

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose an amendment to the goals, policies, Future Land Use Map, appendices, or other components of the adopted City of Seattle Comprehensive Plan.

Applications are due to the Seattle City Council (sent electronically to: compplan@seattle.gov) no later than 5:00 p.m. on May 15th for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year. *(Please Print or Type)*

Applicant:

Date:

Email:

Street Address:

City:

State:

Zip:

Phone:

Contact person (if not the applicant):

Email:

Street Address:

City:

State:

Zip:

Phone:

Name of general area, location, or site that would be affected by this proposed amendment (attach additional sheets if necessary):

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant

Signature: _____ Date: _____

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions. Attach any additional sheets, supporting maps or graphics. If you use separate sheets to provide your answers, then answer each question separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.), maps, goals and/or policies you propose to amend.

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

b. If you anticipate that the proposed Comprehensive Plan amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) that would need to be changed. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area(s) proposed to be changed. List the address(es) for each property, the current land use category as shown on the Future Land Use Map and the proposed new land use category for each property in the area to be changed. Identify your relationship to the owner(s) of the property. Describe how the change is consistent with Policy LU1.5, which states "Require Future Land Use Map amendments only when needed to achieve a significant change to the intended function of a large area."

2. For amendments to goals and policies only: Describe how the issue is currently addressed in the Comprehensive Plan. Why is a change needed?

3. Describe why the proposed change meets each of the criteria established in [Resolution 31807](#) which sets criteria for Council to consider an amendment to the Comprehensive Plan.

4. What other options are there for meeting the goal or objectives of the amendment? Why is a Comprehensive Plan amendment needed to meet the goals or objectives?

5. What do you anticipate will be the impacts of the proposed amendment, including impacts to the geographic area affected? Why will the proposed amendment result in a net benefit to the community? Please include any data, research, or analysis that supports the proposed amendments.

6. How does the proposed amendment support the existing goals and policies of the Comprehensive Plan? If the proposal would change existing goals and policies or add new goals and policies to the Comprehensive Plan, describe how the proposed amendment is consistent with the Washington State Growth Management Act (<http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A>), the Puget Sound Regional Council's Vision 2040 (<http://www.psrc.org/growth/vision2040/>), and the King County Countywide Planning Policies (<http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/CPPs.aspx>).

7. Is there public support for this proposed amendment? If the amendment would change the Future Land Use Map or a Neighborhood Plan, please list any meetings that you have held or other communication you have had with the community about the amendment. If the amendment would have a citywide impact, please list any organizations that you have discussed the amendment with. *Notes: You may attach letters of support for the amendment or other documentation. The City will provide public notice and opportunity for public comment, and environmental review for all applications.*

8. Has the proposed amendment been considered before by the Council? If so, when was it considered and what was the outcome? If the amendment has been previously rejected, please explain either:

- How the proposal has changed since it was last rejected, or
- Changed circumstances since the proposal was last considered that support reconsideration of the proposal.

Submit the application electronically via email at compplan@seattle.gov

Questions?

Eric.McConaghy@seattle.gov

(206) 615-1071

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.) you propose to amend.

To the section on Operating and Maintaining the Transportation System Transportation Element, add the following new policy:

- It is far more cost-effective, when possible, to reduce or avoid road and bridge damage than to repair it afterwards. Thus (for example) place a high priority on minimizing damage from vehicles that are heavier than would normally be allowed on Seattle's roads and bridges (especially some vehicles that are owned, franchised, or contracted by the City, counties, School District, and Sound Transit).

Explanation: According to engineering studies conducted by WSDOT, SDOT, and many universities and professional organizations, an unusual proportion of damage to our roads and bridges is caused by heavy vehicles. The damage increases exponentially with weight--at heavy vehicle weights, a slight increase in weight causes a substantial increase in damage. An unusual amount of damage is done by those vehicles that exceed the normal weight limits established by state law either because they are breaking the law, or because state or federal exemptions allow certain types of vehicles to be heavier than would normally be allowed.

According to studies that SDOT has done over the years, some of the worst damage to Seattle's roads and bridges is caused by extra-heavy public transit buses. This finding is echoed in other cities. Austin, Texas, for example, found a decade ago that 70 to 90 percent of its arterial damage is caused by transit buses. The evidence is all around us, as the streets that the buses use have cracked the concrete pavement, and the asphalt pavement is curled up as if by a plow. The weight of these buses would cause them to be prohibited from our streets if the state legislature and then Congress had not completely exempted them from weight regulations—and if Metro and other transit agencies were not exploiting this exemption by purchasing extra-heavy buses that would otherwise be banned.

Seattle's streets and taxpayers are hostages to the bus purchasing choices of the counties, Sound Transit, the School District or their contractors. Although some transit buses are within reasonable weight limits, most are heavier (some even when empty) than would otherwise be allowed on our roads and bridges. The "hybrid electric" buses that are now popular are especially heavy because they are both diesel and battery/electric motor powered--and thus even when empty, are the heaviest vehicles on the road, with every trip doing unnecessary damage to Seattle's roads and bridges. Even the electric trolley buses, which once were well within the weight limits that would apply if buses were not exempt, are creeping up in weight because Metro has no incentive to choose models that are not overweight.

The City of Seattle can no longer afford to sit on its hands, and must insist to Metro and the other public transit agencies that they reduce or eliminate their use of extra-heavy buses that exceed normal weight limits, could not even be on the road without a legislative exemption, and assuredly are doing huge damage every day to Seattle's roads and bridges.

The other heaviest vehicles that are legally damaging our streets are Seattle's own fire trucks, which enjoy a state exemption from any weight limits. No one questions that, in emergency runs, some road and bridge damage is acceptable. But most of the operation of Seattle's fire trucks at weights that require use of this legislative exemption is other than during emergency runs. Because Seattle has done little to ensure reasonable limits on the Fire Department's non-emergency exploitation of the legislative exemption on truck weight, street damage from extra-heavy fire trucks is far more extensive than necessary for public safety. Until the Mayor, City Council, and SDOT insist, there is no incentive for the Fire Department to operate its trucks at weights that do not require the legislative exemption, or to purchase trucks and aid cars that, when loaded, do not require the legislative exemption.

Damage to its streets is also caused by the City's own contractors' garbage and recycling waste trucks, which under state law enjoy a state exemption allowing them to weigh considerably more than any other truck (other than fire trucks). The Washington State Department of Transportation has found that solid waste trucks do more road and bridge damage than any other kind of truck, and for this reason, WSDOT does not allow them on state highways when they would need the special exemption for more weight. Seattle neither orders its own solid waste contractors not to use the special exemption for more weight; nor does it incentivize them not to. These solid waste trucks are everywhere, especially on roads and alleys that are already in the worst shape, and for which there are virtually no restoration funds available from transportation levy funds, which go almost exclusively to arterials.

The City of Seattle must cease its long abdication of responsibility, and place a weight limit on its solid waste contractors. The City should either require its contractors not to operate at a weight more than the normal state limits (that is, the contractors would not use the state's exemption for overweight solid waste trucks), or the City should provide them financial incentives not to make use of this exception.

In 2001 (yes, 18 years, and tens or hundreds of millions of dollars in road and bridge damage, ago), after the author suggested this policy, Seattle Public Utilities' Solid Waste Contract Manager replied as follows:

Your suggestion on contract incentives to use smaller trucks is an excellent one. Our current contracts did not contain this incentive in the Request for Proposals and there is no contract language covering this issue. However, we can and will include this type of incentive in any new contract offerings. We could also ask for differing proposals and prices. One proposal and price would require that the contractors only use collection vehicles that do not exceed a certain weight. An alternate proposal could encourage the incentive of "bonus" payments if the use of large overweight trucks were kept to a minimum. Asking

for two proposals and prices, one of which would be for light trucks, would enable the City to see the different collections prices and compare it to the cost of road deterioration/maintenance. Other advantages of using lighter, smaller trucks are that there should be fewer incidences of property damage and fewer trucks in a collection area (as a smaller truck can serve the narrow alleys and streets). It is unfortunate that we did not include this type of language in our current contracts. This issue was just not on our radar screen as we were preparing the RFP.

Unfortunately, this gentleman retired, and those who replaced him were not of the same mind. Since then, the many requests for proposals, and contracts, that SPU has issued have contained none of the promised improvements, with the result of mounting and unnecessary damage to our roads and bridges.

The City's drain and sewer-cleaning vactor trucks reach the legal weight limit when they are only half full, and there is no legislative exemption available allowing them to be heavier. Yet it is common for the vactor trucks to be operated well over half full, at weights that are illegal and are causing serious damage to City streets. Illegal truck weights are also reached by City solid waste contractors, as SDOT and SPU found more than a decade ago when the City Council insisted on surprise weight checks, showing that many solid waste trucks were heavier than was allowed, even with the legislative exemption.

2. For amendments to goals and policies only: Describe how the issue is currently addressed in the Comprehensive Plan. Why is a change needed?

Until it was repealed in the 2016 Comp Plan update, policy T-70 committed the City to "pursue strategies to finance repair of road damage from heavy vehicles in a way that is equitable for Seattle's taxpayers." However, the Comprehensive Plan did not then, and does not now have any provision to discourage road damage from heavy vehicles *before* it happens. It did not make sense prior to 2016 for the Comp Plan to be concerned about road damage from heavy buses but to do nothing to prevent it; it makes even less sense for the current Comp Plan to ignore the problem completely. And it is hardest to justify that some of the worst damage is being done by trucks that are owned by the City (such as fire trucks and drain and sewer-cleaning vactor trucks) or by its own solid waste contractors.

As stated in the transportation policy proposed here, "It is far more cost-effective, when possible, to reduce or avoid road and bridge damage than to repair it afterwards...." The Comprehensive Plan will continue to be out of balance until it adopts this policy and its continuation: "... Thus (for example) place a high priority on minimizing damage from vehicles that are heavier than would normally be allowed on Seattle's roads and bridges (especially some vehicles that are owned, franchised, or contracted by the City, counties, School District, and Sound Transit."

3. Describe why the proposed change meets the criteria adopted in Resolution 31807 which sets criteria for Council to consider an amendment to the Comprehensive Plan.

This proposed policy amendment fully meets all of the criteria of Res. 31807. It is consistent with the Growth Management Act, with state and local law, and with countywide and multicounty policies; it cannot be addressed through regulations, budgets, programs, or neighborhood planning; it meets the four elements of practicality; and it is likely to make a material difference in a future City regulatory or funding decision.

4. What other options are there for meeting the goal or objectives of the amendment? Why is a Comprehensive Plan amendment needed to meet the goals or objectives?

This proposed amendment to add a new transportation policy will protect the City's infrastructure, and it can do so only by being in the Comprehensive Plan. The Comp Plan has many references to public infrastructure and how to fund its repair, but nothing on the more cost-effective measure of preventing unnecessary damage in the first place. Until it corrects this long-standing omission, the Comp Plan will continue to keep taxpayers on the hook for expensive damage that could be avoided in the first place.

Of course, it would be desirable for the Mayor to issue an executive order and to demand more from Department heads and from Metro, for the City Council to pass an ordinance or resolution, and for SDOT to stand up for its roads and bridges, but none of these actions would obviate the need to amend the Comprehensive Plan. The ongoing purchase of super-heavy buses by Metro and other transit agencies, without intervention by any level of City government, shows that it is simply not working to leave this important new policy out of the Comprehensive Plan.

It's long past time for the City Council to demand candid engineering advice from SDOT, which the Mayor and City Council need to task with stewardship of its roads and bridges or else the road and bridge maintenance gap will continue to widen. If there are political constraints against the executive branch acknowledging the amount of road and bridge damage being done by extra-heavy vehicles, the City Council must seek outside advice, including from engineers in professional associations and universities.

Some have claimed that this issue should be addressed only in the Transportation Strategic Plan, not in the Seattle Comprehensive Plan. But procedures for adopting, revising, and implementing the Transportation Strategic Plan are notoriously lax, with none of the procedural protections that apply to the Comprehensive Plan. Only the Comprehensive Plan is governed by state law, and only it has strong requirements for public notice and comment and against changing it more than once a year.

5. What do you anticipate will be the impacts of the proposed amendment, including impacts to the geographic area affected? Why will the proposed amendment result in a net benefit to the community? Please include any data, research, or analysis that supports the proposed amendments.

Expensive and growing damage to our streets and bridges will be reduced by this proposed policy for the Comprehensive Plan. By avoiding unnecessary damage,

funds that would otherwise be needed for repair will be available for other needs, or can stay in the taxpayers' pockets. There will also be benefits to safety. Bridges will be less likely to fall, and roads will be safer to navigate for motor vehicles, bicycles, and pedestrians.

The huge and growing street damage from extra-heavy vehicles discussed above is well documented by many public agencies and academic researchers, including documents in SDOT's own files. Most significantly, we have become aware of a seven-page memo dated May 21, 2007 and entitled "Metro Bus Damage on Pavements and Structures" by SDOT engineers Benjamin Hansen and John Buswell. The memo states that with the increase in average single axle bus weight between 1993 and 2007, "the average pavement damage factor per bus is estimated to have increased by around 30% since 1993, with a corresponding decrease in pavement expected as a result." If the City Council is unable to obtain this document, we will be happy to provide a copy.

The Comprehensive Plan is full of good rhetoric about proper stewardship of Seattle's capital facilities, but has not produced the proactive efforts that are needed to ensure protection of City infrastructure. The brief transportation policy proposed here will give practical meaning and result to the rhetoric.

6. How does the proposed amendment support the existing goals and policies of the Comprehensive Plan? If the proposal would change existing goals and policies or add new goals and policies to the Comprehensive Plan, describe how the proposed amendment is consistent with the Washington State Growth Management Act (<http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A>), the Puget Sound Regional Council's Vision 2040 (<http://www.psrc.org/growth/vision2040/>), and the King County Countywide Planning Policies (<http://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/CPPs.aspx>).

A failure of Seattle to act on this issue has caused literally hundreds of millions of dollars in unnecessary road damage, much of it self-inflicted by government vehicles. Not to adopt this amendment will condemn the City to continued unnecessary road damage to its roads, at the very time when maintenance funds are tight and public confidence is needed to enlarge them. As has so wisely been said, "When you are in a hole, the first thing is to stop digging." By adopting this Comprehensive Plan amendment, the City will and must take that first step to stop the unnecessary damage to its streets and bridges. Doing so will free up many public funds that otherwise are being spent to repair unnecessary street damage.

The proposed amendment is completely consistent with the Washington State Growth Management Act, the Puget Sound Regional Council's Vision 2040, and the King County Countywide Planning Policies. Its adoption would place Seattle in a leadership role regionally and nationally in addressing this problem.

7. Is there public support for this proposed amendment? If the amendment would change the Future Land Use Map or a Neighborhood Plan, please list any meetings that you have held with the community about the amendment. If the amendment would have a citywide impact, please list any organizations that you have discussed the amendment with. Notes: You may attach letters of support for the amendment. The City will provide public notice and opportunity for public comment, and environmental review for all applications.


Because of the high cost of this unnecessary bus and truck damage to Seattle's roads and bridges, taxpayers will support this text amendment by a wide margin. When, under the leadership of City Council President Jeannette Williams, Seattle pressed this issue with Metro in the 1980s, it received wide public support. It has been almost 40 years since Seattle City government has fostered serious study and discussion of the issue, and when it does, the wide public support will be clear.

8. Has the proposed amendment been considered before by the Council? If so, when was it considered and what was the outcome? If the amendment has been previously rejected, please explain either:

- How the proposal has changed since it was last rejected, or*
- Changed circumstances since the proposal was last considered that support reconsideration of the proposal*

A related amendment was docketed for study in the mid-1990s, and the City Council actually adopted it as a part of the Comprehensive Plan, but this language was gradually weakened over the years, being completely eliminated in the 2016 update, and with no documented analysis. An earlier version of the present proposal was submitted in the 2017 annual amendment process. It was not docketed for study, and we can find no evidence that either the City Councilmembers or their staffs conducted any analysis of the proposal before the decision was made not to docket.

Unnecessary and expensive damage to City streets and bridges is continuing, and it is more urgent than ever for the Comprehensive Plan to have a policy to discourage such damage before it happens, especially when this is by vehicles that are heavier than the City would otherwise allow on its streets and bridges.



5/15/19