


Approval

May 23, 2001
Effective Date

Title: Traffic Standards Code Director's Rules

Date Issued:

Sponsor's Name: Goran Sparrman, Director
Transportation Department

Sponsor's Department: Transportation Department

Purpose/Short Description: To provide guidelines for evaluating the traffic impacts of proposed developments as required by the Traffic Standards Code.

I. BACKGROUND

A concurrency analysis is one of the three major elements which may be required in a Bellevue traffic impact analysis for a development proposal: operational (short term), concurrency (six-year), and horizon (12-year). Compliance with the concurrency requirements of the Growth Management Act is determined through a Traffic Standards Code (concurrency) analysis (BCC 14.10.005).

The Traffic Standards Code (BCC Chapter 14.10) was added to Title 14 of the Bellevue City Code by Ordinance No. 4017 on June 10, 1989. The first Traffic Standards Code ("TSC") Administrative Order was signed on November 28, 1989, and provided guidelines for application of the Code.

The City has revised the TSC substantially since 1989, providing for City compliance with the concurrency requirements of the Growth Management Act. A revision to the TSC in 1993 established the concept of Mobility Management Areas ("MMAs") and area-wide level of service standards tailored to community objectives. In 1998, The City Council approved amendments to the TSC relating to the level of service computational method. The Superior Court has ruled that those changes were not effective for purposes of analysis of intersections within the East Bellevue Community Municipal Corporation and the Sammamish Community Municipal Corporation. The City has appealed those decisions.

This administrative order supplants the 1989 order and explains how to implement the current TSC as provided in BCC 14.10.020.H. It accepts the Superior Court decisions as correct at this time. If the appellate courts reverse those decisions, this order will be revised accordingly.

II. THE TRAFFIC STANDARDS CODE ANALYSIS

A. Application

The TSC applies to applications filed under Land Use Code Processes I, II, and III, and to applications filed under BCC Chapter 23.10, if the proposal or use will generate 30 or more net new p.m. peak period average trips. Process I includes applications such as conditional use permits, preliminary subdivision approvals, and planned unit development approvals. Process II includes applications such as design review and administrative conditional use permits. Outside the Community Council areas, Process III comprises rezone applications and master development plans for institutional uses. The TSC does not apply to Process III applications within the Community Council areas. At this time, staff is working on addressing this inconsistency through City Council and Community Council actions. BCC Chapter 23.10 includes all building permits except those exempted under BCC 23.10.031. The TSC also applies to applications for tenant improvement permits where State Environmental Policy Act ("SEPA") review is required and 30 or more net new p.m. peak period average trips will be generated.

The TSC applies to phased developments as noted at BCC 14.10.020.B. The result of the concurrency analysis for the entire phased development will remain in effect for all buildings within a phased development so long as building applications and permits remain active. If any Certificate of Occupancy (temporary or final) is issued for a building within a phased development when there is no building application or permit in process for a subsequent building within the phased development, the concurrency reservation for the remaining buildings will lapse. (See Section II.G, Reservation of Concurrency Determination.) Further, as noted at BCC 14.10.020.C, multiple applications which have been submitted for a single project limit (as defined in BCC 20.50.040) within a three year period will be considered a single project for purposes of concurrency analysis.

B. Traffic Model Platform

In a TSC analysis, traffic generated by a proposed development is added to a computer-generated traffic model platform. This model platform consists of defined (by year) background traffic volumes on a defined street network. City staff will update components of the TSC model platform annually. At the discretion of City staff, errors that may be discovered in the model platform may be corrected at any time.

Background traffic includes regional traffic, anticipated traffic from development proposals which have been approved under BCC Chapter 23.10, and anticipated traffic from approved Process I and II applications (see BCC 14.10.010.D). As noted above, the traffic from such approved applications is added to the model platform at the next model platform update after application approval. If a building permit application is not filed by one year from a Process I or Process II approval date, the traffic from that approval is excluded from background traffic volumes at the next background model platform update as per BCC 14.10.010.D.

The modeled street network consists of (1) existing infrastructure and (2) street and intersection additions and improvements approved in the six-year Capital Investment Program. The network also includes capacity provided by any street improvements under contract as part of approved development proposals. Under the provisions of the Growth Management Act ("GMA"), developers are allowed to rely upon funded improvement projects that will be constructed in the short term (in addition to existing facilities) to demonstrate compliance with the GMA

requirement that adequate street capacity is provided concurrently with development. See RCW 37.70A.070(6)(B).

C. Trip Generation

Trip generation rates for p.m. peak period trips generated by development proposals are as adopted with the Impact Fee Schedule. These Trip Generation Rates are based on the *ITE Trip Generation Manual* and several other studies, and also include a reduction factor for a pass-by rate. If the development proposal type is not similar to one of the adopted Trip Generation Rates, the Director will specify a rate based on ITE (Institute of Transportation Engineers) data, applicant information, and other relevant material.

The City will allow a reasonable reduction to net trip generation for multi-use developments. The applicant may propose internal capture rates based upon the *Trip Generation Handbook – An ITE Proposed Recommended Practice* (Institute of Transportation Engineers, October 1998) or latest revision. The Director shall specify the amount of trip generation reduction due to the above.

The number of net new p.m. peak period trips shall be calculated as the difference in trip generation between the proposed use and the current land use. Trip credit will therefore be given for the current land use as documented by site counts or applicant data. In the case of vacant or underutilized sites, trip credit reflecting 1) counts during actual use at the site as of the most recent model calibration or, if no such data is available, 2) land use as documented by the current Land Use Data Base will be given. The Director will determine the appropriate amount of trip credit.

D. Trip Distribution and Assignment

As part of the concurrency analysis, the City will provide the applicant with a project trip distribution, project turning movements, and background turning movements at affected intersections. Applicants may review distribution assumptions and submit market surveys and other documentation to support modifications of the distribution. The final distribution decision will be made by the Director.

E. Identification of Affected Intersections

A system intersection is a signalized intersection within an MMA that contributes to the system function; system intersections are listed in BCC 14.10.060. An affected intersection within an MMA is a system intersection to which a development proposal is projected to add 20 or more p.m. peak period trips. A system intersection outside the MMAs is an affected intersection if it has 20 or more p.m. peak period trips from a development proposal, and an interlocal agreement gives the City operational authority over it or specifies that the TSC applies to it. A TSC analysis must be performed for every MMA with one or more affected intersections.

F. Compliance with the TSC

A development proposal, consisting of a development project and any mitigation, meets the TSC requirements if it passes two tests: the MMA Area-Average Test and the Congestion Limit Test (BCC 14.10.040.B). The concurrency analysis for the development proposal lists system intersection levels of service with and without the proposal, and compares MMA area-average levels of service with and without the proposal. The City adds the proposal's traffic volumes to

the background traffic volumes and calculates the volume/capacity ("v/c") ratio and level of service for every affected intersection (BCC 14.10.030).

MMA Area-Average Test – The City designates in the Comprehensive Plan an area-average level-of-service standard that reflects area conditions and community objectives for each MMA. The area-average method calculates the average level of service of the affected system intersections in each area, and thus indicates system adequacy in the MMA.

The City uses the without-proposal and with-proposal v/c ratios for the system intersections in an MMA to calculate and compare the development proposal's impact on each MMA area average. The sum of the critical volumes of all the system intersections is divided by the sum of the capacities of all the system intersections. If trips from a development proposal will cause the maximum v/c ratio for an MMA to be exceeded, mitigation is required (BCC 14.10.010.G).

If trips from a development will increase the v/c ratio in any MMA that already exceeds the maximum v/c ratio, mitigation is required to meet the concurrency standards (BCC 14.10.030.B). Note that v/c ratio changes resulting from the addition of fewer than 20 trips are not included in the above calculations, as per the definition of an affected intersection (BCC 14.10.010.A).

Congestion Limit Test – Each MMA's area-average level-of-service standard is also the level-of-service standard for system intersections within the MMA. The congestion allowance is the number of system intersections allowed to exceed the level-of-service standard. If the congestion allowance would be exceeded as a result of impacts from the development proposal, mitigation is required, even if the area-average level of service would not be degraded below the standard. The developer must improve sufficient intersections to reduce the number of congested intersections to the congestion allowance (BCC 14.10.010.G).

If the congestion allowance is already exceeded before the addition of the development proposal trips, the analysis must show if the additional trips would degrade additional intersections, causing the total number of intersections exceeding the congestion allowance to be increased. If so, the developer must mitigate sufficient congested system intersections such that the original (without-project) number of congested intersections is not exceeded (BCC 14.10.030.B).

Calculation Methods for Volume/Capacity Ratio – For development proposals located outside a Community Council area, the City uses background trip volumes from an average of two evening peak hours (4:00 p.m. to 6:00 p.m.) and the *Highway Capacity Manual Special Report 209* calculation method to determine v/c ratios for system intersections located outside the Community Council areas (BCC 14.10.010.M, .010.N, .010.S). Ratios for system intersections located partly or fully within a Community Council area are calculated using the *Transportation Research Circular No. 212* calculation method and one-hour background volumes (Ord. No. 4606, Section 2). The MMA Area-Average Test and the Congestion Limit Test are then applied.

For development proposals located within a Community Council area, the *Transportation Research Circular No. 212* v/c calculation method and one-hour background volumes are used for all system intersections citywide. The MMA Area-Average and Congestion Limit Tests are then applied.

Note that intersections which are only partly within a Community Council area are currently being included within the Community Council area calculations to simplify the testing method

applicable in these areas of the City. As measurement techniques are refined, the inclusion of an entire intersection that is located only partly within a Community Council area may not be necessary.

Compliance Determination - The Director will make a determination that the development proposal has complied with the requirements of the TSC if analysis shows that the proposal does not cause degradation as defined in BCC 14.10.010. The development proposal will not be approved under the TSC if analysis shows that it causes degradation. The Certificate of Concurrency, detailing the size and type of the development proposal, will be issued together with the approval of the underlying land use decision or with the SEPA determination on a building permit without associated land use discretionary review. The City will publish the determination per the requirements of BCC 14.10.040, and provide a written declaration of the decision to the developer.

G. Reservation of Concurrency Determination

Preliminary Concurrency Analysis - A developer may request a preliminary concurrency analysis for informational purposes through a Transportation Services application prior to submitting a project application. This analysis will be performed by the City if work load permits. However, the results of a preliminary concurrency analysis prepared for a Transportation Services application cannot be used as the basis for issuing a concurrency determination until a complete application is submitted under Process I, II or III, BCC Chapters 20.35 or 23.10. If the City updates the model platform prior to submittal of a complete application, then the preliminary concurrency analysis must be redone with the updated model platform.

Process I, II or III Application (other than Subdivisions and Rezones) - The completeness date (the date the application is deemed complete to begin review as defined by BCC 20.35.030C for a Process I, II or III application) determines which model platform will be used for the associated concurrency analysis. Typically, the completeness date is 28 days after application submittal. A concurrency analysis will not be run until after the completeness date.

When a concurrency analysis is completed, the results will remain in effect until the issuance of the land use decision, provided that the TSC traffic model platform has not been updated in the interim. If the TSC traffic model platform is updated between the completion of a concurrency analysis and the issuance of the land use decision (and concurrency determination) for that application, then the analysis must be rerun on the new platform and the concurrency status must be reassessed. A concurrency determination will be issued on the date of issuance of the land use decision. Projects that comply with the TSC will receive a Certificate of Concurrency.

The Certificate of Concurrency for a Process I, II or III application will be reserved to the project at the land use decision date, or at the time of a complete building permit application, whichever is earlier. The concurrency reservation expires one year from the associated land use decision date unless a building permit application is filed (BCC 14.10.010.D).

At time of complete building permit application, the Certificate of Concurrency reserved for a Process I, II or III application will remain in effect for the life of the building permit application, pursuant to BCC 23.05.160.F. At issuance of building permit, the Certificate of Concurrency will be extended and remain in effect for one additional year (with the possibility of up to two one-year extensions) as provided for in BCC 23.05.160.E.

Subdivisions

Preliminary subdivisions are Process I applications, but the process and timeline noted in the section above for Certificate of Concurrency reservation and expiration do not apply. The completeness date (the date the application is deemed complete to begin review as defined by BCC 20.35.030.C) determines which model platform will be used for the associated concurrency determination. Typically, the completeness date is 28 days after application submittal. A concurrency analysis will not be run until after the completeness date.

When a concurrency analysis is completed, the results will remain in effect for the life of the subdivision application (applications may be canceled for inactivity pursuant to BCC 20.40.510). A concurrency determination will be issued on the date of issuance of the preliminary subdivision decision. Preliminary subdivisions that comply with the TSC will receive a Certificate of Concurrency.

The Certificate of Concurrency will be reserved to the preliminary subdivision and will remain in effect for five years (with the possibility of up to three additional years for phased development) as provided for in BCC 20.45A.140 and 150. If a final subdivision application is not filed within five years, or within the additional time provided for a submittal of a final subdivision on a phased development, the preliminary subdivision concurrency reservation will expire. At final subdivision approval, the Certificate of Concurrency will be reserved to the subdivision.

When a preliminary subdivision application is combined with a planned unit development application, application for a building permit must be made within one year of the planned unit development approval and the issuance of the Certificate of Concurrency or the reservation will expire.

Rezones

A rezone application is a Process III under the Bellevue Land Use Code. However, as with subdivisions, the process and timeline noted above for Certificate of Concurrency reservation and expiration do not apply. A proposed rezone must comply with the concurrency requirements of the TSC, and the concurrency determination will be noted in the rezone ordinance. No Certificate of Concurrency will be issued, and no concurrency reservation will be made. If the City updates the model prior to City Council adoption of the rezone ordinance, then the concurrency analysis must be redone with the updated model platform. Subsequent building permit and Process I, II and III applications for the site, if subject to the TSC, must undergo concurrency analysis and comply with TSC requirements.

Building Permit Application (BCC Chapter 23.10) Without Associated Discretionary Review -
The completeness date (the date the application is deemed complete to begin review as defined by BCC 20.35.030.C for a Building Permit application requiring SEPA review) determines which model platform will be used for the associated concurrency determination. Typically, the completeness date is 28 days after application submittal. A concurrency analysis will not be run until after the completeness date.

When a concurrency analysis is completed, the results will remain in effect for the life of the building permit application, pursuant to BCC 23.05.160.F. A concurrency determination will be issued on the date of issuance of the SEPA determination for the underlying building permit application. Projects that comply with the TSC will receive a Certificate of Concurrency.

The Certificate of Concurrency will be reserved to the project for the active life of the building permit. The active life of the building permit is one year (with the possibility of up to two one-year extensions) as provided for in BCC 23.05.160.E.

H. Significant Change in Project Size or Nature

If, during the course of review, a proposed development project changes in size or type such that the trip generation figure increases by one or more p.m. peak period trips, the concurrency analysis must be rerun. Process I, II or III applications (excluding subdivisions) will be rerun using the same model platform as the original analysis, provided the TSC traffic model platform has not been updated since the original analysis. If the model platform has been updated between the completion of a concurrency analysis and the determination that anticipated p.m. peak period trips have increased, then the TSC analysis must be rerun on the new platform and the concurrency status must be reassessed. Preliminary subdivision applications and building permit applications with increased p.m. peak period trips will be reanalyzed using the same model platform as was used in the original TSC analysis for that application.

III. APPEAL PROCESS

The TSC specifies that appeals of the Director's determination as to compliance with the requirements of the TSC may be made to the Hearing Examiner pursuant to Process II appeal procedures (see BCC 20.35.250). The project applicant or any person who submitted written comments prior to the date the decision was issued may appeal the decision. If the Director's decision is appealed, a hearing before the City Hearing Examiner will be held. The Hearing Examiner's decision may be appealed to Superior Court as set forth in BCC 20.35.070.