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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3792

AN ORDINANCE relating to non-CBD transportation management programs; and adding a new Section 20.20.595 to the Bellevue City Code (Land Use Code).

WHEREAS, the Bellevue City Council adopted Ordinance No. 4409 on August 27, 1984, establishing a new Transportation/Circulation Element of the Comprehensive Plan; and

WHEREAS, that Element identifies objectives to reduce traffic congestion through ridesharing and transit programs; and

WHEREAS, that Element further establishes as policies that the private sector should be encouraged and/or required to develop ridesharing, transit, and flex-time programs; and

WHEREAS, the purpose of this ordinance is to increase the ridesharing and transit share of work trips to 18% and to further reduce congestion through flex-time; and

WHEREAS, the City Council has placed a high priority on addressing problems associated with Transportation; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and with the Bellevue Environmental Procedures Code; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 20.20 of the Bellevue City Code (Land Use Code) is amended by the addition of a new Section 20.20.595 which reads as follows:

20.20.595 Transportation Management Program:

A. Applicability

1. New Structures: The owner(s) of property or properties within OU, R-2.5, R-3.5, R-4, R-5, R-10, R-15, R-20, R-30, PO, O, OLB, LI, GC, NB, or CB Land Use Districts upon which new structural development is proposed shall, prior to any initial occupancy of any building, establish a Transportation Management Program if required under Paragraph C.1 of this Section and in accordance with the provisions thereof.

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2. Existing Structures: Existing structures are not subject to the requirements of this Section except when a substantial remodel is proposed, provided, if new structural development is proposed on a site on which there are existing structures, the owner(s) may propose that the entire site be made subject to the requirements of this section, in which case the transportation management program must meet the requirements of subsection C.1. based on the entire site, unless an alternative program is approved under subsection D.

B. Submittal Requirements

1. The Director of Design and Development shall specify the submittal requirements, including type, detail, format, methodology, and number of copies, for an application subject to this Section to be deemed complete and accepted for filing.
2. The Director of Design and Development may waive specific submittal requirements determined to be unnecessary for review of an application.
3. For purposes of this section, the term "employees" includes all on-site workers in buildings subject to the requirements of Section 20.20.595.

C. Transportation Management Program Requirements

1. Applicable Requirements: The owner(s) of any property proposing development which is subject to the requirements of this Section shall include in a Transportation Management Program those components identified as requirements on the following Transportation Management Requirements Chart which are applicable to said development. The Chart identifies the total gross square footage (for one or more structures) at which specific requirements become applicable. The requirements identified on the Chart are described in Paragraph C.2 of this Section.

TRANSPORTATION MANAGEMENT PROGRAM REQUIREMENTS

Program Requirement	Office & High Technology Light Industry (1)	Mftng/ Assembly (other than High Tech)	Professional Services: Medical Clinics & Other Health Care Services	Hospitals	Retail/ Mixed Retail/ Shopping Centers	Residential: Multiple Family Dwellings	Mixed Uses (2)
No Requirements	Less than 5000 gsf	Less than 30,000 gsf	Less than 12,500 gsf	Less than 60,000 gsf	Less than 60,000 gsf	Less than 16 units	(5)
Post Information (See Paragraph C.2.a of this Section)	5000 gsf and over	30,000 gsf and over	12,500 gsf and over	60,000 gsf and over	60,000 gsf and over (3)	16 units and over (4)	(5)
Distribute Information (See Paragraph C.2.b of this Section)	5000 gsf and over	30,000 gsf and over	12,500 gsf and over	60,000 gsf and over	(3)	16 units and over (4)	(5)
Provide Transportation Coordinator (See Paragraph C.2.c of this Section)	12,500 gsf and over	120,000 gsf and over	50,000 gsf and over	60,000 gsf and over	NA	NA	(5)
Provide Preferential Parking (See Paragraph C.2.d of this Section)	12,500 gsf and over	120,000 gsf and over	50,000 gsf and over	60,000 gsf and over	150,000 gsf and over	NA	(5)
Provide Financial Incentive (See Paragraph C.2.e of this Section)	12,500 gsf and over	120,000 gsf and over	50,000 gsf and over	NA	NA	NA	(5)
Provide Guaranteed Ride Home (See Paragraph C.2.f of this Section)	100,000 gsf and over	300,000 gsf and over	125,000 gsf and over	NA	NA	NA	(5)

Building size at which requirement becomes applicable

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Footnotes to Transportation Program Requirements Chart.

- (1) Excluding Professional Service: Medical Clinics and other Health Care Services.
- (2) Other than Mixed Retail
- (3) See Paragraphs C.2.a.ii and C.2.b.ii of this Section for posting and distribution requirements for retail uses.
- (4) See Paragraph C.2.a.iii and C.2.b.iii of this Section for posting and distribution requirements for residential uses.
- (5) Requirements for mixed uses will be determined on a project-by-project basis as described in Paragraph C.3 of this Section.

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2. Requirements Described: As indicated on the Transportation Management Program Requirements Chart the property owner(s) shall:
 - a. Post Information
 - i. General: Post ridesharing and transit information from METRO or other approved sources in the lobby or employee common room on a continual basis. This requirement applies to each separate building in a business complex.
 - ii. Retail: In addition to the general posting requirements of Paragraph C.2.a.i. of this Section, if a public enclosed common area is proposed, provide a kiosk for transit and ridesharing information from METRO or other approved sources.
 - iii. Residential: In lieu of the general posting requirements of Paragraph C.2.a.i. of this Section, if there is a proposed public or private enclosed common area, such as a mail-box area, social, entertainment, or meeting area, laundry rooms, or lobby, post ridesharing and transit information from METRO or other approved sources.
 - iv. Approval Required: All posting materials required by the Transportation Management Program Requirements Chart must be provided by a source approved by the Director of Design and Development. The design of all posting kiosks or other displays shall be approved by the Director of Design and Development.
 - b. Distribute Information
 - i. General: Distribute ridesharing and transit information from METRO or other approved sources annually to all tenants and employees, and to new tenants and new employees. Such information must identify available ridesharing and transit services.
 - ii. Retail: Conduct at least one transit/ridesharing promotion annually for purposes of encouraging transit and ridesharing use by the general public, tenants, and their employees for all retail uses including more than 200,000 gross square feet and a public enclosed common area.

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- iii. Residential: Distribute ridesharing and transit information from METRO or other approved sources annually to all dwelling units. Such information must identify available ridesharing and transit services
- c. Provide Transportation Coordinator
- i. General: Provide Transportation Coordinator services at a ratio of one Coordinator per 4,000 employees. The Coordinator shall publicize the availability of ridesharing options, provide an annual report to the City (see Paragraph E), act as liaison to the City, and provide ridesharing matching assistance in conjunction with METRO or a private system sponsored by the property owner as approved by the City.
 - ii. Availability: The property owner must provide the Transportation Coordinator's name to the City. The Coordinator must be available for meetings and training sessions conducted by the City or other agency approved by the City.
- d. Provide Preferential Parking
- i. General: Provide specially marked parking spaces in a preferential location between 7 a.m. and 9 a.m. for each registered carpool and vanpool in which tenants and their employees participate. Preferential location includes covered parking when possible and proximity to building.
 - ii. Enforcement and Monitoring: Preferential parking must be enforced and monitored through on-site inspection at least three mornings a week.
 - iii. Registration: To facilitate monitoring, carpools and vanpools must be certified through a registration system as approved by the City. Carpools and vanpools will be re-certified quarterly.
- e. Provide Financial Incentive
- i. General: Provide a \$10.00/month financial incentive for employees on-site commuting by carpool, vanpool, and transit. The financial incentive for transit riders and METRO vanpool riders will be a discounted METRO bus/vanpool pass. The financial incentive for

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each carpool and non-METRO vanpool participant will be either: a cash bonus to the participant, a coupon redeemable for gasoline, or an equivalent discount in parking charges.

- ii. Annual Adjustment: The \$10.00/month financial incentive must be adjusted annually from the date of the annual report for any cost-of-living increases or decreases indicated by the most recent Consumer Price Index for all urban consumers all items as published by the U.S. Department of Labor for the Seattle-Everett area.
- iii. Expenditure Limitation and Adjustment: The maximum annual expenditure for the financial incentive need not exceed an amount equal to \$10.00/month x 18% of employees on site, not including administrative costs. For the purpose of determining the maximum annual expenditure for the financial incentive the first year, the number of employees on site shall be established by the Transportation Coordinator at a date six months after the issuance of the temporary certificate of occupancy. In subsequent years, the number of employees on site shall be determined at the time of the annual report (see Paragraph E), and this number shall be used in calculating the maximum annual expenditure for the financial incentive for the ensuing year.
- iv. Annual Adjustment: The maximum amount must be adjusted annually for cost-of-living changes as described in paragraph C.2.e.ii.
- iv. Non-Peak Bonus
 - (1) General: Office and High Technology Light Industry developments that have a financial incentive requirement may reduce that requirement for the ensuing year by providing off-peak work hour schedules that encourage workers to arrive outside of the peak period. The peak period is defined as 7:30 - 8:30 a.m. Only day shifts beginning between 6:00 a.m. and 7:30 a.m. and between 8:30 a.m. and 10:00 a.m. may qualify for the Non-Peak Bonus.
 - (2) Adjustment Schedule: The maximum annual expenditure for the financial incentive may be reduced as indicated below:

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<u>Percent of workforce arriving in peak period</u>	<u>Percentage of maximum financial incentive required</u>
60% or more	100%
55 - 59	93
50 - 54	76
45 - 49	61
40 - 44	46
35 - 39	30
Less than 35	-0-

(3) Survey Requirement: To qualify for a Non-Peak Bonus, the property owner must provide an on-site, a.m. peak period driveway survey of on-site employee arrival times. The Director of Design and Development shall approve the individual who is proposed to conduct the survey and the survey method. The survey report must be submitted to the City with the required annual report. (See Paragraph E. of this Section.)

f. Provide Guaranteed Ride Home

- i. General: Provide a taxi-scrip system of low-cost rides home for on-site employee transit riders or registered on-site employee carpoolers and vanpoolers who miss their bus or ride because of an employer requirement to work late or because of a need to leave early due to illness or home emergency.
- ii. Expenditure Limitation and Adjustment: The property owner may charge no more than 10 percent of the cost of the ride to the on-site employee. The property owner may limit the number of such rides home used by any single on-site employee to four times per year or 60 miles per year, whichever is less. The maximum annual expenditure of the property owner for the guaranteed ride home need not exceed an amount equal to \$1.50 x total number of on-site employees, not including administrative costs. For the purpose of determining the maximum annual expenditure for the guaranteed ride home the first year, the number of employees on site shall be established by the Transportation Coordinator at a date six months after the issuance of the temporary certificate of occupancy. In subsequent years, the number of employees on-site shall be determined at the time of

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the annual report (see Paragraph E), and this number shall be used in calculating the maximum annual expenditure for the guaranteed ride home for the ensuing year.

- iii. Annual Adjustment: The maximum dollar amount must be adjusted for cost-of-living changes as described in paragraph C.2.e.ii.

3. Mixed Uses

- a. Determination of Requirements: The Director of Design and Development shall determine the Transportation Management Program requirements for mixed uses and shall be limited to the requirements specified in Section C.2. The Director shall apply the requirements for the same or most similar use pursuant to the chart in Section C.2.
 - b. Appeal: Decisions made pursuant to paragraph 3.a. may be appealed pursuant to Land Use Code Section 20.35.600 et. seq. (Process VI).
- D. Substitution of Alternative Program: With the approval of the Director of Design and Development, an alternative transportation management program may be substituted by the owner for those components identified as requirements in Paragraph C. of this Section if, in the judgment of the Director, the alternative program is at least equal in potential benefits to the requirements in Paragraph C. of this Section.
- E. Reporting Requirements: Beginning six months after the issuance of a Temporary Certificate of Occupancy or a Final Certificate of Occupancy, whichever comes first, and annually thereafter for development subject to this Section, the property owner must submit a report to the Director of Design and Development who shall determine compliance with this section. The report must describe each of the required Transportation Management Program components that were in effect for the previous year, the total number of on-site employees, the expenditures for financial incentives and guaranteed ride home, the number of bus passes sold and the number of registered carpools and vanpools. A report form will be provided to the property owner by the City.
- F. Review of Non-CBD Transportation Management Program: The Directors of Design and Development and Planning shall review the Non-CBD Transportation Management Program after two years, and thereafter every three years. The Director shall submit a summary report to the Planning Commission describing the results of the Program and may recommend any changes to this Section as may be necessary to

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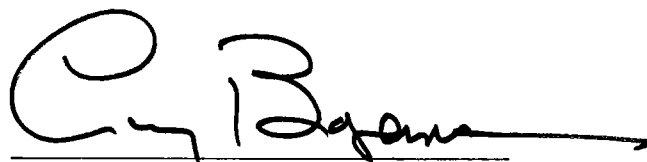
further the purposes of this Section.

- G. Recording: Prior to the issuance of a building permit or of any approvals made pursuant to Chapter 20.30 of the Land Use Code, the owner(s) of property subject to this Section shall record an agreement between the City and the property owner with King County Division of Records and Elections and with the Bellevue City Clerk that requires compliance with this Section by the present and future owner(s) of the property.
- H. Appeals: Any decision made pursuant to this Section which is part of an approval identified in Chapter 20.30 of the Land Use Code can be appealed as the underlying approval. If a decision made pursuant to this Section is not a part of an approval subject to a Land Use Code appeal, then such decisions shall be appealable pursuant to the provisions of Section 20.35.600 et. seq. of the Land Use Code (Process VI).

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 26th day of May, 1987, and signed in authentication of its passage this 26th day of May, 1987.

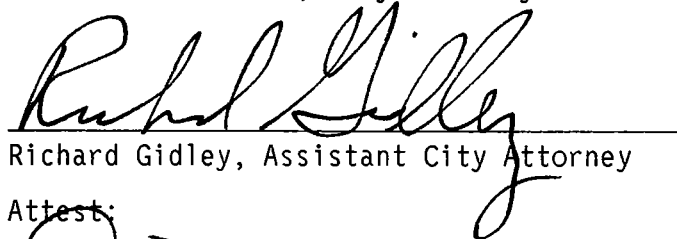
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Cary E. Bozeman, Mayor

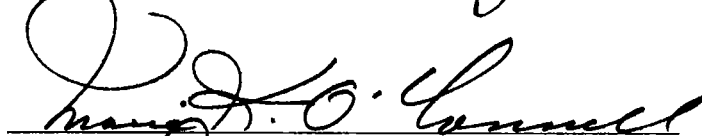
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published May 29, 1987