



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119601

Record No.: CB 119601

Type: Ordinance (Ord)

Status: Passed

Version: 3

Ord. no: Ord 125902

In Control: City Clerk

File Created: 07/25/2019

Final Action: 09/06/2019

**Title:** AN ORDINANCE relating to the construction of protected bicycle lanes; requiring major paving projects to include protected bicycle lanes as identified in The City of Seattle Bicycle Master Plan; and adding a new Chapter 15.80 to the Seattle Municipal Code.

### Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	07/30/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	08/01/2019	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
1	City Council	08/05/2019	referred	Sustainability and Transportation Committee			
1	Sustainability and Transportation Committee	08/09/2019	discussed				
	Action Text: The Council Bill (CB) was discussed in Committee.						

1 Sustainability and Transportation Committee 08/16/2019 pass as amended Pass

Action Text: The Committee recommends that City Council pass as amended the Council Bill (CB).

In Favor: 2 Chair O'Brien, Vice Chair Pacheco

Opposed: 0

2 City Council 09/03/2019 passed as amended Pass

Action Text: The Motion carried, the Council Bill (CB) was passed as amended by the following vote, and the President signed the Bill:

Notes: ACTION 1

By unanimous consent, Council Rule III.A.7, relating to amendments presented to the City Council at least two hours before the meeting, was suspended to allow consideration of an amendment to Council Bill 119601.

### ACTION 2

Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Council Bill 119601, Section 1, Seattle Municipal Code Subsection 15.80.020.A, as shown in the underlined language below:

Seattle Municipal Code 15.80.020.A

A. Whenever the Seattle Department of Transportation constructs a major paving project along a segment of the protected bicycle lane network, a protected bicycle lane with adequate directionality shall be installed along that segment with an expectation that the final scope and design of the project reflect continued community engagement and input in the project development on how to implement the protected bicycle lane.

### ACTION 3

Motion was made and duly seconded to pass Council Bill 119601 as amended.

In Favor: 9 Councilmember Bagshaw, Councilmember González, Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco, Councilmember Sawant

Opposed: 0

3 City Clerk 09/06/2019 submitted for Mayor's signature Mayor

3 Mayor 09/06/2019 Signed

3 Mayor 09/06/2019 returned City Clerk

3 City Clerk 09/06/2019 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

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CITY OF SEATTLE

ORDINANCE 125902

COUNCIL BILL 119601

AN ORDINANCE relating to the construction of protected bicycle lanes; requiring major paving projects to include protected bicycle lanes as identified in The City of Seattle Bicycle Master Plan; and adding a new Chapter 15.80 to the Seattle Municipal Code.

WHEREAS, in 2007, the City established a Complete Streets policy to promote safe and convenient access and travel for all users of the right-of-way; and

WHEREAS, in 2013 the City established a Climate Action Plan, with a goal of achieving zero net Green House Gas emissions by 2050; and

WHEREAS, in 2014 the City adopted the Bicycle Master Plan, which identified a citywide connected network of cycle tracks, protected bicycle lanes, trail, and greenways with a goal of quadrupling bicycle ridership by 2030; and

WHEREAS, in 2015 the City established a Vision Zero policy and plan, with a goal of achieving zero traffic fatalities and serious injuries by 2030; and

WHEREAS, protected bicycle lanes establish a physical separation of bicyclists and motor vehicles, and provide the backbone of the Bicycle Master Plan's Recommended Bicycle Network map as a safe bicycle facility for users of all ages and abilities; and

WHEREAS, the City's experience with the 2<sup>nd</sup> Avenue protected bicycle lane shows that bicycle ridership increases as more bicycle facilities and destinations are connected to the protected bicycle lane; and

WHEREAS, providing connectivity between bicycle facilities is a critical element of the Bicycle Master Plan, so that bicycle users can connect to all the destinations of the Recommended Bicycle Network; and

1 WHEREAS, major road construction projects provide the greatest opportunity for efficiently  
2 delivering protected bicycle lanes as recommended in the Bicycle Master Plan; and

3 WHEREAS, in repaving 35<sup>th</sup> Avenue NE, the Seattle Department of Transportation did not build  
4 the protected bicycle lanes which were identified in the Bicycle Master Plan; and

5 WHEREAS, it is critical for the City to fully implement the Bicycle Master Plan in order to meet  
6 our stated climate, safety and mode split goals; NOW, THEREFORE,

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

8 Section 1. A new Chapter 15.80 is added to the Seattle Municipal Code as follows:

9 **CHAPTER 15.80 CONSTRUCTION OF PROTECTED BICYCLE LANES**

10 **15.80.010 Definitions**

11 For the purposes of this Chapter 15.80:

12 “Adequate directionality” means (1) a two-way street with a protected bicycle lane or  
13 lanes that allow bicycle travel in both directions, or (2) a one-way street with a protected bicycle  
14 lane or lanes that allow bicycle travel either in the direction of the flow of vehicular traffic or in  
15 both directions.

16 “Connectivity” means the provision of a protected bicycle lane network that reflects  
17 desired routes between all major origins and destinations in the city.

18 “Major paving project” means any paving project of more than \$1 million. This includes  
19 the Arterial Asphalt and Concrete Program and other discrete corridor improvement projects  
20 identified in The City of Seattle’s Capital Improvement Program. “Major paving project” does  
21 not mean routine street maintenance, pothole repair, restoration of utility cuts, or emergency  
22 repairs.

1 “Protected bicycle lane” means a bicycle lane physically separated from motor vehicle  
2 traffic and distinct from the sidewalk, delineated by curbs, planters, flex delineators, or other  
3 vertical elements.

4 “Protected bicycle lane network” means the proposed set of protected bicycle lane  
5 facilities identified as “Cycle-track (protected bicycle lanes)” on the Recommended Bicycle  
6 Network map in The City of Seattle’s Bicycle Master Plan adopted by Resolution 31515, or any  
7 plan superseding it.

#### 8 **15.80.020 Requirements**

9 A. Whenever the Seattle Department of Transportation constructs a major paving project  
10 along a segment of the protected bicycle lane network, a protected bicycle lane with adequate  
11 directionality shall be installed along that segment with an expectation that the final scope and  
12 design of the project reflect continued community engagement and input in the project  
13 development on how to implement the protected bicycle lane.

14 B. Full compliance with the provisions of subsection 15.80.020.A is not required where  
15 the Director of the Seattle Department of Transportation determines that the characteristics of the  
16 physical features or usage of a street, or financial constraints of full compliance prevent the  
17 incorporation of a protected bicycle lane with adequate directionality.

18 C. Upon determining that full compliance with subsection 15.80.020.A is not required,  
19 the Director of the Seattle Department of Transportation shall provide a written report to the City  
20 Council detailing:

- 21 1. Why it is impractical to comply with subsection 15.80.020.A;
- 22 2. The alternatives analyzed in determining that full compliance with subsection
- 23 15.80.020.A is not required; and

1                    3. How connectivity of the protected bicycle lane network could be advanced in  
2 the absence of a protected bicycle lane in that segment, including a cost estimate for providing  
3 such connectivity.

4                    Section 2. The provisions of this ordinance are declared to be neither separate nor  
5 severable.

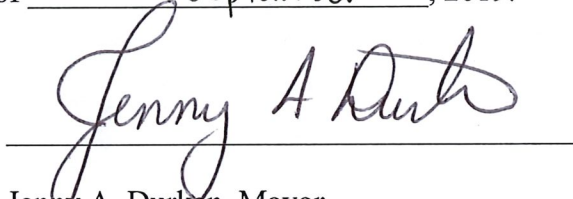
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 3rd day of September, 2019,  
and signed by me in open session in authentication of its passage this 3rd day of  
September, 2019.



President \_\_\_\_\_ of the City Council

Approved by me this 6<sup>th</sup> day of September, 2019.



Jenny A. Durkan, Mayor

Filed by me this 6<sup>th</sup> day of September, 2019.



Monica Martinez Simmons, City Clerk

(Seal)



## **SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
Legislative	Calvin Chow/x4-4652	n/a

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

### **1. BILL SUMMARY**

#### **Legislation Title:**

AN ORDINANCE relating to the construction of protected bicycle lanes; requiring major paving projects to include protected bicycle lanes as identified in The City of Seattle Bicycle Master Plan; and adding a new Chapter 15.80 to the Seattle Municipal Code.

#### **Summary and background of the Legislation:**

This legislation adds a new Chapter 15.80 in the Seattle Municipal Code to require the Seattle Department of Transportation to construct protected bicycle lanes that were identified in The City of Seattle's Bicycle Master Plan, whenever major road construction is undertaken on a segment of the protected bicycle lane network.

The legislation anticipates that the new requirements would apply to the Arterial Asphalt and Concrete Program and other discrete corridor improvement projects identified in The City of Seattle's Capital Improvement Program. Routine maintenance and emergency repairs are not subject to this requirement.

The legislation provides for the Director of the Seattle Department of Transportation to determine if the physical features or usage of a street, or financial constraints of full compliance would prevent implementation of the recommended protected bicycle lane. If the recommended protected bicycle lane cannot be implemented, the legislation requires that the Director submit a written report to City Council detailing that justification and analysis for the determination and identifying how connectivity of the protected bicycle lane network would be advanced in the absence of the protected bicycle lane.

### **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?** \_\_\_ Yes \_\_\_X\_\_\_ No

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation amend the Adopted Budget?** \_\_\_ Yes \_\_\_X\_\_\_ No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

This legislation may impact SDOT's development of project budgets.



**Is there financial cost or other impacts of *not* implementing the legislation?**

No financial cost identified.

**4. OTHER IMPLICATIONS**

**a. Does this legislation affect any departments besides the originating department?**

This legislation imposes requirements on SDOT.

**b. Is a public hearing required for this legislation?**

No.

**c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**

No.

**d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**e. Does this legislation affect a piece of property?**

This legislation relates to City-owned right-of-way.

**f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

No anticipated Race and Social Justice Initiative impacts.

**g. 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).**

This legislation is intended to support SDOT's delivery of infrastructure improvements identified in the Bicycle Master Plan.

**List attachments/exhibits below:**

None.

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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377833

No.

CITY OF SEATTLE, CLERKS OFFICE

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

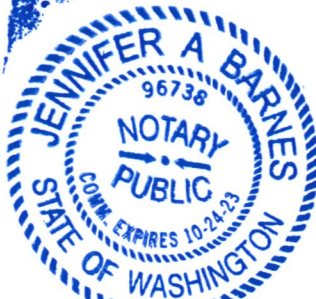
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125898-125912 TITLE

was published on

09/19/19

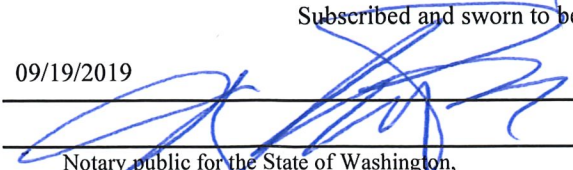
The amount of the fee charged for the foregoing publication is the sum of \$267.38.



Affidavit of Publication

  
Subscribed and sworn to before me on

09/19/2019

  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

The full text of the following legislation, passed by the City Council on September 03, 2019, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

### Ordinance 125898

#### Council Bill 119611

AN ORDINANCE appropriating money to pay certain audited claims for the week of August 5, 2019 through August 9, 2019 and ordering the payment thereof.

### Ordinance 125899

#### Council Bill 119612

AN ORDINANCE appropriating money to pay certain audited claims for the week of August 12, 2019 through August 16, 2019 and ordering the payment thereof.

### Ordinance 125900

#### Council Bill 119613

AN ORDINANCE appropriating money to pay certain audited claims for the week of August 19, 2019 through August 23, 2019 and ordering the payment thereof.

### Ordinance 125901

#### Council Bill 119584

AN ORDINANCE relating to residential rental properties; conforming the Seattle Municipal Code with changes in state law; amending Sections 7.24.020, 7.24.030, 22.202.080, 22.206.160, 22.206.180, 22.210.030, and 22.902.120 of the Seattle Municipal Code.

### Ordinance 125902

#### Council Bill 119601

AN ORDINANCE relating to the construction of protected bicycle lanes; requiring major paving projects to include protected bicycle lanes as identified in The City of Seattle Bicycle Master Plan; and adding a new Chapter 15.80 to the Seattle Municipal Code.

### Ordinance 125903

#### Council Bill 119516

AN ORDINANCE relating to the City Light Department; authorizing a large solar program for customers with solar photovoltaic systems sized larger than 100 kilowatts and not greater than two megawatts; and adding a new Section 21.49.083 to the Seattle Municipal Code.

### Ordinance 125904

#### Council Bill 119571

AN ORDINANCE relating to the City Light Department; authorizing the Department to enter and participate in the Western Energy Imbalance Market, including the ability to execute additional agreements necessary or convenient to participating in the Western Energy Imbalance Market.

### Ordinance 125905

#### Council Bill 119577

AN ORDINANCE relating to City employment; adopting a 2019 Citywide Position List.

### Ordinance 125906

#### Council Bill 119578

AN ORDINANCE relating to City employment; adjusting the pay zones for titles in the City's Power Marketing Compensation Program; establishing changes to provisions in the Power Marketing Compensation Program; and ratifying and confirming certain prior acts.

### Ordinance 125907

### Council Bill 119591

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to the needs of the City Light Department and authorizing the sale of a portion of the property to Snohomish County for road purposes; reserving an easement for electric transmission line purposes; and accepting the payment of fair market value for the property rights sold.

### Ordinance 125908

#### Council Bill 119603

AN ORDINANCE relating to the transfer of City real property for housing development; declaring the property located at 1314, 1326, and 1336 Yakima Avenue South ("PMA 1594") surplus to the City's needs; transferring the jurisdiction of this property from the Department of Finance and Administrative Services to the Office of Housing; authorizing its transfer to Homestead Community Land Trust or its designee; and authorizing the Director of the Office of Housing to execute and deliver the contract for transfer of land, deed, and related documents.

### Ordinance 125909

#### Council Bill 119498

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Massnick and Levins properties in Pend Oreille County, Washington, both to be managed as Project Habitat Lands as required by the Federal Energy Regulatory Commission (FERC) License Order for the Boundary Hydroelectric Project; and placing said lands under the jurisdiction of the City Light Department.

### Ordinance 125910

#### Council Bill 119533

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

### Ordinance 125911

#### Council Bill 119534

AN ORDINANCE relating to the City Light Department; accepting various easements for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

### Ordinance 125912

#### Council Bill 119592

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to negotiate for and purchase or lease up to two parcels of land and acquire other real property rights as necessary or desirable for the purpose of providing temporary housing for City Light personnel and contractors at the Boundary Hydroelectric Project in Pend Oreille County, Washington, and for other municipal utility purposes.

Date of publication in the Seattle Daily Journal of Commerce, September 19, 2019.

9/19(377833)