

# **Snohomish County Department Of Public Works (DPW) Rules Adopted Pursuant to the Rulemaking Requirements of Chapter 30.82 SCC**

***Providing Detail and Specificity for the Traffic Mitigation and  
Concurrency Requirements of Chapter 30.66B SCC***

***All Rules herein are adopted pursuant to the delegation of authority in  
SCC 30.66B.080.***

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## **4228 TRANSPORTATION DEMAND MANAGEMENT (TDM) FOR DEVELOPMENT**

### **4228.010 Applicability and/or Purpose**

*Adopted 9/27/01, First Revision 10/11/04*

- (1) This Rule applies to land development applications determined to be complete on or after the effective date of Amended Ordinance No. 95-039 (July 13, 1995).
- (2) This Rule relates to Transportation Demand Management (TDM) plans and trip reduction credits pursuant to SCC 30.66B.610-680.
- (3) This Rule describes how trip reduction credits are approved and managed.

### **4228.020 Trip Reduction Credits Procedures.**

*Adopted 9/27/01, First Revision 10/11/04*

- (1) Developers are encouraged to provide Transportation Demand Management (TDM) measures to mitigate their traffic impacts and may be eligible for trip reduction credits.
- (2) Developers will be informed of TDM options at the presubmittal conference.
- (3) The Department of Public Works (DPW) will help developers apply the on-site design principles of Sno-Trans' "A Guide to Land Use and Public Transportation" (document available for reference at DPW) to facilitate compatibility with TDM.

### **4228.030 TDM measures eligible for trip reduction credits may include:**

*Adopted 9/27/01, First Revision 10/11/04*

- (1) Transportation Demand Management (TDM) measures eligible for trip reduction credits may include:
  - (a) construction of on-site design features for TDM compatibility,
  - (b) implementation of voluntary trip reduction programs, and
  - (c) additional TDM measures with an area-wide impact may be eligible for trip reduction credits on a case-by-case basis.

### **4228.040 TDM Plans**

*Adopted 9/27/01, First Revision 10/11/04*

- (1) Developers wishing to receive credits by providing Transportation Demand Management (TDM) measures must provide TDM plans with their initial development application. Such TDM plans will describe the TDM measures proposed for the development.
- (2) Based upon adopted Rules the Department of Public Works (DPW) will determine if a development application's TDM plan meets the requirements for on-site TDM compatibility and/or voluntary trip reduction programs and/or measures with an area-wide impact and will determine the amount, if any, of trip reduction credits allowed.
- (3) A development proposing TDM measures shall include the TDM plan as part of a mitigation proposal under SCC 30.66B.055(4).
- (4) The written submittal of voluntary trip reduction programs shall be provided in the TDM plan in a form acceptable to DPW. When a traffic study is required the submittal will be part of that study.

### **4228.050 Restrictions**

*Adopted 9/27/01, First Revision 10/11/04*

- (1) On-site features accepted for Transportation Demand Management (TDM) compatibility in a mitigation proposal and/or measures with area-wide impacts allowed credits under this section must be constructed before any certificate of occupancy or final inspection will be issued.
- (2) Special access easements accepted for TDM compatibility in a mitigation proposal must be recorded as restrictive covenants on the appropriate property title(s) before any certificate of occupancy or final inspection will be issued.
- (3) Voluntary trip reduction programs accepted for TDM compatibility in a mitigation proposal must be recorded as restrictive covenants on the appropriate property title(s) before any certificate of occupancy or final inspection will be issued. Such restriction shall state that the owner agrees to the implementation and ongoing operation of a voluntary trip reduction program as per Chapter 32.40 SCC by the proposed occupant(s) of the site and by all subsequent occupants as a condition of use for that property.
- (4) The Department of Public Works (DPW) will release the owner from title restrictions after a six-year time period during which the owner of the development demonstrates satisfactory fulfillment of the terms of the voluntary trip reduction program as agreed upon in the TDM plan.
- (5) DPW will determine fulfillment of the terms of the voluntary trip reduction program through the development's annual report and through verification by DPW's monitoring program under Section 4228.100(5) below.
- (6) If DPW determines that the terms of the voluntary trip reduction program are not being fulfilled DPW will notify the developer or owner in writing.
- (7) After the determination of program fulfillment has been made for the sixth year of the voluntary

trip reduction program, DPW shall, within 90 days provide appropriate documentation enabling the owner to remove the voluntary trip reduction program title encumbrance.

(8) Voluntary trip reduction programs accepted for any development occupied by an affected, major employer subject to the provisions of the commute trip reduction ordinance, Chapter 32.40 SCC, shall, in any cases of conflicting requirements, meet the requirements of Chapter 32.40 SCC.

#### **4228.060 Application of Trip Reduction Credits**

*Adopted 9/27/01, First Revision 10/11/04*

(1) Trip reduction credits allowed to developers will be used in accordance with SCC 30.66B.670.

(2) The Department of Public Works (DPW) will encourage other jurisdictions to allow trip reduction credits granted to a development to apply against its calculated trip generation including PM peak-hour trips and ADT for use in determining impacts on state facilities as per SCC 30.66B.710 or other jurisdiction's facilities as per SCC 30.66B.720.

#### **4228.070 Modification of TDM Plans.**

*Adopted 9/27/01, First Revision 10/11/04*

(1) After occupancy or upon resale, a development and/or owner which decides to not implement or discontinue a trip reduction program contrary to the title covenant or to remove or cease maintaining site-design features contrary to the developer's Transportation Demand Management (TDM) plan may do so by making a payment to the Department of Public Works (DPW) equal to the amount of the discount(s) resulting from the initial credit to any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of county roads, mitigation requirement and/or any TDM payment under SCC 30.66B.625 with adjustments for inflation.

(2) The county shall, upon receipt of such payment release the developer and/or owner from any further trip reduction program obligation and allow the developer and/or owner to remove the restrictive covenant and/or release the developer and/or owner from obligations of the TDM plan. Upon failure by a developer and/or owner to make such payment in full to DPW, the Public Works Director, after notice to the developer and/or owner, may place a lien upon the property for an amount equal to the required payment and/or withhold further certificates of occupancy or occupancy approval.

(3) Upon failure by a developer and/or owner to maintain on-site features approved as part of a TDM plan or to continue an approved trip reduction program contrary to a restrictive covenant, the Public Works Director, after notice to the developer and/or owner, may place a lien upon the property for an amount equal to the discount(s) resulting from the initial credit to any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of county roads, mitigation requirement and/or any TDM payment under SCC 30.66B.625 with adjustments for inflation.

(4) Any development that does not implement a TDM plan as approved, may be subject to a new concurrency determination.

#### **4228.080 Trip Reduction Credits for TDM Compatible On-Site Design Features for Commercial Developments.**

*Adopted 9/27/01, First Revision 10/11/04, Second Revision 12/9/07*

(1) The Department of Public Works (DPW) will allow a five percent trip reduction credit to any commercial development including multi-family residential deemed "Transportation Demand Management (TDM) compatible" by incorporating on-site design features as described in SCC 30.66B.640(2) to the satisfaction of the DPW.

(a) The intent of SCC 30.66B.640(2) is to apply to both commercial developments and multi-family residential developments. The code uses the word "including" because at the time it was adopted, multi-family was considered to be a commercial development.

(b) The term "adjacent" in SCC 30.66B.640(2)(d) shall mean a bus stop or pedestrian facility located immediately next to the perimeter boundary of the development, on a parcel that is coincident with a parcel of the development, that can be reached without having to construct off-site improvements. If neither a bus stop nor a pedestrian facility is located adjacent to the development, then SCC 30.66B.640(2) shall not be a criteria that has to be met to be eligible for trip reduction credits.

(2) The DPW will allow up to two additional trip reduction credits pursuant to SCC 30.66B.650(1) and as indicated below to any commercial development, including multi-family residential, voluntarily agreeing to implement a voluntary trip reduction program under SCC 30.66B.650(2) and deemed "TDM compatible" for on-site design SCC 30.66B.640(2) which constructs or incorporates bicycle facilities and reduced automobile parking to the satisfaction of DPW consistent with the following.

(a) For employment sites an additional one percent trip reduction credit for on-site bicycle facilities including bicycle parking lockers or secure/covered racks and bicyclist/pedestrian shower and locker facilities sufficient to meet the needs of one percent of the development's peak-hour trips; and/or

(b) An additional one percent trip reduction credit for a reduction of required parking spaces under SCC 30.26.040 resulting in provision of parking spaces less than the amounts specified as minimum requirements under SCC 30.26.030.

#### **4228.090 Trip Reduction Credits for TDM Compatible On-Site Design Features for Residential Developments.**

*Adopted 9/27/01, First Revision 10/11/04*

(1) The Department of Public Works (DPW) will allow a five percent trip reduction credit to any subdivision or short subdivision for single-family and/or duplex residential units deemed "Transportation Demand Management (TDM compatible)" by incorporating on-site design features as described in SCC 30.66B.640(3) to the satisfaction of the DPW:

(a) The term "adjacent" in SCC 30.66B.640(3)(b) is defined in Rule 4228.080(1)(b).

(b) For calculating gross density, the area defined by the perimeter of the boundaries of the parcel(s) being developed shall be used, including any right-of-way dedications included within that perimeter. The ratio of units to square feet cannot be rounded up to achieve the threshold (e.g., 3.99 is still less than 4).

#### **4228.100 Trip Reduction Credits for Voluntary Trip Reduction Programs for Commercial Development.**

*Adopted 9/27/01, First Revision 10/11/04*

(1) Pursuant to SCC 30.66B.650(2), the Department of Public Works (DPW) will allow a five percent trip reduction credit to a commercial development including multi-family residential which voluntarily agrees to implement a trip reduction program under the provisions of Chapter 32.40 SCC and to the satisfaction of DPW. The intent of SCC 30.66B.650(2) is to apply to both commercial developments and multi-family residential developments.

(2) Voluntary trip reduction programs under this section will meet the same basic requirements as those required of affected employers under SCC 32.40 with the following exceptions and/or modifications:

(a) Use of concepts applying to "employer(s)" and "employee(s)" will be applied to "developer(s)", "owners", "managers", or "occupants" and to any persons making trips to and from the development site; and

(b) use of concepts applying to "Commute Trip Reduction" or "CTR" will be applied to "Trip Reduction" in general and include trips outside the peak hours; and

(c) the term "Transportation Coordinator" will be used instead of "Employee Transportation Coordinator"; and

(d) the CTR zones, CTR performance targets, and surveys as per SCC 32.40.050(2) will not apply to voluntary trip reduction programs under this section.

(3) Voluntary trip reduction programs under this section will include the "basic measures" of designation of a transportation coordinator, distribution of information, annual report, and ridematching program.

(a) The transportation coordinator must at minimum: be regularly available to answer questions on how to access the site using alternative transportation modes, be able to provide information about the nearest transit stops and routes, provide employees or residents with ridematch applications for the regional ridematch program and provide personalized ridematching assistance, and be available to DPW to coordinate the monitoring of the development's trip reduction program.

(b) The annual report shall be on a form available from the DPW. The annual report shall be submitted to the DPW each year prior to the anniversary date of the issuance of the development's initial occupancy permit. The annual report will provide information to the DPW indicating the status of the trip reduction program including at minimum: confirmation of continuing operation of the program, any changes in the program, results from any formal or informal surveys, and a general assessment of the effectiveness of the program.

(4) Voluntary trip reduction programs under this section will include an additional minimum number of trip reduction measures from the "Selection Menu" shown in Table 4228.1 below and described in SCC 32.40.050(4), to meet the following requirements:

(a) developments with 200 or less ADT: no additional selectable measures; and

(b) developments with 201 — 800 ADT: one additional measure; and

(c) developments with 801 — 2,000 ADT: two additional measures; and

(d) developments with 2,001 — 10,000 ADT: three additional measures at least one of which must be from category two or area-wide enhancements; and

(e) developments with 10,000 or more ADT: four additional measures at least two of which must be from category two or area-wide enhancements.

(5) The DPW shall have the right to monitor voluntary trip reduction programs under this section including:

(a) semi-annual telephone calls to the transportation coordinator to confirm the program's status; and

(b) annual site visits, by appointment, to confirm the program's status and maintenance of TDM-compatible site features.

<b>Category 1: Programmatic and Minor Capital Measures</b>	<b>Category 2: Services and Major Capital measures</b>
Ridematching, Personalized and/or Regional	Dedicated ETC (20+ hours per week)
Restrictions on Parking Availability	Subsidized Bus Service
Teleworking	Subsidized Ridesharing
Modified or Flexible Work Schedules	Provision of Vans for Vanpooling
Guaranteed Ride Home	Design or Redesign Site for Transit and HOV Compatibility

<b>Table 4228.1: Additional CTR Measures by Category</b>	
<b>Category 1: Programmatic and Minor Capital Measures</b>	<b>Category 2: Services and Major Capital measures</b>
Enhanced Promotions and Marketing	Construct Transit/ Rideshare Shelters or Loading Areas
Commuter Information Centers	Monetary Incentives
Participate in Transportation Management Organizations	Instituting or Increasing Parking Charges
Bicycle Facilities	Employer Vehicles for Ridesharing
Preferential High Occupancy Vehicle (HOV) and Bicycle Parking	Other Innovative Measures
Other Innovative Measures	

**4228.110 Additional Trip Reduction Credits for Trip Reduction Measures with Area-Wide Impact.**

*Adopted 9/27/01, First Revision 10/11/04*

(1) Pursuant to SCC 30.66B.650(3) the Department of Public Works (DPW) may allow to a development on a case-by-case basis up to five percent additional trip reduction credits for on-site measures with an area-wide impact not used to satisfy requirements under SCC 30.66B.650(2).

(2) The DPW may allow up to a five percent trip reduction credit for one or a combination of more than one of the following to the satisfaction of the DPW:

- (a) mixed-use site design; and/or
- (b) construction of designated, signed commuter parking spaces for commuters accessing transit, carpools, or vanpools (i.e. park-and-pool or park-and-ride spaces) PROVIDED, That the total number of parking spaces constructed by any non-residential development is less than or equal to the minimum specified under SCC 30.26.030; and/or
- (c) other innovative projects with area-wide impacts approved by the DPW.

(3) Such credits may only be allowed based upon analysis in a traffic study by the developer which substantiates that the measure(s) are likely to achieve the requested trip reduction or achieve a commensurate reduction in vehicle trips from traffic in the area (existing traffic or traffic not generated by the development). Such substantiation must include detailed data on the travel characteristics of the affected trip-makers, identification of the selected trip reduction measures and their relationship to the travel characteristics of the affected trip-makers, specification of the percent reduction likely for each of the selected trip reduction measures, and supporting documentation which may include case studies, available research, or other data and information showing that the selected measures are likely to meet the indicated reductions.