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Title: AN ORDINANCE relating to transportation concurrency management; amending Ordinance 14050, Section 8, as amended, and K.C.C. 14.70.210, Ordinance 14050, Section 9, as amended, and K.C.C. 14.70.220, Ordinance 14050, Section 10, as amended, and K.C.C. 14.70.230, Ordinance 14050, Section 11, and K.C.C. 14.70.240, Ordinance 14050, Section 13, as amended, and K.C.C. 14.70.260, Ordinance 14050, Section 14, as amended, and K.C.C. 14.70.270 and Ordinance 14050, Section 16, and K.C.C. 14.70.290, adding a new section to K.C.C. chapter 14.70 and repealing Ordinance 14050, Section 15, as amended, and K.C.C. 14.70.280, Ordinance 14580, Section 8, and K.C.C. 14.70.295, Ordinance 14580, Attachment A, and Ordinance 14580, Attachment B.

Sponsors: Dow Constantine, Carolyn Edmonds, Larry Phillips

Indexes: Comprehensive Plan, Transportation

Code sections: 14.70 -, 14.70.210 -, 14.70.220 -, 14.70.230 -, 14.70.240 -, 14.70.260 -, 14.70.270 -, 14.70.280 -, 14.70.290 -, 14.70.295 -

Attachments: 1. Ordinance 15030.pdf, 2. 2004-0114--0118 Notice of Enactment.doc, 3. 2004-0116 Hearing Notice.doc, 4. 2004-0116 transmittal letter.doc, 5. A. Residential Transportation Concurrency Attachment A-Revised Comp Plan Map, 6. B. Estimated Residential Vehicle Trips for Monitored Zones, 7. C. Monitored Corridors for Transportation Concurrency

Date	Ver.	Action By	Action	Result
9/27/2004	2	Metropolitan King County Council	Passed as Amended	Pass
9/20/2004	2	Metropolitan King County Council	Hearing Held	
9/20/2004	2	Metropolitan King County Council	Deferred	
7/20/2004	1	Growth Management and Unincorporated Areas Committee	Recommended Do Pass Substitute	Pass
7/13/2004	1	Growth Management and Unincorporated Areas Committee	Deferred	
6/22/2004	1	Growth Management and Unincorporated Areas Committee	Deferred	
6/15/2004	1	Growth Management and Unincorporated Areas Committee	Deferred	
3/8/2004	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to transportation concurrency management; amending Ordinance 14050, Section 8, as amended, and K.C.C. 14.70.210, Ordinance 14050, Section 9, as amended, and K.C.C. 14.70.220, Ordinance 14050, Section 10, as amended, and K.C.C. 14.70.230, Ordinance 14050, Section 11, and K.C.C.

14.70.240, Ordinance 14050, Section 13, as amended, and K.C.C. 14.70.260, Ordinance 14050, Section 14, as amended, and K.C.C. 14.70.270 and Ordinance 14050, Section 16, and K.C.C. 14.70.290, adding a new section to K.C.C. chapter 14.70 and repealing Ordinance 14050, Section 15, as amended, and K.C.C. 14.70.280, Ordinance 14580, Section 8, and K.C.C. 14.70.295, Ordinance 14580, Attachment A, and Ordinance 14580, Attachment B.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14050, Section 8, as amended, and K.C.C. 14.70.210 are each hereby amended to read as follows:

Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Applicant" means a person, partnership, corporation or other legal entity who applies to the department for a certificate of transportation concurrency.

B. "Average travel speed" means the average speed in miles per hour of a vehicle over a certain length of road.

C. "Capital improvement program" or "CIP" means the expenditures and revenues programmed by King County for capital purposes for road improvements over the next six-year period in the adopted CIP currently in effect.

~~((C-1.))~~ D.1 "Certificate of concurrency" means the document issued by the department indicating:

- a. the location of the property on which the development is proposed;
- b. the number of development units and specific uses that were tested for concurrency and approved;
- c. the type of development approval for which the certificate of concurrency is issued;
- d. an effective date; and
- e. an expiration date.

2. Certificates may be conditional ~~((or unconditional))~~ only for nonresidential developments.

~~((D.))~~ E. "Committed network" means the road system for measuring concurrency, which includes all existing transportation facilities and also includes proposed transportation facilities that are fully funded for construction in the adopted CIP or for which voluntary financial commitments have been secured. Fully funded projects to be provided by the state, cities or other jurisdictions may become part of the committed network.

~~((E.))~~ F. "Concurrency" means transportation facilities are in place at the time of development or that a financial commitment is in place to complete within six years the improvements needed to maintain the county level of service standards, according to RCW 36.70A.070(6).

~~((F.))~~ G. "Concurrency map" means the map displaying in color the concurrency status of each concurrency zone for residential land uses ~~((s))~~ based upon the traffic model. The map consists of three colors, which are green, yellow and red, that signify level of service status as designated under K.C.C. 14.70.230.C.

~~((G.))~~ H. "Concurrency status" means whether or not a concurrency zone meets the TAM and ~~((critical segment))~~ travel time standards adopted in this chapter.

~~((H.))~~ I. "Concurrency test" means determining if a proposed development complies with the adopted level of service standard of the concurrency zone in which the proposed development is located.

~~((I.))~~ J. "Concurrency zone" means one of the zones depicted in the adopted concurrency map.

~~((J.))~~ K. "Critical segment" means the one-direction lane or lanes of a portion of a monitored corridor within the committed network with an average ~~((weighted volume to capacity ratio of 1.1 or more))~~ travel speed of level of service E for the Urban Growth Area and designated Rural Towns and level of service B for the Rural Area during the peak period and that carries more than thirty percent of the one-way peak-period vehicle trips from a proposed development ~~((s))~~ for nonresidential development ~~((s))~~ or from a concurrency zone ~~((s))~~ for residential development. The portion of a roadway comprising a critical segment may be several connected roadway links, as used in the traffic model.

~~((K.))~~ L. "Department" means the King County department of transportation or its successor agency.

~~((L-))~~ M. "Development" means specified changes in use designed or intended to permit a use of land that will contain more dwelling units or buildings than the existing use of the land, or to otherwise change the use of the land or buildings or improvements on the land in a manner that increases the amount of vehicle traffic generated by the existing use of the land, and that requires a development permit from King County. This definition does not pertain to the rezoning of land or a grading permit.

~~((M-))~~ N. "Development application" means the request made to the department of development and environmental services, or its successor agency, for ~~((the department of development and environmental services~~
~~'s))~~ approval of a development.

~~((N-))~~ O. "Development approval" means an order, permit or other official action of the department of development and environmental services or its successor agency granting, or granting with conditions, an application for development.

~~((O-))~~ P. "Development units" means the number of dwelling units for residential development and square feet for nonresidential development.

~~((P-))~~ Q. "Director" means the director of the department.

R. "Financial commitment" consists of:

1. Revenue designated in the adopted CIP. The adopted CIP identifies all applicable and available revenue sources and forecasts these revenues through the six-year period with reasonable assurance that the funds will be timely put to those ends. Projects to be used in defining the committed network are fully funded for construction in the six years of the CIP. This commitment is reviewed through the annual budget process;
or

2. Revenue that is assured by an applicant in a form approved by the county in a voluntary agreement.

~~((Q-))~~ S. "HOV" means high occupancy vehicle.

~~((R-))~~ T. "Level of service standard" means the TAM and travel time standards that are adopted in the Comprehensive Plan and ~~((the critical segment standards in the))~~ in ~~((the))~~this chapter.

~~((S))~~ U. "Link" means the one-direction lane or lanes of a roadway between two adjacent consecutive points along that roadway, as used in the traffic model. The consecutive points determining the length of a link may be based on ~~((such))~~ roadway and geographical characteristics such as roadway alignment and intersection location.

~~((T))~~ V. "Monitored corridor" means a principal or minor arterial considered by the department to be important to traffic circulation in the county and may consist of two or more connected segments. The monitored corridors are established and listed in Attachment C to Ordinance 14580. Monitored corridors in a city shall be based upon interlocal agreement between the county and that city.

~~((U))~~ W. "Monitored zones" means those zones that are within ten percent of exceeding the adopted TAM or ~~((critical segment))~~ travel time level of service standards.

~~((V))~~ X. "Peak period" means the one-hour weekday afternoon period during which the greatest volume of traffic uses the road system. For concurrency purposes, this period shall be in the afternoon of a typical weekday.

~~((W))~~ Y. "Reservation and reserve" means development units are set aside in the department's traffic model in a manner that assigns the units to the concurrency zone and prevents the same units from being assigned to any other development once the traffic model is updated.

~~((X))~~ Z. "Road classification" means the classification of roadways as determined by the county council by ordinance based on the function and design of a specific road.

AA. "Rural Area" means a Rural Area as defined in the King County Comprehensive Plan.

BB. "Rural Town" means a Rural Town as defined in the King County Comprehensive Plan.

CC. "Segment" means a portion of a monitored corridor between major intersections or roadway configuration changes such as changes in the number of lanes. A segment may consist of several connected links as used in the traffic model.

~~((Y))~~ DD. "Traffic model" means the computer program and data that is used to forecast traffic

volumes and that is calibrated to Federal Highway Administration (~~((FHWA)))~~ standards. The model (~~((shall be))~~ is) used to prepare the concurrency map for proposed residential developments and to conduct site specific analysis for proposed nonresidential developments. The model documentation is available from the department.

~~((Z:))~~ EE. "Transportation adequacy measure" or "TAM" means the average weighted volume-to-capacity ratio for all traffic in the (~~((p.m.))~~ afternoon) peak hour for a concurrency zone or nonresidential development.

~~((AA:))~~ FF. "Transportation facilities" means principal, minor and collector arterial roads, state highways and high occupancy vehicle facilities. Transportation facilities include any such a facility owned, operated or administered by the state of Washington and its political subdivisions, including the county and cities.

~~((BB. "Transportation service area" means the areas of unincorporated King County so designated in the Comprehensive Plan.))~~ GG. "Travel time" means the time it takes a vehicle to travel from one specified point to another.

HH. "Travel time standard" means the level of service standard used to judge the performance of monitored corridors and critical road segments within the corridors. The level of service standard is identified by ranges of average travel speed by road classification.

II. "Urban Growth Area" means an Urban Growth Area as defined in the King County Comprehensive Plan.

SECTION 2. Ordinance 14050, Section 9, as amended, and K.C.C. 14.70.220 are each hereby amended to read as follows:

Transportation adequacy measure and (~~((critical segment))~~ travel time) standards.

A. Concurrency shall be determined by the application of TAM and (~~((critical segment))~~ travel time) standards to (~~((all))~~ proposed nonresidential developments and concurrency zones for proposed residential

~~developments within unincorporated King County((, except for those developments that are exempt from concurrency under K.C.C. 14.70.280)).~~

B. The TAM calculation for a concurrency zone or nonresidential development shows the adequacy of the committed network relative to the adopted level of service. Projects to be provided by the state, cities or other jurisdictions may become part of the committed network upon decision of the director. A volume-to-capacity ratio is the measure used for TAM evaluation with one standard for the Urban Growth Area and another standard for the Rural Area. The ((following are the)) TAM ((standards)) standard for ((each transportation service area)) the Urban Growth Area and designated Rural Towns is level of service E, or 0.99 volume-to-capacity ratio, as adopted in the King County Comprehensive Plan. The standard for the Rural Area is level of service B, or 0.69 volume to capacity ratio, as adopted in the King County Comprehensive Plan. The standard for the minor developments and public and educational facilities listed in section 8 of this ordinance is level of service F, or greater than 0.99 volume to capacity ratio, as adopted in the King County Comprehensive Plan ((Policy T 209)).

((Transportation Service Area	Maximum Averaged	Average TAM
Area 1	V/C Zonal Score	Standard Transportation Service
0.99	E	E
Transportation Service Area 2	0.99	E
Transportation Service Area 3	0.89	D
Transportation Service Area 4	0.79	C
Transportation Service Area 5	0.69	B

~~The TAM standard for Transportation Service Area 3 shall be applied to development requests in Transportation Service Area 4 if public sewer and water services are available at the time of concurrency application, as evidenced by water and sewer availability certificates satisfactory to the department. If an applicant presents water and sewer certificates satisfactory to the department, the applicant's proposed~~

development shall be reevaluated based on a TSA 3 threshold.))

C.1. The ~~((critical segment))~~ travel time standard shall apply to the monitored corridors listed in Attachment C to Ordinance 14580. ~~((A critical segment is the one-direction lane or lanes of a portion of a monitored corridor within the committed network with an average weighted volume to capacity ratio of 1.1 or more during the peak period that carries more than thirty percent of the one-way peak period vehicle trips from a proposed development, for nonresidential development, [or from a concurrency zone, for residential development. The portion of a roadway comprising a segment may be several connected roadway links, as used in the traffic model]. Critical segments))~~ The travel time standards are levels of service based on average travel speed in miles per hour, and the standards vary by road classification. The travel speed calculations measure the adequacy of critical segments within monitored corridors. The travel time standard for the Urban Growth Area and designated Rural Towns is level of service E. The travel time standard for the Rural Area is level of service B. The travel time standard for the minor developments and public and educational facilities listed in section 8 of this ordinance is level of service F. Travel time standards shall not apply to monitored corridors in ((Transportation Service Areas 1 and 2)) the Urban Growth Area if HOV lanes and transit service are available at the time of concurrency application or are expected to be available within six years.

~~((D. For monitored zones, the concurrency map includes a table, Attachment B to Ordinance 14580, that shows the estimated number of vehicle trips that can be accommodated in a monitored zone. The department shall monitor the certificates of concurrency issued in each monitored zone. The department may approve applications for concurrency certificates, in whole or in part, up to the number of vehicle trips estimated for a zone as indicated in the table. The number of remaining trips in the table shall be reduced by the number of peak hour trips represented in each residential and nonresidential concurrency certificate issued in a monitored zone. When a monitored zone reaches its estimated capacity for vehicle trips, the department shall hold all applications in that zone until the council adopts a new concurrency map. If a new adopted concurrency map indicates that more trips can be accommodated in the zone, the department shall process those~~

applications that were put on hold, in the order received until the estimated vehicle trip capacity is once again reached, at which point the department shall hold all applications in that zone as provided in this subsection. If the new concurrency map indicates that the monitored zone is out of compliance for adopted TAM or critical segment level of service standards then applications that were put on hold shall be denied.)

2. The following table identifies the range of travel speeds for the travel time levels of service on monitored corridors and critical segments including the average travel speeds used for the standards level of service E and level of service B:

ROAD LEVELS OF SERVICE				
Road Classification	I (State Routes)	II (Principal Arterials)	III (Minor Arterials)	IV (Collector Arterials)
LEVEL OF SERVICE	AVERAGE TRAVEL SPEED (MILES PER HOUR)			
A	>42	>35	>30	>25
B	>34 - 42	>28 - 35	>24 - 30	>19 - 25
C	>27 - 34	>22 - 28	>18 - 24	>13 - 19
D	>21 - 27	>17 - 22	>14 - 18	>9 - 13
E	>16 - 21	>13 - 17	>10 - 14	>7 - 9
F	<=16	<=13	<=10	<=7

SECTION 3. Ordinance 14050, Section 10, as amended, and K.C.C. 14.70.230 are each hereby

amended to read as follows:

Concurrency test.

A. The department shall perform a concurrency test for each application for a certificate of concurrency to determine whether the proposed development satisfies the TAM and ((critical segment)) travel time standards.

B. The concurrency test shall be performed only for the proposed development identified by the applicant on a completed concurrency application. Changes to the proposed development that would create additional vehicle trips shall be subject to an additional concurrency test.

C. 1. When making a concurrency determination for a proposed residential development, the department shall consult the concurrency map currently in effect. The concurrency map displayed in

Attachment A to this ordinance is adopted as the official concurrency map for King County. The department shall make a determination of concurrency according to the status indicated on the adopted map for the concurrency zone in which the proposed residential development is located ~~((in. For a proposed residential development in TSA 4 where public sewer and water services are available, a concurrency certificate shall be issued if the zone complies with a TSA 3 standard. The concurrency map displayed in Attachment A to Ordinance 14580 is adopted as the official concurrency map for King County)).~~

2. On the concurrency map, if the zone color is green it means the proposed residential development shall be given a certificate because the concurrency zone is functioning within level of service standards. The color yellow means the concurrency zone is close to exceeding the level of service standards and there is a designated number of residential units that may be given a certificate. The color red means the concurrency zone is at or exceeding level of service standards and the proposed residential development shall not be given a certificate, unless it is a minor development listed in section 8 of this ordinance.

~~((D. When making the concurrency determination for a proposed residential development in a monitored zone, the department may approve applications for concurrency certificates in whole or in part up to the number of vehicle trips estimated to be remaining in the zone.))~~

3. Monitored zones are yellow on the concurrency map. Attachment B to this ordinance shows the estimated number of residential vehicle trips that can be accommodated in each monitored zone. The department shall monitor the residential certificates of concurrency issued in each monitored zone. The department may approve applications for residential concurrency certificates up to the number of vehicle trips estimated for a zone as indicated in the table. The number of remaining trips in the table shall be reduced by the number of peak-hour trips represented in each residential concurrency certificate issued in a monitored zone. When a monitored zone reaches its estimated capacity for vehicle trips, the department shall hold all residential applications in that zone until the council adopts a new concurrency map, except for minor developments listed in section 8 of this ordinance. If the new concurrency map indicates that more trips can be accommodated in the zone, the

department shall process those residential applications that were put on hold, in the order received, until the estimated vehicle trip capacity is once again reached, at which point the department shall hold all residential applications in that zone as provided in this subsection. If the new concurrency map indicates that the monitored zone is out of compliance for adopted TAM or travel time level of service standards then residential applications that were put on hold shall be denied.

~~((E.))~~ D. When conducting the concurrency test for a proposed nonresidential development, the department shall conduct a site specific analysis using the department's traffic model. The department shall use standard trip generation rates published by the Institute of Transportation Engineers or other documented information and surveys approved by the department. The department may approve a reduction in generated vehicle trips based on additional information supplied by the applicant. The calculation of vehicle trip reductions shall be based upon recognized technical information and analytical processes that represent current engineering practice. The department shall have final approval of such data, information and technical procedures as are used to calculate vehicle trip reductions.

~~((F.))~~ E. If the concurrency test is passed under subsection D of this section, the applicant shall receive a certificate of concurrency. If the concurrency test for a nonresidential project is passed only under certain conditions of road improvements or project size, then the applicant shall receive a conditional certificate of concurrency on which the specific conditions are stated.

~~((G.))~~ F. If the concurrency test for nonresidential development is not passed, the applicant shall select one of the following options:

1. Request in writing a ninety-day period in which the applicant can meet with the department to review the concurrency analysis and possible mitigation measures. The applicant may also provide additional information to the department in support of the application. The ninety-day period must be requested no later than ten days after the applicant's receipt of the notification of denial;

2. Appeal the denial of the application for a certificate of concurrency~~((;))~~ in accordance with K.C.C.

14.70.260. Acceptance of the ninety-day period shall not impair the applicant's future right to a formal appeal at a later time. An appeal must be filed with the department no later than ten days after the expiration of the ninety-day period; or

3. Accept the denial of an application for a certificate of concurrency.

SECTION 4. Ordinance 14050, Section 11 and K.C.C. 14.70.240 are each hereby amended to read as follows:

Requirement for certificate of concurrency.

A. Each applicant for a development approval shall present a valid certificate of concurrency(~~(; except as provided in K.C.C. 14.70.280))~~).

B. A certificate of concurrency must be valid at the time of development application. A certificate of concurrency is valid if it has not expired according to its expiration date.

C. Applications for certificates of concurrency shall be submitted to the department of transportation on forms provided by the department.

SECTION 5. Ordinance 14050, Section 13, as amended, and K.C.C. 14.70.260 are each hereby amended to read as follows:

Appeals.

A. Any issues relating to the adequacy of the traffic model or to the accuracy of the concurrency map shall be raised to the county council during the annual council consideration of the concurrency map as provided in K.C.C. 14.70.270.

B. There is no administrative appeal of the department's final decision of residential concurrency denial or approval.

~~(B-)~~ C. ~~An ((A))~~ appeal ~~((s))~~ of the department's final decision ~~((s))~~ relative to nonresidential concurrency denial shall be filed by the applicant with the director or the director's designee. The appeal ~~((s))~~ shall be in written form, stating the grounds for the appeal, and shall be filed within ten ~~((calendar))~~ days after

receipt of notification of the department's final decision in the matter being appealed or if a ninety-day period was requested under K.C.C. 14.70.230_G.1 within ten days after the expiration of the ninety-day period.

~~((C.))~~ D. A ~~((C.))~~ challenge~~((s))~~ to a nonresidential concurrency approval~~((s))~~ may be raised as part of the review process for the development application for which the certificate of concurrency was issued.

~~((D. For))~~ E. In an ~~((For))~~ appeal~~((s))~~ of nonresidential concurrency denial or approval, the appellant must show that:

1. The department committed a technical error, which means an error in arithmetic, table and map lookup ~~((and))~~ or a similar clerical function;
2. Alternative data or a traffic mitigation plan submitted to the department was inadequately considered;
3. Conditions required by the department for concurrency are not related to the concurrency requirement; or
4. The action of the department was arbitrary and capricious as defined in Washington law.

~~((E.))~~ F. The standard of review for nonresidential appeals when considering whether a technical error was committed shall be compelling evidence that the department made an error in arithmetic, table references or other such mechanical or clerical error. Appeals based upon technical error shall not call into question the underlying traffic model or its inputs.

~~((F.))~~ G. For nonresidential appeals on grounds other than technical error, the department's dependence on its professional judgment and experience shall be given due deference by the hearing examiner.

~~((G. Any issues relating to the adequacy of the traffic model shall be raised to the county council during the annual council adoption of the concurrency map.))~~

SECTION 6. Ordinance 14050, Section 14, as amended, and K.C.C. 14.70.270 are each hereby amended to read as follows:

Update and use of the traffic model.

A. The traffic model for concurrency shall be updated annually as part of the budget process or when authorized by the county council by ordinance. The update process shall include the most recently adopted roads CIP, updated traffic volumes((;)) and updated information regarding issuance of concurrency certificates, development approvals and development activity. The traffic model shall conform to the guidelines and procedures described by the Federal Highway Administration in its publication entitled Calibration and Adjustment of System Planning Models dated December 1990 or its successor. Each update of the traffic model shall be used to produce a new concurrency map and table of estimated vehicle trips for monitored zones. The concurrency map and table of estimated vehicle trips for monitored zones shall be submitted to council for its approval by ordinance. The updates of the traffic model shall be deemed adequate for the purposes of concurrency analysis and the concurrency map shall be used to determine the concurrency of proposed residential development projects. The traffic model shall be used to prepare the concurrency map and to perform site specific analysis for nonresidential projects.

B. The concurrency map is a result of the values inputted in(())to the traffic model, as described in subsection A, of this section. The concurrency map indicates if a concurrency zone does or does not comply with adopted TAM and ((critical segment)) travel time level of service standards. Any changes to the concurrency status of a zone or zones on the concurrency map other than those resulting from the model update process may only be accomplished by the council,((by)) through an ordinance, by changing any combination of the adopted TAM or ((critical segment)) travel time standards, or the list of funded projects in the most recently adopted CIP.

SECTION 7. Ordinance 14050, Section 15, as amended, and K.C.C. 14.70.280 are each hereby repealed.

NEW SECTION. SECTION 8. There is hereby added to K.C.C. 14.70 a new section to read as follows:

Minor developments and certain public and educational facilities. The following minor

developments and public and educational facilities are subject to the concurrency test using level of service standard F:

A. Short subdivisions within the Urban Growth Area:

B. Any multifamily residential structure or structures totaling eight dwelling units or less within the Urban Growth Area;

C. Any new public senior high school within the Urban Growth Area and any modification to an existing public senior high school regardless of location, including any renovation, expansion, modernization or reconstruction of existing facilities and the addition of relocatable facilities, only if the school prepares and implements a transportation demand management plan. New public high schools outside the Urban Growth Area must meet the ~~((#))~~Rural ~~((a))~~Area standard level of service B in the provisions of this chapter. This high school transportation demand management plan shall be submitted to and approved by the director of the department or the director's designee before the issuance of the building permit. The high school demand management plan shall pertain to the entire school and shall specify measures to be implemented to reduce single occupant vehicle travel by students, faculty and staff. The plan shall further specify how the school district and department of transportation will cooperate in monitoring the implementation of such measures and make adjustments as needed to achieve reduction goals. A high school may voluntarily choose to prepare and implement a transportation demand management plan for any expansion of an existing public high school facility that would not generate new trips during the peak period;

D. Parks, as defined in K.C.C. 21A.06.835;

E. Public agency or utility office, as defined in K.C.C. 21A.06.930, in the Urban Growth Area;

F. Public agency or utility yard, as defined in K.C.C. 21A.06.935, in the Urban Growth Area;

G. Building permits for single-family structures;

H. The construction of a structure for a nonresidential use generating no more than twelve peak-period trips;

I. Any development that will not increase the traffic volumes in the peak period;

J. Any public elementary, middle or junior high school facilities, including new facilities and any renovation, expansion, modernization or reconstruction of existing facilities and the addition of relocatable facilities; and

K. Private elementary, middle or junior high schools for only the travel time portion of the concurrency test. The travel time level of service F standard shall only apply to the redevelopment of a site with an existing nonresidential use, and the TAM analysis shall include credit for the trips associated with the existing nonresidential use. To qualify for the travel time level of service F standard, a school must prepare and implement a transportation demand management plan submitted to and approved by the director of the department or the director's designee before the issuance of the building permit. The school demand management plan shall pertain to the entire school and shall specify measures to be implemented to reduce single occupant vehicle travel by students, faculty and staff. The plan shall further specify how the school and department of transportation will cooperate in monitoring the implementation of such measures and make adjustments as needed to achieve reduction goals. For the TAM portion of the concurrency test, private elementary, middle and junior high schools are subject to level of service standard B if located in the Rural Area and level of service standard E if located in the Urban Growth Area or in designated Rural Towns.

SECTION 9. Ordinance 14050, Section 16, and K.C.C. 14.70.290 are each hereby amended to read as follows:

Intergovernmental coordination.

A. The county may enter into agreements and continue existing agreements with other local governments and the state of Washington to coordinate concurrency standards, impact fees and other mitigation.

B. The county may apply concurrency standards, fees and mitigation to development in the county that impacts transportation facilities in other local governments and the state of Washington. Development

approvals by the county may include conditions and mitigation that will be imposed on behalf of, and implemented by, other local governments and the state of Washington.

C. The county may receive impact fees or other mitigation based on or as a result of development proposed in other jurisdictions that impacts the county. The county may agree to accept and implement conditions and mitigation that are imposed by other jurisdictions on development in ~~((their))~~ those jurisdictions.

D. The county shall not require fees or mitigation for transportation facilities of other agencies unless an agreement has been executed between the county and the affected agency. ~~((The agreement shall specify the fee schedule and level of service standards to be used by the county and the affected agency, which standards shall be consistent with the county's Comprehensive Plan and, if different than the standards adopted under this title, shall be adopted by ordinance.))~~

SECTION 10. Ordinance 14580, Section 8, and K.C.C. 14.70.295, Ordinance 14580, Attachment A, Transportation Concurrency Level of Service Standards Status

map, dated January 10, 2003, and Ordinance 14580, Attachment B, Estimated Vehicle Trips for Monitored Zones table, are each hereby repealed.