



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

February 21, 2001

Ordinance 14048

Proposed No. 2000-0190.3

Sponsors Sullivan

1 AN ORDINANCE relating to comprehensive planning and
2 transportation planning, clarifying the considerations for
3 road closure procedures, including transit as a factor in the
4 non-motorized vehicle program, amending the duties of the
5 department of transportation, and amending the policy
6 references for Transportation Adequacy Measure standards;
7 amending Ordinance 10962, Sections 3 and 4, as amended,
8 and K.C.C. 14.38.030, Ordinance 8421, Section 3, and
9 K.C.C. 14.56.020, Ordinance 8421, Section 3, and K.C.C.
10 14.56.030, Ordinance 11617, Section 4, as amended, and
11 K.C.C. 14.65.020 and Ordinance 11617, Section 27, as
12 amended, and K.C.C. 14.70.060 and repealing Ordinance
13 8421, Section 5, as amended, and K.C.C. 14.56.040.

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PREAMBLE:

17 For the purposes of effective land use planning and regulation, the King
18 County Council makes the following legislative findings:

19 1. King County has adopted the 1994 King County Comprehensive
20 Plan to meet the requirements of the Washington state Growth
21 Management Act (GMA).

22 2. The GMA requires that the Comprehensive Plan and development
23 regulations be subject to continuing review and evaluation by the
24 County.

25 King County has approved annual amendments to correct technical
26 errors and to make changes that do not require a substantive policy
27 change or alter the urban growth line.

28 3. King County has performed its first comprehensive four-year cycle
29 review of the Comprehensive Plan and development regulations. As a
30 result of the review, King County is amending the 1994 Comprehensive
31 through passage of the 2000 King County Comprehensive Plan.

32 4. The GMA requires that King County adopt development regulations,
33 to be consistent with and implement the Comprehensive Plan.

34 5. The changes to the King County Code title on roads and bridges,
35 K.C.C. Title 14, contained in this ordinance are needed to bring K.C.C.
36 Title 14 into conformance with the 2000 King County Comprehensive
37 Plan, as amended, as required by the GMA. As such, they bear a
38 substantial relationship to, and are necessary for, the public health,
39 safety and general welfare of King County and its residents.

40 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

41 SECTION 1. Ordinance 10962, Sections 3 and 4, as amended, and K.C.C.
42 14.38.030 are each hereby amended to read as follows:

43 **Determination.** A. The director, department of transportation, shall do the
44 following upon the receipt of a petition for road closure:

45 1. Acknowledge in writing within ten calendar days the receipt of the
46 petition~~((:))~~;

47 2. Refer the petition to the county road engineer for investigation,
48 determination, and for the making of a recommendation on road closure to the director.
49 The county road engineer shall first consider alternative safety measures designed, or
50 recommended, to mitigate the specifically stated reasons for the road closure petition.

51 B. The county road engineer's recommendation shall be submitted to the director
52 in writing no later than sixty days after the receipt of the petition.

53 C. The director shall ~~((notify the petitioners in writing of his))~~ provide his or her
54 written recommendation to the petitioners within ten days of the receipt of the county
55 road engineer's recommendation on the road closure petition. Said notification shall
56 ~~((delineate))~~ also indicate the process for council consideration of the director's
57 recommendation on a petition to close a county road.

58 D. The director may:

59 1. ~~((o))~~ Oppose the petition for road closure ~~((or may))~~ with basis for the
60 closure;

61 2. Identify alternative measures to address the safety issues cited in the petition
62 for the area defined by the road closure petition; or

63 3. ~~((d))~~ Determine that the portion of the road specified in the petition should
64 be:

- 65 a. fully closed~~((;))~~;
- 66 b. closed to through traffic only~~((;))~~;
- 67 c. open to emergency vehicles only~~((;))~~;
- 68 d. closed in one direction only~~((;))~~;
- 69 e. closed to certain types of vehicles; or
- 70 f. ~~((temporarily))~~ closed in one of the ways specified for an identified and
71 limited period of time.

72 E. ~~((In addition to making a determination on the merits of the road closure~~
73 ~~petition, the director may also identify safety measures for the area defined by the road~~
74 ~~closure petition as an alternative to road closure and may implement those road safety-~~
75 ~~related mitigations.))~~

76 ~~((F.))~~ The recommendation of the director to close a county road shall be
77 forwarded to the council for consideration and adoption by ordinance.

78 ~~((G.))~~ E. The recommendation of the director to reject a petition to close a county
79 road shall be conveyed by letter to the council which reserves the option, following such
80 notification, of closing all or a portion of the road that is the subject of the petition.

81 SECTION 2. Ordinance 8421, Section 3, and K.C.C. 14.56.020, are each hereby
82 amended to read as follows:

83 **Program established.** There is established a non-motorized vehicle program to
84 meet the following goals and objectives:

85 A. To identify and document the needs of non-motorized transportation in King

86 County, including bicyclists, equestrians, pedestrians, and special populations;

87 B. To determine ways that the existing county transportation network, including
88 transit, can be made more responsive to the needs of non-motorized users;

89 C. To inform and educate the public on issues relating to non-motorized
90 transportation;

91 D. To institute the consideration of non-motorized transportation in all related
92 county-funded programs, and to encourage the same consideration on an interlocal and
93 regional basis;

94 E. To improve non-motorized transport users and motorists compliance with
95 traffic laws; and

96 F. To guide development of a county functional plan for non-motorized
97 transportation, to implement the adopted policies established in the county
98 comprehensive plan, the county transportation plan, and current programs within county
99 government.

100 SECTION 3. Ordinance 8421, Section 3, and K.C.C. 14.56.030, are each hereby
101 amended to read as follows:

102 ~~((Coordinator—d))~~Duties and responsibilities. ~~((There shall be assigned~~
103 ~~within t))~~ The department of ((public works, a coordinator who)) transportation shall ((be
104 ~~accountable to the public works director or designee for carrying))~~ carry out the
105 following duties and responsibilities((-):

106 A. ~~((To coordinate the development and i))~~ Implement ((ation of)) the non-
107 motorized vehicle program;

108 B. ~~((To p))~~ Provide ((staff)) support to ((the)) any ad hoc non-motorized advisory

109 committee; ~~((to include attending all regular meetings of the advisory committee,~~
110 ~~consulting with and reporting regularly to said committee on the workings and activities~~
111 ~~of the non-motorized program;)) and~~

112 C. ~~((To-w))~~ Work with governmental agencies to identify, develop and promote
113 programs that encourage the use of non-motorized modes of transportation ((;

114 ~~D. To make recommendations to the director of public works through the non-~~
115 ~~motorized advisory committee on legislation, policies, programs and funding necessary to~~
116 ~~carry out the purposes of this chapter)).~~

117 SECTION 4. Ordinance 8421, Section 5, and K.C.C. 14.56.040, are each hereby
118 repealed.

119 SECTION 5. Ordinance 11617, Section 4, as amended, and K.C.C. 14.65.020,
120 are each hereby amended to read as follows:

121 **Relationships among three components of the Integrated Transportation**
122 **Program. A. Permit Processes.**

123 1. Certificate of Concurrency: Prior to submission of a development
124 application, a request for a certificate of concurrency shall be initiated by a submittal to
125 the department of transportation on a prescribed form containing information describing
126 the location, uses, intensities, trip generation characteristics and pertinent information for
127 the intended development. The certificate is a prerequisite for a complete development
128 application. The department of transportation shall use the submitted information to
129 determine the net trips to be generated, taking into account commute trip reduction
130 strategies, internal travel for mixed-use development, and pass-by trips from existing
131 traffic flows, and shall determine whether the development passes the concurrency test

132 prescribed in ~~((the TCM))~~ K.C.C. chapter ~~((of this title))~~ 14.65.

133 2. Development Application: Following the submission of a development
134 application, the department of transportation shall determine the transportation impact fee
135 to be paid under ~~((the MPS))~~ K.C.C. chapter ~~((of this title))~~ 14.75 and shall determine the
136 traffic impacts of the proposed development on roadway intersections that will be
137 adversely impacted and which must be mitigated using ~~((the IS))~~ K.C.C. chapter ~~((of this~~
138 ~~title))~~ 14.80.

139 B. Calculation of Trips Generated by a Development.

140 1. The vehicular trips expected to be generated by a proposed development shall
141 be calculated as of the time of application for a certificate of concurrency, using standard
142 generation rates published by the Institute of Transportation Engineers, other standard
143 references, or from other documented information and surveys approved by the
144 department of transportation.

145 2. The department of transportation may approve a reduction in generated
146 vehicle trips calculated pursuant to the preceding subsection based on the types of land
147 uses that are to be developed, on the expected amount of travel internal to the
148 development, on the expected pass-by trips from existing traffic, or on the expected
149 reduction of vehicle traffic volumes. Such reduction shall be used when calculating
150 TAM, MPS and IS, including any impact and mitigation fees and costs for which the
151 development shall be liable. The calculation of vehicular trip reductions as described in
152 this section shall be based in all cases upon sound and recognized technical information
153 and analytical process that represent current engineering practice. In all cases, the
154 department of transportation shall have final approval of all such data, information, and

155 technical procedures used to calculate trip reductions.

156 C. Calculations.

157 1. TAM Calculations. King County shall determine the Transportation
158 Adequacy Measure (TAM) for any zone according to policies (~~T-303, T-304, and T-~~
159 ~~306~~) T-209 of the ~~(e)~~Comprehensive ~~(p)~~Plan. The TAM is a two-part analysis,
160 involving the average weighted volume to capacity (v/c) ratio of arterials and highways
161 serving the zone (TAM value) and the existence of roadways critical to the zone's access
162 not funded for improvement in the committed network (unfunded critical links). If an
163 unfunded critical link exists, then any proposed development which sends at least thirty
164 percent of its trips to that critical link shall be deemed to fail the concurrency test until
165 the critical link is improved. Administrative rules issued under the authority of this
166 chapter shall contain a detailed technical description of the calculation of TAM and the
167 list of potential unfunded critical links to be monitored.

168 2. IS Calculations. Intersection level of service shall be calculated according to
169 the most recent Highway Capacity Manual or an alternative method approved by the
170 department of transportation.

171 D. Standards.

172 1. The standard for the TAM value of a zone shall be those maximum average
173 v/c zonal scores listed in Comprehensive Plan Policy (~~T-305~~) T-209 for Transportation
174 Service Areas, and displayed in K.C.C. 14.70.060.

175 2. The unfunded critical link standard shall apply to the links identified by
176 administrative rule, which have a volume to capacity ratio of 1.1 or more, and which
177 would carry more than thirty percent of the zone traffic from a residential development or

178 more than thirty percent of the traffic from a commercial development. The concept of
179 unfunded critical links shall not apply to roads in Transportation Service Areas 1 and 2 if
180 HOV lanes and transit service are available now or expected to be available within six
181 years in the unfunded critical link corridor. Unfunded critical links shall be applied only
182 on those roadways in unincorporated King County unless they are identified in a city
183 according to an interlocal agreement.

184 3. The intersection standard for all intersections shall be "E" as required by the
185 IS chapter and calculated according to the most recent Highway Capacity Manual, or
186 approved alternative method.

187 E. Application of Standards. The standards set forth above shall be used in the
188 ITP as follows:

189 1. In ~~((the TCM))~~ K.C.C. chapter 14.70, zone evaluation of concurrency shall be
190 calculated using the TAM value, the TAM standard for the zone, and unfunded critical
191 links analysis.

192 2. In the identification of improvement needs for the Transportation Needs
193 Report (TNR), the TAM and critical link standards will be used to determine needed
194 improvements, together with safety, operational, multimodal, traffic congestion, and
195 other criteria. These improvement needs shall be the source of projects included in the
196 TNR, Capital Improvement Program (CIP), and MPS list.

197 3. For the determination of traffic impacts for the SEPA evaluation of a
198 proposed development, the Intersection Standard will be used, as well as other criteria for
199 bicycle/pedestrian, traffic congestion, safety, and road design.

200 F. Administrative Fees. Fees for the ITP shall be imposed as follows:

201 1. An original administrative fee of one hundred dollars (\$100.00) plus ten
202 dollars (\$10.00) per residential unit or ten cents (\$0.10) per square foot of nonresidential
203 floor area shall be charged to the applicant for the TAM determination of concurrency
204 and issuance of an original concurrency certificate of a proposed development. No
205 original administrative fee shall exceed one thousand dollars (\$1000.00). An additional
206 administrative fee of fifty dollars (\$50.00) and five dollars (\$5.00) per residential unit or
207 five cents (\$0.05) for each square foot of nonresidential floor area shall be charged for the
208 one-time extension of a certificate as stated in K.C.C. 14.70.080E. No additional
209 administrative concurrency fee shall exceed five hundred dollars (\$500.00). The method
210 and time of collection of administrative fees for the concurrency test shall be stated in the
211 administrative rules for this title.

212 2. All developments subject to the MPS fees shall pay an administrative fee as
213 established by K.C.C. 14.75.080 and 14.75.090 at the time of application for an MPS
214 determination. Payment for impact mitigation fees under MPS shall be paid at the time a
215 development permit is issued, provided that residential developments may defer payment
216 until building permits are issued.

217 3. No administrative fees shall be charged for IS review, however, the owner of
218 a proposed development is responsible for the costs of any traffic study needed to
219 determine traffic impacts and mitigation measures at intersections, as determined by the
220 director.

221 G. Relationship to SEPA. The need for the environmental assessment of a
222 proposed development must be determined by the department of development and
223 environmental services, following the filing of a completed permit application. Impacts

224 on the road system will be mitigated through MPS fees. Impacts on intersections will be
 225 mitigated through the provisions of K.C.C. chapter 14.80. Nothing in this chapter shall
 226 cause a developer to pay mitigation and impact fees more than once for the same impact.
 227 Improvements and mitigation measures shall be coordinated by the director with other
 228 such improvements and measures attributable to other proposed developments, and with
 229 the county road improvement program so that the county road system is improved
 230 efficiently and effectively, with minimum costs to be incurred by public and private
 231 entities. The provisions of this title do not supersede or replace the provisions of the
 232 county SEPA authority as enacted in K.C.C. chapter 20.44.

233 SECTION 6. Ordinance 11617, Section 27, as amended, and K.C.C. 14.70.060,
 234 are each hereby amended to read as follows:

235 **TAM standards.** A. The following are the TAM standards for each
 236 Transportation Service Area, as adopted in the King County Comprehensive Plan Policy
 237 ((T-305)) T-209, provided there are no unfunded critical links affecting the concurrency
 238 zone:

Transportation Service Area	Maximum Averaged V/C Zonal Score	Average TAM Standard
Transportation Service Area 1 ((with adequate HOV and transit service (Activity center)	>1.0	F
Transportation Service Area 1 without adequate HOV and transit service))	0.99	E
Transportation Service Area 2	0.99	E

(((Full service area with transit priority)))		
Transportation Service Area 3 (((Full service area)))	0.89	D
Transportation Service Area 4 (((Service planning area)))	0.79	C
Transportation Service Area 5 (((Rural area)))	0.69	B

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The TAM standard for Transportation Service Area 3 shall be applied to development requests in Transportation Service Area 4 for individual sites where public sewer and water services are available at the time of the development permit application, as evidenced by water and sewer availability certificates satisfactory to the department.

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~~((For the purpose of this section, "adequate HOV and transit service" means that~~

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~~those services planned for Transportation Service Area 1 are in operation.))~~ The standard

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in each concurrency zone or part hereof shall be the same as for the Transportation

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Service Area in which the zone or part is located. In the event that a concurrency zone is

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affected by one or more unfunded critical links, the concurrency zone shall be considered

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to fail the standard for the zone.

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B. A certificate of concurrency shall not be issued to any proposed development

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if the standards in this section are not achieved and maintained for the development as a

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whole, or the portion of the development in each Transportation Service Area in which

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the development is proposed.

254 SECTION 7. Severability. If any provision of this ordinance or its application to
255 any person or circumstance is held invalid, the remainder of the ordinance or the
256 application of the provision to other persons or circumstances is not affected.

257 NOTE: This ordinance was passed on the 2/12/01 agenda although the final vote was not
258 taken until 2/20/01.

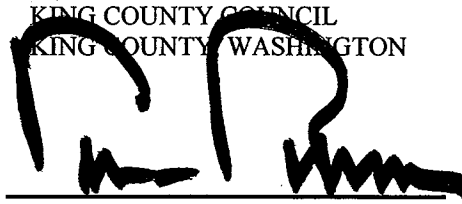
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Ordinance 14048 was introduced on 3/6/00 and passed as amended by the Metropolitan King County Council on 2/12/01, by the following vote:

Yes: 12 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Mr. Vance and Mr. Irons

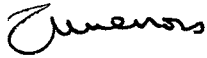
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Excused: 1 - Ms. Hague

KING COUNTY COUNCIL
KING COUNTY WASHINGTON


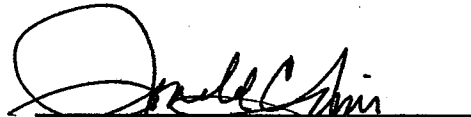
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 2 day of March, 2001.


Ron Sims, County Executive

Attachments None