

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

City code requirements for ongoing trip reduction measures at large real estate developments, also known as Transportation Management Programs (TMP).

STAFF CONTACTS

Dave Berg, Director, 452-6468

Paula Stevens, Assistant Director for Planning, 452-2802

Mike Ingram, Senior Planner, 452-4166

Transportation Department

POLICY CONSIDERATION

City code provisions for trip reduction requirements at large real estate developments were last revised in 1995 (BCC 14.60.070, 14.60.080). Since that time, there has been evolution in the transportation system and options available in Bellevue (transit service improvements, HOV lanes, etc.) and in the broader environment, especially in terms of technology (access to information and rides via the internet, including by smartphone). Other elements of the Transportation Development Code (BCC 14.60) were updated in 2014. Should the City review, and potentially update, code requirements for trip reduction at large real estate developments?

The following Comprehensive Plan policies relate to mitigating the impacts of development on the transportation system:

- TR-14. Require new developments that place significant impacts on the transportation system to implement transportation management programs to reduce drive-alone commute trips to the site.
- TR-36. Require transportation system mitigation to offset the adverse impacts of development with regard to level-of-service, safety, access and neighborhoods.

DIRECTION NEEDED FROM COUNCIL

Action

Discussion

Information

Staff and a representative of the Bellevue Transportation Commission will report on results and recommendations associated with an initiative to review the City's "Transportation Management Program" (TMP) requirements for trip reduction at large real estate developments. **Staff and the Commission are seeking direction from the Council to bring back specific code language regarding the six recommended revisions.**

If the Council is amenable to the recommended revisions, staff and the Transportation Commission will proceed with work this fall to identify specific revisions to current code language and hold a public hearing. The proposed code changes could be ready for Council consideration in early 2017.

BACKGROUND/ANALYSIS

Bellevue City Code section 14.60.070 requires new buildings meeting certain thresholds for size and category of use to develop and implement automobile trip reduction programs directed to

tenant employees or residents, in order to reduce transportation impacts related to development. Required elements of these Transportation Management Programs (TMPs) vary according to building size and use but often include features such as distributing transit and ride-sharing information, designating a transportation coordinator, providing preferential parking for carpools, providing financial incentives for commuters and setting up a "guaranteed ride home" program. An additional overlay of requirements applies to office buildings in downtown (BCC 14.60.080) which includes a performance standard (35% reduction in drive-alone commuting to a building over a 10-year period) and additional programmatic elements. There is also provision in the Medical Institution District section of the Land Use Code (BCC 20.25J.050) for a TMP to be required at development in this area.

History

The first TMP agreements in Bellevue date from the early 1980s and were individually negotiated as conditions of development (mitigation of impacts), consistent with the framework of the Washington State Environmental Policy Act (SEPA). In 1987, the City adopted code provisions for TMPs, which provided for a more efficient development review process, as well as more consistency and predictability for TMP agreements. City code requirements for TMPs were subsequently revised in 1995 and have remained the same since then. (Code section 20.25J.050 was adopted in 2005, in conjunction with the overall code for the Medical Institution District.) There are currently 57 buildings in Bellevue with TMP agreements on file.

Current review process

In March 2016, City staff and the Transportation Commission initiated a review of current TMP requirements. To date, the TMP topic has been addressed at five meetings of the Commission. Elements of the review process included the following:

- Review of building compliance with TMP requirements. Every two years, the City requests reports from buildings where TMP activities are required. The City currently receives reports from 28 buildings with TMP requirements. (The City does not routinely request reports from residential TMP buildings nor from TMP buildings wholly occupied by a single tenant affected by state and local Commute Trip Reduction (CTR) laws.) Review of the most recent reports from these buildings shows overall compliance with required activities at 80% (compliance is trending upward in recent years).
- Analysis of trip reduction performance at Downtown TMP sites. Commute survey data is available for 14 buildings in Downtown that are affected by requirements to implement a TMP. The data show an average yearly decrease of 0.9% in the rate of drive-alone commuting for these buildings. This level of decrease is *greater* than that for Downtown Bellevue as a whole (annual decrease of 0.6% per US Census, decrease of 0.8% per Bellevue Mode Share Survey) and for CTR worksites (annual decrease of 0.7%). This gives some indication that TMP activities may be useful in reducing rates of drive-alone commuting.
- Comparison of TMP requirements and CTR requirements (which apply to employers with 100 or more employees commuting in the AM peak). TMP requirements for trip reduction at buildings have substantial similarity to CTR requirements that apply to large employers (BCC 14.40). Both are regulations intended to reduce the impact of recurring, daily commute trips on the transportation system. Both sets of regulations require designation of a Transportation Coordinator at the building or worksite and regular, periodic reporting to the City. Bellevue CTR requirements were updated in 2008 (pursuant to State law changes in 2006). Under the current framework, CTR is more performance-based (focused on outcomes) and less prescriptive in terms of implementation activities than TMP requirements. All CTR-affected worksites have a performance target, whereas current TMP requirements specify a performance target only

at office buildings in Downtown. For all other building types and locations, the TMP requirements are framed only in terms of particular, prescribed activities. By comparison, under the current CTR framework, employers may choose programmatic implementation measures from a (long) list in the City's CTR Implementation Guidelines (or propose their own). The flexibility of the CTR framework has informed the recommendations for revisions to the TMP requirements (described below). There is substantial overlap of employee populations at TMP buildings and at CTR-affected worksites (most employees at CTR worksites are located in a TMP building); however, 11,000 employees work in TMP building for employers who do not participate in the CTR program.

- Review of TMP requirements in Bellevue and nearby jurisdictions. Several other local jurisdictions have requirements for TMPs at large real estate developments, including Issaquah, Kirkland, Redmond and Seattle. In general, programmatic requirements (i.e., required implementation measures) at these communities are similar to the Bellevue requirements. Differences from Bellevue requirements include:
 - Performance goals—expressed as maximum rate of commute trips by drive-alone mode—are in place for virtually all sites (in Bellevue, code requires a performance goal only at office buildings in Downtown).
 - Performance goals are set to meet a specific target, typically keyed to an areawide target for drive-alone commuting (in contrast to the Bellevue model, which specifies a 35% reduction in drive-alone commuting over a 10-year period following an initial baseline survey).
 - Required membership in the local Transportation Management Association (Redmond and Seattle).
 - Residential uses typically not affected by TMP requirements, except in limited or special circumstances (such as in the Northgate area of Seattle, and in Kirkland, when parking is provided at less than code requires). (Bellevue code requires a TMP at all residential sites with 100 or more units; the only requirement is to post information about transit and ridesharing options.)
- Survey of Bellevue TMP implementers. In late April/early May the city conducted an online survey of persons directly involved with TMP requirements or TMP implementation activities in Bellevue (i.e., building owners, building managers and management company employees). The intended audience—people who have experience with the current requirements—is a fairly small population; notice of the survey was sent to 57 names on the City's list of TMP contacts and posted on the City's TMP webpage. Twenty-one people started the survey and 17 completed it. Among respondents, a majority (71%) felt it was “appropriate” or “highly appropriate” that buildings generating significant travel demand be expected to make efforts to reduce their ongoing impacts on the transportation system. Respondents were asked about current city requirements, including the ease of implementation, the extent to which tenants appreciate the required feature/activity and the effectiveness of the activity in contributing to trip reduction. Current code elements receiving the most positive feedback were posting and distributing information and designating a Transportation Coordinator. Code elements receiving mixed feedback included provision of a guaranteed ride home, a performance goal and parking cost as a line item in tenant leases (these last two currently apply only at office buildings in Downtown). None of the current code requirements received more negative “votes” than positive votes, though the line item parking cost provision was essentially an even split.
- Online Open House. The open house ran for nearly 5 weeks (July 21-August 24). The target audience for the online open house was broader than for the initial survey and included persons involved in the real estate development process (i.e., those who would

be affected by requirements). Notice was sent to all persons contacted for the initial survey notice and to persons who City records show were involved with permits for large development projects in Bellevue since Jan 1, 2012 (~260 names) as well as to local chapters of two professional organizations that focus on building management (BOMA, NAIOP). Notice was also sent to persons involved with implementing Commute Trip Reduction (CTR) programs at 57 worksites in Bellevue. In addition, notice of the open house was posted on the City's TMP webpage and on the rotating banner of the City's Choose Your Way Bellevue website. Overall, there were 118 unique visitors to the online open house and 20 people responded to the survey questions. Following are key takeaways from the open house survey and comments.

- Respondents strongly expressed a *desire for increased flexibility in TMP implementation requirements*. All participants responded that the city should either increase flexibility as much as possible (13 responses) or balance a baseline set of activities with increased flexibility (7 responses). 13 of 40 comments (regardless of the question asked) referred to the need for flexibility or to differences between or uniqueness of particular buildings. The concept of a “menu of options” for implementation activities was the most popular option for revisions to code requirements.
- Respondents were *divided about expanding performance targets*. 6 responded that use of targets should be expanded; 12 responded that use of targets should not be expanded. Overall sentiment was supportive of continued measurement for performance tracking, even in comments left by those who opposed binding targets.
- Respondents strongly *supported continuing to require residential buildings to post information* (18 to 1).
- Relatively few respondents endorsed the removal of TMP requirements altogether; only 3 of 20 who took the survey selected the option to eliminate TMP requirements.
- Respondents also noted the importance of technological change, with six citing changing technology as part of their reasoning for responding in the way they did.

Reports for the Bellevue TMP Implementers survey and the TMP Online Open house are posted on the [TMP webpage of the City website](#) and linked in the corresponding bullet items above.

Recommended revisions to TMP code

Staff and the Commission have developed a set of proposed revisions to current TMP requirements; these are further described in Attachment 2. Key elements of the revisions are as follows:

1) **Fix several elements that are dated and/or not working.**

Discussion. Two issues* have been identified with current code requirements:

- Requirement to post information at individual tenant workspaces in Downtown Bellevue office buildings. This is difficult to monitor and, arguably, is less important than in years past, given access to relevant information on the internet, including by smartphone.
- Enforcement provisions. Enforcement provisions are unclear for parts of the current code (BCC 14.60.070) and unworkable for others (BCC 14.60.080)

(*See also item #2, below).

2) **Revise performance goal** (which applies to Office buildings in Downtown), so that it is realistic and equitable. Specify performance goal as a *target rate for drive-alone commuting* (rather than as a required reduction from an initial baseline measurement).

Discussion. Two key problems have been identified with the current code requirement for trip reduction:

- The expected 35% reduction (over a 10-year period) is unrealistic, actual reductions over 10 years average 20%.
- Buildings that start with a low baseline measurement have a difficult challenge in making further reduction, yet code requires they do so, even if their current performance is exemplary.

Setting a performance goal as a specific target rate for drive-alone commuting allows for more consistent expectations from building to building and aligns with the approach used in other local jurisdictions that have TMP requirements.

3) **Extend performance goal to Office uses citywide** (but not to other uses)

Discussion. Extending the performance goal requirement to (new) Office buildings citywide makes the TMP requirements more equitable. It also recognizes that transportation impacts and challenges exist in both the Downtown and outside Downtown settings. Office uses are the predominant employment citywide and generally have employees commuting during peak periods.

4) **Add flexibility to implementation measures**, while maintaining minimum requirements.

Discussion. By allowing flexibility, building managers can select the most appropriate measures, considering such factors as tenant mix and proximity to transit. Common themes throughout the TMP review process have been to accommodate future changes in technology and transportation. Allowing more flexibility in implementation measures and administrative revision of City guidance* will facilitate adaptation to changes.

Maintaining certain minimum requirements (e.g., posting information, designating a Building Transportation Coordinator) will set a common baseline across buildings and facilitate monitoring.

(*See *TMP Implementation Guidelines* description below.)

5) **Develop and maintain a TMP Implementation Guidelines document.**

Discussion: Current TMP requirements (including required implementation activities) are detailed in code and can only be adjusted via a code amendment process. The proposed *TMP Implementation Guidelines* could be revised administratively, providing more flexibility to adapt as conditions evolve. The City currently has several transportation documents that provide additional guidance, in support of requirements specified in City code. These include the [CTR Implementation Guidelines](#), the [Impact Fee Manual](#) and the Transportation Design Manual.

6) **Increase building size thresholds for minimum TMP requirements** of posting and distributing information.

Discussion: Current thresholds for TMP requirements are as low as 30,000 gross square feet for office uses and medical clinics. Eliminating the TMP conditions for smaller buildings (including for other affected uses, Manufacturing, Retail, Residential) where the only requirement is post and distribute information regarding transit and ridesharing would not only reduce the number of TMP agreements that must be established and monitored, but also would recognize that certain conditions have changed since the current code was adopted (in 1995). Specifically,

- Information about travel options is more readily available, via the internet (including by smartphone)
- The City now has a robust travel options program, Choose Your Way Bellevue, directed to individuals (as well as employers and property managers)

See Attachment 2 for additional detail regarding these six recommendations for revisions to TMP requirements.

ALTERNATIVES

1. Direct staff to work with the Transportation Commission on the next steps in pursuing the recommended revisions, including identifying specific revisions to current code language.
2. Direct staff to work with the Transportation Commission on the next steps in pursuing an adjusted version of the recommended revisions, including identifying specific revisions to current code language.
3. Provide alternative direction.

RECOMMENDATION

Alternative 1.

ATTACHMENTS

1. Current TMP requirements (BCC sections 14.60.070; 14.60.080; 20.25J.050)
2. Recommendation for Revisions to TMP Requirements
3. Transportation Management Programs FAQ

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A

14.60.070 Transportation management program.


- A. The owner of property upon which new structural development is proposed shall, prior to any initial occupancy of any building, establish a transportation management program (TMP) to the extent required by subsection E of this section and in accordance with the provisions thereof.
- B. Existing structures are not subject to the requirements of this section except where a substantial remodel is proposed.
- C. The director shall specify the TMP 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. The director may waive specific submittal requirements determined to be unnecessary for review of an application.
- D. For the purposes of this section, the term “employees” includes all on-site workers in buildings subject to the requirements of this section.
- E. The owner of any property for which a TMP is required shall include those components identified as requirements on the following Transportation Management Program Requirements Chart. 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 subsection F of this section.

TRANSPORTATION MANAGEMENT PROGRAM REQUIREMENTS

Programmatic Requirement (1)	Office & High Technology Light Industry (2)	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 (3)
No requirements	Less than 30,000 gsf	Less than 50,000 gsf	Less than 30,000 gsf	Less than 80,000 gsf	Less than 60,000 gsf	Less than 100 units	(4)
Post information (See subsections (F)(1)(a) and (b))	30,000 gsf and over	50,000 gsf and over	30,000 gsf and over	80,000 gsf and over	60,000 gsf and over	100 units and over	(4)
Distribute information (See subsection (F)(2))	30,000 gsf and over	50,000 gsf and over	30,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)
Provide transportation coordinator (See subsections	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	150,000 gsf and over	N/A	(4)

(F)(3)(a) and (b))							
Provide preferential parking (See subsections (F)(4)(a), (b) and (c))	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	150,000 gsf and over	N/A	(4)
Provide financial incentive (See subsection (F) (5))	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)
Provide guaranteed ride home (See subsection (F) (6))	50,000 gsf and over	150,000 gsf and over	50,000 gsf and over	80,000 gsf and over	N/A	N/A	(4)

Footnotes to Transportation Program Requirements Chart:

- (1) Specific actions that the owner of the property must take to mitigate parking and traffic impacts.
- (2) Excluding medical clinics and other health care services.
- (3) Other than mixed retail.
- (4) Requirements for mixed uses will be determined on a project basis as described in subsection (G)(1) of this section.

F. As indicated on the Transportation Management Program Requirements Chart, the property owner shall:

1. Post Information.

- a. Post ridesharing and transit information from Metro or other approved sources in a visible central location in the building, such as the lobby or other public area near the major entrance to the building on a continual basis. This requirement applies to each building in a building complex.
- b. All posting materials required by the Transportation Management Program Requirements Chart must be provided by a source approved by the director.

2. Distribute Information. 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.

3. Provide a Transportation Coordinator.

- a. The coordinator shall publicize the availability of ridesharing options, provide reports to the city (see subsection I of this section), 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.

b. 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.

4. Provide Preferential Parking.

a. Provide specially marked parking spaces in a preferential location between 6:00 a.m. and 9:00 a.m. for each registered carpool and vanpool in which tenants and their employees participate. A preferential location includes proximity to the building and covered parking when possible.

b. Preferential parking must be enforced and monitored through on-site inspection at least three mornings a week.

c. To facilitate monitoring, carpools and vanpools must be certified by the coordinator through a registration system as approved by the city, and be recertified quarterly.

5. Provide Financial Incentive. Provide a minimum of \$15.00 per month financial incentive for employees on site who commute by carpool, vanpool or transit. The financial incentive for transit riders and Metro vanpool riders will be a discounted Metro Transit (or a comparable service) bus/vanpool pass. The financial incentive for each carpool and non-Metro vanpool participant will be a cash bonus to the participant, a coupon redeemable for gasoline, or an equivalent discount in parking charges.

6. Provide Guaranteed Ride Home. Provide a taxi scrip system of low-cost rides home for on-site employee transit riders or registered on-site employee carpools and vanpools who miss a 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.

G. Determination of Requirements for Mixed Uses. The director shall determine the transportation management program requirements for mixed uses. These requirements shall be limited to the requirements described in subsections E and F of this section. The director shall apply the requirements for the same or most similar uses as described in subsections E and F of this section.

H. Substitution of Alternate Program. With the approval of the director, an alternate transportation management program may be substituted by the property owner for those components identified as requirements in subsection F of this section if, in the judgment of the director, the alternate program is at least equal in potential benefits to the requirements in subsection F of this section.

I. Reporting Requirements. Beginning one year after the issuance of a final certificate of occupancy, and every two years thereafter for development subject to this section, the property owner shall submit a report to the director, who shall then determine compliance with this section. The report shall describe each of the required transportation management program components that were in effect for all previous years, 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.

J. Recording. Prior to the issuance of a building permit or of any approvals made pursuant to Chapter [20.30](#) LUC, the owner 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 owners of the property. (Ord. [6181](#) § 2, 2014.)

14.60.080 Transportation management program – Downtown.

A. The director may require a transportation management program (TMP) for any project proposed within the downtown in order to reduce congestion, reduce peak hour trips, or implement the policies of the comprehensive plan.

B. Programmatic Requirements.

1. The owner of a building with 50,000 gross square feet or more of office shall, in addition to the programmatic elements identified in the Transportation Management Requirement Chart in BCC [14.60.070\(F\)](#), perform or cause to be performed the following elements:

- a. Commuting options information boards for each tenant with 50 or more employees.
- b. Leases in which the tenants are required to participate in periodic employee surveys.
- c. Identification of parking cost as a separate line item in such leases and a minimum rate for monthly long-term parking, not less than the cost of a current Metro two-zone pass.
- d. A personalized ridematching service for building employees to encourage carpool and vanpool formation. The ridematching service must enhance the computerized ridematching service available from Metro (or a comparable service), with personalized follow-up with individual employees.

2. Duration. The programmatic requirements shall continue for the life of the building.

C. Performance Goals.

1. The owner of a building with 50,000 gross square feet or more of office shall, as part of the TMP for the building, comply with the following performance goals:

- a. For every other year beginning with the building's first certificate of occupancy (CO) anniversary and for 10 years thereafter, the performance goals shall become more restrictive, so that by the tenth year the maximum SOV rate will be reduced by 35 percent from the CO year baseline.
- b. The city may adjust the above rates every other year based on review of current conditions in the downtown, the characteristics of the building, and other local or state regulations.
- c. These performance goals apply to present and future property owners for the life of the building.

D. Survey and Analysis Requirements.

1. Employee Survey. The property owner shall conduct a survey to determine the employee mode split. The survey must be conducted by an independent agent approved by the city. This survey shall be conducted in a manner to produce a 70 percent response rate and shall be representative of the employee population. If the response rate is less than 70 percent, all nonresponses up to 70 percent shall be considered SOV trips. The survey results shall be used as the basis for calculating performance levels. The city shall provide a survey form to the property owner.

2. Schedule of Survey. The survey is to be conducted every two years; the first survey shall be conducted one year after the issuance of the CO.

3. Analysis of Performance Goals.

a. Single-Occupancy Vehicle Use Formula:

$(NS/NT)(100) = \text{percent SOV use, where:}$

NS = number of employees who commute to work by SOV

NT = total number of employees.

E. Reporting Requirements.

1. Content of Evaluation Report. The property owner shall submit a report to the city which includes the following elements:
 - a. The property owner's compliance with the performance goals listed in subsection C of this section, including the number of HOV spaces, their location, how HOV spaces are monitored, loading and van parking locations, transportation coordinator activities, the number and location of commuter information centers and employer commuter options boards, an example of lease language, past and current parking costs and ridematch activities.
 - b. The results of the employee survey, including the survey procedures and the percent SOV use by employees.
 - c. Any nonrequired activities undertaken by the property owner to encourage HOV and transit use or any unusual circumstances which have affected SOV use.

The city will provide a report form to the property owner.

2. Reporting Schedule. An initial action plan for implementing the TMP shall be submitted within six months of the issuance of the temporary certificate of occupancy. The action plan shall describe transportation management techniques that the property owner will use to encourage HOV use by employees and reduce peak period vehicle trips as necessary to meet the performance goals. City staff will be available to assist in the development of the action plan. The evaluation reports shall occur by building's first CO anniversary, and every two years thereafter.

F. Failure to Meet Performance Goals.

1. Remedies. If the city determines that the property owner has failed to meet the performance goals of subsection C of this section, the property owner shall comply with the action plan, employee survey and reporting requirements as set forth below.
2. Action Plan Requirement.
 - a. Plan Required. If the property owner fails to meet the performance goals, the property owner shall prepare, submit to the city and implement an action plan to meet the performance goals within one year.
 - b. Adequacy of Plan. The property owner will be allowed flexibility in developing the action plan subject to city review and approval, which approval shall not be unreasonably withheld. As a guide to this review, the city will evaluate the following:
 - i. The relationship of the number of employees that would be affected by the plan actions to the size of the deficiency which must be reduced.
 - ii. The effectiveness of proposed actions as they have been applied elsewhere in comparable settings.
 - iii. The schedule for implementation of the action plan and the assignment of responsibilities for each task.
3. Annual Employee Survey Requirements. An employee survey shall be conducted within one year of the date of submission of the previous report to the city. This survey shall be conducted under the same conditions and using the same methods as described in subsection (D)(1) of this section.
4. Annual Report Requirement. A report shall be submitted one year after the submission of the previous report. The report shall include all of the contents described in subsection (E)(1) of this section, and in addition shall include descriptions of:
 - a. Implementation of the action plan, including expenditures; and

b. Summary of effectiveness of elements of the action plan.

5. Duration. The property owner shall comply with the action plan, the annual survey and the annual report requirements every year that the property owner fails to meet the performance goals up to a maximum of six years after submission of the first report.

6. Assurance Device. In the event of a failure by the property owner to meet the performance goals, the property owner shall provide to the city an assurance bond, or other assurance device referenced in BCC [14.60.021](#)(C), at the property owner's option, securing any financial incentives prescribed in an action plan. The assurance device shall equal the cost of the maximum incentive levels which could be required for the following year as referenced in the action plan. The amount of the assurance device shall be determined when the level of activity is determined on the action plan. The assurance device shall be issued not later than 60 days after this determination.

G. Violations. The property owner shall be in violation of the requirements of this section if he/she fails to:

1. Comply with the programmatic requirements of subsection (B)(1) of this section; or
 2. Comply with the reporting requirements of subsection E of this section; or
 3. Submit the required action plans required in subsection (F)(2) of this section; or
 4. Implement the required action plans required in subsection (F)(2) of this section; or
 5. Conduct the required employee survey of subsection (F)(3) of this section. (Ord. [6181](#) § 2, 2014.)
-

20.25J.050 Parking, transportation management and commute trip reduction requirements.**A. Parking.**

1. The provisions of LUC [20.20.590](#), except as they conflict with this section, apply to development in the Medical Institution District.
2. Performance Standards for Parking Structures. The Director may approve a proposal for a parking structure through the Design Review process of LUC 20.25J.015.B. The Director may approve the parking structure only if:
 - a. Driveway openings from public rights-of-way are limited and the number of access lanes in each opening are minimized.
 - b. The structure exhibits a horizontal, rather than sloping, building line, as viewed from 116th Ave. NE and NE 12th Street.
 - c. The dimension of the parking structure abutting pedestrian areas is minimized. If a parking structure abutting pedestrian areas is necessary for functional reasons, mitigation shall be provided through the addition of planting, modulation, materials variation, artwork or other features that would cover at least 50 percent of the parking structure facade area unless a smaller coverage area is approved through a Master Development Plan or Design Review where Master Development Plan approval is not required.
 - d. The parking structure complies with the requirements of the Design Review Guidelines of LUC [20.25J.080](#).
 - e. A wall or other screening of sufficient height to screen parked vehicles from views from adjoining rights-of-way and which exhibits a visually pleasing character is provided at all above-ground levels of the structure.
 - f. Safe pedestrian connection between the parking structure and the principal use exists.
 - g. Loading areas are provided for vanpools/carpools.
 - h. Vehicle height clearances for structured parking must be at least seven and one-half feet for the entry level to accommodate vanpool parking.
 - i. For all uses, no more than 25 percent of the required parking spaces may be designed and constructed in accordance with the dimensions for compact stalls provided in LUC 20.20.590.K.11.

B. Transportation Management Program.

The requirements of BCC [14.60.070](#) (Transportation Management Program) must be met as part of the Master Development Plan or Design Review where Master Development Plan approval is not required. An alternative TMP may be required by the City and/or proposed by the applicant, whereby a performance standard is designated and program features to attain this performance standard are established. Such program features may include special site design features, annual promotion events, contracted parking enforcement, shuttle services, financial incentives to employees, and a guaranteed-ride-home program.

C. Commute Trip Reduction.

The requirements of Chapter [14.40](#) BCC must be met as part of a required Master Development Plan or Design Review where Master Development Plan approval is not required. (Ord. [5831](#), 8-4-08, § 2; Ord. [5587](#), 3-7-05, § 2)

Recommendation for Revisions to TMP Requirements

ATTACHMENT 2

September 14, 2016

New buildings in certain use categories and exceeding certain size thresholds are subject to City requirements to develop and implement a Transportation Management Program (TMP). The purpose of the TMP requirement is to mitigate the ongoing impact of a building on the transportation system by reducing daily commute trips. Current City code requirements for TMPs were adopted in 1995 and are specified in BCC 14.60.070 (which applies to development citywide) and 14.60.080 (which applies to office buildings in Downtown); specific requirements vary by building use and size. City staff and the Transportation Commission recommend the following six changes to current City code requirements for TMPs. These recommendations for revisions are informed by the various analyses and public engagements conducted by staff and the Transportation Commission in spring and summer 2016.

	Current code requirement	Recommended revision	Discussion
1	<p>Current code includes a few elements that are dated and/or not working. Elements identified to date are:</p> <ul style="list-style-type: none"> • Requirement to post information at individual tenant spaces in Downtown Bellevue office buildings. • Enforcement provisions. <p>(*See also item 2 below regarding performance goal.)</p>	<p>Fix elements that are dated and/or not working:</p> <ul style="list-style-type: none"> • Remove requirement for posting information regarding transit and ridesharing in individual tenant spaces • Enhance/revise enforcement provisions, using the Commute Trip Reduction code requirements (which were updated in 2008) as a model. 	<p>Current code requires posting transit and ridesharing information in workspaces of individual tenants with 50 or more employees at affected Office buildings in Downtown. (This is in addition to required posting of information in building lobbies/common areas). This provision is difficult to monitor and, arguably, is less important than in years past, given access to relevant information on the internet.</p> <p>Enforcement provisions are unclear for parts of the current code (BCC 14.60.070) and difficult to utilize for others (BCC 14.60.080, which specifies Downtown Office buildings that consistently fail to meet their performance goal post an assurance bond, at a level that meets the financial incentives included in the remedial action plan developed by the building to address the shortfall in performance). Staff are not aware of the current enforcement provision for 14.60.080 ever being used; it does not provide a viable approach to engaging building managers and securing their cooperation in developing a more effective building trip reduction program. Furthermore, it holds them accountable for outcomes over which they have only limited influence.</p>

	Current code requirement	Recommended revision	Discussion
			The proposed revised approach, following the CTR program model (BCC 14.40.110) holds affected employers responsible for making a “good faith effort” to develop effective CTR programs at their worksites; failure to meet a performance goal is not a violation per se. Employers who are in violation of program requirements are subject to a penalty of up to \$250 per day. Staff have found that making reference to this potential penalty has proven effective at gaining cooperation at several worksites where CTR engagement was lacking.
2	Current code sets a performance requirement for Office buildings in Downtown of a 35% reduction in drive-alone commuting over 10 years following an initial measurement.	Revise performance goal so that is realistic and equitable. Specify performance goal as a <i>target rate for drive-alone commuting</i> (rather than as a reduction from an initial baseline measurement).	Two key problems have been identified with the current code requirement for trip reduction: <ul style="list-style-type: none"> • The expected 35% reduction is unrealistic, actual reductions over 10 years average 20% • Buildings that start with a low baseline measurement have a difficult challenge in making further reduction, yet code requires they do so, even if their current performance is exemplary. Setting performance goal as a specific target rate for drive-alone commuting allows for more consistent expectations from building to building and aligns with the approach used in other local jurisdictions that have TMP requirements.
3	Current code requires a performance goal (for trip reduction) only at Office buildings in Downtown. Office buildings elsewhere in the city and other building types citywide have only a requirement to implement certain measures to encourage trip reduction.	Extend performance goal to Office uses citywide.	Extending the performance goal requirement to (new) Office buildings citywide makes the TMP requirements more equitable. It also recognizes that transportation impacts and challenges exist in both the Downtown and outside Downtown settings. Office uses are the predominant employment citywide and generally have employees commuting during peak periods.

	Current code requirement	Recommended revision	Discussion
4	<p>Current code is prescriptive. It specifies particular measures that building owners/managers are required to implement. The specific measures vary by building use and size; requirements may include:</p> <ul style="list-style-type: none"> • Posting and distributing information about transit and ridesharing • Designating a building transportation coordinator • Providing preferential parking for carpools and vanpools • Providing a \$15 financial incentive to car/vanpool riders, transit users • Providing a guaranteed ride home. <p>Additional requirements apply to Office buildings in Downtown:</p> <ul style="list-style-type: none"> • Posting information about transit and ridesharing in tenant spaces • Parking stall cost as a line item in building leases • Tenant participation in building commute surveys. 	<p>Add flexibility to implementation measures, while maintaining minimum requirements.</p> <p>A more flexible approach could include the following:</p> <ol style="list-style-type: none"> a. Set minimum baseline measures (e.g., post & distribute transit and ridesharing information, designate a building transportation coordinator). b. Require additional measures at buildings meeting certain use categories and size thresholds. c. The additional measures may be selected from a City “<i>TMP Implementation Guidelines</i>” document. d. Office buildings meeting their drive-alone rate targets are relieved of the requirement to implement the additional measures. 	<p>By allowing flexibility, building managers can select the most appropriate measures, considering such factors as tenant characteristics and proximity to transit.</p> <p>Common themes throughout the TMP review process have been to accommodate future changes in technology and transportation. Allowing more flexibility in implementation measures and administrative revision of City guidance* will facilitate adaptation to changes in the broader environment.</p> <p>Maintaining certain minimum requirements (e.g., posting information, designating a Building Transportation Coordinator) will set a common baseline across buildings and facilitate monitoring.</p> <p>(*See <i>TMP Implementation Guidelines</i> description below.)</p>

	Current code requirement	Recommended revision	Discussion
5	Current TMP requirements (including required implementation activities) are detailed in code, can only be adjusted via a code amendment process.	Develop and maintain a <i>TMP Implementation Guidelines</i> document detailing TMP implementation strategies, monitoring practices and other relevant information. The <i>TMP Implementation Guidelines</i> could be revised administratively, providing more flexibility to adapt as conditions evolve.	<p>The City currently has three transportation documents that provide additional guidance, in support of requirements specified in City code. These are,</p> <ul style="list-style-type: none"> • Commute Trip Reduction Implementation Guidelines • Impact Fee Manual • Transportation Design Manual <p>(The City of Seattle uses a similar model for TMPs: A “Director’s Rule” provides guidance on how to develop TMP agreements and implement requirements that are identified in City code.)</p>
6	Current thresholds for TMP requirements are as low as 30,000 gross square feet for Office uses and Medical Clinics. At these levels, the only requirement in the current code is posting of information regarding ridesharing and transit and annual distribution of information to tenants (as well as to new tenants and new employees).	<p>Increase building size thresholds at which TMP requirements apply.</p> <p>Other uses (Manufacturing, Retail, Residential) also have thresholds where the only requirement is posting and distributing information. These too should be increased.</p>	<p>Eliminating the TMP conditions for smaller buildings, where the only requirement is post and distribute information, would not only reduce the number of TMP agreements that must be established and monitored, but also would recognize that options for access to information have evolved since the current code was adopted (in 1995). Specifically,</p> <ul style="list-style-type: none"> • Information about travel options is more readily available, via the internet (including by smartphone) • The City now has a robust travel options program, Choose Your Way Bellevue, directed to individuals (as well as employers and property managers)



Bellevue Transportation Management Programs

July 22, 2016

1. What is a Transportation Management Program?

A Transportation Management Program (TMP) is a set of activities that a building developer must implement to reduce vehicle trips to or from the building. TMPs are typically established as a requirement of original permitting for a building and focus on recurring (daily) commute trips. By shifting a proportion of these trips to travel modes other than driving alone, the total impact of trips to and from the building is reduced and overall congestion on the transportation network is minimized.

For TMP-affected buildings, requirements may include:

- Posting information about transit and ridesharing options
- Designating a Building Transportation Coordinator
- Facilitating ridesharing for carpools and vanpools
- Designating preferential parking spaces for carpools and vanpools
- Providing a financial incentive to commuters using transit, carpool or vanpool
- Providing a guaranteed ride home for transit, carpool and vanpool riders who miss their regular ride.

Office buildings in Downtown have several additional required elements, including a performance goal for trip reduction over a period of 10 years following initial occupancy.

2. Why are TMPs required?

TMPs are a way to mitigate the transportation impacts of major development. Consistent with the [Washington State Environmental Policy Act](#) (SEPA), the City requires that major development projects exceeding certain size thresholds undergo environmental review to identify impacts and examine the extent to which identified impacts may be mitigated. Added travel demand associated with new development may be mitigated via capacity improvements to the transportation system (increasing the supply of roads) as well as by measures to reduce the number of peak-period vehicle trips (decreasing the demand for roads). TMPs focus on the second aspect, on shifting a proportion of recurring commute trip demand to travel modes that have less impact on the roadway system, including transit, carpooling/vanpooling, walking and bicycling.

The first TMP agreements in Bellevue date from the early 1980s and were individually negotiated as conditions of development pursuant to SEPA review. In 1987, the City adopted code provisions for TMPs, which provided for a more efficient development review process, as well as more consistency and predictability for TMP agreements. City code requirements for TMPs were subsequently revised in 1995 and have remained the same since then. There are currently 57 buildings in Bellevue with TMP agreements on file.





3. Why is the City reviewing TMP requirements?

The current code was adopted in 1995, and some of the language does not fit well with current conditions or practices. In addition, the performance target specified for Downtown office buildings—a 35% reduction in commute trips made by driving-alone—has proven difficult to achieve in the 10-year timeframe specified by City code. By reviewing the Code requirements, there is an opportunity to assess the following:

- The extent of compliance with current TMP requirements
- Effectiveness of current TMP requirements
- Relationship between TMPs and other demand management activities, including Commute Trip Reduction requirements for large employers
- The perceived burden vs benefit of specific TMP requirements
- How any changes in overall conditions since establishment of the current code in 1995 may relate to current requirements
- How Bellevue requirements compare to requirements in other jurisdictions
- Whether different requirements would be a better fit for current conditions.

4. How does the City monitor compliance with TMP agreements?

Every two years, managers of TMP-affected buildings throughout Bellevue are contacted and asked to submit a report detailing how they are addressing the requirements of their TMP agreement. Analysis of the most recent implementation reports shows [overall compliance with requirements at 80%](#). (Note: The City routinely monitors compliance at buildings with employment. Some residential buildings have a TMP requirement to post information about transit and ridesharing; compliance at these buildings is not routinely monitored.)

For those buildings that have a performance goal for trip reduction (primarily office buildings in Downtown), the City provides building managers with a standard process to conduct surveys every two years.

5. Are TMPs effective in reducing traffic impacts?

TMP activities do appear to help reduce the rate of drive-alone commuting. Performance data is available for 14 TMP-affected office buildings in Downtown. Analysis shows an [average reduction in drive-alone commuting to these sites of 0.9% each year](#). This rate of reduction is somewhat *better* than overall measures of change in Downtown (US Census, [Bellevue Share Surveys](#)); it is also better than the overall rate of reduction measured at large worksites in Downtown affected by [Commute Trip Reduction](#) requirements. Although this does not establish any direct link (causality) between TMP agreements and trip reduction performance, it does indicate that the subset of buildings with TMP requirements is—on the whole—having a positive effect in mitigating impact on the transportation system.





6. How do TMPs relate to the Commute Trip Reduction requirements for large employers?

Both TMP and Commute Trip Reduction (CTR) requirements are intended to reduce commute trips to workplaces. At the most basic level, TMP requirements apply to buildings and CTR requirements apply to (large) employers (with 100 or more employees commuting during the AM peak hours). Some TMP buildings have tenants affected by CTR program requirements; others do not. The [actual implementation activities of the two programs](#) are generally similar and may include such elements as posting and distributing information on transit options, facilitating ridesharing for carpools, providing financial incentives and/or providing a guaranteed ride home for transit, carpool and vanpool riders who miss their regular ride.

There are a couple key differences in the structure of the two programs, however. Where the current TMP requirements are prescriptive, the CTR program framework (updated in 2008) allows employers great flexibility in choosing which activities and program features to implement. And, where the current TMP framework sets performance targets only at Downtown office buildings, CTR has a target for trip reduction at every worksite.

7. What if the City eliminated TMP requirements?

Conceptually, eliminating City code requirements for Transportation Management Programs could offer the benefit of reducing the burden on building managers (for implementation activities, measurement and reporting). And, if fewer new TMPs are established, it could reduce the burden on the City (in terms of staff time and budget) for ongoing monitoring.

However, as noted above (in the section “Why are TMPs required?”) the legal framework (SEPA) requires that large projects undergo review at the time of initial permitting to identify impacts. When impacts are identified, the framework indicates reasonable mitigation measures **must** be pursued. For large buildings, traffic and parking are nearly always issues that need to be carefully evaluated and, often, mitigated.

In the absence of a City code specifying what is expected of large buildings, the mitigation measures would become subject to negotiation between the City and project developers on a case by case basis. Implications of this approach include:

- Additional staff time (for City and developer) needed during the development review process to evaluate impacts and determine mitigation measures under SEPA.
- Less predictability for developers going into the permitting process.
- Monitoring and enforcement may be more difficult if requirements vary from building to building





8. How do TMP requirements in Bellevue compare to requirements in other cities?

Local jurisdictions that have requirements for Transportation Management Programs include Issaquah, Kirkland, Redmond and Seattle. [A review of requirements at these jurisdictions](#) indicates their requirements are broadly similar to Bellevue requirements. Areas of difference are,

- Other cities have a performance requirement—expressed as a maximum rate of drive-alone commuting to a building—to nearly all TMP sites. Bellevue currently has a performance requirement only for Office buildings in Downtown. Also, Bellevue sets performance targets differently, as a reduction (35% from an initial baseline) in the rate of drive alone commuting over time (10 years). Other cities typically set building performance goals at a specific target level (which applies within the first few years).
- Bellevue code requires a TMP at residential buildings with 100 or more units (the only requirement is to post information about transit and ridesharing options). Other cities require TMP agreements at residential sites only in limited or unique circumstances.

9. Will existing TMP buildings be affected by changes to TMP code requirements?

Any changes to TMP requirements would not necessarily change the TMP conditions for existing buildings. TMP requirements are established for each building at the time of initial development. It may be possible to establish a pathway for existing buildings with TMP requirements to elect to transition to a new set of requirements, but any change in requirements would be on an individual, case-by-case basis.

10. What is the next step in the TMP code review process?

An Online Open House regarding the TMP Code Requirements is underway until August 24, 2016. Feedback received in the Open House will inform the refinement and selection of a preferred option by the Transportation Commission in early September. This recommendation will be presented to the City Council in mid-September, who will provide direction for next steps. If the Council directs that revisions to current requirements be pursued, City staff and the Transportation Commission will identify potential revisions to City code language; this process would extend over several months and include a public hearing. Final consideration by the City Council of any changes to City Code would take place in 2017.

