

RESOLUTION NO 1282

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, EXPRESSING THE CITY COUNCIL'S INTENT TO ADOPT PLAN-BASED TRANSPORTATION CONCURRENCY REGULATIONS FOLLOWING UPDATES TO THE COMPREHENSIVE PLAN

WHEREAS, the Growth Management Act of 1990 (GMA) requires that the City of Redmond adopt a Comprehensive Plan containing certain required elements, including a Transportation Element, and

WHEREAS, Ordinance 2230, adopted on October 19, 2004, by the Redmond City Council updated the Comprehensive Plan Transportation Element to include policies for a Plan-Based transportation concurrency approach and level-of-service standard, and

WHEREAS, the Plan-Based transportation concurrency approach is intended to ensure that the funding of programs, construction of facilities, and provision of services occur in proportion to the needs of the City and the pace of growth, and explicitly support achievement of the community vision and policies set forth in the Comprehensive Plan, and

WHEREAS, the City needs to establish regulations to implement the adopted Plan-Based transportation concurrency policies and transportation LOS standard, and

WHEREAS, the Redmond Planning Commission conducted study sessions and public hearings to gather public input on the proposed Plan-Based transportation concurrency regulations, and on September 24, 2008, completed its unanimous recommendation that the Redmond City Council approve these regulations, and

WHEREAS, the Redmond City Council has considered the recommendation of the Redmond Planning Commission, and has held study sessions on the proposed Plan-Based concurrency regulations, and

WHEREAS, before the Redmond City Council adopts the Plan-Based concurrency regulations, the City Council must first adopt updated 2022 Comprehensive Plan growth targets and an updated 2022 Transportation Facility Plan, both of which are expected to be completed in the first quarter of 2009

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS

Section 1. After reviewing the proposed Plan-Based transportation concurrency regulations, the City Council agrees that the regulations effectively carry out the

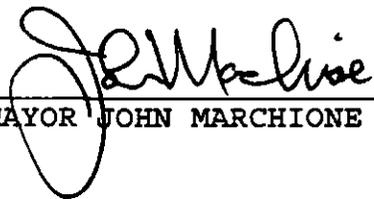
adopted policies and provide a superior approach to concurrency than the City's current system, and

Section 2 The City Council intends to adopt the proposed concurrency regulations set forth in Exhibits 1 and 2 attached hereto and incorporated herein by this reference immediately following adoption of the updated 2022 Comprehensive Plan growth targets and updated 2022 Transportation Facility Plan, and

Section 3 If updates to the 2022 Comprehensive Plan growth targets and 2022 Transportation Facility Plan are not completed by July 2009, the City Council may choose to review the proposed concurrency regulations to determine if there has been any change in conditions that affects the suitability of the regulations

ADOPTED by the Redmond City Council this 18th day of November, 2008

CITY OF REDMOND


MAYOR JOHN MARCHIONE

ATTEST


CITY CLERK MICHELLE M MCGEHEE, CMC

(SEAL)

FILED WITH THE CITY CLERK November 12, 2008
PASSED BY THE CITY COUNCIL November 18, 2008
RESOLUTION NO 1282

EXHIBIT 1

1 **Redmond Community Development Guide**

2 **20D.210.10 Transportation Management Code.**

3

4 20D 210 10-010 Overview Transportation Concurrency and
5 Impact Fees

6 **Transportation Concurrency**

7 20D 210 10-020 Plan-Based Concurrency Purpose and Intent

8 20D 210 10-030 Application

9 20D 210 10-040 Relationship to the State Environmental
10 Policy Act (SEPA)

11 20D 210 10-050 Administration

12 20D 210 10-060 Concurrency and the Transportation Level-of-
13 Service (LOS) Standard

14 20D 210 10-070 Review of Development Proposals -
15 Concurrency Testing

16 20D 210 10-080 Available Options When the Mobility Unit
17 (MU) Supply is Insufficient to Serve a Proposed
18 Development

19 **Transportation Impact Fees**

20 20D 210 10-090 Purpose and Intent

21 20D 210 10-100 Imposition of the Transportation Impact Fee

22 20D 210 10-110 Computation of the Transportation Impact Fee
23 and Administrator Decision

24 20D 210 10-120 City of Redmond Adopted Transportation
25 Impact Fees - Fee Schedule

26 20D 210 10-130 Impacts to King County Transportation
27 Facilities

28 20D 210 10-140 Adopted Impact Fees to Mitigate Impacts on
29 Transportation Facilities in Unincorporated King County

- 1 20D 210 10-150 Payment of the Transportation Impact Fee
- 2 20D 210 10-160 Use of Funds
- 3 20D 210 10-170 Refund of Fees Paid
- 4 20D 210 10-180 Exemptions from Payment of Transportation
- 5 Impact Fees
- 6 20D 210 10-190 Credits Against Payment of Transportation
- 7 Impact Fees
- 8 20D 210 10-200 Appeals
- 9 20D 210 10-210 Review
- 10 20D 210 10-220 Administration and Appeals
- 11

1

2 **20D.210.10-010 Overview: Transportation Concurrency and**
3 **Impact Fees.**

4 Prior to submitting a development application, the
5 developer of a project subject to this division may submit
6 a request for a certificate of concurrency to the
7 Department of Planning and Community Development. The
8 request shall be on a prescribed transportation certificate
9 of concurrency request form developed by the Administrator,
10 and shall contain questions concerning the nature of the
11 development, including a description, location, uses,
12 intensities, and trip generation characteristics.

13 The Administrator shall, with the assistance of other
14 City departments, use the information to determine the net
15 trips, person miles of travel (PMT) and the mobility unit
16 (MU) demand generated by the proposed development. The
17 Administrator will consider the design, density, diversity
18 of the development, including commute-trip reduction
19 strategies, internal, diverted, and pass-by trips from
20 existing traffic in evaluating the MU demand. This
21 information will be used to determine compliance with this
22 division, and whether enough MUs from the six year program
23 and the Transportation Facility Plan (TFP) can be supplied
24 to meet travel demand from the development at the time of
25 opening, or within six years. If the MU supply is available
26 to serve the MU demand from the development, the
27 Administrator shall issue a certificate of concurrency that
28 shall expire if a complete application for the development
29 for which concurrency is reserved is not applied for within
30 120 days of issuance of the certificate of concurrency. The
31 City shall only approve a development application that has
32 a certificate of concurrency meeting the requirements of
33 this division.

1 If the proposed development does not pass the
2 concurrency test, the developer may provide supplemental
3 mitigation to meet concurrency requirements. The cost of
4 supplemental mitigation may be credited towards the
5 developer's impact fee obligation, subject to certain
6 limitations.

7 The Administrator shall determine the transportation
8 impact fee for the proposed development based on
9 information provided pursuant to RCDG 20D 210 10-090
10 through 20D 210 10-210, after the developer submits a
11 complete development application. Requests for an impact
12 fee exemption or credit against payment of the impact fee
13 shall be reviewed pursuant to RCDG 20D 210 10-180 and
14 20D 210 10-190, respectively.

15 Impact fees shall be used to pay for transportation
16 improvements identified in the City's TFP, and shall not
17 duplicate any mitigation provided under the State
18 Environmental Policy Act (SEPA).

19 The developer may appeal the Administrator's decision on
20 concurrency and/or impact fees according to the process
21 described in RCDG 20D 210 10-220, Administration and
22 Appeals.

23 For the administration of this division only, the
24 Administrator shall be the Directors of the Department of
25 Planning and Community Development and the Department of
26 Public Works, the Directors' authorized representative(s),
27 or any representative authorized by the Mayor (Ord 1928,
28 Ord 1908 (20C 100 010)).

29

1 **Transportation Concurrency**

2 **20D.210.10-020 Plan-Based Concurrency: Purpose and Intent.**

3 RCDG 20D 210 10-020 through 20D 210 10-080 sets forth
4 specific standards providing for City compliance with the
5 concurrency requirements of the State Growth Management Act
6 (GMA) and for consistency between City and County-wide
7 planning policies under the GMA. The GMA requires that the
8 City of Redmond,

9 "must adopt and enforce ordinances which prohibit
10 development approval if the development causes the
11 level-of-service on a transportation facility to decline
12 below the standards adopted in the transportation
13 element of the Comprehensive Plan, unless transportation
14 improvements or strategies to accommodate the impacts of
15 development are made concurrent with the development"

16 In response to the mandates of the GMA, the City of
17 Redmond has established a transportation level-of-service
18 (LOS) standard that seeks to balance mobility, circulation
19 and access¹ demands from existing and future development,
20 with the City's future vision, framework policies and
21 policies in the various elements of the Comprehensive Plan
22 Transportation Element Policy TR-4 is the City's
23 transportation LOS standard², establishing the specific
24 relationship between implementation of the Transportation
25 Facility Plan (TFP) and future development

26 To examine development impacts and determine whether a
27 proposed development meets the requirements of RCDG

¹ The Redmond *Comprehensive Plan* Transportation Element describes these demands as follows

To achieve Redmond's transportation vision the policies have been developed with a common understanding of the concepts of mobility, circulation, and access. "Mobility" is the ability to travel over distances, "circulation" is the ability to move about within an area connecting different localized land uses, and "access" is the ability to get to individual destinations.

² Redmond *Comprehensive Plan* Transportation Element p 9-3

1 20D 210 10-020 through 20D 210 10-080, concurrency
2 "testing" should occur prior to the submittal of a
3 development application, consistent with the requirements
4 of this division. If a proposed development passes the
5 concurrency test, the City shall issue a certificate of
6 concurrency, which shall expire if a complete application
7 for the development for which concurrency is reserved is
8 not applied for within 120 days of the issuance of the
9 certificate of concurrency. The requirements contained in
10 RCDG 20D 210 10 shall apply to all development applications
11 as specified below (Ord 1928, Ord 1908 (20C 100 030
12 (10))

13 If a proposed development does not pass the concurrency
14 test, RCDG 20D 210 10-080 lists available options for
15 consideration by the developer and the City. The
16 Administrator shall have final approval authority over any
17 options proposed by the developer.

18 **20D.210.10-030 Application.**

19 This section applies to

20 (1) All development approval applications filed after its
21 effective date that generate demand for more than 25
22 mobility units (MU)

23 (2) Phased Development. A phased development is any
24 development involving multiple buildings where
25 issuance of building permits could occur for
26 individual buildings. The requirements of this
27 section shall be applied at the time of approval of
28 the initial phase and may be adjusted for each
29 subsequent phase based on the cumulative impact of
30 all the phases.

31 (3) Single Projects. All development applications which
32 have been submitted by the same developer on the same
33 or contiguous parcel of land as a single project.

1 within the one-year period immediately prior to a
2 current application will be considered along with the
3 current application as being a single application for
4 purposes of determining under subsection (1) above,
5 whether this section applies

6 (4) Change in Occupancy This section will apply to
7 applications for tenant improvements if a proposed
8 new use or an expanded existing use will generate
9 demand for more than 25 additional MU

10 (5) Concomitant Agreements Unless the agreement
11 specifically provides otherwise, this section applies
12 to any development application that is subject to an
13 existing concomitant agreement

14 (6) Reconstruction of Destroyed Buildings If a building
15 is destroyed by fire, explosion or act of God or war,
16 or is demolished and is reconstructed in accordance
17 with the RCDG, it will not be required to comply with
18 this section unless the reconstructed building
19 generates demand for more than 25 MU in excess of
20 those produced by the destroyed building prior to its
21 destruction

22 (7) Development Agreements A development agreement may
23 include a provision whereby the City may grant a
24 certificate of concurrency for a proposed development
25 that meets the requirements of this division In the
26 development agreement, the City may also specify the
27 length of time for which a certificate of concurrency
28 is valid

29 **20D.210.10-040 Relationship to the State Environmental**
30 **Policy Act (SEPA).**

31 This division establishes minimum requirements
32 applicable to all developments and is not intended to
33 eliminate the use of the State Environmental Policy Act

1 (SEPA) An analysis of development specific impacts,
2 particularly transportation safety and operational issues
3 will occur, with mitigation identified as allowed under the
4 authority of SEPA

5 **20D.210.10-050 Administration.**

6 The Administrator shall be responsible for the
7 administration of this division and may adopt rules for its
8 implementation, provided the Administrator shall first hold
9 a public hearing The Administrator shall publish notice of
10 intent to adopt any rule and the date, time and place of
11 the public hearing thereon in a newspaper of general
12 circulation in the City at least 20 days prior to the
13 hearing date Any person may submit written comment to the
14 Administrator in response to such notice, and/or may speak
15 at the public hearing Following the public hearing the
16 Administrator shall adopt, adopt with modifications, or
17 reject the proposed rules (Ord 1928, Ord 1908
18 (20C 100 030 (50))

19 **20D.210.10-060 Concurrency and the Transportation Level-of-**
20 **Service (LOS) Standard.**

21 The City shall issue a certificate of concurrency only
22 if the City is able to determine that the unallocated
23 mobility unit (MU) supply necessary to provide for the MU
24 demand from a proposed development is available at the time
25 of opening or within six years, consistent with the City's
26 transportation level-of-service (LOS) standard

27 To calculate the MU supply available to serve proposed
28 development, the City shall include complete and fully
29 committed Transportation Facility Plan (TFP) or six-year
30 program improvements

31 **20D.210.10-070 Review of Development Proposals -**
32 **Concurrency Testing.**

1 The Administrator will use the Comprehensive Plan's land
2 use growth target and Transportation Facility Plan (TFP) to
3 determine the mobility unit (MU) demand expected from the
4 growth target and MU supply provided by the TFP The MU
5 demand shall be determined by calculating the person miles
6 of travel (PMT) generated by development, and shall
7 consider the design, density, diversity of the development,
8 including commute-trip reduction strategies, internal,
9 diverted, and pass-by trips from existing traffic in
10 evaluating the MU demand The PMT shall be translated into
11 MU demand such that such that one unit of PMT is equal to
12 one unit of MU demand

13 The MU supply provided by the TFP will be implemented
14 through the six year program The Administrator shall
15 calculate the MU supply available in each year of the six
16 year program and determine transportation concurrency for
17 each new development by ensuring that the MU demand from a
18 development does not exceed the MU supply that the City is
19 able to provide for that development under the six-year
20 plan This analysis of the MU demand and MU supply
21 relationship is a concurrency testing requirement to
22 maintain the City's transportation level-of-service (LOS)
23 standard under the Plan-Based concurrency system

24 The concurrency testing process is divided into the
25 following steps

26 (1) Application Any proposed development which is
27 subject to this division shall be tested for
28 transportation concurrency by the Administrator to
29 determine compliance with the City's transportation
30 concurrency policies and regulations,

31 (2) Certificate of Concurrency A proposed development
32 passes the transportation concurrency test if the
33 mobility unit (MU) demand from the proposed
34 development is less than or equal to the unallocated

1 MU supply from TFP The Administrator shall issue a
2 certificate of concurrency to a proposed development
3 that passes the concurrency test A valid certificate
4 of concurrency is necessary for development approval

5 A certificate of concurrency shall include an
6 adequate description of the development proposal to
7 which the certificate applies, and any further
8 information necessary to administer this division
9 The certificate may not be transferred to another
10 proposed development unless approved by the
11 Administrator

12 A certificate of concurrency shall be valid for
13 120 days The certificate of concurrency will remain
14 valid if a complete development application is
15 received by the City within 120 days of the
16 certificate being issued and subsequently for the
17 duration that development application is under review
18 by the City A certificate of concurrency will
19 continue to be valid for the same period of time as
20 the development approval granted by the City If the
21 development approval does not have an expiration
22 date, the certificate of concurrency shall be valid
23 for one year, and then up to two one- year extensions
24 upon approval by the Administrator

25 (3) Certificate of Concurrency Denial A certificate of
26 concurrency will be denied if the unallocated MU
27 supply is less than the MÜ demand from the proposed
28 development

29 (4) Administrator's Decision and Appeal Process
30 Decisions made by the Administrator pursuant to this
31 division may be appealed as specified in 20D 210 10-
32 220

1 (5) Expiration A certificate of concurrency shall
2 expire

3 a If a complete application for the development
4 for which concurrency is reserved is not made
5 within 120 days of issuance of the concurrency
6 certificate If a certificate of concurrency
7 expires before a complete development application
8 is submitted to the City, the developer must wait
9 14 days before submitting another concurrency
10 application request for the same development, or

11 b If either the related development application
12 expires or is denied, or if the related
13 development approval expires or is revoked by the
14 City

15 **20D.210.10-080 Available Options When the Mobility Unit**
16 **(MU) supply is Insufficient to Serve a Proposed**
17 **Development.**

18 (1) If a development is tested for transportation
19 concurrency, and does not pass, the developer may

20 a Reduce the size of the proposed development until
21 the MU demand is equal to or less than the MU
22 supply that is available,

23 b Delay the proposed development until the City or
24 others increase the MU supply,

25 c Obtain supplemental mitigation by purchasing
26 sufficient MUs to serve the MU demand of the
27 proposed development,

28 d Upon approval by the Administrator, a developer
29 may implement TDM strategies as supplemental
30 mitigation provided that the MU demand from a
31 proposed development is reduced due to the
32 elimination of trips, and the TDM strategies

1 become a legal project approval condition of the
2 development. The Administrator will determine,
3 consistent with accepted engineering and planning
4 practice, the appropriate reduction in trips and
5 mode split to be applied to the proposed
6 development, and shall review and approve the TDM
7 strategies proposed by the developer, provided
8 that

9 1. These strategies shall be prenegotiated and
10 approved by the Administrator,

11 ii. There shall be methods to monitor and
12 enforce TDM performance, and a fallback plan
13 which would be implemented if the
14 development fails to achieve TDM goals
15 within two years,

16 iii. The TDM strategies become a condition tied
17 to all future owners of the development and
18 property, and,

19 iv. The TDM strategies meet the criteria of
20 subsection (3) below

21 (2) Payment for and Timing of Supplemental Mitigation. If
22 allowed by the Administrator, a developer may provide
23 funding in an amount equal to the City's estimated
24 cost of the necessary MUs. The cost per MU supplied
25 shall be indexed for inflation using the same method
26 used to update transportation impact fees. The
27 Administrator, with the concurrence of other affected
28 City departments, may provide for latecomer
29 agreements as provided by state law or for other
30 reimbursement from properties benefited by the
31 improvements unless the City Council finds
32 reimbursement to be inappropriate. The Administrator
33 may require that a developer build or implement a

1 transportation improvement, rather than provide
2 funding

3 Funds for transportation improvements must be paid by
4 the developer to the City prior to issuance of a
5 building permit, final plat approval or other
6 approval requiring improvements under this section,
7 provided that the developer may, at the
8 Administrator's option, submit an assurance device in
9 a form approved by the Administrator

10 A developer providing supplemental mitigation may
11 receive credit towards payment of required
12 transportation impact fees Credit determination
13 shall be made according to RCDG 20D 210 10-190,
14 Credits Against Payment of Transportation Impact
15 Fees

16 (3) Supplemental Mitigation Decision Criteria -
17 Acceptable Supplemental Mitigation requires a finding
18 by the Administrator that

19 (a) The supplemental mitigation meets the definition
20 outlined in Chapter 20A 20 RCDG, or if a
21 developer proposes as supplemental mitigation a
22 transportation improvement that is not identified
23 in the City's Transportation Facility Plan (TFP),
24 the transportation improvement must first be
25 considered and approved as an amendment to the
26 Comprehensive Plan before the supplemental
27 mitigation is approved

28 (b) The MU supply is available concurrent with the
29 development or that a financial commitment is in
30 place to complete the improvement that provides
31 the MU supply within six years

32 (c) The effect of the improvement would not result in
33 a reduction or the loss of another transportation

1 objective, including but not limited to
2 maintaining high occupancy vehicle lanes,
3 sidewalks, paths, trails, or bicycle lanes

4 (d) Any adverse environmental impacts of the proposed
5 transportation improvement can be reasonably
6 mitigated

7 (e) The improvement is consistent with accepted
8 engineering and planning standards and practices

9 (f) Where practical, transportation improvements
10 required as part of supplemental mitigation,
11 should be made at locations most impacted by the
12 development

13 (g) A developer proposing TDM strategies demonstrates
14 that the MU demand is reduced. The developer must
15 have additional strategies to address a situation
16 where the reduction in MU demand is not met by
17 the developer's initial TDM strategies

18 (h) Notwithstanding the foregoing, the Administrator
19 has the authority to require correction of a
20 documented safety-related deficiency

21 (5) Supplemental Mitigation Denial Process. If the
22 Administrator determines that the proposed
23 supplemental mitigation does not meet the
24 requirements of this section, the Administrator may
25 deny the issuance of a certificate of concurrency
26 (Ord 1928, Ord 1908 (20C 100 030 (80)))

27

1 **Transportation Impact Fees**

2 **20D.210.10-090 Purpose and Intent.**

3 This section is intended to assist in the implementation
4 of the Comprehensive Plan consistent with the requirements
5 of the GMA, and

6 (1) To regulate the use and development of land so as to
7 assure that new development bears a proportionate
8 share of the cost of transportation improvements that
9 are necessary to support planned land uses and to
10 comply with the City's transportation level-of-
11 service (LOS) standard,

12 (2) To allow the City the option to impose transportation
13 impact fees to pay for previously incurred
14 transportation improvement costs, to the extent that
15 new growth and development will be served by these
16 improvements Such fees shall not be imposed to make
17 up for any transportation deficiencies (Ord 1908
18 (20C 100 040(10)))

19 **20D.210.10-100 Imposition of the Transportation Impact Fee.**

20 (1) Any person who seeks City approval for a development
21 that will generate additional travel demand, is
22 hereby required to pay a transportation impact fee in
23 the manner and amount set forth in this section

24 (2) No new development permit for any activity requiring
25 payment of an impact fee pursuant to RCDG 20D 210 10-
26 110 through 130 shall be issued unless and until the
27 transportation impact fee hereby required has been
28 paid

29 (3) No extension of a development permit issued prior to
30 the effective date of this section, for any activity
31 requiring payment of an impact fee pursuant to RCDG
32 20D 210 10-110 through 130, shall be granted unless

1 and until the transportation impact fee hereby
2 required has been paid (Ord 1908 (20C 100 040(20)))

3 **20D.210.10-110 Computation of the Transportation Impact Fee**
4 **and Administrator Decision.**

5 The City uses transportation impact fees from new
6 development to fund part of the Transportation Facility
7 Plan (TFP) consistent with the goals and policies of the
8 Comprehensive Plan The transportation improvements in the
9 TFP are intended to maintain, provide and improve mobility
10 in Redmond

11 Credit for future transportation related taxes has been
12 applied to the cost of the TFP to determine the net amount
13 which is funded through impact fees The method to be used
14 to calculate the impact fee for a particular development is
15 described in subsection (1) below The impact fee
16 determination shall be issued by letter from the
17 Administrator to the applicant for a development permit

18 (1) The amount of the transportation impact fee is
19 calculated by using the Transportation Impact Fees -
20 Fee Schedule in RCDG 20D 210 10-120The fee schedule
21 includes credit for future specifically dedicated
22 transportation taxes imposed for the purpose of
23 improving the transportation system

24 (a) If a development permit is requested for a mixed
25 use development, the fee shall be determined by
26 apportioning the space committed to uses
27 specified on the applicable schedule

28 (b) For applications for a development permit
29 approval extension

30 The amount of the fee is the net positive
31 difference between the fee currently applicable,
32 and the fee applicable at the time of original
33 permit application, pursuant to this section If

1 the extension is for a development permit
2 originally issued prior to the effective date of
3 this section, the fee currently applicable shall
4 be collected

5 (c) For applications for a change of use,
6 redevelopment, expansion, or modification of an
7 existing use, which requires the issuance of a
8 development permit

9 The amount of the fee is the net positive
10 difference between the fee currently applicable
11 for the use after redevelopment, expansion, or
12 modification, compared to the fee that is
13 currently applicable for the use prior to
14 redevelopment, expansion, or modification,
15 pursuant to RCDG Sections 20D 210 10-110 through
16 130 The same fee calculation shall apply if an
17 application was originally issued prior to the
18 effective date of these regulations

19 In determining the transportation impact
20 fee, the Administrator shall be guided by
21 appropriate technical analysis and information
22 contained in the Transportation Master Plan
23 (TMP), other City technical reports and
24 functional plans, and the most recent edition of
25 Trip Generation, published by the Institute of
26 Transportation Engineers

27 (d) If the type of development activity proposed in a
28 development application is not specified on the
29 applicable fee schedule, the Administrator shall
30 use the fee applicable to the most nearly
31 comparable type(s) of land use on the fee
32 schedule The Administrator shall be guided in
33 this selection by the most appropriate technical
34 and professional data If the Administrator

1 determines that there is no comparable type of
2 land use on the applicable fee schedule, the
3 Administrator shall determine the fee by

4 (1) Using person trip generation data provided by
5 City staff, the developer and data contained
6 in the most recent edition of Trip Generation,
7 published by the Institute of Transportation
8 Engineers, and

9 (11) Applying the formula set forth in RCDG
10 20D 210 10-110(2) below

11 (2) A fee payer may prepare and submit an independent
12 transportation impact fee study to the Administrator,
13 with documentation as specified in paragraphs (a),
14 (b), and (c) below, following the prescribed
15 methodologies and formats established as an appendix
16 to the Redmond Community Development Guide Along
17 with the study, the developer shall submit an
18 administrative processing fee in an amount specified
19 by separate ordinance Based upon the documentation
20 provided by the fee payer in the impact fee study,
21 the cost per person mile of travel (PMT) shall be
22 determined by the Administrator Documentation by the
23 fee payer shall include

24 (a) Documentation of person trip generation rate(s)
25 appropriate for the proposed land development
26 activity

27 (b) Documentation of average trip length appropriate
28 for the proposed land development activity

29 (c) Documentation of any other trip data appropriate
30 for the proposed land development activity

31 Independent documentation, including any studies,
32 shall be prepared and presented by professionals
33 qualified in their respective fields The

1 Administrator shall consider the documentation
 2 submitted by the fee payer, but is not required to
 3 accept such documentation as he/she shall reasonably
 4 deem to be inaccurate or not reliable, in the
 5 Administrator's determination of the impact fee The
 6 Administrator may, in the alternative, require the
 7 fee payer to submit additional or different
 8 documentation for consideration If acceptable
 9 independent documentation is not presented, the fee
 10 payer shall pay transportation impact fees based upon
 11 the schedules shown in RCDG 20D 210 10-120 above

12 Upon acceptance of independent documentation, the
 13 following formula shall be used by the Administrator
 14 to determine the impact fee per unit of development

$$\begin{matrix} \text{New} \\ \text{Person} \\ \text{Traveled} \end{matrix} \text{ Miles} = \begin{matrix} \text{Person} \\ \text{Generation Rate} \end{matrix} \times \begin{matrix} \text{Trip} \\ \text{Trips} \end{matrix} \% \times \begin{matrix} \text{New} \\ \text{Average} \\ \text{Trip} \\ \text{Length} \end{matrix}$$

15

$$\begin{matrix} \text{Impact} \\ \text{Fee} \end{matrix} = \begin{matrix} \text{New} \\ \text{Person} \\ \text{Traveled} \end{matrix} \text{ Miles} \times \begin{matrix} \text{Cost per Person Mile of Travel (PMT)} \\ \text{(from RCDG 20D 210 10-120, City of} \\ \text{Redmond Adopted Transportation Impact} \\ \text{Fees - Fee Schedule, or its successor)} \end{matrix}$$

16 (Ord 2016, Ord 1954, Ord 1940, Ord 1928, Ord 1908
 17 (20C 100 040(30)), Ord 1907)

18 **20D.210.10-120 City of Redmond Adopted Transportation**
 19 **Impact Fees - Fee Schedule.**

20 See the current City of Redmond transportation impact
 21 fee schedule

22 **20D.210.10-130 Impacts to King County Transportation**
 23 **Facilities.**

1 (1) Collection of Fees In addition to the transportation
2 impact fees established under RCDG 20D 210 10-110 and
3 120, the City shall collect impact fees for those
4 King County transportation facilities identified in
5 the most current list of County growth-related
6 projects adopted by the City, provided that such fees
7 shall be collected only during the term of any
8 interlocal agreement between the City and the County
9 providing for the reciprocal collection of each
10 other's impact fees

11 (2) Fee Imposed

12 (a) Any person who, after the effective date of this
13 section, seeks to develop land within the City of
14 Redmond, by applying for development approval for
15 a development which will generate additional
16 travel demand, is hereby required to pay, in
17 addition to the impact fee provided in RCDG
18 20D 210 10-110 and 120, a fee for impacts to King
19 County transportation facilities as set forth in
20 this section

21 (b) No new development permit for any activity
22 requiring payment of any impact fee under this
23 section shall be issued unless and until the
24 transportation impact fee hereby required has
25 been paid

26 (c) No extension of a development permit issued prior
27 to the effective date of this section, for any
28 activity requiring payment of an impact fee under
29 this section, shall be granted unless the
30 transportation impact fee hereby required has
31 been paid

32 (3) Computation of Fees - Fee Schedule The City will
33 calculate impact fees for County transportation

1 facilities in accordance with the County methodology
2 described in King County Code Chapters 14 65 and
3 14 75 ("the County MPS System"), as the same now
4 exist or as the same may be amended or superseded,
5 and development impact data supplied by the County
6 and City The impact fee so calculated shall be
7 referred to as the County MPS Fee for purposes of
8 this section

9 (4) Payment of Fees The fee payer shall pay the County
10 MPS Fee required by this section to the
11 Administrator, or the Administrator's designee, prior
12 to the issuance of a building permit consistent with
13 a development approval

14 (5) County MPS Fee Account There is hereby established a
15 separate County MPS Fee account into which all fees
16 collected pursuant to this section shall be
17 deposited The account shall be interest bearing and
18 the funds deposited in the account shall be disbursed
19 only as provided in this section

20 (6) Use of Funds - Transfer to County

21 (a) The City will transfer the principal amount of
22 all County MPS Fees collected by the City to the
23 County at such intervals as may be provided in
24 the interlocal agreement The City will retain
25 all interest earned on the funds collected for
26 the County MPS Fees while the same remain in the
27 City's accounts in order to compensate the City
28 for its handling of the funds The City will not
29 pay interest to the County on such fees

30 (b) All funds transferred to the County under this
31 section shall be expended or encumbered by the
32 County within six years after the date of
33 collection and may only be so expended or

1 encumbered for County transportation facilities
2 which reasonably benefit the new development
3 which paid said fees In the event that the
4 County does not so expend or encumber the fees
5 within the six-year period, the County will
6 return such fees to the City, unless the County
7 Council makes a written finding pursuant to RCW
8 82 02 070(3) that there exists an extraordinary
9 or compelling reason for the fees to be held
10 longer than six years

11 (7) Refund of Fees Paid Fee payers may apply for refunds
12 of County MPS Fees collected pursuant to this section
13 in the same manner and for the same reasons as are
14 set forth in RCDG 20D 210 10-170 with respect to
15 impact fees related to City transportation
16 facilities

17 (8) Exemptions Those development activities which are
18 exempt from the payment of transportation impact fees
19 under the County's MPS system shall be exempt from
20 the payment of impact fees under this section

21 (9) Adjustments Pursuant to RCW 82 02 060(4) and (5),
22 the County MPS Fees collected under this section may
23 be adjusted based upon unusual circumstances or based
24 upon studies and data provided by developers of
25 individual projects Such adjustments shall be made
26 utilizing the process and criteria described in RCDG
27 20D 210 10-110

28 (10) Credits Those fee payers who are entitled to
29 credits against impact fees under the County MPS
30 System shall be entitled to credits against the
31 County MPS Fees imposed under this section

32 (11) Payments Under Protest and Appeals Impact fees
33 paid under this section may be paid under protest in

1 order to obtain a building permit or other approval
2 or permit Determinations made by the Administrator
3 pursuant to this section may be appealed as specified
4 in RCDG 20D 210 10-200 and 20D 210 10-220 (Ord
5 2057)

6 **20D.210.10-140 Adopted King County Transportation Impact**
7 **Fees to Mitigate Impacts on Transportation Facilities in**
8 **Unincorporated King County.**

9 See the current King County transportation impact fee
10 schedule

11 **20D.210.10-150 Payment of the Transportation Impact Fee.**

12 (1) The fee payer shall pay the transportation impact
13 fee required by this section to the Administrator or
14 designee prior to the issuance of a building permit
15 consistent with a development approval

16 (2) All funds collected shall be promptly transferred
17 for deposit in the appropriate transportation impact
18 fee accounts and used solely for the purposes
19 specified in this chapter (Ord 1928, Ord 1908
20 (20C 100 040(40)))

21 **20D.210.10-160 Use of Funds.**

22 (1) Transportation impact fee receipts shall be earmarked
23 specifically and retained in special interest-bearing
24 accounts All interest shall be retained in the
25 account and expended for the purpose or purposes for
26 which the impact fees were imposed The Administrator
27 shall annually provide a report to the Mayor and City
28 Council on each impact fee account showing the source
29 and amount of all moneys collected, earned, or
30 received and transportation system improvements that
31 were financed in whole or in part by transportation
32 impact fees

1 (2) Impact fees for transportation system improvements
2 shall be expended only in conformance with the
3 Transportation Facility Plan (TFP)

4 (3) Impact fees shall be expended or encumbered for a
5 permissible use within six years of receipt, unless
6 there exists an extraordinary and compelling reason
7 for fees to be held longer than six years Such
8 extraordinary or compelling reasons shall be
9 identified in written findings by the City Council as
10 provided in RCDG 20D 210 10-170

11 (4) Impact fees may be paid under protest in order to
12 obtain a permit or other development approval of
13 development activity Protest must be submitted in
14 writing to the City within 30 days of payment of the
15 fee

16 (5) Funds may be used to provide refunds as described in
17 RCDG 20D 210 10-170

18 (6) The City shall be entitled to retain not more than
19 three-tenths percent of the funds collected as
20 compensation for the expense of collecting the fee
21 and administering this section (Ord 1928, Ord 1908
22 (20C 100 040(70)))

23 **20D.210.10-170 Refund of Fees Paid.**

24 (1) The owner of the property on which the impact fee was
25 paid may receive a refund of such fees if the City
26 fails to expend or encumber the impact fees within
27 six years of when the fees were paid or such other
28 period of time established pursuant to RCW
29 82 02 070(3), on transportation facilities intended
30 to benefit the development for which the
31 transportation impact fees were paid, unless the City
32 Council finds that there exists an extraordinary and

1 compelling reason for fees to be held longer than six
2 years

3 The request for a refund must be submitted by
4 the applicant to the City in writing within one year
5 of the date the right to claim the refund arises Any
6 transportation impact fees that are not expended or
7 encumbered within six years, and for which no
8 application for a refund has been made within one
9 year of the date the right to claim the refund
10 arises, shall be retained and expended on projects
11 identified in the adopted TFP Refunds of
12 transportation impact fees under this subsection
13 shall include interest earned on the impact fees

14 (2) Should the City terminate any or all impact fee
15 requirements, all unexpended or unencumbered funds,
16 including interest earned, shall be refunded pursuant
17 to this section Upon the finding that any or all fee
18 requirements are to be terminated, the City shall
19 place notice of such termination and the availability
20 of refunds in a newspaper of general circulation at
21 least two times and shall notify all potential
22 claimants by first class mail to the last known
23 address of claimants All funds available for refund
24 shall be retained for a period of one year At the
25 end of one year, any remaining funds shall be
26 retained by the City, but must be expended for
27 projects identified in the adopted TFP This notice
28 requirement shall not apply if there are no
29 unexpended or unencumbered balances within an account
30 or accounts being terminated

31 (3) A developer may request and shall receive a refund,
32 including interest earned on the transportation
33 impact fees, when the developer does not proceed with
34 the development activity and no impact has resulted

1 The City shall be entitled to retain not more than
2 three-tenths percent of the funds collected as
3 compensation for the expense of collecting the fee
4 and administering this section (Ord 2130, Ord
5 1928, Ord 1908 (20C 100 040(80)))

6 **20D.210.10-180 Exemptions from Payment of Transportation**
7 **Impact Fees.**

8 See RCDG 20D 60 10-040, Exemptions to the Requirement to
9 Pay Impact Fees, or its successor, and 20D 60 10-050,
10 Exemptions to the Requirement to Pay Impact Fees for Low-
11 and Moderate-Income Housing, or its successor, for the
12 transportation impact fee exemptions (Ord 2072, Ord
13 1928, Ord 1908 (20C 100 040(90)))

14 **20D.210.10-190 Credits Against Payment of Transportation**
15 **Impact Fees.**

16 (1) No credit shall be given for project improvements
17 and/or right-of-way dedications classified as project
18 improvements

19 (2) Credit shall be given by the Administrator for
20 supplemental mitigation provided by a developer when
21 the following conditions are met

22 (a) To avoid the duplicate collection of money for a
23 particular transportation improvement, credit
24 given to a fee payer for payment or construction
25 of supplemental mitigation shall be equal to the
26 cost of the improvement or impact fee amount
27 allocated by the City towards that portion of the
28 improvement, whichever is less,

29 (b) The developer's supplemental mitigation offer
30 must specifically request a transportation impact
31 fee credit Construction of transportation
32 improvements must be in accordance with City of
33 Redmond design standards as applicable,

1 (c) The supplemental mitigation is constructed in
2 accordance with City design standards

3 (3) After determining the amount of impact fees a
4 developer is required to pay towards particular
5 impact fee projects, the Administrator shall provide
6 the developer with a letter or certificate setting
7 forth the dollar amount of the credit a developer
8 shall receive for dedication and/or construction of a
9 supplemental mitigation project. The Administrator
10 shall further state the reason for the credit, and
11 the legal description or other adequate description
12 of the project or development to which the credit may
13 be applied. The developer must sign and date a
14 duplicate copy of such letter or certificate
15 indicating his agreement to the terms of the letter
16 or certificate and return such signed document to the
17 Administrator before credit will be given. The
18 failure of the applicant to sign, date, and return
19 such document within 60 days shall nullify the
20 credit.

21 (4) Credit against impact fees otherwise due will not be
22 provided until

23 (a) The construction, dedication or implementation is
24 completed and accepted by the City of Redmond, or a
25 jurisdiction which has an interlocal agreement with
26 the City under the terms of this section, or the
27 State, whichever is applicable,

28 (b) Acceptable financial security is received and
29 approved by the Administrator of the City of
30 Redmond, when applicable, and

31 (c) All design, construction, inspection, testing,
32 financial security, and acceptance procedures are
33 in strict compliance with the then current City of

1 Redmond design and construction standards, when
2 applicable

3 (5) Credit may be provided before completion of
4 specified transportation improvement(s) if adequate
5 assurances are given by the applicant that the
6 standards set out in RCDG 20D 210 190(3)(b) above
7 will be met and if the developer posts security as
8 provided below for the costs of such construction
9 The Administrator shall determine

10 (a) Security amount,

11 (b) Form of the security, such as a performance bond,
12 irrevocable letter of credit, or escrow agreement

13 (6) If the transportation improvement(s) will not be
14 constructed, dedicated or implemented within one year
15 of the acceptance of the offer by the Administrator,
16 the amount of the security shall be increased by 10
17 percent compounded for each year of the life of the
18 security The revised security shall be reviewed and
19 approved by the Administrator prior to acceptance of
20 the security by the Administrator If the
21 transportation improvement(s) is not to be completed
22 or implemented within five years of the date of the
23 fee payer's offer, the City Council must approve the
24 transportation improvement(s) and its scheduled
25 completion date prior to the acceptance of the offer
26 by the Administrator

27 (7) Any claim for credit must be made prior to approval
28 of an application for a development permit Any claim
29 not so made shall be deemed waived

30 (8) Credits shall not be transferable from one
31 development to another without the approval of the
32 Administrator

1 (9) The amount of credit granted to a developer shall not
2 exceed the amount of the impact fee the developer is
3 required to pay (Ord 1928, Ord 1908
4 (20C 100 040(100)))

5 **20D.210.10-200 Appeals.**

6 Determinations made by the Administrator pursuant to
7 this division may be appealed as specified in RCDG
8 20D 210 10-220 (Ord 1928, Ord 1908 (20C 100 040 (110)))

9 **20D.210.10-210 Review.**

10 (1) The Planning Commission and City Council shall review
11 the fee schedule in RCDG 20D 10 120 prior to December
12 31, 2008 If this review does not occur, the City
13 shall continue to collect impact fees at the rate in
14 effect, but shall not continue to index impact fees
15 for subsequent years until the required impact fee
16 review by the Planning Commission and City Council
17 occurs (Ord 2298, Ord 2297, Ord 1908 (20C 100 040
18 (120)))

19 (2) The Administrator shall prepare the following reports
20 to the City Council

21 a An annual mobility unit (MU) demand forecast and
22 supply estimate,

23 b Quarterly updates once the mobility unit (MU)
24 threshold of 2,500 MU or 5% of the MU supply
25 remains in the Transportation Facility Plan (TFP)
26 whichever is greater Immediate notice shall be
27 provided when the threshold is initially reached
28 or exceeded

29 c An evaluation of the Plan-Based concurrency
30 regulations, including comments from developers

31 **20D.210.10-220 Administration and Appeals.**

1 (1) The Administrator is authorized to prepare documents,
2 forms and guidelines necessary for the implementation
3 of this chapter These should include a
4 "Transportation Concurrency Certificate Request", and
5 "Concurrency Certificate" forms

6 (2) Any appeal of the administration and decisions made
7 pursuant to this chapter shall follow the process
8 specified in RCDG Title 20F The Administrator's
9 decisions in this chapter that are subject to appeal
10 are

11 (a) Concurrency determination,

12 (b) Impact fee determination

13 (3) An appeal must be filed with the Department of
14 Planning and Community Development within 10 working
15 days of the determination (Ord 1928, Ord 1908
16 (20C 100 050))

17 N \Concurrency Update 2007\Council Notebook\081103 Exh B RCDG 20D 210 10 Trans Mgmt
18 Code City Council version FINAL doc

EXHIBIT 2

1 Redmond Community Development Guide

2 20A.20 Definitions

3 Administrator

4 Also, Code Administrator Unless otherwise specified,
5 the Administrator shall be the Director of Planning and
6 Community Development or his/her designated representative
7 (Ord 1954)

8 Average Trip Distance.

9 The average length of a trip measured in miles that is
10 generated by a land use

11 Average Weekday Vehicle Trips.

12 The number of all vehicles entering or leaving a site
13 during a 24-hour period Monday through Friday

14 Background Traffic.

15 The volume of traffic that is projected to occur on
16 the street system as of the anticipated date of occupancy
17 of a project (Ord 1908)

18 Buildout Transportation Facility Plan (BTFP).

19 The transportation plan that serves the buildout land
20 use scenario, and is contained in the Appendix of the
21 Transportation Master Plan

22 Capacity.

23 The level of mobility provided by a transportation
24 improvement, including facilities, projects, programs or
25 services Mobility is calculated and measured in terms of
26 mobility units (MU) for the purpose of determining
27 transportation concurrency and is based on the number of
28 person trips generated by a land use multiplied by the
29 average trip length, and reported as person miles of travel
30 (PMT)

1 **Capital Facilities Plan (CFP).**

2 A section of the Comprehensive Plan which contains a
3 discussion and an inventory of significant publicly owned
4 capital facilities which provide service to Redmond
5 citizens and businesses, in support of plan goals and
6 policies The CFP includes the transportation facility plan
7 (TFP) (Ord 1908)

8 **Capital Investment Program (CIP).**

9 The Capital Investment Program is a six-year program
10 of capital improvements, including facilities, programs,
11 projects and services that include fire, park,
12 transportation and other improvements necessary to serve
13 the current and future needs of those who live and work in
14 Redmond The CIP is a six-year financial programming
15 document of City revenues and expenditures for these
16 improvements

17 **Certificate of Concurrency.**

18 A written document prepared by the Administrator
19 stating that a particular development meets the concurrency
20 requirements of RCDG 20D 210 10, Transportation Management
21 Code (Ord 1928, Ord 1908)

22 **City.**

23 The City of Redmond, Washington (Ord 1908)

24 **Comprehensive Plan.**

25 The long-range plan used as a guide for the physical,
26 economic, and social development of Redmond The
27 Comprehensive Plan is contained in the Community
28 Development Guide (Ord 1908)

29 **Concurrency, Transportation.**

30 A requirement of the 1990 Growth Management Act (RCW
31 36 70A 070(6)) that the City must enforce an ordinance
32 precluding development approval if a development would

1 cause the transportation LOS to fall below the City's
2 adopted LOS standard, unless revenues are secured to
3 complete mitigating transportation improvements or
4 strategies within six years. If a development fails to meet
5 the concurrency test, supplemental mitigation in the form
6 of transportation improvements or strategies will be
7 required to accommodate the impacts of the development and
8 allow it to achieve concurrency. Transportation demand
9 management (TDM) and other mobility strategies may be used
10 (Ord 1908)

11 Maintaining transportation concurrency means
12 implementing transportation improvements in proportion to
13 the level of new development as required by Comprehensive
14 Plan Transportation Policy TR-3 and regulations in RCDG
15 20D 210 10

16 **Degradation/Degraded.**

17 A deterioration in the level-of-service (LOS)

18 **Demand Management Strategies.**

19 See Transportation Demand Management (Ord 1908)

20 **Department.**

21 For the purposes of RCDG Title 20F, any division,
22 subdivision or organizational unit of the City established
23 by ordinance, rule or order (Formerly 20F 30 040(05))

24 **Developer.**

25 See Fee Payer (Ord 1908)

26 **Development.**

27 The division of a parcel of land into two or more
28 parcels, the construction, reconstruction, conversion,
29 structural alteration, relocation, or enlargement of any
30 structure, any mining, excavation, grading, landfill,
31 drainage, removal of vegetation, or disturbance of land or

1 water, and use of land or water or the intensification or
2 extension of the use of land or water (Ord 1901)

3 For the purposes of administering Chapter 20D 60 RCDG,
4 Impact Fees and RCDG 20D 210 10, Transportation Management
5 Code, "development" shall mean in addition to the
6 activities in the previous paragraph, any change in the use
7 of a building or structure, or any changes in the use of
8 land, where the construction, expansion, or change, when
9 occupied or used for its intended purpose, has adverse
10 impacts on, and may create additional demand and need for
11 public facilities, programs, projects or services including
12 fire, park, school or transportation facilities, programs,
13 projects or services (Ord 1954, Ord 1913, Ord 1909)

14 **Development Application.**

15 A written request completed by a developer, seeking
16 City approval for a development

17 **Development Approval.**

18 Any authorization issued by the City of Redmond which
19 approves a development (Ord 1908)

20 **Development Permit.**

21 Any written authorization from the City of Redmond
22 which authorizes the commencement of development (Ord
23 1908)

24 **Dwelling Unit.**

25 A single unit providing complete, independent living
26 facilities for not more than one family and permitted
27 roomers and boarders including permanent provisions for
28 living, sleeping, eating, cooking and sanitation A mobile
29 home, manufactured home, modular home, apartment,
30 condominium, townhouse, single-family attached or detached
31 house, or accessory dwelling unit is considered to a be a
32 dwelling unit (Ord 1901)

1 **Fee Payer.**

2 A person proposing a development which generates
3 travel demand on the transportation system, for which
4 development approval is required (Ord 1928, Ord 1908)

5 **Fully Funded Project.**

6 A project in the most recently adopted transportation
7 portion of the transportation capital improvement program
8 (TCIP) for the City or similar capital program of another
9 jurisdiction which has sufficient revenues secured for
10 construction Unsecured revenues include those from
11 unformed local improvement districts, insufficient
12 developer fees or contributions, or revenues not yet
13 programmed for expenditure by outside agencies (Ord 1928,
14 Ord 1908)

15 **Gross Floor Area (GFA).**

16 The area included within the surrounding exterior
17 walls of a building or portion thereof, exclusive of vent
18 shafts, elevator shafts, stairwells, courts, second story
19 atriums and lobbies Usable area under a horizontal
20 projection of a roof or floor above, not provided with
21 surrounding exterior walls shall be included within the
22 total gross floor area (Ord 1901)

23 **Gross Leasable Area (GLA).**

24 The total floor area for which a tenant pays rent and
25 that is designated for the tenant's occupancy and is
26 exclusive of common areas shared with other tenants such as
27 utility rooms, stairwells and malls ¹

28 **Growth.**

29 See "New Development" definition

30 **Growth Management Act (GMA).**

¹ *The New Illustrated Book of Development Definitions* The Center for Urban Policy Research
Harvey S Moskowitz and Carl G Lindbloom 1993 p 130

1 The Washington State Growth Management Act enacted in
2 1990, and amendments in succeeding years (Ord 1908)

3 **Impact Fee - Fire, Park, School - Land Uses.**

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

7 (1) Single-Family Dwelling Unit See "Single-Family
8 Dwelling Unit" definition

9 (2) Multi-Family Dwelling Unit See "Multi-Family
10 Dwelling Unit" definition

11 (3) Manufacturing Uses Land or structures that will have
12 manufacturing facilities for firms or uses which have
13 Standard Industrial Classifications (SIC) of Major
14 Group 20 through Major Group 39, SIC Major Group 40
15 through Major Group 49, SIC Major Group 15 through
16 Major Group 17, SIC Major Groups 50 and 51 and
17 warehouses

18 (4) Office Uses

19 (a) A structure, room or series of rooms where the
20 affairs of a business, professional person, or
21 branch of government are carried out Uses which
22 would be primarily classified as one of the other
23 defined uses shall not be classified as office
24 uses

25 (b) Land or structures used by firms or uses that
26 have SICs of Major Group 60 through Major Group
27 97, excluding Major Groups 75, 76, 78 and 88

28 (5) Retail Uses Land or structures used by firms or uses
29 that have SICs of Major Group 52 through Major Group
30 59 and SIC Major Groups 75, 76 and 78 (Ord 2298,
31 Ord 2297, Ord 2216, Ord 1954)

32 **Impact Fee - Transportation.**

1 A payment of money required from development as a
2 condition of development approval to pay for transportation
3 improvements needed to serve new growth and development,
4 and is

5 (1) Reasonably related to the new development that
6 creates additional demand and need for transportation
7 improvements,

8 (2) A proportionate share of the cost of the public
9 improvements, and,

10 (3) Is used for improvements that reasonably benefit the
11 new development

12 A transportation impact fee may be used to pay for a
13 portion of the cost of transportation improvements
14 contained in the Transportation Facility Plan (TFP)
15 previously incurred by the City, to the extent that new
16 growth and development will be served by the previously
17 funded and completed improvements, provided such fee shall
18 not be imposed to make up for any deficiencies A
19 transportation impact fee does not include a reasonable
20 permit or application fee (Ord 1908)

21 **Impact Fee - Transportation - Land Uses.**

22 For the purposes of administering RCDG 20D 210 10,
23 Transportation Management Code, the land uses in the
24 Transportation Impact Fee Schedule are defined as follows

25 (1) Administrative Office Building An administrative
26 office building houses one or more tenants and is the
27 location where affairs of a business, commercial or
28 industrial organization, professional person or firm
29 are conducted The building or buildings may be
30 limited to one tenant, either the owner or lessee, or
31 contain a mixture of tenants including professional
32 services, insurance companies, investment brokers,
33 and company headquarters Services such as a bank or

- 1 savings and loan, a restaurant or cafeteria,
2 miscellaneous retail facilities, and fitness
3 facilities for building tenants may also be included
- 4 (2) Bank/Savings and Loan A freestanding building, with
5 or without a drive-up window, for the custody, loan,
6 or exchange of money, for the extension of credit,
7 and for facilitating the transmission of funds
- 8 (3) Car Sales (New and Used) Facilities are generally
9 located as strip development along major arterial
10 streets which already have a preponderance of
11 commercial development Generally included are auto
12 services and parts sales along with a sometimes
13 substantial used-car operation Some dealerships also
14 include leasing activities and truck sales and
15 servicing
- 16 (4) Car Wash Manual operations where the driver parks
17 and washes the vehicle in a stall, or an automated
18 facility for the same purpose
- 19 (5) Church A building providing public worship
20 facilities Generally houses an assembly hall or
21 sanctuary, meeting rooms, classrooms, and
22 occasionally dining facilities
- 23 (6) Congregate Care/Assisted Living One or more multi-
24 unit buildings designed for the elderly or those who
25 are unable to live independently due to physical or
26 mental handicap Facilities may contain dining rooms,
27 medical facilities, and recreational facilities
- 28 (7) Convenience Store A use which combines retail food
29 sales with fast foods or take-out food service,
30 generally open long hours or 24 hours a day
- 31 (8) Day Care A facility for the care of infant and
32 preschool age children during the daytime hours

1 Generally includes classrooms, offices, eating areas,
2 and a playground

3 (9) Discount/Department Store Freestanding store with
4 off-street parking Usually offers centralized
5 cashiering and a wide range of products Often is the
6 only store on a site, but can be found in mutual
7 operation with its own or other supermarkets, garden
8 centers and service stations, or as part of
9 community-sized shopping centers

10 (10) Elementary School Serves students between the
11 kindergarten and high school levels

12 (11) Fast Food and Take-Out Restaurant An eating
13 establishment which offers quick food service and a
14 limited menu of items Food is generally served in
15 disposable wrappings or containers, and may be
16 consumed inside or outside the restaurant building
17 Usually has a drive-up window

18 (12) Furniture Store Furniture stores specialize in
19 the sale of furniture and carpeting The stores are
20 generally large and include storage areas

21 (13) Health Club/Racquet Club Privately owned
22 facilities with tennis courts, swimming pools,
23 racquet ball courts, handball courts, other minor
24 gymnastic facilities Features exercise, sports, and
25 other active physical conditioning, as well as a
26 broader range of services such as juice bars and
27 meeting rooms

28 (14) High School Ninth, tenth, eleventh, and twelfth
29 grades

30 (15) High Turnover Restaurant Sit-down eating
31 establishment where customers general stay less than
32 one hour Usually, moderately priced and frequently
33 belongs to chains, is sometimes open 24 hours per

1 day Usually serves breakfast, lunch, and dinner,
2 generally does not have a drive-up window

3 (16) Hospital A building or buildings designed for
4 the medical, surgical diagnosis, treatment and
5 housing of persons under the care of doctors and
6 nurses Rest homes, nursing homes, convalescent homes
7 and clinics are not included

8 (17) Hotel/Motel A place of lodging providing
9 sleeping accommodations, restaurants, cocktail
10 lounges, meeting and banquet rooms or convention
11 facilities

12 (18) Industrial Park/Research and Development
13 Industrial parks are areas containing a number of
14 industrial or related facilities They are
15 characterized by a mix of manufacturing, service and
16 warehouse facilities with a wide variation in the
17 proportion of each type of use from one location to
18 another Many industrial parks contain highly
19 diversified facilities, some with a large number of
20 small businesses and others with one or two dominant
21 industries Research centers are facilities or groups
22 of facilities devoted nearly exclusively to research
23 and development activities While they may also
24 contain offices and some light fabrication areas, the
25 primary function is that of research and development

26 (19) Library A public facility for the use, but not
27 sale, of literary, musical, artistic, or reference
28 materials

29 (20) Light Industrial/Manufacturing A facility where
30 the primary activity is the conversion of raw
31 materials or parts into finished products Generally
32 also has offices and associated functions Typical
33 light industrial uses are printing plants, material

- 1 testing laboratories, assemblers of data processing
2 equipment, and power stations
- 3 (21) Medical Office/Clinic A facility which provides
4 diagnoses and outpatient care on a routine basis but
5 which is unable to provide prolonged in-house
6 medical/surgical care A medical office is generally
7 operated by either a single private physician/dentist
8 or a group of doctors and/or dentist
- 9 (22) Miscellaneous Retail A store which sells retail
10 goods to the ultimate consumer for direct consumption
11 and not for resale
- 12 (23) Movie Theater Consists of audience seating, one
13 or more screens and auditoriums, and a lobby and
14 refreshment stand
- 15 (24) Multi-Family See "Multi-Family Dwelling Unit"
16 definition
- 17 (25) Nursing Home A facility whose primary function
18 is to provide chronic or convalescent care for
19 persons who by reason of illness or infirmity are
20 unable to care for themselves Applies to rest homes,
21 chronic care, and convalescent homes
- 22 (26) Post Office Houses service windows for mailing
23 packages and letters, post office boxes, offices,
24 vehicle storage areas, and sorting and distribution
25 facilities for mail
- 26 (27) Restaurant An eating establishment with turnover
27 rates generally of at least one hour or longer
28 Generally, does not serve breakfast and may or may
29 not serve lunch
- 30 (28) Retirement Community Residential units similar
31 to apartments or condominiums, restricted to adults
32 or senior citizens

1 (29) Service Station with Minimart A facility which
2 combines elements of a convenience store and a gas
3 station Convenience food items are sold along with
4 gasoline and other car products, gas pumps are
5 primarily or completely self-service

6 (30) Service Station without Minimart A facility used
7 for the sale of gasoline, oil, and lubricants May
8 include areas for servicing, repairing, and washing
9 vehicles

10 (31) Shopping Center An integrated group of
11 commercial establishments which is planned,
12 developed, owned, or managed as a unit On-site
13 parking facilities are provided, and administrative
14 office areas are usually included

15 (32) Single-Family See "Single-Family Dwelling Unit,
16 Attached" and "Single-Family Dwelling Unit, Detached"
17 definitions

18 (33) Supermarket Retail store which sells a complete
19 assortment of food, food preparation and wrapping
20 materials, and household cleaning and servicing
21 items

22 (34) Warehousing/Storage Facilities which are
23 primarily devoted to the storage of materials They
24 may also include office and maintenance areas (Ord
25 1954, Ord 1907)

26 **Implementation, Transportation.**

27 To build, fund, operate or regulate a transportation
28 facility, program, project and service

29 **Improvement, Transportation.**

30 An enhancement that has a beneficial impact on the
31 level of mobility for people and goods, through the

1 operation or construction of a transportation facility,
2 program, project and service

3 **Independent Documentation Study.**

4 The traffic engineering documentation prepared by a
5 fee payer to allow the determination of a nonstandard
6 transportation impact fee by the city, rather than by the
7 use of the transportation impact fee schedule contained in
8 RCDG 20D 210 10, Transportation Management Code (Ord
9 1908)

10 **Infrastructure.**

11 Facilities and services needed to sustain industry,
12 residential, commercial, and all other land use activities,
13 including water, sewer lines, and other utilities, streets
14 and roads, communications, and public facilities such as
15 fire stations, parks, schools, etc (Ord 1901)

16 **Level-of-Service (LOS), Transportation.**

17 A measure that

18 (1) Is used to define the implementation rate for
19 building, funding, operating or regulating
20 transportation improvements, or

21 (2) Defines the performance of these transportation
22 improvements that are necessary to provide mobility
23 for those who live and work in Redmond

24 **Level-of-Service Standard (LOS), Transportation.**

25 Comprehensive Plan Transportation Policy TR-4
26 establishes the City's transportation LOS standard RCDG
27 20D 210-Transportation Standards, regulates compliance with
28 the LOS standard using the concept of a mobility unit (MU)
29 To determine compliance with the transportation LOS
30 standard, the City annually measures the MU demand from new
31 development and the MU supply available from the City's
32 six-year program and the TFP The transportation LOS

1 standard is met when the MU demand is equal to the MU
2 supply

3 **Mandatory or Required Right-of-Way Dedications and/or**
4 **Transportation Improvements.**

5 Such noncompensated dedications and/or transportation
6 facility improvements required of a development by the City
7 of Redmond as a condition of development approval (Ord
8 1908)

9 **Mitigation - Transportation Management.**

10 For the purposes of administering RCDG 20D 210 10,
11 Transportation Management Code, "mitigation" shall have
12 either of the following definitions

13 (1) Transportation demand management (TDM) strategies
14 including facilities, programs, projects and services
15 financed, constructed or operated by a developer and
16 identified as part of the Transportation Facility
17 Plan (TFP), or the Buildout Transportation Facility
18 Plan (BTFP), contained in the Transportation Master
19 Plan (TMP)

20 (2) Mitigation as defined in the SEPA Rules, and found in
21 WAC 197-11-768

22 (a) Avoiding the impact altogether by not taking a
23 certain action or parts of an action,

24 (b) Minimizing impacts by limiting the degree or
25 magnitude of the action and its implementation,
26 by using appropriate technology, or by taking
27 affirmative steps to avoid or reduce impacts,

28 (c) Rectifying the impact by repairing,
29 rehabilitating, or restoring the affected
30 environment,

1 (d) Reducing or eliminating the impact over time by
2 preservation and maintenance operations during
3 the life of the action,

4 (e) Compensating for the impact by replacing,
5 enhancing, or providing substitute resources or
6 environments, and/or

7 (f) Monitoring the impact and taking appropriate
8 corrective measures (Ord 1954, Ord 1908)

9 **Mobility.**

10 The movement of people and goods The two mobility
11 measures that are used in the transportation concurrency
12 system are (1) Mobility Units (MU) and (2) Person Miles of
13 Travel (PMT)

14 **Mobility Unit (MU).**

15 A measurement unit that is used to express the level
16 of travel demand on the transportation system generated by
17 a land use(s), or the unit increase in the ability to
18 travel on the transportation system due to the increased
19 supply of transportation improvements, such as those on the
20 City's six-year plan, Transportation Facility Plan (TFP),
21 or Buildout Transportation Facility Plan (BTFP)

22 **Multi-Family Dwelling Unit.**

23 A dwelling unit within a building which accommodates
24 two or more families in individual, primary dwelling units
25 Also known as flats, or apartments Normally rented or
26 leased, but may also be condominiums The building is
27 normally located on a single lot (Ord 1901)

28 **New Development.**

29 A project proposed on vacant land or a project that is
30 a modification or expansion to any existing improvements
31 where the value of the proposed modification is of equal or
32 greater value than the existing improvements If a project

1 is considered a new development the entire site shall be
2 brought into compliance with the current code See also Re-
3 Development (Ord 1877 (145))

4 **Peak Hour.**

5 The consecutive 60-minute period during a 24-hour
6 period which experiences the highest sum of traffic volumes
7 as determined by the City on a roadway segment, passing
8 through a roadway intersection, or entering or leaving a
9 development The peak hour typically takes place between
10 4 00 p m and 6 00 p m on a work day (Ord 1954, Ord
11 1940, Ord 1908)

12 **Peak Hour Vehicle Trips.**

13 Total vehicular trips entering and leaving a
14 development project during the consecutive 60-minute period
15 between 4 00 p m and 6 00 p m which experiences the
16 highest sum of traffic volumes entering or leaving the
17 development This typically corresponds to the definition
18 of "peak hour of the generator" in the most recent edition
19 of Trip Generation, published by the Institute of
20 Transportation Engineers Other trip generation sources may
21 be used, at the discretion of the City, where ITE data are
22 based on a limited survey base or where there may be
23 special trip-generating characteristics of the proposal
24 (Ord 1954, Ord 1940, Ord 1908)

25 **Person Miles of Travel (PMT).**

26 The number of person trips generated by a land use
27 multiplied by the average trip distance

28 **Project Improvements, Transportation.**

29 For the purposes of administering RCDG 20D 210 10,
30 Transportation Management Code, "project improvements"
31 shall mean site improvements and facilities that are
32 planned and designed to provide service for a particular
33 development project, are necessary for the use and safety

1 of the occupants or users of the project, and are not
2 transportation system improvements No improvement included
3 in the City's Transportation Facility Plan (TFP) or
4 Buildout Transportation Facility Plan (BTFP), approved by
5 the City Council shall be considered a project improvement
6 Project improvements shall include but are not limited to
7 the following

8 (1) Access driveways, paths, trails, and streets leading
9 to or within the development,

10 (2) Driveways, paths, trails, and streets within the
11 development,

12 (3) Acceleration and deceleration lanes, and right and
13 left turn lanes leading to those streets and
14 driveways, and/or

15 (4) Traffic control measures for those driveways, paths,
16 trails, and streets, such as traffic signals, signs,
17 lane markings, etc ,

18 (5) Standard frontage improvements not specifically
19 defined in the City's Six-Year Program, or TFP (Ord
20 1954, Ord 1928, Ord 1908)

21 **Pro-Rata or Proportionate Share.**

22 That portion of the cost of transportation
23 improvements that are reasonably related to the service
24 demands and needs of new development (Ord 1908)

25 **Right-of-Way.**

26 Land owned by a public agency and used or planned to
27 be used as a public thoroughfare (Ord 1901)

28 **SEPA Rules.**

29 Chapter 197-11 WAC adopted by the Department of
30 Ecology (Formerly 20F 30 040(10))

31 **Single-Family Dwelling Unit, Attached.**

1 A building designed for occupancy by one family on an
2 individually owned lot where the building abuts one or more
3 property lines and shares a common wall with an adjacent
4 dwelling unit(s), also known as a "row house" or
5 "townhouse" For transportation impact fee, trip
6 generation, and concurrency purposes, a townhouse use will
7 be considered as a multi-family use

8 **Single-Family Dwelling Unit, Detached.**

9 A separate unconnected building surrounded by open
10 space and yards and which contains one dwelling unit and up
11 to one accessory dwelling unit No more than one single-
12 family dwelling unit may occupy a lot except where provided
13 by this code Modular and manufactured dwellings are
14 considered to be single-family dwelling units in this
15 definition

16 **Six-Year Program.**

17 A term of reference that includes the Transportation
18 Improvement Program (TIP) and the Capital Investment
19 Program (CIP) The TIP and CIP are the six-year funded list
20 of transportation improvements, including facilities,
21 programs, projects and services adopted by the City, which
22 serves to implement the adopted Transportation Facilities
23 Plan (TFP) and thus maintain the City's adopted
24 transportation level-of-service (LOS) standard

25 **State Environmental Policy Act (SEPA).**

26 Contained in Chapter 43 21C RCW, this Washington State
27 law is intended to minimize environmental damage SEPA
28 requires that State agencies and local governments consider
29 environmental factors when making decisions on activities,
30 such as development proposals over a certain size and
31 comprehensive plans As part of this process, environmental
32 checklists are prepared to disclose impacts and propose

1 mitigation This process also provides an opportunity for
2 public comment (Ord 1877 (250))

3 **Strategy.**

4 An approach or method that when used for
5 transportation purposes, incorporates the use of
6 transportation facilities, projects, programs and services
7 to provide mobility for people and goods, and thus maintain
8 the City's adopted transportation level-of-service (LOS)
9 standard

10 **Street.**

11 Any thoroughfare which affords the principal means of
12 access to abutting properties, access corridors, or
13 driveways, which has been dedicated or deeded to the public
14 for public use (Ord 1901)

15 **Supplemental Mitigation.**

16 Mitigation required by the City which is necessary for
17 a proposed development to meet concurrency requirements of
18 RCDG 20D 210 10, Transportation Management Code
19 "Supplemental mitigation" shall mean unfunded facilities,
20 programs, projects and services that are in the City's
21 Transportation Facility Plan (TFP) or Buildout
22 Transportation Facility Plan (BTFP)

23 **System Improvements, Transportation.**

24 For purposes of administering RCDG 20D 210 10,
25 Transportation Management Code, system improvements are
26 those facilities, programs, projects and services that are
27 included in the Transportation Facility Plan (TFP), are
28 designed to maintain mobility, and meet the transportation
29 level-of-service (LOS) standard established Redmond
30 Comprehensive Plan Transportation Policy TR-4, Costs for
31 these facilities, programs, projects and services may
32 include funding for transportation demand management (TDM),
33 transportation planning, preliminary engineering,

1 engineering design studies, land surveys, right-of-way
2 acquisition, engineering, permitting, and construction of
3 all the necessary features for any transportation
4 construction project System improvements include but not
5 limited to

6 (1) Construction of new travel lanes, paths, sidewalks,
7 trails, and terminal facilities for a variety of
8 travel modes, including motor vehicles, bicycles,
9 pedestrians, transit and high occupancy vehicles,

10 (2) Construction of new bridges,

11 (3) Construction of new drainage and utility facilities
12 as a result of new travel lanes, streets, paths,
13 sidewalks, and trail construction,

14 (4) Purchase and installation of traffic signalization
15 (including new and upgraded signalization, signal
16 interconnection, and supporting hardware and
17 software) necessary to serve a variety of travel
18 modes using travel lanes, paths, sidewalks, and
19 trails,

20 (5) Construction of curbs, medians, shoulders, and
21 sidewalks,

22 (6) Relocating, including undergrounding, utilities to
23 accommodate construction of new travel lanes,
24 streets, paths, sidewalks, and trails (Ord 1928,
25 Ord 1908)

26 (7) Other strategies, including programs and services
27 such as TDM that reduce the demand to travel by motor
28 vehicles

29 (8) Provision of transit service

30 **System Improvements, Excluding Transportation System**
31 **Improvements.**

1 For purposes of administering Chapter 20D 60 RCDG,
2 Impact Fees, any public facilities that are included in the
3 Comprehensive Plan Capital Facilities Element and
4 functional plans, and are designed to provide service to
5 service areas within the community at large, in contrast to
6 project improvements (Ord 1913, Ord 1909)

7 **Townhouse**

8 See "Single-Family Dwelling Unit, Attached"

9 **Transportation.**

10 The various travel modes as discussed in the
11 Transportation Element of the Redmond Comprehensive Plan
12 (Ord 1908)

13 **Transportation - Certificate of Concurrency Request.**

14 A form prepared by the Administrator which contains
15 questions concerning the nature of a development, including
16 a description, location, use, intensity, and trip
17 generation characteristics The questions on this form are
18 to be answered by a development applicant, and submitted to
19 the City as part of a complete application for a
20 development permit (Ord 1928, Ord 1908)

21 **Transportation Demand Management (TDM).**

22 Public and/or private programs designed to reduce the
23 demand and are ongoing substitutes for additional motor
24 vehicle traffic lanes and traffic signals These public
25 and/or private programs include but are not limited to,
26 transit, bicycling and ridesharing incentives, flexible
27 working hours, parking management, and supporting
28 pedestrian enhancements to decrease single occupancy
29 vehicle trips (Ord 1908)

30 **Transportation Facility Plan (TFP).**

31 The long-range plan identifying transportation
32 facilities, programs, projects and services that are

1 necessary to provide for the mobility of people and goods
2 from new development allowed by the Redmond Comprehensive
3 Plan and the Redmond Community Development Guide The
4 planning horizon of the TFP typically ranges between 12 to
5 20 years (Ord 1908)

6 **Transportation Impact Fee.**

7 See Impact Fee - Transportation

8 **Transportation Improvement.**

9 See "Improvement, Transportation"

10 **Transportation Improvement Program (TIP).**

11 The Transportation Improvement Program is a six-year
12 program of transportation capital facilities, programs,
13 projects and services intended to serve the current and
14 future needs of those who live and work in Redmond The TIP
15 is a six-year planning document that is focused exclusively
16 on transportation revenue and expenditures from the City
17 and from other sources for both funded and unfunded
18 transportation improvements

19 **Transportation Level-of-Service (LOS) Standard.**

20 See "Level-of-Service (LOS), Transportation"

21 **Travel Demand.**

22 Trips generated by a land use(s)

23 **Vehicle.**

24 An operable or inoperable self-propelled device used
25 for the transportation of people or goods over land, air,
26 or water surfaces (Ord 1850)

27 **Weekday.**

28 Any day, Monday through Friday, which is not a legal
29 holiday (Ord 2006)

30 **Weekend.**

1 The days of Saturday, Sunday, and any legal holiday
2 (Ord 2006)

3

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5 *N \Concurrency Update 2007\Council Notebook\081103 Exh A,*
6 *RCDG 20A 20 Definitions, City Council version FINAL doc*