



Memo

TO: John Galt, Hearing Examiner
FROM: Andy Galuska, Planning Director
DATE: October 30, 2019
RE: Wyndham Highlands 3 Reconsideration Response

In the request for reconsideration Mr. Zuber has listed several complaints he has about the method the City used to analyze the traffic impact of the proposed project and the determination of the city that the transportation system has sufficient capacity for the proposed development. The Hearing Examiner requested a response to the issues raised the City has the following response:

- SMC 16.70.100 sets out the level of service (LOS) standards that the City uses to determine concurrency. The stated standard of acceptable level of service is a “D” standard as adopted by the Comprehensive Plan. The Comprehensive Plan defines LOS D as “stable traffic flow with acceptable traffic delay.” There is no explicit adopted policy in the Comprehensive Plan which specifies a mathematical standard beyond this definition.

City staff have used the Highway Capacity Manual as a mathematical standard to define LOS which approximates the adopted policy in a more precise and objective manner. Staff have used this as a standard because it is widely used in the traffic engineering industry. RCW 365-195-325, which establishes the requirement for a transportation element under the Growth Management Act, describes the Highway Capacity Manual approach as “traditional.” In lieu of a more specific model of traffic review and given the City’s traditional traffic infrastructure which is automobile centric, this model is the best available tool for the City to define the LOS standards.

When the City adopted the concurrency standards there are several mentions of using the Highway Capacity Manual. SMC 16.70.100.B.6 describes how level of service analysis should be addressed references this method. SMC 16.70.100.D.6 allows more detailed manual as set out in this manual.

Absent a more specific reference to a standard the City is compelled to use, and an argument that the method the City used in this case, and indeed all previous permit applications, is insufficient we see no error in the concurrency determination made in this case.

- Mr. Zuber states that the City has not completed a volume to capacity analysis of the impact of development and has instead used an alternate method. Staff disagrees with this conclusion. The applicant has submitted a traffic report which provides estimates for the increased traffic volume of the development in the form of Average Daily PM Peak Hour Trips. This is a widely used metric for determining the traffic impact of development as it is an estimate for the additional trips added to a transportation system at the time when volumes are highest. The City has adopted an impact fee based on PM Peak Hour Trips.

To determine the available capacity of the transportation system in response to changes in volume the City uses the LOS standard described above which makes a determination based on traffic delays at intersections. As a road's available capacity is diminished these delays increase until they reach an unacceptable level as defined by the Highway Capacity Manual. Again, this is a standard staff has adopted and used for all previous development activities. There is no more specific standard contained in policy or regulation and the method is sufficient to make the determinations required by the adopted regulation.

- The City is currently reviewing our transportation policies to determine if this is the best way to continue reviewing development impacts as part of an update of the Transportation Element of the Comprehensive Plan. However, no such change in policy or regulation has been adopted and the development in question was vested when the PM Peak Hour Model was used. It would be inappropriate to propose using methods considered in this process, but which have not been adopted to review current land use actions.

City staff have developed a method for analyzing traffic impacts which meets the adopted regulations and policies and reliably used the same standard for all previous development applications. While Mr. Zuber may disagree with this method or would hope that we would use an alternative method, the traffic concurrency determination was correctly analyzed and issued.