

February 16, 1993
92-890.sub

Introduced by: Bruce Lainig

Proposed No.: 92-890

ORDINANCE NO. **10733**

AN ORDINANCE adopting a plan for commute trip reduction; defining employer program requirements to implement Chapter 70.94 RCW; and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this ordinance:

A. "Affected employee" means a full-time employee who begins his or her regular work day at a single work site between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays.

B. "Affected employer" means a public or private employer that, for twelve (12) consecutive months, employs one hundred (100) or more affected employees at a single work site who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays. The intent is to include any employer that has one hundred (100) or more full-time employees on site between 6:00 a.m. and 9:00 a.m. (inclusive), even if the individual employees vary over time. Construction work sites are excluded from this definition when the expected duration of the construction is less than two years.

C. "Alternative mode" means any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.

D. "Alternative work schedules" mean programs such as compressed work weeks that eliminate work trips for affected employees.

E. "Base year" means the period from January 1, 1992 through December 31, 1992, on which goals for vehicle miles

1 traveled (VMT) per employee and proportion of single-occupant
2 vehicle (SOV) trips are based.

3 F. "Carpool" means a motor vehicle occupied by two (2) to
4 six (6) people traveling together for their commute trip that
5 results in the reduction of at least one (1) motor vehicle
6 commute trip.

7 G. "Commuter trips" mean trips made from a worker's home
8 to a work site for a regularly scheduled work day beginning
9 between 6:00 a.m. and 9:00 a.m. (inclusive) on weekdays.

10 H. "CTR plan" means the county's commute trip reduction
11 plan (as adopted by this ordinance) to regulate and administer
12 the CTR programs of affected employers within its jurisdiction.

13 I. "CTR program" means an employer's strategies to reduce
14 affected employees' SOV use and VMT per employee.

15 J. "CTR zone" means an area, such as a census tract or
16 combination of census tracts, within unincorporated King County
17 characterized by similar employment density, population
18 density, level of transit service, parking availability, access
19 to high occupancy vehicle facilities, and other factors that
20 are determined to affect the level of SOV commuting.

21 K. "Commuter Trip Reduction Task Force Guidelines, July
22 1992" means the guidelines adopted by the State Commuter Trip
23 Reduction Task Force as established by RCW 70.94.537.

24 L. "Compliance" means fully implementing all provisions
25 in an approved CTR program within the deadlines established in
26 this ordinance and meeting or exceeding VMT and SOV goals of
27 this ordinance.

28 M. "Compressed work week" means an alternative work
29 schedule, in accordance with employer policy, that regularly
30 allows a full-time employee to eliminate at least one (1) work
31 day every two (2) weeks by working longer hours during the
32 remaining days, resulting in fewer commute trips by the
33 employee. This definition is primarily intended to include
34 weekly and bi-weekly arrangements, the most typical being four
35 (4) ten-hour working days or eighty (80) hours in nine (9)

1 working days, but may also include other arrangements.
2 Compressed work weeks are understood to be an ongoing
3 arrangement.

4 N. "Director" means the director of the department of
5 public works or his authorized designee.

6 O. "Employee" means anyone who receives financial or
7 other compensation in exchange for work provided to an
8 employer, including owners and partners of the employer.

9 P. "Employer" means a sole proprietorship, partnership,
10 corporation, unincorporated association, cooperative, joint
11 venture, agency, department, district or other individual or
12 entity, whether public, non-profit, or private, that employs
13 workers.

14 Q. "Exemption" means a waiver from CTR program
15 requirements granted to an employer by the county based on
16 unique conditions that apply to the employer or employment
17 site.

18 R. "Flex-time" is an employer policy allowing individual
19 employees some flexibility in choosing the time, but not the
20 number, of their working hours to facilitate the use of
21 alternative modes.

22 S. "Full-time employee" means a person other than an
23 independent contractor, scheduled to be employed on a
24 continuous basis for fifty-two (52) weeks for an average of at
25 least thirty-five (35) hours per week.

26 T. "Implementation" means active pursuit by an employer
27 of the CTR goals of RCW 70.94.521-551 and this ordinance as
28 evidenced by appointment of a transportation coordinator,
29 distribution of information to employees regarding alternatives
30 to SOV commuting, and commencement of other measures according
31 to their CTR program and schedule.

32 U. "Mode" means the means of transportation used by
33 employees, such as single-occupant motor vehicle, rideshare
34 vehicle (carpool, vanpool), transit, ferry, bicycle, and
35 walking.

1 V. "Peak period" means the hours from 6:00 a.m. to 9:00
2 a.m. (inclusive), Monday through Friday, except legal holidays.

3 W. "Peak period trip" means any employee trip that
4 delivers the employee to a work site to begin his or her
5 regular workday between 6:00 a.m. and 9:00 a.m. (inclusive),
6 Monday through Friday, except legal holidays.

7 X. "Proportion of single-occupant vehicle trips" or "SOV
8 rate" means the number of commute trips over a set period made
9 by affected employees in SOV's divided by the number of
10 affected employees working during that period.

11 Y. "Single-occupant vehicle (SOV)" means a motor vehicle
12 occupied by one (1) employee for commute purposes, including a
13 motorcycle.

14 Z. "Single-occupant vehicle (SOV) trips" mean trips made
15 by affected employees in SOV's.

16 AA. "Single work site" means a building or group of
17 buildings occupied by one or more major employers which are on
18 physically contiguous parcels of land or on parcels separated
19 solely by private or public roadways or rights-of-way.

20 BB. "Telecommuting" means the use of telephones,
21 computers, or other similar technology to permit an employee to
22 work from home, eliminating a commute trip, or to work from a
23 work place closer to home, reducing the distance traveled in a
24 commute trip by at least half.

25 CC. "Transit" means a multiple-occupant vehicle operated
26 on a for-hire, shared-ride basis, including bus, ferry, rail,
27 shared-ride taxi, shuttle bus, or vanpool.

28 DD. "Transportation demand management (TDM)" means a
29 program designed to reduce SOV commute travel during the peak
30 commute traffic period between 6:00 a.m. to 9:00 a.m.
31 (inclusive), Monday through Friday.

32 EE. "Transportation management organization (TMO)" means
33 a group of employers or an association representing a group of
34 employers in a defined geographic area. A TMO may represent

1 employers within specific city limits, or may have a sphere of
2 influence that extends beyond city limits.

3 FF. "Vanpool" means a vehicle occupied by seven (7) to
4 fifteen (15) people traveling together for their commute trip
5 that results in the reduction of a minimum of one motor vehicle
6 trip. A vanpool trip counts as zero (0) vehicle trips.

7 GG. "Variable work schedule" means a work schedule that
8 includes rotating shifts whereby the employee is assigned
9 different start times during the year, non-continuous schedules
10 whereby an employee reports to the work site only during
11 specified periods of a continuous twelve (12) month period, or
12 other work schedule arrangements outside of a regularly
13 scheduled continuous work period.

14 HH. "Vehicle miles traveled (VMT) per employee" means
15 the sum of the distance in miles of individual vehicle commute
16 trips made by affected employees over a set period divided by
17 the number of affected employees during that period.

18 II. "Week" means a seven (7) day calendar period,
19 starting on Monday and continuing through Sunday.

20 JJ. "Weekday" means any day of the week except Saturday
21 or Sunday.

22 KK. "Writing," "written," or "in writing" means original
23 signed and dated documents. Facsimile (fax) transmissions are
24 a temporary notice of action that must be followed by the
25 original signed and dated document via mail or delivery.

26 SECTION 2. Commute trip reduction plan, base year values
27 and zones.

28 A. The 1993 King County Commute Trip Reduction Plan,
29 which is Attachment A to this ordinance, is wholly incorporated
30 herein by reference.

31 B. The goals for reducing vehicle miles traveled per
32 employee and the SOV rate for all major employers shall not be
33 less than a fifteen (15) percent reduction from the base year
34 value of the commute trip reduction zone in which their work
35 site is located by January 1, 1995, twenty-five (25) percent

1 reduction from the base year values by January 1, 1997, and
2 thirty-five (35) percent reduction from the base year values by
3 January 1, 1999. Employers which become affected employers
4 after the passage of this ordinance shall have two (2) years to
5 meet the first goal of fifteen (15) percent, four (4) years to
6 meet the second goal of twenty-five (25) percent, and six (6)
7 years to meet the third goal of thirty-five (35) percent from
8 the time they begin their commute trip reduction program.

9 C. Commute trip reduction zones shall be the zones in
10 Attachment B to this ordinance which are applicable to the
11 unincorporated areas of the county. The base year values for
12 affected employers shall be the base year values for SOV and
13 VMT in Attachment C to this ordinance which are applicable to
14 the unincorporated areas of the county. Base year values shall
15 be reconsidered after the 1990 U.S. Census work-end commute
16 trip data is available. If base year values are revised, the
17 new base year values will take effect one-hundred eighty (180)
18 days after being adopted by ordinance.

19 SECTION 3. Applicability. The provisions of this
20 ordinance shall apply to any affected employer at any single
21 work site within unincorporated King County. Employees will be
22 counted only at their primary work site. Seasonal agricultural
23 employees, including seasonal employees of processors of
24 agricultural products are excluded from the count of affected
25 employees. It is the responsibility of the employer to notify
26 the county of a change in status as an affected employer.

27 A. Employers that meet the definition of an affected
28 employer when this ordinance becomes effective and that do not
29 submit a CTR program description within one hundred eighty
30 (180) calendar days from approval of this ordinance are in
31 violation.

32 B. An employer that meets the definition of affected
33 employer after this ordinance becomes effective must submit a
34 CTR program description within one hundred eighty (180)
35 calendar days of the due date of the first quarterly submittal

1 of Washington Employment Security Employer's Quarterly Report
2 of Employee's Wages after having achieved affected employer
3 status. An employer whose number of employees increases to one
4 hundred (100) or more affected employees shall be considered an
5 affected employer beginning with the due date of the next
6 quarterly submittal of the Washington Employment Security
7 Employer's Quarterly Report of Employee's Wages.

8 C. If an affected employer no longer employs one hundred
9 (100) or more affected employees and expects not to employ one
10 hundred (100) or more affected employees for the next twelve
11 (12) months, that employer is no longer an affected employer
12 beginning with the next quarterly submittal of the Washington
13 Employment Security Employer's Quarterly Report of Employee's
14 Wages. It is the responsibility of the employer to provide
15 documentation to the county that it is no longer an affected
16 employer. If the same employer returns to the level of one
17 hundred (100) or more affected employees within the same twelve
18 (12) month period, that employer will be considered an affected
19 employer for the entire twelve (12) month period and will be
20 subject to the same program requirements as other affected
21 employers. If the same employer returns to the level of one
22 hundred (100) or more affected employees more than twelve (12)
23 months after its change in status to an "unaffected" employer,
24 that employer shall be treated as a new affected employer
25 beginning with the due date of the next quarterly submittal of
26 the Washington Employment Security Employer's Quarterly Report
27 of Employee's Wages, and will be subject to the same program
28 requirements as other new affected employers.

29 D. An affected employer that has a work site located in
30 both unincorporated King County and an adjacent county or one
31 or more cities may jointly, with one of those jurisdictions,
32 petition the county in writing at least sixty (60) calendar
33 days prior to submittal of the employer's CTR program
34 description or annual report to request that the employer be
35 allowed to report to, and be governed by, the applicable

1 commute trip reduction laws and regulations of that
2 jurisdiction. If such request is granted, it shall be in
3 effect for as long as the county receives copies of the
4 employer's CTR program, annual reports and any administrative
5 decisions or actions taken by the jurisdiction or its agents in
6 regard to the employer.

7 SECTION 4. Employer CTR Program Requirements. The
8 employer's CTR program description shall be prepared according
9 to a format provided by the county.

10 A. The employer's CTR program is to contain the following
11 required elements:

12 1. At a minimum, the employer's CTR program
13 description must include:

14 a. A general description of the employment site
15 location, transportation characteristics, and surrounding
16 services, including unique conditions experienced by the
17 employer or its employees that affect commute mode choice;

18 b. Total number of employees at the work site and
19 the number of employees affected by the CTR program;

20 c. Documentation of compliance with the mandatory
21 CTR program elements (as described in subsection A.2. of this
22 section);

23 d. Description of the additional elements included
24 in the CTR program (as described in subsection A.3. of this
25 section);

26 e. Schedule of implementation, assignment of
27 responsibilities, and commitment to provide appropriate
28 resources.

29 2. The employer's CTR program shall include the
30 following mandatory elements:

31 a. The employer shall designate a transportation
32 coordinator to administer the CTR program. An affected
33 employer with multiple sites may have one transportation
34 coordinator for all sites. The coordinator's name, location,
35 and telephone number must be displayed prominently at each

1 affected work site. The coordinator shall oversee all elements
2 of the employer's CTR program.

3 b. The employer shall provide information about
4 alternatives to SOV commuting to employees at least once a
5 year. This information shall consist of , at a minimum, a
6 summary of the employer's program, including the ETC's name and
7 telephone number. Employers must also provide a summary of
8 their program to all new employees at the time of hire. Each
9 employer's program description and annual report must report
10 the information to be distributed and the method of
11 distribution.

12 c. The CTR program must include an annual review of
13 affected employee commuting and of progress toward meeting the
14 SOV and VMT reduction goals as established in section 2 of this
15 ordinance.

16 d. The CTR program shall list all records to be
17 maintained to document the employer's program and progress
18 toward meeting SOV and VMT goals. Records shall be retained for
19 a minimum of twenty-four (24) months.

20 3. The employer's CTR program shall include at least
21 one additional element needed to meet CTR goals. Such
22 additional elements may include but are not limited to the
23 following options:

24 a. Provision of preferential parking or reduced
25 parking charges, or both, for high occupancy vehicles;

26 b. Instituting or increasing parking charges for
27 SOV's;

28 c. Provision of commuter ride matching services to
29 facilitate employee ridesharing for commute trips;

30 d. Provision of subsidies for transit fares;

31 e. Provision of vans for vanpools;

32 f. Provision of subsidies for carpools or vanpools;

33 g. Permitting the use of the employer's vehicles
34 for carpooling or vanpooling;

1 h. Permitting flexible work schedules to facilitate
2 employees' use of transit, carpools, or vanpools;

3 i. Cooperation with transportation providers to
4 provide additional regular or express service to the work site;

5 j. Construction of special loading and unloading
6 facilities for transit, carpool and vanpool users;

7 k. Provision of bicycle parking facilities,
8 lockers, changing areas, and showers for employees who bicycle
9 or walk to work;

10 l. Provision of a program of parking incentives
11 such as a rebate for employees who do not use the parking
12 facilities;

13 m. Establishment of a program to permit employees
14 to work part or full time at home or at an alternative work
15 site closer to their homes;

16 n. Establishment of a program of alternative work
17 schedules, such as a compressed work week, which reduce
18 commuting; and

19 o. Implementation of other measures designed to
20 facilitate the use of high occupancy vehicles, such as on-site
21 day care facilities and emergency taxi services.

22 B. Transportation management organizations or other
23 business partnerships, may submit a single program description
24 that describes common program elements among two or more
25 affected employers. The program should also describe specific
26 program elements at each individual employer's work site. The
27 transportation management organization, as an agent for its
28 members, should provide individual performance data for each
29 company as well as combined measurements to the county.
30 Program modifications shall be specific to an employer. Each
31 employer shall remain responsible for meeting the requirements
32 of this ordinance.

33 SECTION 5. Schedule for Submittal, Review, and
34 Implementation.

1 A. Not more than one-hundred eighty (180) calendar days
2 after the effective date of this ordinance or within
3 one-hundred eighty (180) calendar days after an employer
4 achieves status as an affected employer as provided in section
5 3. of this ordinance, an affected employer shall submit to the
6 county for review a CTR program description as provided in
7 section 4 of this ordinance. The employer shall implement a
8 CTR program not more than one hundred eighty (180) days after
9 the CTR program description submittal. The employer shall
10 implement approved program modifications within thirty (30)
11 calendar days of the final administrative decision on such
12 modifications.

13 B. Upon review of an employer's CTR program description,
14 the county shall establish the employer's annual reporting
15 date. Each year on the employer's reporting date, the employer
16 shall submit an annual CTR program report to the county. The
17 county shall provide the format for the annual report. At
18 least thirty (30) calendar days prior to the date an annual
19 report is due or program modifications are to be implemented,
20 an employer may make written request for an extension of up to
21 ninety (90) calendar days to complete this action. The county
22 shall grant all or part of the extension request, or deny the
23 request within ten (10) working days of receipt. If the county
24 fails to respond within ten (10) working days, the extension is
25 automatically granted for thirty (30) calendar days.

26 C. The county shall complete review of the employer's
27 program description, annual report, or exemption request within
28 ninety (90) calendar days of receipt. The county shall provide
29 the employer with written notification of the decision to
30 approve required program modifications, or disapprove the
31 employer's CTR program, annual report, or exemption request
32 including the cause for disapproval. If the employer does not
33 receive written notification of the acceptance or rejection of
34 the employer's CTR program description, annual report, revised
35 CTR program, or exemption within the deadlines established in

1 this subsection, they shall be deemed accepted. An affected
2 employer shall implement a CTR program within one-hundred
3 eighty (180) calendar days of submitting its initial CTR
4 program description regardless of the status of decisions
5 concerning its approval. Thereafter the employer shall
6 implement required program revisions within thirty (30)
7 calendar days of the final administrative decision on program
8 requirements.

9 D. Employers may request exemptions, goal modifications,
10 or credit for TDM programs that existed prior to 1992 at least
11 two (2) months prior to the due date for the employer's initial
12 CTR program description submittal. Employers may request
13 exemptions, goal modifications, program modifications, and
14 program exemption credit as part of the annual report.
15 Employers may request exemptions and program modifications at
16 any time.

17 SECTION 6. Criteria for Goal Attainment. The following
18 criteria for achieving goals for VMT per employee and
19 proportion of SOV trips shall be applied during the review of
20 employer programs and progress reports in determining
21 requirements for employer CTR program modifications:

22 A. If an employer meets either or both goals, the
23 employer has satisfied the objectives of the CTR plan and will
24 not be required to modify the CTR program;

25 B. If an employer meets the goal for proportion of SOV
26 trips but not for VMT per employee, the county may recommend
27 program modifications, but in recognition of the employer's
28 successful efforts in reducing SOV trips, will not penalize the
29 employer if it does not implement recommended modifications;

30 C. If an employer fails to meet both the VMT per employee
31 goal and the SOV rate goal, the county shall propose
32 modifications to the CTR program and direct the employer to
33 revise its program, and may penalize the employer if it does
34 not implement recommended modifications.

1 SECTION 7. Credits, Goal and Program Modifications, and
2 Exemptions.

3 A. Employers that have implemented TDM programs to reduce
4 SOV commute travel by employees prior to the 1992 base year may
5 apply for TDM program exemption credit at least two (2) months
6 prior to the due date for the employer's initial CTR program
7 description submittal. Such employers shall be considered to
8 have met their 1995 CTR goals if their VMT per employee and
9 proportion of SOV trips are equivalent to a twelve (12) percent
10 or greater reduction from the employers' base year zone values.
11 This three (3) percentage point credit applies only to the 1995
12 CTR goals. Application shall include results from a survey of
13 employees or equivalent information that establishes the
14 applicant's VMT per employee and proportion of SOV trips. The
15 survey or equivalent information shall conform to all
16 applicable standards established in the Commute Trip Reduction
17 Task Force Guidelines (July 1992).

18 B. Affected employers that have rates of VMT per employee
19 and proportion of SOV trips that are equal to or less than
20 goals for one or more future goal years, may apply to be
21 exempted from CTR program requirements at least two (2) months
22 prior to the due date for their initial in their CTR program
23 description submittal or as part of an annual progress report.
24 Application shall include results from a survey of employees or
25 equivalent information that establishes the applicant's VMT per
26 employee and proportion of SOV trips. The survey or equivalent
27 information shall conform to all applicable standards
28 established in the Commute Trip Reduction Task Force Guidelines
29 (July 1992). Employers that apply for an exemption and whose
30 rates of VMT per employee and proportion of SOV trips are
31 determined by the county to be equal to or less than goals for
32 one or more future goal years, and commit in writing to
33 continue their current level of effort, shall be exempt from
34 the requirements of the ordinance except for the requirement to
35 report performance in annual reports for their goal years as

1 specified in section 2.A. of this ordinance. If any of these
2 reports indicate the employer does not satisfy the next
3 applicable goal, the employer shall immediately become subject
4 to all requirements of this ordinance.

5 C. For purposes of counting commute vehicle trips,
6 telecommuting, alternative work schedules (excluding
7 flex-time), bicycling, and walking shall count as one and
8 two-tenths (1.2) vehicle commute trips eliminated. This also
9 applies to VMT per employee. A transit trip counts as zero (0)
10 vehicle trips. A vanpool trip counts as zero (0) vehicle trips.

11 D. An employer may request a modification of CTR program
12 goals under the following conditions:

13 1. The employer demonstrates that it requires
14 employees to use the vehicles they drive to work during the
15 work day for work purposes. Under this condition, the
16 applicable goals will not be changed, but those employees who
17 need daily access to the vehicles they drive to work will not
18 be included in the calculations of proportion of SOV trips and
19 VMT per employee used to determine the employer's progress
20 toward program goals. The employer shall provide documentation
21 indicating how many employees meet this condition and must
22 demonstrate that no reasonable alternative commute mode exists
23 for these employees and that the vehicles cannot reasonably be
24 used for carpools or vanpools.

25 2. The employer demonstrates that its work site is
26 contiguous with a CTR zone boundary and that the work site
27 conditions affecting alternative commute options are similar to
28 those for employers in the adjoining CTR zone. Under this
29 condition, the employer's work site may be made subject to the
30 same goals for VMT per employee and proportion of SOV trips as
31 employers in the adjoining CTR zone. The employer's request
32 for a modification based on these conditions must be made to
33 the county at least 90 days prior to the due date for submittal
34 of the employer's CTR program description.

1 3. The employer demonstrates that it has significant
2 numbers of its employees assigned to variable work schedules
3 which makes it unreasonable to expect that such employees
4 regularly participate in CTR programs. The employer shall
5 provide documentation indicating how many employees meet this
6 condition and must demonstrate that no reasonable alternative
7 commute mode program can be developed for these employees.
8 Under this condition, the applicable goals will not be changed,
9 but those employees who are assigned to variable work schedules
10 will not be included in the calculations of the proportion of
11 SOV trips and VMT per employee used to determine the employer's
12 progress toward program goals.

13 4. Beginning with the employer's first goal year,
14 modifications may be requested due to unanticipated conditions:

15 a. The employer demonstrates that opportunities for
16 alternative commute modes do not exist due to factors related
17 to the work site, its work force, or characteristics of the
18 business that are beyond the employer's control.

19 b. Other conditions that can be demonstrated by the
20 affected employer to warrant a modification.

21 E. An affected employer may request modification of CTR
22 program elements, other than the mandatory elements specified
23 in section 4 of this ordinance. Such request may be granted if
24 one of the following conditions exist:

25 1. The employer demonstrates that it would be unable
26 to comply with one or more of the additional CTR program
27 elements for reasons beyond the control of the employer; or

28 2. The employer demonstrates that compliance with one
29 or more of the additional program elements would constitute an
30 undue hardship; or,

31 3. The employer demonstrates that another program
32 element would be as effective or more effective than an
33 approved additional program element. Modifications granted for
34 the first two conditions must be re-approved as part of the
35 annual program review.

1 F. An affected employer may request an exemption from all
2 CTR program requirements for a particular work site in the CTR
3 program description or annual reports. An exemption may be
4 granted if and only if the employer demonstrates that it faces
5 extraordinary circumstance, such as bankruptcy, and is unable
6 to implement any measures that could reduce the proportion of
7 SOV trips and VMT per employee. The county shall review
8 annually all employers receiving exemptions, and shall
9 determine whether the exemptions will be in effect during the
10 following program year.

11 SECTION 8. Appeals. Any affected employer may request
12 reconsideration of the decision by the director of the
13 department of public works who shall issue the final appealable
14 decision on CTR exemptions, modification of goals, or
15 modification of CTR program elements and of finding of
16 violation pursuant to Section 9 of this ordinance. A written
17 appeal must be filed within fifteen (15) calendar days of the
18 employer's receipt of the county's final administrative
19 decision with the King County zoning and subdivision examiner
20 pursuant to Chapter 20.24 K.C.C. The appeal must state the
21 decision being appealed and the grounds for the request.
22 Appeals will be evaluated to determine if the administrative
23 decisions were consistent with this ordinance.

24 SECTION 9. Enforcement.

25 A. Each day an employer fails to accomplish the following
26 shall constitute a separate violation and may be subject to
27 civil penalty of \$250 per violation pursuant to applicable
28 procedures established in Title 23 King County Code.

29 1. By the deadlines established in this ordinance,
30 implement an approved CTR program including the submittal of a
31 complete CTR program description upon which the approval shall
32 be based.

33 2. By the deadlines established in this ordinance,
34 modify an unacceptable CTR program after 1995 and to submit

1 annual reports by which the need for program modifications will
2 be determined.

3 B. Submission of fraudulent data shall be a violation and
4 may be subject to civil penalty of \$250 per violation pursuant
5 to applicable procedures established in Title 23 King County
6 Code. Each day from the date of receipt of such information by
7 the county shall constitute a separate violation.

8 C. An employer shall not be liable for civil penalties if
9 failure to achieve a CTR program goal or to implement an
10 element of an approved CTR program was the result of an
11 inability to reach agreement with a certified collective
12 bargaining agent under applicable laws where the issue was
13 raised by the employer and pursued in good faith. Unionized
14 employers shall be presumed to act in good faith compliance if
15 they propose to a recognized union any provision of the
16 employer's CTR program that is subject to bargaining as defined
17 by the National Labor Relations Act and advise the union of the
18 existence of the statute and the mandates of the employer's
19 approved CTR program and advise the union that the proposal
20 being made is necessary for compliance with state law.

21 D. Affected employers shall be given fifteen (15) days
22 written notice of the County's intent to seek civil penalties.

23 SECTION 10. The director of the department of public
24 works is hereby instructed and authorized to adopt such
25 administrative rules and procedures as are necessary to
26 implement the provisions of this act.

1 SECTION 11. Should any section, subsection, paragraph,
2 sentence, clause or phrase of this ordinance be declared
3 unconstitutional or invalid for any reason, such decision shall
4 not affect the validity of the remaining portion of this
5 ordinance.

6 INTRODUCED AND READ for the first time this 14th day
7 of December, 1992.

8 PASSED this 16th day of February, 1993.

9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 Audrey Linger
12 Chair

13 ATTEST:

14 Gerald A. Peterson
15 Clerk of the Council

16 APPROVED this 26th day of February, 1993.

17 D. Gilf
18 King County Executive

19 Attachments:

- 20 A. 1993 King County Commute Trip Reduction Plan
- 21 B. Commute Trip Reduction Zones
- 22 C. Commute Trip Reduction Base Year Values

SUMMARY OF KING COUNTY'S PROPOSED COMMUTE TRIP REDUCTION ORDINANCE

The following is a section-by-section summary of the ordinance contents.

SECTION 1. DEFINITIONS

Two of the critical definitions in this section are:

An "affected employer" means a public or private employer that, for twelve (12) continuous months, employs one hundred (100) or more affected employees at a single work site who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays. The intent is to include any employer that has one hundred (100) or more full-time employees on-site between 6:00 a.m. and 9:00 a.m. (inclusive), even if the individual employees vary over time. (NOTE: Excluded from this definition are construction workers at a work site where construction is expected to last less than two years. Seasonal agricultural workers, including food processors, are also excluded.)

A "single occupant vehicle (SOV)" means a vehicle occupied by one (1) employee for commute purposes, including a motorcycle. (NOTE: Motorcycles are included in this definition because they emit as much air pollution as other passenger vehicles.)

SECTION 2. COMMUTE TRIP REDUCTION ZONES, BASE YEAR VALUES AND PLAN

King County's CTR Plan: The CTR law requires adoption of a CTR plan by ordinance. The proposed CTR ordinance adopts the King County CTR Plan by reference. The plan includes the policy basis for the ordinance as well as a general description of the County's required CTR program. This is an explanation of a successful program King County has had in place since 1988. Since King County qualifies as an affected major employer with work sites in the cities of Bellevue, Seattle, and Renton, the County will be required to submit detailed program descriptions to those cities for approval in mid-1993. This is the same timing required of other affected major employers in those cities.

CTR Goals: Consistent with the minimum goals in the CTR law and the CTR guidelines, King County's CTR ordinance requires that goals for reducing the proportion of single-occupant vehicles and vehicle miles traveled (VMT) per employee for all major employers shall not be less than a fifteen percent below the base year value of the CTR zone in which their work site is located by January 1, 1995, twenty-five percent below the base year value by January 1, 1997, and thirty-five percent below the base year value by January 1, 1999. Employers that become subject to this law after the passage of this ordinance shall have two years to meet the first goal of fifteen percent, four years to meet the second goal of 25 percent, and six years to meet the third goal of thirty-five percent from the time they begin their commute trip reduction program.

CTR Zones and Base Year Values: The CTR law requires the local jurisdiction to adopt CTR zones and base year values for SOV and VMT. The CTR zones are intended to ensure that employers in areas of similar employment density and access to SOV alternatives are treated in a consistent manner and that no single employer, particularly one with an existing CTR program, would unduly influence the SOV reduction goals for other employers within the zone. The base year values established for the zone are intended to reflect the commute behavior for all employers within the zone and will be the standard against which an employer's progress toward achieving the percentage SOV reductions will be evaluated.

The King County CTR Coordinating Committee, with representation from the County, all the affected cities and Metro, approved the countywide CTR zones and recommended that they be adopted by all jurisdictions required to plan under CTR. Each jurisdiction has the authority to adopt whatever zone boundaries and base year values it chooses. However, it must be recognized by both jurisdictions and affected employers that a change in boundaries in the countywide zone plan to benefit just one or a few employers will have an impact on other employers and other jurisdictions adjoining those boundary changes. It appears that all jurisdictions will adopt the zones and base year values applicable to their jurisdiction. King County's affected major employers will be in one of three zones with the following SOV and VMT rates:

Zone	SOV Rate	VMT Rate
East King	85%	9.2 miles
South King	85%	9.3 miles
Rural King	90%	9.0 miles

SECTION 3. APPLICABILITY

Any employer that meets the definition of an affected employer at the time the ordinance is adopted will have 180 days to submit a CTR program description and 180 days thereafter to implement a CTR program. An employer that meets the definition of an "affected employer" sometime after the County's CTR ordinance is adopted will have 180 days after having achieved that status (based on quarterly Employment Security reports) to submit a CTR program description and 180 days after that to implement a CTR program. There are provisions for an employer that has its workforce drop below 100 affected employees to be excused from the CTR requirements.

SECTION 4. EMPLOYER CTR PROGRAM REQUIREMENTS

An affected employer is required to prepare a CTR program description which is to include a general description of the employment site location, transportation characteristics, and surrounding services. Conditions that might affect the employees' commute mode choice, as well as the total number of employees and the number of "affected" employees must be included. The employer's CTR program is required to have the following elements:

- (1) Designation of a CTR transportation coordinator to administer the employer's program;

- (2) A plan for distributing information on alternatives to SOV commuting at least once a year;
- (3) An annual report of progress towards meeting the employer's SOV and VMT reduction goals, and
- (4) Identification of records to be kept to document program implementation.

A list of additional program elements an employer may choose to implement as part of its CTR program in order to reach its SOV and VMT reduction goals is included. An employer may develop other program elements.

Employers may choose to join together to form a transportation management organization (TMO) to jointly develop and administer their CTR programs. However, each employer is held accountable for achieving progress in SOV and VMT reduction at its work site.

SECTION 5. SCHEDULE FOR SUBMITTAL, REVIEW, AND IMPLEMENTATION

The employer's CTR program description is due 180 days after approval of this ordinance or 180 days after having achieved status as an affected employer. Written notice of the recommended decision to approve/disapprove must be received by the employer within 90 days of submittal or the program is deemed approved. The employer's annual reporting date will be established as part of the program description review process.

Employers may request exemptions, goal modifications, and credit for TDM programs in place prior to 1992 as part of the initial CTR program submittal. Employers may request exemptions, goal modifications, program modifications, and program exemption credit, as a part of the annual report. Employers may request program modifications and exemptions at any time.

The schedule established by the ordinance provides that the employer may request a "conference" to discuss the recommendation within 10 working days after having received the written notice of recommended action. The conference must occur within 30 days after the written notice of recommended action is received.

The employer must implement an approved CTR program or required program modifications within 30 days after the final administrative decision.

SECTION 6. CREDITS, GOAL AND PROGRAM MODIFICATIONS, AND EXEMPTIONS

An employer that has had a program to reduce employee SOV commuting prior to 1992 and that has an SOV rate at least 12 percent below the base year value for the employer's CTR zone may apply for program exemption credit for the 1995 goal year. An employer that has an SOV rate equal to or less than any other goals, may apply for program exemption credit for those goal years. If program exemption credit is granted, the employer is excused from all CTR requirements except to report performance in goal years. The application must include results from a survey of employees that conforms to all applicable standards established in the CTR Task Force Guidelines (July 1992).

For purposes of calculating the number of commute trips, each trip eliminated through telecommuting, alternative work schedules (excluding flex-time), bicycling, and walking counts as 1.2 trips reduced.

An employer may request modification of program goals if it can demonstrate that certain employees must use their vehicles for work purposes and cannot use their vehicle for HOV commuting. The goal will not be changed, but these employees will not be included in the calculation of SOV trips needed to be reduced. An employer may request that the goals of another CTR zone be used if the employer can demonstrate that its work site is contiguous with the other zone and that work site conditions affecting commute travel are similar to the other zone. This request may only be made prior to implementation of the employer's CTR program. An employer may also request modification of program goals in response to unanticipated conditions such as work site changes affecting the opportunity for non-SOV commuting

An employer may request modification of program elements, except for the mandatory elements, if the employer can demonstrate undue hardship or circumstances beyond the employer's control make the employer unable to implement the program elements. Modification of program elements may also be requested if it can be demonstrated that a new program element(s) would be at least as effective as the approved program element(s) it would replace.

Exemptions from all CTR program requirements may be requested and will be granted only if the employer can demonstrate that extraordinary circumstances, such as bankruptcy, exist that make it impossible for the employer to implement any measures to reduce SOV commuting.

SECTION 7. APPEALS

Employers can appeal to the King County Hearing Examiner final administrative decisions regarding exemptions and program or goal modifications.

SECTION 8. ENFORCEMENT

Each day of failure to meet applicable deadlines established by ordinance shall be a separate violation and may be subject to a civil penalty of up to \$250 per day. An employer shall not be liable for civil penalties if the violation is the result of inability to reach agreement after good faith bargaining with a certified collective bargaining agent.

SUMMARY OF THE DEVELOPMENT OF THE CTR GUIDELINES, LOCAL CTR ZONES AND BASE YEAR VALUES, AND KING COUNTY'S PROPOSED CTR ORDINANCE

The CTR statute evolved out of a collaborative effort of public and private sector common interests to reduce the air quality and economic costs of traffic congestion. The guidelines and this ordinance were developed through a collaborative effort both between the public and private sectors and among counties, cities, and transit agencies.

Commute Trip Reduction Task Force Guidelines: The guidelines were developed with extensive involvement from the private sector. Six members of the twenty-three member Task Force were representatives of major employers (Task Force membership list attached). In the Fall 1991, King County and other agencies working through the Seattle-King County Economic Development Council (EDC) and Commuter Challenge brought major employer representatives together to encourage their active participation in guideline development and other implementation issues. Employer work groups were formed. These groups drafted substantial comments and recommendation for the State CTR Task Force's consideration. These groups, which continue to meet, were valuable to both the state Task Force and local jurisdiction staff in providing private sector perspectives on the law's implementation.

Workshops on Draft Guidelines: In April 1992, the Washington State Energy Office (WSEO), Commuter Challenge, King County, and other jurisdictions sponsored three workshops around King County on the draft guidelines. Private sector representatives were invited to attend special sessions directed at their concerns. The proposed CTR requirements were presented and discussed. Comments were taken back to the state CTR Task Force for consideration in finalizing the guidelines adopted in June 1992.

CTR Zones and SOV and VMT Goals: In King County, the goals for reducing SOV and VMT per employee were developed by a twelve-member committee chaired by King County with representatives from the City of Seattle, East King County cities, South King County cities, and four private sector representatives (from The Austin Company, Overlake Transportation Management Association, University of Washington, and Alaska Airlines). Representatives from the EDC, the Washington State Energy Office, and Pierce, Snohomish and Kitsap counties also participated in committee discussions. The Puget Sound Regional Council provided staff support. This group met over a four-month period to develop the recommended countywide CTR zones and base year values included as attachments to the proposed CTR ordinance.

King County's CTR Ordinance: King County and the sixteen cities affected by the CTR law have coordinated through the countywide CTR Coordinating Committee (chaired by King County), through subregional work groups in east and south King County, and through Metro to ensure that the jurisdictions' individual ordinances are consistent with the state CTR Task Force's model ordinance and with each other. A key concern has been ensuring that affected employers within the county are treated the same way by different jurisdictions, especially those employers with work sites in more than one jurisdiction.

State Commute Trip Reduction Task Force Membership

Mr. Ken Back, Washington Department of Community Development
 Ms. Amy Bell, Director, Washington State Energy Office
 Mr. Tom Bianchi, Seafirst Bank
 Mr. Stu Clark, Washington Department of Ecology
 Mr. Richard Hayes, Kitsap Transit Authority
 Mr. Ted Horobiowski, Washington Water Power Company
 The Honorable Peter Hurley, Snohomish County Council
 Mrs. Doris Johnson, Vancouver Bolt and Supply, Inc.
 Ms. Barbara Kommer, Hewlett-Packard Company
 The Honorable Bruce Laing, King County Council
 Mr. J. Gary Lawrence, City of Seattle, Office for Long Range Planning
 Mr. Alan Momohara, Washington Department of General Administration
 Ms. Rose Marie Raudebaugh, Citizen Representative
 Mr. Rand Riness, Intercity Transit
 Mr. William Roach, Municipality of Metropolitan Seattle
 Dr. Preston Shiller, Citizen Representative
 Mr. George Sherwin, Jr., Quadrant Corporation
 Mr. Gerry Shrope, City of Spokane, Public Works Department
 Mr. Jim Toohy, Department of Transportation
 Mr. Mikal Wasch, The Boeing Company
 Ms. Judy Zenk, Citizen Representative

King County Coordination Committee Jurisdictions

Algona	Mercer Island	Puget Sound Regional
Auburn	Redmond	Council
Bellevue	Renton	*Wash. State Energy
Bothell	SeaTac	Office
Des Moines	Seattle	*Pierce County
Enumclaw	Tukwila	* <u>Snohomish County</u>
Federal Way	King County (chair)	
Kent	Metro	*Participated as needed
Kirkland		

King County Commute Trip Reduction Zone Subcommittee
Jurisdictions, Agencies and Businesses

King County (chair)	The Austin Company
Seattle	Alaska Airlines
Bellevue	University of Washington
Kirkland	*Washington State Energy Office
Kent	*Kitsap Transit
Federal Way	*Pierce County
Metro	*Snohomish County
Puget Sound Regional Council	* <u>Commuter Challenge/EDC</u>
Overlake TMA	*Participated as needed.

SUMMARY OF COMMUTE TRIP REDUCTION IMPLEMENTATION STRATEGY

Based on Employment Security records, the state estimated there are 67 employers with at least 100 or more employees located in unincorporated King County. The actual number of employers affected by the CTR law is expected to be less than half that number.

It is important for the success of the CTR law that the local CTR ordinances are consistent and are consistently administered throughout the county. King County is, and will continue, to work cooperatively with Metro and the cities within the County affected by the CTR law (Chapter 70.94 RCW) to develop administrative procedures that provide equitable treatment of all major employers affected by the CTR law throughout King County. The following specific strategies will be used to ensure countywide consistency in the implementation of the CTR law.

Contract with Metro for CTR Administration and Implementation: King County will contract with Metro for CTR implementation services to take advantage of the cost efficiencies and consistent administration offered by central administration of the CTR through a single agency.

Subregional Coordination with Cities and Employers: The County will work with the cities of Bellevue, Bothell, Issaquah, Kirkland, Mercer Island, Redmond, and Renton through the Eastside Transportation Program (ETP). The County will work with employers in the unincorporated portions of King County in the Shoreline area, the ETP area and rural portions of east King County that are north of Interstate 90 through the ETP to ensure consistent treatment of employers within this subregion. The County will work with the cities of Algona, Auburn, Des Moines, Enumclaw, Federal Way, Kent, Renton, SeaTac and Tukwila through the South County Area Transportation Board (SCATBd). The County will work with employers in the unincorporated portions of King County in the SCATBd area and in rural portions or east King County that are south of Interstate 90 through the SCATBd to ensure consistent treatment of employers within this subregion. The County will work with the City of Seattle through the King County CTR Coordinating Committee which was established by interlocal agreement between King County, Metro, and each of the cities planning under the CTR law.

Private Sector Coordination: Effective implementation of the CTR law requires the continuing collaborative and cooperative effort between the County and the major employers within its jurisdiction. King County will work with the private sector primarily through the Seattle-King County Economic Development Council (EDC) and through the Commuter Challenge, which includes membership from the EDC, King County, Metro, Seattle, and the Washington Department of Transportation. It will be King County's intent, in the administration of the County's CTR ordinance, to actively work with employers to develop acceptable CTR programs or to modify existing programs in order to achieve the air quality and congestion reduction objectives of the CTR law. This will be accomplished through discussion with employers prior to issuance of recommended administrative decisions and through the availability of a peer review group or similar effort to mediate differences between employers and the County.

SUMMARY OF KING COUNTY'S COMMUTE TRIP REDUCTION (CTR) PLAN
AND TRANSPORTATION MANAGEMENT PROGRAM (TMP)

KING COUNTY COMMUTE TRIP REDUCTION (CTR) PLAN AND ORDINANCE

The Commute Trip Reduction (CTR) Plan and Ordinance apply to major employers in unincorporated King County. The State CTR law, passed in May 1991, requires major employers having 100 or more employees who begin work between 6:00 a.m. and 9:00 a.m. to reduce the commute vehicle miles traveled per employee and trips made by single occupant vehicles at their work site starting in 1993.

King County and other local governments are required under the State CTR law and guidelines to adopt a commute trip reduction plan and ordinance by January 31, 1993. The plan has been developed in cooperation with neighboring jurisdictions, transit agencies, and major employers. Staff worked with cities in King County to resolve consistency issues on the CTR ordinance regulating major employers in unincorporated King County.

The CTR law requires King County to submit a commute trip reduction program to reduce trips by its employees at all major work sites. A summary of the County's program is included as part of the plan. The effectiveness of that program must be monitored and reported. King County will be expected to meet the CTR goals of 15 percent, 25 percent, and 35 percent reduction in commute vehicle miles traveled and employee single occupant vehicle trips specified for 1995, 1997, 1999, respectively. The reduction is measured against the 1992 average for the area in which the County work site is located, as is the case for other major employers.

The Plan establishes the policy intent of King County in adopting the CTR ordinance. The ordinance establishes the regulatory framework for CTR law implementation in unincorporated King County.

KING COUNTY EMPLOYEE TRANSPORTATION MANAGEMENT PROGRAM (TMP)

The King County Employee Transportation Management Program has been in place for more than four years and is recognized by the State as a model program. Refinement of the program to comply with the CTR law is underway. In particular, staff are focusing on outlying King County work sites where existing management actions may not work as well as they do in the central business district of Seattle. The County's four outlying major work sites are the Youth Detention Center on Cherry Hill in Seattle, the Renton complex, the Eastpoint complex in Bellevue, and the Cedar Hills landfill and alcohol treatment center.

The CTR law requires each major employer to have an Employee Transportation Coordinator (ETC), distribute information to employees on a regular basis, and submit an annual progress report for each of the major work sites to the respective jurisdictions. The County currently has ETCs in 32 different offices to distribute materials to coworkers about alternatives to driving alone to work. Transportation fairs are held annually and materials are distributed at new employee orientations. Additional existing program elements include a monthly transit and vanpool subsidy, an alternative work schedule policy, high occupancy vehicle (HOV) parking policy, bicycle facilities, and charges for parking.

ATTACHMENT A

King County Commute Trip Reduction Plan

This plan is produced in conformance with the requirements of the state Commute Trip Reduction law (RCW 70.94.521-551) and guidelines. Local governments in King, Pierce, Snohomish, Kitsap, Thurston, Clark, Yakima, and Spokane counties must adopt commute trip reduction ordinances with requirements for major employers. This plan includes policies for implementing CTR requirements for major employers located in unincorporated King County and a commitment to continue the transportation management program for King County employees.

I. RELATIONSHIP TO CTR ORDINANCE

This plan is the policy basis and statement of intent that accompanies the King County Commute Trip Reduction (CTR) ordinance. The plan is descriptive and does not carry regulatory weight. The ordinance is regulatory and subject to enforcement action if compliance is not achieved.

II. POLICY STATEMENTSFindings

Automobile traffic, which is dominated by single-occupant vehicles (SOV), is the major source of air-polluting emissions. Air pollution causes significant harm to public health and degrades the quality of the environment.

Increasing drive-alone automobile traffic aggravates traffic congestion in unincorporated King County. Traffic congestion imposes significant costs to King County businesses, government, and individuals in terms of lost working hours and delays in the delivery of goods and services. Traffic congestion worsens automobile-related air pollution and increases fuel consumption, making King County a less desirable place in which to live, work, visit, and do business.

Capital and environmental costs of fully accommodating existing and projected automobile traffic on roads and highways are economically and environmentally prohibitive. King County is committed to an efficient multiple mode transportation system to improve mobility and protect the environment.

Transportation demand management actions are an important part of efforts to enhance mobility. To accomplish the County's transportation goals, a coordinated program is required that: 1) reduces travel demand through programs like CTR and transportation demand management (TDM); 2) increases system capacity by facilitating high occupancy vehicles (HOV); and 3) improves the road system to promote alternatives to driving alone such as walking, bicycling, and using transit. County policy places the lowest priority on building new capacity. Reduced demand on the roadways and constructing new facilities when absolutely necessary can provide needed capacity while reducing air pollution and energy consumption.

New road construction through undeveloped land often fragments habitat and hydrologic connections, creates barriers to wildlife, and acts as a corridor for introduction of invasive plant and animal species. Reduced demand for new facilities, especially in sensitive environmental areas, will help minimize these impacts.

Single-occupant vehicle automotive transportation is a major factor in the consumption of gasoline and reliance on imported sources of petroleum. Moderation in the growth of automotive travel is essential to stabilize and reduce dependence on imported petroleum and improve the nation's energy security.

King County finds reducing the number of commute trips made in single-occupant vehicles is an effective way to reduce automobile-related air pollution, traffic congestion, and energy use. Employers have significant opportunities to encourage and facilitate the reduction of drive alone commutes by their employees.

State policy, as set forth in RCW 70.94.521 through 551, and the Commute Trip Reduction Task Force Guidelines, requires King County to develop and implement a plan to reduce single-occupant vehicle commute trips. The plan must require affected employers to implement programs to reduce vehicle miles traveled per employee and the number of single-occupant vehicles used for commuting purposes by their employees. Goals for reduction in vehicle miles traveled per employee are set in the law as follows: fifteen percent by January 1, 1995; twenty-five percent by January 1, 1997; and thirty-five percent by January 1, 1999.

Commute trip reduction efforts implemented by King County under RCW 70.94.521.555 may be incorporated into the state implementation plan for the attainment of federal standards for ozone and carbon monoxide. Commute trip reduction efforts implemented under the ordinance meet, in part, the transportation demand management requirements of the Washington State Growth Management Act (RCW 36.70A.070[6e]).

Adoption of this plan and ordinance will promote the public health, safety, and general welfare within King County and the region.

Goals and Objectives

The King County Commute Trip Reduction plan and ordinance are consistent with the following goals and objectives, stated in the Commute Trip Reduction Task Force Guidelines (July, 1992), Chapter 1, Section 3:

Goals

King County is acting to:

1. Reduce automobile-generated air and water pollution, relieve traffic congestion, reduce energy consumption, and reduce air pollution-related health problems.

2. Reduce peak period motor vehicle trips and the number of vehicle miles traveled associated with commute trips.
3. Make optimal use of existing and future transportation systems in order to minimize costs and preserve business opportunities in King County and the region.
4. Treat affected employers in a fair and reasonable manner.
5. Establish a plan consistent with the guidelines established by the state Commute Trip Reduction Task Force and the commute trip reduction plans of counties and cities with which King County has common borders or mutual transportation and growth issues.
6. Minimize the administrative burden of King County and affected employers in achieving commute trip reduction goals.

Objectives

The objectives of King County's CTR plan are to:

1. Require all major employers to develop and implement commute trip reduction programs designed to:
 - a. Reduce the vehicle miles traveled per employee from the base year value established for the commute trip reduction zone in which they are located. These reductions shall be at least 15 percent by January 1, 1995; 25 percent by January 1, 1997; and 35 percent by January 1, 1999.
 - b. Reduce the proportion of single-occupant vehicle trips from the base year value established for the commute trip reduction zone in which they are located. These reductions shall be at least 15 percent by January 1, 1995; 25 percent by January 1, 1997; and 35 percent by January 1, 1999.
 - c. Inform and educate employees about commute alternatives.
2. Establish by ordinance, consistent with RCW 70.94.527(4), the following:
 - a. commute trip reduction zones for unincorporated King County;
 - b. base year values for commute trip vehicle miles traveled per employee and the proportion of single-occupant vehicle commute trips for each commute trip reduction zone;
 - c. means for measuring progress toward meeting commute trip reduction goals;
 - d. methods for assuring consistent treatment of employers who have worksites subject to the requirements of commute trip reduction ordinances in more than one jurisdiction;

- e. appeals and administrative processes by which affected employers may obtain waivers or modifications of those requirements;
- f. methods to ensure that employers receive full credit for the results of transportation demand management efforts and commute trip reduction programs implemented prior to 1992;
- g. a method to set alternative CTR goals for affected employers that cannot meet the goals because of the unique nature of their business; and
- h. a method to set alternative CTR goals for affected employers whose worksites change and that contribute substantially to traffic congestion in a CTR zone.

III. RELATIONSHIP TO OTHER PLANS AND POLICIES

In addition, the County's commute trip reduction plan is consistent with and furthers the goals of the following regional transportation plans and local comprehensive plans:

- King County Comprehensive Plan and Transportation Plan
- Vision 2020
- Countywide Planning Policies for King County

Discussion

King County Comprehensive Plan and Transportation Plan

The King County Comprehensive Plan of 1985 sets the policy framework for King County actions to protect public health and safety, maintain environmental quality, and manage growth. The Transportation Plan, a functional plan of the Comprehensive Plan, outlines policy recommendations for bus, rail, and other high occupancy vehicles, and nonmotorized transportation. The plan recommends the County develop a high occupancy vehicle (HOV) plan for locating transit and rideshare road improvements on County arterials and promote public transportation including transportation demand management techniques applied to new development. An arterial HOV plan is currently in draft form. The TDM project for new development is a part of this package of policy and ordinance recommendations.

Vision 2020

Vision 2020, adopted in 1990, is the long-range growth and transportation plan for the central Puget Sound area, which includes King, Kitsap, Pierce and Snohomish counties. It combines a public vision for growth with the transportation investments and programs needed to support that vision. It identifies the policies and key actions necessary to implement the regional growth strategy.

Vision 2020 replaced the 1982 Regional Transportation Plan as the basis for approval of state and federal transportation expenditures in the region. It also replaced the 1979 Regional Development Plan as the regional framework for growth. Vision 2020 extends the planning horizon from the year 2000 to 2020 and updates the highway, transit, ferry, and transportation demand management elements of the previous Regional Transportation Plan, linking these elements for the first time to a new growth strategy.

Vision 2020 calls for the containment of growth, limiting the extent of sprawl into farmlands, forests, and open spaces. It calls for concentrating new employment into multiple centers with connections among centers via a regional rapid transit system.

Vision 2020 emphasizes transit and ridesharing investments to support the centers concept. It emphasizes movement of people over the movement of automobiles, especially during peak travel times, and sets policies to offer more travel options for people. Transit and ridesharing improvements are to be designed to ensure mobility in high-density, high-capacity transportation corridors; to provide feeder transit service from neighborhoods to regional corridor transit service; and to provide radial transit service to interconnect designated centers. Transit and ridesharing improvements under Vision 2020 include a regional rapid transit system, high-occupancy vehicle lanes for ridesharing and buses, passenger ferry service improvements, and local transit improvements.

Transportation demand management programs to reinforce the investments in transit and ridesharing facilities and support the center concept are recommended. Incentives to encourage transit and ridesharing and disincentives to discourage trips in single-occupant vehicles are included in the demand management programs recognized in Vision 2020.

Five transportation demand management strategies, in particular, are recommended. They are telecommuting, compressed work week, charging for parking (removing parking subsidies), employer-based demand management actions (such as those mandated in the CTR law), and parking supply strategies. A sixth strategy, road pricing (or tolls), is recognized as potentially effective but having numerous implementation hurdles that make immediate implementation less attractive.

This commute trip reduction plan and its implementing ordinance are supportive of the goals of Vision 2020 and serve to implement its policies.

Growth Management

In 1990 the Washington State Legislature passed the Growth Management Act (GMA), RCW 36.70A, calling for cities and counties in the state to draft comprehensive plans that include provisions to guide development over the next twenty years. Amendments to the act in 1991 directed counties to develop countywide planning policies to ensure consistency among city and county plans.

Transportation is a key element of growth management. Countywide planning policies for King County have the objective of fostering local collaboration and joint planning to implement strategies to "encourage the use of transit, other high occupancy vehicles, demand

management actions, access to transit, and non-motorized modes of travel ... consistent with the requirements of the Commute Trip Reduction Act." (Countywide Planning Policy T-11.)

The countywide planning policies outline the critical relationship of land use to transportation facilities and provide the framework for setting level-of-service (LOS) standards. Different land uses require varying mixes of auto, transit, and non-motorized facilities and different LOS standards. A preliminary proposal, the Transportation Adequacy Measure (TAM), would incorporate four indices to measure arterials, transit, nonmotorized, and transportation demand management to determine transportation adequacy and mobility. Jurisdictions can adapt the TAM to their respective growth goals by varying a system of weights applied to each index. This concept is under review and refinement.

Growth management also requires jurisdictions to demonstrate the availability of transportation facilities, strategies, and services needed to accommodate growth. Future development activity will be constrained by a jurisdiction's ability to finance and provide transportation improvements or strategies. Specified infrastructure improvements or demand management strategies must be concurrent with development. That is, they must be in place at the time of development or have committed funds to complete the improvements within six years.

To encourage transit use, the Countywide Planning Policies direct jurisdictions to establish mechanisms to charge for single occupant vehicle parking or limit the number of parking spaces for single occupant vehicles in each activity area, urban center, business/office park, and regional manufacturing/industrial center. The Policies also direct jurisdictions to establish minimum and maximum parking requirements that limit the use of the single-occupant vehicle and develop coordinated plans that incorporate Commute Trip Reduction guidelines.

This CTR plan and other transportation demand management actions taken by the County support the intent of the growth management law by increasing the efficient use of transportation facilities. Growth will be channeled to areas where there is existing or available infrastructure. Concurrency can also be achieved through control of travel rather than construction of additional road capacity.

IV. COORDINATION WITH OTHER JURISDICTIONS

An intergovernmental staff group of representatives from Metro and all the affected cities within King County formed a CTR Coordinating Committee to draft an interlocal agreement allocating State grant funds and to coordinate implementation issues. This plan reflects the coordinated effort of this group.

V. EMPLOYER INVOLVEMENT

King County has worked and will continue to work with major employers to assure equitable and realistic implementation of the CTR law and guidelines. Through the Commuter Challenge, a partnership of public and private agencies, King County is working to involve employers in reducing drive-alone commuting. The Commuter Challenge is sponsored by the

Economic Development Council, the Washington State Department of Transportation, Metro, the City of Seattle, and King County. In 1991, the Commuter Challenge held several sessions to inform employers of the CTR law and its provisions. The first was a lunch meeting held prior to adoption at which the legislation and its purposes were explained by the directors of the Washington State Energy Office and Department of Transportation. The Commuter Challenge sponsored morning meetings within a month of the law's passage to begin a dialog among employers and public sector representatives.

In the Fall 1991, the Commuter Challenge sponsored two focus groups to determine what information employers already had about the law, what their needs were, and how best to get employer input to the guideline development process. The result was a workshop for employers at which employers chose to form working groups paralleling the subcommittees of the State CTR Task Force.

The working groups were instrumental in crafting the guidelines. Their influence and participation helped the State CTR Task Force shape the administrative guidelines, measurement and evaluation techniques, and model ordinance from which King County is working.

Private sector representatives also participated in the formulation of CTR zones and base year values. They were part of a committee established to oversee production of zones and values by the Puget Sound Regional Council.

VI. REVIEW OF LOCAL PARKING POLICIES AND ORDINANCES

The Commute Trip Reduction law mandates that each affected jurisdiction's CTR plan "include...a review of local parking policies and ordinances as they relate to employers and major worksites and any revisions necessary to comply with commute trip reduction goals and guidelines."

The Department of Public Works' Roads and Engineering Division staff worked with Building and Land Development (BALD) Division staff over the last two years on a Code Revision Project, including major parking and site design standard changes.

The revisions are generally consistent with the CTR guidelines. The proposal does not include maximum parking ratios or consideration of a public parking management program to facilitate developer contributions in-lieu of on-site parking. Both of these items are recommended in the CTR guidelines.

Because there is a close relationship between commuter behavior and the supply and cost of parking, the CTR guidelines suggest local jurisdictions establish an administrative process that encourages new and existing developments to reduce excess parking as an element of their CTR programs. There is no such process included in the revisions to the existing code.

The County will, however, participate in efforts to develop regionally consistent policies, standards, and processes. Planning directors for jurisdictions within King County have established a committee to look at and recommend changes to current regulations.

VII. KING COUNTY EMPLOYEE TRANSPORTATION MANAGEMENT PROGRAM

A. The following is a general description of the employment locations, transportation characteristics, and surrounding services, including unique conditions experienced by King County or its employees at major County work sites.

1. Downtown Seattle

The County has about 2800 affected employees in several buildings in downtown Seattle including the County Administration Building, the County Courthouse, the County parking garage, the County jail, the Yesler Building, the Smith Tower, the Central Building, the Bank of California Building, the Prefontaine Building, the Public Safety Building, and the Downtown Public Health Center. This includes major worksites and sites separated by one or more blocks with fewer than 100 employees; but does not include the Kingdome. Many adult detention and public safety personnel work various rotating shifts, 24 hours a day, seven days a week.

Most of the buildings are in the south end of downtown, near transit routes providing service to most parts of the region. The area is characterized by ample carpool and vanpool opportunities and parking, limited and metered on-street parking, abundant commercial parking lots and garages, and high parking costs (\$100.00 plus per month). The King County parking garage has 576 spaces with some reserved employee parking. Employee parking is at approximately market rate for the area.

Many services are available nearby including department stores, convenience stores, restaurants, shoe repair, drugstores, banks, daycare, video stores, dry cleaners, a major public library, licensing and government offices, and other personal service facilities. Free transit service is available within the downtown.

2. Youth Services Center - 1211 East Alder Street, Seattle

The Youth Services Center has about 250 affected employees and is located to the south and east of Seattle's First Hill area. This facility is a youth detention facility, which is in operation 24 hours a day, seven days a week. Staff work three shifts daily and rotate days and hours on a regular basis.

There are about 260 free parking spaces for employees and visitors. There is an average of 60 visitors per day, with about 40 spaces allocated for visitors. Some employees arrive early to get a parking space. On-street parking is limited to two hours.

The transit stops closest to the facility are two blocks away and riders must transfer downtown to make connections with routes to and from other areas. Employees perceive the area to be dangerous, particularly for pedestrians, as gangs frequent the area.

There are limited personal services in the vicinity of the Youth Services Center.

3. Eastpointe - 3600 - 136th Place SE, Bellevue

The County's Eastpointe facility has about 410 affected employees and is located in the Eastgate area of south Bellevue. The Building and Land Development and Environmental divisions are located there. Eastpointe is a remote suburban site, poorly served by public transportation, with only one Metro bus route and one van route serving the site during the morning and evening commute hours. Free parking is provided to employees. There are no services easily reached by foot in the area.

The site is located immediately adjacent to Interstate 90, with fairly easy automobile access and visibility.

Employees frequently need vehicles for site inspections, or public hearings and other meetings held in the evenings. There are currently 83 field and 23 semi-field inspection and code enforcement staff who travel directly home from their last inspection of the day.

4. Renton - 155 Monroe Ave. NE, Renton

The Renton site has about 169 affected employees and is located southeast of downtown Renton. It includes the Public Works Maintenance and Operations facility, Parks Renton shops, the Southeast Public Health Center, and the Renton District Courts. The closest transit service is about four blocks away. It provides service primarily in the opposite direction of desired travel to and from the site (to downtown Seattle in the morning; to Renton in the afternoon). There is abundant free parking provided on site. Showers and lockers are available. Employees work several shifts.

Services located about one-half to one mile from the site include day care, dry cleaning, video stores, and banks.

5. Cedar Hills, 16645 - 228th Ave. SE, Maple Valley

The Cedar Hills site has about 195 affected employees and includes the sanitary landfill and the alcohol and drug treatment facility. It is located in a rural area southeast of Seattle. Employees work several shifts. There is no transit service in the area. There is free employee parking at the site. There are no services in the area.

B. Documentation of compliance with the mandatory CTR program elements:

(1) Employee Transportation Coordinator

In 1988, a committee of King County and Metro staff members, known as the Transportation Management Program (TMP) Task Force, was established to implement transportation demand management activities for County employees. Community Transit and Pierce Transit staff joined the committee later. The committee is responsible for developing and promoting many of the program elements listed below.

There are 32 ETCs in the County's downtown and outlying facilities. More ETCs will be assigned as needed for CTR implementation. ETCs currently provide commuting information to coworkers and act as liaison to transit agencies and ridematch services. The attached ETC job description gives a detailed description of the function of King County ETCs.

(2) Information Distribution

Several County sites already have Commuter Information Centers and Plexiglas information boards, which hold Metro timetables and other transportation brochures.

ETCs distribute materials to coworkers about the County's transportation management program, including information from Metro and other service providers about alternatives to drive alone commuting. Many of these materials come from the Transportation Planning section and the TMP Task Force. Materials are also distributed at new employee orientations, along with a presentation from Transportation Planning staff.

Transportation fairs are held annually downtown for County employees and occasionally at outlying sites. Information is distributed by several service providers, including Metro, Pierce, and Snohomish Transit; Washington State Ferries, and King County Roadshare (bicycles and pedestrians).

(3) Annual Progress Report

Unless otherwise excused from the reporting requirements of the CTR law and guidelines, an annual report will be submitted to each of the cities of Seattle, Bellevue, and Renton on an annual basis starting in 1994 for the sites located in those jurisdictions. These reports will conform to standard information required to determine progress toward achievement of the CTR goals.

C. Description of the Additional Program Elements

In addition to the minimum actions required under the CTR law, King County is committed to continue the following transportation demand management actions:

- **Monthly transit pass subsidy for buses, ferries/buses, and vanpools**
- **County transportation management policies, including:**
 - Alternative work schedules authorized by Executive policy (PER-18-1[AEP]) - helps employees meet transit and rideshare schedules and avoid peak commute times by allowing flex time, compressed work weeks, and telecommuting, which allows employees to work at home based on arrangements with management.
 - High Occupancy Vehicle Parking Policy (FES12-4 [AP]) - encourages County facilities to provide designated parking spaces for carpools and vanpools.
 - Fleet Carpools - Executive policy allows employees assigned a vehicle as a part of their job to carpool with other King County employees who live on the route they usually take to and from work.
- **New employee orientation and promotional events**
 - commuter information presented at monthly personnel orientations; transportation fairs held annually at major worksites.
- **Bicycle facilities available at major locations**
 - Secured lockers, covered racks, showers; bicycles available for County business
- **Employee transportation surveys**
 - The County periodically surveys its employees to determine their commuting habits. This practice will continue. A survey will be done in fall 1992.
- **Transportation Management Program Task Force working on new incentives**
 - King County, Metro, Community Transit, and Pierce Transit staff will continue working on proposals for carpool parking, and enhancements to existing actions.
- **Charges for Parking**

King County charges for parking at its downtown facilities. Over the last few years the County has raised its parking rates to reflect market prices in an effort to encourage employees and others to make use of transportation other than driving alone.

VIII. Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources.

King County will continue to offer transportation management incentives to its employees in an effort to reduce drive alone commuting by employees at all locations. Primary responsibility for oversight of the CTR plan and programs instituted by employers in unincorporated King County is the responsibility of the Department of Public Works, which may use appropriate procedures to contract with another agency or agencies for required administrative services.

APPENDIX A - KING COUNTY CTR COORDINATING COMMITTEE MEMBERS

Ray Pullar, Director
Algona Public Works Department

Steve Mullen, Traffic Engineer
Auburn Public Works Department

Kay Kenyon, Senior Planner
Bellevue Planning Department

Gordon Burch, Associate Planner
Bothell Community Development
Department
Cynthia Knighton, Civil Engineer II
Bothell Public Works Department

Corbitt Loch, Associate Planner
Des Moines Planning Department

Lindsey Winborn, City Engineer
City of Enumclaw

Hamid Iravani, Transportation Planner
City of Federal Way

Bill Nims, Interagency Coordinator
Issaquah Public Works Department

Ed White, Transportation Engineer
Dick Gillisse, Traffic Engineer
Kent Public Works Department

Jonathan Dong, Assistant Planner
Kirkland Planning Department

Jerry Bacon, Policy Planner
City of Mercer Island

Kim Fernandes
Redmond Community Relations
Department

Liz Gotterer, Associate Transportation
Planner
Renton Transportation Division

Michael Booth, Land Use Administrator
SeaTac Planning Department

Jim Dare
Seattle Engineering Department

Kim Wilder
Snoqualmie City Administrator

Ron Cameron
Doug Micheau
Tukwila Public Works Department



Donna Gordon, Program Analyst
King County Department of Public Works

Ann Martin, Transportation Planner
King County Department of Public Works

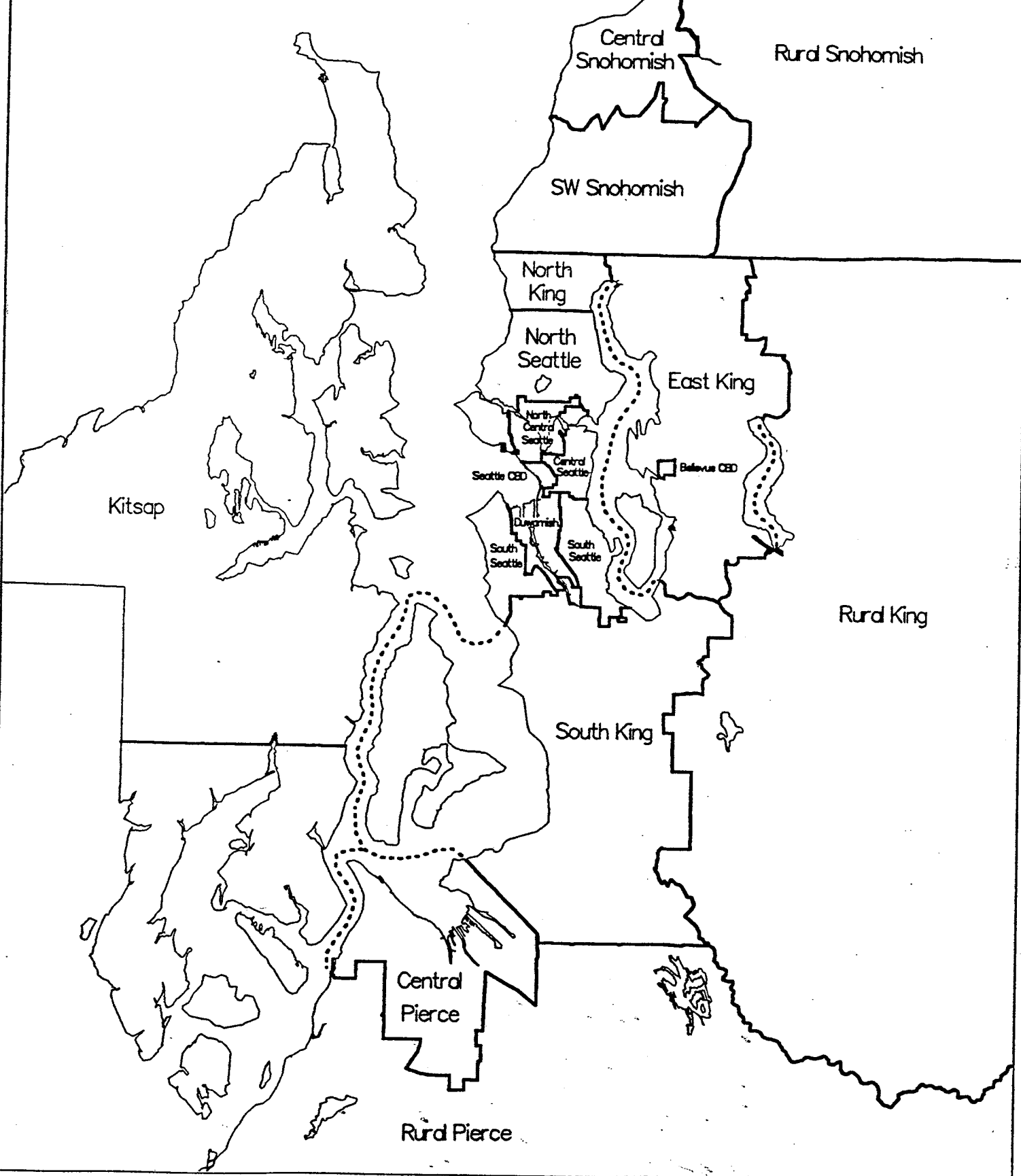


CENTRAL PUGET SOUND CTR ZONES

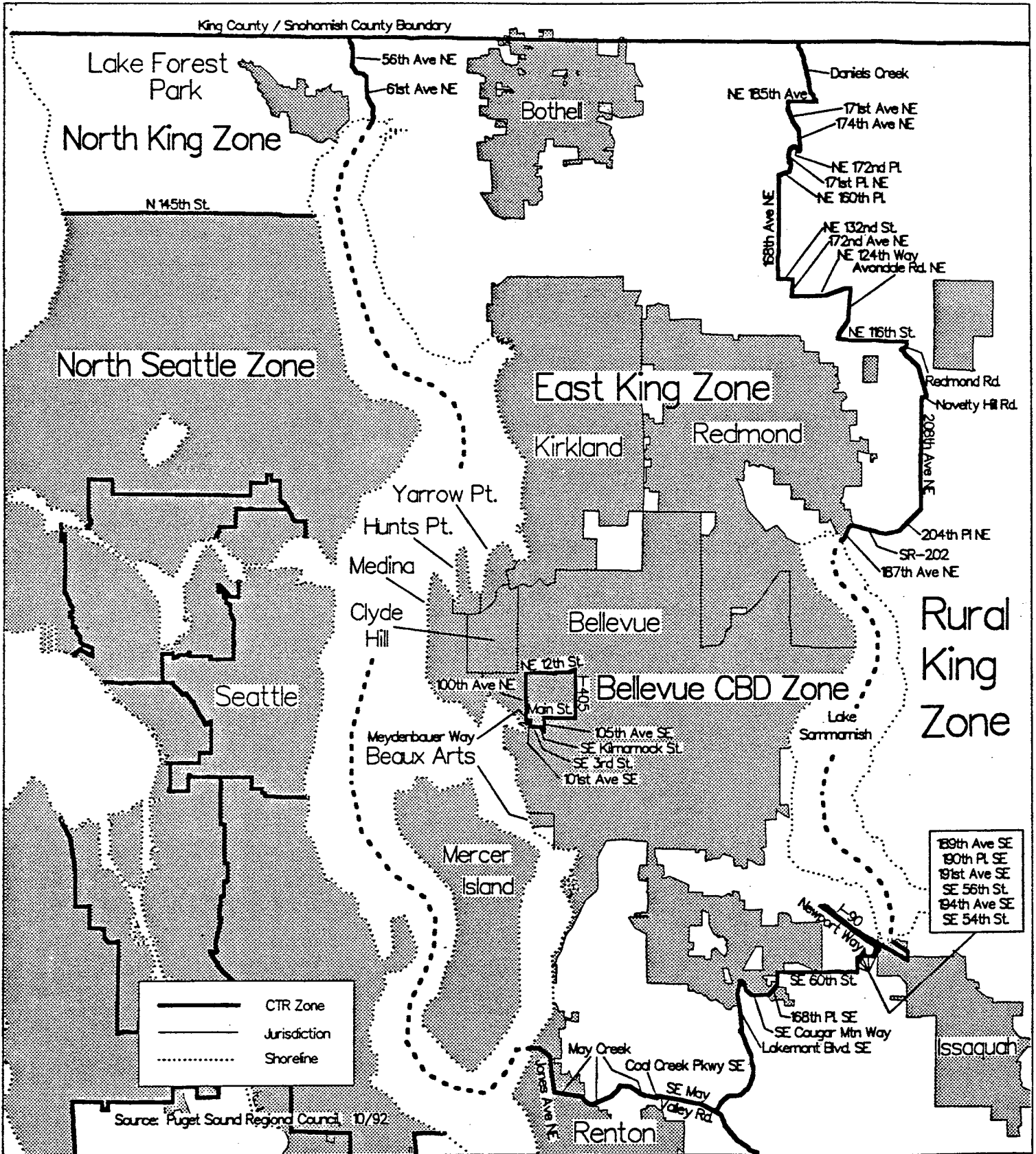
ATTACHMENT B

	CTR Zone
	Shoreline

Source: Puget Sound Regional Council, 10/92



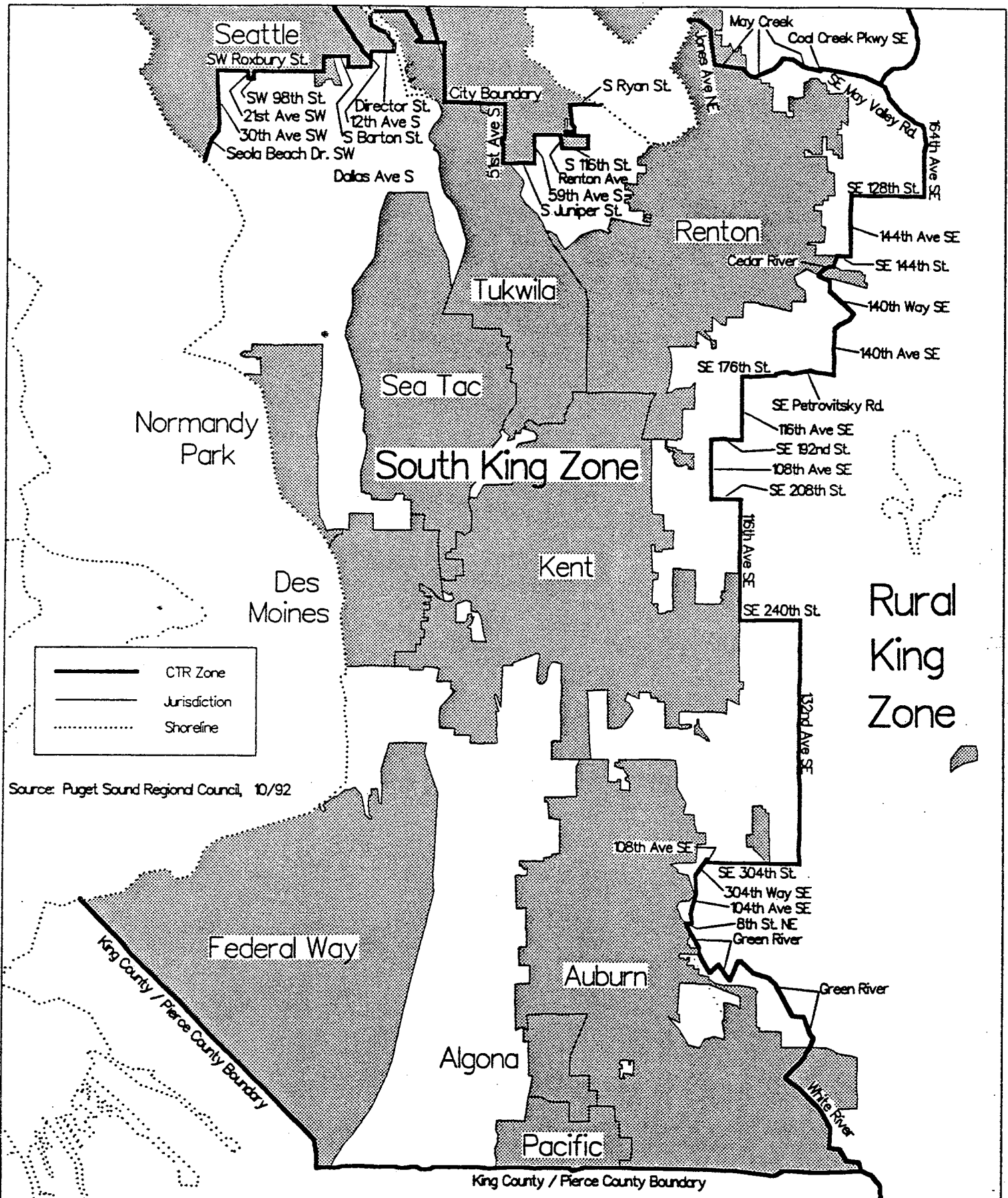
NORTH & EAST KING COUNTY CTR ZONES



	CTR Zone
	Jurisdiction
	Shoreline

Source: Puget Sound Regional Council, 10/92

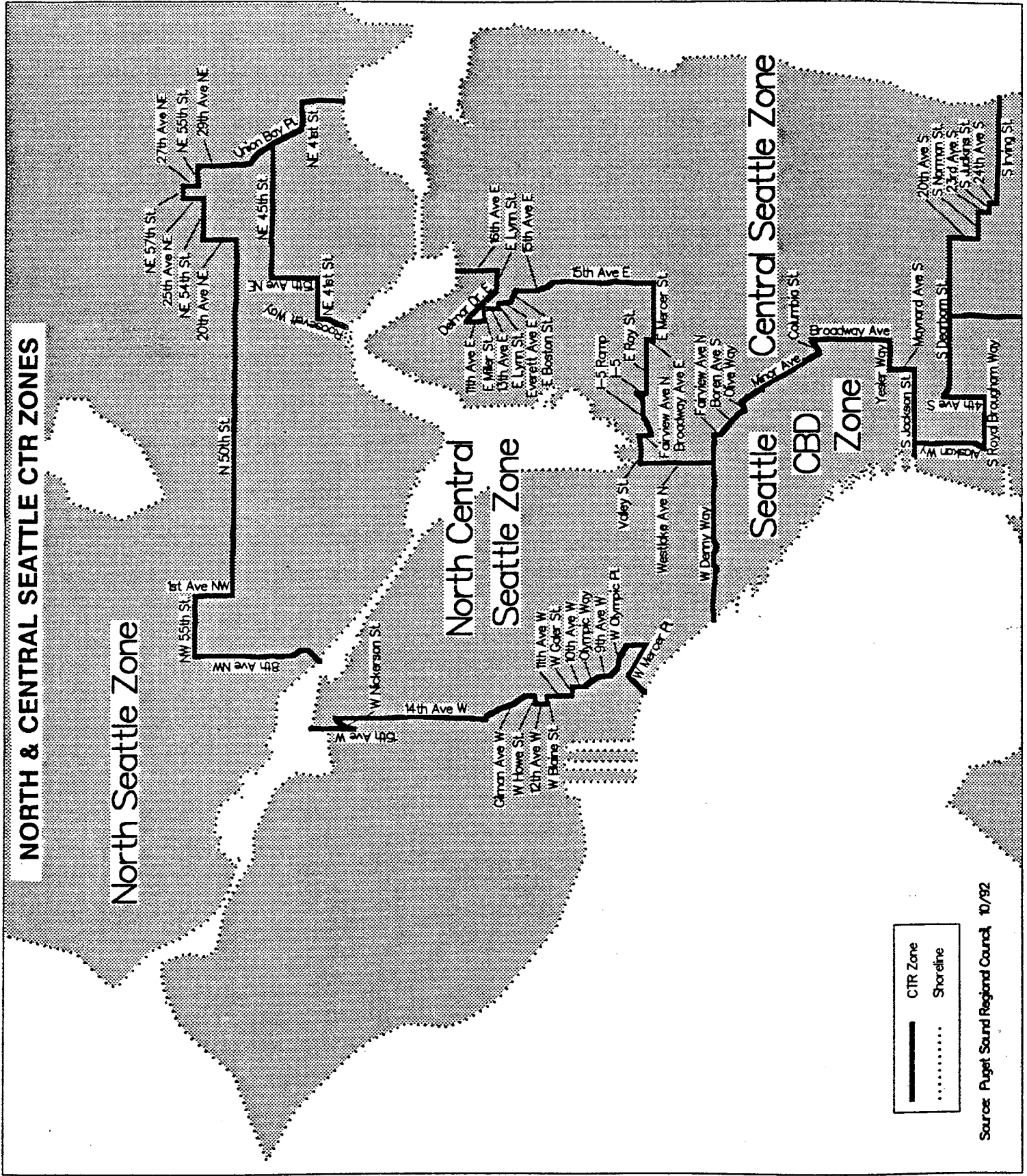
SOUTH KING COUNTY CTR ZONES

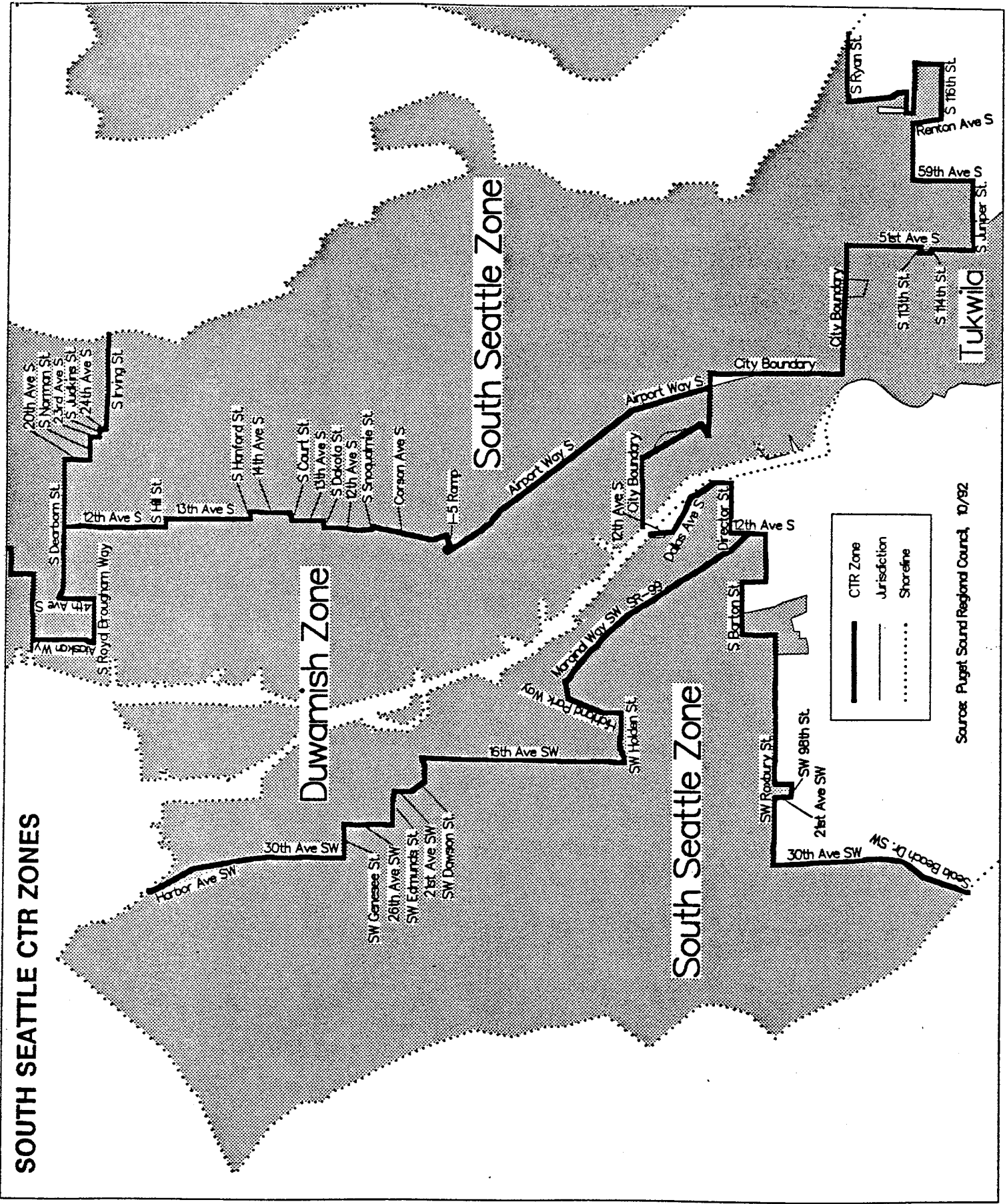


	CTR Zone
	Jurisdiction
	Shoreline

Source: Puget Sound Regional Council, 10/92

King County / Pierce County Boundary



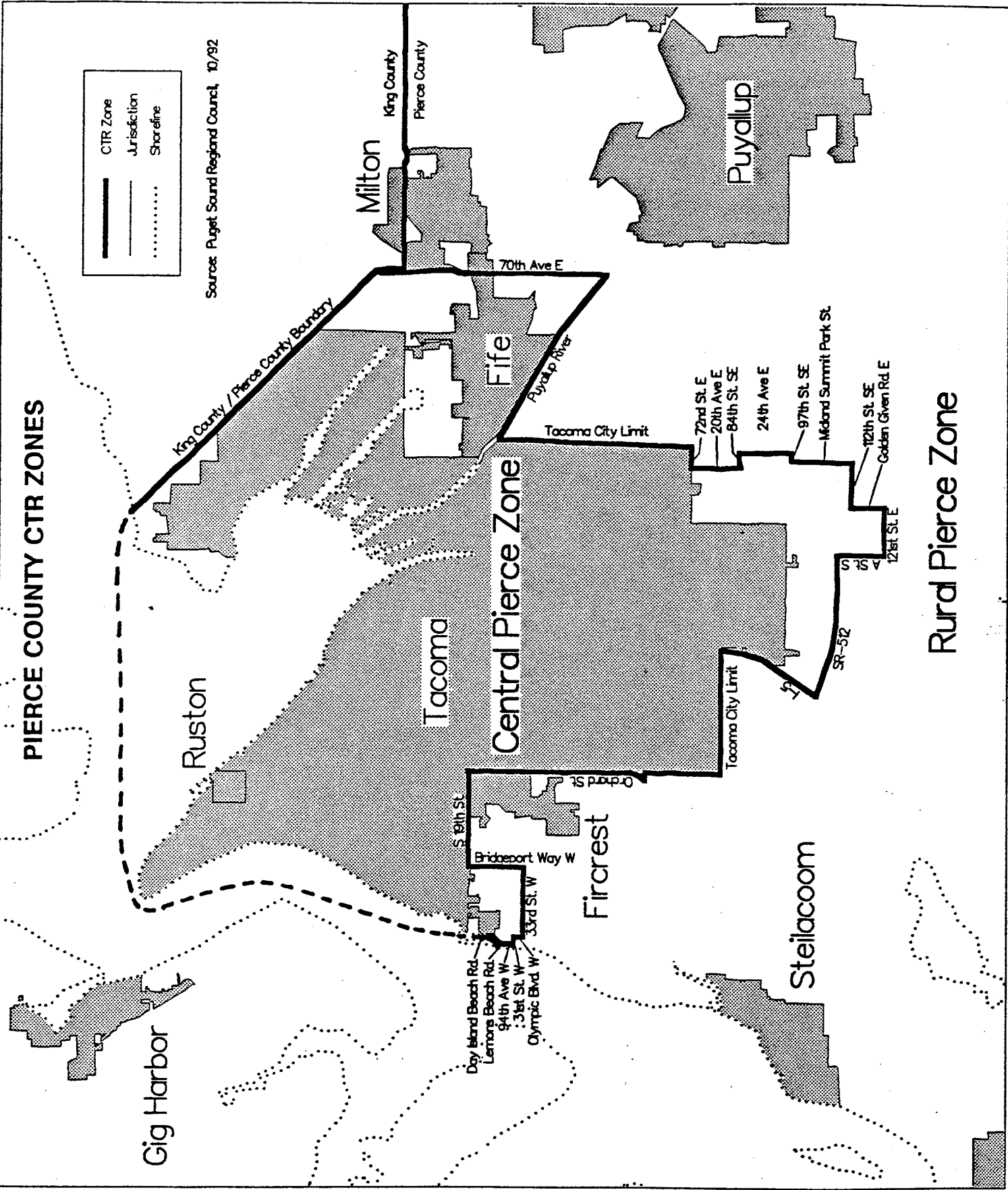


Source: Puget Sound Regional Council, 10/92

PIERCE COUNTY CTR ZONES

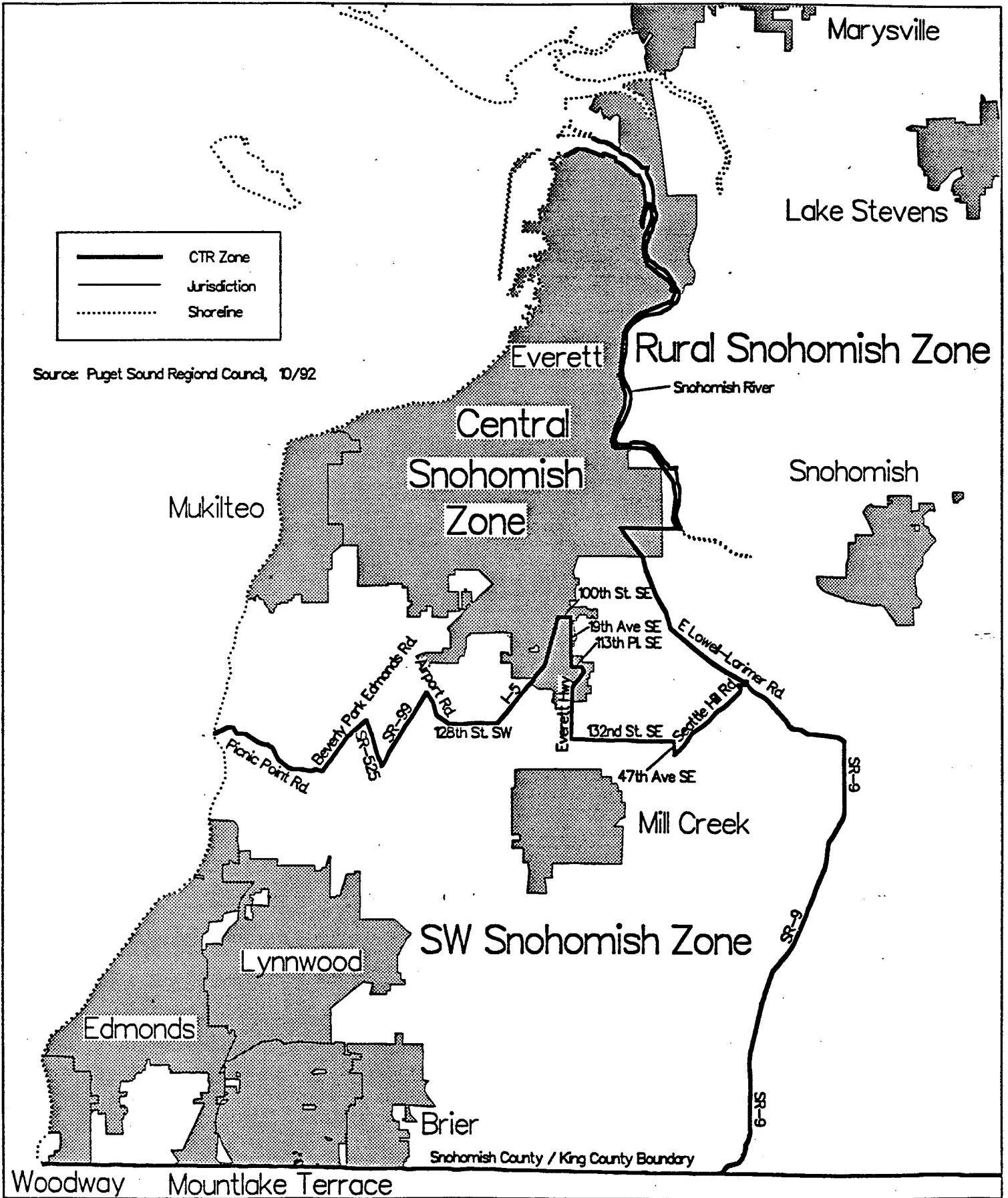
CTR Zone
Jurisdiction
Shoreline

Source: Puget Sound Regional Council, 10/92



Rural Pierce Zone

SNOHOMISH COUNTY CTR ZONES 10733



COMMUTE TRIP REDUCTION ZONE BASE YEAR VALUES

This table shows the base year values for vehicle miles traveled (VMT) per employee and single occupant vehicle (SOV) rate for the Commute Trip Reduction Zones in the central Puget Sound region--King, Kitsap, Pierce and Snohomish Counties.

CTR Zone	SOV	VMT	CTR Zone	SOV	VMT
KING COUNTY			SNOHOMISH COUNTY		
Seattle CBD	43	6.8	Cent. Snohomish	80	8.5
Duwamish	88	10.3	SW Snohomish	82	7.3
Cent. Seattle	59	9.2	Rural Snohomish	82	7.7
South Seattle	83	9.6	PIERCE		
N. Cent. Sea.	74	7.8	Central Pierce	85	7.2
North Seattle	85	8.2	Rural Pierce	90	7.7
North King	85	7.9	KITSAP		
East King	85	9.3	Kitsap	85	7.5
Bellevue CBD	81	9.2			
South King	85	9.3			
Rural King	90	9.0			