



Legislation Text

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AN ORDINANCE revising transportation concurrency exemptions for specific nonresidential development; and amending Ordinance 14050, Section 15, as amended, and K.C.C. 14.70.280.

SECTION 1. Ordinance 14050, Section 15, as amended, and K.C.C. 14.70.280 are each hereby amended to read as follows:

Exemptions - monitoring effect of exemptions.

A. The following applications for development approval are exempt from the concurrency test, and may commence development without a certificate of concurrency:

1. Development that is vested before January 8, 1995, is exempt for the development approval for which vested status was achieved;
2. Short subdivisions within the urban growth area;
3. Building permits for single family structures;
4. Renewals of previously issued, unexpired development approvals;
5. The construction or location of any residential structure of eight dwelling units or less;
6. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering up to thirty thousand square feet;
7. The construction of ((an office, commercial, recreational, service or storage building with twelve thousand square feet of gross floor area and with associated parking facilities designed for forty automobiles)) a structure for a nonresidential use generating no more than twelve peak-period trips;

8. Expansions or phases of projects that were disclosed by the applicant and subject to a concurrency test as part of the original application (for example, phased development), if a certificate of concurrency was issued for the expansion or subsequent phase;

9. Any development that will have no transportation impact and that will not change the traffic volumes and flow patterns in the peak period, as determined by the director;

10. 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;

11. Any new public senior high school inside the urban boundary, 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, provided that the school prepare and implement a transportation demand management plan. New public high schools outside the urban boundary are not exempt from the provisions of this ordinance. The 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; and

12. Parks, as defined in K.C.C. 21A.06.835, public agency or utility office in the urban area, as defined in K.C.C. 21A.06.930, and public agency or utility yard in the urban area, as defined in K.C.C. 21A.06.935.

B. The following applications for development approval are exempt from the critical segment standard, and may receive a certificate of concurrency through passage of the TAM standard only: private elementary, middle or junior high schools. This exemption from the critical segment 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 such an exemption from the critical segment standard a school must prepare and implement a transportation demand management plan. The 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 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.

C. To monitor the cumulative effect of exempt development approvals on the level of service of transportation facilities, the department shall add the impacts of

exempt development approvals to the traffic model and all other relevant concurrency monitoring records.

30 days prior, official paper

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