Seattle Design
5 Commission to delegate some of its functions.

6 **WHEREAS**, Sound Transit (formally known as the Central Puget Sound Regional Transit
7 Authority) is proceeding to implement Sound Move, the regional transit system plan
8 approved by voters in November, 1996; and

9 **WHEREAS**, Sound Move includes the Link electric light rail line connecting the cities of
10 SeaTac, Tukwila and Seattle; and

11 **WHEREAS**, the light rail line will provide numerous benefits to Seattle's residents, workers,
12 and visitors, and will help the City meet its Comprehensive Plan goals for dense, mixed-
13 use urban centers and urban villages connected by high-quality public transit; and

14 **WHEREAS**, on November 18, 1999, the Sound Transit Board of Directors, of which two Seattle
15 elected officials are members, approved the light rail alignment, station locations, and
16 maintenance base location in Seattle; and

17 **WHEREAS**, the Seattle City Council and Mayor have committed to work cooperatively with
18 Sound Transit to ensure that the light rail line gets built cost-effectively, and that it is
19 sensitive to the needs and interests of the citizens of Seattle; and

20 **WHEREAS**, Sound Transit has applied to the City of Seattle for permits for components of the
21 light rail line for temporary construction-related facilities and uses, and for permanent
22 uses and facilities; and

23 **WHEREAS**, currently, Seattle's Land Use Code (Seattle Municipal Code (SMC) Title 23) does
24 not clearly articulate that the Director of the Department of Planning and Development
25 may waive or modify standards necessary to allow the siting and proper functioning of a
26 light rail facility and does not provide specific guidance as to the nature and duration of
27 parking for construction workers building the light rail line; and

28 **WHEREAS**, the Seattle City Council values the input of the Light Rail Review Panel (LRRP, a
panel created by the Seattle Design Commission and containing Seattle Design
Commission representatives) on various aspects of the light rail line and wishes to
formally ratify and confirm the ongoing role of the LRRP or any similar successor panel;
and



1 **WHEREAS**, the Seattle City Council wants to ensure that the Land Use Code, with appropriate
2 conditioning authority, and land use decision processes effectively addresses construction
of the light rail line; NOW, THEREFORE,

3 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

4 Section 1. Subsection C of Section 23.41.004 of the Seattle Municipal Code, which
5 section was last amended by Ordinance 121278, is amended as follows:

6 **23.41.004 Applicability**

7 * * *

8 C. Exemptions. The following structures are exempt from design review:

9 1. New structures located within special review districts, as regulated by Chapter
10 23.66;

11 2. New structures within Landmark districts as regulated by SMC Title 25,
12 Environmental Protection and Historic Preservation;

13 3. New structures that are within the historic character area of the Downtown
14 Harborfront 1 zone, as regulated by Section 23.60.704, or are otherwise required to undergo
15 shoreline design review as regulated by Chapter 23.60; ((and))

16 4. New monorail transit facilities that have been subject to review by the Seattle
17 Design Commission; and

18 5. New light rail transit facilities that have been subject to review by the Seattle
19 Design Commission.



1 Section 2. Subsection F of Section 23.42.040 of the Seattle Municipal Code, which
2 section was last amended by Ordinance 121277, is amended as follows:

3 **23.42.040** Intermittent and temporary use.

4 * * *

5
6 F. Light Rail Transit Facility Construction. A temporary structure or use that supports
7 the construction of a light rail transit facility may be authorized by the Director pursuant to a
8 Master Use Permit ~~((if:))~~subject to the requirements of this subsection.

9 1. The alignment, station locations, and maintenance base location of the light
10 rail transit system ~~((has been))~~must first be approved by the City Council by ordinance or
11 resolution((:)).

12
13 2. The temporary use or structure ~~((is))~~may be authorized for only so long as is
14 necessary to support construction of the related light rail transit ~~((system))~~facility and must be
15 terminated or removed when construction of the related light rail transit facility is completed or
16 in accordance with the MUP((:)).

17
18 3. The applicant must submit plans for the establishment of temporary
19 construction uses and facilities to the Director for approval. When reviewing the application, the
20 Director shall consider the duration and severity of impacts, and the number and special needs of
21 people and businesses exposed, such as frail, elderly, and special needs residents. Following
22 review of proposed plans and measures to mitigate impacts of light rail transit facility
23 construction, and prior to the issuance of any permits granting permission to establish
24 construction facilities and uses, the Director may impose reasonable conditions to reduce
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1 construction impacts on surrounding businesses and residences, including but not limited to the
2 following:

3 a. Noise and Grading and Drainage. Noise impacts will be governed by
4 the Noise Control Ordinance (SMC Chapter 25.08) and off-site impacts associated with grading
5 and drainage will be governed by the Stormwater, Grading and Drainage Ordinance (SMC
6 Chapters 22.800 through 22.808).

7
8 b. Light. To the extent feasible, light should be shielded and directed
9 away from adjoining properties.

10 c. Best Management Practices. Construction activities on the site must
11 comply with Director's Rule #6-93, Best Management Practices for Construction Erosion and
12 Sedimentation Control Plans.

13
14 d. Parking and Traffic.

15 1. Measures addressing parking and traffic impacts associated
16 with truck haul routes, truck loading and off-loading facilities, parking supply displaced by
17 construction activity, and ~~((resulting from))~~ temporary construction-worker parking, including
18 measures to reduce demand for parking by construction employees, must be included and must
19 be appropriate to the temporary nature of the use.

20
21 2. Temporary parking facilities provided for construction workers
22 need not satisfy the parking requirements of the underlying zone or the parking space standards
23 of SMC 23.54.030.



1 e. Local Businesses. The applicant must address measures to limit
2 disruption of local business, including pedestrian and/or auto access to business, loss of customer
3 activity, or other impacts due to protracted construction activity.

4 f. Security. The applicant must address site security and undertake
5 measures to ensure the site is secure at all times and to limit trespassing or the attraction of
6 illegal activity to the surrounding neighborhood.

7 g. Site/Design. The construction site should be designed in a manner that
8 minimizes pedestrian/vehicle conflicts and does not unnecessarily impede pedestrian mobility
9 around the site and through adjoining neighborhoods. Measures should also be undertaken to
10 ensure appropriate screening of materials storage and other construction activities from
11 surrounding streets and properties.

12 h. Public Information. Actions should be taken that will inform
13 surrounding residents and businesses of construction activities taking place and their anticipated
14 duration, including a twenty-four (24) hour phone number to seek additional information or to
15 report problems.

16 i. Weather. Temporary structures must be constructed to withstand
17 inclement weather conditions.

18 j. Vibration. The applicant must consider measures to mitigate vibration
19 impacts on surrounding residents and businesses.



1 4. Site Restoration.

2 a. The applicant must also agree, in writing, to submit a restoration plan
3 to the Director for restoring areas occupied by temporary construction activities, uses or
4 structures.

5 b. The restoration plan must be submitted and approved prior to the
6 applicant vacating the construction site and it must include proposals for cleaning, clearing,
7 removing construction debris, grading, remediation of landscaping, and restoration of grade and
8 drainage.

9 c. Site restoration must generally be accomplished within one hundred
10 eighty (180) days of cessation of use of the site for construction uses and activities, unless
11 otherwise agreed to between the applicant and the Director.

12 d. The Director will approve plans for site restoration in accordance with
13 mitigation plans authorized under this section.

14 5. A master use permit for a temporary structure or use that supports the
15 construction of a light rail transit facility shall not be issued until the Director has received
16 satisfactory evidence that the applicant has obtained sufficient funding (which might include a
17 Full Funding Agreement with a federal agency) to complete the work described in the Master
18 Use Permit application.

19 Section 3. Subsection C of Section 23.47.042 of the Seattle Municipal Code, which
20 section was last amended by Ordinance 121196, is amended as follows:

21 **23.47.042 Uses in pedestrian-designated zones.**

22 * * *



1 C. Street-level Uses Required.

2 1. Street-level uses shall be required along the principal pedestrian street front,
3 except as provided in subsection ((D))C4, and shall be limited to the following retail sales and
4 service and office uses if permitted in the underlying commercial zone:

- 5 a. Personal and household retail sales and service uses;
6 b. Eating and drinking establishments;
7 c. Customer service offices;
8 d. Entertainment uses;
9 e. Pet grooming services;
10 f. Public library.

11 2. A minimum of eighty (80) percent of each street frontage to which street-level
12 use requirements apply shall be occupied by uses listed in subsection D1. The remaining twenty
13 (20) percent of the street frontage may contain other permitted uses and/or pedestrian entrances
14 (Exhibit 23.47.042A).
15

16 3. Required street-level uses shall be set back no more than ten (10) feet from the
17 street property line and shall occupy at least the first ten (10) feet above sidewalk grade.
18

19 4. Street-level use requirements shall not apply to:

- 20 a. public school development along principal pedestrian streets; or
21 b. light rail transit facilities.
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1 Section 4. Section 23.47.050 of the Seattle Municipal Code, which section was last
2 amended by Ordinance 113263, is amended to add a new subsection F to read as follows:

3 **23.47.050 Blank facades in pedestrian-designated zones.**

4 * * *

5
6 F. Blank façade requirements shall not apply to portions of a façade on a light rail transit
7 facility, where the imposition of such requirements would not permit the proper functioning of
8 the facility and where any negative impact of a façade with limited transparency would be
9 attenuated by other measures including, but not limited to, landscaping, placement of artwork,
10 display windows, or other measures consistent with design guidelines developed for the light rail
11 system by the City and the applicant.

12
13 Section 5. Subsection C of Section 23.80.004 of the Seattle Municipal Code, which
14 section was last amended by Ordinance 121278, is amended as follows:

15 **23.80.004 Review Criteria**

16 * * *

17 **C. Light rail transit facilities.**

18
19 1. Light rail transit facilities necessary to support the operation and maintenance
20 of a light rail transit system are permitted in all zones within the City of Seattle.

21 2. The Director may approve a light rail transit facility pursuant to Chapter 23.76,
22 Master Use Permits and Council Land Use Decisions only if the alignment, transit station
23 locations, and maintenance base location of the light rail transit system have been approved by
24 the City Council by ordinance or resolution.
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1 3. When approving light rail transit facilities, the Director may impose reasonable
2 conditions in order to lessen identified impacts on surrounding properties. A Master Use Permit
3 is not required for the following:~~((installation of))~~

4 a. at-grade, below-grade, or above-grade tracks and their supporting
5 structures;~~((;))~~

6 b. below-grade facilities; ~~((;))~~

7 c. minor alteration of light rail transit facilities involving no material
8 expansion or change of use; ~~((;))~~ and

9 d. other minor new construction that, in the determination of the Director,
10 is not likely to have significant adverse impacts on surrounding properties.

11 4. When approving light rail transit facilities, the Director may impose conditions
12 to ensure consistency with ~~((the Seattle D))~~ design ~~((G))~~ guidelines developed for the ~~((Link~~
13 E)) light ~~((R))~~ rail system~~((to be developed))~~ by the City and ~~((Sound Transit))~~ the applicant.

14 5. The Director may waive or modify development standards applicable to a light
15 rail transit facility if the applicant demonstrates that waiver or modification of a development
16 standard:

17 a. is reasonably necessary to allow the siting or proper functioning of a
18 light rail transit facility; or

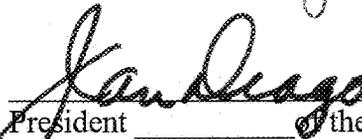
19 b. will lessen the environmental impacts of a light rail transit facility on
20 site or on surrounding properties; or



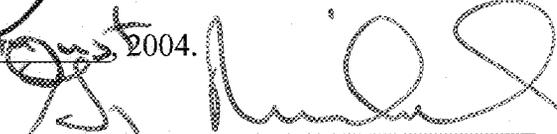
1 Section 6. The Seattle Design Commission may delegate review of proposed new light
2 rail transit facilities and other aspects of a light rail transit system to another reviewing body
3 created by the Seattle Design Commission for that purpose and containing representatives of the
4 Seattle Design Commission. Any act pursuant to the authority and prior to the effective date of
5 this Section is hereby ratified and confirmed.
6

7 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after
8 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
9 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

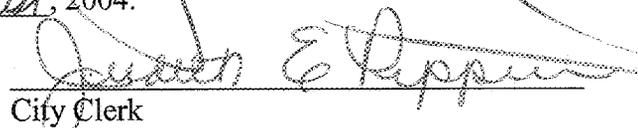
10 Passed by the City Council the 16th day of August, 2004, and signed by me in
11 open session in authentication of its passage this 16th day of August, 2004.
12

13 
14 President _____ of the City Council

15 Approved by me this 24th day of August, 2004.

16 
17 Gregory J. Nickels, Mayor

18 Filed by me this 25th day of August, 2004.

19 
20 City Clerk

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22 (Seal)
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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Planning and Development	John Skelton/233-3883	Barbara Gangwer/615-0768

Legislation Title:

AN ORDINANCE relating to land use and zoning and to the permitting and approval process for light rail transit facilities; amending Seattle Municipal Code sections 23.41.004, 23.42.040, 23.47.042, 23.47.050, and 23.80.004, and authorizing the Seattle Design Commission to delegate some of its functions.

Summary of the Legislation:

The proposed Council Bill would amend the City's Land Use Code to further clarify the permit approval process and conditions for construction of the Link Light Rail System. The proposed amendments were necessary to clarify the circumstances under which the Director of the Department of Planning and Development (DPD) may waive or modify development standards when necessary to allow the siting or proper functioning of a light rail facility, or where necessary to address the site specific impacts of light rail construction and operation. Conditioning of a light rail facility or modification to applicable development standards is also subject to review under the design guidelines developed for the light rail system by the City and Sound Transit. It was also necessary to amend provisions for temporary construction activities related to the mitigation of the impacts of temporary construction worker parking, further clarifying the need to remove such parking when construction activities cease.

Background:

In Spring of 2000, the Council adopted legislation that established the permit approval process for the Link Light Rail Transit System. These provisions were necessary to permit and mitigate the impacts of the light rail system on surrounding properties. With experience and the permit process well underway, issues have arisen as to the extent of the Director of DPD's authority for waiving or modifying a Land Use Code development standard in order to facilitate the proper construction and functioning of a light rail facility. This proposed Council Bill will address those issues and clarify the permit mitigation and approval process. Please see the attached Director's Report and Recommendations (Attachment 1) for additional detail.

X This legislation does not have any financial implications.

Attachment 1: Director's Report and Recommendation



**Director's Report and Recommendation –
Amendments to the Land Use Code
Related to the Development of a Light Rail Transportation System in Seattle
July 6, 2004**

INTRODUCTION

The Department of Planning and Development (DPD) is proposing to amend the City's Land Use Code to clarify the permit approval process for construction of light rail facilities. The Land Use Code amendments are based on practical issues and experience as the process of permitting the light rail system gets underway. Specifically:

- * Land Use Code requirements have not properly addressed the design and construction of facilities in areas where street level use requirements and transparency limits apply.
- * Requirements for design review are unclear, as is the authority of the Director of DPD to modify or waive development requirements when necessary for the proper siting or functioning of a facility.
- * Additional amendments are proposed to address issues related to construction worker parking provided at construction staging areas, and to specify the conditions applicable to temporary parking areas and ensure that temporary parking is removed and the site restored when construction is complete.

ANALYSIS AND RECOMMENDATIONS

In June of 2000, the Council approved legislation that established a permit review process for permanent light rail transit facilities. The legislation was necessary to appropriately regulate light rail facility development and to anticipate the impacts of the new transportation system on surrounding uses and neighborhoods. Light rail transit facilities are permitted as discretionary land use decisions within the City's land use decision framework (Type II), subject to appeal to the City's Hearing Examiner.

Prior to the establishment of a permit process for permanent light rail facilities, the Council approved terms and conditions for allowing long-term temporary uses, such as construction staging and materials storage necessary for the construction of the light rail system.

Permitting activities related to light rail construction are ongoing. As Sound Transit completed the final design of the light rail system, three significant issues arose where the application of the Land Use Code posed significant problems for light rail transit development and operation.

1. Pine Street Vent Shaft--When the Sound Transit project was modified to build the south portion of the alignment as a first phase of the system, an extension of



the Downtown Seattle Transit Tunnel (DSTT) under Pine Street (stub tunnel) became necessary. The Pine Street stub tunnel is an interim condition that allows trains in the tunnel to turn around at the north end of Downtown during joint bus/train use of the tunnel. The stub tunnel allows the North Link light rail to be constructed with minimal disruption of the DSTT. A crucial element of the Pine Street stub tunnel is a vent shaft and emergency access structure needed to address fire and life safety issues. The vent shaft is located on Sound Transit owned land on the southwest corner of Pine Street & Terry Avenue.

While the vent shaft is allowed as a use (Essential Public Facility). However, the Land Use Code requires that structures on this portion of Pine Street include street-level retail sales and service uses. This site will be required in the future for North Link light rail construction, with the long-term goal of incorporating the vent shaft into a structure that will provide opportunities for future pedestrian elements as contemplated in the Land Use Code. Until that time, it is not practical or desirable to incorporate a retail street-front into development of the vent shaft. The current design of the vent shaft facility was reviewed by the Light Rail Review Panel and City staff during design review of proposed light rail facilities.

Recommendation: Exempt Link light rail facilities from requirements for street level uses in pedestrian designated areas.

2. Beacon Hill Station Design--The Beacon Hill light rail station was re-designed in 2002/2003 in response to concerns raised by the community. While the Beacon Hill station facade has been designed with significant modulation and visual interest, and the station plaza is proposed to be landscaped and includes art elements; the transparency standards of the Land Use Code, addressing visibility into a structure, that would apply to a commercial street front at this site would be incompatible with the station function and design. The station at this location is mostly under ground and the site would be occupied by a "head house" containing elevators and other equipment that are deliberately screened in the design, while additional facade space is used for ticket vending machines, informational signs and other elements of interest to riders of the transit system. This issue is raised at other locations where stations are proposed underground and the surface structure is a transit rider access and information facility. The design of the Beacon Hill station facility and "head house" was reviewed by the Light Rail Review Panel and by City staff.

Recommendation: Exempt light rail transit facilities from limits on blank façades and transparency standards of Section 23.47.050 of the Land Use Code, where the imposition of such a requirement would not "permit the proper functioning of the facility" and where the negative impacts of the blank façade are attenuated by other measures under the design guidelines for Link Light Rail developed by the City and the applicant.



3. Temporary Construction Facilities--One of the City's primary goals for light rail station areas was to discourage long-term automobile parking in the form of park & rides, hide & rides, and long-term commuter parking. However, in constructing light rail facilities, Sound Transit is required to mitigate the impact of construction on surrounding uses and residents including providing temporary parking for construction crews. The Land Use Code requires that all parking be built according to standards relating to aisle and driveway widths, parking space sizes, and access and exiting. Building to Code standards and providing accessible parking and standard sized parking spaces for temporary construction parking lots increases the amount of parking area Sound Transit needs to acquire/provide. In addition, parking lots (improved with landscaping, curbing, lighting, etc) may be more difficult to remove once construction is completed--working against the City's goals for transit-oriented development around light rail stations.

Recommendation: Exempt light rail transit facility construction and staging areas from required parking space standards and require that all temporary facilities used for the construction of the light rail facility or system, including parking uses, be terminated or removed, and the site restored, when construction is complete.

4. Design Review--The Council established the Light Rail Review Panel (LRRP) in 1998 for the purpose of providing an integrated review of the Link light rail project's design. The panel is composed of nine members; three each from the City's Design, Planning, and Arts Commissions. Over the past few years LRRP has played an indispensable role in evaluating the design of Sound Transit facilities.

The City's Design Review Program is part of the Land Use Code. The Code establishes a process in which projects in commercial and multifamily zones that exceed established thresholds must undergo a design review under the City's Citywide and Neighborhood Design Guidelines, where applicable. The role of the LRRP in the design review of light rail transit facilities is not addressed. The LRRP was intended to provide a more comprehensive system-wide and facility by facility review of Light rail facility design than the regular design review process is intended to provide.

Recommendation: Expressly exempt light rail transit facilities from design review, when they have been subject to review by the LRRP.

5. MUP requirements—Some elements of the light rail system lie entirely within street rights of way, and work on these elements is governed by the review and permit authority of the Director of the Seattle Department of Transportation (SDOT), which has jurisdiction of public rights of way. In establishing a permit application and review process for light rail facilities, the Land Use Code was amended to establish conditions under which Sound Transit would apply for a



Master Use Permit from DPD, as opposed to approval from SDOT. The Land Use Code is not clear with regard to elevated guideway structures; these structures are under the jurisdiction of SDOT.

Recommendation: Make explicit that light rail tracks and supporting structures are exempt from Master Use Permit requirements.

6. Waiver or Modification of development standards--High capacity transportation systems and infrastructure are unique developments for which traditional development standards and zoning requirements are not always applicable or appropriate. As noted previously, features of zoning such as required street level uses, transparency requirements, and design review have only limited applicability to these facilities. However, they help to understand what issues need to be addressed in order to build a system that is sensitively designed and an asset in the neighborhoods in which it is located. Light rail facilities are important public investments in our neighborhoods and worthy of careful review under guidelines specifically designed to address their exceptional and distinctive character.

Likewise, development standards that address height, bulk and scale, or other relationships of new development to its surroundings, may or may not be appropriate for light rail facilities. Where light rail facilities are otherwise subject to design review under the LRRP, and where the nature of a facility's siting and function would make adherence to development standards impractical, flexible application of the Code seems warranted. The amendments made to the Land Use Code to establish a permitting process for light rail facility construction implied, but did not expressly identify a process by which the City could waive or modify development standards that may apply to a light rail transit facility. Subject to reasonable criteria, it is advisable to allow such flexibility to support the efficient and timely development of a light rail system in Seattle.

Recommendation: Approve the following criteria to guide decisions in which development standards applicable to light rail transit facilities could be modified or waived:

- * Its necessary to allow the siting and proper functioning of a light rail transit facility;
- * It will lessen environmental impacts of a light rail transit facility;
- * It would allow the accommodation of future development opportunity on the site.

CONCLUSION

These proposed amendments to the Land Use Code result from experience in reviewing permit applications for light rail transit facilities. Light rail facilities are essential public facilities under the Land Use Code. Siting and operating them so



that they are safe and convenient for their intended public function implies the need to be flexible in accommodating the unique structural requirements that differentiate them from traditional buildings. The state's Growth Management Act notes that essential public facilities are those facilities that are often difficult to site. Light rail facilities are also part of a high capacity transit system that the City has determined to be a critical component of managing growth in the city and the region.

For these reasons it is recommended that the proposed amendments to the Land Use Code relating to the permitting of light rail transit facilities be approved.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 13, 2004

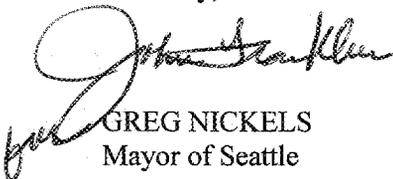
Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill, which amends the City's Land Use Code to further clarify the permit approval process and conditions for construction of the Link Light Rail System. The proposed amendments clarify the circumstances under which the Director of the Department of Planning and Development (DPD) may waive or modify development standards to allow the siting or proper functioning of a light rail facility, while addressing site-specific impacts of light rail construction and operations. Conditioning of a light rail facility or modification to applicable development standards for the light rail system is subject to review under the design guidelines developed by the City of Seattle and Sound Transit. Also included in this Bill are amendments to provide temporary parking for construction workers, and requirements to remove such parking when construction activities cease.

These amendments support the development of Seattle's Light Rail System, which will be an essential component in Seattle's transportation infrastructure. Thank you for your consideration of this legislation. Should you have questions, please contact John Skelton at 233-3883.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

176234
CITY OF SEATTLE, CLERKS OFFICE

No. ORDINANCE IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121563 ORD IN FULL

was published on

8/27/2004

Phil Del

Subscribed and sworn to before me on

8/27/2004

Jennifer Patzer

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

