

ORDINANCE NO. 2297

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING VARIOUS SECTIONS OF CHAPTERS 20A.20, 20D.60.10, 20D.210.10, AND 20D.210.15 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE IN ORDER TO UPDATE THE CITY'S FIRE, PARK, AND TRANSPORTATION IMPACT FEE AMOUNTS TO MEET CURRENT COSTS, TO TIE INCREASES IN SUCH IMPACT FEES TO RECOGNIZED COST ESCALATORS, AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the City's current impact fee amounts for fire, park, and transportation impact fees were last updated in 1999, and

WHEREAS, land acquisition and project construction costs have increased substantially in the last seven years, and

WHEREAS, the impact fee amounts should be adjusted to reflect the increased costs and should provide for future escalation tied to recognized indicators,  
NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
DO ORDAIN AS FOLLOWS:

**Section 1. Development Guide Sections Amended.** Those certain sections of Chapters 20A.20, 20D.60.10, 20D.210.10, and 20D.210.15 of the Redmond Municipal Code and Community Development Guide set forth in Attachment 1 to this Ordinance are hereby amended or added to read as set forth on said Attachment, in order to update the City's current fire, park, and transportation impact fees to reflect current land acquisition and construction costs, to tie future increases in such fees to recognized

escalators, and to impose school impact fees on all residential development within the City.


**Section 2. Severability.** If any section, sentence, clause, or phrase of this ordinance, or any provision the Redmond Municipal Code and Community Development Guide adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or any Redmond Municipal Code or Community Development Guide provision adopted or amended hereby.

**Section 3. Effective Date.** This ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect five days after passage and publication of an approved summary thereof consisting of the title, provided, that the updated impact fees and amended regulations relating to fire, park, and transportation impact fees shall apply to all complete building permit applications filed on or after September 25, 2006.

CITY OF REDMOND

  
NANCY McCORMICK,  
MAYOR PRO TEMPORE

ATTEST/AUTHENTICATED:

  
MALISA FILES, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
SIGNED BY THE MAYOR PROTEM:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.: 2297

August 22, 2006  
August 22, 2006  
August 28, 2006  
August 28, 2006  
September 2, 2006

# Attachment 1

## Redmond Community Development Guide

### 20A.20.090 Definitions

#### Impact Fee – Fire, Park, School – Land Uses.

For the purposes of administering Chapter 20D.60 RCDG, Impact Fees, the land uses in the Impact Fee Schedule are defined as follows:

- (1) Single-Family. Single-family detached unit.
- (2) Multi-Family. A building or buildings designed to house two or more families living independently of each other. Includes apartments, condos, attached residential PUDs, and attached townhouses.
- (3) Manufacturing Uses. Land or structures that will have manufacturing facilities for firms or uses which have Standard Industrial Classifications (SIC) of Major Group 20 through Major Group 39, SIC Major Group 40 through Major Group 49, SIC Major Group 15 through Major Group 17, SIC Major Groups 50 and 51 and warehouses.
- (4) Office Uses.
  - (a) A structure, room or series of rooms where the affairs of a business, professional person, or branch of government are carried out. Uses which would be primarily classified as one of the other defined uses shall not be classified as office uses.
  - (b) Land or structures used by firms or uses that have SICs of Major Group 60 through Major Group 97, excluding Major Groups 75, 76, 78 and 88.
- (5) Retail Uses. Land or structures used by firms or uses that have SICs of Major Group 52 through Major Group 59 and SIC Major Groups 75, 76 and 78. (Ord. 2216; Ord. 1954)

## **20D.60.10 Fire, Park and School Impact Fees.**

### **20D.60.10-010 Authority.**

This chapter is adopted under RCW 82.02.050(2) which authorizes cities planning under the Growth Management Act, primarily codified at Chapter 36.70A RCW and Chapter 82.02 RCW, to assess, collect, and use impact fees to pay for fire, park, and school facilities needed to accommodate growth. The City of Redmond is required to plan under the Growth Management Act and has adopted a Comprehensive Plan which includes a Capital Facilities Chapter which complies with RCW 36.70A.070(3), RCW 82.02.050(4), and all other applicable requirements. Consequently, the City of Redmond is authorized to impose, collect, and use impact fees. (Ord. 1913; Ord. 1909 (20C.110.010))

### **20D.60.10-020 Purposes.**

The purpose of this chapter is to implement the capital facilities element of the Redmond Comprehensive Plan and the Growth Management Act by:

- (1) Ensuring that adequate fire, park, and school facilities are available to serve new development.
- (2) Maintaining the high quality of life in Redmond by ensuring that adequate facilities are available to serve growth thereby providing for the needs of new growth and maintaining existing service levels for present businesses and residents.
- (3) Establishing standards and procedures whereby new development pays its proportionate share of the costs of fire, park, and school facilities, reducing transaction costs for the City, the Lake Washington School District and developers, and ensuring the developments are not required to pay arbitrary or duplicative fees. (Ord. 1913; Ord. 1909 (20C.110.020))

### **20D.60.10-030 Payment of Impact Fees Required.**

Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay the impact fees set in RCDG 20D.60.10-060 or RCDG 20D.60.10-070 to the City of Redmond Finance Department or its designee or successor. The impact fees shall be paid before the City issues the building permit. No new building permit shall be issued until the required impact fees have been paid to the City of Redmond Finance Department or its designee or successor. Where a building permit is not required for a development activity, the impact fees shall be paid to the City of Redmond Finance Department or its designee or successor before undertaking the development activity. (Ord. 1909 (20C.110.040))

**20D.60.10-040 Exemptions to the Requirement to Pay Fire, Park, School and Transportation Impact Fees.**

- (1) The following shall be exempt from the requirement to pay some or all of the required impact fees that would otherwise be required by RCDG Title 20D, City-Wide Regulations, if the applicable requirements of this section are met. It is only necessary to qualify for one subpart to be exempt from the requirement to pay some or all of the required impact fees.
  - (a) Accessory dwellings approved by the City under RCDG 20C.30.35, Accessory Dwelling Units, or its successor shall be exempt from the requirement to pay all impact fees.
  - (b) The alteration, reconstruction, remodeling, or replacement of existing buildings or structures, including mobile homes or manufactured homes, that meet the requirements of this subpart shall be exempt from the requirement to pay all impact fees. To qualify for this exemption, all of the following applicable requirements shall be met:
    - (i) For nonresidential structures or the nonresidential part of mixed-use structures, no additional gross floor area may be added.
    - (ii) For residential structures or the residential part of mixed-use structures, no additional housing units may be added.
    - (iii) No additional demand will occur on the fire, park, school or transportation systems over and above that produced by the existing use.
    - (iv) The use is not changed.
    - (v) For replacement structures, the structure being replaced shall have been demolished or moved outside the City of Redmond.
  - (c) The construction of accessory structures where no additional fire, park, school or transportation demand will occur over and above that produced by the principal building or use of the land shall be exempt from the requirement to pay all impact fees.
  - (d) Parking garages and building space that is constructed solely to park motor vehicles that are not for sale, lease or rent or part of a stock in trade are exempt from the requirement to pay all impact fees. The conversion of parking garages or vehicle parking areas exempted by this subpart to other uses requires the payment of impact fees.
  - (e) Temporary uses and structures authorized by RCDG 20D.190, Temporary Uses or its successor, are exempt from the requirement to pay all impact fees.
  - (f) The property on which the development activity will take place is exempt from the payment of fire, park, school or transportation impact fees under RCW 82.02.100, or its successor, because the property is part of a development activity that mitigated its impacts on all of the system improvements funded by impact fees under the State Environmental Policy Act (SEPA). To be exempt from an impact

fee for a system type, a development activity shall have mitigated its system improvement impacts for that system type. For example, to be exempt from fire impact fees, the use or development activity shall have mitigated its impact on the fire systems improvements funded by the fire impact fees. If some of the system improvements have been mitigated under SEPA, the applicant may be eligible for an impact fee credit.

(g) Developments owned and/or operated by the City of Redmond.

- (2) Any claim of exemption shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.
- (3) Developments that are not exempt from the requirement to pay impact fees may be entitled to a credit or adjustment. See the following sections for impact fee credits and adjustments: RCDG 20D.60.10-060, Computing Required Impact Fees Using Adopted Impact Fee Schedules, RCDG 20D.60.10-080, Credits and Adjustments to Required Impact Fee Payments, RCDG 20D.210.10-120, Computation of the Transportation Impact Fee and Administrator Decision, and RCDG 20D.210.10-190, Credits Against Payment of Transportation Impact Fees. (Ord. 2216; Ord. 2072; Ord. 1913; Ord. 1909 (20C.110.050))

**20D.60.10-050 Exemptions to the Requirement to Pay Fire, Park and Transportation Impact Fees for Low- and Moderate-Income Housing.**

In addition to the exemptions in RCDG 20D.60.10-040, the following shall be exempt from the requirement to pay all impact fees that would otherwise be required by RCDG Title 20D, City-Wide Regulations, if the applicable requirements of this section are met:

- (1) The City Council may by motion waive some or all of the impact fees that would otherwise be required by RCDG Title 20D, City-Wide Regulations, if the City Council concludes the proposed development meets all of the applicable requirements of this section. The City Council may waive up to the following percentage of the required impact fees.

The housing unit is affordable to and reserved for households earning the following percentages of the King County median family income adjusted for household size.	50 percent or less	Between 51 and 80 percent
If its owner will occupy the housing unit, the impact fee may be reduced to the following percentage of the impact fees required for the housing unit.	0 percent	50 percent
If the housing unit will be renter-occupied, the impact fee may be reduced to the following percentage of the impact fees required for the housing unit.	0 percent	No reduction allowed by this section

- (2) As a condition of receiving an exemption under this section, the owner shall execute and record in King County’s real property title records a City approved lien,

covenant, or other contractual provision against the property that provides for all of the following:

- (a) If the housing unit qualified for a waiver under the owner-occupied housing column in subsection (1) of this section, the housing unit shall be occupied by the owner.
  - (b) The housing unit shall be occupied by a household that has a maximum annual income no greater than the income level at which the housing unit qualified in subsection (1) of this section. For owner-occupied housing units, the income level shall be verified before the sale of the unit closes and the new owner moves in. For renter-occupied units, the income level shall be verified before the occupants move into the housing unit. This condition shall apply to all subsequent changes of ownership and occupancy for the term of the contractual provision.
  - (c) The City Council shall set a term of between 25 and 55 years for this contractual provision.
  - (d) The lien, covenant, or other contractual provision shall run with the land and apply to subsequent owners and assigns.
- (3) In determining affordability, the income levels shall be adjusted for household size. The applicable regulations of the U.S. Department of Housing and Urban Development for determining rents and housing payments affordable for the various income levels shall be used.
  - (4) The City Council may condition a waiver under this section to ensure the project will meet the requirements of this section or to lessen impacts on systems funded by the impact fees that are waived.
  - (5) To qualify for an exemption under this section, the proposal shall not have received a full exemption under RCDG 20D.60.10-040, Exemptions to the Requirement to Pay Fire, Park, School and Transportation Impact Fees, or its successor. If a partial exemption has been granted under that section, the City Council may waive the balance under this section up to the limits in subsection (1) of this section.
  - (6) To qualify for an exemption under this section, the housing shall help implement the following policies:
    - (a) The housing shall help meet an unfulfilled portion of Redmond's affordable housing targets.
    - (b) The location shall meet Redmond's policies and zoning for the proposed housing type and density.
  - (7) To qualify for an exemption under this section, the waiver should not result in an unacceptable adverse impact on the systems funded by the impact fees proposed for a waiver.
  - (8) Any claim or request for an exemption under this section shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim



not made when required by this section shall be deemed waived. (Ord. 2072; Ord. 1909 (20C.110.060))

**20D.60.10-055 Exemptions to the Requirement to Pay School Impact Fees for Low-Income Housing.**

In addition to the exemptions in RCDG 20D.60.10-040, school impact fees for low-income housing and other development activities with broad public purposes pursuant to RCW 82.02.060(2) shall be paid by the Lake Washington School District. The impact fees for these units shall be considered paid for by the school district through its other funding sources, without the district actually transferring funds from its other funding sources into the impact fee account.

The following conditions apply to this exemption:

- (1) Low-income housing is defined according to Section 20A.20.010, Affordable Housing, Low Cost.
- (2) As a condition of receiving a low-income housing exemption under this section, the owner shall execute and record in King County's real property title records a City approved lien, covenant, or other contractual provision against the property that provides for all of the following:
  - (a) If the housing unit qualified for a waiver as owner-occupied housing, the housing unit shall be occupied by the owner.
  - (b) The housing unit shall be occupied by a household that has a maximum annual income no greater than the low-income level at which the housing unit qualified in subsection (1) of this section. For owner-occupied housing units, the low-income level shall be verified before the sale of the unit closes and the new owner moves in. For renter-occupied units, the low-income level shall be verified before the occupants move into the housing unit. This condition shall apply to all subsequent changes of ownership and occupancy for the term of the contractual provision.
  - (c) The City Council shall set a term of between 25 and 55 years for this contractual provision.
  - (d) The lien, covenant, or other contractual provision shall run with the land and apply to subsequent owners and assigns.
- (3) In determining affordability, the income levels shall be adjusted for household size. The applicable regulations of the U.S. Department of Housing and Urban Development for determining rents and housing payments affordable for low-income levels shall be used.
- (4) The City Council may condition a waiver under this section to ensure the project will meet the requirements of this section or to lessen impacts on systems funded by the impact fees that are waived.
- (5) To qualify for an exemption under this section, the proposal shall not have received a full exemption under RCDG 20D.60.10-040, Exemptions to the Requirement to Pay Fire, Park, School and Transportation Impact Fees, or its successor. If a partial

exemption has been granted under that section, the City Council may waive the balance under this section.

- (6) To qualify for an exemption under this section, the housing shall help implement the following policies:
  - (a) The housing shall help meet an unfulfilled portion of Redmond's affordable housing targets.
  - (b) The location shall meet Redmond's policies and zoning for the proposed housing type and density.
- (7) To qualify for an exemption under this section, the waiver should not result in an unacceptable adverse impact on the school system funded by the school impact fees proposed for a waiver.
- (8) Any claim or request for an exemption under this section shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived. (Ord. 2072; Ord. 1909 (20C.110.060))

**20D.60.10-060 Computing Required Impact Fees Using Adopted Impact Fee Schedules.**

At the option of the person applying for the building permit or undertaking the development activity, the amount of the impact fees may be determined by the fee schedules in this section.

- (1) When using the impact fee schedules, the impact fees shall be calculated by using the following formula:

$$\begin{array}{rcl} \text{Number of} & & \text{Impact Fee} & & \text{Amount of Impact Fee} \\ \text{units of} & \times & \text{amount for a} & = & \text{that shall be paid for} \\ \text{each use} & & \text{facility type} & & \text{that facility type for} \\ & & & & \text{that use} \end{array}$$

- (a) The number of units of each use determined as follows: (i) for residential uses it is the number of housing units for which a building permit application has been made and (ii) for office, retail, or manufacturing uses it is the gross floor area of building(s) to be used for each use expressed in square feet divided by 1,000 square feet. If uses other than parking vehicles which do not constitute a stock in trade and uses accessory to residences will take place outside of buildings, the calculations shall include the land area on which these uses will take place.
- (b) Using the formula in subsection (1), impact fees shall be calculated separately for each use and each facility type. The impact fees that shall be paid are the sum of these calculations.
- (c) If a development activity will include more than one use in a building or site, then the fee shall be determined using the above schedule by apportioning the space committed to the various uses specified on the schedule.

- (d) If the type of use or development activity is not specified on the impact fee schedules in this section, the Administrator shall use the impact fee applicable to the most comparable type of land use on the fee schedules. The Administrator shall be guided in the selection of a comparable type by the most recent Standard Industrial Code Manual and the Redmond Community Development Guide. If the Administrator determines that there is no comparable type of land use on the above fee schedule then the Administrator shall determine the proper fee by considering demographic or other documentation which is available from State, local, and regional authorities.
- (e) In the case of a change in use, development activity, redevelopment, or expansion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee for the new development activity as compared to the previous development activity. The Administrator shall be guided in this determination by the sources and agencies listed above.

(2) Fire Impact Fee - 2006 Schedule

Land Use	Units	Impact Fee That Shall be Paid per Unit
Single-family residences (including mobile homes and detached single-family manufactured homes)	1 housing unit	\$114.00
Multi-family residences	1 housing unit	\$161.00
Offices	1,000 square feet of gross floor area	\$134.00
Retail trade	1,000 square feet of gross floor area	\$154.00
Manufacturing	1,000 square feet of gross floor area	\$16.00

Note: Land uses are defined in Chapter 20A.20 RCDG. See Impact Fee – Fire and Park, Recreation, Open Space and Trails – Land Uses. Amendments to this fee schedule which are changes in policy, such as changes in the methodology, growth assumptions, or funding percentages, shall be processed as a Redmond Community Development Guide amendment. Nonpolicy changes to the fee schedule, such as changes to reflect fluctuations in the Consumer Price Index or Construction Cost Index, or changes to the cost of a project, shall be adopted by the City Council by ordinance.

Note 2: Fire impact fees shall be indexed to allow for a fee increase in 2007 and 2008. The Consumer Price Index will be used to determine the increase in fire impact fees for each of these years. The 2007 fee increase shall measure the January 2006 to January 2007 increase in the CPI. The same January to January process shall be used to determine impact fee rates for 2008. The indexed impact fee rates for 2007 and 2008 shall be computed by the impact fee administrator, and shall become effective immediately after the annual calculation, without any further review by the Planning Commission or City Council.

(3) Park Impact Fee - 2006 Schedule.

Land Use	Units	Impact Fee That Shall be Paid per Unit
Single-family residences (including mobile homes and detached single-family manufactured homes)	1 housing unit	\$2,812.00
Multi-family residences	1 housing unit	\$2,261.00
Offices	1,000 square feet of gross floor area	\$957.00
Retail trade	1,000 square feet of gross floor area	\$420.00
Manufacturing	1,000 square feet of gross floor area	\$415.00

Note: Land uses are defined in Chapter 20A.20 RCDG. See Impact Fee – Fire and Park, Recreation, Open Space and Trails – Land Uses. Amendments to this fee schedule which are changes in policy, such as changes in the methodology, growth assumptions, or funding percentages, shall be processed as a Redmond Community Development Guide amendment. Nonpolicy changes to the fee schedule, such as changes to reflect fluctuations in the Consumer Price Index or Construction Cost Index, or changes to the cost of a project, shall be adopted by the City Council by ordinance. (Ord. 2049; Ord. 1954; Ord. 1913; Ord. 1909 (20C.110.070))

Note 2: Park impact fees shall be indexed to allow for a fee increase in 2007 and 2008. The 2007 park impact fee rate shall increase by 14% above the 2006 rate above. The 2008 park impact fee shall increase by 14% above the 2007 rate. The indexed impact fee rates for 2007 and 2008 shall be computed by the impact fee administrator, and shall become effective immediately after the annual calculation, without any further review by the Planning Commission or City Council.

**20D.60.10-070 Computing Required Impact Fees Based on an Independent Fee Calculation Study.**

If a person required to pay impact fees decides not to have the impact fees determined according to RCDG 20D.60.10-060, then the person shall prepare and submit to the Administrator an independent fee calculation study for the proposed development activity. Any person can decide to have an independent fee calculation study for one or more impact fees and use the impact fee schedules in RCDG 20D.60.10-060 for one or more impact fees.

- (1) Any person submitting an independent impact fee calculation study shall include the fee set by the City Council for reviewing independent impact fee calculation studies. This fee may be set by ordinance or resolution.
- (2) The independent fee calculation study shall comply with the following standards:
  - (a) The study shall follow accepted impact fee assessment practices and methodologies.
  - (b) The study shall use acceptable data sources and the data shall be comparable with the uses and intensities proposed for the proposed development activity.
  - (c) The study shall comply with the applicable State laws governing impact fees including RCW 82.02.060 or its successor.
  - (d) The study, including any data collection and analysis, shall be prepared and documented by professionals qualified in their respective fields.
  - (e) The study shall show the basis upon which the independent fee calculation was made.
- (3) The Administrator shall consider the study and documentation submitted by the person required to pay the impact fees, but is not required to accept the study if the Administrator decides the study is not accurate or reliable. The Administrator may, in the alternative, require the person submitting the study to submit additional or different documentation for consideration. If the Administrator decides that outside experts are needed to review the study, the applicant shall be responsible for paying for the reasonable cost of a review by outside experts. If an acceptable independent fee calculation study is not presented, the person shall pay the impact fees based upon the process and schedules in RCDG 20D.60.10-060. If an acceptable independent fee calculation study is presented, the Administrator may adjust the fee to that appropriate to the particular development activity. (Ord. 1909 (20C.110.080))

**20D.60.10-080 Credits and Adjustments to Required Impact Fee Payments.**

- (1) Credits. Required impact fees shall be reduced by the following credits where they apply:

- (a) The required fire, park or school impact fees shall be reduced by the amount of any payment for fire, park or school system improvements previously made for the lot on which the development activity will take place either as a condition of approval or under a voluntary agreement with the City entered into after the effective date of this chapter.
- (b) After the effective date of this chapter, whenever a development is granted approval subject to a condition that the developer actually provide system improvement sites, facilities, or improvements for fire, park, or school facilities acceptable to the City, or whenever the developer has agreed, pursuant to the terms of a voluntary agreement with the City, to provide land, system facilities, or to improve existing facilities, the developer shall be entitled to a credit for the value of the land or the actual cost of construction against the impact fee that would be chargeable under RCDG 20D.60.10-060 or RCDG 20D.60.10-070.
  - (i) The land value or cost of construction shall be estimated at the time of approval and shall be based on acceptable evidence and documentation. The evidence and documentation shall be reviewed and, if acceptable, approved by the Administrator. When land is proposed for dedication, the person required to pay impact fees shall present property appraisals prepared by qualified professionals. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate credit amount is provided. If the land value or construction cost are less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee for the facility for which the land, system facilities, or improved system facilities were provided.
  - (ii) In certain cases a system improvement may function as a project improvement. Where a system improvement functions as a project improvement, the person who is required to pay impact fees shall only receive a credit for the amount of the improvement that functions as a system improvement.
- (c) The amount of the credit for a development activity shall not exceed the amount of the impact fee the development activity is required to pay.
- (d) If a development activity includes park, recreation, open space or trail facilities which meet the requirements of this subsection (1)(d), then the applicant shall be entitled to a credit for that portion of the park, recreation, open space or trail facilities impact fee to be used for that park, recreation, open space or trail facility type to the extent that the park, recreation, open space or trail system satisfies the needs of the occupants of the development activity or the public.
  - (i) The credit shall equal:
    - (A) The reduction in demand by occupants of the development on the City's park, recreation, open space or trail system, that is met by the facility.
    - (B) The reduction in demand by the general public on the City's park, recreation, open space or trail system, that is met by the facility, if the facility is open to the general public and signs at the facility notify the public that they can use the facility. To be eligible for the credit in this

subsection, the facility shall be located in area which, based upon adopted level-of-service standards, is lacking in needed park, recreation, open space or trail facilities. Credit under subsection (1)(d) shall not be given for the portion of any facility which provides a higher level-of-service than that set by the level-of-service standard for that facility.

- (ii) The park, recreation, open space or trail facilities shall meet the following criteria to be eligible for a credit:
  - (A) The area or facility shall function as a system improvement and not a project improvement as defined by this chapter, either because it is a system improvement or because it is a project improvement which relieves demand on the City's park, recreation, open space or trail system.
  - (B) The facilities shall be equivalent to Redmond's adopted standards for park, recreation, open space or trail facilities.
  - (C) The park, recreation, open space or trail shall be large enough to function as that type of park, recreation, open space or trail system to obtain a credit.
  - (D) The City may require that legally binding conditions be recorded in the real property records providing that the facility shall be used by the facility's occupants or the general public. If these facilities are closed or converted to another use, the amount of the credit in current dollars shall be paid to the Redmond Finance Department or its designee or successor before the facilities are closed or converted.
- (2) Adjustments. The Administrator may adjust the required impact fees where the Administrator determines one of the following circumstances exist and the discount included in the impact fee formula fails to adjust for the error in the calculation or to ameliorate the unfairness of the fee:
  - (a) The person required to pay the impact fee demonstrates that an impact fee was incorrectly computed.
  - (b) The person required to pay the impact fee demonstrates that unusual circumstances make the standard impact fee applied to the development unfair or unjust. These circumstances shall not be circumstances generally applicable to similar types of land uses or generally applicable to development activities in that vicinity. Unusual circumstances may include that the development activity will have substantially less impact on the system improvement than the other development activities in the category.
- (3) Any claim of a credit or adjustment shall be made no later than the time of application for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.
- (4) Credits or adjustments shall not be transferable from one property, project or development activity to another without the approval of the Administrator. The Administrator may only approve a transfer to a development within a different impact fee service area or district if the Administrator finds that the dedication benefits the



impact fee service area or district in which the development activity to which the credit is proposed to be transferred is located. (Ord. 1913; Ord. 1909 (20C.110.090))

**20D.60.10-090 Appeals and Payments Under Protest.**

- (1) Any decision made by the Administrator, his or her designee, or the Building Official, his or her designee, in the course of administering this chapter may be appealed in accordance with the procedures for appealing the underlying permit and shall not be subject to a separate appeal process. This shall include the requirement to pay impact fees. Where no other appeal process is provided, an appeal may be made as an appeal of an administrative decision, see RCDG Title 20F. Any errors in the formula for calculating the impact fee shall be referred to the Mayor and City Council for possible modification. Every interlocal agreement made pursuant to this chapter shall specifically incorporate this appeal procedure.
- (2) Impact fees may be paid under protest to obtain a building permit or other approval or permit. (Ord. 1909 (20C.110.100))

**20D.60.10-100 Impact Fee Accounts and Disbursements for Fire, Park and Transportation Impact Fees.**

- (1) The City of Redmond Finance Department shall earmark the funds collected as to the person paying them, the date paid, and the type of impact fee paid. The Finance Department shall deposit the fees in special interest bearing accounts. A separate account shall be established for each type of impact fee. All interest shall be retained in the account and expended for the purposes for which the impact fee was imposed. While maintaining fees in separate accounts, pooled investments may be used.
- (2) Impact fees shall only be expended on system improvements which are in conformance with the Capital Facilities Chapter of the Comprehensive Plan and administrative costs. Impact fees shall only be expended on system improvements which are included in the Capital Facilities Chapter of the Comprehensive Plan or which are included in a functional plan adopted by reference in the Utilities Chapter of the Comprehensive Plan or the Capital Facilities Chapter of the Comprehensive Plan. The part of the Utilities Chapter which adopts functional plans by reference shall be part of the Capital Facilities Chapter of the Comprehensive Plan. Administrative costs shall not exceed three-tenths of one percent of the impact fees collected.
- (3) Fire impact fees shall only be used for fire system improvements within the service area in compliance with this chapter. Park impact fees shall only be used for park, recreation, open space or trail facilities system improvements within the service area in compliance with this chapter.
- (4) For system improvements included in the Capital Facilities Chapter or a functional plan adopted by reference, impact fees may be expended on facility planning, land acquisition, site improvements, application fees, necessary off-site improvements, required mitigation, construction, engineering, architectural, permitting, financing, and administrative expenses, relocatable facilities, capital equipment, repayment of system improvement costs previously incurred by the City to the extent that new growth and development will be served by the system improvements, and any other expenses which could be capitalized and are consistent with the capital facilities element or a functional plan adopted by reference.
- (5) In the event that bonds or similar debt instruments are issued for the advanced provision of system improvements for which impact fees may be expended and where consistent with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section.
- (6) Impact fees shall be expended or encumbered for a permissible use within six years of the date they are received by the City of Redmond Finance Department unless the City Council finds that there exists an extraordinary and compelling reason for fees to be held longer than six years. These findings shall be set forth in writing and be approved by the City Council. (Ord. 1913; Ord. 1909 (20C.110.110))

## **20D.60.10-105 Impact Fee Accounts and Disbursements for School Impact Fees.**

The process for administering school impact fees shall be established upon approval of and according to an interlocal agreement between the City of Redmond and the Lake Washington School District.

## **20D.60.10-110 Fire and Park Impact Fee Refunds.**

- (1) All requests for impact fee refunds shall be made by the owner of the property on which the impact fee was paid and shall be made in writing. The written request shall be submitted to the City of Redmond Finance Department or its successor, if the City holds the funds. The written request shall be received within one year of the date the right to the claim for the refund arises. Notwithstanding any other provision of this section, where notice of eligibility of a refund is required by subsection (2)(b), the written request shall be received within one year of the date on which the City mails the notice that the person may be eligible for a refund.
- (2) Refunds of Un-Encumbered Impact Fees.
  - (a) The current owner of property on which impact fees have been paid may apply for and receive a refund of these fees if the impact fees have not been expended or encumbered within the time limits in RCDG 20D.60.10-100(6). Refunds of impact fees under this subsection (2) shall include any interest earned on the impact fees by the City. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis.
  - (b) If the City holds impact fees beyond the time limits set in RCDG 20D.60.10-100(6), the City shall notify potential claimants by first class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the County tax records or a commercial compendium of the tax records.
  - (c) Any impact fees that are not expended within the time limits in RCDG 20D.60.10-100(6) and for which no application for a refund has been made within the one-year period set by subsection (1) shall be retained and expended on the system improvements for which the impact fees were imposed.
- (3) Refunds of Impact Fees for When Development Does Not Precede. Any person who was required to pay impact fees may request and shall receive a refund, including interest earned on the impact fees, when both of the following conditions are met:
  - (a) A final inspection is not requested for the building or, if no building is being constructed as part of the development activity, the use is not started.
  - (b) No impact has resulted on the fire facilities and park, recreation, open space or trail facilities. "Impact" shall be deemed to include cases where the City has expended or encumbered the impact fees in good faith before the application for the refund. In the event that the City has expended or encumbered the fees in good faith no refund shall be given. However, if within a period of five years the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit. The owner

shall request the credit in writing by the deadline set for claiming credits and shall provide receipts for the impact fees paid by the owner for a development activity of the same or substantially similar nature on the same property or some part of the property. The Administrator shall determine whether to grant a credit, and such decisions may be appealed as an appeal of an administrative decision. See RCDG Title 20F.

- (4) See RCW 82.02.080 or its successor for rules on the termination of impact fee requirements.
- (5) The interest due on the refund of impact fees are required by this chapter or RCW 82.02.080 or its successor shall be calculated according to the average rate received by the City on invested funds throughout the period during which the impact fees were retained by that local government. (Ord. 1913; Ord. 1909 (20C.110.120))

#### **20D.60.10-115 School Impact Fee Refunds.**

The process for administering school impact fees, including refunding fees, shall be established upon approval of and according to an interlocal agreement between the City of Redmond and the Lake Washington School District.

#### **20D.60.10-120 Annual Impact Fee Report.**

Each year, the City of Redmond Finance Department or its successor shall prepare a report on each impact fee account showing the source and amount of all moneys collected, earned, or received and the system improvements that were financed in whole or in part by the impact fees. The City departments receiving impact fee funds shall provide the information needed by the Finance Department, or its successor, to prepare the annual impact fee report by the deadline set by the City of Redmond Department of Finance or its successor. This report may be part of an existing annual report or a separate report. (Ord. 1909 (20C.110.130))

#### **20D.60.10-130 Periodic Review of Fee Schedules.**

The Planning Commission and City Council shall review the fire, park and school impact fee schedules in RCDG Section 20D.60.10-060 prior to December 31, 2008.

With respect to reviewing school impact fees, the Planning Commission and City Council shall consider whether these impact fees have been adopted by other jurisdictions within the Lake Washington School District, including the City of Kirkland; and whether the school impact fee burden is spread fairly throughout jurisdictions within the Lake Washington School District. Based on this review, if school impact fees are not adopted by the City of Kirkland, the Planning Commission and City Council may eliminate school impact fees.

If the review of school impact fees does not occur prior to December 31, 2008, the City shall not continue to collect school impact fees until the required impact fee review by the Planning Commission and City Council occurs.

If the review of fire and park impact fees does not occur prior to December 31, 2008, the City shall continue to collect these impact fees at the rate in effect, but shall not continue to index impact fees for subsequent years until the required impact fee review by the Planning Commission and City Council occurs.

**20D.60.10-140 Transportation Impact Fees, Coordination with Chapter 20D.210 RCDG.**

Transportation impact fees shall be governed and administered by Chapter 20D.210 RCDG. (Ord. 1909 (20C.110.150))

**20D.60.10-150 Formula for Determining Fire Impact Fees.**

- (1) The fire impact fees for RCDG 20D.60.10-060(2) shall be the developer fee obligation (F) calculated using the formula and table in this section.
- (2) The impact fee service area for fire impact fees shall be the entire City of Redmond.
- (3) Separate fees shall be calculated for single-family residences, multi-family residences, offices, retail trade, manufacturing, and other uses. For the purposes of this chapter, mobile homes or manufactured homes shall be treated as single-family residences. Duplexes and single-family attached dwellings shall be treated as multi-family residences.
- (4) The formula in this section provides a credit for the anticipated tax contributions that would be made by the development based on historical levels of taxation.
- (5) Formula for Determining Fire Impact Fees:

IF:

A = Fire Department capital facility program.

B = City of Redmond contribution.

C = Percentage of annual calls by land use category.

D = Projected growth by number of units per land use category.

F = Developer fee obligation.

THEN:

$F = [(A - B) \times C] / D$

(Ord. 1909 (20C.110.160))

**20D.60.10-160 Formula for Determining Park Impact Fees.**

- (1) The park, recreation, open space or trail impact fees for RCDG 20D.60.10-060(3) shall be the developer fee obligation (F) calculated using the formula and table in this section.
- (2) The impact fee service area for park, recreation, open space or trail impact fees shall be the entire City of Redmond.
- (3) Separate fees shall be calculated for single-family residences, multi-family residences, offices, retail trade, manufacturing, and other uses. For the purposes of this chapter, mobile homes or manufactured homes shall be treated as single-family residences. Duplexes and single-family attached dwellings shall be treated as multi-family residences.
- (4) The formula in this section provides a credit for the anticipated tax contributions that would be made by the development based on historical levels of taxation.
- (5) Formula for Determining Park, Recreation, Open Space or Trail Impact Fees:

IF:

A = Parks, recreation, open space or trails capital facility program.

B = City of Redmond contribution.

C = Percent of total park use demanded by land use category.

D = Projected growth by number of units per land use category.

F = Developer fee obligation.

THEN:

$F = [(A - B) \times C] / D$

(Ord. 1913; Ord. 1909 (20C.110.170))

**20D.60.10-170 Formula for Determining School Impact Fees.**

The following formula will be used to determine school impact fees:

IF:

A = Student factor for dwelling unit type and grade span X site cost per student for sites for facilities in that grade span = Full cost fee for site acquisition cost

B = Student factor for dwelling unit type and grade span X school construction cost per student for facilities in that grade span X ratio of district's square footage of permanent facilities to total square footage of facilities = Full cost fee for school construction

C = Student factor for dwelling unit type and grade span X relocatable facilities cost per student for facilities in that grade span X ratio of district's square footage of relocatable facilities to total square footage of facilities = Full cost fee for facilities construction

D = Student factor for dwelling unit type and grade span "Boeckh index" X SPI square

footage per student factor X state match % = State Match Credit, and

AI, BI, CI, DI = A, B, C, D for elementary grade spans  
 A2, B2, C2, D2 = A, B, C, D for middle/junior high grade spans  
 A3, B3, C3, D3 = A, B, C, D for high school grade spans

TC = Tax payment credit = the net present value of the average assessed value in district for unit type X current school district capital property tax levy rate, using a to-year discount period and current interest rate (based on the Bond Buyer Twenty Bond General Obligation Bond Index)

FC = Facilities credit = the per-dwelling unit value of any site or facilities provided directly by the development THEN: the unfunded need = UN = AI + ... + C3 - (DI- D2 - D2) - TC

AND the developer fee obligation = F = UN/2

AND the net fee obligation = NF = (F - FC) x 0.93

Notes:

1. Student factors are to be provided by the school district based on district records of average actual student generation rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent districts, districts with similar demographics, or countywide averages must be used. Student factors must be separately determined for single-family and multifamily dwelling units, and for grade spans.
2. The "Boeckh index" is a construction trade index of construction costs for various kinds of buildings; it is adjusted annually.
3. The district is to provide its own site and facilities standards and projected costs to be used in the formula, consistent with the requirements of this chapter.

The formula can be applied by using the following table:

Table for Calculating School Impact Fee Obligations for Residential Dwelling Units (to be separately calculated for single-family and multifamily units)	
Elementary school site cost per student X student factor	=
Middle/junior high school site cost per student X student factor	=
High school site cost per student X student factor	=
AI + A2 + A3	=
Elementary school construction cost per student X student factor	=
Middle/junior high school construction cost per student X student factor	=
High school construction cost per student X student factor	=
(B I + B2 + B3) X <u>square footage of permanent facilities</u> total square footage of facilities	=
Elementary school relocatable facility cost per student X student factor	=

Middle/junior high school relocatable facility cost per student X student factor	=
High school relocatable facility cost per student X student factor	=
$(C1 + C2 + C3) \times \frac{\text{square footage of permanent facilities}}{\text{total square footage of facilities}}$	=
Boeckh index X SPI square footage per student for elementary school X state match % X student Factor	=
Boeckh index X SPI square footage per student for middle/junior high school X state match % X student factor	=
Boeckh index X SPI square footage per student for high school X state match % X student factor	=
D1 + D2 + D3	=
$\frac{\llbracket(1 + i)^{10}\rrbracket - 1}{i(1 + i)^{10}}$ X average assessed value for the dwelling unit type in the school district	
X current school district capital property tax levy rate where I = the current interest rate as stated in the Bond Buyer Twenty Bond General Obligation Bond Index	



## **20D.210 Transportation Standards.**

**20D.210.10-125 City of Redmond Adopted Transportation Impact Fees – Fee Schedule.**

Lane Uses	Standard of Measure	Impact Fee by Transportation Management District						
		Area 1 Downtown	Area 2 Ed.Hill	Area 3 Willows SV	Area 4 Grass Lawn	Area 5 Overlake	Area 6 Viewpoint	Area 7 SE Redmond
<b>RESIDENTIAL</b>								
Single-family	Dwelling	\$ 5,525.40	\$ 3,245.09	\$ 5,525.40	\$ 1,489.70	\$ 5,525.40	\$ 1,489.70	\$ 5,525.40
Multiple-family	Dwelling	\$ 3,389.88	\$ 1,992.04	\$ 3,391.83	\$ 914.47	\$ 3,389.88	\$ 914.47	\$ 3,391.83
Retirement Community	Dwelling	\$ 1,225.44	\$ 719.71	\$ 1,225.44	\$ 330.39	\$ 1,225.44	\$ 330.39	\$ 1,225.44
Nursing Home	Bed	\$ 744.02	\$ 436.96	\$ 744.02	\$ 200.60	\$ 744.02	\$ 200.60	\$ 744.02
Congregate Care, Assisted Living	Dwelling	\$ 744.02	\$ 436.96	\$ 744.02	\$ 200.60	\$ 744.02	\$ 200.60	\$ 744.02
<b>HOTELS &amp; MOTELS</b>								
Hotel/Motel	Room	\$ 4,314.02	\$ 2,533.65	\$ 4,314.02	\$ 1,163.12	\$ 4,314.02	\$ 1,163.12	\$ 4,314.02
<b>COMMERCIAL-SERVICES</b>								
Banks/Savings & Loan	sq ft/GFA	\$ 79.11	\$ 46.47	\$ 79.11	\$ 21.33	\$ 79.11	\$ 21.33	\$ 79.11
Day Care	sq ft/GFA	\$ 36.48	\$ 21.43	\$ 36.48	\$ 9.83	\$ 36.48	\$ 9.83	\$ 36.48
Library	sq ft/GFA	\$ 9.44	\$ 5.56	\$ 9.44	\$ 2.55	\$ 9.44	\$ 2.55	\$ 9.44
Post Office	sq ft/GFA	\$ 12.17	\$ 7.16	\$ 12.17	\$ 3.28	\$ 12.17	\$ 3.28	\$ 12.17
Service Station	Fuel position	\$ 16,134.48	\$ 9,475.87	\$ 16,134.48	\$ 4,350.02	\$ 16,134.48	\$ 4,350.02	\$ 16,134.48
Service Station/Minimart	Fuel position	\$ 13,910.40	\$ 8,169.66	\$ 13,910.40	\$ 3,750.40	\$ 13,910.40	\$ 3,750.40	\$ 13,910.40
Movie Theater	Screen	\$ 58,181.92	\$ 34,170.55	\$ 58,181.92	\$ 15,686.44	\$ 58,181.92	\$ 15,686.44	\$ 58,181.92
Carwash	Stall	\$ 9,412.08	\$ 5,527.78	\$ 9,412.08	\$ 2,537.59	\$ 9,412.08	\$ 2,537.59	\$ 9,412.08
Health Club/Racquet Club	Member	\$ 329.49	\$ 193.52	\$ 329.49	\$ 88.84	\$ 329.49	\$ 88.84	\$ 329.49
<b>COMMERCIAL-INSTITUTIONAL</b>								
Elementary School	Student	\$ 133.01	\$ 78.12	\$ 133.01	\$ 35.86	\$ 133.01	\$ 35.86	\$ 133.01
High School	Student	\$ 231.33	\$ 135.86	\$ 231.33	\$ 62.36	\$ 231.33	\$ 62.36	\$ 231.33
Church	sq ft/GFA	\$ 4.17	\$ 2.44	\$ 4.17	\$ 1.13	\$ 4.17	\$ 1.13	\$ 4.17
Hospital	sq ft/GFA	\$ 6.57	\$ 3.86	\$ 6.57	\$ 1.77	\$ 6.57	\$ 1.77	\$ 6.57
<b>COMMERCIAL-RESTAURANT</b>								
Restaurant	sq ft/GFA	\$ 32.57	\$ 19.13	\$ 32.57	\$ 8.78	\$ 32.57	\$ 8.78	\$ 32.57
Fast Food Restaurant	sq ft/GFA	\$ 57.10	\$ 33.54	\$ 57.10	\$ 15.39	\$ 57.10	\$ 15.39	\$ 57.10
<b>COMMERCIAL - RETAIL SHOPPING CENTER AND OTHER RETAIL</b>								
Up to 99,999 sq. ft.	sq ft/GLA	\$ 9.67	\$ 5.67	\$ 9.67	\$ 2.61	\$ 9.67	\$ 2.61	\$ 9.67
100,000 - 199,999 sq.ft.	sq ft/GLA	\$ 9.03	\$ 5.30	\$ 9.03	\$ 2.44	\$ 9.03	\$ 2.44	\$ 9.03
200,000 - 299,999 sq.ft.	sq ft/GLA	\$ 8.13	\$ 4.78	\$ 8.13	\$ 2.18	\$ 8.13	\$ 2.18	\$ 8.13
300,000 sq. ft. and over	sq ft/GLA	\$ 9.56	\$ 5.62	\$ 9.56	\$ 2.57	\$ 9.56	\$ 2.57	\$ 9.56
Supermarket	sq ft/GLA	\$ 25.45	\$ 14.96	\$ 25.45	\$ 6.86	\$ 25.45	\$ 6.86	\$ 25.45
Convenience Market	sq ft/GLA	\$ 49.12	\$ 28.86	\$ 49.12	\$ 13.24	\$ 49.12	\$ 13.24	\$ 49.12
Discount/Department	sq ft/GLA	\$ 10.35	\$ 6.08	\$ 10.35	\$ 2.79	\$ 10.35	\$ 2.79	\$ 10.35
Miscellaneous Retail	sq ft/GLA	\$ 6.38	\$ 3.74	\$ 6.38	\$ 1.72	\$ 6.38	\$ 1.72	\$ 6.38
Furniture Store	sq ft/GLA	\$ 0.62	\$ 0.37	\$ 0.62	\$ 0.18	\$ 0.62	\$ 0.18	\$ 0.62
Car Sales - New/Used	sq ft/GLA	\$ 15.07	\$ 8.85	\$ 15.07	\$ 4.06	\$ 15.07	\$ 4.06	\$ 15.07
<b>COMMERCIAL - ADMINISTRATIVE OFFICE</b>								
Up to 99,999 sq. ft.	sq ft/GFA	\$ 14.35	\$ 8.42	\$ 14.35	\$ 3.86	\$ 14.35	\$ 3.86	\$ 14.35
100,000 - 199,999 sq.ft.	sq ft/GFA	\$ 11.97	\$ 7.04	\$ 11.97	\$ 3.24	\$ 11.97	\$ 3.24	\$ 11.97
200,000 - 299,999 sq.ft.	sq ft/GFA	\$ 10.47	\$ 6.14	\$ 10.47	\$ 2.83	\$ 10.47	\$ 2.83	\$ 10.47
300,000 sq. ft. and over	sq ft/GFA	\$ 9.26	\$ 5.44	\$ 9.26	\$ 2.50	\$ 9.26	\$ 2.50	\$ 9.26
Medical Office/Clinic	sq ft/GFA	\$ 22.95	\$ 13.47	\$ 22.95	\$ 6.18	\$ 22.95	\$ 6.18	\$ 22.95
<b>INDUSTRIAL</b>								
Light Industry/	sq ft/GFA	\$ 7.82	\$ 4.58	\$ 7.82	\$ 2.11	\$ 7.82	\$ 2.11	\$ 7.82
Industrial Park	sq ft/GFA	\$ 7.82	\$ 4.58	\$ 7.82	\$ 2.11	\$ 7.82	\$ 2.11	\$ 7.82
Warehousing/Storage	sq ft/GFA	\$ 5.91	\$ 3.47	\$ 5.91	\$ 1.60	\$ 5.91	\$ 1.60	\$ 5.91

**Notes:**

- 1 GLA gross leasable area
- 2 GFA gross floor area
- 3 VMT vehicle miles of travel
- 4 For uses with a standard of measure in square feet, the impact fee is dollars per square foot.
- 5 The portion of the impact fee charged to Redmond developments other than for single and multiple-family dwellings, is for mitigation of impacts on unincorporated King County transportation facilities, and shall be calculated based on a project specific traffic model run using the King County Mitigation Payment System (MPS) See RCDG Section 20D.210 10-126, Impacts to County Transportation Facilities

Note: transportation impact fees shall be indexed to allow for a fee increase in 2007 and 2008. To determine the annual increase in transportation impact fees for each of these years, the City shall use the highway construction cost index published by the Washington State Department of Transportation (WSDOT), in the document currently entitled, *Recent Trends in Highway Construction Costs*. Should this publication not be available, or not updated annually, the City may use other documents published by WSDOT to determine the annual increase in transportation impact fees. The 2007 fee increase shall be determined by measuring the January 2006 to January 2007 increase in the construction cost index in *Recent Trends in Highway Construction Costs*, or other applicable document published by WSDOT. The transportation impact fee shall remain unchanged should the index remain unchanged. The same process shall be used to determine impact fee rate for 2008. The indexed impact fee rates for 2007 and 2008 shall be computed by the impact fee administrator, and shall become effective immediately after the annual calculation, without any further review by the Planning Commission or City Council.

### **20D.210.10-210 Review.**

The Planning Commission and City Council shall review the fee schedule in RCDG Section 20D.210.10-125 prior to December 31, 2008. If this review does not occur, the City shall continue to collect impact fees at the rate in effect, but shall not continue to index impact fees for subsequent years until the required impact fee review by the Planning Commission and City Council occurs.

### **20D.210.15 Transportation Management Program.**

For implementation of RCDG Title 20B, Goals and Policies. (Ord. 1954. Formerly Appx. L)

#### **20D.210.15-010 Requirement.**

This program is required of all commercial/industrial development applications that warrant transportation mitigation. For purposes of the transportation management program, transportation mitigation is warranted when development generates 30 or more new trips and has at least 25 employees arriving at the site during either or both peak periods. The fee charged for the review and monitoring of Transportation Management Programs shall be set by ordinance. (Ord. 2217; Ord. 1954. Formerly Appx. L)