Planning Commission Meeting Date: October 19, 2023 **Agenda Item: 6a.**

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	**Transportation Concurrency – SMC Title 20 Code Amendments**
DEPARTMENT:	**Public Works – Transportation Division**
PRESENTED BY:	**Nytasha Walters, Transportation Services Manager**

☒ **Public Hearing** ☐ **Study Session** ☒ **Recommendation Only**
☒ **Discussion** ☐ **Update** ☐ **Other**

INTRODUCTION

Under the Washington Growth Management Act (GMA), Shoreline is required to ensure that the transportation system adequately accommodates planned land use growth – a requirement known as transportation concurrency. The GMA recognizes the unique conditions around the State and thus allows jurisdictions to define how they measure transportation concurrency. An additional requirement, which was added in 2023 under HB 1181, is that concurrency systems be multi-modal.

The City's Transportation Element (TE) of the Comprehensive Plan (Comp Plan) provides policy guidance for transportation concurrency that is multi-modal in nature. City staff presented to the Planning Commission in 2021 and 2022 providing information on the ongoing update to the TE. In November 2022, City Council adopted an updated TE as part of the annual Comp Plan amendment docket. The new TE can be viewed in Ordinance No. 975.

A concurrency program based on completeness of the City's multi-modal transportation system ensures that Shoreline makes progress on building the transportation system envisioned in the Transportation Element concurrent with new development. This is the fundamental goal of the GMA.

Multi-modal system completeness leverages the City's level of service goals for pedestrian, bike, and transit service as well for vehicles, as these policies informed the development of the projects to be advanced as part of the Transportation Element. This multi-modal approach is aligned with the multi-modal requirements outlined under recently passed HB 1181, which updated the planning framework to improve its responsiveness to climate change.

The proposed approach to multi-modal concurrency provides credit for all types of multi-modal infrastructure that is built and encumbered, but it doesn't guarantee that a single performance metric, like full build out of the City's pedestrian system plan or maintaining intersection level of service at all times. Instead, progress towards building out a multi-modal transportation system is used to assess meeting concurrency requirements.

To transition the existing concurrency program to this multi-modal approach, staff must update the method of tracking concurrency (training will be provided to facilitate the transition). The Planning Commission's role is to review and recommend to Council amendments to the Shoreline Municipal Code (SMC) Chapter 20 in order to implement changes to the concurrency requirements.

SMC Chapter 20 sets specific standards providing for the City's compliance with the concurrency requirements of the GMA. For concurrency in Shoreline to represent current TE policy and State law, the available capacity for transportation facilities will shift from current calculations of vehicle trip capacity to person trip capacity. This shift requires edits to the SMC which are presented in the proposed code amendments included as Attachment A.

Tonight, the Planning Commission will hold a public hearing followed by discussion of proposed amendments to the municipal code. If discussion leads to consensus, tonight the Commission may vote to recommend, or not recommend, the proposed amendments. The Commission's recommendation is tentatively scheduled to be forwarded to City Council for discussion on November 27, 2023 and action on December 11, 2023, provided the Commission issues a recommendation this evening.

BACKGROUND

Key Terminology

There are several transportation growth topics that are intertwined and can be confusing, so a quick look at how each is related can be helpful:

- **Vehicular Level of Service (LOS) Policies**: These policies are defined in a jurisdiction's Comp Plan and measure how well a transportation system is performing based on vehicle delay and capacity. Existing roadways that are projected to fail the vehicle LOS standard defined in the Comp Plan must be mitigated or otherwise exempted from the standard. Failures identified through the Transportation Element traffic modeling are included in the Concurrency project list.

- **Multi-modal Level of Service Policies:** The Comp Plan includes Pedestrian Level of Service policies, which are based on the Pedestrian System Plan and whether a facility is present or absent. The Comp Plan also includes Bicycle Level of Service policies based on whether a bike facility meets the target Level of Traffic Stress (LTS) standard aligned with the Bicycle System Plan. These policies informed the identification of complete streets improvements in the Comp Plan project list. These policies define the vision for other aspects of the City's transportation network, including conditions for people walking, biking, and accessing transit.

Multi-Modal measures provide a more robust assessment of how well a transportation system is performing than relying on vehicle LOS alone, as these measures consider the experience for all users, including pedestrians, bicyclists, and transit riders. The associated rating systems utilize different performance standards by mode rather than an assessment based exclusively on vehicular LOS.

- **Concurrency Standards**: Concurrency is the requirement that new development does not cause the level of service for public facilities to fall below established standards in a jurisdiction's Comp Plan. This can include multi-modal concurrency to measure if there are enough person trips to allow for development to be built or additional improvements are needed to increase the person-trip capacity.

- **Person Trip:** A single one-way journey by one person from an origin to a destination, regardless of the mode of transportation. This includes such trips as driving a car on a roadway; walking down the sidewalk/street; riding a bicycle on a street/bike lane/trail; and walking/bicycling/driving trips to access transit and transfers to other modes. Person-trips are units of growth in travel demand defined as any trip taken by a person who leaves a development site by any mode that uses the transportation system.

- **Transportation Impact Fees:** Impact Fees are one-time fees charged to developers to help pay for the cost of new infrastructure needed to address trip generation and impacts on the transportation system from new development. Impact fees can be used to fund transportation improvements that address multi-modal concurrency needs.

PROPOSAL & ANALYSIS

The State provides broad discretion in the specific LOS standards that communities adopt and how they measure concurrency. Both the City's vehicle LOS standard and the multi-modal LOS policies informed the development of the 2022 TE project list. This project list was developed to accommodate development anticipated through 2044. From this information, City staff are now developing a multi-modal concurrency system to align with the TE and State law.

Approach

City staff contracted with an outside consulting firm to bring their expertise regarding how other cities have structured a multi-modal concurrency program to assess concurrency based on system completeness. This approach to concurrency tracks whether implementation of transportation projects is keeping pace with approved development, on a person trip basis. The proposed multi-modal concurrency approach is a pass/fail test as to whether there is enough person-trip capacity to meet the capacity needs of a proposed development. The assessment compares available person trip capacity based on the projects the City has constructed and those that have

been allocated funding within the next six years to the additional demands of proposed land use development projects.

This approach balances the concurrency equation across two fundamental factors: the "supply" of transportation system mobility, and the "demand" for mobility generated by land use growth and development. In this system, concurrency is achieved when the supply of mobility exceeds the demand. To ensure transportation projects are developed in advance of or concurrently with growth in travel demand from new development, the City would assess the following two aspects:

1. **Transportation System Completeness (Supply):** The TE adopted into the Comp Plan in November 2022 by Ordinance No. 975 identified a list of multi-modal transportation system improvements (Transportation Project List) needed to support growth through 2044. This list includes projects that support people walking, biking, taking transit, and driving. These improvements all provide person trip capacity. Building projects on this list, or equivalent transportation improvements, provides the supply of multi-modal capacity needed to support person trips that occur through development.

2. **Person Trips Generated by Development Growth (Travel Demand)**: As the City approves development, such as new homes or businesses, these projects add person trips onto Shoreline's transportation system. This demand is measured in terms of the number of person trips generated during the PM peak hour, the time when Shoreline's transportation system capacity is most constrained. This is different than the existing concurrency program, which only considers vehicle trips.

It is important to measure over time that Shoreline is building sufficient transportation projects (supply) to accommodate the travel demand of new development proposals. The system completeness approach tracks both supply and demand in terms of person trips. The method used to specifically calculate the value of projects, in terms of person trip supply, and the person trip demand of new development is described in a later section of this report. Through prudent management of transportation funding and typical development cycles, Shoreline is well positioned to keep an adequate supply of person-trips to stay ahead of new growth and remain concurrent with new development. An example of Supply and Demand evaluated for transportation concurrency follows:

Source Fehr & Peers, 2023

In summary, supply must meet or exceed demand for transportation concurrency to be met. The trips accredited to a proposed development (planned person-trips) must be matched by a proportionate investment in the transportation projects that supply the system with a bank of trips that can be drawn upon (allowed person trips).

Implementation

Based on the approach outlined, the City tracks both supply and demand in detail.

Supply

Supply is defined by the level of new multi-modal transportation infrastructure that is built (or funded within the six-year CIP) to support new growth. Supply can include any transportation project that provides person trip capacity, such as trails, sidewalks, bike facilities, new roadway lanes, or intersection enhancements. The specific person trip supply of any capacity improvement is defined by parameters in the 2022 TE: the value of the fiscally-constrained project list (hereafter referred to as the TE Project list) divided by the growth in person trips estimated for new growth between now and 2044. Table 1 summarizes all projects considered as transportation system supply by 2044 with construction costs in 2022 US dollars.

Table 1: Summary of Planned Capacity Projects (Supply)

Project/Location	Description	Cost (2022$)
New sidewalks program	Construction of remaining 9-TBD funded sidewalk projects and funding for sidewalk maintenance	$42,000,000
148th Street Non-motorized Bridge	N 148th Street non-motorized bridge crossing	$37,800,000
1st Ave NE Sidewalks (N 145th to N 155th)	This project will design and construct sidewalks on 1st Ave NE from N 145th to N 155th.	$1,300,000
145th Corridor: Aurora to I-5	This multi-year phased roadway reconstruction project includes design, environmental, right-of-way and construction of improvements to SR523 (N/NE 145th Street) between Interstate 5 (I-5) and Aurora Ave N (SR 99).	$70,837,800
145th and I-5 Interchange	This project constructs two multi-lane roundabouts at the intersection of NE 145th and the I-5 southbound offramp and at the 5th Ave. NE intersection.	$33,288,000

Table 1: Summary of Planned Capacity Projects (Supply)

Project/Location	Description	Cost (2022$)
175th Corridor: Stone Avenue N to I-5	Planned improvements include two traffic lanes in each median and turn pockets, bicycle lanes (integrated into the sidewalk), curb, gutter, and sidewalk with planter strip where feasible, illumination, landscaping, retaining walls, and various intersection improvements.	$63,048,000
N 160th St & Greenwood Ave N & N Innis Arden Way	Project will design and construct a roundabout at this intersection as a mitigation requirement for development of the Shoreline Community College.	$2,084,000
Dayton Ave N & Carlyle Hall Rd	Realign intersection geometry and signalize.	$4,648,830
1st Ave NE & N 155th St	Redesign as urban compact roundabout.	$1,292,790
25th Ave NE & NE 150th St	Redesign as urban compact roundabout.	$1,257,560
Shared Use Mobility Hubs	1. Aurora Ave N & N 185th St 2. Richmond Beach - NW 195th Street & 20th Ave NW 3. 15th Ave BRT Station - 15th Ave NE & NE 146th St 4. City Hall – N 175th St & Midvale Ave N 5. Shoreline North/185th Station 6. 4-Corners (NW Richmond Beach Rd and 8th Ave NW to 3rd Ave NW)	$5,250,000
Eastside Off-Corridor Bike Network	(the portion from 5th Ave NE to 15th Ave NE)	$1,000,000
3rd Avenue Connector	This $4.1 million project would provide a curbless street design that would better connect the Shoreline South/148th Street light rail station to the 148th Non-motorized Bridge, 155th Street, adjacent neighborhoods, and planned Trail Along the Rail.	$4,100,000
N 175th corridor	Fremont Ave N to Stone	$9,994,970
N 185th corridor	The City developed a 185th Street corridor improvement strategy that includes N/NE 185th St from Fremont Ave N to 10th Ave NE; 10th Ave NE from NE 185th St to NE 180th St; and NE 180th St from 10th Ave NE to 15th Ave NE.	$118,121,020
	Total Cost (2022$)	**$396,022,970**

The list of investments in Table 1 represents the supply needed to accommodate planned growth through 2044, as supported by the Comp Plan TE Project List. This list was used to determine a person trip value for transportation projects:

$$\frac{Cost\ of\ Capacity\ Projects\ Identified\ through\ 2044}{Estimated\ New\ PM\ Peak\ Hour\ Person\ Trips\ Added\ between\ 2019\ and\ 2044}$$

$$= \frac{\$396{,}022{,}970}{11{,}087\ trips}$$

$$= \$35{,}720/trip\ (in\ 2022\ US\ Dollars)$$

This cost per person trip value can be used to calculate the supply added by any transportation project. For example, if a development project builds a portion of one of the projects on the list, the relevant supply, in terms of person trips, could be estimated using the formula above. If a development builds an alternative project, not on this list, but which the City deems to provide multi-modal transportation capacity, the person trip supply could be similarly estimated.

Demand
Overall demand for person-trips generated by new developments is based on trip generation, as estimated by the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual, and then converted to person trips, using Puget Sound Regional Council (PSRC) person trip conversion factors, which have been incorporated into the proposed concurrency tracking tool.

In addition, as with the current program, a project applicant could provide an independent analysis, but they must provide data to substantiate the alternative rate for City review and approval.

Accounting for Supply and Demand
To track demand and supply of person trips, an Excel-based tracking spreadsheet for the City has been developed. In this tracking spreadsheet, City staff enters characteristics of a proposed project (type of land use and the size of development) and the spreadsheet calculates the person-trips of demand. The spreadsheet also tabulates the number of person-trips of supply as transportation projects are added to the six-year Capital Improvement Plan. Using this spreadsheet, the City can track supply and demand to determine whether the concurrency standard is met.

TIMING AND SCHEDULE

As mentioned earlier, proposed changes to the City's concurrency program require amendments to SMC Chapter 20. SMC Chapter 20 amendments require a public hearing and recommendation from the Planning Commission prior to any action taken by Council. Draft code amendments must also be submitted to the Department of Commerce at least 60 days prior to Council action. In order for Council action to take place prior to year-end, the public hearing, Planning Commission discussion, and Planning Commission recommendation are all requested for this evening. Proposed changes to the concurrency program are needed to fulfill multi-modal transportation goals included in the adopted Comp Plan Transportation Element, Climate Action Plan, and redevelopment objectives in the light rail station subareas.

The following are critical dates associated with the City's update of its concurrency program:

- October 2, 2023 - Draft code edits submitted to the Department of Commerce
- October 4, 2023 - Public Hearing Notice published
- October 5, 2023 - SEPA Determination of Non-Significance issued
- October 5 through October 19, 2023 - SEPA Comment Period

- October 19, 2023 - Public Hearing, Planning Commission Discussion, and possible Planning Commission recommendation
- November 27, 2023 - Shoreline City Council Discussion
- December 11, 2023 - Shoreline City Council Action on Ordinance No. 997

RECOMMENDATION

Staff recommend that the Planning Commission recommends approval to the City Council to adopt the proposed changes to the concurrency program to move from a vehicular-based level of service standard to a multi-modal level of concurrency and adopt associated Shoreline Municipal Code Chapter 20 amendments consistent with the Transportation Element. The proposed changes to the concurrency program would have an effective date of March 15, 2024 to coincide with changes to the Transportation Impact Fee program and amendments to the building code. Note that changes to impact fees and building code are not within the purview of the Planning Commission's review, but rather are reviewed and acted upon by Council.

ATTACHMENTS

Attachment A – Draft Development Code Amendments

SMC 20.20 Definitions. The following sections of SMC Chapter 20.20 are amended:

SMC 20.20.010 A Definitions is amended to read as follows:

Available Capacity The number of ~~motor vehicle~~ person trips that can be accommodated by the transportation facilities during the p.m. peak period for current and planned development based on the Transportation Element of the City's Comprehensive Plan. ~~while maintaining the adopted level of service standards. Available capacity is calculated as set forth in the table below:~~

~~**Step 1**~~	~~**Calculate the baseline total number of trips on the existing City-wide network of transportation facilities during the p.m. peak period using the most recent traffic counts.**~~
~~**Step 2**~~	~~**Identify any existing deficiencies of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).**~~
~~**Step 3**~~	~~**Identify capital improvements that will eliminate existing deficiencies identified in Step 2.**~~
~~**Step 4**~~	~~**Add the improvements from Step 3 to the existing network to create the current non-deficient network.**~~
~~**Step 5**~~	~~**Add future development to the current land use.**~~
~~**Step 6**~~	~~**Identify any future deficiencies of the current non-deficient network of transportation facilities compared to the level of service standards set forth in SMC 20.60.140(A).**~~
~~**Step 7**~~	~~**Identify capital improvements that will eliminate future deficiencies identified in Step 6.**~~
~~**Step 8**~~	~~**Add the improvements from Step 7 to create the improved network.**~~
~~**Step 9**~~	~~**Calculate the total number of future trips on the improved network of transportation facilities during the p.m. peak period by the combined total of current and planned development.**~~
~~**Step 10**~~	~~**Calculate the available capacity by subtracting the baseline trips as calculated in Step 1 from the future trips as calculated in Step 9.**~~
~~**Step 11**~~	~~**Record the available capacity as the beginning balance in the City's concurrency trip capacity balance sheet conducted by the City pursuant to Step 10.**~~

SMC 20.20.014 C Definitions is amended to read as follows:

Concurrency	~~The level of service standard will be achieved and maintained for new development by~~ The provision of adequate ~~transportation~~ public facilities that are in place or will be completed no later than six years after occupancy of development.
Concurrency Test - Transportation	A comparison of the number of ~~motor vehicle~~ person trips that will be generated during the p.m. peak period by development to the available capacity of transportation facilities.
Concurrency Trip Capacity Balance Sheet – Transportation	The document created and maintained by the City to record the available capacity, reservations of capacity, and the balance of the available capacity that has been adjusted to reflect reserved person trips.

SMC 20.20.020 F Definitions is amended to add a new definition to read as follows:

Frontage Zone The area adjacent to the property line where transitions between the public sidewalk and the space within buildings occur**.**

SMC 20.20.032 L Definitions is amended to add a new definition and to read as follows:

Level of Service The established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need.

Level of Service Standard - Transportation	The levels of service set forth in SMC 20.60.140~~(A)~~. ~~For the purpose of determining capacity for concurrency, the level of service standards shall be compared to the actual levels of service at the p.m. peak period.~~

SMC 20.30.355 Development Agreement, Subsection C is amended to read as follows:

C. Decision Criteria. A development agreement may be granted by the City only if the applicant demonstrates that:

1. The project is consistent with goals and policies of the Comprehensive Plan. If the project is located within a subarea plan, then the project shall be consistent with the goals and policies of the subarea plan.

2. The proposed development uses innovative, aesthetic, energy-efficient and environmentally sustainable architecture and site design.

3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) to ~~that meet~~ pass a concurrency test consistent with the City's concurrency tool ~~adopted level of service standards (as confirmed by the performance of a transportation impact analysis) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases~~ or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.

5. The development agreement proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation improvements and other features that minimize conflicts and create transitions between the proposal site and property zoned R-4, R-6, R-8 or MUR-35'.

6. The project is consistent with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II, and applicable permits/approvals are obtained.

SMC 20.60.140 Adequate Streets is amended to read as follows:

The purpose of this chapter is to implement the multimodal concurrency and level of service provisions of the Transportation Element of the City's Comprehensive Plan in accordance with RCW 36.70A.070(6)(b) so that transportation facilities are adequate and that they are available or provided concurrent with development. ~~set forth specific standards providing for the City's compliance with the concurrency requirements of the State Growth Management Act (GMA), Chapter 36.70A RCW. The GMA requires that adequate transportation capacity is provided concurrently with development to handle the increased traffic projected to result from growth and development in the City. The purpose of this chapter is to ensure that the City's transportation system shall be adequate to serve the future development at the time the development is available for occupancy without decreasing current service levels below established minimum standards~~.

A. **Level of Service.** The level of service standards ~~that~~ serve as the basis for measuring adequate transportation conditions and guided the identification of projects in the Transportation Element, which underlies the City's concurrency measurement:

~~1. LOS D at signalized intersections on arterial streets and at unsignalized intersecting arterials; and~~

~~2. A volume to capacity (V/C) ratio of 0.90 or lower for principal and minor arterials.~~

~~The V/C ratio on one leg of an intersection may exceed 0.90 when the intersection operates at LOS D or better.~~

~~These level of service standards apply throughout the City unless an alternative level of service for a particular street or streets has been adopted in the Comprehensive Plan Transportation Element.~~

~~3. Pedestrian and bicycle LOS within the Station Subareas shall be LOS D or better.~~

~~Pedestrian level of service (LOS) shall be evaluated for each direction along all arterial streets within a quarter mile radius of the light rail station. Pedestrian LOS for sidewalks shall be evaluated using Steps 6 and 7 from the Highway Capacity Manual (HCM) 2010, Chapter 17. In the absence of sidewalks, pedestrian LOS shall be determined using Exhibit 17-4 from the HCM. Each link within the quarter mile radius shall be evaluated. For questions regarding link boundaries, contact the City Traffic Engineer.~~

1. Streets. The following level of service standards apply throughout the City unless an alternative level of service for a particular street(s) has been adopted in the Transportation Element of the City's Comprehensive Plan:

    a. LOS E at intersecting arterials within King County [candidate] Countywide Centers and Highways of Statewide Significance and Regionally Significant State Highways (I-5, Aurora Avenue N, and Ballinger Way);
    b. LOS D at all other intersections intersecting arterials; and
    c. A volume to capacity (V/C) ratio of 1.1 or lower within King County [candidate] Countywide Centers and Highways of Statewide Significance and Regionally Significant State Highways (I-5, Aurora Avenue N, and Ballinger Way); and
    d. A volume to capacity (V/C) ratio of 0.90 or lower for all other principal and minor arterials.
2. Sidewalks. The following LOS standards apply throughout the City unless the City Engineer has determined construction is impractical or a deviation has been granted pursuant to SMC 20.30.290:

    Pedestrian LOS Standards for Principal, Minor, and Collector Arterials

Component	Single-Family Residential Land Use in Zoning Districts R-4 to R-18	Non-Single Family Residential Land Uses in all zoning districts; Single-Family Residential Land Uses in Zoning Districts R-18 and above
Minimum Sidewalk Width	6 feet	8 feet
Minimum Amenity Zone/Buffer Width (not including frontage zone)	5 feet	5 feet

B. Development Proposal Requirements. All new proposals for development that would generate 20 or more new trips during the p.m. peak hour must submit a transportation impact analysis prepared by the applicant in accordance with the standards established in the City's Engineering Development Manual at the time of application. The estimate of the number of trips for a development shall be consistent with the most recent edition of the Trip Generation Manual, published by the Institute of Traffic Engineers.

1. The traffic impact analysis shall include, at a minimum, an analysis of the following:

    a. An analysis of origin/destination trip distribution proposed;

    b. The identification of any intersection that would receive the addition of 20 or more trips during the p.m. peak hour; and

    c. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.

2. If the traffic impact analysis identifies one or more intersections at which the adopted LOS standards are exceeded, the applicant shall mitigate the impacts in order to achieve and maintain the adopted LOS standard.

C. Concurrency Requirement. The City shall not issue a building permit until:

1. A concurrency test has been conducted and passed; or

2. The building permit has been determined to be one of the following that are exempt from the concurrency test:

    a. Alteration or replacement of an existing residential structure that does not create an additional dwelling unit or change the type of dwelling unit.

b. Alteration or replacement of an existing nonresidential structure that does not expand the usable space or change the existing land use as defined in the land use categories as set forth in the impact fee analysis land use tables.

c. Miscellaneous improvements that do not generate increased need for public facilities, including, but not limited to, fences, walls, residential swimming pools, and signs.

d. Demolition or moving of a structure.

e. Any building permit for development that creates no additional impacts, insignificant and/or temporary additional impacts on any transportation facility, including, but not limited to:

i. Home occupations that do not generate any additional demand for transportation facilities;

ii. Special events permits;

iii. Temporary structures not exceeding a total of 30 days.

f. Any building permit issued to development that is vested to receive a building permit pursuant to RCW 19.27.095.

D. Calculation of Available Capacity.

Available capacity for transportation facilities shall be calculated as follows:

Step 1	Calculate the baseline person trip supply based on projects constructed or with dedicated funding based on the City's concurrency tool.
Step 2	Add future development to the current land use and calculate the person trips demanded by proposed development.
Step 3	Calculate the available capacity by subtracting the person trip demand calculated in Step 2 from the person trip supply calculated in Step 1.
Step 4	Record the available capacity as the beginning balance in the City's concurrency trip capacity balance sheet calculated in Step 3.

~~D.~~ E. Available Capacity for Concurrency.

1. The City shall determine the available capacity for concurrency as of the effective date of the ordinance codified in this section and record it in the concurrency trip capacity balance sheet.

2. The City shall update the available capacity in the concurrency trip capacity balance sheet - transportation within 12 months of any of the events listed below:

a. Update or amendment of the City's transportation element as it relates to concurrency management.

b. ~~Total traffic volume increases by 30 percent compared to traffic volume at the time the concurrency trip capacity balance sheet was created, or was updated with new data from the traffic model.~~

~~c. More than 50 percent of the available capacity in the most recent calculation of available capacity has been reserved as a result of concurrency tests conducted by the City~~ Projects are added or subtracted from the six-year Transportation Improvement Program adopted pursuant to RCW 35.77.010.

3. If none of the events listed in subsection (D)(2) of this section occurs within seven years of the most recent calculation of the available capacity, the City will update the available capacity recorded in the concurrency trip capacity balance sheet.

4. Each update of available capacity in the concurrency trip capacity balance sheet shall carry forward the reservations of capacity for any building permits for development that has not been completed prior to the update of available capacity.

5. In order to monitor the cumulative effect of exemptions from the concurrency test on the available capacity, the City shall adjust the available capacity in the concurrency trip capacity balance sheet to record the number of p.m. peak hour person trips generated by exempt building permits in the same manner as though a concurrency test had been performed for the exempt building permits.

~~E~~. F. **Concurrency Test.**

1. Each applicant for a building permit that is not exempt from the concurrency test as provided in subsection (C)(2) of this section shall submit the type of development to be constructed pursuant to the building permit, the number of square feet of each type of development, and the number of dwelling units.

2. ~~The City shall perform a concurrency test for each application for a building permit that is not exempt from the concurrency test.~~

~~3.~~ 2. The concurrency test is passed if the number of trips from an applicant's proposed development is equal to or less than available capacity in the concurrency trip capacity balance sheet that has been adjusted to subtract reserved trips. If the concurrency test is passed the City shall record the concurrency test results in the concurrency trip capacity balance sheet in order to reduce the available capacity by the number of trips that will be generated by the applicant's development. The reservation of capacity shall be valid for the same time as the building permit for which it was reserved.

~~4.~~ 3. The concurrency test is not passed if the number of trips from an applicant's proposed development is greater than available capacity after it has been adjusted to subtract reserved trips. If the concurrency test is not passed, the applicant may select one of the following options:

a. Amend the application to reduce the number of trips generated by the proposed development; or

b. Provide system improvements or strategies that increase the City-wide available capacity by enough trips so that the application will pass the concurrency test; or

c. Appeal the denial of the application for a concurrency test, pursuant to the provisions of subsection H of this section.

~~5. The City shall conduct concurrency tests for multiple applications impacting the same portions of the transportation network/intersection chronologically in accord with the date each application was deemed complete pursuant to SMC 20.30.110.~~

~~6.~~ 4. A concurrency test, and any results, shall be administrative actions of the City that are categorically exempt from the State Environmental Policy Act.

~~F.~~ G. **Reservation of Availability Capacity Results of Concurrency Test.**

1. Upon passage of a concurrency test, the City shall reserve capacity on behalf of the applicant in the concurrency trip capacity balance sheet.

2. A reservation of available capacity shall be valid for the same period as the approved building permit for which it was made, and may be extended according to the same terms and conditions as the underlying building permit.

3. A reservation of available capacity is valid only for the uses and intensities authorized for the building permit for which it is issued. Any change in use or intensity is subject to an additional concurrency test of the incremental increase in impact on transportation facilities.

4. A reservation of available capacity is nontransferable to another parcel of land or development proposal. A reservation of available capacity may be transferred to a subsequent purchaser of the land for the same uses and intensities.

5. A reservation of available capacity shall expire if the underlying building permit expires, the application or permit is withdrawn by the applicant, the permit is revoked by the City, application approval is denied by the City, or the determination of completeness expires.

~~G.~~ H. **Fees.**

1. The City shall charge each applicant for a building permit that is not exempt from this section a concurrency test fee in an amount to be established by resolution by the City Council.

2. The City shall charge a processing fee to any individual that requests an informal analysis of capacity if the requested analysis requires substantially the same research as a concurrency test. The amount of the processing fee shall be the same as the concurrency test fee authorized by subsection (G)(1) of this section.

3. The fees authorized in subsection (G)(1) or (G)(2) of this section shall not be refundable, shall not be waived, and shall not be credited against any other fee.

~~H.~~ I. **Appeals.** Determinations and decisions by the Director that are appealed by an applicant shall follow the procedures of Chapter 20.30 SMC for an Administrative Decision – Type B.

~~I.~~ J. **Authority.** The Director of Public Works, or his/her designee, shall be responsible for implementing and enforcing the concurrency requirements of this chapter. The Director of the Department of Public Works is authorized to adopt guidelines for the administration of concurrency, which may include the adoption of procedural rules to clarify or implement the provisions of this section.