



June 23, 2022

Development Services Department, City of Bellevue
ATTN: Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98004

RE: Optional Determination of Non-Significance (DNS) Notice Materials for COBT Curb Management Plan and CPA / City-Wide

We are writing with concerns about the possible determination of non-significance (DNS) being considered with regard to the City of Bellevue's Curb Management Plan. The City has completed a SEPA Environmental Checklist and Supplemental Sheet for Non-Project actions to determine whether the environmental impacts of its curb management policy within the broader curb management plan would be significant. If the environmental impacts are determined to be insignificant, the policy would bypass the environmental impact review process and subsequent public comment. Per the checklist, the DNS "may likely be the only opportunity to comment on environmental impacts of the proposal."

We believe the environmental impacts may be very significant and thus the City should pursue a standard environmental impact assessment of the curb management policy, including a robust public discussion of those impacts. We have several concerns that lead us to this conclusion.

First, the City has an internal policy conflict between its Environmental Stewardship Plan and its Comprehensive Plan, which impacts assumptions being made regarding curb management policy. The Environmental Stewardship plan includes a goal to reduce per capita vehicle miles traveled by 20% by 2030 and 50% by 2050. The City notes in the aforementioned SEPA/DNS checklist that any reduction in VMT (an "issue to be resolved" on page 9) is a net positive as it can help the City meet the reduction goal set forth in the Environmental Stewardship Plan.

At the same time, the City's comprehensive plan transportation element states in TR-2 that the City will "aggressively plan, manage, and expand transportation investments to reduce congestion and expand opportunities in a multimodal and comprehensive manner and improve the quality of the travel experience for all users."

Some curb management policies may or may not reduce vehicle miles traveled, but can, in fact, increase congestion and lead to other environmental impacts that affect residents and visitors. However, if the curb management policy impacts capacity such that per-capita vehicle miles traveled are reduced in support of the Environmental Stewardship Plan, which the DNS checklist suggests is a desirable outcome, but traffic congestion in remaining lanes is worsened contrary to the policy goal set forth in the Comprehensive Plan's TR-2, the curb management policy would be in conflict with the City's own Comprehensive Plan.

Further, the City's policy to reduce vehicle miles traveled – which may be a byproduct of elements in the proposed curb management plan – could be in conflict with the City's desire to reduce carbon emissions if the increased emissions due to worsening congestion offset any reduced emissions from declining per-capita VMT. In other words, reducing vehicle miles traveled (and increasing congestion) is not a net positive if that also results in higher carbon emissions. This is why an environmental impact statement is helpful – to ensure the assumptions being made do not turn out to be incorrect.

Additionally, the curb management plan implementation may be in direct conflict with Comprehensive Plan Policy TR-2 with regard to the Vehicle Mode Performance Targets. Specific level of service (LOS) targets for intersections in downtown and other High Density Mixed-Use zones are included in the Multimodal Implementation Plan (MIP, Volume 1, page 30). It is critical for mobility in Bellevue that the MIP performance targets be a key metric in the identification of uses for and pricing of curb space.

Lastly, the curb management policy as outlined in the DNS checklist indicates several areas of uncertainty and controversy for street system users and property owners, a few of which include curb pricing, passenger loading and commercial delivery loading zones, parking and on-street electric vehicle charging. These issues and more will become extremely important to the proper functioning of the downtown street grid given the projected near-term addition of some 27,000 parking stalls with over 15,000 peak period vehicular trips entering and exiting the respective garages. This merits a robust public discussion on the environmental impacts of the Curb Management Plan and policies. These important impacts – which haven't been explored but are highly likely to be significantly adverse - cannot be limited to City inputs and approvals as proposed in the DNS checklist.

We hope the City's Transportation Commission or Planning Commission would consider moving away from the DNS to ensure the curb management policy undergoes the standard environmental impact assessment that seems appropriate and necessary given these policy conflicts and multiple areas of uncertainty as outlined by City staff.

Sincerely,

Vic Bishop, Legislative and Policy Chair
Eastside Transportation Association

Mariya Frost, Director of Transportation
Kemper Development Company

Mr. Folsom,

Pursuant to your request, this email is the Transportation Department's response to the letter received on June 23 from the Eastside Transportation Association and Kemper Development Company regarding the optional DNS notice for COB Curb Management Plan and CPA. Our project team has reviewed the letter carefully and has included responses below.

The commenter suggests that proposed curb management policy amendments may be in conflict with the City's Comprehensive Plan. The commenter noted Bellevue's Comprehensive Plan policy TR-2 which was adopted on December 13, 2021, as part of the Mobility Implementation Plan (MIP) as justification for this perspective. TR-2 states, "To aggressively plan, manage, and expand transportation investments to reduce congestion and expand opportunities in a multimodal and comprehensive manner and improve the quality of the travel experience for all users."

As stated in the SEPA checklist, curb management policies are intended to address significantly changed mobility conditions and rapid growth in Bellevue. Proposed policies respond to evolving mobility demands and create consistency within the Comprehensive Plan. The policies do not lead to nor cause increased emissions at select locations or citywide. Additionally, the policies will not lead to an increase in vehicular traffic.

Please note that the City already has policy and code authority to manage and regulate the curb space. Many of the proposed policy amendments consolidate and clarify existing policies and practices. Most projects inspired by curb management policies would be addressing curb operation challenges, rather than proposing changes to transportation capital investments. Refined curb management policies are intended to both expand multimodal opportunities and improve the quality of travel experiences for a myriad of users within Bellevue. The checklist indicates that the curb management policies and the associated plan will aim to reduce inefficiencies in the transportation network, such as addressing double parking, circling, and idling vehicles. For these reasons, the project team believes there is broad alignment between TR-2 and proposed curb management policies, and no inherent conflict in policy exists.

Additionally, the commenter suggests that curb management plan implementation may be in direct conflict with vehicle mode Performance Targets as identified in the city's Mobility Implementation Plan, specifically Level-of-Service targets for certain intersections in Downtown and other monitored zones. According to the MIP, the intersection Performance Targets for the vehicle mode assess the "volume-to-capacity ratio (V/C) at System Intersections in the two-hour PM Peak period (4-6 PM)."

As stated in the SEPA checklist, some proposed policy changes aim to ensure flexible design and regulation of the curb to enable new and prioritized curb uses. This aspect of flexible curb design and regulation would allow the city to maximize the curb's utility at various times of the day while ensuring peak mobility demands are not compromised. For example, curbside travel lanes along some arterial streets could be used for parking or loading outside of the PM Peak period. This would result in curbs allowing for multimodal functionality during times of the day outside of the 4-6 PM range and would therefore not impact the intersection Performance Target.

Finally, the commenters mentioned that areas of uncertainty and controversy listed in the SEPA checklist require a broader discussion on environmental impacts of the Curb Management Plan and curb policies. As outlined in the SEPA checklist, curb management policies and the Curb Management Plan

recommendations will provide streamlined approaches to managing the city's curb areas, which will optimize the multiple functions of the transportation network. Improved curbside operational approaches may help incentivize non-vehicle modes and contribute to reducing overall per capita Vehicle Miles Traveled. Matters such as curb pricing, passenger loading, and commercial loading are operational matters that can remain flexible over time and respond to altered travel patterns as growth occurs.

For these reasons, the project team believes that there are no significant adverse impacts that cannot be mitigated as part of this application.

Thank you,

Chris Iverson
Bellevue Transportation Department

Nesse, Katherine

From: Iverson, Chris
Sent: Tuesday, August 30, 2022 8:49 AM
To: Nesse, Katherine
Cc: Johnson, Thara
Subject: FW: CMP Amendment / file #22-106192-LM / FW: City of Bellevue Weekly Permit Bulletin 6-9-22

FYI – this is a comment on the SEPA application for CMP/CPA, please post on the CPA webpage. Thanks, Chris

From: Iverson, Chris
Sent: Wednesday, June 22, 2022 3:40 PM
To: Robert DeRider <robert_derider@hotmail.com>
Cc: Folsom, Drew <DFolsom@bellevuewa.gov>
Subject: RE: CMP Amendment / file #22-106192-LM / FW: City of Bellevue Weekly Permit Bulletin 6-9-22

Hello Rob,

Thanks for your questions in regards to the “COBT Curb Management Plan and CPA / City-Wide” item. My replies are below:

- 1) The PMA Type 1 (growth corridor) is identified within the city’s Mobility Implementation Plan, which was recently adopted by City Council. A map of the PMA Type 1 can be found on page 4 of Volume 1 in the Mobility Implementation Plan document, [see here](#).
- 2) The pricing-based curb program is intended to better address curb demands over the long-term. Pricing has been identified as a powerful tool in other jurisdictions to manage high-demand curb locations. Curb pricing can be reflected in many forms, including paid on-street parking and robust curbside permit structures. Specific details on pricing recommendations are being developed through the Curb Management Plan process.
- 3) Specific staffing needs, including roles and responsibilities, are being developed through the Curb Management Plan process and will not be identified through the curb policies specifically. The final Curb Management Plan will identify a range of curb management program options.
- 4) The policies and recommendations associated with the Curb Management Plan are intended to modernize the city’s approaches to handling curb designs and operational considerations. The city has historically dealt with curb-related matters on an ad hoc basis – including enforcement, programming, and design needs – but has not developed a comprehensive approach to handling access, storage and placemaking functions at the curb. The city has guidance to measuring multimodal traffic performance through the Mobility Implementation Plan and other documents.

Thank you for your comment,
Chris



Chris Iverson, PE

Senior Transportation Engineer, City of Bellevue
civerson@bellevuewa.gov | [425-452-6461](tel:425-452-6461) | Bellevuewa.gov

From: Robert DeRider <robert_derider@hotmail.com>
Sent: Friday, June 10, 2022 1:36 PM
To: Folsom, Drew <DFolsom@bellevuewa.gov>
Cc: Robert DeRider <robert_derider@hotmail.com>; Iverson, Chris <Clverson@bellevuewa.gov>
Subject: CMP Amendment / file #22-106192-LM / FW: City of Bellevue Weekly Permit Bulletin 6-9-22

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hello,

I have a few questions in regards to **COBT Curb Management Plan and CPA / City-Wide** noted in this week's CoB permit bulletin.

- In regard to "The location of the CMP will encompass PMA-1, Growth Corridor"
 - Can you point me to an online map link of exactly what the PMA-1 / growth corridor of CoB is?
- In regard to "Analyze options to establish a pricing-based curb program for various curbside uses"
 - Can you tell me more about pricing and who is paying for something when it comes to curbs?
- In regard to " Build an organizational and staffing framework to implement the Curb Management Plan"
 - How many new city employees are needed for such a curb program and what exactly would their roles be (i.e. admin, traffic enforcement, other)?
- Why is there nothing in this amendment about maintaining or improving actual surface street traffic patterns as the city grows?

Please let me know before comment period has ended.

Thank you

Rob DeRider

Bellevue Resident

From: City of Bellevue <bellevuewa@public.govdelivery.com>
Sent: Thursday, June 9, 2022 2:38 PM
To: robert_derider@hotmail.com
Subject: City of Bellevue Weekly Permit Bulletin 6-9-22



You are subscribed to the Weekly Permit Bulletin for the City of Bellevue. A new bulletin has recently been published and is now available. [View the Weekly Permit Bulletin.](#)

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Nesse, Katherine

From: Iverson, Chris
Sent: Tuesday, August 30, 2022 8:50 AM
To: Nesse, Katherine
Cc: Johnson, Thara; Long, Chris; McDonald, Kevin
Subject: FW: Response to City

FYI – this is a comment & response on the SEPA application for CMP/CPA, for posting on the CPA webpage. Thanks, Chris

From: Iverson, Chris
Sent: Monday, August 29, 2022 8:27 AM
To: Folsom, Drew <DFolsom@bellevuewa.gov>
Subject: RE: Response to City

Hi Drew,

This email is the Transportation Department's response to the email received on August 23 from Mariya Frost regarding the optional DNS notice for COB Curb Management Plan and CPA. Our project team has reviewed the letter carefully and has included a response below.

- 1) The commenter asked two questions regarding proposed policy impacts to increased emissions and vehicular traffic. As stated in the SEPA checklist, the adoption of the CPA and Curb Management Plan itself will not result in impacts to emissions or vehicular traffic. Generally, plans and policies are intended to provide a broad framework to monitor existing conditions and address future changes. For this project, curb management policies will create more deliberate operational guidance on curbside decision making and aim to address environmental issues caused by curb inefficiencies within the structures of existing land use code.

It is important to make a distinction between the CPA/CMP within this non-project application and any future projects that may use the CPA/CMP as a reference. Actions and projects that reflect guidance and policy direction are separate matters beyond the scope of this application. As stated in previous correspondence, proposed policy and plan direction will aim to reduce emissions and avoid increasing vehicular traffic, but it is unclear which specific projects tied to plan and policy direction will occur over time. However, the city is confident that when and if projects tied to the CPA and CMP are launched, performance targets identified within the SEPA checklist as well as other Council-adopted planning documents – such as the reduction of per capita VMT and associated emissions as identified in the Environmental Stewardship Plan, and achieving mode-specific performance targets as identified in the Mobility Implementation Plan – will be addressed.

- 2) In regards to the 106th Avenue Pilot: the report findings are being used to help inform CPA and CMP recommendations in regards to curb technology and future pilot deployments. This specific pilot was aimed at testing technology that was new to the market, and we were using our street to support industry solutions. After the technology providers address issues that we identified, Bellevue and other agencies will have options to use this technology to streamline curbside data collection efforts that are currently done manually. Generally, the city has and will continue to support the testing and promotion of new transportation technologies to improve industry practices.
- 3) In regards to improved curbside operational approaches: The commenter implies that there is a contradiction between the statement of "improved curbside operational approaches may help incentivize non-vehicle modes

and contribute to reducing overall per capita Vehicle Miles Traveled” and “policies will not lead to an increase in vehicular traffic”. The city disagrees that these statements are contradictory. Improved curbside operational approaches will help the city move away from the existing ad hoc management of curbside areas and allow for informed approaches to curb usage that address broader city goals, including the reduction of per capita VMT. As stated previously, the CPA policies and Curb Management Plan itself will not lead to an increase in traffic and associated emissions.

The project team continues to believe that there are no significant adverse impacts that cannot be mitigated as part of this application.

Thank you,
Chris

From: Folsom, Drew <DFolsom@bellevuewa.gov>
Sent: Tuesday, August 23, 2022 5:21 PM
To: Iverson, Chris <CIverson@bellevuewa.gov>
Subject: FW: Response to City

Hi Chris,
Below is the latest public comments for permit 22-106192-LM. - Drew

From: Mariya Frost <mariya.frost@kemperdc.com>
Sent: Tuesday, August 23, 2022 5:13 PM
To: Folsom, Drew <DFolsom@bellevuewa.gov>
Subject: Response to City

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Drew,

Thank you so much for sending this my way.

The statements that stand out to me in the City’s response regarding the DNS are:

1. “The policies do not lead to nor cause increased emission at select location or citywide.”
 - a. **What is the basis for this argument and the City’s degree of certainty about this outcome?**
2. “The policies will not lead to an increase in vehicular traffic.”
 - a. **What is the basis for this argument and the City’s degree of certainty about this outcome?**

The data supplied below does not answer my questions or explain how the City can be so certain about these outcomes (no increased emissions, no increase in vehicular traffic), especially with regard to a curb policy that is not yet fully developed.

What the information sent below does show is the following:

- Bellevue’s digital curb inventory from 2020 is not meaningful for today’s curb policy development. I am glad it is being updated, but that update will only show *curb rules* – not *curb activity*. A meaningful digital inventory would show occupancy, dwell times, turnover, and other curb *activity*.
- Unfortunately, based on Bellevue’s 106th Avenue Curb Pilot, it appears the City does not have a reliable, accurate technology to evaluate curbside activity which is critical to curb policy development. The curb pilot linked below concluded that “none of the five tested systems met the desired levels of performance. More

specifically, none of the five systems tested were able to achieve an overall accuracy of 95 percent under either the least or most stringent matching criterion.” The report shares recommendations for future pilots that examine video-based curbside technology and test it for accuracy, efficiency and ease of use. What does the City plan to do with the report findings? How does the City plan to evaluate curb activity, which should inform curb policy?

The City also states:

“Improved curbside operational approaches may help incentivize non-vehicle modes and contribute to reducing overall per capita Vehicle Miles Traveled.”

What this communicates to me is that curb policy may make parking costly or difficult, which is seen as a positive outcome because it “may” incentivize people to switch modes or drive less. This is contradictory to the statement that curb policy absolutely “will not lead to an increase in vehicular traffic.” Policies that make driving or parking difficult may reduce circling, but they may also worsen overall traffic congestion. Is an assumption being made that the reduction in the number of vehicles on the road will offset the potential increase in emissions from additional traffic? What is the basis of this argument?

Lastly, staff analysis of TR-2 effectively expands TR-2 beyond its scope.

Staff define how vehicle congestion is expressed in the Mobility Implementation Plan, but rather than acknowledging that the Council committed to “*aggressively*” engaging in planning and expanding investments “to reduce congestion” – staff dilute the action required to suggest congestion reduction is simply optional. Staff say that where performance targets for congestion are not met, proposed projects to reduce congestion “*may be considered*” for funding and implementation. This interpretation does not align with the language in TR-2. Where performance targets for congestion are not met, the City’s policy is that it will “*aggressively*” act “to reduce congestion.”

Lastly, while TR-2 also seeks to “improve the quality of the travel experience for all users” – it does not state that the City ought to merely “look at congestion impacts” to all users “considering equity and inclusion.” TR-2 language with regard to traffic congestion does not “look” at congestion impacts – it aims to “reduce” congestion.

On a final note, as Bellevue officials “consider equity and inclusion” in their transportation planning more broadly, they should be mindful that among people who make less than \$35,000 a year (roughly 200% of [poverty level](#) for a two-person family in King County), [69% drive to work and a much lower 8% take transit](#). The share of workers who commute by transit doubles for those who make \$50,000 or more, at 16%. In other words, those whose incomes are lower and do not take transit are disproportionately paying to support rides that are largely taken by higher-income individuals. Policies that allow traffic congestion to get worse or make driving more costly and difficult negatively impact the low-income people officials say they want to help.

Please let me know if you prefer this email on letterhead for inclusion in the decision record.

Additional questions that can be addressed separately:

- What was the outcome of the Urban Freight Lab study for Bellevue?
- Can I please get a copy of the “broad suite of curb ‘existing conditions’” – beyond what is in the summary for TC? I’d like to see the full review of existing policies, procedures, ordinances, city code related to curb management. If there is a more in-depth, comprehensive documentation of existing conditions beyond the summary, it would be helpful to see that too.

Thank you,

Mariya Frost
Director of Transportation
Kemper Development Company



From: Folsom, Drew <DFolsom@bellevuewa.gov>
Sent: Tuesday, August 23, 2022 1:01 PM
To: Mariya Frost <mariya.frost@kemperdc.com>
Subject: RE: [ext] RE:

Hi Mariya,

Below are the applicant's (City of Bellevue, Transportation Department) response to your comments. If you have additional comments, I strongly recommend you send them in written form as soon as possible.

Sincerely,

Drew Folsom
Senior Planner
City of Bellevue
(425) 452-4441

Hi Drew,

The city has collected numerous data sources in support of curb management over the past several years. Here are a few examples:

- [106th Avenue Curb Pilot](#): this project evaluated various video-based curb monitoring solutions to review activity and test solution accuracy along the curb. This pilot was a direct result from Bellevue's selection as a pilot city during the 2020 Smart Cities Collaborative. An evaluation of the pilot is posted on the webpage.
- [Department of Energy Grant](#): the City of Bellevue partnered with the City of Seattle and University of Washington's Urban Freight Lab to study behavior of delivery vehicle drivers and help develop a mobile application that predicts the availability of a load zone near their destination. The goal of the project was to reduce circling and illegal parking of delivery vehicles. The City of Bellevue installed sensors near 10 load zones to provide real-time information regarding occupancy of curbside load zones.
- [Digital Curb Inventory](#): Bellevue collected existing curb rules in the Downtown area in 2020. An update to the digital inventory is commencing within the Curb Management Plan effort.

Additionally, the project team has collected a broad suite of curb "existing conditions" with the Curb Management Plan project, which includes (among other items) a review of existing policies, procedures, ordinances, city code and RCW language related to curb management. A summary of the existing conditions can be seen in the March 10 Transportation Commission meeting materials. Data in the form of public feedback was collected in early 2022 through the public online questionnaire, targeted focus groups, and Curb Summit event. A summary of public feedback can be seen in the April 28 Transportation Commission meeting materials.

All sources referenced above have helped drive development of proposed curb management policies.

Thank you,
Chris

From: Mariya Frost <mariya.frost@kemperdc.com>
Sent: Monday, August 22, 2022 9:45 AM
To: Folsom, Drew <DFolsom@bellevuewa.gov>
Subject: RE: [ext] RE:

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Drew, thanks so much for getting back to me. Can we connect this week?

From: Folsom, Drew <DFolsom@bellevuewa.gov>
Sent: Thursday, August 18, 2022 5:21 PM
To: Mariya Frost <mariya.frost@kemperdc.com>
Subject: [ext] RE:

Hi Mariya,
I have forwarded your comments to Chris Iverson, the applicant contact. I will be further discussing the project with staff. Also, I am leaving for the evening. I tried to call your mobile number below and it would not allow me to leave a voicemail.

Sincerely,

Drew Folsom
Senior Planner
City of Bellevue
(425) 452-4441

From: Mariya Frost <mariya.frost@kemperdc.com>
Sent: Wednesday, August 17, 2022 3:11 PM
To: Folsom, Drew <DFolsom@bellevuewa.gov>
Subject:

[EXTERNAL EMAIL Notice!] Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Drew – some good examples of curb data collection in this article:
<https://www.planning.org/planning/2022/winter/create-a-curb-management-framework-in-7-steps/>

Does the city have any curb data that is driving curb management policy development?

Mariya Frost
Director of Transportation
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