

ATTACHMENT A

Transportation Commission discussion/questions spreadsheet from June 28, 2018

TC Member	Issue or Comment	Staff Response
TW.	To use MMLOS impact fees to fix existing deficiencies is not allowed	Impact fees would be targeted toward system completion and could be focused on a specified geographic area depending on the location of the proposed development. Impact fees would not be used to address existing deficiencies, but rather to offset the adverse impacts of new development
TW.	Are we looking at a project-level SEPA review, or will projects be covered by an area-wide SEPA determination?	This differs on the option selected. For Option 1 a project-SEPA review would be required, for Options 2 and 3 programmatic, city-led SEPA reviews may be needed, similar to the current SEPA documentation for the Transportation Facilities Plan. Site access and circulation review using MMLOS is recommended for all options, which could be identified in the transportation standards code.
VB.	What would be the geographic area considered for bikes?	Within the MMA of the project, possibly adjacent MMAs as well to capture priority bicycle corridors or other routes that provide connectivity and continuity of bicycle LOS
CC.	How would you determine the appropriate mitigation for peds and bikes?	For each MMA, a list of pedestrian and bike facility improvements related to development would be identified by City staff - a comprehensive list of projects is already adopted in the Pedestrian and Bicycle Transportation Plan - although project descriptions may be different given the tools available now. This would be the foundation of the mitigation list. The mitigation for a project should be proportional to the total person trips generated within the MMA or MMAs used for the analysis. For example, an MMA might have 10 projects identified to improve pedestrian mobility and the bike MMAs (comprised of the MMA where the project is located plus the adjacent MMAs) may have 6 projects to support growth. If the development generated 10% of the new person trips within the MMA, then it would pay 10% of the cost to implement the projects, or

		construct 10% of the projects, based on which option is chosen.
CC.	What would be the trigger (person trips) that would require a MMLOS response?	For Option 2, all projects that generate person trips would trigger an MMLOS response as it relates to impact fee payment (except for those uses exempted by the City Council per GMA limitations). Option 3 should similarly apply to all developments. For Option 1, the City's existing 30 trip trigger (which would be applied to person trips) seems reasonable to identify when a transportation study is needed. For Options 2 and 3 related to site access and circulation, a person trip threshold should be identified, we currently recommend 50 person trips, but more thought on this topic is warranted.
TW.	Would adding projects to the impact fee list increase the obligation for mitigation and therefore the amount of the impact fee? How much would it increase?	Depends on how the city chooses to fund projects. The setting of an impact fee rate is a decision the City Council makes and the rate could be set to be the same as existing fees or higher or lower depending on the Council's preference. Council decides and the Transportation Commission is not currently being asked to provide a recommendation.
CC.	Would the city need to develop a process to review/approve a developer-proposed alternative	Yes. The city would specify the contents of an alternate evaluation. Procedures and criteria for evaluation would be established. For Option 2, a developer can always propose an alternative rate study if they don't agree with the trip generation rate in the fee program, but they cannot argue for an alternative project list or fee per trip.
VB.	In Issaquah, the impact fee is higher than in Bellevue, but it includes other things like projects for peds and bikes. Adds 9%-10% to the impact fee. What would we be looking at in Bellevue?	Fee structure and rate would be determined by Council, a recommendation from the Transportation Commission is not expected at this time.

LW.	How would a fee-in-lieu work?	In Issaquah, there has not been an issue with the impact fee and not that many big projects or independent studies - developers typically pay the fee and move on. In SLU, mostly there are large projects and they generally conduct an independent study and propose alternate mitigation that the City must review and approve. In Northgate, developers tend to pay the fee and move on.
KT.	Notes that the analysis is not done, so would need to update the project list and conduct a rate study.	Concur.
TW.	How would you determine what non-motorized projects to include on the project list and rate study?	In Bellingham, ped and bike projects are determined to provide system connectivity. For vehicles, consider capacity projects. Bellevue would use the Pedestrian and Bicycle Transportation Plan as a basis for determining the location of projects (on the network) and the type of project (although the project design may vary from that described in the Plan because new tools are available and MMLOS describes guidelines for facilities to meet LOS expectations). Eligible projects would be those that expand the capacity of the transportation system for future development and cannot include "local" projects that only benefit a specific development.
VB.	Methodology for determining fee-in-lieu should be as simple as possible	Methodology is very similar to GMA impact fees. Fairly straightforward.
LM.	Simplicity is important for both sides - developer and city, also additional important characteristics of our methodology should be stability and predictability.	Concur
LM.	Likes the GMA model because it better addresses the needs of the system and is informed by how development impacts mobility. The city would	Noted

	need to do a lot of up-front analysis is appropriate and it worth the effort.	
TW.	How to avoid nexus issues. Don't calculate or consider deficiencies in the system for each mode to determine a development's fair share.	Noted
CC.	Agree with LM that simplicity is a good characteristic. We need to think about this in a multimodal way. It may be too easy for a developer to object to a fee-in-lieu, so a transportation impact fee is appropriate.	Noted
CC.	A fixed-rate fee is a static decision and ignores evolving mobility needs.	Could be set up to adjust automatically or fee structure and project list could be reviewed every so often. Most cities update their fee rate annually to at least account for inflation and update the project lists every 2-7 years. Bellevue last updated impact fees in 2016, informed by the TFP and subject to a 3% growth rate.
LW.	Both GMA and SEPA methods allow for a developer to do an independent study, correct?	Yes. GMA allows for an independent rate study to more accurately ascertain the trip generation of a project - this is most appropriate for unusual land uses that are not well reflected on the rate schedule. Option 3 also allows for an independent study to challenge both the fee rate, but also the appropriate project to mitigate impacts.
TW.	A fee system would require a 6-year implementation or the city would be required to refund the fee. Adding projects to the impact fee list will dilute implementation.	10-year implementation is now allowed in the GMA. The Commission may recommend that the impact fee rate and structure be established to allow for timely implementation of projects intended to achieve system completion. For either Option 2 or 3, so long as the City shows progress toward implementing the project list there would be no need to refund any impact fee/mitigation fee money.

CC.	Are there any local jurisdictions with Option 2 experience?	Redmond, Kirkland, Kenmore.
TW.	Any new program should provide credit for the required frontage improvements	Credit would be due only for frontage improvements that include projects identified on the impact fee list.
LW.	What are the attributes of a reliable impact fee program? What works well?	Impact fee is constrained. Rate should be set so that it is effective to get projects built, yet reasonable for the developer to mitigate project impacts. In a multimodal fee system, focus on different modes in different places - a non-motorized fee program gives flexibility to the city to prioritize investments.
VB.	The nexus question is an important consideration. Would each option would be OK in that regard?	Staff is confident that reasonable nexus/connection can be established between the demands/impacts of new development and the infrastructure needed to support the new non-auto trip generated by the development.
TW.	Consider the objectives: to mitigate impact of non-motorized trips on the non-motorized system; efficient and fair.	All options meet this standard.
TW.	With Options 2 and 3, how would it be determined how to spend the money allocated between facilities to mitigate motorized and non-motorized impacts? Which method/option would be best with respect to the nexus requirement?	There are several options to ensure an equitable expenditure of funds. In general, we recommend following the City's current process for identifying which projects move from the TFP to the CIP. Multimodal impact or mitigation fees could then be allocated to address local funding requirements for all the projects that move to the CIP. In essence, they can reduce the need for local/general funds and may allow for additional projects to move from the TFP to the CIP. An additional layer of prioritization seems unnecessary.
VB.	It would be a useful exercise to take a recent and real Bellevue project and run it through both options, using a hypothetical fee schedule and project list. What would be the steps. Which option	Agreed. The discussion on September 13, 2018 will include an application of Options 2 and 3 on recent Bellevue projects.

	would provide consistency for developers. How would city staff resources be burdened?	
LM.	Prefers Option 2 over Option 1 because Option 2 would create awareness, visibility and understanding of impact to non-motorized modes. Option 3 provides the city a choice in how to spend the fee-in-lieu money.	Option 1 eliminated from further review and refinement.
CC.	Fee-in-lieu would be voluntary. A developer could do a study to determine alternatives to the standard, i.e. bus shelters vs umbrellas. Could be too burdensome of a process.	Staff would set reasonable expectations for alternative approaches to mitigation. We agree that Option 3 could require an additional level of oversight from City staff, but provide additional opportunities for creative solutions from developers.
TW.	Flexibility is important.	Flexibility, yes, within a system that is defined and constrained to ensure the public that mitigation is responsive to the impact and the process is fair.
VB.	How to involve the public?	To the point of a Commission recommendation to the Council, the Commission is the public involvement. After that, Council direction will determine the course of action to prepare an amendment to the Transportation Standards Code and Impact Fee ordinance. Additional public involvement including a public hearing would be required.