

November 29, 2018

## MEMORANDUM

**To:** Planning, Land Use and Zoning Committee  
**From:** Eric McConaghy, Legislative Analyst  
**Subject:** Transportation Level of Service Ordinance: Council Bill (CB) 119398

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On December 5, The Planning, Land Use and Zoning Committee (Committee) is scheduled to receive a briefing, hold a public hearing, and possibly vote on [CB 119398](#), the Mayor's proposed amendments to Seattle Municipal Code (SMC) Chapter 23.52 pertaining to transportation level of service standards (LOS) and requirements for addressing project-level transportation impacts.

This memorandum (1) provides background on Comprehensive Plan policy changes establishing a new LOS standard and (2) discusses two aspects of the implementing regulations.

### Background

The Council and Mayor approved the policy approach to reduce single-occupancy vehicle (SOV) trips in 2016 as part of the adoption of Seattle 2035, the most recent major update to the Comprehensive Plan.

The Washington State Growth Management Act (GMA) (RCW 36.70A.070) requires that Seattle's Comprehensive Plan include "(l)level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system..." The Washington Administrative Code provides the definition for level of service as "an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards."

Previous to the major update to Seattle 2035, the Comprehensive Plan defined Seattle's LOS for arterials and transit as "the ratio of measured traffic volumes to calculated roadway capacity (on) one or more arterials..."

With the major update to Seattle 2035, Seattle changed the LOS standard from measuring LOS as a ratio of traffic volume to arterial capacity to a target for the percentage of trips made by single-occupancy vehicles (SOVs) for each of eight sectors that, together, encompass all of Seattle. The eight sectors and targets are shown in the map below, Figure A-11 from the Transportation Appendix of the current Comprehensive Plan (Seattle 2035).

Transportation Appendix Figure A-11  
 2035 SOV Mode Share Targets by Geographic Sector



Source: Fehr & Peers, 2016

The LOS measurement change corresponded with the shift in policy emphasis in Seattle 2035 on reducing the percentage of all trips that are made using SOVs along with increasing the use of other modes of travel.

The GMA requires that development regulations of cities, like Seattle, “are consistent with and implement the comprehensive plan” (RCW 36.70A.040). CB 119398 contains the Mayor’s amendments to Seattle’s regulations that correspond with and implement the transportation LOS policies in the current Comprehensive Plan.

#### First Aspect of CB 119398: LOS Regulations

The first aspect of the proposed legislation would implement the City’s Comprehensive Plan to reduce the proportion of single-occupancy vehicle trips (SOV). The proposed legislation would:

- Establish thresholds to identify which projects are required to take mitigation measures to reduce the number of SOV trips as a condition of development approval and
- Exempt development proposals located in an urban center, a hub urban village, or within one-half mile’s walking distance of a light rail station from mitigation requirements by virtue of their location.

Unless satisfied by location, the requirement to reduce SOV trips associated with development proposals would apply to projects likely to produce more than 30 trips in the afternoon peak hour of travel:

- Residential uses with more than 30 dwelling units or sleeping rooms;
- Non-residential uses greater than 4,000 square feet of gross floor area and
- Non-residential uses in industrial zones (General Industrial 1 (IG1) or General Industrial 2 (IG2)) that have more than 30,000 square feet of gross floor area used for agricultural purposes, high impact uses, manufacturing, storage, transportation facilities, or utility uses.

The proposed exemption of development projects located within Urban Centers, Hub Urban Villages, and light rail station areas from the requirement to contribute toward achieving the SOV trip reduction is based on research and analysis for the Comprehensive Plan Environmental Impact Statement.

The results show that development projects located in proximity to frequent transit service, employment opportunities, shops and services produce fewer SOV trips. In addition, data from the Puget Sound Regional Council travel survey<sup>1</sup> indicate similar mode shift benefits in key locations within Seattle, in particular urban centers, which have a mix of uses and robust levels of transit service.

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<sup>1</sup> <https://www.psrc.org/household-travel-survey-program>, last accessed 11/29/18

Outside of these areas, new development would be required to take actions to reduce SOV trips, such as:

- Subsidizing transit passes;
- Providing nearby sidewalk and curb cut improvements;
- Limiting the amount of parking provided in new buildings or
- Including a mix of uses in their development

The proposal relies upon a Joint Directors' Rule adopted by the Directors of the Department of Construction and Inspections and the Department of Transportation to interpret and implement the proposed, new regulations. A preliminary draft of the joint rule that lists mitigation measures that developers would be required to choose from is attached. The Executive has not yet published a draft version of the Rule for public comment.

#### Second Aspect of CB 119398: Transportation Impact Study requirements

The second aspect of the proposed legislation would specify numerical thresholds for developments required to provide a transportation impact study. The proposed regulations would identify the types of impact to be addressed and allow a range of measures to address those impacts.

#### Map Amendment

I recommend amending CB 119398 by replacing Map A for 23.52.004 in the introduced bill with the corrected version of the map as shown on Attachment B, to correct inadvertent errors in map labels.

#### Attachment

Attachment A: Draft Joint Director's Rule on Level of Service Standards for Transportation Facilities

Attachment B: Amendment to CB 119398 Correcting Labels on Map A for 23.52.004

cc: Kirstan Arestad, Central Staff Director  
Ketil Freeman, Supervising Analyst

## **Joint Director's Rule of Seattle Department of Construction and Inspections & Seattle Department of Transportation**

### **Background**

The state Growth Management Act requires new development projects to meet the City's level of service ("LOS") standards for transportation facilities.

In 2016, the City amended its Comprehensive Plan to establish a new approach to LOS standards and in 2018 the City amended the City's transportation concurrency ordinance (Seattle Municipal Code 23.52) to reflect that new approach. The new LOS standard is based on achieving a reduction in the proportion of vehicle trips that are made by single-occupant vehicles (SOVs).

### **Rule**

This Rule applies to development projects that are subject to Subchapter I of SMC 23.52. An applicant for a permit is required to choose and implement one of the options listed in Table 1 of this Rule to show compliance with SMC 23.52. Meeting other development standards does not have the effect of meeting the LOS development standard.

The City has evaluated expected future growth and its transportation impacts, and based on that evaluation, has determined that projects located in Urban Centers, Hub Urban Villages, and within ½ mile walking distance of light rail stations generally produce fewer SOV trips than projects located outside those areas. As such, proposed development projects in those locations meet the City's LOS standards and do not need to choose options listed in this Rule.

As part of a Type I or Type II Master Use Permit application, the applicant must choose any of the mitigation options below or propose their own alternative as described below. The applicant must demonstrate full compliance with this rule prior to approval of the Certificate of Occupancy for the project or final inspection, if no Certificate of Occupancy is required.

Table 1. Menu of Mitigation Options

Mode and Option	Description
<b>Pedestrians</b>	
<p>New sidewalk<sup>1,2,3</sup></p>	<p>Construct new sidewalks according to SDOT standards (see <i>Streets Illustrated, the Right-of-Way Improvements Manual</i>). New sidewalks shall be constructed in locations where no sidewalk exists and where there is no pending or issued permit for the construction of sidewalks. Construction of new sidewalk shall include construction of curb and drainage, as well as landscape/furniture zone, and a pedestrian zone<sup>4</sup>. The location and design for the new sidewalk to be constructed must be approved by the SDOT Director. New sidewalks fronting the subject development site or constructed in fulfillment with other development requirements may not be credited towards the fulfillment of this Rule.</p> <p>Requirements for the length of new sidewalk to be constructed are as follows:</p> <ul style="list-style-type: none"> <li>(a) A minimum of 150 linear feet of sidewalk, and</li> <li>(b) An additional one linear foot of sidewalk for every residential unit in excess of 30 units, and</li> <li>(c) An additional one linear foot of sidewalk for every 125 square feet of non-residential use in excess of 4,000 square feet of gross floor area, and</li> </ul> <p>For proposed development located in IG1 or IG2 zones and having more than 30,000 square feet of gross floor area in uses categorized as agricultural, high impact, manufacturing, storage, transportation</p>

<sup>1</sup> The SDOT Director shall approve the proposed location for a sidewalk or curb ramp improvement to ensure the improvement is available and eligible to be used for compliance with LOS.

<sup>2</sup> Prior to accepting a complete building permit application, the applicant must have a Street Improvement Plan (SIP) with 60 percent design approval from SDOT. The applicant must either construct the improvements or post a bond to complete the improvements prior to issuance of a Certificate of Occupancy for the project, or prior to final inspection if no certificate of occupancy is required.

<sup>3</sup> Details about the range of specific required features will depend on the contents of applicable Street Improvement Plans (SIPs).

<sup>4</sup> The terms “landscape/furniture zone” and “pedestrian zone” are defined in SDOT’s Streets Illustrated at <http://streetsillustrated.seattle.gov/>

	<p>facilities, or utility uses, an additional one linear foot of sidewalk for every 1,000 square feet in excess of 30,000 square feet of gross floor area established in one of the above categories of industrial uses.</p>
<p>New curb ramps<sup>1,2,3</sup></p>	<p>Construct new curb ramps including landings, approaches, associated curb, and tie-in to existing sidewalk, such that the sidewalk within 5’ of each curb cut is compliant with SDOT standards (see <i>Streets Illustrated: the Right-of-Way Improvements Manual</i>). New curb ramps shall be constructed in locations where no curb ramps exist and where there is no pending or issued permit for the construction of curb ramps. The locations and design for the new curb ramps to be constructed must be approved by the SDOT Director. New curb ramps fronting the subject development site or constructed in fulfillment with other development requirements may not be credited towards the fulfillment of this Rule.</p> <p>The number of new curb ramps that must be constructed are as follows:</p> <ul style="list-style-type: none"> <li>(a) A minimum of 12 new curb ramps must be constructed, and</li> <li>(b) An additional curb ramp for every 12 residential units in excess of 30 units, and</li> <li>(c) An additional curb ramp for every 1,600 square feet of non-residential use in excess of 4,000 square feet of gross floor area, and</li> <li>(d) For proposed development located in IG1 or IG2 zones and having more than 30,000 square feet of gross floor area in uses categorized as agricultural, high impact, manufacturing, storage, transportation facilities, or utility uses, an additional curb ramp for every 12,000 square feet in excess of 30,000 square feet of gross floor area established in one of the above categories of industrial uses.</li> </ul>
<p><b>Auto</b></p>	
<p>Reduced parking<sup>5</sup></p>	<p><b>For development in locations where at least one parking space is required (see SMC 23.54.015):</b></p> <ul style="list-style-type: none"> <li>• Provide no more than the minimum number of required parking spaces listed for the proposed use in Table A, B, or C of SMC 23.54.015.</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• In cases where proximity to frequent transit service (FTS) allows for a 50 percent reduction of the minimums stated in Tables A, B, or C of SMC 23.54.015, provide no more than 60 percent of the stated minimum number of parking spaces for the proposed use.</li> </ul>

	<p><b>For development in locations where no parking spaces are required (see SMC 23.54.015):</b> Provide no more than 60 percent of the minimum number of spaces stated for the proposed use in Table A, B, or C in SMC 23.54.015.</p>
<b>Land Use</b>	
Mix of land uses <sup>6</sup>	<p>Applicant provides traffic analysis demonstrating to the satisfaction of the SDCI Director that the mix of uses to be contained in the development project will reduce the expected SOV trips by at least four percent due to internal trip capture. Traffic analysis shall utilize the internal trip capture methodology within the latest version of the <i>ITE Trip Generation Handbook</i> and the latest supplemental guidance from the National Cooperative Highway Research Program.</p>
<b>Transit</b>	
Bus passes <sup>7</sup>	<p><u>For residential use exceeding the thresholds in SMC 23.52.004 (as a single use or more than 50 percent of the uses in a mixed-use development where the 50 percent is applied to gross floor area)</u></p> <p>For residents, building owner participates in King County’s Multifamily Development ORCA Passport program (or equivalent).</p> <p>OR</p> <p><u>For non-residential use exceeding the thresholds in SMC 23.52.004 (per gross floor area)</u></p> <p>For non-residential use employees, building owner participates in King County’s ORCA Passport program (or equivalent).</p>

**Applicant may propose alternative mitigation measures.**

<sup>5</sup> Parking limits are for the life of the project; changes are subject to SDCI approval.

<sup>6</sup> Compliance with mix-of-uses provisions are for the life of the project; changes in use that may substantially reduce internal trip capture are subject to SDCI review and approval. For example, such a change may entail replacing customer-oriented retail, sales, and service uses with non-customer oriented office uses.

<sup>7</sup> Compliance with the bus pass option is for the life of the project. The ORCA Passport program is a subsidized transportation program for employers or building owners. Before SDCI issues a building permit for any development that will provide bus passes, the property owner must provide SDCI a copy of the recorded agreement between the owner and King County to participate in the relevant ORCA program. If the building owner intends to cease participation in the bus pass option contained in this Rule, the building owner must propose a replacement option from the menu in this Directors’ Rule to SDCI for approval within 60 days in advance of cessation of participation in the program.



An applicant may propose other mitigation measures that demonstrably reduce SOV trips for consideration and approval by the Director of SDCI, after consultation with the Director of SDOT. The applicant must provide calculations or other technical analysis to demonstrate that the proposed alternative mitigation measures will be effective in reducing SOV trips by at least four percent.

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1 **Map A for 23.52.004: 2035 SOV Mode Share Targets by Geographic Sector**

