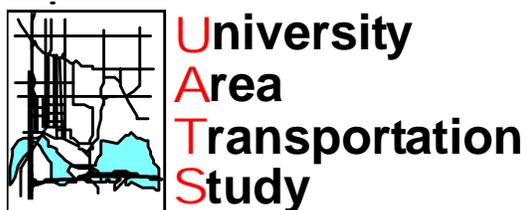


Guiding Principles For University Area Transportation Study

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Summary: Issues to Establish Guiding Principles and Consultant Recommendations

This report will facilitate discussion among Seattle's department directors to establish guiding principles for the University Area Transportation Study (UATS). The issues that have been identified in the early stage of the UATS are summarized in this section and consultant recommendations are included. Following the summary are sections providing background information related to the goals of the UATS and discussion of each issue.

The issues that require input from the department directors are grouped into the following four categories:

- Planning Assumptions
- Financing Sources
- Concurrency and System Performance
- Development Review and Mitigation

1. Planning Assumptions

To proceed with the development of a transportation plan for the University Area, several assumptions that set direction of the study have to be made at an early stage of the planning process. The study team identified several key assumptions that require concurrence of the city department directors. The following is a list of the assumptions for the UATS and consultant recommendations:

A. Growth Assumptions

The UATS will be developed to support the future (2010 and 2020) land use growth in the study area. It is therefore important to clarify the growth assumptions to be used for this study.

Is the city comfortable with the study area growth assumptions for 2010 and 2020 used by the Puget Sound Regional Council?

Consultant Recommendation:

1) Review 2000 census against the PSRC's 2000 base and note any incompatibility. 2) Compare the "pipeline" developments with the PSRC's growth forecasts. 3) If those figures are reasonable, use the PSRC growth forecast for 2010 and 2020. 4) If not, adjustments should be made to the PSRC's growth forecasts and create new trip tables that reflect the new growth forecasts.

B. State Facilities

While the city does not have land use or transportation planning responsibilities within the state right-of-way, the state facilities significantly affect the operation of the city's transportation system. In particular, planning activities for I-5 and SR 520 are being carried out at this time, therefore it is important for the city to clarify the city's intent in recommending improvements on state right-of-way.

Should the UATS identify and evaluate transportation facility improvement concepts located in the state right-of-way in the study area?

Should the UATS examine the magnitude of travel pattern shifts in the study area associated with the various SR 520 alternatives in the Trans-Lake Washington Study EIS?

Consultant Recommendation:

1) Identify facility improvements in state right-of-way within the study area which would improve circulation of traffic, bicycles and pedestrians. The City should seek the implementation of identified improvements through the Trans-Lake Washington Study and the I-5 study. 2) Using the travel demand forecast model developed for the UATS, analyze changes in travel shifts associated with the Trans-Lake Washington Study capacity expansion options. 3) Focus on short-term actions that the WSDOT can take to improve the SR 520 corridor in the UATS.

C. Montlake Bridge

The Montlake Bridge is an old structure that severely constrains vehicular and non-motorized traffic. Yet, it has a historical significance and is a symbol for the community.

Should the UATS evaluate options to rebuild the Montlake Bridge with adequate capacity to handle traffic and non-motorized demand in the corridor?

Consultant Recommendation:

Do not consider any option to widen the Montlake Bridge in the UATS. However, it is possible that options in the Trans-Lake study could impact traffic flows in the Montlake Boulevard corridor, and major structural changes to the Montlake Bridge may be evaluated in that study.

D. Freeway Access

Limited access points to SR 520 contribute to the severe congestion in the Montlake Boulevard corridor during most of the day. It appears that additional access points on SR 520 might spread traffic more evenly and reduce travel demand pressure on Montlake Boulevard.

Should the UATS evaluate cost and benefit of freeway access improvements in the Eastlake area, which is located outside the study area?

Consultant Recommendation:

Do not consider changes to freeway access in the Eastlake area in the UATS, as these will be more appropriately evaluated in the Trans-Lake Washington Study.

E. Sound Transit

Although the Sound Transit Board affirmed the plan to build the light rail system with higher cost and longer timeframe than the original phase one of the Central Link Project, serious questions regarding financial feasibility of the system with the new schedule and financial plan have been raised from various quarters in the recent months. The situation can be characterized as being very fluid as this time.

What should the UATS assume to be the Sound Transit light rail plan?

Consultant Recommendation:

1) Assume that the light rail system in the original Sound Move Plan will be implemented with the three-year extension. 2) Assume that the light rail system will be extended to Northgate from University District as the highest priority upon completion of the first phase. 3) During the course of the UATS study, this issue could become much clearer. The UATS plan should prepare potential responses, such as changing prioritization of transit projects, in case the current light rail plan is modified before completion of the UATS.

2. Financing Sources

Preliminary transportation concepts identified in the early stage of the plan development should be checked against financial feasibility. An issue is whether development of the transportation plan should be constrained with the current funding levels, and if not, how additional funding sources should be addressed during the study.

Should the development of a transportation improvement plan be constrained by the city's currently available financial resources?

Should the UATS investigate ways to raise additional revenues for transportation facility improvements in the study area? If so, what would be the level the city and communities are willing to pay? Should the study identify who should pay and how much?

Consultant Recommendation:

- 1) Do not constrain ideas to improve the transportation system based on city's current financial capability, but discuss financing issues in an early stage of plan development.
- 2) Discuss potential funding sources and identify steps needed to implement each funding source. The following potential sources should be analyzed:
 - partnership with the Washington State Department of Transportation on the Trans-Lake Washington and I-5 studies
 - joint funding with University of Washington, King County Metro, and other transit agencies
 - new sources of funding such as impact fees, transportation benefit districts, and regional revenues from possible legislative action on the recommendations of the Blue Ribbon Commission on Transportation.

3. System Performance and Concurrency

A. System Performance

One of the key tasks in the UATS is to identify deficiencies in the transportation system. While the city's Comprehensive Plan sets level of service standards for roads and transit for the concurrency purposes, they may not be the best performance indicators for long-range planning. A broader set of "performance benchmarks" is needed for the UATS to identify transportation system deficiencies.

What "performance benchmarks" should the study use to identify transportation system deficiencies?

Consultant Recommendation:

Consider the following performance benchmarks:

Roadway corridor: LOS E measured in average speed for major corridors during PM peak hour.

Intersection: LOS E measured in average delay in seconds for intersections on major arterials (better than 80 seconds of delay) during PM peak hour.

Transit: Increase transit vehicle speeds and reliability, and service quality measured with headway to and from major centers. (For example, one transit performance benchmark might be to provide transit connection between each of the urban centers and the university area with a minimum of 15 minutes headway during peak periods.)

Carpool/vanpool: Provide travel time incentives and pricing incentives, but quantitative benchmarks will not be used.

Pedestrian/bicycle: Use qualitative benchmarks for pedestrian and bicycle systems, but quantitative benchmarks will not be used.

B. Concurrency

The intent of the State Growth Management Act is to develop a long range transportation plan (at least 10 years into the future) by balancing three elements: 1) a level of service standard which sets an acceptable traffic congestion level in a community; 2) future land use growth; and 3) additional transportation facilities to serve this growth at the accepted congestion level, with probable funding sources. The city may want to address concurrency issues through a subarea transportation plan like the UATS.

Is it appropriate to discuss the purpose of concurrency in the UATS?

Consultant Recommendation:

1) The UATS should not directly address changes to the adopted concurrency level of service standards. 2) The city should update the Transportation Element of the Comprehensive Plan and address the purpose of concurrency in a separate process in the near future. 3) The “performance benchmarks” discussed above would be sufficient to identify transportation problems and address them in the UATS.

4. Development Review and Mitigation

A. Development Review Process

Many jurisdictions in Washington State have developed a process where impact fee payments or voluntary contributions linked to a long-range transportation plan are used to mitigate transportation impacts of developments. The fees or contributions are directly tied to the transportation improvements identified in the long-range transportation study or the capital improvement program. The cumulative impacts of the developments are often mitigated in the transportation plan. If the process is properly designed, the city would reduce resources needed to review development applications and review time can be substantially shortened.

Would the city be interested in using the UATS as a way to make the City’s development review process more efficient?

Consultant Recommendation:

1) Identify a broad outline for development impact review process that would greatly simplify the current Seattle practice. 2) Identify the steps needed to fully implement the simplified processes.

B. Mitigation

The consultant team has identified at least five possible legal bases upon which the city can rely to mitigate development impacts on transportation. They are:

- SEPA,
- the Growth Management Act,
- the Local Transportation Act,
- Transportation Benefit Districts, and
- Local Improvement Districts.

To what degree should development impacts on the transportation system be mitigated?

Upon which legal basis should the city rely to develop the mitigation process?

Consultant Recommendation:

1) Develop a procedure that will assure maximum mitigation of development impacts on transportation. 2) Use the Growth Management Act as the legal basis for mitigation, because it provides the best combination of flexibility for the city, predictability for the development community and a broad base of established "best practices" from other cities in Washington.

Background Information and Issue Discussions

Transportation has been one of the major issues for the city and the University/Montlake communities for many years. Impending changes related to land use and transportation will affect the study area, and the transportation system needs to respond to those changes to minimize impacts on the communities. The city's response must work within several constraints, such as resources that the city and region can provide to the area, the lack of physical space to accommodate future travel demand, geographic constraints and environmental concerns.

The study team seeks to develop a transportation plan that serves travel needs within these constraints. The study will involve affected public agencies, community organizations, property owners, residents and students, and enlist their support of the resulting plan. To execute this transportation study successfully, the study team is seeking direction from Seattle's department directors to establish a set of guiding principles to provide general direction and assumptions throughout the study.

Goal of the University Area Transportation Study

The goal of the University Area Transportation Study (UATS) is set forth as follows:

“The University Area Transportation Study will build on existing planning to provide a comprehensive, multimode transportation plan for the area, and will serve as a blueprint for financing and programming improvements in the University area over the next decade.”

The UATS will identify transportation related actions to be carried out by the city, other public agencies and private developers, necessary to support the vision adopted in the City's Comprehensive Plan, the City's Transportation Strategic Plan and the University Community Urban Center Plan.

It is anticipated that the UATS will include the following:

- Descriptions of existing and future transportation problems.
- Identification of roadway improvements, transit service and capital improvements, high occupancy vehicle improvements, pedestrian and bicycle improvements, and actions to reduce travel demand.
- Discussions of potential funding sources to implement study recommendations.
- Identification of a process to improve the transportation impact analysis process for development review.

Major Issues Facing the Study Area

In order to establish guiding principles for the UATS, the study team identified the following major issues that warrant discussion with city department directors.

1. Planning Assumptions

A. Growth Forecasts

Is the city comfortable with the study area growth assumptions for 2010 and 2020 used by the Puget Sound Regional Council?

Discussion: One of the goals for the UATS is to develop a transportation plan that will support the growth anticipated in the study area. The consultant team will forecast travel demand with a forecasting model and describe the 2010 and 2020 transportation conditions. The consultant team plans to use the most up-to-date PSRC land use forecasts as the basis to project growth in travel demand. The consultant is checking the “pipeline” growth already approved by the city in the study area against the PSRC’s growth forecasts. If the PSRC’s 2010 forecast appears too low to accommodate the city’s anticipated growth, the model will be adjusted accordingly.

B. State Facilities

Should the UATS identify and evaluate transportation facility concepts located in the state right-of-way in the study area?

Should the UATS examine the magnitude of travel pattern shifts in the study area associated with the various SR 520 alternatives in the Trans-Lake Washington Study EIS?

Discussion: The traffic flow and operational conditions of the city’s transportation system within the UATS study area are highly affected by the adequacy of I-5 and SR 520. There are limits as to what the city alone can do to improve the transportation conditions within the city’s right-of-way. While some changes to state facilities could negatively affect the University communities, it is important to understand the relationship between state facilities and local traffic conditions. The UATS should clarify the relationship between state and city facilities through the use of its travel forecast model.

Improvements within state rights-of-way that the UATS could identify include adding collector-distributor roadways to increase vehicle storage spaces on ramps, rebuilding overpasses to add pedestrian and bicycle spaces, as well as to increase vehicle queuing spaces to minimize interference for through-vehicles, and rebuilding interchanges to provide better access and reduce conflicts with city intersections in the vicinity. The

travel demand forecasting model will be used to understand the benefits of these freeway related improvements to the flow of the city street network.

The UATS is developing a travel demand forecast model that covers the metropolitan area. It would be relatively easy to set up the model to analyze patterns of traffic shifts due to the capacity expansion options on SR 520 across Lake Washington. However, there would not be enough resources to analyze detailed levels of service in the study area for each SR 520 option.

C. Montlake Bridge

Should the UATS evaluate options to rebuild the Montlake Bridge with wider facilities?

Discussion: The lack of road capacity on the Montlake Bridge is one cause of the severe traffic congestion in the Montlake Boulevard corridor. The Bridge also creates congestion for pedestrians and non-motorized transportation. However, the residential community has strongly opposed any actions that would increase traffic volumes in this corridor and would probably reject any attempt to evaluate options perceived to attract additional traffic in the corridor. The UATS should not evaluate options to rebuild the Montlake Bridge.

It should be noted that the Trans-Lake study might identify options that would impact the Montlake Bridge, including reconstruction of the bridge with increased traffic capacity.

D. Freeway Access

Should the UATS evaluate cost and benefit of a freeway access improvement in the Eastlake area, which is located outside the study area?

Discussion: One of the possible strategies to reduce traffic congestion in the Montlake Boulevard corridor is to increase the use of the University Bridge by making it more accessible. It will be possible to test the access changes from Eastlake Avenue to I-5 and/or SR 520 with the travel forecast model. Although it would be relatively easy to analyze the changes to the traffic pattern in the study area with the computer model, such evaluation would more appropriately be addressed in the Trans-Lake Study.

E. Sound Transit Light Rail Plan

What should the UATS assume to be the Sound Transit light rail plan?

Discussion: During recent months, the light rail element of Sound Transit's ten year regional transit system plan has been criticized in terms of cost and implementation schedule. It has become clear that the original budget and schedule are not sufficient to

complete the plan. While the Sound Transit Board approved the additional budget and time to complete the light rail system from SeaTac to University District, federal officials and local citizen groups remain concerned. The revised light rail plan might be further modified.

During the course of the UATS, an Independent Project Review Committee will make recommendations that could affect Sound Transit's plans. In the final evaluation and prioritization process, the UATS will consider possible system level impacts of changes to the plan based on the best available information. Likely impacts could involve the relative priority of other transit investments.

2. Financing Sources

Should the development of a transportation improvement plan be constrained by the city's current level of financial resources?

Should the UATS investigate ways to raise additional revenue for transportation facility improvements in the study area? If so, what would be the level the city and communities are willing to pay? Should the study identify who should pay and how much?

Discussion: The city's 1998 Transportation Strategic Plan states that the City of Seattle has a major transportation funding shortfall. The City's current transportation revenues are \$59 million per year. Achieving appropriate levels of maintenance alone will require an estimated \$80 million per year. Any investments in mobility improvements will require still more funding.

The city's 2001-2006 proposed Capital Improvement Program includes three capital projects in the study area, with a total combined budget of \$11.35 million, or about \$1.9 million per year of expenditures. Two projects are related to signal controller replacements, street maintenance and resurfacing, and the third is the reconstruction of University Way. No major capacity improvement projects are included in the current CIP.

If the study assumptions are financially constrained at the outset, it is possible that new, bold or innovative ideas, which may be funded through regional grants or other financing possibilities, would not be considered and evaluated in this study.

The issue of transportation financing is a citywide issue and needs to be addressed in a broader context than the UATS study area. However, the study team feels that it is important for the city to identify additional revenues if new transportation facilities are warranted. This study could identify possible revenue sources including:

- imposition of development impact fees;

- creation of local improvement districts;
- establishment of a transportation benefit district;
- dedication of property tax or employee tax for transportation improvements;
- partnerships with the Washington State Department of Transportation through the Trans-Lake and I-5 projects;
- clarifying city priorities for future investments by the University of Washington, King County Metro and other transit agencies; and
- potential partnership opportunities involving the use of street rights-of-way, including street vacations.

The study team would look for city guidance in determining how much the communities and agencies may be willing to pay, who should pay, and how much.

3. System Performance and Concurrency

A. System Performance

One of the early tasks in the planning process of the UATS is to identify transportation system deficiencies. To provide a context for how well or poorly the system is performing, the study team will develop performance benchmarks for each mode of transportation. The benchmarks will illustrate how the city wants the transportation system to perform and provide a basis against which to evaluate current operations.

Which benchmarks should the study use?

Discussion: The study team recommends that the city consider the following performance benchmarks for the UATS:

Roadway corridor: LOS E measured in average speed for major corridors during PM peak hour.

The following table shows the average speed that will be required to maintain LOS E and F on the major corridors in the study area, compared with the existing speeds.

Roadway Corridor Levels of Service Definition As Defined By Highway Capacity Manual and Existing Corridor Speeds

Roadway Corridor	Urban Street Class	LOS E Speed	LOS F Speed	Existing Speed
15 th Avenue NE from NE 50 th Street to Pacific Street-Southbound	III	10-14 mph	<10 mph	10 mph
NE Pacific Street from Boat Street to Montlake Boulevard-Eastbound	III	10-14 mph	<10 mph	5 mph
Montlake Boulevard from SR 520 to NE 45 th Street-Southbound	II	13-17 mph	<13 mph	3 mph
Montlake Boulevard from SR 520 to NE 45 th Street-Northbound	II	13-17 mph	<13 mph	12 mph
Roosevelt Way from NE 50 th Street to Harvard Avenue NE-Southbound	III	10-14 mph	<10 mph	15 mph
11 th Avenue from Harvard Avenue to NE 50 th Street-Northbound	III	10-14 mph	<10 mph	14 mph
NE 45 th Street from I-5 Southbound Ramps to Union Place-Eastbound	IV	7-9 mph	<7 mph	6 mph
NE 45 th Street from I-5 Southbound Ramps to Union Place	IV	7-9 mph	<7 mph	6 mph

The LOS definition is adopted from Highway Capacity Manual 2000, Chapter 15-Urban Streets Methodology.

Intersection: LOS E measured in average delay in seconds for intersections on major arterials (better than 80 seconds of delay) during PM peak hour.

Transit: Increase transit vehicle speed, reliability, and service quality measured by headway to and from major centers. For example, one transit performance benchmark might be to provide transit connections between each of the urban centers and the university area with a minimum of 15 minute-headway during peak periods.

Carpool/vanpool: Provide travel time incentives and pricing incentives.

Pedestrian/bicycle: Pedestrian and bicycle performance benchmarks are in the early stages of development across the country. A review of current practices around the country, including those being applied in cities and towns with college campuses, revealed qualitative benchmarks for pedestrian and bicycle systems. The development of quantitative benchmarks is time and data intensive. Therefore, the use of qualitative benchmarks is not recommended for this study.

Because of the intensity of these travel modes in the study area, the UATS will create a tailored approach to analyzing the adequacy of the pedestrian and bicycle travel network in the study area. In general, this qualitative analysis will address the following questions:

- What gaps and deficiencies are there in the current network? Are there missing links in the system?
- Where do substandard conditions exist?
- What routes and corridors need to be strengthened between origins and destinations in the study area?
- Where are crossing improvements needed (at grade and grade separated; intersection and mid-block)?
- Could urban design features be added along certain streets and corridors to enhance pedestrian and bicycle safety, security, and the travel environment in general (such as lighting, street trees, landscaping, signing, resting spots, etc.)?

The study will address these questions by first reviewing recent studies of the area that contain relevant information, and then analyzing existing field conditions.

B. Concurrency

Is it appropriate to discuss the purpose of concurrency in the UATS?

Discussion: The study team feels that it is very important for the city to discuss the purpose of concurrency. Concurrency is a planning tool to address three factors: the traffic congestion level that the communities can accept; the degree of investment in transportation facilities that the city can afford to make; and the amount of growth the area can accommodate. Without engaging in discussing how to balance acceptable levels of traffic congestion, with forecast growth and needed facilities, the University Area communities will have difficulty in accepting any recommendations in this study. However difficult it may be to discuss the purpose of concurrency, the UATS would produce a better transportation plan if the concurrency issue were addressed in this study.

However, the question of the purpose of concurrency is a city-wide, Comprehensive Plan issue. Since the UATS addresses transportation issues only within a subarea, it would be difficult to evaluate this issue from a city-wide perspective. Furthermore, this study would not have enough resources to address concurrency policy issues. Therefore, the “performance benchmarks” described above can be used for this study. The use of such performance measure should help the city review concurrency in the future.

4. Development Review and Mitigation

A. Development Review Process

Would the city be interested in using the UATS as a way to make the city’s development review process more efficient?

Discussion: Many jurisdictions in Washington State have developed processes that use a long-range transportation plan linked to impact fee payments or voluntary contributions to mitigate transportation impacts. The fees or contributions are directly tied to the transportation improvements identified in a long-range transportation plan or an adopted capital improvement program. Using one of these processes, the cumulative impacts are mitigated to satisfy SEPA. A simple traffic study is generally needed to show whether the development can meet the concurrency standards and to identify site-specific impacts in the immediate vicinity of the development site.

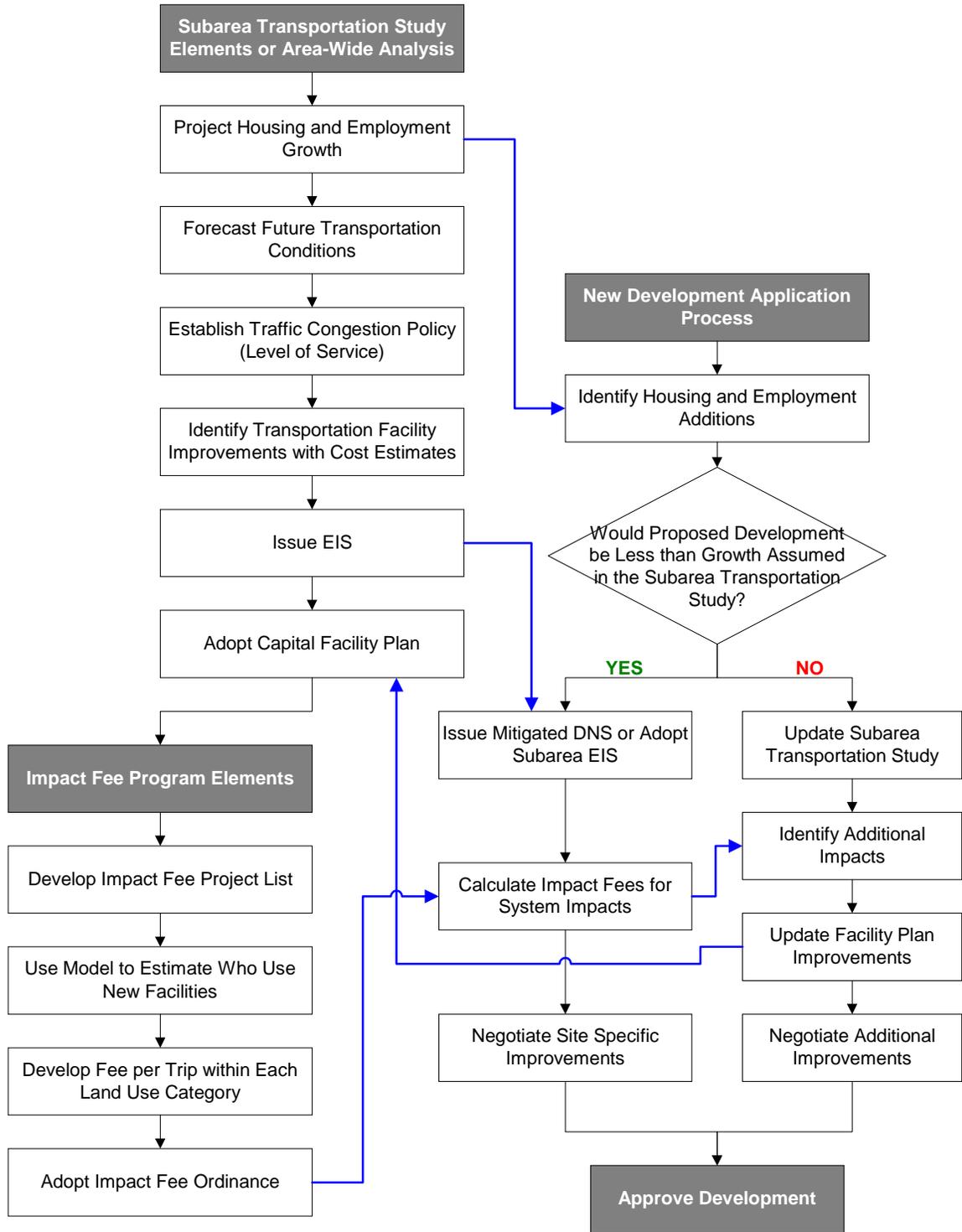
The following two flow charts (Example A and Example B) show typical processes the city may want to use as models to improve the permit approval process.

Example A shows that, at the conclusion of a subarea transportation study (such as the UATS), a capital facility plan is adopted after an environmental review (possibly after issuing an EIS). Based on the capital facility plan, an impact fee ordinance is developed and adopted to mitigate “system impacts”. A development applicant will not be required to conduct a traffic impact study if the development falls within the growth assumptions used in the subarea transportation study. The developer will be required to pay impact fees and mitigate site specific improvements.

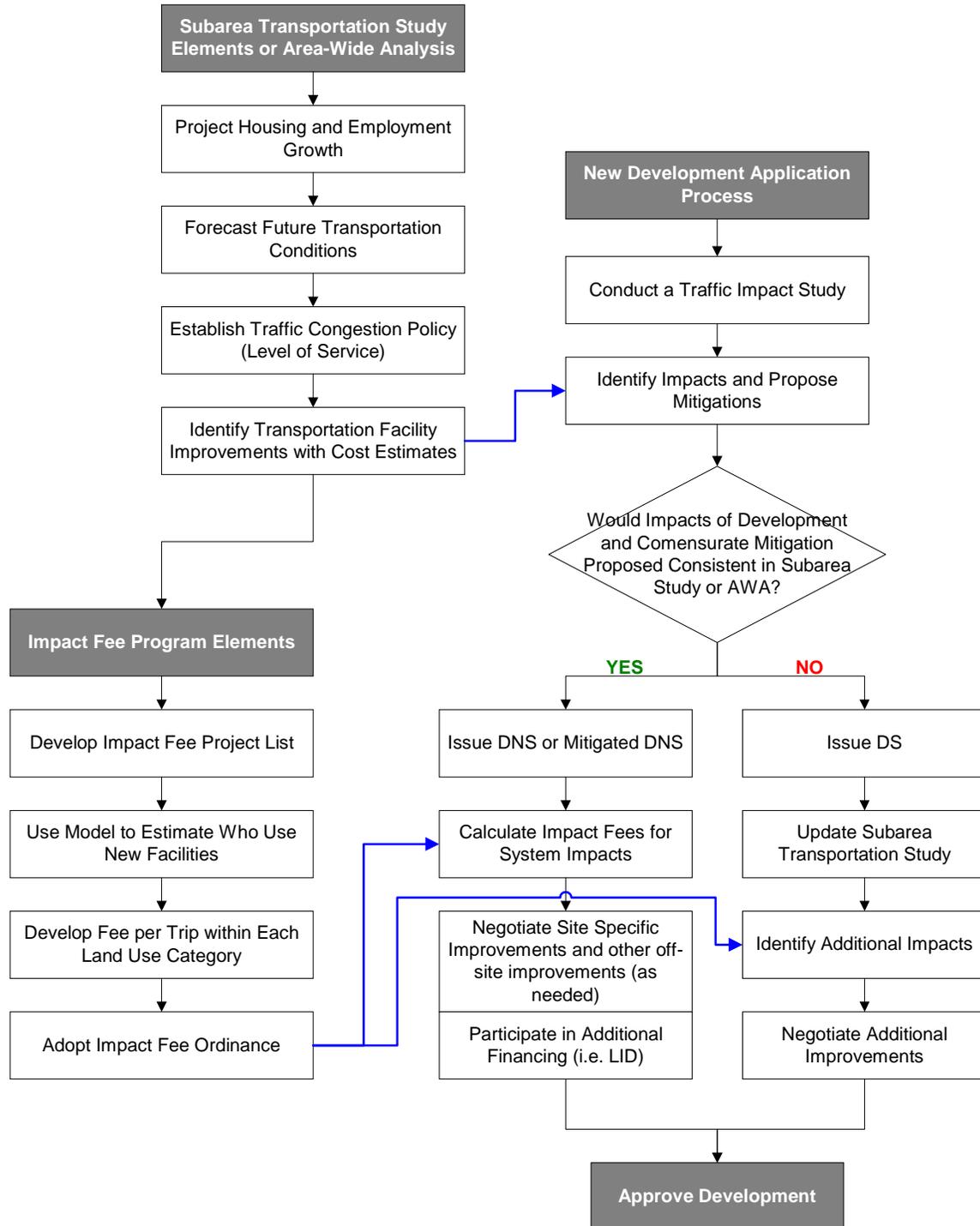
Example B shows a process where recommendations in the subarea transportation study are used by city staff to negotiate fees to be paid by the development applicant. The development applicant will be asked to prepare a traffic impact study. If the traffic study shows that the development impacts can be mitigated with the recommendations in the subarea transportation study, and if impact fee payments are agreed upon, a DNS (determination of non-significance) or mitigated DNS can be issued. If the traffic study shows that the development impacts cannot be mitigated with the recommendations in the subarea transportation study, a DS (determination of significance) will be issued and more traffic studies must be conducted. Mitigating actions will be negotiated in the EIS process.

There may be more variations of the development review process than those shown herein. The study team feels that it is important to clarify the development review process because it will save time, provide a consistent approach for developers, and conserve city staff resources.

Example A: Relationship Among Subarea Transportation Study, Impact Fee Program and Development application Process



Example B: Relationship Among Subarea Transportation Study, Impact Fee Program and Development Application Process



F. Mitigation

To what degree should development impacts on the transportation system be mitigated?

Discussion: This issue is related to two issues discussed above; improving the development review process and financing of transportation investments. It appears that current city practice has been to partially mitigate development impacts. Mitigation of cumulative impacts appears not to have been instituted. Full mitigation of development impacts on the transportation system would be one means of raising more revenue for transportation facility investments.

Upon which legal basis shall the city rely to develop the full mitigation process?

Discussion: The study team has identified five possible legal bases on which the city can rely to mitigate development impacts on transportation. They are SEPA, the Growth Management Act, the Local Transportation Act, Transportation Benefit Districts, and Local Improvement Districts. The following is a summary of the main requirements and restrictions of each of the five legal bases.

1. Mitigation Payments (SEPA)

a. Type of Local Government: Cities and counties.

b. Source/Purpose: SEPA (the State Environmental Policy Act, RCW 43.21C.060) authorizes local governments to condition the approval of development applications on a payment (fee) to mitigate the cost of specific adverse impacts on the built environment caused by the proposed development. Mitigation can be required for impacts on any type of public facility, including roadways, bicycle and pedestrian facilities, and bridges.

c. Limitations/Requirements: The amount of the mitigation payment must be directly related to the specific adverse environmental impacts attributable to the type and size of the proposed development. The mitigation revenue cannot be used to pay for existing deficiencies or maintenance, preservation or operations of facilities.

Mitigation payments are determined and negotiated on a case-by-case basis, identifying specific mitigations of specific impacts.

Small development projects, such as short plat subdivisions, may be exempt from SEPA review and mitigation requirements (notwithstanding the cumulative impacts that may be incurred from several such developments).

d. Decision Basis: SEPA authorizes mitigation payments to be charged at the discretion of cities and counties.

2. Road Impact Fees (Growth Management Act)

a. Type of Local Government: Cities and counties.

b. Source/Purpose: RCW 82.02.050-090 authorizes a charge to be paid by new development for its "proportionate share" of the system (off-site) improvements cost of roads that are required to serve the development.

Road impact fees are flat rates for dwelling units (by type) and rates per square foot of non-residential development (by type). Adjustments must be made to fee calculations to account for road costs that are paid by other sources of revenue, and additional "credits" can be given to developers who contribute land, improvements, or other assets.

c. Limitations/Requirements: Impact fees must be used for capital facilities (or portions thereof) needed by growth, and not for current deficiencies in levels of service, and cannot be used for maintenance or operating expenses. Impact fees must show that the improvements that are the basis for the impact fee are "reasonably needed" by the development, and that the expenditure of the impact fees will "reasonably benefit" the development. These requirements are usually met by demonstrating a rational nexus of benefit between the payer of the fee and the expenditure of the fee.

Fee amounts must be determined by a formula or other objective method. The fees must be based on, and can only be expended on, improvements listed in the Capital Facilities Plan element of the jurisdiction's adopted comprehensive plan. Impact fees can continue to be collected for capital improvement projects that have been completed (similar to a latecomer fee) as long as the impact fees collected continue to comply with all other requirements of the law.

Impact fees must be earmarked and deposited in separate accounts. Fees not expended or obligated within 6 years of receipt must be refunded with interest.

Impact fees do not preclude reasonable permit and application fees, and developer mitigations required by SEPA (as long as the impact fees are not charged for the same improvements as the SEPA mitigation).

d. Decision Basis: GMA authorizes impact fees to be charged at the discretion of cities and counties.

3. Road Impact Fees (Local Transportation Act of 1988)

a. Type of Local Government: Cities and counties.

b. Source/Purpose: RCW 39.92.010-040 authorizes transportation impact fees to be paid by new development for transportation improvements necessitated in whole or in part by economic development and growth in the jurisdiction. The purpose of the transportation

impact fee is to mitigate off-site transportation impacts that are a direct result of the proposed development.

Public transportation must be considered as a method of reducing off-site transportation impacts of development. There must be a fair and predictable method for allocating the cost of needed transportation improvements between the public and private sectors. "Credits" must be given to developer's participation in public transportation and ride-sharing improvements and services, and for the fair market value of off-site land and off-site transportation improvements dedicated to the local government.

c. Limitations/Requirements: Impact fees must be used for off-site transportation facilities reasonable and necessary to solve the cumulative impacts of planned growth and development in the area. The fees shall not exceed the amount that the local government can demonstrate is reasonably necessary as a direct result of the proposed development.

Fee amounts must be determined by a formula or other objective method. The fees must be based on, and can only be expended on, improvements listed in an adopted comprehensive, long-term transportation plan. Impact fees can continue to be collected for capital improvement projects that have been completed since the adoption of the impact fee (similar to a latecomer fee).

Impact fees must be earmarked and deposited in separate accounts. Fees not expended within 6 years of receipt must be refunded.

Impact fees can be collected at building permit or subdivision plat. Developers who pay at subdivision shall be given the option to pay the impact fee by installment with reasonable interest over a period of 5 years or more, as specified by the local government.

d. Decision Basis: LTA authorizes impact fees to be charged at the discretion of cities and counties.

4. Transportation Benefit Districts

a. Type of Local Government: Cities and counties

b. Source/Purpose: RCW 36.73.020 (counties) and RCW 35.21.225 (cities) authorizes transportation districts with independent taxing and other financial authority for the purpose of acquiring, constructing, improving, providing, and funding any city street, county road, or state highway improvement within the district.

A transportation benefit district may impose a fee or charge on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space, or on the development, subdivision, classification, or reclassification of land. The fee or charge must be used exclusively for transportation improvements constructed by the transportation benefit district.

[Note: Transportation benefit districts also have the authority to levy taxes, issue bonds, create local improvement districts, and receive donations, grants and low-interest loans.]

c. Limitations/Requirements: Transportation improvements funded with district revenues must be (1) consistent with state, regional, and local transportation plans, (2) necessitated by existing or reasonably foreseeable congestion levels attributable to economic growth, and (3) partially funded by local government or private developer contributions, or a combination of such contributions.

The fees or charges must be reasonably necessary as a result of the impact of development, construction, or classification or reclassification of land on identified transportation needs.

d. Decision Basis: Local government for development fees.

5. Local Improvement District or Road Improvement District

a. Type of Local Government: Cities and counties.

b. Source/Purpose: RCW 35.51 (cities), 36.88 and 36.94 (counties) authorize special assessment districts such as road improvement districts to implement financing methods for capital facilities which require partial or complete financing by entities other than the jurisdiction. These financing alternatives include those that require financial participation by property owners or developers (i.e., special assessment bonds such as Road Improvement Districts (RID) or the collection of development fees).

c. Limitations/Requirements: Charges to individual property owners may be assessed only where there is a direct benefit to the property. Eligible facilities for RID financing include roads, bridges, sidewalks, bike facilities, street lighting and other capital components of the roadway infrastructure, and high capacity transit systems.

d. Decision Basis: Local option discretion requiring 50% or more property owner approval.