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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4822

AN ORDINANCE relating to transportation; adopting a new Transportation Development Code; adding a new Chapter 14.60 to the Bellevue City Code; repealing Section 2 (part) of Ordinance No. 4560 and Section 3.39.030 of the Bellevue City Code; and establishing an effective date.

WHEREAS, the state legislature passed regulatory reform legislation during the 1995 legislative session including Chapter 347, Laws of 1995; and

WHEREAS, the City of Bellevue is currently amending its Land Use Code and other city codes in the spirit of regulatory reform to improve the clarity of regulatory standards and to eliminate unnecessary regulation; and

WHEREAS, the new Transportation Development Code contains transportation related provisions, including requirements removed from the Land Use Code and the Development Standards; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Chapter 14.60 is hereby added to Title 14 of the Bellevue City Code, to be entitled the "Transportation Development Code" and to read as follows:

Chapter 14.60
Transportation Development Code

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- 14.60.250 Pavement Restoration for Trenching in Right-of-Way

14.60.010 Title

This Chapter 14.60 shall be known as the Transportation Development Code and shall be referred to herein as the "Code".

14.60.020 Purpose

This code is consistent with the Comprehensive Plan of the City, as adopted pursuant to the Growth Management Act, chapter 35.70A RCW, and is intended to implement the provisions of such Plan. The provisions contained in this code are necessary for the protection and preservation of the health, safety, and general welfare of the citizens and businesses of the City.

14.60.021 Authority

- A. The Department of Transportation by and through its Director is charged with the administration and enforcement of the provisions of this code.
- B. The Director shall have the authority to:
 - 1. Develop and adopt procedures as needed to implement this code and to carry out the responsibilities of the Department.
 - 2. Request the assistance of other City departments to administer and enforce this code.
 - 3. Assign the responsibility for interpretation and application of specified procedures to the Department of Transportation.

4. Prepare, adopt and update as needed, Engineering Standards to establish minimum requirements for the design and construction of transportation facilities and requirements for protecting existing facilities during construction. The Engineering Standards shall be consistent with this code and adopted City policies.
- C. When authorized by a provision of this Chapter 14.60, the Transportation Department may require or allow a performance or maintenance assurance device in conformance with Section 20.40.490 of the Bellevue City Code (Land Use Code).

14.60.022 Violation - Penalty

Violation of any of provision of this code constitutes a civil violation as provided for in Chapter 1.18 of the Bellevue City Code, for which a monetary penalty may be assessed and abatement may be required as provided therein. The City shall seek compliance through Chapter 1.18 if compliance is not achieved through this code.

14.60.030 Application

This code shall be in effect throughout the City.

14.60.040 Definitions

The following words and phrases, when used in this code, shall have the following meanings:

- A. **Activity Centers.** Locations such as schools, parks, retail areas and shopping centers, places of employment, or public service agencies that attract people.
- B. **Bicycle Facilities.** A general term referring to improvements that accommodate or encourage bicycling, including parking facilities, bike racks, bicycle route mapping, and bicycle route development.
- C. **Bicycle Route.** Any route specifically designated for bicycle travel, whether exclusive for bicyclists or to be shared with other transportation modes.
- D. **Cul-de-sac.** A street closed at one (1) end by widened pavement of sufficient size for vehicles to turn around.

- E. **Curb (wheelchair) ramp.** A ramp cut into a roadway curb to allow access for physically challenged pedestrians to and from sidewalks and streets.
- F. **Dedication.** The transfer of land or interest in land by the owner of such land to the city for public uses, reserving no other rights than such as are compatible with the full exercise and enjoyment of the uses to which the property has been dedicated.
- G. **Developer.** The property owner and his/her authorized agents or contractors responsible for a given project.
- H. **Development.** All structures and other modifications of the natural landscape above and below ground or water, or a particular site.
- I. **Director.** The Director of the Department of Transportation of the City of Bellevue, the Director's authorized representative, or such other persons authorized by the City Manager.
- J. **Easement.** A grant of an interest in land by the property owner for a designated use by another person or entity or the public in general.
- K. **Gross Square Feet.** The total number of square feet within the finished wall surface of the outer building walls of a structure, excluding vent shafts, outdoor courts and parking.
- L. **High Occupancy Vehicle (HOV).** An automobile, vanpool or bus with two or more occupants.
- M. **Mixed Use Development.** The development of a contiguous tract of land, a building or a structure with two or more different uses as identified on the Land Use Charts in the Land Use Code.
- N. **Mode Split.** The percentage of overall trips made by different means of transportation.
- O. **Peak Period.** Two hours during any a.m. or p.m. period when vehicular arrival and departure from the site is highest.
- P. **Right-of-Way (Public).** All public streets and property dedicated to public use for streets together with public property reserved for public utilities, transmission lines and extensions, walkways, sidewalks, bikeways or equestrian trails.
- Q. **Single Occupancy Vehicle (SOV).** Automobiles transporting the driver only.

- R. **Street Frontage.** Any part of private or public property which borders a public street.
- S. **Street Tree.** A tree planted within the public right-of-way.

14.60.050 Traffic Impact Analysis Reports

Traffic impact analysis reports are required for proposed development projects when the City has reason to believe that the impact on the City's existing or planned future transportation facilities will be significant.

14.60.060 Traffic Impact Mitigation

- A. The Director may require conditions necessary to mitigate traffic impacts resulting from a development project. Mitigation measures may include, but are not limited to, traffic diverters, installation of medians, installation of left turn barriers and neighborhood street parking enforcement.
- B. The Director may require the permittee to participate in the funding of mitigation measures required as a result of traffic impacts associated with development on the property.

14.60.070 Transportation Management Program

- A. The owner of property upon which new structural development is proposed shall, prior to any initial occupancy of any building, establish a transportation management program (TMP) to the extent required by Section 14.60.070(E) and in accordance with the provisions thereof.
- B. Existing structures are not subject to the requirements of this section except where a substantial remodel is proposed.
- C. The Director shall specify the TMP submittal requirements, including type, detail, format, methodology, and number of copies, for an application subject to this section to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
- D. For the purposes of this section, the term "employees" includes all on-site workers in buildings subject to the requirements of this section.

- E. The owner of any property for which a TMP is required shall include those components identified as requirements on the following Transportation Management Program Requirements Chart. The Chart identifies the total gross square footage (for one or more structures) at which specific requirements become applicable. The requirements identified on the Chart are described in Section 14.60.070(F).

TRANSPORTATION MANAGEMENT PROGRAM REQUIREMENTS

Programmatic Requirement (1)	Office & High Technology Light Industry (2)	Mftng/ Assembly (other than High Tech)	Professional Services Medical Clinics & Other Health Care Services	Hospitals	Retail/ Mixed Retail/ Shopping Centers	Residential: Multiple Family Dwellings	Mixed Uses (3)
No Requirements	Less than 30,000 gsf	Less than 50,000 gsf	Less than 30,000 gsf	Less than 80,000 gsf	Less than 60,000 gsf	Less than 100 units	(4)
Post information (See paragraphs 1a and b of subsection F)	30,000 gsf and over	50,000 gsf and over	30,000 gsf and over	80,000 gsf and over	60,000 gsf and over	100 units and over	(4)
Distribute Information (See paragraph 2 of subsection F)	30,000 gsf and over	50,000 gsf and over	30,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)
Provide Transportation Coordinator (See paragraphs 3a and b of subsection F)	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	150,000 gsf and over	N/A	(4)
Provide Preferential Parking (See paragraphs 4a, b, c of subsection F)	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	150,000 gsf and over	N/A	(4)
Provide Financial Incentive (See paragraph 5 of subsection F)	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)
Provide Guaranteed Ride Home (See paragraph 6 of this subsection F)	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)

Footnotes to Transportation Program Requirements Chart:

- (1) Specific actions that the owner of the property must take to mitigate parking and traffic impacts.
- (2) Excluding medical clinics and other health care services.
- (3) Other than mixed retail.
- (4) Requirements for mixed uses will be determined on a project basis as described in paragraph G.1 of this section.

F. As indicated on the Transportation Management Program Requirements Chart, the property owner shall:

1. Post Information.
 - a. Post ridesharing and transit information from Metro or other approved sources in a visible central location in the building, such as the lobby or other public area near the major entrance to the building on a continual basis. This requirement applies to each building in a building complex.
 - b. All posting materials required by the Transportation Management Program Requirements Chart must be provided by a source approved by the Director.
2. Distribute Information. Distribute ridesharing and transit information from Metro or other approved sources annually to all tenants and employees and to new tenants and new employees. Such information must identify available ridesharing and transit services.
3. Provide a Transportation Coordinator.
 - a. The coordinator shall publicize the availability of ridesharing options, provide reports to the City (see Section 14.60.070(I)), act as liaison to the City, and provide ridesharing matching assistance in conjunction with Metro or a private system sponsored by the property owner as approved by the City.
 - b. The property owner must provide the transportation coordinator's name to the City. The coordinator must be available for meetings and training sessions conducted by the City or other agency approved by the City.
4. Provide Preferential Parking.
 - a. Provide specially-marked parking spaces in a preferential location between 6:00 a.m. and 9:00 a.m. for each registered carpool and vanpool in which tenants and their employees participate. A preferential location includes

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- proximity to the building and covered parking when possible.
- b. Preferential parking must be enforced and monitored through on-site inspection at least three mornings a week.
 - c. To facilitate monitoring, carpools and vanpools must be certified by the coordinator through a registration system as approved by the City, and be recertified quarterly.
5. Provide Financial Incentive. Provide a minimum of \$15.00 per month financial incentive for employees on-site who commute by carpool, vanpool or transit. The financial incentive for transit riders and Metro vanpool riders will be a discounted Metro Transit (or a comparable service) bus/vanpool pass. The financial incentive for each carpool and non-Metro vanpool participant will be a cash bonus to the participant, a coupon redeemable for gasoline, or an equivalent discount in parking charges.
 6. Provide Guaranteed Ride Home. Provide a taxi-scrip system of low-cost rides home for on-site employee transit riders or registered on-site employee carpools and vanpools who miss a bus or ride because of an employer requirement to work late or because of a need to leave early due to illness or home emergency.
- G. Determination of Requirements for Mixed Uses. The Director shall determine the transportation management program requirements for mixed uses. These requirements shall be limited to the requirements described in subsections E and F. The Director shall apply the requirements for the same or most similar uses as described in subsections E and F.
 - H. Substitution of Alternate Program. With the approval of the Director, an alternate transportation management program may be substituted by the property owner for those components identified as requirements in subsection F if, in the judgment of the Director, the alternate program is at least equal in potential benefits to the requirements in subsection F.
 - I. Reporting Requirements. Beginning one year after the issuance of a Final Certificate of Occupancy, and every two years thereafter for development subject to this section, the property owner shall submit a report to the Director, who shall then determine compliance with

this section. The report shall describe each of the required transportation management program components that were in effect for all previous years, the total number of on-site employees, the expenditures for financial incentives and guaranteed ride home, the number of bus passes sold, and the number of registered carpools and vanpools. A report form will be provided to the property owner by the City.

- J. Recording. Prior to the issuance of a building permit or of any approvals made pursuant to Chapter 20.30 of the Bellevue City Code, the owner of property subject to this section shall record an agreement between the City and the property owner with King County Division of Records and Elections and with the Bellevue City Clerk that requires compliance with this section by the present and future owners of the property.

14.60.080 Transportation Management Program - Downtown

- A. The Director may require a Transportation Management Program (TMP) for any project proposed within the Downtown in order to reduce congestion, reduce peak hour trips, or implement the policies of the Comprehensive Plan.
- B. Programmatic Requirements.
 - 1. The owner of a building with 50,000 gross square feet or more of office shall, in addition to the programmatic elements identified in the Transportation Management Requirement Chart in Section 14.60.070(F), perform or cause to be performed the following elements:
 - a. Commuting options information boards for each tenant with 50 or more employees.
 - b. Leases in which the tenants are required to participate in periodic employee surveys.
 - c. Identification of parking cost as a separate line item in such leases and a minimum rate for monthly long-term parking, not less than the cost of a current Metro 2-zone pass.
 - d. A personalized ridematching service for building employees to encourage carpool and vanpool formation. The ridematching service must enhance the computerized

ridematching service available from Metro (or a comparable service), with personalized follow-up with individual employees.

2. Duration. The programmatic requirements shall continue for the life of the building.

C. Performance Goals.

1. The owner of a building with 50,000 gross square feet or more of office shall, as part of the TMP for the building, comply with the following performance goals:
 - a. For every other year beginning with the building's first Certificate of Occupancy (CO) anniversary and for ten years thereafter, the performance goals shall become more restrictive, so that by the 10th year the maximum SOV rate will be reduced by 35% from the CO year baseline.
 - b. The City may adjust the above rates every other year based on review of current conditions in the Downtown, the characteristics of the building, and other local or state regulations.
 - c. These performance goals apply to present and future property owners for the life of the building.

D. Survey and Analysis Requirements.

1. Employee Survey. The property owner shall conduct a survey to determine the employee mode split. The survey must be conducted by an independent agent approved by the City. This survey shall be conducted in a manner to produce a 70% response rate and shall be representative of the employee population. If the response rate is less than 70%, all non-responses up to 70% shall be considered SOV trips. The survey results shall be used as the basis for calculating performance levels. The City shall provide a survey form to the property owner.
2. Schedule of Survey. The survey is to be conducted every two years; the first survey shall be conducted one year after the issuance of the CO.
3. Analysis of Performance Goals.

a. Single Occupancy Vehicle Use Formula

$(NS/NT)(100) = \text{percent SOV use, where:}$

NS = number of employees who commute to work by SOV,

NT = total number of employees.

E. Reporting Requirements.

1. Content of Evaluation Report. The property owner shall submit a report to the City which includes the following elements:

- a. The property owner's compliance with the performance goals listed in Section 14.60.080(C), including the number of HOV spaces, their location, how HOV spaces are monitored, loading and van parking locations, transportation coordinator activities, the number and location of commuter information centers and employer commuter options boards, an example of lease language, past and current parking costs and ridematch activities.
- b. The results of the employee survey, including the survey procedures and the percent SOV use by employees.
- c. Any non-required activities undertaken by the property owner to encourage HOV and transit use or any unusual circumstances which have affected SOV use.

The City will provide a report form to the property owner.

2. Reporting Schedule. An initial action plan for implementing the TMP shall be submitted within six months of the issuance of the temporary certificate of occupancy. The action plan shall describe transportation management techniques that the property owner will use to encourage HOV use by employees and reduce peak period vehicle trips as necessary to meet the performance goals. City staff will be available to assist in the development of the action plan. The evaluation reports shall occur by building's first CO anniversary, and every two years thereafter.

F. Failure to Meet Performance Goals.

1. Remedies. If the City determines that the property owner has failed to meet the performance goals of Section 14.60.080(C), the property owner shall comply with the action plan, employee survey and reporting requirements as set forth below.
2. Action Plan Requirement.
 - a. Plan Required. If the property owner fails to meet the performance goals, the property owner shall prepare, submit to the City and implement an action plan to meet the performance goals within one year.
 - b. Adequacy of Plan. The property owner will be allowed flexibility in developing the action plan subject to City review and approval, which approval shall not be unreasonably withheld. As a guide to this review, the City will evaluate the following:
 - The relationship of the number of employees that would be affected by the plan actions to the size of the deficiency which must be reduced.
 - The effectiveness of proposed actions as they have been applied elsewhere in comparable settings.
 - The schedule for implementation of the action plan and the assignment of responsibilities for each task.
3. Annual Employee Survey Requirements. An employee survey shall be conducted within one year of the date of submission of the previous report to the City. This survey shall be conducted under the same conditions and using the same methods as described in Section 14.60.080(D)(1).
4. Annual Report Requirement. A report shall be submitted one year after the submission of the previous report. The report shall include all of the contents described in Section 14.60.080(E)(1), and in addition shall include descriptions of:
 - a. Implementation of the action plan, including expenditures; and
 - b. Summary of effectiveness of elements of the action plan.

5. Duration. The property owner shall comply with the action plan, the annual survey and the annual report requirements every year that the property owner fails to meet the performance goals up to a maximum of six years after submission of the first report.
 6. Assurance Device. In the event of a failure by the property owner to meet the performance goals, the property owner shall provide to the City an assurance bond, or other assurance device referenced in Section 14.60.021(C), at the property owner's option, securing any financial incentives prescribed in an action plan. The assurance device shall equal the cost of the maximum incentive levels which could be required for the following year as referenced in the action plan. The amount of the assurance device shall be determined when the level of activity is determined on the action plan. The assurance device shall be issued not later than 60 days after this determination.
- F. Violations. The property owner shall be in violation of the requirements of Section 14.60.080 if he/she fails to:
1. Comply with the programmatic requirements of Section 14.60.080(B)(1); or
 2. Comply with the reporting requirements of Section 14.60.080(E); or
 3. Submit the required action plans required in Section 14.60.080(F)(2); or
 4. Implement the required action plans required in Section 14.60.080(F)(2); or
 5. Conduct the required employee survey of Section 14.60.080(F)(3).

14.60.090 Dedication of Right-of-Way

- A. The City may require the dedication of right-of-way in order to incorporate transportation improvements which are reasonably necessary to mitigate the direct impacts of the development. The property owner may be required to dedicate right-of-way to accommodate:

1. Motorized and non-motorized transportation, landscaping, utility, street lighting, traffic control devices, and buffer requirements; and
 2. Street frontage improvements where the existing right-of-way is not adequate; and
 3. The extension of existing or future public street improvements.
- B. Some reduction in the minimum right-of-way requirement may be granted by the Review Engineer where it can be demonstrated that sufficient area has been provided for all frontage improvements, including utilities, within the right-of-way.
- C. The owner of a subdivision may be required to dedicate right-of-way, as a condition of approval of the subdivision, where existing right-of-way for public streets is not adequate to incorporate necessary frontage improvements for public safety and to provide compatibility with the area's circulation system.
- D. The owner of a short subdivisions may be required to dedicate right-of-way, as a condition of approval of the short subdivision, where such dedication is necessary to mitigate the direct impacts if the short subdivision and;
1. The short subdivision abuts an existing substandard public street and the additional right-of-way is necessary to incorporate future frontage improvements for public safety; or
 2. Right-of-way is needed for the extension of existing public street improvements necessary for public safety; or
 3. Right-of-way is needed to provide future street improvements necessary for public safety for planned new public streets.

14.60.100 Easements and Tracts

- A. Easements for all public streets and utilities needed to serve the proposed development consistent with the provisions of the Comprehensive Plan and other adopted City plans shall be granted by the property owner. Easements may be for private streets, sidewalks, street lighting, traffic control devices and temporary construction. Design features of a street may necessitate the granting of slope, wall, and drainage easements.

- B. Non-motorized easements may be required where necessary to facilitate pedestrian circulation between neighborhoods, schools, shopping centers and other activity centers even if the facility is not specifically shown on the City's Non-Motorized Circulation Plan.
- C. Non-motorized easements and tracts shall be wide enough to include the trail width and a minimum clear distance of two feet on each side of the trail. Easement width may vary according to site-specific design issues such as topography, buffering, and landscaping.
- D. Easements shall be designated "City of Bellevue Non-motorized Public Easement" and easement documents shall specify the maintenance responsibility.
- E. The City may accept dedications of sensitive areas which have been identified and are required to be protected as a condition of development. Dedication of such areas to the City will be considered when:
 - a) The dedicated area would contribute to the City's overall open space and greenway system,
 - b) The dedicated area would provide passive recreation opportunities and non-motorized linkages,
 - c) The dedicated area would preserve and protect ecologically sensitive natural areas, wildlife habitat and wildlife corridors,
 - d) The dedicated area is of low hazard/liability potential; and
 - e) The dedicated area can be adequately managed and maintained.

14.60.110 Street Frontage Improvements

- A. The installation of street frontage improvements is required prior to issuance of a Certificate of Occupancy for new construction other than single family homes, or prior to final approval for subdivisions, short subdivisions and PUDs. For additions and remodels to existing buildings see Section 20.20.560 of the Land Use Code.
- B. Complete street frontage improvements shall be installed along the entire street frontage of the property at the sole cost of the permittee as directed by the Review Engineer. Street frontage improvements may include curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, utility installation or

relocation, landscaping strip, street trees and landscaping, irrigation, street widening, and channelization. Beyond the property frontage, the permittee shall provide ramps from the new sidewalk or walkway to the existing shoulder, and pavement and channelization tapering back to the existing pavement and channelization as needed for safety.

- C. When (due to site topography, City plans for improvement projects, or other similar reasons) the Review Engineer determines that street frontage improvements cannot or should not be constructed at the time of building construction, the property owner shall, prior to issuance of the building permit, at the direction of the Review Engineer:
1. Pay to the City an amount equal to the property owner's cost of installing the required improvements prior to issuance of a building permit. The property owner shall provide documentation satisfactory to the City of materials costs, quantities, and labor costs; or
 2. Record an agreement which provides for these improvements to be installed by the property owner by a date acceptable to the City ; or
 3. Record an agreement to not protest a Local Improvement District to improve the street frontage.
- D. If, at a time subsequent to the issuance of a building permit, a Local Improvement District is established which includes the property for which the building permit was issued, and if such condition or agreement as prescribed in this Section 14.60.110 has been performed by the developer, the condition or agreement may be considered in the compilation of the Local Improvement District assessment roll as a pre-existing contract with the City, for which the property owner may be credited against the assessment with the appropriate amount of costs of construction expended by the developer.
- E. The requirement for installation of frontage improvements may be waived by the Review Engineer under either of the following conditions:
1. Adjacent street frontage improvements are unlikely to be installed in the foreseeable future; or

2. The installation of the required improvement would cause significant adverse environmental impacts.

14.60.120 Landscaping in Right-of-Way, Easements and Access Tracts

A. Applicability.

The requirements of this Section 14.60.120 apply when street frontage improvements are required as part of any development by Section 14.60.110.

B. Required Review.

The City shall review proposed street frontage improvements for compliance with this section.

C. Preservation of Existing Street Trees and Landscaping.

1. Retention of existing vegetation may be required along City streets.
2. Wherever it is necessary to remove or relocate plant materials from the right-of-way in connection with the widening of the street or highway, the paving of a sidewalk, or the installation of ingress or egress, the property owner shall replant such trees or replace them according to City standards.
3. Any landscaping in the right-of-way which is disturbed by construction activity on private property shall be replaced or restored to its original condition by the property owner.
4. Landscaping and other improvements within the right-of-way are subject to removal at the request of the City when the right-of-way is needed for public use.

D. Street Tree and Landscaping Installation Requirement.

1. Street landscape installation or improvement is required when applicable projects are to be undertaken along arterials as identified on the Transportation Technical Manual and according to guidelines of Transportation Technical Manual.
2. Ground cover shall be provided for site frontage right-of-way with a potential for erosion.

E. Species Selection.

1. The selection of tree species in the Downtown shall be according to the specified trees in the Transportation Technical Manual - Bellevue Downtown Street Tree Species Plan.
2. Outside of the Downtown, selection of tree species shall follow the pattern as listed in the Transportation Technical Manual - City of Bellevue Designated Street Trees.
3. For streets having no designated tree species, but where street trees are required, tree species selection shall be from Transportation Technical Manual - Approved Street Trees.

F. Maintenance of Plant Materials.

1. Landscaping in the right-of-way shall be maintained by the abutting property owner(s) unless maintenance has been accepted by the City.
2. All landscape materials in the public right-of-way shall be maintained to industry standards. Trees shall be pruned according to standards adopted by either the National Arborists Association or the International Society of Arboriculture.
3. The property owner is responsible for ensuring that landscaping fronting his/her property does not impair sight-distance.
4. Topping of street trees shall be prohibited.

14.60.130 Private Streets

Private streets will be allowed when:

- A. A covenant which provides for maintenance and repair of the private street by property owners has been approved by the City and recorded with King County; and
- B. The covenant includes a condition that the private street will remain open at all times for emergency and public service vehicles; and
- C. The private street would not hinder public street circulation; and
- D. At least one of the following conditions exists:
 1. The street would ultimately serve four or fewer lots; or

2. The street would ultimately serve more than four lots, and the Review Engineer and the Fire Marshal determine that no other access is available. In addition, the proposed private street would be adequate for transportation and fire access needs, and the private street would be compatible with the surrounding neighborhood character; or
3. The private street would be part of a Planned Unit Development; or
4. The private street would serve commercial or industrial facilities where no circulation continuity is necessary.

14.60.140 Acceptance of Dedicated Private Streets as Public Streets

Acceptance of dedicated private streets as public streets will be considered if the street meets all public street design and construction standards. Consideration of acceptance is also subject to the requirements of other City of Bellevue departments. Final acceptance is subject to City Council approval. The following criteria will be evaluated:

- A. Acceptability of street and utility construction. Pavement condition shall be brought up to the standards of new construction.
- B. Condition of title.
- C. Survey requirements for monumentation and conveyance.
- D. The need for additional right-of-way and easements.
- E. Cost of accepting the street and of future maintenance.

14.60.150 Driveways

- A. Driveways and parking areas shall be designed such that vehicles attempting to enter the driveway or parking area will not impede vehicles in the travel lane of the public street.
- B. Wherever available, access for commercial and multifamily property shall be provided onto streets which do not abut R-1, R-1.8, R-2.5, R-3.5, R-4, R-5 or R-7.5 land use districts.

- C. Combined driveways for adjoining properties are encouraged. In conjunction with approval of a development, the City may require the applicant to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.
- D. The installation of driveways onto arterials may be denied if alternate access is available.
- E. The continued use of pre-existing driveways is not guaranteed with the development of a site.
- F. All abandoned driveways on the street frontage to be improved shall be removed and new curb, gutter and sidewalk shall be installed.
- G. Driveway approach grade and configuration shall accommodate planned future street widening to prevent the need for major driveway reconstruction.
- H. No commercial driveway shall be approved where backing onto the sidewalk or street will occur.
- I. Left turns to and from a driveway may be restricted either at the time of development or in the future if such maneuvers are found by the City to be hazardous.
- J. Unless there exists no other access to the property in question, the City shall not permit any driveway to be located any closer than 100 feet from any other driveway, measured from nearest edge to nearest edge. If there exists no other access to the property in question, driveways shall be located as far apart as possible. In no case shall the City permit any driveway to be located any closer than 20 feet from any other driveway, measured from nearest edge to nearest edge.
- K. Unless there exists no other access to the property in question, the City shall not permit any driveway to be located any closer than 150 feet from the nearest parallel street, measured from nearest edge to nearest edge. If there exists no other access to the property, the driveway shall be located as far away from the parallel street as possible.

- L. The City shall not permit more than one driveway or street opening on any property having a street frontage of 200 feet or less. This subsection shall not apply if the property's street frontage is less than 200 feet and the property is at least three acres in area.
- M. The requirements of this Section 14.60.150 may be modified by the Director if:
 - 1. The modification is reasonable and necessary for development of the property; and
 - 2. The modification will result in more efficient access to and circulation within the property; and
 - 3. The modification will not create a hazardous condition for motorists or pedestrians.

14.60.160 Private Intersection Opening

A private intersection opening may, with the approval of the Review Engineer, be used in lieu of a conventional driveway when the following criteria are met:

- A. Projected driveway usage is greater than 2000 vehicles per day.
- B. Traffic signalization and easements are provided as required by the Review Engineer.
- C. A minimum 100 foot storage area is provided between the face of curb and any turning or parking maneuvers within the development.
- D. The opening is at least 150 feet from the near side face of curb of the nearest intersecting street.
- E. The opening is at least 100 feet from any other driveway on the property frontage under the control of the property owner.

14.60.170 Street Ends

- A. All dead-end public streets and private streets shall be designed as a cul-de-sac, except as provided in Sections 14.60.170(B) and (C).

- B. A hammerhead may be used in lieu of a circular turnaround if the street is less than 200 feet long and serves six or fewer lots. An alternative design may be used if approved by the Review Engineer and the Fire Marshal.
- C. Streets which temporarily dead-end and will be extended in the future will not have a turnaround or hammerhead unless determined necessary by the Review Engineer and the Fire Marshall. When no turnaround or hammerhead is provided, street-end barricading shall be installed and must conform to the most recent edition of the **Manual on Uniform Traffic Control Devices (MUTCD)**.
- D. A landscaped island delineated by curbing shall be provided in the cul-de-sac by the property owner. The landscaping shall be maintained by the homeowners' association or adjacent property owners.

14.60.180 Parking Circulation

Parking lot circulation needs shall be met on site. The public right-of-way shall not be used as part of a one-way parking lot flow.

14.60.181 Americans with Disabilities Act

- A. All street frontage improvements and non-motorized facilities shall be designed and constructed to meet the intent of applicable requirements of the Americans with Disabilities Act (ADA).
- B. In accordance with the state law and federal guidelines established by the ADA, wheelchair curb ramps shall be provided at all pedestrian crossings with curbs.

14.60.190 Non-motorized Facilities

- A. The City's goals and policies for non-motorized facilities are as described in the Pedestrian and Bicycle Transportation Plan. The users of non-motorized facilities are separated in that plan into two categories: pedestrian (which includes people, wheelchairs, horses, and other non-motorized users) and bicycle. Internal pedestrian circulation systems shall be provided within and between existing, new, and redeveloping commercial, multi-family, and single family developments; activity centers; and existing frontage pedestrian systems.

- B. Concrete sidewalks shall be provided :
 - 1. On both sides of all arterial streets;
 - 2. On both sides of all non-arterial streets longer than 300 feet and on one side of all non-arterial streets less than 300 feet in length;
 - 3. On both sides of all public streets which provide access to existing or planned future sidewalks, activity centers, parks, schools, neighborhoods, or public transit facilities;
 - 4. On one side of dead-end residential streets, ending at the property line nearest the transition to a cul-de-sac circular turnaround or hammerhead.

- C. The Review Engineer may grant an exception to the requirement for concrete sidewalk when:
 - 1. The subdivision design provides an acceptably surfaced and maintained public walkway system; or
 - 2. A paved path as described in the pedestrian path Section 14.60.190(D) is provided.

- D. A paved path shall be provided in lieu of concrete sidewalk when:
 - 1. The paved path is determined by the City to be of a temporary nature; or
 - 2. The City determines that soil or topographic conditions dictate a flexible pavement; or
 - 3. The Pedestrian and Bicycle Transportation Plan indicates that neighborhood character does not warrant concrete sidewalks.

- E. When street frontage improvements are required under Section 14.60.110, additional right-of-way and pavement may be required if indicated on a designated bicycle route as identified in the Pedestrian and Bicycle Transportation Plan.

14.60.200 Traffic Signals

- A. When a proposed street or driveway design interferes with existing traffic signal facilities, traffic signal modification or relocation must be provided.
- B. To mitigate the traffic impacts of a development, modification of an existing signal or installation of a new signal may be required.
- C. All traffic signal modification designs shall be prepared by a licensed engineer experienced in traffic signal design.

14.60.210 Street Lighting

- A. Street lighting is required along all public streets, including new public streets in subdivisions and short subdivisions. The property owner is responsible for design and installation of new lighting and relocation of existing lighting along the street frontage of the development.
- B. All street light installations, including wiring, conduit, and power connections, shall be located or relocated underground except in residential areas with existing above-ground utilities.
- C. For new subdivisions, the City will accept maintenance and power cost responsibility for the public street light system when a subdivision is 50 percent or more occupied. Until then, the property owner shall remain responsible for the maintenance of and energy charges for the street lighting system.
- D. Street illumination is required at the intersection of a private street and a public street. No street lighting is required along a private street.

14.60.220 Traffic Control

- A. Temporary traffic control to ensure traffic safety during construction activities must be provided. A plan meeting the approval of the Transportation Department must be developed prior to starting construction activities.
- B. The developer is responsible for supplying and installing all necessary permanent traffic control devices such as street name signs, stop signs, speed limit signs, and channelization.

- C. Neighborhood traffic control devices such as speed humps, traffic circles, curb extensions, etc., are demonstration devices used to control vehicle speeds and cut-through traffic. Installation of these devices will be permitted only when the installation has met criteria established by the Traffic Engineer.

14.60.230 Utility Companies

- A. Utility companies with facilities in city right-of-way shall relocate their facilities at their own expense when the relocation is necessary to accommodate public street improvements. The improvement work must be required by the City in order for the relocation work to be the financial responsibility of the utility; otherwise, all costs shall be the responsibility of the property owner. In the event such utility company is subject to a franchise agreement or right-of-way use agreement with the City, such agreement shall control any relocation requirement.
- B. All utility distribution or collection systems in new subdivisions and short subdivisions, including power, telephone, and T.V. cable, shall be installed underground unless otherwise provided in a franchise agreement or right-of-way agreement..

14.60.240 Street Intersection Sight Obstruction

- A. Notwithstanding any other provision of this Code, no vehicles shall be parked or any sign, fence, hedge, shrubbery, natural growth or other obstruction installed, set out or maintained which obstructs the view of motor vehicle operators at an intersection within the sight areas defined in Section 14.60.240(B) and between the height limits defined in Section 14.60.240(C). Section 14.60.240(D) specifies what constitutes an obstruction to the view of motor vehicle operators. For the purpose of this Code, "intersection" shall include: the intersection of two public streets; the intersection of a commercial driveway with a public street; the intersection of a residential driveway with a public street; and the intersection of a private street with a public street.
- B. The sight area at an intersection is defined as the area bounded by setback lines, or bounded by setback lines and the edge of the traveled lane. Setbacks for intersection types are as specified in the following paragraphs.

ORIGINAL

1. Major Street/Minor Street. Intersections of this type have no control or flashing yellow on the major street, and a stop sign or flashing red signal on the minor street. Private commercial driveways (which may or may not have a stop sign) used by the public for entering any City street are also included in intersections of this type.

The setback line shall be defined as a line which joins a point in the center of the minor street approach lane located 14 feet back from the edge of the through-street approach lane (Point A) and a point in the center of the through-street approach lane (Point B). The location of Point B in the through-street approach lane is specified in the following table:

<u>Posted Speed Limit For Major Street</u>	<u>Distance from Center of Intersec. to Point B (Left Approach Only)</u>
40 MPH	410 Feet
35 MPH	360 Feet
30 MPH	300 Feet
25 MPH	250 Feet

Where the major street is a divided highway, only the left setback line applies. Where the major street is a one-way street, only the setback line toward the direction of approach applies.

Modification. Where major obstacles such as pre-existing permanent structures, elevated contour of the ground, embankments, or other elements preclude the reasonable enforcement of the setback lines specified above, these setbacks may be modified at the discretion of the City Traffic Engineer. The minor street setback distance to Point A may be reduced from 14 feet to ten feet, and the major street Point B location may be modified as follows:

<u>Posted Speed Limit For Major Street</u>	<u>Distance from Center of Intersection to Point B</u>
40 MPH	325 Feet
35 MPH	250 Feet
30 MPH	200 Feet
25 MPH	150 Feet

2. Uncontrolled Intersection. For intersections with no traffic control on any approach, the setback lines join a point on the approach located 50 feet back from the center of the intersection with points located 80 feet back from the center of the intersection on the right and left hand streets. All points are on the street centerlines.
3. Yield Intersection and T Intersection. Yield intersections have a yield sign on one or both of the minor street approaches, and no control on the major street approaches. The setback lines for yield intersections join a point in the center of the yield approach lane 25 feet back from the edge of the crossing traffic lane with points in the centers of the crossing approach lanes 100 feet back from the center of the intersection. This setback also applies to a T intersection with no restrictive control; in this case the 25-foot setback point is on the stem of the T.
4. Signalized Intersection. For signalized intersection approaches with right-turn-on-red-after-stop permitted, the left setback line joins a point in the center of the minor street approach lane located 14 feet back from the edge of the through-street approach lane (Point A) and a point in the center of the left through-street approach lane (Point B). The location of Point A may be reduced to 10 feet subject to approval of the Traffic Engineer. The location of Point B is specified in the following table:

<u>Posted Speed Limit For Major Street</u>	<u>Distance from Center of Intersec. to Point B (Left Approach Only)</u>
40 MPH	325 Feet
35 MPH	250 Feet
30 MPH	200 Feet
25 MPH	150 Feet

5. Residential Driveway Intersection. For the intersection of a residential driveway with a public street, the setback line joins a point in the center of the driveway (Point A) with a point in the center of the through-street approach lane (Point B). The setback distance of Point A from the edge of the traveled lane is ten feet. The location of Point B is specified in the following table:

ORIGINAL

<u>Posted Speed Limit For Major Street</u>	<u>Distance from Center of Intersection to Point B</u>
40 MPH	325 Feet
35 MPH	250 Feet
30 MPH	200 Feet
25 MPH	150 Feet

Modification. When the residential driveway is located on a residential street with a sharp curve adjacent to the driveway, the distance to Point B may be reduced from 150 feet to 100 feet. For residential driveways with major obstacles or special view problems, the setback distance on the driveway (Point A) may be reduced from ten feet to eight feet, subject to approval by the Traffic Engineer.

6. Sight-line Setback - Other. For intersections not clearly included in the above types and for which view problems may exist, the Traffic Engineer will establish setback lines as required.
- C. Sight Obstruction Height Limits. Sight obstruction, as defined in Section 14.60.240(D), shall not be permitted above a line two and one-half feet above the street surface within the sight areas established in Section 14.60.240(B). However, sight obstructions above a line seven and one-half feet above the street surface are permitted. For residential driveways, this upper height requirement is reduced from seven and one-half feet to six feet.
- D. Sight Obstruction Defined.
 1. For minor street/through street intersections, as defined in Sections 14.60.240(B)(1), (B)(4) and (B)(5), the following obstructions within the established sight areas shall be permitted:
 - a. One obstruction within each sight area which presents a maximum of two and one-half feet width when viewed from the applicable angle, which has at least two feet clear view inside the obstruction (on the side away from the intersection). At distances greater than 40 feet from the view point, the obstruction may present a maximum of four feet width.

- A. The minimum sight distance for pedestrian safety shall be determined as follows: the driver of an exiting vehicle shall be able to view a one-foot-high object 15 feet away from either edge of the driveway throat when the driver's eye is 14 feet behind the back of the sidewalk.
- B. The minimum sight distance defined in Section 14.60.241(A) shall be maintained at all driveways, buildings, and garage entrances where structures, wing walls, etc. are located adjacent to or in close proximity to a pedestrian walkway.
- C. Sight lines to traffic control devices such as signs, signals, etc. shall not be obscured by landscaping, street furniture, marquees, awnings, or other such obstructions.

14.60.250 Pavement Restoration for Trenching in Right-of-Way

- A. To ensure that public street pavement is not degraded by trenching, excavation, and pavement restoration activities, the Trench Backfill and Restoration section of the Transportation Technical Manual shall be adhered to when trenching within the paved portion of the City right-of-way.
- B. Modifications or exceptions to Section 14.60.250(A) may be approved by the Director upon written request by the permittee and demonstration of a satisfactory alternative.
- C. A five-year moratorium on pavement trenching is effective upon completion of new street construction and upon pavement overlay of an existing street.
- D. Modifications or exceptions to Section 14.60.250(C) may be approved by the Director under compelling circumstances and emergencies, such as utility failures, main breaks, etc.

Section 2. Section 2 (part) of Ordinance No. 4560 and Section 3.39.030 of the Bellevue City Code are repealed.

Section 3. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

PASSED by the City Council this 27th day of November, 1995, and signed in authentication of its passage this 27th day of November, 1995.

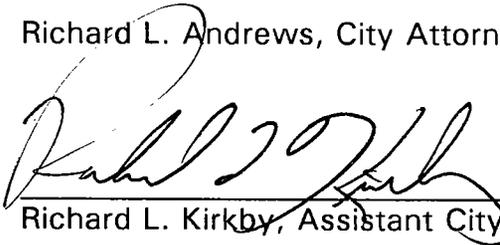
(SEAL)



Donald S. Davidson, DDS, Mayor

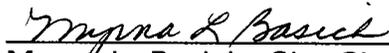
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

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