# CITY OF REDMOND ORDINANCE NO. 2518

ANORDINANCE OF THECITY OF REDMOND, WASHINGTON, AMENDING THE REDMOND MUNICIPAL CODE, REDMOND COMMUNITY DEVELOPMENT GUIDE, CHAPTERS 20D.60 AND 20D.210 TO UPDATE ANNUAL PROCESS FOR THE CITY TO INDEX FIRE, PARK, AND TRANSPORTATION IMPACT FEES AND TO THE FEE SCHEDULES; PROVIDING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Growth Management Act requires that comprehensive plans and development regulations shall be subject to continuing evaluation and review; and

WHEREAS, the City of Redmond proposes amendments to the Redmond Community Development Guide, to update the annual process for the City to index fire, park, and transportation impact fees and to update the fee schedules; and

WHEREAS, a State Environmental Policy Act Checklist was prepared and a Determination of Non-Significance was issued on August 30, 2009, for the proposed amendments; and

WHEREAS, state agencies were sent 60-day notice of the proposed amendments to the Redmond Community Development Guide on September 4, 2009; and

whereas, the Planning Commission conducted a study session on September 9, 2009, and a public hearing on September 23, 2009, which was continued to September 30, 2009, to receive public comment on the proposed amendments; and

WHEREAS, the City Council held public meetings on November 2, 2009, November 24, 2009, and December 15, 2009, to review the proposed amendments; and

WHEREAS, the City of Redmond desires to amend the Redmond Community Development Guide to maintain the purchasing power of the impact fees that it collects and to help provide the capital facilities necessary to serve growth in Redmond; and

WHEREAS, the City of Redmond intends to periodically review the performance of the impact fee indexes and at a minimum, to review the indexes as part of major reviews of fire, park, and transportation improvement needs.

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

Section 1. Findings, Conclusion, and Analysis. The City Council hereby adopts the findings and conclusions contained in the Planning Commission Report dated October 14, 2009, including all related attachments and exhibits to that report.

<u>Amended</u>. The Redmond Community Development Guide is amended as shown in Exhibit 1 incorporated herein by this reference as if set forth in full to this ordinance.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance 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.

Section 4. Effective Date. This ordinance shall take effect five days after passage and publication of an approved summary thereof consisting of the title, provided that the updated fire, park, and transportation impact fee schedules and the amended regulations relating to these impact fees shall apply to all complete building permit applications filed on or after January 1, 2010.

ADOPTED by the Redmond City Council this 15<sup>th</sup> day of December, 2009.

CITY OF REDMOND

JOHN MARCHIONE, MAYOR

ATTEST:

MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

JAMES HANEY

CITY ATTORNEY

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL:

SIGNED BY THE MAYOR:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. 2518

December 9, 2009

December 15, 2009

December 15, 2009

December 21, 2009

December 26, 2009

ADOPTED 6-0: Allen, Carson, Cole, Margeson, McCormick and Myers

## Ordinance No. 2518 Exhibit 1

- 20D.60.10-060 Computing Required Impact Fees Using Adopted Impact Fee Schedules.
- 2 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) NO CHANGES

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(2) Fire Impact Fee -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		\$123.00	
Multi-family residences				1 housing unit		\$174.00	
Offices	_					square feet of s floor area	\$144.00
Retail trade					1	quare feet of floor area	\$166.00
Manufacturing					l í	quare feet of s floor area	\$17.00

6 Note 1: Land uses are defined in Chapter 20A.20 RCDG. (See Impact Fee – Fire, Park, School –

7 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

12 Council by ordinance and shall not require a Development Guide Amendment review

process.

Note 2: Fire impact fees shall be indexed to allow for a fee adjustment beginning on January 1,

2010, and subsequently each January 1. Changes in the Consumer Price Index over the

three consecutive 12-month September 1 to August 31 time periods, or the closest three

consecutive 12-month time periods immediately prior to January 1, 2010, will be used to determine the first adjustment to the fire impact fees on January 1, 2010. In subsequent years, the January 1 adjustment to the fire impact fees shall be determined in the same way by calculating changes in the Consumer Price Index over the three consecutive 12-month September 1 to August 31 time periods, or the closest three consecutive 12-month time periods immediately prior to January 1.

#### (3) Park Impact Fee – 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	\$3,003.00
Multi-family	residences			1 housing unit	\$2,414.00
Offices				1,000 square feet of gross floor area	\$1,022.00
Retail trade				1,000 square feet of gross floor area	\$448.00
Manufacturing	g			1,000 square feet of gross floor area	\$443.00

Note 1: Land uses are defined in Chapter 20A.20 RCDG. (See Impact Fee – Fire, Park, School – 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 and shall not require a Development Guide Amendment review process.

Note 2: Park impact fees shall be indexed to allow for a fee adjustment beginning on January 1, 2010, and subsequently each January 1. Changes in the average between the Building Cost

Index and the Construction Cost Index (published by the *Engineering News Record*) over the three consecutive 12-month September 1 to August 31 time periods, or the closest three consecutive 12-month time periods immediately prior to January 1, 2010, will be used to determine the first adjustment to the park impact fees on January 1, 2010. In subsequent years, the January 1 adjustment to the park impact fees shall be determined in the same way by calculating changes in the Building Cost Index and the Construction Cost Index over the three consecutive 12-month September 1 to August 31 time periods, or the closest three consecutive 12-month time periods immediately prior to January 1.

(4) School Impact Fee – Schedule (NO CHANGES)

#### 20D.210.10-110 Computation of the Transportation Impact Fee.

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

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

- (1) The amount of the transportation impact fee is calculated by using the Transportation Impact Fees Fee Schedule in RCDG 20D.210.10-120. The fee schedule includes credit for future specifically dedicated transportation taxes imposed for the purpose of improving the transportation system.
- (a) If a development permit is requested for a mixed use development, the fee shall be determined by apportioning the space committed to uses specified on the applicable schedule.

- (b) For applications for a development permit approval extension: The amount of the fee is the net positive difference between the fee currently applicable, and the fee applicable at the time of original permit application, pursuant to this section. If the extension is for a development permit originally issued prior to the effective date of this section, the fee currently applicable shall be collected.
- (c) For applications for a change of use, redevelopment, or modification of an existing development where there is no increase in building or developed area (i.e., no increase in the gross floor area or gross leasable area as applicable), and which requires the issuance of a development permit, the City shall not charge a transportation impact fee.
- (d) For applications for a change of use, redevelopment, or modification of an existing development, that add building and/or developed area (i.e., increasing the gross floor area or gross leasable area as applicable), and which requires the issuance of a development permit, the amount of the fee is the net positive difference between the fee currently applicable for the use after redevelopment, expansion, or modification, compared to the fee that is currently applicable for the use prior to redevelopment, expansion, or modification, pursuant to RCDG Sections 20D.210.10-110 through 130. The same fee calculation shall apply if an application was originally issued prior to the effective date of these regulations.

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

(e) If the type of development activity proposed in a development application is not specified on the applicable fee schedule, the Administrator shall use the fee applicable to the most nearly comparable type(s) of land use on the fee schedule. The Administrator shall be guided in this selection by the most appropriate technical and professional data. If the Administrator determines that there is no

comparable type of land use on the applicable fee schedule, the Administrator shall determine the fee by:

- (i) Using person trip generation data provided by City staff, the developer and data contained in the most recent edition of Trip Generation, published by the Institute of Transportation Engineers; and
- (ii) Applying the formula set forth in RCDG 20D.210.10-110(2) below.
- (2) A fee payer may prepare and submit an independent transportation impact fee study to the Administrator, with documentation as specified in paragraphs (a), (b), and (c) below, following the prescribed methodologies and formats established as an appendix to the Redmond Community Development Guide. Along with the study, the developer shall submit an administrative processing fee in an amount specified by separate ordinance. Based upon the documentation provided by the fee payer in the impact fee study, the cost per person mile of travel (PMT) shall be determined by the Administrator. Documentation by the fee payer shall include:
  - (a) Documentation of person trip generation rate(s) appropriate for the proposed land development activity.
  - (b) Documentation of average trip length appropriate for the proposed land development activity.
  - (c) Documentation of any other trip data appropriate for the proposed land development activity.

Independent documentation, including any studies, shall be prepared and presented by professionals qualified in their respective fields. The Administrator shall consider the documentation submitted by the fee payer, but is not required to accept such documentation as he/she shall reasonably deem to be inaccurate or not reliable, in the Administrator's determination of the impact fee. The Administrator may, in the alternative, require the fee payer to submit additional or different documentation for consideration. If acceptable independent documentation is not presented, the fee payer shall pay transportation impact fees based upon the schedules shown in RCDG 20D.210.10-120.

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

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4 (Ord. 2016; Ord. 1954; Ord. 1940; Ord. 1928; Ord. 1908 (20C.100.040(30)); Ord. 1907)

### 20D.210.10-120 City of Redmond Adopted Transportation Impact Fees – Fee Schedule.

Fee Schedule	:	Cost per Unit	
Land Uses	Standard of Measure <sup>1, 2, 3</sup>	Citywide <sup>4</sup>	
Cost per Person Mile of Travel (PM7	\$2,484.37		
	Residential		
Single-Family	dwelling	\$6,906.00	
Multiple-Family	dwelling	\$4,239.00	
Retirement Community	dwelling	\$1,532.00	
Nursing Home	bed	\$1,203.00	
Congregate Care/Assisted Living	dwelling	\$930.00	
Hotel/Motel	room	\$4,610.00	
Comi	mercial – Institutional		
Elementary School	student	\$875.00	
High School	student	\$527.00	
Church	sq. ft./GFA	\$4.77	
Hospital	sq. ft./GFA	\$9.80	
Commercia	al – Retail Shopping Center		
Up to 99,999 sq. ft.	sq. ft./GLA	\$12.09	
100,000 – 199,999 sq. ft.	sq. ft./GLA	\$11.28	
200,000 – 299,999 sq. ft.	sq. ft./GLA	\$10.17	
300,000 sq. ft. and over	sq. ft./GLA	\$11.95	
Commercia	l - Retail Freestanding Uses		
Bank/Savings and Loan	sq. ft./GFA	\$67.02	
Car Sales – New/Used	sq. ft./GFA	\$18.97	
Carwash	stall	\$11,256.00	
Convenience Market	sq. ft./GFA	\$59.90	
Day Care	sq. ft./GFA	\$38.62	
Discount Store	sq. ft./GFA	\$13.01	

Fast Food Restaurant	sq. ft./GFA	\$67.67
Furniture Store	sq. ft./GFA	\$0.92
Health Club/Racquet Club	sq. ft./GFA	\$18.39
Library	sq. ft./GFA	\$17.66
Miscellaneous Retail	sq. ft./GFA	\$9.34
Movie Theater	seat	\$267.00
Post Office	sq. ft./GFA	\$27.12
Restaurant	sq. ft./GFA	\$39.80
Service Station	fuel position	\$18,412.00
Service Station/Minimart	fuel position	\$13,331.00
Supermarket	sq. ft./GFA	\$32.15
Commer	cial – Administrative Office	>
Up to 99,999 sq. ft.	sq. ft./GFA	\$17.93
100,000 – 199,999 sq. ft.	sq. ft./GFA	\$14.97
200,000 – 299,999 sq. ft.	sq. ft./GFA	\$13.09
300,000 sq. ft. and over	sq. ft./GFA	\$11.57
Medical Office/Clinic	sq. ft./GFA	\$26.16
	Industrial	
Light Industry/Manufacturing	sq. ft./GFA	\$8.79
Industrial Park	sq. ft./GFA	\$7.72
Warehousing/Storage	sq. ft./GFA	\$4.21
Mini Warehouse	sq. ft./GFA	\$2.09

#### 1 Notes:

- For uses with standard of measure in square feet, trip rate is given as trips per 1,000 square feet, and impact fee is dollars per square foot.
- <sup>2</sup> GLA = Gross Leasable Area.
- 5 <sup>3</sup> GFA = Gross Floor Area.
- <sup>4</sup>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

1	transportation facilities, and shall be calculated based on a project-specific traffic model					
2	run using the King County Mitigation Payment System (MPS). See RCDG 20D.210.10-					
3	126, Impacts to County Transportation Facilities.					
4	Note 1: Land uses are defined in Chapter 20A.20 RCDG. (See Impact Fee – Transportation –					
5	Land Uses.) Amendments to this fee schedule which are changes in policy, such as change					
6	in the methodology, growth assumptions, or funding percentages, shall be processed as a					
7	Redmond Community Development Guide amendment. Nonpolicy changes to the fee					
8	schedule, such as changes to reflect fluctuations in the cost indices, or changes to the cost					
9	of a project, shall be adopted by the City Council by ordinance and shall not require a					
10	Development Guide Amendment review process.					
11	Note 2: Transportation impact fees shall be indexed to allow for a fee adjustment beginning on					
12	January 1, 2010, and subsequently each January 1. Changes in the Construction Cost Index					
13	(published by the Engineering News Record) over the three consecutive 12-month					
14	September 1 to August 31 time periods, or the closest three consecutive 12-month time					
15	periods immediately prior to January 1, 2010, will be used to determine the first adjustment					
16	to the transportation impact fees on January 1, 2010. In subsequent years, the January 1					
17	adjustment to the transportation impact fees shall be determined in the same way by					
18	calculating changes in the Construction Cost Index over the three consecutive 12-month					
19	September 1 to August 31 time periods, or the closest three consecutive 12-month time					
20	periods immediately prior to January 1.					
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22	20D.210.10-130 through 20D.210.10-180: <b>NO CHANGES</b>					
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24	20D.210.10-190 Credits Against Payment of Transportation Impact Fees.					
25	(1) No credit shall be given for project improvements and/or right-of-way dedications					
26	classified as project improvements.					
27	(2) Credit shall be given by the Administrator for supplemental mitigation provided by a					
28	developer when the following conditions are met:					

(a) To avoid the duplicate collection of money for a particular transportation

improvement, credit given to a fee payer for payment or construction of

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- supplemental mitigation shall be equal to the cost of the improvement or impact fee amount allocated by the City towards that portion of the improvement, whichever is less;
- (b) The developer's supplemental mitigation offer must specifically request a transportation impact fee credit;
- (c) The supplemental mitigation is constructed in accordance with City design standards as applicable.
- (3) After determining the amount of impact fees a developer is required to pay towards particular impact fee projects, the Administrator shall provide the developer with a letter or certificate setting forth the dollar amount of the credit a developer shall receive for dedication and/or construction of a supplemental mitigation project. The Administrator shall further state the reason for the credit, and the legal description or other adequate description of the project or development to which the credit may be applied. The developer must sign and date a duplicate copy of such letter or certificate indicating his agreement to the terms of the letter or certificate and return such signed document to the Administrator before credit will be given. The failure of the applicant to sign, date, and return such document within 60 days shall nullify the credit.
- (4) Credit against impact fees otherwise due will not be provided until:
  - (a) The construction, dedication or implementation is completed and accepted by the City of Redmond, or a jurisdiction which has an interlocal agreement with the City under the terms of this section, or the State, whichever is applicable;
  - (b) Acceptable financial security is received and approved by the Administrator of the City of Redmond, when applicable; and
  - (c) All design, construction, inspection, testing, financial security, and acceptance procedures are in strict compliance with the then current City of Redmond design and construction standards, when applicable.
- (5) Credit may be provided before completion of specified transportation improvement(s) if adequate assurances are given by the applicant that the standards set out in RCDG 20D.210.190(3)(b) above will be met and if the developer posts security as provided below for the costs of such construction. The Administrator shall determine:

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