



DATE: October 6, 2016
TO: Chair Zahn and Members of the Transportation Commission
FROM: Michael Ingram, Senior Transportation Planner
SUBJECT: Review of City requirements for Transportation Management Programs at large real estate developments

DIRECTION REQUESTED

Action

Discussion

X Information

This memo summarizes the current status of the initiative to review City requirements for Transportation Management Programs (TMPs) at large real estate developments. At the last meeting, on September 8, the Commission endorsed six areas of change to current requirements. On September 26, City staff, Chair Zahn and Commissioner Wu briefed the City Council on the TMP review initiative and the recommended changes. Council members expressed support for the work to date and for the six areas of revision recommended by the Commission. The **Information** section below describes the proposed way forward for this review process. It is anticipated the TMP topic will be a Study Session topic at the November meeting of the Commission and at the meetings in January – April next year.

BACKGROUND

Bellevue City Code section 14.60.070 requires new buildings meeting certain thresholds for size and category of use to develop and implement automobile trip reduction programs directed to tenant employees or residents, in order to reduce transportation impacts related to development. Required elements of these Transportation Management Programs (TMPs) vary according to building size and use but often include features such as distributing transit and ride-sharing information, designating a transportation coordinator, providing preferential parking for carpools, providing financial incentives for commuters and setting up a "guaranteed ride home" program. An additional overlay of requirements applies to office buildings in downtown (BCC 14.60.080) which includes a performance standard (35% reduction in drive-alone commuting to a building over a 10-year period) and additional programmatic elements. There is also provision in the Medical Institution District section of the Land Use Code (BCC 20.25J.050) for a TMP to be required at development in this area; the TMP may be per the

requirements of BCC 14.60.070 or based on a performance standard and program features established as needed to attain the designated performance standard.

In March, staff and the Commission initiated a process to review current requirements. Elements of the review included consideration of the origin of TMPs in Bellevue, examination of current City code requirements for TMPs and the extent that buildings currently affected by these agreements are in compliance with their requirements. Also reviewed was effectiveness of TMP buildings in reducing rates of drive alone commuting, comparison of TMP requirements with Commute Trip Reduction (CTR) requirements that apply to large employers as well as review of TMP requirements at other local jurisdictions. Details of these analyses are posted on the TMP page of the City website (<http://www.bellevuewa.gov/trip-reduction-large-buildings.htm>).

The review of TMP requirements also involved two initiatives to solicit input from stakeholders and affected parties. The first initiative was an online survey of persons directly involved with TMP requirements or TMP implementation activities in Bellevue (in late April/early May). The second initiative was an online open house (for five weeks in July/August). Reports of feedback from these outreach efforts are posted on the [City's TMP webpage](#).

At the meeting on September 8, the Commission endorsed six general changes to current requirements. The six recommended changes are:

- 1) Fix elements that are dated and/or not working.
- 2) Revise performance goal (which applies to Office buildings in Downtown), so that is realistic and equitable. Specify performance goal as a *target rate for drive-alone commuting* (rather than as a reduction from an initial baseline measurement).
- 3) Extend performance goal to Office uses citywide
- 4) Add flexibility to implementation measures, while maintaining minimum requirements.
- 5) Develop and maintain a *TMP Implementation Guidelines* document.
- 6) Increase building size thresholds for minimum TMP requirements of posting and distributing information.

Attachment 1 describes the recommended changes in more detail.

INFORMATION

On September 26, City staff, Chair Zahn and Commissioner Wu briefed the City Council on the TMP review initiative and the recommended changes. Council members expressed support for the work to date and for the six areas of revision recommended by the Commission.

Relating to Recommendation 2, Council Members agreed that expectations for performance targets should be set at a level that creates consistent expectations between buildings (compared to the current framework, in which the target is a function of the initial baseline drive-alone rate at a building and thus can vary significantly from building to building). It was

also noted that the expectations will need to vary by location; buildings in downtown can achieve lower rates of drive-alone commuting than could be expected of buildings in other areas, with lower levels of transit service (relates to Recommendation 3).

Relating to Recommendation 4, it was noted (by Council Member Wallace) that our current code does allow for building owners to propose an alternative program (i.e., different from the specific requirements indicated in current code sections BCC 14.60.070.E & F). This is indeed true (per BCC 14.60.070.H); however, staff are not aware of any property owner using this provision to submit a proposal for an alternative program since adoption of the current code in 1995. One function of the proposed TMP Implementation Guidelines (Recommendation 5) would be to give structure and clarity to the process of developing a TMP implementation program best tailored to a particular building.

In view of the direction indicated by the Council, staff will work with the Commission to refine elements and details of the six recommendations, identify corresponding revisions to City code language and develop the supporting TMP Implementation Guidelines document. The Commission calendar can accommodate the TMP topic at the meeting in November and in meetings next year, starting in January. The anticipated process is to first discuss a proposed change with the Commission, then transmit the corresponding code revisions to the Commission at the following meeting (typically, one month later). Scoping of the work involved suggests that five meetings may be necessary, including a public hearing on the proposed code revisions at the end of the process (target for this is April). Attachment 1 provides detail on how this process may be pursued for each of the six recommended revisions. If the anticipated timeline for this process holds, the proposed revision may be ready for consideration by the City Council in May.

NEXT STEPS

The TMP Code Review is scheduled as a Study Session item for the Commission meeting on November 10. Anticipated topics for the meeting are,

- Review the enforcement provisions in the Bellevue CTR program code ([BCC 14.40.110](#)), which offers a model for how TMP enforcement could be addressed (relates to Recommendation 1)
- Review the [Bellevue CTR Implementation Guidelines](#) and, potentially, the Seattle Director's rule for TMPs ([SDOT DR 09-2015](#)); these are essentially parallel to the function of the proposed Bellevue TMP Implementation Guidelines (relates to Recommendation 5)
- Discuss, review a draft outline for the Bellevue TMP Implementation Guidelines.

If you have questions or wish to discuss this process prior to the meeting on November 10, please contact me at 425-452-4166 or mingram@bellevuewa.gov.

ATTACHMENT

1. Recommendations for revisions to TMP requirements with proposed next steps

Attachment 1: Recommendation for Revisions to TMP Requirements and Proposed Next Steps

October 6, 2016

New buildings in certain use categories and exceeding certain size thresholds are subject to City requirements to develop and implement a Transportation Management Program (TMP). The purpose of the TMP requirement is to mitigate the ongoing impact of a building on the transportation system by reducing daily commute trips. Current City code requirements for TMPs were adopted in 1995 and are specified in BCC 14.60.070 (which applies to development citywide) and 14.60.080 (which applies to office buildings in Downtown); specific requirements vary by building use and size. Following various analyses and public engagements in spring and summer 2016, City staff and the Transportation Commission identified the following six recommended changes to current City code requirements for TMPs. The City Council reviewed these recommendations (on September 26, 2016) and directed staff and the Commission to continue work to further refine elements and details of the recommendations.

	Current code requirement	Recommended revision	Discussion	Proposed Next Steps
1	<p>Current code includes a few elements that are dated and/or not working. Elements identified to date are:</p> <ul style="list-style-type: none"> • Requirement to post information at individual tenant spaces in Downtown Bellevue office buildings. • Enforcement provisions. <p>(*See also item 2 below regarding performance goal.)</p>	<p>Fix elements that are dated and/or not working:</p> <ul style="list-style-type: none"> • Remove requirement for posting information regarding transit and ridesharing in individual tenant spaces • Enhance/revise enforcement provisions, using the Commute Trip Reduction code requirements (which were updated in 2008) as a model. 	<p>Current code requires posting transit and ridesharing information in workspaces of individual tenants with 50 or more employees at affected Office buildings in Downtown. (This is in addition to required posting of information in building lobbies/common areas). This provision is difficult to monitor and, arguably, is less important than in years past, given access to relevant information on the internet.</p> <p>Enforcement provisions are lacking for parts of the current code (BCC 14.60.070) and difficult to utilize for others (BCC 14.60.080, which specifies Downtown Office buildings that consistently fail to meet their performance goal post an assurance bond, at a level that meets the financial incentives included in the remedial action plan developed by the building to address the shortfall in performance). Staff are not aware of the current enforcement provision for</p>	<p>1. Fix elements that are dated or not working.</p> <p><i>November:</i> Review the CTR enforcement provisions, discuss how these could be applied to the TMP context.</p> <p><i>January:</i> ID revisions to City code language,</p> <ul style="list-style-type: none"> ▪ to remove requirement for posting information in tenant spaces ▪ to reflect the recommended change to enforcement provisions.

	Current code requirement	Recommended revision	Discussion	Proposed Next Steps
			<p>14.60.080 ever being used; it does not provide a viable approach to engaging building managers and securing their cooperation in developing a more effective building trip reduction program. Furthermore, it holds them accountable for outcomes over which they have only limited influence.</p> <p>The proposed revised approach, following the CTR program model (BCC 14.40.110) holds affected employers responsible for making a “good faith effort” to develop effective CTR programs at their worksites; failure to meet a performance goal is not a violation per se. Employers who are in violation of program requirements are subject to a penalty of up to \$250 per day. Staff have found that making reference to this potential penalty has proven effective at gaining cooperation at several worksites where CTR engagement was lacking.</p>	
2	Current code sets a performance requirement for Office buildings in Downtown of a 35% reduction in drive-alone commuting over 10 years following an initial measurement.	<p>Revise performance goal so that is realistic and equitable.</p> <p>Specify performance goal as a <i>target rate for drive-alone commuting</i> (rather than as a reduction from an initial baseline measurement).</p>	<p>Two key problems have been identified with the current code requirement for trip reduction:</p> <ul style="list-style-type: none"> • The expected 35% reduction is unrealistic, actual reductions over 10 years average 20% • Buildings that start with a low baseline measurement have a difficult challenge in making further reduction, yet code requires they do so, even if their current performance is exemplary. 	<p>2. Revise Performance Goal. <u>January, February:</u> Discuss, refine potential approaches to determining drive-alone targets <u>March:</u> ID revisions to City code language relating to targets.</p>

	Current code requirement	Recommended revision	Discussion	Proposed Next Steps
			Setting performance goal as a specific target rate for drive-alone commuting allows for more consistent expectations from building to building and aligns with the approach used in other local jurisdictions that have TMP requirements.	
3	Current code requires a performance goal (for trip reduction) only at Office buildings in Downtown. Office buildings elsewhere in the city and other building types citywide have only a requirement to implement certain measures to encourage trip reduction.	Extend performance goal to Office uses citywide.	<p>Extending the performance goal requirement to (new) Office buildings citywide makes the TMP requirements more equitable. It also recognizes that transportation impacts and challenges exist in both the Downtown and outside Downtown settings.</p> <p>Office uses are the predominant employment citywide and generally have employees commuting during peak periods.</p>	<p>3. Extend performance goal to office uses citywide. To be addressed in conjunction with Recommendation #2, above.</p>

<p>4</p>	<p>Current code is prescriptive. It specifies particular measures that building owners/managers are required to implement. The specific measures vary by building use and size; requirements may include:</p> <ul style="list-style-type: none"> • Posting and distributing information about transit and ridesharing • Designating a building transportation coordinator • Providing preferential parking for carpools and vanpools • Providing a \$15 financial incentive to car/vanpool riders, transit users • Providing a guaranteed ride home. <p>Additional requirements apply to Office buildings in Downtown:</p> <ul style="list-style-type: none"> • Posting information about transit and ridesharing in tenant spaces • Parking stall cost as a line item in building leases • Tenant participation in building commute surveys. 	<p>Add flexibility to implementation measures, while maintaining minimum requirements.</p> <p>A more flexible approach could include the following:</p> <ol style="list-style-type: none"> a. Set minimum baseline measures (e.g., post & distribute transit and ridesharing information, designate a building transportation coordinator). b. Require additional measures at buildings meeting certain use categories and size thresholds. c. The additional measures may be selected from a City “<i>TMP Implementation Guidelines</i>” document. d. Office buildings meeting their drive-alone rate targets are relieved of the requirement to implement the additional measures. 	<p>By allowing flexibility, building managers can select the most appropriate measures, considering such factors as tenant characteristics and proximity to transit.</p> <p>Common themes throughout the TMP review process have been to accommodate future changes in technology and transportation. Allowing more flexibility in implementation measures and administrative revision of City guidance* will facilitate adaptation to changes in the broader environment.</p> <p>Maintaining certain minimum requirements (e.g., posting information, designating a Building Transportation Coordinator) will set a common baseline across buildings and facilitate monitoring.</p> <p>(*See <i>TMP Implementation Guidelines</i> description below.)</p>	<p>4. Add flexibility to implementation measures.</p> <p><i>February or March:</i> ID revisions to code language to support shift in framework from detailed implementation measures to TMP Implementation Guidelines (see #5 below).</p>
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	Current code requirement	Recommended revision	Discussion	Proposed Next Steps
5	Current TMP requirements (including required implementation activities) are detailed in code, can only be adjusted via a code amendment process.	Develop and maintain a <i>TMP Implementation Guidelines</i> document detailing TMP implementation strategies, monitoring practices and other relevant information. The <i>TMP Implementation Guidelines</i> could be revised administratively, providing more flexibility to adapt as conditions evolve.	<p>The City currently has three transportation documents that provide additional guidance, in support of requirements specified in City code. These are,</p> <ul style="list-style-type: none"> • Commuter Trip Reduction Implementation Guidelines • Impact Fee Manual • Transportation Design Manual <p>(The City of Seattle uses a similar model for TMPs: A “Director’s Rule” provides guidance on how to develop TMP agreements and implement requirements that are identified in City code.)</p>	<p>5. Develop and Maintain a TMP Implementation Guidelines document.</p> <p><i>November:</i></p> <p>A. Review potential models for the TMP Implementation Guidelines, including:</p> <ul style="list-style-type: none"> ▪ Bellevue CTR Implementation Guidelines, ▪ Seattle Directors Rule 09-2015 (for TMPs) <p>B. Review draft outline of a Bellevue TMP Implementation Guidelines document</p> <p><i>January, February, March:</i> Review draft content items relating to implementation measures.</p> <p><i>January or February:</i> ID necessary references in code sections to support TMP Implementation Guidelines.</p>
6	Current thresholds for TMP requirements are as low as 30,000 gross square feet for Office uses and Medical Clinics. At these levels, the only requirement in the current code is posting of information regarding ridesharing and transit and annual distribution of information to tenants (as well as to new tenants and new employees).	<p>Increase building size thresholds at which TMP requirements apply.</p> <p>Other uses (Manufacturing, Retail, Residential) also have thresholds where the only requirement is posting and distributing information. These too should be increased.</p>	<p>Eliminating the TMP conditions for smaller buildings, where the only requirement is post and distribute information, would not only reduce the number of TMP agreements that must be established and monitored, but also would recognize that options for access to information have evolved since the current code was adopted (in 1995). Specifically,</p> <ul style="list-style-type: none"> • Information about travel options is more readily available, via the internet (including by smartphone) • The City now has a robust travel options program, Choose Your Way Bellevue, 	<p>6. Increase building size thresholds for minimum TMP requirements.</p> <p><i>February or March:</i> Review current and proposed thresholds.</p>

	Current code requirement	Recommended revision	Discussion	Proposed Next Steps
			directed to individuals (as well as employers and property managers)	