

Chapter 22.16

TRANSPORTATION IMPACT FEE PROGRAM

22.16.020 Definitions.

- A. "Affordable housing" means all categories of affordable housing as defined in the Bellevue Land Use Code, LUC 20.50.010, now or as hereafter amended. "Affordable housing" as used in this chapter is determined to be consistent with "low-income housing" referred to in RCW 82.02.060 and is considered a development activity with broad public purposes.
- B. "Developer" means an individual, group of individuals, partnership, corporation, association, municipal corporation, state agency, or other person undertaking development and their successors and assigns.
- C. "Development" means any construction, improvement, or expansion of a building, structure, or use for which a permit, approval, or other authorization is required that creates additional demand and need for transportation improvements; provided, that such development generates at least one new p.m. peak hour trip, when the permit, approval, or other authorization for the development is processed pursuant to BCC Title 20 (Land Use Code) or Chapter 23.10 BCC (Building Code). Development does not include buildings or structures constructed by a regional transit authority.
- D. "Director" means the director of the transportation department or his or her designee or any other person designated by the city manager.
- E. "Downtown" shall have the same definition as set forth in LUC 20.50.016, now or as hereafter amended.
- F. "Fair market value" means the price in terms of money that a property will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus, measured at the time of the dedication to local government of land or improved transportation facilities.

G. "Gross floor area" means the sum in square feet of the area at each floor level of a building that is included within the principal outside faces of exterior walls. The gross floor area of any parking garages within the building shall not be included.

H. "Impact fee area" means one or more geographic areas within the service area, as shown on the map in the transportation impact fee program report.

I. "Impact fee project list" means those transportation improvement projects identified in the Transportation Facilities Plan as impact fee projects which are determined to be reasonably related to new development, as developed pursuant to BCC 22.16.050. Unless otherwise specified, references to the impact fee project list shall refer to such list in effect at the time of application of this chapter to a particular development.

J. "Impact fee schedule" means a schedule of impact fee rates per development unit (e.g., square footage) for specific land uses within each impact fee area calculated pursuant to BCC 22.16.080, supported by the concurrently adopted transportation impact fee program report, and adopted by ordinance. Unless otherwise specified, references to the impact fee schedule shall refer to such schedule in effect at the time of application of this chapter to a particular development.

K. "Level of service standard" means that mobility unit supply is greater than or equal to the mobility unit demand as defined in Chapter 14.10 BCC.

L. "P.M. peak hour" means the 60-minute period between 3:00 p.m. to 7:00 p.m. which experiences the highest volume of traffic on a roadway or passing through a roadway intersection.

M. "P.M. peak hour trips" means the total vehicular trips entering and leaving a development during the p.m. peak hour on the adjacent roadway.

N. "P.M. peak hour trip generation rate" means the vehicle trip generation rate per unit of development, as specified in the transportation impact fee program report. A unit of development is the element used to describe the size of the development, e.g., gross floor area in square feet for an office building, students for a school. Other trip generation definition sources may be used where the proposed development has special trip-generating characteristics, subject to approval of the transportation department.

O. "Project improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the Transportation Facilities Plan shall be considered a project improvement.

P. "Proportionate share" means that portion of the cost of transportation improvements identified in the impact fee project list that are reasonably related to the service demands and needs of new development.

Q. "Service area" means the geographic area which is benefited by the transportation improvements proposed to be constructed with transportation impact fees collected under this chapter and within which transportation impact fees will be imposed. The boundaries of the service area shall be the same as the legal boundaries of the city of Bellevue and shall include all unincorporated areas annexed to the city on and after the effective date of the ordinance codified in this chapter. Pursuant to the adoption of interlocal agreements with other local and regional governments, including any transportation benefit district created pursuant to Chapter 36.73 RCW, the geographic boundaries of the service area may be expanded consistent with the provisions of such interlocal agreements.

R. "System improvements" mean transportation improvements that are included in the impact fee project list in the Transportation Facilities Plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

S. "Transportation Facilities Plan" means the [2012](#)-year program adopted by the city council for jointly funding, from public and private sources, transportation improvements necessitated in whole or in part by development within the service area. Unless otherwise specified, references to the Transportation Facilities Plan shall refer to such plan in effect at the time of application of this chapter to a particular development.

T. "Transportation impact fee" means a payment of money imposed upon development as a condition of development approval to pay for transportation improvements needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for transportation improvements, that is a proportionate share of the cost of the transportation improvements, and that is used for improvements that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee.

U. "Transportation impact fee program report" means the report entitled "Transportation Impact Fee Program for Bellevue, Washington." Unless otherwise specified, references to the transportation impact fee program report shall refer to the edition of such report in effect at the time of application of this chapter to a particular development.

V. "Transportation improvement" means any and all capital improvements to the transportation infrastructure of the city constructed pursuant to city design and development standards and requirements, including without limitation roads, bridges, overpasses, sidewalks, curbs, turn lanes, traffic signals, traffic signs, HOV lanes, bus shelters, and associated landscaping. The cost of the transportation improvement shall include any debt service payments, including interest, for any of these improvements.

22.16.050 Transportation improvements.

A. The Transportation Facilities Plan is a [2012](#)-year list of transportation improvements in the service area. These transportation improvements include design, acquisition of right-of-way, and construction. Every two years or as otherwise directed by the council, the transportation commission shall review and as necessary present an update of the Transportation Facilities Plan to the city council for consideration.

B. The impact fee project list consists of the transportation improvements in the Transportation Facilities Plan needed to provide vehicular capacity on city of Bellevue roadways, where the capacity needs are reasonably related in part or in whole to new development. The impact fee project list is adopted by the city council when it adopts the Transportation Facilities Plan.