

# 1. Introduction

## What is Concurrency?

Under the 1990 Growth Management Act (GMA), concurrency is one of the 14 goals local governments must consider in land use planning. The concurrency goal is intended to ensure public facilities such as sewer, water, roads, parks, and schools are adequate to serve development at the time of occupancy without decreasing service levels below locally established minimum standards.

Additionally, the GMA defines a specific transportation concurrency requirement. Cities and counties must deny development that causes the level of service on a locally-owned transportation facility to decline below the adopted standard, unless improvements or strategies to accommodate the impacts of that development are completed within six years of development approval. State-owned transportation facilities and services of statewide significance are statutorily exempt from this concurrency requirement, except in Island and San Juan counties. Approximately half of the state's highways are designated to be of statewide significance. The GMA does not specifically address concurrency for state-owned transportation facilities that are not considered to be of statewide significance.

Concurrency is intended to encourage land use patterns that can be served efficiently by public infrastructure, to provide appropriate infrastructure at the time of new development, and to prevent new development from degrading locally agreed-upon service standards for the current users of existing infrastructure.

## What is the Analysis Request?

The 2006 legislature added a proviso to the transportation budget funding an analysis of expanding the transportation concurrency requirement to state highways and ferry routes. The objective of the analysis is to determine how to ensure that jurisdictional divisions do not defeat GMA concurrency goals.<sup>1</sup>



### THE ANALYSIS REQUEST:

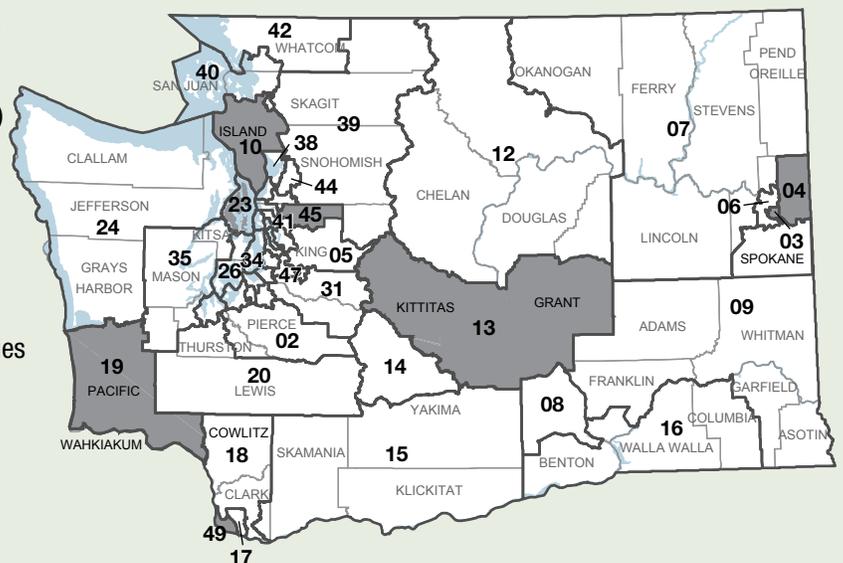
To conduct an analysis of expanding the transportation concurrency requirements prescribed under the growth management act...to include development impacts on level of service standards applicable to state-owned transportation facilities, including state highways and state ferry routes. The objective of the analysis is to determine how to ensure that jurisdictional divisions do not defeat growth management act concurrency goals.

*2006 Supplemental Transportation Budget Proviso*

1. Washington. Chapter 370. 2006 Laws of 2006 Regular Session PV: 30-31.

## Concurrency Oversight Committee

- Senator Bill Finkbeiner (R, 45th Dist.)
- Senator Mary Margaret Haugen (D, 10th Dist.)
- Senator Joyce Mulliken (R, 13th Dist.)
- Senator Craig Pridemore (D, 49th Dist.)
- Representative Lynn Schindler (R, 4th Dist.)
- Representative Dean Takko (D, 19th Dist.)
- Representative Alex Wood (D, 3rd Dist.)
- Representative Beverly Woods (R, 23rd Dist.)
- Ashley Probart, Association of Washington Cities
- Eric Johnson, Washington State Association of Counties



A committee convened to oversee the analysis included members of the house and senate transportation committees, the house and senate land use committees, the Association of Washington Cities, and the Washington State Association of Counties.

## What Led to the Analysis Request?

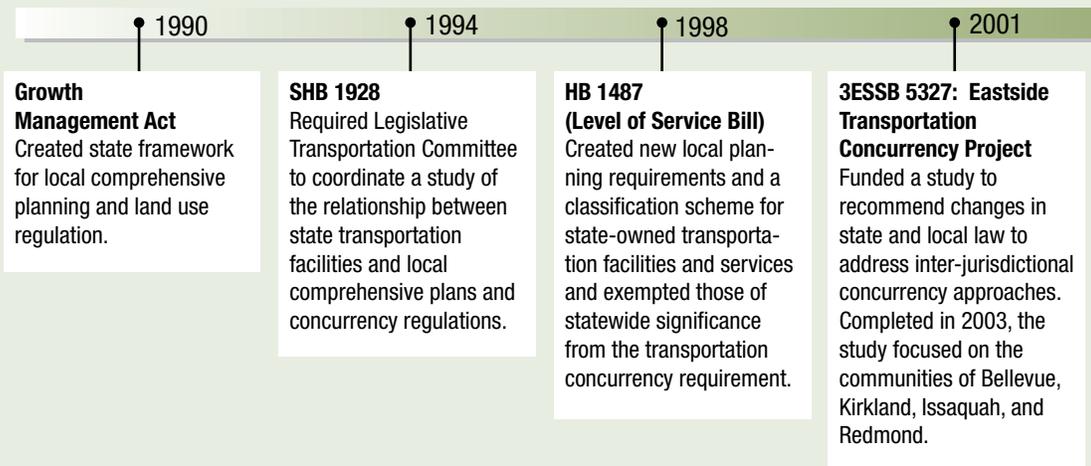
The coordination of land use planning and the timely provision of infrastructure is a complex process. Concurrency attempts to reduce this complex process to a simple question—is the infrastructure adequate to serve a particular development? Although elegant in its simplicity, the reality is that the application of transportation concurrency has not consistently yielded optimal local land use patterns, capital facilities planning, or infrastructure funding practices. Consequently, concurrency has been a topic of frequent study, debate, and legislation at the state, regional, and local levels since its debut in 1990.

The original Growth Management Act did not specify how local governments should address state-owned transportation facilities in their concurrency regulations or in their comprehensive planning. Recognizing the inconsistent and uncoordinated state and local transportation planning that resulted, the 1994 Legislature commissioned a study on the appropriate relationship between state transportation facilities and local comprehensive plans and concurrency regulations. The study recommended numerous policy amendments, some of which were adopted in the Level of Service Bill during the 1998 legislative session. The Level of Service Bill created new local planning requirements for state-owned transportation facilities and services.<sup>2</sup> It also implemented a new classification scheme for state-owned highways granting the state responsibility for setting service standards on highways and ferry routes of statewide significance and giving the Regional Transportation Planning Organizations responsibility for setting service standards on all other state-owned highways and ferry routes. The legislation also specifically exempted transportation facilities and services of statewide significance from the transportation concurrency requirement, except in Island and San Juan counties.

In 2001, the Washington State Legislature funded another study of the concurrency requirement focusing on new local concurrency models that could account for devel-

2. Washington. “Level of Service Bill,” ch. 171, Laws of 1998

### Concurrency Milestones



opment in neighboring jurisdictions.<sup>3</sup> The Washington State Transportation Center (TRAC) conducted the study, focusing on the contiguous communities of Bellevue, Kirkland, Issaquah, and Redmond. Completed in 2003, the study explored different concurrency measurement methodologies and suggested some broad policy concepts addressing how to use roads less, increase funding for transit services, and encourage more coordination among jurisdictions. The study concluded cities had sufficient flexibility under current law to adopt alternative concurrency methodologies independently or jointly and did not recommend changes to state or local law.

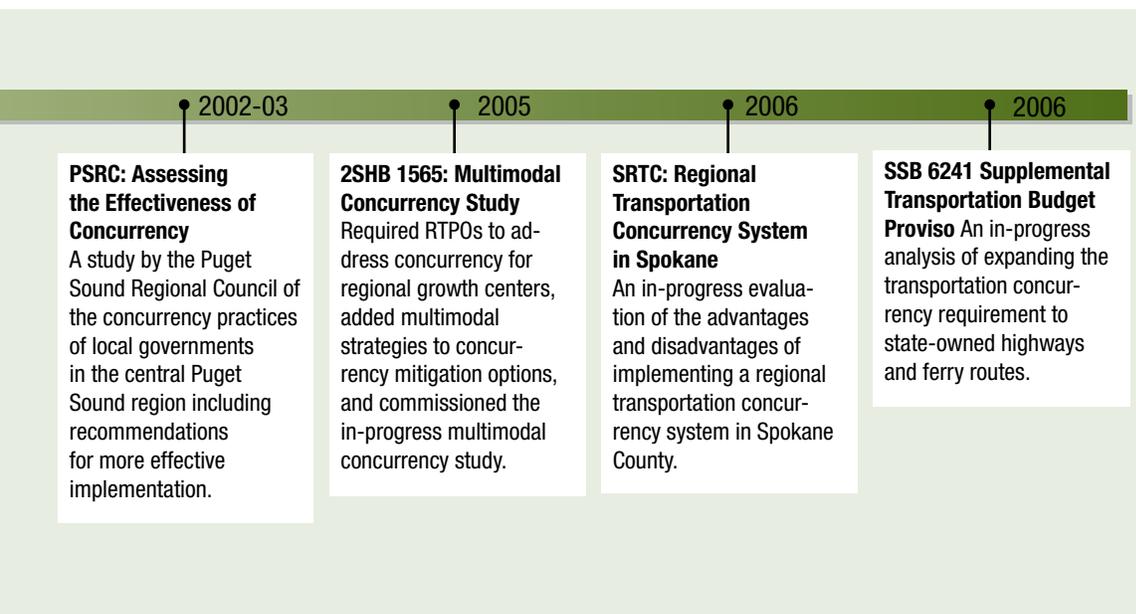
In 2002, the Puget Sound Regional Council (PSRC) undertook a study of the effectiveness of concurrency as a step in implementing its long-range transportation plan for King, Kitsap, Pierce, and Snohomish counties. The study assessed local concurrency practices through a survey of the 86 jurisdictions within the region, case studies, and focus group discussions at a full-day concurrency workshop. The intent of the study was to determine how to improve the integration of concurrency programs with other GMA goals.<sup>4</sup> The study produced a number of recommendations for improving local concurrency programs including: addressing multimodal considerations, coordinating with other jurisdictions, adopting compatible and consistent methodologies, tailoring concurrency to planning subareas, developing common concurrency objectives, linking interagency planning and improvements, raising more revenues for facility improvements through concurrency, and authorizing concurrency exemptions for transit.

In 2005, the Legislature again amended concurrency requirements,<sup>5</sup> specifically adding multimodal transportation improvements and strategies as acceptable ways to meet concurrency requirements, requiring Regional Transportation Planning Organizations to address transportation concurrency strategies for regional growth centers, and funding another concurrency study. The Multimodal Concurrency Study, due December 31, 2006, is being conducted by PSRC and will provide recommendations for further incorporating multimodal strategies into the concurrency requirement.

3. Washington. Chapter 14, Laws of 2001, 2nd Special Session PV, Section 232(2).

4. Puget Sound Regional Council, "Assessing the Effectiveness of Concurrency: Final Report." July 2003, 1.

5. 2SHB 1565, Chapter 328, Laws of 2005.



A study of the advantages and disadvantages of implementing a regional concurrency system in Spokane County will also be completed by the end of 2006. The Spokane Regional Transportation Council (SRTC) initiated this study to address the impacts of regional pass-through traffic and lack of coordination among jurisdictions. The study will examine the legal, economic, land use, and social equity implications of adopting a regional concurrency system.

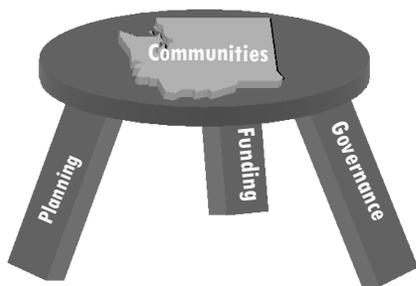
In 2005 and 2006, legislators introduced various bills to address state transportation infrastructure funding and concurrency. For example, rapid development in unincorporated Pierce County that exacerbated congestion on already crowded state highways in the area prompted a proposal to expand the transportation concurrency requirement to state-owned transportation facilities in the 2006 session. Testimony received at the committee level suggested further study of the policy due to the complexity of concurrency. Those testifying also voiced concerns regarding how the proposed policy would be implemented and how needed improvements to state-owned highways and ferry routes would be funded to avoid moratoriums and sprawl. Testimony also suggested looking at alternative planning and funding policy options. While this legislation never left committee, the Senate Transportation Committee added a proviso to the 2006 Transportation Budget to fund an analysis of expanding concurrency to state-owned highways and ferry routes.

### What is the Analysis Approach?

The objective of the analysis is to determine how to ensure that jurisdictional divisions do not defeat Growth Management Act concurrency goals.<sup>6</sup> Concurrency requires the timely provision of infrastructure to adequately serve new development. The provision of that infrastructure requires coordinated planning, sufficient funding, and adequate governance systems. Early in the analysis, the concurrency oversight committee and WSDOT staff decided to examine concurrency within the broader context of the planning, funding, and governance tools available to address the adverse impacts of local land use decisions on the state transportation system.

The analysis began by defining the planning, funding, and governance tools available under the current law to address land use impacts on state-owned transportation facilities. WSDOT staff and the Oversight Committee then identified gaps in law and practice that impede the achievement of the Growth Management Act concurrency goals. The next step in the analysis was the development of a list of potential policy options to address the identified gaps.

Finally, with the input of the Oversight Committee, WSDOT staff compared the expansion of concurrency to state-owned transportation facilities to the other policy options that could achieve the same objective. The comparison criteria included the extent to which the policy options met concurrency objectives, increased intergovernmental collaboration, generated immediate results, and proactively addressed land use impacts to the state's highways and ferries. Additionally, the comparison addressed the resource requirements of each policy and assessed how the policies balanced the political trade-offs between state control and consistency versus local autonomy and flexibility.



#### THE THREE LEGGED STOOL:

Washington's transportation system requires:

- » Coordinated state, regional and local transportation **planning**;
- » Coordinated **funding**;
- » Adequate **governance** systems to effectively implement planning and funding policies

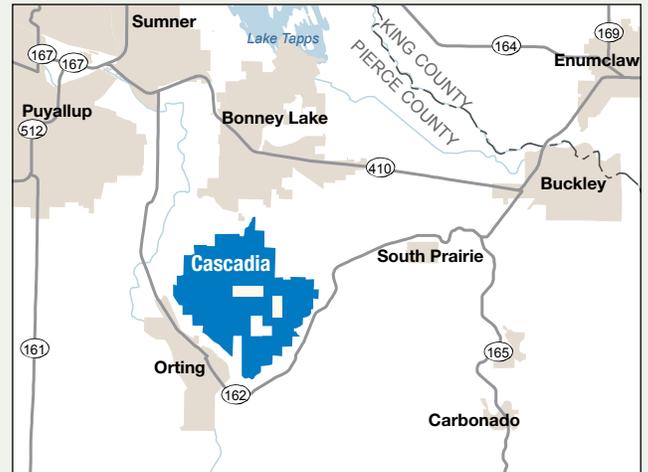
6. Washington, Chapter 370, Laws of 2006 Regular Session PV: 30-31.

## Cascadia - The Transportation Challenges of Planned Growth

In 1991, Cascadia Development Corporation purchased 4,700 acres on the Orting Plateau to develop an unincorporated employment-based master-planned community. Cascadia is one of the largest development projects in the State of Washington, anticipating the construction of 7,000 homes housing 16,700 residents, a 626-acre business and industrial park employing 9,700 workers, and a 219-acre conference center in three phases over 20 years. It obtained county permit approval for the first phase of development in 1999, broke ground in 2005, and will begin residential construction in 2007.

Many local and state officials view Cascadia as an economic boost to the region, largely because of the business and industrial component of the development. At Cascadia's groundbreaking ceremony, U.S. Senator Maria Cantwell proclaimed Cascadia "will be a catalyst for sustained economic stability in this region."<sup>1</sup> However, since Cascadia was first proposed, the small but quickly growing communities neighboring the development have had more experience with the impacts of growth. They also face the potential impacts of other large subdivisions, including 3,000 homes in two additional developments under construction south of Bonney Lake in unincorporated Pierce County. Both Orting and Bonney Lake have recently had second thoughts about Cascadia, reopening previously negotiated agreements with the developer to address the provision of sewer service and the mitigation of traffic impacts, respectively.

The number of trips Cascadia would add to already congested State Route 162 (SR 162) and State Route 410 (SR 410) prompted the Washington State Department of Transportation (WSDOT) to request mitigation for traffic impacts. After much debate, the county hearings examiner decided in 1998 to condition Cascadia's development approval on the funding or construction of several transportation improvements on the state system including: the installation of a new signal at SR 162 and Pioneer Way, the construction of double turn lanes on eastbound SR 410 at the Sumner-Buckley Highway, and the construction of double turn lanes on SR 410 northbound on South Prairie Road. Because Cascadia did not begin construction as quickly as anticipated and because the state needed to proceed with the SR 162 signal installation for safety reasons, the signal was installed without the developer's assistance. Cascadia is anticipated to contribute approximately \$1.2 million toward the Sumner-Buckley turn lanes and \$1.9 million toward the South Prairie Road turn lanes off SR 410. Cascadia will also make some local road improvements under its 1998 traffic mitigation agreement with Bonney Lake including widening and improving 198th



Avenue East, paying for some traffic signals, and contributing \$360,000 toward other city road projects.

The only other state transportation improvements slated for the area over the next 15 years are a \$15 million bridge replacement on SR 162 that is primarily a safety project and a \$13.5 million widening and median treatment project on a 1.24 mile section of SR 410 through Bonney Lake.

These state and private contributions might seem substantial but in reality represent only a fraction of the transportation system improvements needed to ease growing traffic congestion in the area. The long-range transportation strategy for Bonney Lake calls for developing three additional north-south arterials with access to SR 410 at a cost of \$7.6 million to accommodate the increased traffic anticipated from development south of its border. Pierce County is studying options for constructing a new east-west connector from the Bonney Lake plateau to SR 162. Preliminary cost estimates are not yet available for this project. In addition, Pierce County's Transportation Plan calls for widening SR 162 from two to four or five lanes. This project is not funded in the state's transportation plan, but a 2004 cost estimate for widening SR 162 from just north of Orting up to Sumner and rebuilding the SR 162/SR 410 interchange is \$313 million dollars.

The Cascadia example illustrates the type of dilemma that led to the analysis request. The master-planned community was an allowed land use under Pierce County's comprehensive plan. The lack of existing capacity on SR 162, SR 410 and the local street network did not stop Cascadia from developing, and the mitigation Cascadia provided was not sufficient to fund the transportation system improvements needed to accommodate additional traffic. Neither planning, concurrency, nor mitigation have led to a workable solution for a transportation system that will serve the needs of this rapidly growing area.

1 "Developer's Vision Takes Root; Ground is broken on Cascadia." *The News Tribune*. May 7, 2005: B1.