

# Land Use Code Amendments

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## Permit Process and Design Standards and Guidelines for East Link Light Rail

City Council Study Session  
November 13, 2012

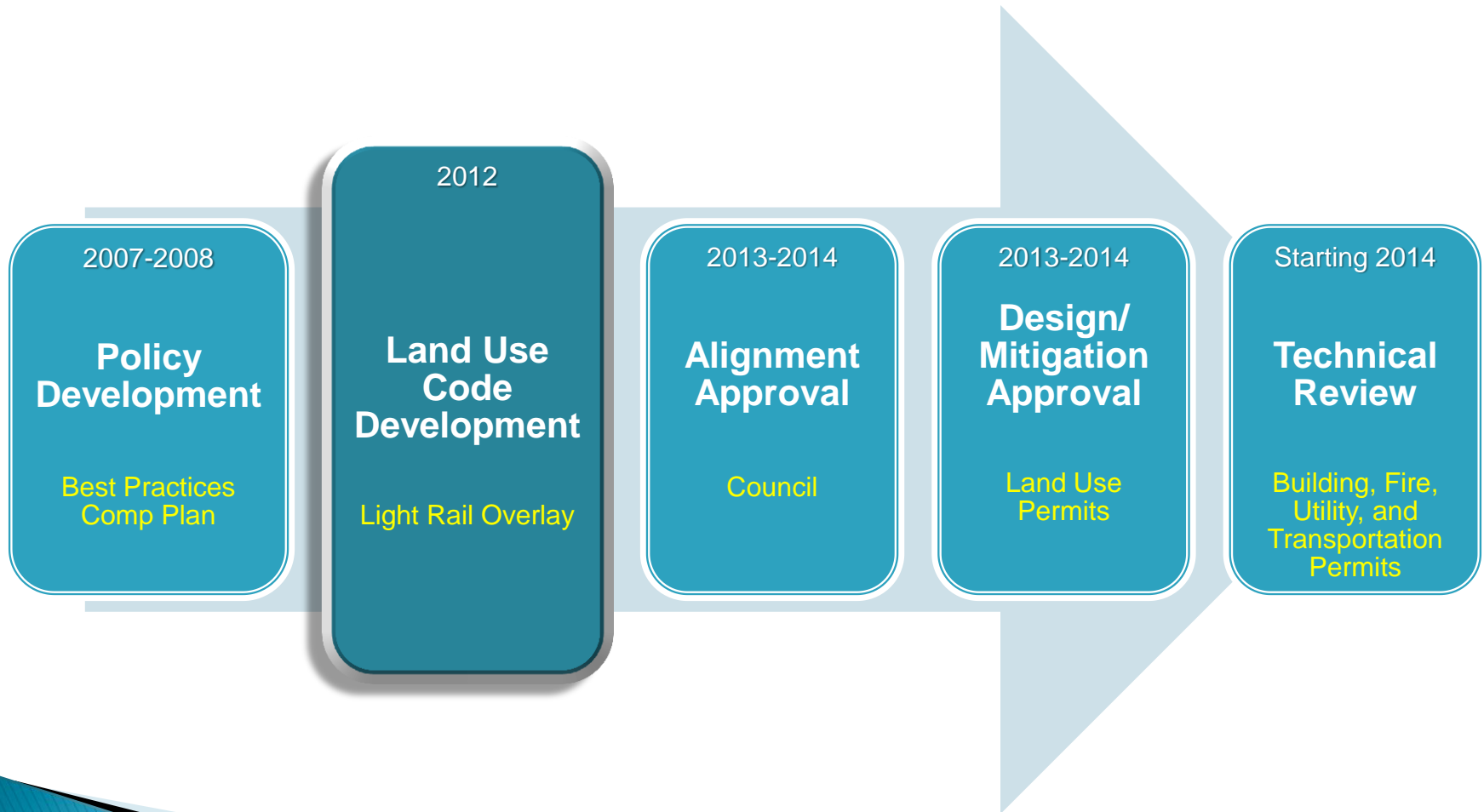
# Tonight

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- ▶ **Where we are in the process**
- ▶ **Further responses to Council questions**
- ▶ **Focus on Council input on certain procedural topics:**
  - Appropriate Conditional Use Permit process
  - Mechanism to apply Light Rail Best Practices
- ▶ **Input on other procedural topics described in agenda materials deferred until later date:**
  - Notice to property owners
  - Process merger/consolidation
  - Appropriate station design review process
- ▶ **November 26 will focus on design and mitigation sections**

# Process Context

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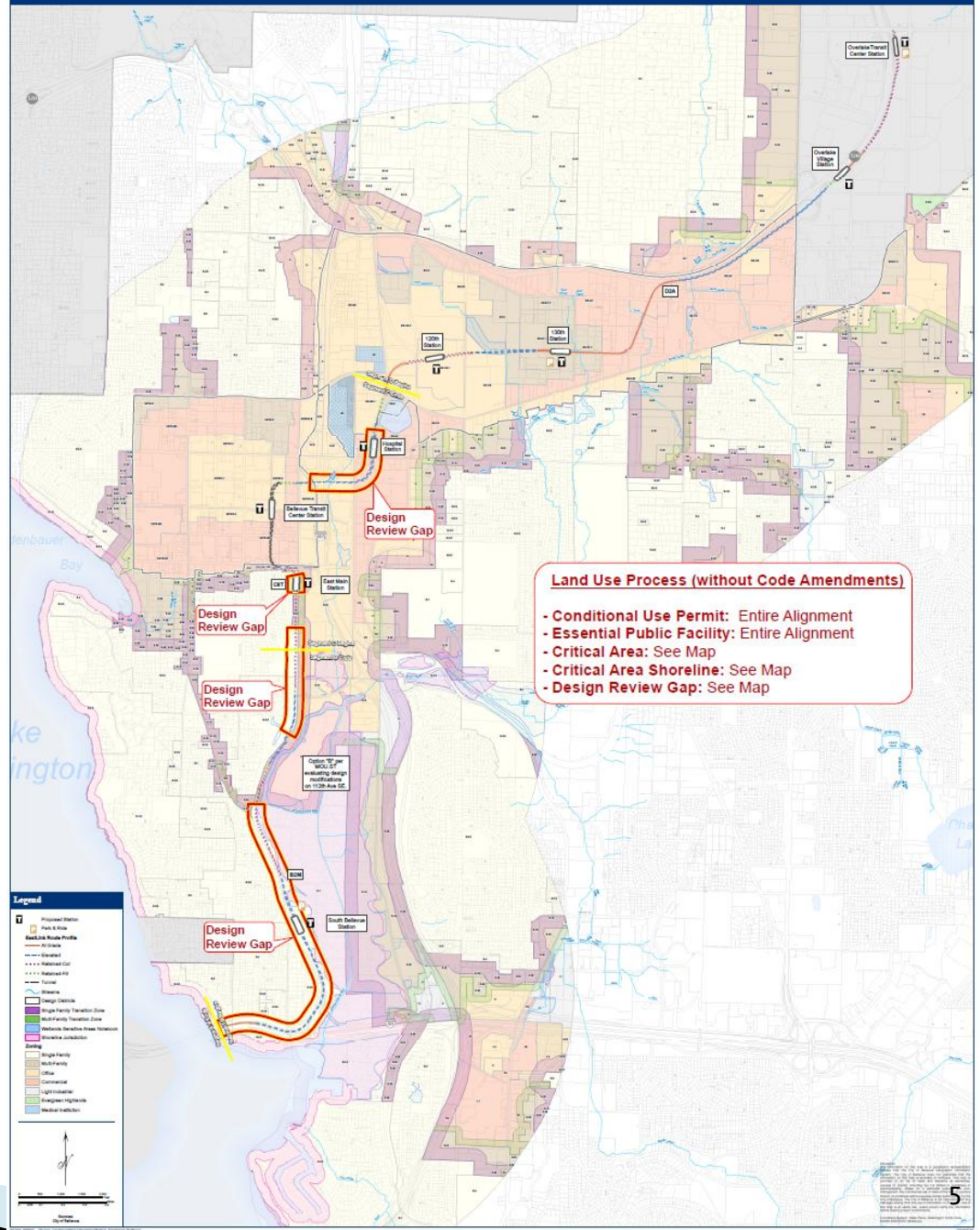


# Code Adoption Schedule

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- ▶ **Time scheduled on upcoming Council agendas:**
  - November 26
  - December 3
  - December 10
- ▶ **Communication about progress between staffs of City and Sound Transit**
- ▶ **Benefit of defining permitting path and mitigation through code amendment:**
  - Increased certainty for impacted residents
  - Increased certainty for further project design

# Process Gaps



# Council Input Needed

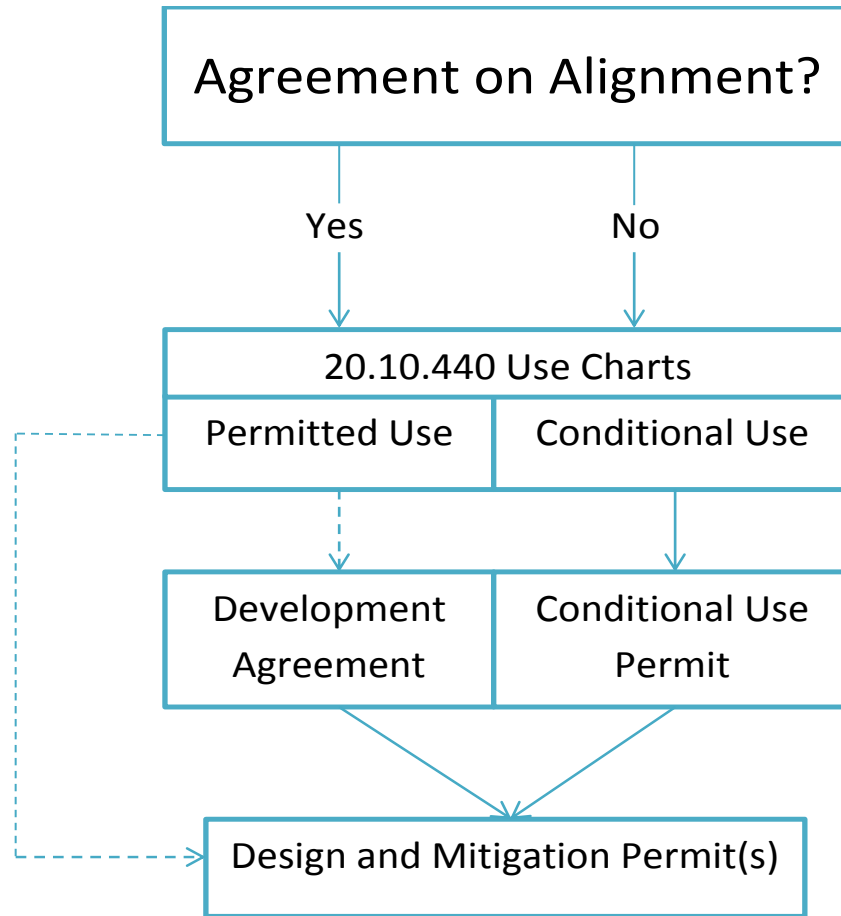
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- ▶ **Tonight:**
  - Appropriate Conditional Use Permit process
  - Mechanism to apply Light Rail Best Practices
- ▶ **Subsequent meeting:**
  - Notice to property owners
  - Process merger/consolidation
  - Appropriate station design review process



# Procedural Sections – Required Permits

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(ref: LUC 20.25M.030)

# Council Input Needed – Appropriate CUP Process

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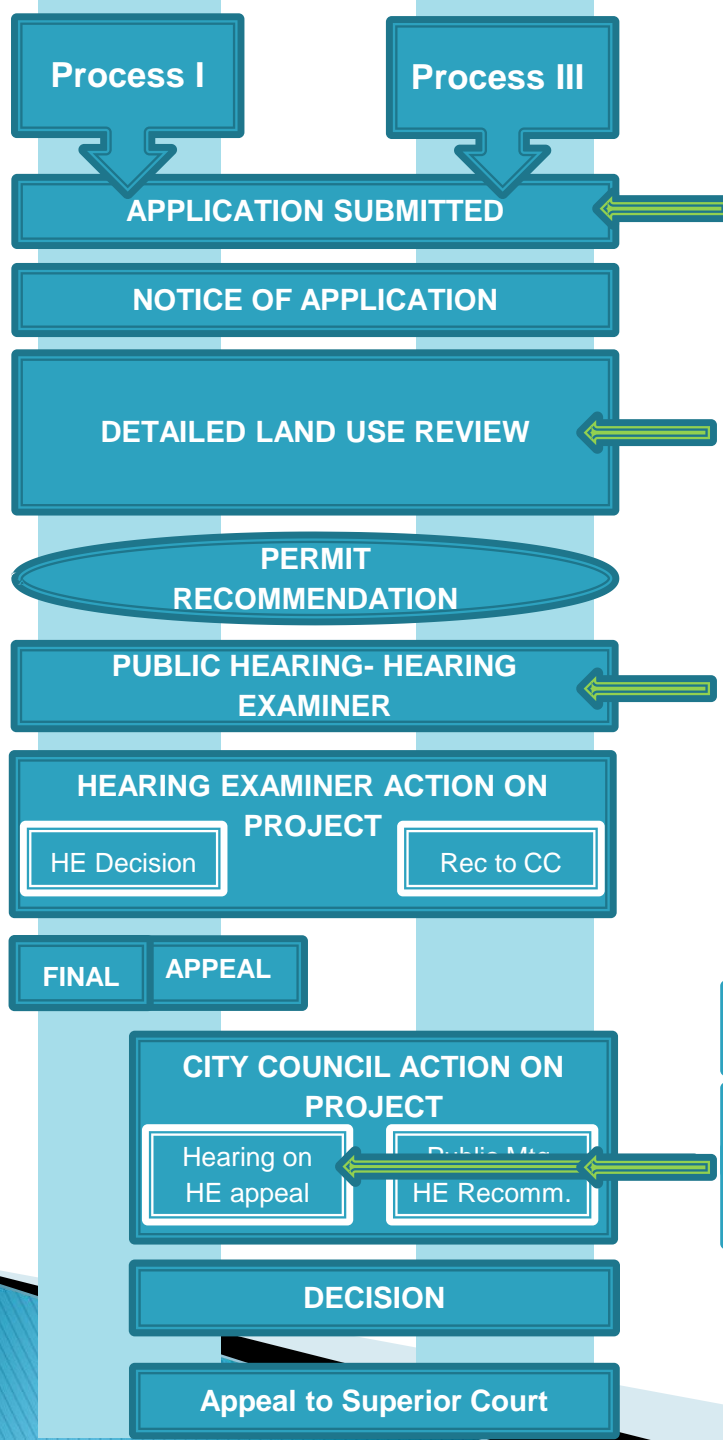
What type of Conditional Use Permit process should be used?

- ▶ Appeal Option to Council (Type I) OR
- ▶ Automatic consideration by Council (Type III)

(ref: LUC 20.25M.030.B.2.d)



# CUP Process



## ST SUBMITS FOR PERMIT

- Notice of project is provided – Weekly Permit Bulletin, Signs, and Mailing.
- Starts comment period.
- Public Meeting scheduled.

## OPPORTUNITY TO PARTICIPATE

- City staff assigned to answer questions about project/review (email, phone, in person).
- Request staff to attend neighborhood /stakeholder meetings.

project is final.

## OPPORTUNITY TO PARTICIPATE

- Attend public hearing.

# Council Input Needed – Mechanism to Apply Light Rail Best Practices

Should “Expectations of Sound Transit” in the Light Rail Best Practices Report be applicable to light rail design and mitigation permits through either:

- ▶ Decision criterion that requires consistency with the Comprehensive Plan OR
- ▶ Restating those expectations in the Overlay?

(ref: LUC 20.25M.030.B.2.c and 20.25M.030.C.3)

# Next Steps

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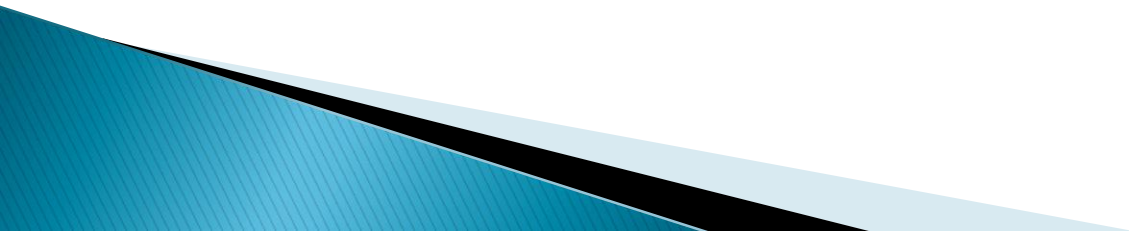
- November 26 – Council study session (design & mitigation)
- December 3 – Remaining procedural questions
- December 10\* – Anticipated Council action
- Late November\* – SEPA Threshold Determination

\* *Reflects schedule consistent with the MOU*

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For more information, see East Link Project website at:

<http://www.bellevuewa.gov/light-rail-overlay.htm>



# Procedural Sections – Who May Apply

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- ▶ Draft Code: A regional transit authority with condemnation authority could apply for permits prior to completing acquisition of the underlying property.
- ▶ Same process that applies to other agencies and public utilities that have condemnation authority (e.g., City of Bellevue, PSE)

(ref: LUC 20.25M.010.C)

# Procedural Sections – Administrative Modification Process

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- ▶ Strict application of LUC not always feasible or practical
- ▶ GMA limits application of policies and regulations that would preclude Essential Public Facilities
- ▶ Modification of code provisions could be allowed if:
  - Minimum necessary in accordance with Best Practices Report to make construction or operation practicable and feasible; OR
  - Reasonably necessary to implement or ensure consistency with other Council-related actions such Development Agreement provisions, cost saving alternatives, or Street Design Standards amendments.

(ref: LUC 20.25M.060)

# Council Input Needed – Notice to Property Owners

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Should the Overlay include notice requirements that must be met before permits applications are submitted for any light rail components located on property not yet acquired by Sound Transit or the City?

(ref: LUC 20.25M.010.C)



# Council Input Needed – Process Merger/Consolidation

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Should any CUP application for light rail alignment permits be required to be consolidated or merged with the design and mitigation permit?

(ref: LUC 20.25M.030.B.2.b and 20.25M.030.C.2)

# Council Input Needed – Appropriate Station DR Process

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What Station Design process should be used?

- ▶ Administrative Design Review (Type II) OR
- ▶ Council Design Review (i.e., Ped Bridges)

(ref: LUC 20.25M.050.A)