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BEFORE THE HEARING EXAMINER  
FOR THE CITY OF SEATTLE

In the Matter of the Appeals of:  
  
SEATTLE FOR GROWTH and SEATTLE  
MOBILITY COALITION  
  
From a Determination of Nonsignificance issued  
by the Seattle City Council.

Hearing Examiner Files:  
  
W-18-012  
W-18-013  
  
DECLARATION OF COURTNEY A.  
KAYLOR

I, Courtney A. Kaylor, declare as follows:

1. I am one of the attorneys for appellant Seattle Mobility Coalition. I am competent to testify and make this declaration based on my personal knowledge.

2. Attached to this declaration are true and correct copies of the following documents:

Exhibit A: Seattle City Council impact fee web page.

Exhibit B: Transportation Impact Fees, presented to Sustainability & Transportation Committee, March 2018.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28<sup>th</sup> day of January 2019, at Seattle, Washington.

  
\_\_\_\_\_  
Courtney A. Kaylor

# EXHIBIT A



# IMPACT FEES

## Impact Fees

### Background

Planning and policy development work for an impact fee program began in 2015. Impact fees are statutorily authorized fees charged to new development to partially address the needs for capacity improvements to transportation, parks, schools, and fire facilities associated with growth. In 2015, the City recommended a work program for: (1) development of an impact fee program for parks and transportation and (2) exploration with the Seattle School District of a program for public schools. Competing policy priorities forestalled completion of the work program. In 2017 the Council docketed consideration of Comprehensive Plan amendments for impact fees through Resolution 31732. In 2018, the Council began to complete some policy development work necessary to implement a transportation impact fee program.

### Current Status

This March the Council will consider whether to amend the Comprehensive Plan to establish the policy basis for a transportation impact fee program. Among other things, Comprehensive Plan amendments would establish a list of projects, for which capacity improvements are needed to accommodate growth. Projects on the list would be eligible for potential future expenditures of impact fee revenue. Projects on the draft list are drawn from current projects in the Capital Improvement Program, Seattle's transportation modal plans, and Move Seattle Vision projects. Development of the projects would improve the reliability and efficiency of Seattle's transportation network and benefit all modes of transportation. Establishing the list in the Comprehensive Plan is a necessary, but not sufficient, step towards implementing an impact fee program. The Council and Mayor would need to approve future legislation establishing substantive and procedural requirements of an impact fee program.

The Council has Issued a State Environmental Policy Act (SEPA) threshold determination of non-significance for Comprehensive Plan amendments to help implement an impact fee program. That SEPA threshold determination has been appealed to the City Hearing Examiner. The Council will take up Comprehensive plan amendments after that appeal is resolved.

### Next Steps

- December 2018 to February 2019 – Continued analyses and development of a potential impact fee rate schedule, development of options for credits based on planning geography, and legislation drafting.
- March to April 2019 – Council consideration of legislation implementing a transportation impact fee program.

### Resources

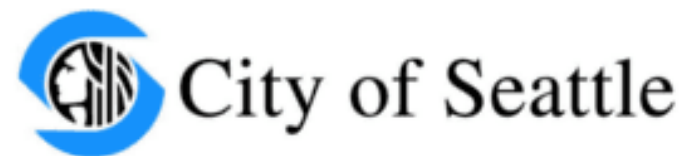
- [Transportation Capital Funding Review](#)
- [Draft Amendment to the Comprehensive Plan](#)
- [Presentation: Impact Fee Assessment & Work Plan](#)
- [Presentation: Transportation Impact Fees - Comprehensive Plan Amendments](#)
- [Impact Fees SEPA Threshold Determination](#)
- [Presentation: Transportation Impact Fees, made to the Transportation Committee](#)
- [Projects Map \(Draft\)](#)
- [Impact Fees - SEPA Environmental Checklist](#)
- [Notice: Hearing Cancellation for 11.29.2018](#)

# EXHIBIT B

# Transportation Impact Fees



Presented to:  
Sustainability & Transportation Committee  
March 2018



# What Are Transportation Impact Fees?

- **One time charges** paid by new development
- Authorized by the **1990 GMA** as a funding source for transportation improvements
- Funds improvements that **add capacity** to the transportation network
- Transportation impact fees can only be used to fund facilities that serve new growth, **not for existing deficiencies**

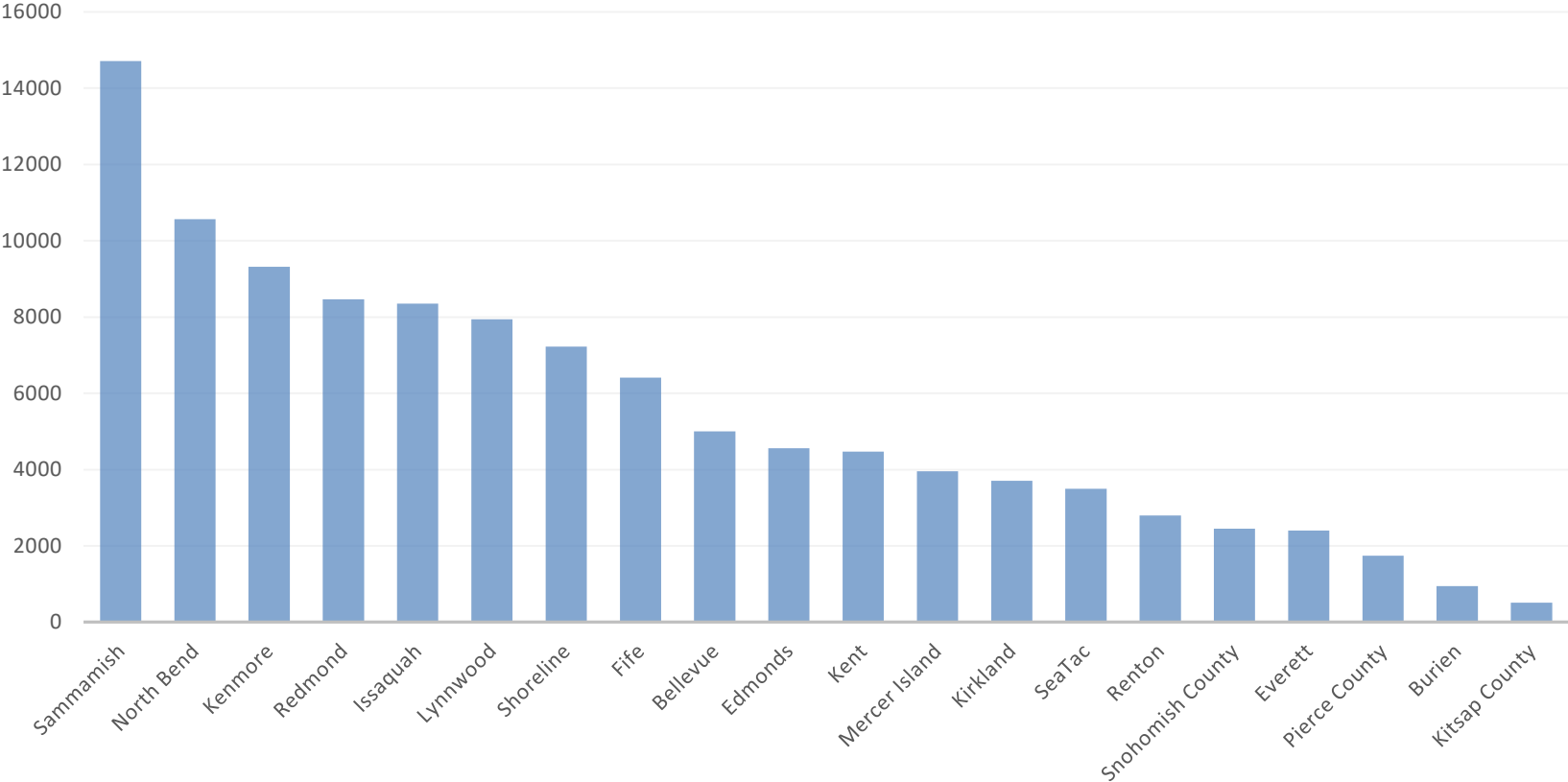


# What Are Transportation Impact Fees?

- Must be used **within 10 years** on **public streets and roads**
- Projects must be in the **capital facilities element** of a comprehensive plan
- Some communities have begun funding more **multimodal projects** with transportation impact fees
- **Alternative to SEPA mitigation** for 'system improvements'



# Most urban jurisdictions have them, but rates vary widely



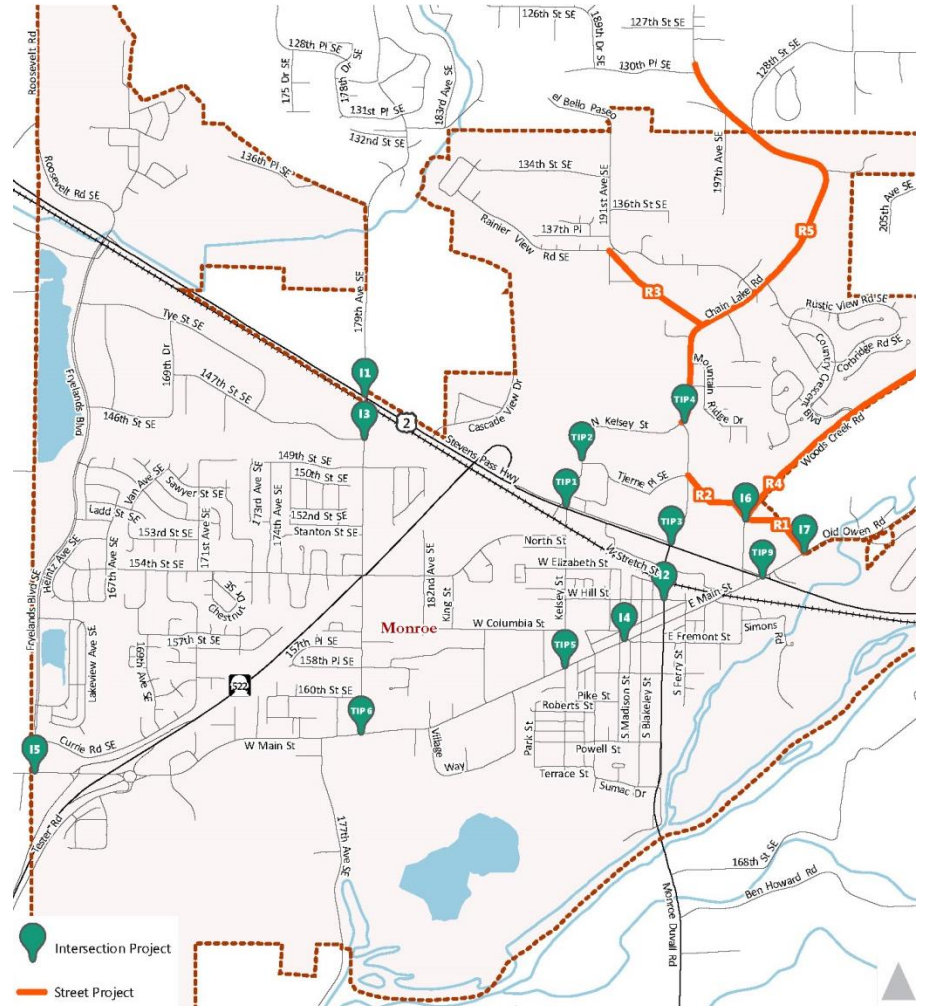


# Basic Example: Monroe's Transportation Impact Fee Program



# Review of City Projects

- Eligible projects identified by reviewing:
  - City's 2015-2020 Transportation Impact Program (TIP)
  - April 2015 draft of the Comprehensive Plan Transportation Element
- Projects were separated into categories:
  1. Base List
  2. Contingency
  3. Recently Completed



# Eligible Projects

**Base**  
Total = \$18.1M

<i>Location</i>	<i>Description</i>	<i>Estimated Cost</i>
US 2 / 179th Avenue SE	Add northbound right-turn pocket	\$1,000,000
S Lewis Street / Hill Street	Install traffic signal	\$500,000
179th Avenue SE / 147th Street SE	Install traffic signal	\$387,000
Main Street Gateway project	Street improvements	\$387,000
Woods Creek Road / Tjerne Place Ext	Install traffic signal	\$387,000
Tjerne Place extension	Extend Tjerne Place SE from Chain Lake Road to Woods Creek Road at Oaks Street	\$4,091,000
Woods Creek Road, Phase 1	Install pedestrian/bike trail with curb/gutter and drainage system	\$2,130,000
Chain Lake Road, Phase 2	Widen to 3-lane roadway section with curb, gutter, and sidewalk	\$9,256,000

**Contingency**  
Total = \$8.6M

<i>Location</i>	<i>Description</i>	<i>Estimated Cost</i>
Main Street Gateway	Street improvements	\$1,000,000
Fryelands Boulevard / Main Street	New Signal or Roundabout	\$984,000
Old Owen Road/Oaks Street	New Signal	\$387,000
Oak Street	Widening and Realignment	\$1,215,000
North Kelsey Area	New east/west connecting lane	\$5,032,000

Note: The Main Street Gateway project will be on the Base or Contingency list, depending on project cost

## Completed Projects

Total = \$9.1M

<i>Location</i>	<i>Description</i>	<i>Estimated Cost</i>
US2/ Kelsey	Construct a second eastbound left turn lane	\$1,800,000
Kelsey/ Tjerne Place	Install traffic signal	\$600,000
US 2/ Chain Lake	Install 2nd SB lane from Tjerne Place to US 2 and right-turn only lanes on US 2 for both EB and WB traffic at Chain Lake Road	\$3,200,000
Chain Lake Rd/Kelsey Intersection	Construct a Roundabout	\$1,675,000
Kelsey/Main	Install traffic signal	\$700,000
179th/Main	Install traffic signal	\$530,000
US 2/ Main Street/ Old Owen	Add right turn lane from eastbound Main onto US 2	\$600,000

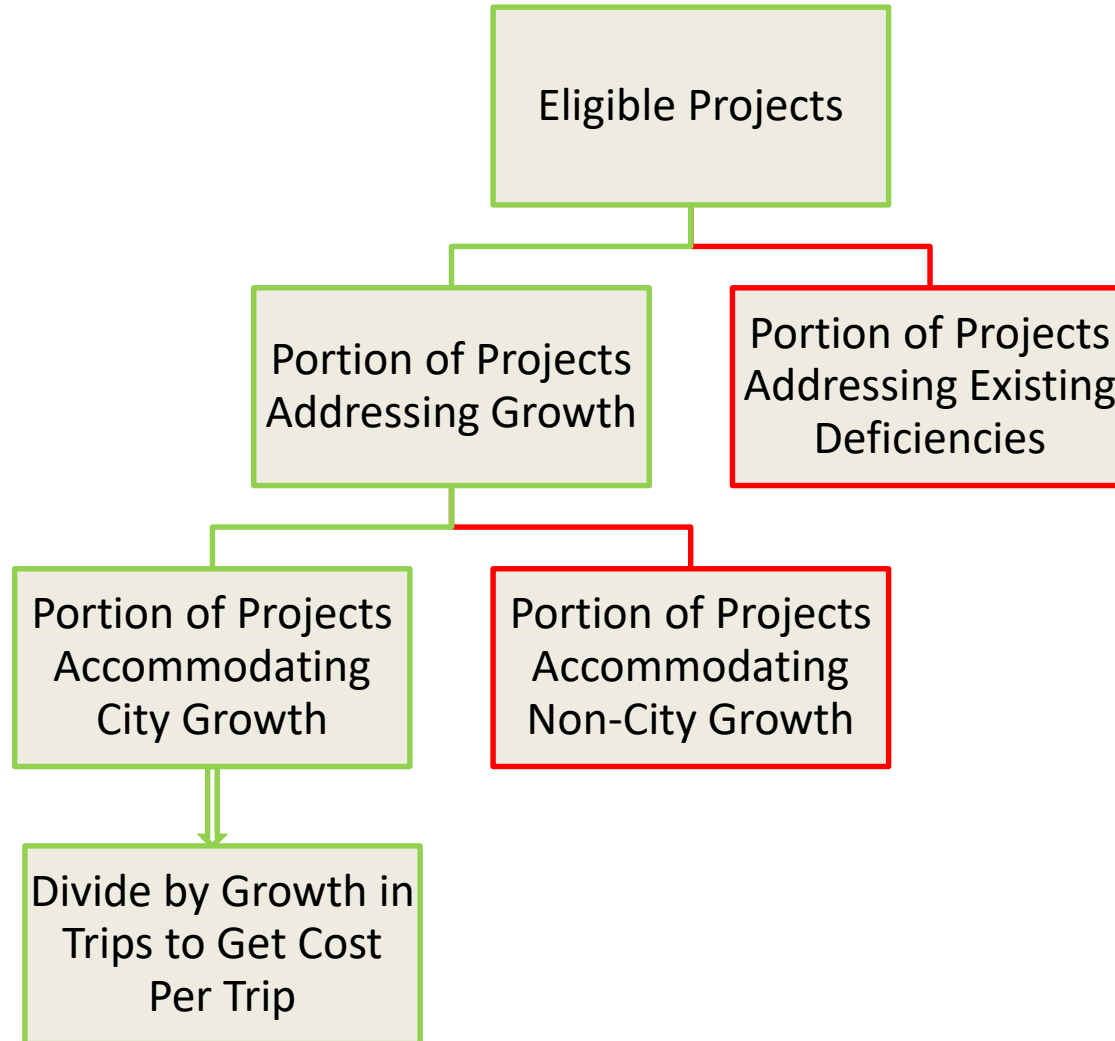
# Three Ways to Structure the Program

<i>Program Structure</i>	<i>Cost of Eligible Projects</i>
Base Projects	\$18.1M
Contingency and Base Projects	\$26.4M
Completed, Contingency, and Base Projects	\$35.5M

In addition, TIF projects can fund administrative costs – 1-3% of project costs typical. In this case, it would be an additional \$350,000-\$1.05M

*\*\*The above costs are not equal to the revenue that the impact fee program could generate, as impact fees can only pay for a portion of the total project costs\*\**

# Cost Allocation Methodology



# Potential Rates and Revenues

- Potential rates (cost per PM peak hour trip) for each of the three categories:

<i>Program Structure</i>	<i>Cost Per Trip</i>
Base Projects	\$2,093
Contingency and Base Projects	\$3,380
Completed, Contingency, and Base Projects	\$3,449

- Assuming development pay according to fee schedule, approximately \$15M would be generated over the next 20 years

# Shifting our focus to Seattle...





# What We've Heard in 2015-16

- Program should be structured to fund projects that align with **Seattle's values**
- **Needs are great**, so no need to fund projects with questionable eligibility
- Still, there is a high interest in funding **innovative projects** (e.g. off-board fare payment; greenways)



# Guidance for Program Structure in 2015-16

- Multimodal Program: Build around Move Seattle and modal networks
- Tie to City's new Mode Share level of service



# Pedestrian Master Plan

Puget Sound

Lake Washington

Puget Sound

Lake Washington

Legend

Tier 1 Along the Roadway Score in High Priority Areas

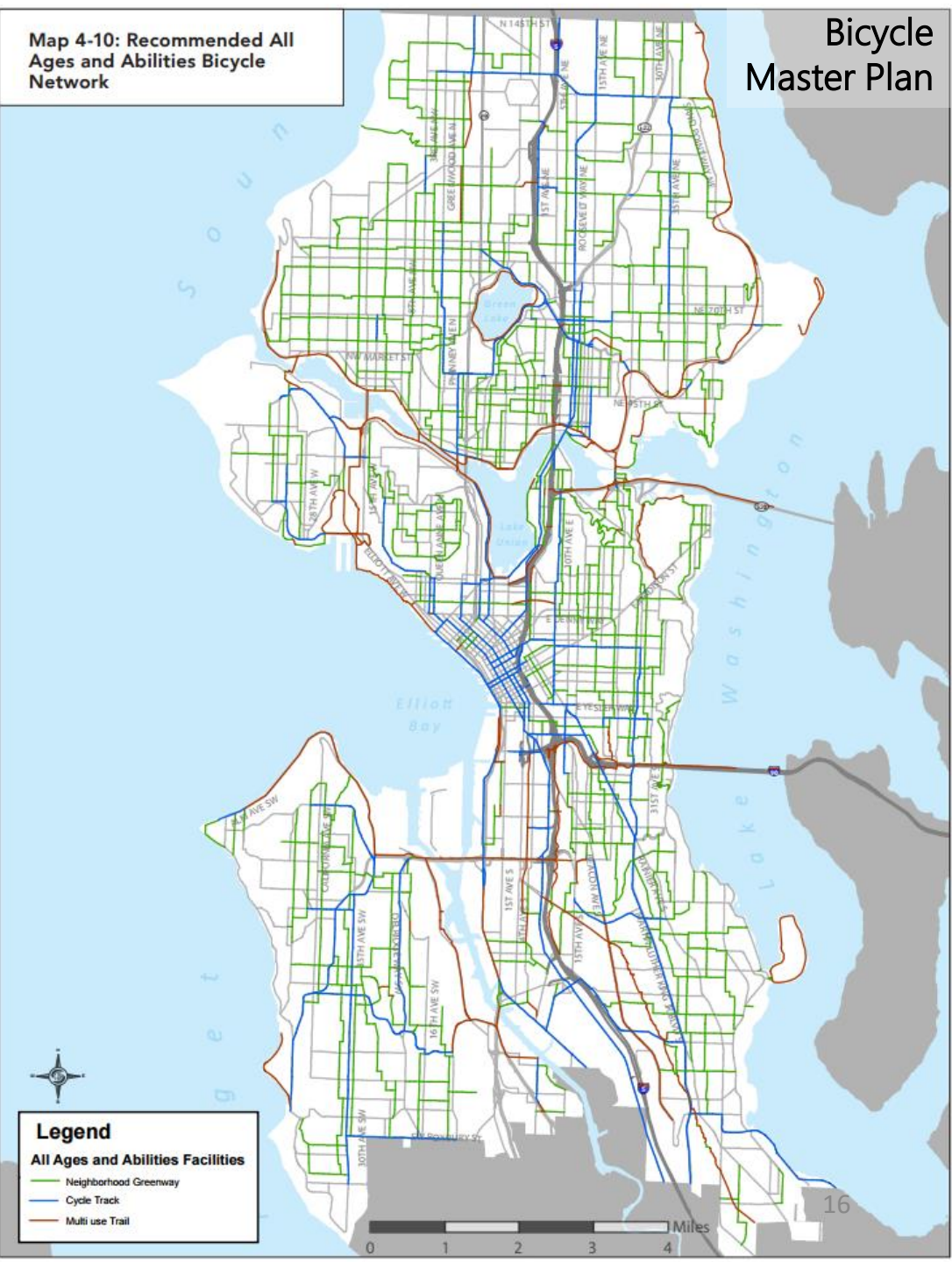


Legend

Tier 1 Crossing the Roadway Score in High Priority Areas



Map 4-10: Recommended All Ages and Abilities Bicycle Network



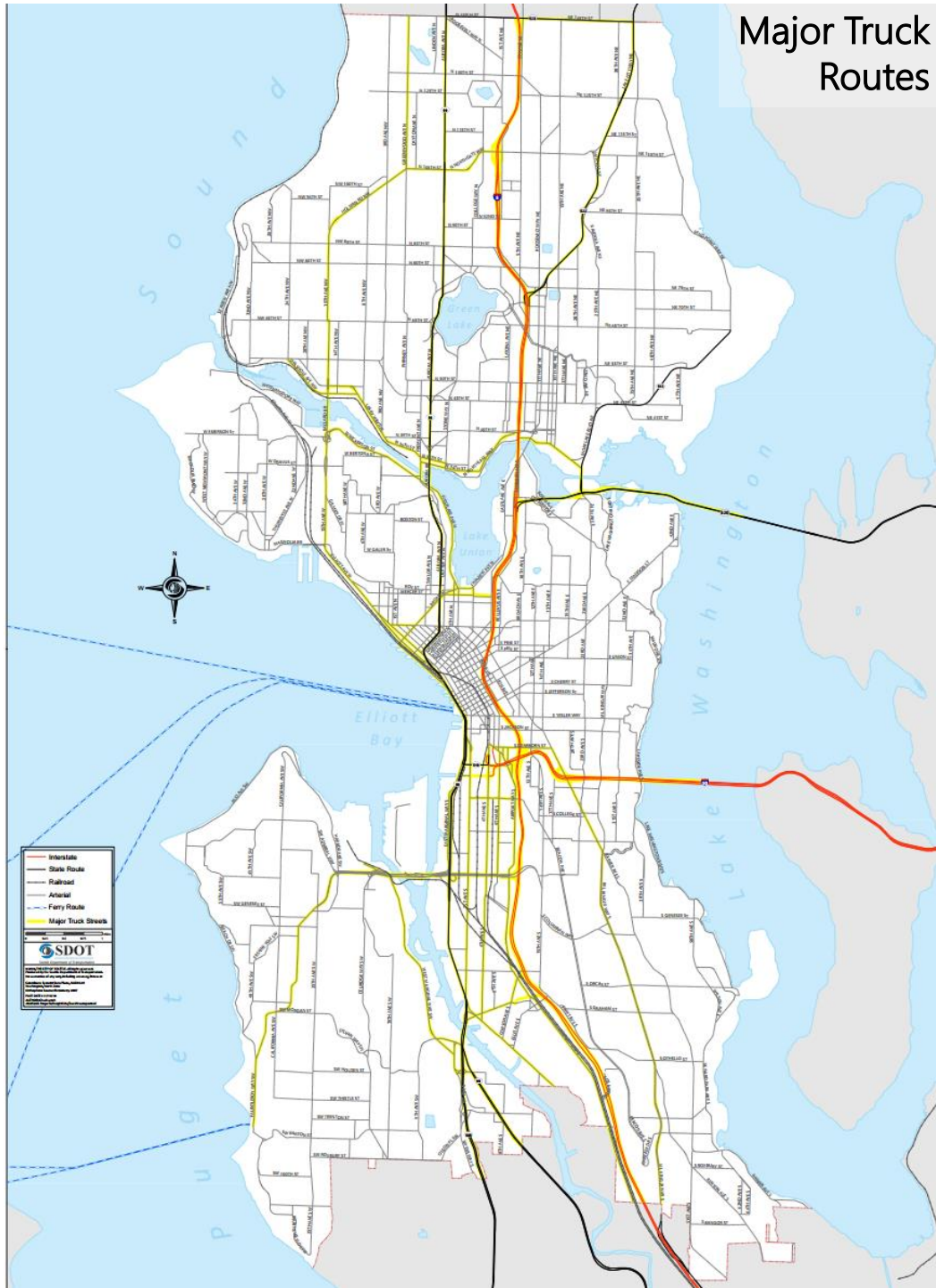
# Transit Master Plan

- Existing RapidRide Corridors
- Future RapidRide Corridors
- Priority Bus Corridors
- Seattle Streetcar
- Link Light Rail (Funded ST2)
- Desired Link Infill Stations

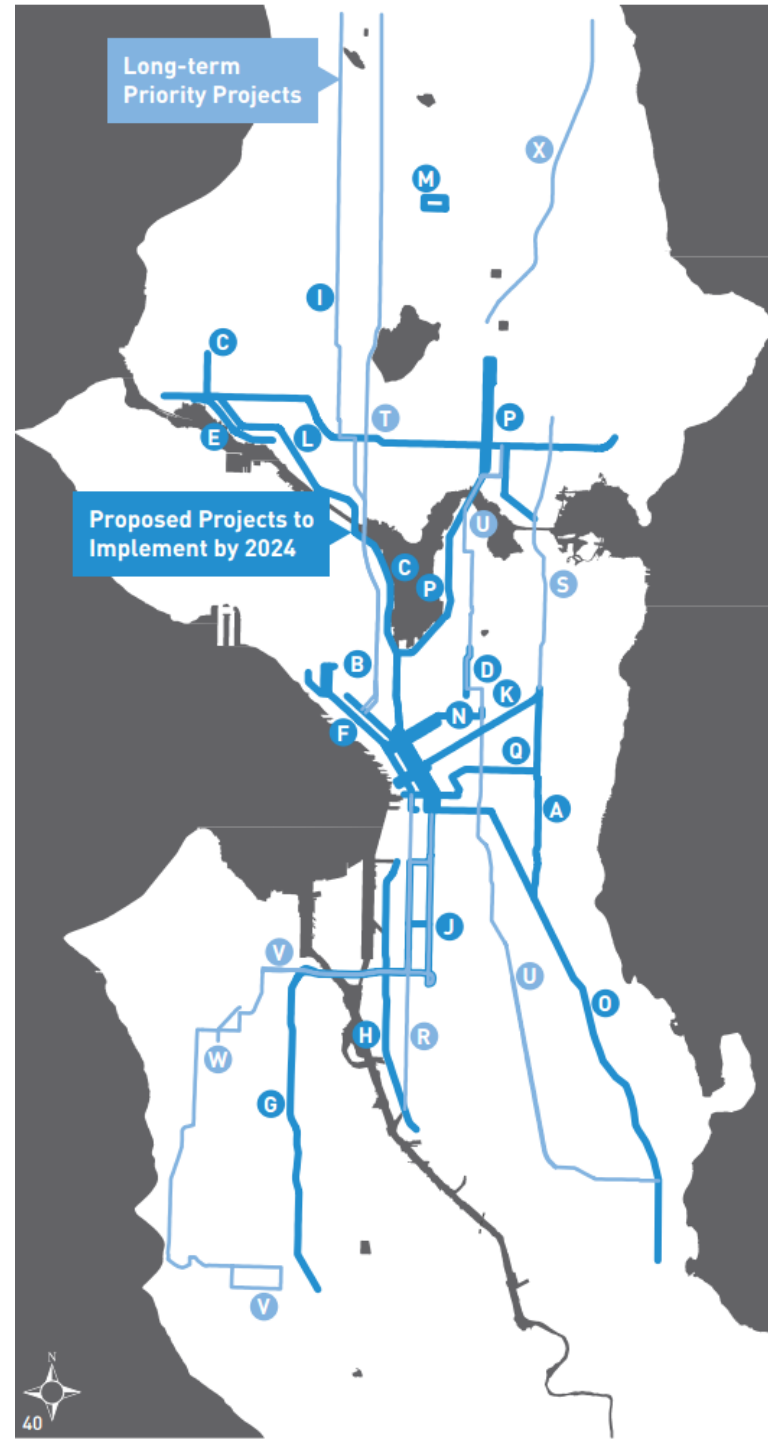


Not to Scale  
Data Sources: City of Seattle, King County

# Major Truck Routes



# Move Seattle

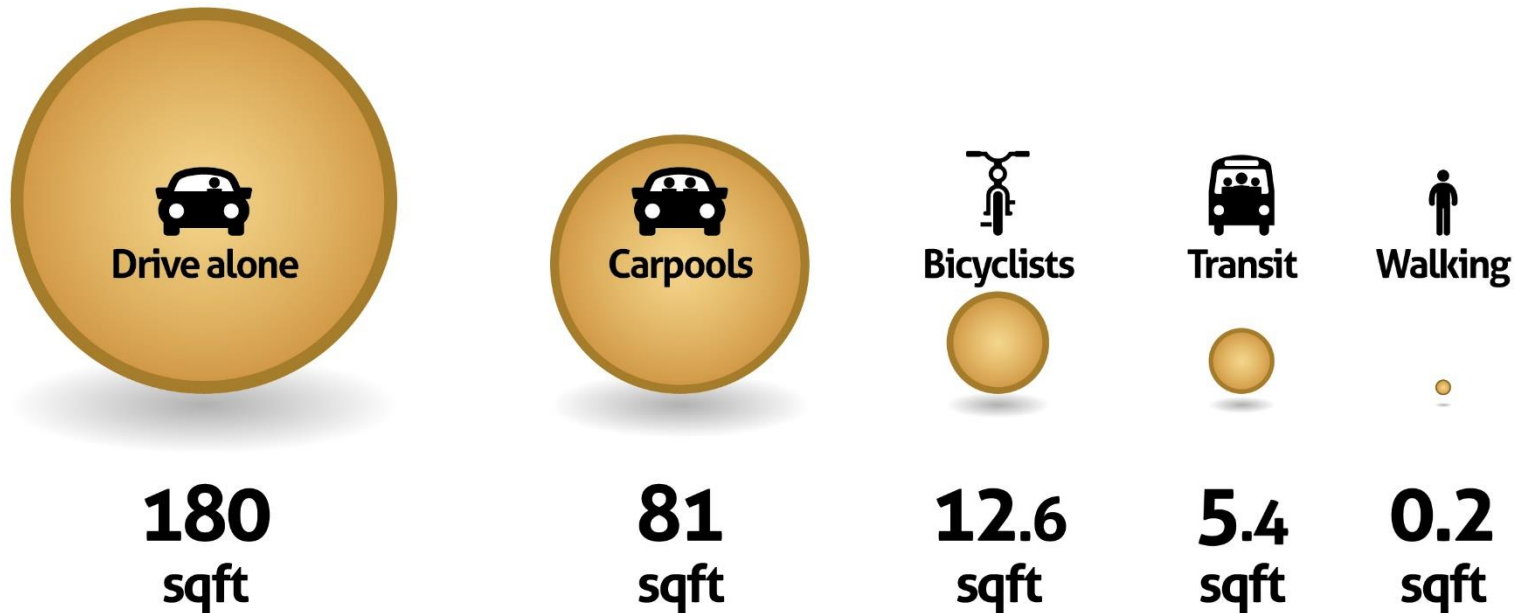


## PROJECT

- A** 23rd Avenue Corridor Improvements - Phases 1-3
- B** 3rd Avenue Corridor Improvements
- C** Ballard to Downtown Enhanced Transit Corridor
- D** Broadway Streetcar Extension
- E** Burke Gilman Trail Extension
- F** Center City Streetcar Connector
- G** Delridge Complete Street
- H** E Marginal Way Corridor Improvements
- I** Greenwood/Phinney/67th to Fremont Complete Street
- J** Lander Street Grade Separation/Railroad Crossing
- K** Madison Street Bus Rapid Transit Complete Street
- L** Market/45th Transit Improvement Project
- M** Northgate Pedestrian-Bicycle Bridge
- N** Pike/Pine Complete Street
- O** Rainier Avenue to Jackson Street Complete Street
- P** Roosevelt to Downtown Complete Street
- Q** Yesler/Jefferson Complete Streets
- R** 1st Avenue/1st Avenue S Corridor
- S** 23rd Avenue Corridor Improvements - Phase 4
- T** Aurora Avenue Complete Street
- U** Beacon/12th/Broadway Complete Streets
- V** Fauntleroy Way/California Transit Corridor
- W** Fauntleroy Way SW Boulevard
- X** Lake City Way Complete Street

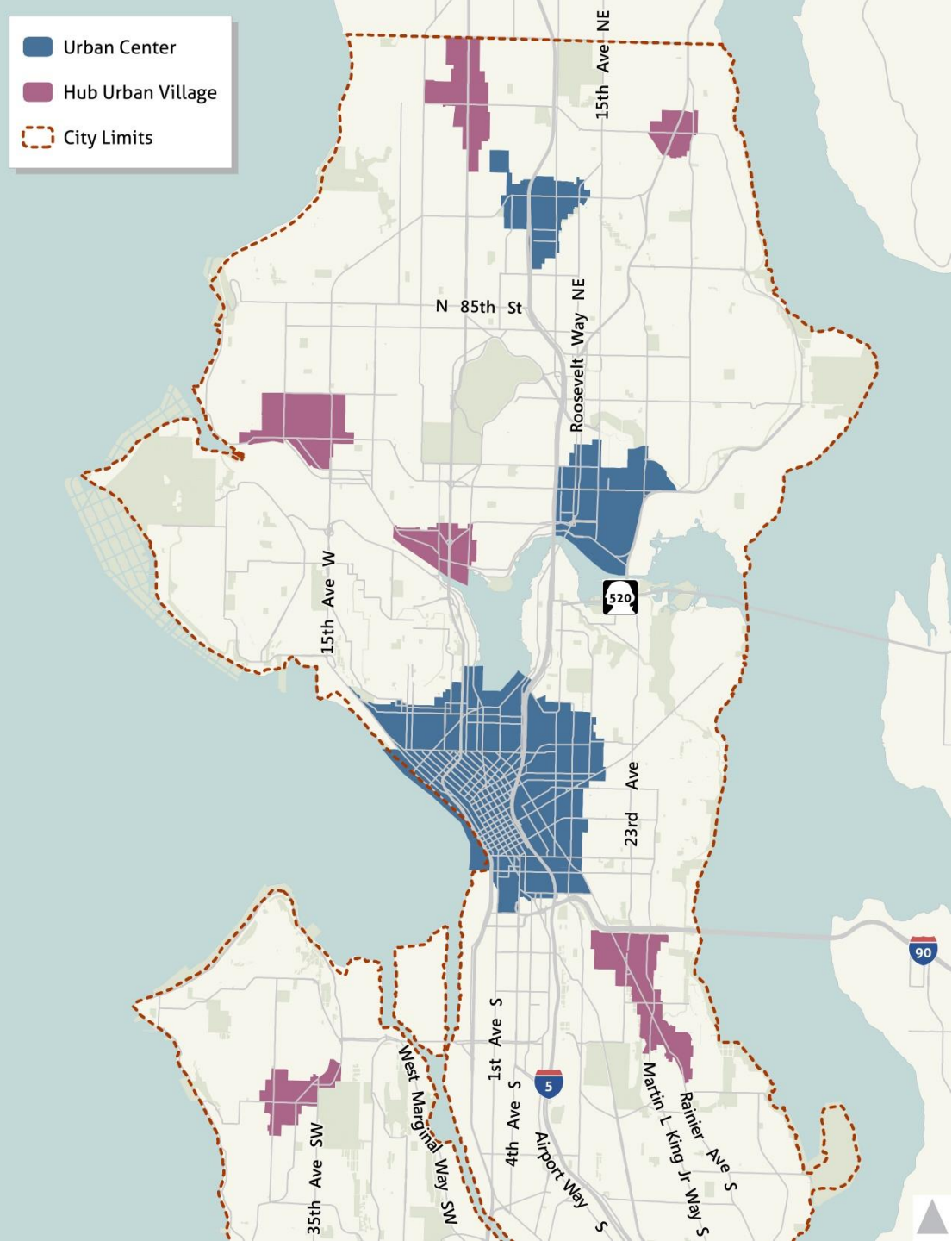
# Mode Share LOS

Relative footprint of a person trip by mode





- Fees could vary by area of the city in recognition of how transportation impacts are different
- Urban Centers and Hub Urban Villages generate fewer auto trips, given great densities and transit availability



# Comparing Seattle with Peer Cities



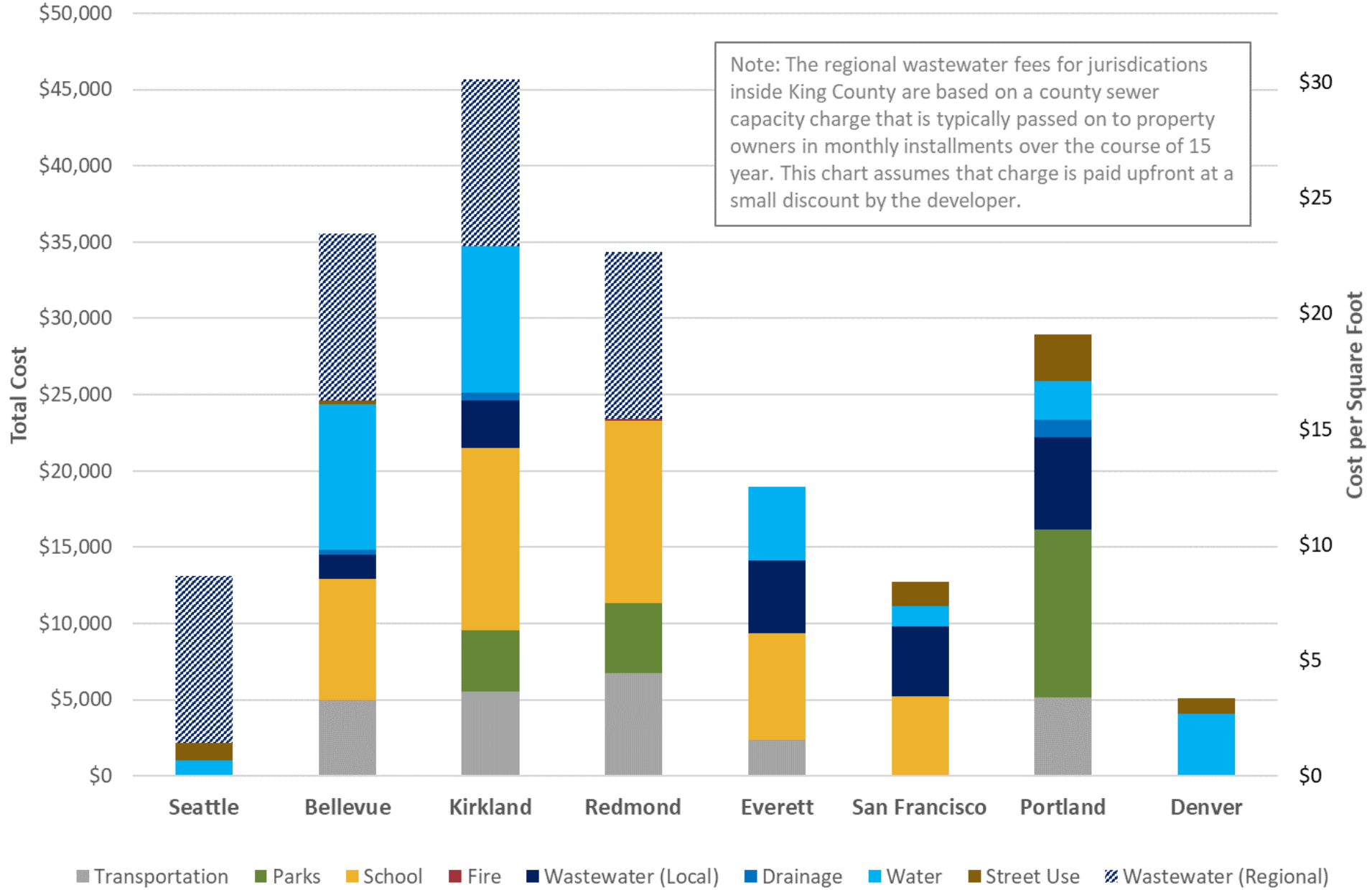
# System Improvement Fee Cost Comparison

- Comparison of cumulative cost burden associated with system improvement fees
  - Impact fees (transportation, schools, parks, fire, etc.)
  - Water connection charges
  - Sewer capacity charges
  - Street use
  - Child care
  - Affordable housing requirements
- Three development types:
  - Single family home
  - Multi-family (100 units)
  - Office (200,000 sq ft)

# Single Family - System Improvement Cost Comparison

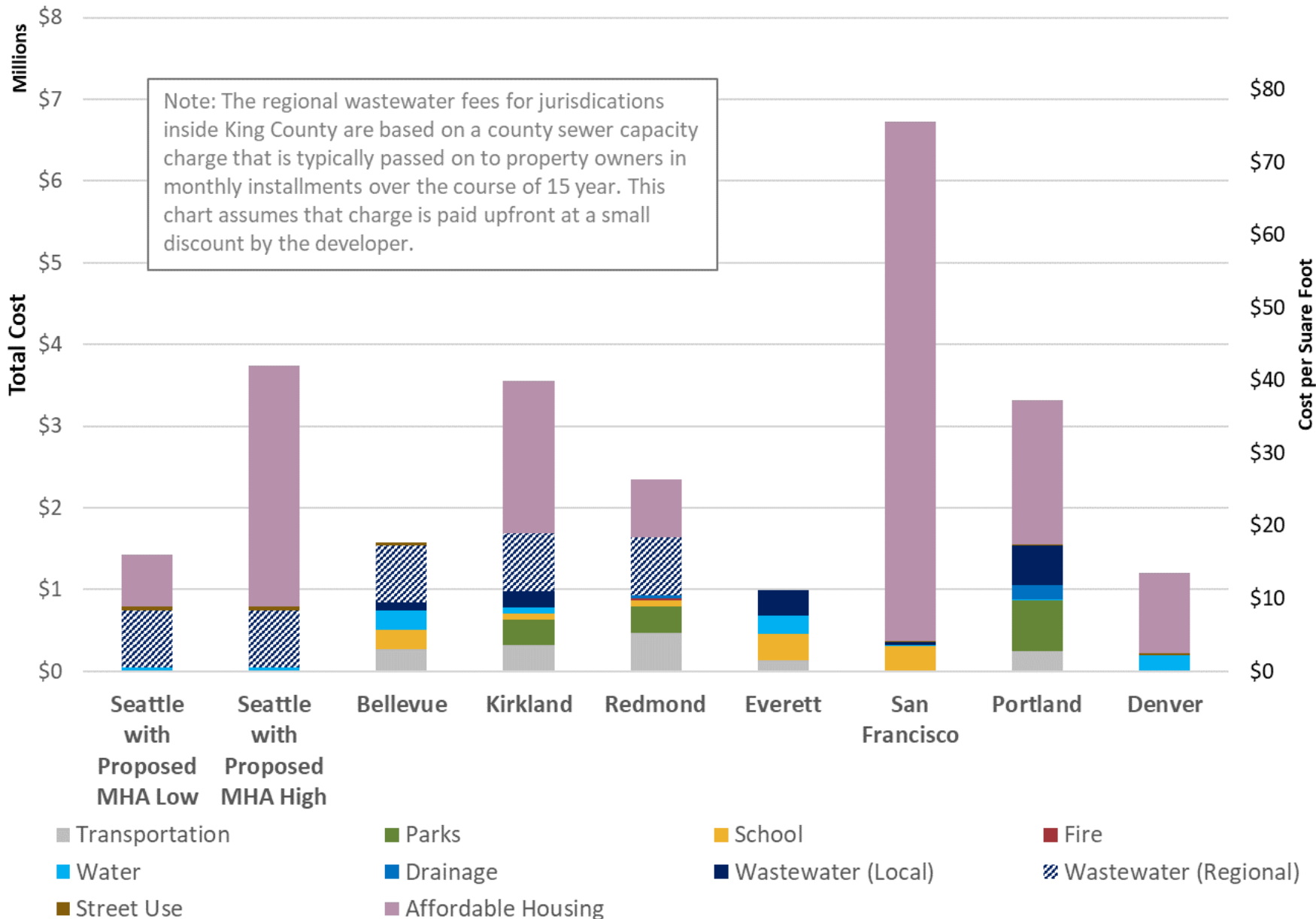
(1,500 square feet, excludes permit fees)

Note: The regional wastewater fees for jurisdictions inside King County are based on a county sewer capacity charge that is typically passed on to property owners in monthly installments over the course of 15 year. This chart assumes that charge is paid upfront at a small discount by the developer.



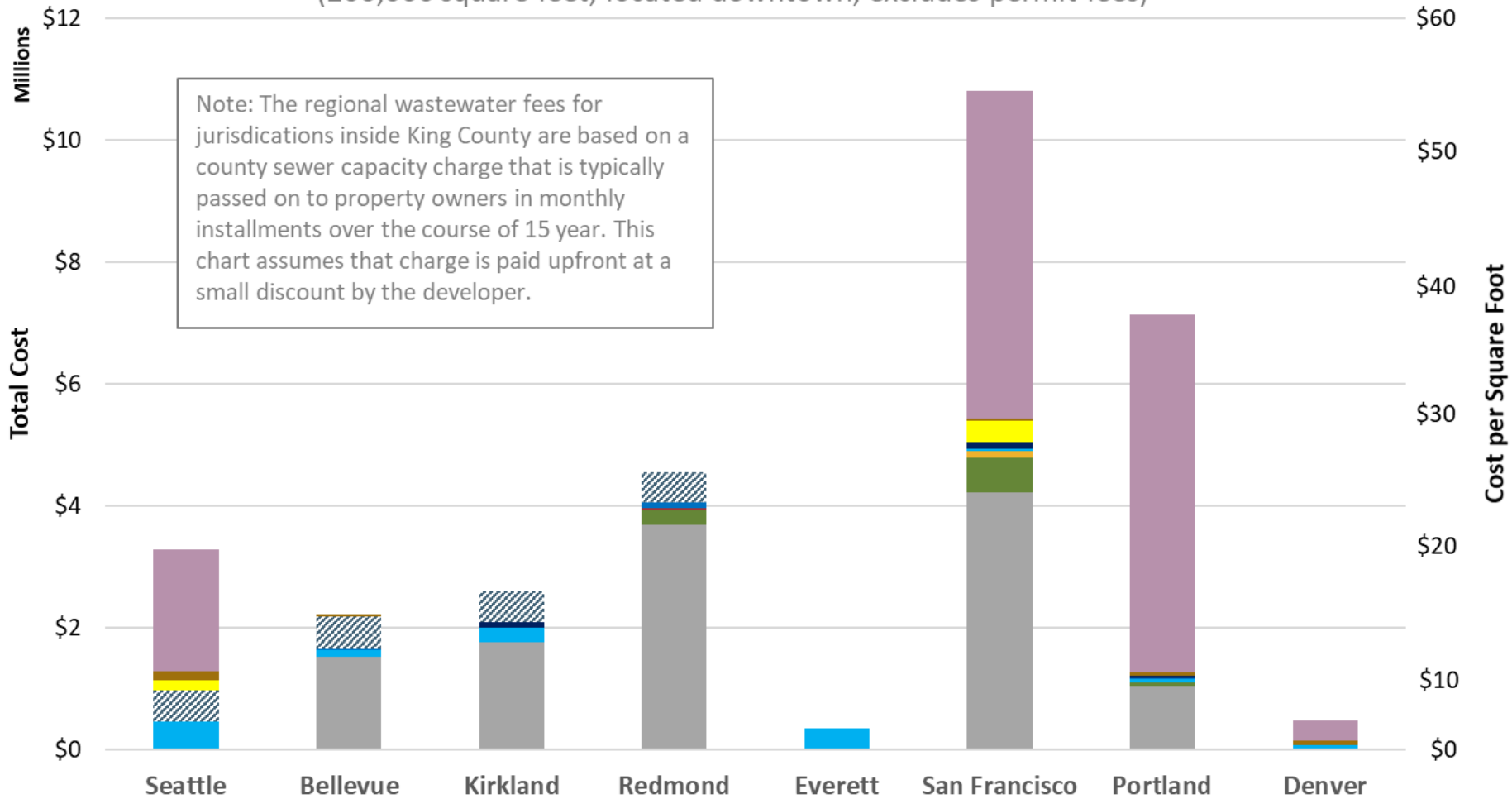
# Multi-Family - System Improvement Cost Comparison

(100 dwelling unit outside of Downtown, excludes permit fees)



# Office Building - System Improvement Cost Comparison

(200,000 square feet, located downtown, excludes permit fees)



■ Transportation

■ Water

■ Child Care

■ Parks

■ Drainage

■ Street Use

■ School

■ Wastewater (Local)

■ Affordable Housing

■ Fire

▨ Wastewater (Regional)