

## **ORDINANCE NO. 1044**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO CONCURRENCY WITH THE CITY'S TRANSPORTATION, WATER AND SEWER SYSTEM, ADDING THE REQUIREMENT FOR A CERTIFICATE OF CONCURRENCY ASSOCIATED WITH SEWER FOR DEVELOPMENT APPLICATIONS AND UTILITY EXTENSION AGREEMENTS, ADDING THE REQUIREMENT FOR WATER AND TRANSPORTATION CONCURRENCY CERTIFICATES FOR UTILITY EXTENSION AGREEMENTS, CHANGING THE APPEAL PROCEDURE FOR DENIAL OF CONCURRENCY TO ALLOW AN ADMINISTRATIVE APPEAL BEFORE THE APPEAL ON THE UNDERLYING PERMIT, CLARIFYING THAT ALL MITIGATION AND CONDITIONS ON CONCURRENCY DETERMINATIONS SHALL BE INCLUDED IN THE SEPA THRESHOLD DECISION ON THE UNDERLYING PERMIT; AMENDING SECTIONS 19.10.001, 19.10.002, 19.10.003, 19.10.004, 19.10.010, 19.10.005, 19.10.006, 19.10.007, 19.10.008, 19.10.009, 19.10.011, 19.10.012, 19.10.013, 19.10.014, 19.10.015, 19.10.016, 19.10.017, 19.10.018, 19.10.019, 19.10.020, 19.10.021, 19.10.022, 19.10.023, 19.10.024, 19.10.025, 19.10.026, REPEALING SECTION 19.10.022 OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the Growth Management Act ("GMA") contemplates "concurrency," in the sense that adequate public facilities must be available when the impacts of new development occur; and

WHEREAS, "available public facilities" are defined in GMA to mean that facilities or services are in place or that a financial commitment is in place to provide the facilities or services within a specified time (WAC 365-195-220); and

WHEREAS, "adequate public facilities" are defined in GMA to mean facilities which have the capacity to serve development without decreasing levels of service below locally established minimums; and

WHEREAS, “levels of service” are defined in GMA to mean an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need; and

WHEREAS, the City operates a waste water treatment plant (WWTP) and provides sewer service to customers; and

WHEREAS, the WWTP has limited capacity to treat waste water, and in order to increase capacity to handle more waste water, the City must construct improvements to the WWTP; and

WHEREAS, the City discharges the effluent from the waste water treatment plant into Gig Harbor Bay, but has plans to construct the necessary facilities to discharge into Puget Sound; and

WHEREAS, in order for the City to discharge effluent into the waters of the State, the City is required to obtain a permit from the State of Washington under RCW 90.48.162 and 90.48.165; and

WHEREAS, such permit (NPDES permit) is limited as to the volume of the wastes and character of effluent; and

WHEREAS, the State may revoke the permit or impose fines on the City, if the permit limits/levels are exceeded; and

WHEREAS, because the City’s WWTP has limited capacity, and the City cannot exceed the limits/levels established in the NPDES permit issued by the State without severe consequences, the City Council finds that it is in the best interests of the citizens of Gig Harbor to adopt a sewer concurrency program, similar to the traffic and water concurrency program adopted in Chapter 19.10 GHMC, for

consistency with GMA and for the purpose of capacity monitoring, allocation and reservation of water in the City's sewer system; and

WHEREAS, the procedure in the existing concurrency program does not address the interface between the concurrency determination and SEPA mitigation in a SEPA threshold decision; and

WHEREAS, the appeal procedure in the existing concurrency program currently requires that an appeal of the concurrency determination must proceed in tandem with an appeal of the underlying permit; and

WHEREAS, in many instances, a denial of concurrency will result in a denial of the underlying permit application, but if there is no concurrency, there is no need for the City staff to review and process the underlying permit application on the merits to the point of a final decision; and

WHEREAS, the procedure needs to be changed so that an appeal of the concurrency determination may proceed prior to an appeal of the denial of the underlying permit; and

WHEREAS, the procedures regarding concurrency need to be changed to address concurrency mitigation so that such mitigation will be coordinated with any SEPA threshold determination on the underlying permit; and

WHEREAS, the City's SEPA Responsible Official has made a determination that this Ordinance is categorically exempt from SEPA under WAC 197-11-800(19); and

WHEREAS, on May 8, 2006, the Gig Harbor City Council considered this Ordinance during a regular meeting; and

WHEREAS on April 24, 2006, the Gig Harbor City Council held a public hearing on this Ordinance; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 19.10 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**CHAPTER 19.10  
CONCURRENCY MANAGEMENT**

**I. OVERVIEW AND EXEMPTIONS**

19.10.001. Purpose. The purpose of this Chapter is to implement the concurrency provisions of the Transportation and Utilities Elements of the City's Comprehensive Plan, and the Water and Sewer Comprehensive Plans, in accordance with RCW 36.70A.070(6)(e), consistent with WAC 365-195-510 and 365-195-835. No development permit shall be issued except in accordance with this Chapter, which shall be cited as the Concurrency Management Ordinance.

19.10.002. Authority. The Director of Community Development Public Works, or his/her designee, shall be responsible for implementing and enforcing the Concurrency Management Ordinance.

19.10.003. Exempt Development.

A. No development activity (as defined in Chapter 19.14 GHMC) shall be exempt from the requirements of this chapter unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on road facilities or sewer capacity in the City's waste water treatment plant, or water capacity in the City's water system:

1. Administrative interpretations
2. Sign permit
3. Street vacation
4. Demolition permit
5. Street Use Permit
6. Interior alterations with no change of use
7. Excavation/clearing permit
8. Hydrant use permit
9. Right of Way Permit
10. Single family remodeling with no change of use
11. Plumbing permit

12. Electrical permit
13. Mechanical permit
14. Excavation permit
15. Sewer connection permit
16. Driveway or street access permit
17. Grading permit
18. Tenant improvement permit
19. Fire code permit
20. Design review approval

Notwithstanding the above, if any of the above permit applications will generate any new p.m. peak hour trips, require additional sewer capacity, or increase water consumption, such application shall not be exempt from the requirements of this chapter.

B. 1. Traffic. This Chapter shall apply to all development applications for development or re-development if the proposal or use will generate any new p.m. peak hour trips. ~~3. If the new permit application will generate more than 15 new p.m. peak hour trips, a transportation capacity evaluation application and report shall be required in conformance with Chapter 19.10 GHMC. Every application for development shall be accompanied by a concurrency application. If the concurrency application will generate more than 15 new peak p.m. hour trips, a Transportation Impact Analysis (TIA) report shall be required in conformance with GHMC Section 19.10.011. If the concurrency application will generate less than 15 new peak hour p.m. hour trips, a TIA report shall be required if one or more projected vehicle trips will pass through an intersection or roadway section identified with a Level of Service "D" on the City's comprehensive transportation plan. TIA reports will not be required for other concurrency applications with less than 15 new peak p.m. hour trips.~~

2. Water. This Chapter shall apply to all development applications or outside City limits utility extension agreements (under chapter 13.34 GHMC) for development or redevelopment if the proposal or use requires water, from the City's water system, In addition, this Chapter shall apply to existing developments to the extent that the property owner requires water for a use not disclosed on a previously submitted water service application under GHMC 13.02.030 or a previously submitted application for a capacity reservation certificate.

3. Sewer. This Chapter shall apply to all development applications or outside City limits utility extension agreements (under chapter 13.34 GHMC) for development or redevelopment if the proposal or use requires sewer from the City's Sewer System. In addition, this Chapter shall apply to existing developments to the extent that the property owner requires sewer for a use not disclosed on a previously approved request for sewer service or a previously approved application for a capacity reservation certificate.

19.10.004. Capacity Evaluation Required for Change of Use. Except for development exempt under GHMC 19.10.003, any development activity, as defined in the definition section of this Chapter, shall require a capacity evaluation in accordance with this Chapter.

A. Increased Impact on Road Facilities, and/or the City's Water System, and/or the City's Sewer System. If a change of use will have a greater impact on road facilities and/or the City's water system, and/or the City's Sewer System than the previous use as determined by the Director based on review of information submitted by the Developer, and such supplemental information as available, a CRC shall be required for the net increase only, provided that the Developer shall provide reasonably sufficient evidence that the previous use has been actively maintained on the site during the five (5) year period prior to the date of application for the capacity evaluation.

B. Decreased Impact on Road Transportation Facilities and/or the City's Water System, and/or the City's Sewer System. If a change of use will have an equal or lesser impact on road facilities and/or the City's water system and/or the City's Sewer System than the previous use as determined by the Director based on review of information submitted by the Developer, a CRC will not be required.

C. No Capacity Credit. If no use existed on the site for the five (5) year period prior to the date of application, no capacity credit shall be issued pursuant to this section.

D. Demolition or Termination of Use. In the case of a demolition or termination of an existing use or structure, the capacity evaluation for future redevelopment shall be based upon the net increase of the impact on road facilities or the City's water or sewer system for the new or proposed land use as compared to the land use existing prior to demolition, provided that such credit is utilized through a CRC, within five (5) years of the date of the issuance of the demolition permit.

~~19.10.010.~~ 19.10.005. Capacity Evaluations Required for Rezone Applications or Comprehensive Plan Amendments Requesting an Increase in Extent or Density of Development. A capacity evaluation shall be required as part of any application for a comprehensive plan amendment or zoning map amendment (rezone) which, if approved, would increase the intensity or density of permitted development. As part of that capacity evaluation, the Director shall determine whether capacity is available to serve both the extent and density of development which would result from the zoning/comprehensive plan amendment. The capacity evaluation shall be submitted as part of the staff report and shall be considered by the City in determining the appropriateness of the comprehensive plan or zoning amendment.

~~19.10.005~~ 19.10.006 All Capacity Determinations Exempt from Project Permit Processing. The ~~determinations made by the Director processing of applications~~ pursuant to the authority in this Chapter shall be exempt from project permit processing procedures, as described in this Title, except that the appeal procedures of GHMC Title 19 shall apply as specifically indicated herein.~~pursuant to Part VIII of this chapter.~~ The City's processing of capacity determinations and resolving capacity disputes involves a different review procedure due to the necessity to perform continual monitoring of facility and service needs, to ensure continual funding of facility improvements, and to develop annual updates to the transportation and utilities elements of the comprehensive plan.

## II. LEVEL OF SERVICE STANDARDS

19.10.006. Introduction. The concept of concurrency is based on the maintenance of specified levels of service through capacity monitoring, allocation and reservation procedures. Concurrency describes the situation in which water, sewer and/or road facilities are available when the impacts of development occur. For road facilities, this time period is statutorily established as ~~or~~ within six (6) years from the time of development. (See, RCW 36.70A.070(6)(C), WAC 365-195-210, definition of "available public facilities.")

A. Roads. The City has designated levels of service for road facilities in its transportation comprehensive plan:

1. to conform to RCW 47.80.030 for transportation facilities subject to regional transportation plans;
2. to reflect realistic expectations consistent with the achievement of growth aims;
3. for road facilities according to WAC 365-195-325; and
4. to prohibit development if concurrency for road facilities is not achieved (RCW 36.70A.070), and if sufficient public and/or private funding cannot be found, land use assumptions in the City's Comprehensive Plan will be reassessed to ensure that level of service standards will be met, or level of service standards will be adjusted.

B. Water. The City has a permitted withdrawal volume of water issued by the Department of Ecology. Level of Service as it relates to water is defined in the Water Element of the City's Comprehensive Plan as the ability to provide potable water to the consumer for use and fire protection. The ability to provide this water supply is ~~bound~~ limited by the water permit from the Department of Ecology.

C. Sewer. The City is required to obtain a permit from the Department of Ecology in order to discharge effluent into the waters of the State. This permit is limited by levels and volume. Level of service as it relates to sewer is defined in the City's Sewer Comprehensive Plan as the ability to provide sanitary sewer services to the consumer for use, treatment at the City's waste water treatment plant, and discharge into Puget Sound. The City's ability to provide such service is limited by the physical capacity of the City's waste water treatment plant as well as the NPDES permit issued by the Department of Ecology.

19.10.007. Level of Service Standards. Level of Service (LOS) is the established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need, as mandated by Chapter 36.70A RCW. LOS standards shall be used to determine if public facilities or services are adequate to support a development's impact. The City's established LOS for roads within the city limits shall be as shown in the Transportation Element of the City's Comprehensive Plan.

19.10.008. Effect of LOS Standards. The Director shall use the LOS standards set forth in the Transportation Element of the City's Comprehensive Plan to make concurrency evaluations as part of the review of any application for a Transportation CRC issued pursuant to this Chapter. The Director shall use the existing water rights as permitted by the Department of Ecology and as identified in the Water Utilities Element of the City's Comprehensive Plan to make concurrency evaluations as part of the review of any application for a Water CRC issued pursuant to this Chapter. In order to make a concurrency determination for sewer, the Director shall use the limits and levels established in the City's NPDES permit from the Department of Ecology, and evaluate the remaining capacity in the City's waste water treatment plant.

### III. CAPACITY EVALUATIONS

#### 19.10.009. Capacity Evaluations Required Prior to Issuance of CRC.

A. When the Requirements of this Chapter Apply. A capacity evaluation for transportation, water or sewer shall be required for any of the non-exempt activities identified in Part I of this Chapter.

~~1. Roads. A Transportation capacity evaluation application shall be required either in conjunction with or prior to the City's consideration of any development permit application depending on the time that the applications are filed, unless specifically exempted by this Chapter.~~

~~2. Water. A Water capacity evaluation application shall be required in conjunction with the City's consideration of any development permit application, unless specifically exempted by this Chapter.~~



3. B. The Director shall utilize requirements set forth in Part V to conduct a capacity evaluation, prior to issuance of a CRC. In addition to the requirements set forth in Part V, and specifically in GHMC 19.10.012, the Director may also utilize state law or the Washington Administrative Code, or such other rules regarding concurrency which may be established from time to time by administrative rule. In cases where LOS standards do not apply, the Director shall have the authority to utilize other factors in preparing capacity evaluations to include, but not be limited to, independent LOS analysis.

B. Capacity Reservation Certificates. A CRC will not be issued except after a capacity evaluation performed pursuant to Part V, indicating that capacity is available in all applicable road facilities and/or within the City's water or sewer system.

#### IV. SUBMISSION AND ACCEPTANCE OF APPLICATION

##### 19.10.011. Water and Roads, Roads and Sewer: Application for Capacity Evaluation.

A. An application for a CRC and the application for the underlying development permit, or other activity shall be accompanied by the requisite fee, as determined by City Council Resolution. An applicant for a CRC shall submit the following information to the Director, on a form provided by the Director together with a development application:

1. Date of submittal.
2. Developer's name, address and telephone number.
3. Legal description of property as required by the underlying development permit application together with an exhibit showing a map of the property.
4. Proposed use(s) by land use category, square feet and number of units.
5. Phasing information by proposed uses, square feet and number of units, if applicable.
6. Existing use of property.
7. Acreage of property.
8. Proposed site design information, if applicable.
9. Traffic report prepared by a licensed professional engineer who is practicing as a traffic engineer, in the standardized format approved by the City Engineer; (Only for Transportation CRC).
10. The applicant's proposed mitigation (if any) for the impact on the City's transportation facilities.
11. Written consent of the property owner, if different from the developer.
12. Proposed request of capacity by legal description, if applicable.
13. ~~Purpose for which water is required. (Only for Water CRC).~~
14. ~~Purpose for which sewer is required. (Only for Sewer CRC).~~

13. Water hydraulic report prepared by a licensed professional engineer, which shall include the purpose for which the water is required.
14. Sewer hydraulic report prepared by a licensed professional engineer, which shall include the purpose for which the sewer is required.
15. Stormwater drainage report prepared by a licensed professional engineer.

B. Roads. Even if the traffic report is based on an estimation of impact, the applicant will still be bound by its estimation of impact, and any upward deviation from the estimated traffic impact shall require at least one of the following: a finding that the additional concurrency sought by the developer through a revised application is available to be reserved by the project; mitigation of the additional impact under SEPA; revocation of the CRC.

19.10.012. Submission and acceptance of an application for a CRC.

A. Notice of Application. Issuance of a Notice of Application for the underlying permit application shall be handled by the Planning Director or designee, following the process in GHMC Sec.19.02.004. The Notice of Application required by GHMC Sec.19.02.004 shall state that an application for a concurrency determination has been received by the City.

B. Determination of Completeness. The Planning staff Director shall immediately forward all CRC applications received with development applications to the Public Works/Engineering staff. Within 28 days after receiving an application for a CRC, the City Public Works/Engineering staff shall mail or personally deliver to the applicant a determination which states either: (1) that the concurrency application is complete; or (2) that the concurrency application is incomplete and what is necessary to make the application complete.

C. Additional Information. An application for a CRC is complete for purposes of ~~this section~~ initial processing when it meets the submission requirements in GHMC 19.10.011. The Determination of Completeness shall be made when the application is sufficiently complete for review even though additional information may be required or project modifications may be undertaken subsequently. The Director's Determination of Completeness shall not preclude the Director's ability to request additional information or studies.

D. Incomplete Applications.

1. ~~Whenever the applicant receives a determination from the City issues a determination that either the CRC or the underlying development application is not complete, the CRC application shall be handled in the same manner as a project permit application under GHMC Section 19.02.003. the application shall be given a "non-active" status, and will not be processed by the City. The City may process other applications submitted after "non-active" applications. Within 14 days after an~~

~~applicant has submitted the requested additional information, the Director shall make a Determination of Completeness for the CRC or discuss the completeness of the underlying application with the Planning Director, and notify the applicant in the manner provided in subsection A of this section. Once the CRC and the underlying development application is complete, the City will remove the “non-active” status, and begin processing the CRC application.~~

~~2. If the applicant does not submit the additional information requested within 90 days, the Director shall make findings and issue a decision that the application has lapsed for lack of information necessary to complete the review, and the applicant may request a refund of the application fee remaining after the City's Determination of Completeness. The City has no obligation to (a) hold any application materials beyond this date, (b) to notify the applicant that this 90 day period has lapsed, or (c) notify the applicant that the application has expired.~~

E. 2. Date of Acceptance of Application. An application for a CRC shall not be officially accepted or processed until it is complete and the underlying development application has been determined complete. When an application is determined complete, the Director shall accept it and note the date of acceptance.

## V. PROCEDURE FOR DETERMINING CAPACITY

### 19.10.013. Method of Capacity Evaluation.

A. In order to determine concurrency for the purposes of issuance of a Transportation CRC, the Director shall make the determination described in Subsection B below. ~~A. above.~~ In order to determine concurrency for the purpose of issuance of a Water CRC, the Director shall make the determination described in Subsection C below. ~~B. above.~~ In order to determine concurrency for the purpose of issuance of a sewer CRC, the Director shall make the determination described in Subsection D below. The Director may deem the development concurrent with road facilities or the City's water system, with the condition that the necessary facilities or services shall be available when the impacts of the development occur or shall be guaranteed to be available through a financial commitment in an enforceable development agreement (which shall be in a form approved by the city attorney). In no event shall the Director determine concurrency for a greater amount of capacity than is needed for the development proposed in the underlying permit application.

### B. Road Facilities.

1. In performing the concurrency evaluation for road facilities, and to prepare the Transportation CRC, the Director shall determine whether a proposed development can be accommodated within the existing or planned capacity of road facilities. This shall involve the following:

a. a determination of anticipated total capacity at the time the proposed impacts of development occur;

b. calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. calculation of the available capacity for the proposed development;

d. calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation identified by the applicant to be provided by the applicant at the applicant's cost; and

e. comparison of available capacity with proposed development impacts.

2. The Director shall determine if the capacity of the City's ~~road~~ transportation facilities, less the capacity which is reserved can be provided while meeting the level of service performance standards set forth in the City's Comprehensive Plan, and, if so, shall provide the applicant with a Transportation CRC. The Director's determination will be based on the application materials provided by the applicant, which must include the applicant's proposed mitigation for the impact on the City's transportation facilities.

3. The City may utilize its on-call consultant traffic engineer to independently verify the available capacity. Such determination to use the on-call consultant shall be made by the City Engineer. The applicant shall be informed of the estimated cost of the review and the applicant shall provide monies to the City prior to the evaluation.

C. Water.

1. In performing the concurrency evaluation for water, and to prepare the Water CRC, the Director shall determine whether a proposed development can be accommodated within the existing or planned capacity of the City water system. This shall involve the following:

a. a determination of anticipated total capacity at the time the proposed impacts of development occur;

b. calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. calculation of the available capacity for the proposed development;

d. calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation provided by the applicant; and

e. comparison of available capacity with proposed development impacts.

2. The Director shall determine if the capacity of the City's water facility, less the capacity which is reserved can be provided while remaining within the City's permitted water rights for withdrawal volume, and if so, shall provide the applicant with a Water CRC.

D. Sewer.

1. In performing the concurrency evaluation for sewer, and to prepare the sewer CRC determination, the director shall determine whether a proposed development can be accommodated within the existing or planned capacity of the City's sewer system. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the available capacity for the proposed development, minus the effects of any mitigation provided by the applicant; and

e. Comparison of available capacity with proposed development impacts.

2. The director shall determine if the capacity of the City's waste water treatment plant, less the capacity which is reserved, can be provided while remaining within the City's NPDES permit for discharge volumes and levels, and if so, shall provide the applicant with a sewer CRC.

D. E. Lack of Concurrency.

1. Roads. If the Director determines that the proposed development will cause the LOS of a City-owned road facility to decline below the standards adopted in the Transportation Element of the City's Comprehensive Plan, and improvements or strategies to accommodate the impacts of development are not planned to be made concurrent with development, a Transportation CRC and the underlying development permit, if such an application has been made, shall be denied, ~~pursuant to GHMC Section 19.10.018 and any other provisions of Title 19 that may be applicable to denial of the underlying development permit.~~

2. Water. If the Director determines that there is no capacity available in the City's water system to provide water for a proposed project, and improvements or strategies to accommodate the impacts of development are not planned to be made concurrent with development, the Director shall deny the Water CRC. The City has the discretion allowed under the Gig Harbor Municipal Code to deny the underlying development application, depending on the applicant's ability to provide water for the proposed project from another source.

~~3. Appeals of the Director's denial of a CRC may be filed pursuant to Part VIII of this chapter.~~

## VI. CAPACITY RESERVATION CERTIFICATES (CRCs)

### 19.10.014. Purpose of Capacity Reservation Certificate.

A. A Transportation CRC is a determination by the Director that: (1) the proposed development identified in the CRC application does not cause the level of service on a City-owned road facility to decline below the standards adopted in the transportation element of the City's comprehensive plan, or (2) that a financial commitment (embodied in a development agreement) is in place to complete the necessary improvements or strategies within six years. ~~the proposed development activity or development phase will be concurrent with the applicable road facilities at the time the Transportation CRC is issued; and (2) Upon issuance of a road transportation CRC, the Director has will reserved road transportation facility capacity for this application until the expiration of the underlying development permit or as otherwise provided in GHMC Section 19.10.020.~~

B. A Water CRC is a determination by the Director that: (1) the proposed development identified in the CRC application does not exceed the City's existing water rights or the limits of any State-issued permit, or (2) that a financial commitment (embodied in a development agreement) is in place to complete the necessary improvements or strategies within six years. Upon issuance of a Water CRC, the Director will reserve water capacity for the application until the expiration of the underlying development permit or as otherwise provided in GHMC Section 19.10.020, or as set forth in the outside City limits utility extension agreement.

C. A Sewer CRC is a determination by the Director that: (1) the proposed development identified in the CRC application does not exceed the City's existing NPDES permit limits or the existing capacity in the City's waste water treatment plant, or (2) that a financial commitment (embodied in a development agreement) is in place to complete the necessary improvements or strategies within six years. Upon issuance of a Sewer CRC, the Director will reserve sewer capacity for the application until the expiration of the underlying development permit or as otherwise provided in GHMC Section 19.10.020 or as set forth in the outside City limits utility extension agreement.

D. The factors affecting available water or sewer capacity or availability may, in some instances, lie outside of the City's control. The City's adoption of this chapter relating to the manner in which the City will make its best attempt to allocate water or sewer capacity or availability does not create a duty in the City to provide water or sewer service to the public or any individual, regardless of whether a Water or Sewer CRC has been issued. Every Water Availability Certificate and Water or Sewer CRC shall state on its face that it is not a guarantee that water and/or sewer will be available to serve the proposed project. ~~In no event shall the Director determine concurrency for a greater amount of capacity than is needed for the development proposed in the underlying permit application.~~

19.10.015. Procedure for Capacity Reservation Certificates. ~~Within ninety (90) days~~ After receipt of a complete application for a CRC, the Director shall process the application, in accordance with this Chapter, and issue the CRC or a Denial Letter.

19.10.016. Use of Reserved Capacity. When a valid development permit is issued for a project possessing a CRC, the CRC shall continue to reserve the capacity unless the development permit lapses or expires without the issuance of a Certificate of Occupancy. For outside City limits utility extension agreements, capacity shall be reserved as set forth in the agreement between the parties.

19.10.017. Transfer of Reserved Capacity. Reserved capacity shall not be sold or transferred to property not included in the legal description provided by the ~~developer~~ applicant in the application for a CRC. The ~~developer~~ applicant may, as part of a development permit application, designate the amount of capacity to be allocated to portions of the property, such as lots, blocks, parcels, or tracts included in the application. Capacity may be reassigned or allocated within the boundaries of the original reservation certificate by application to the Director. At no time may capacity or any certificate be sold or transferred to another party or entity to real property not described in the original application.

19.10.018. Denial Letter.

A. Roads. If the Director determines that there is a lack of concurrency under the above provisions, ~~that one or more road facilities are not concurrent~~, the

Director shall issue a denial letter, which shall advise the applicant that capacity is not available. If the applicant is not the property owner, the Denial Letter shall also be sent to the property owner. At a minimum, the Denial Letter shall identify the application and include the following information:

(1) for Roads: (a) an estimate of the level of the deficiency on the ~~road~~ transportation facilities; and (b) the options available to the applicant such as the applicant's agreement to construct the necessary facilities at the applicant's cost.

~~B. Water. If the Director determines that there is inadequate water capacity in the City's water system for the proposed project, the Director shall issue a denial letter, which shall advise the applicant that capacity is not available. If the applicant is not the property owner, the Denial Letter shall also be sent to the property owner. At a minimum, the Denial Letter shall identify the application and include the following information:-~~

(2) for Water: (a) the options available to the applicant such as private water supply or other water purveyor services; (b) the options available to the applicant such as the applicant's agreement to construct the necessary facilities at the applicant's cost; (c) a Statement that if the applicant does not contact the City Planning and Building Department regarding the applicant's ability to obtain water from another source, the underlying development permit may be denied.

(3) for Sewer: (a) the options available to the applicant such as a temporary septic system (for in-City residents), which the applicant would install and agree to remove at his/her own cost when sewer capacity became available (in a development agreement).

(4) For All: a statement that the Denial Letter may be appealed if the appeal is submitted to the City Engineer within ten (10) days after issuance of the Denial Letter, and that the appeal must conform to the requirements in GHMC Section 19.06.004.

~~C. B.~~ In order to appeal from the issuance of a Denial Letter, the developer shall appeal both the Denial Letter prior to issuance of the City's decision on the underlying development application. If an appeal is filed, processing on the underlying development application shall be stayed until the final decision on the appeal. ~~and the development permit denial pursuant to Part VIII of this chapter.~~

19.10.019. Notice of Concurrency Determination. Notice of the concurrency determination shall be given to the public together with, and in the same manner as, that provided for the SEPA threshold determination for the underlying development permit, unless the project is exempt from SEPA, in which case notice shall be given in the same manner as a final decision on the underlying development permit without any accompanying threshold determination. In the case of an approved CRC, any conditions or mitigation in the approval shall be included in the SEPA



threshold decision or underlying permit decision (if categorically exempt from SEPA). If a Denial Letter is not timely appealed, the underlying permit will be processed, and in most instances, will result in a denial. If a Denial Letter is appealed, any mitigation or conditions included in the Appeal Decision shall be included in the SEPA threshold decision or underlying permit decision (if categorically exempt from SEPA).

## VII. CAPACITY RESERVATION CERTIFICATE (CRC)

### 19.10.020. Expiration and Extensions of Time.

A. Expiration. If a Certificate of Occupancy has not been requested prior to the expiration of the underlying permit or termination of the associated development agreement, the Director shall convert the reserved capacity to available capacity for the use of other developments. The act of requesting a Certificate of Occupancy before expiration of the CRC shall only convert the reserved capacity to used capacity if the building inspector finds that the project actually conforms with applicable codes.

B. Extensions for Road Facilities. The City shall assume that the developer requests an extension of transportation capacity reservation when the developer is requesting a renewal of the underlying development permit. No unused capacity may be carried forward beyond the duration of the Transportation CRC or any subsequent extension.

C. Extensions for Water or Sewer. The City shall not extend any Water or Sewer CRC. If the applicant submits an application for an extension of the underlying permit, the applicant shall submit a new application for a concurrency determination for water or sewer under this Chapter.

D. If a CRC has been granted for a rezone or comprehensive plan amendment, the CRC shall expire when the development agreement for the comprehensive plan or rezone terminates. If there is no associated development agreement, the CRC shall expire within five (5) years after the approval anniversary date.

## VIII. APPEALS OF CONCURRENCY DETERMINATION

19.10.021. Appeals. Upon receipt of an appeal of the Denial Letter, the Director shall handle the appeal as follows:

A. A meeting shall be scheduled with the applicant to review the Denial Letter and the application materials, together with the appeal statement.

B. Within fourteen (14) days after the meeting, the Director shall issue a written Appeal Decision, which will list all of the materials considered in making the

decision. The Appeal Decision shall either affirm or reverse the Denial Letter. If the Denial Letter is reversed, the Director shall identify all of the conditions or mitigation to be imposed on the application in order to achieve concurrency.

C. The conditions or mitigation identified in the Appeal Decision shall be incorporated into the City's SEPA threshold decision on the application.

D. The Appeal Decision shall state that it may be appealed with any appeal of the underlying application or activity, pursuant to GHMC Section 19.06.004.

~~Concurrency Determination to be Appealed with Underlying Permit. Any appeal of the denial of a concurrency determination shall include appeal of the denial of the underlying development permit application. The appeal shall follow the procedure for the underlying permit as set forth in Title 19, chapter 19.06 GHMC. If there is no administrative appeal procedure in Title 19 GHMC for the underlying permit, the appeal shall follow the process for an appeal of a Type II permit.~~

~~19.10.022. Time limit to bring appeal. An appeal of a denial letter and the underlying development application shall be brought within the time period set forth in GHMC Sec.19.06.004.~~

## IX. CONCURRENCY ADMINISTRATION

19.10.023. Purpose and Procedure. The purpose of this Part is to describe the process for administering the Concurrency Ordinance. Capacity accounts will be established, to allow capacity to be transferred to various categories in the application process. Capacity refers to the ability or availability of water in the City's water system. With regard to the sewer system, capacity refers to the availability of capacity to treat effluent in the City's waste water treatment plant to the levels and volume limits in the City's NPDES permit. Capacity also refers to the ability or availability of road facilities to accommodate users, expressed in an appropriate unit of measure, such as LOS for road facilities. Available capacity represents a specific amount of capacity that may be reserved by or committed to future users of the City's water and or sewer system or road facilities.

19.10.024. Capacity Classifications. There are hereby established two capacity accounts for water, ~~and two capacity accounts for transportation and sewer,~~ to be utilized by the Director in the implementation of this Chapter. These accounts are:

- A. the Available Capacity account; and
- B. the Reserved Capacity account;

Capacity is withdrawn from the available capacity account and deposited into a reserved capacity account when a CRC is issued. Once the proposed

development is constructed and an occupancy permit is issued, the capacity is considered "used." Each capacity account of available or reserved capacity will experience withdrawals on a regular basis. Only the Director may transfer capacity between accounts.

19.10.025. Annual Reporting and Monitoring. The Director is responsible for completion of ~~an Annual Transportation, Water and Sewer Capacity Availability Reports and an Annual Water Capacity Availability Report.~~ These reports shall evaluate reserved capacity and permitted development activity for the previous twelve month period, and determine existing conditions with regard to available capacity for road, sewer and water facilities. The evaluations shall report on capacity used for the previous period and capacity available for the Six-Year Capital Facilities and Utilities Element of the City's Comprehensive Plan, Six-year Transportation Plan, for road facilities, based upon LOS standards and the Sewer and Water Comprehensive Plans. Forecasts shall be based on the most recently updated schedule of capital improvements, growth projections, water rights, annual water withdrawal volumes, limits of the NPDES permit, public road facility inventories, and revenue projections and shall, at a minimum, include:

- A. A summary of development activity;
- B. The status of each Capacity Account;
- C. The Six-year Transportation Plan;
- D. Actual capacity of selected street segments and intersections, and current LOS; and
- E. Recommendations on amendments to CIP and annual budget, to LOS standards, or other amendments to the transportation element of or to the Comprehensive Plan.
- F. Existing water rights and Annual Withdrawal Volumes.
- G. Limits in the City's NPDES permit and finding of available capacity in the City's waste water treatment plant.

The findings of the Annual Capacity Availability Report shall be considered by the Council in preparing the annual update to the Capital Improvement Element, any proposed amendments to the CIP and Six-year TIP, and shall be used in the review of development permits and capacity evaluations during the next period.

Based upon the analysis included in the Annual Capacity Availability Reports, the Director shall recommend to the City Council each year, any necessary amendments to the CIP, TIP, Utilities Water Element of the Comprehensive Plan, and Comprehensive Plan. The Director shall also report on the status of all capacity accounts when public hearings for Comprehensive Plan amendments are heard.

19.10.026. Road LOS Monitoring and Modeling.

A. The City shall monitor Level of Service standards through an annual update of the Six Year Transportation Plan which will add data reflecting development permits issued and trip allocations reserved.

B. A new trip allocation shall be assigned for each Traffic Analysis Zone, based on the results from the Traffic Demand Model used by the City, to ensure that the City is achieving the adopted LOS standards described in this Chapter and the transportation element of the Comprehensive Plan.

C. Amendments to the Trip Allocation Program that exceed the total aggregate annual trip allocation per zone for any given year shall require an amendment to the Comprehensive Plan. Monitoring and modeling shall be required and must include anticipated capital improvements, growth projections, and all reserved and available capacity.

Section 2. Attached here and incorporated herein is the standardized format required for the traffic impact analysis. The impact analysis shall be completed at the time of submittal of the original application.

Section 2 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3 4. Effective Date. This Ordinance shall take effect and be in full force five days after passage.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 8th day of May, 2006.

APPROVED:

\_\_\_\_\_  
MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 4/19/06  
PASSED BY THE CITY COUNCIL: 5/8/06  
PUBLISHED: 5/17/06  
EFFECTIVE DATE: 5/13/06  
ORDINANCE NO. 1044

## **Traffic Impact Analysis**

### **STANDARDIZED FORMAT**

#### **A. Introduction**

A Traffic Impact Analysis is a specialized study of the impacts a certain type and size of development will have on the surrounding transportation system. The traffic impact analysis is an integral part of the development impact review process. It is specifically concerned with the generation, distribution, and assignment of traffic to and from the “new development”. The purpose of a TIA is to determine what impact development traffic will have on the existing and proposed street network and what impact the existing and projected traffic on the street system will have on the “new development”.

These guidelines have been prepared to establish the requirements for a Traffic Impact Analysis. The City Engineer will be the person responsible under SEPA as well as City ordinances for determining the need for a Traffic Impact Analysis. The planning department and public works staff will also have a significant role during the TIA process.

#### **B. Level of Analysis**

To adequately assess a “new development” traffic impact on the transportation system and level of traffic service, the City Engineer may require a traffic impact analysis (TIA). The requirement for a TIA will be based on the size of the development proposed, existing street and intersection conditions, traffic volumes, accident history, community concerns, and other pertinent factors relating to traffic impacts attributable to “new developments”. The proponent of a proposed development or redevelopment has the responsibility of preparing, for City review, a Traffic Impact Analysis (TIA) as required below:

- Level I TIA. Trip Generation and Distribution Study. (Exhibit AA shows a Level I TIA Sample Outline.)
- Level II TIA. Traffic Impact Analysis. (Refer to Exhibit BB for Sample Outline.)

#### **C. Warrants for Level I Traffic Impact Analysis**

A complete Level I TIA shall be required if any one of the following

warrants is met:

- If the concurrency application will generate less than 15 new peak p.m. hour trips, a TIA report shall be required if one or more projected vehicle trips will pass through an intersection or roadway section identified with a Level of Service “D” on the City’s comprehensive transportation plan. TIA reports will not be required for other concurrency applications with less than 15 new peak p.m. hour trips.

A Level I TIA may be required by the City to determine the need and scope of a Level II TIA. A Level I TIA may be expanded to a Level II TIA if any of the warrants in Section D is met.

#### **D. Warrants for Level II Traffic Impact Analysis**

The following is a list of specific conditions that may dictate the requirement for preparing a Level II TIA. The City Engineer may require the preparation of a TIA if one or more of the following conditions are satisfied:

- The project generates more than 15 PM peak hour trips.
- The City has required that an Environmental Assessment or Environmental Impact Statement be prepared;
- A rezone of the subject property is being proposed;
- Current traffic problems exist in the local area as identified by the City or a previous traffic study, such as a high-accident location, poor roadway alignment, or capacity deficiency;
- Adjacent neighborhoods or other areas are perceived to be impacted;
- The current or projected level of service of the roadway system in the vicinity of the development is perceived to be significantly affected, or is expected to exceed City adopted level of service standards;
- The new development may potentially affect the implementation of the street system outlined in the Transportation Element of the comprehensive plan, the Transportation Improvement Program, or any other documented transportation project;

- The original TIA is more than 2 years old or the proposed land use intensity increased by more than 10%.
- The “new development” is within an existing or proposed transportation benefit area. This may include Latecomer Agreements, Local Improvement Districts (LID), or local/state transportation improvement areas programmed for development reimbursements.
- The “new development” generates more than 25% of site-generated peak hour traffic through a signalized intersection or the “critical” movement at an unsignalized intersection.

#### **E. Equivalent Development Units**

The Institute of Transportation Engineers (ITE) Trip Generation Manual provides trip generation rates for a variety of land uses, consisting of average rates or fitted curve equations. Some common land uses and their equivalent development units are shown below:

<b>Land Use (LU code)</b>	<b>PM Peak Hour Trips</b>		
	<b>Basic Trip Rate</b>	<b>Enter</b>	<b>Exit</b>
Single Family Detached Housing (LU 210)	1.01 per dwelling unit	64%	36%
Apartment (LU 220)	0.62 per dwelling unit	67%	33%
Industrial Park (LU 130)	0.92 per 1,000 sq ft gross floor area	21%	79%
Movie Theater with Matinee (LU 444)	44.53 per movie screen	52%	48%
Day Care Center (LU565)	13.20 per 1000 sq ft gross floor area	47%	53%
General Office Building (LU 710)	0.46 per employee	17%	83%
Shopping Center (LU 820)	3.74 per 1000 sq ft gross leasable area	48%	52%
Fast Food Restaurant with Drive-Through Window (LU 834)	0.94 per Seat	53%	47%
Drive-in Bank (LU 912)	54.77 per 1000 sq ft gross floor area	50%	50%



**F. Report Certification**

Traffic Impact Analyses (TIA) shall be conducted under the direction of a responsible individual or firm acceptable to the City Engineer. The TIA shall be prepared by an engineer licensed to practice in the State of Washington with special training and experience in traffic engineering and who is a member of the Institute of Transportation Engineers (ITE). The developer shall provide the City Engineer the credentials of the individual(s) selected to perform the TIA.

**G. Extent of Study Area**

The study area shall include all site access drives, adjacent roadways, and major roadways and intersections in all directions from the site that are impacted by 15 or more inbound and outbound PM peak hour trips, or less as required by the City. Once the trip distribution for the new development has been approved by the City Engineer, a formal “scoping” meeting shall be conducted to clearly identify study area and contents expected in the TIA.

**H. Impacts to Other Jurisdictions**

The City will cooperate with Pierce County and other cities within the county to expeditiously review the transportation impacts of developments within the respective jurisdictions. The City will require the consideration of comments provided to the City by other jurisdictions impacted by new development that occurs with the City limits.

**I. Selection of Horizon Years**

The Horizon Year shall be the anticipated build-out/full occupancy year for the development. Development with several stages of construction activity shall select a number of horizon years corresponding with the opening of each phase.

**J. Scope of Work**

The level of detail and scope of work of a TIA may vary with the size, complexity, and location of the “new development. A TIA shall be a thorough review of the immediate and long-range effects of the “new development” on the transportation system.

- **“New Development” Prospectus**

1. Provide a reduced copy of the site plan showing the type of development, street system, right-of-way limits, access points, and other features of significance in the “new development”. The site plan shall also include pertinent off-site information, such as locations of adjacent intersections, driveways, land use descriptions, street right-of-way limits with respect to the existing roadway and other features of significance.
2. Provide a vicinity map of the project area showing the transportation system to be impacted by the development.
3. Discuss specific development characteristics such as type of development proposed (single-family, retail, industrial, etc.), internal street network, proposed access locations, parking requirements, zoning, and other pertinent factors attributable to the “new development”.
4. Discuss project completion and occupancy schedule for the “new development”. Identify horizon years for traffic analysis purposes.

- **Existing Conditions**

1. Discuss street characteristics including functional classification, number of travel lanes, lane width, shoulder treatment, bicycle path corridors and traffic control at study intersections. A “Figure” may be used to illustrate existing transportation facilities.
2. Identify safety and access problems including discussions on accident history, sight distance restrictions, traffic control, and pedestrian conflicts.
3. Obtain all available traffic data from the City of Gig Harbor. If data is unavailable, the individual or firm preparing the TIA shall collect the necessary data to supplement the discussions and analysis in the TIA.
4. Conduct manual peak hour turning movement counts at study intersections if traffic volume data is more than 2 years old unless otherwise required by the City.

5. A “Figure” shall be prepared showing existing average daily traffic (ADT) and peak hour traffic volumes on the adjacent streets and intersections in the study area. Complete turning movement volumes shall be illustrated. This “Figure” shall represent the base line traffic volumes for analysis purposes.

- **Development Traffic**

This element of the TIA shall be conducted initially to identify the limits of the study area. The threshold requirement of development traffic exceeding 15 PM peak hour trips shall apply. The individual or firm preparing the TIA shall submit to the City Engineer a “Figure” illustrating the proposed “trip distribution” for the new development. The trip generation shall be included in a table form on the “Figure” with the peak hour traffic volumes assigned to the study area in accordance with the trip distribution.

- **Future Traffic**

1. **Future Traffic Conditions Not Including Site Traffic**  
Future traffic volumes shall be estimated using information from transportation models or applying an annual growth rate to the base line traffic volumes. The future traffic volumes shall be representative of the horizon year for project development. The City Engineer will determine an appropriate growth rate if that option is utilized.

In addition, proposed “on-line” pipeline development projects shall be taken into consideration when forecasting future traffic volumes. The increase in traffic from proposed pipeline projects shall be compared to the increase in traffic by applying the appropriate growth rate.

2. **Future Traffic Conditions Including Site Traffic**  
The site-generated traffic shall be assigned to the street network in the study area based on the approved trip distribution. The site traffic shall be combined with the forecasted traffic volumes to show the total traffic conditions estimated at development completion. A Figure will be required showing daily and peak period turning movement volumes for each traffic study intersection. In addition, a Figure shall be prepared

showing the baseline volumes with site-generated traffic added to the street network. This Figure will represent the site-specific traffic impacts to existing conditions.

- **Traffic Operations**

The Level of Service (LOS) and capacity analysis shall be conducted for each pertinent intersection in the study area as determined by the City Engineer. The methodology and procedures for conducting the capacity analysis shall follow the guidelines specified in the most recent edition of the Highway Capacity Manual. The individual or firm preparing the TIA shall calculate the intersection LOS for each of the following conditions:

1. Existing PM peak hour traffic volumes (Figure required)
2. Existing PM peak hour traffic volumes including site-generated traffic (as required by the City)
3. Future PM peak hour traffic volumes not including site traffic (Figure required)
4. Future PM peak hour traffic volumes including site traffic (Figure required)
5. Level of service results for each traffic volume scenario (Table required)

The Level of Service table shall include LOS results for PM peak periods. The table shall show LOS conditions with corresponding vehicle delays for signalized intersections.

The capacity analyses for existing signalized intersections shall include existing phasing, timing, splits and cycle lengths in the analysis as observed and measured during the peak hour traffic periods.

If the “new development” is scheduled to be completed in phases, the TIA shall conduct a LOS analysis for each separate development phase. The incremental increases in site traffic from each phase shall be included in the LOS analysis for each proceeding year of development completion. A “Figure” will be required for each horizon year of phased development.

If the “new development” impacts a traffic signal coordination system currently in operation, the City Engineer may require the TIA to include operational analysis of the system. Timing plans and proposed modifications to the coordination system

may be required.

The capacity analysis shall be conducted using computer software. The individual or firm preparing the TIA shall use SIGNAL2000, or an approved equivalent, for capacity analysis of signalized intersections. The computer worksheets shall be submitted concurrently with the TIA document to the City Engineer. For unsignalized intersections, the Highway Capacity Manual methodology shall be used. SIDRA software shall be used for enhancing modern roundabout intersections. A copy of the capacity analyses worksheets shall be submitted concurrently with the TIA document.

- **Mitigation**

The TIA shall include a proposed mitigation plan. The mitigation may be either the construction of necessary transportation system improvements and/or contributions to the City for the new development's fair share cost of identified future transportation improvements. Mitigation measures shall be required to the extent that the transportation facilities operate at or above the City's adopted Level of Service (LOS) standards.

The following guidelines shall be used to determine appropriate mitigating measures of traffic impacts generated by new developments:

1. On transportation facilities where the need to construct improvements by the horizon year of the "new development", the cost for the mitigation will be entirely born by the "new development". However, in the event the Community Development Department identifies more than one development under simultaneous review, accumulative impacts and distribution of mitigation costs may be considered.
2. On transportation facilities programmed for new improvements as part of a City project, the adverse traffic impacts of the "new development" will be considered mitigated by providing a proportionate share contribution of the costs for the proposed improvements. The proportionate share costs for the improvements shall be based on the percentage of "new development" traffic generated through the intersection. The percentage shall be

based on the total projected peak hour volumes for the horizon year of the transportation study.

3. On transportation facilities where the existing Level of Service is less than the adopted concurrency standard, and where no improvements are programmed to improve capacity and traffic operations, the “new development” shall mitigate the intersection to an acceptable Level of Service condition or wait until the improvements are implemented by the City or other developments. Improvements made by the City prior to the development of the subject project shall be reimbursed by the “new development” based on a proportionate fair share cost of the facility improvements.
4. Unsignalized intersections that currently operate at less than a Level of Service “D” condition, including the urban core area, shall be analyzed for traffic signal and intersection improvements. If two or more traffic signal warrants are satisfied, signal and intersection improvements will be required as a mitigating measure for the “new development”. If at least 2 traffic signal warrants are not satisfied by the “new development’s” horizon year, the TIA shall determine if traffic signal warrants and intersection improvements would be needed within a 5-year period after the “new development’s” horizon year. The “new development” would be required to provide a proportionate share cost towards future traffic signal and intersection improvements if warranted with the 5-year period.

However, if traffic signal warrants are not satisfied after a 5-year period from the “new development’s” horizon year, mitigating impacts would not be required from the “new development” for traffic signal and intersection improvements.

5. Signalized intersections in the city where the projected Level of Service condition is at “D” but where one or more of the Level of Service conditions on the approaches falls below Level of Service “D”, mitigating measures may be required to improve the capacity and traffic operations at the intersection. The City reserves the right to review all adverse traffic impacts at these intersections and to determine appropriate mitigating measures.

## **K. Access Management**

Requests for site access shall be addressed in the Traffic Impact Analysis. Recommendations shall include site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service.

Areas to address include:

- Separate conflict areas. Reduce the number of access points or increase their spacing so conflict areas or maneuver areas do not overlap.
- Limit the type of conflict areas by preventing certain maneuvers.
- Remove turning vehicles or queues from through lanes.
- Safety of a proposed access (sight distance both horizontally and vertically) including pedestrian features.
- Reduce the speed differential in through lanes between through vehicles and turning vehicles.
- Consider the impact of access points on adjacent or nearby properties on both sides of the roadway.
- Verify that the proposed access meets the City of Gig Harbor's Public Works Standards.

Improvements include such things as: relocation, restriction, or elimination of access points; roadway widening; turning lanes; traffic signals; modern roundabouts; and pedestrian facilities.

#### **L. Traffic Calming**

Internal traffic calming shall be incorporated into all developments to control cut through traffic and reduce speed within the development. The Traffic Impact Analysis shall identify and propose specific traffic calming measures and locations to be incorporated in the development. Traffic calming shall be aesthetically pleasing. Public transportation shall also be evaluated. The traffic calming plan shall include an overall drawing of the development and identify specific locations and features to be included in the development. The proponent's Traffic Engineer shall work with the Community Development Department to develop a traffic calming plan for the development.

#### **M. Peak Traffic Hours**

For traffic analysis, the PM peak hour conditions shall be used. The PM peak hour is defined as the 60-minute period between 4:00

p.m. and 6:00 p.m. with the greatest sum of traffic volumes on a roadway segment or passing through the area of the project. Reversed flow at intersections from morning to afternoon, and other unusual conditions, shall require analysis for both AM and PM peak hour conditions, as required by the City.

#### **N. Trip Generation**

- Site-generated traffic of “new developments” shall be estimated using the latest edition of the Trip Generation Manual as published by the Institute of Transportation Engineers (ITE). Variations of trip rates will require the approval of the City Engineer. Average trip rates as described in Section E above shall be used for all land-use categories where applicable. Trip rate equations will be allowed for those land uses without average rates.
- Site traffic shall be generated for daily and PM peak hour periods. For certain types of developments, the City Engineer may also require site traffic estimates for the AM peak period.
- For multi-use and or phased projects, a trip generation table shall be prepared showing proposed land use, trip rates, and vehicle trips for daily and peak hour periods and appropriate traffic volume discounts if applicable.

#### **O. Estimation of Pass-by Trips**

Adjustments to trip generation made for “pass-by” or “mixed-use” traffic volumes shall follow the methodology outlined in the latest edition of the ITE Trip Generation Manual.

#### **P. Traffic Distribution**

The directional distribution of traffic to and from the project shall be estimated using local traffic volume data provided by the City of Gig Harbor, Pierce County, and the Washington State Department of Transportation Traffic Data Office.

The City Community Development Department shall approve the trip distribution for a “development” during the formal “scoping process”.

A graphical distribution map shall be submitted showing site-generated PM peak hour traffic. Generally, traffic shall be



distributed to one PM peak trip within the Transportation Plan Area if a generic distribution is not used (15 trips if a generic distribution is used). This map shall clearly identify all traffic movements and the percentage of site traffic. Exhibits E through H illustrate examples of the distribution maps.

The TIA shall identify other transportation modes that may be applicable, such as transit use, bicycle and pedestrian facilities. New developments are encouraged to implement Transportation demand Management practices, such as “flex time” for employees and ridesharing programs including carpools, van pools, shuttle buses, etc.

**Q. Minimum Levels of Service**

The minimum level of service (LOS) for roads within the city limits shall be as shown in the transportation element of the city’s comprehensive plan.

**R. GMA Concurrency Requirements**

The State Growth Management Act and Chapter 19.10 of the Gig Harbor Municipal Code require that a proposed development undergo a concurrency review and determination. Concurrency describes the situation in which road facilities are available when the impacts of development occur. For road facilities, this time period is statutorily established as within six years from the time of development. To satisfy concurrency:

- The existing transportation system, functioning at the City’s adopted minimum level of service, must have adequate capacity for the additional trips generated by the project at the time of preliminary plat or project approval, or
- The development must have, at the time of final project approval, a financial guarantee for transportation improvements required to achieve City adopted minimum levels of service with the additional trips generated by the project to be in place within six years of final project approval, or
- The applicant shall construct the transportation improvements required to achieve City adopted minimum levels of service with the additional trips generated by the project to be in place at the time of final project approval.

## **S. Safety Analysis**

Intersections and roadway segments within the influence area shall be evaluated to determine if the probability of accidents will increase with the addition of project traffic. The following analysis shall be required:

- Accident records are to be analyzed to determine whether patterns of accidents are forming within the influence zone and what alternative treatments should be considered to correct the problem. Examples of reoccurring accidents include:
  1. Right-angle collisions at an intersection
  2. Rear-end collisions at an intersection
  3. High frequency of vehicles leaving the roadway.

## **T. On-Site Planning and Parking Principles**

The number of vehicle access points should be minimized by sharing driveways and linking parking lots between adjacent uses. Commercial developments shall provide coordinated internal circulation and connected parking facilities. Well-defined walkways must be designed into all parking lots, with interconnections between walkways to create safe walking conditions.

**TRANSPORTATION IMPACT ANALYSIS  
LEVEL I STUDY REPORT FORMAT**

**I. Introduction and Summary**

1. Report Certification
2. Purpose of Report and Study Objectives

**II. Proposed Development**

1. Description
2. Location and Vicinity Map
3. Site Plan
4. Proposed Zoning
5. Proposed Land Use and Intensity
6. Phasing and Timing of the Project

**III. Existing Conditions**

1. Study Area
  - a. Limits of traffic study
  - b. Existing zoning
  - c. Existing land uses
2. Site Accessibility
  - a. Area roadway system
  - b. Transit service
  - c. Pedestrian and Bicycle Facilities

**IV. Trip Generation and Distribution**

1. Trip Generation
2. Trip Distribution

**V. Appendices**

1. Trip Generation Calculations
2. Passer-by and Origin-Destination Studies
3. References

**TRANSPORTATION IMPACT ANALYSIS**  
**LEVEL II STUDY REPORT FORMAT**

**I. Introduction**

1. Report Certification
2. Project Overview
  - a) site vicinity map
3. Study Context

**II. Project Description**

1. Development proposal
  - a) Site plan
  - b) Proposed zoning
  - c) Proposed land use and intensity
  - d) Phasing and timing of project

**Background Information**

1. Area Land Uses
2. Roadway Inventory
3. Traffic Volume Data
  - a) Figure illustrating existing PM peak hour traffic volumes
4. Public Transportation

**Traffic Generation and Distribution**

1. Traffic Generation
2. Traffic Distribution
  - a) Figure illustrating project traffic on roadway network

**Future Traffic Conditions**

1. Roadway Improvements
2. Pipeline Development Projects
  - a) Figure showing pipeline projects traffic volumes at study intersections
3. Future Traffic Volumes
  - a) Figure illustrating projected traffic without project
  - b) Figure illustrating projected traffic with full project

**Traffic Operations Analysis (Existing & Future)**

1. Capacity Analysis
2. Signalized Intersections
3. Unsignalized Intersections
4. Project Driveways

**Mitigation****Appendices**

1. Trip generation calculations
2. Turning Movement Count worksheets
3. Passer-by and origin-destination studies
4. Pipeline traffic volumes worksheets
5. Capacity analysis worksheets

SEE O-1044.PDF FILE FOR INSERTS 39-44