

RESOLUTION No. 29370

A RESOLUTION adopting policies to guide the development of public access improvements to shoreline street ends.

*me*

*Law Department*

INDEXED

INDEXED

*OK*

Introduced: <b>6-3-96</b>	By: <b>Donaldson</b>
Referred: <b>6-3-96</b>	To: <b>Parkes</b>
Referred: <b>JUN 10 1996</b>	To: <b>TRANSPORTATION</b>
Reported: <b>SEP 23 1996</b>	
Passed: <b>SEP 23 1996</b>	Signed: <b>SEP 23 1996</b>
Filed:	Published: <b>title 299.</b>

US5171

*passed on a Full Council vote*

*[Signature]*

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*Law Department*

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*passed as amended*

*Full Council vote 7-0*

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SPORTATION

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RESOLUTION

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A RESOLUTION adopting policies to guide the development of public access improvements to shoreline street ends.

WHEREAS, the Shoreline Park Improvement Fund (SPIF) was established as part of the West Point Sewage Treatment Plant Expansion mitigation agreement between the City of Seattle and the Municipality of Metropolitan Seattle (METRO); and

WHEREAS, Resolution 28762 approved recommendations of the SPIF Citizens Steering Committee to administer an open public process and review proposed projects; and

WHEREAS, in August 1993 the City Council amended Resolution 28762 to direct the Department of Parks and Recreation, the Seattle Engineering Department, and the Department of Neighborhoods to develop coordinated shoreline street end policies; and

WHEREAS, draft shoreline street end policies were sent to community and business organizations, property owners, and other interested parties for review and comment during the summer of 1995 and January of 1996; and

WHEREAS, the City Council has conducted a public hearing to get further public comment on the Shoreline Street End Policies;

NOW, THEREFORE, The City Council adopts the following policies to guide City Departments in developing public access improvements in shoreline street ends.

**Policy 1: Shoreline Street End Preservation**

Shoreline street ends (identified on the Shoreline Street Ends map, Exhibit A) shall be preserved as public rights-of-way, to allow improvements for public uses and access. All street ends shall be signed to indicate the limits of the public right-of-way.

**Policy 2: Evaluation Criteria**

Proposed public improvements for shoreline street ends shall be permitted only in suitable locations. These improvements will not conflict with existing industrial and/or water dependent commercial activities. The following evaluation criteria shall be employed to establish the suitability of a shoreline street end for public use improvements.

- A) Function of the area and compatibility of public uses or access improvement with predominant shoreline activities and land use pattern in the adjacent area. In areas with a predominant pattern of industrial uses, shoreline street end public use and access improvements should be designed and located to minimize conflicts, taking into consideration any operational impacts upon the adjacent businesses.
- B) Compatibility of shoreline street end public use and access with existing and anticipated circulation patterns and pedestrian, vehicular and freight movement.
- C) Compatibility of shoreline street end public access with adjacent open space and/or pedestrian activity patterns.
- D) Compatibility of shoreline street end public access with the City's Comprehensive Plan including the adopted functional, urban center, manufacturing and industrial center, and neighborhood plan(s).
- E) Compatibility of shoreline street end public access with existing topography, physical improvements, surrounding uses, and natural features to provide safe public use.
- F) Compatibility with other City adopted policies and plans (i.e. Duwamish Public Access Plan, Lake Union Open Space Policies).

**Policy 3: Implementation Procedures**

Applications for Shoreline Street Ends improvements shall be approved in a manner consistent with adopted procedures established in a Director's Rule on Shoreline Street End Public Access Improvements.

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**Policy 4: Private Encroachments**

When the City determines that private encroachments on public rights-of-way providing access to water are to be removed, they shall be removed at the expense of the responsible private property owner.

**Policy 5: Permits for Public Use**

Street Use permits for public access improvements will be granted following a public review process and only for proposals consistent with these policies. Existing street use permits for shoreline street ends will be revoked or modified when a proposed public access improvement is approved, or upon a determination by the Seattle Engineering Department that the use under permit impairs public access to the shore.

**Policy 6: Permits for Private Uses**

Street Use permits for private use at shoreline street ends will be granted only following a public review process and only upon a finding that there is not an active application for a street use permit to develop a public access improvement.


**Policy 7:**

Street Use permit fees for shoreline street ends will be based upon the value of the abutting private property and will be charged annually. The monies collected from the fees will be deposited in the Transportation Operating Fund. These fund will be allocated in the following priority; administration of shoreline street end use, matching funds for neighborhood improvement of shoreline street ends, signage of shoreline street ends, and the neighborhood sidewalk repair program with priority given to sidewalks in close proximity to shoreline street ends.

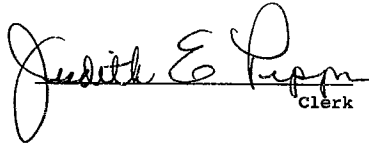
**Policy 8:**

The Engineering Department and Parks Department will coordinate with each other and related State and Federal agencies to encourage maintenance of public access and landscaping improvements.

PASSED by the City Council the 23 day of September, 1996, and signed by me in open session in authentication of its passage this 23 day of September, 1996.

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

Filed by me this 27, day of September, 1996.

  
\_\_\_\_\_  
Clerk

THE MAYOR CONCURRING:

  
\_\_\_\_\_  
Mayor

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RESOLUTION 29370

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28 only in suitable locations. These improvements should not conflict with  
existing water-dependent and marine-related commercial/industrial  
activities. The following evaluation criteria shall be employed to  
establish the suitability of a shoreline street end for public use  
improvements.

- 1 A) Function of the area and compatibility of public uses or access  
improvement with predominant shoreline activities and land use  
pattern in the adjacent area. Generally, in areas with a  
predominant pattern of industrial water-dependent uses,  
shoreline street end public use and access improvements should  
be designed and located to minimize conflicts, taking into  
consideration any operational impacts upon the adjacent  
businesses.
- 2 B) Compatibility of shoreline street end public use and access with  
existing and anticipated circulation patterns and pedestrian,  
vehicular and freight movement.
- 3 C) Compatibility of shoreline street end public access with  
adjacent open space and/or pedestrian activity patterns.
- 4 D) Compatibility of shoreline street end public access with the  
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**Policy 5: Permits for Public Use**

Street Use permits for public access improvements will be granted only following a public review process and only for proposals consistent with these policies. Existing street use permits for shoreline street ends will be revoked or modified when a proposed public access improvement is approved, or upon a determination by the Seattle Engineering Department that the use under permit impairs public access to the shore.

**Policy 6: New Private Uses**

Street Use permits for new private use at shoreline street ends will be granted only following a public review process and only upon a finding that there is not an active proposal for a public access improvement.

PASSED by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 1996, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 1996.

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

Filed by me this \_\_\_\_\_, day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
Clerk

THE MAYOR CONCURRING:

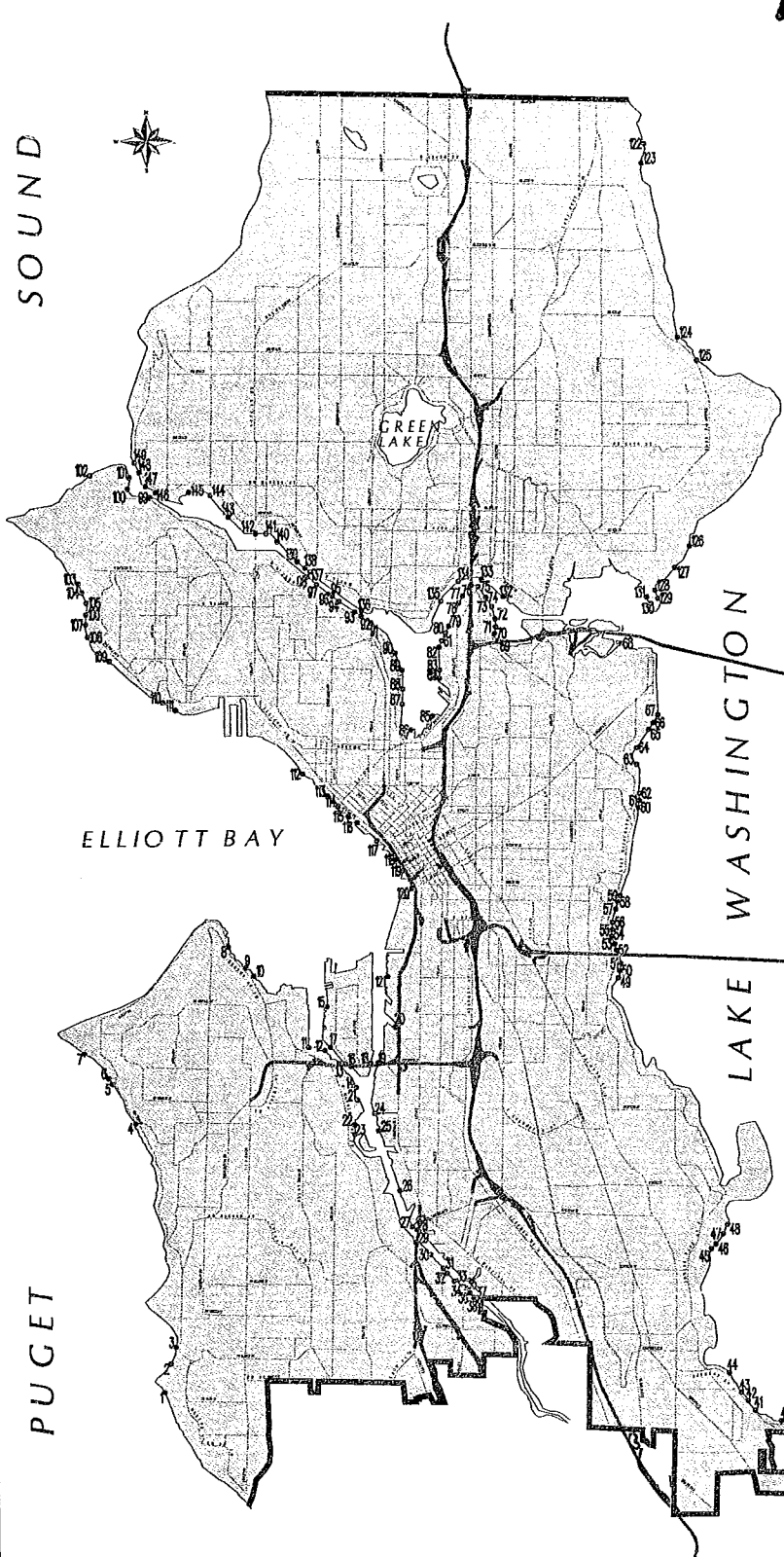
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Mayor

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NO.	STREETNAME	P.W.
1	98TH ST S	50
2	S.W. BRISTLE POINT DR	100
3	S.W. BOSTON ST	100
4	S.W. ALASKA ST	80
5	S.W. CARROLL ST	150
6	S.W. ANDOVER ST	100
7	S.W. SPOKANE ST	40
8	S.W. ATLANTIC PL	100
9	FAIRMONT AVE S.W.	100
10	S.W. BRIDGSON WAY	100
11	S.W. HINDS ST	100
12	CHIELAN AVE S.W.	100
13	S.W. SPOKANE ST/FREEWAY	0
14	S.W. DAKOTA ST	0
15	S.W. LANDER ST	50
16	S.W. SPOKANE ST/FREEWAY	0
17	CHIELAN AVE S.W.	100
18	S.W. SPOKANE ST/FREEWAY	0
19	S.W. SPOKANE ST/FREEWAY	0
20	S. FOREST ST	100
21	S.W. IDAHO ST	100
22	S.W. ALASKA ST	25
23	S.W. EDMUNDS ST	50
24	S. OREGON ST	100
25	S. DIAGONAL ST	130
26	S. FIDALGO ST	30
27	S. FRONT ST	0
28	S. MICHIGAN ST/1ST S. BRIDGE	0
29	1ST AVE S.W./1ST S. BRIDGE	0
30	2ND AVE S.W. OCHARD ST	32
31	5TH AVE S.W. FONTANELLE ST	0
32	S. RIVERSIDE DR	80
33	7TH AVE S	80
34	S. RIVERSIDE DR	80
35	17 AVE S/S PORTLAND ST	80
36	S. CHICAGO ST	80
37	10TH AVE S/S. KENYON ST	30
38	S. MONROE ST	50
39	75TH AVE S	66
40	2ND AVE S	66
41	S. COOPER ST	66
42	S. HOPKIN K ST	66
43	S. PERRY ST	66
44	S. CARVER ST	46
45	S. VALLOWS ST	40
46	S. BRIGHTON ST	40
47	S. WARSAW ST	40
48	S. EDDY ST	80
49	S. HOLGATE ST	80
50	S. MASSACHUSETTS ST	80
51	S. ATLANTIC ST	80
52	S. IRVING ST	80
53	S. JUDKINS ST	80
54	S. NORMAN ST	80
55	S. CHARLES ST	80
56	S. BARDON ST	80
57	S. KING ST	70
58	S. JACKSON ST	70
59	S. MAIN ST	70
60	S. PINE ST	70
61	S. OLIVE WAY	10
62	S. HOWELL ST	110
63	S. HARRISON ST	80
64	S. MERCER ST	80
65	S. PROSPECT ST	80
66	S. HIGHLAND DR	80
67	S. LEE ST	80
68	37TH AVE. E	76
69	S. ROANOKE ST.	66
70	S. EDGEMOOR ST.	75
71	S. HAMLIN ST	75
72	S. SHELBY ST	75
73	S. ALLISON ST	75
74	S. MARTIN ST	75
75	UNIVERSITY BRIDGE	140
76	FURBER AVE	100
77	S. MARTIN ST	80
78	S. ALLISON ST	100
79	S. HAMLIN ST	75
80	S. EDGEMOOR ST.	75
81	S. ROANOKE ST.	75
82	S. LOUISA ST	100
83	S. BOSTON ST	100
84	S. NEWTON ST	100
85	YALE AVE. N.	66
86	TERRY AVE. N.	66
87	CHALKER ST	60
88	BLAINE ST	80
89	CROCKETT ST.	80
90	Mc GRAW ST	80
91	5TH AVE. N.	0
92	FREMONT BRIDGE/FLORENTIA ST	0
93	3RD AVE. N./VICTORIA ST.	66
94	CREMONA ST	66
95	BERTONA ST	66
96	QUEEN ANNE AVE. N.	66
97	9TH AVE. W.	74
98	8TH AVE. W.	66
99	GILMAN AVE W	100
100	W. GRAHAM ST	30
101	W. SHEPARDAN ST	60
102	47TH AVE. W.	30
103	48TH AVE. W.	30
104	W. BERTONA ST.	30
105	W. DRAYUS ST.	10
106	W. BARNETT ST.	10
107	W. ARNOUD ST.	80
108	W. RAYE ST.	60
109	Mc GRAW ST	80
110	2ND AVE W	100
111	30TH AVE W	100
112	W. THOMAS ST	100
113	5AV ST	100
114	BROAD ST.	100
115	VINE ST	110
116	BATTERY ST.	100
117	VERONA ST.	100
118	UNIVERSITY ST.	80
119	MADISON ST.	140
120	S. WASHINGTON ST.	100
121	S. HOLGATE ST.	250
122	N.E. 135TH ST	0
123	N.E. 130TH ST	0
124	N.E. 80TH PL	30
125	N.E. 65TH ST.	30
126	N.E. 43RD ST.	100
127	51ST AVE N.E.	50
128	N.E. 33RD ST.	10
129	N.E. 31ST ST	30
130	N.E. 31ST ST	30
131	N.E. 32ND ST	20
132	BROOKLYN AVE NE	70
133	EAST LAKE AVE N EDWIN BRIDGE	140
134	LATONA AVE NE	66
135	SUNNYSIDE AVE NE	66
136	FREMONT BRIDGE	80
137	N.W. 30TH ST	0
138	6TH AVE N/W/N.W. BOWDOIN PL	0
139	N.W. 40TH ST	0
140	11TH AVE N.W.	66
141	14TH AVE N.W.	100
142	15TH AVE W	94
143	20TH AVE N.W.	106
144	24TH AVE N.W.	75
145	28TH AVE N.W.	66
146	34TH AVE N.W.	66
147	35TH AVE N.W.	66
148	N.W. 57TH ST	64
149	N.W. 60TH ST	0



**SHORELINE  
STREET ENDS**  
(EXHIBIT A)

April 22, 1996  
Produced by the  
Seattle Engineering Department,  
Street Use, Mapping and Records and  
Geographic Systems Unit  
Source: Street Use Section

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MAY 08 1996



# Seattle Engineering Department

John D. Okamoto, Director  
Norman B. Rice, Mayor

April 30, 1996

The Honorable Jan Drago, President  
Seattle City Council  
1100 Municipal Building  
600 4th Avenue  
Seattle, Washington 98104

VIA: Mayor Norman B. Rice  
ATTN: Tom Tierney, Director  
Office of Management and Planning

Subject: Shoreline Street Ends Policies

Dear Councilmembers:

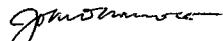
We are requesting passage of the enclosed draft Resolution which establishes Shoreline Street Ends Policies for the City. This policy proposal is the result of work by an interdepartmental task force with input from community and business organizations, as well as individual citizens and property owners.

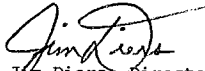
Adoption of these policies will formally establish the City of Seattle's position on the provision of public access, at shoreline street ends. They will also guide the implementation of a Director's Rule to set forth the total process for the continued management of existing uses and any new proposals, whether they be initiated by the City, abutting property owner, or business and community organizations.

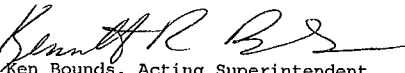
Also enclosed is a "background paper" and draft implementation procedures for proposed improvements to shoreline street ends. These items were included in the package of information sent to the public for review and comment.

We recommend that the City Council conduct a public hearing on these proposed policies. The Seattle Engineering Department has a list of people of record on these policies, and is available to assist in the notification process for the hearing.

Respectfully submitted,

  
John D. Okamoto, Director  
Seattle Engineering Department

  
Jim Diers, Director  
Department of Neighborhoods

  
Ken Bounds, Acting Superintendent  
Department of Parks and Recreation

KTJ:jgaj

Enclosures

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Seattle Engineering Department, Room 400, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1879 (206) 684-5000 VTDD (206) 233-1088

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**The Shoreline Street Ends Policy  
Background Paper - December 1995**

**History:**

The Shoreline Park Improvement Fund (SPIF) was established as part of the West Point Sewage Treatment Plant expansion mitigation agreement between the City of Seattle and the Municipality of Metropolitan Seattle (Metro) which was adopted in 1991 by Ordinance 115496 of the City Council of Seattle. Its purpose was to provide funds to enhance or improve public access at or along bodies of water. The SPIF Citizens Steering Committee was formed in 1992 to administer an open public process, review proposed projects, and develop advisory recommendations. These recommendations were approved by Council Resolution 28762.

The Citizen Steering Committee recommended that shoreline street end policies be written. The Steering Committee's advisory recommendation to develop shoreline street end policies was influential in the subsequent decision by the City Council to amend Resolution 28762 to require the Department of Parks and Recreation, the Engineering Department, and the Department of Neighborhoods to develop a coordinated street end policy program that would include a review and allocation process for the recommended street end projects. Further, that the policies and related review procedures would be consistent with the Green Streets Resolution 28682 and would be subject to City Council review and approval. The Shoreline Street End Policy will be the subject of public input and hearings and will be considered for adoption at a public meeting of the City Council.

Many of the existing private encroachments on the public rights-of-way that provide access to water have been in place for a long period of time. Both plant material and structural encroachments may have existed through several changes in the property's ownership. Property owners that abut shoreline street ends may not be aware that these various plant material or structural elements are considered a private use of the adjacent street ends, or that they require a street use permit. Some adjacent owners may have street use permits for certain structures or plant material, but any encroachment without a street use permit violates City codes. The public has a basic right to use these rights-of-way for street and access purposes. However, an existing street use permit will remain in effect until the particular undeveloped or unopened rights-of-way is selected for a public access project. Adjacent property owners are notified in a timely manner if the shoreline street end abutting their property is under consideration to be opened and/or improved to provide greater access for the general public.

**Purpose:**

The purpose of these policies is to clearly state the City's position on the provision of public access at public rights-of-way providing access to water, and to provide or identify guidelines and administrative procedures for implementation of the City's policy. Many of these street ends are now unused by the public either because of a general unawareness that the specific area is public property with the right of access, or because of private encroachments and barriers which block visual and physical access to water. The intended long-term result of

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these shoreline street end policies is to increase public access to shoreline street end areas.

**Regulatory Background:**

City of Seattle street rights-of-way are under the jurisdiction of the City and are for circulation, access, views, light, air, and open space, and for the placement of public utility services.

The City has enacted legislation, policies and departmental administrative procedures that are specifically directed to the use of street rights-of-way. The policies proposed for shoreline street ends will be consistent with existing legislative codes and regulations, and will reference them as policy and procedural foundations.

The Street Use Ordinance, Seattle Municipal Code Title 15, Subtitle I, requires that anyone making private use of the public rights-of-way obtain a written permit from the City. Use of a street area for private purposes is a privilege, not a right. Street use permits are temporary, do not give any permanent rights to the permit holder, and can be revoked upon a 30-day notice.

The Street Vacation Policies emphasize the value of dedicated rights-of-way to the public for purposes of travel, circulation, access, economic development, light, air, and open space. Street right-of-way may be vacated only upon a showing that it is in the public interest to do so.

The Green Streets Policy, Resolution 28682, defines a Green Street as part of the street circulation pattern that is enhanced for pedestrian and bicycle circulation and open space use.

The distinction between a designated Green Street and a shoreline street end is small, but differs in that potential Green Streets are characterized as part of a larger circulation trail or path system that would provide access to community centers or activities abutting open spaces or natural areas, whereas a shoreline street end may be considered more of a point for improved public access in a neighborhood. The Green Street Policies are generally directed to streets in medium to higher density neighborhoods, or to commercial areas with a greater likelihood of intense development activity. The Shoreline Street Ends Policies intend to improve public access to the shoreline by allowing small scale projects which provide for low intensity use, not for the development of destination waterfront parks or recreational facilities.

**Summary:**

The proposed Shoreline Street Ends Policies will apply to all of the shoreline street ends. The criteria in the policies will be used by the City to determine whether any one street end will be improved or not.

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**Shoreline Street Ends Projects  
Implementation Procedures**

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**A. Projects Initiated By Citizen/Community Organizations or Abutting Property Owner**

1. Requests for a use permit for a shoreline street end must be made by application to the Seattle Engineering Department as the designated administrative department. Each application will be considered individually in accordance with the administrative procedures for street use permits and in compliance with enacted legislation and policies specifically directed to the use of street rights-of-way and unopened street ends.

2. Regulation application forms for a street use permit may be obtained from the Seattle Department of Engineering; however, a letter may be substituted for the application form providing that all required information is included.

3. All applications for a use permit for a shoreline street end must provide the following standard information as an attachment to the application form or letter.

a. A map or drawing which shows the existing conditions of the shoreline street end that is being proposed for use. Features to be shown would include, but not be limited to, the following: trees, shrubs or other vegetation; topography or spot elevations; any structures of any kind both in, and adjacent to, the street right of way; signs; and any unusual surface treatment. This graphic should be drawn to scale. It is recommended that it be of professional or presentation quality.

b. A plan drawing or schematic plan of any and all improvements proposed for the street end. Improvements to be shown might include the following: any structure of any kind; any new vegetation or rearrangement of existing vegetation; any new surface material including gravel; proposed signs; or any painted words or symbols. It is recommended that this graphic be of professional or presentation quality.

c. Any required map or schematic of the proposal done by an engineering or design professional as part of the application for a use permit should be signed by that professional.

d. Applicant(s) should submit a written description of the proposal.

e. Applicant(s) should make every effort to contact the owners of businesses and property abutting the shoreline street end proposed for a permit to discuss

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the scope and intent of the proposed project. The applicant(s) should document the response and/or concerns of the adjacent owners and submit it as part of the application.

f. Applicant(s) should provide documentation of any public involvement/review process conducted by the applicant(s).

g. Applicant(s) should provide a written description of the surrounding land use patterns.

4. When the completed application is received by the Seattle Engineering Department it will first be reviewed for conformance with the application procedures. If it is incomplete, the applicant(s) will be notified of what further items are necessary. When the application is determined to be complete, the Street Use and Permit Section of the Seattle Engineering Department will review the application for compliance with the following issues.

a. The proposed use permit will be reviewed for consistency with the adopted shoreline street end policies of the City of Seattle, and for compliance with all other pertinent legislation and department administrative procedures.

b. The proposed use permit will be reviewed for safety of the general public.

c. If any part of the proposed project could jeopardize the public safety or be considered as an attractive nuisance the applicant(s) will be contacted and requested to amend the proposed project to meet with the requirements for public safety.

d. If the proposed project is not exempt from SEPA review the applicant will be required to complete an environmental checklist.

5. The Seattle Engineering Department will contact the abutting property owners, providing them a copy of the proposed improvement, and soliciting their input and comments. Note: While abutting property owner's comments and concerns are given considerable weight, their approval is not necessary for issuance of a street use permit.

6. The Seattle Engineering Department will conduct an administrative review on the proposal after notifying the local community/business organization(s), neighborhood, and parties of record.

7. After the administrative review the Seattle Engineering Department may deny, grant, or grant with modification and/or conditions the permit application.

8. Prior to a street use permit being issued, the applicant must obtain a shoreline

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permit from DCLU or certification from DCLU that a shoreline permit is not required.

9. The proposed use permit will be in conformance with the standard maintenance requirement language for street use permits. The "install and maintain" criterion will be used as a general model. The precise language of the agreement between the applicant(s) and the City of Seattle for the maintenance responsibility for the street end will be conditioned to fit the individual street use permit project.

**B. City Initiated Projects To Improve A Shoreline Street End**

1. The City will develop a scale map or drawing showing the existing conditions of the shoreline street end proposed for improvement. Typical features to be shown will include but not be limited to: tree, shrubs, structures of any kind, paving, signs, shoreline, and any unusual surface treatment.
2. The City will contact local community/business organizations, abutting property owners, neighbors and parties of record to solicit ideas for improvements appropriate for the shoreline street end.
3. The City will develop alternate improvement proposals based upon citizen/community input.
4. The City will conduct a public review process to select the specific improvement(s) for the shoreline street end.
5. The City will complete contract plans and construct the improvements.
6. The City will have maintenance responsibility for the improvements when completed.

**DRAFT**

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TIME AND DATE STAMP

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

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_____	_____

Justin Malden

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

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# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor

May 8, 1996

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Engineering Department

SUBJECT: A RESOLUTION adopting policies to guide the development of public access improvements to shoreline street ends.

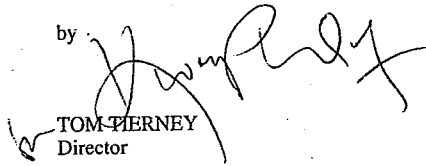
Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Kwan Wong at 684-8083.

Sincerely,

Norman B. Rice  
Mayor

by

  
TOM TIERNEY  
Director

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Enclosure



803  
5-17-96

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